

CITY COUNCIL MEETING AGENDA - VERSION 1
CITY COUNCIL CHAMBERS
MARCH 9, 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

- February 24, 2020 (Approve)

8. TRANSFERS

- TRAN069_03_09_2020 Free Cash \$13K to EMR Maint-Building \$10.5K, EMR Utilities \$2.5K (B&F)
- TRAN070_03_09_2020 Free Cash \$25K to LIB Maint-Equipment \$25K (B&F)
- TRAN071_03_09_2020 Receipts Reserved for Appr Fuel \$80K to DPS Highway Fuel & Oil \$80K (B&F)
- TRAN072_03_09_2020 Receipts Reserved for Appr Fuel \$22.5K, Water Ret. Earn. \$7,725, Sewer Ret. Earn. \$7,725 to Tank Upgrades \$37,950 (B&F)

9. COMMUNICATIONS

- APPL004_03_09_2020 Footsteps for Food - 4/14/2020 (PS)
- APPL005_03_09_2020 Cultural Survival Bazaar - 7/18-19 2020 (PS)
- APPL006_03_09_2020 Spring Invitation Night - 5/1/2020 (PS)
- APPL007_03_09_2020 Newburyport Spring Festival - 5/24-25 2020 (PS)
- APPL008_03_09_2020 Newburyport Car Show - 8/20/2020 (PS)
- APPL009_03_09_2020 Newburyport Fall Harvest Festival - 10/11-12 2020 (PS)
- APPL010_03_09_2020 Witches' Night Out - 10/23/2020 (PS)
- APPL011_03_09_2020 Downtown Trick or Treat - 10/30/2020 (PS)
- APPL012_03_09_2020 Invitation Nights - 12/4, 12/11, 12/18 2020 (PS)
- COMM230_03_09_2020 Yearly Report, Section 16A of the Liquor Control Act (L&P)
- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance (P&D)
- COMM232_03_09_2020 Annual Audit of the City's FY2019 Financial Statements (B&F)
- COMM233_03_09_2020 Ltr re: MVRTA State Street Bus Stop Shelter (B&F)

10. APPOINTMENTS

First Reading

- APPT151_03_09_2020 Joseph Morgan 55 Hill St Historical Comm 3/31/2023

To be Referred to Planning & Development

- APPT152_03_09_2020 Walter Chagnon 43 Lime St ZBA 03/31/2021

Re-Appointments

- APPT153_03_09_2020 Jane Healey 38 Winter St Comm Pres Comm 3/31/2023
- APPT154_03_09_2020 Paul J. Harrington 251B High St Tree Comm 3/31/2023
- APPT155_03_09_2020 Maurice Southworth 12 Fruit St Fruit St Historic 5/31/2023

Re-Appointment, to be Referred to Public Utilities

- APPT156_03_09_2020 John Tomasz 38 Storeybrooke Dr Water/Sewer Comm 3/31/2023

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

Budget & Finance

- TRAN068_01_27_2020 Free Cash 50K to Fire Station #2 Design/Feasibility Study
- COMM226_01_27_2020 Ltr from Jim McCarthy – Financial Inquiry
- ORDR167_02_10_2020 Harbormaster Fees (COTW)
- ORDR168_02_24_2020 Approval to Pay Prior Year Bills (Veterans, City Clerk)

License & Permits

- APPL001_02_24_2020 2020 Class II Vehicle License - Newburyport Sunoco

Public Safety

- ORDR166_02_10_2020 Amendment to 2-Hour Zone - Harris Street
- APPL002_02_24_2020 Ride to End Alzheimer's - 6/6/2020
- APPL003_02_24_2020 Pan Mass Challenge Kids Ride - 6/14/2020

**END OF CONSENT AGENDA
REGULAR AGENDA**

11. MAYOR'S UPDATE

12. APPOINTMENTS

Second Reading

- APPT147_02_24_2020 Shawn Flaherty 32 Milk St Disabilities Comm 3/1/2023
- APPT148_02_24_2020 Peter McNamee 9 Otis Pl Historical Comm 3/1/2023

Re-Appointments

- APPT149_02_24_2020 Jennie Donahue 18 Cherry St Disabilities Comm 3/1/2023
- APPT150_02_24_2020 Paul Hogg 4 Coltin Dr Shellfish Constable 3/1/2023

13. ORDERS

- ORDR172_03_09_2020 Brislin Scholarship Gift Acceptance \$4,793.86
- ORDR173_03_09_2020 Acceptance of MGL Chapter 40, Section 5B (fourth paragraph)
- ORDR174_03_09_2020 Plum Island Beach Fee Dedication
- ORDR175_03_09_2020 Newburyport High School Statement of Interest - Roof and Science Labs

14. ORDINANCES

- ODNC053_03_09_2020 Establishment of Plum Island Beach Stabilization Fund
- ODNC054_03_09_2020 Enforcement of the State Building Code
- ODNC055_03_09_2020 Recycling and Yard Waste Disposal by City

15. 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
- TRAN068_01_27_2020 Free Cash 50K to Fire Station #2 Design/Feasibility Study
- COMM226_01_27_2020 Ltr from Jim McCarthy – Financial Inquiry
- ORDR167_02_10_2020 Harbormaster Fees (COTW)
- ORDR168_02_24_2020 Approval to Pay Prior Year Bills (Veterans, City Clerk)

Education

In Committee:

-

General Government

In Committee:

- APPT143_01_27_2020 (COTW) KP Law 101 Arch St, Boston Legal 2/1/2021
 - ORDR169_02_24_2020 Amendment to Political Signs Guidelines
 - ODNC052_02_24_2020 Designate Members of Planning Board Members as Special Employees

License & Permits

In Committee:

- ODNC047_1_27_20 General Ordinance - Short Term Rental Units Rules
- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance
- APPL001_02_24_2020 2020 Class II Vehicle License - Newburyport Sunoco

Neighborhoods & City Services

In Committee:

- COMM194_10_15_19 Ltr from Newburyport Livable Streets
- COMM197_10_28_19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)
- ODNC050_02_24_2020 Curb Cuts and Notice of Work Involving Sidewalks

Planning & Development

In Committee:

- COMM214_01_13_2020 Ltr from Central Cong Church re: CPA Funding, Historic Pres
- COMM215_01_13_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046_1_27_20 Zoning Amendment - Short Term Rental Units Definition
- APPT142_01_27_2020 Matthew D. Pieniazek 39 Marlboro St Waterfront Trust 1/1/2025
 - ODNC048_02_10_2020 Newburyport Historical Commission
 - ODNC051_02_24_2020 Fences in Downtown Overlay District

Public Safety

In Committee:

- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
- COMM221_01_27_2020 Letter re: Sign at 43 Pine Hill Road
- COMM227_02_10_2020 Update and Request from Waste Stream Task Force
- **ORDR166_02_10_2020 Amendment to 2-Hour Zone - Harris Street**
- **APPL002_02_24_2020 Ride to End Alzheimer's - 6/6/2020**
- **APPL003_02_24_2020 Pan Mass Challenge Kids Ride - 6/14/2020**

Public Utilities

In Committee:

-

Rules

In Committee:

- COMM220_01_27_2020 Proposed City Council Rule 9F
- ORDR170_02_24_2020 Amendment Council Rules 2020 (COTW)
- ORDR171_02_24_2020 Amendment to Rule 17B (COTW)

16. GOOD OF THE ORDER

17. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
FEBRUARY 24, 2020

7:30PM

The City Council President, Jared Eigerman, called the meeting to order at 7:30pm, followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: McCauley, Shand, Tontar, Vogel, Wallace, Zeid, Connell, Khan, Lane, Eigerman. 10 present, 1 absent (Devlin).

(Sound Check)

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS**
- 5. PUBLIC COMMENT** (none)
- 6. MAYOR'S COMMENT** (none)

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

- February 10, 2020 (Approve)

8. TRANSFERS

- NONE

9. COMMUNICATIONS

- APPL001_02_24_2020 2020 Class II Vehicle License - Newburyport Sunoco (L&P)
- APPL002_02_24_2020 Ride to End Alzheimer's - 6/6/2020 (PS)
- APPL003_02_24_2020 Pan Mass Challenge Kids Ride - 6/14/2020 (PS)

10. APPOINTMENTS

First Reading

- | | | | | |
|----------------------|----------------|------------|-------------------|----------|
| • APPT147_02_24_2020 | Shawn Flaherty | 32 Milk St | Disabilities Comm | 3/1/2023 |
| • APPT148_02_24_2020 | Peter McNamee | 9 Otis Pl | Historical Comm | 3/1/2023 |

Re-Appointments

- | | | | | |
|----------------------|----------------|--------------|---------------------|----------|
| • APPT149_02_24_2020 | Jennie Donahue | 18 Cherry St | Disabilities Comm | 3/1/2023 |
| • APPT150_02_24_2020 | Paul Hogg | 4 Coltin Dr | Shellfish Constable | 3/1/2023 |

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

END OF CONSENT AGENDA
REGULAR AGENDA

Motion to approve Consent Agenda as amended by Councillor Zeid, seconded by Councillor Khan. So voted.

11. MAYOR'S UPDATE

12. COMMUNICATIONS

- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance (P&D)
Councillor Shand removed from Consent Agenda. Motion to refer to License & Permit by Councillor Shand, seconded by Councillor Tontar. So voted.

13. APPOINTMENTS

Second Reading

- APPT144_02_10_2020 Kristen Farrell 28 Spofford St Disabilities Comm 2/10/2023
- APPT145_02_10_2020 Mukhayo Portmann 146 High St Human Rights Comm 2/10/2023

Motion to approve second reading appointments collectively by Councillor Zeid, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.

14. ORDERS

- ORDR168_02_24_2020 Approval to Pay Prior Year Bills (Veterans, City Clerk)
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted.
- ORDR169_02_24_2020 Amendment to Political Signs Guidelines
Motion to refer to General Government by Councillor Zeid, seconded by Councillor Connell. So voted.
- ORDR170_02_24_2020 Amendment Council Rules 2020
Motion to refer to Rules and Committee of the Whole by Councillor Vogel, seconded by Councillor Zeid. So voted.
- ORDR171_02_24_2020 Amendment to Rule 17B
Motion to refer to Rules and Committee of the Whole by Councillor Zeid, seconded by Councillor Tontar. So voted.

15. ORDINANCES

- ODNC049_02_24_2020 Automatic Doors
Motion to receive and file by Councillor Zeid, seconded by Councilor Tontar. So voted.
- ODNC050_02_24_2020 Curb Cuts and Notice of Work Involving Sidewalks
Motion to refer to Neighborhood & City Services by Councillor Wallace, seconded by Councillor Khan. So voted.
- ODNC051_02_24_2020 Fences in Downtown Overlay District
Motion to refer to Planning & Development by Councillor Tontar, seconded by Councillor Connell. So voted.
- ODNC052_02_24_2020 Designate Members of Planning Board Members as Special Employees
Motion to refer to General Government by Councillor Zeid, seconded by Councillor Shand. So voted.

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

- TRAN068_01_27_2020 Free Cash 50K to Fire Station #2 Design/Feasibility Study
- COMM226_01_27_2020 Ltr from Jim McCarthy – Financial Inquiry
- **ORDR167_02_10_2020 Harbormaster Fees**
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Connell. So voted. Motion to refer to Budget & Finance and Committee of the Whole by Councillor Tontar, seconded by Councillor Connell. So voted.

Education

Meeting Monday, March 2nd 5:30pm. Councillor Khan gave an update on the Capital Improvement Plan for schools.

In Committee:

-

General Government

Meeting Thursday, February 27th 6:00pm.

In Committee:

- APPT143_01_27_2020 (COTW) KP Law 101 Arch St, Boston Legal 2/1/2021

License & Permits

In Committee:

- ODNC047_1_27_20 General Ordinance - Short Term Rental Units Rules

Neighborhoods & City Services

In Committee:

- COMM194_10_15_19 Ltr from Newburyport Livable Streets
- COMM197_10_28_19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)

Planning & Development

In Committee:

- COMM214_01_13_2020 Ltr from Central Cong Church re: CPA Funding, Historic Pres
- COMM215_01_13_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046_1_27_20 Zoning Amendment - Short Term Rental Units Definition
- APPT142_01_27_2020 Matthew D. Pieniazek 39 Marlboro St Waterfront Trust 1/1/2025
- **APPT146_02_10_2020 Ken Swanton 10 Tremont St ZBA 2/10/2021**

Motion to remove from Planning & Development by Councillor Shand, seconded by Councillor McCauley. So voted. Motion to approve by Councillor Shand, seconded by Councillor McCauley. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.

- ODNC048_02_10_2020 Newburyport Historical Commission

Public Safety

In Committee:

- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
- COMM221_01_27_2020 Letter re: Sign at 43 Pine Hill Road
- COMM227_02_10_2020 Update and Request from Waste Stream Task Force
- ORDR166_02_10_2020 Amendment to 2-Hour Zone - Harris Street

Public Utilities

In Committee:

-

Rules

In Committee:

- COMM220_01_27_2020 Proposed City Council Rule 9F

17. GOOD OF THE ORDER

7:55pm – 5-minute recess

18. EXECUTIVE SESSION to discuss litigation with respect to the 193 High Street Zoning Appeal (Hebbelinck)

Motion to go in to Executive Session, for the purpose of discussing litigation with respect to the 193 High Street Zoning Appeal, by Councillor Zeid, seconded by Councillor Lane. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.

19. ADJOURNMENT

Motion to adjourn by Councillor Tontar, seconded by Councillor Vogel. So voted. 9:25pm.

TRANSFERS



CITY OF NEWBURYPORT FY 2020

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

MARCH 9 PM 3:23

Department: Emergency Management

Submitted by: Mayor Holaday, Chief LeClaire

Date Submitted: 3/9/2020

Transfer From:

Account Name:	<u>General Fund - Free Cash</u>	Balance:	<u>\$ 1,857,171.00</u>
Account Number:	<u>01-35910</u>	Category:	<u>\$ -</u>
Amount:	<u>\$13,000.00</u>	Trans I/O:	<u>\$ (15,500.00)</u>

Why Funds Are Available:

The Massachusetts Department of Revenue certified Free Cash for FY2020 at \$1,872,671. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.

Transfer To:

Account Name:	<u>EMR Maint-Building</u>	Balance:	<u>\$ 1,619.60</u>
Account Number:	<u>01291002-52401</u>	Category:	<u>\$ 892.36</u>
Amount:	<u>\$10,500.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

As this is a drill and exercise year for Seabrook Station, it is imperative that the emergency operations center (EOC) be ready to accommodate that activity, as well as, any other events that arise. EOC will run out of the DPS Administration Building instead of the Low Street facility, which was closed due to untenable conditions. The water/sewer conference room will be used for EOC events and the small adjacent office will serve as a radio room; capable of communicating with fire, police, DPS, MEMA and the local 800 EMA frequency. Funding is needed to install radios, antennas and an antenna tower at the new site.

Transfer To:

Account Name:	<u>EMR Utilities</u>	Balance:	<u>\$ (727.24)</u>
Account Number:	<u>01291002-52100</u>	Category:	<u>\$ 892.36</u>
Amount:	<u>\$2,500.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

This line item was reduced from \$7,000 to \$5,000 due to the uncertain future of the Low Street facility. Prior year spending was: FY19 \$7,961, FY18 \$10,527, FY17 \$7,088. In addition to heat/electricity, this line item funds the monthly telecommunications service for the EOC equipment.

Donna D. Holaday, Mayor:

Donna D. Holaday

Date: 3/3/20

Ethan R. Manning, Auditor:

Ethan R. Manning

Date: 3/3/20

Sponsor: Charles F. Tontar, Councillor At-Large

City Council Approval:



**CITY OF NEWBURYPORT
FY 2020**

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

APR 13 2020 PM 3:23

Department: Library
Submitted by: Mayor Holaday, Giselle Stevens **Date Submitted:** 3/9/2020

Transfer From:

Account Name:	<u>General Fund - Free Cash</u>	Balance:	<u>\$ 1,857,171.00</u>
Account Number:	<u>01-35910</u>	Category:	<u>\$ -</u>
Amount:	<u>\$25,000.00</u>	Trans I/O:	<u>\$ (15,500.00)</u>

Why Funds Are Available:

The Massachusetts Department of Revenue certified Free Cash for FY2020 at \$1,872,671. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.

Transfer To:

Account Name:	<u>LIB Maint-Equipment</u>	Balance:	<u>\$ (7,242.00)</u>
Account Number:	<u>01610002-52401</u>	Category:	<u>\$ 71,133.13</u>
Amount:	<u>\$25,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

Over the past 8 months of FY20, the Library has spent \$50,137 on building/equipment repairs. The majority of the repairs were for the ADA automatic front door (\$2,693), the elevator (\$5,350), the HVAC system (\$29,628) and HVAC controls (\$6,925).

The Door and elevator repairs were not anticipated. Much of the HVAC repair was also not anticipated; though the repairs have addressed long-standing issues and completed many of the recommendations identified by the FY19 Library HVAC assessment.

This account is now depleted by (\$7,242) and we are anticipating an additional \$18,000 in planned expenses. Therefore, we are requesting an appropriation of \$25,000 to cover expenses through year-end. While there is still a healthy balance in the overall budget category, most of that is for spending on print and AV materials and subscriptions, which is required to maintain state certification.

Donna D. Holaday, Mayor: Date: 3/3/20
 Ethan R. Manning, Auditor: Date: 3/3/20

Sponsor: Charles F. Tontar, Councillor At-Large

City Council Approval:



CITY OF NEWBURYPORT FY 2020

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

2020 MAR 9 PM 3:22

Department: Department of Public Services

Submitted by: Anthony J. Furnari, Director

Date Submitted: 3/9/2020

Transfer From:

Account Name:	<u>Receipts Reserved for Appr. Fuel</u>	Balance:	<u>\$ 174,788.88</u>
Account Number:	<u>2722-59600</u>	Category:	<u>\$ -</u>
Amount:	<u>\$80,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

This is the standard method of funding the DPS fuel and oil account. As City departments pay for gasoline, the funds are deposited into this reserve for appropriation account and then transferred into the fuel and oil expenditure account within the Highway budget to purchase more fuel.

Transfer To:

Account Name:	<u>DPS Highway Fuel & Oil</u>	Balance:	<u>\$ (25,141.14)</u>
Account Number:	<u>01421004-54801</u>	Category:	<u>\$ 46,197.91</u>
Amount:	<u>\$80,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

Funds are required to buy gasoline and oil that is used by City vehicles.

Donna D. Holaday, Mayor:

Donna D. Holaday

Date:

3/2/20

Ethan R. Manning, Auditor:

Ethan R. Manning

Date:

3/3/20

Sponsor: Charles F. Tontar, Councillor At-Large

City Council Approval:



CITY OF NEWBURYPORT FY 2020

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

2020 MAR -3 PM 3:22

Department: Department of Public Services

Submitted by: Anthony J. Furnari, Director

Date Submitted: 3/9/2020

Transfer From:

Account Name:	<u>Receipts Reserved for Appr. Fuel</u>	Balance:	<u>\$ 174,788.88</u>
Account Number:	<u>2722-59600</u>	Category:	<u>\$ -</u>
Amount:	<u>\$22,500.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

This is the standard method of funding the DPS fuel and oil account. As City departments pay for gasoline, the funds are deposited into this reserve for appropriation account and then transferred into the fuel and oil expenditure account within the Highway budget to purchase more fuel.

Transfer From:

Account Name:	<u>Water Retained Earnings</u>	Balance:	<u>\$ 1,219,425.00</u>
Account Number:	<u>60-35920</u>	Category:	<u>\$ -</u>
Amount:	<u>\$7,725.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

The Massachusetts Department of Revenue certified Retained Earnings for the Water Enterprise Fund for FY2020 at \$1,219,425. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.

Transfer From:

Account Name:	<u>Sewer Retained Earnings</u>	Balance:	<u>\$ 974,540.00</u>
Account Number:	<u>61-35920</u>	Category:	<u>\$ -</u>
Amount:	<u>\$7,725.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

The Massachusetts Department of Revenue certified Retained Earnings for the Sewer Enterprise Fund for FY2020 at \$974,540. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.

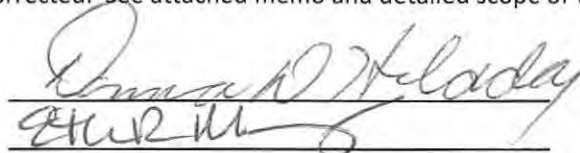
Transfer To:

Account Name:	<u>Tank Upgrades</u>	Balance:	<u>\$ -</u>
Account Number:	<u>New Account</u>	Category:	<u>\$ -</u>
Amount:	<u>\$37,950.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

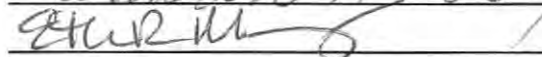
In June 2019, an underground storage tank at 16A Perry Way failed inspection by MassDEP. The tank is used to collect waste oil from the DPS garage floor drains. The size of the tank, piping, spill bucket, overfill prevention and leak detection & corrosion prevention systems are in violation of current standards set forth by MassDEP and need to be corrected. See attached memo and detailed scope of work.

Donna D. Holaday, Mayor:



Date: 3/3/20

Ethan R. Manning, Auditor:



Date: 3/3/20

Sponsor: Charles F. Tontar, Councillor At-Large

City Council Approval:



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

ANTHONY J. FURNARI, DIRECTOR
JAMIE TUCCOLO, DEPUTY DIRECTOR/DIRECTOR OF OPERATIONS

PHONE: 978-465-4463 EXT. 1701
FAX: 978-465-1623

To: Mayor Donna Holaday
President and Members of the City Council

From: Anthony Furnari, DPS Director

Date: March 3, 2020

Subject: Underground Tank Replacement

On June 11, 2019, the underground storage tank located at 16A Perry Way failed an inspection conducted by MassDEP. The tank is used to collect waste oil from the DPS garage floor drains.

The MassDEP inspection noted the current tank is not compliant to current underground storage tank regulations (MGL Ch. 210 and 310 CMR 80.00). The size of the tank, piping, spill bucket, overfill prevention and leak detection and corrosion prevention systems are in violation of current standards set forth by MassDEP. The Department of Public Service (DPS) responded to the noncompliance & enforcement action within the thirty-day response period (response dated July 11, 2019). DPS provided all of the required information and supplemental documentation pertaining to the items listed in the notice of noncompliance.

The tank is monitored and emptied in compliance with the action outlined by MassDEP. In order to avoid enforcement action and bring the tank into full compliance, the tank requires an immediate replacement. The estimated project cost is \$37,950 funded approximately 60% by the Receipts Reserved for Appropriation Fuel Account and 20% by both the Water and Sewer Enterprise Funds.

Attached is the cost estimate that we received in September 2019. The appropriation request breaks down as follows:

Description	Amount
Sept. 2019 Cost Estimate	\$27,500.00
Price Escalation (5%)	\$1,375.00
Permit, Recovery & Transport (15%)	\$4,125.00
Project Contingency (15%)	\$4,950.00
Total Cost	\$37,950.00

Thank you for your consideration.



Deliver via email: rbarton@wilcoxandbarton.com

September 9, 2019

Client:
Wilcox & Barton
Mr. Russell Barton
57 Hoyt Road
Concord, NH 03301

Site:
Newburyport DPW
6A Perry Way
Newburyport, MA

Work Authorization

Cyn Environmental Services will schedule and provide the following services upon receipt of this signed work authorization.

It is our understanding that upon authorization – Cyn Environmental Services will be hired by, working for and billing our client for the following services to be performed at the above site- all services to be rendered according to Cyn Environmental pricing:

The scope of work as understood:

Remove existing tank top fittings after completely exposed by the city
Tightness test the tank prior to upgrade
Remove piping to oil water separator
Remove vent piping, if required (not shown on plan)
Install new tank top sump, fittings, and sensors as shown on drawing
Install new piping from tank top to oil water separator (Using existing penetration in OWS)
If new foundation core needed for the piping, to be by city
Install new vent piping, if required (not shown on plan)
Provide 42" & 12" manholes to be installed by city
Install all tank sensors and connect to junction boxes provided by the city
Hydrostatically test new tank sump
Program and test new console and sensors
Tightness test the tank (post construction)
Prevailing wage labor rates included

Earthwork by City of Newburyport

- Remove existing concrete pad and bituminous concrete over tank and piping
 - Excavate to expose tank top, piping from separator to tank and tank vent lines
- Foundation core if needed by city
- Dewater excavation, as necessary, to support tank to upgrade. Frac tank provided by NRC
 - Excavate and backfill as necessary to install new electrical conduit
 - In coordination with tank contractor backfill tank and piping with pea gravel
 - Install new concrete pad with new manway and manholes. Manholes and manway provided by tank contractor
 - Patch bituminous concrete pavement.

Electrical work by City of Newburyport

- Install new LU-4 console (Provided by Cyn) in location determined by Newburyport DPW
- Provide and install all conduit and wiring from the building electrical supply to LU-4 console.
- Provide and install all new conduit and wiring from the LU-4 console to the junction boxes at the tank top. Coordinate location of junction boxes with tank contractor
- The city shall install the conduit through the tank top sump, city to complete wiring to the junction box.

Pricing:

L/E/M 500 gallon Waste Oil UST upgrade: \$27,950.00

Notes:

1. Pricing above is based on services performed Monday-Friday, during normal business hours.
2. Representative for the generator must be available onsite day of services.
3. Quote is subject to 12.5% Recovery fee, Manifest fees, HUB fees, MA Transporter Fee and any and all applicable Cyn fees and charges - please refer to the attached General Conditions.

Terms: Net 30 days

*****Upon approval please return via facsimile to (781) 297-7936 for scheduling.

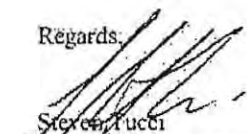
X _____
Signature

X _____
Title

X _____
Date

Thank you for the opportunity.

Regards,



Steven Tucci
VP, Cyn Environmental Services

COMMUNICATIONS

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Tel.

Fax.

2019 AUG 13 PM 3:16

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Footsteps for Food

Date: Sat. April 14, 2020 Time: from 10:00 a.m. to 12:00 pm

Rain Date: _____ Time: from _____ to _____

2. Location: Water front park, Newburyport

3. Description of Property: walk/run in park and rail trail Public _____ Private _____

4. Name of Organizer: Rotary/Interact Club, N.H.S City Sponsored Event: Yes _____ No _____

Contact Person Jill Moran / Sophie Scali

Address: 241 High St Telephone: 978 465-4440

E-Mail: jmoran@newburyport.k12.ma.us Cell Phone: _____

Day of Event Contact & Phone: Jill Moran 978 417 1195
Sophie Scali 978 806 5271

5. Number of Attendees Expected: 200

6. MA Tax Number: _____

7. Is the Event Being Advertised? yes Where? throughout Newburyport Public Schools

8. What Age Group is the Event Targeted to? K-12

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 ^(water) Alcohol _____ Goods _____ Total # of Vendors 2

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: N/A

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? 2
- c) Will you be contracting for disposal of : **Trash** Yes ___ No **Recycling** Yes ___ No
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No ___
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: N/A

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: NHS Interact Club and Newburyport Rotary International

2. Name, Address & Daytime Phone Number of Organizer: Jill Moran, 241 High St, NHS 978 465 4440

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Jill Moran, 241 High St, NHS cell 978 417 1195
Sophie Scali 978 806 5271

4. Date of Event: 4/4/20 Expected Number of Participants: 200

5. Start Time: 10:00 AM Expected End Time: 12:00 PM

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): Start and end at Waterfront - same route as Jeanne Geiger Crisis Center Walk

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information: NIA

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

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

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

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

DEPARTMENT APPROVAL (for Committee Member use only):

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

<i>Approval Required</i>	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>	
	Yes: \$_____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
___	10. Parks 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

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. 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 application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-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 harbor masters departments prior to submission to the city clerk.

(4) *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 not be used for public address announcements or music before 9:00 a.m.

(5) *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 fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *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.

(8) *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 assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *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.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section 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.

(3) *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 section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$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.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds super-vote of the city council.

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: Sophia Seali

Date: 8/13/19

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY CLERK
NEWBURYPORT, MA

Tel. _____

Fax. _____

(For Street Closure or Any Use of a Public Way - Please ~~complete~~ ^{2020 FEB 27 PM 5:17} page 3 of this application)

NAME OF EVENT: Cultural Survival Bazaar

Date: July 18-19 Time: from 10am to 8pm

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

2. Location*: Inn Street (inc: Byron's Court), Market Square, & Patrick Tracy Square

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: _____ Public Private _____

4. Name of Organizer: Danae Laura City Sponsored Event: Yes _____ No

Contact Person

Address: 2067 Mass Ave., Cambridge, MA 02140 Telephone: 617.441.5400x15

E-Mail: danae@cs.org Cell Phone: _____

Day of Event Contact & Phone: 978.697.3641

5. Number of Attendees Expected: 100-200 at a time

6. MA Tax Number: _____

7. Is the Event Being Advertised? yes Where? social media, press releases, mailing list, banner in town

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

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No Who? We will notify Inn St and State St shops/businesses and be in touch with Chamber of Commerce/ Mayor's Office, well in advance.

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

A. Vending: Food _____ Beverages _____ Alcohol _____ Goods Total # of Vendors 40-60

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music yes DJ _____ Radio/CD _____
Performers _____ Dancing _____ Amplified Sound Stage _____
ambient music for shopping, not loud concert

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? 3
- c) Will you be contracting for disposal of : **Trash** Yes _____ No **Recycling** Yes _____ No
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No _____
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. 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 application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-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.

(4) *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 not be used for public address announcements or music before 9:00 a.m.

(5) *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 fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *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.

(8) *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 assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *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.

10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section 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.

(3) *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 section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$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.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

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: Danielle Laura

Date: 1.27.20

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE _____ WALKATHON _____

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

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

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

4. Date of Event: _____ Expected Number of Participants: _____

5. Start Time: _____ Expected End Time: _____

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:


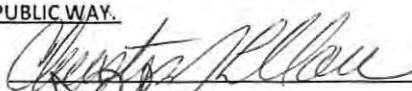
• Number of Floats: _____

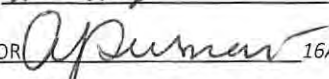
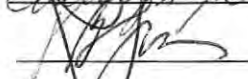
• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

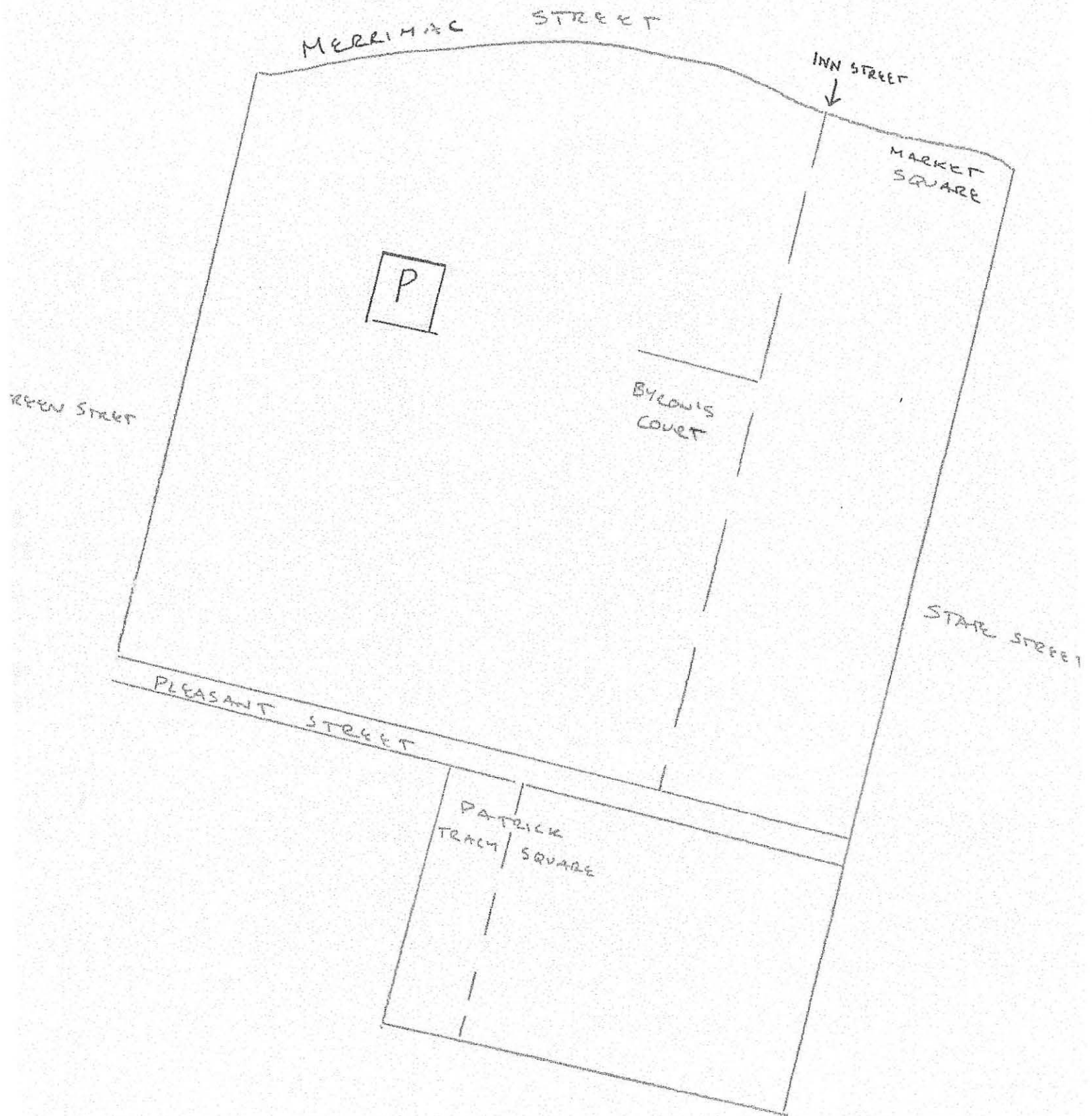
APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY.

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

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

DRAFT SITE PLAN OVERVIEW

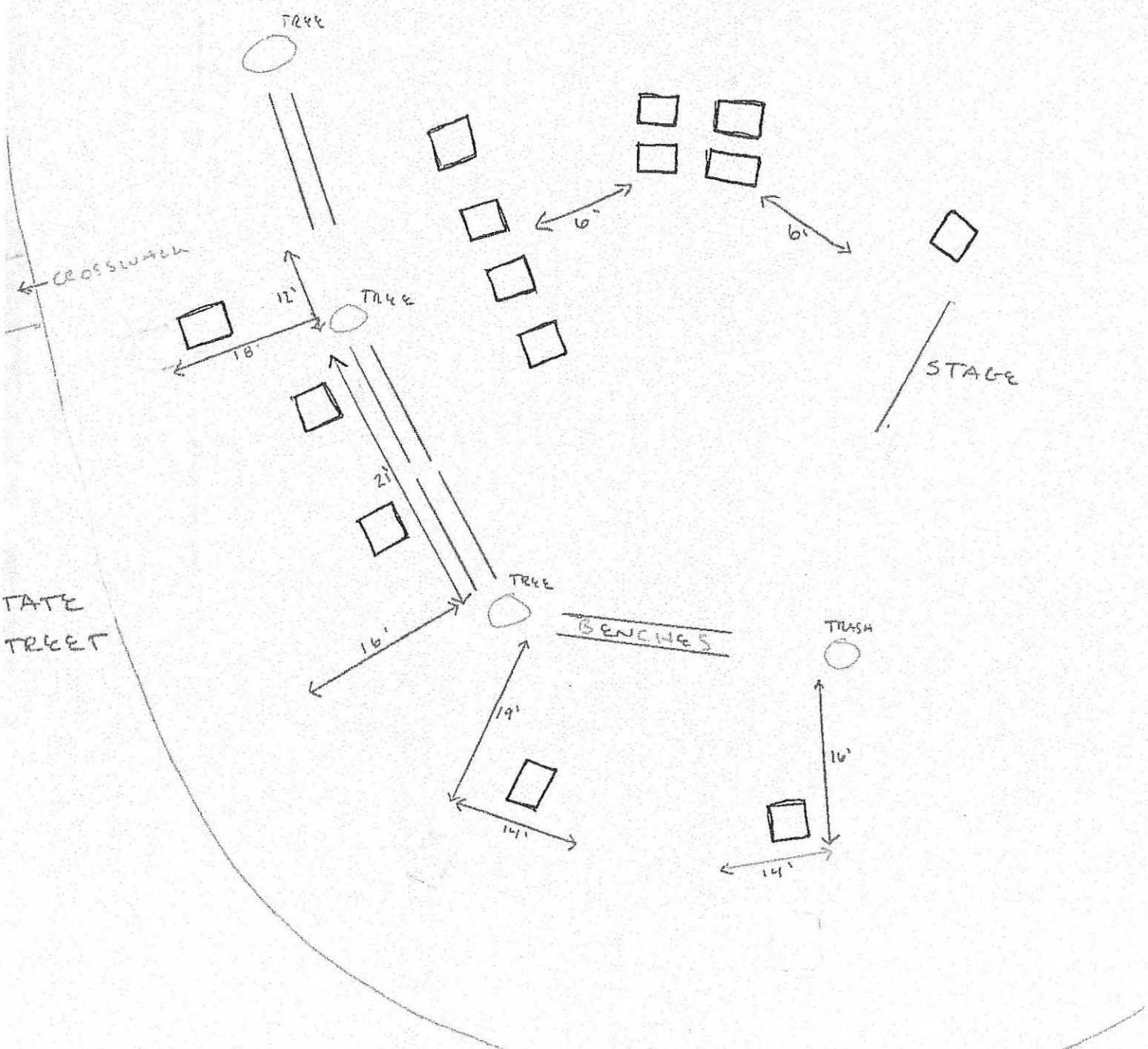
NOT DRAWN TO SCALE



MARKET SQUARE DRAFT SITE PLAN

NOTE: DRAWING NOT TO SCALE □ = 10x10' OR 12x12' TENT

INN STREET



MERRIMAC STREET

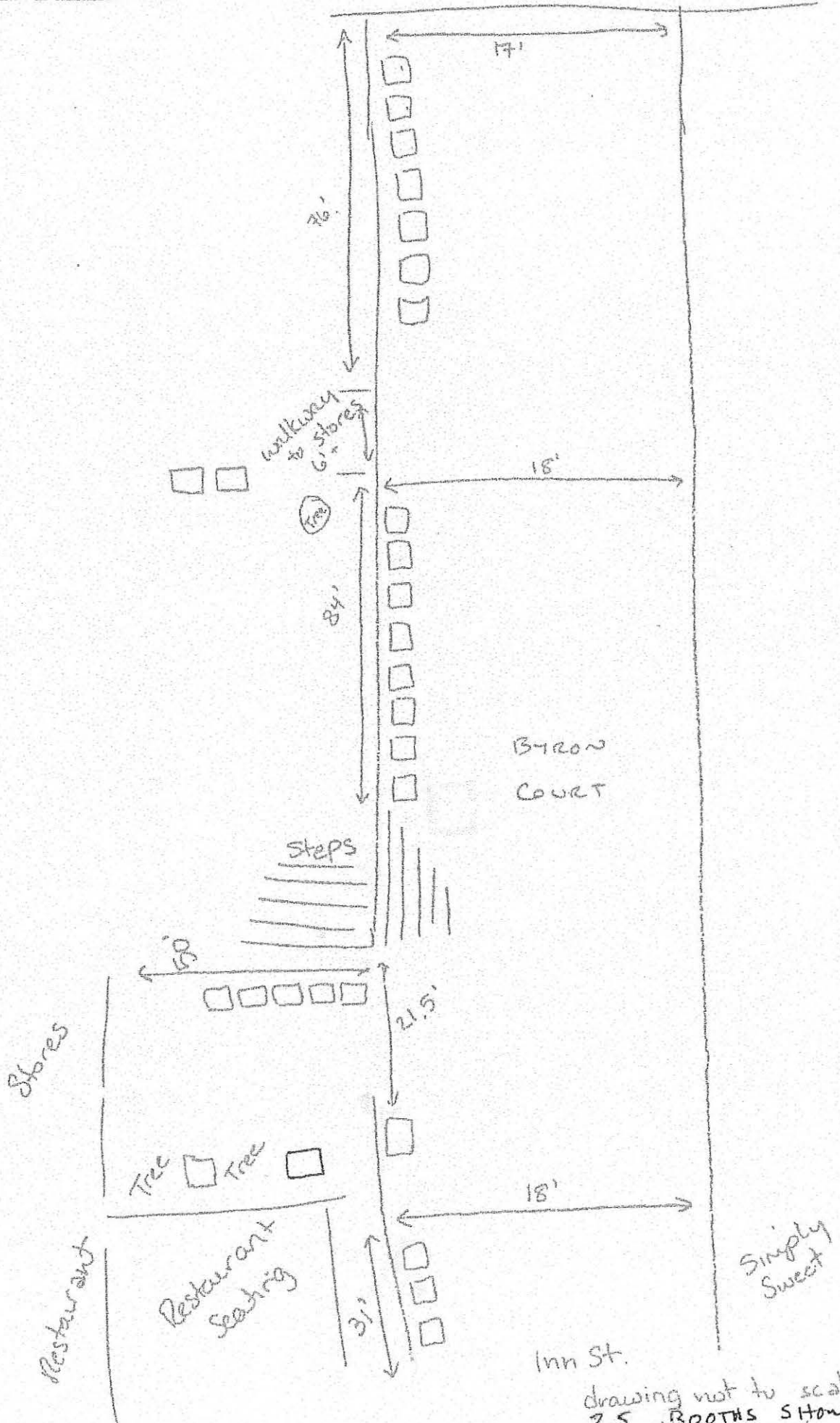
14 BOOTHS SHOW

Inn St. Draft Site Plan

Loretta

Szechuan

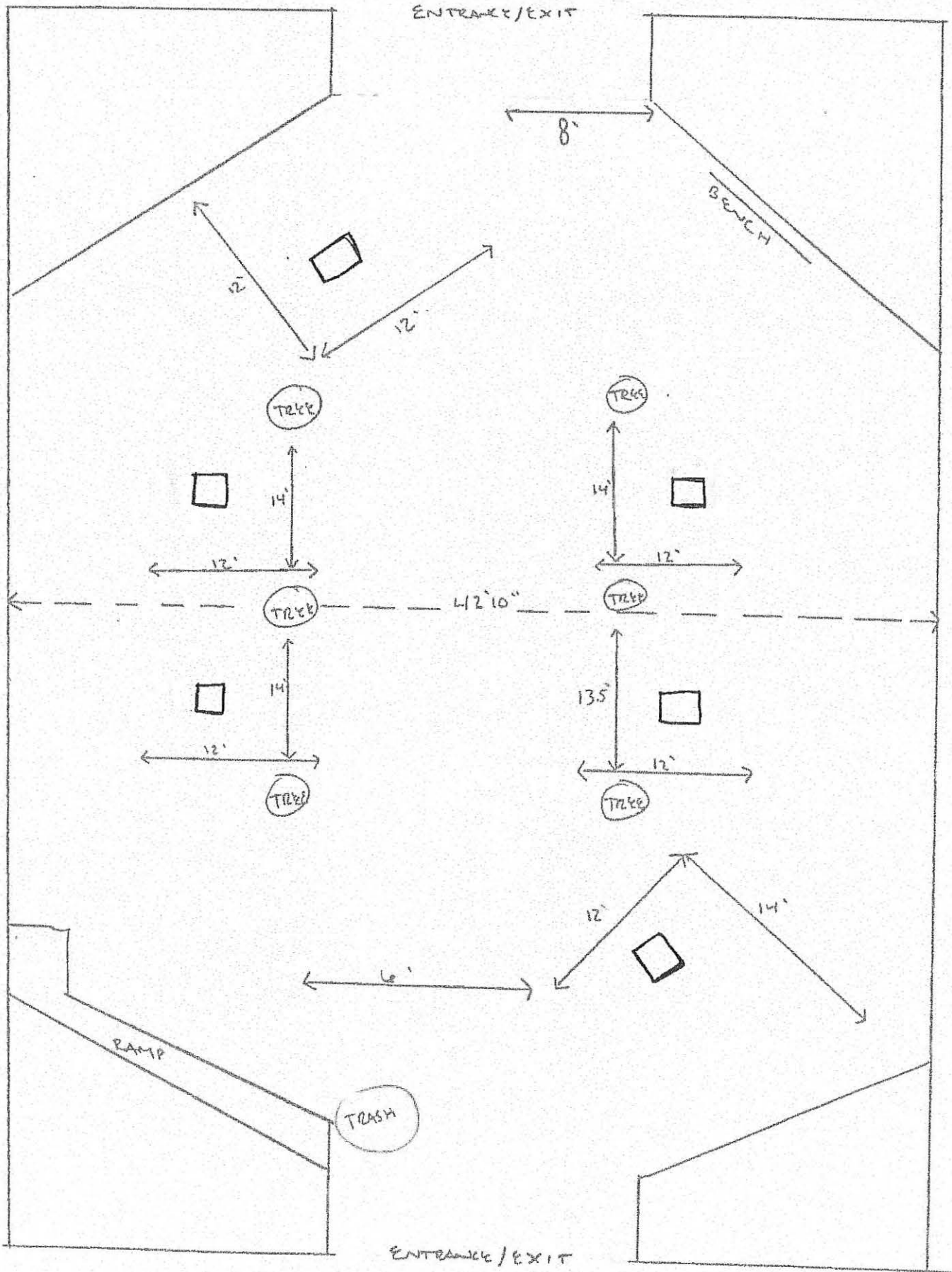
State Street



drawing not to scale
25 BOOTHS SHOWN
□ = 10x10 or 12x12 tent

PATRICK TRACY SQUARE DRAFT SITE PLAN

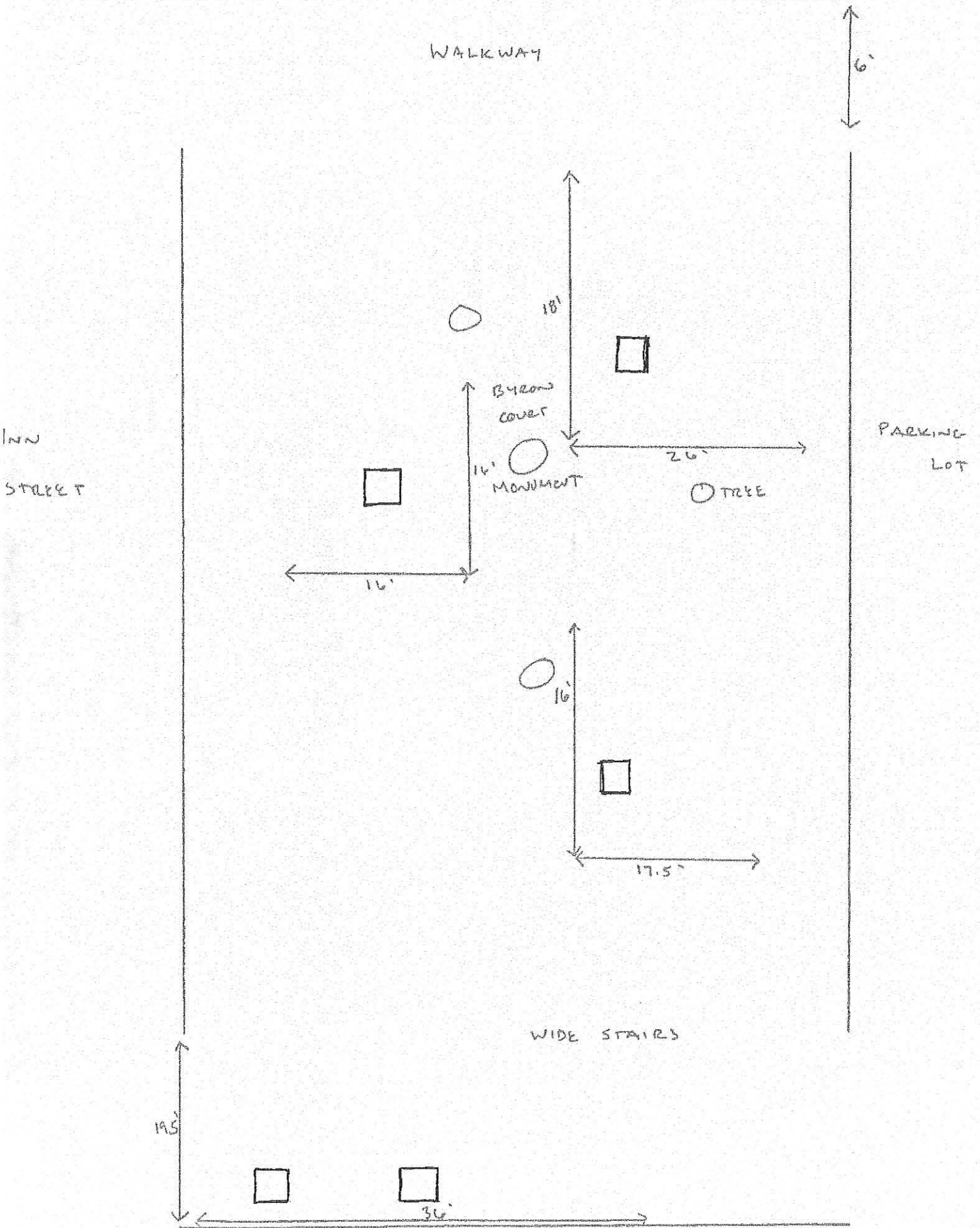
DRAWING NOT TO SCALE □ = 10x10' OR 12'x12' TENT



6 BOOTHS SHOWN

BYRON'S COURT - DRAWING NOT TO SCALE □ = 10x10' OR 12x12' TENT

DRAFT SITE PLAN



5 BOOTHS SHOWN

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.

<i>Approval Required</i>	Date: _____	Signature _____
_____	1. Special Events: _____	_____
<u>MM</u>	2. Police: _____	_____
	Is Police Detail Required: _____	# of Details Assigned: _____
_____	3. Traffic, Parking & Transportation: _____	_____
_____	4. ISD/Health: _____	_____
_____	5. Recycling: _____	_____
_____	6. ISD/Building: _____	_____
<u>DPS HB</u>	7. Electrical: _____	_____
<u>31</u>	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>	
	Yes: \$ _____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	_____
_____	10. Parks 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

STAGE SET FOR AMBIENT MUSIC



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/03/2019

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 W.T. Phelan & Company 645R Massachusetts Avenue Arlington MA 02476	CONTACT NAME: Collette Creedon PHONE (A/C, No, Ext): (781) 641-7200 E-MAIL ADDRESS: collette.creedon@wtphelelan.com	FAX (A/C, No): (781) 646-2410	
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED Cultural Survival, Inc. PO Box 381569 Cambridge MA 02238	INSURER A: Philadelphia Insurance Co.		
	INSURER B: The Hartford		
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		


COVERAGES **CERTIFICATE NUMBER:** CL196314027 **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			PHPK1971774	05/31/2019	05/31/2020	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							Professional Liability \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			PHUB672899	05/31/2019	05/31/2020	EACH OCCURRENCE \$ 5,000,000
							AGGREGATE \$ 5,000,000
							\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			08WECAB20HV	02/20/2019	02/20/2020	PER STATUTE OTH-ER
							E.L. EACH ACCIDENT \$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000

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

Event: Cultural Survival Bazaar & Set-up, July 20-21 at Market Square and Inn St, Newburyport, MA. City of Newburyport is additional insureds with respect to General Liability per Form #PI-GLD-HS (10/11).
Subject to policy terms, conditions and exclusions with written contract required.

CERTIFICATE HOLDER City of Newburyport 60 Pleasant St. 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 

© 1988-2015 ACORD CORPORATION. All rights reserved.



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

38 Merrimac Street, Newburyport, MA 01950

O: 978-462-6680 F: 978-465-4145

2020 MAR -3 PM 3:47

www.newburyportchamber.org
info@newburyportchamber.org

Thursday, January 23, 2020

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Council President Eigerman and Members of the Newburyport City Council:

The Greater Newburyport Chamber of Commerce & Industry (GNCCI) kindly requests the use of downtown streets for the following GNCCI sponsored events:

- Spring Invitation Night: Friday, May 1, 2020 from 6:00PM – 9:00PM

The Greater Newburyport Chamber makes every effort, in conjunction with Mayor Donna Holaday, city departments, and our members, to promote the City of Newburyport and Greater Newburyport area as a unique destination for its shopping, dining, arts & culture, and natural resources. The GNCCI, through events such as this, seeks to help promote the City of Newburyport by attracting visitors to the area, increasing foot traffic, encouraging return visits, and offering events to promote shopping locally for residents.

Spring Invitation Night: A Friday evening prior to Mother's Day, similar to the first three Fridays in December, downtown merchants stay open late and offer refreshments to customers. Shoppers will walk amongst the downtown brick & mortar shops, restaurants, and cafes. This is an event that draws both locals and visitors and causes increased foot traffic especially on State, Water, Pleasant, and Inn Streets. No vendors will be setup and street closure is *not* requested. This is simply an increase in typical foot traffic.

Sincerely,

Elisabeth Hurley
Membership Development
Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Spring Invitation Night

Date: Friday, May 1, 2020 Time: from 6:00PM to 9:00PM

Rain Date: _____ Time: from _____ to _____

2. Location*: Increased number of people downtown from shop to shop esp. State, Pleasant, Inn, and Water Streets

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: _____ Public Yes Private _____

4. Name of Organizer: Greater Newburyport Chamber of Commerce City Sponsored Event: Yes _____ No No

Contact Person Elisabeth Hurlev

Address: 38R Merrimac Street, Newburyport Telephone: 978-462-6680

E-Mail: ehurley@newburyportchamber.org Cell Phone: _____

508-212-8289

Day of Event Contact & Phone: Same as above

5. Number of Attendees Expected: 250/night

6. MA Tax Number: 83-2884007

7. Is the Event Being Advertised? Yes Where? Social Media, E-Newsletters, Daily News Press Release, Flyers, Radio

8. What Age Group is the Event Targeted to? Adults, especially women 40-60

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

If approved, we notify abutting residents and businesses

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

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

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

Performers _____ Dancing _____ Amplified Sound _____ Stage _____

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

Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

D. 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 No

If yes:

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

If no: None

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE _____ WALKATHON _____

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

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

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

4. Date of Event: _____ Expected Number of Participants: _____
5. Start Time: _____ Expected End Time: _____
6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): _____

7. Locations of Water Stops (if any): _____
8. Will Detours for Motor Vehicles Be Required? _____ If so, where? _____
9. Formation Location & Time for Participants: _____
10. Dismissal Location & Time for Participants: _____
11. Additional Parade Information:
 - Number of Floats: _____
 - Locations of Viewing Stations: _____
 - Are Weapons Being Carried: Yes _____ No _____
 - Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____

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

CITY MARSHAL *[Signature]* 4 Green St. FIRE CHIEF *[Signature]* 0 Greenleaf St.
DEPUTY-DIRECTOR *[Signature]* 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>	
	Yes: \$ _____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
___	10. Parks 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

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. 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 application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-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 harbor masters departments prior to submission to the city clerk.

(4) *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 not be used for public address announcements or music before 9:00 a.m.

(5) *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 fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *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.

(8) *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 assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *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.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section 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.

(3) *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 section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$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.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

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: _____

01/23/2020



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/23/2019

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).

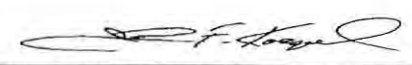
PRODUCER Eastern Insurance Group LLC 233 West Central St Natick MA 01760	CONTACT NAME: Alex Campbell	
	PHONE (A/C, No, Ext): (800) 333-7234 FAX (A/C, No): 781-586-8244 E-MAIL ADDRESS: acampbell@easterninsurance.com	
INSURED Greater Newburyport Chamber of Commerce & Industry Inc DBA: Newburyport Chamber of Commerce 38 R Merrimac Street Newburyport MA 01950	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Philadelphia Insurance Company	18058
	INSURER B: NorGuard	31470
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES CERTIFICATE NUMBER: 19 GL WC 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 VVVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			PHPK1998920	8/5/2019	8/5/2020	EACH OCCURRENCE \$ 1,000,000
			DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000				
			MED EXP (Any one person) \$ 5,000				
			PERSONAL & ADV INJURY \$ 1,000,000				
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			GRWC085162	4/23/2019	4/23/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
			E.L. EACH ACCIDENT \$ 100,000				
			E.L. DISEASE - EA EMPLOYEE \$ 100,000				
			E.L. DISEASE - POLICY LIMIT \$ 500,000				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
NON-PROFIT ORGANIZATION
 CITY OF NEWBURYPORT IS RECOGNIZED AS ADDITIONAL INSURED FOR GENERAL LIABILITY.

CERTIFICATE HOLDER CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE John Koegel/KH3 

© 1988-2014 ACORD CORPORATION. All rights reserved.



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 MAR -3 PM 3:47

Merrimac Street, Newburyport, MA 01950

O: 978-462-6680 F: 978-465-4145

www.newburyportchamber.org

info@newburyportchamber.org

Thursday, January 23, 2020

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Council President Eigerman and Members of the Newburyport City Council:

The Greater Newburyport Chamber of Commerce & Industry (GNCCI) kindly requests the use of downtown streets for the following GNCCI sponsored events:

- Newburyport Spring Festival: Sunday, May 24 – Monday, May 25 from 10:00AM – 5PM each day

The Greater Newburyport Chamber makes every effort, in conjunction with Mayor Donna Holaday, city departments, and our members, to promote the City of Newburyport and Greater Newburyport area as a unique destination for its shopping, dining, arts & culture, and natural resources. The GNCCI, through events such as this, seeks to help promote the City of Newburyport by attracting visitors to the area, increasing foot traffic, encouraging return visits, and offering events to promote shopping locally for residents.

Newburyport Spring Festival: The Newburyport Spring Festival has been held for multiple decades on the Sunday and Monday of Memorial Day Weekend. We request permission to utilize the Bullnose, Inn Street, and parking spaces along the western half of State Street from Market Square to Pleasant Street. We ask permission for live music to be played in the Bullnose as well as the placement of booths in the Bullnose. Parking spaces as listed above will be for Chamber members, non-profits, and crafters to have booths. This event is marketed to locals and residents within a 30-minute driving radius. Spring Fest showcases the retailers and restaurants offered in the City of Newburyport, kicks off the Summer season, and encourages return visits throughout the Summer.

Sincerely,

Elisabeth Hurley
Membership Development
Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Newburyport Spring Festival

Date: May 24 - 25, 2020 Time: from 10:00AM each day to 5:00PM each day

Rain Date: N/A Time: from _____ to _____

2. Location*: Bullnose, Inn Street, Western Parking Spaces on State Street from Market Square to Pleasant Street

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Music and booths in Bullnose, Booths on State and Inn Streets Public Yes Private _____

4. Name of Organizer: Greater Newburyport Chamber of Commerce City Sponsored Event: Yes _____ No No

Contact Person Elisabeth Hurley

Address: 38R Merrimac Street, Newburyport Telephone: 978-462-6680

E-Mail: ehurley@newburyportchamber.org Cell Phone: 508-212-8289

Day of Event Contact & Phone: Same as above

5. Number of Attendees Expected: 750 to stroll though downtown Newburyport each day

6. MA Tax Number: 83-2884007

7. Is the Event Being Advertised? Yes Where? Social Media, E-Newsletters, Daily News Press Release, Flyers, Radio

8. What Age Group is the Event Targeted to? Adults, especially women 40-60

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No _____, Who? _____
If approved, we will notify abutting residents and businesses.

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

A. Vending: Food Yes Beverages Yes Alcohol _____ Goods Yes Total # of Vendors 55

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music Yes DJ _____ Radio/CD _____
Performers _____ Dancing _____ Amplified Sound Yes 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 Yes No _____

If yes:

- a) How many trash receptacles will you be providing? We utilize the existing trash and recycling receptacles
- b) How many recycling receptacles will you be providing? _____
- c) Will you be contracting for disposal of : **Trash** Yes No **Recycling** Yes No
- i. If yes, size of dumpster(s): **Trash** 15 yard **Recycling** _____
- ii. Name of disposal company: **Trash** G Mello **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 ? _____
- *We remove trash from existing receptacles with personal vehicle and place trash into G Mello dumpster we coordinate behind Chamber office

If no:

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE _____ WALKATHON _____

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

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

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

4. Date of Event: _____ Expected Number of Participants: _____

5. Start Time: _____ Expected End Time: _____

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

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

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

DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK _____ 60 Pleasant St.

Updated March 14, 2019

2-10-20

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.

<i>Approval Required</i>	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>
	Yes: \$ _____ due on _____ No Fee for Special Events applies
	Other requirements/instructions per DPS _____
___	10. Parks 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

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. 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 application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-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 harbor masters departments prior to submission to the city clerk.

(4) *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 not be used for public address announcements or music before 9:00 a.m.

(5) *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 fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *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.

(8) *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 assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *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.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section 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.

(3) *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 section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$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.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

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: _____

01/23/2020



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/23/2019

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 Insurance Group LLC 233 West Central St Natick MA 01760	CONTACT NAME: Alex Campbell	
	PHONE (A/C No., Ext): (800) 333-7234	FAX (A/C, No): 781-586-8244
	E-MAIL ADDRESS: acampbell@easterninsurance.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Philadelphia Insurance Company	18058
	INSURER B: NorGuard	31470
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: 19 GL WC REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			PHPK1998920	8/5/2019	8/5/2020	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PERSONAL & ADV INJURY \$ 1,000,000
	OTHER:						GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/>	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/>	<input type="checkbox"/> NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB		<input type="checkbox"/> OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB		<input type="checkbox"/> CLAIMS-MADE				AGGREGATE \$
	DED		RETENTION \$				\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			GRWC085162	4/23/2019	4/23/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> N/A				E.L. EACH ACCIDENT \$ 100,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 100,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 NON-PROFIT ORGANIZATION
 CITY OF NEWBURYPORT IS RECOGNIZED AS ADDITIONAL INSURED FOR GENERAL LIABILITY.

CERTIFICATE HOLDER	CANCELLATION
CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE
	John Koegel/KH3

© 1988-2014 ACORD CORPORATION. All rights reserved.

ACORD 25 (2014/01)

The ACORD name and logo are registered marks of ACORD

INS025 (201401)



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 MAR -3 PM 3:47

88 Merrimac Street, Newburyport, MA 01950

O: 978-462-6680 F: 978-465-4145

www.newburyportchamber.org
info@newburyportchamber.org

Friday, January 24, 2020

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Council President Eigerman and Members of the Newburyport City Council:

The Greater Newburyport Chamber of Commerce & Industry (GNCCI) kindly requests the use of downtown streets for the following GNCCI sponsored events:

- Newburyport Car Show: Thursday, August 20, 2020 from 5:00PM – 8:00PM
(Rain date of Thursday, August 27, 2020)

The Greater Newburyport Chamber makes every effort, in conjunction with Mayor Donna Holaday, city departments, and our members, to promote the City of Newburyport and Greater Newburyport area as a unique destination for its shopping, dining, arts & culture, and natural resources. The GNCCI, through events such as this, seeks to help promote the City of Newburyport by attracting visitors to the area, increasing foot traffic, encouraging return visits, and offering events to promote shopping locally for residents.

Cruisin' the 50s Car Show: This 9th annual car show draws car enthusiasts from the region to downtown Newburyport. Local families also enjoy the display of antique cars. This free event has become one of the busiest nights for the city's restaurants which is especially important because it is held on a weeknight. We seek permission to hold this event on Thursday, August 20, 2020 with a rain date of Thursday, August 27, 2020. Like previous years, we request permission to close State, Pleasant, and Inn Streets from 2:00PM – 9:00PM as well as Tracy Place and the State Street Lot. Cars will arrive at approximately 3:00PM. Regarding State Street, we request closure from Market Square to the intersection of State and Harris Streets. For Pleasant Street, we request permission to close from State to Green Streets. We also ask that Harris Street be restricted to residents only in order to prevent an abundance of vehicles bypassing downtown via Green to Harris Streets which becomes a safety issue as vehicles turn from Harris to State Street where pedestrians enjoy the event. We also request utilization of the Bullnose for live music.

Sincerely,

Elisabeth Hurley
Membership Development
Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Newburyport Car Show (Cruisin the 50s)

Date: Thursday, August 20, 2020 Time: from 5:00PM to 8:00PM

Rain Date: Thursday, August 27, 2020 Time: from 5:00PM to 8:00PM

2. Location*: Bullnose, State Street to State Street Lot, Pleasant Street to Green Street, Inn Street, Tracy Place, Byron's Court

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Music & booths in Bullnose, Antique cars in all other listed locations Public Yes Private _____

4. Name of Organizer: Greater Newburyport Chamber of Commerce City Sponsored Event: Yes _____ No No

Contact Person Elisabeth Hurlev

Address: 38R Merrimac Street, Newburyport Telephone: 978-462-6680

E-Mail: ehurley@newburyportchamber.org Cell Phone: 508-212-8289

Day of Event Contact & Phone: Same as above

5. Number of Attendees Expected: 10,000 from late afternoon until approximately 9:00PM

6. MA Tax Number: 83-2884007

7. Is the Event Being Advertised? Yes _____ Social Media, E-Newsletters, Daily News Press Release, Flyers, Radio, Where? Local car printed newsletters

8. What Age Group is the Event Targeted to? Families, especially Baby Boomers

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

If approved, we notify abutting residents and businesses and work with DPS to post sign boards regarding street closures

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 Yes _____ DJ _____ Radio/CD _____

Performers _____ Dancing _____ Amplified Sound Yes _____ 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 No - we coordinate with DPS instead

If yes:

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

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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

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

4. Date of Event: _____ Expected Number of Participants: _____

5. Start Time: _____ Expected End Time: _____

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

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

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

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

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

Updated March 14, 2019 2-10-20 >

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: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
 Yes: \$_____ due on _____ No Fee for Special Events applies
 Other requirements/instructions per DPS _____

____ 10. Parks 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

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. 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 application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-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 harbor masters departments prior to submission to the city clerk.

(4) *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 not be used for public address announcements or music before 9:00 a.m.

(5) *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 fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *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.

(8) *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 assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *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.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.


(2) *Warning.* In the circumstance that this section 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.

(3) *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 section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$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.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

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: 01/24/2020



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/23/2019

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 Insurance Group LLC 233 West Central St Natick MA 01760		CONTACT NAME: Alex Campbell PHONE (A/C, No, Ext): (800) 333-7234 E-MAIL ADDRESS: acampbell@easterninsurance.com		FAX (A/C, No): 781-586-8244	
INSURED Greater Newburyport Chamber of Commerce & Industry Inc DBA: Newburyport Chamber of Commerce 38 R Merrimac Street Newburyport MA 01950		INSURER(S) AFFORDING COVERAGE		NAIC #	
		INSURER A Philadelphia Insurance Company		18058	
		INSURER B NorGuard		31470	
		INSURER C:			
		INSURER D:			
		INSURER E:			
		INSURER F:			

COVERAGES CERTIFICATE NUMBER: 19 GL WC REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			PHPK1998920	8/5/2019	8/5/2020	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS					PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED						\$
	RETENTION \$						\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			GRWC085162	4/23/2019	4/23/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input type="checkbox"/> N					E.L. EACH ACCIDENT \$ 100,000
	If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				E.L. DISEASE - EA EMPLOYEE \$ 100,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000

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

NON-PROFIT ORGANIZATION

CITY OF NEWBURYPORT IS RECOGNIZED AS ADDITIONAL INSURED FOR GENERAL LIABILITY.

CERTIFICATE HOLDER CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE John Koegel/KH3
------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

© 1988-2014 ACORD CORPORATION. All rights reserved.



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 MAR -3 PM 3:47

388 Merrimac Street, Newburyport, MA 01950

O: 978-462-6680 F: 978-465-4145

www.newburyportchamber.org

info@newburyportchamber.org

Friday, January 24, 2020

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Council President Eigerman and Members of the Newburyport City Council:

The Greater Newburyport Chamber of Commerce & Industry (GNCCI) kindly requests the use of downtown streets for the following GNCCI sponsored events:

- Newburyport Fall Harvest Festival: Sunday, October 11 – Monday, October 12, 2020
from 10:00AM – 5:00PM each day

The Greater Newburyport Chamber makes every effort, in conjunction with Mayor Donna Holaday, city departments, and our members, to promote the City of Newburyport and Greater Newburyport area as a unique destination for its shopping, dining, arts & culture, and natural resources. The GNCCI, through events such as this, seeks to help promote the City of Newburyport by attracting visitors to the area, increasing foot traffic, encouraging return visits, and offering events to promote shopping locally for residents.

Newburyport Fall Harvest Festival: This event is in its fourth decade and attracts local and visitor families to downtown Newburyport over the course of Columbus Day Weekend. This event will feature booths for Chamber members, non-profits, and crafters/artisans. We seek permission to utilize the Bullnose for live music as well as the placement of booths. We also request the use of Inn Street and parking spaces along the western half of State Street from Market Square to Pleasant Street. These areas will be for booths as well. This Fall event showcases the retailers and restaurants offered in the City of Newburyport and encourages repeat business.

Sincerely,

Elisabeth Hurley

Membership Development

Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Newburyport Fall Harvest Festival

Date: Sunday, October 11 - Monday, October 12, 2020 Time: from 10:00AM each day to 5:00PM each day

Rain Date: _____ Time: from _____ to _____

2. Location*: Bullnose, Inn Street, State Street's western parking spaces from Market Square to Pleasant Street

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Music & booths in Bullnose, Booths on State and Inn Streets Public Yes Private _____

4. Name of Organizer: Greater Newburyport Chamber of Commerce City Sponsored Event: Yes _____ No No

Contact Person Elisabeth Hurlev

Address: 38R Merrimac Street, Newburyport Telephone: 978-462-6680

E-Mail: ehurley@newburyportchamber.org Cell Phone: _____

Day of Event Contact & Phone: Same as above 508-212-8289

5. Number of Attendees Expected: 750/day

6. MA Tax Number: 83-2884007

7. Is the Event Being Advertised? Yes Where? Social Media, E-Newsletters, Daily News Press Release, Flyers, Radio

8. What Age Group is the Event Targeted to? Families and women 40-60

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

If approved, we notify abutting residents and businesses

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

A. Vending: Food Yes Beverages Yes Alcohol _____ Goods Yes Total # of Vendors 55

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

Performers _____ Dancing _____ Amplified Sound Yes 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 Yes No _____

If yes:

- a) How many trash receptacles will you be providing? We utilize the existing trash and recycling receptacles
- b) How many recycling receptacles will you be providing? _____
- c) Will you be contracting for disposal of : **Trash** Yes Yes No _____ **Recycling** Yes _____ No _____
- i. If yes, size of dumpster(s): **Trash** 15 yard **Recycling** _____
- ii. Name of disposal company: **Trash** G Mello **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes Yes* No _____
- iv. If no, where will the trash & recycling be disposed ? _____
*We remove trash from existing receptacles with personal vehicle and place trash into G Mello dumpster we coordinate behind Chamber office

If no:

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

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

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least

one ADA accessible toilet)

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE _____ WALKATHON _____

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

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

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

4. Date of Event: _____ Expected Number of Participants: _____
5. Start Time: _____ Expected End Time: _____
6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): _____

7. Locations of Water Stops (if any): _____
8. Will Detours for Motor Vehicles Be Required? _____ If so, where? _____
9. Formation Location & Time for Participants: _____
10. Dismissal Location & Time for Participants: _____
11. Additional Parade Information:
 - Number of Floats: _____
 - Locations of Viewing Stations: _____
 - Are Weapons Being Carried: Yes _____ No _____
 - Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____

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

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 0 Greenleaf St.
DEPUTY DIRECTOR [Signature] 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: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
 Yes: \$ _____ due on _____ No Fee for Special Events applies
 Other requirements/instructions per DPS _____

____ 10. Parks 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

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. 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 application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-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 harbor masters departments prior to submission to the city clerk.

(4) *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 not be used for public address announcements or music before 9:00 a.m.

(5) *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 fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *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.

(8) *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 assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *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.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

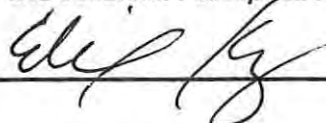
(2) *Warning.* In the circumstance that this section is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the city clerk and city council and may be used as a factor in future application approvals and denials.

(3) *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 section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$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.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

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: 01/27/2020



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2020 MAR -3 PM 3:46

Merimac Street, Newburyport, MA 01950
O: 978-462-6680 F: 978-465-4145

www.newburyportchamber.org
info@newburyportchamber.org

Friday, January 24, 2020

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Council President Eigerman and Members of the Newburyport City Council:

The Greater Newburyport Chamber of Commerce & Industry (GNCCI) kindly requests the use of downtown streets for the following GNCCI sponsored events:

- Witches' Night Out: Friday, October 23, 2020 from 6:00PM – 9:00PM

The Greater Newburyport Chamber makes every effort, in conjunction with Mayor Donna Holaday, city departments, and our members, to promote the City of Newburyport and Greater Newburyport area as a unique destination for its shopping, dining, arts & culture, and natural resources. The GNCCI, through events such as this, seeks to help promote the City of Newburyport by attracting visitors to the area, increasing foot traffic, encouraging return visits, and offering events to promote shopping locally for residents.

Witches' Night Out: A favorite of the Chamber's retail committee, this annual adult-friendly event mimics an Invitation night but with a Halloween theme. The goal of this event is to stimulate downtown foot traffic and encourage spending in the City of Newburyport on Friday, October 23, 2020 from 6:00PM – 9:00PM. Attendees walk along the downtown shops, restaurants, and cafes and are encouraged to dress in Halloween attire. No vendors will be setup and street closure is *not* required. This is simply an increase in typical foot traffic.

Sincerely,

Elisabeth Hurley
Membership Development
Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Witches' Night Out

Date: Friday, October 23, 2020 Time: from 6:00PM to 9:00PM

Rain Date: _____ Time: from _____ to _____

2. Location*: Increased number of shoppers walking downtown from shop to shop esp. State, Pleasant, Inn, and Water Streets

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: _____ Public Yes Private _____

4. Name of Organizer: Greater Newburyport Chamber of Commerce City Sponsored Event: Yes _____ No No

Contact Person Elisabeth Hurley

Address: 38R Merrimac Street, Newburyport Telephone: 978-462-6680

E-Mail: ehurley@newburyportchamber.org Cell Phone: 508-212-8289

Day of Event Contact & Phone: Same as above

5. Number of Attendees Expected: 150

6. MA Tax Number: 83-2884007

7. Is the Event Being Advertised? Yes Where? Social Media, E-Newsletters, Daily News Press Release, Flyers

8. What Age Group is the Event Targeted to? Adults, especially women 40-60

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No _____, Who? _____
If approved, we notify abutting residents and businesses

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

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

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

C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____
Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

D. 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 No

If yes:

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

If no: None

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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

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

4. Date of Event: _____ Expected Number of Participants: _____

5. Start Time: _____ Expected End Time: _____

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried:

Yes _____ No _____

• Are Marshalls Being Assigned to Keep Parade Moving:

Yes _____ No _____

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

CITY MARSHAL

[Signature] 4 Green St.

FIRE CHIEF

[Signature] 0 Greenleaf St.

DEPUTY DIRECTOR

[Signature] 16A Perry Way

CITY CLERK

60 Pleasant St.

Updated March 14, 2019

2-16-20

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: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
 Yes: \$ _____ due on _____ No Fee for Special Events applies
 Other requirements/instructions per DPS _____

_____ 10. Parks 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

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. 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 application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-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 harbor masters departments prior to submission to the city clerk.

(4) *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 not be used for public address announcements or music before 9:00 a.m.

(5) *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 fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *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.

(8) *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 assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *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.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section 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.

(3) *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 section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$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.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

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: _____

01/27/2020



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
38R Merrimac Street, Newburyport, MA 01950
2020 MAR -3 PM 3:46
O: 978-462-6680 F: 978-465-4145

www.newburyportchamber.org
info@newburyportchamber.org

Friday, January 24, 2020

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Council President Eigerman and Members of the Newburyport City Council:

The Greater Newburyport Chamber of Commerce & Industry (GNCCI) kindly requests the use of downtown streets for the following GNCCI sponsored events:

- Downtown Trick or Treat: Friday, October 30, 2020 from 4:00PM – 5:00PM

The Greater Newburyport Chamber makes every effort, in conjunction with Mayor Donna Holaday, city departments, and our members, to promote the City of Newburyport and Greater Newburyport area as a unique destination for its shopping, dining, arts & culture, and natural resources. The GNCCI, through events such as this, seeks to help promote the City of Newburyport by attracting visitors to the area, increasing foot traffic, encouraging return visits, and offering events to promote shopping locally for residents.

Downtown Trick or Treat: This event was also created by the Chamber's retail committee and is targeted towards the City's youngest residents. On the Friday before Halloween, October 30, 2020, young children in costume accompanied by an adult are encouraged to visit downtown Newburyport and the Tannery from 4:00PM – 5:00PM. Chamber members provide treats to children in costume. This event is free and open to the public. No vendors will be setup and street closure is *not* required. This is simply an increase in typical foot traffic.

Sincerely,

Elisabeth Hurley
Membership Development
Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Downtown Trick or Treat

Date: Friday, October 30, 2020 Time: from 4:00PM to 5:00PM

Rain Date: _____ Time: from _____ to _____

2. Location*: Increased number of people downtown from shop to shop esp. State, Pleasant, Inn, and Water Streets

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: _____ Public Yes Private _____

4. Name of Organizer: Greater Newburyport Chamber of Commerce City Sponsored Event: Yes _____ No No

Contact Person Elisabeth Hurlev

Address: 38R Merrimac Street, Newburyport Telephone: 978-462-6680

E-Mail: ehurley@newburyportchamber.org Cell Phone: _____

508-212-8289

Day of Event Contact & Phone: Same as above

5. Number of Attendees Expected: 250

6. MA Tax Number: 83-2884007

7. Is the Event Being Advertised? Yes Where? Social Media, E-Newsletters, Daily News Press Release, Flyers

8. What Age Group is the Event Targeted to? Local families

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

If approved, we notify abutting residents and businesses

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

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

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

Performers _____ Dancing _____ Amplified Sound _____ Stage _____

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

Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

D. 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 No

If yes:

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

If no: None

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE _____ WALKATHON _____

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

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

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

4. Date of Event: _____ Expected Number of Participants: _____

5. Start Time: _____ Expected End Time: _____

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

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

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

DEPUTY DIRECTOR [Signature] 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.

<i>Approval Required</i>	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>	
	Yes: \$ _____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	_____
___	10. Parks 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

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. 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 application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-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.

(4) *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 not be used for public address announcements or music before 9:00 a.m.

(5) *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 fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *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.

(8) *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 assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *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.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section 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.

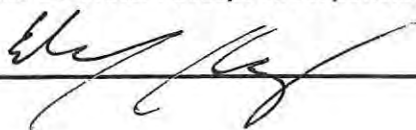
(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$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.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

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: _____

01/27/2020



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT
388 Merrimac Street, Newburyport, MA 01950
O: 978-462-6680 F: 978-465-4145
~~2020 MAR -3 PM 3:46~~

www.newburyportchamber.org
info@newburyportchamber.org

Friday, January 24, 2020

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Council President Eigerman and Members of the Newburyport City Council:

The Greater Newburyport Chamber of Commerce & Industry (GNCCI) kindly requests the use of downtown streets for the following GNCCI sponsored events:

- **Invitation Nights:** December 4, 11, and 18, 2020 from 6:00PM – 9:00PM each night

The Greater Newburyport Chamber makes every effort, in conjunction with Mayor Donna Holaday, city departments, and our members, to promote the City of Newburyport and Greater Newburyport area as a unique destination for its shopping, dining, arts & culture, and natural resources. The GNCCI, through events such as this, seeks to help promote the City of Newburyport by attracting visitors to the area, increasing foot traffic, encouraging return visits, and offering events to promote shopping locally for residents.

Invitation Nights: Invitation Nights are traditionally held the first three Fridays of December. This year's dates are Friday, December 4, 11, and 18, 2020. Downtown merchants stay open late and offer refreshments to their customers. Shoppers will walk along the downtown shops, restaurants, and cafes from 6:00PM – 9:00PM. This is an event that draws both locals and visitors, and it also markets dining and shopping in the City of Newburyport. Invitation Nights help promote the City, support the local economy, and encourage return visits to Newburyport. No vendors will be setup, and street closure is *not* requested. This is simply an increase in typical foot traffic.

Additionally, as completed for the last several decades, we will work closely with the Department of Public Services to erect a Christmas tree in the Bullnose and decorate the lampposts for the holidays.

Sincerely,

Elisabeth Hurley
Membership Development
Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Invitation Nights

Date: Fridays, December 4, 11, and 18, 2020 Time: from 6:00PM to 9:00PM

Rain Date: _____ Time: from _____ to _____

2. Location*: Increased number of people downtown from shop to shop esp. State, Pleasant, Inn, and Water Streets

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: _____ Public Yes Private _____

4. Name of Organizer: Greater Newburyport Chamber of Commerce City Sponsored Event: Yes _____ No No

Contact Person Elisabeth Hurley

Address: 38R Merrimac Street, Newburyport Telephone: 978-462-6680

E-Mail: ehurley@newburyportchamber.org Cell Phone: _____

508-212-8289

Day of Event Contact & Phone: Same as above

5. Number of Attendees Expected: 250/night

6. MA Tax Number: 83-2884007

7. Is the Event Being Advertised? Yes Where? Social Media, E-Newsletters, Daily News Press Release, Flyers, Radio

8. What Age Group is the Event Targeted to? Adults, especially women 40-60

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

If approved, we notify abutting residents and businesses

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

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

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

Performers _____ Dancing _____ Amplified Sound _____ Stage _____

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

Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

D. 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 No

If yes:

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

If no: None

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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

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

4. Date of Event: _____ Expected Number of Participants: _____

5. Start Time: _____ Expected End Time: _____

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

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

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF Dep SHB 1/28/20 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 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.

<i>Approval Required</i>	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>	
	Yes: \$ _____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
___	10. Parks 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**

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. 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 application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-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.

(4) *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 not be used for public address announcements or music before 9:00 a.m.

(5) *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 fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *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.

(8) *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 assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *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.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section 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.

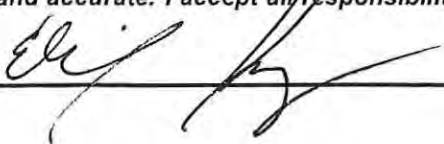
(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$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.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

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: _____

01/27/2020



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/23/2019

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 Insurance Group LLC 233 West Central St Natick MA 01760		CONTACT NAME: Alex Campbell PHONE (A/C. No. Ext): (800) 333-7234 FAX (A/C. No.): 781-586-8244 E-MAIL ADDRESS: acampbell@easterninsurance.com	
INSURED Greater Newburyport Chamber of Commerce & Industry Inc DBA: Newburyport Chamber of Commerce 38 R Merrimac Street Newburyport MA 01950		INSURER(S) AFFORDING COVERAGE INSURER A: Philadelphia Insurance Company NAIC # 18058 INSURER B: NorGuard 31470 INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES CERTIFICATE NUMBER: 19 GL WC REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			PHPK1998920	8/5/2019	8/5/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	GRWC085162	4/23/2019	4/23/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
NON-PROFIT ORGANIZATION
CITY OF NEWBURYPORT IS RECOGNIZED AS ADDITIONAL INSURED FOR GENERAL LIABILITY.

CERTIFICATE HOLDER CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE John Koegel/KH3
-------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

© 1988-2014 ACORD CORPORATION. All rights reserved.



CITY OF NEWBURYPORT
LICENSING COMMISSION
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 904-1478
WWW.CITYOFNEWBURYPORT.COM

To: The Alcoholic Beverage Control Commission

From: The License Commission, Newburyport, MA

Re: Yearly Report, Section 16 A of the Liquor Control Act

Date: February 14, 2020

Enclosed is a report of the number of licenses issued in the City of Newburyport for the calendar year 2019 and renewals for 2020. Names of establishments and addresses will be furnished upon written request.

The License Commissioners for 2018 were as follows: Chairperson Craig Holt, Commissioners Gregg Ogden, Bette Jacques, Bruce Bergwall and Ted Waldron.

The Commission holds their meetings usually on the first Wednesday of every month. All regular meetings begin at 7:00 PM with hearings set to begin at either 7:15, 7:30, or 7:45 PM. All requests and inquiries pertaining to the following list of licenses are handled at the time. The Commissioners or their agents have made visits to restaurants, package stores, clubs, etc. throughout the City during the year 2019.

There were no violations reported or disciplinary actions taken by the Newburyport License Commission during 2019.

Three licensees did not renew for calendar year 2020.

Respectfully submitted,

CGHOLT

Newburyport Licensing Commission

CC: Mayor Donna Holaday

Page 2, Newburyport License Commission Report for calendar year 2019, renewals for 2020

	# Licenses	Fee	Sub-total
Restaurants/All Alcohol	19	\$3,750	\$71,250
Restaurants/Wine & Malt	2	\$3,000	\$6,000
Restaurant/Function Room	0	\$3,750	\$0
Restaurants/All Alcohol, Less than 50 Seats	5	\$2,000	\$10,000
Restaurants/Wine & Malt, Less than 50 Seats	5	\$1,150	\$5,750
Package Store/All Alcohol	4	\$3,750	\$15,000
Package Store/Wine & Malt	5	\$3,000	\$15,000
Fraternal Clubs & Organizations	4	\$3,000	\$12,000
Inn Street Transient Vendors 2019	3	\$1,000	\$3,000
Common Victuallers	68	\$350	\$23,800
Entertainment/Live Acoustic	17	\$300	\$5,100
Entertainment/Live Amplified	6	\$2,250	\$13,500
Electronic Devices/TV, Radio, CD, etc.	84	\$50	\$4,200
Automatic Amusement Devices	3	\$75	\$225
Lodging, Bed & Breakfast	9	\$200	\$1,800
One-Day All Alcohol Licenses 2019	18	\$100	\$1,800
One-Day Beer & Malt Licenses 2019	44	\$100	\$4,400
Farmer Brewer/Winery	3	\$50	\$150
License totals:			\$192,975

February 28, 2020

Heather Shand, Chairwoman
City Council Planning & Development Committee
City of Newburyport
BY EMAIL

Re: ODNC046 1 27 20 – Short-term Rentals

Dear Chairwoman Shand and members of the Planning & Development Committee:

I am greatly concerned the proposed amendments to the City's *Zoning* and *Licenses* (Licenses, Permits and Business Regulations) ordinances do not serve two of their stated purposes:

- To responsibly incorporate the growth of the so-called home-share industry into Newburyport's existing neighborhoods by striking a **fair balance between the preservation of long-term year-round housing, including affordable and moderately priced housing...**
- To ensure that neighborhood concerns with STRUs, including, but not limited to trash, noise and **parking**, are addressed so as to **avoid adverse impact on overall neighborhood character or property values.**

I think the amendments are directly opposed to these purposes. Their effect would be that every type of residential property in every residential district could be made available "by right" (permitted), 365 days per year, for short-term rental use, with few and difficult to enforce restrictions.

I think the real purpose of the amendments is to simply gather fees for the City – \$90 to \$200 annually – plus an undefined "excise tax," with the result of inviting and allowing the disruption of neighborhoods and the ongoing loss of long-term, year-round housing.

I also think the amendments are incompletely drafted.

Zoning Amendment

Section V-D: Table of Use Regulations.

The only new zoning use proposed is "STRU." However, other new uses appear in the *Licenses* amendment which *are not currently in our Zoning Use Regulations* (Section V-D) or use definitions (Section V-E: List of Allowable Uses). These new *Licenses* – not *Zoning* – uses are:

- Accessory Dwelling Unit (ADU)¹
- Furnished Institutional or Business Stays, also called "Executive Suite"
- Units for Hospital Stays
- House Boats

¹ In *Licenses*, ADU is referenced as "use #109." In the Newburyport Zoning Ordinance, use #109 is an "In-Law Apartment" which is restricted to occupancy by immediate family members of the owner.

Accessory Dwelling Unit (ADU)

The most disturbing of these currently un-zoned uses is the ADU. Through the *Licenses* amendment, ADUs would be allowed for short-term rental, 365 days per year, for up to 5 unrelated guests, with no requirement the owner be present.

The possible addition of ADUs to Newburyport's zoning code was carefully discussed by the Zoning Advisory Committee (ZAC) tasked with a "comprehensive zoning rewrite."

ZAC discussed the allowance of ADUs as a replacement of the current "In-Law Apartment" use. In-law apartments are allowed by special permit, only for use by immediate family members. The family restriction is difficult to enforce, and is not enforced. Applications for in-law apartment special permits have been on the rise for at least three years.

ZAC members reasoned that replacement with ADUs, eliminating the family use restriction, would be an improvement, *as long as ADUs would not be allowed for short-term rental*. The thinking was, these one-bedroom units could also become long-term housing for young adults working in the city and senior citizens.

Please see the attached draft ADU ordinance, which has as one purpose:

Encourage a more balanced and diverse population and income mix, with particular attention to young adults and senior citizens.

And, as a standard, that an ADU "*shall not be used as a 'short-term rental' unit.*"

In the ZAC draft, the ADU, like the current "in-law" unit, would be limited to one bedroom. One bedroom would not be suitable occupancy for "5 unrelated guests" as proposed in *Licenses*.

The STRU amendments throw out all reasoned thought about ADUs and long-term, moderately priced housing.

Parking

Zero attention is paid to parking, which is a matter of *Zoning*. Where is the proposed amendment to Section VII. – PARKING to regulate parking for STRUs or any of the new uses mentioned under *Licenses*?

Licenses Amendment

Because the *Zoning* amendment turns all definition of "STRU Type" and restrictions over to *Licenses*, we will have a situation of "anything goes," as long as you pay a \$90-\$200 annual fee.

- Who will enforce the Residency Requirement, which is easily skirted?
- Who will enforce the maximum "Owner Not Present" days for "Home Shares"?
- Who will enforce "Maximum Occupancy," which is poorly defined? Shouldn't occupancy be per bedroom?
- Who will enforce "trash and noise?" (*No one* can enforce parking, because there are no regulations.)

My guess is enforcement requests will become the burden of full-time residents, and those requests will usually be ignored.

Care in Drafting Amendments?

Both the *Zoning* and *Licenses* amendments cite as governing state law MGL 94G Section 1. This is the law on “regulation of the use and distribution of marijuana not medically prescribed.” It has nothing to do with these proposals.

This is a typographical error which can be easily fixed, but it illustrates, as do the more complicated omissions in *Zoning*, the possibility that insufficient time and thought went into drafting the amendments.

Could the Planning & Development Committee please consider that the amendments should go back to the drawing board and result in a proposal to serve all of the intended purposes.

Sincerely,



Stephanie Niketic
93 High Street
Newburyport, MA 01950

Attachments:

Table summarizing restrictions by STRU Type
ZAC ADU Draft – 09-02-2018 – Section 13-10

**Table summarizing restrictions by STRU Type
ODNC046_1_27_20 – Short-term Rentals**

Uses not currently allowed or defined in the Newburyport Zoning Ordinance, but proposed under *Licenses*:

- Accessory Dwelling Unit
- Furnished Institutional or Business Stays (also “Executive Suite”)
- Units for Hospital Stays
- House Boats

Allowed Days/Year, Allowed Days “Owner-Not-Present,” Maximum Occupancy, and Parking (*Licenses* Section 9-301)

STRU Type	Allowed Days/Year Operation	Operator/Owner Residency Restriction	Allowed Days Owner Not Present	Maximum Occupancy	Bedroom Reserved for Owner?	Parking Requirement
Limited Share	365	Primary Residence 9 of 12 months (or about 270 days)	0	4 unrelated guests, or 3 bedrooms, whichever is less	One	None
Home Share	365	Primary Residence 9 of 12 months (or about 270 days)	120 (or about 3 months)	4 unrelated guests, or [missing], whichever is less	No	None
Owner Adjacent Unit	365	<u>Not</u> Primary Residence, but within the “same dwelling” as Primary Residence if a 2- or 3-family. Or can be Accessory Dwelling Unit (ADU). All units must be owned by operator. Only one unit may be used as STRU.	365	5 unrelated guests (Section 9-305 PP 5)	No (but one dwelling unit seems to be).	None
Furnished Institutional or Business Stays	365	None	365	None	No	None
Units for Hospital Stays	365	None	365	None	No	None
House Boats	365	None	365	4 unrelated guests (Section 9-305 pp 5)	No	None

13.10 Accessory Dwelling Units

13.10.10. Purposes. The purposes of this section ~~is to include~~:

1. Recognize that the housing needs of the community are changing and that zoning regulations must be crafted to allow additional options in the provision of housing to the residents.
2. Provide homeowners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave.
3. Develop housing units in residential neighborhoods that are appropriate for households at a variety of stages in their life cycle and for multi-generational households.
4. Encourage a more balanced and diverse population and income mix, with particular attention to young adults and senior citizens.
5. Protect the stability, property values, and the residential character of a neighborhood by ensuring that accessory apartments meet the criteria specified in this section.

13.10.20 Standards. All Accessory Dwelling Units (ADUs) shall comply with the following standards:

1. One, and only one, ADU shall be allowed on any lot containing a single-family dwelling. In the case of a Detached Accessory Dwelling Unit (DADU), one DADU may be allowed on any lot containing a single- or two-family dwelling. DADUs shall comply with all of the ADU standards, including those listed as 'additional standards' in section ~~13.10.30~~ of this ordinance.
2. The ADU shall not be used as a 'short-term rental' unit.
3. The apartment will be a complete, separate housekeeping unit that functions as a separate unit from the ~~principle~~ principal dwelling.
4. An ADU added to a single-family residence shall be within the principal dwelling unit or have a common wall and may have a common interior door with the principal dwelling unit.
5. All stairways ~~to second or third stories~~ shall be enclosed within exterior walls.
6. The record owner of the lot shall reside no fewer than months per year ~~(181)~~ on the ~~property~~ lot, in either the principal dwelling or the accessory unit. The Special Permit shall be issued to the record owner of the lot and shall specify that the owner must occupy one of the dwelling units; the occupant of the other dwelling unit is not required to be a relative of the owner-occupant.
7. The ~~unit~~ ADU shall not be held in, or transferred into separate ownership from the ~~principle~~ principal dwelling unit under a condominium form of ownership, or otherwise.
8. The ADU shall contain not more than one (1) bedroom and one (1) bathroom; the unit shall not exceed 900 square feet of gross floor area.

9. Any exterior changes to the dwelling to accommodate the ADU shall maintain the appearance of a single-family dwelling. Any new entrance to serve an ADU shall be located on the side or in the rear of the building.
10. The property, and the dwelling units thereon, shall only be used for residential purposes.
11. At least one additional, on-site parking space is available for use by occupants of the ADU.
12. When a structure that has received a Special Permit for an ADU is sold, the new owner(s), if they wish to continue to exercise the permit, must within thirty (30) days of the sale, submit a sworn and notarized written statement to the Zoning Administrator stating that they will occupy either the principal dwelling or the ADU on the premises as their primary year-round residence. If the option to continue to exercise the permit is not exercised within the stated time period, then the permit is abandoned and the ADU use is discontinued. These statements shall be listed as a condition of any permits issued under this ordinance.

13.10.30 *Additional Standards for Detached Accessory Dwelling Units.* All Detached Accessory Dwelling Units (DADUs) shall comply with the following additional standards:

1. One (1) DADU shall be allowed in a conforming detached accessory structure on any lot containing a single- or two-family structure.
2. If the accessory structure is dimensionally non-conforming and the owner is seeking to extend the non-conformities, then the owner must obtain a Special Permit for Non-Conformities from the Zoning Board of Appeals (ZBA) in addition to the Special Permit required for the ADU use; any new non-conformity shall require a variance.
3. The exterior of the accessory structure or any exterior modifications to an existing accessory structure shall be consistent with the appearance of the primary dwelling unit(s) and purpose for which the structure was originally built.
4. A new accessory structure shall comply with the minimum setback requirements and dimensional requirements for the structure as dictated by section VI-F Yard Requirements (setbacks).

13.10.40 *Findings for ADUs and DADUs.* Before granting a Special Permit for an ADU or a DADU, the ZBA shall make the following findings:

1. ~~Exterior~~ The exterior design of the ADU/DADU is compatible with the existing residence(s) on the lot through architectural use of building forms, scale, and construction materials.
2. The site plan provides adequate open space and landscaping that is useful for both the ADU/DADU and the ~~primary~~ principal dwelling(s).

3. The ADU/DADU will maintain a compatible relationship to adjacent properties in terms of location and design, and will not significantly reduce the privacy of adjacent properties.
4. The ADU/DADU will not result in excessive noise, traffic, or parking congestion.

13.10.50 *Violation and Enforcement.* Violation of any of the provisions of this ordinance shall be subject to enforcement by the Zoning Administrator in accordance with the provisions of Section 5 – Administration and Enforcement.



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

DONNA D. HOLADAY
MAYOR

ETHAN R. MANNING
FINANCE DIRECTOR/CITY AUDITOR

To: President and Members of the Newburyport City Council

From: Ethan R. Manning, Finance Director/City Auditor

Date: February 28, 2020

Subject: Annual Audit of the City's FY 2019 Financial Statements

The certified public accounting firm of Melanson Heath has completed the annual audit of the City's FY 2019 financial statements. This audit must be performed by an independent CPA firm and is required by bond rating agencies, financial institutions, and various state and federal government entities. A copy of the audit is on file in the City Clerk's Office for your review. The City's financial statements, as well as, the Popular Annual Financial Report (PAFR) can also be found in the "Financial Reports Center" at: <https://www.cityofnewburyport.com/financials>.

For the seventh year in a row, the independent auditors issued an unqualified or "clean" opinion of the City's FY2019 financial statements. The audit was conducted in accordance with auditing standards generally accepted in the United States and standards applicable to financial audits contained in the publication, Government Auditing Standards, issued by the Comptroller General of the United States. These standards require that the audit be performed to obtain a reasonable assurance that the City's financial statements are free of material misstatements. In addition, the audit assesses the accounting principles used and significant estimates made by City management.

The audit indicates that the City's Financial Statements and Schedule of Expenditures of Federal Awards, as required by OMB Circular A-133, are presented fairly, in all material respects, and are in conformity with accounting principles generally accepted in the United States of America.

The audit also includes a management report that contains recommendations for strengthening internal controls and operating efficiency. Significant progress has been made by the City in implementing the recommendations of the independent auditors. During FY2019, the City implemented a recommendation regarding establishing written policies and procedures with respect to the management of federal grant funding.

Below are three current management letter recommendations:

1) Improve Compensated Absences Accounting (Prior Year)

The auditors recommend that the City centralize and automate the accounting for employee compensated absences (i.e. vacation, sick time), which will increase the accuracy, efficiency, and controls over payment of compensated absences. The City is working on implementing this recommendation.

2) Improve Bank Account Reconciliations (Prior Year)

The auditors recommend that the City research and resolve old bank account reconciling items. Over the past several years, the Finance Department has revised its processes to improve the cash reconciliation between the bank, Treasurer's cash book and general ledger. We now have a strong reconciliation process in place; however, there are still old reconciling items dating back several years that are being addressed. Personnel in the Treasurer's and Auditor's Offices continue to meet regularly to address these older reconciling items and have made significant headway in clearing them off the bank account reconciliation.

3) Consider Improving Segregation of Human Resources and Payroll Duties (New)

In order to improve upon the design and execution of controls related to payroll processing, the auditors recommend that the City consider creating a greater segregation of duties between Human Resources (HR) and Payroll. They note that payroll is currently being processed by HR personnel for both non-school and school employees. Non-school payroll is processed by an HR Generalist at City Hall and school payroll is processed by one individual in the school's Finance/HR Department at Central Office.

The auditors recommend creating one centralized payroll department for both the City and School. They note that this would help to separate the payroll processing and HR functions, as well as, establishing a "back up" if one of the two payroll processors is out sick or on vacation. It would also create greater consistency in how payroll is processed City-wide.

The City is currently reviewing this recommendation with the independent auditors. We believe that a first step in addressing this matter is to remove payroll processing from the City's HR Department. Given that there are some budgetary impacts associated with this change, we intend to look into incorporating this into the FY2021 budget process.

As always, please do not hesitate to contact me with any questions.

City Council

City of Newburyport

60 Pleasant Street,

Newburyport, MA 01950

MVRTA State Street Bus Stop Shelter

February 18, 2020

Dear President Eigerman, and honorable City Council members;

The MVRTA bus stop on State Street by the Library parking Lot has No Shelter for waiting Bus riders.

This Bus Stop is most often used by Senior Citizens and elderly, Disabled residents, Mothers with strollers and children, and downtown employees who have no private means of getting to / from work.

All of them endure freezing winter, down pouring rain, unforgiven winds, and summer scalding sun while waiting for their rides to get home to Storey Ave or Low street. Others, the Bus is their only mean to get to Market Basket for groceries, or Walgreen for the medication refills.

I would kindly ask that funds would be appropriated for installing a proper Bus Stop Shelter to help and protect our vulnerable unfortunate residents.

Respectfully submitted,

Hazem Mahmoud, M.D., Ph.D.

Professor of Pediatric Hematology Oncology

52A Ferry Road, Newburyport, MA 01950

**APPOINTMENTS
FIRST READING**



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 MAR -3 PM 3: 12

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

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: March 2, 2020

Subject: Appointment

I hereby appoint, subject to your approval the following named individual as a member of the Historical Commission. This term will expire on 3/31/23.

Joseph Morgan
55 Hill Street
Newburyport, MA 01950

Joseph Morgan
55 Hill Street
Newburyport, MA 01950

Mayor's Office
60 Pleasant Street
Newburyport, MA 01950

February 18, 2020

Dear Mayor Holaday:

I would like to express my interest in serving on the Newburyport Historical Commission. I understand that there are vacancies and feel that my background in architecture and planning may be of service to the community. I have practiced architecture in the Boston area close to 40 years and have recently retired in Newburyport. The opportunity to serve as board member on the Historical Commission will allow me to stay connected with my professional interests as well as contribute to the City's efforts to preserve valuable historical and cultural assets while accommodating change and growth that will benefit the entire citizenry.

Please see the enclosed résumé for my work experience and qualifications. I look forward to serving on the commission and am happy to provide further personal information as needed by your office.

Sincerely,



Joseph Morgan

Joseph M. Morgan
55 Hill Street
Newburyport, MA 01950
Telephone (857) 829-7088

Education: Massachusetts Institute of Technology
Bachelor of Science in Art and Design, 1979

L'Institut de L'Administration des Entreprises
Sorbonne, Paris, 1985

Professional Registration: Massachusetts Board of Architects Lic. No. 7902

Experience :

Wilson Architects (now HGA)
Boston, MA
1999 - 2019

Project manager and/or project architect and planner on diverse academic and/or research laboratories. Responsibilities include: client meetings, program, schedule, budget, basis of design documentation, code analysis and consultant coordination and contracts. Projects at WA include:

University of Delaware: Physics Building Renovation feasibility study and basis of design; New Science Building programming; masterplan for Engineering Campus.

Duke University: Campus masterplan to study phased densification and pedestrian/vehicular improvements (in conjunction with landscape concepts).

MIT MIT.nano: Project architect and planner for 40,000 sf semiconductor cleanroom and electron microscope suite and support spaces. Coordinated liaisons with engineering disciplines and MIT office of environmental health and safety.

University College Dublin, Ireland: Science Centre masterplan; renovation and additions to existing 120,000 sf chemistry building; new 135,000 sf computational and teaching labs. Contract includes basis of design and laboratory fitout construction documents.

University of Chicago: Enrico Fermi and James Franck Institute renovation studies; renovation of Jones Chemistry building to enable Searle Chemistry Lab renovation; Searle Lab Cleanroom basis of design.

Harvard University LISE (Laboratory for Interdisciplinary Science and Engineering). Project contract administration and closeout including commissioning and validation of high-performance microscopy and cleanroom suite.

Harvard University Hau Lab: 8,000 sf high performance laser lab for Department of Engineering and Applied Physics (now School of Engineering and Applied Physics).

CIC nanoGUNE, San Sebastián, Spain: laboratory planning and design for 80,000 sf nanoscience and technology building. Included construction documents for lab fitout portion of building. Separate contract for design and construction documents for 3,000 sf clean room.

Boston University Marine Program: teaching lab and synthetic seawater lab for relocation of Woods Hole scientists to BU campus.

Princeton University Yazdani Lab: 10,000 sf high-performance STM laboratory from planning through construction. Included five STM rooms of which three were vibration-isolated and one RF-shielded.

Trinity College Dublin, Ireland: 70,000 sf nano science and technology building. WA provided the basis of design and laboratory fitout construction documents.

University of North Carolina, Chapel Hill Sciences Master Plan: 500,000 sf of new space for chemistry, physics, marine sciences, materials science, computer science and math.

University of North Carolina, Chapel Hill Phase I: 140,000 sf new chemistry building and 120,000 sf new physics/marine sciences building including the Institute for Advanced Materials fitout. I served as project manager for three years during which time I coordinated all IBC code reviews with the Department of Insurance and led the site enabling, utility and site decontamination design.

University of North Carolina Chapel Hill Phase II: site enabling, phasing and utility design scope.

Duke University: phased science master plan for renovation and new construction.

Vanderbilt University School of Engineering: building envelope job captain on Featheringill and Jacobs Halls. Included new construction and renovation work.

Vanderbilt University Biosciences/Medical Research Building III: detailed laboratory fitouts.

Warner + Associates
Boston, MA
1995 - 1999

Project Manager on healthcare projects in the Boston area.

Cambridge Health Alliance Maternity Suite and Psychiatric Emergency Room

Cambridge Health Alliance Satellite Health Centers, Cambridge and Somerville

Hoskins Scott and Partners
Boston, MA
1991 - 1995

Sturdy Memorial Hospital, Attleboro, MA: project architect and job captain for clinical diagnostic lab and intensive care unit.

Cape Cod Hospital: designer for new emergency room addition and maternity and oncology addition studies. Project architect for surgeon's lounge.

Ellenzweig Associates
Cambridge, MA
1988 - 1991

University of Virginia, Charlottesville: lab designer for new chemistry building.

John Hopkins University: lab designer and envelope designer for Remson Hall renovations and additions.

Post Office Square Park, Boston: designer and detailer for park pergola and café structures.

Massachusetts College of Art: designer and detailer for renovations to jewelry, foundry, kiln and paper studios.

Harvard University Schreiber Lab: lab designer and detailer for 30-person synthetic chemistry lab in Conant and Converse chemistry buildings.

Hammer Kiefer and Todd
Cambridge, MA
1986 - 1988

West Roxbury High School, West Roxbury, MA: designer and detailer for façade renovation.

Prospect Hill Congregational Church Condominium, Somerville, MA: designer for historic renovation and adaptive reuse.

Zodiac S.A.
Paris, France 1985 - 1986

Technical manual writer for civil and defense aviation gear; industrial design of mechanical components.

Guy Naizot Associés
Paris, France 1983 - 1984

French Embassy, Riyadh, Saudi Arabia: designer

Sumner Schein
Boston, MA 1982

Arsenal Market, Watertown, MA: designer and detailer

Frank L. Hope
San Francisco, CA 1980 - 1981

Prison prototype for the State of California

Professional Organizations: AIA/BSA, UGIM (University Government Industry Micronano)



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 MAR -3 PM 3:24

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

To: President and Members
of the City Council

From: Donna D. Holaday, Mayor

Date: March 2, 2020

Subject: Appointment

Donna D. Holaday

I hereby appoint, subject to your confirmation, the following named individual as an alternate member of the Zoning Board of Appeals. This term will expire on March 31, 2021.

Walter Chagnon
43 Lime Street
Newburyport, MA 01950

Mayor Donna Holaday
City of Newburyport
60 Pleasant St.
Newburyport, MA. 01950

Mayor Holaday,

I am writing to you as I understand that there may be an opening on the Zoning Board of Appeals. I have lived in Newburyport for the past two years, moving here from Chelmsford, MA. While living in Chelmsford, I served on their Board of Appeals for over six years. During my tenure, I sat in on many applications for variances and special permits, as well as several 40B applications. My interests include historical preservation and affordable housing, and would like to volunteer my time by serving on a city board. I would appreciate your consideration for this open position, and look forward to meeting with you and the ZBOA members in the near future. My resume is attached.

Regards,

A handwritten signature in black ink that reads "Bud Chagnon". The signature is written in a cursive style with a large, stylized initial "B".

Bud Chagnon
43 Lime St.
Newburyport, MA. 01950
781 248 3505

Walter J "Bud" Chagnon
43 LIME STREET, NEWBURYPORT, MA 01950
E-MAIL: BUDCHAGNON@GMAIL.COM
PHONE 781-248-3505

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2020 MAR -3 PM 3:11

OBJECTIVE

Part to full time position local to Newburyport, MA.

SKILL HIGHLIGHTS

- More than 30 years of experience in the Power Industry
- Developed and led new organizations within GE to capture expanding markets.
- Successfully integrated a controls services business following the acquisition of Woodward Controls.
- Successfully managed and grew the service business in New England across gas, steam and hydro segments.
- Successfully managed a major sales territory for an expanding market segment which grew more than 250% in four years.
- Strong customer centric mindset.

CORE ACCOMPLISHMENTS

Individual sales responsibility for all GE Services in New England. Business segment was in excess of \$100MM annually. Grew assigned business unit by more than 13%, two years in a row. Last annual orders awarded exceeded \$250 MM including long term services contracts.

Sales responsibility for New England Power Controls business. Met or exceeded assigned annual budget for seven consecutive years, 2006 through 2013. Captured 75% of all GE installed power generating equipment in New England with new advanced digital controls.

Success as Business Development Manager for Hydro Services Market. Increased Annual sales 80% in first four years. Developed business plans and market strategy to concentrate on new organization's strengths.

Project Manager for large short-cycle power generation installation project. Managed all engineering, labor, and installation contractors to install 160MW of gas turbine utility units at a greenfield site. The short cycle project was from award of contract, to all contractual MWs operating in 60 days.

AWARDS RECEIVED

- GE Energy Sales, Regional Excellence Award, 2010, 2011, 2012, and 2016
- GE Energy Services, Regional Managerial Awards, 1988, 1992, 1998
- GE Energy Services, General Manager's Excellence Award, 1997
- GE Energy, CEO GE Energy, Engineering Award, 1997

PROFESSIONAL EXPERIENCE

Various positions within GE-
Field Engineer, Project Engineer Project Manager, Service Manager, Business Development Manager, Global Site Services Leader, Sales Manager and Account Manager.

COMMUNITY SERVICE

Chelmsford Youth Soccer, Little League Baseball, and girl's basketball coach. Boy Scout Troop Committee Chairman. All Saint's Episcopal Church, Vestry member, Finance Committee Chairman, and Treasurer
Chelmsford Zoning Board of Appeals, 2011 through 2017.
Kayla Estates Condominium Organization, Chelmsford, MA., Committee Chairman, 1996 through 2010

EDUCATION

University of Massachusetts, Amherst, MA. BS Mechanical Engineering

REFERENCES AVAILBLE UPON REQUEST

APPT153_03_09_2020



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 MAR -3 PM 3:11

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

To: President and Members
of the City Council

From: Donna D. Holaday, Mayor

Date: March 2, 2020

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Community Preservation Committee. This term will expire on March 31, 2023.

Jane Healey
38 Winter Street
Newburyport, MA 01950

JANE A. HEALEY

38 Winter Street ♦ Newburyport, MA 01950 ♦ (978) 835-4979 ♦ jhealey@gmail.com

Qualifications Summary

Urban Planning Professional Focused on Environmental Sustainability with Experience in Government, Non-Profit, and Corporate Settings. Demonstrated capacity to engage and maintain the participation of diverse groups of stakeholders in the planning and implementation of community development and environmental programs. Excellent analytical abilities and critical thinking skills. Strong organizational skills and attention to detail. Enjoy working in multi-disciplinary settings while achieving results.

Education

Boston Architectural College – Boston, MA

Pursuing Certificate in Landscape Ecology – 2019-present

Massachusetts Institute of Technology - Cambridge, MA

Masters in City Planning (MCP) – 2003

University of New Hampshire - Durham, NH

B.A., magna cum laude, Economics – 1995

Experience

Professionally Related Community Involvement Current

- Newburyport Community Preservation Commission - Vice Chair. Appointed position responsible for evaluating Community Preservation Act applications for funding of local open space, affordable housing, outdoor recreational facilities, and historic preservation projects (2017-present)
- Newburyport Community Preservation Commission – At-Large Member (2014-2017)
- Our Neighbor's Table, Amesbury, MA – Member of Strategic Advisory Board, Food Security Advisory Group Volunteer (2018-present)
- Merrowhawk Nature School, Newburyport, MA – Member of Board of Directors, Finance Committee (2019-present)

Turnstone Environmental Planning, LLC – Newburyport, MA

Principal 2015-2019

- Consulting firm focusing on domestic and international environmental economics and urban sustainability projects
- Local project - Solar canopy feasibility study for the City of Newburyport (2016)

JAH Consulting, Urban & Environmental Planning – Newburyport, MA

Independent Consultant 2012-2014

- Projects ranged from providing guidance to a local environmental nonprofit on assessing environmental impacts of a proposed casino project, to assisting state and regional level climate change policy initiatives.

(cont.)

Office for Commonwealth Development - Commonwealth of Massachusetts - Boston, MA

Program Coordinator, Transit Oriented Development (TOD) Program

2005-2006

- Administered \$30 million TOD Infrastructure and Housing Support Program to create compact, mixed-use, walkable development in close proximity to transit stations in the Commonwealth
- Oversaw grant program development and implementation, including finalization of program guidelines, public outreach and issuance of Requests for Proposals
- Led inter-agency task force in development of application rating criteria, interpretation of program guidelines and regulations, and recommendations for funding

Merrimack Valley Planning Commission - Haverhill, MA

Alternative Transportation Planner

2004-2005

- Co-administrator of MVPC's Transit Planning Program
- Supplied planning assistance to regional communities for on- and off-road bicycle and pedestrian facilities, alternative transportation plans, trail mapping and design, construction funding strategies
- Guided regional communities on EO418 Community Development Plan (CDP) implementation – smart growth transportation goals and action plans

Walden Asset Management - Boston, MA

Shareholder Advocate/Research Analyst

1996-2001

- Managed Walden's Community Development Investment Service (CDIS) - tripled investment portfolio from \$2 million to \$7 million in two-year period
- Built and maintained relationships with external organizations such as Coalition for Environmentally Responsible Economies (CERES) and the Interfaith Center on Corporate Responsibility (ICCR)
- Improved corporate social performance of Walden portfolio holdings through corporate dialogue and shareholder advocacy

Jane A. Healey

38 Winter Street • Newburyport, MA 01950 • 978-835-4979 • jahealey@gmail.com



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2020 MAR -3 PM 3:12

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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: March 3, 2020
Re: Re-Appointment

A handwritten signature in cursive script, appearing to read 'Donna D. Holaday', written over the 'From:' line of the memo.

I hereby re-appoint, subject to your approval, the following named individual as a member of the Tree Commission. This term shall expire on March 31, 2023.

Paul J. Harrington
251B High Street
Newburyport, MA 01950

Paul J Harrington
251B High Street
Newburyport, MA 01950
har4524@me.com
617-799-1215

Paul is currently is an alternate member of the City of Newburyport Tree Commision and had previously served as it's co-chair and treasurer.

He is president and a founding member of the Greater Newburyport Village Inc., a non profit membership organization assisting with the needs of local seniors who are aging in their homes.

Paul is the retired President and CEO of E M Duggan, Inc., a large mechanical contractor in the Boston commercial construction marketplace.

He is a past president of the Boston plumbing contractors employers' association. He served as trustee and chairman of the Plumbers' Local 12 Pension/Health and Welfare funds. He was a member of the Saint Vincent de Paul Society in Concord.

Paul is a graduate of Matignon High School in Cambridge.

- Born and raised in Somerville, MA
- Attended Matignon HS, Cambridge, MA (1961)
- Attended Wentworth Institute, Architectural Drafting 1962-1963
- Apprentice Plumber Boston Local 12 1963 - 1968
- Attended Vesper/George School of Art Evenings 1969-1970
- Worked C.H. Cronin, Boston 1962 - 1965
- Worked Wolff/Munier, Malden, 1966-1974
- Worked John J Sullivan, 1974-1976
- Worked E.M. Duggan, Canton 1976-2013
- President, CEO, COO E.M.Duggan 1990-2013
- Retired 2013
- Chairman Plumbers Local Health, Welfare, Pension Funds
- President Plumbing Heating Cooling Contractors Association
- Newburyport Tree Commission 2014-Present
- President Greater Newburyport Village



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

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

To: President and Members
of the City Council

From: Donna D. Holaday, Mayor

Date: March 5, 2020

Subject: Re-Appointment

A handwritten signature in cursive script, reading 'Donna D. Holaday', written vertically over the 'From' and 'Date' fields.

I hereby reappoint, subject to your approval, the following named individual as a member of the Fruit Street Local Historic District Study Committee. This term will expire on May 31, 2023.

Maurice Southworth
12 Fruit Street
Newburyport, MA 01950

Name: Maurice William Southworth

Contact Info: 12 Fruit St
Newburyport
MA 01950
Phone: 978-395-7031
E-mail: southworthmw@gmail.com

Employment: 2016 - Present
Executive Director of Production, New England Biolabs, Ipswich, MA., USA.
Continue to oversee all of manufacturing and as part of the executive team plan for the future growth of NEB both in the US and internationally.

2014 - 2016
Director of Production, New England Biolabs, Ipswich, MA., USA.
Oversee all of manufacturing, including Fermentation, Purification, Formulation, Filling, Packaging and Shipping. Products are shipped both domestically and to our International subsidiary offices

2009 - 2014
Assistant Director of Production, New England Biolabs, Ipswich, MA., USA.
Manage the day to day manufacture for all products supplied by New England Biolabs.

2007 - 2009
Technical Support Manager, New England Biolabs, Ipswich, MA., USA.
Coordination and management of Technical Support for all products supplied by New England Biolabs

1990 - 2007
Research Scientist, New England Biolabs, Ipswich, MA., USA.
Research Studies on Filarial Nematodes, Hyperthermophilic Archaea, DNA Polymerases, Inteins, Protein Splicing and DNase I, including Biochemistry, Enzyme Kinetics and Protein Expression

1988 - 1990
Postdoctoral Fellow, New England Biolabs, Beverly, MA. USA.
Research studies on Filarial Nematodes, including *Onchocerca volvulus* and *Brugia Malayi*

1985 - 1987
Postdoctoral Fellow, Advanced Genetic Sciences, Oakland, CA., USA.
Xenobiotic Degradation and the Molecular Biology of Bacterial Ice Nucleation focusing on protein expression of Pseudomonas Ice Nucleation proteins in *Escherichia coli*

Education:

1980-1984

D.Phil. Degree, MRC Cell Mutation Unit, University of Sussex, UK.
Thesis title, "The effect of UV irradiation mutagenesis in *Escherichia coli*".

1976-1980

BSc. Hons. Applied Biochemistry, Salford University, UK

Publications:

NMR structure of a K1bA intein precursor from *Methanococcus jannaschii*. Johnson, M. A.; Southworth, M. W.; Herrmann, T.; Brace, L.; Perler, F. B.; Wuthrich, K. (2007) *Protein Sci* **16**: 1316-28.

Rescue of protein splicing activity from a *Magnetospirillum magnetotacticum* intein-like element.

Southworth, M.W.; Yin, J.; Perler, F.B. (2004) *Biochem Soc Trans* **32**:250-4.

Protein splicing of the *Deinococcus radiodurans* strain R1 Snf2 intein

Southworth, M. W.; Perler, F. B. (2002). *J Bacteriol* **184**: 6387-8.

An Alternative Protein Splicing Mechanism for Inteins Lacking an N-terminal Nucleophile.

Southworth, M.W., Benner, J. and Perler, F.B. (2000). *EMBO J.* **19**:5019-5026.

Purification of proteins fused to either the amino or carboxy terminus of the *Mycobacterium xenopi* gyrase A intein.

Southworth, M.W., Amaya, K., Evans, T.C., Xu, M., and Perler, F.B. (1999). *BioTechniques* **27**:110-120.

Control of Protein Splicing by Intein Fragment Reassembly.

Southworth, M.W., Adam, E., Panne, D., Byer, R., Kautz, R., and Perler, F.B. (1998) *EMBO J.* **17**:18-26.

The *Mycobacterium xenopi* GyrA protein splicing element: characterization of a minimal intein.

Telenti, A., Southworth, M.W., Alcaide, F., Daugelat, S., Jacobs, W. R., and Perler, F. B. (1997). *J. Bact.* **179**:6378- 6382.

Cloning of thermostable DNA polymerases from hyperthermophilic marine Archaea with emphasis on *Thermococcus* sp. 9°N-7 and mutations affecting 3'-5' exonuclease activity.

Southworth, M. W., Kong, H., Kucera, R. B., Ware, J., Jannasch, H. W. and Perler, F. B. (1996). *Proc. Natl. Acad. Sci. USA.* **93**:5281-5285.

Gene cloning and production of active recombinant *Brugia malayi* microfilarial chitinase.

Southworth, M.W., Fuhrman, J.A., Robbins, P.W., Beauregard, K. and Perler, F.B. *Gene.* (1996). **177**:55-58.

Differential recognition of microfilarial chitinase, a transmission-blocking vaccine candidate antigen, by sera from patients with Brugian and Bancroftian filariasis.

Dissanayake, S., Perler, F.B., Xu, M., Southworth, M.W., Yee, C.K., Wang, S.H., Dreyer, G., Watawana, L., Kurniawan, L., Fuhrman, J.A. and Piessens, W.F. (1995). *Am J Trop Med Hyg.* **53**:289-294.

Typing Marine Vent Thermophiles by DNA Polymerase Restriction Fragment Length Polymorphisms,

Perler, F.B., Southworth, M.W., and Wallace D. (1995) *Archaea, A Laboratory Manual, Volume 3* (edt. Robb, F.T. and Place, A.R.), Cold Spring Harbor Laboratory Press.

Expression of an *Onchocerca volvulus* Ov33 homolog in *Dirofilaria immitis*: potential in immunodiagnosis of heartworm infection.

Santiago Mejia J., Nkenfou C., Southworth M.W., Perler F.B. and Carlow C.K. (1994). *Parasite Immunol.* **16**:297-303.

In vitro protein splicing of purified precursor and the identification of a branched intermediate. Xu, M., Southworth, M. W., Mersha, F. B., Hornstra, L. J., and Perler, F. B. (1993). *Cell* **75**:1371-1377.

Non-linear Relationship between Concentration and Activity of a Bacterial Ice Nucleation Protein, Southworth, M.W., Wolber, P.K. and Warren, G.J. (1988). *J. Biol. Chem.*, **263**, 15211-15216.

Identification and Purification of a Bacterial Ice Nucleation Protein,

Wolber, P.K., Deininger, C.A., Southworth, M.W., Vandekerckhove, J., van Montagu, M. and Warren, G.J. (1986). *PNAS*, **83**, 7256-7260.

Influence of *recF* on spontaneous mutation in *Escherichia coli*,

Southworth, M.W. and Bridges, B.A. (1984). *Mutation Research*, **140**, 67-69.

Mutagenic repair in *Escherichia coli* VIII. Effect of *gyrB* mutations on ultraviolet light mutagenesis, Bridges, B.A., Southworth, M.W. and Orr, E. (1983). *Mutation Research*, **112**, 3-16.

"Constitutive error-prone repair at sites of excision repair in *Escherichia coli*: a re-examination", Bridges, B.A. and Southworth, M.W. (1982). *Biochemie*, **64**, 655-659.

Patents:

US Patent 5756334 - Thermostable DNA polymerase from 9°N-7 and methods for producing the same. US Patent Issued on May 26, 1998

US Patent 5834247 - Modified proteins comprising controllable intervening protein sequences or their elements methods of producing same and methods for purification of a target protein comprised by a modified protein.

Comb, D. G., Perler, F. B., Jack, W.E., Xu, M., Hodges, R. A., Noren, C.J., Chong, S.S., Adam, E., Southworth, M.W. US Patent Issued on Nov 10, 1998

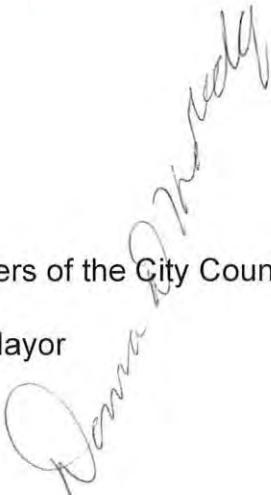


CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2020 MAR -3 PM 3:12

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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: March 2, 2020
Subject: Re-Appointment



I hereby re-appoint, subject to your approval, the following named individual as a member of the Water/Sewer Commission. This term will expire March 31, 2023.

John Tomasz
38 Storeybrooke Drive
Newburyport, MA 01950

JOHN M. TOMASZ, P.E.
14 Warren Street
Newburyport, MA 01950
(978) 360-1552

BACKGROUND:

Over 38 years of experience in public works and project management, design and construction inspection of various engineering projects. Background includes the management of four public works departments, design and construction services for numerous water and wastewater projects, field inspection and testing during construction, permit and grant application writing, budgeting and cost control on a variety of projects.

EDUCATION:

- Bachelor of Science in Civil Engineering, University of Massachusetts
- Certificate of Special Studies in Administration and Management, Harvard University
- Continuing Education-Business Administration: Lafayette College & Merrimack College

PROFESSIONAL REGISTRATIONS:

- Registered Professional Engineer in the State of New Hampshire # 09444

PROFESSIONAL CERTIFICATION:

- FEMA Emergency Management Institute National Incident Management System: Certifications: ICS-100, 200, 700, 701 & 702
- Office of Inspector General Design and Construction Contracting Certification
- OSHA 40 Hour Personal Protection and Safety for Hazardous Waste Operators Certification
- OSHA 8 Hour Site Supervisor Certification
- National Stormwater Center - Certified Stormwater Inspector

EMPLOYMENT RECORD:

- Town of Lynnfield, MA – DPW Director (2016–Present)
- City of Salem, MA– DPW Director (2012–2016)
- Hamilton, MA – DPW Director (2008–2012)
- Town of Rockport, MA – DPW Director (1998-2008)
- Montgomery Watson/Havens & Emerson (1990-1998)
- Cullinan Engineering Co. Inc. (1988-1989)
- Public Service Electric & Gas Company of New Jersey (1981-1988)

PRESENT EXPERIENCE:

Responsible for all budgetary, engineering and management functions required as Director of the Department of Public Works in Lynnfield, MA. Required to manage a multi-million dollar budget and numerous construction projects including highway, building rehabilitation and maintenance, and ongoing infrastructure work. Provides oversight of the schools and athletic fields, solid waste, recycling and organic operations, stormwater system, vehicle maintenance, parks and cemetery. Responsible for ensuring that the Department meets all environmental and regulatory requirements along with permit limitations.

PAST EXPERIENCE:

Responsible for all budgetary, engineering and management functions required as Director of the Department of Public Works in Rockport, Hamilton and Salem. Required to manage a multi-million dollar budgets and over 40 employees along with numerous construction projects. Provided oversight of the water and wastewater departments, solid waste included a transfer station, cemeteries, parks, beaches, wharfs, a municipal parking lot and public buildings.

Resident engineer for the \$12.3M Nash Hill Covered Reservoir Project for the Massachusetts Water Resources Authority. Responsibilities include the review of field, laboratory and shop tests; providing clarification of contract documents and construction plans and in providing on-site observation of construction activities for compliance with design documents.

Resident Engineer at the Rockport, MA \$5.6M Water Treatment Plant Facility Upgrade. Responsible for reviewing shop drawings, change orders and invoices. Responsibilities include review of field, laboratory and shop tests; providing clarification of contract documents and construction plans; submitting MBE/WBE and monthly reports to the DEP; and in providing onsite observation of construction activities for compliance with design documents.

Project Manager for the \$5.3M Incinerator Upgrade to the Fitchburg, MA East Plant. Responsible for reviewing shop drawings, change orders and invoices. Responsibilities include review of field, laboratory and shop tests; providing clarification of contract documents and construction plans and in providing on-site observation of construction activities for compliance with design documents. Acted as Fitchburg's representative in meetings and reports submitted to the DEP concerning current status and testing criteria. Responsible for submitting all state revolving loan fund applications for the city.

Resident Engineer for the \$1.3M building demolition remedial action involving a structure contaminated with PCB's, metals and pesticides along with 15 underground storage tanks. Reviewed all change orders, invoices and submittals for conformance with contract documents. Acted as the owner's representative in meetings with the DEP, Army Corps of Engineers and the EPA. Involved in the second phase of this project as Lead Civil Design Engineer for the 60 GPM groundwater treatment plant which was required to remove contaminants in order to satisfy federal and state requirements.

Project Engineer responsible for preparing project plans, analyzing the various cost and schedule reports, and in reporting or making recommendations for corrective action on approximately \$10M of new or improved electric transmission and distribution construction in Camden and Trenton areas of New Jersey. Interfaced with licensing, engineering and construction personnel to ensure the successful completion on the projects.

Construction Engineer at the \$3.8B Hope Creek Generation Station in Hancocks Bridge, NJ. Responsible for field monitoring and analysis of work progress against budget and construction schedule. Interfaced with field superintendents and project management regarding analysis of weekly man hour and production reports. Monitored labor performances, materials and subcontractor cost, and quantity tracking of commodities.

COMMUNITY SERVICE:

- City of Newburyport water commissioner (2006 to present)
- City of Newburyport sewer commissioner (2004 to present)
- Presently chairman of joint water and sewer commission (2016 to present)
- City of Salem – Citizens School voluntary teacher (2016)

PROFESSIONAL AFFILIATIONS:

- Member of the American Public Works Association
- Member of the Massachusetts Water Works Associations
- Member of the Essex County and Massachusetts Highway Associations
- Member of the American Society of Civil Engineers

LICENSES & CERTIFICATIONS:

- Commonwealth of Massachusetts 1D Operator in Training Water Distribution License
- Commonwealth of Massachusetts 1T Operator in Training Drinking Water Supply License
- Commonwealth of Massachusetts Hoisting Engineer
- Commonwealth of Massachusetts of Class A & B UST Operator
- Massachusetts Certified Tree Warden
- Commonwealth of Massachusetts Office of the Inspector General Design & Construction Contractor Certification.
- Commonwealth of Massachusetts Office of the Inspector General Public Contracting Overview Certification

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

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

- APPT147_02_24_2020 Shawn Flaherty 32 Milk St Disabilities Comm 3/1/2023
- APPT148_02_24_2020 Peter McNamee 9 Otis Pl Historical Comm 3/1/2023

Re-Appointments

- APPT149_02_24_2020 Jennie Donahue 18 Cherry St Disabilities Comm 3/1/2023
- APPT150_02_24_2020 Paul Hogg 4 Coltin Dr Shellfish Constable 3/1/2023

Motion to approve Consent Agenda as amended by Councillor Zeid, seconded by Councillor Khan. So voted.

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 9, 2020

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

Donor: Joanne B. Brislin Trust
Amount: \$4,793.86
Purpose: Newburyport Youth Services summer camp scholarships

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:

March 9, 2020

THAT the City Council of the City of Newburyport hereby votes to accept the fourth paragraph of Massachusetts General Laws Chapter 40, Section 5B, which allows the dedication, without further appropriation, of all, or a percentage not less than 25 percent, of particular fees, charges or receipts to a stabilization fund established under Massachusetts General Laws Chapter 40, Section 5B, to be effective for the fiscal year beginning on July 1, 2020, or take any other action relative thereto.

Councillor Sharif I. Zeid

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 9, 2020

THAT the City Council of the City of Newburyport, by a two-thirds vote, hereby dedicates 100% of the Plum Island Beach Fee is dedicated to the Plum Island Beach Stabilization Fund established under Massachusetts General Laws Chapter 40, Section 5B, effective for the fiscal year 2021 beginning on July 1, 2020.

Councillor Sharif I. Zeid

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 9, 2020

THAT THE CITY OF NEWBURYPORT, having convened in an open meeting on _____, 2020, prior to the closing date, the City Council of Newburyport, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated February 28, 2020 for the Newburyport High School located at 241 High Street which describes and explains the following deficiencies and the priority category(ies) for which an application may be submitted to the Massachusetts School Building Authority in the future:

- 1) Roof
- 2) Science labs

And hereby further specifically acknowledges that by submitting this Statement of Interest form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City to filing an application for funding with the Massachusetts School Building Authority.

Councillor Jared J. Eigerman



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

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

978-465-4413 PHONE

978-465-4402 FAX

To: City Councillors

From: Mayor Donna D. Holaday

Date: March 3, 2020

Re: Statement of Interest

Attached please find the MA School Building Authority's required form, Statement of Interest (SOI), to initiate the process for Newburyport to enter the review process for a new roof and upgrades to the science labs at the Newburyport High School.

Steve Bergholm, Director of Facilities, completed this form and the comprehensive information required by MSBA. Mr. Bergholm will be available for the subcommittee review to answer questions. It typically takes several years to be accepted into MSBA process which is why it makes good sense to begin the process at this juncture. The form must be submitted by April 8th and I request the City Council vote on the SOI at your meeting on March 30th. We anticipate, if accepted into the process, a similar funding percentage from the MSBA as with the Bresnahan new elementary school and renovations to Nock/Molin of approximately 50%. We will not have a detailed plans and true costs until the next step in the process where the city commits funding to complete the feasibility study.

Additional details of the MSBA process may be found at <https://www.massschoolbuildings.org/building>

Thank you

Massachusetts School Building Authority

2020 MAR -3 PM 2: 54

School District Newburyport

District Contact Steve Bergholm TEL: (978) 465-4440

Name of School Newburyport High

Submission Date 2/28/2020

SOI CERTIFICATION

To be eligible to submit a Statement of Interest (SOI), a district must certify the following:

- The district hereby acknowledges and agrees that this SOI is NOT an application for funding and that submission of this SOI in no way commits the MSBA to accept an application, approve an application, provide a grant or any other type of funding, or places any other obligation on the MSBA.
- The district hereby acknowledges that no district shall have any entitlement to funds from the MSBA, pursuant to M.G.L. c. 70B or the provisions of 963 CMR 2.00.
- The district hereby acknowledges that the provisions of 963 CMR 2.00 shall apply to the district and all projects for which the district is seeking and/or receiving funds for any portion of a municipally-owned or regionally-owned school facility from the MSBA pursuant to M.G.L. c. 70B.
- The district hereby acknowledges that this SOI is for one existing municipally-owned or regionally-owned public school facility in the district that is currently used or will be used to educate public PreK-12 students and that the facility for which the SOI is being submitted does not serve a solely early childhood or Pre-K student population.
- After the district completes and submits this SOI electronically, the district must mail hard copies of the required documentation described under the "Vote" tab, on or before the deadline.
- The district will schedule and hold a meeting at which the School Committee will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is required for cities, towns, and regional school districts.
- Prior to the submission of the SOI, the district will schedule and hold a meeting at which the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is not required for regional school districts.
- On or before the SOI deadline, the district will submit the minutes of the meeting at which the School Committee votes to authorize the Superintendent to submit this SOI. The District will use the MSBA's vote template and the vote will specifically reference the school and the priorities for which the SOI is being submitted. The minutes will be signed by the School Committee Chair. This is required for cities, towns, and regional school districts.
- The district has arranged with the City/Town Clerk to certify the vote of the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body to authorize the Superintendent to submit this SOI. The district will use the MSBA's vote template and submit the full text of this vote, which will specifically reference the school and the priorities for which the SOI is being submitted, to the MSBA on or before the SOI deadline. This is not required for regional school districts.
- The district hereby acknowledges that this SOI submission will not be complete until the MSBA has received all of the required vote documentation in a format acceptable to the MSBA. If Priority 1 is selected, your SOI will not be considered complete unless and until you provide the required engineering (or other) report, a professional opinion regarding the problem, and photographs of the problematic area or system. If Priority 3 is selected, your SOI will not be considered complete unless and until you provide a summary of the accreditation report focused on the deficiency as stated in this SOI.

Massachusetts School Building Authority

School District Newburyport

District Contact Steve Bergholm TEL: (978) 465-4440

Name of School Newburyport High

Submission Date 2/28/2020

Note

The following Priorities have been included in the Statement of Interest:

1. Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists.
2. Elimination of existing severe overcrowding.
3. Prevention of the loss of accreditation.
4. Prevention of severe overcrowding expected to result from increased enrollments.
5. Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.
6. Short term enrollment growth.
7. Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.
8. Transition from court-ordered and approved racial balance school districts to walk-to, so-called, or other school districts.

SOI Vote Requirement

I acknowledge that I have reviewed the MSBA's vote requirements for submitting an SOI which are set forth in the Vote Tab of this SOI. I understand that the MSBA requires votes from specific parties/governing bodies, in a specific format using the language provided by the MSBA. Further, I understand that the MSBA requires certified and signed vote documentation to be submitted with the SOI. I acknowledge that my SOI will not be considered complete and, therefore, will not be reviewed by the MSBA unless the required accompanying vote documentation is submitted to the satisfaction of the MSBA.

SOI Program: Core

Potential Project Scope: Renovation\ Addition

Is this a Potential Consolidation? No

Is this SOI the District Priority SOI? Yes

School name of the District Priority SOI: Newburyport High

Is this part of a larger facilities plan? Yes

If "YES", please provide the following:

Facilities Plan Date: 3/25/2019

Planning Firm: Newburyport Public Schools/City of Newburyport

Please provide a brief summary of the plan including its goals and how the school facility that is the subject of this SOI fits into that plan:

FY20-24 Capital Improvement Plan: The Newburyport Public Schools, working with the City of Newburyport, updates a 5-year Capital Improvement Plan annually. This plan lists capital needs for all school facilities across the district. The CIP is presented by the Director of Facilities to, and approved by the School Committee before being sent to the Mayor and City Council for prioritization with other capital needs across the city. In recent years the CIP submitted for consideration to the Mayor's Office has included the following for Newburyport High school: exterior woodwork restoration, sidewalk replacements, roof replacement, technology upgrades, energy reduction programs, auditorium sound and lighting system replacement, fire alarm system upgrade, security updates and others. Funding is appropriated as available, and some projects find other sources of funding through grants and/or donations. The current CIP can be found on the city website at: https://www.cityofnewburyport.com/sites/newburyportma/files/uploads/fy20-24_capital_improvement_program_proposed_3-25-19.pdf

Please provide the current student to teacher ratios at the school facility that is the subject of this SOI: 10 students per teacher

Please provide the originally planned student to teacher ratios at the school facility that is the subject of this SOI: 10 students per teacher

Does the District have a Master Educational Plan that includes facility goals for this building and all school buildings in District? Yes

If "YES", please provide the author and date of the District's Master Educational Plan.

The City of Newburyport has a Master Plan that includes an educational component. The development of the Master Plan was spearheaded by members of the Planning Department and was adopted by the Newburyport City Council in December of 2017. The Master Plan can be found on the city website at: <https://www.cityofnewburyport.com/sites/newburyportma/files/uploads/2017-master-plan-final-printed-version-w-adoption-dates.pdf>

Is there overcrowding at the school facility? No

If "YES", please describe in detail, including specific examples of the overcrowding.

Has the district had any recent teacher layoffs or reductions? No

If "YES", how many teaching positions were affected? 0

At which schools in the district?

Please describe the types of teacher positions that were eliminated (e.g., art, math, science, physical education, etc.).

Has the district had any recent staff layoffs or reductions? No

If "YES", how many staff positions were affected? 0

At which schools in the district?

Please describe the types of staff positions that were eliminated (e.g., guidance, administrative, maintenance, etc.).

Please provide a description of the program modifications as a consequence of these teacher and/or staff reductions, including the impact on district class sizes and curriculum.

Does Not Apply

Please provide a description of the local budget approval process for a potential capital project with the MSBA. Include schedule information (i.e. Town Meeting dates, city council/town council meetings dates, regional school committee meeting dates). Provide, if applicable, the District's most recent budget approval process that resulted in a budget reduction and the impact of the reduction to the school district (staff reductions, discontinued programs, consolidation of facilities).

SECTION 6-2: ANNUAL BUDGET MEETING The mayor shall call a joint meeting of the city council and school committee, to include the superintendent of schools, before the commencement of the annual budget process to review the financial condition of the city, revenue and expenditure forecasts, and other relevant information prepared by the mayor in order to develop a coordinated budget. SECTION 6-3: SUBMISSION OF OPERATING BUDGET; BUDGET MESSAGE No later than May 15 of each year, the mayor shall submit to the city council a proposed operating budget for all city agencies, which shall include the school department, for the ensuing fiscal year with an accompanying budget message and supporting documents. The proposed operating budget shall provide a complete fiscal plan of all city funds and activities. The school budget, as adopted by the school committee shall be submitted to the mayor at least 10 days before the submission of the proposed operating budget to the city council. The mayor shall notify the school committee of the date by which the proposed budget of the school committee shall be submitted to the mayor. The mayor and the superintendent of schools shall coordinate the dates and times of the school committee's budget process under the General Laws. Public Hearing - The city council shall publish in at least one (1) local newspaper a notice of the proposed operating budget as submitted by the mayor. The notice shall state (1) the times and places where copies of the entire proposed operating budget are available for inspection by the public, and (2) the date, time and place not less than 14 days after its publication, when a public hearing on the proposed operating budget will be held by the city council. The city council shall adopt the proposed operating budget, with or without amendments, within 45 days following the date the proposed budget is filed with the city clerk. Funding a capital project would likely require an override vote.

General Description

BRIEF BUILDING HISTORY: Please provide a detailed description of when the original building was built, and the date(s) and project scopes(s) of any additions and renovations (maximum of 5000 characters).

Original construction of Newburyport High School was completed in 1937. A complete renovation and addition occurred from 1999 to 2002.

A project to rehabilitate the exterior woodwork on the high school has been ongoing since 2012 as Community Preservation Funds are made available and allocated to the project. This historic restoration has been designed and monitored by an architectural firm with extensive historic restoration experience, and following strict historic restoration standards.

TOTAL BUILDING SQUARE FOOTAGE: Please provide the original building square footage PLUS the square footage of any additions.

215000

SITE DESCRIPTION: Please provide a detailed description of the current site and any known existing conditions that would impact a potential project at the site. Please note whether there are any other buildings, public or private, that share this current site with the school facility. What is the use(s) of this building(s)? (maximum of 5000 characters).

Newburyport High School sits on a 13.3 acre site at the top of a hill in a residential neighborhood.

The site also includes the War Memorial Stadium which was recently renovated (completed 2016) including an artificial turf field. The Stadium is used for various sporting events as well as the site for the high school's graduation ceremony.

There is a concession stand near the Stadium along with a small electrical shed that provides power to the Stadium. A baseball field is also located on the site.

The parking areas are insufficient for the number of staff in the building. Some staff and all students have to park off-site. Any project that requires a lay-down area for materials is challenging when done while school is in session.

ADDRESS OF FACILITY: Please type address, including number, street name and city/town, if available, or describe the location of the site. (Maximum of 300 characters)

Newburyport High School
241 High Street
Newburyport, MA 01950

BUILDING ENVELOPE: Please provide a detailed description of the building envelope, types of construction materials used, and any known problems or existing conditions (maximum of 5000 characters).

Exterior walls of the building are brick. They are in generally good condition.

Most windows are over-sized double-hung wooden sash. The one major exception is the south façade which has aluminum frame windows overlooking the stadium. The size of the double-hung windows make them difficult to operate. Most are in good condition, but there are some, particularly on the northeast side of the building that are showing signs of deterioration due to their exposure to the north-east wind coming off the ocean.

Doors are a combination of wooden historic replica and aluminum store-front style. The wooden doors are sometimes problematic from a security standpoint during wet or humid weather when they swell and do not automatically latch securely. During these times they require regular adjustment.

Over the center main portion of the 1937 portion of the building is an asphalt shingled hip roof. This section of roof is in poor condition, needing regular maintenance to replace shingles that blow off during strong wind storms, and leaking in areas where flashing has apparently failed. This roof was installed in 1995.

The remaining sections on the 1937 portion of the building are flat PVC roofs that were last replaced in 1995 as part of a district-wide roofing project. There have been numerous leaks on all four of these separate sections (Library, Auditorium, East Classroom Wing, West Classroom Wing) as can be seen by the number of patches in these areas and stained ceilings that are visible in areas such as the Auditorium.

The five sections described above are on the Building A section of the high school and are in need of replacement as they are approaching 20 years of age.

The EPDM roof on the 2002 addition is in good condition. A small project was conducted on this roof circa 2011 to correct an issue with the membrane pulling away from the bases of several of the roof top air handling units.

Has there been a Major Repair or Replacement of the EXTERIOR WALLS? YES

Year of Last Major Repair or Replacement:(YYYY) 2002

Description of Last Major Repair or Replacement:

The exterior walls on the original (1937) portion of the building have not had a major repair or replacement other than repointing. The addition that was constructed from 1999 to 2002 replaced an earlier addition that was constructed circa 1960.

Roof Section A

Is the District seeking replacement of the Roof Section? YES

Area of Section (square feet) 6000

Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe)

Shingle

Age of Section (number of years since the Roof was installed or replaced) 24

Description of repairs, if applicable, in the last three years. Include year of repair:

Replacement of shingles that have blown off has occurred in each of the last three years.

Roof Section B

Is the District seeking replacement of the Roof Section? YES

Area of Section (square feet) 35100

Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe)

Flat PVC-this section is made up of four separate areas all last replaced in 1995 including east classrooms, west classrooms, auditorium & library.

Age of Section (number of years since the Roof was installed or replaced) 24

Description of repairs, if applicable, in the last three years. Include year of repair:

Patching has been performed numerous times on this roof over the past three years including most recently December 2019.

Roof Section C

Is the District seeking replacement of the Roof Section? NO

Area of Section (square feet) 18400

Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe)

Flat EPDM over south classroom area addition that was constructed in 1999-2002

Age of Section (number of years since the Roof was installed or replaced) 19

Description of repairs, if applicable, in the last three years. Include year of repair:

Minor patching in 2018 & 2019.

Roof Section D

Is the District seeking replacement of the Roof Section? NO

Area of Section (square feet) 7900

Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))

Gym-ballasted EPDM installed in 1999-2002 during the renovation and addition project. Proposed addition would be constructed over this section.

Age of Section (number of years since the Roof was installed or replaced) 19

Description of repairs, if applicable, in the last three years. Include year of repair:

None

Roof Section E

Is the District seeking replacement of the Roof Section? NO

Area of Section (square feet) 3500

Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))

Cafeteria-sloped PVC installed during the renovation and addition project from 1999 to 2002.

Age of Section (number of years since the Roof was installed or replaced) 19

Description of repairs, if applicable, in the last three years. Include year of repair:

Patching of seams in the built-in rain gutter in 2019.

Roof Section F

Is the District seeking replacement of the Roof Section? NO

Area of Section (square feet) 450

Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))

Standing seam metal roofing over "connector" areas between the original building and the addition that was constructed in 1999-2002. This includes 9 small separate roof areas.

Age of Section (number of years since the Roof was installed or replaced) 19

Description of repairs, if applicable, in the last three years. Include year of repair:

Patching of seams and flashing along rising brick walls 2018 & 2019.

Window Section A

Is the District seeking replacement of the Windows Section? NO

Windows in Section (count) 374

Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))

Wooden double-hung, double pane windows.

Age of Section (number of years since the Windows were installed or replaced) 19

Description of repairs, if applicable, in the last three years. Include year of repair:

Miscellaneous sash replacements 2017/2018 and two scheduled for replacement in 2020.

Window Section B

Is the District seeking replacement of the Windows Section? NO

Windows in Section (count) 60

Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))

Aluminum double pane

Age of Section (number of years since the Windows were installed or replaced) 19

Description of repairs, if applicable, in the last three years. Include year of repair:

None

Window Section C

Is the District seeking replacement of the Windows Section? NO

Windows in Section (count) 14

Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))

Large wood-frame fixed glass double pane (library & auditorium)

Age of Section (number of years since the Windows were installed or replaced) 19

Description of repairs, if applicable, in the last three years. Include year of repair:

Exterior trim board replacement on one window in 2019

MECHANICAL and ELECTRICAL SYSTEMS: Please provide a detailed description of the current mechanical and electrical systems and any known problems or existing conditions (maximum of 5000 characters).

Both the mechanical and electrical systems were updated as part of the renovation and addition project between 1999 and 2002.

Heat is provided to the school by two natural gas-fired Smith Boilers which provide hot water to various terminal devices throughout the school including nine interior air handling units and three roof-top air handling units which provide fresh air throughout the building. Heat to the classrooms is provided by ceiling mounted fan coil units, and offices generally receive their heat via variable air volume boxes and baseboard radiant heat.

Two Trane chillers provide chilled water for air conditioning to about 90% of the building.

Both boilers are fully operational and receive regular preventive maintenance from in-house staff with assistance from contractors from time to time. The interior fire walls of one boiler were rebuilt approximately three years ago, and the second boiler is in currently in need of that repair.

All mechanical equipment is operational and is in a condition that would be expected at this stage of its life cycle. Mechanical equipment receives regular preventive maintenance from in-house staff with assistance from contractors from time to time.

The entire electrical system from the main switch gear to all branch circuit wiring was replaced during the renovation and addition project from 1999-2002. The main electrical service is 480/277 volt, 4000 amp, three phase. The switch gear and all distribution panels were manufactured by General Electric.

A 250KW Kohler generator provides backup power to selected equipment and emergency lighting.

Lighting throughout the building is a combination of T-8 and compact fluorescent as well as recently converted LED fixtures.

Boiler Section 1

Is the District seeking replacement of the Boiler? NO

Is there more than one boiler room in the School? YES

What percentage of the School is heated by the Boiler? 100

Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)

Natural gas

Age of Boiler (number of years since the Boiler was installed or replaced) 19

Description of repairs, if applicable, in the last three years. Include year of repair:

Interior fire brick replaced 2013

Boiler Section 2

Is the District seeking replacement of the Boiler? NO

Is there more than one boiler room in the School? YES

What percentage of the School is heated by the Boiler? 100

Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)

Natural gas

Age of Boiler (number of years since the Boiler was installed or replaced) 19

Description of repairs, if applicable, in the last three years. Include year of repair:

Interior fire brick replaced 2018

Boiler Section 3

Is the District seeking replacement of the Boiler? NO
Is there more than one boiler room in the School? YES
What percentage of the School is heated by the Boiler? 0
Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)
Natural gas (domestic hot water)
Age of Boiler (number of years since the Boiler was installed or replaced) 19
Description of repairs, if applicable, in the last three years. Include year of repair:
None

Boiler Section 4

Is the District seeking replacement of the Boiler? NO
Is there more than one boiler room in the School? YES
What percentage of the School is heated by the Boiler? 0
Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)
Electricity (domestic hot water for kitchen)
Age of Boiler (number of years since the Boiler was installed or replaced) 19
Description of repairs, if applicable, in the last three years. Include year of repair:
Replaced

Boiler Section 5

Is the District seeking replacement of the Boiler? NO
Is there more than one boiler room in the School? YES
What percentage of the School is heated by the Boiler? 0
Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)
Electricity (domestic hot water for science labs)
Age of Boiler (number of years since the Boiler was installed or replaced) 19
Description of repairs, if applicable, in the last three years. Include year of repair:
Replaced

Has there been a Major Repair or Replacement of the HVAC SYSTEM? YES
Year of Last Major Repair or Replacement:(YYYY) 2002
Description of Last Major Repair or Replacement:
All mechanical equipment was replaced during the renovation and addition project from 1999 to 2002.

Has there been a Major Repair or Replacement of the ELECTRICAL SERVICES AND DISTRIBUTION SYSTEM? YES
Year of Last Major Repair or Replacement:(YYYY) 2002
Description of Last Major Repair or Replacement:
All electrical equipment was replaced during the renovation and addition project from 1999 to 2002.

BUILDING INTERIOR: Please provide a detailed description of the current building interior including a description of the flooring systems, finishes, ceilings, lighting, etc. (maximum of 5000 characters).

Interior walls are generally constructed of metal studs and gypsum wall board and finished with an egg-shell paint.

Most floors are vinyl composite tile with carpeting in offices, the auditorium and library. Most ceilings areas are suspended grids with acoustical ceiling tile, with some gypsum wall board ceilings in select areas.

Lighting is typically T-8 and compact fluorescent with some recently converted LED fixtures in some areas such as the gym, auditorium, cafeteria, stairways and parking lots.

PROGRAMS and OPERATIONS: Please provide a detailed description of the current grade structure and programs offered and indicate whether there are program components that cannot be offered due to facility

constraints, operational constraints, etc. (maximum of 5000 characters).

Newburyport High School serves grades nine through twelve and the curriculum is designed around two interconnected premises. First, students will acquire and demonstrate competencies in areas of academics, career options, personal/social relationships and wellness. Second, a major aspect of demonstrating those competencies is successful completion of a core curriculum and elective course work to earn the minimum of 110 credits to be eligible for graduation.

Courses are offered in art and theater, English, math, history/social studies, science and technology, world language, wellness and physical education, and special education.

The one area that is most restricted by facility constraints at Newburyport High School is the Science, Technology and Engineering program. A shortage of teaching and lab space limits the amount of lab time that each class can be allotted.

EDUCATIONAL SPACES: Please provide a detailed description of the Educational Spaces within the facility, a description of the number and sizes (in square feet) of classrooms, a description of science rooms/labs including ages and most recent updates, a description of the cafeteria, gym and/or auditorium and a description of the media center/library (maximum of 5000 characters).

9 Math classrooms average approximately 750 sq. ft.
9 Social Studies classrooms average approximately 750 sq. ft.
6 English classrooms average approximately 800 sq. ft.
6 Science classrooms average approximately 850 sq. ft. (most recent updates 2002)
4 Science Labs average approximately 750 sq. ft.
6 World Language classrooms and one language lab each average approximately 800 sq. ft.
5 Special Education classrooms range from 750 to 1200 sq. ft. The Nutrition Lab is 1350 sq. ft.
One computer lab is 800 sq. ft. and the other was recently converted to a general classroom.

The Distance Learning Lab is a 1200 Sq. Ft. lecture hall

The Art Suite includes 2 classrooms at 1600 & 1800 sq. ft, Photo Lab at 280 sq. ft. and Graphic Arts Computer Lab at 900 sq. ft.

The Library is 6600 sq. ft. and includes a PC Lab, Mac Lab, and quiet study area.
(the Library was renovated in 2012 including new carpeting, paint, furniture & technology)

The Auditorium is 6600 sq. ft. and seats approximately 660 people.
The Theater Program has a 900 sq. ft. room adjacent to the Auditorium
Theater also operates the TV Production Lab (580 sq. ft.) and TV Studio (340 sq. ft.) The Band Room is 1580 sq. ft.
The 2300 sq. ft. Wood Shop is shared by the Theater group and other programs

The Gym is 12,670 sq. feet including a fitness room
Three sets of bleachers can seat approximately 600 people
The Gym includes a full basketball court along with two smaller side courts
There is a walking track around the perimeter of the gym
The PE Department also has a 1200 sq. ft. Wellness Classroom

The Cafeteria is approximately 8800 sq. ft. and can seat approximately 300 students. There are currently three lunch periods served by a full kitchen of approximately 1500 sq. ft. Next year we will be transitioning to two lunch periods and accommodating additional students in a room adjacent to the cafeteria.

CAPACITY and UTILIZATION: Please provide the original design capacity and a detailed description of the current capacity and utilization of the school facility. If the school is overcrowded, please describe steps taken by the administration to address capacity issues. Please also describe in detail any spaces that have been converted from their intended use to be used as classroom space (maximum of 5000 characters).

Newburyport High School currently serves about 800 students. While there are always challenges to find space for all of the programs and services that are offered, the school is not considered to be overcrowded.

The original Television Production Room is now used as an office for the Technology Department. The Television Production program was relocated into a room that is also used by a Music Technology class.

One computer lab was converted to a general classroom since the lab setting was no longer required due to technological advances.

MAINTENANCE and CAPITAL REPAIR: Please provide a detailed description of the district's current maintenance practices, its capital repair program, and the maintenance program in place at the facility that is the subject of this SOL. Please include specific examples of capital repair projects undertaken in the past, including any override or debt exclusion votes that were necessary (maximum of 5000 characters).

The Newburyport Public School Facilities Department consists of a Director of Facilities, Head of Maintenance, two Maintenance Technicians, one Groundskeeper and 17 Custodians serving the three buildings in the district. Service contractors are used to supplement the Facilities Department staff typically working under service contracts for regular predictable maintenance needs on equipment such as emergency generators, fire sprinkler systems, fire alarm systems and several others.

The Facilities Department utilizes the School Dude Maintenance Direct CMMS for all routine maintenance requests. Faculty and Staff are asked to submit requests for any maintenance or custodial needs through School Dude. The requests are routed to the Director of Facilities and Head of Maintenance, and then assigned to appropriate personnel for completion. The Technicians and Custodians mark the work requests complete, and they are then reviewed by the Director of Facilities before being closed.

Preventive maintenance is also scheduled through School Dude, utilizing the PM Direct program. Schedules are developed and maintained for equipment needing regular service. The program then creates a work request when maintenance comes due, and it gets assigned to the appropriate Technician or service contractor. Completion and close-out follows the same procedure as above.

The Newburyport Public Schools, working with the City of Newburyport, updates a 5-year Capital Improvement Plan annually. This plan lists capital needs for all facilities across the district. The CIP is presented by the Director of Facilities to, and approved by the School Committee before being sent to the Mayor and City Council for prioritization with other capital needs across the city. Funding is appropriated as available.

This process has led to a number of projects at the schools, most notably construction of the new Bresnahan School, renovation of the Nock-Molin School and renovation of the War Memorial Stadium at Newburyport High School. Other projects at Newburyport High School that have gone through this process and found funding from various sources include the ongoing Exterior Woodwork Restoration Project, sound and lighting upgrades in the Auditorium, replacement of the fire alarm panel, security upgrades and exterior masonry work to prevent water infiltration which was causing a serious problem with efflorescence.

Priority 5

Question 1: Please provide a detailed description of the issues surrounding the school facility systems (e.g., roof, windows, boilers, HVAC system, and/or electrical service and distribution system) that you are indicating require repair or replacement. Please describe all deficiencies to all systems in sufficient detail to explain the problem.

The roof sections that are included in this SOI are on the Building A section of Newburyport High School. This is the original portion of the building that was constructed in 1937. The current roofing was installed in 1995, just prior to the major renovation that was undertaken on the high school between 1999 and 2002. We identify these roofs as Pitched Roof, East Classrooms, West Classrooms, Auditorium and Library.

As one of the highest structures in Newburyport, and within close proximity to the ocean, the Pitched Roof section on the high school is often subjected to very strong winds. It is not uncommon for pieces of shingle to be found on the lower roofs and the grounds surrounding the building. Additionally, this section of roof is penetrated by two large air intake and exhaust ducts in the back center of the roof, and other ductwork out of the east and west ends. These areas have been frequently problematic as can be seen by the stained ceiling areas in the attic. The cupola also projects from this roof section, but recent work on the cupola has resolved problems associated with that.

As a part of the renovation and addition project several pieces of mechanical equipment, as well as some skylights were removed from the flat roof sections of Building A. Additionally, other mechanical equipment was installed, and the increase in foot traffic, equipment and materials on these roofs during the construction project caused additional wear and tear, and numerous issues. This has resulted in a patch-worked roof with many potential infiltration points.

As the roof has continued to age, many of shoe patches have begun to detach. Water has found its way under the membrane taking its toll on the insulation and causing it to compact in areas, interrupting the drain channels that were initially built into the roof when it was installed. Ponding can now be seen in many areas with the water unable to reach the drains.

Water has made its way into classrooms and hallways (most recently in the area of Room 340) on the third floor, but has also found its way through wall cavities and come out on the first floor near the Student Support offices. Water stains and falling plaster indicate leaks in the auditorium and on the stage. Intermittent leaking occurs around the skylights in the library.

Priority 5

Question 2: Please describe the measures the district has already taken to mitigate the problem/issues described in Question 1 above.

Patching each of these roof sections has been an ongoing task since the completion of the renovation and addition project in 2002. This has been done by both in-house staff and roofing contractors including CJ Phoenix, Hurley Roofing and Garland.

In 2011 Gale Associates assisted with a project to repair leaks around the ductwork on the east and west ends of the pitched roof.

As part of the Exterior Woodwork Project-Phase 3, the cupola was restored which solved several water infiltration issues on and around the cupola.

Hurley Roofing spent two full days patching and repairing areas of the four flat roof section in 2016 that are included in this SOI, and they are called back periodically as new leaks appear.

The Newburyport City Council approved \$20,000 to be used for high school roof repairs in November of 2017. Much of this funding has been utilized.

The Director of Facilities conducts roof inspections on a regular basis. The most recent inspection was conducted on September 26, 2019.

Priority 5

Question 3: Please provide a detailed explanation of the impact of the problem/issues described in Question 1 above on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

Leaks sometimes cause the need for teachers to find another space in which to conduct their class, or choose to arrange students around barrels and buckets that are catching water from an active leak. If a class is moved to another space the teacher may not have all of the resources and teaching aids that they would normally work with in their home classroom, thus diminishing the quality of the lesson on that particular day.

Additionally, poor air quality is always a concern when building components become damp from an active leak. If the leak has gone on unnoticed for a period of time before the water actually makes it into a classroom, there could be concerns with mold growth on certain building materials, and it becomes imperative to dry them out as quickly as possible.

Leaks can and have caused damage to teaching materials and other items in classrooms. This causes the need for the teacher to reproduce or replace these items, taking time away from other tasks more directly associated with teaching.

Priority 5

Question 4: Please describe how addressing the school facility systems you identified in Question 1 above will extend the useful life of the facility that is the subject of this SOI and how it will improve your district's educational program.

A new roof will provide protection for these sections of Newburyport High School for the next 25 to 30 years. This in turn will free up both manpower and financial resources that are now being used on roof related issues, to be allocated to other issues throughout the facility. A new roof would also likely provide an improved R-value for the roof, saving on energy costs.

Please also provide the following:

Have the systems identified above been examined by an engineer or other trained building professional?:

NO

If "YES", please provide the name of the individual and his/her professional affiliation (maximum of 250 characters):

Steve Bergholm, Director of Facilities

Newburyport Public Schools

The date of the inspection:

A summary of the findings (maximum of 5000 characters):

PITCHED ROOF

-some missing/broken asphalt shingles

-water stains around duct penetrations

EAST CLASSROOMS

-standing water cannot reach drains

-loose flashing and exposed edge of membrane

-soft spots noticed in insulation beneath membrane

-small gouge noted

WEST CLASSROOMS

-standing water

-soft spots noted in insulation beneath membrane

-roof fastener poking up beneath membrane

LIBRARY

- minor ponding
- soft spots in insulation noticed beneath membrane
- some patched failing
- missing mortar above windows in rising walls

AUDITORIUM

- minor ponding noted
- soft spots in insulation beneath membrane
- small gouge noted
- failing mortar in wall rising above roof section

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

AN ORDINANCE ESTABLISHING THE PLUM ISLAND BEACH STABILIZATION FUND

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

Chapter 2 Administration
Article VI Finance

Sec. 2-395 – Establishment of the Plum Island Beach Fund

- a) There is hereby established a trust fund known as the Plum Island Beach Stabilization Fund ("Plum Island Fund").
- b) The Plum Island Fund shall consist of the City of Newburyport's share of continued proceeds from fees collected at the Plum Island Parking Lot, located at the northern point, in accordance with any validly approved City Council Order.
- c) The City Council may establish additional sources for proceeds in the future, amending this Ordinance Accordingly.
- d) The Plum Island Fund shall be ONLY be used to pay costs and expenses arising from or related to the Beach, including but not limited to the maintenance of the beach, river, including, but not limited to, beach nourishments, breach planting, the construction of soft or hard structures, dredging operations and sand placement, maintaining and cleaning the beach.
- e) Appropriations from this fund shall be made at the recommendation of the Mayor with the approval of a two-thirds vote of the City Council.
- f) This section is adopted pursuant to section 5B, chapter 40 of Massachusetts General Law.

Submitted:

Councillor Sharif I. Zeid
Ward 1 City Councillor

CITY OF NEWBURYPORT



 IN CITY COUNCIL

ORDERED:

March 9, 2020

AN ORDINANCE RE ENFORCEMENT OF THE STATE BUILDING CODE

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

Amend existing Chapter 5-61 of the Newburyport Code, as follows, with additions double-underlined and italicized, and deletions ~~stricken through~~:

Sec. 5-61. – State Building Code Adoption of BOCA Abridged Building Code.

As provided under section 3A of chapter 143 of the Massachusetts general laws: ~~The BOCA Abridged Building Code (Fourth Edition 1965) issued by the Building Officials Conference of America, Inc., together with the 1967 accumulative supplement thereto, copies of which are on file in the office of the city clerk, issued by the Building Officials Conference of America, Inc., are made a part of the public records of the city, and are hereby adopted by reference the same as if fully set out herein, except as amended in this chapter.~~

A. **State building code.** Unless otherwise provided by the state building code (title 780 of the Code of Massachusetts Regulations), the city's inspector of buildings shall enforce the state building code as to any building or structure within the city, including any building or structure owned by any authority established by the general court but not owned in whole or in part by the commonwealth, and the state building code shall be the code for all buildings and structures within the city.

B. **Historic preservation.** In the event of a conflict between the code and a statute, ordinance or bylaw regulating an historic district, regional historic district or architecturally controlled district, the statute, ordinance or bylaw regulating exterior architectural features within that district shall prevail.

C. **Commonwealth buildings or structures.** The city's inspector of buildings shall enforce the state building code as to any building or structure within any city that is owned in whole or in part by the commonwealth or any departments, commissions, agencies or authorities of the commonwealth.

Councillor Jared J. Eigerman

Councillor Heather L. Shand

CITY OF NEWBURYPORT



 IN CITY COUNCIL

ORDERED:

March 9, 2020

AN ORDINANCE TO REQUIRE USE OF RECYCLED PAPER, RECYCLING, AND PROPER DISPOSAL OF YARD WASTE BY THE CITY

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

Amend existing Section 8-91 as follows, with additions double-underlined, and deletions ~~double-stricken-out~~:

Sec. 8-91. - City to recycle and dispose properly of yard waste.

- (a) *Use of recycled paper products.* The City of Newburyport, including any and all departments, shall procure paper products such that no less than seventy-five percent (75%), calculated or by cost, of such paper products each fiscal year shall be labeled as "Recycled" by the Forest Stewardship Council (FSC), or its equivalent over the period of five (5) years from the date of adoption of this ordinance from which this article is derived increase the use of recycled paper products to seventy-five (75) percent. Such increase shall not be less than fifteen (15) percent in any given year within the five-year period. It shall be the responsibility of each department head to ensure the implementation of this section.
- (b) *Recycling of recyclable materialspaper products.* The City of Newburyport, including any and all departments, shall ~~over the period of five (5) years from the date of adoption of this ordinance from which this article is derived~~ develop and implement a recycling program for all recyclable materialspaper products with the intent of recycling no less than seventy-five (75) percent of said recyclable materialspaper products. It shall be the responsibility of each department head to ensure the implementation of this section.
- (c) *Disposal of yard waste.* The City of Newburyport, including any and all departments, shall dispose of all yard waste it produces using the Colby Farm Lane Facility. It shall be the responsibility of each department head to ensure the implementation of this section.

Councillor Jared J. Eigerman

Councillor Christine E. Wallace