

CITY COUNCIL MEETING AGENDA - VERSION 1
CITY COUNCIL CHAMBERS
NOVEMBER 13, 2018

7:15PM
Tax Levy Hearing

7:20PM
Pole Hearing – 3 Perkins Way

7:30PM

(Sound Check)

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

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

October 29, 2018

(Approve)

8. TRANSFERS

- NONE

9. COMMUNICATIONS

- **COMM093_11_13_18** Ladies' Night Out Run/Walk - 12/1/2018 (PS)
- **COMM094_11_13_18** Frigid Fiver - 1/27/2019 (PS)
- **COMM096_11_13_18** Retirement Board Expense Budget CY2019 (R&F)
- **COMM097_11_13_18** Morrill Foundation Funding Directive (B&F)

10. APPOINTMENTS

- | | | | | |
|---------------------------|----------------------|----------------|-----------------|------------|
| • APPT067_11_13_18 | Karen Popken | 49 Boardman St | CPA (Parks Rep) | 10/31/2021 |
| • APPT068_11_13_18 | Patricia Cannon | 185 High St | Cultural Comm | 10/30/2021 |
| • APPT069_11_13_18 | Adrienne Silversmith | 4 Willow Ave | Cultural Comm | 10/30/2019 |

Re-Appointments

- | | | | | |
|---------------------------|---------------------|--------------------|-------------------|------------|
| • APPT070_11_13_18 | Aine G. Ellrott | 43 Purchase St | Emma Andrews Comm | 10/30/2019 |
| • APPT071_11_13_18 | Elizabeth Valeriani | 29 Oak St | Emma Andrews Comm | 10/30/2019 |
| • APPT072_11_13_18 | Elizabeth L. Watson | 53 Warren St, #315 | Emma Andrews Comm | 10/30/2019 |

**END OF CONSENT AGENDA
REGULAR AGENDA**

11. MAYOR'S UPDATE

12. COMMUNICATIONS

- **COMM092EP_11_13_18** Emergency Preamble for Rotary Club Santa Parade
- **COMM092_11_13_18** Rotary Club Santa Parade - 11/25/2018
- **COMM095EP_11_13_18** Emergency Preamble for Ahavas Achim Interfaith Candle Lighting
- **COMM095_11_13_18** Ahavas Achim Interfaith Candle Lighting - 11/26-12/16

13. APPOINTMENTS

- **APPT061_10_29_18** Victoria Finnigan **Second Reading**
63 Washington St, Asst Treasurer/Collector 11/1/2019
Groveland

- **APPT062_10_29_18** Karen B. Wiener **Re-Appointments**
7 Lincoln St Affordable Housing Trust 11/30/2019
- **APPT063_10_29_18** Jane Niebling 45 Temple St Cultural Commission 9/30/2021
- **APPT064_10_29_18** Sarah M. White 349 High St Historical Commission 10/1/2021
- **APPT065_10_29_18** Douglas Bolick 8 Court St Board of Registrars 9/1/2021
- **APPT066_10_29_18** David Dylewski 334R Merrimac St Tree Commission 11/1/2021

14. ORDERS

- **ORDR074_11_13_18** Safe Routes to School – High Street
- **ORDR075_11_13_18** Restricted Parking – Johnson Street

15. ORDINANCES

- **ODNC026_11_13_18** Amendment to Dog License Fees

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR007_01_29_18** 41C Amendment
- **TRAN030_10_29_18** Hrbrmstr Retained Earnings \$41,210.71 to Pump Out Boat Purchase \$41,210.71
- **ORDR067_10_29_18** FY2019 Residential Factor
- **ORDR068_10_29_18** FY2019 Tax Rate
- **ORDR070_10_29_18** CPC FY2019 Rail Trail Phase II
- **ORDR071_10_29_18** CPC FY2019 Custom House Slate Roof

Education

In Committee:

-

General Government

In Committee:

-

License & Permits

In Committee:

- COMM029_04_30_18 Outdoor Seating - West Row Café

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
- ORDR036_05_14_18 Marijuana Retailers Ballot Question
- ODNC025_08_13_18 Colby Farm Lane Residential Overlay District

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
- COMM086_09_24_18 Ltr from Residents of East Boylston Street
- COMM087_09_24_18 Ltr re: Coffin Street
- ORDR072_10_29_18 Additions to 2-Hour Parking Zones
- ORDR073_10_29_18 Stop Sign – Newhall Lane at Elizabeth Lane

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
- COMM091_10_29_18 Pole Hearing – 3 Perkins Way

Rules Committee

In Committee:

- ORDR057_08_27_18 Amendment to Council Rule 12A

17. GOOD OF THE ORDER

18. ADJOURNMENT

CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 OCT 23 AM 9:40

**CITY OF NEWBURYPORT
PUBLIC HEARING**

In accordance with section 1 of chapter 369 of the acts of 1982,
the City Council of the City of Newburyport will hold a
public hearing on the determination of the **Percentage of Tax
Levy** to be borne by each **Class of Real and Personal
Property for Fiscal Year 2019**. The hearing will be held in **the
Council Chambers at Newburyport City Hall at 7:15 P.M.,
Tuesday, November 13, 2018** At which time all interested
parties may be heard.

Councillor Barry Connell

A true copy attest:

Richard B. Jones, City Clerk

City

Questions contact – John Butler 978 725 1415

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council of Newburyport Massachusetts

2018 OCT 16 AM 11:44

CITY CLERK'S OFFICE
NEWBURYPORT, MA

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 3rd day of October 2018.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Perkins Way-Newburyport Massachusetts.

26907934 Dated October 3, 2018. Filed with this order

There may be attached to said poles by NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Perkins Way-National Grid is to install pole 4-50 and 2-4" conduits to provide additional service to 3 Perkins Way.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of _____, Massachusetts held on the _____ day of _____ 20 .

Massachusetts

City/Town Clerk.
20 .

Received and entered in the records of location orders of the City/Town of
Book _____ Page _____

Attest:

City/Town Clerk

I hereby certify that on _____ 20____, at _____ o'clock, M
At _____ a public hearing was held on the petition of
NATIONAL GRID and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we 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 preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the _____ of the City of Massachusetts, on the _____ day of 20 and recorded with the records of location orders of the said City, Book _____, and Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Questions contact John Butler 978 725 1415

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To City Council
Of Newburyport Massachusetts

NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Perkins Way-National Grid is to install pole 4-50 and 2-4" conduits to provide additional service to 3 Perkins Way.

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 poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Perkins Way-Newburyport Massachusetts

26907934 October 3, 2018

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID
BY *Dore Johnson*
Engineering Department

VERIZON NEW ENGLAND, INC.

BY _____
Manager / Right of Way



CITY OF NEWBURYPORT
MASSACHUSETTS
CITY CLERK'S OFFICE
NEWBURYPORT CITY HALL
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
TEL: 978-465-4407 • FAX: 978-462-7936

RICHARD B. JONES
CITY CLERK

October 30, 2018

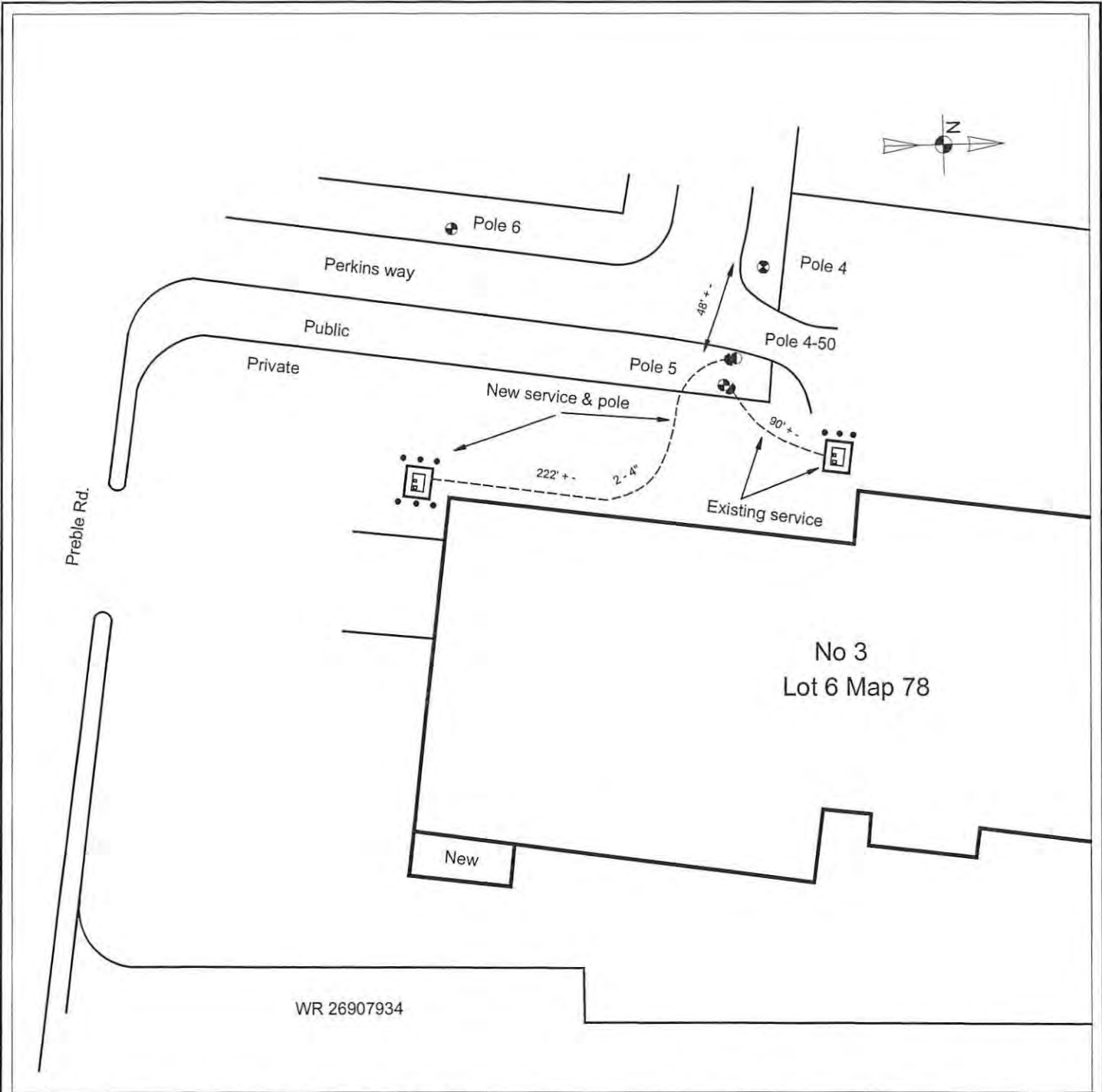
Dear Property Owner:

Notice is hereby given that a public hearing will be held on the petition of National Grid and Verizon New England Inc., to install Poles 4-50 and 2-4" conduits to provide addition service to 3 Perkins Way. Location approximately as shown on the plan attached.

Said hearing will be held on Tuesday, November 13, 2018 at 7:15 pm, in the City Council Chamber, City Hall, Newburyport, MA. At that time, all interested parties will have an opportunity to be heard.

Sincerely,

Tricia E. Barker
Assistant City Clerk



JOINT OWNED POLE PETITION	
	Existing J.O. Riser Pole Locations
	Existing J.O. Pole Locations
	Proposed J.O. Riser Pole Locations
	Three phase transformer with bollards
	2-4" Conduit
<p>Petition to install pole 4 - 50 and 2 - 4" conduits to provide additional service to 3 Perkins Way</p> <p>DISTANCES ARE APPROXIMATE</p>	

nationalgrid And Verizon New England, Inc.	
Date:	October 2, 2018
Work Request Number:	Wr 26907934
To Accompany Petition Dated:	October 2, 2018
To The:	City Of Newburyport
For Proposed Pole	4-50 Location: 3 Perkins Way



CITY OF NEWBURYPORT

OFFICE OF THE
ASSESSOR

JILL BRENNAN
CITY ASSESSOR

NEWBURYPORT CITY HALL

60 PLEASANT STREET

NEWBURYPORT, MA 01950

TEL: 978-465-4403

FAX: 978-462-8495

WWW.CITYOFNEWBURYPORT.COM

October 11, 2018

TO: Richard Jones, City Clerk

FROM: Board of Assessors

**RE: Install pole 4 – 50 and 2-4” conduits to provide
additional service to 3 Perkins Way**

**The attached are the abutters to the above described
location:**

Jill Brennan

78/ 6/ / /
BRADFORD & BIGELOW REALTY LLC
3 PERKINS WAY
NEWBURYPORT, MA 01950

78/ 8/A / /
CORNERSTONE SHOP LLC
4 PERKINS WAY
NEWBURYPORT, MA 01950

78/ 9/ / /
BARBIRIS ANTHONY TRUSTEE
5 PERKINS WAY REALTY TRUST
P.O. BOX 2162
SO. HAMILTON, MA 01982

LATE FILE ITEMS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 13, 2018

Ballot Question

That the City Council of the City Newburyport hereby approves the following question to be placed on a special election ballot to be held as soon as practicable on a date set by the City Clerk:

“Consistent with G.L. c. 94G sec. 3(a)(2), “Marijuana Establishments” as defined in G.L. c. 94G, Section 1(j), the on-site consumption and use of marijuana at any business location, and the conducting of any such activity for commercial purposes by whichever name used, shall be prohibited within the City of Newburyport. This prohibition shall not apply to the sale, distribution, manufacture or cultivation of marijuana for medical purposes if licensed in accordance with applicable law.”

Yes/No

Larry G. Giunta
Ward 5 City Councillor

Thomas F. OBrien
Ward 6 City Councillor

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 13, 2018

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF
NEWBURYPORT, MASSACHUSETTS**

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

APPENDIX A: ZONING ORDINANCE OF THE CITY OF NEWBURYPORT

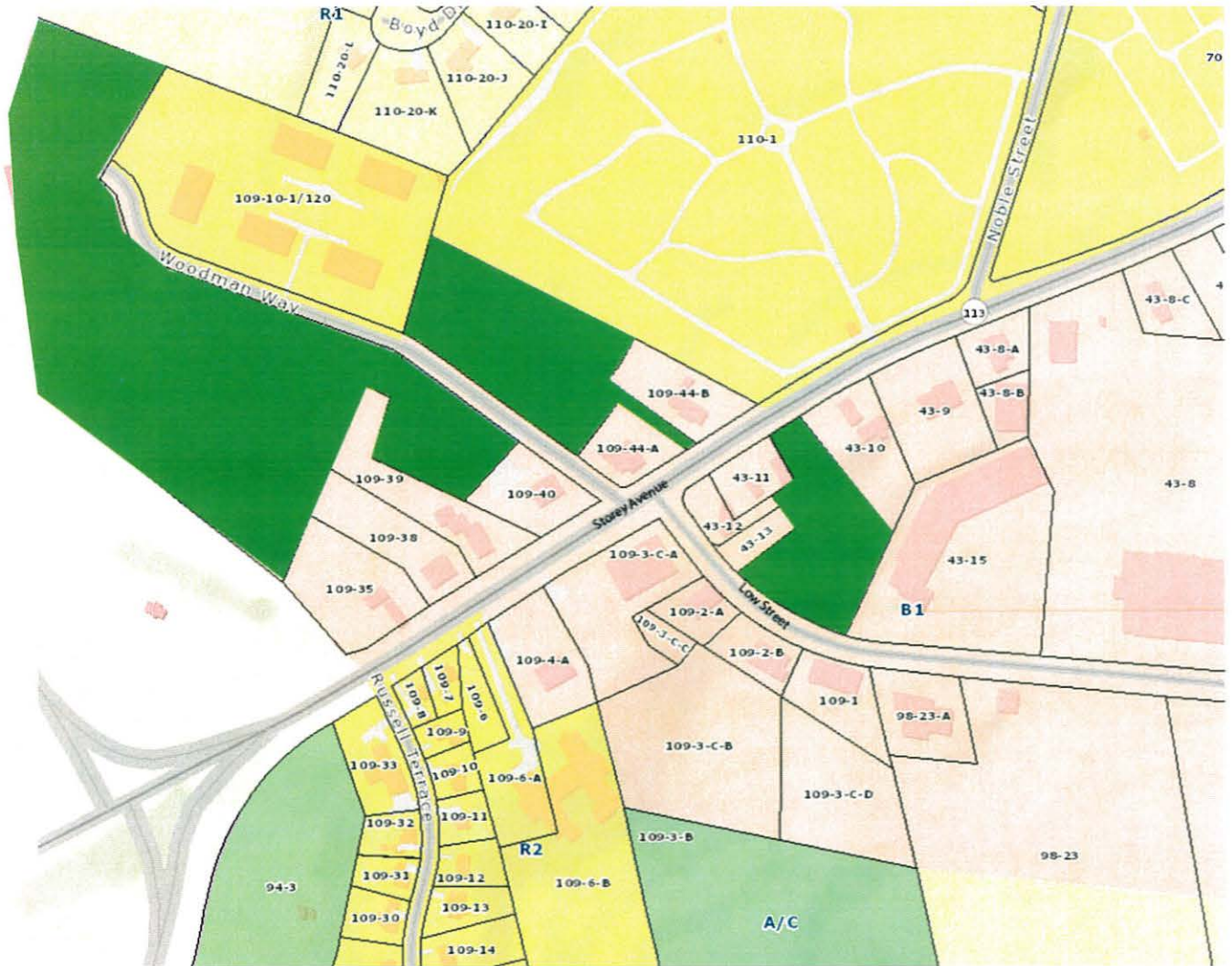
Section III-C -- Zoning map.

THAT the Zoning Map of said Zoning Ordinance entitled "Zoning Map of the City of Newburyport" be amended pursuant to Section III-D "Changes to Zoning Map" such that all parcels located within the green shaded areas of the City are changed from the Business One (B-1) District to the Residential Two (R-2) District, as depicted on the attached map entitled "Zoning Map Change – Proposed," dated November 7, 2018.

Councillor Larry G. Giunta

Councillor Thomas F. OBrien

Zoning Map Change - Proposed
November 13, 2018



CONSENT AGENDA

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
OCTOBER 29, 2018

7:15PM

Pole Hearing – 111 Low Street – 4 Henry Graf Jr. Road

10 present, 1 absent (Devlin). Representatives from WaveGuide spoke. Motion to table by Councillor Tontar, seconded by Councillor Zeid. Motion to close hearing by Councillor Zeid, seconded by Councillor Vogel. 7:43pm.

7:30PM

The City Council President, Barry Connell, called the meeting to order at 7:43pm, followed by the Pledge of Allegiance. A moment of silence was held for Barbara Harnch, Patricia Cody, and the victims of the Pittsburgh synagogue shooting. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Devlin, Earls, Eigerman, Giunta, Khan, OBrien, Shand, Tontar, Vogel, Zeid, Connell. 11 present, 0 absent.

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS – ORDR064_10_09_18, COMM090_10_09_18, ORDR033_05_14_18

Motion to wave the rules to allow late file items, by Councillor Khan, seconded by Councillor Tontar. So voted.

5. PUBLIC COMMENT

1. Ahmer Ibrahim	85 Prospect St	Question 3
2. Lukas Phipps	2 Allen St	Question 3
3. Bill Harris	56 Lime St	Custom House
4. Rita Mihalek	53 Warren St	Custom House
5. Connie Preston	18 Atwood St	Marijuana Retail
6. Tony Murray	High St	Marijuana Retail
7. Christine Ricardi	3 Summit Pl	Marijuana Retail
8. Adrienne Silversmith	4 Willow St	Cultural Council
9. Margo Leanna	41 Green St	Marijuana Retail
10. Brin Stevens	195 High St	Marijuana Retail
11. Patty Hoffman	15 Lafayette St	Marijuana Retail
12. Sonia Linteris	19 Cushing Ave	Marijuana Retail
13. Steven Linteris	19 Cushing Ave	Marijuana Retail
14. James Shanley	15 Olive St	Marijuana Retail
15. Brian Belts	14 67 th St	Marijuana, Wall
16. Nicole Nadeau	6 Bayne Ln	Marijuana Ballot
17. Dominick Garibaldi	14 67 th St	Marijuana, Wall
18. Steve Bowditch	21 Olive St	Marijuana Retail
19. Ryan Richie	246 Northern Blvd	Marijuana Retail
20. Lynn Schow	75 High St	Marijuana Retail
21. Jennifer Allard	295 High St	Marijuana Retail
22. Mike Brennan	16 Eagle St	Marijuana Retail
23. Marcy Freedman	13 67 th St	Cement Wall

6. MAYOR'S COMMENT

The mayor introduced Matthew Coogan, the city's new Chief Administrative Officer, and gave an update pursuant to her written communication.

7. PRESENTATION BY NEWBURYPORT AFFORDABLE HOUSING TRUST

Affordable Housing Trust member Judy Tymon spoke.

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

October 9, 2018

(Approve)

October 22, 2018

(Approve)

9. TRANSFERS

- **TRAN030_10_29_18** Harbormaster Retained Earnings \$41,210.71 to Pump Out Boat Purchase \$41,210.71

(B&F)

10. COMMUNICATIONS

- **COMM091_10_29_18** Pole Hearing – 3 Perkins Way

(PU)

11. APPOINTMENTS

- **APPT061_10_29_18** Victoria Finnigan 63 Washington St, Groveland Asst Treasurer/Collector 11/1/2019
- **APPT062_10_29_18** Karen B. Wiener 7 Lincoln St Affordable Housing Trust 11/30/2019
- **APPT063_10_29_18** Jane Niebling 45 Temple St Cultural Commission 9/30/2021
- **APPT064_10_29_18** Sarah M. White 349 High St Historical Commission 10/1/2021
- **APPT065_10_29_18** Douglas Bolick 8 Court St Board of Registrars 9/1/2021
- **APPT066_10_29_18** David Dylewski 334R Merrimac St Tree Commission 11/1/2021

END OF CONSENT AGENDA

REGULAR AGENDA

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

12. MAYOR'S UPDATE

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

13. TRANSFERS

- **TRAN031EP_10_29_18** Emergency Preamble for General Fund \$12.5K, Water Retained Earnings \$12.5K, Sewer Retained Earnings \$12.5K to Generator Purchase \$37.5K
Motion to approve by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed.
- **TRAN031_10_29_18** General Fund \$12.5K, Water Retained Earnings \$12.5K, Sewer Retained Earnings \$12.5K to Generator Purchase \$37.5K
Motion to approve by Councillor Tontar, seconded by Councillor OBrien. So voted.

14. APPOINTMENTS

Second Reading

- **APPT059_10_09_18** Scott Hanley 1 Milk St Tree Comm 11/1/2021

Re-Appointments

- **APPT060_10_09_18** Paul M. Bevilacqua 126 Merrimac St #3 Tree Comm 11/1/2021
Motion to approve second reading appointments 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 remove from table by Councillor Tontar, seconded by Councillor Vogel. So voted. Motion to receive and file by Councillor Tontar, seconded by Councillor Giunta. So voted.
- **ORDR067_10_29_18** FY2019 Residential Factor
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Eigerman. So voted.
- **ORDR068_10_29_18** FY2019 Tax Rate
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Eigerman. So voted.
- **ORDR069EP_10_29_18** Emergency Preamble for FirstLight Conduit Grant
Motion to approve by Councillor Zeid, seconded by Councillor Giunta. So voted.
- **ORDR069_10_29_18** FirstLight Conduit Grant
Motion to approve, the matter having been in Public Utilities since September 24, 2018, by Councillor Zeid, seconded by Councillor OBrien. Roll call vote, 11 yes. Motion passed.
- **ORDR070_10_29_18** CPC FY2019 Rail Trail Phase II
Motion to refer to Budget & Finance by Councillor Eigerman, seconded by Councillor Tontar. So voted.
- **ORDR071_10_29_18** CPC FY2019 Custom House Slate Roof
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Vogel. So voted.
- **ORDR072_10_29_18** Additions to 2-Hour Parking Zones
Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Earls. So voted.
- **ORDR073_10_29_18** Stop Sign – Newhall Lane at Elizabeth Lane
Motion to refer to Public Safety by Councillor OBrien, seconded by Councillor Tontar. So voted.

16. ORDINANCES

- **ODNC023_05_29_18** Amendment to Waterways Fee (**2nd Reading**)
Motion to approve second reading by Councillor Earls, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 no (Zeid). Motion passed.
- **ODNC024_06_11_18** Zoning Amendment - Marijuana Retail Sales Locations (**2nd Reading**)
Motion to approve second reading by Councillor Eigerman, seconded by Councillor Vogel. Roll call vote, 8 yes, 2 no (Giunta, OBrien), 1 recused (Devlin). Motion passed.

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR007_01_29_18** 41C Amendment
- **TRAN027_10_09_18** Sale of Municipal Equip \$18K to School Tech Upgrades \$18K
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **TRAN028_10_09_18** Legal Settlements \$22.5K to Reservation Terr Wall \$22.5K
Councillor Eigerman recused and left the room. Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve (Comm vote 3-0) by Councillor Tontar, seconded by Councillor Zeid. So voted.

- **TRAN029_10_09_18** PI Utility Trust Fund \$99,197 to Olga Way Pump Replace \$99,197
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Devlin. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Khan. So voted.

Education

Councillor Giunta gave an update; next meeting will be November 5th 5:30pm at the Senior Center.

In Committee:

-

General Government

In Committee:

- **ODNC007_02_12_18** Amendment to Division 7 – City Solicitor
Motion to remove from General Government by Councillor Vogel, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Vogel, seconded by Councillor Zeid. So voted.
- **ORDR016_03_26_18** Naming of the Five (5) Nature Trails Contained in the Little River Trail System
Motion to remove from General Government by Councillor Vogel, seconded by Councillor Giunta. So voted. Motion to approve by Councillor Vogel, seconded by Councillor Khan. So voted.
- **COMM048_06_11_18** Ltr re: Marijuana Retailers Ballot Question
Motion to remove from General Government by Councillor Vogel, seconded by Councillor Giunta. So voted. Motion to receive and file (Comm vote 3-0) by Councillor Vogel, seconded by Councillor Giunta. So voted (1 no, OBrien).
- **ORDR064_10_09_18** Yes on Question 3 Resolution
Motion to remove from General Government by Councillor Vogel, seconded by Councillor Giunta. So voted. Motion to amend, to strike “Be It Further Resolved” and “Attest” sections and the following: “and will hereby pledge to sign on to Freedom For All Massachusetts’ Yes on 3 Coalition to say clearly”, by Councillor Eigerman, seconded by Councillor Vogel. Motion to approve as amended by Councillor Vogel, seconded by Councillor OBrien. Roll call vote, 8 yes, 3 present (Devlin, Giunta, Zeid). Motion passed.

License & Permits

In Committee:

- **COMM029_04_30_18** Outdoor Seating - West Row Café

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
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Tontar (1 no – OBrien). Motion to approve (Comm vote 3-0) by Councillor Eigerman, seconded by Councillor Vogel. So voted.
- **ORDR036_05_14_18** Marijuana Retailers Ballot Question
- **ODNC025_08_13_18** Colby Farm Lane Residential Overlay District

- **ORDR065_10_09_18** Custom House Resolution
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Devlin. Motion to approve (Comm vote 3-0) as amended (strike “a 99-year lease” from “Be It Resolved” section) by Councillor Eigerman, seconded by Councillor Giunta. Roll call vote, 11 yes. Motion passed.
- **ORDR066_10_09_18** Sidewalk Easement
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to approve, subject to approval by the City Solicitor, by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed.

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
- **COMM086_09_24_18** Ltr from Residents of East Boylston Street
- **COMM087_09_24_18** Ltr re: Coffin Street
- **COMM090_10_09_18** Harborside Half Marathon & 5K – 11/11/2018
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Giunta. So voted. Motion to approve (Comm vote 2-0), with conditions; 1. That residents be notified, 2. An ad is placed in the newspaper, 3. Signs are posted one week ahead of time; by Councillor Devlin, seconded by Councillor Zeid. So voted (1 no – Connell).

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
- **COMM088_09_24_18** Wave Guide Application
Motion to remove from Public Utilities by Councillor Zeid, seconded by Councillor Giunta. So voted. Motion to receive and file by Councillor Zeid, seconded by Councillor Giunta. So voted.

Rules Committee

In Committee:

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

17. GOOD OF THE ORDER

Councillor Zeid noted with sadness that Wayne Amaral, DPS Deputy Director, is leaving, and also noted that due to presentations and public comment, the Council did not get to its own work until after 9pm. President Connell also noted with regret that Wayne Amaral was leaving and went on to establish the ad hoc committee proposed by Councillor Zeid and to consist of the following members: Councillors Eigerman, Giunta, Shand, Devlin, Khan; Councillor Eigerman to be chairperson and the Planning Board should be involved. Rick Taintor of Newburyport has offered to consult. President Connell asked the committee to report back to the City Council on December 10th.

18. ADJOURNMENT

Motion to adjourn by Councillor Eigerman, seconded by Councillor Tontar. So voted. 10:55pm.

COMMUNICATIONS

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. 978 594 7050 Fax.

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

NAME OF EVENT: 7th annual Ladies Night out 5K Run/Walk

Date: 12/1/18 Time: from 2pm to 4pm

Rain Date: — Time: from — to —

2. Location: Nicholson Hall

3. Description of Property: Church Hall Public Private

4. Name of Organizer: BTS Event Management City Sponsored Event: Yes No

Contact Person Ashley Steeves

Address: 10 Hemmenway Rd, Salem MA 01970 Telephone: 978-594-7050

E-Mail: events@btsfitness.com Cell Phone: — —

Day of Event Contact & Phone: — —

5. Number of Attendees Expected: 300

6. MA Tax Number: —

7. Is the Event Being Advertised? NO Where? —

8. What Age Group is the Event Targeted to? 21+

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

** will notify all residents on Morris St, week of event*

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

A. Vending: Food Beverages Alcohol Goods Total # of Vendors 4-5

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? 10
- b) How many recycling receptacles will you be providing? —
- c) Will you be contracting for disposal of : **Trash** Yes No **Recycling** Yes No
 - i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
 - ii. Name of disposal company: **Trash** _____ **Recycling** _____
 - iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No
 - iv. If no, where will the trash & recycling be disposed ? _____

If no:

- a) # of trash container(s) to be provided by DPS NA
- b) # of recycling container(s) to be provided by Recycling Office NA
- 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: NA (Bathrooms Aside).

@

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____ ROAD RACE X WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:
B+S Event management
7th annual Ladies night at Sk Run/Walk

2. Name, Address & Daytime Phone Number of Organizer:
Ashley Steeves, 10 Hemenway Rd, Salem MA 01970
978-594-7050

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

4. Date of Event: 12/1/18 Expected Number of Participants: 300

5. Start Time: 2pm Expected End Time: 4pm

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

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

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

9. Formation Location & Time for Participants: Nicholson Hall (2pm sharp)

10. Dismissal Location & Time for Participants: Harris St. (45min for walkers)

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

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

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

[Signature]

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.

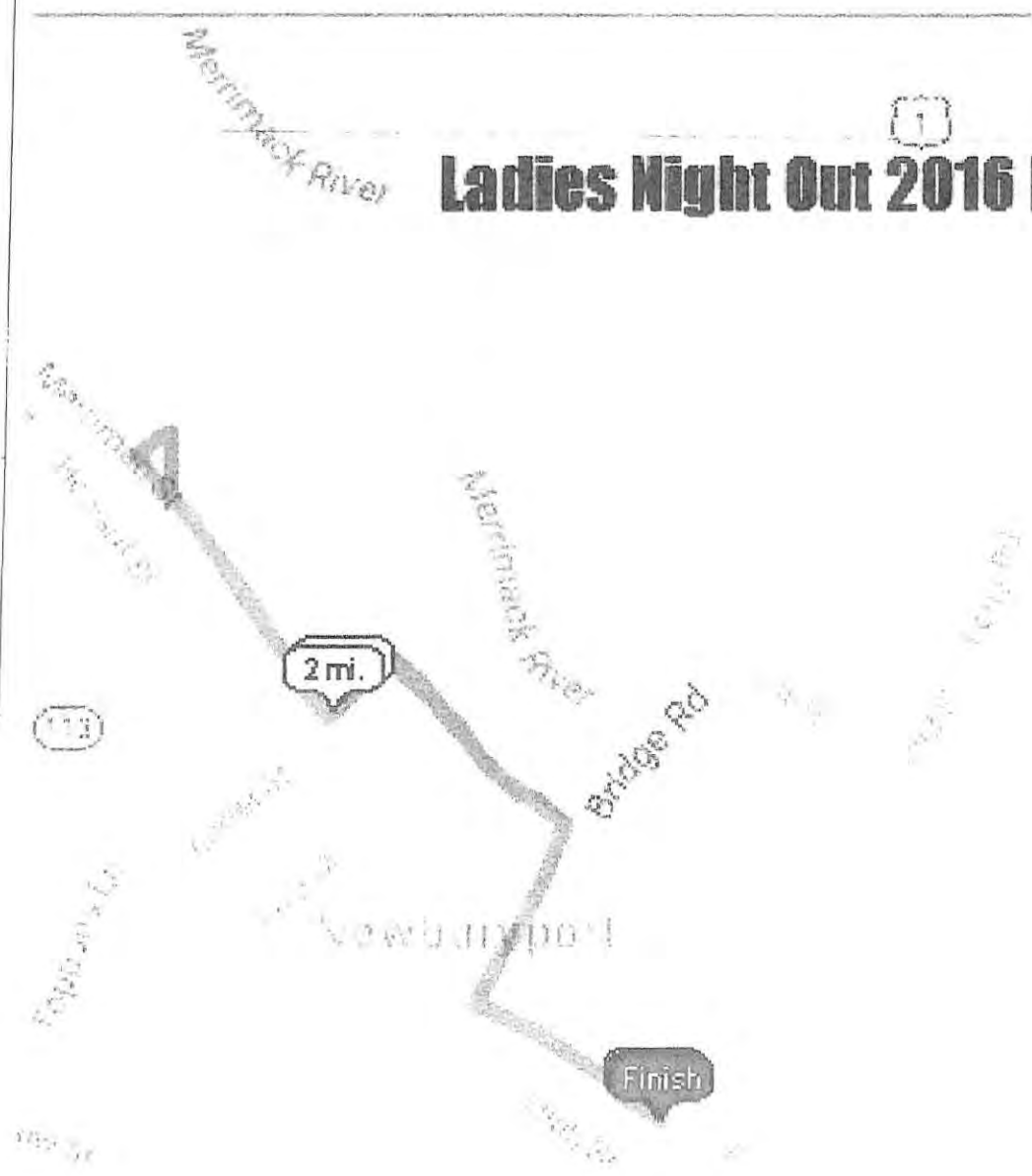
13-101 Enforcement

- (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: 10/25/18

Ladies Night Out 2016 Route



START

RIGHT on Green St
 LEFT on Washington St.
 go through Market St.
 go through Summer St.
 go through Winter St.
 RIGHT onto Rail Trail
 LEFT at the water
 go onto Sally Snider Way
 RIGHT onto Merrimac St.
 RIGHT onto Merrimac Ct.
 LEFT onto Union Place
 LEFT onto Merrimac St.
 Left onto Sally Snider Way
 go onto Rail Trail
 LEFT onto Washington St.
 go through Winter St.
 go through Summer St.
 go through Market St.
 RIGHT on Washington St.
 LEFT on Green St.

FINISH

Bathrooms



Nicholson Hall Layout



**Wine/Beer
Served
In This
Corner**



**Main
Entrance/Exit**



**2nd
entrance/exit
More
bathrooms**



The majority of the hall will be cleared for people to gather/dance and hang out...around the perimeter of the hall tables will be setup offering food/drink, snacks, etc. A few of our sponsors will be setup handing out chocolates and other goodies.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/29/18

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

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

PRODUCER CURTIS J. VERNON INSURANCE AGENCY PO BOX 266 BOUNTIFUL, UT 84010	CONTACT NAME:		
	PHONE (A/C No. Ext):	(801) 292-5529	FAX (A/C No.): (801) 677-0077
E-MAIL ADDRESS:			
INSURER(S) AFFORDING COVERAGE			NAIC#
INSURER A: ATAIN SPECIALTY INSURANCE CO			
INSURER B: USLI			
INSURER C:			
INSURER D:			
INSURER E:			
INSURER F:			

INSURED **B&S FITNESS PROGRAMS LLC**
45 CONGRESS STREET, DOCK 19-20
SALEM, MA 01970
978-204-8588


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	ADUL 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	Y		CIP343472	01/29/18	01/29/19	EACH OCCURRENCE \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Professional Liability \$ 3,000,000
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANYAUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			XSL016A12X3	01/29/18	01/29/19	COMBINED SINGLE LIMIT (Ea accident) \$
	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

CERTIFICATE HOLDER IS LISTED AS ADDITIONAL INSURED

CITY OF NEWBURYPORT 60 Pleasant Street Newburyport, MA 01950	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION

978 270 7455 Tel. 978 835 7054

Fax.

2019 OCT 24 PM 1:52

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

NAME OF EVENT: 26th Annual Newburyport Rotary Frigid Fiver

Date: Sunday January 27th, ~~2018~~ 2019 Time: from 11:00 Am to 12:30 pm

Rain Date: _____ Time: from _____ to _____

2. Location: Riverwalk Brewing , 40 Parker St

3. Description of Property: Mark Richey Building Public _____ Private X

4. Name of Organizer: Newburyport Rotary & Joppa Flats Running Club City Sponsored Event: Yes _____ No X

Contact Person Bob Manning & Adam Palombo

Address: PO Box 502, NBPT Telephone: 978 270 7455 978 835 7054

E-Mail: Robert.F.Manning@ge.com Adam.Palombo@gmail.com Cell same

Day of Event Contact & Phone: same as above 978 270 7455 978 835 7054

5. Number of Attendees Expected: 400

6. MA Tax Number: Non Profit AG # is 053064. EIN: 45-3130319

7. Is the Event Being Advertised? yes Where? Local signs

8. What Age Group is the Event Targeted to? 15-70

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

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

A. Vending: Food X Beverages X Alcohol X Goods _____ Total # of Vendors 1

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

If yes:

- a) How many trash receptacles will you be providing? 1 at H2O Stop
- b) How many recycling receptacles will you be providing? Many in Riverwalk Brewery
- 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 ? Riverwalk Brewery

If no:

- a) # of trash container(s) to be provided by DPS 0
- b) # of recycling container(s) to be provided by Recycling Office 0
- 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)
2 Standard # _____ ADA accessible

Name of company providing the portable toilets: United Site Services

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____ ROAD RACE X WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:
Newburyport Rotary & Joppa Flats Running Club

2. Name, Address & Daytime Phone Number of Organizer: _____
JFRC, PO Box 502, Newburyport Ma, 01950

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up _____
Robert Manning , 1 Lorum St, Newburyport, Ma 01950, 978 270 7455

4. Date of Event: Sunday January 28th, ~~2018~~ 2019 Expected Number of Participants: 350

5. Start Time: 11 Am Expected End Time: 12:30 pm

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

7. Locations of Water Stops (if any): Merrimac and Jefferson St

8. Will Detours for Motor Vehicles Be Required? No If so, where? _____
Riverwalk Brewing on Parker St

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: Riverwalk Brewing on Parker St

11. Additional Parade Information: None
- Number of Floats: _____
 - Locations of Viewing Stations: None
 - Are Weapons Being Carried: Yes ___ No X
 - Are Marshalls Being Assigned to Keep Parade Moving: Yes ___ No X

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

* CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 0 Greenleaf St.
 DEPUTY DIRECTOR [Signature] 15A Perry Way CITY CLERK [Signature] 60 Pleasant St.

Rev. 12/15

*Contingent on hiring 3 details
 lead vehicle / start line / Rail Trail*

DEPARTMENT APPROVAL (for Committee Member use only):

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

Approval Required Date: _____ Signature _____

____ 1. Special Events: _____

____ 2. Police: _____
 Is Police Detail Required: _____ # of Details Assigned: _____

____ 3. Traffic, Parking & Transportation: _____

____ 4. ISD/Health: _____

____ 5. Recycling: _____

____ 6. ISD/Building: _____

____ 7. Electrical: _____

____ 8. Fire: _____
 Is Fire Detail Required: _____ # of Details Assigned: _____

____ 9. Public Works: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
 Yes: \$ _____ due on _____ No Fee for Special Events applies
 Other requirements/instructions per DPS _____

____ 10. 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: Bob Manning Adam Palumbo Date: 8/13/18



CERTIFICATE OF LIABILITY

DATE (MM/DD/YYYY)
12/20/2017

To be updated for 2019 with insurance payment 12/15/18

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND DOES NOT CONFER RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR WAIVE THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER STAR Insurance - Fort Wayne Office 2130 East Dupont Road Fort Wayne IN 46925		CONTACT NAME: Margaret Mayers PHONE (AG, No. Ext.): (260) 467-5699 FAX (AG, No.): (260) 467-5691 E-MAIL ADDRESS: margaret.mayers@starfinancial.com	
INSURED Road Runners Club of America/2018 and Its Member Clubs 1501 Lee Highway, Suite 140 Arlington VA 22209		INSURER(S) AFFORDING COVERAGE	
		INSURER A: National Casualty Company INSURER B: Nationwide Life Insurance Co. INSURER C: INSURER D: INSURER E: INSURER F:	NAIC # 11991 66969

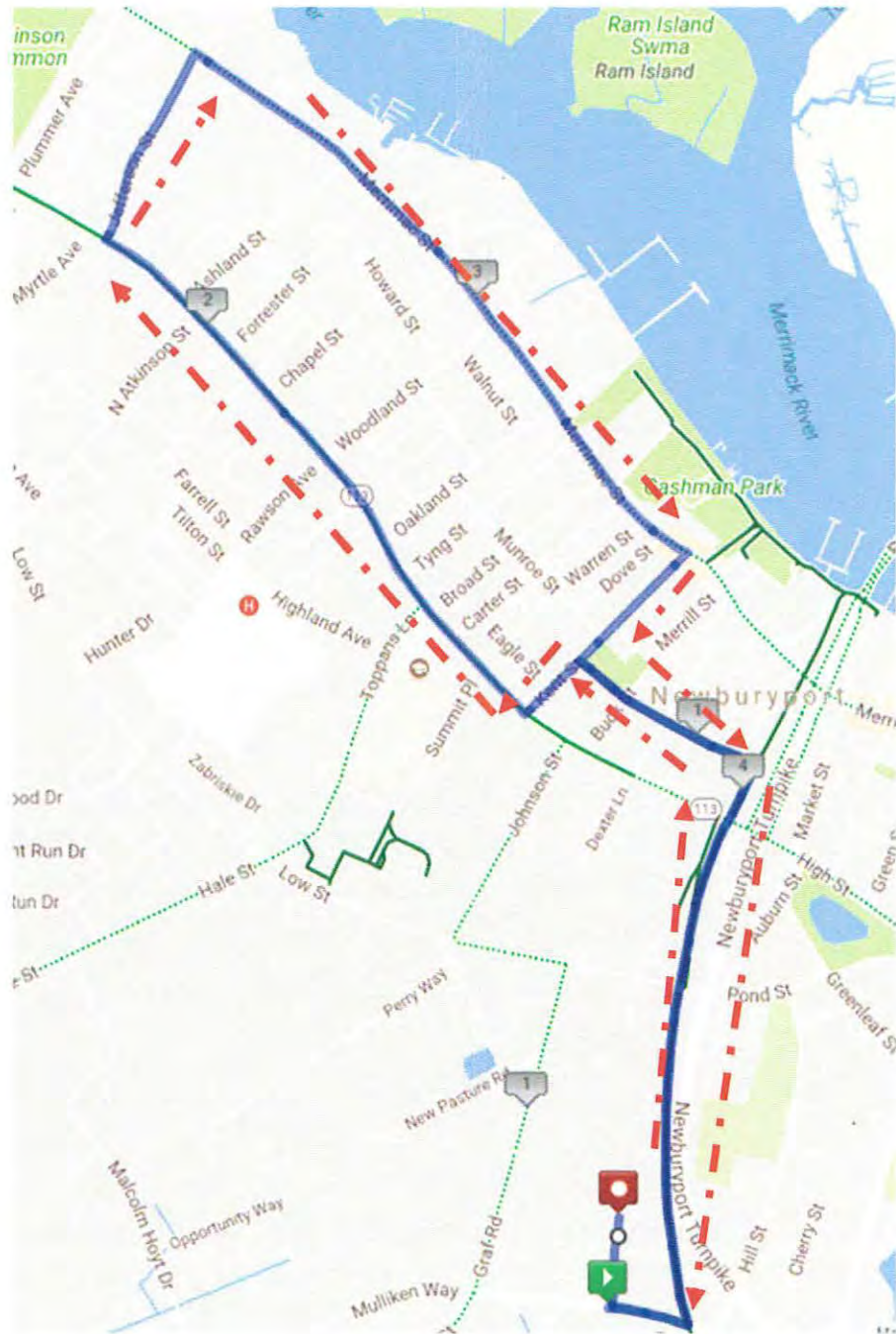
COVERAGES CERTIFICATE NUMBER: 2018 \$1M A.I. REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			KRD000007170900	12/31/2017 12:01 AM	12/31/2018 12:01 AM	EACH OCCURRENCE \$ 1,000,000	
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAWAGE TO RENTED PREMISES (If a occurrence) \$ 500,000	
	<input checked="" type="checkbox"/> Legal Liability to Participant \$1,000,000						MED EXP (Any one person) \$ 5,000	
	GENL AGGREGATE LIMIT APPLIES PER:							PERSONAL & ADV INJURY \$ 1,000,000
<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			Abuse & Molestation				GENERAL AGGREGATE \$ Unlimited	
	OTHER:			Aggregate \$5,000,000			PRODUCTS - COMP/OP AGG \$ 1,000,000	
A	AUTOMOBILE LIABILITY			KRD000007170900	12/31/2017 12:01 AM	12/31/2018 12:01 AM	Abuse and Molestation \$ 500,000	
	<input type="checkbox"/> ANY AUTO ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS						COMBINED SINGLE LIMIT (Per accident) \$ 1,000,000
	<input checked="" type="checkbox"/> HIRED AUTOS	<input checked="" type="checkbox"/> NON-OWNED AUTOS						BODILY INJURY (Per person) \$
								BODILY INJURY (Per accident) \$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR					PROPERTY DAMAGE (Per accident) \$	
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE					\$	
	DED	RETENTIONS					\$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	<input type="checkbox"/> Y/N	N/A				PER STATUTE	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/>					OP-ER	
	If yes, describe under DESCRIPTION OF OPERATIONS below						\$1. EACH ACCIDENT \$	
B	Excess Medical & Accident (\$250 Deductible/claim)			BFX0000028554500	12/31/2017 12:01 AM	12/31/2018 12:01 AM	Excess Medical \$10,000 AD & Specific Loss \$2,500	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED AS RESPECTS TO THEIR INTEREST IN THE OPERATIONS OF THE NAMED INSURED. DATE OF EVENT(S): 01/28/18 Frigid River INSURED RRCA CLUB/EVENT MEMBER: Joppa Flats Running Club, Att'n: Bob Mannin, PO Box 60, Newburyport, MA 01950

CERTIFICATE HOLDER 01/28/18 City of Newburyport 60 Pleasant Street Newburyport, MA 01950	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Terry Diller/MMA <i>Terry R. Diller, CFCU</i>
--	---



Course

- Starts & finishes @ the Riverwalk Brewery, Parker ST
- Turn Left onto Parker St take run to the Rail Trail
- Turn Left onto the Rail Trail and Run to Washington St
- Turn a Left onto Washington St and run to Kent St
- Turn Left onto Kent and run to High St
- Turn Right onto High St and run to Jefferson St
- Turn Right onto Jefferson St and run to Merrimac St
- Turn Right onto Merrimac St and run to Kent St
- Turn Right onto Kent St to run to Washington St
- Turn Left onto Washington St and Run to Rail Trail
- Turn right onto the Rail Trail run bac k to the Riverwalk Brewery

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

*Newburyport Retirement Board
16 Unicorn Street
Newburyport, MA 01950*

OCT 26 2018 10:42

Board Members

*Joseph Spaulding, Chairman
Jeffrey Cutter, Vice-Chairman
Alexander Kravchuk, Board Appointee
Ethian Manning, City Auditor
John Moak, Mayor Appointee*

*Laurie Burton, Executive Director
LaurieBurton@NewburyportRetirement.org
Telephone
(978) 465-6619
FAX
(978) 462-4042*

October 26, 2018

To: President and Members of the City Council

From: Newburyport Retirement Board

Re: Retirement Board Expense Budget C/Y 2019

Section 36 of Chapter 306 of the Acts of 1996 states that the Newburyport Retirement Board shall file with the legislative body of the governmental unit the proposed annual budget covering operating expenses of the Retirement Board.

The Board will be voting to approve the C/Y 2019 budget at its' Board meeting on November 28, 2018. We are filing this budget with you for informational purposes only. No action is needed by you, as these expenses will be funded from the investment income of the Newburyport Retirement System.

Sincerely,



Joseph Spaulding
Chairman

Proposed Administrative Budget for the Newburyport Retirement Board

January 1, 2019 - December 31, 2019

Administrative/Office expenses	10,300
Board Stipends	22,500
Conferences/Travel	4,250
Contracts/Software	26,000
Education & Training	2,000
Fiduciary insurance	4,212
Furniture & Equipment	00.00
Health Insurance	30,547
Legal Fees	2,500
Office Rent	12,900
Salaries	161,624
<hr/>	
Total Budget	\$276,833

Estimates Paid for C/Y 2018

Management Fees \$392,000

Retiree Pensions \$6,648,000

Estimates Received for C/Y 2018

Member's Deductions \$1,800,000

As of September 30, 2018

Pension Reserve Investment Trust Asset Value \$85,581,138

Active Members 386

Inactive Members 189

Retirees 243

FILED
CITY CLERK'S OFFICE
NEWBURYPORT, MAROBERT D. MORRILL
8396 SW SNAPDRAGON COURT
STUART, FLORIDA 34997
2018 OCT 29 AM 10:30

October 25, 2018

Hon. Donna D. Holaday, Mayor
City of Newburyport
60 Pleasant Street
Newburyport, Massachusetts 01950

Re: Morrill Foundation Funding Directive

Dear Madam Mayor,

This letter is to advise the City that the trustees have deliberated over the projects presented at the Newburyport Senior Center Meeting on September 7, 2018. We have reviewed the proposed options for allocating the \$110,000.00 available for distribution in 2019.

I would first like to express my appreciation to Mrs. Lise Reid for the time and effort she applied this summer in clarifying and striving to move forward on a number of pending projects.

We are in agreement on the following with certain noted stipulations:

1. Repair of Historic Gravestones at St Paul's Episcopal Church - \$2000.00. It is to be noted that the money is only to be applied to Historic stone restoration for individuals who played a significant role in the City of Newburyport and the establishing of our Country.
2. Oak Hill Cemetery Tree Planting Project - \$2500.00. The money is to be applied as requested with the planting of 6 saplings 12 foot high using 12 bags of Coast of Maine Compost. On a personal note the trustees appreciate the ongoing interest, efforts and expertise of Ghlee E. Woolworth.
3. Bartlet Mall Historic Restoration - \$15,000.00. The monies allocated for 2018 and the additional funds for 2019, are to be applied to restoring the original access to Frog Pond from Auburn Street. This will include tree and stump removal and stones, at the base, and reestablishing the slope per Charles Elliot's design for the rest of the mall. The trustees applaud the City for utilizing the leadership skills of Kim Turner and Chuck Griffin, both Architects, and the economic benefits of the Newburyport Conservancy Fund to further restore this Historic Landmark.

4. **Cushing Park Improvement Project, Planters and Interpretive Panels - \$15,000.00.** The work this year on the floral border garden is significant and should be appreciated in the years to come. With this in mind, establishing a specific summer activity area with granite blocks and floral planters seems appropriate. The trustees noted that the monies requested for the planters seems excessive and have requested that alternative sources be explored. The excess funds can be used to refurbish the three existing benches facing Kent Street. Any remaining funds can be reallocated.

5. **Newburyport High School Learning Center - \$75,500.00.** The trustees are grateful for the combined efforts of Mayor Holaday, Lise Reid, Kim Turner and the Newburyport High School Administration for their determination in recognizing Mayor Gayden W. Morrill, 1932 -1935. By laying the cornerstone, he saw his vision, and advocacy brought to fruition as the founder of Newburyport High School. The learning center will be an encouragement to all.

I know that the City Council will have to formally accept these funds at its December meeting. After notification of their acceptance to all trustees, and the turn of the year, The Mayor Gayden W. Morrill Charitable Foundation will send a check to The City.

In the meantime, we hope that all in Newburyport will have a wonderful Thanksgiving, a Blessed Christmas, and a safe, joyous and prosperous New Year.

Sincerely,



Robert D. Morrill

Cc: James Agrippa Morrill, James Astle Morrill, Mary Haslinger, Lise Reid, Kimberly Turner, Jack Grady, Peter Demaranville

**APPOINTMENTS
FIRST READING**



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

CITY CLERK'S OFFICE
NEWBURYPORT, MA
2018 OCT 31 PM 3:06

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: October 31, 2018
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Community Preservation Act Commission as the Park's Commission representative. This term will expire on October 31, 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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2018 OCT 30 AM 9:27

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: October 30, 2018
Re: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Cultural Commission. This term shall expire on October 30, 2021.

Patricia Cannon
185 High Street
Newburyport, MA 01950

PATRICIA E. CANNON

185 High Street
Newburyport, MA 01950
(901) 355 - 1556
PCannon1@gmail.com

PROFESSIONAL SUMMARY

A proven business professional with documented, consistent success in achieving results with eighteen years of specialty biotech/device and surgery experience and 4 years of small business experience.

- Leadership, energy and skills to produce an immediate impact and add long-term value to exceed expectations.
- Expertise in innovative new technology/biotechnology launch and business strategy.
- Training and Development of colleagues and successful management of multiple sales partners.

EXPERIENCE

2017 - present Beach Plum Flower Shop

Small Business Owner

Newburyport, MA

- Rebranded and increased business by 18% at small local flower shop.
- Hired and manage 7 employees that range from full time/part time.
- Focusing on creating an experience for the Flower Shop/Shop Sharing concept.
- Strong Community Commitment & Focus.

2014-2017 CSL Behring

Coagulation Specialist

New England Region

- Increased sales by 130% in a heavily saturated market.
- Educated hematologists, pharmacy with specialized clinical programs.
- Launched innovative Factor IX product – ranking in top 10 representatives.

2008-2014 Covidien (Aspect Medical/Somanetics/LiDCO Ltd.)

Advanced OR Specialty Representative

Boston South, MA

Memphis, TN

- Developed, Grew and Managed a \$1.3 M sales territory from infancy.
- OR Specialty Representative specializing in CV surgery.
- Procedural Selling for CABG & Valve Surgery (OR and Cath Lab).

- Presidents Club #1/Sales Manager of the Year (2009).
- Rookie of the Year (2009).
- Consistency Award/over 100% Club (2009-2013).
- Top Disposable Rep at 121% for FY2012. Presidents Club rank 13/52.
- Increased Sales for CV equipment capital 142% and 121% disposables.
- Capital Sales for FY13 152% to quota

2007-2008 OrthoBiotech, division of Johnson & Johnson

Senior Biotech Product Specialist Memphis, TN

- Managed \$1.5 M RBC product sales in nephrology specialty.
- Achieved 100% contract re-initiation for primary contacts despite declining market.
- Established areas of new contracting opportunities to increase sales.

2002-2007 MedStats

Memphis, TN

Consultation projects for biotech company

- Select projects focused on market research and evidence-based medicine.

1998-2002 Novo Nordisk, Inc.

Philadelphia, PA

Biologics Specialty Sales Manager

- Successfully launched NovoSeven, hemostatic agent for bleeding, Novo Nordisk's first biotech product for US market. Most successful product launch in company history with sales of \$66 million at year one to \$210 million at year four.
- Managed marketing and sales effort for eight state territory.
- Awarded Circle of Excellence for 2000/2002.
- Exceeded sales goal by 55% to 80% consistently each year.
- Achieved 100% sales penetration, to include new and repeat NovoSeven orders, for hemophilia/teaching centers.
- Developed national sales and marketing programs: NovoSeven Speaker Program, NordiStart Tracking Form and Strategic Action Plans.
- Selected as trainer and developed four Sales Representatives and three Medical Liaisons as integral part of growth initiative.
- Identified key new accounts and developed blood banking programs with Medical Liaison.
- Created and led Regional Nurses symposium to become a national program for education.
- Developed Regional Symposium with Covance (third party vendor) regarding reimbursement strategies.
- 100% success rate with P & T committees and Blood Banks for major institutions with initial stocking of NovoSeven in eight states.

1996-1998 Nabi Philadelphia, PA

Sales Manager

- Ranked Top Sales Manager for 1998.
- Converted highest number of new accounts and greatest increase of sales for 1997.
- President's Club for 1998.
- Assisted in development and implementation of market development strategies for launching biotech products, AutoPlex and WinRho.
- Developed consignment program for Nabi in the hemophilia market.
- Initiated speaking programs and continuing education seminars.

EDUCATION & TRAINING

Johns Hopkins University Baltimore, MD

- M.B.A., International Business

Clemson University Clemson, SC

- B.S., Marketing

Preceptorship with CV OR Methodist and Baptist Hospitals, Hemophilia Treatment Centers (Novo Nordisk), Catherization Labs (Wyeth), CV training with Aspect Medical at University of Connecticut.

Sales Trainer for Nabi & NNPI.

Professional Selling Skills Courses, Various Computer Sales System Training, Regulatory Communication, Quality System and Product Pricing Maintenance Training, Negotiation Skills Training and OR Vendor Certified.

INTERESTS AND ACTIVITES

Corporator for Anna Jaques Hospital, Executive Board Member of Pelican Intervention Group, Secretary for Newbury Garden Club, Horticulture Club Member, Volunteer and Donor for Jeanne Geiger Crisis Center, Newburyport MA.

Prior Experience: Board Member LeBonheur Children's Hospital Club, Make-A-Wish Volunteer Wish Granter, Board Member Memphis Catholic Work Study Program, Board Member Neighborhood Association, Executive Board Member/Lower School Coordinator and Annual Fund Coordinator for St. Mary's Episcopal School.

Skiing, Running, Music, Reading & Travel.



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

OCT 30 AM 10:59

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: October 30, 2018
Re: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Cultural Commission. This term shall expire on October 30, 2019.

Adrienne Silversmith
4 Willow Avenue
Newburyport, MA 01950

Adrienne Silversmith

(603) 714-2936

adrienne@outlook.com

asfineart.net

Instagram: Adrienne fine art

FB: Adrienne Silversmith Art

Education

-BFA/Painting New Hampshire Institute of Art 2011
-MSN(Master of Science /Nursing)
Critical Care CNS/NP. SUNY/StonyBrook 1989

Selected Shows

Redux Contemporary Art Show 10/16
Firefly Bistro **Solo** Show 8/16
Annual Opening@ AS Fine Art 12/15
The Gallery at 100 Market (Juried-Encaustic) 1015
Kimball Jenkins Estate Show(Juried Encaustic &Oil) 4/15
NHIA Alumni Show(Juried) 2013
NHAA Dunfrey Show (Juried) 2012
New Hampshire Institute of Art-Senior Show 2011
Minumental Show 2011
New Hampshire Institute of Art-Annual Show 2010
New Hampshire Institute of Art Biennial (Juried Event) 2010
5th Annual PPSCC, For Pastels Only (Juried National) 2002
Canson Mi-tientes Award
Manchester Artist Association Artist of the Year 2003-04
Manchester Artist Associations-Art in the Park, 1st Place 2000

Professional Organizations

Redux Contemporary Art Center 9/16
Cambridge Artist Association (Juried) 2013-14
Cambridge Artist Association (Juried) 2001-03
Pastel Society of Cape Cod (Juried) 1999-02
New Hampshire Artist Association (Juried) 05-present

**Related
Professional
Experience**

Artist-in-Resident Vermont Studio Center
- awarded a month-long residency 2/13
East Colony Fine Art-Member/Sale 2004-07
Redux Contemporary Art Center 9/16-9/17

**Teaching
Experience**

Adrienne Silversmith Fine Art
- weekly oil painting class @ASFineArt 2014-16
New Hampshire Institute of Art 4/13
Presenter: Professional Artist: Vermont Studio Center
Resident Experience
Nursing Instructor NHTI 1991-93

**Professional
Development**

Workshops

David Shelvino 2015
Randal Sexton (figure painting) 2014
Catherine Kehoe (figure painting)@MassArt 2012
Alex Kanevsky (figure Painting)@ PAFA 2012
Cameron Bennett (portrait and figure painting) 2009-12
Don Stone (landscape/plein air painting) 2005/07
Rob Liberace (figure drawing with red chalk) 2011
Anthony Ryder (portrait drawing) 2011

Self-directed

Plein-air painting on Monhegan Island, Maine
- Summers 2003-present



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 OCT 31 PM 3:00

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: October 31, 2018
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Emma Andrews Branch Library Commission. This term will expire on October 30, 2019.

Aine G. Ellrott
43 Purchase Street
Newburyport, MA 01950



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 OCT 31 PM 3:00

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: October 31, 2018
Re: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Emma Andrews Branch Library Commission. This term will expire on October 30, 2019.

Elizabeth Valeriani
29 Oak Street
Newburyport, MA 01950



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

2018 OCT 31 PM 3:00
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 OCT 31 PM 3:00

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: October 31, 2018
Subject: Re-Appointment

I hereby reappoint, subject to your approval, the following named individual as a member of the Emma Andrews Branch Library Commission. This term will expire on October 30, 2019.

Elizabeth L. Watson
53 Warren Street, Unit 315
Newburyport, MA 01950

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

COMMUNICATIONS

November 13, 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 COMM092_11_13_18, the Rotary Club Santa Parade, is time-sensitive due to the date of the event being prior to the next Council meeting on November 26, 2018.

Therefore, the City Council hereby affirmatively declares that an emergency exists such that Rule 12A be waived and COMM092_11_13_18 may be voted upon at its first introduction to this Council.

Councillor Barry N. Connell

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. 978-314-8865

Fax. 978-463-1225

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
NOV 14 11:17

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

NAME OF EVENT: Newburyport Rotary Santa Parade

Date: November 25th, 2018 Time: from 3:00 p.m. to 5:00 p.m.

Rain Date: Same as above Time: from _____ to _____

2. Location: NRA east parking lot, up State Street, to Pleasant, to Green Street, on Merrimac to Market Square

3. Description of Property: City Streets and Market Square Public Private _____

4. Name of Organizer: Newburyport Rotary Club City Sponsored Event: Yes _____ No

Contact Person David Fowler, President, Newburyport Rotary

Address: 25 Highland Ave. Newburyport, Ma. 01950 Telephone: 978-461047

E-Mail: dfowler@ajh.org Cell Phone: 978-314-8865 (best number)

Day of Event Contact & Phone: David Fowler, 978-314-8865

5. Number of Attendees Expected: 500 -1000

6. MA Tax Number: _____

7. Is the Event Being Advertised? Yes Where? Facebook and Daily News

8. What Age Group is the Event Targeted to? all ages but mainly for the children

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

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

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

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

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

Name of Carnival Operator: _____

Address: _____

Telephone: _____

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

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

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE X ROAD RACE WALKATHON

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

2. Name, Address & Daytime Phone Number of Organizer: David Fowler
25 Highland Ave. Newburyport Ma. 01950 978-314-8865

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

4. Date of Event: November 25th, 2018 Expected Number of Participants: 500-1000

5. Start Time: 3:00 P.M. Expected End Time: 5:00 P.M.

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): Attached
Water Street, State Street, Pleasant Street, Green Street and Merrimac Street.

7. Locations of Water Stops (if any): N/A

8. Will Detours for Motor Vehicles Be Required? Yes If so, where? State Street, Pleasant St. and Green


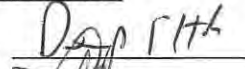
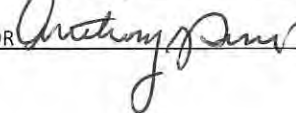

9. Formation Location & Time for Participants: NRA East Parking Lot 3:00 P.M.

10. Dismissal Location & Time for Participants: Market Square, Market Square 5:00 P.M.

11. Additional Parade Information:

- Number of Floats: Nbpt. Police and Fire, Nbpt High School and Triton Marching bands and Santa on sleigh
- Locations of Viewing Stations: Side walks along parade route and Market Square for tree lighting
- Are Weapons Being Carried: Yes No X
- Are Marshalls Being Assigned to Keep Parade Moving: Yes No X

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

CITY MARSHAL  4 Green St. FIRE CHIEF  11/2/18 0 Greenleaf St.
 DEPUTY DIRECTOR  16A Perry Way CITY CLERK  60 Pleasant St.

If yes:

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

If no:

- a) # of trash container(s) to be provided by DPS 10
- b) # of recycling container(s) to be provided by Recycling Office 5
- 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: _____

DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

Limitations

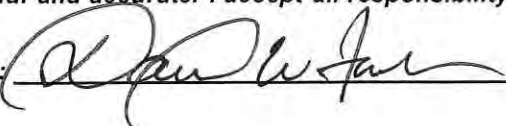
- (a) *"Procedure"* All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place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

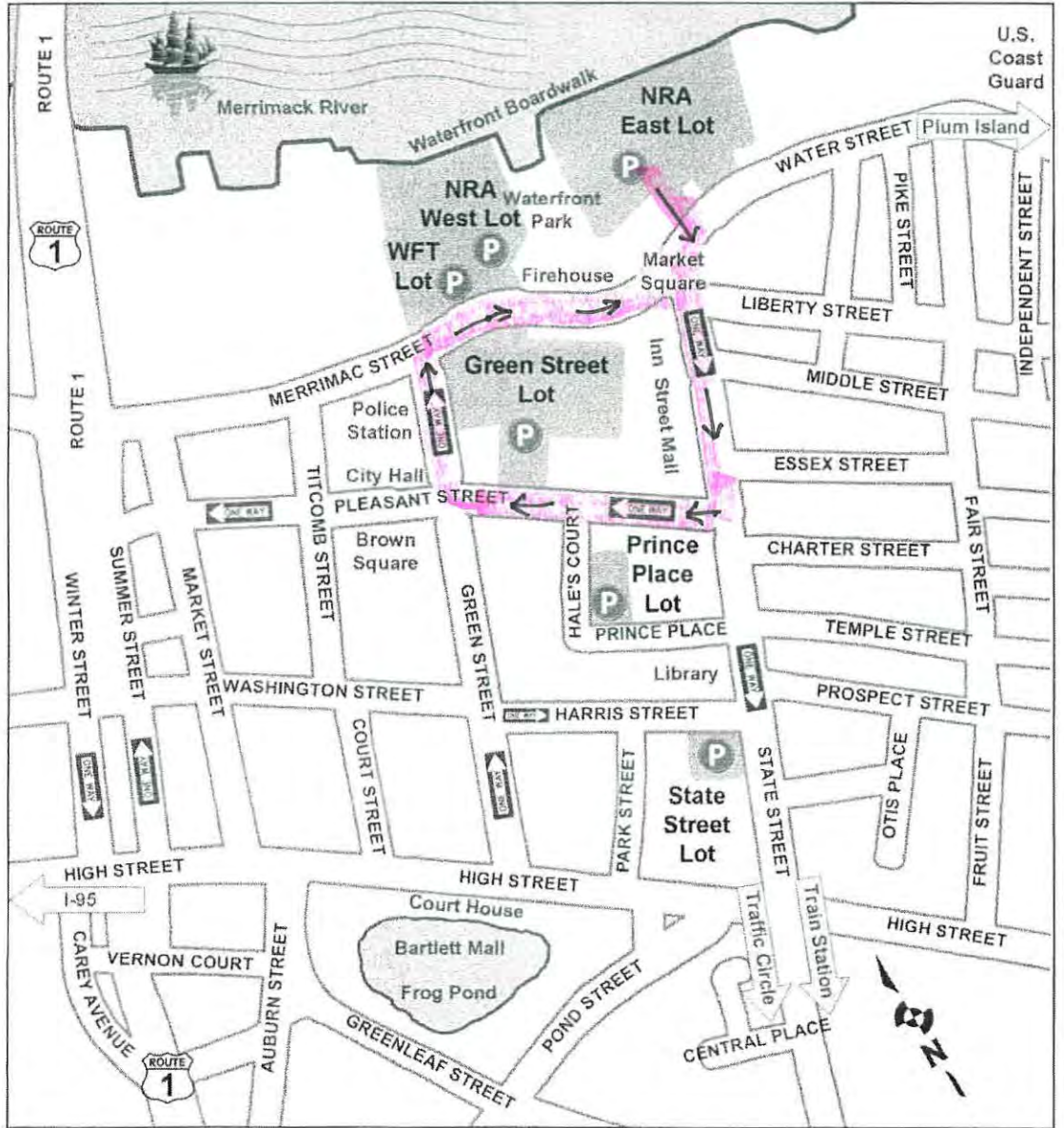
- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers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

13-101 Enforcement

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

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

Signed:  Date: 11/6/18





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11-6-2018

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).

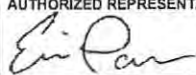
PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008	CONTACT NAME: Ali Sulita PHONE (A/C, No, Ext): 1-833-3ROTARY E-MAIL ADDRESS: rotary@ajg.com	FAX (A/C, No): 630-285-4062
	INSURER(S) AFFORDING COVERAGE	
INSURED All Active US Rotary Clubs & Districts Newburyport Rotary Club (Annual Santa Parade) ATTN: Risk Management Dept. 1560 Sherman Ave. Evanston, IL 60201-3698	INSURER A: Lexington Insurance Company	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 899307648 **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 CERTIFICATION MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			015375594	7/1/2018	7/1/2019	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 \$
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY			015375594	7/1/2018	7/1/2019	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 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 \$			NOT APPLICABLE			EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	NOT APPLICABLE			<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The Certificate holder is included as additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER Additional insured: City of Newburyport	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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		INSURER B :		
		INSURER C :		
		INSURER D :		
		INSURER E :		
		INSURER F :		

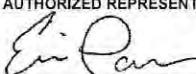
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								\$
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							PROPERTY DAMAGE (Per accident)	\$
								\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y / <input checked="" type="checkbox"/> N	<input type="checkbox"/> N / <input checked="" type="checkbox"/> A	NOT APPLICABLE			PER STATUTE OTH-ER	
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

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CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 13, 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 COMM095_11_13_18, the Interfaith Candle Lighting by Ahavas Achim, is time-sensitive due to the date of the event being prior to the next Council meeting on November 26, 2018.

Therefore, the City Council hereby affirmatively declares that an emergency exists such that Rule 12A be waived and COMM095_11_13_18 may be voted upon at its first introduction to this Council.

Councillor Jared J. Eigerman

November 5, 2018

President and Members of the City Council
City Hall
Pleasant Street, Newburyport, MA

Dear City Council,

As in years passed, Congregation Ahavas Achim requests a permit to install a hannukah menorah in Market Square, adjacent to the Christmas Tree. We plan to set up the menorah during the week of November 26 and will leave the menorah in place through Sunday, December 16. We will need access to an electrical outlet, but will handle all of the set up directly. Thank you very much for your consideration—

Warm wishes,

Rabbi Benjamin Resnick
Congregation Ahavas Achim, NBPT

--

Rabbi Benjamin J. Resnick Congregation Ahavas Achim Newburyport, Massachusetts

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

- **APPT061_10_29_18** Victoria Finnigan 63 Washington St, Asst Treasurer/Collector 11/1/2019
Groveland

Re-Appointments

- **APPT062_10_29_18** Karen B. Wiener 7 Lincoln St Affordable Housing Trust 11/30/2019
- **APPT063_10_29_18** Jane Niebling 45 Temple St Cultural Commission 9/30/2021
- **APPT064_10_29_18** Sarah M. White 349 High St Historical Commission 10/1/2021
- **APPT065_10_29_18** Douglas Bolick 8 Court St Board of Registrars 9/1/2021
- **APPT066_10_29_18** David Dylewski 334R Merrimac St Tree Commission 11/1/2021

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

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date: November 13, 2018

THAT the so-called High Street "Safe Routes to School" (SRTS) Project as conceptually described in the Preliminary Assessment for the Nock Middle School & Molin Upper Elementary School (dated September 6, 2016) provided by the Massachusetts Department of Transportation (MassDOT) Safe Routes to School Program, and as further described in a memorandum to the City Council from the Office of Planning & Development (dated November 6, 2018), is hereby approved; and

THAT said High Street SRTS Project in its conceptual form is deemed consistent with the overall goals and objectives outlined in the 2004 High Street Master Plan, adopted by vote of the City Council on April 28, 2008.

Councillor Heather L. Shand

Councillor Charles F. Tontar



CITY OF NEWBURYPORT
OFFICE OF PLANNING AND DEVELOPMENT

60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400 • (978) 465-4452 (FAX)

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 NOV -6 PM 2:15

DONNA D. HOLADAY
MAYOR

MEMORANDUM

TO: NEWBURYPORT CITY COUNCIL
FROM: GEORDIE VINING, SENIOR PROJECT MANAGER
SUBJECT: SAFE ROUTES TO SCHOOLS PROJECT – HIGH STREET
DATE: 11/6/18

We are writing to respectfully request the City Council's approval of the proposed federally-funded "Safe Routes to Schools" (SRTS) High Street project in its conceptual form. The project will provide approximately \$2 million in federal construction funding for Newburyport in addition to covering the cost of engineering.

The SRTS project is focused on the section of High Street between Tyng and Buck Streets. The project and the SRTS program are intended to encourage students to walk and bicycle to school safely through physical infrastructure improvements such as sidewalks, crosswalks, traffic calming, signals, and bike lanes. The original 2005 federal legislation creating the SRTS program identified the purposes as: *(1) To enable and encourage children, including those with disabilities, to walk and bicycle to school; (2) To make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age; and (3) To facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools.*

The roots of this particular project go back to 2013 when the City applied to the state SRTS program for an infrastructure assessment, the required first step, with a particular focus on the Nock-Molin schools. Consultants mapped student residency information, met with staff and community members, observed school arrival and dismissal patterns, reviewed collision histories, and collected traffic counts in order to identify improvements that will make walking and bicycling safer and more attractive modes of travel for children traveling to and from school, as well as everyone else. The assessment report was issued in 2016 and proposed the High Street project. Nearly half of the students in the Nock and Molin Schools – in addition to students at the High School and River Valley Charter School – reside within two miles of the schools on the north side of High Street, the street identified as having the greatest concentration of school-related walking and bicycling trips. School staff, officials, parents, and consultants have long identified safety concerns for students walking and bicycling to school across High Street due to the high volume and speed of motor vehicles, sight lines obscured by parked cars, wide crosswalks, relatively narrow bicycle lanes, as well as poor sidewalk conditions and noncompliant wheelchair ramps. The state considers the section of High Street between Tyng Street and Summit Place to be a high risk crash location for bicyclists within the region.

The City's goal for any work along High Street is to provide a safer, universally accessible, pleasing streetscape and transportation corridor that is sensitive to and compatible with the historic resources and character of the area. The SRTS project is consistent with the goals, objectives and primary strategies of the 2004 High Street Master Plan, which was adopted by the City Council in 2008 "in order to encourage the phased and long-term implementation of the Plan's recommendation, as amended and supplemented from time to time." The \$2 million project is focused on:

- reconstructing the sidewalks (new brick sidewalks where they are brick and new concrete sidewalks where they are asphalt and concrete) plus wheelchair ramps at intersections and crossings;
- adjusting locations and shortening the length of four crosswalks in order to reduce pedestrian exposure to motor vehicle traffic, including installing pedestrian-activated flashing beacons, and two pedestrian refuge islands for the crosswalks near the High School where the road is wider from the turning lanes;
- adjusting the curbing and creating bump-outs (similar to downtown) to reduce the excessively wide portions of the street, calm traffic, and open up the sight lines at crosswalks and intersections;
- installing drainage improvements, and resurfacing the pavement.

The design was initiated in early 2018 and included a public hearing in June 2018. Recently, the Newburyport Historical Commission voted to approve the project as not having an adverse effect on High Street. The High Street corridor has evolved incrementally over the course of centuries and reflects different time periods, architectural styles, and historic and contemporary needs. The public portion of the corridor has evolved markedly from the nineteenth century in order to meet contemporary needs (e.g., asphalt pavement, roadway markings, utility poles and lines, piecemeal evolution of sidewalks and curb cuts, etc.). Today the street carries some of the highest volumes of vehicular traffic in the Merrimack Valley with 18,000-19,000 vehicles per day. We are carefully considering numerous design choices and balancing many factors including historic resources, pedestrian safety, multiple stakeholders, controlling laws and regulations, etc. The project is supported by abutters along High Street, and by the Newburyport Livable Streets citizens group. The evolving plans are currently at a draft final stage, and we are continuing to work with MassDOT and other stakeholders to revise various elements of the plans.

Temporary construction easements are required for this federally-funded project on the abutting property owners' land in order to integrate the new sidewalks with driveways and walkways and restore adjacent grass areas, etc., as well as potentially some very small permanent easements at corners. The right-of-way process is similar to the Rail Trail projects, and we are currently reaching out to abutters and will be returning to the City Council in the coming months to approve the easements. At this point, the project is intended to be bid out by the Commonwealth in 2019 for construction.

Please see the attached associated documents:

- Draft City Council Order;
- Newburyport Historical Commission letter (October 25, 2018);
- High Street Schematic Crosswalk Plan (September 9, 2018);
- Before-and-After Photo Rendering of crosswalk at Toppans Lane (July 2018).

Please note that the SRTS Preliminary Assessment for the Nock Middle School & Molin Upper Elementary School is available on the Planning Office website, along with the current set of draft project plans, plus the High Street Master Plan. An 11x17 hard copy of the draft projects plans is also on file with the City Clerk and will be available during subcommittee review. Thank you for your consideration.



CITY OF NEWBURYPORT
HISTORICAL COMMISSION
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400
WWW.CITYOFNEWBURYPORT.COM

October 25, 2018

Patricia A. Leavenworth, P.E., Chief Engineer
Massachusetts Department of Transportation, Highway Division
10 Park Plaza
Boston, MA 02116

Attn: Stacey Donahoe, Room 4260

Re: Safe Routes to School project #608972 – High Street corridor

Dear Ms. Leavenworth,

The Newburyport Historical Commission (NHC) has been asked to provide feedback on the Safe Routes to School (SRTS) project along a portion of High Street in Newburyport, which is within the Newburyport National Register Historic District. We recently received more information about the project, held a public meeting on 10/24/18 and conducted several votes on this matter. We are consequently providing revised comments from our previous letter to the Massachusetts Historical Commission dated September 2018 (received 10/11/18) on this project. The NHC's Section 106 advisory review of this project has been solicited under the National Historic Preservation Act (NHPA) of 1966, as amended.

Overall, the NHC finds that this project will not have an "Adverse Effect" on the surrounding historic assets. Please see our further comments and recommendations below regarding certain details of the project.

Sidewalks: While removal and replacement of the older brick sidewalks is not optimal from a historical perspective, we recognize and accept the pedestrian benefits of reconstructing the sidewalks with new wirecut brick. We also recognize that reconstructing the deteriorated sidewalks will potentially enhance the setting and views of the district's historic assets, and acknowledge the positive impact of similar projects such as the reconstruction of brick sidewalks along Green Street in Newburyport. We appreciate that the sidewalks along High Street will continue to be varying widths, that concrete and asphalt sidewalks will be replaced in-kind with new concrete, and that abutters will have an opportunity to pay for the installation of brick if they can afford it and so desire. If there are any remaining Works Progress Administration (WPA) plaques, we strongly recommend that they be salvaged for potential interpretation.

Raised curb pedestrian refuge islands: We recognize the pedestrian safety benefits of installing two pedestrian refuge islands with raised 6" granite curbs at crosswalks across the wider portions of the roadway in this busy high-volume thoroughfare. We also are cognizant that raised curb pedestrian refuge islands have been installed other historic/National Register districts in the Commonwealth. We strongly recommend that the appearance of the refuge islands be improved by laying in granite cobbles rather than concrete or brick inside the curbed non-walking surface.

Traffic calming: We appreciate that no over-road signaling beacons shall be used and that the Rectangular Rapid Flash Beacons (RRFBs) shall have black ornamental bases and poles.

Curbing: We are pleased that the project incorporates removing and resetting as much of the existing granite curbing as possible, and accept that it is appropriate to use new granite curbing (particularly radius pieces) for the new bump-outs and similar relocated curb areas. We acknowledge that it is appropriate to shift the curbing to reduce the width of the roadway at excessively wide areas in order to promote pedestrian and bicycle safety, and that reduction of the expanse of asphalt will likely enhance the district's historic assets.



CITY OF NEWBURYPORT
HISTORICAL COMMISSION
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400
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Signage: We prefer a minimum of signs, and acknowledge that the engineer has reduced unnecessary signage in the proposed plans, and that "pedestrian crossing" and arrow signage is warranted at the crosswalks as well as others such as stop signs, one-way signs at the school driveway, turning lane signs, and others. We continue to believe that street signs should be of a size no greater than their current dimensions in the project area.

Greenway: We understand that the green strips that separate High Street from the public sidewalk in various areas will remain, and will be expanded in the section between Kent and Buck Streets where the asphalt pavement area is being reduced.

As noted earlier and in light of the new information and clarifications, we find that this project will not have an "Adverse Effect" on the surrounding historic assets in this portion of the Newburyport National Register Historic District.

Should you have any questions, please feel free to contact me through the Newburyport Planning Office.

Best regards,

A handwritten signature in black ink, appearing to read "Sarah White".

Sarah White, Chair
Newburyport Historical Commission

Stephen Dodge
Christopher Fay
Ron Ziemba
Glenn Richards
Malcolm Carnwath
Ned McGrath

Cc: Brona Simon, MHC
Linda Santoro, MHC
Geordie Vining, Newburyport Planning Office
Andrew Port, Newburyport Planning Office
David Shedd, MassDOT
Heather Shand, Ward 3 City Councilor

High Street Safe Routes to School (SRTS) Project

Schematic Plan of MassDOT Pedestrian Improvements (RRFB Pedestrian Crossings)



High Street Safe Routes to School (SRTS) Project

High Street (Before)



High Street (After)



CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 13, 2018

AN ORDER TO RESTRICT PARKING AT DESIGNATED POINTS ALONG JOHNSON STREET

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

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

Add the following new row to the table of streets or portions of streets upon which no person shall park any vehicle, as follows, with additions *italicized and double-underlined*:

<u>Johnson Street</u>	<u>No Parking on the Westerly Side From a point 342' north of Low Street to a point 369' north of Low Street and on the Easterly Side of the street from a point 340' north of Low Street to a point 369' north of Low Street. Meaning and intending that both restrictions be proximate to the existing crosswalk.</u>
-----------------------	---

Councillor Heather Shand

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 13, 2018

AN ORDINANCE TO AMEND THE NEWBURYPORT CODE OF ORDINANCES REGARDING DOG LICENSE FEES AND FINES

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

THAT the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended by amending existing subdivision (c) of Section 3-27, of ARTICLE II. – DOGS of CHAPTER 3 – ANIMALS, to read as follows, with deletions ~~double stricken and italicized~~, and additions double-underlined and italicized:

ARTICLE 2. – DOGS

Sec. 3-27. – Licensing of Dogs and Kennels.

(c) The owner or keeper of an unlicensed dog after June first shall be fined ~~twenty five dollars (\$25.00)~~ ten dollars (\$10.00) per dog in addition to the license fee. The owner or keeper of an unlicensed dog after July first shall be fined ~~fifty dollars (\$50.00)~~ twenty dollars (20.00) per dog in addition to the license fee. The owner or keeper of an unlicensed dog after August first shall be fined ~~one hundred dollars (\$100.00)~~ thirty dollars (30.00) per dog in addition to the license fee. All monies collected for licenses and fines shall be retained by the city.

Councillor Charles F. Tontar

COMMITTEE ITEMS

November 13, 2018
Committee on Budget & Finance

- **TRAN030_10_29_18** – Harbormaster Retained Earnings \$41,210.71 to Pump Out Boat Purchase \$41,210.71.
- **ORD067_10_29_18** – FY2019 Residential Factor.
- **ORD068_10_29_18** – FY2019 Tax Rate.
- **ORDR070_10_29_18** – CPC FY2019 Rail Trail Phase II.



City of Newburyport

FY 2019

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

BTF

BUDGET TRANSFER REQUEST

OCT 23 AM 10:05

Department: Harbormaster Department

Submitted by: Paul Hogg, Harbormaster

Date Submitted: 10/29/2018

Transfer From:

Account Name	<u>Harbormaster Retained Earnings</u>	YTD Bal:	\$ 554,212.00
Account Number:	<u>6520-35920</u>	Category:	\$ -
Amount:	<u>\$41,210.71</u>	Trans I/O:	\$ -

Why are Funds Available: The Massachusetts Department of Revenue certified Retained Earnings for the Harbormaster Enterprise Fund for FY2019 at \$554,212. These funds are available for any legal expenditure at the recommendation of the Mayor and a majority vote of the City Council.

Transfer To:

Account Name	<u>Pump Out Boat Purchase</u>	YTD Bal:	\$ -
Account Number:	<u>New Account</u>	Category:	\$ -
Amount:	<u>\$41,210.71</u>	Trans I/O:	\$ -

Why are Funds Needed: The City received a grant from the U.S. Fish and Wildlife Service's Clean Vessel Act Grant Program to fund the purchase of a new pump out boat. The total cost of the boat is \$97,461. The maximum grant award was \$56,250.00, leaving a balance of \$41,210.71 to be paid from the Harbormaster Enterprise Fund.

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

Donna D. Holaday
Ethan R. Manning

Date: 10/23/18
Date: 10/23/18



CITY OF NEWBURYPORT
OFFICE OF THE HARBORMASTER

PAUL HOGG
HARBORMASTER

NEWBURYPORT CITY HALL
60 STATE STREET
NEWBURYPORT, MA 01950

TEL: 978-462-3746

The Newburyport Harbormaster Department received a Grant from the Clean Vessel Act to replace the aged and worn existing Pump Out Boat. This Vessel is used to pump out the Sewage in the holding tanks for Newburyport boaters so it does not end up in the River. The State awarded the Harbormaster Department \$56,250.00 towards the purchase of this new Vessel. The total cost of the new Vessel is \$97,460.71. The Harbormaster Enterprise Fund will cover the additional cost for the Vessel and was approved by the Harbor Commission. We are respectfully requesting these funds to obtain the new vessel. Please do not hesitate to contact me if you have any questions.

Respectfully,

Paul Hogg
Newburyport Harbormaster

bat

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 29, 2018

THAT, all property within the City of Newburyport be taxed equally and that the method to determine this percentage of the local tax levy to be assessed by each class of property is established by the adoption of a **Residential Factor** of [] for **Fiscal Year 2019** in the City of Newburyport.

Councillor Charles F. Tontar
Chair, Budget & Finance Committee

bot

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 29, 2018

THAT, the City of Newburyport Tax Rate for Fiscal Year 2019 will be \$[] for all classes of property.

Councillor Charles F. Tontar
Chair, Budget & Finance Committee

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 OCT 23 AM 9:40

**CITY OF NEWBURYPORT
PUBLIC HEARING**

In accordance with section 1 of chapter 369 of the acts of 1982,
the City Council of the City of Newburyport will hold a
public hearing on the determination of the **Percentage of Tax
Levy** to be borne by each **Class of Real and Personal
Property for Fiscal Year 2019**. The hearing will be held in the
**Council Chambers at Newburyport City Hall at 7:15 P.M.,
Tuesday, November 13, 2018** At which time all interested
parties may be heard.

Councillor Barry Connell

A true copy attest:

Richard B. Jones, City Clerk



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

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RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 OCT 23 AM 10:08

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: October 22, 2018
Subject: Fiscal Year 2019 Tax Rate

For Fiscal Year 2019, we recommend establishing a tax rate of **\$13.08 per \$1,000** based on a tax levy of \$57,458,764 and a city-wide valuation of \$4,369,487,756. This tax rate represents a 1.84% increase to the levy limit out of the 2.50% maximum increase allowed under Proposition 2 ½. This results in a decrease to the tax rate of \$0.18 per \$1,000 compared to the FY2018 tax rate of \$13.26.

Based on the FY2019 valuation, the average single family home in Newburyport is now assessed at \$595,000, compared to \$560,300 in FY2018. This results in an average single family tax bill of \$7,783, which represents a 4.8%, or \$353, increase over FY2018's average single family tax bill. By defraying the increase to the tax levy by 0.66%, the average single family home would experience a \$42 savings from what would otherwise be a \$395 increase.

The average single family home value continues to be driven up by a strong local economy that continues to encourage new development and improvements or additions to existing homes. As a result, we have added \$985,930 in value from New Growth for FY2019. Yet, while the economy is strong, I am ever-mindful that many property owners struggle to keep up with an increased cost of living, including higher taxes. As such, given that we built the FY2019 budget on a new growth estimate of \$700,000, I do not recommend taxing the additional \$285,930 that is available to be levied under Proposition 2 ½ as a result of the higher than projected new growth.

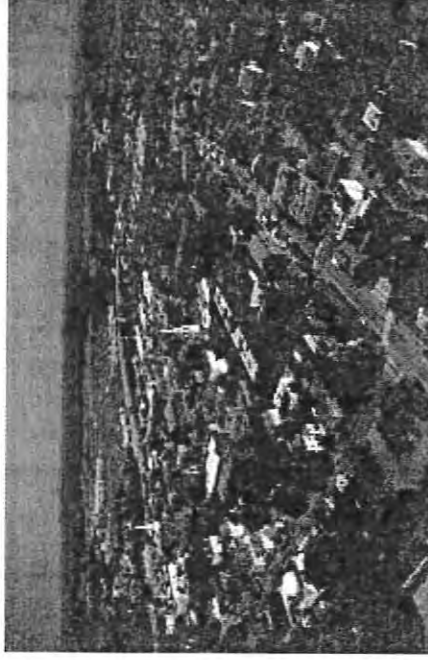
I realize that defraying the tax rate by 0.66% is not enough to help many struggling in our community, especially seniors. As such, I will continue to move forward with providing additional tax relief for those with the greatest need, while remaining cognizant of the city's responsibility of providing the public services and education that our community deserves and expects. In the coming weeks, I will be establishing an ad-hoc committee to study and recommend available tax relief options, including the expansion of Clause 41C, adoption of Clause 41C½ and other potential alternatives. I look forward to working with the Council in finding the right solution for our City.

Thank you for your consideration.

ALLEN & UNWIN
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 OCT 23 AM 10:09

CITY OF NEWBURYPORT FISCAL YEAR 2019 CLASSIFICATION



November 13, 2018

MINIMUM RESIDENTIAL FACTOR

- A Residential Factor of 1 and raising the levy by 1.84% as opposed to 2.50% would yield a single tax rate of \$13.08 per thousand of value.
- Tax Levy: \$57,152,899 / Value: \$4,369,487,756 = (0.01308) X 1000 = Single Tax Rate of \$13.08.
- Chapter 200 allows Newburyport to select a factor less than 1 thereby shifting more of the tax burden onto the CIP classes of properties.
- Since 1918 Newburyport has chosen to adopt a MRF of 1 except for Fiscal Year 1986 when a shift to 1.50 of the CIP class was adopted.

TAX LEVY NOTES

- The Mayor has proposed raising the Levy by 1.84% instead of the full 2.5%.
- By not raising this additional \$285,930 of tax levy, the tax rate is reduced by \$0.18.
- It translates into a \$42 savings for the average single family residential taxpayer.

AVG TAX BILL FY 2018 – FY 2019

	FY2018	FY2019	Change
Avg. Single Family Value	\$560,300	\$595,000	+5.83%
Res Tax Rate	\$13.26	\$13.08	-\$0.18
Avg. Res Tax Bill	\$7,429.58	\$7,782.60	+\$353.02 or +4.54%
Avg. Commercial Value	\$1,211,800	\$1,269,982	+4.58%
CIP Tax Rate	\$13.26	\$13.08	-\$0.18
Avg. Commercial Tax Bill	\$16,068.46	\$16,611.36	+\$542.90 or +3.27%

TAX LEVY BY CLASS

CLASS	VALUE	%	
Residential	3,822,133,503	87.4733	R & O %
Open Space	259,700	0.0059	87.4792
Commercial	315,401,397	7.2183	
Industrial	181,397,100	4.1514	C I P %
Personal Property	50,296,056	1.1511	12.5208
Total	4,369,487,756	100.0000	

Levy	57,152,899
Single TaxRate	13.08

CIP Shift	Estimated Tax Rates				
	Residential	Open Space	Comm.	Ind.	PP
1.00	13.08	13.08	13.08	13.08	13.08
1.05	12.99	12.99	13.73	13.73	13.73
1.10	12.89	12.89	14.39	14.39	14.39
1.15	12.80	12.80	15.04	15.04	15.04
1.20	12.71	12.71	15.70	15.70	15.70
1.25	12.61	12.61	16.35	16.35	16.35
1.30	12.52	12.52	17.00	17.00	17.00
1.35	12.42	12.42	17.66	17.66	17.66
1.40	12.33	12.33	18.31	18.31	18.31
1.45	12.24	12.24	18.97	18.97	18.97
1.50	12.14	12.14	19.62	19.62	19.62

B-T

**NEWBURYPORT COMMUNITY PRESERVATION COMMITTEE
RECOMMENDATIONS FOR FY19 APPROPRIATIONS**

The Newburyport Community Preservation Committee recommends that the City Council appropriate from Community Preservation Fund Revenues *[as follows]*:

The following CONDITIONS are common to *[all projects]*:

- A. Each recipient of funds is required to submit to the CPC a written report on the status of the project by each October 15, January 15, April 15 and July 15 following appropriation and until final completion of the project.
- B. If a project is not completed within twelve (12) months of appropriation, the grantee must submit a written request to the CPC for an extension of the grant. Otherwise, funds may be subject to rescission and returned to Community Preservation Fund Reserves (applicable to appropriations, not to reservations).
- C. Full funding is conditioned upon the receipt of state matching funds, estimated to be 11.5% of local revenue, expected in November 2018.

Applications for all projects are available for review in the Office of Planning & Development.

Respectfully submitted by:

Community Preservation Committee Members

- | | |
|-------------------------|-------------------------|
| Michael Dissette, Chair | Jane Healey, Vice Chair |
| Paul Healy | Mark Rosen |
| Daniel Koen | Don Walters |
| Don Little | Sarah White |

**PROJECT:
CLIPPER CITY RAIL TRAIL AND HARBORWALK PHASE II**

The CPC recommends the appropriation of \$175,000 from the FY 2019 Estimated Revenues to the City of Newburyport (Planning Office) to support completion of the Rail Trail along the 1200' riverfront between Joppa Park and the American Yacht Club.

The CPA category for this appropriation is Recreation and Open Space.

Project Summary: The City of Newburyport needs to address riverfront erosion, remediate contaminated soil, and complete the Clipper City Rail Trail Phase II project along the 1200 feet of riverfront between Joppa Park and the American Yacht Club. Time is of the essence due to increased costs and risks associated with delay. The project includes: A) managing the completion of an interim detour; B) managing time-sensitive temporary shoreline stabilization work to address erosion and scouring and reduce the risk of migration of contaminants, including providing reports to the EPA and DEP; C) hiring a coastal engineer and managing design and permitting for a revised approach that will raise the trail, protect the shoreline, and provide resiliency to future sea level rise and storm surge; and D) bidding and managing the permanent shoreline trail construction project.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 29, 2018

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
TBD	Clipper City Rail Trail and Harborwalk Phase II	City of Newburyport	\$175,000	\$175,000

Councillor Charles F. Tontar

Councillor Sharif Zeid



CITY OF NEWBURYPORT
OFFICE OF PLANNING AND DEVELOPMENT

60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
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DONNA D. HOLADAY
MAYOR

MEMORANDUM

TO: NEWBURYPORT CITY COUNCIL

FROM: GEORDIE VINING, SENIOR PROJECT MANAGER

SUBJECT: COMMUNITY PRESERVATION ACT FUNDING TO SUPPORT COMPLETION OF CLIPPER CITY RAIL TRAIL PHASE II ALONG RIVERFRONT

DATE: 10/24/18

We are writing to respectfully request the City Council's approval of the Community Preservation Committee's recommendation of Community Preservation Act (CPA) funding of \$175,000 in support of the completion of the Clipper City Rail Trail Phase II project – addressing riverfront erosion, remediation of PCB contaminated soil, and construction – along the 1200 feet riverfront between Joppa Park and the American Yacht Club. Additional funding is necessary due to significant unanticipated changes on the ground and consequent changes in the scope of work necessary for design, permitting, construction, and completion of this critical section of the new facility. The City's existing project and contingency funding has been fully consumed by the development of the remediation plan, the temporary shoreline stabilization plan, and the interim Water Street detour plan. Additional funding is required now in the fall of 2018 as time is of the essence due to increased costs and risks associated with delay.

The remaining steps in the project include: A) managing the completion of an interim detour; B) managing time-sensitive temporary shoreline stabilization work to address erosion and scouring and reduce the risk of migration of contaminants, including providing reports to the EPA and DEP; C) hiring a coastal engineer and managing design and permitting for a revised approach that will raise the trail, protect the shoreline, and provide resiliency to future sea level rise and storm surge; and D) bidding and managing the permanent shoreline trail construction project.

Construction of the Phase II Rail Trail in the South End began in 2016 and is approximately 85% complete. The remediation plan for the soils discovered to be contaminated with PCB's in a section behind the Wastewater Treatment Facility was finalized and reported to the federal and state regulatory authorities in the spring of 2018. However, as the state contractor began to mobilize to address this area, the riverfront was hit by significant storm surge and high tides which caused increased scouring of the shoreline. It was concluded that temporary shoreline stabilization needs to be implemented in the scoured areas prior to any soil remediation work or trail construction, and that a coastal engineer needs to develop a revised plan to raise the trail higher and harden/improve the resiliency of the shoreline to future sea level rise and storm surge. MassDOT has determined that their part of the project will be completed after the interim detour and temporary shoreline stabilization is constructed this fall. While the interim Water Street detour will be functional in the near term to connect the trail, it is not a desirable long-term connection due to the narrowness of the road and sidewalks, the speed and proximity of motor vehicles, and the length of the section. The permanent trail along the riverfront cannot be constructed until the shoreline is temporarily stabilized, a revised design is developed, additional funding is secured, and the contaminated soils removed.

The City has already secured a state Municipal Vulnerability Preparedness Grant to support coastal resilience planning that includes development of several alternative conceptual revetment/shoreline protection approaches for this section of riverfront during the next two months. Additional funding is needed to contract with a coastal engineer to further develop a revised plan and secure permitting, and then subsequently remediate the contaminated soil area and build the riverfront section of trail. We are seeking construction funding through Lieutenant Governor Polito and the Baker Administration based on the Commonwealth's Environmental Bond Bill which was recently signed by the Governor and includes a \$750,000 legislative authorization earmark for this project. We need to secure additional funding to support the project now or the City will incur additional costs for mandatory reporting to the state and federal regulatory authorities regarding the contaminated soils, we will lose another construction season and push out completion of the trail for the public's use by two years, and we will risk additional storm events and associated riverfront erosion and scouring that could allow migration of the PCBs into the water and add complications and additional costs. CPA funding is vital to the timely and successful completion of this important public facility.

Please see the attached order and thank you for your consideration.

November 13, 2018
Committee Items-
Planning & Development

- **ODNC025_08_13_18** Colby Farm Lane Residential Overlay District

PHD

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 lot(s) 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"

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





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

TO: **City Council / Planning & Development Committee**

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

CC: **Donna D. Holaday, Mayor**
Matthew Coogan, Chief Administrative Officer

DATE: **November 6, 2018**

RE: **Proposed Zoning Amendment in Planning & Development Committee Docket**
Colby Farm Lane Residential Overlay District (ODNC025_08_13_18)

As members of the Council's Planning & Development (P&D) Committee already know, the Planning Board recommended adoption of the above referenced amendment to the Newburyport Zoning Ordinance. This amendment is intended to encourage so-called "cluster development" under the City's existing Open Space Residential Development (OSRD) Ordinance by modifying the method in which density is calculated using a so-called "yield plan" in the underlying Residential 1 (R1) zoning district. Our discussions with the landowner and developer during the past year have culminated in a public-private partnership to preserve the majority of land at Colby Farm under a Conservation Restriction (CR), with the fee interest in this land being held by the City of Newburyport itself. The developer's new homes would be clustered along Colby Farm Lane where the old barns currently stand, set back from Low Street behind the existing farm house. This will help to preserve a substantial portion of the scenic viewshed from Low Street.

Attached for your reference is a copy of the schematic site plan for the proposed OSRD development. In accordance with recent approvals from the Community Preservation Committee (CPC) and City Council a Purchase and Sale Agreement has been executed memorializing the developer's commitments to ensure that Lots 6B and 7, as well as the larger "Proposed Protected Open Space" (*at rear*) are preserved *collectively*. Additionally, the developer has agreed, as part of this Purchase and Sale Agreement and as mitigation for the proposed development, to construct a large storage barn for the Parks Department further down Colby Farm Lane, on land owned by the City. At this time it is anticipated that permitting for the proposed development will proceed this winter, and that closings, property transfers and construction will begin in Spring 2019.

Combined with the above referenced Purchase and Sale Agreement, and prior approval for the use of limited CPA funding, this zoning amendment will help the City to preserve a significant portion of agricultural and conservation land here along Low Street, without expending in excess of a million dollars to do so. I now recommend adoption of the proposed zoning amendment.

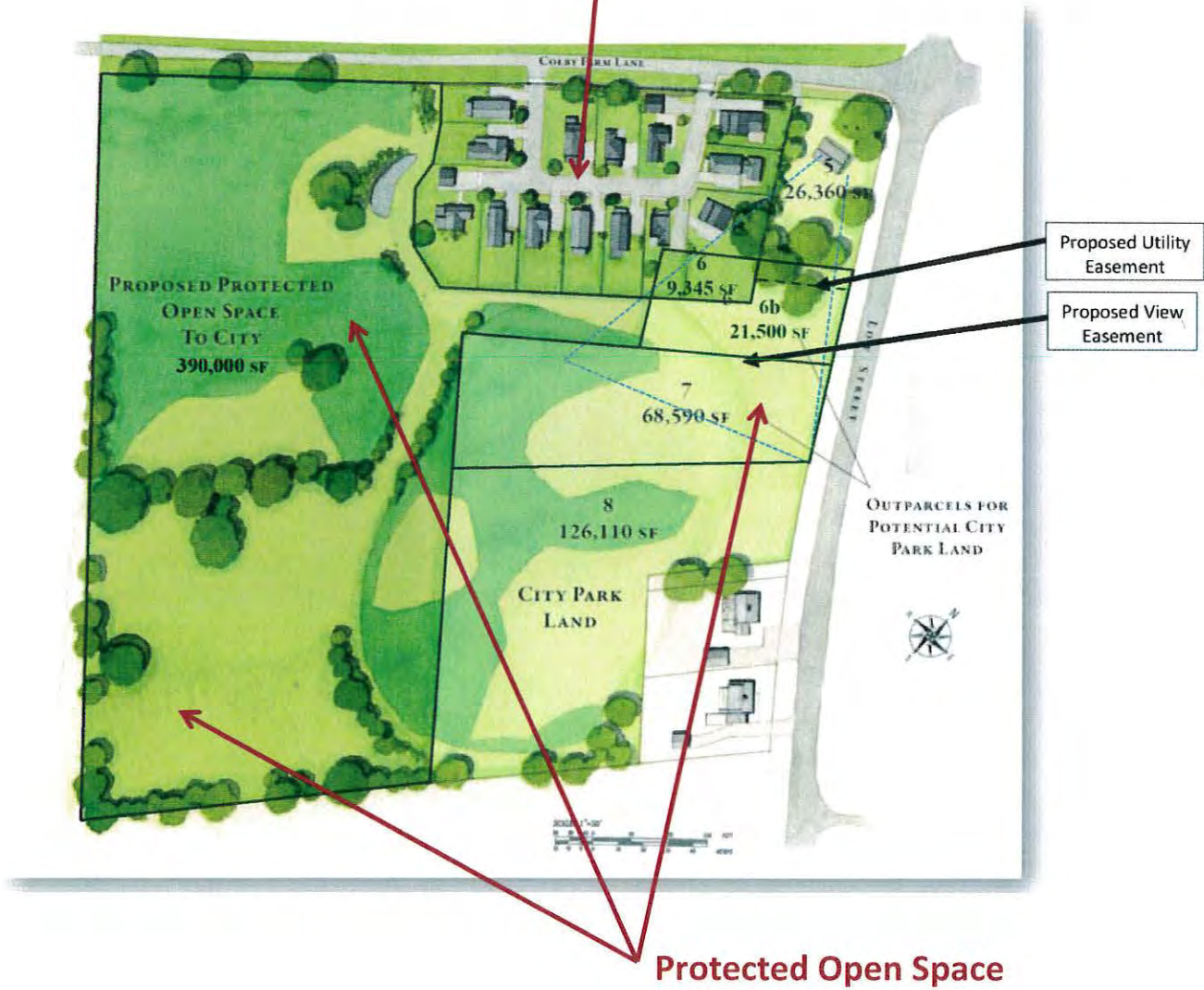
Thank you in advance for your consideration.

Colby Farm

CONCEPTUAL OSRD PLAN

Proposed New Homes

COLBY FARM 14 LOT OPEN SPACE RESIDENTIAL DEVELOPMENT (REVISED 9-10-18)



Proposed Utility Easement
Proposed View Easement

Protected Open Space

November 13, 2018
Committee Items-Public Utilities

COMM091_10_29_18 Pole Hearing – 3 Perkins Way

City

Questions contact – John Butler 978 725 1415

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council of Newburyport Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 3rd day of October 2018.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Perkins Way-Newburyport Massachusetts.

26907934 Dated October 3, 2018. Filed with this order

There may be attached to said poles by NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Perkins Way-National Grid is to install pole 4-50 and 2-4" conduits to provide additional service to 3 Perkins Way.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of _____, Massachusetts held on the _____ day of _____ 20__ .

Massachusetts City/Town Clerk. 20__ .

Received and entered in the records of location orders of the City/Town of
Book _____ Page _____

Attest:

FILED
OCT 16 AM 11:45
CITY CLERK'S OFFICE
NEWBURYPORT, MA

City/Town Clerk

I hereby certify that on _____ 20____, at _____ o'clock, M
At _____ a public hearing was held on the petition of
NATIONAL GRID and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we 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 preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the _____ of the City of Massachusetts, on the _____ day of 20____ and recorded with the records of location orders of the said City, Book _____, and Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Questions contact John Butler 978 725 1415

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To City Council
Of Newburyport Massachusetts

NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Perkins Way-National Grid is to install pole 4-50 and 2-4" conduits to provide additional service to 3 Perkins Way.
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 poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Perkins Way-Newburyport Massachusetts

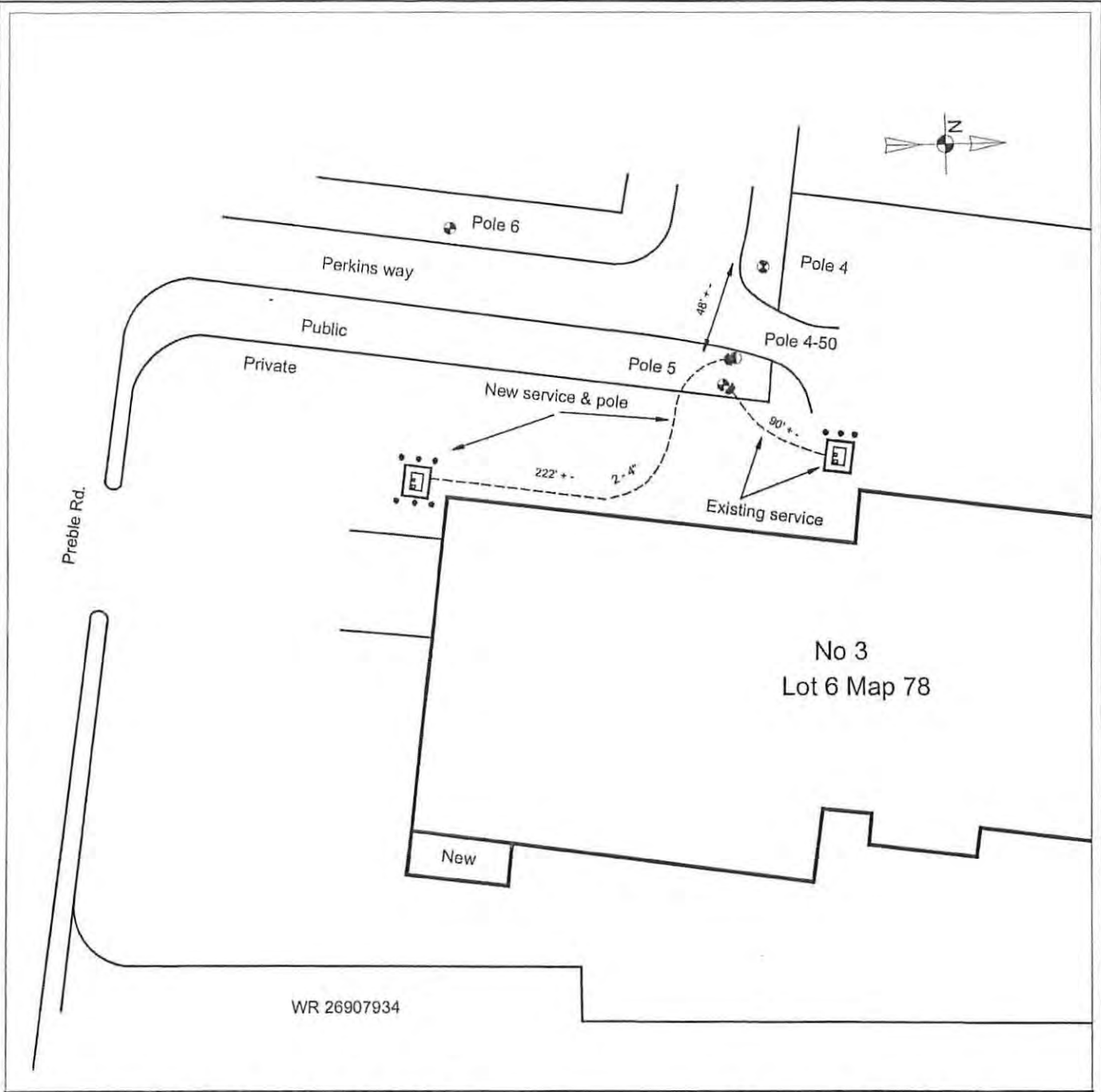
26907934 October 3, 2018

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID
BY *Dore Johnson*
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way



WR 26907934

JOINT OWNED POLE PETITION	
	Existing J.O. Riser Pole Locations
	Existing J.O. Pole Locations
	Proposed J.O. Riser Pole Locations
	Three phase transformer with bollards
	2-4" Conduit
Petition to install pole 4 - 50 and 2 - 4" conduits to provide additional service to 3 Perkins Way DISTANCES ARE APPROXIMATE	

nationalgrid
 And
 Verizon New England, Inc.

Date:	October 2, 2018
Work Request Number:	Wr 26907934
To Accompany Petition Dated:	October 2, 2018
To The:	City Of Newburyport
For Proposed Pole	4-50 Location: 3 Perkins Way



CITY OF NEWBURYPORT

OFFICE OF THE
ASSESSOR

JILL BRENNAN
CITY ASSESSOR

NEWBURYPORT CITY HALL

60 PLEASANT STREET

NEWBURYPORT, MA 01950

TEL: 978-465-4403

FAX: 978-462-8495

WWW.CITYOFNEWBURYPORT.COM

October 11, 2018

TO: Richard Jones, City Clerk

FROM: Board of Assessors

RE: Install pole 4 – 50 and 2-4” conduits to provide
additional service to 3 Perkins Way

The attached are the abutters to the above described
location:

Jill Brennan

78/ 6/ 1 /
BRADFORD & BIGELOW REALTY LLC
3 PERKINS WAY
NEWBURYPORT, MA 01950

78/ 8/A / /
CORNERSTONE SHOP LLC
4 PERKINS WAY
NEWBURYPORT, MA 01950

78/ 9/ / /
BARBIRIS ANTHONY TRUSTEE
5 PERKINS WAY REALTY TRUST
P.O. BOX 2162
SO. HAMILTON, MA 01982