

**CITY COUNCIL MEETING AGENDA - VERSION 1**  
**CITY COUNCIL CHAMBERS**  
**JANUARY 8, 2018**

7:30PM

(Sound Check)

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE
3. CALL TO ORDER
  1. Committee Assignments (to be announced)
  2. COMM001\_01\_08\_18 2018 City Council Schedule
  3. COMM002\_01\_08\_18 2018 City Council Rules
4. LATE FILE ITEMS Mayor's Update
5. PUBLIC COMMENT
6. MAYOR'S COMMENT
7. PRESENTATION – Mark L. Goldstein, President & CEO, AJH on New Health Care System

**CONSENT AGENDA**

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

8. APPROVAL OF MINUTES  
December 11, 2017 (Approve)
9. TRANSFERS
  - TRAN001\_01\_08\_18 Free Cash \$14,950 to Hwy Maint - Trees \$14,950 (B&F)
10. COMMUNICATIONS
  - COMM122\_11\_27\_17 Mobilitie Application/ Small Cell Utility Petition (re-file) (PU)
  - COMM002\_01\_08\_18 LCA Motors MV Dealers License (L&P)
  - COMM003\_01\_08\_18 YUKAN SPORTS, LLC ROAD RACE 4/29/18, ETC (PS)
  - COMM126\_12\_11\_17 Insurance for Frigid Fiver Race (App filed 12/11/17) (PS)
11. APPOINTMENTS
  - APPT001\_01\_08\_18 Annie Maurer First Appointments  
17 Otis Pl, Unit 4 Council on Aging 5/31/23

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

12. MAYOR'S UPDATE

13. APPOINTMENTS – Second Reading

- NONE

#### **14. ORDERS**

- **ORDR001\_01\_08\_18** Harbormaster Docks Gift Acceptance \$1000
- **ORDR002\_01\_08\_18** Parks Clipper City Rail Trail Gift Acceptance \$500
- **ORDR003\_01\_08\_18** Parks Conservancy Gift Acceptance \$9600
- **ORDR004\_01\_08\_18** No Parking Fair St – at Essex
- **ORDR005\_01\_08\_18** No Parking Fruit St – Driveway

#### **15. ORDINANCES**

- **ODNC\_001\_01\_08\_18** Medical Marijuana Zoning Map

#### **15. COMMITTEE ITEMS**

##### **Budget & Finance**

###### *In Committee:*

- **ORDR061\_11\_13\_17** Home Rule Petition re: Special Election to Accept Clause 41C1-2 (COTW)

##### **General Government**

###### *In Committee:*

- Recommended Additions to Chapter 2, Article III, Division 6, Section 2-125a

##### **Joint Education**

###### *In Committee:*

- 

##### **License & Permits**

###### *In Committee:*

- 

##### **Neighborhoods and City Services**

###### *In Committee:*

- **ODNC001\_01\_11\_16** Amend Ch11 Parks and Recreation (COTW)
- **ORDR048\_06\_13\_16** Sidewalk Order
- **COMM111\_10\_10\_17** Petition for Road Repairs and Repaving – Squires Glen

##### **Planning & Development**

###### *In Committee:*

- **ORDR015\_04\_10\_17** Complete Streets Policy
- **ODNC017\_10\_30\_17** Zoning Amendment – No Use Variances (COTW)
- **ODNC018\_10\_30\_17** Zoning Amendment – Zoning Map R3 to R2 Expanded 10/30/2017 (COTW)

##### **Public Safety**

###### *In Committee:*

- **COMM112\_10\_10\_17** Walk MS: Newburyport – 4/28/2018
- **COMM126\_12\_11\_17** Newburyport Rotary Frigid Fiver – 1/28/2018
- **COMM127\_12\_11\_17** LATE FILE Snow & Ice Plan 2017-2018

##### **Public Utilities**

###### *In Committee:*

- 

##### **Rules Committee**

###### *In Committee:*

**16. GOOD OF THE ORDER**

**17. ADJOURNMENT**

2018

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

January 08, 2018  
January 29, 2018

February 12, 2018  
February 26, 2018

March 12, 2018  
March 26, 2018

April 09, 2018  
April,30, 2018

May 14, 2018  
May 29, 2018     Tuesday             Monday (May 28 , 2018 –Memorial Day)

June 11, 2018  
June 25, 2018

July 09, 2018

August 13, 2018  
August 27, 2018

September 10, 2018  
September 24, 2018

October 09, 2018 - Tuesday             Monday (October 08, 2018–Columbus Day)  
October 29, 2018-

November 13, 2018 Tuesday             Monday (Nov. 12, 2018-Veterans Day Observed)  
November 26, 2018

December 10, 2018

RULES OF THE CITY COUNCIL OF THE CITY OF NEWBURYPORT  
2018  
ORGANIZATION

Rule 1. At the organizational meeting following the regular municipal election, the City Clerk shall preside until the President has been elected by the membership.

Thereafter, each year the City Council shall, by majority vote of all members elected, elect a President from within its membership at the first meeting in January of that session.

Within the first 30 days of each year of a City Council session, the members of the Council shall vote its Rules and Regulations and its annual calendar.

REGULAR MEETINGS

Rule 2. City Council meetings shall be held in the Council Chamber of City Hall unless, the President, or a majority of the Council determine that such meeting be held in an alternate location.

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

HOLIDAYS

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

PRESIDING OFFICER

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

DUTIES OF THE PRESIDING OFFICER

Rule 5. The presiding officer shall; preserve decorum and order; speak to points of order in preference to other members; decide all questions of order, subject to appeal; declare all votes. If any member doubts the vote, the presiding officer without further debate on the question, shall require that a count be taken by roll call of the membership.

The presiding officer may call for a 5-minute recess without a vote during any regular meeting.

## RELINQUISHING THE CHAIR

Rule 6. When the presiding officer desires to relinquish the Chair, he may call upon any Councillor to replace him, but such call to the Chair shall not continue beyond the will of the presiding officer so relinquishing the Chair or beyond an adjournment, except as hereafter provided.

If the presiding officer wishes to express an opinion on the any subject under debate, he shall relinquish the Chair as above provided and shall not resume the Chair until he is through speaking and all points of order arising therefrom have been decided.

Notwithstanding the previous two paragraphs, the presiding officer may, however, state facts and give opinions upon questions of order without relinquishing the Chair.

## COMMITTEES

Rule 7. The President shall appoint all City Council committees (standing, special and ad hoc), designate the chair of all committees and fill any vacancies thereof.

Committee meetings shall be regularly held on the last Monday of every month 1-hour prior to the start of the regularly scheduled meeting in the Council Chamber.

City Council committee meetings scheduled for 6:30 pm the evening of the last City Council meeting of the month should be used for the purpose of clarification of information from previous meetings and/or to deal with time sensitive requests only.

Committees may also meet at any time, subject to the Massachusetts General Laws and the City Charter.

Committees shall meet and review any agenda item referred to the committee within fourteen (14) days of referral.

City Council Committee meeting will be cancelled when scheduled during the period of time when a snow emergency is declared.

## REMOVING AN ITEM FROM COMMITTEE

Rule 7A. Whenever any item of business duly referred to a Council Committee has not been acted upon within six weeks of that referral, a petition signed by two Councilor's shall be sufficient to bring that item directly to the floor under "New Business" at the next regularly scheduled meeting of the Council.

Rule 7B. The Chair or member of a committee may remove an item from that committee upon making a motion and receiving a second from any Councillor. Any Councillor may move to approve, not approve, or refer back to committee, an item on the floor for discussion.



Rule 7C. All items that are in committee at the end of the session shall die unless a majority of the Council votes to carry an item into the succeeding session.

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

Rule 7E. Any committee item relating to bonding funds in an amount over \$250,000 shall not be removed from committee until the greater of thirty (30) calendar days of 1 regularly scheduled City Council meeting has elapsed since the referral of such item to committee.

#### SUFFICIENCY OF VOTE

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

Rule 8A. Except as otherwise provided by law, the affirmative vote of a majority or super majority, as may be required by law, of the full council shall be required to adopt any ordinance, order, motion or resolution.

#### MANNER OF VOTING

Rule 9. A vote to confirm appointments on a second reading to Boards or Commissions shall by roll call.

Following removal from committee, approval of any ordinance shall require two (2) readings and two (2) roll-call votes to be held at separate, consecutive City Council meetings. Following passage of the first reading, the Ordinance shall be posted to the Internet in a timely fashion in a manner prescribed by the City Clerk.

A vote on approval of an ordinance, for first and second reading, shall be by roll call. Amendments to the motion for approval to an ordinance may be recorded by voice vote.

At the first meeting of a two-year session of the City Council which requires a roll call vote or votes, the City Clerk shall begin the order of voting throughout the meeting with that Councillor whose last name is first in alphabetical order. At each successive meeting which shall require a roll call vote or votes, the City Clerk shall begin roll calls throughout that meeting with the Councillor whose last name follows the previous Councillor in alphabetical order until the last meeting of the session. The Council President shall

continue to vote last.

In the event a member wishes to have his vote recorded differently after announcement of the results of a roll call vote by the Chair, the member must receive unanimous consent from the remaining present members of the Council.

Rule 9A. Motion to table or postpone indefinitely once seconded are not debatable, but clarifying points of information will be allowed for the purpose of understanding the effects of tabling.

### GAINING THE FLOOR

Rule 10. All Councillors, when desiring to speak on a matter before the Council, shall raise their hands and respectfully address the Chair, and wait until recognized.

Once recognized by the Chair the Councillor shall stand to speak on the matter. Councillors shall remain standing while speaking. Councillors shall sit down to indicate to the Chair the conclusion of the Councillor's speech.

All Councillors are allowed to speak a second time on an issue only after each Councillor has the opportunity to speak once.

In speaking, members shall confine themselves to the issue on the floor, shall use parliamentary language and appropriate demeanor at all times, and generally shall avoid the use of first names and refer to other members as either the Councillor from a particular ward or the At-Large Councillor, or as the Chair of a particular Committee.

No member shall leave a City Council meeting while in session to seek counsel, information or to conduct any other city business.

The City Council President shall have the responsibility and discretion for recognizing speakers other than Council members. Any member of the Council may request of the President recognition of a speaker other than a Council member.

### SPONSORSHIP OF ORDERS, RESOLUTIONS, OR ORDINANCES

Rule 11. No order, resolution, or ordinance shall be placed on the agenda or acted upon unless sponsored by a member of the Council. Without sponsorship by a Councillor, the Mayor may not place an item on the agenda.

Rule 12. Ordinances submitted to the council must be received by the Council and submitted to the appropriate Council Committee. In the event that the sponsoring member of any order, resolution, or other matter is not present when the clerk reads the matter, the presiding officer shall instruct the Clerk to withdraw the matter from consideration at the meeting, unless the sponsoring Councillor has presented a written statement requesting the council to proceed on the matter presented.



## WITHDRAWING ITEMS FROM THE AGENDA

Rule 13. After an order, resolution, or ordinance is stated or read by the City Clerk, it shall be deemed to be in possession of the City Council, and shall be disposed of by vote. The sponsor and, if applicable, all cosponsors may prior to a measure being in the possession of the Council, withdraw the measure by so informing the President or the Clerk.

## RECONSIDERATION

Rule 14. After a vote has been taken, it shall be in order for any member voting with the prevailing side to move reconsideration thereof at the same meeting at which the vote was taken, or to file with the City Clerk, not later than noon of the next business day following such meeting, notice of a motion to reconsider such vote. After receiving such notification from a member, the Clerk shall place it on the agenda for the next regular meeting of the Council. When such a notice of reconsideration has been filed, the City Clerk shall forthwith, either verbally or in writing, notify all members of the City Council of such intention to reconsider.

## DUTIES OF THE CLERK

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

## DEADLINE FOR AGENDA ITEMS

Rule 16. All written matters of whatever description which may require consideration by the City Council shall be presented in complete form to the City Clerk not later than 4:00 pm on the Tuesday preceding the next regular meeting, except when the Tuesday is a holiday, they must be presented to the Clerk the Monday prior. Pursuant to this rule, Committee Chairs shall submit to the City Clerk the text of any items being removed from committee at the next regular City Council meeting. Papers presented after that time shall be considered late file items and will not be taken up without a suspension of the rules, which requires a super-majority vote of the Council.

## CLERK SHALL PREPARE AGENDA

Rule 17. The City Clerk in consultation with the President shall compile an agenda comprised of all written matters to come before the Council at each meeting in accordance with the order of business below, and shall make available such list in printed form by 12

noon of the Wednesday preceding such meeting. Said agenda and compilation of written materials shall be referred to as the "packet." The City Clerk shall cause the packet to be delivered to each Councillor by their individual preferred means.

Items that are to be added to the agenda as late file items must be submitted for approval to be placed on the agenda following the approval of the minutes and prior to communications.

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

1. Opening Prayer
2. Pledge of Allegiance
3. Call to Order
4. Late File Items
5. Public Comment
6. Mayors Comment
7. Consent Agenda
  - a) Approval of Minutes
  - b) Transfers
  - c) Communications
  - d) First Reading of Appointments
7. Mayor's Transfers
8. Communications
9. Second Reading of Mayor's Appointments
10. Orders
11. Ordinances
12. Committee Reports (Including the text of any item to be voted on)
13. Good of the Order
14. Adjournment

#### PUBLIC COMMENT

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

1. Individuals who wish to speak before the Council; whether on their own behalf or on behalf of a group, must sign in on the door of the Council Chamber prior to the start of the Public Comment Segment of the meeting. Each individual must provide their name, address and indicate which agenda item they will be speaking on. Council President will advise attendees of their right to speak and responsibility to sign-up.
2. Two minutes allotted to each individual
3. One opportunity per individual to speak
4. Comment must be related to an agenda item

Rule 18a. There shall be established a designated time during each meeting of the City Council in which the Mayor may address the Council. The procedure for this is as follows:

1. Should the Mayor wish to speak before the Council; the Mayor shall provide

notice prior to the meeting to the President of the Council.

1.1 Prior Knowledge shall be defined as notice at any time prior to the President of the City Council calling the meeting to order.

2. Paragraph 1 of this rule may be waived by motion and with simple majority vote of the Council allowing the Mayor to speak during a meeting should the need arise.

3. The Mayor will be provided with a total five minute time allotment at the conclusion of Public Comment and prior to the Consent Agenda.

3.1 This designated time must be related to agenda item(s)

3.2 Nothing in this rule prohibits the City Council by majority to allow the Mayor further comment.

4. The Mayor will be offered reserve seating in the first row of the bench seating in Council Chambers

## PRESENTATIONS

Rule 19. Presentations by individuals or groups need to be sponsored by a Councillor and placed on the communication segment of the agenda. Such presentation must be approved by a simple majority vote of the Council to allow the presentation to proceed.

## MAYORAL APPOINTMENTS

Rule 20. Mayoral appointments will be received and filed by the Council at the meeting of their introduction to the Council. The appointments will be considered for confirmation or referred to a Committee of the Whole for further consideration at the next scheduled City Council meeting. All new appointments by the Mayor shall be accompanied by a resume of the appointee. Formal notice of the expiration of appointments shall be provided to the Council one month prior to the expiration of such appointments.

## MID-YEAR BUDGET REVIEW

Rule 21. The Budget & Finance Committee shall conduct a mid-year budget review as soon as practical after six (6) months of actual expenditures are available in written form, but no later than February 15.

The Budget & Finance Committee shall schedule a meeting of the committee for the

purpose of conducting the mid-year budget review. The City Auditor and City Treasurer shall attend. All members of the City Council shall be invited to attend.

Prior to the mid-year budget review, the City Auditor shall distribute documentation at least one (1) week in advance of said meeting depicting a year-to-date actual budget summary to all members of the City Council. Any member of the City Council may request that a Department Head be present at the mid-year review by notifying the Council President or Chairperson of the Budget & Finance Committee.

#### ELECTRONIC COMMUNICATION DEVICES

Rule 22. The use of cell phones, pagers and other electronic communication devices are strictly prohibited within the City Council Chambers while the Council is in session. Such items must be turned off upon entering any City Council Meeting or Hearing, provided however computers for the use of Council Documents are expressly excluded from this rule. Any person violating this rule shall be asked to leave the meeting. This notice is to be posted at the City Council entrance. Exceptions will only be allowed for on-duty public safety officers.

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

**CONSENT AGENDA**

**CITY COUNCIL MEETING MINUTES**  
**CITY COUNCIL CHAMBERS**  
**DECEMBER 11, 2017**

**7:30PM**

The City Council President called the meeting to order at 7:30pm. The Council President led the Council in the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Earls, Eigerman, Giunta, Tontar, Vogel, Zeid, Cameron, Connell, Cronin, OBrien. 10 present, 1 absent (Devlin).

**(Sound Check)**

**1. MOMENT OF SILENCE**

**2. PLEDGE OF ALLEGIANCE**

**3. CALL TO ORDER**

**4. LATE FILE ITEMS** Mayor's Update, COMM125EP\_12\_11\_17, COMM127\_12\_11\_17

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

**5. PUBLIC COMMENT**

- |                   |                |                    |
|-------------------|----------------|--------------------|
| 1. Rick Taintor   | 10 Dexter St   | Complete Streets   |
| 2. David Strand   | 10 Railroad St | Off Street Parking |
| 3. Sheila Taintor | 10 Dexter St   | Complete Streets   |
| 4. Judy Tymon     | 39 Lime St     | Complete Streets   |
| 5. Jane Snow      | 9 Coffin St    | Happy Holiday Wish |

**6. MAYOR'S COMMENT**

The mayor gave an update pursuant to her written communication, and also read a proclamation declaring December 11<sup>th</sup> as Firehouse Thrives! Day.

**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**

November 27, 2017

(Approve)

**8. TRANSFERS**

- NONE

**9. COMMUNICATIONS**

- NONE

**10. APPOINTMENTS**

- NONE

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

Motion to approve the Consent Agenda as amended, that Clerk would review status of Complete Streets Policy, by Councillor Cameron, seconded by Councillor Connell. So voted.

**11. MAYOR'S UPDATE**



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

**12. TRANSFERS**

- **TRAN049EP\_12\_11\_17** Emergency Preamble Nock Elevator Modernization Project  
Motion to waive the rules and approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 9 yes, 1 no (Zeid), 1 absent (Devlin). Motion passed.
- **TRAN049\_12\_11\_17** Bres Schl Bldg Proj \$132,446.96, Nock/Molin Schl Bldg Proj \$31,263.04 to Nock Elevator Proj \$163,710  
Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 9 yes, 1 no (Zeid), 1 absent (Devlin). Motion passed.

**13. COMMUNICATIONS**

- **COMM124\_12\_11\_17** PERAC Memo - Appropriation for FY2019  
Motion to receive and file by Councillor Zeid, seconded by Councillor Cameron. So voted.
- **COMM125EP\_12\_11\_17 LATE FILE** Emergency Preamble – Plum Autoworks, Inc.  
Motion to approve by Councillor Vogel, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.
- **COMM125\_12\_11\_17** Plum Autoworks, Inc. - Class II Vehicle License  
Motion to approve by Councillor Vogel, seconded by Councillor Cameron. So voted.
- **COMM126\_12\_11\_17** Newburyport Rotary Frigid Fiver - 1/28/2018  
Motion to refer to Public Safety and to the next Council session per Rule 7C, with condition that insurance binder filed, by Councillor Tontar, seconded by Councillor Zeid. 2 no (OBrien, Vogel), 1 absent (Devlin). So voted.
- **COMM127\_12\_11\_17 LATE FILE** Snow & Ice Plan 2017-2018  
Motion to refer to Public Safety and to the next Council session per Rule 7C by Councillor Cronin, seconded by Councillor Zeid. So voted.

**14. APPOINTMENTS**

		<b>Second Reading</b>		
•	APPT068_11_27_17 Joe Lamb	14 Russia St	Community Pres Comm	1/1/20
•	APPT069_11_27_17 Joseph A. Sederquist	2 Wightman Rd, Wilmington	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT070_11_27_17 Paul C. O'Brien	483 Merrimac St	Chief Procurement Officer	N/A

		<b>Re-Appointments</b>		
•	APPT071_11_27_17 Jill Brennan	24 Webster St #7, Haverhill	Assessor	1/1/21
•	APPT072_11_27_17 Peter Binette	255 Main St, Amesbury	Building Commissioner	1/1/21
•	APPT073_11_27_17 Jane Healey	38 Winter St	Community Pres Comm	1/1/20
•	APPT074_11_27_17 David Zinck	6 Laurel Rd	Electrical Inspector	1/1/19
•	APPT075_11_27_17 Virginia R. Champi	84 Purchase St	Emma Andrews Comm	10/30/18
•	APPT076_11_27_17 Aine G. Ellrott	43 Purchase St	Emma Andrews Comm	10/30/18
•	APPT077_11_27_17 Elizabeth Valeriani	29 Oak St	Emma Andrews Comm	10/30/18
•	APPT078_11_27_17 Elizabeth L. Watson	53 Warren St #315	Emma Andrews Comm	10/30/18
•	APPT079_11_27_17 Kevin Wallace	40 Oak St	Fruit St Comm	11/30/20
•	APPT080_11_27_17 Enrico Caruso	34 Russett Hill	Asst HarborMstr/Spec Pol Off	12/31/20

• APPT081_11_27_17	Francis F. Chaisson	Rd, Haverhill 300 Merrimac St	Asst HarborMstr/Spec Pol Off	12/31/20
• APPT082_11_27_17	Michael Chaisson	46 Lake Attitash Rd, Amesbury	Asst HarborMstr/Spec Pol Off	12/31/20
• APPT083_11_27_17	Richard Cummings	7 Jewett St, Georgetown	Asst HarborMstr/Spec Pol Off	12/31/20
• APPT084_11_27_17	Joseph Grande	52 Linwood Ave, Methuen	Asst HarborMstr/Spec Pol Off	12/31/20
• APPT085_11_27_17	Adam R. Hayden	76 Longfellow Dr	Asst HarborMstr/Spec Pol Off	12/31/20
• APPT086_11_27_17	James Maranto	167 Harper Ridge Rd, E. Hampstead, NH	Asst HarborMstr/Spec Pol Off	12/31/20
• APPT087_11_27_17	Robert Padellaro	17 56 <sup>th</sup> St	Asst HarborMstr/Spec Pol Off	12/31/20
• APPT088_11_27_17	Richard Puopolo	169 Apache Way, Tewksbury	Asst HarborMstr/Spec Pol Off	12/31/20
• APPT089_11_27_17	Daniel Scott	PO Box 8042, Ward Hill	Asst HarborMstr/Spec Pol Off	12/31/20
• APPT090_11_27_17	Philip Stern	271 Merrimac St, #2	Asst HarborMstr/Spec Pol Off	12/31/20
• APPT091_11_27_17	David Willey	13 Devonshire Crossing, Lowell	Asst HarborMstr/Spec Pol Off	12/31/20
• APPT092_11_27_17	Kristian Zoeller	115 Timber Swamp Rd, Hampton, NH	Asst HarborMstr/Spec Pol Off	12/31/20
• APPT093_11_27_17	Tracy Maynard	69 Middle St	Human Resources Dir	1/1/21
• APPT094_11_27_17	Kathleen Carey	2 Chapel St	Lib Board Directors	1/1/24
• APPT095_11_27_17	Marcia Edson	11 Salem St	Lib Board Directors	1/1/24
• APPT096_11_27_17	Elizabeth Valeriani	29 Oak St	Lib Board Directors	1/1/24

Motion to waive the rules, not to require the Clerk to read each appointment individually, by Councillor Zeid, seconded by Councillor Vogel. (1 no, OBrien). So voted. Motion to approve second reading appointments by Councillor Zeid, seconded by Councillor Vogel. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.

#### 15. ORDERS

- **ORDR069EP\_12\_11\_17** Emergency Preamble - Free Holiday Parking  
Motion to approve by Councillor Giunta, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.
- **ORDR069\_12\_11\_17** Free Holiday Parking  
Motion to approve by Councillor Giunta, seconded by Councillor Tontar. So voted.

#### 16. ORDINANCES

- **ODNC012\_09\_11\_17** Zoning Amendment – Off-Street Parking Regulations (**2<sup>nd</sup> Reading**)  
Motion to approve second reading by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 8 yes, 2 no (Zeid, Cronin), 1 absent (Devlin). Motion passed.
- **ODNC015\_10\_10\_17** Amend Sec. 12-1.3 Signs in Public Ways (**2<sup>nd</sup> Reading**)  
Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.

#### 15. 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**)
- **ORDR032\_06\_12\_17** Nock Parking Lot Order
- **ORDR061\_11\_13\_17** Home Rule Petition re: Special Election to Accept Clause 41C1-2 (**COTW**)  
Motion to refer to the next Council session per Rule 7C by Councillor Tontar, seconded by Councillor Cameron. 9 yes, 1 no (OBrien), 1 absent (Devlin). So voted.
- **TRAN048\_11\_27\_17** Free Cash \$47,322.10 to Tractor Purchase \$47,322.10  
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron.  
Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.

## **General Government**

### *In Committee:*

## **Joint Education**

### *In Committee:*

Councillor Giunta gave an update; in the December 4<sup>th</sup> meeting they discussed expanding Foreign Language by two teachers and upgrading labs.

## **License & Permits**

### *In Committee:*

- **COMM010\_01\_25\_16** Licensing Commission Acoustic & Amplified Entertainment
- **ORDR079\_09\_26\_16** Movie Location Order (**B&F**)
- **ODNC001\_01\_30\_17** BYOB Ordinance
- **COMM091\_08\_14\_17** A-Frames - Star Nails
- **COMM121\_11\_27\_17** State Automotive Repair - Class II Vehicle License  
Motion to remove from License & Permit by Councillor Vogel, seconded by Councillor Zeid. Motion to approve, on condition of striking "if required by written contract" on insurance binder, by Councillor Vogel, seconded by Councillor Zeid. So voted.

## **Neighborhoods and City Services**

### *In Committee:*

- **ODNC001\_01\_11\_16** Amend Ch11 Parks and Recreation (**COTW**)  
Motion to refer to the next Council session per Rule 7C by Councillor Connell, seconded by Councillor Vogel. (1 no, OBrien). So voted.
- **ORDR048\_06\_13\_16** Sidewalk Order  
Motion to refer to the next Council session per Rule 7C by Councillor Connell, seconded by Councillor Vogel. (1 no, OBrien). So voted.
- **COMM048\_04\_24\_17** Ltr from Merchants re: Downtown Events (**PS**)
- **COMM111\_10\_10\_17** Petition for Road Repairs and Repaving – Squires Glen  
Motion to refer to the next Council session per Rule 7C by Councillor Connell, seconded by Councillor Vogel. (1 no, OBrien). So voted.

## **Planning & Development**

### *In Committee:*

- **COMM024\_03\_13\_17** Newburyport's Master Plan - Final Document (**COTW**)  
Motion to remove from Planning & Development by Councillor Cameron, seconded by Councillor Vogel. Motion to approve by Councillor Cameron, seconded by Councillor Vogel. Roll call vote, 7 yes, 2 no (Giunta, Cronin), 1 present (Zeid), 1 absent (Devlin). Motion passed.
- **ORDR015\_04\_10\_17** Complete Streets Policy (**PU**)  
Motion to refer to next Council session and Planning & Development per Rule 7C by Councillor Cameron, seconded by Councillor Eigerman. Roll call vote, 9 yes, 1 no (OBrien), 1 absent (Devlin). Motion passed.
- **ODNC008\_06\_26\_17** Zoning Amendment – Bed & Breakfast Use (V-D, V-E) (**COTW**)
- **ODNC017\_10\_30\_17** Zoning Amendment – No Use Variances (**COTW**)  
Motion to refer to next Council session per Rule 7C by Councillor Cameron, seconded by Councillor Giunta. 1 no (OBrien). So voted.
- **ODNC018\_10\_30\_17** Zoning Amendment – Zoning Map R3 to R2 Expanded 10/30/2017 (**COTW**)  
Motion to refer to next Council session per Rule 7C by Councillor Cameron, seconded by Councillor Giunta. 1 no (OBrien), 1 recused (Eigerman). So voted.
- **ORDR067\_11\_27\_17** Special Counsel - Waterfront West  
Motion to remove from Planning & Development by Councillor Cameron, seconded by Councillor Zeid. Motion to approve by Councillor Cameron, seconded by Councillor Zeid. Roll call vote, 8 yes, 2 recused (Vogel, Cronin), 1 absent (Devlin). Motion passed.
- **ORDR068a\_11\_27\_17** Marijuana Moratorium

#### Public Safety

##### *In Committee:*

- **ORDR077\_09\_12\_16** Parking Restricted on Daniel Lucy Way
- **COMM048\_04\_24\_17** Ltr from Merchants re: Downtown Events (**N&CS**)
- **COMM112\_10\_10\_17** Walk MS: Newburyport – 4/28/2018  
Motion to refer to the next Council session per Rule 7C by Councillor Cronin, seconded by Councillor Tontar. (1 no, OBrien). So voted.
- **ORDR055\_10\_10\_17** No Parking - 59th Street  
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. Motion to approve by Councillor Zeid, seconded by Councillor Cronin. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.
- **COMM120\_11\_27\_17** Councillor Zeid Memo re: Special Events

#### Public Utilities

##### *In Committee:*

- **ORDR015\_04\_10\_17** Complete Streets Policy (**P&D**)
- **COMM122\_11\_27\_17** Mobilitie/Small Cell Utility Petition
- **ORDR066\_11\_27\_17** Raffaele Construction Corp. - Lic Contractor  
Motion to remove from Public Utilities by Councillor Eigerman, seconded by Councillor Zeid. Motion to approve by Councillor Eigerman, seconded by Councillor Zeid. So voted.

#### Rules Committee

##### *In Committee:*

- **ORDR013\_02\_27\_17** Amend City Council Rules Relating to Bonding Funds (**COTW**)  
Motion to remove from Rules and Committee of the Whole by Councillor Cronin, seconded by Councillor Zeid. Motion to approve by Councillor Cronin, seconded by Councillor Zeid. Roll call vote, 7 yes, 3 no (Tontar, Vogel, Connell), 1 absent (Devlin). Motion passed.

#### Ad Hoc Committee on City Services to Immigrants



***In Committee:***

- Recommended Additions to Chapter 2, Article III, Division 6, Section 2-125a  
Motion to refer to General Government and to the next Council session per Rule 7C by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 9 yes, 1 no (OBrien), 1 absent (Devlin).  
Motion passed.

**16. GOOD OF THE ORDER**

Councillor Zeid mentioned Army Corps dredging projects on Plum Island, Councillor Cameron and Councillor Cronin gave farewell remarks and thanked fellow Councillors and department heads throughout city.

**17. ADJOURNMENT**

Motion to adjourn by Councillor Tontar, seconded by Councillor Cameron. So voted. 9:26pm.

TRANSFERS





# City of Newburyport FY 2018 BUDGET TRANSFER REQUEST

RECEIVED  
CLERK'S OFFICE  
NEWBURYPORT, MA  
JAN 2 AM 8:46

Department: Mayor's Office  
Submitted by: Donna D. Holaday, Mayor Date Submitted: 1/8/2018

**Transfer From:**

Account Name	<u>General Fund - Free Cash</u>	YTD Bal:	<u>\$ 1,717,454.90</u>
Account Number:	<u>01-35910</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$14,950.00</u>	Trans Out:	<u>\$ (776,084.10)</u>

Why are Funds Available: The Massachusetts Department of Revenue certified Free Cash for FY2018 at \$2,493,539. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council. The YTD balance includes all requests submitted to-date.

**Transfer To:**

Account Name	<u>HWY Maint-Trees</u>	YTD Bal:	<u>\$ 33,534.78</u>
Account Number:	<u>01421002-52404</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$14,950.00</u>	Trans Out:	<u>\$ -</u>

Why are Funds Required: The Tree Commission recommends an appropriation of \$14,950 to allow for the purchase, planting and care of 23 trees in spring 2018. This line item covers all aspects of tree maintenance, including removals, pruning, stump grinding, planting and care.

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

Donna D Holaday  
Ethan R Manning

Date: 1/2/18  
Date: 1/2/18

## FY 2018 Free Cash Proposal

### Overview:

The following proposal is for \$14,950 to purchase, plant and care for 23 trees in Spring 2018. This request builds upon the Tree Commission's, and its predecessor Tree Committee's, success and experience in planting over 850 trees since 2002. Planting and caring for trees is the Commission's highest priority. These funds in a small way help counter the hazardous tree removal initiative that took down 157 trees in 2016 and will take down well over 100 trees in 2017.

In considering this request, note that it includes a request for purchasing, planting and caring for the trees. Tree care is a distinct, but an inseparable element of tree planting. The Tree Commission has learned, and can demonstrate, that the failure to provide care for trees that are planted makes the purchase and planting of the trees themselves effectively a waste of funds as the tree will not thrive, in fact it may well die in a short period of time. We are experiencing a failure rate of less than 2%.

Best regards,

Crispin Miller

Chair, Tree Commission

December 14, 2017

FREE CASH FUNDING REQUEST	Date Prepared: November 26, 2017		
Submitted by: Newburyport Tree Commission			
<b>Project: Spring 2018 Tree Planting Project</b>			
City Free Cash Account:	\$14,950		
Other Accounts:	\$0		
Total Funding Requested:	\$14,950		
<b>Project Cost Summary:</b>			
Purchase of 23 trees:	\$5,750		
Planting of 23 trees:	\$3,450		
Tree Care for 23 trees:	\$5,750		
Total:	\$14,950		
<b>Tree Purchase* Cost Estimate:</b>	<b># Trees:</b>	<b>Unit Price:</b>	<b>Extension:</b>
17 Oak St	2	\$250	\$500
3 Orange St	1	\$250	\$250
13 Orange St	1	\$250	\$250
6 Lincoln St.	1	\$250	\$250
53 Federal St.	1	\$250	\$250
56 Bromfield St.	1	\$250	\$250
37-39 Middle St.	1	\$250	\$250
41 Middle St.	1	\$250	\$250
Corner of Middle & Fair	1	\$250	\$250
Corner of Kent & Washington	2	\$250	\$500
59 Federal	1	\$250	\$250
40 Winter St.	1	\$250	\$250
44 Tyng St	1	\$250	\$250
30 Oakland St	1	\$250	\$250
22 Ferry	1	\$250	\$250
Corner of Pond & Greenleaf	2	\$250	\$500
Front Gate Project**	4	\$250	\$1,000
Total:			\$5,750
<i>*Trees species to be determined</i>			
<i>**Front Gate Project refers to the triangle at Storey Ave, Ferry Rd and Harnch's Way</i>			

<b>Tree Planting Cost Estimate:</b>	<u># Trees:</u>	<u>Unit Price:</u>	<u>Extension:</u>	
Plant Trees	23	\$150	\$3,450	
Total:			\$3,450	
<b>Tree Care Cost Estimate:</b>	<u># Trees:</u>	<u>Unit Price:</u>	<u>Extension:</u>	
Plant Trees	23	\$250	\$5,750	
Total:			\$5,750	

# COMMUNICATIONS

**Richard Jones**

---

**From:** Eric Kallio <EKallio@mobilitie.com>  
**Sent:** Tuesday, November 21, 2017 12:18 PM  
**To:** Richard Jones  
**Subject:** Mobilitie/Small Cell Utility Petition for Grant of Location, Intersection of Storey Avenue and Noble Street, Newburyport, MA (BS90XSD32C)  
**Attachments:** BS90XSD32C Cover Letter to Utility Petition.docx; BS90XSD32C Utility Petition and Order.docx; BS90XSD32C\_CONSTDWGS\_20171106\_A.pdf; NGRID Letter of Authorization.pdf

Good Afternoon Richard B. Jones, City Clerk, Newburyport, Massachusetts:

Attached to this email is a Utility Petition application for Mobilitie's small cell attachment to an existing wood utility pole. The location is the intersection of Storey Avenue and Noble Street. Attached are the following supporting documents.

- Cover Letter to Utility Petition
- Utility Petition and Order
- Construction Drawings
- National Grid Letter of Authorization giving permission to Mobilitie to attach to the existing utility pole

Please confirm the date that the City Council will be able to hear this petition and I will be happy to appear in front of this Council. My contact information is listed on the attached documents should any of the councilors have any questions or need additional information as part of their review.

Sincerely,

Eric Kallio | NRE Permitting Manager  
Mobile- 978-808-8258  
[ekallio@mobilitie.com](mailto:ekallio@mobilitie.com)

**mobilitie**

[www.mobilitie.com](http://www.mobilitie.com)

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November 21, 2017

City Council Office  
City Hall  
60 Pleasant Street  
Newburyport, MA 01950

RE: Utility Petition Application to Attach Small Cell Backhaul Equipment to Existing Utility Pole

Applicant: Mobilitie LLC ("Mobilitie")  
Location: Storey Avenue and Noble Street, Newburyport, MA (Candidate BS90XSD32C)  
Authority: Newburyport City Council

Dear Chair Thomas F. O'Brien, President, Ward 6 Councilor, Richard B. Jones, City Clerk and members of the City Council:

The purpose of this correspondence is to file Mobilitie's enclosed application for a utility petition and order to attach small cell backhaul equipment to an existing utility pole that is located at the Storey Avenue and Noble Street intersection and is owned by National Grid.

### APPLICANT INFORMATION

For over 11 years, Mobilitie has deployed a variety of signal strengthening services across the nation. Mobilitie is the nation's largest privately held wireless infrastructure company. In Massachusetts, Mobilitie is registered as a Competitive Local Exchange Carrier ("CLEC"), which is regulated by the Department of Telecommunications and Cable. As provided in this registration, Mobilitie may provide transport, backhaul, broadband, voice, data as well as other infrastructure used by carriers, emergency responders, public safety agencies, backhaul providers and other companies.

Mobilitie is currently in the process of rolling out a Hybrid Transport Network (HTN) to more effectively deploy low cost, high-bandwidth connectivity throughout urban, suburban and rural communities. This HTN will provide backhaul connectivity solutions for customers. Mobilitie will provide a method to connect devices back to a core network (i.e. existing locations), through these small cell locations, where data is processed and routed. Due to the increased demand for data in certain areas, existing locations require enhanced support to provide customers with more reliable service. Small cells are the future for communities that seek non-obtrusive and concealed ways to increase coverage and capacity for its residents. Small cell deployment is essential for the Internet of Things and 5G. The addition of small cells to existing wireless networks will help responders more accurately located wireless 911 calls leading to significant E911 readiness and first responder improvements.

Our primary customer is Sprint. Mobilitie's network, however, can support a variety of technologies and services that require connectivity to the internet, including but not limited to, driverless and connected vehicles (commercial, personal and agricultural), remote weather stations and other mobile service providers. Mobilitie's

small cell sites involve the installation of a small, low-powered transmit/receive antenna that communicates with wireless devices, a wireless backhaul antenna that connects the facility to the carrier's core network and compact radio equipment mounted on either new or existing utility light poles. This proposed Sprint small cell location will add capacity to the existing wireless network in Newburyport and is designed to blend with existing infrastructure.

## PROJECT NARRATIVE

Mobilitie's equipment, including its antennas and supporting MMS boxes, have been designed to avoid aesthetic impact on residents and compliment the overall community. Mobilitie has developed a host of structures to accommodate various community and local situations that include attachments to basic wooden telephone poles as well as stealth designed street light structures. As a company, Mobilitie is committed to meeting municipal design standards, while making sure residents have the highest quality connectivity to wireless communication. The site is designed and intended to provide additional data capacity and denser coverage in the city to satisfy the growing data service needs.

Summary of key points for the proposed installation:

<u>Location:</u>	Intersection of Storey Avenue and Noble Street
<u>Height of Existing Pole:</u>	31'
<u>Height of Existing Pole w/Proposed Equipment:</u>	34'
<u>Ownership:</u>	National Grid

## CLOSING REMARKS

In summary, the attached small cell backhaul equipment is necessary to support and enhance the existing Sprint locations in Newburyport to provide reliable data coverage for customers now and in the future. The need is driven by the exponential increase for wireless data services by Sprint customers in the proposed area.

To provide high quality service to consumers and support this demand as well as expected future demand with 5G, Mobilitie request that the City Council grant the utility petition and order for this installation and any conditions as deemed necessary to allow this proposed installation in the City of Newburyport.

Thank you for your consideration in this matter. If the Select Board should have any questions regarding this petition, please do not hesitate to contact me directly at 978-808-8258 or by email at [EKallio@mobilitie.com](mailto:EKallio@mobilitie.com).

Truly Yours,

Eric Kallio  
Permitting Manager, New England  
62A West Street  
Swanzey, NH 03446

# nationalgrid

40 Sylvan Road  
Waltham MA 02451

September 7, 2017

Attention: State and Municipal Permitting Authorities

RE: Evidence of Pole Attachment Agreement and Consent to File for Permits  
Granted to Mobilitie

To Whom It May Concern:

The undersigned jointly owns and controls certain utility poles in public rights-of-way and on private property throughout the geographic areas where it operates.

Please be advised that the undersigned has entered into a Pole Attachment Agreement ("Agreement") authorizing Mobilitie ("Applicant") to install, attach, maintain, repair, upgrade and use wireless communications equipment and appurtenances on certain utility poles pursuant to the terms and conditions of the Agreement. Permission is hereby granted to Applicant, or its agents, to make application for any Land Use, Access, Building, Electrical or Regulatory Permit(s) required to effectuate the initial installation, on-going maintenance and upgrades or replacements of said equipment.

Please contact me at (978) 725-1130 if you have any questions.

Sincerely,



Amy Sullivan  
Third Party Attachment Analyst

# nationalgrid

40 Sylvan Road  
Waltham MA 02451

September 7, 2017

Attention: State and Municipal Permitting Authorities

RE: Evidence of Pole Attachment Agreement and Consent to File for Permits  
Granted to Mobilite

To Whom It May Concern:

The undersigned jointly owns and controls certain utility poles in public rights-of-way and on private property throughout the geographic areas where it operates.

Please be advised that the undersigned has entered into a Pole Attachment Agreement ("Agreement") authorizing Mobilite ("Applicant") to install, attach, maintain, repair, upgrade and use wireless communications equipment and appurtenances on certain utility poles pursuant to the terms and conditions of the Agreement. Permission is hereby granted to Applicant, or its agents, to make application for any Land Use, Access, Building, Electrical or Regulatory Permit(s) required to effectuate the initial installation, on-going maintenance and upgrades or replacements of said equipment.

Please contact me at (978) 725-1130 if you have any questions.

Sincerely,

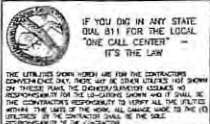


Amy Sullivan  
Third Party Attachment Analyst

SITE ID-CANDIDATE LETTER/CASCADE ID-CANDIDATE LETTER:  
 9MAB001238C/BS90XSD32C

LATITUDE/LONGITUDE:  
 42.820658/-70.907972

CROSS STREET:  
 STOREY AVE & NOBLE ST  
 CITY, STATE, ZIP:  
 NEWBURYPORT, MA 01950



NOTE:  
 GENERAL CONTRACTOR IS REQUIRED TO CROSS CHECK COORDINATES, EXHIBIT PHOTO, AERIAL PHOTO AND SITE PLAN TO ENSURE PROPER POLE LOCATION PRIOR TO BREAKING GROUND. CONCERNS OR QUESTIONS SHOULD BE IMMEDIATELY DIRECTED TO ASSIGNED MOBLITE CM.

**mobilitie**

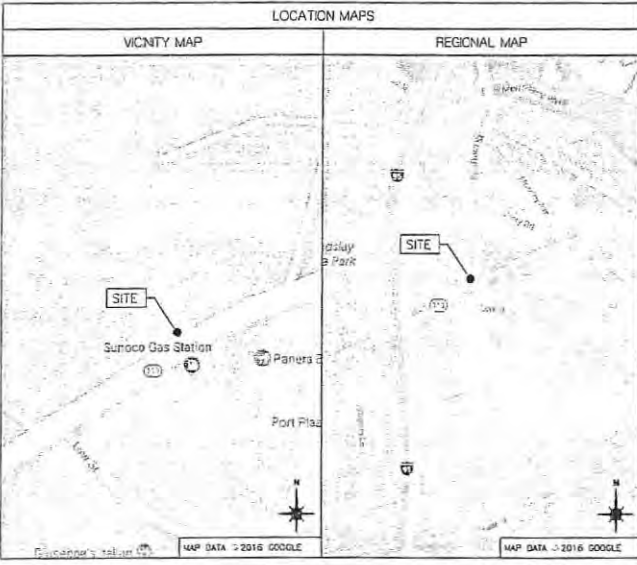
PROJECT NO:	9MAB001238C
DRAWN BY:	MC
CHECKED BY:	SJB
DATE:	
SCALE:	

**GENERAL NOTES**  
 THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OF EFFECT ON DRAINAGE, NO SANITARY SEWER SERVICE, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL STORAGE IS (N).

SITE INFORMATION	
SITE ID:	9MAB001238C
CASCADE ID:	BS90XSD32C
LATITUDE:	42.820658
LONGITUDE:	-70.907972
CROSS STREET:	STOREY AVE & NOBLE ST
CITY, STATE, ZIP:	NEWBURYPORT, MA 01950
COUNTY:	ESSEX COUNTY
JURISDICTION:	NEWBURYPORT CITY
PROPERTY OWNER:	PUBLIC RIGHT-OF-WAY
APPLICANT:	MOBLITE, LLC 120 S RIVERIDE PLAZA, SUITE 1800 CHICAGO, IL 60606 PHONE: (312) 838-8400

**ENGINEER**  
 GMB DESIGN GROUP LLC  
 1800 ROUTE 34, SUITE 209  
 WALL, NJ 07719  
 FOR QUESTIONS EMAIL: DESIGNTEAM@GMBDG.COM  
 TEL: (732) 386-3623 FAX: (732) 386-3262 WWW: KM300.COM

**DO NOT SCALE DRAWINGS**  
 CONTRACTORS SHALL VERIFY ALL PLANS, (E) DIMENSIONS & FIELD CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ARCHITECT/ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.



**PROJECT DESCRIPTION**  
 SHD USER PROPOSES TO INSTALL EQUIPMENT ON AN EXISTING WOOD LIGHT POLE WITHIN AN EXISTING RIGHT-OF-WAY. THE SCOPE WILL CONSIST OF THE FOLLOWING:  
 - INSTALL PROPOSED BACKHAUL TRANSPORT EQUIPMENT ON AN EXISTING WOOD LIGHT POLE

**CODES**  
 2008 INTERNATIONAL BUILDING CODE  
 NATIONAL ELECTRICAL SAFETY CODE  
 IAW/EA-222-2-2 OR LATEST EDITION  
 LOCAL BUILDING/PLANNING CODE

DRAWING INDEX	
SHEET NO.	SHEET TITLE
T-1	TITLE SHEET
SP-1	EXHIBIT PHOTO & SITE PLAN
EV-2	ELEVATIONS
EV-1	ELEVATIONS
PL-1	PLUMBING & RISER DIAGRAM
EQ-1	EQUIPMENT DETAILS
EQ-2	EQUIPMENT DETAILS
E-1	ELECTRICAL DETAILS
G-1	GROUNDING DETAILS
TC-1	VEHICULAR TRAFFIC CONTROL PLAN
TC-2	PEDESTRIAN TRAFFIC CONTROL PLAN
GN-1	GENERAL NOTES
GN-2	GENERAL NOTES
GN-3	GENERAL NOTES



IT IS A VIOLATION OF THE LAW FOR ANY PERSON TO SIGN ANY DRAWING OR SPECIFICATION OF A LICENSED PROFESSIONAL ENGINEER, TO SIGN THE DRAWING.

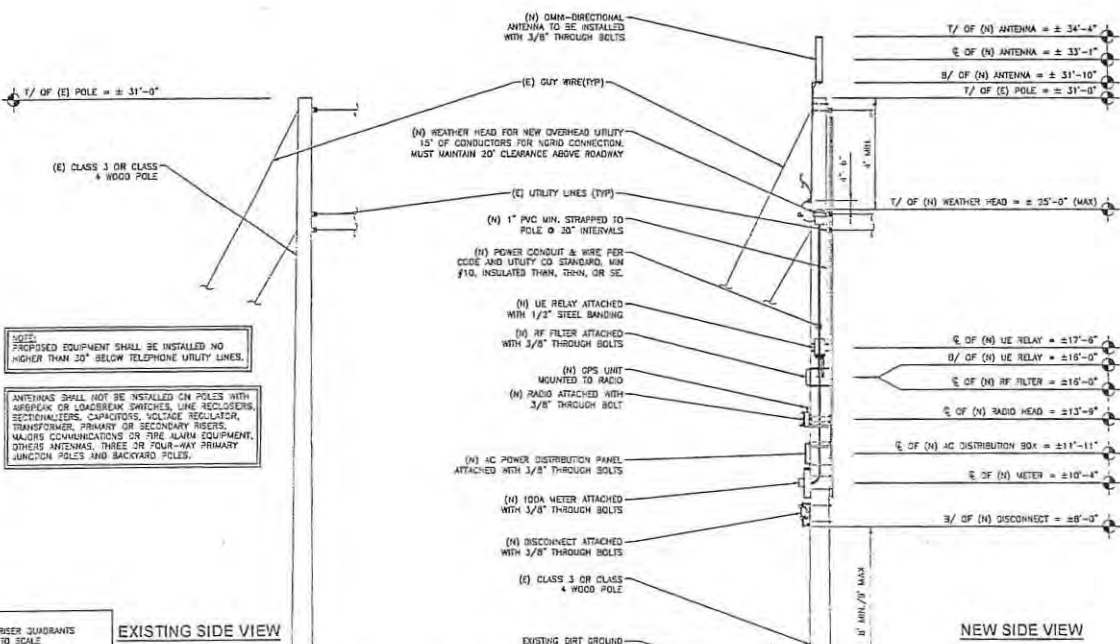
BS90XSD32C  
 NEWBURYPORT, MA 01950  
 EXISTING 30' WOOD POLE  
 SHEET TITLE  
 TITLE SHEET  
 SHEET NUMBER  
 T-1





mobilitie

NOTE:  
ALL (N) EQUIPMENT INSTALLATIONS SHALL  
COMPLY WITH NATIONAL GRID REQUIREMENTS



NOTE:  
PROPOSED EQUIPMENT SHALL BE INSTALLED NO HIGHER THAN 30' BELOW TELEPHONE UTILITY LINES.

ANTENNAS SHALL NOT BE INSTALLED ON POLES WITH SPURHEAD OR LOADBREAK SWITCHES, LINE RECOILERS, SECTIONALIZERS, CAPACITORS, VOLTAGE REGULATOR, TRANSFORMER, PRIMARY OR SECONDARY ASSETS, MAJOR COMMUNICATIONS OR FIRE ALARM EQUIPMENT, OTHERS ANTENNAS, THREE OR FOUR-WAY PRIMARY JUNCTION POLES AND BACKYARD POLES.

- NOTES:
1. ALL HARDWARE SHALL BE STAINLESS STEEL.
  2. ALL CABLES SHALL BE SECURED TO POLE EVERY 36" OR LESS.
  3. LIGHTNING RODS SHALL BE INCLUDED AS REQUIRED.

NOTE:  
REFER TO STRUCTURAL ANALYSIS REPORT (SS000533) (SEPARATE DOCUMENT) FOR ADDITIONAL STRUCTURAL INFORMATION.

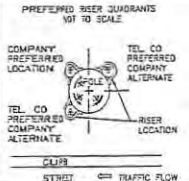
(E) POLE ELEVATIONS  
SCALE: 1" = 5'

PROJECT NO: 94683123C  
DRAWN BY: HC  
CHECKED BY: SJB

DESIGN GROUP, LLC  
Stephen A. Bray  
REGISTERED PROFESSIONAL ENGINEER  
STATE OF MASSACHUSETTS  
11817

BS90XSD32C  
NEWBURYPORT, MA 01959  
EXISTING 31'-0" WOOD POLE

SHEET TITLE  
POLE ELEVATIONS  
SHEET NUMBER  
EV-1



mobilitie

NOTE:  
ALL (H) EQUIPMENT INSTALLATIONS SHALL  
COMPLY WITH NATIONAL GRID REQUIREMENTS

T/ OF (E) POLE = ± 31'-0"

(E) CLASS 3 OR CLASS  
4 WOOD POLE

NOTE:  
PROPOSED EQUIPMENT SHALL BE INSTALLED NO  
HIGHER THAN 30' BELOW TELEPHONE UTILITY LINES.

ANTENNAS SHALL NOT BE INSTALLED ON POLES WITH  
BREAKERS OR LOADBREAK SWITCHES, LINE RECLOSERS,  
SECTIONALIZERS, CAPACITORS, VOLTAGE REGULATOR,  
TRANSFORMER, PRIMARY OR SECONDARY ASSETS,  
WADERS COMMUNICATIONS OR FIRE ALARM EQUIPMENT,  
DISHES ANTENNAS, THREE OR FOUR-WAY PRIMARY  
JUNCTION POLES AND BACKYARD POLES.

(H) OMNI-DIRECTIONAL  
ANTENNA TO BE INSTALLED  
WITH 3/8" THROUGH BOLTS

(H) WEATHER HEAD FOR NEW  
OVERHEAD UTILITY 15' OF  
CONDUCTORS FOR NON-D  
CONNECTION. MUST MAINTAIN 20'  
CLEARANCE ABOVE ROADWAY

(E) UTILITY LINES (TYP)

(M) POWER CONDUIT & WIRE PER CODE  
AND UTILITY CO STANDARD. MIN #10,  
INSULATED THRU, THRU, OR SE.

(M) UE RELAY ATTACHED  
WITH 1/2" STEEL BANDING

(M) RF FILTER ATTACHED  
WITH 3/8" THROUGH BOLTS

(M) GPS UNIT  
MOUNTED TO RADIO

(H) RADIO ATTACHED WITH  
3/8" THROUGH BOLT

(N) 1" PVC MIN. STRAPPED TO  
POLE @ 30" INTERVALS

(H) AC POWER DISTRIBUTION PANEL  
ATTACHED WITH 3/8" THROUGH BOLTS

(H) 100A METER ATTACHED  
WITH 3/8" THROUGH BOLTS

(H) DISCONNECT ATTACHED  
WITH 3/8" THROUGH BOLTS

(E) CLASS 3 OR CLASS  
4 WOOD POLE

EXISTING DIRT GROUND

T/ OF (H) ANTENNA = ± 34'-4"  
E OF (H) ANTENNA = ± 33'-11"  
B/ OF (H) ANTENNA = ± 31'-10"  
T/ OF (E) POLE = ± 31'-0"

T/ OF (H) WEATHER HEAD = ± 25'-0" (MAX)

E OF (H) UE RELAY = ± 17'-6"

B/ OF (H) UE RELAY = ± 16'-0"

E OF (H) RF FILTER = ± 16'-0"

E OF (H) RADIO HEAD = ± 13'-9"

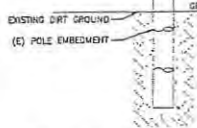
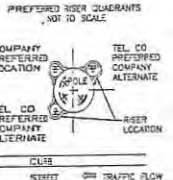
E OF (H) AC DISTRIBUTION BOX = ± 11'-11"

E OF (H) METER = ± 10'-4"

B/ OF (H) DISCONNECT = ± 8'-0"

NEW BACK VIEW

EXISTING BACK VIEW



- NOTES:
1. ALL HARDWARE SHALL BE STAINLESS STEEL.
  2. ALL CABLES SHALL BE SECURED TO POLE EVERY 36" OR LESS.
  3. LIGHTNING RODS SHALL BE INCLUDED AS REQUIRED.

NOTE:  
REFER TO STRUCTURAL ANALYSIS REPORT  
8580xSD32C (SEPARATE DOCUMENT) FOR  
ADDITIONAL STRUCTURAL INFORMATION.

(E) POLE ELEVATIONS  
SCALE: 1" = 8'

PROJECT NO: 8580xSD32C  
DRAWN BY: JIC  
CHECKED BY: JJB

DATE: 11-28-07 FOR T&E DEW

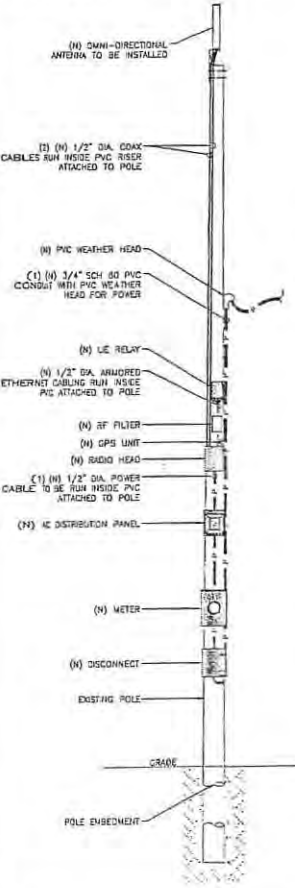


8580xSD32C  
NEWBURYPORT, MA 01959  
EXISTING 31'-0" WOOD POLE

SHEET TITLE  
POLE ELEVATIONS

SHEET NUMBER  
EV-2

NOTE:  
(E) POLE MOUNTED EQUIPMENT  
NOT SHOWN FOR CLARITY.



NOTE:  
CABLEING DIAGRAM IS FOR CLARITY OF  
CABLE ROUTE AND TERMINATION ONLY.  
CONTRACTOR SHALL INSTALL CABLES  
WITH MINIMAL VISUAL IMPACT ON  
EXISTING WOOD UTILITY POLE. SEE  
ELEVATION DRAWING FOR EQUIPMENT AND  
ANTENNA LOCATIONS.

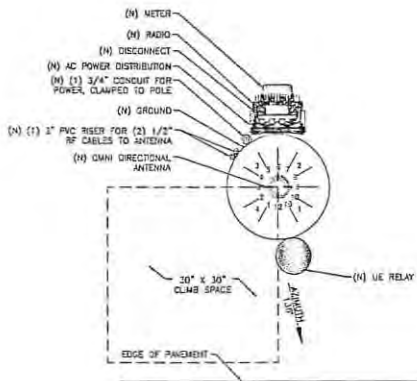
- CABLEING NOTES:**
- A) WOOD, CONCRETE AND EXISTING METALLIC POLES
  - 1) FROM GRADE LINE TO 11'-0" ABOVE GRADE, ALL CABLES/CONDUCTORS EXCEPT GROUNDING CONDUCTOR MUST RUN IN RIGID GALVANIZED STEEL CONDUIT (RGS)
  - 2) GROUNDING CONDUCTORS IN EXPOSED LOCATIONS MUST BE INSTALLED IN PVC
  - 3) IN EARTH INSTALL PVC CONDUIT FOR BACKHAUL AND ELECTRICAL SERVICE, TRANSITION TO RGS AT GRADE LINE.
  - 4) W/ ABOVE 11'-0" ALL CABLES (POWER, ETHERNET, COAXIAL) MUST RUN IN PVC UTILITY POLE RISER.
  - (1) AT MAJOR EQUIPMENT, EXTEND UTILITY DUCT IMMEDIATELY ADJACENT TO THE EQUIPMENT. INSTALL CABLES IN THE UTILITY POLE RISER CREATING CABLE DRIP LOOPS NOT LESS THAN THE CABLE BENDING RADIUS.
  - (2) INSIDE THE UTILITY POLE RISER, UTILIZE 1" COAX SLEEVES WITH LAG SCREWS TO SUPPORT COAX, RADIO AND MW POWER, RF COAX, AND ETHERNET CABLES TO WITHIN 12" OF THE EQUIPMENT BEING SERVED AND ON INTERVALS NOT TO EXCEED 6'.
  - 5) FOR UNDERGROUND MFC/PUBLIC BACKHAUL, ROUTE ETHERNET CABLE IN CONDUIT UP THE POLE AND ENTER THE UTILITY POLE RISER SEAL EXPOSED END OF CONDUIT WITH A CABLE TERMINATION FITTING.
  - 6) BY APPROVAL IN SELECT CASES LIQUID-TIGHT FLEXIBLE METALLIC CONDUIT (LFMC) MAY BE USED IN LENGTHS NOT TO EXCEED 36" TO EXTEND THE ELECTRICAL SERVICE CONDUIT TO THE AC DISTRIBUTION BOX. EXAMPLES UTILITY-REQUIRED DISCONNECT ON POLE W/ AC DISTRIBUTION BOX ON OPPOSITE SIDE OF POLE, NOT REQUIRED FOR COAX.
  - B) NEW METALLIC POLES
    - (1) PROVIDE NEW POLES WITH SUITABLE HAND HOLES SUCH THAT HAND HOLES EXIST AT ALL EQUIPMENT LOCATIONS.
    - (2) WITH CLIENT APPROVAL IN SELECT CASES TO FACILITATE APPROVED APPEARANCE, 1" COAXIAL CABLES MAY BE "SUPERFLEX" IN LIEU OF LDF-4.
    - (3) WHERE POSSIBLE, INSTALL POLE BASE SUCH THAT THE ELECTRICAL FEED AND BACKHAUL (IF UNDERGROUND) CIRCUIT ENTER THE POLE THROUGH THE POLE BASE. IF A DISCONNECTING MEANS SEPARATE FROM THE AC DISTRIBUTION BOX IS REQUIRED BY JURISDICTION OR UTILITY, WITH APPROVAL, IN SELECT CASES LIQUID-TIGHT FLEXIBLE METALLIC CONDUIT (LFMC) MAY BE USED IN LENGTHS NOT TO EXCEED 36" TO EXTEND THE ELECTRICAL SERVICE CONDUIT TO THE AC DISTRIBUTION BOX.

**PLUMBING DIAGRAM**  
SCALE: NOT TO SCALE

BILL OF MATERIALS							
QTY.	DESCRIPTION	MANUFACTURER	MODEL NUMBER	AZIMUTH	CABLE	DIENSIONS (HxWxD)	WEIGHT
1	ANTENNA	ALPHA WIRELESS	AW3477-S	0°	19'-0"±	33.7" x 4.7" DIAMETER	7 LBS
1	UE RELAY	HOKA/DEMTEK	FHC/473753A	130°	3'±	24.62" x 7.87" DIAMETER	5.3 LBS
1	GPS	HOKA	FNR0/475933A	-	-	3.1" x 2.1" DIAMETER	0.3 LBS
1	SACD	HOKA	FNR1/241 SP	-	3'±	9.7" x 12.9" x 9.3"	27.3 LBS
1	RF REJECT FILTER	RFS	FHM19535-1C	-	-	12.0" x 4.0" x 2.0"	5.2 LBS
1	AC DISTRIBUTION PANEL	RAYCAP	RSTAC-3112-120	-	1'±	9.25" x 9.5" x 3.81"	14 LBS
1	NEMA TYPE-3R DISCONNECT	DEMTEK	GF222NR (EXAMPLE)	-	1'±	15.45" x 8.7" x 5.35"	14 LBS
1	METER SOCKET	MILBANK	U4801-KL-S19 (EXAMPLE)	-	110°-5'±	19" x 1.1" x 4.84"	21 LBS

RFTS REVISION TYPE: FINAL  
RFTS REVISION NUMBER: 4.4  
RFTS REVISION TIMESTAMP: 2017-11-02

**BILL OF MATERIALS**  
SCALE: NOT TO SCALE



ANTENNA AZIMUTH: 0°  
UE RELAY AZIMUTH: 130°

**RISER ORIENTATION DIAGRAM**  
SCALE: NOT TO SCALE

**mobilitie**

PROJECT NO: 201801153C  
DRAWN BY: RC  
CHECKED BY: SJB

DATE DESIGNED: 01/03/2018  
**Stephen A. Bray**  
REGISTERED PROFESSIONAL ENGINEER  
STATE OF MASSACHUSETTS  
LICENSE NO. 11597

859075032C  
NEWBURYPORT, MA 01950  
EXISTING 31"Ø WOOD POLE

SHEET TITLE  
**PLUMBING & RISER DIAGRAM**

SHEET NUMBER  
**PL-1**

<p>MANUFACTURER: ALPHA WIRELESS MODEL: AW3477-S HEIGHT: 29.1 IN WIDTH: 4.7 IN DEPTH: 2.9 IN WEIGHT: 1.8 LBS MOUNT HEIGHT: 44 LBS</p> <p><b>ALPHA WIRELESS</b></p>	<p>MANUFACTURER: GEMTEK NOKIA/GEMTEK MODEL: 7705A FOR APPROVED EQUAL HEIGHT: 11.5 IN WIDTH: 3.1 IN DEPTH: 1.7 IN WEIGHT: 0.4 LBS</p> <p><b>NOKIA</b></p>	<p>MANUFACTURER: RFS NOKIA/GEMTEK MODEL: FIMM1963S-1C HEIGHT: 1.3 IN WIDTH: 1.2 IN DEPTH: 0.4 IN WEIGHT: 0.1 LBS</p>	<p>MANUFACTURER: RAYCAP MODEL: RSTAC-3112-P-120 HEIGHT: 10.5 IN WIDTH: 9.5 IN DEPTH: 3.1 IN WEIGHT: 14 LBS</p> <p><b>Raycap</b></p>	<p><b>mobilitie</b></p>
<p>ALPHA AW3477-S OMNI (B41) SCALE: 1/2" = 1'-0"</p>	<p>NOKIA/GEMTEK UE RELAY SCALE: 1/2" = 1'-0"</p>	<p>RFS FIMM 1963S-1C SCALE: 1/2" = 1'-0"</p>	<p>RAYCAP RSTAC-3112-P-120 SCALE: 1/2" = 1'-0"</p>	<p>PROJECT NO: 85400100C DRAWN BY: RC CHECKED BY: SJR</p>
<p>MANUFACTURER: NOKIA MODEL: FWHR B41 HP (FOR APPROVED EQUAL) HEIGHT: 9.7 IN WIDTH: 12.5 IN DEPTH: 6.3 IN WEIGHT: 21 LBS</p> <p><b>NOKIA</b></p>	<p>NOT USED</p>	<p>NOT USED</p>	<p>MANUFACTURER: SIEMENS MODEL: TYPE-3R DISCONNECT FOR APPROVED EQUAL HEIGHT: 15.4 IN WIDTH: 8.7 IN DEPTH: 1.8 IN WEIGHT: 14 LBS</p> <p><b>SIEMENS</b></p>	<p>DESIGN GROUP LLC Stephen A. Bray REGISTERED PROFESSIONAL ENGINEER STATE OF MASSACHUSETTS 11907</p>
<p>NOKIA RADIO FWHR B41 HP SCALE: 1/2" = 1'-0"</p>	<p>NOT USED</p>	<p>NOT USED</p>	<p>NEMA TYPE-3R DISCONNECT SCALE: 1/2" = 1'-0"</p>	<p>IF A VIOLATION OF THE LAW OR ANY OTHER PROVISIONS OF THE MASSACHUSETTS PROFESSIONAL ENGINEERING ACT IS ALLEGED TO EXIST, THE ENGINEER SHALL BE HELD RESPONSIBLE THEREFOR.</p>
<p>MANUFACTURER: NOKIA MODEL: FWHR B41 HP HEIGHT: 9.7 IN WIDTH: 12.5 IN DEPTH: 6.3 IN WEIGHT: 21 LBS</p> <p><b>NOKIA</b></p>	<p>NOT USED</p>	<p>MANUFACTURER: NOKIA MODEL: GPS UNIT HEIGHT: 1.1 IN WIDTH: 2.4 IN DEPTH: 2.4 IN WEIGHT: 0.1 LBS</p> <p><b>NOKIA</b></p>	<p>MANUFACTURER: MILBANK MODEL: METER SOCKET FOR APPROVED EQUAL HEIGHT: 1.1 IN WIDTH: 1.1 IN DEPTH: 1.1 IN WEIGHT: 0.1 LBS</p>	<p>B590XSD32C NEWBURYPORT, MA 01959 EXISTING 31/2" WOOD POLE SHEET TITLE: EQUIPMENT DETAILS SHEET NUMBER: EQ-1</p>
<p>NOKIA INTERFACE STATIC SCALE: 1/2" = 1'-0"</p>	<p>NOT USED</p>	<p>NOKIA GPS UNIT SCALE: 1/2" = 1'-0"</p>	<p>MILBANK METER SOCKET SCALE: 1/2" = 1'-0"</p>	<p>EQ-1</p>

**SITE ID-CANDIDATE LETTER/CASCADE ID-CANDIDATE LETTER:**

**9MAB001425B/BS90XSF27B**

**LATITUDE/LONGITUDE:  
42.815290/-70.891645**

**CROSS STREET:  
TILTON ST & RAWSON AVE  
CITY, STATE, ZIP:  
NEWBURYPORT, MA 01950**



IF YOU DIG IN ANY STATE  
DIAL 811 FOR THE LOCAL  
"ONE CALL CENTER" -  
IT'S THE LAW

THE UTILITIES SHOWN HEREIN ARE FOR THE CONTRACTOR'S  
CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN  
ON THESE PLANS. THE ENGINEER/SURVEYOR ASSUMES NO  
RESPONSIBILITY FOR THE LD-GUARDS SHOWN AND IT SHALL BE  
THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL THE UTILITIES  
WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO THE (S)  
UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE  
RESPONSIBILITY OF THE CONTRACTOR.

NOTE:  
GENERAL CONTRACTOR IS REQUIRED TO CROSS CHECK COORDINATES, EXHIBIT PHOTO, AERIAL  
PHOTO AND SITE PLAN TO ENSURE PROPER POLE LOCATION PRIOR TO BREAKING GROUND.  
CONCERNS OR QUESTIONS SHOULD BE IMMEDIATELY DIRECTED TO ASSIGNED MOBILITE CM.

**mobilitie**

PROJECT NO: 9MAB001425B  
DRAWN BY: RC  
CHECKED BY: SJB

11-26-17 FOR CLIENT REVIEW

KMB DESIGN GROUP, LLC  
Stephen A. Bray  
Professional Engineer  
STEPHEN A. BRAY  
JULY 1988  
EX-0770  
MA LICENSE: 4770 116917  
IT IS A VIOLATION OF THE LAW FOR ANY  
PERSON UNLESS THEY ARE ACTING UNDER THE  
DIRECTION OF A LICENSED PROFESSIONAL  
ENGINEER, TO ALTER THIS DOCUMENT

**GENERAL NOTES**

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A  
TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE  
MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT  
DISTURBANCE OR EFFECT ON DRAINAGE; NO SANITARY SEWER  
SERVICE, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED AND  
NO COMMERCIAL SIGNAGE IS (N).

**SITE INFORMATION**

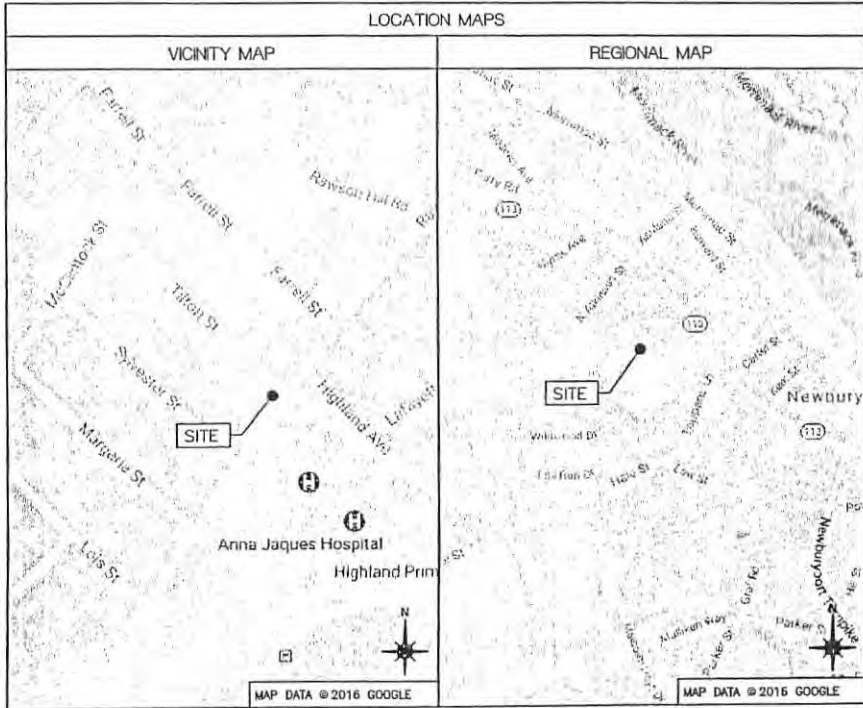
SITE ID:	9MAB001425B
CASCADE ID:	BS90XSF27B
LATITUDE:	42.815290
LONGITUDE:	-70.891645
CROSS STREET:	TILTON ST & RAWSON AVE
CITY, STATE, ZIP:	NEWBURYPORT, MA 01950
COUNTY:	ESSEX COUNTY
JURISDICTION:	NEWBURYPORT CITY
PROPERTY OWNER:	PUBLIC RIGHT-OF-WAY
APPLICANT:	MOBILITE, LLC 120 S RIVERSIDE PLAZA, SUITE 1800 CHICAGO, IL 60606 PHONE: (312) 638-5400

**ENGINEER**

KMB DESIGN GROUP, LLC  
1800 ROUTE 34, SUITE 209  
WALL, NJ 07719  
FOR QUESTIONS EMAIL: DESIGNTEAM@KMBDG.COM  
TEL: (732) 280-5623 FAX: (732) 280-3980 www.KMBDG.com

**DO NOT SCALE DRAWINGS**

CONTRACTORS SHALL VERIFY ALL PLANS, (E) DIMENSIONS & FIELD  
CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE  
ARCHITECT/ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE  
PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.



**PROJECT DESCRIPTION**

END USER PROPOSES TO INSTALL EQUIPMENT ON AN EXISTING  
WOOD LIGHT POLE WITHIN AN EXISTING RIGHT-OF-WAY.  
THE SCOPE WILL CONSIST OF THE FOLLOWING:  
- INSTALL PROPOSED BACKHAUL TRANSPORT EQUIPMENT ON AN  
EXISTING WOOD LIGHT POLE

**CODES**

2009 INTERNATIONAL BUILDING CODE  
NATIONAL ELECTRICAL SAFETY CODE  
TIA/EIA-222-G-2 OR LATEST EDITION  
LOCAL BUILDING/PLANNING CODE

**DRAWING INDEX**

SHEET NO:	SHEET TITLE
T-1	TITLE SHEET
SP-1	EXHIBIT PHOTO & SITE PLAN
EV-2	ELEVATIONS
EV-1	ELEVATIONS
PL-1	PLUMBING & RISER DIAGRAM
EQ-1	EQUIPMENT DETAILS
EQ-2	EQUIPMENT DETAILS
E-1	ELECTRICAL DETAILS
G-1	GROUNDING DETAILS
TC-1	VEHICULAR TRAFFIC CONTROL PLAN
TC-2	PEDESTRIAN TRAFFIC CONTROL PLAN
GN-1	GENERAL NOTES
GN-2	GENERAL NOTES
GN-3	GENERAL NOTES

BS90XSF27B  
NEWBURYPORT, MA 01950  
EXISTING 40'-0" WOOD POLE

SHEET TITLE  
TITLE SHEET

SHEET NUMBER  
T-1







THE COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_ OF \_\_\_\_\_

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2011 DEC 13 AM 8:18

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? 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 Ciorreco 4 Lt. Leary Drive  
Newburyport MA 01950

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.

Business is conducted over the internet from a residence.  
No vehicles are kept in the residential neighborhood.

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 (Yes or No) For what year? 2005-present

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 [Signature]  
(Duly authorized to represent the concern herein mentioned)

Residence 4. St. Leary Dr., Npt.

### 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)

**CNA SURETY**

CNA Plaza, Chicago IL 60635-0001

Jennifer B. Schaller

Counsel

Telephone 312-822-7049

Facsimile 312-755-3737

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

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

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

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

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

Sincerely,

*Jennifer B. Schaller*

Jennifer B. Schaller



*The Commonwealth of Massachusetts*

*Registry of Motor Vehicles*

*One Copley Place, Boston 02116*

Kimberly Hinder  
Registrar

Mail  
P.O. Box 199103  
Boston, MA 02119-0103  
www.rmv.com

November 19, 2004

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

Re: Western Surety Company Bond for Massachusetts

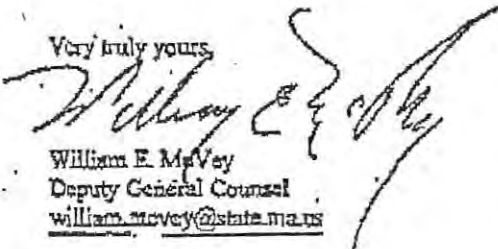
Dear Attorney Schaller:

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](mailto: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. Bruffat  
Paul T. Bruffat, 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. Bruffat 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 25th day of June, 2005.

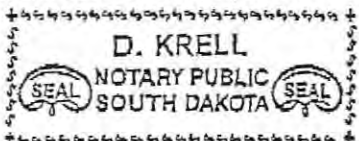
ATTEST

L. Nelson  
Assistant Secretary

WESTERN SURETY COMPANY  
By Paul T. Bruffat  
Paul T. Bruffat, Senior Vice President

STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

On this 25th day of June, 2005, before me, a Notary Public, personally appeared Paul T. Bruffat 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, 2008

D. Krell  
Notary Public



FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE \_\_\_\_\_ ROAD RACE  WALKATHON \_\_\_\_\_

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

Yukan Sports, LLC

2. Name, Address & Daytime Phone Number of Organizer: Rich Macrell 978-879-9007

Yukan Sports LLC

PO Box 780

Rockport, MA 01966

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

4. Date of Event: 4/29/18, 8/19/18, 10/14/18 Expected Number of Participants: 500

5. Start Time: 10 am Expected End Time: 11 am

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

Start & Finish: 40 Parker St.

Parker St to Mulliken Way to Malcolm Hoyt Dr, to Scotland Rd to Highfields Rd to Livingston Lane in Newbury. Runners turn around & return.

7. Locations of Water Stops (if any): Malcolm Hoyt Dr.

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

9. Formation Location & Time for Participants: 40 Parker St 9am

10. Dismissal Location & Time for Participants: 40 Parker St 11am

11. Additional Parade Information:

• Number of Floats: n/a

• Locations of Viewing Stations: n/a

• Are Weapons Being Carried: Yes \_\_\_\_\_ No

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

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

CITY MARSHAL [Signature] 4 Green St.

FIRE CHIEF

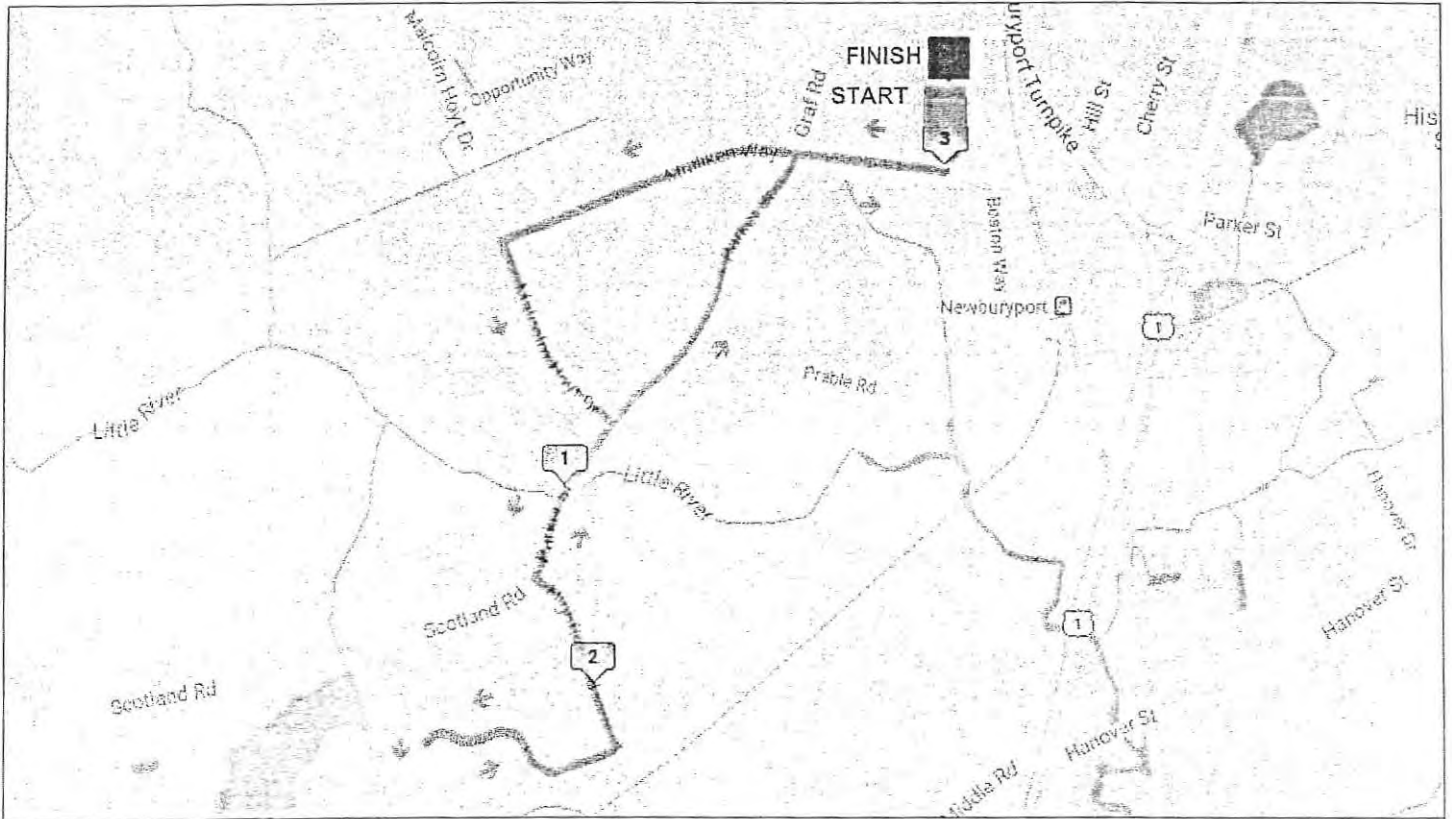
[Signature] 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK

60 Pleasant St.



*Imagine What YuKan Do.*



YuKan Sports, LLC • P.O. Box 780 • Rockport, MA 01966 • [YuKanRun.com](http://YuKanRun.com)

PS  
Rule 7-c  
12/11/17

**NEWBURYPORT SPECIAL EVENT APPLICATION**

978 270 7455 Tel. 978 835 7054 Fax.

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

NAME OF EVENT: 25<sup>th</sup> Annual Newburyport Rotary Frigid Fiver

Date: Sunday January 28th, 2018 Time: from 11:00 Am to 12:30pm

Rain Date: \_\_\_\_\_ Time: from \_\_\_\_\_ to \_\_\_\_\_

2. Location: Riverwalk Brewing, 40 Parker St

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

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

Contact Person Bob Manning & Adam Palombo

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

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

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

5. Number of Attendees Expected: 350

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

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

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

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

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

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

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

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

Name of Carnival Operator: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

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

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

**If yes:**

- a) How many trash receptacles will you be providing? 1 at H2O Stop
- b) How many recycling receptacles will you be providing? Many in Riverwalk Brewery
- c) Will you be contracting for disposal of: Trash Yes  No  Recycling Yes  No
- i. If yes, size of dumpster(s): Trash \_\_\_\_\_ Recycling \_\_\_\_\_
- ii. Name of disposal company: Trash \_\_\_\_\_ Recycling \_\_\_\_\_
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes  No
- iv. If no, where will the trash & recycling be disposed? Riverwalk Brewery

**If no:**

- a) # of trash container(s) to be provided by DPS 0
- b) # of recycling container(s) to be provided by Recycling Office 0
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

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

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

# 2 Standard # \_\_\_\_\_ ADA accessible

Name of company providing the portable toilets: United Site Services



FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE \_\_\_\_\_ ROAD RACE   X   WALKATHON \_\_\_\_\_

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

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

\_\_\_\_\_   X  

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

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

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

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

(2 Police Details Required)

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

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

9. Formation Location & Time for Participants: Riverwalk Brewing on Parker St

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

11. Additional Parade Information: None

• Number of Floats: \_\_\_\_\_

• Locations of Viewing Stations: None

• Are Weapons Being Carried: Yes \_\_\_\_\_ No   X  

• Are Marshalls Being Assigned to Keep Parade Moving: Yes \_\_\_\_\_ No   X  

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

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF Deputy Brady 12/6/17 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 34 Perry Way. CITY CLERK [Signature] 60 Pleasant St.



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

**13-101 Enforcement**

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

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

Signed: Bob Manning Adam Palombo Date: 11-30-17





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/20/2017

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 STAR Insurance - Fort Wayne Office 2130 East Dupont Road  Fort Wayne IN 46825	CONTACT NAME: Margaret Mayers
	PHONE (A/C, No, Ext): (260) 467-5689 FAX (A/C, No): (260) 467-5691
	E-MAIL ADDRESS: margaret.mayers@starfinancial.com
INSURER(S) AFFORDING COVERAGE	
INSURER A: National Casualty Company	NAIC # 11991
INSURER B: Nationwide Life Insurance Co.	66869
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

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

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY		KRO000007170900	12/31/2017 12:01 AM	12/31/2018 12:01 AM	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000
	<input checked="" type="checkbox"/> Legal Liability to Participant \$1,000,000					MED EXP (Any one person) \$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	Abuse & Molestation				PERSONAL & ADV INJURY \$ 1,000,000
	OTHER:	Aggregate \$5,000,000				GENERAL AGGREGATE \$ Unlimited
						PRODUCTS - COMP/OP AGG \$ 1,000,000
						Abuse and Molestation \$ 500,000
A	AUTOMOBILE LIABILITY		KRO000007170900	12/31/2017 12:01 AM	12/31/2018 12:01 AM	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS				BODILY INJURY (Per person) \$
	<input checked="" type="checkbox"/> HIRED AUTOS	<input checked="" type="checkbox"/>				BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
						\$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				AGGREGATE \$
	DED	RETENTIONS				\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	<input type="checkbox"/> Y/N				PER STATUTE
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> N/A				OTH-ER
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. EACH ACCIDENT \$
						E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$
B	Excess Medical & Accident (\$250 Deductible/Claim)		SPX0000028554500	12/31/2017 12:01 AM	12/31/2018 12:01 AM	Excess Medical \$10,000 AD & Specific Loss \$2,500

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

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

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**APPOINTMENTS  
FIRST READING**



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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2018 JAN -2 PM 3:22

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

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: January 2, 2018  
Re: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Council on Aging. This appointment will expire on May 31, 2023.

Annie Maurer  
17 Otis Place Unit 4  
Newburyport, MA 01950



17 Otis Place Unit 4  
Newburyport, MA 01950  
978-872-5244

Newburyport Council on Aging  
331 High Street  
Newburyport, MA 01950

December 20, 2017

To Whom It May Concern:

I am applying for one of the empty seats on the Council on Aging Board. I have been looking for ways to serve my community since retiring in 2015 and see this as an area to which I can bring my experience and talents.

I worked for almost 40 years at St. Ann's Home and School in Methuen as a teacher and as the Curriculum Specialist. In the latter role, I presented workshops on curriculum; mentored and advised teachers; prepared teachers for MCAS testing and scheduled the testing; and chose, adapted, and wrote curriculum that met Massachusetts state standards, among other responsibilities.

I have been active in the First Religious Society Unitarian Universalist since moving to Newburyport in 1996. I have served as co-chair of the Social Action committee and worked on the Adult Education, Community Human Services, and Justice Action Ministry committees. I am a member of the planning group for the Program Council and served on the Parish Board for three years, one year as chair. I am currently part of the Search Committee for a new minister. I have run the annual drive to collect goods for the families served by Emmaus House in Haverhill for the last few years.

In the community, I have been a part of Raise Up Massachusetts and am currently one of the people coordinating its work in the Seacoast area. Lately I have worked with Inidivisible Northern Essex and contributed to their research on changes in the health care laws.

I hope you will consider me for this position. I am serious about fulfilling any responsibilities I take on and would work hard to serve the Council on Aging to the best of my abilities. However, I feel I should mention that I spend several weeks during the summer with family in Canada and would most likely miss the Board meetings in July and August.

Thank you,  
Annie Maurer  
anniemaurer174@gmail.com



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

**ORDERS**

CITY OF NEWBURYPORT



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IN CITY COUNCIL

ORDERED:

January 8, 2018

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from Arnette Polymers, LLC in the amount of \$1,000.00 to be used for the upkeep of city docks in accordance with M.G.L. Chapter 44, Section 53A.

---

Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

CITY OF NEWBURYPORT



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IN CITY COUNCIL

ORDERED:

January 8, 2018

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from LOCO Sports, LLC in the amount of \$500.00 in appreciation of use of the Clipper City Rail Trail for the Harborside Half Marathon/5K to be placed into the Parks Gifts & Donations Account in accordance with M.G.L. Chapter 44, Section 53A.

---

Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

CITY OF NEWBURYPORT



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IN CITY COUNCIL

ORDERED:

January 8, 2018

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from the Newburyport Parks Conservancy in the amount of \$9,600.00 for the care of Newburyport city parks to be placed into the Parks Gifts & Donations Account in accordance with M.G.L. Chapter 44, Section 53A.

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Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

CITY OF NEWBURYPORT



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IN CITY COUNCIL

ORDERED:

January 8, 2018

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:** Fair St.

**Restriction:** No parking on the westerly side of Fair Street within 15 feet of its intersection with Essex Street, moving northerly.

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 Jared J. Eigerman



CITY OF NEWBURYPORT



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IN CITY COUNCIL

ORDERED:

January 8, 2018

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:** Fruit St.

**Restriction:** No Parking Fruit Street, West Side of the street from a point 162' north of High Street to a point 171' north of High Street. No Parking Here to Driveway.

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 Jared J. Eigenman

ORDINANCES

## CITY OF NEWBURYPORT




---

 IN CITY COUNCIL

January 8, 2018

**ORDERED:  
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEWBURYPORT**

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

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

**Section V-G: Medical marijuana treatment centers.**

The Newburyport Zoning Ordinance, Section V-G, entitled "Medical marijuana treatment centers" is hereby amended by deleting subsection C (Establishment) in its entirety, and replacing said subsection with the following:

**C. Establishment.**

*Medical Marijuana Overlay District: A Medical Marijuana Overlay District (MMOD) is hereby established as an overlay zoning district consisting of all such parcels of land depicted on the Newburyport zoning map within the following areas:*

1. *All that portion of the I1 District South of Stanley Tucker Drive, North of Parker Street and West of Malcolm Hoyt Road.; and*
2. *All of the following properties within the I1 District located North of Parker Street, East of Malcolm Hoyt Road and southeasterly of Stanley Tucker Drive: Assessors Map-Lot(s) 79-1-A (108 Parker Street), 79-2-C (2 Malcolm Hoyt Road), 79-3-C (4 Malcolm Hoyt Road), 79-3-B (11 Mulliken Way), 79-6 (12 Mulliken Way), 82A-24 (2 Opportunity Way), 82A-15 (10 Malcolm Hoyt Road) and 82A-14 (12 Malcolm Hoyt Road).*

*Underlying Zoning: Within the MMOD, all the other provisions of the zoning ordinance, including, but not limited to, those specific to any underlying districts, shall remain in full force and effect except to the extent that the provisions of this section apply, in which case the requirements of the MMOD shall control.*

*Land within the MMOD may be used either for:*

- i. *A MMTC, in which case the requirements set forth in this section shall apply; or*

- ii. *A use allowed in the underlying district, in which case the requirements of the underlying district shall apply.*

*If the provisions of the MMOD are silent on a zoning regulation, the requirements of the underlying district shall apply. To the extent that there is a conflict between other provisions of the zoning ordinance and the provisions of this section, then the provisions of this section shall control.*

*SPGA: Consistent with Subsection V-G(D), the planning board shall serve as the special permit granting authority (SPGA) in administering this section.*

The Newburyport Zoning Ordinance, Section V-G, entitled "Medical marijuana treatment centers" is hereby amended by deleting the second sentence of subsection D (Permitting procedure and criteria) in its entirety, and replacing said sentence with the following:

*The planning board shall act as the SPGA for purposes of this section, and it shall review and may deny, approve, or approve with conditions all applications hereunder in accordance with the procedures listed in Subsection X-H.8.*

### **Section III-C: Zoning Map.**

The Zoning Map of said Zoning Ordinance entitled "Zoning Map of the City of Newburyport" is hereby amended pursuant to Section III-D "Changes to Zoning Map" such that the forgoing areas and individual properties, as listed in Section V-G(C), are included within the boundaries of the Medical Marijuana Overlay District (MMOD).

Councillor Heather L. Shand