

CITY COUNCIL MEETING AGENDA - VERSION 1
CITY COUNCIL CHAMBERS
JANUARY 30, 2017

7:15 PM POLE HEARING Willow Ave

7:30PM

(Sound Check)

1. **MOMENT OF SILENCE**
2. **PLEDGE OF ALLEGIANCE**
3. **CALL TO ORDER**
4. **LATE FILE ITEMS Mayor's Update**
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**

January 9, 2017

(Approve)

8. **TRANSFERS**

- **TRAN001_01_30_17** Water Retained Earnings 60K to Well Cleaning & Rehab 60K (B&F)

9. **COMMUNICATIONS**

- **COMM011_01_30_17** Sunoco Class II Vehicle License (L&P)
- **COMM013_01_30_17** FY2017 Mid-Year Budget Report (B&F)
- **COMM014_01_30_17** 30% Garage Design Docs (P&D)

10. **APPOINTMENTS**

Re-Appointments

- | | | | | |
|---------------------------|--------------------|--------------------|----------------------|-----------|
| • APPT003_01_30_17 | Robert A. Cook | 19 Everett Dr | Water/Sewer Comm | 2/13/2020 |
| • APPT004_01_30_17 | Jennie Donahue | 18 Cherry St | Disabilities Comm | 3/1/2020 |
| • APPT005_01_30_17 | Anthony J. Furnari | 10 Olsen Rd, Pbdy | DPS Director | 2/1/2020 |
| • APPT006_01_30_17 | Paul Hogg | 4 Coltin Dr | Shellfish Constable | 3/1/2020 |
| • APPT007_01_30_17 | Andrew R. Port | 61 Water St #5 | Planning Director | 1/31/2019 |
| • APPT008_01_30_17 | John Tomasz | 38 Storeybrooke Dr | Water/Sewer Comm | 2/13/2020 |
| • APPT009_01_30_17 | David Zinck | 6 Laurel Rd | Electrical Inspector | 1/31/2018 |

END OF CONSENT AGENDA
REGULAR AGENDA

11. **MAYOR'S UPDATE**

12. COMMUNICATIONS

- COMM010_01_30_17 Election Calendar
- COMM012_01_30_17 Frigid Fiver Road Race - 2/5/17

13. APPOINTMENTS

Second Reading

- APPT001_01_09_17 Ann M. Gardner 239 Water St Planning Board 05/31/2019

Re-Appointments

- APPT002_01_09_17 Ethan R. Manning 31 Howard St Auditor 02/01/2020

14. ORDERS

- ORDR002_01_30_17 Odor Control Loan Order #2
- ORDR003_01_30_17 Graf Road Pump Station Loan Order
- ORDR004_01_30_17 Senior Tax Work Off Program Order
- ORDR005_01_30_17 Human Rights Commission Resolution

15. ORDINANCES

- ODNC013_07_11_16 Amend Outdoor Seating (Two Year Renewals)
- ODNC001_01_30_17 BYOB Ordinance

14. COMMITTEE ITEMS

Budget & Finance

In Committee:

- ORDR002_01_25_16 Accept Gift of \$25,000 Repairing Brown's Wharf Culvert (COTW)
- ORDR009_02_08_16 Increase Fees for Fire Dept.
- ORDR010_02_08_16 Increase Fines Parking Violations
- ORDR039_05_31_16 Increase Hourly Parking Rate to \$1.50
- ORDR079_09_26_16 Movie Location Order **/(L&P)**
- ORDR080_09_26_16 **LATE FILE** Order of Taking Parking Facility/**(P&D)**
- TRAN033_12_12_16 General Fund - Free Cash (21,908) to Compensated Absences (21,908)
- ORDR094_12_12_16 Resolution on Funding Capital from Operating Budget
- ORDR001_01_09_17 Newburyport Five Cent Richard A. Eaton Baseball Field \$100,000 Gift Acceptance

General Government

In Committee:

Joint Education

In Committee:

License & Permits

In Committee:

- **COMM010_01_25_16** Licensing Commission Acoustic & Amplified Entertainment
- **ODNC011_05_31_16** Amend Transient Vendors for Cashman (COTW)
- **ODNC013_07_11_16** Amend Outdoor Seating (Two Year Renewals)
- **ORDR079_09_26_16** Movie Location Order/(**B&F**)
- **COMM077_08_08_16** Communications re: Seacoast Taxi
- **COMM005_01_09_17** LCA Motors Class II Vehicle License
- **COMM006_01_09_17** State Automotive Class II Vehicle License

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (COTW)
- **ORDR048_06_13_16** Sidewalk Order
- **COMM099_10_31_16** Proposed Improvement in Our Scenic Byway

Planning & Development

In Committee:

- **COMM020_02_08_16** Memo re: Hiring Process for Building Commissioner
- **COMM076_07_11_16** **LATE FILE** Boyd Drive Petition
- **ORDR080_09_26_16** **LATE FILE** Order of Taking Parking Facility/(**B&F**)
- **COMM091_10_11_16** Ltr to Council from J. Sweet on ZBA
- **COMM096_10_31_16** Draft of Newburyport's Master Plan
- **COMM114_12_12_16** Memo on Master Plan - Work Plan and Appendix XX

Public Safety

In Committee:

- **ODNC015_08_29_16** 25 MPH Speed Zones
- **ORDR077_09_12_16** Parking Restricted on Daniel Lucy Way
- **ORDR086_11_28_16** Stop Signs for Chestnut St and Oak St
- **ORDR090_12_12_16** Parking Restriction – High St at Ashland St
- **ORDR091_12_12_16** Parking Restriction - Howard St at Chapel St
- **ORDR092_12_12_16** Stop Sign – Howard St at Chapel St
- **COMM001_01_09_17** Spring Fever 5K & Family Fun Run

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **COMM009_01_09_17** Pole Hearing 1/30/17 – Willow Ave

Rules Committee

In Committee:

15. GOOD OF THE ORDER

16. EXECUTIVE SESSION – Possible Litigation

17. ADJOURNMENT

Questions contact – John Butler-978-725-1415

PETITION FOR POLE AND WIRE LOCATIONS

North Andover, Massachusetts

To the City Council
of Newburyport Massachusetts

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

Willow Ave-National Grid to install a guy pole and pole to pole guy.
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 – Willow Ave-Newburyport Massachusetts

23112936 December 19, 2016

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 Chris Raso
Engineering Department



2016 DEC 21 11:11 AM

Questions contact – John Butler-978-725-1415

RECEIVED
CITY OF NEWBURYPORT
ENGINEERING DEPARTMENT

City

ORDER FOR POLE AND WIRE LOCATIONS

In the City of Newburyport Massachusetts

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

that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 19th day of December 2016.

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 – Willow Ave-Newburyport Massachusetts.

23112936 Dated: December 19, 2016. Filed with this order

There may be attached to said poles 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:

Willow Ave-National Grid to install a guy pole and pole to pole guy.

I hereby certify that the foregoing order was adopted at a meeting of the City Council 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
At

20 , at o'clock, M
a public hearing was held on the petition of

NATIONAL GRID

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.

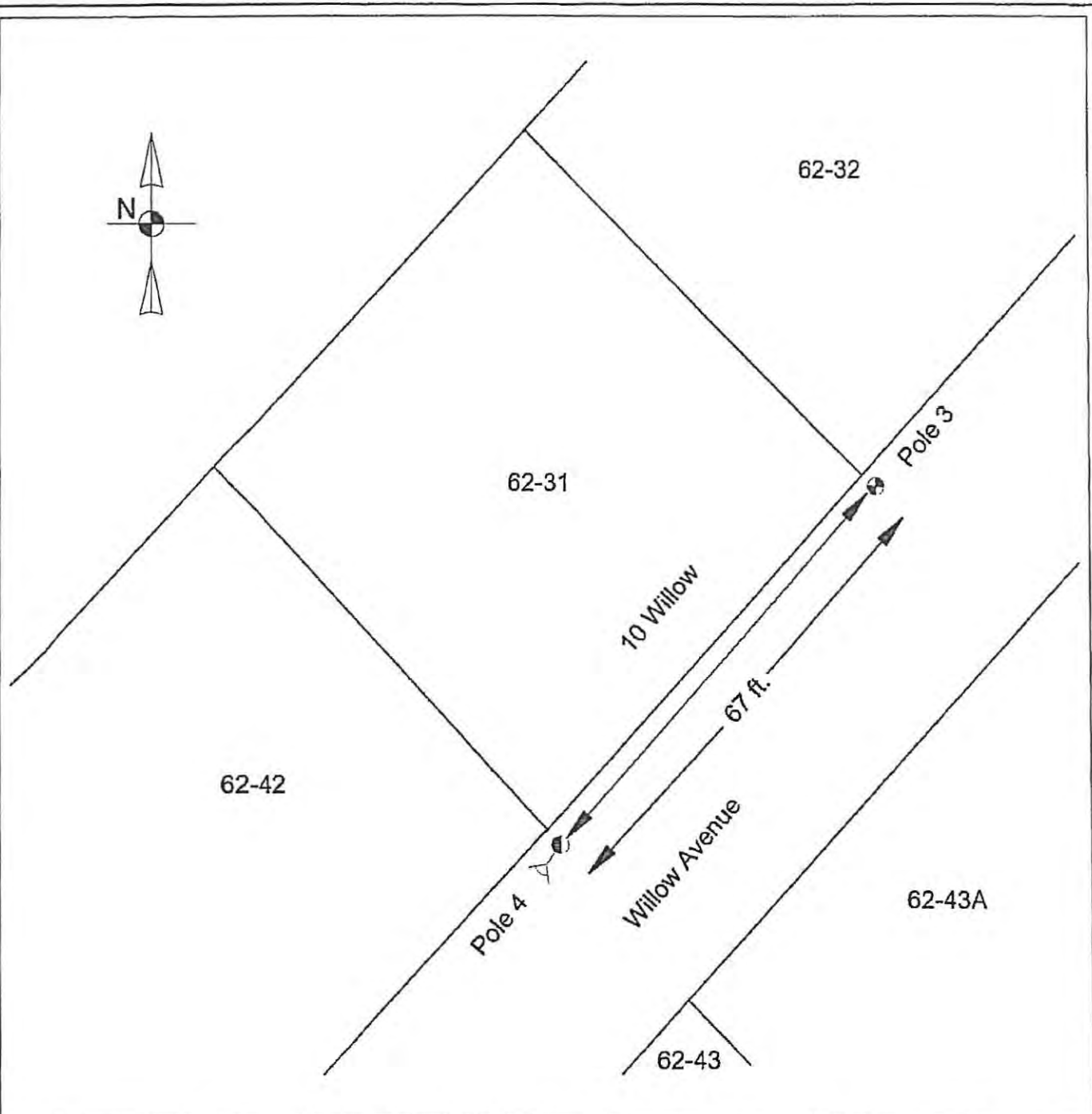
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Board or Council of Town or City, Massachusetts

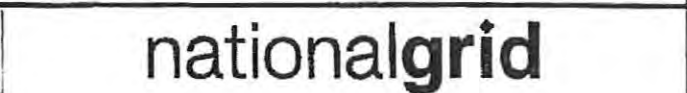
CERTIFICATE

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:
City/Town Clerk



POLE PETITION



⦿ Proposed S.O. Pole Locations

Date: December 16 2016

⦿ Existing J.O. Pole Locations

Work Request Number: WR 23112936

⦿ Proposed Anchor & Guy

To Accompany Petition Dated:

↔ Proposed Pole to Pole Guy

To The: City Of Newburyport

DISTANCES ARE APPROXIMATE

Proposed installation of Guy pole & anchor

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
JANUARY 9, 2017

7:30PM

The City Council President, Thomas O'Brien, called the meeting to order at 7:30pm. A moment of silence was held for Dan Lynch, David Streiff, Pete Morse, Patricia Welch, Albert Hirsch, and Jane Welch Connor, followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Connell, Cronin, Earls, Eigerman, Giunta, Vogel, Zeid, Cameron, O'Brien. 9 present, 2 absent (JD, CT).

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

1. Election of Council President

Roll call vote, 9 votes for Councillor O'Brien, 2 absent (JD, CT). Councillor O'Brien to continue serving as Council President.

2. Committee Assignments (to be announced)

Committee assignments to remain the same.

3. **COMM007_01_09_17** 2017 City Council Schedule

Motion to approve by Councillor Cronin, seconded by Councillor Cameron. So voted.

4. **COMM008_01_09_17** 2017 City Council Rules

Motion to approve by Councillor Cronin, seconded by Councillor Cameron. So voted.

4. LATE FILE ITEMS Mayor's Update

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

5. PUBLIC COMMENT

1. Kevin Parseghian

13 Columbus Ave

NBPT Fire Local 827

6. MAYOR'S COMMENT

The mayor gave an update pursuant to her written communication.

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

December 12, 2016

(Approve)

8. TRANSFERS

- NONE

9. COMMUNICATIONS

- **COMM001_01_09_17** Spring Fever 5K & Family Fun Run

(PS)

- **COMM002_01_09_17** 2016 River Valley Charter School Report Card

(R&F)

- **COMM003_01_09_17** Whittier VoTech Annual Operational Report

(R&F)

- **COMM004_01_09_17** PERAC Appropriation for FY18 (R&F)
- **COMM005_01_09_17** LCA Motors Class II Vehicle License (L&P)
- **COMM006_01_09_17** State Automotive Class II Vehicle License (L&P)
- **COMM009_01_09_17** Pole Hearing 1/30/17 – Willow Ave (PU)

10. APPOINTMENTS

- **APPT001_01_09_17** Ann M. Gardner 239 Water St Planning Board 05/31/2019

Re-appointments

- **APPT002_01_09_17** Ethan R. Manning 31 Howard St Auditor 02/01/2020

**END OF CONSENT AGENDA
REGULAR AGENDA**

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

11. MAYOR’S UPDATE

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

12. APPOINTMENTS

Second Reading

- **APPT079_12_12_16** Dan Mello 2B Fulton St Waterfront Trust 12/31/2021

Motion to approve by Councillor Cameron, seconded by Councillor Zeid. Roll call vote, 9 yes, 2 absent (JD, CT). Motion passed.

13. ORDERS

- **ORDR001_01_09_17** Newburyport Five Cent Richard A. Eaton Baseball Field \$100,000 Gift Acceptance

Motion to refer to Budget & Finance by Councillor Vogel, seconded by Councillor Earls. So voted.

14. ORDINANCES

- **NONE**

14. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR002_01_25_16** Accept Gift of \$25,000 Repairing Brown’s Wharf Culvert (COTW)
- **ORDR009_02_08_16** Increase Fees for Fire Dept.
- **ORDR010_02_08_16** Increase Fines Parking Violations
- **ORDR039_05_31_16** Increase Hourly Parking Rate to \$1.50
- **ORDR079_09_26_16** Movie Location Order **/(L&P)**
- **ORDR080_09_26_16** **LATE FILE** Order of Taking Parking Facility/**(P&D)**
- **TRAN031_12_12_16** Budget Contingency (38,919.76) to SAL Deputy Chief (5,427.33), SAL Firefighters (33,492.43)

Motion to remove TRAN031_12_12_16 and TRAN032_12_12_16 collectively from Budget & Finance by Councillor Cronin, seconded by Councillor Cameron. Motion to approve

TRAN031_12_12_16 and TRAN032_12_12_16 collectively by Councillor Cronin, seconded by Councillor Vogel. So voted.

- **TRAN032_12_12_16** Longevity (7,270.47) to SAL Firefighters (7,270.47)
- **TRAN033_12_12_16** General Fund - Free Cash (21,908) to Compensated Absences (21,908)
- **COMM110_12_12_16** Newburyport High School Roof/ (**JE**)
Motion to remove from Budget & Finance by Councillor Cronin, seconded by Councillor Zeid. Motion to approve by Councillor Cronin, seconded by Councillor Zeid. Roll call vote, 9 yes, 2 absent (JD, CT). Motion passed.
- **ORDR093_12_12_16** Odor Control Loan Order \$800,000/(**PU**)
Motion to remove from Budget & Finance and Public Utilities by Councillor Cronin, seconded by Councillor Cameron. Motion to approve by Councillor Cronin, seconded by Councillor Zeid. Roll call vote, 9 yes, 2 absent (JD, CT). Motion passed.
- **ORDR094_12_12_16** Resolution on Funding Capital from Operating Budget

General Government

In Committee:

Joint Education

In Committee:

- **COMM110_12_12_16** Newburyport High School Roof/(**B&F**)
Motion to receive and file by Councillor Giunta, seconded by Councillor Cameron. So voted.

License & Permits

In Committee:

- **COMM010_01_25_16** Licensing Commission Acoustic & Amplified Entertainment
- **ODNC011_05_31_16** Amend Transient Vendors for Cashman (COTW)
- **ODNC013_07_11_16** Amend Outdoor Seating (Two Year Renewals)
- **ORDR079_09_26_16** Movie Location Order/(**B&F**)
- **COMM077_08_08_16** Communications re: Seacoast Taxi

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (COTW)
- **ORDR048_06_13_16** Sidewalk Order
- **COMM099_10_31_16** Proposed Improvement in Our Scenic Byway

Planning & Development

In Committee:

- **COMM020_02_08_16** Memo re: Hiring Process for Building Commissioner
- **COMM076_07_11_16** LATE FILE Boyd Drive Petition
- **ORDR080_09_26_16** LATE FILE Order of Taking Parking Facility/(**B&F**)
- **COMM091_10_11_16** Ltr to Council from J. Sweet on ZBA
- **COMM096_10_31_16** Draft of Newburyport's Master Plan
- **ORDR089_11_28_16** Order of Taking - 223 High St

Motion to remove from Planning & Development by Councillor Cameron, seconded by Councillor Cronin. Motion to approve by Councillor Cameron, seconded by Councillor Cronin. Roll call vote, 9 yes, 2 absent (JD, CT). Motion passed.

- **COMM114_12_12_16** Memo on Master Plan - Work Plan and Appendix XX

Public Safety

In Committee:

- **ODNC015_08_29_16** 25 MPH Speed Zones
- **ORDR077_09_12_16** Parking Restricted on Daniel Lucy Way
- **COMM098_10_31_16** Use of Streets for "Most Pine Boards Broken in One Minute"
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Cameron.
Motion to receive and file by Councillor Cronin, seconded by Councillor Cameron. So voted.
- **COMM101_11_14_16** Walk MS Newburyport on 4/1/2017
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. Motion to approve by Councillor Cronin, seconded by Councillor Cameron. So voted.
- **ORDR086_11_28_16** Stop Signs for Chestnut St and Oak St
- **COMM113_12_12_16** Snow and Ice Plan 2016-2017
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Giunta. Motion to approve by Councillor Cronin, seconded by Councillor Giunta. Motion to add the Kelley School by Councillor Giunta, seconded by Councillor Cronin. Motion to approve by Councillor Cronin, seconded by Councillor Zeid. So voted.
- **ORDR090_12_12_16** Parking Restriction – High St at Ashland St
- **ORDR091_12_12_16** Parking Restriction - Howard St at Chapel St
- **ORDR092_12_12_16** Stop Sign – Howard St at Chapel St

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **ORDR093_12_12_16** Odor Control Loan Order \$800,000/(B&F)
Motion to receive and file by Councillor Cronin, seconded by Councillor Zeid. So voted.

Rules Committee

In Committee:

15. GOOD OF THE ORDER

16. EXECUTIVE SESSION

Motion to go into Executive Session, to discuss purchase of real estate and possible litigation, by Councillor Cameron, seconded by Councillor Zeid. Roll call vote, 8 yes, 2 absent, Councillor Vogel recused himself. President O'Brien stated the Council would not come back into session. 8:28pm.

17. ADJOURNMENT

Motion to adjourn by Councillor Cameron, seconded by Councillor Zeid. So voted. 9:53pm.

TRANSFERS



City of Newburyport

FY 2017

BUDGET TRANSFER REQUEST

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA

2017 JAN 24 P 2:4

Department: Department of Public Services

Submitted by: Anthony Furnari, DPS Director

Date Submitted: 1/30/2017

Transfer From:

Account Name	Water Retained Earnings	YTD Bal:	\$ 1,970,192.00
Account Number:	60-35920	Trans In:	\$ -
Amount:	\$60,000.00	Trans Out:	\$ -
Why are Funds Available:	<i>The Massachusetts Department of Revenue certified Retained Earnings for the Water Enterprise Fund for FY2017 at \$1,970,192. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i>		

Transfer To:

Account Name	Well Cleaning & Rehabilitation	YTD Bal:	\$ -
Account Number:	N/A	Trans In:	\$ -
Amount:	\$60,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>To fund well cleaning and rehabilitation at the City's Water Treatment Plant, as planned in the Capital Improvement Program. See explanatory memo from Mayor Holaday.</i>		

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

Date: 1/24/17
 Date: 1/24/17



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

RECEIVED
CITY'S OFFICE
NEWBURYPORT, MA
2017 JAN 24 P 1:40

To: President and Members of the City Council
From: Mayor Donna D. Holaday
Date: January 24, 2017
Subject: FY17 Capital Transfer Request – Water Enterprise Funds

The following request was submitted in the FY2016-20 Capital Improvement Program for the Water Enterprise Fund and is recommended by the Water and Sewer Commission for funding in FY2017. The attached request appropriates \$60,000 from Water Enterprise Fund retained earnings for the purpose of cleaning and rehabilitating wells #1 and #2 at the City's Water Treatment Plant.

As part of the ongoing maintenance plan for the facility, it is recommended that the wells are purged and cleaned approximately every five years. When inspecting the wells, the well company will repair or replace any parts that are damaged or in need of replacement. This work is performed every five years to ensure that the wells are running efficiently and producing the maximum amount of water from each well. The wells were last cleaned and redeveloped in 2011. At that time, the plan was to redevelop the wells in spring 2017. These two wells furnish approximately twenty percent of the City's water supply.

During the 2011 redevelopment of water wells #1 and #2, extensive repairs were needed to restore well #2 to its proper operating condition. At that time, it was indicated that the well #2 "bowl assembly" would need to be replaced at the next scheduled maintenance due to corrosion of the cast iron.

Anticipated Costs - #2 Well Cleaning & Rehabilitation

\$11,140	clean and redevelop well
\$10,000 - \$14,000	estimated price for the "bowl assembly"
\$1,500	adaptions to the column pipe
\$4,000 - \$6,000	potential repairs and reconditioning to the motor, shaft, column and magna drive

Anticipated Costs - #1 Well Cleaning & Rehabilitation

\$11,140	clean and redevelop well
\$4,000 - \$6,000	potential repairs and reconditioning to the motor, shaft, column and magna drive

Due to the potential for additional repairs that may be required during this maintenance project, a contingency of \$10,000 is included in the \$60,000 funding request, which will close back to the Water Enterprise Fund if unspent.

Thank you for your consideration.

COMMUNICATIONS

THE COMMONWEALTH OF MASSACHUSETTS

OF

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

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

1. What is the name of the concern? GNFD Inc dba Newbonyport Sunoco

Business address of concern. No. 59 Stoney Ave Newbonyport City - Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? Corporation

3. If an individual, state full name and residential address.

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

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

President George DARBOUT

Secretary JOSEPH RANES

Treasurer George DARBOUT

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

If so, is your principal business the sale of new motor vehicles?

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

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

RECEIVED... JAN 12 11:20

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

Gas station / Repair shop.

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

If so, state name of manufacturer _____

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

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

If so, in what city — town Newburyport

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

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

Sign your name in full Joseph Jones
(Duly authorized to represent the concern herein mentioned)

Residence 30 Fletcher Rd
WINNHAM, NH 03087

IMPORTANT

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

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

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation _____
(Approved or Disapproved)

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

Signed _____

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

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

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

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

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

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

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

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

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application No. _____

Class _____ License No. _____

Name _____

St. and No. _____

City — Town _____

Date Issued _____

Remarks _____



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

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2017 JAN 24 P 3:51

DONNA D. HOLADAY
 MAYOR

ETHAN R. MANNING
 FINANCE DIRECTOR/CITY AUDITOR

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

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

Date: January 24, 2017

Subject: FY2017 Mid-Year Budget Report

Attached is the FY2017 Mid-Year Budget Report that includes a summary of budget expenditures for the period of July 1, 2016 through December 31, 2016. The report covers expenditures within the General Fund and the Water, Sewer, and Harbormaster Enterprise Funds. Also included is an update on the City's revenue collections.

The City budget is approved by the City Council in budget categories. These categories include: Personnel Services, Purchase of Services, Supplies, Other Charges and Expenses, Capital Outlay and Debt Service. This format is recommended by the Massachusetts Department of Revenue and is in accordance with the best practices recognized by the Government Finance Officers Association (GFOA). Once the annual budget is approved by the City Council, spending, in each budget category, cannot exceed the total appropriation for that category unless additional funding is provided through a budget transfer or supplemental budget appropriation.

FY2017 Mid-Year Expenditures

Mid-year expenditures within the General Fund and Enterprise Funds were made within the budgetary appropriations approved by the City Council and are on target for this point in the fiscal year. Typically, however, expenditure levels are not exactly 50% at mid-year as major expenditures occur during various times of the year depending on the department or cost center.

On the following page is a summary of the mid-year expenditures by fund, which is broken out in greater detail in the reports that follow.

	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
001 GENERAL FUND	61,758,385	34,193,647	27,534,030	55.4%
060 WATER ENTERPRISE FUND	5,143,412	3,256,846	1,884,201	63.3%
061 SEWER ENTERPRISE FUND	6,384,591	3,648,090	2,734,134	57.1%
6520 HARBORMASTER ENTERPRISE FUND	430,714	243,133	187,581	56.4%
TOTAL BUDGETARY FUNDS	<u>73,717,102</u>	<u>41,341,716</u>	<u>32,339,945</u>	<u>56.1%</u>

While most department/cost centers show expenses below or near 50% of appropriations, those that were higher than 60% included:

- **General Administration (69.0%)**: A large component of this cost center is municipal insurance premiums, which are paid at the start of the fiscal year.
- **Assessor's Department (68.6%)**: The completion of the City's triennial revaluation increased costs in the first half of the fiscal year, prior to the establishment of the FY2017 tax rate.
- **Information Technology (73.0%)**: Licenses, including the license for the City's MUNIS financial software, are paid in July, resulting in higher expenditures in the first half.
- **Board of Registrar's (88.3%)**: Elections work during the first half of the fiscal year largely expended this cost center.
- **Conservation Commission (75.0%)**: Funding for minute takers is drawn first from the General Fund budget and then from the Wetlands Protection Fund.
- **Planning Board (66.7%)**: Funding for minute takers is drawn first from the General Fund budget and then from the revolving fund.
- **Zoning Board (75.0%)**: Funding for minute takers is drawn first from the General Fund budget and then from the revolving fund.
- **Whittier Tech Assessment (85.0%)**: The assessment for the Whittier Technical Regional Vocational High School is paid throughout the year, with the majority of the assessment paid during the fiscal half.
- **Excluded Debt Service (85.9%). Ordinary Debt Service (88.0%)**: Annual debt service payments typically include two interest payments and one principal payment. The principal payment is typically due in July or October, resulting in higher expenditures during the first half of the fiscal year.
- **Retirement Board (100.0%)**: The City's appropriation to the Newburyport Retirement System is paid on July 1st.
- **Water Enterprise Fund (63.3%)**: Due to fall water main replacement projects, as well as, debt service payments made during the first half of the fiscal year.

Additional funding may be required in some accounts, such as snow and ice and overtime, due to the unpredictability of those line items. In accordance with state law, the City is allowed to exceed the budgetary appropriation for snow and ice removal as it is a matter of public safety. However, any deficit must be removed prior to year-end through the use of reserves or other available funds. If the deficit is not removed prior to year-end, then the

shortage must be made-up in the next fiscal year's tax rate. In past years, Free Cash has been the primary source of funding to cover snow and ice deficits.

FY2017 Mid-Year Revenue

Total revenue for the budgetary funds is currently on target at 53% of estimates. The General Fund shows 51% of revenue collected, while all three enterprise funds are currently exceeding 50% of their revenue estimates for FY2017. On the following page is a summary of the mid-year revenue by fund, which is broken out in greater detail in the reports that follow.

	ESTIMATE	ACTUAL	REMAINING	% COLL.
001 GENERAL FUND	62,090,497	31,758,914	30,331,583	51.1%
060 WATER ENTERPRISE FUND	5,143,412	3,281,228	1,862,184	63.8%
061 SEWER ENTERPRISE FUND	6,384,591	3,989,813	2,394,777	62.5%
6520 HARBORMASTER ENTERPRISE FUND	430,714	247,885	182,829	57.6%
TOTAL BUDGETARY FUNDS	74,049,214	39,277,840	34,771,374	53.0%

A full copy of this report is available under the Financial Reports Center, located at:
<http://www.cityofnewburyport.com/finance-department/pages/financial-reports-center>

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



**City of Newburyport
FY2017 Mid-Year Expenditure Summary**

	ORIGINAL APPROP.	TRANSFERS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
001 GENERAL FUND						
111 CITY COUNCIL	67,363	0	67,363	34,383	32,981	51.0%
121 MAYOR'S DEPARTMENT	282,168	0	282,168	153,028	129,140	54.2%
129 GENERAL ADMINISTRATION	407,032	-70,946	336,086	231,886	104,199	69.0%
135 AUDITOR'S DEPARTMENT	314,082	3,460	317,542	182,328	122,947	57.4%
141 ASSESSORS DEPARTMENT	276,517	26,280	302,798	207,665	95,132	68.6%
145 TREASURER'S DEPARTMENT	285,307	6,886	292,194	153,821	138,182	52.6%
151 INFO TECHNOLOGY DEPT	305,895	0	305,895	223,343	82,553	73.0%
152 HUMAN RESOURCES	271,813	1,950	273,763	158,560	115,203	57.9%
161 CITY CLERK'S DEPARTMENT	240,195	4,009	244,204	128,594	115,609	52.7%
163 BOARD OF REGISTRARS	44,131	0	44,131	38,966	5,164	88.3%
165 LICENSE COMMISSION	6,840	0	6,840	3,516	3,324	51.4%
171 CONSERVATION COMMISSION	1,800	0	1,800	1,350	450	75.0%
175 PLANNING BOARD	1,800	0	1,800	1,200	600	66.7%
176 ZONING BOARD	1,800	0	1,800	1,350	450	75.0%
182 PLANNING & DEVELOPMENT	311,333	3,324	314,657	162,313	152,343	51.6%
191 LEGAL DEPARTMENT	70,000	0	70,000	36,801	33,199	52.6%
210 POLICE DEPARTMENT	3,555,908	0	3,555,908	1,914,430	1,641,478	53.8%
220 FIRE DEPARTMENT	3,537,462	38,920	3,576,382	1,954,829	1,621,554	54.7%
241 BUILDING DEPARTMENT	168,448	0	168,448	92,117	76,331	54.7%
291 EMERGENCY MANAGEMENT	28,150	0	28,150	10,938	17,212	38.9%
292 ANIMAL CONTROL	59,440	4,651	64,091	28,860	35,231	45.0%
293 PARKING CLERK DEPARTMENT	46,482	918	47,400	25,527	21,872	53.9%
300 SCHOOL DEPARTMENT	27,402,232	0	27,402,232	12,087,653	15,314,579	44.1%
398 ESSEX NORTH SHORE TECH SCHOOL	55,000	0	55,000	18,250	18,500	33.2%
399 WHITTIER VO TECH SCHOOL	427,368	0	427,368	363,263	64,105	85.0%
421 PUBLIC SERVICES DEPARTMENT	2,682,390	5,684	2,688,074	1,438,257	1,249,817	53.5%
423 SNOW & ICE	200,000	0	200,000	99,832	100,168	49.9%
510 HEALTH DEPARTMENT	215,795	818	216,613	104,665	111,949	48.3%
519 SUSTAINABILITY	1,216,016	40,204	1,256,220	543,634	712,586	43.3%
541 COUNCIL ON AGING	287,204	793	287,996	157,277	130,719	54.6%
542 YOUTH SERVICES	292,051	0	292,051	163,841	128,210	56.1%
543 VETERANS' DEPARTMENT	304,651	0	304,651	166,933	137,718	54.8%
610 LIBRARY DEPARTMENT	1,314,372	0	1,314,372	725,100	589,272	55.2%
630 PARKS COMMISSION	195,708	0	195,708	111,057	84,651	56.7%
691 HISTORICAL COMMISSION	1,800	0	1,800	975	825	54.2%
710 DEBT EXCLUSION	3,237,248	0	3,237,248	2,781,206	456,043	85.9%
720 ORDINARY DEBT SERVICE	871,592	0	871,592	767,183	104,409	88.0%
911 RETIREMENT BOARD	3,752,884	0	3,752,884	3,752,345	539	100.0%
914 INSURANCE GROUP	8,950,403	-1,950	8,948,453	5,164,966	3,783,487	57.7%
921 COMMISSION ON DISABILITY	2,703	0	2,703	1,405	1,298	52.0%
001 GENERAL FUND Total	61,693,385	65,000	61,758,385	34,193,647	27,534,030	55.4%
060 WATER ENTERPRISE FUND						
060 WATER ENTERPRISE FUND Total	5,143,412	0	5,143,412	3,256,846	1,884,201	63.3%
061 SEWER ENTERPRISE FUND						
061 SEWER ENTERPRISE FUND Total	6,384,591	0	6,384,591	3,648,090	2,734,134	57.1%
6520 HARBORMASTER ENTERPRISE FUND						
6520 HARBORMASTER ENTERPRISE FUND Total	430,714	0	430,714	243,133	187,581	56.4%
TOTAL BUDGETARY FUNDS	\$73,652,102	\$65,000	\$73,717,102	\$41,341,716	\$32,339,945	56.1%



City of Newburyport
FY2017 Mid-Year Expenditures by Budget Category

ORIGINAL APPROP.	TRANSFERS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
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001 GENERAL FUND

111 CITY COUNCIL

001 PERSONNEL SERVICES	60,863	0	60,863	30,531	30,333	50.2%
002 PURCHASE OF SERVICES	6,500	0	6,500	3,852	2,648	59.3%
111 CITY COUNCIL Total	67,363	0	67,363	34,383	32,981	51.0%

121 MAYOR'S DEPARTMENT

001 PERSONNEL SERVICES	228,018	0	228,018	122,762	105,256	53.8%
002 PURCHASE OF SERVICES	39,150	0	39,150	21,150	18,000	54.0%
007 OTHER CHARGES & EXPENSES	15,000	0	15,000	9,116	5,884	60.8%
121 MAYOR'S DEPARTMENT Total	282,168	0	282,168	153,028	129,140	54.2%

129 GENERAL ADMINISTRATION

001 PERSONNEL SERVICES	13,538	0	13,538	4,961	8,577	36.6%
002 PURCHASE OF SERVICES	147,500	0	147,500	66,199	81,301	44.9%
004 SUPPLIES	9,000	0	9,000	2,702	6,298	30.0%
007 OTHER CHARGES & EXPENSES	236,993	-70,946	166,047	158,024	8,023	95.2%
129 GENERAL ADMINISTRATION Total	407,032	-70,946	336,086	231,886	104,199	69.0%

135 AUDITOR'S DEPARTMENT

001 PERSONNEL SERVICES	260,292	3,460	263,752	144,113	119,639	54.6%
002 PURCHASE OF SERVICES	52,000	0	52,000	36,800	2,933	70.8%
004 SUPPLIES	1,500	0	1,500	1,125	375	75.0%
007 OTHER CHARGES & EXPENSES	290	0	290	290	0	100.0%
135 AUDITOR'S DEPARTMENT Total	314,082	3,460	317,542	182,328	122,947	57.4%

141 ASSESSORS DEPARTMENT

001 PERSONNEL SERVICES	207,692	1,280	208,973	141,619	67,353	67.8%
002 PURCHASE OF SERVICES	65,500	25,000	90,500	64,038	26,462	70.8%
004 SUPPLIES	3,325	0	3,325	2,008	1,317	60.4%
141 ASSESSORS DEPARTMENT Total	276,517	26,280	302,798	207,665	95,132	68.6%

145 TREASURER'S DEPARTMENT

001 PERSONNEL SERVICES	240,157	6,886	247,044	135,042	112,002	54.7%
002 PURCHASE OF SERVICES	39,500	0	39,500	15,207	24,293	38.5%
004 SUPPLIES	3,800	0	3,800	1,923	1,686	50.6%
007 OTHER CHARGES & EXPENSES	1,850	0	1,850	1,650	200	89.2%
145 TREASURER'S DEPARTMENT Total	285,307	6,886	292,194	153,821	138,182	52.6%

151 INFO TECHNOLOGY DEPT

001 PERSONNEL SERVICES	91,508	0	91,508	49,302	42,206	53.9%
002 PURCHASE OF SERVICES	212,787	0	212,787	173,339	39,448	81.5%
004 SUPPLIES	1,600	0	1,600	701	899	43.8%
151 INFO TECHNOLOGY DEPT Total	305,895	0	305,895	223,343	82,553	73.0%

	ORIGINAL APPROP.	TRANSFERS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
152 HUMAN RESOURCES						
001 PERSONNEL SERVICES	133,593	0	133,593	72,248	61,345	54.1%
002 PURCHASE OF SERVICES	134,620	1,950	136,570	85,952	50,618	62.9%
004 SUPPLIES	3,000	0	3,000	360	2,640	12.0%
007 OTHER CHARGES & EXPENSES	600	0	600	0	600	0.0%
152 HUMAN RESOURCES Total	271,813	1,950	273,763	158,560	115,203	57.9%
161 CITY CLERK'S DEPARTMENT						
001 PERSONNEL SERVICES	228,095	4,009	232,104	121,691	110,413	52.4%
002 PURCHASE OF SERVICES	12,100	0	12,100	6,904	5,196	57.1%
161 CITY CLERK'S DEPARTMENT Total	240,195	4,009	244,204	128,594	115,609	52.7%
163 BOARD OF REGISTRARS						
001 PERSONNEL SERVICES	4,131	0	4,131	2,062	2,069	49.9%
007 OTHER CHARGES & EXPENSES	40,000	0	40,000	36,905	3,095	92.3%
163 BOARD OF REGISTRARS Total	44,131	0	44,131	38,966	5,164	88.3%
165 LICENSE COMMISSION						
001 PERSONNEL SERVICES	5,340	0	5,340	3,115	2,225	58.3%
007 OTHER CHARGES & EXPENSES	1,500	0	1,500	401	1,099	26.7%
165 LICENSE COMMISSION Total	6,840	0	6,840	3,516	3,324	51.4%
171 CONSERVATION COMMISSION						
001 PERSONNEL SERVICES	1,800	0	1,800	1,350	450	75.0%
171 CONSERVATION COMMISSION Total	1,800	0	1,800	1,350	450	75.0%
175 PLANNING BOARD						
001 PERSONNEL SERVICES	1,800	0	1,800	1,200	600	66.7%
175 PLANNING BOARD Total	1,800	0	1,800	1,200	600	66.7%
176 ZONING BOARD						
001 PERSONNEL SERVICES	1,800	0	1,800	1,350	450	75.0%
176 ZONING BOARD Total	1,800	0	1,800	1,350	450	75.0%
182 PLANNING & DEVELOPMENT						
001 PERSONNEL SERVICES	294,783	3,324	298,107	161,370	136,737	54.1%
002 PURCHASE OF SERVICES	12,000	0	12,000	0	12,000	0.0%
004 SUPPLIES	4,550	0	4,550	943	3,607	20.7%
182 PLANNING & DEVELOPMENT Total	311,333	3,324	314,657	162,313	152,343	51.6%
191 LEGAL DEPARTMENT						
002 PURCHASE OF SERVICES	70,000	0	70,000	36,801	33,199	52.6%
191 LEGAL DEPARTMENT Total	70,000	0	70,000	36,801	33,199	52.6%
210 POLICE DEPARTMENT						
001 PERSONNEL SERVICES	3,222,729	0	3,222,729	1,759,191	1,463,538	54.6%
002 PURCHASE OF SERVICES	157,329	0	157,329	89,449	67,880	56.9%
004 SUPPLIES	110,100	0	110,100	26,796	83,304	24.3%
007 OTHER CHARGES & EXPENSES	14,750	0	14,750	3,523	11,227	23.9%
008 CAPITAL OUTLAY	51,000	0	51,000	35,472	15,528	69.6%
210 POLICE DEPARTMENT Total	3,555,908	0	3,555,908	1,914,430	1,641,478	53.8%

	ORIGINAL APPROP.	TRANSFERS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
220 FIRE DEPARTMENT						
001 PERSONNEL SERVICES	3,264,012	38,920	3,302,932	1,797,305	1,505,627	54.4%
002 PURCHASE OF SERVICES	183,000	0	183,000	124,036	58,964	67.8%
004 SUPPLIES	85,000	0	85,000	30,549	54,451	35.9%
007 OTHER CHARGES & EXPENSES	5,450	0	5,450	2,939	2,511	53.9%
220 FIRE DEPARTMENT Total	3,537,462	38,920	3,576,382	1,954,829	1,621,554	54.7%
241 BUILDING DEPARTMENT						
001 PERSONNEL SERVICES	168,448	0	168,448	92,117	76,331	54.7%
241 BUILDING DEPARTMENT Total	168,448	0	168,448	92,117	76,331	54.7%
291 EMERGENCY MANAGEMENT						
001 PERSONNEL SERVICES	13,050	0	13,050	8,423	4,627	64.5%
002 PURCHASE OF SERVICES	12,000	0	12,000	2,515	9,485	21.0%
004 SUPPLIES	1,100	0	1,100	0	1,100	0.0%
007 OTHER CHARGES & EXPENSES	2,000	0	2,000	0	2,000	0.0%
291 EMERGENCY MANAGEMENT Total	28,150	0	28,150	10,938	17,212	38.9%
292 ANIMAL CONTROL						
001 PERSONNEL SERVICES	49,010	4,651	53,661	27,038	26,623	50.4%
002 PURCHASE OF SERVICES	7,840	0	7,840	976	6,864	12.4%
004 SUPPLIES	2,290	0	2,290	547	1,743	23.9%
007 OTHER CHARGES & EXPENSES	300	0	300	300	0	100.0%
292 ANIMAL CONTROL Total	59,440	4,651	64,091	28,860	35,231	45.0%
293 PARKING CLERK DEPARTMENT						
001 PERSONNEL SERVICES	46,482	918	47,400	25,527	21,872	53.9%
293 PARKING CLERK DEPARTMENT Total	46,482	918	47,400	25,527	21,872	53.9%
300 SCHOOL DEPARTMENT						
002 PURCHASE OF SERVICES	27,402,232	0	27,402,232	12,087,653	15,314,579	44.1%
300 SCHOOL DEPARTMENT Total	27,402,232	0	27,402,232	12,087,653	15,314,579	44.1%
398 ESSEX NORTH SHORE TECH SCHOOL						
002 PURCHASE OF SERVICES	55,000	0	55,000	18,250	18,500	33.2%
398 ESSEX NORTH SHORE TECH SCHOOL Total	55,000	0	55,000	18,250	18,500	33.2%
399 WHITTIER VO TECH SCHOOL						
002 PURCHASE OF SERVICES	427,368	0	427,368	363,263	64,105	85.0%
399 WHITTIER VO TECH SCHOOL Total	427,368	0	427,368	363,263	64,105	85.0%
421 PUBLIC SERVICES DEPARTMENT						
001 PERSONNEL SERVICES	1,688,198	5,684	1,693,882	886,456	807,426	52.3%
002 PURCHASE OF SERVICES	465,587	0	465,587	251,113	214,474	53.9%
004 SUPPLIES	247,865	0	247,865	107,501	140,364	43.4%
008 CAPITAL OUTLAY	280,740	0	280,740	193,186	87,554	68.8%
421 PUBLIC SERVICES DEPARTMENT Total	2,682,390	5,684	2,688,074	1,438,257	1,249,817	53.5%
423 SNOW & ICE						
001 PERSONNEL SERVICES	100,000	0	100,000	20,252	79,748	20.3%
002 PURCHASE OF SERVICES	100,000	0	100,000	79,580	20,420	79.6%
423 SNOW & ICE Total	200,000	0	200,000	99,832	100,168	49.9%

	ORIGINAL APPROP.	TRANSFERS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
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510 HEALTH DEPARTMENT

001 PERSONNEL SERVICES	170,432	818	171,249	92,191	79,059	53.8%
002 PURCHASE OF SERVICES	38,364	0	38,364	9,433	28,930	24.6%
004 SUPPLIES	5,000	0	5,000	2,406	2,594	48.1%
007 OTHER CHARGES & EXPENSES	2,000	0	2,000	635	1,365	31.8%
510 HEALTH DEPARTMENT Total	215,795	818	216,613	104,665	111,949	48.3%

519 SUSTAINABILITY

001 PERSONNEL SERVICES	89,766	204	89,970	54,013	35,957	60.0%
002 PURCHASE OF SERVICES	1,125,350	40,000	1,165,350	489,254	676,096	42.0%
004 SUPPLIES	900	0	900	366	534	40.7%
519 SUSTAINABILITY Total	1,216,016	40,204	1,256,220	543,634	712,586	43.3%

541 COUNCIL ON AGING

001 PERSONNEL SERVICES	244,704	793	245,496	136,970	108,526	55.8%
002 PURCHASE OF SERVICES	29,500	0	29,500	13,178	16,322	44.7%
004 SUPPLIES	13,000	0	13,000	7,129	5,871	54.8%
541 COUNCIL ON AGING Total	287,204	793	287,996	157,277	130,719	54.6%

542 YOUTH SERVICES

001 PERSONNEL SERVICES	184,721	0	184,721	91,429	93,292	49.5%
002 PURCHASE OF SERVICES	22,800	0	22,800	19,875	2,925	87.2%
007 OTHER CHARGES & EXPENSES	84,530	0	84,530	52,538	31,992	62.2%
542 YOUTH SERVICES Total	292,051	0	292,051	163,841	128,210	56.1%

543 VETERANS' DEPARTMENT

001 PERSONNEL SERVICES	125,511	0	125,511	68,018	57,493	54.2%
002 PURCHASE OF SERVICES	5,720	0	5,720	1,841	3,879	32.2%
007 OTHER CHARGES & EXPENSES	173,420	0	173,420	97,073	76,347	56.0%
543 VETERANS' DEPARTMENT Total	304,651	0	304,651	166,933	137,718	54.8%

610 LIBRARY DEPARTMENT

001 PERSONNEL SERVICES	1,012,482	0	1,012,482	533,434	479,049	52.7%
002 PURCHASE OF SERVICES	301,890	0	301,890	191,666	110,224	63.5%
610 LIBRARY DEPARTMENT Total	1,314,372	0	1,314,372	725,100	589,272	55.2%

630 PARKS COMMISSION

001 PERSONNEL SERVICES	147,708	10,000	157,708	83,186	74,522	52.7%
002 PURCHASE OF SERVICES	43,000	-10,000	33,000	22,910	10,090	69.4%
004 SUPPLIES	5,000	0	5,000	4,961	39	99.2%
630 PARKS COMMISSION Total	195,708	0	195,708	111,057	84,651	56.7%

691 HISTORICAL COMMISSION

001 PERSONNEL SERVICES	1,800	0	1,800	975	825	54.2%
691 HISTORICAL COMMISSION Total	1,800	0	1,800	975	825	54.2%

710 DEBT EXCLUSION

009 DEBT SERVICE	3,237,248	0	3,237,248	2,781,206	456,043	85.9%
710 DEBT EXCLUSION Total	3,237,248	0	3,237,248	2,781,206	456,043	85.9%

720 ORDINARY DEBT SERVICE

009 DEBT SERVICE	871,592	0	871,592	767,183	104,409	88.0%
720 ORDINARY DEBT SERVICE Total	871,592	0	871,592	767,183	104,409	88.0%

	ORIGINAL APPROP.	TRANSFERS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
911 RETIREMENT BOARD						
001 PERSONNEL SERVICES	3,752,884	0	3,752,884	3,752,345	539	100.0%
911 RETIREMENT BOARD Total	3,752,884	0	3,752,884	3,752,345	539	100.0%
914 INSURANCE GROUP						
001 PERSONNEL SERVICES	8,950,403	-1,950	8,948,453	5,164,966	3,783,487	57.7%
914 INSURANCE GROUP Total	8,950,403	-1,950	8,948,453	5,164,966	3,783,487	57.7%
921 COMMISSION ON DISABILITY						
001 PERSONNEL SERVICES	2,703	0	2,703	1,405	1,298	52.0%
921 COMMISSION ON DISABILITY Total	2,703	0	2,703	1,405	1,298	52.0%
001 GENERAL FUND Total	61,693,385	65,000	61,758,385	34,193,647	27,534,030	55.4%
<u>060 WATER ENTERPRISE FUND</u>						
450 WATER DEPARTMENT						
001 PERSONNEL SERVICES	2,050,968	0	2,050,968	1,196,640	854,328	58.3%
002 PURCHASE OF SERVICES	786,601	0	786,601	422,196	362,039	53.7%
004 SUPPLIES	212,747	0	212,747	82,234	130,513	38.7%
007 OTHER CHARGES & EXPENSES	88,220	0	88,220	67,339	20,881	76.3%
008 CAPITAL OUTLAY	150,000	0	150,000	21,269	128,731	14.2%
009 DEBT SERVICE	1,854,876	0	1,854,876	1,467,167	387,709	79.1%
450 WATER DEPARTMENT Total	5,143,412	0	5,143,412	3,256,846	1,884,201	63.3%
060 WATER ENTERPRISE FUND Total	5,143,412	0	5,143,412	3,256,846	1,884,201	63.3%
<u>061 SEWER ENTERPRISE FUND</u>						
440 SEWER DEPARTMENT						
001 PERSONNEL SERVICES	2,206,831	0	2,206,831	1,268,219	938,611	57.5%
002 PURCHASE OF SERVICES	1,304,717	0	1,304,717	510,298	792,052	39.1%
004 SUPPLIES	302,868	0	302,868	69,249	233,619	22.9%
007 OTHER CHARGES & EXPENSES	73,900	0	73,900	57,754	16,147	78.2%
008 CAPITAL OUTLAY	266,000	0	266,000	62,966	203,034	23.7%
009 DEBT SERVICE	2,230,275	0	2,230,275	1,679,604	550,671	75.3%
440 SEWER DEPARTMENT Total	6,384,591	0	6,384,591	3,648,090	2,734,134	57.1%
061 SEWER ENTERPRISE FUND Total	6,384,591	0	6,384,591	3,648,090	2,734,134	57.1%
<u>6520 HARBORMASTER ENTERPRISE FUND</u>						
295 HARBORMASTER DEPARTMENT						
001 PERSONNEL SERVICES	249,164	0	249,164	157,946	91,218	63.4%
002 PURCHASE OF SERVICES	42,900	0	42,900	11,648	31,252	27.2%
004 SUPPLIES	18,200	0	18,200	7,721	10,479	42.4%
007 OTHER CHARGES & EXPENSES	6,075	0	6,075	6,075	0	100.0%
008 CAPITAL OUTLAY	50,000	0	50,000	7,013	42,987	14.0%
009 DEBT SERVICE	64,375	0	64,375	52,731	11,644	81.9%
295 HARBORMASTER DEPARTMENT Total	430,714	0	430,714	243,133	187,581	56.4%
6520 HARBORMASTER ENTERPRISE FUND Total	430,714	0	430,714	243,133	187,581	56.4%
TOTAL BUDGETARY FUNDS	\$73,652,102	\$65,000	\$73,717,102	\$41,341,716	\$32,339,945	56.1%



City of Newburyport
FY2017 Mid-Year Revenue Summary

CATEGORY	FY 2016 Mid-Year Revenue				FY 2017 Mid-Year Revenue				FY16 vs. FY17 +/-		
	ESTIMATE	6MO ACTUAL	REMAINING	% COLL	ESTIMATE	6MO ACTUAL	REMAINING	% COLL	\$	%	
Tax Revenue											
Real Estate Tax	49,765,436	24,244,188	25,521,248	48.7%	52,342,090	26,522,344	25,819,746	50.7%	2,278,156	9.4%	↑
Personal Property Tax	649,661	305,121	344,539	47.0%	682,417	316,593	365,824	46.4%	11,472	3.8%	↑
Total Tax Revenue	50,415,097	24,549,310	25,865,787	48.7%	53,024,507	26,838,938	26,185,569	50.6%	2,289,628	9.3%	↑
Local Receipts											
Motor Vehicle Excise (1)	2,340,000	370,466	1,969,534	15.8%	2,350,000	390,122	1,959,878	16.6%	19,655	5.3%	↑
Room Occupancy Excise	91,000	84,635	49,884	93.0%	115,000	156,354	(41,354)	136.0%	71,720	84.7%	↑
Meals Excise	485,000	338,309	312,320	69.8%	485,000	333,065	151,935	68.7%	(5,244)	-1.6%	↓
Other Excise (2)	95,000	0	0	0.0%	100,000	0	100,000	0.0%	0	0.0%	↔
Pen & Int on Tax & Exc	335,000	160,749	174,251	48.0%	320,000	154,406	165,594	48.3%	(6,343)	-3.9%	↓
Payments in Lieu of Taxes (3)	60,000	0	60,000	0.0%	60,000	13,851	46,149	23.1%	13,851	N/A	↑
Fees (4)	385,000	297,698	87,302	77.3%	370,000	208,894	161,106	56.5%	(88,804)	-29.8%	↓
Other Dept. Revenue (5)	55,000	30,258	24,742	55.0%	55,000	36,267	18,733	65.9%	6,009	19.9%	↑
Licenses and Permits	650,000	547,423	102,577	84.2%	690,000	687,587	2,413	99.7%	140,164	25.6%	↑
Fines & Forfeits	10,000	6,146	3,854	61.5%	10,000	7,013	2,988	70.1%	867	14.1%	↑
Investment Income	45,000	20,627	24,373	45.8%	45,000	19,003	25,997	42.2%	(1,624)	-7.9%	↓
Medicaid Reimbursement	85,000	17,883	67,117	21.0%	85,000	33,014	51,986	38.8%	15,130	84.6%	↑
Miscellaneous Recurring (6)	128,000	77,127	50,873	60.3%	138,000	74,052	63,948	53.7%	(3,075)	-4.0%	↓
Miscellaneous Non-Recurring	0	3,503	(3,503)	100.0%	0	10,562	(10,562)	100.0%	7,060	201.5%	↑
Total Local Receipts	4,764,000	1,954,825	2,923,323	41.0%	4,823,000	2,124,190	2,698,810	44.0%	169,366	8.7%	↑
<i>Local Receipts Excluding MV Excise</i>	<i>2,424,000</i>	<i>1,584,358</i>	<i>953,790</i>	<i>65.4%</i>	<i>2,473,000</i>	<i>1,734,069</i>	<i>738,931</i>	<i>70.1%</i>	<i>149,710</i>	<i>9.4%</i>	<i>↑</i>
Net State Aid	4,084,560	2,551,294	1,533,266	62.5%	4,242,990	2,795,786	1,447,204	65.9%	244,492	9.6%	
Total General Fund Revenue	59,263,657	29,055,428	30,322,376	49.0%	62,090,497	31,758,914	30,331,583	51.1%	2,703,486	9.3%	↑
Enterprise Funds											
Water Fund Revenue	5,125,208	2,916,327	2,208,881	56.9%	5,143,412	3,281,228	1,862,184	63.8%	364,901	12.5%	↑
Sewer Fund Revenue	6,415,623	3,498,068	2,917,555	54.5%	6,384,591	3,989,813	2,394,777	62.5%	491,745	14.1%	↑
Harbormaster Fund Revenue	366,794	228,193	138,601	62.2%	430,714	247,885	182,829	57.6%	19,692	8.6%	↑
Total Budgetary Funds	71,171,282	35,698,016	35,587,414	50.2%	74,049,214	39,277,840	34,771,374	53.0%	3,579,824	10.0%	↑

- (1) Motor vehicle excise tax bills mailed out by end of February.
- (2) Urban redevelopment excise tax (MGL Ch. 121A); distributed by state at year-end.
- (3) Payments in lieu of taxes paid in March; category includes any roll back taxes as well.
- (4) Municipal liens, off duty fees, registry fees, tax title, fire alarm box fees.
- (5) Copies/recordings, zoning/ordinances, business certificates.
- (6) Police incident/accident, cell tower lease payments, Animal Control (\$20K), Veterans' Services (\$83K), FWS refuge revenue sharing.



PLANNING CONSULTANTS
ARCHITECTS
STRUCTURAL ENGINEERS
INTERIOR DESIGNERS

FULL TEXT AVAILABLE IN CLERK'S OFFICE

**MVRTA Newburyport Intermodal
Parking Facility**
Newburyport, Massachusetts

Code Analysis
12/9/2016

By:

DESMAN, Inc.



November 7, 2016

Desman Associates
18 Tremont Street, Suite 300
Boston, MA 02108

Attention: Wesley Wilson

Re: Newbury Intermodal Transit and Parking Facility

Dear Wesley,

Please find enclosed our draft cost estimate for the above project based on 30% design documents.

	<u>Area (sf)</u>	<u>\$/sf</u>	<u>\$.000's</u>
New	77,339	96	7,397

This estimate includes all direct construction costs, general contractor's overhead and profit, and design contingency. Cost escalation assumes current rates.

Excluded from the estimate are: hazardous waste removal, loose furnishings and equipment, construction and project contingency, architect's and engineer's fees, moving, administrative and financing costs.

Bidding conditions are expected to reflect 6 to 8 pre-qualified general contractors, open bidding for sub-contractors, open specifications for materials and manufacturers.

This estimate is based on bids received in this market for comparable work. Projected changes in design and inflation are covered by contingency. Variances from these projections can occur due to lack or surplus of bidders at time of bid, proprietary specifications, contractual and procurement practice, documentation and tendering changes, contractor's errors and omissions etc. We expect bids received to be within 5 - 10% of estimated values 19 times out of 20 recognizing the above.

If you have any questions or require further analysis please do not hesitate to contact us.

Yours very truly,

James Vermeulen, PQS
Co-CEO



RWS

HVAC

Electrical

Plumbing

Fire Protection

Code

**MVRTA: NEWBURYPORT
INTERMODAL PARKING FACILITY
NEWBURYPORT, MA**

ENERGY DESIGN NARRATIVE

December 9, 2016

Prepared for:

Desman Associates

**R.W. Sullivan
Engineering**

**The Schrafft Center
529 Main Street
Suite 203
Boston, MA 02129**

**617.523.8227
www.rwsullivan.com**

MVRTA Newburyport Intermodal Parking Facility

NEWBURYPORT, MASSACHUSETTS

30% SCHEMATIC DESIGN PACKAGE
DECEMBER 9, 2016

CIVIL

C-2 LAYOUT AND MATERIALS PLAN
C-3 GRADING & DRAINAGE PLAN
C-4 UTILITIES PLAN
C-5 OVERALL LANDSCAPE PLAN
C-6 DETAILED LANDSCAPE PLAN

ARCHITECTURAL

A-100 LOWER LEVEL STRIPING PLAN
A-101 GRADE LEVEL STRIPING PLAN
A-102 SECOND LEVEL STRIPING PLAN
A-103 ROOF LEVEL STRIPING PLAN
A-201 BUILDING ELEVATIONS
A-202 AXONOMETRIC ELEVATION

STRUCTURAL

S-002 TYPICAL DETAILS
S-101 FOUNDATION PLAN
S-200 LOWER LEVEL FRAMING PLAN
S-201 GRADE LEVEL FRAMING PLAN
S-202 SECOND LEVEL FRAMING PLAN
S-203 ROOF LEVEL FRAMING PLAN
S-301 TYPICAL PRECAST DETAILS
S-302 TYPICAL PRECAST DETAILS
S-303 TYPICAL PRECAST DETAILS

HVAC

H-000 HVAC GENERAL NOTES AND ABBREVIATIONS
H-001 HVAC SCHEDULES
H-002 HVAC DETAILS
H-100 HVAC LOWER LEVEL PLAN
H-101 HVAC LOWER LEVEL PLAN
H-102 HVAC ROOF LEVEL PLAN

ELECTRICAL & FIRE ALARM

E-000 ELECTRICAL LEGEND AND GENERAL NOTES
E-001 ELECTRICAL SITE PLAN
E-100 ELECTRICAL LOWER LEVEL POWER & LIGHTING PLAN
E-101 ELECTRICAL FIRST LEVEL POWER AND LIGHTING PLAN
E-102 ELECTRICAL SECOND LEVEL POWER AND LIGHTING PLAN
E-103 ELECTRICAL ROOF LEVEL POWER AND LIGHTING PLAN
E-200 ELECTRICAL LOWER LEVEL POWER & LIGHTING ENLARGED PLAN
E-300 ELECTRICAL POWER RISER DIAGRAM
E-301 ELECTRICAL GROUNDING RISER DIAGRAM
E-501 ELECTRICAL DETAILS
E-502 ELECTRICAL DETAILS
FA-000 FIRE ALARM LEGEND AND GENERAL NOTES
FA-100 FIRE ALARM LOWER LEVEL PLAN
FA-101 FIRE ALARM FIRST LEVEL PLAN
FA-102 FIRE ALARM SECOND LEVEL PLAN
FA-103 FIRE ALARM ROOF LEVEL PLAN
FA-200 FIRE ALARM RISER DIAGRAM

FIRE PROTECTION

FP-101 FIRE PROTECTION LEGEND, SCHEDULES AND NOTES
FP-100 LOWER LEVEL FIRE PROTECTION PLAN
FP-101 FIRST LEVEL FIRE PROTECTION PLAN
FP-102 SECOND LEVEL FIRE PROTECTION PLAN
FP-103 ROOF LEVEL PLAN FIRE PROTECTION PLAN

PLUMBING

P-001 PLUMBING LEGEND, SCHEDULES, NOTES, AND PART PLAN
P-100 LOWER LEVEL PLUMBING PLAN
P-101 FIRST LEVEL PLUMBING PLAN
P-102 SECOND LEVEL PLUMBING PLAN
P-103 ROOF LEVEL PLUMBING PLAN

CITY OF NEWBURYPORT & MVRTA
DESMAN, Inc.
FENNICK MCREIDIE ARCHITECTURE, Ltd.
R.W. SULLIVAN
ALLEN & MAJOR ASSOCIATES, Inc.
TETRA TECH, Inc.
GOTECHNICAL PARTNERSHIP, Inc.

OWNER
ARCHITECT/ENGINEERS
CONCEPT ARCHITECT
MEP/HVAC ENGINEER
SITE/CIVIL
TRAFFIC ENGINEER
GOTECHNICAL ENGINEER

Traffic Impact and Access Study

MVRTA Intermodal Parking Facility

Newburyport, Massachusetts

Prepared for:

Desman Associates
November 2016

6.0 SUMMARY AND CONCLUSIONS

Tetra Tech has completed a Traffic Impact and Access Study for the proposed Intermodal Parking Facility to be located at the southwest quadrant of Merrimac Street and Titcomb Street in Newburyport, MA (the project). The project consists of 207 parking spaces in a three level garage.

Conceptual level designs for site access and the Merrimac Street/Titcomb Street and Titcomb Street/Pleasant Street intersections were developed through coordination with City of Newburyport and include new crosswalks, handicap ramps and curb extensions. A new 100 foot long bus turnout will be located adjacent to the proposed garage on Merrimac Street. The sidewalk is designed to include fully accessible landing areas for passengers alighting from buses.

The intermodal parking facility will provide additional parking for MVRTA transit riders potentially reducing vehicular traffic to and from Newburyport. It will also provide replacement parking for parking spaces expected to be lost when improvements are made to the Merrimack River waterfront.

The study concludes that the proposed project will not have a significant impact to the study area intersections.

P:\32030\143-32030-15001\DOCS\REPORTS\2016.11.29 FINAL TRAFFIC IMPACT STUDY (30%).DOCX

**APPOINTMENTS
FIRST READING**



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

60 PLEASANT STREET - P.O. BOX 550

NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

RECEIVED
MAYOR'S OFFICE
NEWBURYPORT, MA

2017 JAN 17 A 10:21

Donna D. Holaday

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: January 17, 2017
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Water/Sewer Commission. This term will expire February 13, 2020.

Robert A. Cook
19 Everett Drive
Newburyport, MA 01950



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

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

2017 JUL 18 P 2:07

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: January 18, 2017
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Disabilities Commission. This term will expire on March 1, 2020.

Jennie Donahue
18 Cherry Street
Newburyport, MA 01950



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

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

2017 JAN -9 A 8: 01

Donna D. Holaday

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: January 6, 2017
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as Director of the Department of Public Services. This term will expire on February 1, 2020.

Anthony J. Furnari
10 Olsen Road
Peabody, MA 01960



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

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

2017 JAN 18 P 2:07

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: January 18, 2017
Re: Re-Appointment

I hereby re-appoint, subject to your approval, the following
named individual as Newburyport Shellfish Constable.
This term shall expire on March 1, 2020.

Paul Hogg
4 Coltin Drive
Newburyport, MA 01950



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

RECEIVED
MAYOR'S OFFICE
NEWBURYPORT, MA

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

2017 JAN 17 A 10:21

Donna D. Holaday

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: January 17, 2017

Subject: Re-appointment

I hereby re-appoint, subject to your approval, the following
named individual as Director Planning and Development.
This term will expire on January 31, 2019.

Andrew R. Port
61 Water Street #5
Newburyport, MA 01950



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

RECEIVED
MAYOR'S OFFICE
NEWBURYPORT, MA

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

2017 JAN 17 A 10: 25

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: January 17, 2017
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Water/Sewer Commission. This term will expire February 13, 2020.

John Tomasz
38 Storeybrooke Drive
Newburyport, MA 01950



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

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

RECEIVED
CITY OFFICE
NEWBURYPORT, MA
2017 JAN 17 10:21

Donna D. Holaday

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: January 17, 2017

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following
named individual as Electrical Inspector. This term will
expire on January 31, 2018.

David Zinck
6 Laurel Road
Newburyport, MA 01950

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

COMMUNICATIONS

**CITY OF NEWBURYPORT
APPROVED
ELECTION CALENDAR**

JANUARY 30, 2017

1. Friday, August 7, 2017 at 5:00 p.m.– Last day and hour to obtain nomination papers
(MGL Ch53, Section 9A).
2. *Tuesday, August 8, 2017 at 5:00 p.m. – Last day and hour to submit nomination papers to the Board of Registrars of Voters for certification of signatures (M.G.L. Ch.53 Section 7A).
3. Friday August 18, 2017 at 10:00 a.m. – Drawing by lot, of positions on ballot for **Preliminary Election of September 19, 2017** in Council Chamber
4. Tuesday, August 29, 2017 at 5:00 p.m. – Last day and hour to submit nomination papers certified by Board of Registrars to City Clerk (M.G.L. Ch. 53, Section 10).
5. Thursday, August 31, 2017 at 5:00 p.m. – Last day and hour to file withdrawals of/or objections to nomination papers with the City Clerk. (M.G.L. Ch. 55B, Section 7).
6. Wednesday, September 13, 2017 at 8:00 p.m. – Last day and hour to register voters
for **Preliminary Election** (M.G.L. Ch. 51, Sections 26, 28).
7. **Tuesday, September 19, 2017 – Preliminary Election** (if necessary) – M.G.L. Ch. 54, Section 103P)
8. Friday, Sept. 29 at 10:00 a.m. – Drawing by lot, of positions on ballot for **Municipal Election of November 7, 2017** in Council Chamber
9. Monday, October 9, 2017 at 5:00 p.m. – Last day and hour to file recount petition with City Clerk for **Preliminary Election** (M.G.L. Ch. 54, Section 135).
10. Wednesday, October 18, 2017 at 8:00 p.m. – Last day and hour to register voters for **Biennial Municipal Election** (M.G.L. Ch. 51, Sections 26, 28).
11. Tuesday, October 31, 2017 – Last day to post warrant (MGL Ch.54 Sec. 65)
12. **Tuesday, November 7, 2017 – Biennial Municipal Election**
13. Monday, November 20, 2017 at 5:00 p.m. – Last day and hour to file recount petition with City Clerk (M.G.L. Ch. 54, Section 135).

*Board of Registrars need not certify more names than required plus 20%.

Certified signatures of at least fifty (50) voters are the minimum necessary for placement on the preliminary ballot (M.G.L. Ch. 43, Section 44C).

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT: Newburyport Rotary Club - Frigid Five Road Race

Date: 2-5-2017 Time: from 11:00 Am to Noon

Rain Date: None Time: from _____ to _____

2. Location: Michaels Harborside

3. Description of Property: Restaurant Public Private _____

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

Contact Person

Address: Peter Doyle Telephone: 978-388-1370

E-Mail: pndoyle@gmail.com Cell Phone: 920-342-3911

Day of Event Contact & Phone: 920-342-3911

5. Number of Attendees Expected: 250

6. MA Tax Number: 23-7333024

7. Is the Event Being Advertised? Yes Where? Social Media

8. What Age Group is the Event Targeted to? 18 - 80

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 1

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? 4
- b) How many recycling receptacles will you be providing? 4
- 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? At my home

If no:

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

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

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

20 Standard # 20 ADA accessible

Name of company providing the portable toilets: _____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

RECEIVED
TOWN CLERK'S OFFICE
NEWBURYPORT, MA

PARADE _____ ROAD RACE X WALKATHON _____

2017 JAN 17 A 10:57

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

2. Name, Address & Daytime Phone Number of Organizer:
Peter Doyle
164 Northern Blvd
Newburyport, MA 01950 978-338-1370

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

4. Date of Event: 2-5-2017 Expected Number of Participants: 250

5. Start Time: 11:00 AM Expected End Time: Noon

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**):
High Street, Spottford Street, Merrimac Street, Kent Street,
Washington street

7. Locations of Water Stops (if any): Spottford Street

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

9. Formation Location & Time for Participants: Michaels Harborside 11:00 AM

10. Dismissal Location & Time for Participants: Michaels Harborside Noon

11. Additional Parade Information:
- Number of Floats: 0
 - Locations of Viewing Stations: 0
 - 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] 6A Perry Way CITY CLERK [Signature] 60 Pleasant St.

DEPARTMENT APPROVAL (for Committee Member use only):

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

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		
	<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

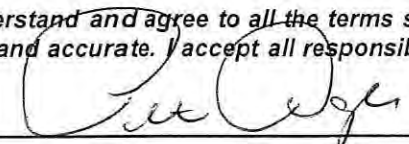
- (a) "Procedure" All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place 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: 1-12-2017

Frigid Fiver Road Race Course



Race Course Details

- a) **Start:** High street and Market Street
- b) Merge onto Ferry Road
- c) Right on Spofford St (H₂O Stop)
- d) Left on Merrimac at circle
- e) **Right on Kent**
- f) Left on Washington St
- g) Left on to Clipper Rail Trail
- h) Right at Clipper Rail trail end
- i) **Finish:** Michael's Harborside



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/1/2017

2/5/2017

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 LOCKTON COMPANIES 500 West Monroe, Suite 3400 CHICAGO IL 60661 (312) 669-6900	CONTACT NAME: Lockton Companies	
	PHONE (A/C, No, Ext): 1-800-921-3172	FAX (A/C, No): 1-312-681-6769
	E-MAIL ADDRESS: rotary@lockton.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Lexington Insurance Company	19437
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

INSURED
1393456 All Active US Rotary Clubs & Districts
Newburyport Rotary Club & City of Newburyport
Attn: Risk Management Department
1560 Sherman Ave.
Evanston, IL 60201-3698

COVERAGES ROTIN01 CERTIFICATE NUMBER: REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability <input type="checkbox"/> Included GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			015375594	7/1/2016	7/1/2017	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ XXXXXXXX PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COM/OP AGG \$ 4,000,000 \$
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			015375594	7/1/2016	7/1/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
	<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 \$ XXXXXXXX AGGREGATE \$ XXXXXXXX \$ XXXXXXXX
	<input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			NOT APPLICABLE			<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

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**CANCELLATION**

Newburyport Rotary Club
P.O. Box 831
Newburyport, MA 01950

Frigid Fiver Road Race February 5, 2017

City of Newburyport

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

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

- **APPT001_01_09_17** Ann M. Gardner 239 Water St Planning Board 05/31/2019

Re-Appointments

- **APPT002_01_09_17** Ethan R. Manning 31 Howard St Auditor 02/01/2020

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

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 30, 2017

THAT, \$4,200,000 is appropriated, in addition to the \$800,000 previously appropriated by order of this Council on January 9, 2017, to pay costs of odor control and facility upgrades at the City of Newburyport Wastewater Treatment Facility, consisting of clarifier covers and a biofilter odor control system and related improvements, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow \$4,200,000 under and pursuant to M.G.L. c.44, s.7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and that the Mayor and the Treasurer are authorized to take any other action necessary or convenient to carry out this vote.

Councillor Charles F. Tontar
Chair, Budget & Finance Committee



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: January 24, 2017
Subject: Wastewater Treatment Facility Odor Control Project Loan Order

I am writing to respectfully request approval of the enclosed loan order appropriating \$4,200,000 to the Wastewater Treatment Facility Odor Control Project general contract, which was unanimously endorsed by the Water and Sewer Commission at their January 4, 2017 meeting. The current projected cost estimate (including construction, engineering, construction phase services and contingencies) is \$5,000,000 of which an initial \$800,000 bond order was approved by City Council at their January 9, 2017 meeting.

At the January 4, 2017 Water and Sewer Commission meeting, Bob Rafferty from Environmental Partners discussed milestones and funding approval dates for the Wastewater Treatment Facility Odor Control Project. The overall project is scheduled to go out to bid the end of January 2017 and funds need to be in place in order to award the contract and maintain the current timeline for completion.

The goal of this project is to construct facility upgrades to reduce odors, which includes air capture and treatment from both primary and secondary odor areas. Also included in the project are improvements to the chemical feed systems, biofilter, odor control ducts and facility upgrades.

I strongly support the Department of Public Services and Water and Sewer Commission with the attached request for bonding. I thank you in advance for your consideration.



Newburyport WPCF Opinion of Probable Costs

20,000 cfm – \$5.0 Million Bond

Phase 2 – Primary Odor Areas

○ Construction	\$3,800,000
○ Construction Services	\$ 450,000
Total	\$4,250,000

Phase 3 – Secondary Odor Areas

○ Design	\$ 70,000
○ Construction	\$ 600,000
○ Construction Services	\$ 80,000
Total	\$ 750,000



Phase 2 – Primary Odor Areas Construction (Summer 2017)

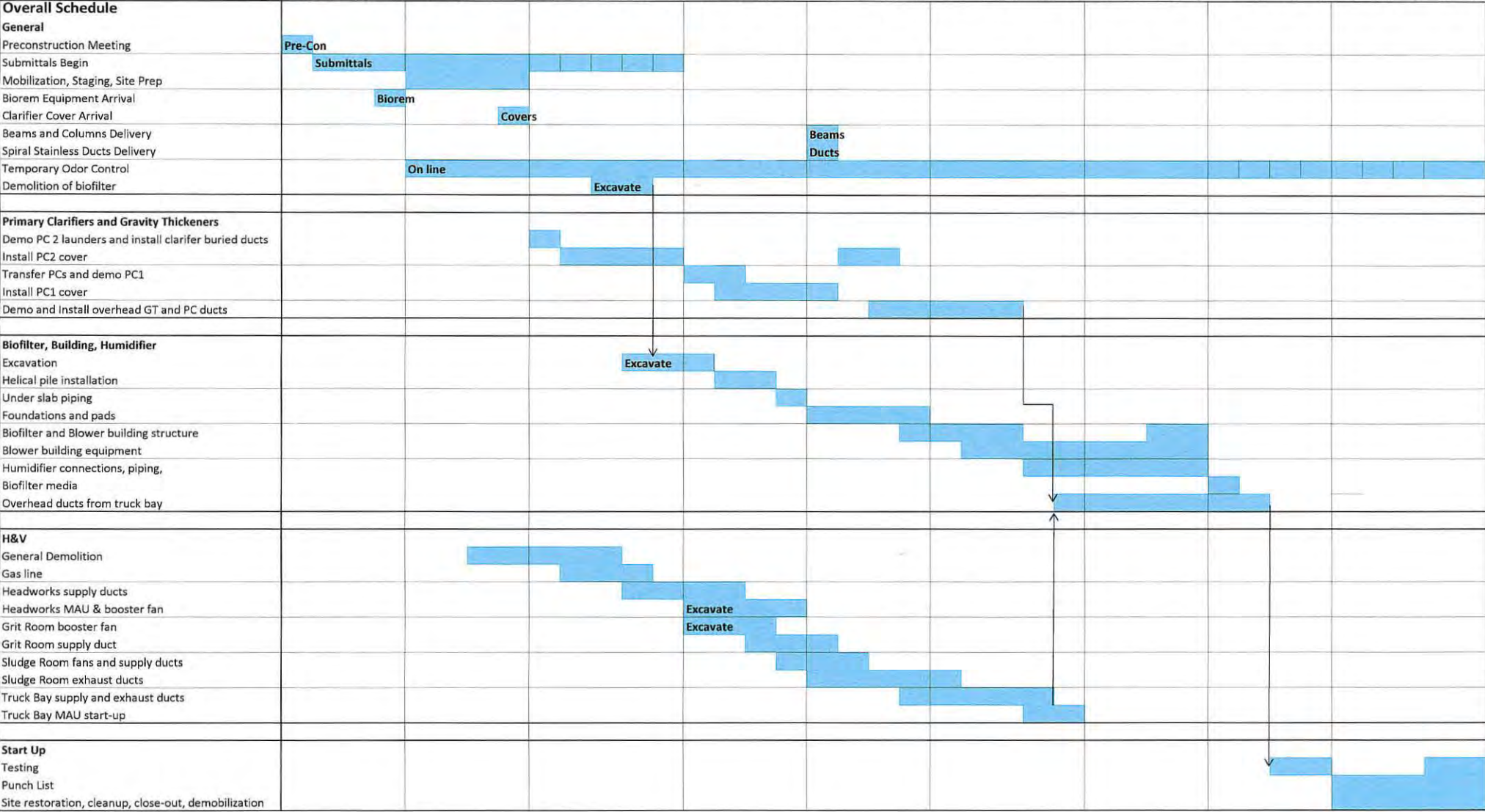
○ Yard Piping	\$ 46,000
○ Septage Receiving Upgrades	\$ 80,000
○ Operations Building Upgrades	\$ 165,000
○ Headworks Upgrades	\$ 44,000
○ Ferric Chloride Shed	\$ 21,000
○ Clarifiers	\$ 671,000
○ Odor Control System	\$ 755,000
○ Biofilter, Structure & Blower Building	\$1,800,000
Total Cost Phase 2	\$3,600,000
○ Contingency ~ 5%	\$ 200,000
Grand Total	\$3,800,000

Phase 3 – Secondary Odor Areas Construction (Spring 2018)

○ Aerobic Digester Covers	\$ 250,000
○ Aeration Basin Trough Covers	\$ 150,000
○ Pump Station Chemical Feed System	\$ 100,000
○ Miscellaneous Improvements	\$ 50,000
Total Cost Phase 3	\$ 550,000
○ Contingency ~ 10%	\$ 50,000
Grand Total	\$ 600,000

**Newburyport Odor Control Project
Proposed Construction Timeline**

Days: 7 14 21 28 35 42 49 56 63 70 77 84 91 98 105 112 119 126 133 140 147 154 161 168 175 182 189 196 203 210 217 224 231 238 245 252 259 266 273
 May June July August September October November December January
 7 14 21 28 4 11 18 25 2 9 16 23 30 6 13 20 27 3 10 17 24 1 8 15 22 29 6 13 20 27 4 11 18 25 1 8 15 22 29



CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 30, 2017

THAT, \$4,000,000 is appropriated to pay costs of the Graf Road pump station replacement project, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow \$4,000,000 under and pursuant to M.G.L. c.44, s.7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and that the Mayor and the Treasurer are authorized to take any other action necessary or convenient to carry out this vote.

Councillor Charles F. Tontar
Chair, Budget & Finance Committee



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: January 24, 2017
Subject: Graf Road Pump Station Replacement Project Loan Order

I respectfully request your approval of the enclosed loan order appropriating \$4,000,000 to the Graf Road Pump Station Replacement Project, which was unanimously endorsed by the Water and Sewer Commission at their January 4, 2017 meeting. The current total project cost estimate (including construction, engineering, construction phase services and contingencies) is \$5,800,000, of which \$1,800,000 is funded by a MassWorks grant.

According to Collection System Superintendent Jamie Tuccolo, the existing Graf Road Pump Station, located at the intersection of Graf Road and New Pasture Way, currently experiences high flows, excessive pump starts and is beyond its original design capacity. Built in 1988, the current station pumps approximately 200-400 thousand gallons per day and is the largest lift station in Newburyport.

In 2014, a condition survey was conducted to determine the current condition of the station and a more detailed capacity analysis was undertaken after that survey to investigate options for dealing with the issues facing the station. During the capacity analysis, existing flows were determined and future flows from development, currently planned projects, future build-out potential, and Industrial Park expansion were estimated. Based on those flows, several options for expanding the current station's capacity were investigated, however, it was determined that there were no viable options to increase the existing station's capacity to meet all of the future needs.

In addition, the existing station's access to the 30' deep wet well is limited and presents a safety concern. Given the construction of the existing station, there are limited options to alleviate this safety concern. Based on the findings of the condition survey and capacity analysis, the City's consultant, BETA Group, Inc., recommended that a new station be constructed across New Pasture Way on a vacant piece of property. Locating the station at this site allowed the current station to be operational through construction of the new station, eliminating the need for costly bypass operations. Design of the new station began in late 2015, with bidding to be done in February of 2017.

I strongly support the Department of Public Services and Water and Sewer Commission with the attached request for bonding. I thank you in advance for your consideration.



CITY OF NEWBURYPORT
DEPARTMENT OF PUBLIC SERVICES
WATER AND SEWER DIVISION
BUSINESS OFFICE
16C PERRY WAY • P.O. BOX 880
NEWBURYPORT, MA 01950
(978) 465-4420 • (978) 465-9242 (FAX)
WSBILLING@CITYOFNEWBURYPORT.COM

January 23, 2017

Graf Road Pump Station Improvement Summary:

- Station was originally constructed in the 1980's, and designed to handle 650 gallons per minutes (gpm) - station currently pumping 1,500gpm.
- Due to current undersized wet well, anything over 650 gpm is causing pumps excessive starts which are damaging the motors.
- Currently if any additional flow were added to this station a sanitary sewer overflow (SSO) will occur at the station and in the collection system.
- Estimated Future Residential Flows is an additional **105 gpm**
- This added estimated future residential flow would put the station at 1545 per day, which the station cannot handle.

In addition to potential residential development, the City believes the industrial park could have an increase of almost 1 million square feet of building space. Due to a wide variety of uses within the industrial park, it is difficult to estimate future flows from expansion. Existing water use records were examined and found that the businesses average about 1,800 gallons per day (gpd). However, the largest user uses approximately 48,000 gallons per day. The 2nd and 3rd largest users use approximately 14,700 gpd and 14,300 gpd, respectively. There are approximately 16 other businesses that use over 1,000 gallons per day, some as high as 5,000 gpd.

Wet well Access Issues – The Graf Road Pump Stations, wet well is approximately 30 feet below grade and is accessed by a 4 foot diameter access hatch. The operator then climbs 10 feet down to the top of the wet well where there is a 3 foot wide catwalk that allows for maintenance of the wet well. The amount of clearance for the city personnel and equipment is limited. Given the depth of the wet well, the limited access and the need for confined space procedures; the wet well access is a safety issue.

Building the new Graf Road Pump Station will alleviate the issues listed above.

GRAF ROAD PUMP STATION REPLACEMENT - CONSTRUCTION COST ESTIMATE

Item	Estimated Cost
Building Construction	\$ 2,514,584
Site Work	\$ 1,153,724
Total of All Construction	\$ 3,668,308
Design and Pricing Contingency (1.5%)	\$ 55,024.62
General Conditions (8%)	\$ 293,465
General Requirements (2%)	\$ 73,366
Fee (5%)	\$ 183,415
Bonds (1%)	\$ 36,683
General Liability Insurance (2%)	\$ 73,366
Builder's Risk Insurance (0.25%)	\$ 9,171
Sub Total	\$ 4,392,799
Eversource Backcharge Allowance	\$ 50,000
Total of All Construction Escalated	\$ 4,442,799
CONSTRUCTION CONTIGENCY	
15% Construction Contingency	\$ 666,420
DESIGN ENGINEERING	
Phase II - Engineering during Construction	\$ 575,000
OPM Services	
Phase II - Manage during Construct	\$ 100,000
Engineering and OPM subtotal	\$ 675,000
Total Project Cost - Construction	5,784,219

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 30, 2017

THAT, The CITY COUNCIL of the City of Newburyport accepts the provisions of Chapter 59, Section 5K of the Massachusetts General Laws, as amended by Chapter 218, Section 127 of the Acts of 2016, which increases from \$1,000 to \$1,500 the maximum abatement that a taxpayer over 60 years old may earn on their real estate property tax bill each fiscal year in exchange for volunteering their time to the City of Newburyport through the Senior Citizen Property Tax Work-Off Program.

Councillor Charles F. Tontar
Chair, Budget & Finance Committee

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 30, 2017

**RESOLUTION CONFIRMING FAITH AND CONFIDENCE IN NEWBURYPORT'S
COMMITMENT TO CIVIL RIGHTS,
AND GRATITUDE TO ITS HUMAN RIGHTS COMMISSION**

WHEREAS, Newburyport's formal commitment to civil rights predates both the Massachusetts Constitution of 1780 and the United States Constitution of 1789, through endorsement by its delegates of *The Essex Result*, dated April 29, 1778, drafted by Newburyport jurist Theophilus Parsons, and providing, in part:

"All men are born equally free. The rights they possess at their births are equal, and of the same kind;"

"Over the class of unalienable rights the supreme power hath no control, and they ought to be clearly defined and ascertained in a BILL OF RIGHTS, previous to the ratification of any constitution;" and

"[The committee] aimed that all the members of the state should enjoy political liberty, and that their civil liberties should have equal care taken of them – in fine, that they should be a free and an happy people;"

WHEREAS, Newburyport native William Lloyd Garrison, once unpopular in his hometown but whose statue stands in honor outside our City Hall, advocated tirelessly for the equality of all Americans, men and women, for which history has vindicated him;

WHEREAS, through our nation's wars, Newburyport residents have pledged, and many have sacrificed, their lives to combat tyranny, end slavery, and protect civil liberties; and

WHEREAS, the Newburyport Code provides that "It is the policy of the City of Newburyport to promote and support a sense of welcome, inclusion, and worth for all and the elimination of prejudice, intolerance, discrimination, and acts of hate in our community," and establishes a Human Rights Commission to further such policy.

NOW, THEREFORE, the Newburyport City Council confirms its faith and confidence in our city's commitment to civil rights, as well as its gratitude to the Newburyport Human Rights Commission as it works to ensure that our commitment benefits all residents.

Respectfully Submitted,

Councillor Edward C. Cameron, Jr.

Councillor Jared J. Eigerman

Councillor Bruce L. Vogel

ORDINANCES



CITY OF NEWBURYPORT

CITY COUNCIL

January 24, 2017

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

Richard B. Jones
City Clerk
City of Newburyport
60 Pleasant Street
Newburyport, MA

TEL: 978-465-4407

FAX: 978-462-7936

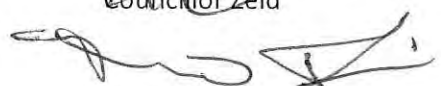
RE: Petition to Remove a Committee Item

Dear Clerk,

Pursuant to Council Rule 7A would you please put in the packet the committee item
ODNC 013_07_11_16 Amend Outdoor Seating (Two Year Renewals).

Thank you,


Councillor Zeid


Councillor Cronin

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 2, 2016

AN ORDINANCE AMENDING FOOD SERVICE ESTABLISHMENT APPLICATION PROCESS FOR USE OF PUBLIC WAY FOR OUTDOOR EATING:

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

Chapter 12 Streets, Sidewalks and Other Public Places
Article I In General
Section 12 - 1 Obstructing Streets, Sidewalks Generally

Amend Section 12-1(b)(1) regarding outdoor seating, with deletions ~~double-stricken though~~, and additions double-underlined:

Sec. 12-1(b)(1)- Food Service Establishments on Public Rights-of-Way.

The above shall not apply to any restaurant or food service establishment located on a public way which includes a sidewalk and which is restricted to pedestrian traffic only and which has a sidewalk of no less than five (5) feet in width. Any such restaurant or food service establishment seeking to place such tables on a public way shall apply for a permit from the City Council. ~~on a yearly basis.~~

Initial Permit: May be issued for a period of one (1) year.

Renewal Permits:

No Material Changes – may be issued for a period of two (2) years

Material Changes – may be issued for a period of one (1) year.

Said permit shall be seasonal in nature and shall be ~~issued~~ valid from March 1 through October 31 during any calendar year for which a valid permit has been issued.

Any condition of approval and submitted plan shall be in force for the entire duration of any

validly issued permit

Councillor Sharif I. Zeid

Councillor Robert J. Cronin

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 25, 2017

AN ORDINANCE AMENDING CONSUMPTION OF ALCOHOLIC BEVERAGES:

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

Chapter 9	Licenses, Permits, and Business Regulations
Article IX	Food Service Establishments
Division 2	Alcohol Beverages
Section 9 – 221	Consumption of Alcoholic Beverages

Delete Section 9 - 221

Add New Section 9 – 221

No licensed food service establishment with seating over 35 shall allow any patron to consume alcoholic beverages of any sort, whether purchased or brown-bagged, so-called, on its premises unless such food service establishment is in possession of a valid license to sell and serve alcoholic beverages, as duly issued by the Newburyport License Commission.

A licensed food service establishment with seating of 35 or less can choose to allow patrons to bring their own beer and wine beverages onto the premises, a practice known as "bring your own bottle" or "BYOB," and shall be subject to the regulations promulgated by the Licensing Board for the City of Newburyport. The Licensing Board for the City of Newburyport shall have the authority to enforce the provisions of this ordinance and shall promulgate regulations that will allow patrons of these establishments to bring their own alcoholic beverages onto the premises. The Board shall file the regulations and any amendments thereof with the Office of the City Clerk. The Clerk shall include the regulations on the agenda of the next occurring meeting of the Newburyport City Council.

Councillor Edward C. Cameron, Jr.

Councillor Robert J. Cronin

COMMITTEE ITEMS

BUDGET & FINANCE COMMITTEE ITEMS

1. **TRAN033_12_12_16** – General Fund – Free Cash (21,908) to Compensated Absences (21,908).
2. **ORDR001_01_09_17** - Accept Gift of \$100,000 from Newburyport Five Cents Savings Charitable Foundation.



City of Newburyport

FY 2017

BUDGET TRANSFER REQUEST

b7
RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2016 DEC -6 P 3:56

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 12/12/2016

Transfer From:

Account Name	<u>General Fund - Free Cash</u>	YTD Bal:	<u>\$ 2,374,002.00</u>
Account Number:	<u>01-35910</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$21,908.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Available:	<u>The Massachusetts Department of Revenue certified Free Cash for FY2017 at \$2,374,002. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.</u>		

Transfer To:

Account Name	<u>Compensated Absences</u>	YTD Bal:	<u>\$ 16,588.00</u>
Account Number:	<u>8270-49700</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$21,908.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Required:	<u>This special reserve fund was established by the City Council to pay City employees for compensated absences upon separation from employment, in accordance, with contractual agreements. Funds remain in this account and cannot be used for any other purposes unless approved by the City Council.</u>		

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

Donna D. Holaday
Ethan R. Manning

Date: 12/6/16
 Date: 12/6/16



CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 9, 2017

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from the Newburyport Five Cents Savings Charitable Foundation in the amount of \$100,000.00 for the purpose of constructing the Richard A. Eaton Baseball Field located behind the Nock-Molin Upper Elementary School and appropriates said funds to the Nock-Molin Athletic Fields Project in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Charles F. Tontar
Chair, Budget & Finance Committee

LICENSE & PERMIT COMMITTEE ITEMS

- **COMM005_01_09_17** LCA Motors Class II Vehicle License
- **COMM006_01_09_17** State Automotive Class II Vehicle License

THE COMMONWEALTH OF MASSACHUSETTS

LAW

CITY OF Newburyport
CLERK'S OFFICE
NEWBURYPORT, MA

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

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

1. What is the name of the concern? LCA Motors

Business address of concern. No. 4 Lt. Leary Drive St.,
Newburyport City — Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? Individual

3. If an individual, state full name and residential address.

Charles Cioracco 4 Lt. Leary Drive Newburyport

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

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

President _____

Secretary _____

Treasurer _____

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? Yes

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

Is your principal business the buying and selling of second hand motor vehicles? Yes

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

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

Sale of used vehicles over the internet
from a residence. No vehicles located at the
residence.

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

If so, state name of manufacturer _____

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

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

If so, in what city — town Newburyport

Did you receive a license? Yes For what year? 2005 - present
(Yes or No)

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

Sign your name in full *Cliff Jew*
(Duly authorized to represent the concern herein mentioned)

Residence 4 Lt. Key Drive
Newburyport

IMPORTANT

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

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

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation _____
(Approved or Disapproved)

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

Signed _____

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

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

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

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

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

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

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

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

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application No. _____

Class _____ License No. _____

Name _____

St. and No. _____

City — Town _____

Date Issued _____

Remarks _____

CNA SURETY

CNA Plaza, Chicago IL 60685-0001

Jennifer B. Schaller
Counsel

Telephone 312-822-7049
Facsimile 312-755-3737

RECEIVED
CLERK'S OFFICE
JAN 25 10 15 AM '08

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

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

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

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

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

Sincerely,

Jennifer B. Schaller

Jennifer B. Schaller



Kimberly Hinds
Registrar

The Commonwealth of Massachusetts
Registry of Motor Vehicles
One Copley Place, Boston 02116

Mail
P.O. Box 199100
Boston, MA 02119-0100
www.rol.gov/DMV

November 19, 2004

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

Re: Western Surety Company Bond for Massachusetts

Dear Attorney Schaller:

1. This is in response to your inquiry concerning the bond required by Class 2 motor vehicle dealers in Massachusetts. You have indicated that licensing authorities in some municipalities have insisted that dealers attempting to renew a "Class 2 Dealer's License" must provide proof that the dealer's existing bond is still valid and will remain so throughout the renewal term of one calendar year (January 1, to December 31).

2. Chapter 422 of the Acts of 2002 does state that:
A municipal licensing authority shall not issue or renew a Class 2 license unless it is satisfied that a bond or equivalent proof of financial responsibility meeting the requirements of this section is in effect during the term under which the license shall be issued or renewed....

3. I have reviewed a copy of a bond you have provided which is issued by Western Surety Company (apparently a related company to CNA). The Form Number of the Western Surety Second Hand Motor Vehicle Dealer Bond is F6333-7-2003 and you have provided oral assurance that this is the only bond form used in Massachusetts by Western Surety Company for Class 2 dealers.

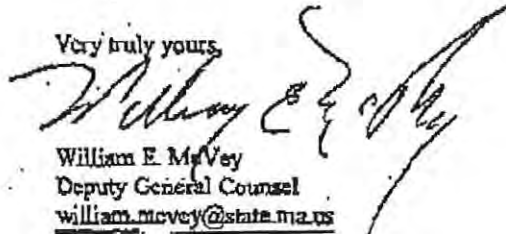
4. The last paragraph of the Western Surety Second Hand Motor Vehicle Dealer Bond states:

This bond shall be continuous and may be cancelled by the Surety by giving thirty (30) days written notice of cancellation to the municipal licensing authority at _____ by First Class U.S. Mail.

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

6. I trust this is responsive to your inquiry.

Very truly yours,



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

Massachusetts

Western Surety Company

SECOND HAND MOTOR VEHICLE DEALER BOND

(Mass. Gen. Laws Ann. 140, § 58(c))

Bond No. 69923000

KNOW ALL PERSONS BY THESE PRESENTS:

Effective Date: June 9, 2005

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

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

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

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

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

by First Class U.S. Mail.

Address

Dated this 9th day of June, 2005



Charles Ciovacco dba LCA Motors, Principal

By: _____
WESTERN SURETY COMPANY, Surety

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

JAN-25-2008 FRI 11:51 AM

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

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

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

Indemnity, Surety and Undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity, policies indemnifying employers against loss or damage caused by the misconduct of their employees; official, bail, and surety and fidelity bonds; indemnity in all cases where indemnity may be lawfully given; and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company, and to compromise and settle any and all claims or demands made or existing against said Company.

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

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

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Senior Vice President with the corporate seal affixed this 9th day of June, 2005.

ATTEST

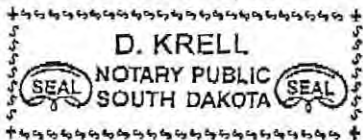
L. Nelson
Assistant Secretary

WESTERN SURETY COMPANY

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

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 9th day of June, 2005, before me, a Notary Public, personally appeared Paul T. Bruflat and L. Nelson who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Senior Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



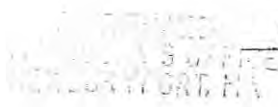
My Commission Expires November 30, 2006

D. Krell

Notary Public



THE COMMONWEALTH OF MASSACHUSETTS



City Newburyport OF Newburyport

lpp

2016 DEC 22 11 31 AM

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

12/22/16

Current license:

MA 144

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

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

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

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

3. If an individual, state full name and residential address.

LLC Manager: Andrew J. de Bernardo
16 Hickory Lane, Topsfield MA 01983

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

N/A

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

President N/A

Secretary _____

Treasurer _____

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

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

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

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

7. Give a complete description of all the premises to be used for the purpose of carrying on the business. 196 Route One, Newburyport is located just south of the Route One traffic circle. State Automotive occupies a shared building with a retail vendor. Auto repair bays contain lifts, tools, materials, and equipment consistent with a typical repair shop. Parking is in front, to the side, and to the rear of the building.

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

If so, state name of manufacturer N/A

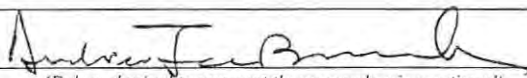
9. Have you a signed contract as required by Section 58, Class 1? N/A (Yes or No)

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

If so, in what city — town N/A

Did you receive a license? N/A (Yes or No) For what year? N/A

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

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

Residence 16 Hickory Lane, Topsfield MA
01983

IMPORTANT

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

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

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation _____
(Approved or Disapproved)

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

Signed _____

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

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

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

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

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

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

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

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

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application No. _____

Class _____ License No. _____

Name _____

St. and No. _____

City — Town _____

Date Issued _____

Remarks _____



State Automotive Repair, LLC
196 Route One, Newburyport, MA 01983
978.465.9833
Service@StateAutomotive.com

December 22, 2016

Enclosed please find our application to renew our Class II Used Auto Dealer License for license MA 144. Our Western Surety Bond is good through February 1, 2016. We paid the renewal for our bond. Enclosed are: a copy of the current bond, an email from our insurance agent confirming payment, and a certificate of insurance showing that it is good through February 1, 2018.

Thank you,

A handwritten signature in black ink, appearing to read "Andrew J. de Bernardo". The signature is fluid and cursive, with a large, looping initial "A".

Andrew J. de Bernardo

Massachusetts



Western Surety Company

SECOND HAND MOTOR VEHICLE DEALER BOND

Class. Gen. Laws Ann. 140, § 58(c)

Bond No. 62659263

KNOW ALL PERSONS BY THESE PRESENTS

Effective Date: February 1st, 2016

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

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

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

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

This bond shall be continuous and may be cancelled by the Surety by giving thirty (30) days' written notice of cancellation to the municipal licensing authority at 50 Pleasant St. Newburyport, MA 01930

by First Class U.S. Mail

Address

Dated this 1st day of February, 2016

State Automotive Repair, LLC, Principal

By: [Signature]

WESTERN SURETY COMPANY, Surety

By: [Signature]
Paul J. Beal, Senior Vice President

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

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

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

One Second Hand Motor Vehicle Dealer

bond with bond number 62659253

for State Automotive Repair, LLC
as Principal in the penalty amount not to exceed: \$ 25,000.00

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

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

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

ATTEST

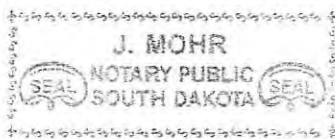
L. Nelson
L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY

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

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

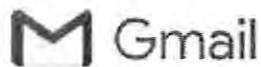
On this 1st day of February, 2016, before me, a Notary Public, personally appeared Paul T. Bruflat and L. Nelson who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



J. Mohr
Notary Public

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





Dana de Bernardo <dana.debernardo@gmail.com>

FW: Payment Confirmation

Jeremiah Lewis <jtlewis@sullivaninsurance.com>

Wed, Dec 21, 2016 at 11:01 AM

To: Dana de Bernardo <dana@bulldawgusa.com>

Cc: "Andrew de Bernardo (Andrew@BullDawgUSA.com)" <Andrew@bulldawgusa.com>

Hi Dana,

Payment confirmation email below and renewal certificate is attached. Please let me know if you need anything else on this.

Thank you,

Jeremiah T. Lewis, CIC
President
Bernard M. Sullivan Insurance Agency
12 Market St
Ipswich, MA. 01938
978-356-5511 phone
978-356-0214 fax
jtlewis@sullivaninsurance.com
www.sullivaninsurance.com

Please note coverage cannot be bound, cancelled or altered except through speaking to an authorized representative of Bernard M. Sullivan Insurance Agency, Inc. (BMS). Coverage cannot be assumed without express confirmation from BMS or an authorized representative of BMS.

E-mails sent on behalf of BMS may contain proprietary, confidential or privileged information intended solely for the addressee. If you are not the intended recipient, any use, copying disclosure, dissemination or distribution is strictly prohibited. If you received the message in error, please notify the sender immediately by return E-Mail, delete the communication and destroy all copies.

-----Original Message-----

From: CNA Surety Electronic Payments [mailto:noreply@epymtservice.com]

Sent: Wednesday, December 21, 2016 10:54 AM

To: Jeremiah Lewis <jtlewis@sullivaninsurance.com>

Subject: Payment Confirmation

*** PLEASE DO NOT RESPOND TO THIS EMAIL ***

Thank you for your payment.

This email is to confirm your payment submitted on Dec-21-2016 for Bond/Policy # 62659263.

Confirmation Number: CNASUR000442466

Payment Amount: \$250.00

Scheduled Payment Date: Dec-21-2016

Account Nickname: N/A

Routing Transit Number: 211370082

Account Number: *0799

Account Type: Checking

Account Category: Business

If you have questions about this payment or need assistance, Please call Customer Service at (800)331-6053.

Payments made before 5pm (CDT) will be posted to your account the next business day. Payments made after 5pm (CDT) may not be posted to your account for up to two business days.

Thank you for using the CNA Surety electronic payment system.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/21/2016

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

COVERAGES

CERTIFICATE NUMBER: CL16122105106

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$	
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$	
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y <input type="checkbox"/> N N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$	
A	Used Car Dealer Bond		62659263	2/1/2017	2/1/2018	Penalty	\$25,000

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

CERTIFICATE HOLDER**CANCELLATION**

City of Newburyport 60 Pleasant St. Newburyport, MA 01950	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Jeremiah Lewis/SULJL1 <i>Jeremiah Lewis</i>
-----------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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PUBLIC SAFETY COMMITTEE ITEMS

- **ORDR086_11_28_16** Stop Signs for Chestnut St and Oak St
- **ORDR090_12_12_16** Parking Restriction – High St at Ashland St
- **ORDR091_12_12_16** Parking Restriction - Howard St at Chapel St
- **ORDR092_12_12_16** Stop Sign – Howard St at Chapel St

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date: November 22, 2016

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-136, that the following streets shall be designated as stop intersections:

Street: Chestnut Street

Intersection: Southeasterly drivers at the intersection of Chestnut Street at Marlboro Street

Street: Oak Street

Intersection: Northwesterly drivers at the intersection of Oak Street at Marlboro Street

Furthermore, the City Clerk shall add this stop intersection to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Sharif I. Zeid

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

December 12, 2016

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-166, that no person shall park any vehicle on the following streets or portions thereof as follows:

Street: High Street

Restriction: On the northerly side from a point 180 feet east of Ashland Street running easterly to a point 215 feet east of Ashland Street.

Furthermore, the City Clerk shall add this restriction to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Tontar

*noted
PS
CJ/EC*

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date: December 12, 2016

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-166, that no person shall park any vehicle on the following streets or portions thereof as follows:

Street: Howard Street

Restriction: On the westerly side beginning at Chapel Street and running southerly for a distance of 113 feet.

Furthermore, the City Clerk shall add this restriction to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Tontar

*MOTION
TO REPEAL
PS CJ/SL*

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date: December 12, 2016

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-136, that the following street shall be designated as a stop intersection:

Street: Howard and Chapel

Intersection: The three-way intersection at Howard and Chapel Streets

Furthermore, the City Clerk shall add this stop intersection to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Charles F. Tontar

*Refer
TOPS
Ci/EC
SV*