

CITY COUNCIL MEETING AGENDA - VERSION 1
CITY COUNCIL CHAMBERS
SEPTEMBER 24, 2018

7:30PM

(Sound Check)

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE
3. CALL TO ORDER
4. LATE FILE ITEMS
5. PUBLIC COMMENT
6. PRESENTATION ON BARTLET MALL
7. 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.

8. APPROVAL OF MINUTES

September 10, 2018

(Approve)

9. TRANSFERS

- NONE

10. COMMUNICATIONS

- **COMM086_09_24_18** Ltr from Residents of East Boylston Street (PS)
- **COMM087_09_24_18** Ltr re: Coffin Street (PS)
- **COMM088_09_24_18** Wave Guide Application (PU)

11. APPOINTMENTS

FIRST READING

To be Referred to Planning & Development

- | | | | | |
|---------------------------|------------------|-----------------|--------------------------|-----------|
| • APPT051_09_24_18 | Don Walters | 15 Smith St | CPC, Planning Board | 10/1/2021 |
| <hr/> | | | | |
| • APPT052_09_24_18 | Jennifer Groskin | 11 Myrtle Ave | Human Rights Comm | 3/31/2019 |
| • APPT053_09_24_18 | Matt Ellsworth | 38 Plummer Ave | Parks Comm, Atkinson | 5/1/2020 |
| • APPT054_09_24_18 | Charles Griffin | 3 Vernon St | Parks Comm, Bartlet Mall | 5/1/2019 |
| • APPT055_09_24_18 | Ann Lagasse | 1 Pipers Quarry | Parks Comm | 5/1/2022 |
| • APPT056_09_24_18 | Karen Popken | 49 Boardman St | Parks Comm | 5/1/2021 |
| • APPT057_09_24_18 | Kim Turner | 27 High St | Parks Comm | 5/1/2023 |

END OF CONSENT AGENDA
REGULAR AGENDA

12. MAYOR'S UPDATE

13. COMMUNICATIONS

- COMM084EP_09_24_18 Emergency Preamble for Block Party - Central Place
- COMM084_09_24_18 Block Party - Central Place
- COMM085EP_09_24_18 Emergency Preamble for Fall Harvest Festival - 10/7/18 & 10/8/18
- COMM085_09_24_18 Fall Harvest Festival - 10/7/18 & 10/8/18

14. APPOINTMENTS

Second Reading

- APPT050_09_10_18 Michael Falite 4 Caitlin Cir, Salisbury Police Department

15. ORDERS

- ORDR058_08_27_18 CPA Project #4, Slate Roof, Custom House (**TABLED**)
- ORDR061_09_24_18 Gift Acceptance - Strem Chemicals, Inc. \$5,376.96
- ORDR062_09_24_18 Gift Acceptance - NHS Class of 2018 \$500

16. ORDINANCES

- ODNC017_10_30_17 Zoning Amendment – No Use Variances (**2nd Reading**)
- ODNC024_06_11_18 Zoning Amendment - Marijuana Retail Sales Locations (**Motion to Reconsider**)
- ODNC016_04_30_18 Marijuana Zoning - Retail Sales (**Motion to Reconsider**)

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- ORDR007_01_29_18 41C Amendment
- ORDR022_04_09_18 Local Retail Sales Tax on Marijuana
- ORDR060_08_27_18 Host Agreement for Marijuana Cultivation (**COTW**)
- COMM082_09_10_18 FY2018 Year-End Financial Report

Education

In Committee:

-

General Government

In Committee:

- ODNC007_02_12_18 Amendment to Division 7 – City Solicitor
- ORDR016_03_26_18 Naming of the Five (5) Nature Trails Contained in the Little River Trail System
- COMM048_06_11_18 Ltr re: Marijuana Retailers Ballot Question

License & Permits

In Committee:

- COMM029_04_30_18 Outdoor Seating - West Row Café
- ODNC023_05_29_18 LATE FILE Amendment to Waterways Fee
- COMM064_07_16_18 A-Frame - Sea Bags
- COMM065_07_16_18 LATE FILE Outdoor Seating - Superfine Food
- COMM071_08_13_18 Designated Driver Service
- COMM075_08_13_18 Outdoor Seating – Souffles

- COMM076_08_13_18 A-Frames – Keller Williams Realty
- COMM081_08_27_18 A-Frame – Angry Donut

Neighborhoods and City Services

In Committee:

- ORDR048_06_13_16 Sidewalk Order
- COMM111_10_10_17 Petition for Road Repairs and Repaving – Squires Glen

Planning & Development

In Committee:

- ODNC003_01_29_18 Zoning - Amendment to Table of Use Regulations
- ODNC008_02_12_18 Disposition of G. W. Brown School
- ORDR024_04_09_18 Special Act to Dissolve Newburyport Redevelopment Authority (COTW)
- ODNC014_04_30_18 Amendment to Demolition Delay
- ORDR033_05_14_18 Adoption of Housing Production Plan
- ORDR036_05_14_18 Marijuana Retailers Ballot Question
- ORDR037_05_14_18 Lease of Coast Guard Auxiliary Building on Plum Island Point
- ORDR054_08_13_18 Preservation Restriction Agreement – 241 High Street
- ODNC025_08_13_18 Colby Farm Lane Residential Overlay District
- APPT049_08_27_18 Mark Moore – 67 Curzon Mill Rd, ZBA 8/1/2019
- COMM083_09_10_18 CPA Funding Recommendation for Colby Farm

Public Safety

In Committee:

- ODNC009_02_12_18 Floating Homes, Houseboats, and Related Marinas
- ORDR031_04_30_18 No Parking Titcomb from Pleasant to Merrimac
- ORDR032_04_30_18 No Parking Merrimac St from Titcomb St Running Westerly
- ORDR059_08_27_18 Parking Hales Court, Waterfront Trust

Public Utilities

In Committee:

- COMM122_11_27_17 Mobilitie Application/Small Cell Utility Petition (re-file)
- ODNC022_05_29_18 Addition to Chapter 5, Article 6 - Small Cell Sites

Rules Committee

In Committee:

- ORDR057_08_27_18 Amendment to Council Rule 12A

17. GOOD OF THE ORDER

18. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING AGENDA - VERSION 1
CITY COUNCIL CHAMBERS
SEPTEMBER 10, 2018

7:30PM

The City Council President, Barry Connell, called the meeting to order at 7:30pm, followed by the Pledge of Allegiance. A moment of silence was held for Raymond Gallagher and Cornelius Currier. The City Council President then instructed the Assistant City Clerk to call the roll. The following Councillors answered present: Shand, Tontar, Vogel, Zeid, Devlin, Earls, Eigerman, Giunta, Khan, OBrien, Connell. 11 present.

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS – COMM083_09_10_18 CPA Funding Recommendation for Colby Farm

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

5. PUBLIC COMMENT

1. Stephanie Niketic	93 High St	Prohibit Use Variances
2. Mark Moore	67 Curzon Mill Rd	ZBA Appointment
3. Amantha Moore	10 N Atkinson St	Party Like It's 1768
4. Lori Bunyan	93 Lime St	HR Director Appointment
5. Colleen Turner Secino	15 Otis Pl #1	Cannabis Shops
6. Peter Fitzsimmons	7 Arlington St	Cannabis Shops
7. Ryan Partlan	219 Northern Blvd	Cannabis
8. Lynn Schow	75 High Street	Marijuana

6. BIRTHDAY ACKNOWLEDGEMENT – BYRON J. MATTHEWS

Resolution given by Barry N. Connell, Council President and Donna D. Holaday, Mayor

7. MAYOR'S COMMENT

The Mayor gave an update pursuant to her written communication.

CONSENT AGENDA

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8. APPROVAL OF MINUTES

August 27, 2018

(Approve)

9. TRANSFERS

- NONE

10. COMMUNICATIONS

- **COMM082_09_10_18** FY2018 Year-End Financial Report

(B&F)

11. APPOINTMENTS

- **APPT050_09_10_18** Michael Falite

4 Caitlin Cir, Salisbury

Police Department

END OF CONSENT AGENDA

REGULAR AGENDA

Motion to approve the Consent Agenda by Councillor Zeid, seconded by Councillor Tontar. So voted.

12. MAYOR'S UPDATE

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

13. COMMUNICATIONS

- **COMM083_09_10_18** CPA Funding Recommendation for Colby Farm
Motion to refer to Planning & Development by Councillor Zeid, seconded by Councillor Giunta. So voted.

14. APPOINTMENTS

Second Reading

- **APPT048_08_27_18** Lori Bunyan 96 Lime St Human Resources Director 1/1/2021
Motion to approve second reading appointment by Councillor Zeid, seconded by Councillor Giunta. Roll call vote, 11 yes. Motion passed.

15. ORDERS

- **ORDR058_08_27_18** CPA Project #4, Slate Roof, Custom House (**TABLED**)
Motion to suspend the rules, to accept in packet, by Councillor Eigerman, seconded by Councillor Khan. Motion to remove from the table by Councillor Tontar, seconded by Councillor Khan. So voted. Motion to table, to discuss on 9/24, by Councillor Tontar, seconded by Councillor OBrien. Roll call vote, 10 yes, 1 no (Zeid). Motion passed.

16. ORDINANCES

- NONE

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR007_01_29_18** 41C Amendment
- **ORDR022_04_09_18** Local Retail Sales Tax on Marijuana
- **TRAN024_08_13_18** GEN Budget Contingency \$27,496.88 to Multiple \$27,496.88
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Khan. So voted.
- **TRAN025_08_13_18** ASR Travel Allowance \$3,300 to ASR Salary Assessor \$3,300
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Vogel. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Vogel. So voted.
- **TRAN026_08_13_18** GEN Budget Contingency \$8,241.27 to Multiple \$8,241.27
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **COMM070_08_13_18** Trust Fund Repurposing – MH Simpson Trust
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Tontar, seconded by Councillor Khan. So voted.
- **ORDR060_08_27_18** Host Agreement for Marijuana Cultivation (**COTW**)

Education

Councillor Giunta announced the next meeting on Monday, September 17th, at the Senior Center.

In Committee:

-

General Government

In Committee:

- **ODNC007_02_12_18** Amendment to Division 7 – City Solicitor
- **ORDR016_03_26_18** Naming of the Five (5) Nature Trails Contained in the Little River Trail System
- **COMM048_06_11_18** Ltr re: Marijuana Retailers Ballot Question

License & Permits

In Committee:

- **COMM029_04_30_18** Outdoor Seating - West Row Café
- **ODNC023_05_29_18** LATE FILE Amendment to Waterways Fee
- **COMM064_07_16_18** A-Frame - Sea Bags
- **COMM065_07_16_18** LATE FILE Outdoor Seating - Superfine Food
- **COMM071_08_13_18** Designated Driver Service
- **COMM075_08_13_18** Outdoor Seating – Souffles
- **COMM076_08_13_18** A-Frames – Keller Williams Realty
- **COMM081_08_27_18** A-Frame – Angry Donut

Neighborhoods and City Services

In Committee:

- **ORDR048_06_13_16** Sidewalk Order
- **COMM111_10_10_17** Petition for Road Repairs and Repaving – Squires Glen

Planning & Development

In Committee:

- **ODNC017_10_30_17** Zoning Amendment – No Use Variances (**COTW**)
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to approve as amended by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed.
- **ODNC003_01_29_18** Zoning - Amendment to Table of Use Regulations
- **ODNC008_02_12_18** Disposition of G. W. Brown School
- **ORDR024_04_09_18** Special Act to Dissolve Newburyport Redevelopment Authority (**COTW**)
Motion to remove, for information, from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Remains in Planning Development
- **COMM036_04_30_18** Memo re: Proposed Marijuana Zoning Amendments
- **ODNC014_04_30_18** Amendment to Demolition Delay
- **ODNC016_04_30_18** Marijuana Zoning - Retail Sales (**COTW**)
Motion to remove ODNC016_04_30_18, COMM036_04_30_18, and COMM042_05_14_18, collectively, from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to receive and file ODNC016_04_30_18, COMM036_04_30_18, and COMM042_05_14_18, collectively, by Councillor Eigerman, seconded by Councillor Earls. Roll call vote, 8 yes, 2 no (Vogel, Connell), 1 recused (Devlin). Motion passed.
- **COMM042_05_14_18** Ltr re: Marijuana Moratorium
- **ORDR033_05_14_18** Adoption of Housing Production Plan
- **ORDR036_05_14_18** Marijuana Retailers Ballot Question
- **ORDR037_05_14_18** Lease of Coast Guard Auxiliary Building on Plum Island Point
- **ODNC024_06_11_18** Zoning Amendment - Marijuana Retail Sales Locations (**COTW**)
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Khan. So voted (1 no, Vogel). Discussion followed. Per Council Rule 6, Councillor Earls took the Chair for Council President Connell. Motion to approve as amended in committee meeting of August

8, 2018 by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 6 yes, 4 no (Tontar, Vogel, Earls, Khan), 1 recused (Devlin). Motion failed.

- **ORDR049_7_16_18** Preservation Restriction Agreement - 50-58 Middle Street
Motion to remove from Planning & development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to approve with opinion of the City Solicitor by Councillor Eigerman, seconded by Councillor Zeid. So voted.
- **ORDR053_08_13_18** Preservation Restriction Agreement – 5 Moseley Ave
Motion to remove from Planning & development by Councillor Eigerman, seconded by Councillor Tontar. So voted. Motion to approve by Councillor Eigerman, seconded by Councillor Zeid. So voted.
- **ORDR054_08_13_18** Preservation Restriction Agreement – 241 High Street
- **ODNC025_08_13_18** Colby Farm Lane Residential Overlay District
- **APPT049_08_27_18** Mark Moore – 67 Curzon Mill Rd, ZBA 8/1/2019

Public Safety

In Committee:

- **COMM020_03_12_18** Newburyport Half Marathon - 10/21/2018
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Giunta. So voted. Motion to approve by Councillor Devlin, seconded by Councillor Tontar (1 no, OBrien). So voted.
- **ODNC009_02_12_18** Floating Homes, Houseboats, and Related Marinas
- **ORDR031_04_30_18** No Parking Titcomb from Pleasant to Merrimac
- **ORDR032_04_30_18** No Parking Merrimac St from Titcomb St Running Westerly
- **COMM047_05_29_18** Jeanne Geiger 27th Annual Walk Against Violence - 10/7/18
Motion to remove COMM047_05_29_18 and COMM047A_07_16_18, collectively, from Public Safety by Councillor Devlin, seconded by Councillor Zeid. So voted. Motion to approve, collectively, by Councillor Devlin, seconded by Councillor Khan. So voted.
- **COMM047A_07_16_18** Jeanne Geiger Walk - change of date from 10/7/18 to 10/14/2018
- **COMM063_07_16_18** Ltr re: Ferry Road Traffic/Parking
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Devlin, seconded by Councillor Giunta. So voted.
- **ORDR047_7_16_18** No Parking Greenleaf Street at Auburn Street
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Devlin, seconded by Councillor Zeid. So voted.
- **COMM072_08_13_18** The Challenge 5K Freedom Run – 10/6/18
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Devlin, seconded by Councillor Tontar. Motion for friendly amendment, approved upon updated insurance certificate, by Councillor Zeid, seconded by Councillor Devlin. So voted.
- **COMM073_08_13_18** Bartlet Mall Day – 10/6/18
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Devlin, seconded by Councillor Zeid. So voted. Councillor Eigerman recused.
- **COMM074_08_13_18** Walk for our Poor – 9/29/18
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Devlin, seconded by Councillor Tontar. So voted.
- **ORDR051_08_13_18** Restricted Parking – Fair Street Along Fair Street
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Devlin, seconded by Councillor Zeid. So voted.
- **COMM078_08_27_18** Party Like it's 1768 / Central Cong. Church - 9/15/2018
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Giunta. So voted. Motion to approve by Councillor Devlin, seconded by Councillor Tontar. So voted.

- **ORDR059_08_27_18** Parking Hales Court, Waterfront Trust

Public Utilities

In Committee:

- **COMM122_11_27_17** Mobilite Application/Small Cell Utility Petition (re-file)
- **ODNC022_05_29_18** Addition to Chapter 5, Article 6 - Small Cell Sites
- **APPT044_05_29_18** Roger E. Jones 37 Storeybrooke Dr Water/Sewer Comm 5/1/2023
 Motion to remove from Public Utilities by Councillor Zeid, seconded by Councillor OBrien. So voted.
 Motion to approve by Councillor Zeid, seconded by Councillor Tontar. Roll call vote, 11 yes. Motion passed.
- **ORDR055_08_13_18** Grant of Easement – Massachusetts Electric Company
 Motion to remove from Public Utilities by Councillor Zeid, seconded by Councillor OBrien. So voted.
 Motion to approve as amended by City Solicitor, to limit the grant to no more than 2 poles and 1 transformer, by Councillor Zeid, seconded by Councillor OBrien. Roll call vote, 11 yes. Motion passed.

Rules Committee

In Committee:

- **ORDR057_08_27_18** Amendment to Council Rule 12A

17. GOOD OF THE ORDER

Councillor Zeid stated the Council had let down the resident regarding marijuana retail zoning, and thanked the Planning & Development Committee, the City Solicitor...for their work on this. Also Councillor Zeid thanked the Wastewater Facility and Public Utilities for their work this summer. Chief LeClaire announced there would be a 9/11 ceremony the following morning.

18. ADJOURNMENT

Motion to adjourn by Councillor Zeid, seconded by Councillor Khan. So voted. 10:35pm.

COMMUNICATIONS

September 4, 2018

Mayor Donna Holaday
 60 Pleasant Street
 Newburyport, MA 01950

Dear Mayor Holaday,

The residents of East Boylston Street have decided to come together and write this concerning the condition and safety of our road. For over 8 years we have been asking the town to address the following three issues with our road:

1. The safety of trying to pull out of East Boylston St onto State Street.
2. The drainage problems at the bottom of the street.
3. The paving of the street.

We have been repeatedly told the city understands the concern. We have also been told there was \$60,000 in the budget to fix the road, which was a relief. Last week we again met with Jared Eigerman, our City Councilor, and learned the budget seems to have disappeared.

Last year, with the help of City Councilor Jared Eigerman, the city DPW did cut down a maple tree and removed one parking space on State Street to try and address the first issue mentioned above. Unfortunately, the safety of pulling out is still a big problem. It is an extremely blind place to pull out. A car has to creep out slowly into the on-coming traffic coming from High Street to the Rt 1 traffic circle to see beyond the parked cars. In order to get out far enough to see your car is already in danger covering half the lane directly in the line of traffic. There have been so many close calls. This is our top priority as the safety of or families, friends and anyone pulling out every day is at risk at this intersection. We are sure a traffic/transportation engineer would agree with our safety concern. This MUST be addressed immediately.

The DPW has looked at the drainage problem and it has been proposed that a storm water catch basin be installed. It may very well be fixable with the proper pitch of the street when the street is repaved taking care of two problems and save a lot of money.

As far as the paving of the street, for over 18 years the street has again become inhabited after remaining vacant for many years. Five beautiful homes have been built with a significant tax contribution to the city every year. The residents have invested heavily in street curbing, street patching, landscaping and maintaining of the city property. Every winter the pot holes re-open. The fundamental problem is the street has never been paved by the city since any of these houses have been built.


We understand the city does not have unlimited funds and has many priorities. We are willing to pitch in to potentially co-fund or pay to do some of the work directly such as removing the old street or towards the new paving, which ever makes sense, considering the prevailing wages the city has to pay vs. what we as the residence may be able to competitively get for pricing, all the while, following city street specifications, inspections ... We are saying we would be willing to work with you to create a solution to save the city money and fix the road.

We would like to meet with you to find a way to get our street condition and safety fixed


Hoping this finds you understanding, we remain,

Sincerely,

CITY CLERK'S OFFICE
 NEWBURYPORT, MA
 018 SEP 17 PM 2:30



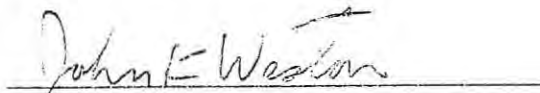
David Gagne



Karin Gagne



Barbra Roche




Jack Weston



Jayne Cousins



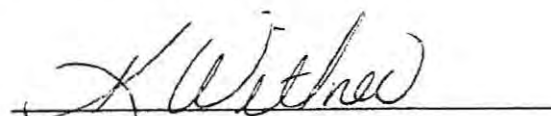
John Reppucci



Lisa Reppucci



Dan Wittner



Katchen Wittner

Cc: Jared Eigerman

Sept 17, 2018

7
 CITY CLERK'S OFFICE
 NEWBURYPORT, MA
 2018 SEP 18 PM 1:58

Dear Councilors,

I writing to ask your assistance in solving an issue I have. Due the past decisions of various boards Coffin Street has become a street that dead ends with no way of turning around without using my property. Coffin Street is an accepted city street from Jefferson St to Merrimac St.

My property has been damaged by cars attempting to turn around. Most recently a section of fence was taken out at the top of my driveway. No one claimed responsibility. I can understand why folks mistake my driveway as a continuation of the city street as I was required to make it 30ft wide where the area that is supposed to be the city turnaround is 20 ft wide and appears to be part of 13 Coffin's St driveway. (See Figures 1 & 2 Photos of area)

Some in the neighborhood have questioned Coffin St being a city street. Deeds dating back to the 1800's and the first assessors map in 1926, show Coffin Street as a thru street from Jefferson St to Merrimac Street. (See Fig. 3 First Assessor's Map)

In the 1970's one resident started piling debris in the street preventing the use of the now referred to as "unfinished section" that led to Jefferson St. making it impossible to get through. (See Fig 4 Photo)

January 1996 the Planning & Development Committee put forth a list of streets that had not been previously accepted. Coffin St from Merrimac to Jefferson St was on that list. This was supposed to have resolved the question of Coffin St being a city street. Interestingly, after having prevented the completion of the street, Mr. Fraser, 29 Jefferson St, then used the street acceptance to divide 29 Jefferson St into a 3-lot ANR subdivision in Aug 1999. The planning board passed the plan on the fact that the clerk verified Coffin St was an accepted city street. (See Fig 5 1996 Subdivision Plan of 29 Jefferson St).

Over the year's letters were sent out by the Building Inspector with regards to encroachments, but never enforced. Encroachment on the street grew. (See figure 6 photos)

Mayor Clancy (2005) wrote in a letter to residents: "Our DPW vehicles had significant problems this past winter in turning around with their plows. In addition, public safety apparatus will be better equipped to move in and out of the street more quickly." Below is what the turnaround looked like at that time. (See figure 7 Slot prior to 13 Coffin St Construction)

In Oct 2013 Kellop Development purchased 13 Coffin St. (Bk 32863 pg 258). The developer appeared before the Aug 2013 Planning Bd mtg. The chair told him that the issue of whether the unfinished section of Coffin St was public or private needed to be resolved. Their attorney was given 3 months to accomplish that. A building permit was denied by the Building Inspector because the lot needed 90 ft of street frontage. Dec 2014 the developer appealed to the ZBA. The ZBA approved a plan that used the turnaround (40ft deep) for their frontage requirement and 20 ft wide— not the 30 + feet depicted on the Aug 1999 subdivision plan (shown above). Below is the plan the ZBA approved. (Figure 8 Plans for 13 Coffin St).

This is why I am asking for your help. The use of the turnaround area is often impeded since 13 Coffin St only has enough parking for their 2 vehicles. Over the last few winters it is also evident the area is not deep enough to handle the snow from the street. Since the slot is only as deep as their driveway there is no place for the DPS to put the snow. Vehicles are often parked in the slot during snow storms making it impossible for the DPW to use the area. Even when the slot is used vehicles back into my property so they can make the 90 degree turn down Coffin St. The street was originally 33 ft wide, but now is about 25 ft adding to the difficulty in being able to turn around. The portion of Coffin St that connected to Jefferson St is used by abutters as their own property (lawn- plantings, etc.).

I would greatly appreciate your help in resolving this issue of encroachments and the dead ending of Coffin St. causing my property to be used as if it were city property. Thank you in advance for your help.

Thanks

Jane Snow, 9 Coffin St

Lot is cleared



House is completed- turn around basically becomes part of their driveway. Granite curbing placed across front of slot adding to the difficulty for plowing and cutting off access to the rest of the unfinished portion of street.



Figure 1



My driveway is a 90 degree left turn, slot is to the Right. Fire hydrant is on corner of section that goes Thru to Jefferson St

Figure 2



Arrow shows my property line. Sign on right states Private Property – NO Turning
Fire hydrant is located on corner of section that Turns toward Jefferson St.

Figure 3



The deeds also show, the following properties rely on the now unfinished portion of Coffin St for their frontage:

- 8 Coffin St (Bk 15349 Pg. 479)
- 13 Coffin St (Bk 32863 Pg. 258)
- 27.5 Coffin St (Bk 13166 Pg. 304)
- 29 Coffin St –1999 3 lots subdivision plan Bk 7 Pg 337

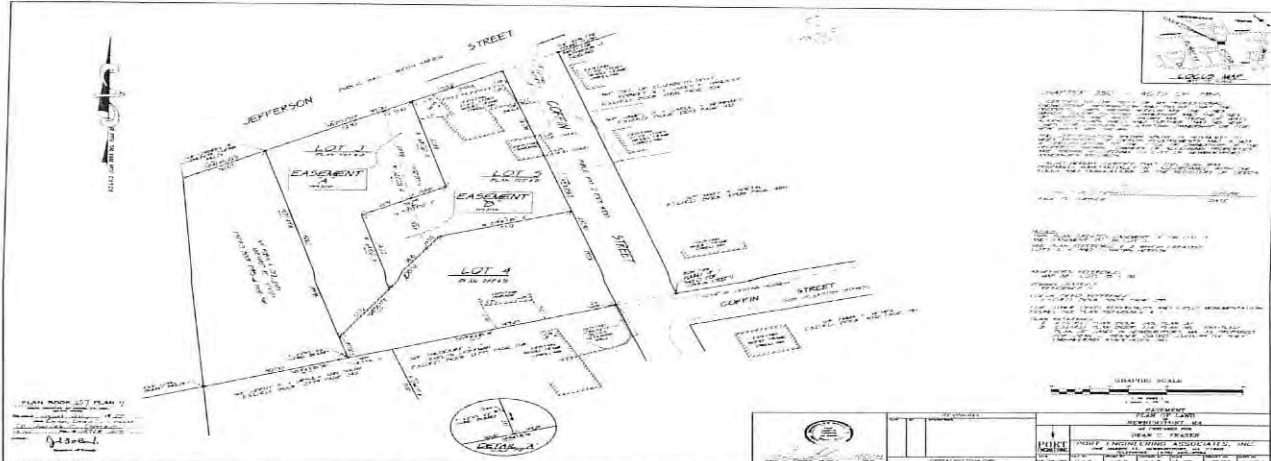
The first assessor's map hangs on the wall as you go in Assessor's office. Above just shows Coffin St

Figure 4



Debris piled so section between Coffin St and Jefferson St can't be used.

Figure 5



1999 Subdivision plan Bk 7 Pg 337. The minutes reflect that the acceptance of the plan did not require the construction of frontage for 13 Coffin St at that time.

Figure 6



View from Jefferson St side



Current view from Jefferson St side

Figure 7



Slot before 13 Coffin St was built. The entire area for used to put snow.

Figure 8- Plans for 13 Coffin Street



PETITION FOR CONDUIT, POLES & WIRES

September 17, 2018

To the City Council of Newburyport:


FirstLight requests permission to locate conduit, poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, under, along and across the following public way:

Low St – From the intersection of Low St @ Hale St excavate by way of directional boring approximately 3000' easterly towards Graf Rd and ending at or near 4 Graf Rd, and place (1) 4" conduit to bring fiber optic services to a customer located at 4 Graf Rd. Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain conduit, poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said conduit to be placed substantially in accordance with the plan filed herewith marked —“Site place Low St – Newburyport, MA” prepared by Waveguide, Inc., dated August 8, 2108.

Respectfully submitted:

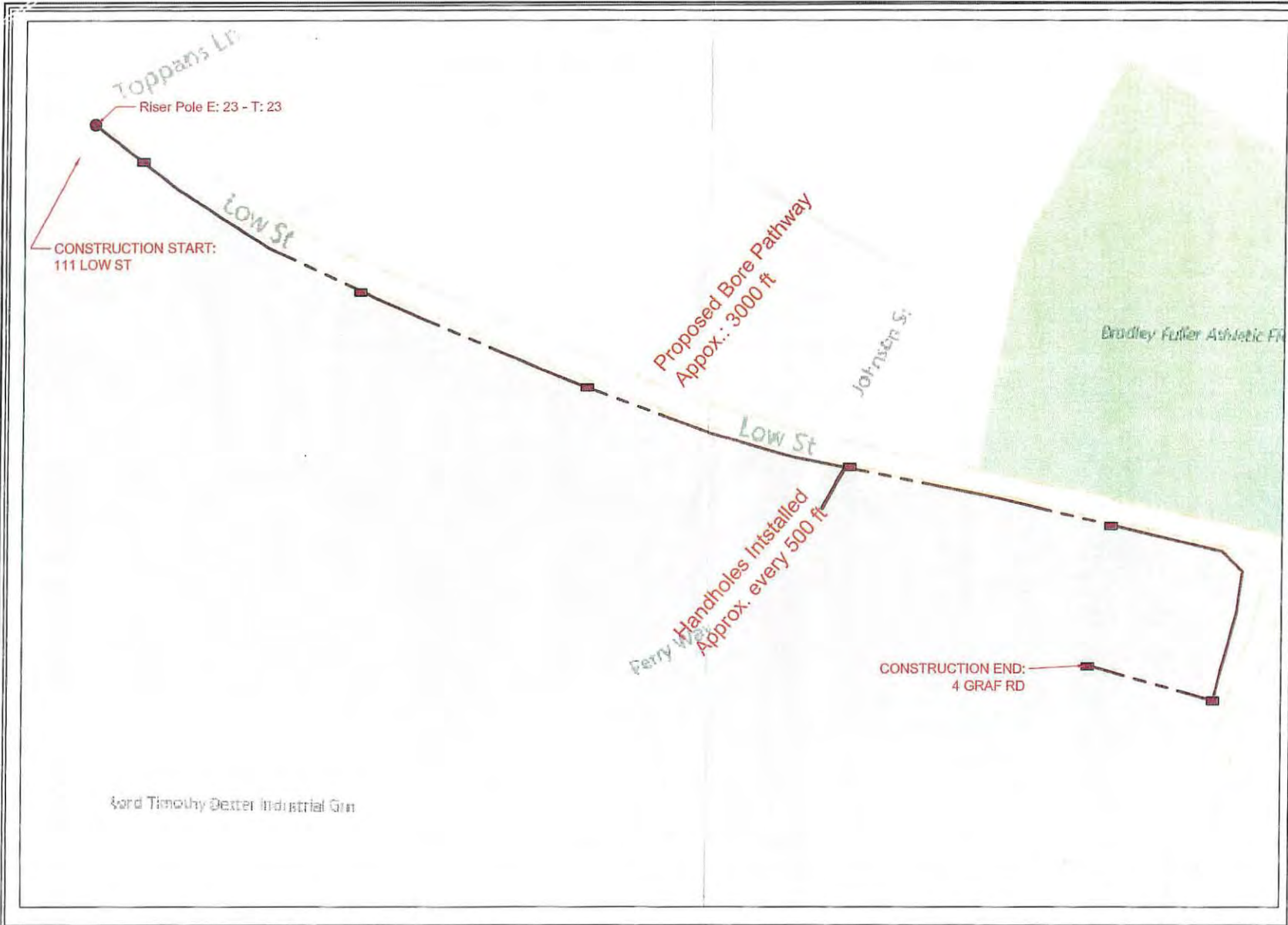
FIRSTLIGHT

By  _____
Peter Seehusen
VP, OSP Engineering & Construction

WAVEGUIDE, INC

By  _____
Jay Dunn (Agent)
Utilities Manager

C:\Users\Tmoderwin\Desktop\Drawings\REF\WISCH.dwg



Legend — Bore Pathway - Conduit ● Utility Pole ■ Handhole
Site Plan Low St, Newburyport MA
Prepared by: Waveguide Waveguide, Inc. 10 N. Southwood Dr. Nashua, NH 03063 603-586-0096
Prepared for: FirstLight FirstLight 359 Corporate Dr. Portsmouth, NH 03801
Issue Date: 08/29/2018
Project Location: Latitude: 42.809024° Longitude: -70.809966°
Project Title: Bore Pathway on Low St & Graf Rd Newburyport, MA 01850 Nearest Cross Street: Hale St
Project Contacts: Jay Dunn Waveguide - Utilities Manager E-Mail - jdunn@waveguide.com
6095_FL_2018 W0's

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

By the City Clerk of Newburyport, Massachusetts

ORDERED:

Notice having been given and a public hearing held as provided by law, that the ___ Waveguide be and it is hereby granted permission to excavate the public highways and to run and maintain underground conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereafter referred to, , as requested in petition of said company dated the 17th day of September, 2018.

Said underground conduits shall be located substantially in accordance with the plan filed herewith marked Low St., Newburyport, Massachusetts. Site Plan dated 08/29/2018.

The following are public ways or parts of ways under which the underground conduits above referred to may be laid.

See attached plan

I hereby certify that the foregoing order was adopted at a meeting of the _____

_____, held on the _____ day of _____ 20__

_____, _____ 20__

Received and entered in the records of location orders of the _____

Book _____ Page _____.

Attest:

_____ hereby certify that on _____ 20__ at _____ o'clock _____ M.

at _____, a public hearing was held on the petition of _____

NATIONAL GRID _____ for permission to construct the underground conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last receding assessment for taxation) along the ways or part of way upon which the company is permitted to construct the underground electric conduits under said order. And thereupon said order was duly adopted.

**APPOINTMENTS
FIRST READING**



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

2018 SEP 18 PM 2:01
NEWBURYPORT, MA

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: September 18, 2018
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Community Preservation Committee, Planning Board representative for a three year term. This term will expire on October 1, 2021.

Don Walters
15 Smith Street
Newburyport, MA 01950

Donald B. Walters

15 Smith St. Newburyport, MA 01950

617 817 4336

dwalters@opes21.com

PROFILE

Don Walters is an experienced executive with a comprehensive knowledge of all facets of the power generation business. His results oriented leadership style and his hands-on approach are attributes particularly well suited for companies executing new business strategies and development as well as optimizing assets.

EXPERIENCE

OPES21, LLC Newburyport, MA 2016 - Present

Owner

- Managing director providing consulting services to the power industry for the 21st century.

Nexamp, Inc. Boston, MA 2011 - 2016

Chief Development Officer

- Managed business development for Nexamp, a solar IPP; drove 240% increase in net revenue.
- Responsible for the search for green-field development and project acquisition opportunities.
- Led review of multi-state regulatory policies and legislation for strategic development.

Kelson Energy. Inc. Columbia, MD 2007 – 2011

Senior Vice President

- Oversaw all aspects of a \$1B business including acquisition, redevelopment and divestiture.
- Directed complex restructuring to preserve value and facilitate future sales of new Canadian organization established after purchasing a public turned private company.
- Worked with US and Canadian law and accounting firms to develop corporate governance, control, financing and tax management.
- Collaborated with investment bank to implement combined and individual sale processes resulting in the disposition of assets and companies.
- Led the redevelopment of a cogeneration facility after the steam host had shuttered operations, resulting in significant positive valuation.

Prestrgy LLC Newburyport, MA 2006 – 2007

President

- Developed solar energy facilities in Massachusetts, including regulation and tariff subsidies, site identification and control, permits and tax management.
- Led acquisition of a power plant and preliminary site development for an LNG, evaluated locations and reviewed Local, State and Federal regulations and environmental requirements.

Calpine Boston, MA 2001 – 2006

Vice President

- Responsible for P&L for the Northeast and Southeast markets and oversight of plant operations, totaling over 8000 MW with a book value well over \$4B.
- Oversaw team bringing projects to financial closing, obtaining Federal, State, and Local permits, monitoring cash flow, and facilitating off-take agreements.

Donald B. Walters

15 Smith St. Newburyport, MA 01950

617 817 4336

dwalters@opes21.com

- Asset Optimization: Led asset managers to increase valuation through net profit programs.
- Incentivized plant managers through assigning P&L responsibilities in operating plants.
- Market Structure: Created program for government affairs, regulatory policy and environmental staff to support long-term P&L goals.

Constellation

Baltimore, MD

1999 – 2001

Vice President, Business Development

- Responsible for business development for new merchant power projects in the northern Mid Continent Region, TVA and New England.
- Oversaw the Holland Energy project, a 665 MW Combined Cycle facility, completed in a record 15 month schedule from permitting to construction start.
- Successfully negotiated an attractive below market price EPC contract with Holland Energy.
- Established an Enterprise Zone, saving over \$10 million in taxes and entered into a precedent setting water use contract that served as model for future agreements.

Parsons Power

Reading, PA

1989 – 1999

Vice President, Business Development

- Oversaw the global development of power generation projects.
- Managed relationships with major IPPs and OEMs to increase sales.
- Responsible for cogeneration and energy efficiency studies and projects, management of engineering and design group, project control systems for budgets, schedules and quality.
- Led lump sum turnkey and open book contracting and developed joint venture and consortium structures.

Burns and Roe

Oradell, NJ

1974 – 1989

Manager, Industrial Operations

- Managed the Southeast region for a top 50 engineering and design firm in the United States.
- Led a major commercial turn-around of the operations and recovery to profitability that was accomplished by staff reorganization, and the execution of key marketing and business goals.
- Expanded the engineering practice services to the energy sector in areas such as waste to energy, industrial cogeneration, IPP owners, municipalities and school systems.
- Broadened firm's scope of work into other sectors including NASA, DOD and Disney.

EDUCATION/PROFESSIONAL

Mr. Walters holds masters' degrees in both science and business administration and is a registered Professional Engineer. He has authored technical papers and has presented at Power Gen, the largest convention for the power sector. Mr. Walters is listed in Who's Who in America.

Don Walters resides in Newburyport near Boston, Massachusetts with his wife and he has three adult children. He is a member of the city Planning Board, Energy Advisory Committee and other civic organizations.



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2018 SEP -6 AM 8:46

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

Donna D. Holaday

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Subject: Appointment
Date: September 6, 2018

I hereby appoint, subject to your confirmation, the following named individual as a member of the Human Rights Commission to fulfill the unexpired term of Judy Lacroix. This term will expire on March 31, 2019.

Jennifer Groskin
11 Myrtle Avenue
Newburyport, MA 01950

Jennifer Groskin

11 Myrtle Ave
Newburyport, MA 01950
(617) 501-7809
jgroskin@newburyport.k12.ma.us

TEACHING EXPERIENCE

Rupert A. Nock Middle School

Teacher of Eighth Grade Social Studies

Newburyport, MA
2006-Present

Teaching American Government and Civics to heterogeneous groupings of eighth grade students. Focus on foundations of American government and key documents through historical sources and modern case studies. Developing common assessments with co-teacher for district wide mapping initiatives. Implementing reading and literacy strategies into curriculum.

Professional Development & Coursework

Facing History: Reconstruction Seminar Summer 2016

Adolescent Literacy Summer Seminar 2016

NEH Civics Seminar Reagan Library: Simi Valley, CA 2010

NEH Declaration of Independence Summer Seminar: Philadelphia, PA 2009

YAP: YOUTH ASSETS Evening Reading Program 2009-2014

Literacy Coursework Guided Reading Course 2007

Participant Primary Source: Medieval Islam Summer Institute 2005

Participant Defining Justice Summer Institute 2005

School Community Participation

Clipper Crew, Eighth Grade Leadership Organization, Co-Advisor, 2007-Present

Cross Country Coach 2006-Present

Ultimate Frisbee Coach 2006-2011

Student Council Advisor 2006-2010

Building Leadership Team Member 2007-2010

Cambridgeport School

Teacher of Seventh Grade Humanities

Cambridge, MA
2004-2006

Taught a two year cycle of integrated Language Arts, Reading, and Social Studies. Year one cycle focus on American identity post-Revolution to the Civil War; year two cycle focus on Ancient World Religions and Early Civilization. Created a rigorous reading strategies program into project-based humanities curriculum.

Dover - Sherborn Regional Middle School

Teacher of Sixth Grade Social Studies and Seventh Grade Reading Workshop

Dover, MA
2001-2004

Collaboratively taught and developed sixth grade Social Studies and Reading Workshop courses that incorporated metacognitive reading strategies models.

Mystic Valley Regional Charter School

Teacher of Seventh Grade History

Malden, MA
2000-2001

Taught history at regional urban charter school, using Core Knowledge curriculum with a focus on world civilizations

RELATED EXPERIENCE AND ACTIVITIES

- Interned with Critical Friends Coaching Seminar, *National School Reform Faculty Programs* • Summer, 2003
- Primary Source China Partnership Participant • 2002
- Literacy Program Manager, Americorps VISTA • 1998-1999

EDUCATION

Tufts University

Somerville, MA
May 2000

M.A.T., Social Studies

Carleton College

Northfield, MN
June 1998

B.A., Social Psychology

MASSACHUSETTS LICENSE: Middle School Social Studies (5-9)
Middle School English (5-9)



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

RECEIVED
CITY OF NEWBURYPORT OFFICE
NEWBURYPORT, MA
18 SEP 18 PM 2:01

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: September 18, 2018
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Parks Commission, Atkinson Common representative for a two year term. This term will expire on May 1, 2020.

Matt Ellsworth
38 Plummer Avenue
Newburyport, MA 01950

24 August 2018

Mayor Donna Holaday
City of Newburyport
P.O. Box 550
60 Pleasant Street
Newburyport, MA 01950

RE: Atkinson Common Parks Commissioner

Dear Donna,

I am writing to express my interest in filling the recent vacancy on the Newburyport Parks Commission to serve as the Atkinson Common Representative Parks Commissioner. I recently had the opportunity to learn of this position from Lise Reid and Kim Turner through my collaboration with the Parks Department. As a neighbor of the Common and a 15-year member of the Belleville Improvement Society, I am very familiar with the parks many attributes and maintenance needs. As a BIS member and Architect, I was instrumental in the renovation and preservation of the Atkinson Common Gazebo, Parking Entrance beautification / renovation, The Bath House preservation / renovation and past oversight of Boy Scout Eagle projects in the park. I am also currently assisting with the stabilization and preservation of the Atkinson Common Rock Tower project.

When we moved here 18 years ago the Common was in tough condition, but the bones of its past glory were strong and intact. Through the efforts of the BIS, Volunteers, donations and the City we have been able to restore much of the landscape to its former glory. Remaining involved in our community and preserving what we have within these fabulous parks is important to me and If accepted for this position I would be honored to represent the many users and admirers of Atkinson Common.

I have attached my resume for your review. Please feel free to contact me with any questions that you may have and thank you for considering me for this opportunity.

Matt Ellsworth

ellsworth@eilsonarch.com

617.901.2428



MATTHEW R. ELLSWORTH, AIA, LEED AP

Associate Principal

Matt has over 30 years of experience with projects of diverse size and complexity for universities and private schools. He enjoys becoming involved early in the design process, developing a strong relationship with clients, and seeing a project through construction. Matt joined Wilson Architects in 1998.

Education

Boston Architectural Center
School of Architecture, Boston, MA
Bachelor of Architecture / 1990

Registration

Massachusetts
New Hampshire
New Jersey

Professional Organizations

LEED Accredited Professional
American Institute of Architects
Boston Society of Architects
Newburyport Bellville Improvement
Society

Presentations

"Getting What You Pay For: The Value of
Lab Mockups", Lab Design Conference,
April 2017

Project Experience

Boston University, Boston, MA • Engineering Product Innovation Center (EPIC)
Dartmouth College, Hanover, NH • Thayer School of Engineering Expansion
Eastern Maine Medical Center, Bangor, ME • Program for the Institute for Human
Genetics and Health
Southern New Hampshire University, Manchester, NH • College of Engineering,
Technology and Aeronautics (CETA) Building
University of Chicago, Chicago, IL • Searle Chemistry Laboratory Renovation
University of Massachusetts, Amherst, MA • Life Science Laboratories • Physical
Sciences Building
University of Massachusetts Medical Center, Worcester, MA • Renovations • Exterior
Canopy Design
University of North Carolina, Chapel Hill, NC • Venable & Murray Halls • Brooks
Computer Science Building • Kenan Laboratories Renovation • Caudill Laboratories
• Chapman Hall • Institute for Advanced Materials • Master Plan for the new Physical
Science Complex
University of Pittsburgh, Pittsburgh, PA • Chevron Chemistry Annex • Graduate
School of Public Health, Parran and Crabtree Halls Renovation and Addition
University of Rhode Island, Kingston, RI • Center for Chemical & Forensic Sciences •
Vivarium Floor
Vanderbilt University, Nashville, TN • Engineering & Science Building • 21st Avenue
Pedestrian Bridge • BioSciences/Medical Research Building III • Featheringill Hall -
School of Engineering • Chemistry Building: Level 9 Shell Fit-outs
Alfred University, Alfred, NY • Miller Performing Arts Center*
Brookside School at Cranbrook Educational Community, Bloomfield Hills, MI • New
Elementary School and Renovations to the Brookside Campus*
City Place, West Palm Beach, FL • 70-acre Mixed-use Urban Development*
Emerson College, Boston, MA • 216 Tremont Street Building*
Groton School, Groton, MA • Main Schoolhouse Expansion and Renovation*
Hynes Convention Center, Boston, MA • Expansion & Renovation*
Milton Academy, Milton, MA • King Performing Arts Center*
University of Washington, Seattle, WA • Electrical Engineering and Computer
Science Building*
Washington University, St. Louis, MO • McDonnell Hall, Natural Sciences
Laboratory*

* Prior to joining WA



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

2018 SEP 18 PM 2:01

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: September 18, 2018
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Parks Commission, Bartlet Mall representative for a one year term. This term will expire on May 1, 2019.

Charles Griffin
3 Vernon Street
Newburyport, MA 01950



September 6, 2018

Mayor Donna Holaday
City of Newburyport
City Hall
Newburyport, MA 01950

Re: NEWBURYPORT PARKS COMMISSION

Dear Mrs Holaday,

With the recent action of the Newburyport City Council in creating a five member Board, one seat of which is to be expressly dedicated to Bartlet Mall, I am offering to serve in that position.

Recently Bill Ladas offered to join the Bartlet Mall Commission and I had hoped that he might fill the role noted above. Bill has decided that, while he supports Bartlet Mall, being a Commissioner is not the role he desires.

Giving information about me is probably needed and I cannot escape my reputation if I tried. Please let me know if data is required.

If you think the fit is good, I'd ask for the two year appointment to give me time to help achieve something for the City at Bartlet Mall while taking into account my extreme age. If you think the fit not ideal I'll understand.

Sincerely,

A handwritten signature in blue ink that reads 'C. O. Griffin' with a stylized flourish at the end.

Charles O. Griffin
Chairman



RESUME

CHARLES O. GRIFFIN, AIA CHAIRMAN

SUMMARY

Charles Griffin received a Bachelor of Architecture degree in 1966 from Iowa State University. The following year he joined Mark Engelbrecht as the second employee of what is now known as EGA, P.C. Chuck began as a designer with EGA and is now Chairman and managing partner of the firm.

Mr. Griffin is a regular speaker on senior housing at national conferences and university seminars. He is active in many senior services associations and was a founding Board member of Mass ALFA. Chuck is a member of the "Services Housing Accessibility Task Force" which funds new or independent research that will guarantee a rewriting of the codes as it relates to accessibility. Mr. Griffin served as a jury member for AIA Designs for Aging Review in 2000 and most recently spoke at the ALFA National Conference in May 2008 and the Gerontological Society of America "Deinstitutionalization Shifting the Nursing Home Paradigm to Home" in November 2008.

PROFESSIONAL PRESENTATIONS & JURIES

NATIONAL ASSOCIATION FOR SENIOR LIVING INDUSTRIES - Phoenix, AZ
Session #1 "Making Nursing Homes Residential"
Session #2 "Affordable Retirement Housing"

BOSTON UNIVERSITY CONFERENCE;
"Housing Design for Frail Elderly"

MASSACHUSETTS INSTITUTE OF TECHNOLOGY
"Retirement Housing Options"

AMERICAN ASSOCIATION OF HOMES FOR THE AGED - San Francisco, CA
"Ten Mistakes Sponsors Make"

NASLI - Jacksonville, FL
Design Roundtable - "Vernacular Design"

AIA - Washington, DC
"Senior Housing: The Architect's Role"

NASLI - Denver, CO
Chaired Architect's Roundtable

NEW ENGLAND COUNCIL ON SENIORS HOUSING
"Design Case Studies in Senior Housing"

NASLI Expo - Anaheim, CA
"Opportunities in Affordable Housing for the Elderly"

MASS ALFA - Newton, MA
"Assisted Living Design"

NASLI EXPO 95 - Fort Lauderdale, FL
"Design of Residential Assisted Living Communities"

AAHSA 34TH ANNUAL MEETING & EXPOSITION - San Antonio, TX
"Demystifying the Development Process"

NAHB NATIONAL COUNCIL ON SENIORS' HOUSING
52ND ANNUAL CONVENTION & EXPOSITION - Houston, TX
"Award Winning Design - Critical Elements of Success in
Architecture and Interior Design for Seniors"

HERBERT J. SIMS AND COMPANY - Ponte Vedra Beach, Florida
2nd Annual Mid-Winter Conference 2004

EDUCATION

Iowa State University; Bachelor of Architecture; 1966

PROFESSIONAL HISTORY

Chairman; EGA, P.C., Newburyport, MA;
2005-Present
President; EGA, P.C., Newburyport, MA;
1985-2005
V.P.; Engelbrecht & Griffin Architects, P.C., Des Moines, IA;
1979-1985
Principal; Engelbrecht, Rice & Griffin, Des Moines, IA;
1975-1979
Associate; Engelbrecht, Rice, Des Moines, IA;
1971-1975
Designer; Hunter, Rice & Engelbrecht, Des Moines, IA;
1968-1971
Designer; Savage & Verploeg, Des Moines, IA;
1967-1968
Designer, Rollo Burgesson, Developer
(under Thadeus Janowski) Des Moines, IA;
1966-1967

STATE REGISTRATIONS

Massachusetts
New Jersey
New York

PROFESSIONAL MEMBERSHIPS

American Association of Homes for the Aging
(AAHSA)

American Institute of Architects
(AIA)

National Council on Architectural Registration Boards
(NCARB)

Boston Society of Architects
(BSA)

National Association of Home Builders
(NAHB)

Society of Architectural Historians
(SAH)

Last Updated 2008

ARCHITECTURE
ONLY - 10 YEARS OLD

EGA
ARCHITECTS



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

CITY CLERK'S OFFICE
NEWBURYPORT, MA
2018 SEP 18 PM 2:08

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: September 18, 2018
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Parks Commission for a four year term. This term will expire on May 1, 2022.

Ann Lagasse
1 Pipers Quarry
Newburyport, MA 01950

Ann M. Lagasse

One Piper's Quarry, Newburyport, MA 01950
978-270-8507 • alagasse79@gmail.com

COMMERCIAL AND RESIDENTIAL REAL ESTATE EXECUTIVE

Expertise

**Urban Planning & Development, Community Building/Redevelopment, Waterfront Redevelopment
Mixed Use Properties • Development Project Management • Building & Build-Out Costing & Budgeting
Property Marketing • Lease Development & Negotiations • Historic Preservation**

Successful, multi-faceted leadership career in real estate development. Community-minded with a history of recognizing potential of undervalued or underused buildings and applying thoughtful, preservation-sensitive approach to reconstruction and transformation into quality buildings maintaining high occupancies and rents. Skilled marketer, salesperson and lease negotiator. Creative problem solver and experienced property manager. Financial expertise; MBA degree.

PROFESSIONAL EXPERIENCE

New England Development – Newton, MA 2007 – 2012

New England Development purchased the property portfolio of Piper Properties Management Group (see below).

Leasing Director

- Retained to manage New England Development's leasing operations after executing the sale and transition process in 2007 from Piper Properties.
- Portfolio includes 300,000 square feet of mixed use downtown buildings.
- Focus has been on applying leasing expertise to achieve goals of rents based on sales, consistent hours of operation, triple net leases, consistent and accurate sales reporting, and quality tenant retention.
- Achieved 100% retail occupancy and 97% residential and office occupancy.

Piper Properties Management Company – Newburyport, MA 1987 – 2007

Co-Founder / Principal

- Purchased, redeveloped and managed 35 downtown Newburyport properties consisting of 300,000 square feet of retail, office, residential and commercial tenants, including three full service marinas and two restaurants: Michael's Harborside and 10 Center Street (both rebranded).
- Led the project team to totally renovate 10 historic downtown buildings. Recipient of Historic Preservation Awards.

New England Telephone 1979 – 1985

**Revenue Matters Rates Analyst; Quality of Work Life Trainer; Central Office Administrator;
Operator Service Group Manager**

- Advanced through positions in group management, administration, training and analysis during six year tenure.

EDUCATION

Northeastern University – Boston, MA

MBA

Regis College – Weston, MA

BA, Economics

AFFILIATIONS - LEADERSHIP

Trustee & Executive, Clinic and Governance Committees, Joslin Diabetes Center, Boston (2004-present)
Chairperson, Anna Jaques Community Health Foundation Board, Newburyport (2009-present)
Trustee and Building Committee, Anna Jaques Hospital, Newburyport (2006-present)
Trustee, Regis College, Weston, MA (2012 - present)
Board and Economic Development Committee, Greater Newburyport Chamber of Commerce (2006-2012)

AWARDS

- Honoree – Joslin Diabetes Center Evening at the Pops (2010)
- Historic Preservation Award for Commercial Buildings – City of Newburyport (1995, 1998, 1999, 2000)
- Women of Influence Award – Greater Haverhill Chamber of Commerce (2006)
- National Awards for Community Champion and Floral Display – America in Bloom (2004, 2005)



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

A handwritten signature in cursive script, reading 'Donna D. Holaday', written in black ink.

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: September 18, 2018
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Parks Commission for a three year term. This term will expire on May 1, 2021.

Karen Popken
49 Boardman Street
Newburyport, MA 01950

Karen Popken
49 Boardman Street
Newburyport, MA 01950
(978) 223-5075
karenpopken@yahoo.com

Education: **Masters of Education**, Endicott College Beverly, MA
December 2003
Bachelor of Arts English/Elementary Education,
College of Mt. St. Vincent Bronx, NY cum laude, 1990

Certification: Commonwealth of Massachusetts Department of Education
License#323684. Elementary, 1-6 Professional. Middle School, 5-9, Initial.
Highly Qualified National Board Certified
New York State Teacher Certification N-6.
Montessori Early Childhood Age 2.9-6 Teaching Credential, Northeast
Montessori Institute.
Montessori Elementary Age 6-9 Teaching Credential, Seacoast Center for
Montessori Training.
Open Circle Training: Social Emotional Literacy, Wellesley Centers for
Women, at Wellesley College.

Teaching Experience:

2003- Present **River Valley Charter School, Newburyport, MA**
Head Teacher Multi-Age grades 1, 2, and 3
Cooperating Practitioner/Mentor for Student Teaching Practicum,
Salem State University, and Regis College.
Board of Trustees Faculty member Two Terms 2006-2008
Member NAEYC Accreditation Committee 2007 -2009
Curriculum Committee Member Aligned Montessori Curriculum to
match new Massachusetts Common Core
Student Study Team Member
Special Projects include: Established comprehensive *Restoration of the
Atlantic Salmon* program, Community Partnerships with Head Start
Programs and The U.S. Department of Fish and Wildlife Refuge, Creation
of Multi-Disciplinary Literacy, Science, History, and Ecology Theme and
standards Based Curriculum.

2002- 2003 **Newburyport Montessori School, Newburyport, MA**
Teacher Montessori Early Childhood Ages 2.9 to 6.

2001- 2002 **Cambridge Montessori School**
Intern Teacher Montessori Early Childhood Ages 2.9 to 6

1993-1995 **St. Bridget's School, Framingham, MA**
Language Arts Teacher
Grade 6 Reading, Composition, and Grammar
Grade 7 English, Reading, and Language Arts
Grade 8 Literature
Accreditation Team Member evaluated and revised middle school
language arts curriculum to meet state frameworks.

- Drama Teacher** Produced and directed plays
- 1990-1993 **Transfiguration School**, Tarrytown New York
Teacher Grade 6
Science Coordinator Organized science fairs, coordinated science equipment, mentored other teachers
- 1987 -1990 **New York City Public Schools #8, #24 and #81** Bronx, N Y
Student Teacher
 Grades: Kindergarten, 1, 2, and 4
- 1988- 1990 **Tutor Higher Education Opportunity Program (HEOP)**
 College of Mount St. Vincent Bronx, NY

Educational Administrative Experience:

- 1995-1998 **Director of Programs and Services**
 M.E.L.D. (Multi-Educational Learning and Development)
 A Nonprofit organization serving children and their families
 Programs included Full day OCCS licensed kindergarten, Grades 1 to 5
 OCCS After School Program, After Hours Enrichment classes in
 Stoneham public schools, Children and teens Summer Drama, and an
 interactive Parent and Toddler Program. Stoneham, MA
 Responsible for operations, finance, marketing, and development implementation
 and evaluation for all M.E.L.D. Center programs and activities. Human resources
 and staffing. Development and maintenance of operating and capital budget.
 Production of public relations materials. Research and grant-writing for funding
 programs. Generation of new program concepts. Establishment of good
 communications between teachers and parents. Supervision of building facilities.
 Conceived and implemented computer-based billing system. Curriculum
 development and coordination of community events.
- Summer '92 &'93 **Assistant Director**
 Town of Bedford Recreation Tots Program, Bedford, NY

Professional Speaking/ Workshop Presentation:

Montessori Schools of Massachusetts

- "Time Saving Tips and Record Keeping" January 21, 2006
- "The Earth is Not Flat: Geography: Alive and in Your Hands" January 26, 2008
- "Water, Water Everywhere" Hands on Science Experiments
 Exploring Properties of Our Most Precious Resource: Water.
 January 21, 2012 Dean College

Massachusetts Charter Public School Association's Best Practices

- "Hands on Approach to Mathematics: It's Montessori" April 1, 2005
- "The Earth is Not Flat: Geography: Alive and in Your Hands" March 30, 2007

American Montessori National Conference Chicago, IL

- "Water, Water Everywhere" Hands on Science Experiments
 Exploring Properties of Our Most Precious Resource: Water.
 March 26th, 2011

References:

Dale Bishop, Ph.D.
Director, River Valley Charter School
Newburyport, MA

office 781.521.5433 dale.bishop@dsacma.org

home 781.639.5119 dabishop80@yahoo.com

Ann Mooney
Assistant Director, River Valley Charter School
Newburyport, MA

home 718.513.1892

cell 718.513.1892

email annmooney2@gmail.com

Lori McCrevan-Klucznik
Assistant Director, River Valley Charter School
Newburyport, MA

work 978.521.2616

cell 603.918.0786

email lkucznik@hvmcps.org



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: September 18, 2018
Subject: Appointment

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

I hereby appoint, subject to your approval, the following named individual as a member of the Parks Commission for a five year term. This term will expire on May 1, 2023.

Kim Turner
27 High Street
Newburyport, MA 01950



KIMBERLY DUFFY TURNER, ASLA

27 HIGH ST. NEWBURYPORT, MA 01950
781.632.6004
KDT@KDTURNERDESIGN.COM

REGISTRATION

Commonwealth of Massachusetts, license #1382
State of Maine, license #3585

EDUCATION

University of Massachusetts, Amherst, MA
Master of Landscape Architecture, 2001

University of Maine, Orono, ME
B.S. Landscape Horticulture, Magna Cum Laude, 1997

EXPERIENCE

KD Turner Design, Newton & Newburyport, MA
Founding Principal, 2009-present

- Residential and commercial landscape design, programming, permitting, cost estimation, and construction administration
- Public and urban landscape design, programming, and community workshops for sustainable 'urban wilds' projects

Weston Planning Board, Weston, MA
Landscape Architectural Consultant, 2011-present

- Site plan review of projects constructed under the RGFA and Scenic Road provision to the Zoning By-law

Ryan Associates, Waltham, MA
Senior Associate, 2001-2009

- Residential, institutional and commercial landscape programming, design, master planning, permitting, cost estimation and construction administration
- Project management and lead design for all aspects of projects from schematics through construction documentation

Mohr & Seredin Landscape Architects, Inc. Portland, ME
Designer and Draftsperson, 1995-1998

- Residential, municipal and commercial landscape design, plant selection, cost estimation, permitting and presentations

TFH Architects, Portland, ME
Draftsperson, summer 1995

- Residential and commercial architectural drafting and presentations

PUBLICATIONS

Botany for Designers, WW Norton Publishing Co., 2011

Research Design Connections, Spring 2004 v3(2), "*Childhood Memories May Play a Positive Role in Restorative Garden Design for Alzheimer Care Facilities*"

Childhood memories of landscapes as a restorative tool in designing gardens for Alzheimer patients, 2001, copyrighted thesis

HONORS &
PRESENTATIONS

American Society of Landscape Architects Honor Award, 2001

Speaker, Environmental Design Research Association symposium, Edinburgh, Scotland 2001, "*Childhood Memories of Landscapes as a Restorative Tool in Designing Gardens for Alzheimer Patients*"

Nomination, University of Massachusetts campus-wide Distinguished Teaching Award, 2000

TEACHING EXPERIENCE

Newburyport Continuing Education, Newburyport, MA
Faculty, spring 2011

- Gardener's Boot Camp

Brookline Continuing Education, Brookline, MA
Faculty, spring 2010-present

- Garden Design: A perfect plant palette, seminar
- Designing Your Landscape

Boston Architectural College, Boston, MA
Faculty, fall 2006 to spring 2007

- Intro to Landscape Architecture with Pat Loheed, instruction to first year BLA students in seminar format
- Botany for Designers, created curriculum and taught course to architecture, landscape architecture and interior design students

University of Maine, Orono, ME
Guest Speaker, spring 2002-spring 2006

- Senior design studio with Bill Mitchell

University of Massachusetts, Amherst, MA
Teaching Assistant, fall 1999 & 2000

- Plant identification and laboratory instruction

PROFESSIONAL
SERVICE

Steering Committee Member 'Friends of the Brown School Playground', 2013

Our Secret Garden children's outdoor play space, 2013

Newburyport Parks Volunteer, 2011-2012

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

COMMUNICATIONS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 24, 2018

EMERGENCY PREAMBLE

Pursuant to Charter Section 2-9 (b) and as further defined in Section 1-7(7) an emergency exists due to the fact that the matter referenced in COMM084_09_24_18, a block party application for the residents of Central Place, is time-sensitive due to the date of the event being prior to the next Council meeting on October 9, 2018.

Therefore, the City Council hereby affirmatively declares that an emergency exists such that Rule 12A be waived and COMM084_09_24_18 may be voted upon at its first introduction to this Council.

Councillor Barry N. Connell



CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 SEP 11 PM 12:40

CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

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

DATE OF REQUEST:	<u>8-31-18</u>
<u>CONTACT INFORMATION</u>	
FIRST AND LAST NAMES:	<u>Russ Edelman</u>
MAILING ADDRESS:	<u>9 Pond Street Newburyport</u>
PHONE NUMBER:	<u>781-244-2323</u>
E-MAIL ADDRESS:	<u>russ.edelman@corridorcompany.com</u>
<u>BLOCK PARTY INFORMATION</u>	
BLOCK PARTY DATE:	<u>9-29-18 (rain date 10-6-18)</u>
DESIRED STREET CLOSING LOCATION:	<u>Central Place</u>
Please indicate cross streets when requesting the closing of street sections	
STREET TO BE BARRICADED:	<u>Central Place</u>
DESIRED STREET CLOSING TIME:	<u>3 PM -> 8 PM</u>
Block Parties should run no later than 10:00 p.m.	

REGULATIONS

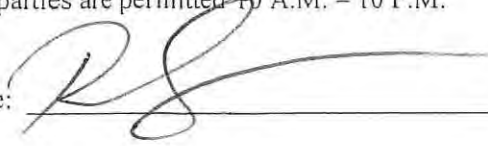
By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

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

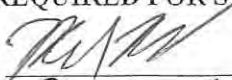
Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs. No thoroughfares or collector streets may be used.

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

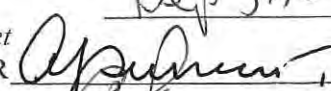
1. All residents living on the street or block for which the party is planned request the block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or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

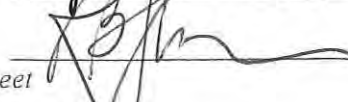
Applicant signature:  Date: 8-31-18

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL 
 4 Green Street

FIRE CHIEF Dep SITS 9/11/18
 Greenleaf Street

DEPUTY DIRECTOR  9/11/18
 1 Perry Way

CITY CLERK 
 60 Pleasant Street

City use only:

Approved _____ Denied _____ Date _____

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 24, 2018

EMERGENCY PREAMBLE

Pursuant to Charter Section 2-9 (b) and as further defined in Section 1-7(7) an emergency exists due to the fact that the matter referenced in COMM085_09_24_18, a special event application for the Newburyport Fall Harvest Festival, is time-sensitive due to the date of the event being prior to the next Council meeting on October 9, 2018.

Therefore, the City Council hereby affirmatively declares that an emergency exists such that Rule 12A be waived and COMM085_09_24_18 may be voted upon at its first introduction to this Council.

Councillor Barry N. Connell



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 SEP 10 PM 3:28

38R Merrimac Street, Newburyport, MA 01950
O: 978-462-6680 F: 978-465-4145

www.newburyportchamber.org
info@newburyportchamber.org

Mr. Barry N Connell
City Council President
Newburyport City Council
60 Pleasant Street
Newburyport, MA

September 10, 2018

Dear President Connell,

The Newburyport Fall Harvest Festival is an annual festival in downtown Newburyport that is hosted by the Greater Newburyport Chamber of Commerce & Industry. This year's event is scheduled for Sunday, October 7, 2018 and Monday, October 8 from 10:00AM to 5:00PM. The family-friendly event draws enthusiastic crowds to enjoy free entertainment, crafters, and also the shops & restaurants that Newburyport offers.

We are respectfully requesting the ability to use the Market Square bullnose for vendors to sell food and goods. Additionally we ask to use Inn Street and the western parking spaces of State Street from Market Square to Pleasant Street. These areas will be used for crafters to setup tents and sell their handmade goods. Traffic patterns can continue per usual as no street closures are requested.

Sincerely,

A handwritten signature in black ink, appearing to read "Elisabeth Hurley".

Elisabeth Hurley
Membership Development
Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel: 978-572-1494 Fax.

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

NAME OF EVENT: Fall Harvest Festival

Date: 10/7/18 + 10/8/18 Time: from 10:00 AM to 5:00 PM

Rain Date: NONE Time: from _____ to _____

2. Location: Market Square Bullnose; Inn Street; Western parking

3. Description of Property: spaces of State St from Merrimac to Ples Public Private

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

Contact Person: Elisabeth Hurley

Address: 388 Merrimac St. NBPT Telephone: 978-572-1494

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

Day of Event Contact & Phone: Elisabeth Hurley 508-212-8289

5. Number of Attendees Expected: 2,000

6. MA Tax Number: _____

7. Is the Event Being Advertised? yes Where? local newspaper press releases + social media

8. What Age Group is the Event Targeted to? Children & Families

9. Have You Notified Neighborhood Groups or Abutters? Yes No Who? Local businesses

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

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

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

Performers Dancing _____ Amplified Sound Stage

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

Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

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

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

If yes:

a) How many trash receptacles will you be providing? _____

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? *Greater Newburyport Chamber's dumpster cleaning + trash done by Jeff St. Laurent as in previous years*

If no:

a) # of trash container(s) to be provided by DPS _____

b) # of recycling container(s) to be provided by Recycling Office _____

c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____ ROAD RACE _____ WALKATHON _____

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.

DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

Limitations


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

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

13-101 Enforcement

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

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

Signed:  Date: 09/10/2018

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

- **APPT050_09_10_18** Michael Falite 4 Caitlin Cir, Salisbury Police Department

Motion to approve the Consent Agenda by Councillor Zeid, seconded by Councillor Tontar. So voted.

ORDERS

CITY OF NEWBURYPORT ^{ORDR058_08_27_18}
TABLED



IN CITY COUNCIL

ORDERED:

That the City Council appropriates from the Community Preservation Act FY 2019 estimated revenues, in accordance with the provisions of M.G.L. Chapter 44B, for the following [project], based upon the Community Preservation Committee's recommendation. The source of funds shall be FY2019 estimated revenues and Community Preservation Fund Balance. Said appropriation shall be considered a separate appropriation or reservation in the amount indicated [below]:

Project No.	Project Title	Applicant	Request	Recommendation
4	Slate Roof Replacement	Newburyport Maritime Society, Inc.	\$101,914	\$101,914

Councillor Charles F. Tontar

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 24, 2018

THAT, The CITY COUNCIL of the City of Newburyport accepts an Emergency Management Planning grant from the Commonwealth of Massachusetts in the amount of \$3,220.00 and, furthermore, accepts with gratitude a gift from Strem Chemicals, Inc. in the amount of \$5,376.96. Said funds totaling \$8,596.96 are accepted in accordance with M.G.L. Chapter 44, Section 53A and are hereby appropriated for the purpose of purchasing six (6) sets of tactical gear to be used by Fire Department medical personnel.

Councillor Charles F. Tontar

Newburyport Fire Department

Office of the Fire Chief

CLERK'S OFFICE
NEWBURYPORT, MA

2018 SEP 13 AM 11: 57

To: Council President Barry Connell, members of the City Council
From: Chief Christopher J. LeClaire
Date: September 13, 2018
Re: **Acceptance of EMPG grant and donation from Strem Chemical**

As the world continues the change, the Newburyport Fire Department, an all-hazards response organization, must continue to adapt our readiness through training and equipment acquisitions to adapt to those changes.

Fire departments across the nation are undertaking training that allows them to operate in the warm zone at an active shooter incident. This new tactic allows for medics to enter the area with the police to treat and extract injured people so that they can receive critical care as soon as possible. This will increase the survivability of victims involved in these terrible situations.

In that light, the department is purchasing six (6) sets of tactical gear for our medical personnel, including ballistic helmets and vests, tourniquet pouches, and related equipment. This \$8,596.96 purchase is made possible through two (2) funding sources:

- An EMPG (Emergency Management Planning) grant from the Commonwealth of Massachusetts in the amount of **\$3,220.00**. This grant was originally intended to cover 50% of the project however prices have increased since the grant was applied for.
- A donation from Dr. Michael Strem and the employees of Strem Chemicals, Inc. in the amount of **\$5,376.96** to cover the remainder of the project cost.

Please, by vote of the city council, accept both the EMPG grant and the donation from Strem Chemicals, Inc. so that the fire department can continue to prepare for any incident that may befall our city.

Department Memorandum

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 24, 2018

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from the Newburyport High School Class of 2018 in in the amount of \$500.00 to be used for the creation of an outdoor teaching space at the high school and appropriates said funds to the Gayden Morrill Outdoor Seating Project in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Charles F. Tontar

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Introduced October 30, 2017
Amendments proposed at joint public hearing September 5, 2018

A ZONING ORDINANCE TO FORBID USE VARIANCES

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

APPENDIX A: ZONING ORDINANCE OF THE CITY OF NEWBURYPORT

THAT subsection X-H.6.A of said Zoning Ordinance, entitled "Variances," be amended pursuant to section XII-B, entitled "Adoption and Amendment," to read as follows, with deletions ~~stricken through and in bold~~, and additions double-underlined and in bold.

6. Variances. [Variances from the provisions of this ordinance shall be subject to the following:]
 - A. The zoning board of appeals shall have the power, after giving appropriate public hearing notice as described in section X-H, and after holding said hearing within sixty-five (65) days after the zoning board of appeals receives the petition from the city clerk, to grant, upon appeal or upon petition, a variance, ~~including expressly excluding any~~ excluding any use variance, notwithstanding anything in this ordinance to the contrary, from the terms of this zoning ordinance where the zoning board of appeals finds that, owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of this ordinance would involve substantial hardship, financial or otherwise, to the

petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of this ordinance.

AND, FURTHER, THAT this ordinance shall not apply to complete applications filed with the Zoning Board of Appeals before August 1, 2018.

Councillor Jared Eigerman

In City Council September 10, 2018:

Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to approve as amended by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed.

Richard Jones

From: Mark R. Reich <MReich@k-plaw.com>
Sent: Wednesday, September 19, 2018 1:08 PM
To: Richard Jones
Cc: 'Councillor Connell'; Councillor Earls; Patricia Barker
Subject: RE: from last night - Request for Opinion

Richard –

In my opinion this is more of a policy decision than a legal interpretation. The Council Rules are for the benefit of the Council and are subject to interpretation by the Council. If the Council determines that the intent of Councilor Earls was clearly to seek reconsideration of Ordinance #24, such reconsideration request, having been timely made, may proceed.

Thank you.

Mark

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

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From: Richard Jones [mailto:RJones@CityofNewburyport.com]
Sent: Wednesday, September 19, 2018 11:39 AM
To: Mark R. Reich <MReich@k-plaw.com>
Cc: 'Councillor Connell' <envirocom@comcast.net>; Councillor Earls <gearls25@comcast.net>; Patricia Barker <PBarker@CityofNewburyport.com>
Subject: FW: from last night - Request for Opinion

Mark,

After the last Council meeting, Councillor Earls sent a timely request pursuant to Council Rule 14 (below) to Assistant City Clerk Tricia Barker seeking to reconsider his vote on Ordinance #24. He was at work and inadvertently stated in his communication below that he wanted to reconsider his vote on Ordinance #16.

You can see below the email thread.

May we consider this a scrivener's error and consequently reconsider Ordinance #24 and not Ordinance #16?

Thank you,

Richard

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 11, 2018

Amendment proposed in Cmte. on August 8, 2018

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEWBURYPORT

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

THAT the Zoning Ordinance, Appendix A of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended pursuant to Section XII-B "Adoption and Amendment" as follows:

Section V-D: Table of Use Regulations

Uses numbered 801 ["Marijuana Establishment (with retail sales)"] and 803 ["Medical Marijuana Treatment Center or Registered Marijuana Dispensary (with retail sales)"] shall be permitted only by Special Permit (SP) in the following zoning districts, and so indicated in said table:

- B-1 (Business District)*
- ~~B-2 (Downtown Business District)~~
- ~~B-3 (Neighborhood Business District)~~

* Uses 801 and 803 are permitted solely within that certain B1 zoning district centered around the intersection of State Street and Route 1 (Route 1 Traffic Circle), and, in addition, Use 801 is limited to the Marijuana Retailer subtype. For further limitations see Section XXXI.

Wherever the above referenced uses numbered 801 and 803 are listed as permitted by Special Permit (SP) said notation shall be accompanied by reference to the following footnote to the Table of Use Regulations:

(h) *The Planning Board shall act as the designated Special Permit Granting Authority (SPGA) for this use. See Section XXXI entitled "Licensed Marijuana Businesses" for additional requirements and restrictions.*

For all other zoning districts the above referenced uses 801 and 803 shall be prohibited, or "Not Permitted" (NP), and so indicated in said table.

Section V-H: Temporary Moratorium on Recreational Marijuana Establishments

Delete Section V-H (entitled "Temporary Moratorium on Recreational Marijuana Establishments") in its entirety.

XXXI-F – Required Buffer Zones & Restrictions on Use.

Amend Section XXXI-F (entitled "Required Buffer Zones & Restrictions on Use") to read as follows, with deletions ~~double-stricken through and italicized~~, and additions double-underlined and italicized:

1. Residential Districts: No Marijuana Business within the Business and Industry Park zoning districts ~~(BPI-1 and I-1B)~~ shall be located or permitted within two hundred and fifty (250) feet of any residential district measured in a straight line from the nearest point of the property or district line in question to the nearest point of the building or structure where the Marijuana Business is or will be located. Nor shall any Marijuana Business within said districts ~~(BPI-1 and I-1B)~~ be located or permitted northwest of Hale Street. No Marijuana Business within the Business district (B1) shall be located or permitted within one hundred (100) feet of any residential district, measured in a straight line from the nearest point of the property or district line in question to the nearest point of the building or structure where the Marijuana Business is or will be located. Nor shall any Marijuana Business within said district (B1) be located or permitted at a lot that is both west of State Street and north of Parker Street, nor on the easterly side of State Street north of 149 State Street (Map 34, Parcel 14).
2. Protected Uses: No Marijuana Business shall be located or permitted within ~~five hundred (500)~~ two hundred and fifty (250) feet, measured in a straight line from the main entrance of the establishment to be protected and the nearest point of the building or structure where the Marijuana Business is or will be located, of:
 - a. a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12;
 - b. a pre-existing nursery school or daycare facility;
 - c. a pre-existing public library;
 - d. a pre-existing public park or playground;
 - e. a pre-existing municipal youth or recreation center;
 - f. a pre-existing public swimming pool; or
 - g. any similar pre-existing facility in which children commonly congregate in an organized, ongoing, formal basis.
3. ~~Measurement. The distance under this section shall be measured in a straight line from the nearest point of the property or district line in question to the nearest point of the building or structure where the Marijuana Business is or will be located.~~

Councillor Gregory D. Earls

In City Council September 10, 2018:

Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Khan. So voted. Motion to approve as amended in committee meeting of August 8, 2018 by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 6 yes, 4 no (Tontar, Vogel, Earls, Khan), 1 recused (Devlin). Motion failed.

Approve: _____
Donna D. Holaday, Mayor

Attest: _____
Richard B. Jones, City Clerk

Date: _____

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 30, 2018

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEWBURYPORT

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

THAT the Zoning Ordinance, Appendix A of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended pursuant to Section XII-B "Adoption and Amendment" as follows:

Section V-D: Table of Use Regulations

Delete the following use from the Table of Use Regulations, along with the corresponding row:

- Medical Marijuana Treatment Center (Num 217)

Add the following new uses to the Table of Use Regulations, as additional rows inserted in alphabetical order under a new grouping numbered 8 and entitled "Marijuana-Related Uses":

Use	Num
• Marijuana Establishment (<i>with retail sales</i>)	801
• Marijuana Establishment (<i>without retail sales</i>)	802
• Medical Marijuana Treatment Center or Registered Marijuana Dispensary (<i>with retail sales</i>)	803
• Medical Marijuana Treatment Center or Registered Marijuana Dispensary (<i>without retail sales</i>)	804

The above referenced use numbered 804 shall be permitted only by Special Permit (SP) in the following zoning districts, and so indicated in said table:

- I-1 (Industrial District)
- I-1B (Industrial District)

Wherever the above referenced use numbered 804 is listed as permitted by Special Permit (SP) said notation shall be accompanied by reference to footnote (h) of the Table of Use Regulations, which reads as follows:

- (h) See section V-G entitled "Medical Marijuana Treatment Centers" for additional requirements and restrictions.

The above referenced uses numbered 801 and 803 shall be permitted only by Special Permit (SP) in the following zoning district, and so indicated in said table:

- B-1 (Business District)

For all other zoning districts the above referenced uses shall be prohibited, or “Not Permitted” (NP), and so indicated in said table.

Wherever the above referenced uses numbered 801 and 803 are listed as permitted by Special Permit (SP) said notation shall be accompanied by reference to the following new footnote to the Table of Use Regulations:

- (i) *The Planning Board shall act as the designated Special Permit Granting Authority (SPGA) for this use. See Section XXX entitled “Licensed Marijuana Businesses” for additional requirements and restrictions.*

Section XXX: Licensed Marijuana Businesses

Insert a new Section XXX, entitled “Licensed Marijuana Businesses” as follows:

XXX-A Purposes.

The purpose of this Section is to provide for the establishment of both medical and recreational Marijuana Businesses in the City of Newburyport in as much as:

1. Medical Marijuana Treatment Centers (MMTCs), also known as “Registered Marijuana Dispensaries” (RMDs), are authorized in the Commonwealth of Massachusetts pursuant to Chapter 369 of the Acts of 2012 (entitled “An Act for the Humanitarian Medical Use of Marijuana”), M.G.L. Chapter 94I (entitled “Medical Use of Marijuana”) and 105 CMR 725 (entitled “Implementation of an act for the humanitarian medical use of marijuana”);
2. “Marijuana Establishments” for the adult, non-medical use of marijuana, are authorized in the Commonwealth of Massachusetts pursuant to Chapter 334 of the Acts of 2016, as amended by Chapter 351 of the Acts of 2016 and Chapter 55 of the Acts of 2017, as further codified in General Laws Chapter 94G (entitled “Regulation of the Use and Distribution of Marijuana Not Medically Prescribed”) and regulations promulgated by the Massachusetts Cannabis Control Commission (CCC) in 935 CMR 500 (entitled “Adult Use of Marijuana”);
3. The City seeks to protect the public welfare, health and safety of the residents of Newburyport;
4. These zoning regulations provide for the placement of all medical and recreational marijuana-related businesses in suitable locations; and
5. The City seeks to minimize any potential adverse impacts of medical and recreational marijuana-related businesses on adjacent properties, residential neighborhoods, schools, playgrounds and other locations where minors congregate by regulating the siting, design, placement, security and removal of such marijuana businesses.

XXX-B Definitions.

Where not expressly defined in this section or elsewhere in the Newburyport Zoning Ordinance, terms used in this section (XXX) shall be interpreted as defined in the statutes and regulations cited in Section XXX-A § 1 & 2 above.

Commission or CCC means the Massachusetts Cannabis Control Commission established by G.L. c. 10, §76, or its designee.

Department of Public Health or DPH means the Massachusetts Department of Public Health.

License means the required certificate issued by the Commonwealth for a Marijuana Business.

Licensee means a person or entity licensed by the Commonwealth to operate a Marijuana Business.

Marijuana Business means a Medical Marijuana Treatment Center, Marijuana Establishment, or any combination or part thereof.

Marijuana Establishment means a Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Retailer, Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business, as set forth in G.L. c.94G, § 1 and regulations promulgated thereunder.

Medical Marijuana Treatment Center (MMTC), also known as a Registered Marijuana Dispensary (RMD), means an entity registered under 105 CMR 725.100: Registration of Registered Marijuana Dispensaries, or licensed by the Cannabis Control Commission pursuant to G.L. c.94I, that acquires, cultivates, possesses, processes (including development of related products such as edible cannabis or marijuana products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing cannabis or marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of cannabis or marijuana for medical use.

XXX-C Special Permit Required.

Pursuant to Chapter 40A of the Massachusetts General Laws, as well as under the home-rule powers of the City pursuant to Sections 1 and 6 of Article II of the Articles of Amendment of the Constitution of the Commonwealth of Massachusetts, as amended by Article LXXXIX of said Articles of Amendment, and in order to mitigate potential secondary adverse impacts, a special permit is required for a Marijuana Business within the City of Newburyport.

XXX-D License Requirements and Conditions of Use.

1. Marijuana Businesses shall be properly licensed by the Commonwealth of Massachusetts Cannabis Control Commission (CCC) or Department of Public Health (DPH), as applicable, pursuant to regulations promulgated therefore.
2. No Marijuana Business shall be permitted for, or otherwise allow, on-premises social consumption.

3. No Marijuana Business shall be permitted to operate outside of an enclosed building or structure.
4. No Marijuana Business located within the Business and Industry Park zoning districts (I-1 and I-1B) shall be permitted to conduct in-person retail sales on premises. This restriction shall not be construed to prohibit the transfer or delivery of marijuana-related products to other locations where in-person retail sales of marijuana-related products are permitted.

XXX-E Parking Requirements.

Parking requirements for Marijuana Businesses, as those businesses are more particularly defined in G.L. c.94G and the regulations promulgated thereunder, shall be as follows:

- “Craft Marijuana Cooperative”: 1 per employee plus 1 per 300 square feet gross floor area
- “Independent Testing Laboratory”: 0.75 per employee in maximum shift plus 1 per company vehicle
- “Marijuana Cultivator”; 0.75 per employee in maximum shift plus 1 per company vehicle
- “Marijuana Establishment”; 0.75 per employee in maximum shift plus 1 per company vehicle, unless otherwise noted
- “Marijuana Product Manufacturer”; 0.75 per employee in maximum shift plus 1 per company vehicle
- “Marijuana Retailer”; 3 per 1,000 square feet of gross floor area (GFA)
- “Marijuana Transporter”; 0.75 per employee in maximum shift plus 1 per company vehicle
- “Medical Marijuana Treatment Center”; 1 per employee plus 1 per 300 square feet gross floor area
- “Microbusiness”; 0.75 per employee in maximum shift plus 1 per company vehicle
- “Research Facility”; 0.75 per employee in maximum shift plus 1 per company vehicle
- Any other Marijuana Business: 0.75 per employee in maximum shift plus 1 per company vehicle

XXX-F Required Buffer Zones & Restrictions on Location

1. Residential Districts: No Marijuana Business within the Business and Industry Park zoning districts (I-1 and I-1B) shall be located or permitted within two hundred and fifty (250) feet of any residential district. Nor shall any Marijuana Business within said districts (I-1 and I-1B) be located or permitted northwest of Hale Street.
2. Protected Uses: No Marijuana Business shall be located or permitted within five hundred (500) feet of:
 - a. a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12;
 - b. a nursery school or daycare facility;
 - c. a public library;

- d. a public park or playground;
 - e. a municipal youth or recreation center;
 - f. a public swimming pool; or
 - g. any similar facility in which children commonly congregate in an organized, ongoing, formal basis.
3. Measurement: The distance under this section shall be measured in a straight line from the nearest point of the property or district line in question to the nearest point of the building or structure where the Marijuana Business is or will be located.

XXX-G Permitting Procedure & Criteria for Approval.

Permit Granting Authority: The Planning Board shall act as the designated Special Permit Granting Authority (SPGA) in administering this section.

Special Permit Required: Marijuana Businesses may be permitted only pursuant to a Special Permit hereunder. The Planning Board shall review and may deny, approve, or approve with conditions all applications hereunder in accordance with the procedures listed in Subsection X-H.8. The SPGA shall approve a Business if the SPGA determines that the proposed use meets all the requirements of this section and, in addition, the special permit criteria of Subsection X-H.7. Application for a special permit shall be submitted to the SPGA pursuant to the submission requirements, and procedures contained in Section X-H.7.

Documentation Required to Support an Application: To support any Special Permit application under this section, the applicant shall provide as part of the application to the SPGA the following documentation:

1. A copy of its application, registration and/or certificate as a Marijuana Business from the CCC or DPH (as applicable);
2. A letter from the owner of the property on which the proposed Marijuana Business is to be located indicating approval of the proposed use and submission of the application to the SPGA.
3. A detailed floor plan of the premises of the proposed Marijuana Business that identifies the square footage available and describes the functional areas of the proposed use;
4. Detailed site plans that include the following information:
 - a. Compliance with the requirements for parking and loading spaces, for lot size, frontage, yards and heights and coverage of buildings, and all other provisions of this Ordinance;
 - b. Convenience and safety of vehicular and pedestrian movement on the site and for the location of driveway openings in relation to street traffic;
 - c. Convenience and safety of vehicular and pedestrian movement off the site, if vehicular and pedestrian traffic off-site can reasonably be expected to be substantially affected by on-site changes;
 - d. Adequacy as to the arrangement and the number of parking and loading spaces in relation to the proposed use of the premises (and anticipated number of visitors), including designated parking for employees and home delivery vehicle(s), as applicable;

- e. Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping; and
 - f. Adequacy of water and electrical supply, surface and subsurface drainage and site lighting.
5. A description of any proposed security measures for the Marijuana Business, including but not limited to security cameras and employee security policies;
 6. A copy of proposed waste disposal procedures for the Marijuana Business;
 7. A detailed description of the applicant's proposed measures to advertise services available at the proposed Marijuana Business, including but not limited to the use of websites, local media and signage.
 8. A Traffic Impact Analysis (Traffic Study) for the proposed use and site consistent with the requirements of Section XV-E(b)(4) of this Ordinance; and
 9. Documentation regarding the projected use, and adequacy, of public and private utilities and infrastructure required for operation of the proposed Marijuana Business, including, but not limited to:
 - a. Water
 - b. Wastewater
 - c. Electricity

These materials shall be in addition to those submission materials required in section X-H(7) "Special Permits."

Traffic & Impact Studies: To aid the SPGA in its review, the owner shall pay all costs for the SPGA to engage a properly licensed traffic engineer, consulting engineer or other professionals experienced in the review of traffic studies and/or community impact reports, deemed necessary in the opinion of the SPGA to ensure that the proposed Marijuana Business will not unduly burden the City's water and wastewater systems or result in undue traffic congestion or safety concerns in the immediate vicinity of the proposed facility and/or site. The portions of this section (and its regulations, if any) requiring the payment of consultant fees are promulgated under the concurrent authority of Massachusetts General Laws Chapter 44, Section 53G.

Signage: All signage shall conform to the requirements of the Newburyport Zoning Ordinance. The SPGA may impose additional restrictions on signage as appropriate to mitigate any aesthetic impacts. Use of medical symbols, images of marijuana, related paraphernalia, and text or colloquial references to cannabis and marijuana on any signage is prohibited.

Departmental Review: The SPGA shall refer copies of the application to the Building Department, Fire Department, Police Department, Board of Health, and the Department of Public Works. These boards/departments shall review the application and shall submit their written recommendations to the SPGA. Failure to make recommendations within 45 days of referral of the application shall be deemed lack of opposition.

XXX-H

Decision and Conditions of Approval

Public Hearing and Decision: After notice and public hearing (in accordance with Section X-H(7) and consideration of application materials, consultant reviews, public comments, and

the recommendations of other City boards and departments, the SPGA may act upon such a permit.

Required Findings: The SPGA may approve a Marijuana Business application only if it makes written findings based upon evidence in the record that the applicant has satisfied the requirements of this section and section X-H(7)(A).

Special Permit Conditions: The SPGA shall impose conditions upon the issuance of a Marijuana Business Special Permit reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality, and significant environmental resources, preserve the character of the surrounding area and otherwise serve the purpose of this section. In addition to any specific conditions applicable to the applicant's Marijuana Business, the SPGA shall include the following conditions in any special permit granted under this Section:

- i. Hours of Operation (if any)
- ii. The permit holder shall provide to the Building Inspector, Director of Planning and Development, Director of Public Health, Fire Chief and Police Marshal, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
- iii. The special permit authorizing the establishment of a Marijuana Business shall be valid only for the specific registered person or entity to which the special permit was issued, and only for the site on which the Marijuana Business has been authorized by special permit. If any license for the Marijuana Business has been revoked or if the license is to be transferred to another controlling entity, or is to be relocated to a different site, a new special permit shall be required.
- iv. A Marijuana Business shall be located only in a permanent building and not within any mobile facility. All sales shall be conducted either within the building or by home deliveries to qualified clients pursuant to applicable state and local regulations. This provision shall not be construed to limit or prohibit the transport of marijuana and marijuana-related products in accordance with CCC regulations.
- v. A Special Permit shall only be valid for use by the Applicant and will become null and void upon the sale or transfer of the license of a Marijuana Business or a change in the location of the business.
- vi. In the event that the Commonwealth's licensing authority suspends the license or registration of a Marijuana Business, the Special Permit shall be so suspended by the City until the matter is resolved to the satisfaction of said licensing authority.
- vii. The Special Permit shall be considered null and void if meaningful construction has not begun on the project within 2 years of obtaining said permit, or such additional time extension as may be granted at the discretion of the Planning Board.
- viii. The permit holder shall notify the Building Inspector, Director of Planning and Development, Director of Public Health, Fire Chief and Police Marshal and the SPGA in writing within 48 hours of the cessation of operation of the Marijuana Business or the expiration or termination of the license holder's certificate or registration with the CCC and/or DPH.
- ix. The permit holder shall at all times comply with regulations regarding Marijuana Businesses promulgated by the Board of Health.

- x. The Police Department, Fire Department, Building Inspector, Zoning Enforcement Officer, Director of Planning & Development and Director of Public Health shall have the right to inspect the subject premises to assure compliance with the special permit.
- xi. Prohibition Against Nuisances: No use or operation shall be allowed at any Marijuana Business which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

XXX-I Severability.

The provisions of this section are severable. If any of its provisions, sections, subsections, paragraphs, sentences, or clauses, or the application thereof to any person, entity, establishment, or circumstances shall be held to be invalid or unconstitutional by any court of competent jurisdiction, then the remainder of this section and the application thereof shall continue to be in full force and effect. The invalidity of any provision of this Section shall not affect the validity of the remainder of this Section or the Newburyport Zoning Ordinance.

Councillor Barry N. Connell

In City Council September 10, 2018:

Motion to remove ODNC016_04_30_18, ORDR036_05_14_18, and COMM042_05_14_18, collectively, from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to receive and file ODNC016_04_30_18, ORDR036_05_14_18, and COMM042_05_14_18, collectively, by Councillor Eigerman, seconded by Councillor Earls. Roll call vote, 8 yes, 2 no (Vogel, Connell), 1 recused (Devlin). Motion passed.

COMMITTEE ITEMS

September 24, 2018
Committee on Budget & Finance

COMM082_09_10_18 - FY2018 Year-End Financial Report



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: Mayor Donna D. Holaday
 President and Members of the Newburyport City Council

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

Date: September 4, 2018

Subject: FY2018 Year-End Financial Report

The fiscal year 2018 year-end financial report is presented to the Mayor and City Council as a preliminary look at the City of Newburyport's financial performance over the past year prior to the release of the audited financial statements. This report compares original and revised appropriations/estimates to actual expenditures and collections for the General Fund, as well as, Water, Sewer and Harbormaster Enterprise Funds for the year-ending June 30, 2018.

FY2018 Expenditures

Expenditures within the General Fund and Enterprise Funds were made within the budgetary appropriations approved by the City Council. Remaining and unrestricted appropriations from fiscal year 2018, totaling \$1,098,004, will be a positive factor in the Free Cash and Retained Earnings calculations as of July 1, 2018. Below is a summary of the year-end expenditures by fund, which is broken out in greater detail in the reports that follow:

	REVISED BUDGET	FY2018 EXPENDED	FY2018 ENCUMB.	REMAINING BUDGET	% USED
001 GENERAL FUND	\$64,419,196	\$61,483,071	2,440,957	\$495,167	99.2%
060 WATER ENTERPRISE FUND	\$5,107,870	\$4,721,688	146,517	\$239,665	95.3%
061 SEWER ENTERPRISE FUND	\$7,060,654	\$6,596,710	119,768	\$344,177	95.1%
6520 HARBORMASTER ENTERPRISE FUND	\$472,324	\$453,329	0	\$18,996	96.0%
TOTAL BUDGETARY FUNDS	\$77,060,044	\$73,254,799	2,707,242	\$1,098,004	98.6%

FY2018 Revenue

Total revenue for the budgetary funds exceeded estimates for FY2018 with collections at 101.3% of estimated revenue. The General Fund and Enterprise Funds all exceeded their FY2017 estimates. Below is a summary of the year-end revenue by fund, which is broken out in greater detail in the reports that follow:

	ESTIMATE	ACTUAL	OVER/(BELOW)	% OF ESTIMATE
001 GENERAL FUND	\$64,310,893	\$65,003,369	\$692,476	101.1%
060 WATER ENTERPRISE FUND	\$5,107,870	\$5,253,640	\$145,770	102.9%
061 SEWER ENTERPRISE FUND	\$6,385,654	\$6,537,286	\$151,631	102.4%
6520 HARBORMASTER ENTERPRISE FUND	\$467,830	\$491,483	\$23,653	105.1%
TOTAL BUDGETARY FUNDS	\$76,272,247	\$77,285,777	\$1,013,530	101.3%

Once the Massachusetts Department of Revenue verifies and certifies the City's year-end financial results later this fall, funds will be available for any legal expenditure at the recommendation of the Mayor and approval of a majority vote of the City Council. All financial information contained in this report is presented on an unaudited basis and, as such, is subject to further adjustment until finalized. The audited financial statements will be filed with the City Clerk no later than March 1, 2019 in accordance with the City Charter.

Please feel free to contact me if you have any questions.

Attachments:

- Year-End Financial Overview (page 1)
- Expenditure Summary (page 2)
- Expenditures by Budget Category (page 3)
- Revenue Summary (page 8)
- Revenue by Category (page 9)



City of Newburyport
FY2018 Year-End Financial Overview

Updated 9/17/2018

Expenditures

	<u>FY2016</u>		<u>FY2017</u>		<u>FY2018</u>	
	Remaining Budget	% Used	Remaining Budget	% Used	Remaining Budget	% Used
001 GENERAL FUND	\$684,270	98.8%	\$571,356	99.1%	\$495,167	99.2%
060 WATER ENTERPRISE FUND	\$336,680	93.7%	\$206,358	96.1%	\$239,665	95.3%
061 SEWER ENTERPRISE FUND	\$537,679	92.7%	\$289,058	95.6%	\$344,177	95.1%
6520 HARBORMASTER ENTERPRISE FUND	\$60,552	83.5%	\$13,902	96.8%	\$18,996	96.0%
TOTAL BUDGETARY FUNDS	\$1,619,181	97.8%	\$1,080,674	98.5%	\$1,098,004	98.6%

Remaining Budget

(Top Ten Drivers: General Fund)

	Remaining Budget	Driver
421 PUBLIC SERVICES DEPARTMENT	\$170,474	Vacancies/overtime/electrical costs
914 INSURANCE GROUP	\$151,938	Variability of enrollment
543 VETERANS' DEPARTMENT	\$43,327	Fewer veterans qualifying for benefits
152 HUMAN RESOURCES	\$23,075	Fewer unemployment claims
720 ORDINARY DEBT SERVICE	\$14,943	Short term interest was lower than budgeted
542 YOUTH SERVICES	\$13,128	Less spent from budget due to Tower Grant
610 LIBRARY DEPARTMENT	\$10,892	Staff vacancies
182 PLANNING & DEVELOPMENT	\$9,833	Staff vacancy
145 TREASURER'S DEPARTMENT	\$9,617	Fewer tax title expenses
210 POLICE DEPARTMENT	\$9,098	Staff vacancies
Total	\$456,326	

Revenue

	<u>FY2016</u>	<u>FY2017</u>	<u>FY2018</u>	<u>FY2018</u>	<u>\$ Over</u>	<u>% Of</u>	<u>% Over</u>
	Actual	Actual	Estimate	Actual	Estimate	Estimate	Prior Year
001 GENERAL FUND							
412 REAL ESTATE TAX REVENUE	\$49,470,173	\$51,563,374	\$54,348,166	\$53,946,873	-\$401,293	99.3%	4.6%
411 PER PROP TAX REVENUE	\$644,788	\$662,533	\$663,951	\$664,093	\$142	100.0%	0.2%
401 MOTOR VEHICLE EXCISE	\$2,620,498	\$2,707,801	\$2,450,000	\$2,710,467	\$260,467	110.6%	0.1%
402 OTHER EXCISE	\$717,374	\$920,895	\$845,000	\$963,447	\$118,447	114.0%	4.6%
403 PEN/INT ON TAX & EXCISE	\$331,595	\$296,694	\$290,000	\$370,159	\$80,159	127.6%	24.8% (1)
404 PAYMENT IN LIEU TAXES	\$100,377	\$61,351	\$60,000	\$62,612	\$2,612	104.4%	2.1%
410 FEES	\$462,106	\$342,048	\$340,000	\$402,086	\$62,086	118.3%	17.6% (2)
416 OTHER DEPARTMENT REVENUE	\$57,623	\$64,393	\$55,000	\$61,392	\$6,392	111.6%	-4.7%
417 LICENSES/PERMITS	\$1,071,855	\$1,011,209	\$700,000	\$964,669	\$264,669	137.8%	-4.6%
419 FINES & FORFEITS	\$14,586	\$13,994	\$10,000	\$13,856	\$3,856	138.6%	-1.0%
420 INVESTMENT INCOME	\$49,074	\$60,015	\$45,000	\$130,350	\$85,350	289.7%	117.2% (3)
421 MISCELLANEOUS RECURRING	\$270,258	\$303,190	\$238,000	\$288,018	\$50,018	121.0%	-5.0%
422 MISCELLANEOUS NON-RECURRING	\$261,156	\$172,574	\$0	\$62,824	\$62,824		-63.6% (4)
460 STATE AID	\$4,045,959	\$4,311,955	\$4,265,776	\$4,362,522	\$96,746	102.3%	1.2%
TOTAL GENERAL FUND	\$60,117,422	\$62,492,027	\$64,310,893	\$65,003,369	\$692,476	101.1%	4.0%
WATER ENTERPRISE FUND	\$5,452,066	\$5,485,689	\$5,107,870	\$5,253,640	\$145,770	102.9%	-4.2%
SEWER ENTERPRISE FUND	\$6,446,941	\$6,791,900	\$6,385,654	\$6,537,286	\$151,631	102.4%	-3.7%
HARBORMASTER ENTERPRISE FUND	\$433,718	\$498,615	\$467,830	\$491,483	\$23,653	105.1%	-1.4%
TOTAL BUDGETARY FUNDS	\$72,450,147	\$75,268,230	\$76,272,247	\$77,285,777	\$1,013,530	101.3%	2.7%

(1) Higher tax billings, as well as, penalties/interest on tax titles.

(2) Higher tax title collections.

(3) Improved returns and higher cash balances from borrowings.

(4) Fewer one-time receipts in FY18.



City of Newburyport
FY2018 Year-End Expenditure Summary

	ORIGINAL APPROP.	TRANSFERS/ ADJUST.	REVISED BUDGET	FY2018 EXPENDED	FY2018 ENCUMB.	REMAINING BUDGET	% USED
001 GENERAL FUND							
111 CITY COUNCIL	\$67,444	\$4,000	\$71,444	\$71,431	0	\$13	100.0%
121 MAYOR'S DEPARTMENT	\$287,230	\$0	\$287,230	\$285,744	1,350	\$136	100.0%
129 GENERAL ADMINISTRATION	\$430,009	-\$67,662	\$362,347	\$356,421	54	\$5,871	98.4%
135 AUDITOR'S DEPARTMENT	\$321,417	\$0	\$321,417	\$316,783	4,598	\$35	100.0%
141 ASSESSORS DEPARTMENT	\$222,307	\$0	\$222,307	\$221,495	0	\$812	99.6%
145 TREASURER'S DEPARTMENT	\$296,266	\$0	\$296,266	\$285,649	1,000	\$9,617	96.8%
151 INFO TECHNOLOGY DEPT	\$308,813	\$0	\$308,813	\$306,295	2,404	\$113	100.0%
152 HUMAN RESOURCES	\$291,732	\$0	\$291,732	\$268,657	0	\$23,075	92.1%
161 CITY CLERK'S DEPARTMENT	\$252,997	\$0	\$252,997	\$251,659	760	\$578	99.8%
163 BOARD OF REGISTRARS	\$44,165	\$5,000	\$49,165	\$49,008	0	\$157	99.7%
165 LICENSE COMMISSION	\$6,340	\$1,410	\$7,750	\$7,750	0	\$0	100.0%
171 CONSERVATION COMMISSION	\$1,800	\$0	\$1,800	\$1,800	0	\$0	100.0%
175 PLANNING BOARD	\$1,800	\$0	\$1,800	\$1,800	0	\$0	100.0%
176 ZONING BOARD	\$1,800	\$0	\$1,800	\$1,800	0	\$0	100.0%
182 PLANNING & DEVELOPMENT	\$319,798	\$0	\$319,798	\$309,965	0	\$9,833	96.9%
191 LEGAL DEPARTMENT	\$70,000	\$30,000	\$100,000	\$96,395	3,605	\$0	100.0%
210 POLICE DEPARTMENT	\$3,588,935	\$76,212	\$3,665,147	\$3,656,049	0	\$9,098	99.8%
220 FIRE DEPARTMENT	\$3,644,887	\$85,000	\$3,729,887	\$3,722,127	4,847	\$2,914	99.9%
241 BUILDING DEPARTMENT	\$178,038	\$0	\$178,038	\$171,513	0	\$6,525	96.3%
291 EMERGENCY MANAGEMENT	\$29,100	\$0	\$29,100	\$26,077	304	\$2,719	90.7%
292 ANIMAL CONTROL	\$65,327	\$0	\$65,327	\$60,451	2,840	\$2,036	96.9%
293 PARKING CLERK DEPARTMENT	\$48,153	\$0	\$48,153	\$43,502	0	\$4,651	90.3%
300 SCHOOL DEPARTMENT	\$28,651,701	-\$20,000	\$28,631,701	\$26,465,100	2,166,601	\$0	100.0%
398 ESSEX NORTH SHORE TECH SCHOOL	\$73,000	-\$15,500	\$57,500	\$55,818	0	\$1,682	97.1%
399 WHITTIER VO TECH SCHOOL	\$568,149	\$0	\$568,149	\$568,149	0	\$0	100.0%
421 PUBLIC SERVICES DEPARTMENT	\$2,841,055	\$158,173	\$2,999,228	\$2,673,317	155,437	\$170,474	94.3%
423 SNOW & ICE	\$200,000	\$191,819	\$391,819	\$391,819	0	\$0	100.0%
510 HEALTH DEPARTMENT	\$218,045	\$0	\$218,045	\$207,327	4,022	\$6,697	96.9%
519 SUSTAINABILITY	\$1,221,369	\$60,000	\$1,281,369	\$1,188,883	91,527	\$958	99.9%
541 COUNCIL ON AGING	\$303,633	\$0	\$303,633	\$300,689	0	\$2,945	99.0%
542 YOUTH SERVICES	\$279,604	\$15,000	\$294,604	\$279,869	1,607	\$13,128	95.5%
543 VETERANS' DEPARTMENT	\$305,761	\$0	\$305,761	\$262,433	0	\$43,327	85.8%
610 LIBRARY DEPARTMENT	\$1,352,886	\$0	\$1,352,886	\$1,341,994	0	\$10,892	99.2%
630 PARKS COMMISSION	\$206,367	\$0	\$206,367	\$206,367	0	\$0	100.0%
691 HISTORICAL COMMISSION	\$1,800	\$0	\$1,800	\$1,800	0	\$0	100.0%
710 DEBT EXCLUSION	\$3,166,609	\$0	\$3,166,609	\$3,166,609	0	\$0	100.0%
720 ORDINARY DEBT SERVICE	\$820,282	\$0	\$820,282	\$805,338	0	\$14,943	98.2%
911 RETIREMENT BOARD	\$3,924,742	\$0	\$3,924,742	\$3,924,742	0	\$0	100.0%
914 INSURANCE GROUP	\$9,404,704	-\$124,960	\$9,279,744	\$9,127,806	0	\$151,938	98.4%
921 COMMISSION ON DISABILITY	\$2,640	\$0	\$2,640	\$2,640	0	\$0	100.0%
001 GENERAL FUND Total	\$64,020,704	\$398,492	\$64,419,196	\$61,483,071	2,440,957	\$495,167	99.2%
060 WATER ENTERPRISE FUND Total	\$5,107,870	\$0	\$5,107,870	\$4,721,688	146,517	\$239,665	95.3%
061 SEWER ENTERPRISE FUND Total	\$7,060,654	\$0	\$7,060,654	\$6,596,710	119,768	\$344,177	95.1%
6520 HARBORMASTER ENTERPRISE FUND Total	\$467,830	\$4,494	\$472,324	\$453,329	0	\$18,996	96.0%
TOTAL BUDGETARY FUNDS	\$76,657,058	\$402,986	\$77,060,044	\$73,254,799	2,707,242	\$1,098,004	98.6%



City of Newburyport
FY2018 Year-End Expenditures by Budget Category

	ORIGINAL APPROP.	TRANSFERS/ ADJUST.	REVISED BUDGET	FY2018 EXPENDED	FY2018 ENCUMB.	REMAINING BUDGET	% USED
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001 GENERAL FUND

111 CITY COUNCIL

001 PERSONNEL SERVICES	\$60,944	\$0	\$60,944	\$60,931	0	\$13	100.0%
002 PURCHASE OF SERVICES	\$6,500	\$4,000	\$10,500	\$10,500	0	\$0	100.0%
111 CITY COUNCIL Total	\$67,444	\$4,000	\$71,444	\$71,431	0	\$13	100.0%

121 MAYOR'S DEPARTMENT

001 PERSONNEL SERVICES	\$232,230	\$0	\$232,230	\$232,094	0	\$136	99.9%
002 PURCHASE OF SERVICES	\$40,000	\$0	\$40,000	\$40,000	0	\$0	100.0%
007 OTHER CHARGES & EXPENSES	\$15,000	\$0	\$15,000	\$13,650	1,350	\$0	100.0%
121 MAYOR'S DEPARTMENT Total	\$287,230	\$0	\$287,230	\$285,744	1,350	\$136	100.0%

129 GENERAL ADMINISTRATION

001 PERSONNEL SERVICES	\$13,500	\$0	\$13,500	\$8,057	0	\$5,443	59.7%
002 PURCHASE OF SERVICES	\$150,500	\$8,550	\$159,050	\$158,662	54	\$333	99.8%
004 SUPPLIES	\$9,000	\$0	\$9,000	\$9,000	0	\$0	100.0%
007 OTHER CHARGES & EXPENSES	\$257,009	-\$76,212	\$180,797	\$180,702	0	\$95	99.9%
129 GENERAL ADMINISTRATION Total	\$430,009	-\$67,662	\$362,347	\$356,421	54	\$5,871	98.4%

135 AUDITOR'S DEPARTMENT

001 PERSONNEL SERVICES	\$272,927	\$0	\$272,927	\$272,927	0	\$0	100.0%
002 PURCHASE OF SERVICES	\$46,500	\$0	\$46,500	\$41,902	4,598	\$0	100.0%
004 SUPPLIES	\$1,500	\$0	\$1,500	\$1,500	0	\$0	100.0%
007 OTHER CHARGES & EXPENSES	\$490	\$0	\$490	\$455	0	\$35	92.9%
135 AUDITOR'S DEPARTMENT Total	\$321,417	\$0	\$321,417	\$316,783	4,598	\$35	100.0%

141 ASSESSORS DEPARTMENT

001 PERSONNEL SERVICES	\$202,562	\$0	\$202,562	\$202,562	0	\$0	100.0%
002 PURCHASE OF SERVICES	\$15,720	\$0	\$15,720	\$15,245	0	\$475	97.0%
004 SUPPLIES	\$3,325	\$0	\$3,325	\$3,000	0	\$325	90.2%
007 OTHER CHARGES & EXPENSES	\$700	\$0	\$700	\$688	0	\$12	98.3%
141 ASSESSORS DEPARTMENT Total	\$222,307	\$0	\$222,307	\$221,495	0	\$812	99.6%

145 TREASURER'S DEPARTMENT

001 PERSONNEL SERVICES	\$251,916	\$0	\$251,916	\$250,235	0	\$1,681	99.3%
002 PURCHASE OF SERVICES	\$38,700	\$0	\$38,700	\$30,026	1,000	\$7,674	80.2%
004 SUPPLIES	\$3,800	\$0	\$3,800	\$3,738	0	\$62	98.4%
007 OTHER CHARGES & EXPENSES	\$1,850	\$0	\$1,850	\$1,650	0	\$200	89.2%
145 TREASURER'S DEPARTMENT Total	\$296,266	\$0	\$296,266	\$285,649	1,000	\$9,617	96.8%

151 INFO TECHNOLOGY DEPT

001 PERSONNEL SERVICES	\$92,928	\$0	\$92,928	\$92,927	0	\$0	100.0%
002 PURCHASE OF SERVICES	\$213,885	\$0	\$213,885	\$211,368	2,404	\$113	99.9%
004 SUPPLIES	\$2,000	\$0	\$2,000	\$2,000	0	\$0	100.0%
151 INFO TECHNOLOGY DEPT Total	\$308,813	\$0	\$308,813	\$306,295	2,404	\$113	100.0%

152 HUMAN RESOURCES

001 PERSONNEL SERVICES	\$146,369	\$0	\$146,369	\$144,734	0	\$1,635	98.9%
002 PURCHASE OF SERVICES	\$143,663	\$0	\$143,663	\$122,281	0	\$21,382	85.1%
004 SUPPLIES	\$1,500	\$0	\$1,500	\$1,444	0	\$56	96.2%
007 OTHER CHARGES & EXPENSES	\$200	\$0	\$200	\$199	0	\$1	99.5%
152 HUMAN RESOURCES Total	\$291,732	\$0	\$291,732	\$268,657	0	\$23,075	92.1%

	ORIGINAL APPROP.	TRANSFERS/ ADJUST.	REVISED BUDGET	FY2018 EXPENDED	FY2018 ENCUMB.	REMAINING BUDGET	% USED
161 CITY CLERK'S DEPARTMENT							
001 PERSONNEL SERVICES	\$240,897	\$0	\$240,897	\$240,876	0	\$21	100.0%
002 PURCHASE OF SERVICES	\$12,100	\$0	\$12,100	\$10,783	760	\$557	95.4%
161 CITY CLERK'S DEPARTMENT Total	\$252,997	\$0	\$252,997	\$251,659	760	\$578	99.8%
163 BOARD OF REGISTRARS							
001 PERSONNEL SERVICES	\$4,165	\$0	\$4,165	\$4,164	0	\$1	100.0%
007 OTHER CHARGES & EXPENSES	\$40,000	\$5,000	\$45,000	\$44,844	0	\$156	99.7%
163 BOARD OF REGISTRARS Total	\$44,165	\$5,000	\$49,165	\$49,008	0	\$157	99.7%
165 LICENSE COMMISSION							
001 PERSONNEL SERVICES	\$5,340	\$900	\$6,240	\$6,240	0	\$0	100.0%
007 OTHER CHARGES & EXPENSES	\$1,000	\$510	\$1,510	\$1,510	0	\$0	100.0%
165 LICENSE COMMISSION Total	\$6,340	\$1,410	\$7,750	\$7,750	0	\$0	100.0%
171 CONSERVATION COMMISSION							
001 PERSONNEL SERVICES	\$1,800	\$0	\$1,800	\$1,800	0	\$0	100.0%
171 CONSERVATION COMMISSION Total	\$1,800	\$0	\$1,800	\$1,800	0	\$0	100.0%
175 PLANNING BOARD							
001 PERSONNEL SERVICES	\$1,800	\$0	\$1,800	\$1,800	0	\$0	100.0%
175 PLANNING BOARD Total	\$1,800	\$0	\$1,800	\$1,800	0	\$0	100.0%
176 ZONING BOARD							
001 PERSONNEL SERVICES	\$1,800	\$0	\$1,800	\$1,800	0	\$0	100.0%
176 ZONING BOARD Total	\$1,800	\$0	\$1,800	\$1,800	0	\$0	100.0%
182 PLANNING & DEVELOPMENT							
001 PERSONNEL SERVICES	\$303,248	\$0	\$303,248	\$293,517	0	\$9,731	96.8%
002 PURCHASE OF SERVICES	\$12,000	\$0	\$12,000	\$11,899	0	\$102	99.2%
004 SUPPLIES	\$4,550	\$0	\$4,550	\$4,550	0	\$0	100.0%
182 PLANNING & DEVELOPMENT Total	\$319,798	\$0	\$319,798	\$309,965	0	\$9,833	96.9%
191 LEGAL DEPARTMENT							
002 PURCHASE OF SERVICES	\$70,000	\$30,000	\$100,000	\$96,395	3,605	\$0	100.0%
191 LEGAL DEPARTMENT Total	\$70,000	\$30,000	\$100,000	\$96,395	3,605	\$0	100.0%
210 POLICE DEPARTMENT							
001 PERSONNEL SERVICES	\$3,256,523	\$76,212	\$3,332,735	\$3,327,360	0	\$5,375	99.8%
002 PURCHASE OF SERVICES	\$167,062	-\$6,000	\$161,062	\$160,270	0	\$792	99.5%
004 SUPPLIES	\$89,600	-\$22,581	\$67,019	\$64,192	0	\$2,827	95.8%
007 OTHER CHARGES & EXPENSES	\$14,750	\$0	\$14,750	\$14,750	0	\$0	100.0%
008 CAPITAL OUTLAY	\$61,000	\$28,581	\$89,581	\$89,478	0	\$103	99.9%
210 POLICE DEPARTMENT Total	\$3,588,935	\$76,212	\$3,665,147	\$3,656,049	0	\$9,098	99.8%
220 FIRE DEPARTMENT							
001 PERSONNEL SERVICES	\$3,411,437	\$85,000	\$3,496,437	\$3,496,437	0	\$0	100.0%
002 PURCHASE OF SERVICES	\$171,500	\$0	\$171,500	\$168,979	2,520	\$1	100.0%
004 SUPPLIES	\$56,500	\$0	\$56,500	\$52,748	2,327	\$1,425	97.5%
007 OTHER CHARGES & EXPENSES	\$5,450	\$0	\$5,450	\$3,962	0	\$1,488	72.7%
220 FIRE DEPARTMENT Total	\$3,644,887	\$85,000	\$3,729,887	\$3,722,127	4,847	\$2,914	99.9%
241 BUILDING DEPARTMENT							
001 PERSONNEL SERVICES	\$177,038	\$0	\$177,038	\$170,513	0	\$6,525	96.3%

	ORIGINAL APPROP.	TRANSFERS/ ADJUST.	REVISED BUDGET	FY2018 EXPENDED	FY2018 ENCUMB.	REMAINING BUDGET	% USED
002 PURCHASE OF SERVICES	\$1,000	\$0	\$1,000	\$1,000	0	\$0	100.0%
241 BUILDING DEPARTMENT Total	\$178,038	\$0	\$178,038	\$171,513	0	\$6,525	96.3%
291 EMERGENCY MANAGEMENT							
001 PERSONNEL SERVICES	\$14,000	\$0	\$14,000	\$14,000	0	\$0	100.0%
002 PURCHASE OF SERVICES	\$12,000	\$0	\$12,000	\$10,795	304	\$901	92.5%
004 SUPPLIES	\$1,100	\$0	\$1,100	\$996	0	\$104	90.6%
007 OTHER CHARGES & EXPENSES	\$2,000	\$0	\$2,000	\$286	0	\$1,714	14.3%
291 EMERGENCY MANAGEMENT Total	\$29,100	\$0	\$29,100	\$26,077	304	\$2,719	90.7%
292 ANIMAL CONTROL							
001 PERSONNEL SERVICES	\$54,897	\$0	\$54,897	\$54,723	0	\$174	99.7%
002 PURCHASE OF SERVICES	\$7,840	\$0	\$7,840	\$3,377	2,821	\$1,642	79.1%
004 SUPPLIES	\$2,290	\$0	\$2,290	\$2,128	20	\$142	93.8%
007 OTHER CHARGES & EXPENSES	\$300	\$0	\$300	\$223	0	\$77	74.3%
292 ANIMAL CONTROL Total	\$65,327	\$0	\$65,327	\$60,451	2,840	\$2,036	96.9%
293 PARKING CLERK DEPARTMENT							
001 PERSONNEL SERVICES	\$48,153	\$0	\$48,153	\$43,502	0	\$4,651	90.3%
293 PARKING CLERK DEPARTMENT Total	\$48,153	\$0	\$48,153	\$43,502	0	\$4,651	90.3%
300 SCHOOL DEPARTMENT							
002 PURCHASE OF SERVICES	\$28,651,701	-\$20,000	\$28,631,701	\$26,465,100	2,166,601	\$0	100.0%
300 SCHOOL DEPARTMENT Total	\$28,651,701	-\$20,000	\$28,631,701	\$26,465,100	2,166,601	\$0	100.0%
398 ESSEX NORTH SHORE TECH SCHOOL							
002 PURCHASE OF SERVICES	\$73,000	-\$15,500	\$57,500	\$55,818	0	\$1,682	97.1%
398 ESSEX NORTH SHORE TECH SCHOOL Total	\$73,000	-\$15,500	\$57,500	\$55,818	0	\$1,682	97.1%
399 WHITTIER VO TECH SCHOOL							
002 PURCHASE OF SERVICES	\$568,149	\$0	\$568,149	\$568,149	0	\$0	100.0%
399 WHITTIER VO TECH SCHOOL Total	\$568,149	\$0	\$568,149	\$568,149	0	\$0	100.0%
421 PUBLIC SERVICES DEPARTMENT							
001 PERSONNEL SERVICES	\$1,806,956	\$0	\$1,806,956	\$1,698,034	586	\$108,335	94.0%
002 PURCHASE OF SERVICES	\$482,337	\$93,173	\$575,510	\$473,709	41,459	\$60,342	89.5%
004 SUPPLIES	\$258,475	\$65,000	\$323,475	\$313,633	8,045	\$1,797	99.4%
008 CAPITAL OUTLAY	\$293,287	\$0	\$293,287	\$187,941	105,346	\$0	100.0%
421 PUBLIC SERVICES DEPARTMENT Total	\$2,841,055	\$158,173	\$2,999,228	\$2,673,317	155,437	\$170,474	94.3%
423 SNOW & ICE							
001 PERSONNEL SERVICES	\$100,000	\$7,921	\$107,921	\$107,921	0	\$0	100.0%
002 PURCHASE OF SERVICES	\$100,000	\$183,897	\$283,897	\$283,897	0	\$0	100.0%
423 SNOW & ICE Total	\$200,000	\$191,819	\$391,819	\$391,819	0	\$0	100.0%
510 HEALTH DEPARTMENT							
001 PERSONNEL SERVICES	\$174,181	\$0	\$174,181	\$174,181	0	\$0	100.0%
002 PURCHASE OF SERVICES	\$38,364	\$0	\$38,364	\$28,240	3,795	\$6,329	83.5%
004 SUPPLIES	\$4,500	\$0	\$4,500	\$4,273	227	\$0	100.0%
007 OTHER CHARGES & EXPENSES	\$1,000	\$0	\$1,000	\$633	0	\$367	63.3%
510 HEALTH DEPARTMENT Total	\$218,045	\$0	\$218,045	\$207,327	4,022	\$6,697	96.9%
519 SUSTAINABILITY							
001 PERSONNEL SERVICES	\$94,869	\$0	\$94,869	\$93,911	0	\$958	99.0%
002 PURCHASE OF SERVICES	\$1,125,500	\$60,000	\$1,185,500	\$1,093,973	91,527	\$0	100.0%

	ORIGINAL APPROP.	TRANSFERS/ ADJUST.	REVISED BUDGET	FY2018 EXPENDED	FY2018 ENCUMB.	REMAINING BUDGET	% USED
004 SUPPLIES	\$1,000	\$0	\$1,000	\$1,000	0	\$0	100.0%
519 SUSTAINABILITY Total	\$1,221,369	\$60,000	\$1,281,369	\$1,188,883	91,527	\$958	99.9%
541 COUNCIL ON AGING							
001 PERSONNEL SERVICES	\$266,133	\$0	\$266,133	\$263,189	0	\$2,945	98.9%
002 PURCHASE OF SERVICES	\$24,500	\$0	\$24,500	\$24,500	0	\$0	100.0%
004 SUPPLIES	\$13,000	\$0	\$13,000	\$13,000	0	\$0	100.0%
541 COUNCIL ON AGING Total	\$303,633	\$0	\$303,633	\$300,689	0	\$2,945	99.0%
542 YOUTH SERVICES							
001 PERSONNEL SERVICES	\$169,643	\$0	\$169,643	\$169,643	0	\$0	100.0%
002 PURCHASE OF SERVICES	\$24,300	\$0	\$24,300	\$16,028	400	\$7,873	67.6%
007 OTHER CHARGES & EXPENSES	\$85,661	\$15,000	\$100,661	\$94,198	1,207	\$5,256	94.8%
542 YOUTH SERVICES Total	\$279,604	\$15,000	\$294,604	\$279,869	1,607	\$13,128	95.5%
543 VETERANS' DEPARTMENT							
001 PERSONNEL SERVICES	\$126,621	\$0	\$126,621	\$126,621	0	\$0	100.0%
002 PURCHASE OF SERVICES	\$5,720	\$0	\$5,720	\$2,804	0	\$2,916	49.0%
007 OTHER CHARGES & EXPENSES	\$173,420	\$0	\$173,420	\$133,008	0	\$40,412	76.7%
543 VETERANS' DEPARTMENT Total	\$305,761	\$0	\$305,761	\$262,433	0	\$43,327	85.8%
610 LIBRARY DEPARTMENT							
001 PERSONNEL SERVICES	\$1,010,311	\$0	\$1,010,311	\$999,619	0	\$10,692	98.9%
002 PURCHASE OF SERVICES	\$342,575	\$0	\$342,575	\$342,375	0	\$201	99.9%
610 LIBRARY DEPARTMENT Total	\$1,352,886	\$0	\$1,352,886	\$1,341,994	0	\$10,892	99.2%
630 PARKS COMMISSION							
001 PERSONNEL SERVICES	\$160,967	\$9,000	\$169,967	\$169,967	0	\$0	100.0%
002 PURCHASE OF SERVICES	\$40,400	-\$9,000	\$31,400	\$31,400	0	\$0	100.0%
004 SUPPLIES	\$5,000	\$0	\$5,000	\$5,000	0	\$0	100.0%
630 PARKS COMMISSION Total	\$206,367	\$0	\$206,367	\$206,367	0	\$0	100.0%
691 HISTORICAL COMMISSION							
001 PERSONNEL SERVICES	\$1,800	\$0	\$1,800	\$1,800	0	\$0	100.0%
691 HISTORICAL COMMISSION Total	\$1,800	\$0	\$1,800	\$1,800	0	\$0	100.0%
710 DEBT EXCLUSION							
009 DEBT SERVICE	\$3,166,609	\$0	\$3,166,609	\$3,166,609	0	\$0	100.0%
710 DEBT EXCLUSION Total	\$3,166,609	\$0	\$3,166,609	\$3,166,609	0	\$0	100.0%
720 ORDINARY DEBT SERVICE							
009 DEBT SERVICE	\$820,282	\$0	\$820,282	\$805,338	0	\$14,943	98.2%
720 ORDINARY DEBT SERVICE Total	\$820,282	\$0	\$820,282	\$805,338	0	\$14,943	98.2%
911 RETIREMENT BOARD							
001 PERSONNEL SERVICES	\$3,924,742	\$0	\$3,924,742	\$3,924,742	0	\$0	100.0%
911 RETIREMENT BOARD Total	\$3,924,742	\$0	\$3,924,742	\$3,924,742	0	\$0	100.0%
914 INSURANCE GROUP							
001 PERSONNEL SERVICES	\$9,404,704	-\$124,960	\$9,279,744	\$9,127,806	0	\$151,938	98.4%
914 INSURANCE GROUP Total	\$9,404,704	-\$124,960	\$9,279,744	\$9,127,806	0	\$151,938	98.4%
921 COMMISSION ON DISABILITY							
001 PERSONNEL SERVICES	\$2,640	\$0	\$2,640	\$2,640	0	\$0	100.0%
921 COMMISSION ON DISABILITY Total	\$2,640	\$0	\$2,640	\$2,640	0	\$0	100.0%

	ORIGINAL APPROP.	TRANSFERS/ ADJUST.	REVISED BUDGET	FY2018 EXPENDED	FY2018 ENCUMB.	REMAINING BUDGET	% USED
001 GENERAL FUND Total	<u>\$64,020,704</u>	<u>\$398,492</u>	<u>\$64,419,196</u>	<u>\$61,483,071</u>	<u>2,440,957</u>	<u>\$495,167</u>	<u>99.2%</u>
060 WATER ENTERPRISE FUND							
450 WATER DEPARTMENT							
001 PERSONNEL SERVICES	\$2,094,011	\$0	\$2,094,011	\$1,989,059	41	\$104,910	95.0%
002 PURCHASE OF SERVICES	\$887,251	\$0	\$887,251	\$701,160	140,672	\$45,418	94.9%
004 SUPPLIES	\$186,147	\$0	\$186,147	\$157,628	1,684	\$26,835	85.6%
007 OTHER CHARGES & EXPENSES	\$93,724	\$0	\$93,724	\$81,627	0	\$12,097	87.1%
008 CAPITAL OUTLAY	\$161,000	\$0	\$161,000	\$106,475	4,120	\$50,405	68.7%
009 DEBT SERVICE	\$1,685,738	\$0	\$1,685,738	\$1,685,738	0	\$0	100.0%
450 WATER DEPARTMENT Total	<u>\$5,107,870</u>	<u>\$0</u>	<u>\$5,107,870</u>	<u>\$4,721,688</u>	<u>146,517</u>	<u>\$239,665</u>	<u>95.3%</u>
060 WATER ENTERPRISE FUND Total	<u>\$5,107,870</u>	<u>\$0</u>	<u>\$5,107,870</u>	<u>\$4,721,688</u>	<u>146,517</u>	<u>\$239,665</u>	<u>95.3%</u>
061 SEWER ENTERPRISE FUND							
440 SEWER DEPARTMENT							
001 PERSONNEL SERVICES	\$2,227,056	\$0	\$2,227,056	\$2,135,352	0	\$91,705	95.9%
002 PURCHASE OF SERVICES	\$1,326,920	-\$90,000	\$1,236,920	\$1,050,764	61,798	\$124,359	89.9%
004 SUPPLIES	\$315,978	\$90,000	\$405,978	\$355,022	16,724	\$34,232	91.6%
007 OTHER CHARGES & EXPENSES	\$79,375	\$0	\$79,375	\$72,437	0	\$6,938	91.3%
008 CAPITAL OUTLAY	\$275,000	\$0	\$275,000	\$146,811	41,247	\$86,943	68.4%
009 DEBT SERVICE	\$2,836,325	\$0	\$2,836,325	\$2,836,325	0	\$0	100.0%
440 SEWER DEPARTMENT Total	<u>\$7,060,654</u>	<u>\$0</u>	<u>\$7,060,654</u>	<u>\$6,596,710</u>	<u>119,768</u>	<u>\$344,177</u>	<u>95.1%</u>
061 SEWER ENTERPRISE FUND Total	<u>\$7,060,654</u>	<u>\$0</u>	<u>\$7,060,654</u>	<u>\$6,596,710</u>	<u>119,768</u>	<u>\$344,177</u>	<u>95.1%</u>
6520 HARBORMASTER ENTERPRISE FUND							
295 HARBORMASTER DEPARTMENT							
001 PERSONNEL SERVICES	\$268,039	\$0	\$268,039	\$257,607	0	\$10,433	96.1%
002 PURCHASE OF SERVICES	\$50,050	\$0	\$50,050	\$48,640	0	\$1,410	97.2%
004 SUPPLIES	\$18,700	\$0	\$18,700	\$16,865	0	\$1,835	90.2%
007 OTHER CHARGES & EXPENSES	\$11,000	\$0	\$11,000	\$7,773	0	\$3,227	70.7%
008 CAPITAL OUTLAY	\$50,000	\$0	\$50,000	\$47,909	0	\$2,091	95.8%
009 DEBT SERVICE	\$70,041	\$4,494	\$74,535	\$74,535	0	\$0	100.0%
295 HARBORMASTER DEPARTMENT Total	<u>\$467,830</u>	<u>\$4,494</u>	<u>\$472,324</u>	<u>\$453,329</u>	<u>0</u>	<u>\$18,996</u>	<u>96.0%</u>
6520 HARBORMASTER ENTERPRISE FUND Total	<u>\$467,830</u>	<u>\$4,494</u>	<u>\$472,324</u>	<u>\$453,329</u>	<u>0</u>	<u>\$18,996</u>	<u>96.0%</u>
TOTAL BUDGETARY FUNDS	<u>\$76,657,058</u>	<u>\$402,986</u>	<u>\$77,060,044</u>	<u>\$73,254,799</u>	<u>2,707,242</u>	<u>\$1,098,004</u>	<u>98.6%</u>



City of Newburyport
FY2018 Year-End Revenue Summary

	FY2016 ACTUAL	FY2017 ACTUAL	FY2018 ESTIMATE	FY2018 ACTUAL	OVER/ (BELOW) ESTIMATE	% OF ESTIMATE	% OVER PRIOR YEAR
001 GENERAL FUND							
412 REAL ESTATE TAX REVENUE	\$49,470,173	\$51,563,374	\$54,348,166	\$53,946,873	(\$401,293)	99.3%	4.6%
411 PER PROP TAX REVENUE	\$644,788	\$662,533	\$663,951	\$664,093	\$142	100.0%	0.2%
401 MOTOR VEHICLE EXCISE	\$2,620,498	\$2,707,801	\$2,450,000	\$2,710,467	\$260,467	110.6%	0.1%
402 OTHER EXCISE	\$717,374	\$920,895	\$845,000	\$963,447	\$118,447	114.0%	4.6%
403 PEN/INT ON TAX & EXCISE	\$331,595	\$296,694	\$290,000	\$370,159	\$80,159	127.6%	24.8%
404 PAYMENT IN LIEU TAXES	\$100,377	\$61,351	\$60,000	\$62,612	\$2,612	104.4%	2.1%
410 FEES	\$462,106	\$342,048	\$340,000	\$402,086	\$62,086	118.3%	17.6%
416 OTHER DEPARTMENT REVENUE	\$57,623	\$64,393	\$55,000	\$61,392	\$6,392	111.6%	-4.7%
417 LICENSES/PERMITS	\$1,071,855	\$1,011,209	\$700,000	\$964,669	\$264,669	137.8%	-4.6%
419 FINES & FORFEITS	\$14,586	\$13,994	\$10,000	\$13,856	\$3,856	138.6%	-1.0%
420 INVESTMENT INCOME	\$49,074	\$60,015	\$45,000	\$130,350	\$85,350	289.7%	117.2%
421 MISCELLANEOUS RECURRING	\$270,258	\$303,190	\$238,000	\$288,018	\$50,018	121.0%	-5.0%
422 MISCELLANEOUS NON-RECURRING	\$260,325	\$172,574	\$0	\$62,824	\$62,824		-63.6%
460 STATE AID	\$4,045,959	\$4,311,955	\$4,265,776	\$4,362,522	\$96,746	102.3%	1.2%
001 GENERAL FUND Total	\$60,117,422	\$62,492,027	\$64,310,893	\$65,003,369	\$692,476	101.1%	4.0%
060 WATER ENTERPRISE FUND Total	\$5,452,066	\$5,485,689	\$5,107,870	\$5,253,640	\$145,770	102.9%	-4.2%
061 SEWER ENTERPRISE FUND Total	\$6,446,941	\$6,791,900	\$6,385,654	\$6,537,286	\$151,631	102.4%	-3.7%
6520 HARBORMASTER ENTERPRISE FUND Total	\$433,718	\$498,615	\$467,830	\$491,483	\$23,653	105.1%	-1.4%
TOTAL BUDGETARY FUNDS	\$72,450,147	\$75,268,230	\$76,272,247	\$77,285,777	\$1,013,530	101.3%	2.7%



City of Newburyport
FY2018 Year-End Revenue by Category

	FY2016 ACTUAL	FY2017 ACTUAL	FY2018 ESTIMATE	FY2018 ACTUAL	OVER/ (BELOW) ESTIMATE	% OF ESTIMATE	% OVER PRIOR YEAR
001 GENERAL FUND							
412 REAL ESTATE TAX REVENUE	\$49,470,173	\$51,563,374	\$54,348,166	\$53,946,873	(\$401,293)	99.3%	4.6%
411 PER PROP TAX REVENUE	\$644,788	\$662,533	\$663,951	\$664,093	\$142	100.0%	0.2%
401 MOTOR VEHICLE EXCISE	\$2,620,498	\$2,707,801	\$2,450,000	\$2,710,467	\$260,467	110.6%	0.1%
402 OTHER EXCISE							
MEALS EXCISE	\$586,573	\$591,292	\$525,000	\$627,528	\$102,528	119.5%	6.1%
CO MA ROOM OCCUPANCY	\$130,608	\$220,859	\$220,000	\$223,725	\$3,725	101.7%	1.3%
CO MA URBAN REDEVELOPMENT	\$0	\$108,744	\$100,000	\$112,141	\$12,141	112.1%	3.1%
BOAT REVENUE	\$194	\$0	\$0	\$53	\$53		
402 OTHER EXCISE Total	\$717,374	\$920,895	\$845,000	\$963,447	\$118,447	114.0%	4.6%
403 PEN/INT ON TAX & EXCISE							
INT/PEN PP/RE TAX REV	\$161,205	\$140,518	\$140,000	\$155,454	\$15,454	111.0%	10.6%
INT ON TAX TITLES	\$37,841	\$37,024	\$40,000	\$82,435	\$42,435	206.1%	122.7%
INT/PEN MV/BT EXCISE	\$66,520	\$71,783	\$70,000	\$65,909	(\$4,091)	94.2%	-8.2%
CO MA REG MOTOR VEHICLES	\$64,008	\$45,893	\$40,000	\$64,856	\$24,856	162.1%	41.3%
INT/PEN SA PI - SWR	\$1,083	\$778	\$0	\$783	\$783		0.7%
INT/PEN SA PI - WTR	\$861	\$620	\$0	\$624	\$624		0.6%
INT/PEN SA LOW ST	\$78	\$79	\$0	\$98	\$98		23.4%
403 PEN/INT ON TAX & EXCISE Total	\$331,595	\$296,694	\$290,000	\$370,159	\$80,159	127.6%	24.8%
404 PAYMENT IN LIEU TAXES							
PAYMENT IN LIEU TAXES	\$100,377	\$61,351	\$60,000	\$62,612	\$2,612	104.4%	2.1%
404 PAYMENT IN LIEU TAXES Total	\$100,377	\$61,351	\$60,000	\$62,612	\$2,612	104.4%	2.1%
410 FEES							
TAX TITLE REVENUE	\$308,849	\$196,109	\$196,000	\$250,357	\$54,357	127.7%	27.7%
FIRE MASTER BOX CONNECTION FEE	\$87,455	\$83,100	\$85,000	\$85,527	\$527	100.6%	2.9%
OFF DUTY FEES	\$30,783	\$33,327	\$30,000	\$38,793	\$8,793	129.3%	16.4%
MUNICIPAL LIENS	\$21,957	\$23,900	\$23,000	\$20,450	(\$2,550)	88.9%	-14.4%
REGISTRY FEES	\$8,700	\$5,577	\$6,000	\$6,960	\$960	116.0%	24.8%
ROLL BACK TAX REVENUE	\$4,353	\$0	\$0	\$0	\$0		
410 FEES Total	\$462,106	\$342,048	\$340,000	\$402,086	\$62,086	118.3%	17.6%
416 OTHER DEPARTMENT REVENUE							
COPIES/RECORDINGS	\$47,293	\$50,738	\$47,000	\$49,522	\$2,522	105.4%	-2.4%
BUSINESS CERTIFICATES	\$7,290	\$8,610	\$5,000	\$8,885	\$3,885	177.7%	3.2%
ZONING/ORDINANCES	\$3,040	\$5,045	\$3,000	\$2,985	(\$15)	99.5%	-40.8%
416 OTHER DEPARTMENT REVENUE Total	\$57,623	\$64,393	\$55,000	\$61,392	\$6,392	111.6%	-4.7%
417 LICENSES/PERMITS							
BLDG DEPT ALTERATION PERMITS	\$372,698	\$510,239	\$253,500	\$293,935	\$40,435	116.0%	-42.4%
LICENSE FEES	\$212,640	\$210,913	\$200,000	\$227,200	\$27,200	113.6%	7.7%
BUILDING PERMITS	\$278,023	\$74,597	\$70,000	\$164,110	\$94,110	234.4%	120.0%
OTHER PERMITS	\$87,237	\$58,140	\$60,000	\$116,443	\$56,443	194.1%	100.3%
CLK PASSPORT	\$41,960	\$47,735	\$35,000	\$52,893	\$17,893	151.1%	10.8%
BLDG DEPT OTHER PERMITS	\$17,179	\$25,513	\$25,500	\$26,672	\$1,172	104.6%	4.5%
ROAD OPENING PERMIT DPW	\$11,258	\$28,672	\$15,000	\$25,812	\$10,812	172.1%	-10.0%

	FY2016 ACTUAL	FY2017 ACTUAL	FY2018 ESTIMATE	FY2018 ACTUAL	OVER/ (BELOW) ESTIMATE	% OF ESTIMATE	% OVER PRIOR YEAR
FIRE PERMITS	\$17,164	\$16,840	\$15,000	\$17,134	\$2,134	114.2%	1.7%
UTILITY CONTRACTORS LIC DPW	\$10,500	\$10,200	\$8,000	\$12,776	\$4,776	159.7%	25.3%
DOG LICENSES	\$14,385	\$12,565	\$11,500	\$12,525	\$1,025	108.9%	-0.3%
MARRIAGE LICENSES	\$3,865	\$5,040	\$3,000	\$4,910	\$1,910	163.7%	-2.6%
UTILITY PERMITS	\$803	\$5,380	\$2,000	\$4,175	\$2,175	208.8%	-22.4%
LICENSES/PERMITS DPW	\$2,850	\$4,405	\$1,000	\$3,078	\$2,078	307.8%	-30.1%
STORM WATER PERMIT FEES	\$533	\$544	\$0	\$2,857	\$2,857		425.1%
AUCTION LIC/PERMITS	\$320	\$85	\$50	\$150	\$100	300.0%	76.5%
RAFFLE PERMITS	\$440	\$375	\$400	\$0	(\$400)	0.0%	-100.0%
417 LICENSES/PERMITS Total	\$1,071,855	\$1,011,209	\$700,000	\$964,669	\$264,669	137.8%	-4.6%
419 FINES & FORFEITS							
COURT FINES	\$8,088	\$12,529	\$9,000	\$12,911	\$3,911	143.5%	3.0%
PARKING FINES	\$6,498	\$1,465	\$1,000	\$895	(\$105)	89.5%	-38.9%
419 FINES & FORFEITS Total	\$14,586	\$13,994	\$10,000	\$13,856	\$3,856	138.6%	-1.0%
420 INVESTMENT INCOME							
INT ON INVESTMENTS	\$49,074	\$60,015	\$45,000	\$130,350	\$85,350	289.7%	117.2%
420 INVESTMENT INCOME Total	\$49,074	\$60,015	\$45,000	\$130,350	\$85,350	289.7%	117.2%
421 MISCELLANEOUS RECURRING							
MISC RECURRING	\$141,446	\$159,827	\$138,000	\$178,431	\$40,431	129.3%	11.6%
CO MA DIV MEDICAL ASSISTANCE	\$124,612	\$139,110	\$100,000	\$107,460	\$7,460	107.5%	-22.8%
POL INCIDENT/ACCIDENTS	\$2,074	\$2,128	\$0	\$2,128	\$2,128		0.0%
CO MA EMERGENCY MANAGEMENT	\$2,125	\$2,125	\$0	\$0	\$0		-100.0%
421 MISCELLANEOUS RECURRING Total	\$270,258	\$303,190	\$238,000	\$288,018	\$50,018	121.0%	-5.0%
422 MISCELLANEOUS NON-RECURRING							
MISC NON-RECURRING	\$260,325	\$170,574	\$0	\$58,343	\$58,343		-65.8%
MISC REVENUE	\$0	\$0	\$0	\$3,631	\$3,631		
SALE OF MUNICIPAL PROPERTY	\$0	\$2,000	\$0	\$851	\$851		-57.5%
422 MISCELLANEOUS NON-RECURRING Total	\$260,325	\$172,574	\$0	\$62,824	\$62,824		-63.6%
460 STATE AID	\$4,045,959	\$4,311,955	\$4,265,776	\$4,362,522	\$96,746	102.3%	1.2%
001 GENERAL FUND Total	\$60,117,422	\$62,492,027	\$64,310,893	\$65,003,369	\$692,476	101.1%	4.0%
060 WATER ENTERPRISE FUND							
000 NULL CATEGORY							
UTILITY BILLING/METERS	\$4,756,876	\$4,949,972	\$4,822,870	\$4,665,206	(\$157,664)	96.7%	-5.8%
MISC FEES	\$226,238	\$246,335	\$200,000	\$281,989	\$81,989	141.0%	14.5%
REVENUE SPEC ASSES PI	\$181,519	\$165,027	\$0	\$175,691	\$175,691		6.5%
WATER LIENS	\$79,748	\$83,525	\$60,000	\$86,489	\$26,489	144.1%	3.5%
PENALTIES/INTEREST	\$23,969	\$25,806	\$25,000	\$29,349	\$4,349	117.4%	13.7%
MISC NON-RECURRING	\$10,132	\$15,023	\$0	\$14,916	\$14,916		-0.7%
PREMIUM FROM SALE OF BONDS	\$173,583	\$0	\$0	\$0	\$0		
060 WATER ENTERPRISE FUND Total	\$5,452,066	\$5,485,689	\$5,107,870	\$5,253,640	\$145,770	102.9%	-4.2%
061 SEWER ENTERPRISE FUND							
UTILITY BILLING/METERS	\$5,890,391	\$6,190,820	\$6,205,654	\$5,835,310	(\$370,345)	94.0%	-5.7%
MISC FEES	\$167,074	\$134,454	\$90,000	\$241,925	\$151,925	268.8%	79.9%
REVENUE SPEC ASSES PI	\$241,681	\$208,298	\$0	\$232,344	\$232,344		11.5%
SEWER LIENS	\$96,738	\$112,961	\$80,000	\$119,138	\$39,138	148.9%	5.5%
PENALTIES/INTEREST	\$29,498	\$34,143	\$0	\$79,036	\$79,036		131.5%

	FY2016 ACTUAL	FY2017 ACTUAL	FY2018 ESTIMATE	FY2018 ACTUAL	OVER/ (BELOW) ESTIMATE	% OF ESTIMATE	% OVER PRIOR YEAR
INDUSTRIAL PRETREATMNT	\$12,152	\$13,007	\$10,000	\$15,180	\$5,180	151.8%	16.7%
MISC NON-RECURRING	\$9,405	\$98,217	\$0	\$12,938	\$12,938		-86.8%
TAX TITLE REVENUE	\$0	\$0	\$0	\$1,414	\$1,414		
061 SEWER ENTERPRISE FUND Total	<u>\$6,446,941</u>	<u>\$6,791,900</u>	<u>\$6,385,654</u>	<u>\$6,537,286</u>	<u>\$151,631</u>	<u>102.4%</u>	<u>-3.7%</u>
6520 HARBORMASTER ENTERPRISE FUND							
HBR MOORING & SLIP	\$136,337	\$164,803	\$162,500	\$166,582	\$4,082	102.5%	1.1%
HBR PLUM ISLAND PRK	\$77,047	\$93,104	\$90,000	\$95,747	\$5,747	106.4%	2.8%
HBR WATERFRONT DOCKS	\$74,197	\$81,205	\$80,000	\$81,140	\$1,140	101.4%	-0.1%
BOAT EXCISE	\$69,828	\$73,589	\$73,330	\$69,156	(\$4,174)	94.3%	-6.0%
HBR CASHMAN PARK	\$40,416	\$42,776	\$42,000	\$42,144	\$144	100.3%	-1.5%
HBR VESSEL CHARGES	\$23,424	\$32,907	\$10,000	\$27,199	\$17,199	272.0%	-17.3%
HBR FISH PIER	\$3,200	\$5,200	\$5,000	\$5,800	\$800	116.0%	11.5%
PENALTIES/INTEREST	\$3,044	\$4,131	\$4,000	\$3,019	(\$981)	75.5%	-26.9%
HBR VIOLATIONS	\$4,460	\$200	\$0	\$350	\$350		75.0%
HBR SHELLFISH PERMITS	\$1,766	\$700	\$1,000	\$345	(\$655)	34.5%	-50.7%
6520 HARBORMASTER ENTERPRISE FUND Total	<u>\$433,718</u>	<u>\$498,615</u>	<u>\$467,830</u>	<u>\$491,483</u>	<u>\$23,653</u>	<u>105.1%</u>	<u>-1.4%</u>
TOTAL BUDGETARY FUNDS	<u>\$72,450,147</u>	<u>\$75,268,230</u>	<u>\$76,272,247</u>	<u>\$77,285,777</u>	<u>\$1,013,530</u>	<u>101.3%</u>	<u>2.7%</u>

* 421 Miscellaneous Recurring Revenue: Medicaid Reimbursements (\$107,460), Veterans Services (\$89,208), Cell tower lease payments (\$27,600), Animal Control (\$21,500), FWS Refuge Revenue Sharing (\$13,927), TNC (Uber) Surcharge (\$2,620), Police Incident/Accident (\$2,128).

** 422 Miscellaneous Non-Recurring Revenue: Prior Year Refund (\$36,388), Close-Out of Anniversary Fund (\$5,331), Bond Premiums (\$2,587), Claimed Funds (\$2,486), Flexible Spending Plan (\$2,042), Sale of Equipment (\$851), Other Small One-Time Receipts (\$13,139).

September 24, 2018
Committee Items-License & Permits

- ODNC023_05_29_18 LATE FILE Amendment to Waterways Fee
- COMM064_07_16_18 A-Frame- Sea Bags
- COMM065_07_16_18 LATE FILE Outdoor Seating- Superfine Food
- COMM071_08_13_18 Designated Driver Service
- COMM075_08_13_18 Outdoor Seating - Souffles
- COMM076_08_13_18 A-Frames - Keller Williams Realty
- COMM081_08_27_18 A-Frame- Angry Donut

Ldp

ODNC023_05_29_18

LATE FILE

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 29, 2018

**AN ORDINANCE TO AMEND THE BOATS, DOCKS, AND WATERWAYS
ORDINANCE OF THE CITY OF NEWBURYPORT, MASSACHUSETTS**

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

**CHAPTER IV: BOATS, DOCKS, AND WATERWAYS OF THE CITY OF
NEWBURYPORT Article II, Division IV, Subdivision A, Section 4-73 -- Fees.**

(e) Waterways fee.

1. Waterway and Mooring Permits are based upon the footage appearing on your registration or documentation. For all boats 17 feet or greater: Waterway permits are \$4.00 per foot and Mooring permits are \$3.00 per foot.
2. Boats under 17 feet are charged a flat rate of \$20.00.
3. Boats 20 feet or greater will also be charged a clean water surcharge of \$10.00.
4. All vessels in rack storage or stored on trailers in Newburyport Marinas must procure and display a waterways permit sticker. However, any vessel that will not be used during the current boating season may apply for an exemption from the harbormaster with written proof on non-usage.

Councillor Joseph H. Devlin

Councillor Gregory D. Earls

Swich
Board
LSP

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 JUN 21 AM 9:02

President Barry O'Connell
And Members of the City Council
Newburyport City Hall
60 Pleasant Street
Newburyport, MA 01950

Dear Mr. Connell:

The amendment to Chapter 12 – Streets, Sidewalks and Other Public Places, Sec. 1.5 prohibits A-frame signs beyond the 4 square feet of the sidewalk at the direct entrance of a business, has dictated me to write to you today for your support.

My name is Don Oakes and I own a business located at 6 STATE ST, the name of which is SEA BAGS. Because my business is not visible from STATE Street it poses a challenge for potential customers to shop at my location. I am respectfully requesting your approval to place my A-frame on STATE Street, near the corner of MELANCA. This location will provide maximum visibility and minimal invasion of the sidewalk. Also, by allowing me this variance my customers will have no difficulty locating my establishment.

I have attached my Application for Movable Signage on Public Property along with my check in the amount of \$100.00 made payable to the City of Newburyport. I appreciate your attention to this matter and look forward to hearing from you. If you have any further questions, please feel free to contact me at 207-756-3918 or email DOM@SEABAGS.COM

Thank you for your consideration.

Very truly yours,

APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY

Application Fee \$100.00

Date: 5/29/18

FOR CITY CLERK'S OFFICE ONLY
Date Recorded _____
Amount Paid _____

To the City Council of the City of Newburyport:

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

Name of Applicant SEA BAGS (PAUL GORE)

Street Address of Applicant 25 CUSTOM HOUSE WHARF

City, State, Zip of Applicant PORTLAND, ME 04101

Telephone Number of Applicant 207 780-0744 ext 231

Name of Business SEA BAGS

Address of Business 6 STATE STREET, Newburyport

Telephone Number of Business 207 239-2999

Approved location and description of moveable sign to be placed on Public Way

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

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

Signature of Applicant or Duly Authorized Agent _____ Date _____

Table 12-1.5

The following table is intended to serve as a quick-reference guide to the application of section 12-1.5, and does not substitute for the provisions of that section.

Proposed Object In Public Way	City Council Approval?	Permit from City Clerk?	Permit Fee	Max. Permit Duration	Max. Quantity of Object	Max. Dimensions	Permitted Locations
A-Frame Signs*	Not required	Required	\$100.00	2 Years	1 per public entrance to commercial buildings	2' W x 2' D x 4' H, and less than 4 sq. ft. total.	Sidewalk directly adjacent to related building
Merchandise Displays* (tables, clothing racks, or actual merchandise only)	Not required	Not required	N/A	N/A	1 per primary public entrance to commercial buildings	8' W x 4' D x 5' H. May be placed in segments, but aggregate width permitted for each primary public entrance cannot 8'	Sidewalk directly adjacent to related primary public entrance, parallel to exterior wall, starting within four feet (4') of primary public entrance
Beautification Items (e.g. planters)	Not required	Not required	N/A	N/A	N/A	N/A	Sidewalk directly adjacent to a lawfully occupied commercial building

* Exceptions may be granted by City Council on location, size, or moveability by written request of applicant.

All A-frame signs, merchandise displays, and beautification items placed on a public sidewalk shall preserve a travel lane along such sidewalk that is at least five (5) feet in width, and shall allow for free and unobstructed passage of pedestrians

be removed, without prior notice or compensation to its owner, by the city officer charged with enforcement under paragraph (j) of this section.

- (l) Each violation of paragraphs (a) through (i) of this section shall be punishable by a fine of one hundred dollars (\$100.00). Each such violation shall be deemed to constitute a separate offense on each day during which it exists after the giving of notice to the violator.
- (m) Prosecution of violations of paragraphs (a) through (l) of this section shall be by non-criminal disposition as provided in M.G.L. c. 40, § 21D, as it may be amended from time to time, the provisions of which are incorporated herein by reference.

- (d) Notwithstanding section 12-4, a merchandise display may include tables and/or clothing racks, however, no merchandise display shall include any tent, stall, booth, or other structure unless such structure is itself merchandise displayed in accordance with this section, or a permit is granted subject to section 12-4.
- (e) Before placing any A-frame sign or merchandise display on a public sidewalk, the owner thereof shall file with the city clerk a release and agreement to hold the City of Newburyport harmless from any and all liability, together with evidence of liability insurance covering the A-frame sign and/or merchandise display, with a minimum limit of one million dollars (\$1,000,000), and naming the City of Newburyport as a co-insured entity. The applicant shall maintain such insurance in full force and effect at all times that the A-frame sign and/or merchandise display is in place.
- (f) To place an A-frame sign in a public way, the applicant shall first obtain a license, by submitting a written application to the city clerk as directed by that official, and a biannual licensing fee of one-hundred dollars (\$100.00) per A-frame sign.
- (g) Provided that the proposed A-frame sign complies with all provisions of this section, the city clerk shall approve each such license applied for a term not to exceed two (2) years from the date of approval. Each licensed A-frame sign shall display upon it the unique license number issued for it by the city clerk, and the date of expiration of the license.
- (h) Flower boxes, planters, or similar items to beautify (beautification items) may be placed on the public sidewalk directly adjacent to a lawfully occupied commercial building without the prior, written permission of the city council, provided, however, that that city council may order their removal at any time.
- (i) All A-frame signs, merchandise displays, and beautification items placed on a public sidewalk shall preserve a travel lane along such sidewalk that is at least five (5) feet in width, and shall allow for free and unobstructed passage of pedestrians.
- (j) Enforcement of paragraphs (a) through (i) of this section shall be the responsibility of a city employee designated in writing by the Mayor within the Downtown Overlay District, established under section XXVIII of the zoning ordinance, and of the department of public services for all other locations.
- (k) Any sign, merchandise display, or beautification item existing unlawfully within a public way shall constitute a trespass upon public property, and may

ORDERED:

AN ORDINANCE TO AMEND CHAPTER 12 -- STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

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

Chapter 12 Streets, Sidewalks and Other Public Places
Article 1 In General

Amend existing Section 12-1.5 regarding signage, merchandising and beautification on public property, as follows:

Sec. 12-1.5 - Signage, merchandising and beautification on public ways.

- (a) One (1) A-frame sign is allowed on public ways for each public entrance to a lawfully occupied commercial building, and, in addition, one (1) display of merchandise is allowed on public ways solely for the primary public entrance to a lawfully occupied commercial building, and, in all cases, subject to the standards and criteria herein.
- (b) All A-frame signs shall be placed on the sidewalk directly adjacent to its related building. No A-frame sign shall exceed two (2) feet in width or depth, or four (4) feet in height, nor shall it cover more than four (4) square feet of the sidewalk, measured from any height of such sign. No movable sign shall be attached, affixed, and otherwise secured to the ground, nor to any structure or fixture. The applicant for an A-frame sign under paragraph (f) of this section may petition the city council for relief from size, movability, and location requirements.
- (c) All merchandise displays shall be placed on the sidewalk directly adjacent to its related building, parallel to and within one (1) foot of an exterior wall of such building, and with one end located no more than four (4) feet from its related primary public entrance. A merchandise display may be placed as multiple objects, or otherwise in segments or pieces, but in no event shall the total width permitted for each primary public entrance exceed eight (8) linear feet in the aggregate. No merchandise display shall extend from the exterior wall of its related building more than four (4) feet into the public way (sidewalk), or shall any merchandise display exceed five (5) feet in height above the grade of such sidewalk. No merchandise display shall be attached, affixed, and otherwise secured to the ground, nor to any structure or fixture. No merchandise display shall be located within fifteen (15) feet of the intersection of the sidewalk of two streets. The owner of a proposed merchandise display may petition the city council for relief from any of these size, movability, and location requirements.

Beautification Items

Flower boxes, planters or similar items may be placed on the sidewalk directly adjacent to a lawfully occupied commercial building without the prior written permission of the City Council, provided however that the City Council may order their removal at any time.

All of the above placed on a public sidewalk shall preserve a travel lane along such sidewalk at least five (5) feet in width and shall allow for free and unobstructed passage of pedestrians.

Enforcement and Fines

Enforcement of this ordinance shall be the responsibility of a City employee designated, in writing, by the Mayor within the Downtown Overlay District.

Any sign, merchandise display or beautification item placed unlawfully within a public way may be removed, without prior notice or compensation to its owner, by the designated City employee charged with enforcement.

Each violation of the above shall be punishable by a fine of One Hundred (\$100.00) Dollars. Each such violation shall be deemed a separate offense on each day during which it exists after giving notice to the violator.

Please contact Lois Honegger - Mayor's office at 978-465-4413 x1203 with any questions or for further information.



Donna D. Holaday
Office of the Mayor
Newburyport City Hall
60 Pleasant St. PO Box 550
Newburyport, MA 01950
978-465-4413

NOTICE TO BUSINESS OWNERS REGARDING CHANGES TO SIGN ORDINANCE

The City Council recently passed an Amendment of Article 1, Section 12-1.5 of Chapter 12 regarding signage, merchandising, and beautification on public ways. This will affect the size, location and contents of displays placed on the public way near businesses. An outline of the amendment is summarized below:

One (1) A-frame sign and one (1) display of merchandise are allowed for each public entrance to a lawfully occupied commercial building, subject to the following standards and criteria:

A-Frame Signs

1. Placed directly adjacent to its related building.
2. Not to exceed two (2) feet in width or depth, or four (4) feet in height.
3. Not to cover more than four (4) square feet of sidewalk measured from any height of sign.
4. Not to be affixed to, attached, or otherwise secured to ground, structure or fixture.
5. Must preserve a travel lane on the sidewalk of at least five (5) feet in length.
6. Written application filed with City Clerk with biannual licensing fee of \$100.00 per sign. License to be displayed on sign and renewed every two years.
7. Insurance requirement: before placing any A-frame or merchandise display on site, the owner must file an insurance release and agreement with the City Clerk which holds the City Of Newburyport harmless for any and all liability as well as evidence of liability insurance covering the sign and/or merchandise display with a minimum limit of \$1,000,000, and naming the City of Newburyport as co-insured entity.
8. Any applicant requesting an A-frame sign may petition the City Council for relief from size, movability and location requirements.

Merchandise Displays

1. Placed on sidewalk directly adjacent to related building, parallel to and within one (1) foot of an exterior wall of the building.
2. One end of merchandise display must be located no more than four (4) feet from its related primary public entrance.
3. Merchandise display may be multiple objects, segments, or pieces, but the sum total cannot exceed eight (8) linear feet in total.
4. No display can extend more than four (4) feet from exterior wall of building into the public way.
5. No display shall exceed five feet in height.
6. Not to be affixed to, attached, or otherwise secured to ground, structure or fixture.
7. No displays located within fifteen (15) feet of the sidewalk intersection of two streets.
8. Merchandise display may include tables and/or clothing racks, however, no display shall include any tents, stalls, booths or other structure unless the structure is itself saleable merchandise displayed in accordance with this section or a permit is granted subject to §12-4.



SEABA-1

OP ID: KF

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/27/2018

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 Bilodeau Insurance Agency, Inc 92 Pleasant Street Brunswick, ME 04011 Kelley Favreau	207-725-2797	CONTACT NAME: Kelley Favreau
		PHONE (A/C, No, Ext): 207-725-2797 FAX (A/C, No): 207-725-6001
		E-MAIL ADDRESS: Kfavreau@bilodeauinsurance.com
INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Ohio Security Insurance Co	24082
	INSURER B: Ohio Casualty Company	24074
	INSURER C: MEMIC Indemnity Company	
	INSURER D:	
	INSURER E:	
	INSURER F:	

INSURED Sea Bags, LLC
25 Custom House Wharf
Portland, ME 04101-4708

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<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:	Y		BKS58472122	12/31/2017	12/31/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			BAS58472122	12/31/2017	12/31/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<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 \$ 10000			USO58472122	12/31/2017	12/31/2018	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
C	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	5101801003	12/31/2017	12/31/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 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)

City of Newburyport is listed as an additional insured.

CERTIFICATE HOLDER**CANCELLATION**

CITYNEW 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 <i>Kelley Favreau</i>
---	--



CITY OF NEWBURYPORT
NEWBURYPORT, MA
2018 JUL 11 PM 3:23

NEW FILING
RENEW

City of Newburyport

Application

Food Establishment Outdoor Seating on Public Property

Date: 7.10.18

Name of Business Owner: MATTHEW GAUDET

Name of Property Owner: NED

Business Name: SUPERFINE FOOD

Business Address: 17 STATE ST Business Phone: 978 462 1815

Number of Tables Requested: 8 Dimensions: 29" x 73.6 x 73.6" Material: STEEL

Number of Chairs Requested: 16 Dimensions: 25" x 10" x 23.5" Material: ALUMINUM PLASTIC

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

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

Please note propane is not allowed unless approved by the Fire Department

Application Requirements

Please submit the following documents with the completed application to:

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

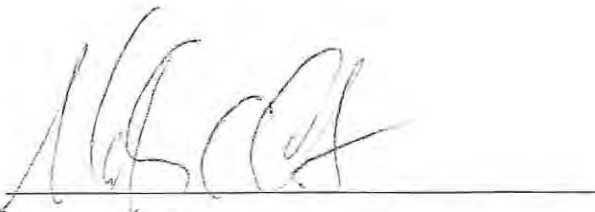
- 1) Applicants must provide evidence of liability insurance to the City Clerk with minimum coverage in the amount of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period.

Application - Food Establishment Outdoor Seating on Public Property

- 2) 8 1/2 x 11 sketch of outdoor seating detailing: a) measurements of tables and chairs; b) total width of sidewalk; and c) distance between proposed seating and sidewalk
- 3) Obstacles such as streetlights, signs, trees, benches, and garbage barrels.
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
- 5) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including the information and sketch used for the basis of the License Commission approval.
- 6) 8 1/2 x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

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



Signature of Business Owner

7.10.18

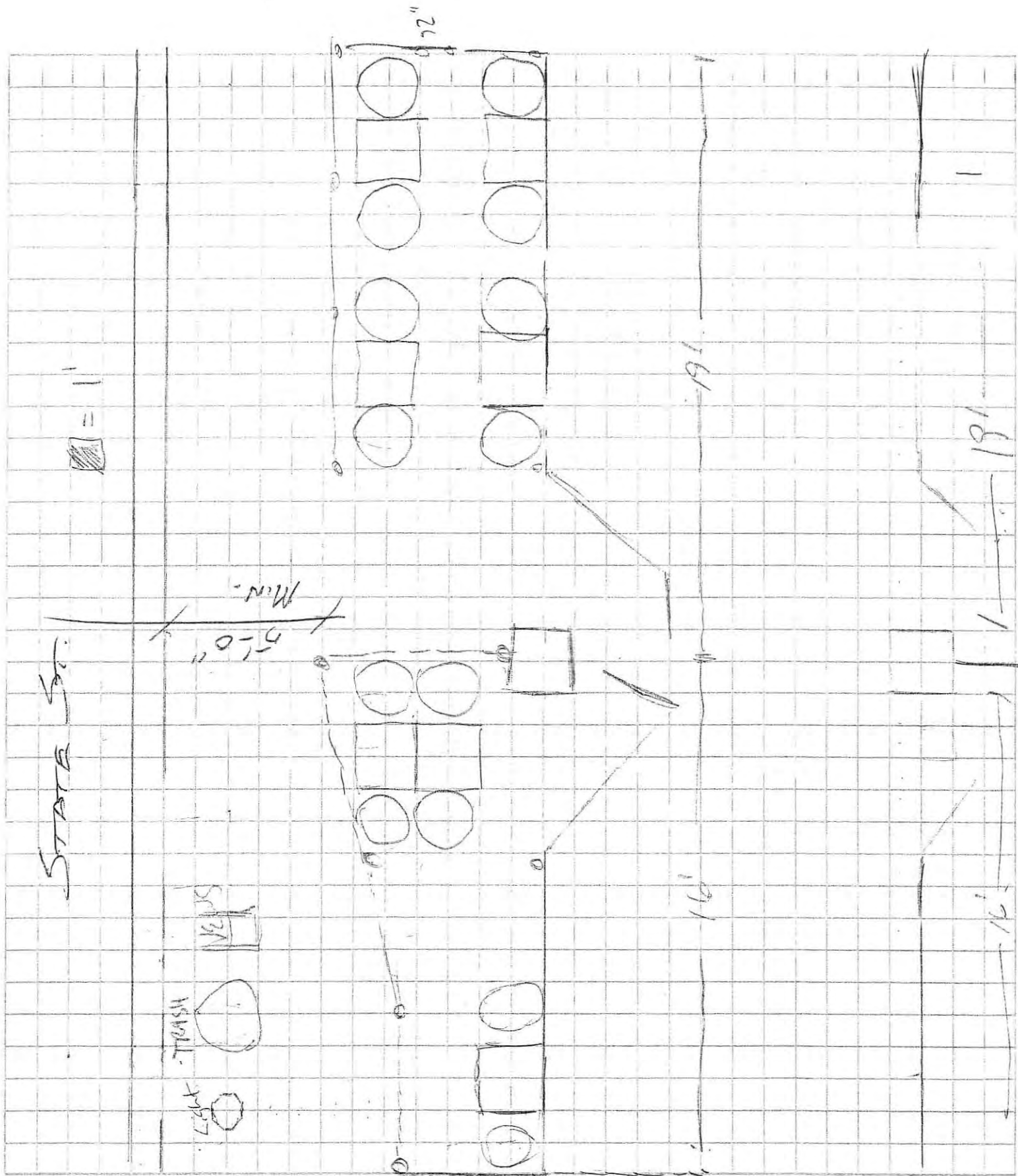
DATE



Signature of ADA Coordinator

7-11-18

DATE



FOUNTAINHEAD

foodservice group

127 Cambridge Street, Suite 2 R. Burlington, MA 01803

Ph: 781-221-7276 • Fax: 781-221-7294

www.fountainheadfs.com

Project:

Date:



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/12/2018

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 Insurance Marketing Agencies, Inc. 306 MAIN STREET Worcester MA 01608	CONTACT NAME: Jessica McGorty
	PHONE (A/C, No., Ext): 508 471-1180 FAX (A/C, No): 508 471-1880 E-MAIL ADDRESS: jxm@imaagency.com
INSURER(S) AFFORDING COVERAGE	
INSURER A : The Hartford	NAIC # 29424
INSURER B : XL Insurance America Inc.	24554
INSURER C : Greenwich Insurance Company	22322
INSURER D : Commerce Insurance Company	34754
INSURER E :	
INSURER F :	

INSURED OPPLL
 MPP, LLC DBA Superfine
 17 State Street
 Newburyport MA 01950

COVERAGES

CERTIFICATE NUMBER: 608029816

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
B	<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 checked="" type="checkbox"/> LOC OTHER:			PHK095074601	8/26/2017	8/26/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
D	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			BHLMBB	11/8/2017	11/8/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB OCCUR <input type="checkbox"/> EXCESS LIAB CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	08WECEK7350	8/26/2017	8/26/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> 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
C	Liquor Liability			PHU095074601	8/26/2017	8/26/2018	\$1,000,000 Occurrence \$2,000,000 Aggregate

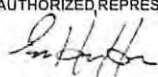
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Location: 17 State Street, Newburyport, MA 01950 Added Effective 06/28/18

RE: Outdoor Seating

City of Newburyport is additional insured where required by contract or written agreement with respect to general liability coverage.

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 
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LTP

CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 JUL 12 PM 2:47

P. Lucia Vaughn
144 Rumney Rd
Revere, MA 02151
603-770-6606

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

July 12, 2018

Dear Mr. Burke Jones,

I write to propose a *Designated Driver* service which will operate on Friday and Saturday nights using my personal vehicle, as a beta test to ascertain the viability of the full-service shuttle service, *Beach Bound Kangaroo*, which I proposed earlier this year. My vehicle is a 2011 Toyota Camry which is in very good condition.

It is my intent to create public awareness of the service prior to making a large financial commitment. While operating this service, I will become familiar with the locals who might also be interested in the full-service shuttle. This will allow for a more successful launch once the full-service shuttle goes online. I would hope to have the *Designated Driver* service up and running in the very near future, or as soon as is reasonable.

The shuttle service will include the following stops:

The Harris Street Lot

The Mall

The Circle at Mosley Woods

Cross the bridge to The Deck and Vasa parking lots and back to Nbpt

James Steam Mill

The Corner of Rolfe's Ln

The Plum Island Grill

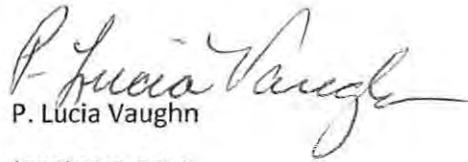
Maritime Museum

The hours of service will be from 6PM until the restaurants close where I will make one final run. I will charge a flat fee of \$5 per pick up.

I am further inspired to create relationships for satellite parking as suggested by Mayor Holaday. It's a great idea which I believe is well worth exploring.

Please let me know of any licensing and permits which might be required to move forward with this operation.

Best regards,

A handwritten signature in cursive script, appearing to read "P. Lucia Vaughn".

P. Lucia Vaughn

(603) 770-6606

c/c Mayor Donna Holaday

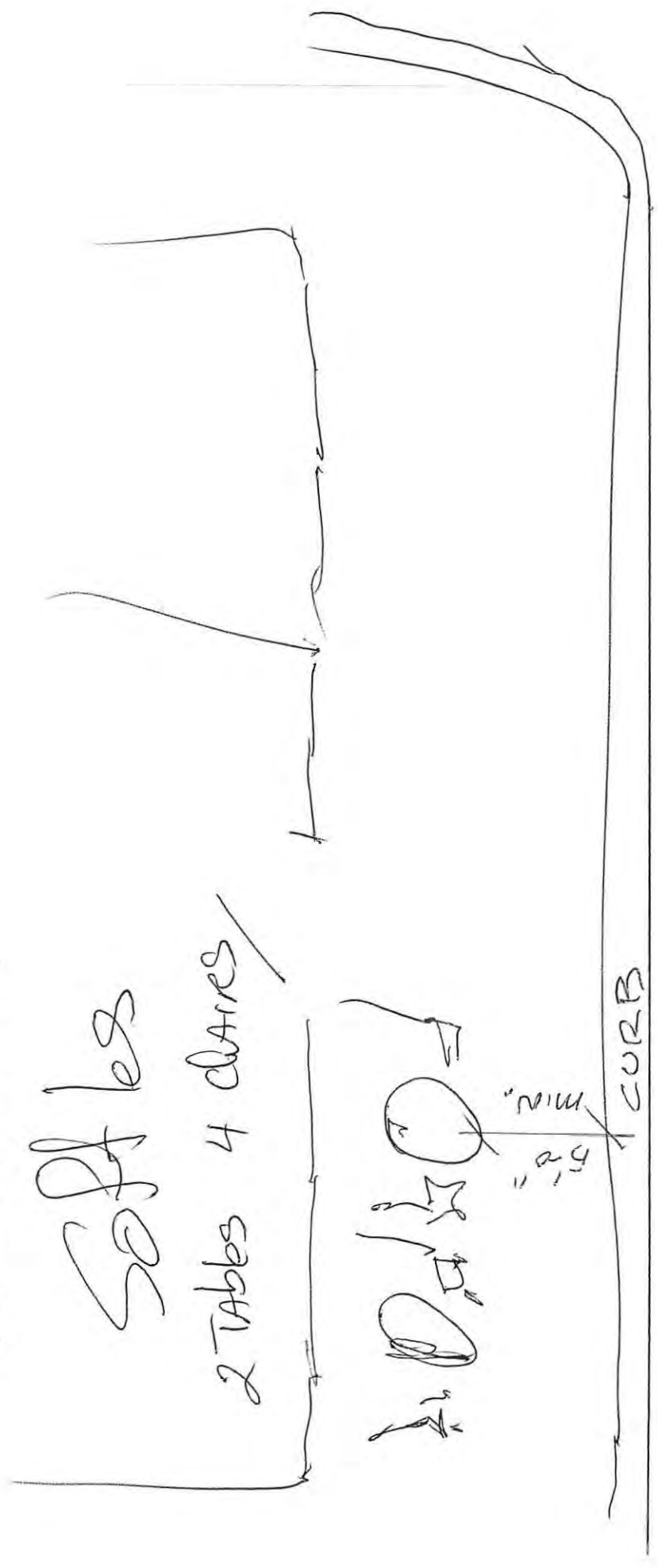
Seffles OUTDOOR SEATING

Bruce Vogel
978-828-0711

14 MARKET SQ

SOFFLES

2 Tables 4 chairs



MARKET

Permit Issued: # _____

LD

APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY

Application Fee \$100.00

Date: _____

FOR CITY CLERK'S OFFICE ONLY

Date Recorded _____

Expiration Date: _____

Amount Paid _____

To the City Council of the City of Newburyport:

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

Name of applicant Northeast Corner Realty, Inc. dba Keller Williams Realty

Home address of applicant 2 New Pasture Rd.

City, State, Zip of applicant Newburyport, MA 01950

Telephone of applicant (978) 992-4050

Name of business Keller Williams Realty

Address of business 2 New Pasture Rd. Newburyport, MA 01950

Telephone of business (978) 992-9050

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

Beginning of New Pasture and Gaff Rd.
2nd location at entrance of 2 New Pasture Rd

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

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

Signature of Applicant or Duly Authorized Agent *[Signature]*

Date 8/13/18



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/07/2018

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 Archer Insurance 271 CABOT ST BEVERLY MA 01915	CONTACT NAME: Neal Hutchins PHONE (A/C, No, Ext): (978) 922-4600 E-MAIL ADDRESS: neal@archerinsuranceinc.com	FAX (A/C, No): (978) 922-9276
INSURED Northeast Corner Realty, Inc DBA Keller Williams Realty 2 New Pasture Road Suite 1 Newburyport MA 01950	INSURER(S) AFFORDING COVERAGE INSURER A: The Hartford NAIC # 29459 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES CERTIFICATE NUMBER: CL1853004158 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:			08 SBA AA9015	04/01/2018	04/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY HIRED AUTOS ONLY SCHEDULED AUTOS NON-OWNED AUTOS ONLY						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 \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	08 WEC AB7SQY	04/01/2018	04/01/2019	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
A	Error & Omissions Insurance			00 PS 0306973-18	04/01/2018	04/01/2019	Occurrence Limit \$2,000,000 Aggregate Limit \$2,000,000 Deductible \$5,000

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

Additional Named Insured:

City of Newburyport
60 Pleasant Street
P.O. Box 550
Newburyport, MA 01950

CERTIFICATE HOLDER

City of Newburyport
60 Pleasant Street
P.O. Box 550
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

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NORTHEAST CORNER REALTY INC.

3718

City of Newburyport

3718

8/8/2018

\$100.00

Sign Permit
Account Detail:

6-3040 Dues - Other

\$100.00

NORTHEAST CORNER REALTY INC.

3717

City of Newburyport

3717

8/8/2018

\$100.00

Sign Permit 2 New Pasture Road
Account Detail:

6-3040 Dues - Other

\$100.00

LSP

President Barry O'Connell
And Members of the City Council
Newburyport City Hall
60 Pleasant Street
Newburyport, MA 01950

Dear Mr. Connell:

The amendment to Chapter 12 – Streets, Sidewalks and Other Public Places, Sec. 1.5 prohibits A-frame signs beyond the 4 square feet of the sidewalk at the direct entrance of a business, has dictated me to write to you today for your support.

My name is Tom O'Connell and I own a business located at 58 Washington, the name of which is The Angry Donut. Because my business is not visible from Washington Street it poses a challenge for potential customers to shop at my location. I am respectfully requesting your approval to place my A-frame on Washington Street, near the corner of Rail trail. This location will provide maximum visibility and minimal invasion of the sidewalk. Also, by allowing me this variance my customers will have no difficulty locating my establishment.

I have attached my Application for Movable Signage on Public Property along with my check in the amount of \$100.00 made payable to the City of Newburyport. I appreciate your attention to this matter and look forward to hearing from you. If you have any further questions, please feel free to contact me at _____ or email

tom@theangrydonut.com

Thank you for your consideration.

Very truly yours,

Permit Issued: # _____

APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY

Application Fee \$100.00

Date: 6/28/18

FOR CITY CLERK'S OFFICE ONLY

Date Recorded _____

Expiration Date: _____

Amount Paid _____

To the City Council of the City of Newburyport:

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

Name of applicant Thomas B. Quill

Home address of applicant 49 Munroe St.

City, State, Zip of applicant Newburyport MA 01950

Telephone of applicant 978 729 6359

Name of business the ANGRY Donut

Address of business 38 Washington St (Winter St. entrance)

Telephone of business 978 358 8776

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

2'x4' A frame sign to be placed
on Washington St. near Rail trail entrance

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

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

Signature of Applicant or Duly Authorized Agent Mr. Quill

Date 6/28/18

September 24, 2018
Committee Items-
Planning & Development

1. ORDR024_04_09_18 Special Act to Dissolve Newburyport
Redevelopment Authority (COTW).
2. ODNC025_08_13_18 Colby Farm Lane Residential Overlay District
3. APPT049_08_27_18 Mark Moore – 67 Curzon Mill Rd, ZBA 8/1/2019

ORDR024_04_09_18

*proposed
SZ/LG
From EBV/LG
roll call
(11/10)*

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Order Relative to a Special Act to
Dissolve Newburyport Redevelopment Authority (NRA)

That the City Council of the City of Newburyport hereby authorizes the Mayor, on behalf of the City, to submit a Home Rule Petition to the General Court of the Commonwealth of Massachusetts to enact a Special Act for the City of Newburyport in the manner described below, and for the purposes of dissolving the Newburyport Redevelopment Authority (NRA), provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Mayor approves amendments to the bill before enactment by the General Court, and to further authorize the Mayor to act on behalf of the City relative to any inquiries and/or changes made by the General Court concerning the proposed Special Act, and to approve amendments which shall be within the scope of the general public objectives of the petition.

Councillor Sharif I. Zeid, Ward 1

Councillor Larry G. Giunta, Ward 5

Councillor Gregory D. Earls, At-Large

Councillor Joseph H. Devlin, At-Large

A SPECIAL ACT TO DISSOLVE THE NEWBURYPORT REDEVELOPMENT
AUTHORITY

Whereas, the City Council of the City of Newburyport voted on February 1, 1960, to create a redevelopment authority, as contemplated by Massachusetts General Laws (MGL) Chapter 121B, now known as the Newburyport Redevelopment Authority (NRA), for the purposes of accomplishing urban renewal objectives, such as the removal of substandard buildings and blight, providing land for public uses, ensuring adequate public amenities and infrastructure, removing impediments to land acquisition and disposition for redevelopment, promoting economic development, and ensuring the preservation and integration of architectural and urban character in historic downtown Newburyport, and

Whereas, the originally cited purposes for establishing the NRA, including redevelopment, economic revitalization, and removal of blight has since been substantially realized in downtown Newburyport, and maintained without continued assistance from the NRA by way of local regulation, historic preservation, economic development and tourism, and

Whereas, the Urban Renewal Plan of said NRA, entitled "Newburyport Central Business Urban Renewal Project" (Mass R-80), dated April 26, 1965, as amended, expired effective 2005, approximately 13 years ago, and is no longer a valid or legal basis for NRA activities under MGL Chapter 121B, Section 48, or otherwise, and

Whereas, the real property acquired by said NRA, by purchase and by eminent domain for public purposes, pursuant to said Massachusetts General Laws (MGL) Chapter 121B and said expired Urban Renewal Plan, was intended to be redeveloped for the purposes of accomplishing urban renewal objectives such as the removal of substandard buildings and blight, providing land for public uses, ensuring adequate public amenities and infrastructure, removing impediments to land acquisition and disposition for redevelopment, promoting economic development, and ensuring the preservation and integration of architectural and urban character in historic downtown Newburyport, and

Whereas, pursuant to MGL Chapter 121B, Section 16, the real estate and tangible personal property of the NRA shall be deemed to be public property used for essential public and governmental purposes, and shall be exempt from taxation and from betterments and special assessments, and

Whereas, the City Council has made substantial multi-year, good-faith effort to negotiate a reasonable settlement of disputes related to future use of the NRA's properties, most recently through nearly two years of public hearings and multilateral negotiations through an ad-hoc committee formed by then-City Council President Thomas F. O'Brien, which resulted in a two-

ORDR024_04_09_18

page settlement framework, approved unanimously by the City Council on May 30th, 2017 (May 2017 Order), and

Whereas, the NRA voted on March 14, 2018, to transfer its real property to third-parties, including to a nonpublic institution, without authorization under any urban renewal plan, or any other project which the NRA is authorized to undertake under MGL Chapter 121B, nor in compliance with the uniform procurement act established pursuant to MGL Chapter 30B, the state finance provisions established pursuant to MGL Chapter 29, nor consistently with the May 2017 Order, and

Whereas, under that certain confirmatory declaration of trust dated January 28, 1991, as revised (Trust Declaration), the Newburyport Waterfront Trust already controls significant real property located adjacent to the real property currently controlled by the NRA, and

Whereas, the purpose of the Newburyport Waterfront Trust is to hold, manage, maintain, conserve and utilize its real property for use and enjoyment by the public in perpetuity, with free access of the public to and from such real property as "public trust lands," forever, and

The trustees of the Newburyport Waterfront Trust are appointed by the Mayor with the approval of the City Council, and

Whereas, consistent with the May 2017 Order and all applicable law, the Mayor and the City intend to transfer virtually all of the personal and real property rights that it obtains from the NRA to the Newburyport Waterfront Trust, consistent with the May 2017 Order and immediately upon the satisfaction of certain conditions precedent specified in the May 2017 Order, including amendments to the Trust Declaration.

Whereas the Mayor and the City Council of the City of Newburyport, representing the citizens of this community have petitioned the General Court relative to the same,

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

SECTION 1. Newburyport Redevelopment Authority Dissolved.

Notwithstanding the provisions of Massachusetts General Laws (MGL) Chapter 121B, Section 4 and any general or special law, state agency regulations or guidelines to the contrary, the Newburyport Redevelopment Authority (NRA), established on February 1, 1960, by vote of the Newburyport City Council pursuant to said Chapter 121B, Section 4 is hereby dissolved, and no approval from the Department of Housing and Community Development (DHCD) or any other state agency shall be necessary to effect the same, except that upon passage of this

chapter, the Clerk of the City of Newburyport shall provide a copy of this chapter to the State Secretary and said Newburyport Redevelopment Authority shall be dissolved forthwith.

Notwithstanding the provisions of Massachusetts General Laws (MGL) Chapter 155, Section 51, the Newburyport Redevelopment Authority (NRA) shall be dissolved immediately and shall not be continued as a body corporate after the effective date of this chapter.

SECTION 2. Ownership Interests.

Notwithstanding any general or special law, state agency regulations or guidelines to the contrary, the entirety, without exception, of all personal and real property interests held by the Newburyport Redevelopment Authority (NRA) are hereby transferred and conveyed to, and shall be vested in, the City of Newburyport to be held solely for the same public uses as exist at the time of transfer, and until such time as the Mayor, a two-thirds, super-majority of the City Council, and the trustees of the Newburyport Waterfront Trust, agree to the terms of the transfer and conveyance to the Newburyport Waterfront Trust of virtually all of the personal and real property rights acquired from the NRA, consistent with the terms and conditions out in the May 2017 Order.

The City may execute and deliver a certificate in a form suitable for recording referencing the passage of this chapter along with a copy of said Chapter, and the Register of Deeds for Essex County shall accept the same for recording and make a marginal reference thereto upon the record of all applicable deeds for real property heretofore owned by the NRA, as provided in summary format by the City of Newburyport. The Land Court shall also accept said certificate and a copy of this Chapter for the purposes of issuing a Certificate of Title to the City of Newburyport for any registered land heretofore owned by the Newburyport Redevelopment Authority (NRA).

SECTION 3. Elimination of NRA Powers.

Notwithstanding any general or special law, state agency regulations or guidelines to the contrary, after the effective transfer and conveyance to the City of the entirety of all of NRA's personal and real property interests, as required by this chapter, all remaining powers and authorities held by the Newburyport Redevelopment Authority (NRA), without exception, and including, without limitation, the power of eminent domain, are hereby dissolved.

ORDR024_04_09_18

If any provision of this Chapter conflicts with any provisions of any general or special law, state agency regulations or guidelines, the provisions of this Chapter shall govern.

If at any point after the passage of this chapter, the City of Newburyport determines that a new redevelopment authority shall be necessary in the City for any reason, it may vote to organize a new redevelopment authority in accordance with Massachusetts General Laws (MGL) Chapter 121B, Section 4.

SECTION 5. Records of the Newburyport Redevelopment Authority.

All members of the Newburyport Redevelopment Authority immediately prior to the effective date of this chapter shall immediately transfer all files, legal and financial records or other materials belonging to the Newburyport Redevelopment Authority to the City of Newburyport, acting through its Office of Planning and Development. Such files, records and materials shall include any such items held by consultants or legal counsel to the NRA, without reservation.

SECTION 6. Effective Date.

This Chapter shall take effect upon its passage by the General Court.

PRD

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

August 13, 2018

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEWBURYPORT

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

THAT the Zoning Ordinance, Appendix A of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended pursuant to Section XII-B "Adoption and Amendment" as follows:

Section III-C: Zoning Map.

The Zoning Map of said Zoning Ordinance entitled "Zoning Map of the City of Newburyport," referenced in Section III-C (entitled Zoning Map) is hereby amended pursuant to Section III-D "Changes to Zoning Map" as follows:

- a) Add a so-called "Colby Farm Lane Residential Overlay District" (CFL-ROD) as depicted on the attached map entitled "Colby Farm Lane Residential Overlay District," prepared by the Office of Planning & Development, dated August 7, 2018;
- b) Eliminate the existing "IB-ROD" Overlay District, which is referenced in Section XIV entitled "Open Space Residential Development (OSRD); and
- c) Change the entire existing I-1B District located north of Colby Farm Road and west of Low Street to an R-2 District.

Section XIV: Open Space Residential Development (OSRD)

Section XIV-A: Purposes and intent.

Delete subsection (5) of Section XIV-A, entitled "Purposes and Intent," in its entirety, and replace said subsection with the following:

(5) To further the goals and policies of the City of Newburyport Master Plan, Strategic Land Use Plan and Open Space & Recreation Plan, as amended from time to time;

Section XIV-B: Applicability

Delete subsection b. of Section XIV-B, entitled "Applicability," in its entirety, and replace said subsection with the following:

b. Zoning classification: Only those tracts located in the following districts shall be eligible for consideration as an OSRD: AC, R1, R2, R3 and the Colby Farm Lane – Residential Overlay District (CFL-ROD). Residential Overlay Districts, such as the CFL-ROD, are intended to provide added incentives for open space protection due to the unique ecological, cultural, and/or aesthetic characteristics of the properties within the overlay district.

Section XIV-G: Conventional subdivision yield plan – Basic maximum number of lots/dwelling units.

Insert a new subsection b. under Section XIV-G, entitled “Conventional subdivision yield plan – Basic maximum number of lots/dwelling units.” as follows:

b. Determination of yield within CFL-ROD: Notwithstanding any provision to the contrary, properties within the CFL-ROD are required to establish a determination of yield based on the requirements listed in Section XIV-G(a) using dimensional regulations applicable to the R-2 District.

Section XIV-I: Open space requirements

Delete subsection (i)(d) of Section XIV-I, entitled “Open space requirements,” in its entirety, and replace said subsection with the following:

d. In the CFL-ROD a minimum of eighty (80) percent of the tract shown on the OSRD-SP plan shall be open space and must be preserved as such in perpetuity in accordance with this subsection.

Delete the first two (2) sentences of subsection (vii)(3) of Section XIV-I, entitled “Open space requirements,” and replace said sentences with the following:

3. A corporation or trust owned individually (for agricultural or conservation purposes only) or jointly or in common by the owners of lots within the OSRD. If such corporation or trust is utilized, ownership thereof shall pass with conveyance of the lots) in perpetuity.

Section XIV-J: Design standards

In subsection (a)(i)(1) of Section XIV-J, entitled “Design standards,” replace the word “it” with “its”.

In subsection (a)(i)(3) of Section XIV-J, entitled “Design standards,” replace the word “compliment” with “complement”.

Section XIV-K: Decision of the planning board

In subsection (a)(v) of Section XIV-K, entitled “Decision of the planning board,” delete the phrases “(2001)” and “(2004)”.

Replace the text of subsection (a)(viii) of Section XIV-K, entitled “Decision of the planning board.” in its entirety, and replace said text with the following:

viii. Whether the proposed construction of housing, landscape and streetscape is in harmony with the overall architectural heritage and historic character of the City of Newburyport; and”

Section XIV-L: Increases in permissible density

Delete subsections (b) and (c) of Section XIV-L, entitled "Increases in permissible density," in their entirety, and replace said subsections with the following:

b. In the CFL-ROD district, the planning board at its discretion may award a density bonus for an OSRD to increase the number of dwelling units beyond the basic maximum number. All projects within the CFL-ROD which provide either: 1) at least eighty-five (85) percent protected open space; or 2) deeded public access to, and improvements on, the protected open space, may be permitted an increase in permissible density of twenty-five (25) percent beyond the basic maximum number to a maximum density of twenty-five (25) units excluding the required percent of affordable housing units.

c. In the AC, R1, R2, R3, and CFL-ROD districts, excluding units required under the Inclusionary Affordable Housing Ordinance, for every one dwelling unit restricted to occupancy for a period of not less than ninety-nine (99) years by persons or families who qualify as low or moderate income, as those terms are defined for the area by the commonwealth's department of housing and community development, the planning board may award a density bonus of two (2) market-rate dwelling units; provided, however, that this density bonus, in aggregate with other density bonuses, shall not exceed twenty-five (25) percent of the basic maximum number.

Section XIV-N: Affordable housing requirements for OSRD projects

Insert a new Section XIV-N, entitled "Affordable housing requirements for OSRD projects" to read as follows:

For additional information regarding the minimum affordable housing requirements applicable to all OSRD projects, regardless of any density increases awarded pursuant to Section XIV-L, see Section XXX, entitled "Inclusionary affordable housing."

Councillor Larry G. Giunta, Jr.

Councillor Charles F. Tontar



Eliminate IB-ROD & Change I-1B to R-2 (Oleo Woods)

CFL-ROD (proposed)

Legend

- CFL-ROD (proposed)
- Overlay District
- L100D
- B100D
- Zoning District**
- AC
- B1
- GADH
- I1B
- R1
- R2

Source: Esri, DigitalGlobe, GeoEye, USDA, USGS, AeroGRID, IGN, SRTM3D, Swire



Colby Farm Lane Residential Overlay District

Office of Planning and Development
August 7, 2018



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2018 AUG 21 AM 9:52

pd

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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Subject: Appointment
Date: August 28, 2018

I hereby appoint, subject to your confirmation, the following named individual as an alternate member of the Zoning Board of Appeals to fulfill the unexpired term of Christopher Zarmeba. This term will expire on August 1, 2019.

Mark Moore
67 Curzon Mill Road
Newburyport, MA 01950

August 20, 2018

Mayor Donna D. Holaday
Office of the Mayor
60 Pleasant Street
P.O. Box 550
Newburyport, Massachusetts 01950

Dear Mayor Holaday;

I respectfully request your appointment to the Newburyport Zoning Board of Appeals. As a relatively new resident of Newburyport, I am excited about the opportunity to work with an experienced board that is 'constantly dealing with the tension between property rights of the applicant and the interest of neighboring property owners and the city as a whole.' The quoted description from the ZBA website page illustrates how the board ensures that Newburyport continues to be an attractive community in which to live and raise a family; balance.

As you recently stated, the ZBA plays a vital role in the city and after meeting at length with Chairman Ed Ramsdell, I am impressed with the wholistic approach the ZBA utilizes in resolving issues. As someone who's owned homes in three different communities, I have experienced concerns regarding commercial developments or changes to a neighborhood and empathize with those who can be hesitant to seeing things move away from 'the way it's been'. This board appears to work very hard to find the right balance of need for freedom to live the way one would like as a property owner and the letter of the law, always being mindful that laws exist for a reason. As a sales trader on Wall Street for 25+ years, I was required to assimilate myriad data points of information affecting the markets in real time and then negotiate a transaction with two parties that often interpreted the same market data differently. Combining my work experience with that of a long-term home owner makes me confident that my perspective will add texture to deliberations in short order and I look forward to the opportunity to do so.

Thank you for your consideration of my background and experience for a position on the Zoning Board of Appeals. I look forward to meeting with you to discuss further.

Sincerely,

Mark W. Moore

Mark W. Moore
67 Curzon Mill Road
Newburyport, MA 01950
Mwmoore63@me.com
508-523-1483

MARK W. MOORE

67 Curzon Mill Road ■ Newburyport, MA 01950 ■ 508-523-1483
mwmoore63@me.com

CAREER PROFILE

Senior Executive Equity Trading and Client Relationship Professional with over 20 years of experience covering institutional equity asset managers across the AUM spectrum in Boston and the New England area. Desire an opportunity to leverage experience and skills in a pivot to a Client Relationship/Sales role in the Financial Services industry. Areas of expertise include:

- Management/Leadership
- Relationship Management
- Institutional Sales & Trading
- Market Trend Analysis
- Equity Research
- Negotiation
- Business Development
- Growth Strategy
- Investment Accounting

PROFESSIONAL BACKGROUND

Managing Director, Equity Sales Trading (2016-2017)

Seaport Global Securities, Boston, MA

- Re-established a Sales Trading presence in Boston, with additional coverage responsibilities of Toronto and Montreal.
- Utilized strong relationships to open 12 new accounts in 10 months, including one of the Top 3 revenue producers in the firm.
- Executed client orders utilizing a variety of algorithm vendors and strategies while on a run rate to increase revenues 100% YoY

Director, Equity Sales Trading (2000-2014)

SunTrust Robinson Humphrey, Boston, MA

- Spearheaded the opening of a new Trading presence in Boston increasing electronic trading links with institutional clients by 100%.
- Initiated trading merchandise recaps during the day keeping the sales force focused on best situations and resulting in revenue growth of 20%.
- Built and retained a book of business developing one client into the number one revenue producing firm in the system and growing many by 50% or more.

Senior Vice President (1998-2000)

Paine Webber Securities, Boston, MA

- NASDAQ Sales-trader.
- Stabilized business levels and resolved concerns related to Paine Webber's NASDAQ trading capabilities after the company had experienced trader turnover.
- Leveraged client relationships to grow business by 50% in the first year

Vice President/Interim Director (1997)

NatWest Securities, Boston, MA

- Managed the office for a six month period while the company explored strategic options for their U.S Equity Division.
- Maintained and retained clients during the strategic realignment.

Assistant Vice President (1996-1997)

Bankers Trust Securities, Boston, MA

- Delivered a book of business to the newly opened Boston office growing revenues by 30%.

MARK W. MOORE

Page Two

ADDITIONAL EXPERIENCE

Sales Trader (1994-96)

Prudential Securities, Boston, MA

- Strategized and negotiated capital trades with market makers and clients resulting in revenue growth of 120%.
- Prospected and opened several new accounts in the New England area.

Sales Trader (1992-94)

Tucker Anthony, Boston, MA

- Maintained and grew revenues for a West Coast client base.
- Planned and managed semi-annual, marketing trips to address issues and explore new revenue opportunities.
- Co-managed trading of a \$120m lead managed I.P.O.

Trading Assistant- NASDAQ Market Making Desk (1986-89)

Adams, Harkness & Hill, Boston, MA

- Managed positions of a book of approximately 40 publicly traded companies.
- Resolved disputed, over the wire trades with competitors.
- Negotiated capital commitment with sales traders and their clients to best manage risk.

Floor Service Coordinator (1986)

Boston Stock Exchange, Boston, MA

- Executed orders by negotiating prices with floor specialists to ensure best execution for clients in an open outcry environment.
- Trained and developed new Floor Service Coordinators and summer interns.

EDUCATION

Master of Business Administration, 1991

Boston University, Boston, MA

- Finance and Marketing focus

B.S., Business Marketing, 1985

Providence College, Providence, RI

Additional Professional Development:

- Series 7, 63 & 55 registered
- Bloomberg, Fidessa and Bloomberg OMS
- Member of the Boston Securities Traders Association.

INTERESTS AND ACTIVITIES

University of South Carolina Football

Kansas University Basketball

U-6 Soccer Coach, Lynnfield, MA

Eighth Grade Town League Basketball Coach, Lynnfield, MA