

CITY COUNCIL MEETING AGENDA - VERSION 1
CITY COUNCIL CHAMBERS
MARCH 12, 2018

7:30PM

(Sound Check)

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

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

February 26, 2018

(Approve)

8. TRANSFERS

- **TRAN005_03_12_18** Bresnahan Building Proj \$42,390 to Nock Elevator Proj \$42,390 (B&F)

9. COMMUNICATIONS

- **COMM016_03_12_18** Merrimack Valley Planning Commission FY2019 Assessment (B&F)
- **COMM017_03_12_18** 61st Yankee Homecoming (PS)
- **COMM018_03_12_18** Pan Mass Challenge Kids Ride - 6/10/2018 (PS)
- **COMM019_03_12_18** GNOCA 5K Run/Walk - 9/30/2018 (PS)
- **COMM020_03_12_18** Newburyport Half Marathon - 10/21/2018 (PS)

10. APPOINTMENTS

Re-Appointments

- | | | | | |
|---------------------------|----------------------|------------------|------------------------------|-----------|
| • APPT009_03_12_18 | Madeline Nash | 19 Arlington St | Affordable Housing Trust | 5/1/2020 |
| • APPT010_03_12_18 | Judy Tymon | 39 Lime St | Affordable Housing Trust | 4/1/2020 |
| • APPT011_03_12_18 | Michael Disette | 44 Jefferson St | Community Pres Act | 3/1/2021 |
| • APPT012_03_12_18 | Daniel J. Koen | 16 Boyd Dr | Community Pres Act | 2/1/2020 |
| • APPT013_03_12_18 | Joseph C. Teixeira | 44 Hale St | Conservation Commission | 3/1/2021 |
| • APPT014_03_12_18 | Marian Leighton Levy | 323 Merrimac St | Fruit St Local Historic Dist | 12/1/2020 |
| • APPT015_03_12_18 | Edmund R. McGrath | 28 Olive St | Historical Commission | 3/31/2021 |
| • APPT016_03_12_18 | David St. Cyr | 25 Tyng St | NRA | 9/1/2018 |
| • APPT017_03_12_18 | Robert Uhlig | 10 Ocean St | NRA | 9/1/2018 |
| • APPT018_03_12_18 | Ann Dykes | 12 Munroe St | Parks Commission | 4/1/2023 |
| • APPT019_03_12_18 | Ann M. Lagasse | 1 Piper's Quarry | Parks Commission | 2/1/2023 |

END OF CONSENT AGENDA
REGULAR AGENDA

11. MAYOR'S UPDATE

12. COMMUNICATIONS

- COMM021_03_12_18 2018 City Council Schedule

13. APPOINTMENTS

Second Reading

- APPT008_02_26_18 Richard Traister, M. D. 325 Merrimac St Disabilities Comm 3/31/21

14. ORDERS

- ORDR013_03_12_18 Newburyport High School Statement of Interest
- ORDR014_03_12_18 Crosswalks on Rawson Ave and Turkey Hill Rd

15. ORDINANCES

- ODNC006_02_12_18 Amendment to Administration of the City Council (2nd Reading)
- ODNC009_02_12_18 Floating Homes, Houseboats, and Related Marinas
- ODNC010_03_12_18 Lot Area Calculations for Residential Districts
- ODNC011_03_12_18 Zoning Map Change - Low Street Farms

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- ORDR006_01_29_18 Adjustments to Income and Int Rate for 41A Deferral
- ORDR007_01_29_18 41C Amendment
- COMM012_01_29_18 LATE FILE Memo re: MGL Chapter 59, Section 5
- TRAN004_02_12_18 Essex North Shore Tech \$6.5K to HS Addition Feasibility \$6.5K (JE)

General Government

In Committee:

- ODNC019_12_11_17 Recommended Additions to Chapter 2, Article III, Division 6, Section 2-125a
- ODNC007_02_12_18 Amendment to Division 7 – City Solicitor
- COMM015_02_26_18 Ltr re: City of Newburyport Charter Amendments
- ORDR012_02_26_18 Intermunicipal Agreement Animal Control Extension through 6/30/2019

Joint Education

In Committee:

- TRAN004_02_12_18 Essex North Shore Tech \$6.5K to HS Addition Feasibility \$6.5K (B&F)

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:

- **ODNC017_10_30_17** Zoning Amendment – No Use Variances (**COTW**)
- **COMM122_11_27_17** Mobilitie Application/ Small Cell Utility Petition (re-file) (**PU**)
- **ODNC001_01_08_18** Medical Marijuana Zoning Map
- **ORDR008_01_29_18** Mobilitie Grant of Location (**PU**)
- **ODNC003_01_29_18** Zoning - Amendment to Table of Use Regulations
- **ODNC004_01_29_18** Amendment to Zoning Map
- **ODNC008_02_12_18** Disposition of G. W. Brown School

Public Safety

In Committee:

- **ODNC002_01_29_18** Noise Division to Chapter 8-Referred 2/12/18

Public Utilities

In Committee:

- **COMM122_11_27_17** Mobilitie Application/ Small Cell Utility Petition (re-file) (**P&D**)
- **ORDR008_01_29_18** Mobilitie Grant of Location (**P&D**)

Rules Committee

In Committee:

16. GOOD OF THE ORDER

17. EXECUTIVE SESSION

18. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
FEBRUARY 26, 2018

7:30PM

The City Council President, Barry Connell, called the meeting to order at 7:30pm. A moment of silence was held for Arnold Lessard, the Victims of the Florida shooting, and Charles Fraley, followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Khan, OBrien, Shand, Tontar, Vogel, Zeid, Devlin, Earls, Eigerman, Giunta, Connell. 11 present, 0 absent.

(Sound Check)

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

CONSENT AGENDA

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7. APPROVAL OF MINUTES

February 12, 2018

(Approve)

8. TRANSFERS

- **NONE**

9. COMMUNICATIONS

- **COMM014_02_26_18** FY2018 Mid-Year Report Summary & Supplemental Information (R&F)
Motion to amend, to change from Budget & Finance to Receive & File, by Councillor Zeid, seconded by Councillor Tontar. So voted.
- **COMM015_02_26_18** Ltr re: City of Newburyport Charter Amendments (GG)
Councillor Giunta changed from Receive & File to General Government.

10. APPOINTMENTS

- **APPT008_02_26_18** Richard Traister, M. D. 325 Merrimac St Disabilities Comm 3/31/21

END OF CONSENT AGENDA
REGULAR AGENDA

Motion to approve the Consent Agenda as amended by Councillor Zeid, second by Councillor Tontar. So voted.

11. MAYOR'S UPDATE

None given.

12. APPOINTMENTS

- **APPT006_02_12_18** Keith Hogan **Second Reading** 3 Bartlett Dr Trust Fund Comm 3/1/21

Re-Appointments

- **APPT007_02_12_18** Sean Bradley 31 Wildwood Dr Waterfront Trust 12/31/23
Motion to approve second reading collectively appointments by Councillor Zeid, seconded by Councillor Khan.
Roll call vote, 11 yes. Motion passed.

13. ORDERS

- **ORDR012_02_26_18** Intermunicipal Agreement Animal Control Extension through 6/30/2019
Motion to refer to General Government by Councillor Tontar, seconded by Councillor Zeid. So voted.

14. ORDINANCES

- NONE

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **COMM004_01_29_18** FY2018 Mid-Year Budget Report
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. Motion to receive and file by Councillor Tontar, seconded by Councillor Giunta. So voted.
- **ORDR006_01_29_18** Adjustments to Income and Int Rate for 41A Deferral
- **ORDR007_01_29_18** 41C Amendment
- **COMM012_01_29_18 LATE FILE** Memo re: MGL Chapter 59, Section 5
- **TRAN002_02_12_18** Essex North Shore Tech \$9K to Elections \$5K, Legal Ads \$1K, Ordinance Recodification \$3K
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. Motion to approve by Councillor Tontar, seconded by Councillor OBrien. So voted.
- **TRAN003_02_12_18** RSV APP – DPW Gas \$50K to DPS Highway – Fuel/Oil \$50K
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. Motion to approve by Councillor Tontar, seconded by Councillor Khan. So voted.
- **TRAN004_02_12_18** Essex North Shore Tech \$6.5K to HS Addition Feasibility \$6.5K (JE)

General Government

In Committee:

- **ODNC019_12_11_17** Recommended Additions to Chapter 2, Article III, Division 6, Section 2-125a
- **ODNC007_02_12_18** Amendment to Division 7 – City Solicitor

Joint Education

In Committee:

Councillor Giunta reminded the next meeting is March 5th at 5:30pm in the Senior/Community Center.
School Committee Budge Hearing February 27, 2018 6:30 pm Senior Center

- **TRAN004_02_12_18** Essex North Shore Tech \$6.5K to HS Addition Feasibility \$6.5K (B&F)

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

Councillor Eigerman gave an update on ODNC001_01_08_18 and ODNC008_02_12_18.

In Committee:

- **ODNC017_10_30_17** Zoning Amendment – No Use Variances (**COTW**)
- **COMM122_11_27_17** Mobilitie Application/ Small Cell Utility Petition (re-file) (**PU**)
- **ODNC001_01_08_18** Medical Marijuana Zoning Map
Joint meeting with Committee of the Whole and Planning Board on March 21, 2018
- **ORDR008_01_29_18** Mobilitie Grant of Location (**PU**)
- **ODNC003_01_29_18** Zoning - Amendment to Table of Use Regulations
- **ODNC004_01_29_18** Amendment to Zoning Map
- **ODNC008_02_12_18** Disposition of G. W. Brown School
Meeting on Wednesday February 28, 2018 in the City Hall Auditorium

Public Safety

In Committee:

- **ODNC002_01_29_18** Noise Division to Chapter 8-Refered 2/12/18

Public Utilities

In Committee:

- **COMM122_11_27_17** Mobilitie Application/ Small Cell Utility Petition (re-file) (**P&D**)
- **ORDR008_01_29_18** Mobilitie Grant of Location (**P&D**)

Rules Committee

In Committee:

- **ORDR010_02_12_18** Proposed Redraft of 2018 City Council Rules
Motion to remove from Rules by Councillor Vogel, seconded by Councillor Zeid. So voted. Motion to strike Rule 2A by Councillor Earls, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed. Motion to amend Rule 7A, to increase from eight to nine standing committees and add “Committee on Rules”, by Councillor Vogel, seconded by Councillor Earls. Roll call vote, 10 yes, 1 no (OBrien). Motion passed. Motion to strike references to indefinite postponement from Rule 9E by Councillor Eigerman, seconded by Councillor Vogel. So voted. Motion to amend Rule 16, by adding “new” before “measures” on Line 2 and “notwithstanding the preceding sentence” to Line 4, and further pursuant to text coming from Councillor Eigerman, by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed. Motion to amend Rule 17, to change from fifth to fourth calendar day, by Councillor Tontar, seconded by Councillor Eigerman. Roll call vote, 11 yes. Motion passed. Motion to amend Rule 18A(2), to increase from five minutes to ten minutes, by Councillor Vogel, seconded by Councillor Tontar. Motion to increase from five minutes to seven minutes by Councillor Eigerman. Friendly amendment accepted by Councillor Vogel and Councillor Tontar. Roll call vote, 10 yes, 1 no (Connell). Motion passed. Motion to amend Rule 18A(4), to change from twenty-four hours before the meeting to 11:00am the day of the meeting, by Councillor Zeid, seconded by Councillor OBrien. Roll call vote, 11 yes. Motion passed. Motion to add City Solicitor in Rule 20 by Councillor Zeid, seconded by Councillor Devlin. Withdrawn. Motion to adopt as amended by Councillor Vogel, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed.
- **ODNC006_02_12_18** Amendment to Administration of the City Council
Motion to remove from Rules by Councillor Vogel, seconded by Councillor Giunta. So voted. Motion to amend Section 2-28 by deleting the underlined portions and changing “adjournment is” to “otherwise” by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed. Motion to amend Section 2-31 by adding the committee on rules by Councillor Eigerman, seconded by Councillor

Zeid. Roll call vote, 11 yes. Motion passed. Motion to amend Section 2-32 by changing “city hall” to “city council chambers” by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote 11, yes. Motion passed. Motion to add Section 2-73.3 for committee on rules by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed. Motion to approve as amended by Councillor Zeid, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed.

16. GOOD OF THE ORDER

17. EXECUTIVE SESSION – Small Cell Utility Petition

Motion to go into Executive Session by Councillor Vogel, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 no (Devlin). Motion passed. The Council President stated the council could not come back into open session. Motion to come out of Executive Session by Councillor Vogel, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 no (Devlin). Motion passed.

18. ADJOURNMENT

Motion to adjourn by Councillor Zeid, seconded by Councillor Tontar. So voted. 9:54pm.

TRANSFERS



City of Newburyport

FY 2018

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2018 MAR -6 AM 11:43

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 3/12/2018

Transfer From:

Account Name	<u>Bresnahan School Building Project</u>	YTD Bal:	\$ 820,148.35
Account Number:	<u>4501-59600</u>	Category:	\$ -
Amount:	<u>\$42,390.00</u>	Trans I/O:	\$ (132,446.96)
Why are Funds Available:	<u>Remaining funds following the final reimbursement from the MSBA.</u>		
<u>If approved, a balance of \$777,758 will remain for other capital projects.</u>			

Transfer To:

Account Name	<u>Nock Elevator Modernization Project</u>	YTD Bal:	\$ 289,625.00
Account Number:	<u>3707-49700</u>	Category:	\$ -
Amount:	<u>\$42,390.00</u>	Trans I/O:	\$ 163,710.00
Why are Funds Required:	<u>See attached explanatory memorandum. Prior appropriations were made in March 2017 for \$140,000 and \$163,710 in December 2017. General contract bids were opened 2/28/18 coming in above the estimate.</u>		

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

Donna D. Holaday
Eth R. Manning

Date: 3/5/18
 Date: 3/5/18



Newburyport Public Schools

Facilities Department
241 High Street
Newburyport, MA 01950

R. A Nock Middle School Elevator Modernization

March 5, 2018

On February 7, 2018 plans and specifications for the Nock Elevator Project were made available to bidders through the document distribution site Project Dog. The project was advertised in the Central Register, on CommBuys and in the local newspaper. Additionally, notifications were sent directly to both elevator and general contractors with which Newburyport Public Schools and Garcia, Galuska and Desousa have worked in the past.

A pre-bid walk-through was held on February 14th. It was not mandatory for bidders to attend the walk-through. Embree Elevator and Campbell Construction attended.

Filed sub-bids from elevator contractors were received and opened on February 21st. The estimated cost for the elevator work was \$175,000. Bids were submitted by Embree Elevator (\$169,500) and Eagle Elevator (\$195,000). These bids were then made available for use by general contract bidders.

General contract bids were received and opened on February 28th. The estimated total project cost, including a 10% contingency was \$282,660. Campbell Construction submitted the only general bid at \$295,500.

As a result, we are requesting a transfer of \$42,390 which is the difference between the estimated cost and the bid from Campbell Construction, plus a 10% contingency.

COMMUNICATIONS



Merrimack Valley
Planning Commission
*plan * develop * promote*

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 MAR -2 PM 12: 11

February 23, 2018

Board of Assessors
City of Newburyport
Pleasant Street
Newburyport, MA 01950

Dear Assessors:

In accordance with Chapter 40B of the General Statutes and Chapter 849 of the Acts of 1969, I hereby certify that the Merrimack Valley Planning Commission has determined the proportion of its expenses for Fiscal Year 2019 to be paid by the City of Newburyport to be \$6,511.79. This figure is based on the following computations:

Community	2010 Population	Per Capita Rate	Assessment Amount
Amesbury	16,283	\$0.37390	\$6,088.16
Andover	33,201	\$0.37390	\$12,413.75
Boxford	7,965	\$0.37390	\$2,978.09
Georgetown	8,183	\$0.37390	\$3,059.60
Groveland	6,459	\$0.37390	\$2,415.00
Haverhill	60,879	\$0.37390	\$22,762.48
Lawrence	76,377	\$0.37390	\$28,557.13
Merrimac	6,338	\$0.37390	\$2,369.76
Methuen	47,255	\$0.37390	\$17,668.50
Newbury	6,666	\$0.37390	\$2,492.40
Newburyport	17,416	\$0.37390	\$6,511.79
North Andover	28,352	\$0.37390	\$10,600.73
Rowley	5,856	\$0.37390	\$2,189.54
Salisbury	8,283	\$0.37390	\$3,096.99
West Newbury	4,235	\$0.37390	\$1,583.45

Please, therefore, include the amount of \$6,511.79 in the Fiscal Year 2019 tax levy of the City of Newburyport as required under Chapter 40B and Chapter 849.

Very Truly Yours,

James H. Barnes
Treasurer

cc: City Council
Finance Committee

160 Main Street, Haverhill, MA 01830

phone - 978.374.0519 • fax - 978.372.4890

Serving the communities of:

Amesbury Andover Boxford Georgetown Groveland Haverhill Lawrence Merrimac Methuen
Newbury Newburyport North Andover Rowley Salisbury West Newbury



Merrimack Valley
Planning Commission
*plan * develop * promote*

February 23, 2018

Julie Languirand, Treasurer
City of Newburyport
Pleasant Street
Newburyport, MA 01950

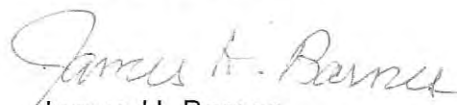
Dear Ms. Languirand:

In accordance with Chapter 40B of the General Statutes and Chapter 849 of the Acts of 1969, the Merrimack Valley Planning Commission has determined the City of Newburyport's share of its Fiscal Year 2019 financial requirements to be \$6,511.79.

This amount is required by law to be paid, under the provisions of Chapter 40B and Chapter 849, on July 1, 2018 or as soon as possible thereafter.

Please send your payment to: Merrimack Valley Planning Commission
160 Main Street
Haverhill, Massachusetts 01830

Very Truly Yours,


James H. Barnes
Treasurer

Enclosure

cc: Board of Assessors
City Council

Yankee Homecoming

★ CELEBRATE SEAPORT PRIDE ★
July 28 - August 5, 2018

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2018 MAR -5 PH 1:27

February 28, 2018

Newburyport City Council
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

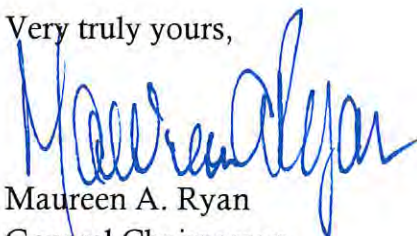
Dear Members of the Newburyport City Council:

My name is Maureen Ryan and I am the General Chairperson for the 61st Yankee Homecoming. My theme for this year's Yankee Homecoming is "**Celebrate Seaport Pride**". It is my hope to encompass the rich maritime history, charm and recreational offerings of this beautiful port city, while shining a light on the community pride and commitment so many Newburyport residents share. I look forward to bringing both "old and new" together so that residents, our neighboring towns and visitors alike will feel the same sense of community I cherish, and help Yankee Homecoming grow in the years to come.

As in the past, on behalf of the Board of Directors and Committee, I am requesting the use of the City of Newburyport, its streets, throughways and city parks. The use of the City of Newburyport will allow me to provide a more broad area to engage and provide the citizens of Newburyport and our visitors a wide variety of historical and enjoyable events during our 8 day event. I respectfully ask that you grant my request.

I look forward to serving as the General Chairperson of this long-standing community festival and becoming part of Yankee Homecoming's tradition and history. If you should have any questions, please feel free to contact me via email at maureenryan2004@yahoo.com or 978.518.5768. Thank you for your consideration.

Very truly yours,



Maureen A. Ryan
General Chairperson
2018 Yankee Homecoming

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Tel. Fax.

(For Parades, Road Races and Walkathons Only - Please complete page 3 of this application) 4:08

NAME OF EVENT: The Greater Newburyport Pan Mass Challenge Kids Ride

Date: Sunday, June 10, 2018 Time: from 8 AM to 1 PM

Rain Date: _____ Time: from _____ to _____

2. Location: Cashman Park and The Clipper City Rail Trail

3. Description of Property: Cashman Park, Rail Trail Public Private _____

4. Name of Organizer: Kelly Mahon City Sponsored Event: Yes _____ No

Contact Person
Address: 36 Beacon Avenue Nbpt. Telephone: 631-793-5776

E-Mail: Kellymahon@comcast.net Cell Phone: _____

Day of Event Contact & Phone: 631-793-5776

5. Number of Attendees Expected: ≈ 100 riders and 30 volunteers

6. MA Tax Number: 04-2746912

7. Is the Event Being Advertised? yes Where? website, Daily News, local media

8. What Age Group is the Event Targeted to? ≈ 3-13 years old

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

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

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

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

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

Name of Carnival Operator: _____

Address: _____

Telephone: _____

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

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

If yes:

- a) How many trash receptacles will you be providing? 4
- b) How many recycling receptacles will you be providing? 2
- c) Will you be contracting for disposal of : **Trash** Yes No **Recycling** Yes No
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

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:

Pan Mass Challenge

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

Kelly Mahon
36 Beacon Avenue - Newburyport, MA
(631)-793-5776

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

Kelly Mahon
36 Beacon Avenue - Newburyport, MA
(631)-793-5776

4. Date of Event: Sunday, June 10, 2018 Expected Number of Participants: ~ 100

5. Start Time: 10:00 AM Expected End Time: 11:00 AM

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

PMC Kids Ride begins at Cashman Park and continues to Clipper City Rail Trail. Riders ride on the Rail Trail to the end and turn around before Parker Street.

7. Locations of Water Stops (if any): 1 water stop at the turn around point

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

9. Formation Location & Time for Participants: Cashman Park - registration 9 AM

10. Dismissal Location & Time for Participants: Cashman Park - festivities end 12 pm

11. Additional Parade Information:

- Number of Floats: 0
- Locations of Viewing Stations: 0
- 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. DEPUTY DPW [Signature] 0 Greenleaf St.
 FIRE CHIEF
 DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.
 Fire Chief

DEPARTMENT APPROVAL (for Committee Member use only):

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

Approval Required Date: _____ Signature _____

___ 1. Special Events: _____

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

___ 3. Traffic, Parking & Transportation: _____

___ 4. ISD/Health: _____

___ 5. Recycling: _____

___ 6. ISD/Building: _____

___ 7. Electrical: _____

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

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

___ 10. Recreation Department: _____

___ 11. License Commission _____

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriated in the sole judgment of the council, the application will be considered approved if the council votes favorably by majority. The application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

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

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by police, fire, department of public services, parks commission and harbormasters departments prior to submission to the city clerk.

(4) *Electronic amplifier.* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 a.m., except for Sundays when electronic amplifiers, loud speakers or bullhorns will not be used for public address announcements or music before 9:00 a.m.

(5) *Road closure.* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

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

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

(7) *Event termination.* If in the judgment of the city marshal, fire chief or department of public services (DPS) director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.

(8) *Event and traffic security.* The city marshal, fire chief, DPS director or in the case of a triathlon, the harbormaster can require special duty personnel to assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *Clean-up.* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

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

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

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

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

(e) *Enforcement.*

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

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

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

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the city clerk and city council and shall be used as a factor in future application approvals and denials.

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

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

Signed: _____

Kelly Mahon

Date: _____

1/29/18



2017 PMC Kids Rides Fact Sheet

The Program:

In 2016, 30 PMC Kids Rides attracted over 4,000 young cyclists and 1,500 volunteers. The program raised more than \$723,000 as part of the Pan-Mass Challenge's (PMC) \$47 million gift to Dana-Farber Cancer Institute. PMC Kids Rides are mini bike-a-thons that involve children ages 2 to 15 in the PMC mission by providing them the opportunity to fight cancer just like adults. From a short obstacle course for tricycles to a 26-mile trek, the PMC Kids Rides vary in terrain and mileage to engage and challenge young cyclists of all skill levels. Some have music, games and food. Others have silent auctions, character appearances and face painting. To date, the PMC Kids Rides program has raised more than **\$7.2 million** for the PMC. The PMC Kids Rides program is presented by Yawkey Foundations. Program sponsors include, New Balance Spark Start, Yasso, 105.7 WROR, Stop & Shop, '47, Landry's Bicycles and Clif Kid. For more information about the PMC Kids Ride program, please visit www.kids.pmc.org or contact Justine Darmanian at 781-343-4012 or justine@pmc.org.

The Mission:

As a spoke in the PMC wheel, PMC Kids Rides draw young cyclists into the organization's mission: raising money for adult and pediatric patient care and cancer research at Dana-Farber Cancer Institute. In addition to promoting athletic fitness and physical activity, the program engages youth in philanthropy and teaches them the value of working for the benefit of others. These rides will help kids bring the PMC, and its values, to the next generation.

The History:

The original PMC Kids Ride sprouted as a grassroots effort in 1998 when 13 children rode around their Medfield neighborhood 25 times and raised \$1,600. The official PMC Kids Rides program began in 2005 and throughout the past 11 years, PMC Kids Rides have continued to form throughout New England and beyond as parents and children invite neighbors with tricycles, training wheels and two-wheelers to get involved.

The Fundraising:

Children have a fundraising commitment of \$25 and are asked to raise money by requesting contributions from family members, friends, and neighbors. A registration fee of \$10 or more is collected from each participant. Each rider who raises \$250 or more will be honored as a PMC Kids Heavy Hitter, and riders who raise over \$750 will be honored as a PMC Kids Breakaway Fundraiser. Both PMC Kids Heavy Hitters and Breakaway Fundraisers will be recognized with a special PMC item and certificate to distinguish their achievement.

Growth:

<u>Year</u>	<u>Number of Rides</u>	<u>Riders</u>	<u>Volunteers</u>	<u>Contribution</u>	<u>Parental Support</u>
1998	1			\$1,600	
2005	13	1,611		\$138,098	
2006	17	2,519		\$268,349	
2007	23	3,499		\$465,106	
2008	26	4,853		\$728,000	
2009	31	5,438	1,972	\$677,000	
2010	35	5,301	2,030	\$837,000	4,500
2011	33	5,100	2,000	\$809,265	4,300
2012	33	4,475	2,300	\$829,000	4,000
2013	37	4,670	2,300	\$778,206	4,000
2014	29	3,700	1,800	\$630,000	3,500
2015	34	4,300	1,900	\$731,797	4,000
2016	30	4,100	1,500	\$723,689	3,800
2017	GOAL 35	4,500	1,800	\$820,000	4,000



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
02/16/2018

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

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

PRODUCER MARSH USA, INC. 99 HIGH STREET BOSTON, MA 02110 Attn: Boston.Certrequest@marsh.com Fax: 212-948-4377	CONTACT NAME: PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS:														
233684-Cas-GL-17-18	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;">INSURER(S) AFFORDING COVERAGE</th> <th style="width: 20%;">NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A : The American Insurance Company</td> <td></td> </tr> <tr> <td>INSURER B : N/A</td> <td>N/A</td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : The American Insurance Company		INSURER B : N/A	N/A	INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER B : N/A	N/A														
INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															

COVERAGES **CERTIFICATE NUMBER:** NYC-010238057-01 **REVISION NUMBER:** 4

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			XXC80506790	07/10/2017	08/01/2018	EACH OCCURRENCE	\$ 2,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
							MED EXP (Any one person)	\$ EXCLUDED
							PERSONAL & ADV INJURY	\$ 2,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
							Host Liquor Liability	\$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE	\$
							OTH-ER	\$
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Re: For the use of Newburyport Kids Ride occurring on June 10,2018 in Newburyport, MA.
 City of Newburyport is included as additional insured where required by written contract.

CERTIFICATE HOLDER

CANCELLATION

City of Newburyport City Clerk's Office, 60 Pleasant Street Newburyport, MA 01950	<p>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</p> <hr/> AUTHORIZED REPRESENTATIVE of Marsh USA Inc. Elizabeth Stapleton <i>Elizabeth Stapleton</i>
---	---

AGENCY CUSTOMER ID: 233684

LOC #: Boston



ADDITIONAL REMARKS SCHEDULE

Page 2 of 2

AGENCY MARSH USA, INC.		NAMED INSURED Dana-Farber Cancer Institute Attn: Melissa Chammas 450 Brookline Ave. Boston, MA 02215-5450	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

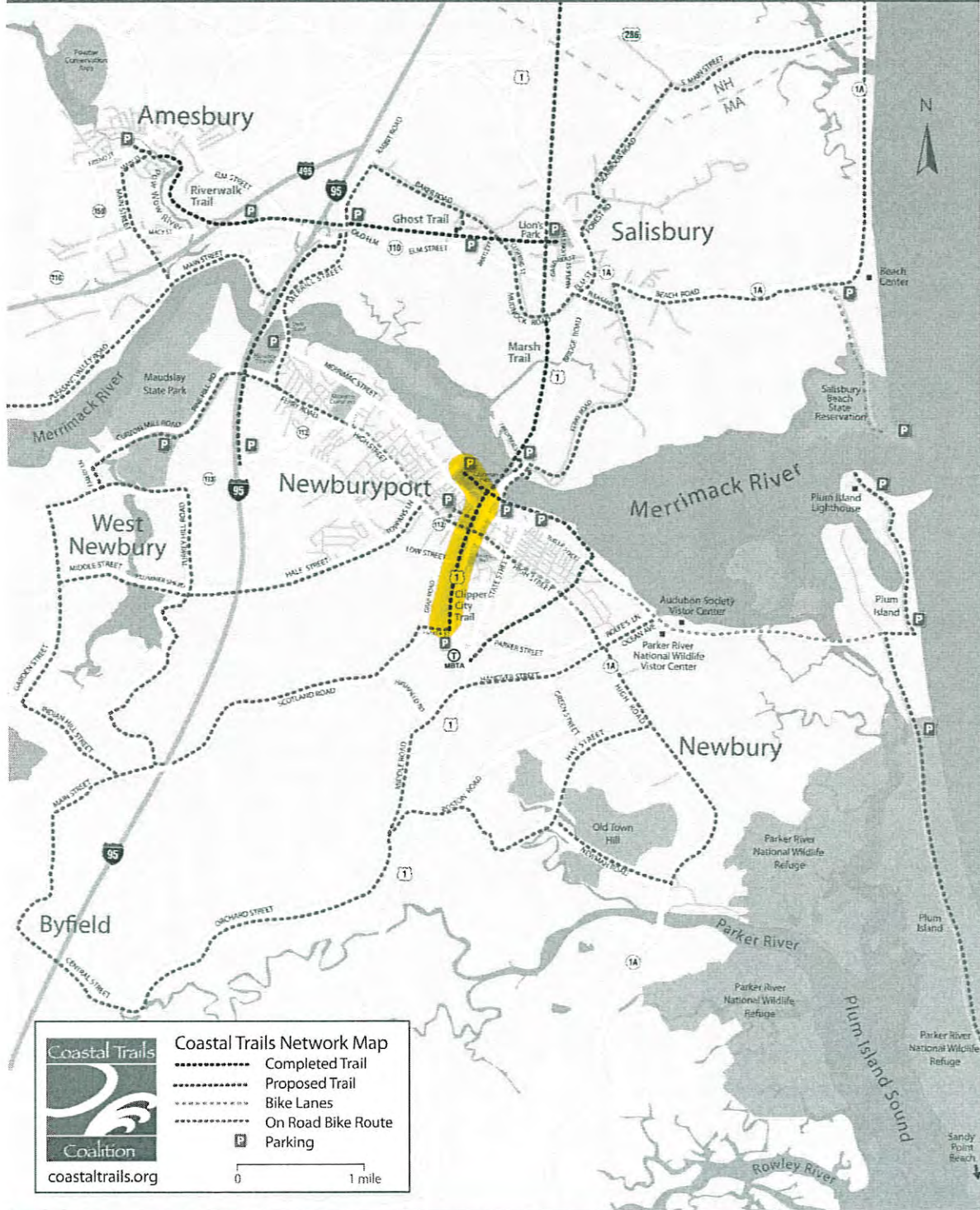
FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance

General Liability Cont.
Carrier Information: Federal Insurance Company
Policy number: 9908-23-65
Policy dates: 07/10/2017-08/01/2018
Accident & Health:
\$100,000 per Accident Aggregate
\$50,000 Accident Medical Expense
\$2,500 Principal Sum

Explore the Coastal Trails



Newburyport · Salisbury · Newbury · Amesbury



Coastal Trails Coalition
coastaltrails.org

Coastal Trails Network Map

- Completed Trail
- Proposed Trail
- Bike Lanes
- On Road Bike Route
- Parking

0 1 mile

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

February 20, 2018

2018 FEB 23 AM 11:41

Members of the Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Members of the Newburyport City Council,

I am writing to ask your permission to hold the 7th Annual GNOCA 5K Run/Walk, in honor of Jackie Poor and Paula Holm, in Newburyport, on Sunday, September 30, 2018, 10:00 am – 1pm.

The Greater Newburyport Ovarian Cancer Awareness (GNOCA) was founded by Deb Green and Elaine Carroll, Newburyport businesswoman and resident. We raise money for Ovarian Cancer for the Cure, a non-profit organization, located in Natick. Ovarian Cancer for the Cure is devoted to educating the public on the signs and symptoms of ovarian cancer. Ovarian cancer is a particularly devastating cancer for women. It has a nearly 50% mortality rate because the symptoms often go unnoticed until it is in its later stages. GNOCA holds events from June through September, which is National Ovarian Cancer Awareness month.

The Winners Circle Running Club and the Joppa Flats Running Club will be providing timing and consultation services for us again this year. The clubs are very experienced with 5K races and will help insure that the event will run smoothly.

I have included the 5K run route used last year. The 3.1 mile route begins and ends at Michael's Harborside Restaurant, 1 Tournament Wharf, who will also be providing the parking. It then travels along Merrimac to Jefferson, onto High, then Kent, onto Washington and follow the Rail Trail, finishing at Michael's Harborside. Please see the attached map. As in the past, we will hire a police detail for traffic control and runner safety.

If acceptable we would like to have the walkers follow a different route than the runners. The walker's route begins and ends at Michael's Harborside (same as runners). The walkers turn left onto Merrimac St., right onto Federal St., right onto Liberty St., onto State Street, right onto High St., right onto Broad Street cross Merrimac Street to Cashman Park. Walkers Continue along the Rail Trail ending at Michael's Harborside. Please see enclosed map.

We prefer this route for walkers as it is more interesting and exposes the walkers to the Farmer's Market at the Tannery and downtown merchants.

Thank you so much for your support in previous years. I look forward to working with the council. If you have any questions or concerns, please feel free to contact me at 978-462 0117 or info@ocawareness.org

Sincerely,



Stella McCormick

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT: 8th Annual GNOCA 5k walk/run in honor of Paula Holm + Jackie Pos...

Date: Sunday Sept. 30 2018 Time: from 10 am to 1 pm

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

2. Location: Michaels Harborside, 1 Tournament Wharf

3. Description of Property: Restaurant Public _____ Private _____

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

Contact Person Stella McCormick

Address: 16 Norman Ave Telephone: 978 462 0117

E-Mail: sacmccormick@gmail.com Cell Phone: 978 384 0896

Day of Event Contact & Phone: 978 384 0896

5. Number of Attendees Expected: 50-100 runners 50+ walkers

6. MA Tax Number: _____

7. Is the Event Being Advertised? yes Where? N.E Runner magazine

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

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

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

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

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

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

Name of Carnival Operator: _____

Address: _____

Telephone: _____

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

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

If yes:

- a) How many trash receptacles will you be providing? 4
- b) How many recycling receptacles will you be providing? 0
- c) Will you be contracting for disposal of : **Trash** Yes ___ No **Recycling** Yes ___ No
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No ___
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____ ROAD RACE WALKATHON

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

GNOCA

2. Name, Address & Daytime Phone Number of Organizer: Deb Green - 978 2256700

Stella McCormick - 16 Norman Ave WBPT 9788840896

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

4. Date of Event: Sept 30 2018 Expected Number of Participants: 100

5. Start Time: 10am Expected End Time: 1pm

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

Jefferson St. High St. Kent St. Washington St. Rail trail (see attached map). Walkers will follow a different route downtown (see map).

7. Locations of Water Stops (if any): Jefferson Street left hand side

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

9. Formation Location & Time for Participants: Michaels Harborside 10am

10. Dismissal Location & Time for Participants: Michaels Harborside 1pm

11. Additional Parade Information:

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

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

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

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

DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

Limitations

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

- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.
- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
- (g) *"Event termination"* If in the judgment of the City Marshal, Fire Chief or Department of Public Services (DPS) Director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the Harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.
- (h) *"Event and traffic Security"* The City Marshal, Fire Chief, DPS Director or in the case of a triathlon, the Harbormaster can require special duty personnel to oversee the safety and security of the event. All special duty assignments will be paid by the event organizers.
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13-101 Enforcement

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

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

Signed:  **Date:** 2/14/18



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/22/18

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

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

PRODUCER Twinbrook Insurance Brokerage 400A Franklin Street Braintree, MA 02184	CONTACT NAME: Darlene P. Andrade
	PHONE (A/C, No, Ext): 781-843-7000 FAX (A/C, No): 781-848-6100
	E-MAIL ADDRESS: dandrade@twinbrook.com
INSURER(S) AFFORDING COVERAGE	
INSURED Ovations For the Cure 79 Main Street Suite 202 Framingham, MA 01702	INSURER A: Philadelphia Insurance Co.
	INSURER B: Travelers Insurance Co.
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			PHPK1669722	08/07/17	08/07/18	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPI/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			PHPK1669722	08/07/17	08/07/18	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTIONS						EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		UB-3J988022	08/07/17	08/07/18	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

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

Event - Newburyport Ryder - September 2018 Greater Newburyport Ovarian Cancer Awareness and City of Newburyport is added as an Additional Insured for the above referenced event.

CERTIFICATE HOLDER

Greater Newburyport Ovarian Cancer Awareness
1R Water 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

Joseph P. Rizzo

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Directions for walk

Turn left onto Merrimac St Right on

Federal St

Right on Liberty St to State St

Turn left on State St

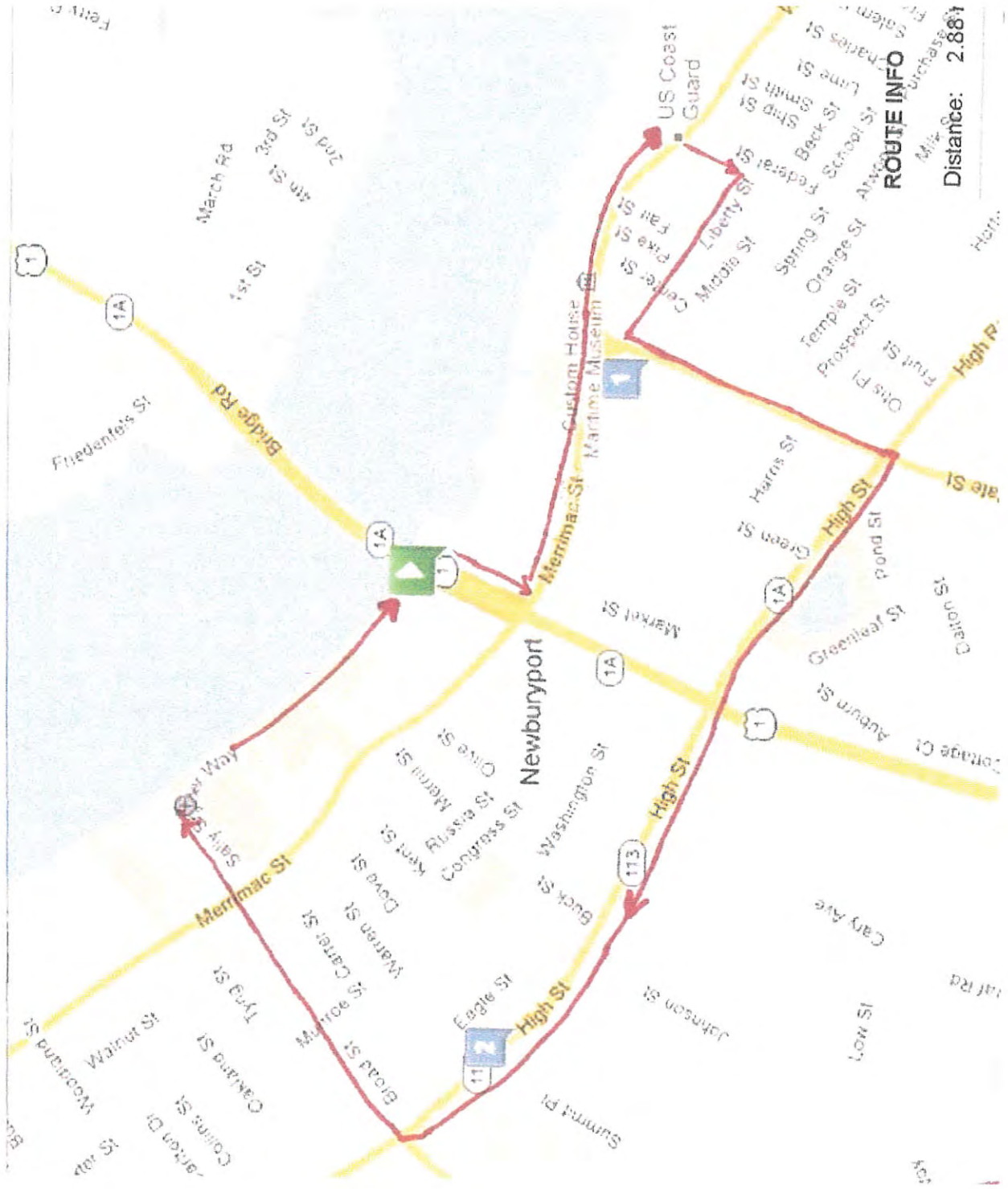
Right on High St

Right on Broad

Cross Merrimac St to Cashman Park

Continue along Rail Trail

Ending at Michael's Harborside



ROUTE INFO

Distance: 2.88 mi

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. 978-270-2026 Fax.

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

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

NAME OF EVENT: Newburyport Half Marathon

Date: October 21, 2018 Time: from 7 am. to 1 p.m.

Rain Date: October 28, 2018 Time: from 7 am. to 1 p.m.

2. Location: Cashman Park

3. Description of Property: Parking lot near boat launch Public Private

4. Name of Organizer: Eli Bailin City Sponsored Event: Yes No

Contact Person

Address: 55 Prospect St, Amesbury Telephone: cell

E-Mail: elibailin@hotmail.com Cell Phone: 978-270-2026

Day of Event Contact & Phone: 978-270-2026

5. Number of Attendees Expected: 2500

6. MA Tax Number: 47-4011165

7. Is the Event Being Advertised? Yes Where? Greenstrideraces.com

8. What Age Group is the Event Targeted to? Age 16+

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

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

A. Vending: Food Beverages _____ Alcohol Goods _____ Total # of Vendors 2

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

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

Name of Carnival Operator: _____

Address: _____

Telephone: _____

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

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

If yes:

- a) How many trash receptacles will you be providing? 10
- b) How many recycling receptacles will you be providing? 10
- c) Will you be contracting for disposal of : **Trash** Yes No **Recycling** Yes No
- i. If yes, size of dumpster(s): **Trash** 20 yd. **Recycling** _____
- ii. Name of disposal company: **Trash** Labelle **Recycling** Black Earth compost
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes _____ No _____
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

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

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

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

50 Standard # 2 ADA accessible

Name of company providing the portable toilets: PA Wilkinson

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: Green Stride / Race Wire

2. Name, Address & Daytime Phone Number of Organizer: Eli Baulin, 55 Prospect St., Amesbury, MA 01913

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Eli Baulin, 55 Prospect St., Amesbury, MA 01913
978-270-2026

4. Date of Event: Sunday, October 21 2018 Expected Number of Participants: 2000

5. Start Time: 9:15 a.m. Expected End Time: 12:00 p.m.

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): Map attached
Merrimack St., Spafford St., Ferry Rd, Pine Hill Rd,
Curzon Mill Rd, Hoyts Ln, Storey Ave, Dennett Dr., Everett Dr,
Turkey Hill Rd, Plummer Springs, Middle Garden St Rogers, Turkey Hill, Hale St,
Malcolm Hoyt, Mulliken Way, Parker St, Clipper City Rail Trak,

7. Locations of Water Stops (if any): Every two miles, see attached document

8. Will Detours for Motor Vehicles Be Required? Yes If so, where? See attached manual

9. Formation Location & Time for Participants: 9:00 a.m. Merrimack St. adjacent to Leary's

10. Dismissal Location & Time for Participants: 3 hour cut off, post race party over by 1pm

Additional Parade Information:

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

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

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

DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

Limitations

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

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13-101 Enforcement

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

Signed: _____ **Date:** 2/15/18



GREEN-9

OP ID: KO

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/21/2018

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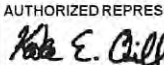
PRODUCER Arthur S Page Insurance Agency 57 State St. Newburyport, MA 01950 None		978-465-5301	CONTACT NAME: None PHONE (A/C, No, Ext): 978-465-5301 FAX (A/C, No): 978-462-0890 E-MAIL ADDRESS:
INSURED Green Stride Eli Bailin 55 Prospect St. Amesbury, MA 01950		INSURER(S) AFFORDING COVERAGE INSURER A: Mesa Underwriters INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

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

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER	Y		TO BE ASSIGNED	10/21/2018	10/22/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

CERTIFICATE HOLDER CITY001 City of Newburyport 60 Pleasant Street Newburyport, MA 01950	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
02/21/2018

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PRODUCER Arthur S Page Insurance Agency 57 State St. Newburyport, MA 01950 None	978-465-5301	CONTACT NAME: None PHONE (A/C, No, Ext): 978-465-5301 FAX (A/C, No): 978-462-0890 E-MAIL ADDRESS:
		INSURER(S) AFFORDING COVERAGE INSURER A: Mesa Underwriters INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
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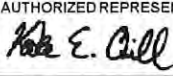
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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Town Of West Newbury is Additional Insured

CERTIFICATE HOLDER WESTN01 Town Of West Newbury 381 Main Street West Newbury, MA 01985	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 
--	---

OPERATIONS MANUAL



NEWBURYPORT HALF MARATHON & RELAY

Manual prepared by:

DMSESPORTS
DAVE MCGILLIVRAY SPORTS ENTERPRISES

MANUAL NOT FOR DUPLICATION WITHOUT THE EXPRESS
WRITTEN PERMISSION FROM THE GREEN STRIDE STAFF &
DMSE SPORTS, INC.

Newburyport Half Marathon & Relay

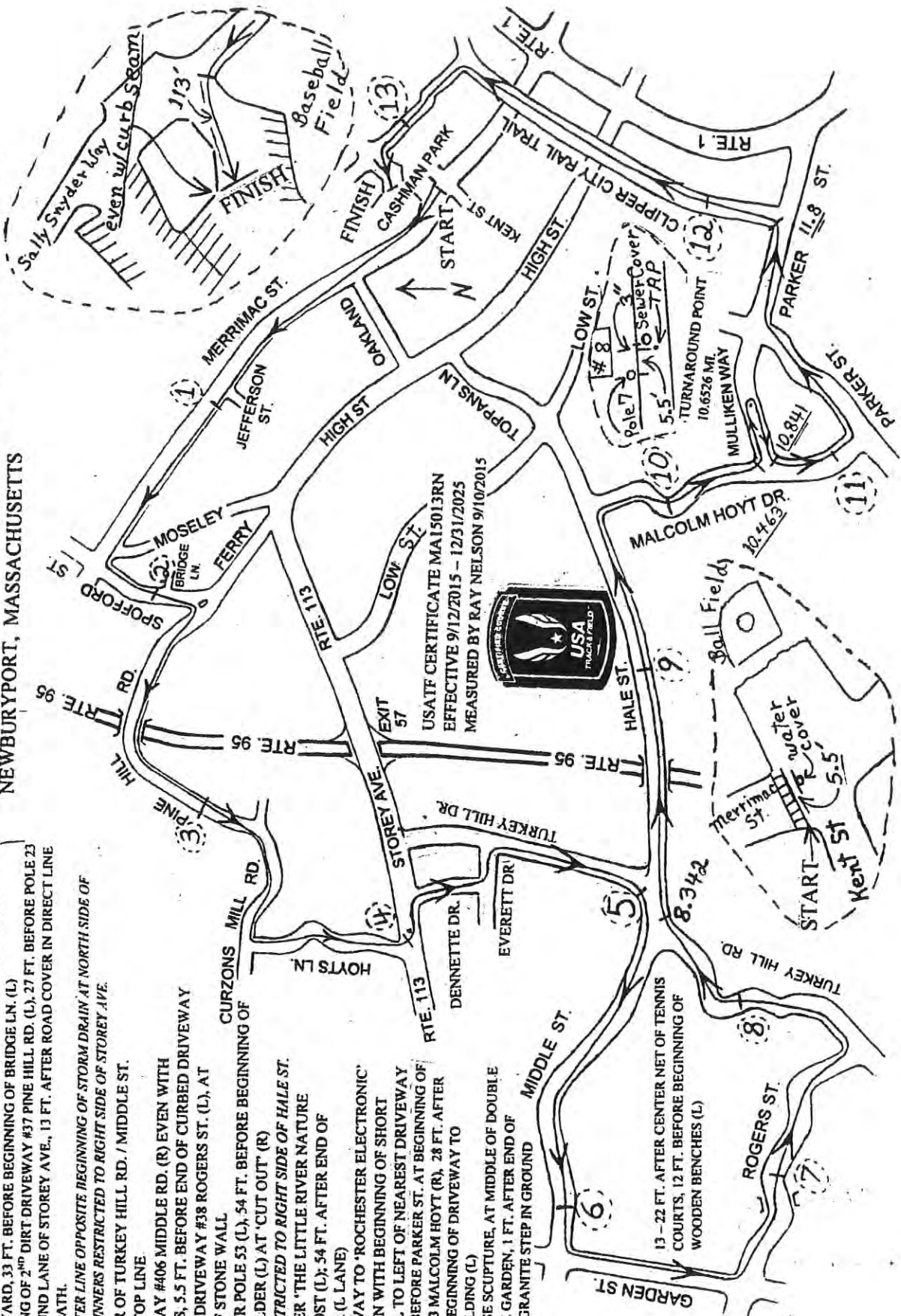
COURSE DESCRIPTION

START: Merrimac & Kent St intersection
Continue Merrimac St- 1 mile Jefferson St before Atkinson Common
Left on Spofford St- 2 miles
Right on Ferry Rd
Across bridge over Route 95
Continue to Pine Hill Rd- 3miles
Bear right onto Curzon Mill Rd
Left on Hoyts Ln
Left on Storey Ave, Route 113- 4 miles
Right on Dennette Drive
Left on Everett Drive
Right on Turkey Hill Rd
Right on Plummer Spring Rd- 5 miles
Continues to Middle St
Left on Garden St- 6 miles
Left on Rogers St- 7 miles
Left on Turkey Hill Rd- 8 miles
Right on Hale St- 8.34 miles; 9 miles after Route 95 overpass
Right on Malcolm K Hoyt Rd- 10 miles
Left on Milliken Way to reverse direction at turn around point
Left on Malcolm K Hoyt Rd -10.84 miles; 11 miles before Parker St turn
Left on Parker St
Continue right on Parker St
Left on Clipper City Rail Trail- 11.8 miles; 12 miles on Trail
Continue Trail to before boat ramp & left to
Finish: adjacent to Cashman Park parking lot

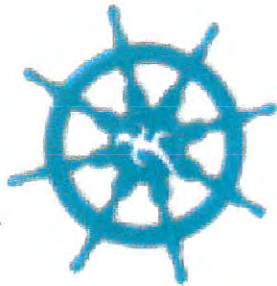
GREEN STRIDE NEWBURYPORT HALF MARATHON

NEWBURYPORT, MASSACHUSETTS

- 1 - ON MERRIMAC ST. @ 50 YD. AFTER JEFFERSON ST., AT BEGINNING OF DRIVEWAY #420 (R), 16 FT. AFTER POLE 91 (R)
- 2 - 3 FT. AFTER END OF DRIVEWAY #52 SPOFFORD ST. (R) - EVEN WITH GRANITE LAMPPOST IN YARD, 33 FT. BEFORE BEGINNING OF BRIDGE LN. (L)
- 3 - AT BEGINNING OF 2ND DIRT DRIVEWAY #37 PINE HILL RD. (L), 27 FT. BEFORE POLE 23
- 4 - IN WESTBOUND LANE OF STOREY AVE., 13 FT. AFTER ROAD COVER IN DIRECT LINE OF RUNNERS' PATH.
- *COME ON CENTER LINE OPPOSITE BEGINNING OF STORM DRAIN AT NORTH SIDE OF STOREY AVE. RUNNERS RESTRICTED TO RIGHT SIDE OF STOREY AVE.
- 5 - AT CORNER OF TURKEY HILL RD. / MIDDLE ST.
- 6 - AFTER STOP LINE
- 6 - IN DRIVEWAY #406 MIDDLE RD. (R) EVEN WITH END OF DOORS, 5.5 FT. BEFORE END OF CURBED DRIVEWAY
- 7 - AT END OF DRIVEWAY #38 ROGERS ST. (L), AT BEGINNING OF STONE WALL
- 8 - 69 FT. AFTER POLE 53 (L), 54 FT. BEFORE BEGINNING OF BIGGEST BOULDER (L) AT 'CUT OUT' (R)
- *RUNNERS RESTRICTED TO RIGHT SIDE OF HALE ST.
- 9 - 86 YD. AFTER 'THE LITTLE RIVER NATURE TRAIL' SIGNPOST (L); 54 FT. AFTER END OF SEWER COVER (L LANE)
- 10 - IN DRIVEWAY TO 'ROCHESTER ELECTRONIC' BLDG. (L); EVEN WITH BEGINNING OF SHORT CEMENT WALL TO LEFT OF NEAREST DRIVEWAY
- 11 - @ 0.1 MILE BEFORE PARKER ST. AT BEGINNING OF DRIVEWAY TO #3 MALCOLM HOYT (R), 28 FT. AFTER POLE 4 (R); AT BEGINNING OF DRIVEWAY TO BLUE/GRAY BUILDING (L)
- 12 - AFTER HORSE SCULPTURE, AT MIDDLE OF DOUBLE CIRCULAR ROCK GARDEN, 1 FT. AFTER END OF RECTANGULAR GRANITE STEP IN GROUND
- 13 - 22 FT. AFTER CENTER NET OF TENNIS COURTS, 12 FT. BEFORE BEGINNING OF WOODEN BENCHES (L)



USA TRACK & FIELD
 USAIT CERTIFICATE MA15013RN
 EFFECTIVE 9/12/2015 - 12/31/2025
 MEASURED BY RAY NELSON 9/10/2015



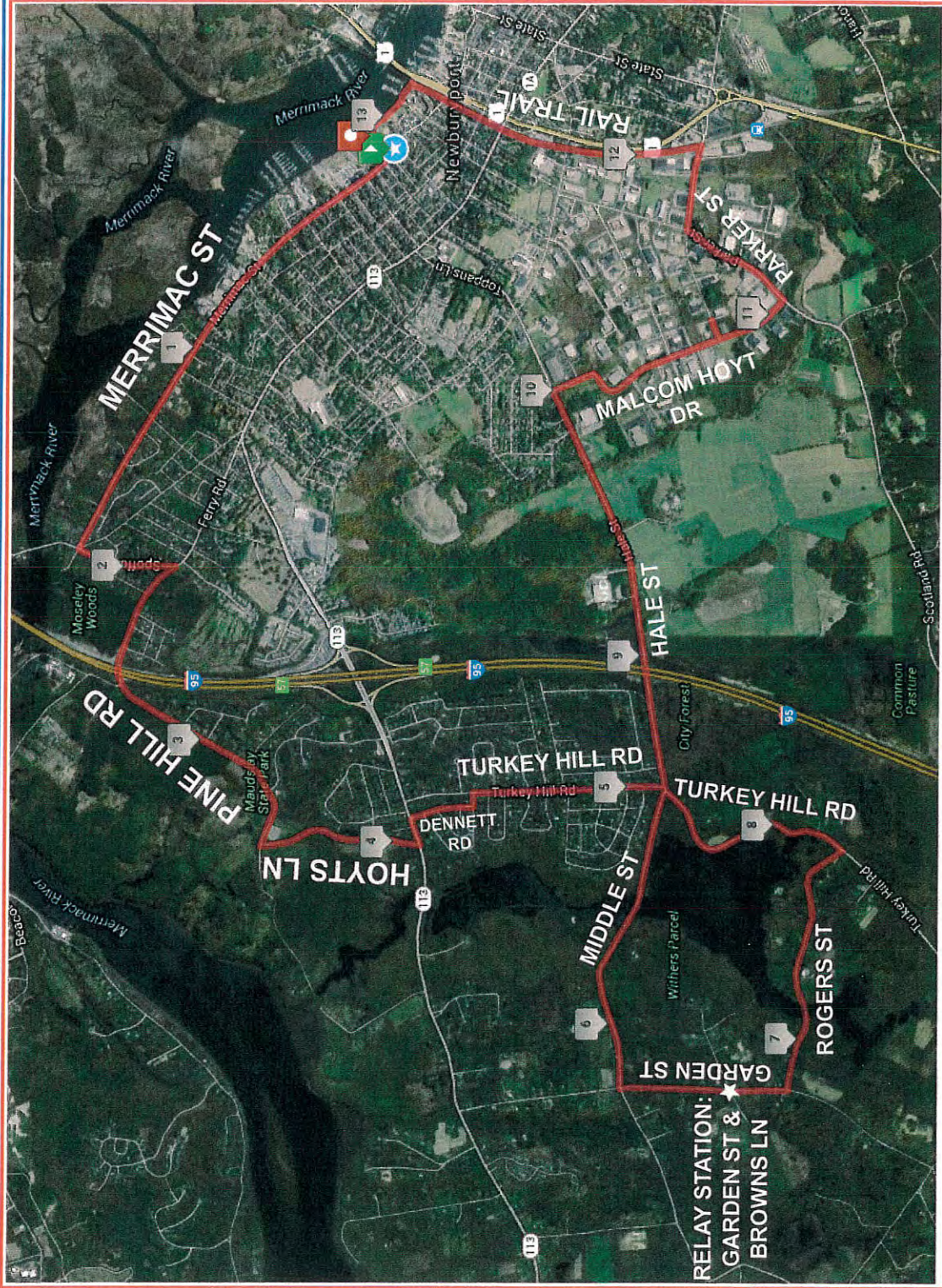
Newburyport Half Marathon

Prepared by:



COURSE MAP

START: ON MERRIMAC ST @ KENT ST
FINISH: IN PARKING LOT AT CASHMAN PARK



RUNNER PACE TIMELINE		PACE: 4:59/MILE	PACE: 10:00/MILE	PACE: 16:02/MILE
		Cross start line:	Plus 1 min	Plus 3 min.
MILE	LOCATION	LEAD	MIDDLE PACK	LAST
START	MERRIMAC ST & KENT ST INTERSECTION	9:00:00	9:01:00	9:03:00
1	MERRIMAC ST AFTER JEFFERSON ST	9:04:59	9:11:00	9:16:02
1.8	MERRIMAC ST & SPOFFORD ST INTERSECTION	9:09:00	9:19:00	
2	#32 SPOFFORD ST	9:10:00	9:21:00	9:35:04
2.2	SPOFFORD ST & FERRY RD	9:12:00	9:23:00	
3	#37 PINE HILL RD	9:14:57	9:31:00	9:51:05
3.4	CURZONS MILL RD & HOYTS LN	9:16:00	9:35:00	
4	ON STOREY AVE/RTE 113 JUST AFTER HOYTS LN TURN	9:19:56	9:41:00	10:07:07
4.1	STOREY AVE & DENNETTE DR	9:20:26	9:42:00	
4.3	DENNETTE DR & EVERETT DR	9:21:26	9:43:00	
4.5	EVERETT DR & TURKEY HILL RD	9:23:56	9:46:00	
4.6	EVERETT DR & TURKEY HILL RD	9:24:26	9:47:00	
5	TURKEY HILL RD & MIDDLE ST	9:24:55	9:51:00	10:23:09
6	3406 MIDDLE ST BEFORE GARDEN ST TURN	9:29:54	10:01:00	10:39:11
7	#38 ROGERS ST	9:34:53	10:11:00	10:55:13
8	ON TURKEY HILL RD BEFORE HALE ST	9:39:52	10:21:00	11:11:15
8.34	TURKEY HILL & HALE ST INTERESECTION	9:40:30	10:23:40	
9	ON HALE ST AFTER "LITTLE RIVER NATURE CENTER SIGNPOST	9:44:51	10:31:00	11:27:18
9.8	HALE ST & MALCOLM HOYT DR INTERSECTION	9:48:51	10:40:00	
10	AFTER CURVE ADJACENT TO ROCHESTER ELECTRONIC BLDG	9:49:50	10:41:00	11:43:18
10.5	MALCOML HOYT DR & MULLIKEN WAY	9:52:20	11:47:00	
10.84	TURNAROUND ON MULLIKEN WAY	9:53:20	10:50:00	
11	0.1 BEFORE LEFT TURN ON PARKER ST	9:54:49	10:51:00	11:59:20
11.5	RIGHT TURN ON PARKER ST	9:56:30	10:53:30	
11.8	PARKER ST & ENTRANCE TO CLIPPER CITY RAIL TRAIL	9:58:50	10:55:00	
12	ON CLIPPER CITY RAIL TRAIL AFTER HORSE SCULPTURE	9:59:48	11:01:00	12:15:22
13	AFTER LEFT TURN ON TRAIL ALONG THE MERRIMAC RIVER	10:04:57	11:21:00	12:31:24
13.1	PARKING LOT BEFORE THE BOAT RAMP	10:05:20	11:12:05	12:33:00

COURSE SAFETY ASSIGNMENTS

LOCATION	RACE MONITORS	NEWBURYPORT POLICE		
OIC		1	LT Siemasko	
LEAD VEHICLE		1	Motorcycle	
Merrimac & Carter		1		
Merrimac & Kent [Race start]	6	1		
Merrimac & Oakland		1		
Merrimac & Route 1		2		
High & Kent		1	Beer Tent	
High & Oakland		1	Beer Tent	
Merrimac & Ashland		1		
Merrimac & Jefferson		1		
Merrimac & Spofford		2		
113 & Hoyts Ln	2	1		
Dennett & 113	1	1		
Everett & Crow		1		
Dennett & Everett	2			
Turkey Hill & Rte 113		1		
Turkey Hill & Everett Dr	2			
Turkey Hill & Bourbeau Terrace	2			
Turkey Hill & Windward Dr	2			
Turkey Hill & Longfellow Dr	2			
Turkey Hill & Newhall Ln	2			
Turkey Hill & Marquard Ln	2			
Turkey Hill & Longfellow Dr	2			
Turkey Hill & Crow	2	1		
Turkey Hill & Hale	2	2		
Hale & Goldsmith	2			
Low & Hale		1		
Garden & Browns Ln	2			
Hale & Malcolm Hoyt	2	1		
Malcolm Hoyt & Parker		2		
Mulliken & Parker		1		
Parker & Parker		1		
Parker & Rail Trail	2	1		
Rail Trail & Washington		1		
Rail Trail-Bridge to finish	6			
	43	28		

POLICE BARRICADE LOCATIONS

LOCATIONS

1. PINE HILL & HALLISEY
2. PINE HILL & DANIEL LUCEY
3. HALE & TOPPANS
4. HALE & TURKEY HILL
5. HALE & LAVALLEY
6. PARKER & MALCOLM HOYT
7. GRAF & PARKER
8. ROUTE 1 & PARKER BY HALEY'S
9. WASHINGTON & WINTER
10. WASHINGTON & BOARDMAN
11. ROADS & FERRY
12. ROADS & MOSELY

NOTE: PLACED BY DPW ON SATURDAY & SET IN PLACE BY POLICE OFFICERS ON SUNDAY MORNING.

Equipment Lists

Start/Finish:

Qty	Item	Location	Provided
2	2 Wheeler	Finish	DMSE
1	Airhorn	Start	DMSE
2	Ballast Water Barrel	Finish	DMSE
2	Banner 20'	Finish	ELI
1	Bullhorn	Start	DMSE
2	Garden Hose	Finish	DMSE
1	Pallet Jack	Finish	DMSE
1	Rope (Misc)	Finish	DMSE
2	Scaffolding Tower Scrim Set	Finish	DMSE
2	Scaffolding Towers (4' x 7' x 12')	Finish	DMSE
150	Steel Barricade (10' x 44")	Start	Int'l
4	Straps	Finish	DMSE
30	Tables 6'	Finish	PEAK
1	Tasc Pod (Announcer Platform)	Start	DMSE/IRS
30	Traffic Cones (18")	Start/Finish	DMSE
15	Trash Barrels	Start/Finish	DMSE
1	Trash Liners (case)	Start/Finish	DMSE
9	Veratruss System (Per Meter)	Finish	DMSE
1	Zip Ties - 8" (bag)	Finish	DMSE

Course:

Qty	Item	Location	Provided By
50	Safety Vests	Course	DMSE
20	Sandwich Boards (2'x3')	Course	DMSE
20	Signs - Course Directional	Course	DMSE
100	Traffic Cones (18")	Course	DMSE
2	Velcro	Course	DMSE

Water Stations:

Qty	Item	Location	Provided By
10	Gatorade Concentrate	Water Stations	Eli
4	Gatorade Cups (case)	Water Stations	Eli
9	Gloves	Water Stations	DMSE
4	Gatorade Gotts	Water Stations	DMSE
1	Pallet Jack	Water Stations	DMSE
4	Pitchers	Water Stations	DMSE
16	Rakes	Water Stations	DMSE
16	Shovels	Water Stations	DMSE
32	Tables	Water Stations	Eli
32	Trash Barrels	Water Stations	DMSE
123	Trash Liners	Water Stations	DMSE
106	Water - Gallon (case)	Water Stations	Eli
15	Water Cups (case)	Water Stations	Eli

Medical Plan and Layout:

-- ½ Marathon and Relay

Medical and ortho. staff arrival:	8:30 AM	Day of, all questions through
Start time:	9:00 AM	Dr. Adam Palombo Cell: (978) 835-7054
Estimated end time:	12:30 PM	

Medical Plan Details:

- Dedicated BLS ambulance at finish line next to tent
 - With AED
- Tent staff including:
 - Medical
 - 2 BLS EMTs
 - AJH volunteer RNs
 - Musculoskeletal
 - DC (Adam) – orthopedic complaints
 - PT (James)
- ½ way tent staff including:
 - 2 EMTs with bags and truck
- 3 Volunteer spotters on course at following intervals from finish (equipped with cell phones)
 - ¼ mile
 - Finish (2)

Tent contents:

1. 4-6 medical cots
2. 2 portable massage tables
3. 5 25ct boxes instant ice packs
4. Mueller M tape, White athletic tape
5. Ace wraps
6. Vaseline
7. 5 EMS bags (red)
 - a. Contents include:
 - i. Airway & CPR mask
 - ii. Wound care bandages
 1. Various sized band aids
 2. Sterile gauze pads
 3. Sterile gauze wraps
 4. Waterproof tape
 - iii. Wound cleaning supplies
 1. Iodine swabs
 2. Alcohol prep swabs
 3. Bacitracin
 - iv. SAM splint
 - v. Moleskin
 - vi. Sunscreen

- vii. Glucose tabs
- viii. Acetaminophen tabs
- 8. Nitrile gloves size L
- 9. Nitrile gloves size M
- 10. Glucometer
 - a. Lancets
 - b. Test strips
- 11. 10 gallons concentrated electrolyte solution (Gatorade)

Medical Tent Organization:

1. Prior to entering tent, all conscious, ambulatory patients sign consent form
 2. Adam and/or Pam triages complaint to either staff accordingly
 - i. ** suspicion of EAC or non-ambulatory persons are priority
 1. EAC with LOC requires immediate transport via ambulance
 - a. Assume hyponatremia unless otherwise indicated
 - ii. ** all staff are required to dawn personal protection (i.e. gloves and/or glasses) when human blood is visible
 - iii. ** all staff are to practice hand sanitization when in contact with bodily fluids
 - b. Medical
 - c. Orthopedic
3. Event encounter form completed by tent staff as patient is discharged with documented instructions







**Newburyport Half
Water Station Program**
As of 10/4/17

Stop # Pre-Race	Location	Water Cases	Water Cups	Gatorade Powder	Gatorade Cups	Gatorade	Gotts	Pitchers	Geerade	Tables	Rakes	Shovels	Separators	Gloves	Bags	Trash Barrels
	Start Line	6	1	0	0	0	0	0	0	2	0	0	0	1	8	2
1	Merrimac St & Christie St - Mile 1.5	10	2	0	0	0	0	0	0	2	2	2	0	1	15	4
2	Curzon Mill & Daniel Lucy Way - Mile 3.3	12	2	0	0	0	0	0	0	4	2	2	0	1	15	4
3	Plummer Spring Rd after turn - Mile 5.2	21	2	5	2	2	2	2	0	5	2	2	0	1	15	4
4	38 Rogers St - After bridge - Mile 7.0	12	2	0	0	0	0	0	0	4	2	2	0	1	15	4
GU	Turkey Hill Rd - Before WS 5 - Mile 8.0	0	0	0	0	0	0	0	0	2	2	2	0	1	10	2
5	Turkey Hill Rd - cut out by Reservoir - Mile 8.3	12	2	0	0	0	0	0	0	4	2	2	0	1	15	4
6	#16 Malcolm Hoyt Rd/Rochester E driveway - Mile 9.9	21	2	5	2	2	2	2	0	5	2	2	0	1	15	4
7	#50 Parker St - before CC Rail Trail - Mile 11.8	12	2	0	0	0	0	0	0	4	2	2	0	1	15	4
TOTALS		106	15	10	4	4	4	4	0	32	16	16	0	9	123	32

NOTES:

1. Water supply is 6 gallons/case
2. Water cups are based on 2,000 per case
3. Gatorade liquid concentrate is 4-1 gallons per case

ASSUMPTIONS:

- Participants - 2300
- Pre-Race Water - 50% of participants will take 1 (4oz) cup
- Course Water - 1 (4oz) cup per participant per stop

WATER STATIONS LIST

Station 1: 1.5 Mi.: Merrimac & Christie. Bob Cronin [Mayoral candidate] Pam Ketchum: 617-413-7144 (cell) [9:05- 9:20]- 0815 set up

Station 2 @3.3mi Curzon Mill & Daniel Lucy Way (Ralph & Mary Beth Orlando) [9:15/9:30/9:51] - 0815 set up

Station 3 @5.2 Plummer Spring Rd, after turn (Tom & Mindy Sheehy) [9:24ish/9:51ish/10:23ish] - 0830 set up

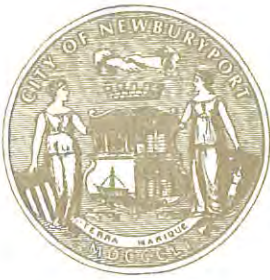
Station 4 @7mi Rogers St- After bridge and at driveway #38 (Kim Coppinger) [9:34/10:11/10:55] - 0830 set up. Note: home of Mrs. JP Lane- very accommodating!

Station 5: 8.3 Mi.: Turkey Hill Rd. cut out on right opposite Reservoir. Allison Heartquist [Re: Mayor Holaday]- 0830 set up

Station 6 @9.9mi, Malcolm Hoyt Rd/Rochester # driveway (Tim & Karen Conway) [9:48/10:40/11:37ish] - 0830 set up

Station 7 @11.8mi #50/77 Parker Street, before Rail Trail (Tom & Veronica Carleo) [9:58/10:55/12:00ish] – 0900 set up

**APPOINTMENTS
FIRST READING**



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

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA

2018 FEB 28 PM 3:00

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

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

I hereby re-appoint, subject to your approval, the following named individual as a member of the Affordable Housing Trust. This term will expire on May 1, 2020.

Madeline Nash
19 Arlington Street
Newburyport, MA 01950



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 FEB 28 PM 3:00

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

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: February 28, 2018

Subject: Re-Appointment

Donna D. Holaday

I hereby reappoint, subject to your approval the following
named individual as a member of the Newburyport
Affordable Housing Trust. This term will expire on April 1,
2020.

Judy Tymon
39 Lime Street
Newburyport, MA 01950



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 FEB 28 PM 3:01

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

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

I hereby reappoint, subject to your approval, the following named individual as a member of the Community Preservation Act Committee. This appointment will expire on March 1, 2021 .

Michael Dissette
44 Jefferson Street
Newburyport, MA 01950



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2018 FEB 28 PM 3:00

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

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: February 28, 2018

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Community Preservation Act Committee. This term will expire on February 1, 2020.

Daniel J. Koen
16 Boyd Drive
Newburyport, MA 01950



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 FEB 28 PM 3:01

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

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

Donna D. Holaday

I hereby reappoint, subject to your approval, the following
named individual as a member of the Conservation
Commission. This term will expire on March 1, 2021.

Joseph C. Teixeira
44 Hale Street
Newburyport, MA 01950



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2018 MAR -6 PM 1:10

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

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

I hereby re-appoint, subject to your approval, the following named individual as a member of the Fruit Street Local Historic District. This term will expire on December 1, 2020.

Marian Leighton Levy
323 Merrimac Street
Newburyport, MA 01950



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 FEB 28 PM 3:01

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

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: February 28, 2018

Subject: Re-Appointment

I hereby reappoint, subject to your approval, the following
named individual as a member of the Historical
Commission. This term will expire on March 31, 2021.

Edmund R. McGrath
28 Olive Street
Newburyport, MA 01950



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2018 FEB 28 PM 3:01

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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: February 26, 2018
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Newburyport Redevelopment Authority. This term will expire on September 1, 2018.

David St. Cyr
25 Tyng Street
Newburyport, MA 01950



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 FEB 28 PM 3: 01

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

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: February 26, 2018
Re: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Newburyport Redevelopment Authority. This term shall expire on September 1, 2018.

Robert Uhlig
10 Ocean Street
Newburyport, MA 01950



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

FEB 28 PM 3:00

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

To: President and Members
of the City Council

From: Donna D. Holaday, Mayor

Date: February 28, 2018

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following
named individual as a member of the Parks Commission.
This term will expire on April 1, 2023.

Ann Dykes
12 Munroe Street
Newburyport, MA 01950



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 FEB 28 PM 3:00

60 PLEASANT STREET - P.O. Box 550

NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: February 28, 2018

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Parks Commission This term will expire on February 1, 2023

Ann M. Lagasse
One Piper's Quarry
Newburyport, MA 01950

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

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

- **APPT008_02_26_18** Richard Traister, M. D. 325 Merrimac St Disabilities Comm 3/31/21

Motion to approve the Consent Agenda as amended by Councillor Zeid, second by Councillor Tontar. So voted.

COMMUNICATIONS

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 16, 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

In City Council January 8, 2018:
Amended on the floor, July meeting moved to 7/16/18. Motion to approve by Councillor Eigerman, seconded by Councillor Zeid. So voted.

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 12, 2018

Resolved: Having convened in an open meeting on _____, prior to the closing date, the City Council of Newburyport, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated February 23, 2018 for the Newburyport High School located at 241 High Street which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future:

Priority 5: Replacement of roof sections that were last replaced in 1995 and are in poor condition.

Priority 7: Addition to and renovation of the Science, Technology, Engineering and Math areas to create up-to-date learning spaces that are designed and equipped to provide instruction and hands-on learning experiences that are vital to better prepare students for college and beyond.

And hereby further specifically acknowledges that by submitting this Statement of Interest form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City to filing an application for funding with the Massachusetts School Building Authority.

Councillor Giunta
Chairman, Joint Education

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 12, 2018

THAT the City Council of the City of Newburyport authorizes crosswalks along the following streets:

1. Across Rawson Hill Ave at the South leg of Highland Ave
2. Across Turkey Hill Street at the South leg of Bartlett Drive

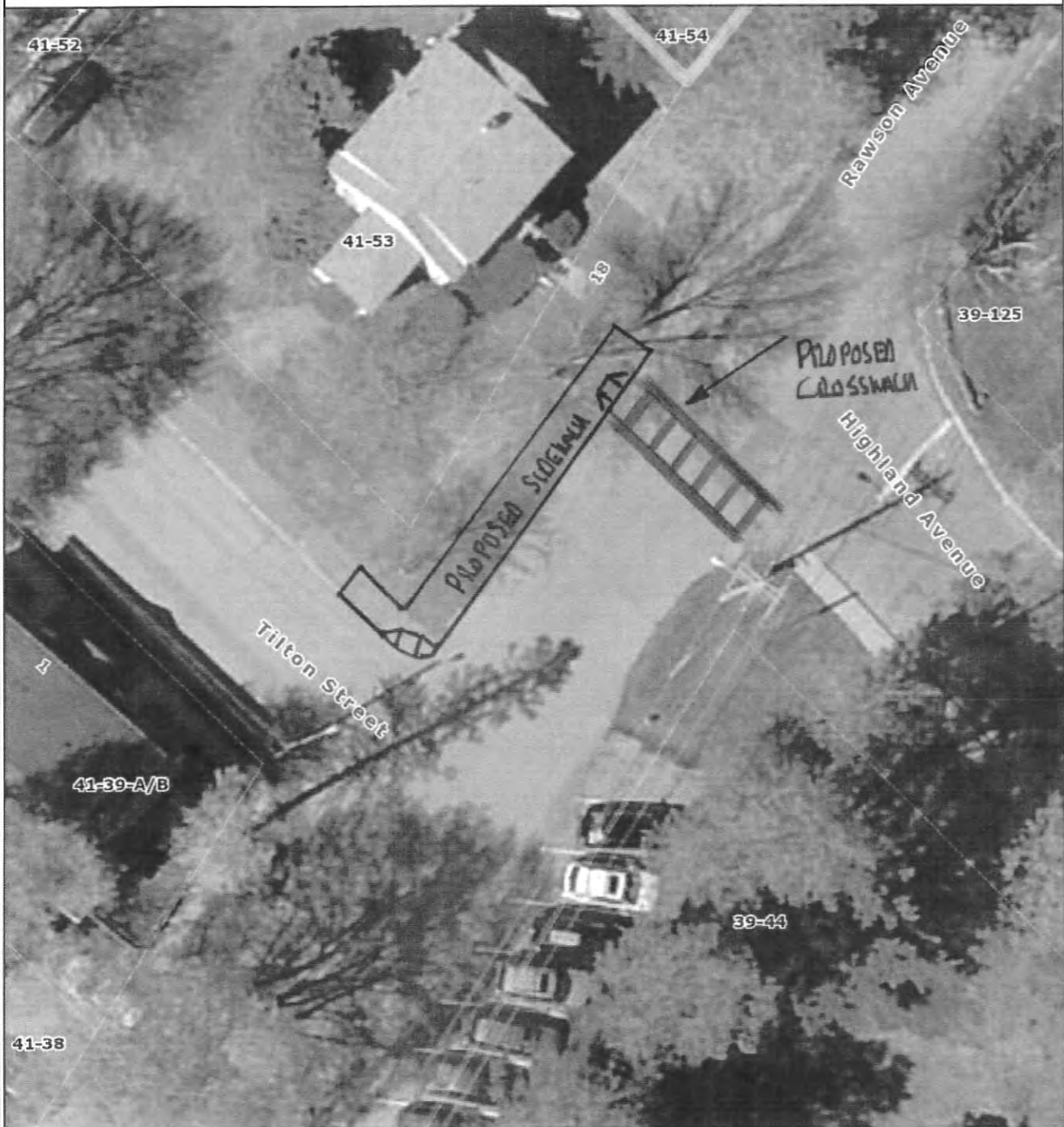
Councillor Charles F. Tontar

Councillor Larry G. Giunta, Jr.

RAWSON AVE @ HIGHLAND - SIDEWALK & CROSSWALK REQUEST

Newburyport MIMAP

March 1, 2018



- MVPC Bo
- Trees
- Immediate Action Needed
- No Action Needed
- Unknown
- Parcels
- Hydrographic Features
- Streams
- Stream
- Intermittent Stream
- Wetlands
- City
- City and State
- State

1. PROPOSED 8' WIDE PAVED CROSSWALK
 2. PROPOSED 6' WIDE BY 50' LONG SIDEWALK WITH GRANITE CURBING & TWO W.C. RAMP.



Horizontal Datum MA Stateplane Coordinate System, Datum NAD83, Meters Data Sources The data for this map was produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Newburyport. Additional data provided by the Executive Office of Environmental Affairs/MassGIS. The information depicted on this map is for planning purposes only. It may not be adequate for legal boundary definition or regulatory interpretation. THE CITY OF NEWBURYPORT MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE CITY OF NEWBURYPORT DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.

1" = 21 ft



ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date: February 12, 2018

AN ORDINANCE TO AMEND THE NEWBURYPORT CODE OF ORDINANCES REGARDING ADMINISTRATION OF THE CITY COUNCIL

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

THAT the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended by amending existing Sections 2-28 and 2-29 of Article II. – City Council of Chapter 2 – Administration, to read as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Sec. 2-28. - When regular meetings are held.

Except in the months of July and August, regular meetings of the city council shall be held on the second and last Monday of each month, except when otherwise ordered by the city council. For the months of July and August, combined, the Council shall schedule a total of three (3) regular meetings, each to occur on any Monday.

Sec. 2-29. - Special meetings.

(a) Special meetings of the city council shall be held at the call of the president or at the call of any six (6) or more members, for any purpose, by causing a notice of the meeting to be delivered in hand or to the place of business or residence of each member of the city council. This notice shall, except in an emergency of which the president shall be the sole judge, be delivered at least forty-eight (48) hours in advance of the time set and shall specify the purpose or purposes for which the meeting is to be held. A copy of each such notice shall immediately be posted in accordance with applicable laws.

(b) The mayor may at any time call special meetings of the city council, for any purpose, by causing a notice of the meeting to be delivered in hand or to the place of business or residence of each member of the city council. This notice shall, except

in an emergency of which the mayor shall be the sole judge, be delivered at least forty-eight (48) hours in advance of the time set and shall specify the purpose or purposes for which the meeting is to be held. A copy of each such notice shall immediately be posted in accordance with applicable laws.

AND FURTHER THAT the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended by amending existing Sections 2-32 through 2-37.2 of Article II. – City Council of Chapter 2 – Administration, to read as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Sec. 2-31. - Committees designated; membership.

There shall be nine (9) standing committees of the city council: committee on budget & finance; committee on education; committee on general government; committee on licenses & permits; committee on neighborhoods & city service; committee on planning & development; committee on public safety; and committee on public utilities; and committee on rules. Each such standing committee shall consist of three (3) members of the city council. The president of the city council shall serve on the committee on general government, as its chair, and the mayor may serve as a fourth, ex officio, non-voting member of such committee.

Sec. 2-32. - Responsibilities of committee on general government.

The committee on general government shall be concerned with supervision of city properties and the following municipal departments: city clerk; city solicitor; registrars of voters, information technology; human resources; . The committee shall have charge of and supervision over the city council chambers.

Sec. 2-33. - Responsibilities of committee on public safety.

The committee on public safety shall be concerned with all the activities in the police, fire, and health departments, the harbor commission and harbormaster, the animal control officer, and public parking and traffic needs and regulations.

Sec. 2-34. - Responsibilities of committee on neighborhoods and city service.

The committee on neighborhoods and city service shall be concerned with all the activities: in the department of public services with the exceptions of public parking and traffic, and of water and sewer services, including, without limitation, municipal lighting, street sweeping, and city cemeteries; and regarding youth services, the public library, the veterans agent, the parks commission and department, and the council on aging.

Sec. 2-35. - Responsibilities of committee on licenses and permits.

The committee on licenses and permits shall evaluate and make recommendations on all applications for licenses and permits that come under the jurisdiction of the city council.

Sec. 2-36. - Responsibilities of the committee on planning and development.

The committee on planning and development shall be concerned with all the activities and jurisdictions of the office of planning and development and its director; the conservation commission and its conservation agent; the planning board; the zoning board of appeals; the historical commission and any local historic district commissions; and the commission on disabilities.

Sec. 2-37.1. - Responsibilities of committee on budget and finance.

The committee on budget and finance shall be concerned with all issues of city finances including issues relating to city revenues and the city budget, including, without limitation, all the activities and jurisdictions of the city auditor, city treasurer, tax assessor, and tax collector.

Sec. 2-37.2. - Responsibilities of committee on public utilities.

The committee on public utilities shall be concerned with all issues including activities and policies of the board of water commissioners, sewer commission and requests from public utilities.

Sec. 2-37.3. - Responsibilities of committee on rules.

The committee on rules shall be concerned with keeping the rules of the city council.

AND FURTHER THAT the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended by deleting in their entirety existing Sections 2-39, and 2-41 through 2-43 of Article II. – City Council of Chapter 2 – Administration.

Councillor Jared J. Eigerman

In City Council February 26, 2018:

Motion to remove from Rules by Councillor Vogel, seconded by Councillor Giunta. So voted. Motion to amend Section 2-28 by deleting the underlined portions and changing “adjournment is” to “otherwise” by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed. Motion to amend Section 2-31 by adding the committee on rules by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed. Motion to amend Section 2-32 by changing “city hall” to “city council chambers” by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote 11, yes. Motion passed. Motion to add Section 2-73.3 for committee on rules by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed. Motion to approve as amended by Councillor Zeid, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed.

CITY OF NEWBURYPORT



 IN CITY COUNCIL

ORDERED:

March 12, 2018

AN ORDINANCE TO AMEND CHAPTER V – BUILDINGS AND BUILDING REGULATIONS; ADD ARTICLE XI – FLOATING HOMES, HOUSEBOATS, AND RELATED MARINAS

ARTICLE XI. - Floating Homes, Houseboats, and related Marinas

Sec. 5-320. - Definitions.

For the purpose of this article, the words and phrases herein defined shall be construed in accordance with the definition set forth unless it is apparent from the context that a different meaning is intended.

FLOATING HOME — A watercraft building structure, without a hull identification number, designed primarily to be occupied as living quarters and not meant for navigation.

HOUSEBOAT — A vessel, with a hull identification number, with a hull design that meets U.S. Coast Guard standards for flotation, safety equipment, fuel, electrical power, ventilation and an on-board sewer system. They are capable of being used for water transportation, and if they are used for residential purposes, they have to be able to travel under their own power and must have a method for steering and propulsion, as well as deck fittings, navigational and nautical equipment, including all appropriate navigational lighting, and the required marine hardware. Without these features, they are categorized as house barges.

HOUSE BARGE – House barges are vessels that are designed to be navigable; that is, they are meant to move around, but not under their own power. They are meant to house people, but they are also meant to be towed. If they become permanently moored or anchored, they may have to comply with regulations that govern floating homes.

HOUSEBOAT OR FLOATING HOME MARINA — Any area within any waters of the City where one or more sites or locations are sold, rented or offered for rent for the location of floating homes, Houseboats, House Barges which are to be used for living quarters either permanently or on a temporary basis.

PERMANENT SEWER — A sewer connected to the sewer system of the City of Newburyport or to a private sewage disposal system approved by the Department of Public Services, DEP including other city departments or relative state of Massachusetts agencies.

Sec. 5-321. - Docking and mooring of houseboats and floating homes restricted to licensed slips.

No person shall dock a Houseboat, Floating Home or House Barge in the waters of the City except at a pier, slip or dock for which a valid current marina license has been issued. No Floating Home or House Barge shall be moored in the city of Newburyport.

Sec. 5-322. - Use and occupancy of Floating Homes

No person shall use or occupy or permit the use or occupancy of a floating home for living quarters either permanently or on a temporary basis on the waters of the City except in a houseboat or floating home marina operated pursuant to a permit issued by the City and such houseboat meets the following requirements:

- A. The Floating Home marina has received a Watersheet approval and completed all applicable permitting processes.
- B. The floating home is designed and constructed so that it meets the requirements of the State Building Code, City of Newburyport Building Code, and has successfully passed all inspections associated with such governance, including specialized codes thereof, except insofar as the provisions thereof are not responsibly applicable.
- C. The floating home is designed and maintained so there is a single opening above the waterline for waste and sewage removal and such opening is tightly connected to a permanent sewer.

Sec. 5-323. - Houseboat or Floating Home marina operation permit.

No person shall operate a Houseboat, Floating Home or House Barge marina and rent or hold out for rent any site or space for the location of a Houseboat, Floating Home or House Barge to be used or occupied for living quarters either permanently or on a temporary basis without complying with state fire codes and having a current permit for such marina from the City.

Sec. 5-324. - Application for houseboat or Floating Home marina permit; standards.

- A. Any person desiring to operate a houseboat marina shall have a valid Chapter 91 license covering this intended use issued by the Massachusetts Department of Environmental Protection. File a Watersheet application for a permit to do so with the City. Such application must be accompanied by a plan showing the location within the marina of the proposed Floating Home(s).
- B. Additional Requirements:

1. The applicant owns or has a lease of the land over which the marina is proposed to be operated.
2. Each individual space intended for a Floating home must be provided with a permanent sewer connection.

Sec. 5-325. - Houseboat and Floating Home marina permit revocation.

Any permit for a houseboat marina may be revoked by the City after written notice to the operator of such marina and an opportunity to be heard before the City. Such written notice shall be mailed to the operator of the marina at the address shown on the permit and shall state the date and time the City will consider the proposed revocation. The grounds for revocation shall be:

- A. The houseboat or floating home marina no longer meets the conditions under which the permit was granted.
- B. The houseboat or floating home marina has become a source of pollution of the waters of the Town.
- C. The facilities of the marina or the floating homes and houseboats located therein have fallen into a state of disrepair.
- D. Individual floating homes or houseboats are permitted or maintained within the marina which do not meet the requirements for floating homes or houseboats established by this article.
- E. Floating homes must be inspected annually by the Building Commissioner, Deputy Fire Chief and City Electrical inspector before occupancy.

Sec. 5-326. - Annual Floating Home Permit.

Floating home permits are required for all floating homes located in the city. Please note the information below to ensure proper registration with the Harbormaster:

- A. Floating homes must properly display permits as required or be subject to fines.
- B. Floating homes will not be issued stickers if forms are incomplete (Fill out Entire form to avoid delays)
- C. Floating home permits are \$200 per unit.
- D. Floating home permits issued after June 30 will be charged a \$25.00 late fee.

Sec. 5-327. - Administration.

The Board of Health, the Department of Public Services, the Building Commissioner and the Harbormaster shall assist in the administration and enforcement of this article, each within its or their appropriate jurisdiction.

Sec. 5-328. - Registration and Documentation

Any Vessel, Boat, Houseboat or House Barge located within the waters of the City of Newburyport, whether at a private residence, marina or mooring must have a valid Registration or USCG Documentation and active Insurance.

Councillor Charles F. Tontar

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 12, 2018

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

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

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

Section II-B: Definitions.

The Newburyport Zoning Ordinance, Section II-B, entitled "Definitions" is hereby amended by adding the following sentence to the end of the existing definition number 23, entitled "Lot Area":

"All lot area calculations shall be made in accordance with Section VI-B (*entitled "Lot areas"*)."

Section VI-B: Lot areas.

The Newburyport Zoning Ordinance, Section VI-B, entitled "Lot areas" is hereby amended by adding the following new subsections:

D. Required Contiguous Upland

Regardless of actual lot size, at least 80% of the minimum lot area required for the applicable zoning district(s) shall be provided in contiguous uplands. Uplands, as used in this section, shall include all portions of the subject lot(s) except for wetlands or buffer zones, as defined in subsection VI-B(E).

E. Required Lot Area Shall Exclude Wetlands & Buffer Zones

Notwithstanding any provision within this Ordinance to the contrary, the required lot size and area calculations in all residential zoning districts shall not include any portion of the land or property in question which is located within wetlands or buffer zones. For interpretation and application of this requirement, the location and extent of wetlands and buffer zones (and conversely, of uplands) shall be based upon a current wetlands delineation plan approved by the Newburyport Conservation Commission in accordance with the Massachusetts Wetlands Protection Act (MGL Chapter 131, Section 40) and/or local Wetlands Protection Ordinance (Article II of the City of Newburyport Code of Ordinances).

F. Documentation Required to Ensure Compliance

Applicants shall be required to submit documentation supporting applicable lot area calculations on any plans submitted to the City of Newburyport Building Department, Office of Planning & Development, Planning Board and/or Zoning Board of Appeals when any portion of the property or land in question is located within such wetlands or buffer zones, as defined therein.

Councillor Charles F. Tontar

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 12, 2018

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

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

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

Section III-C: Zoning Map.

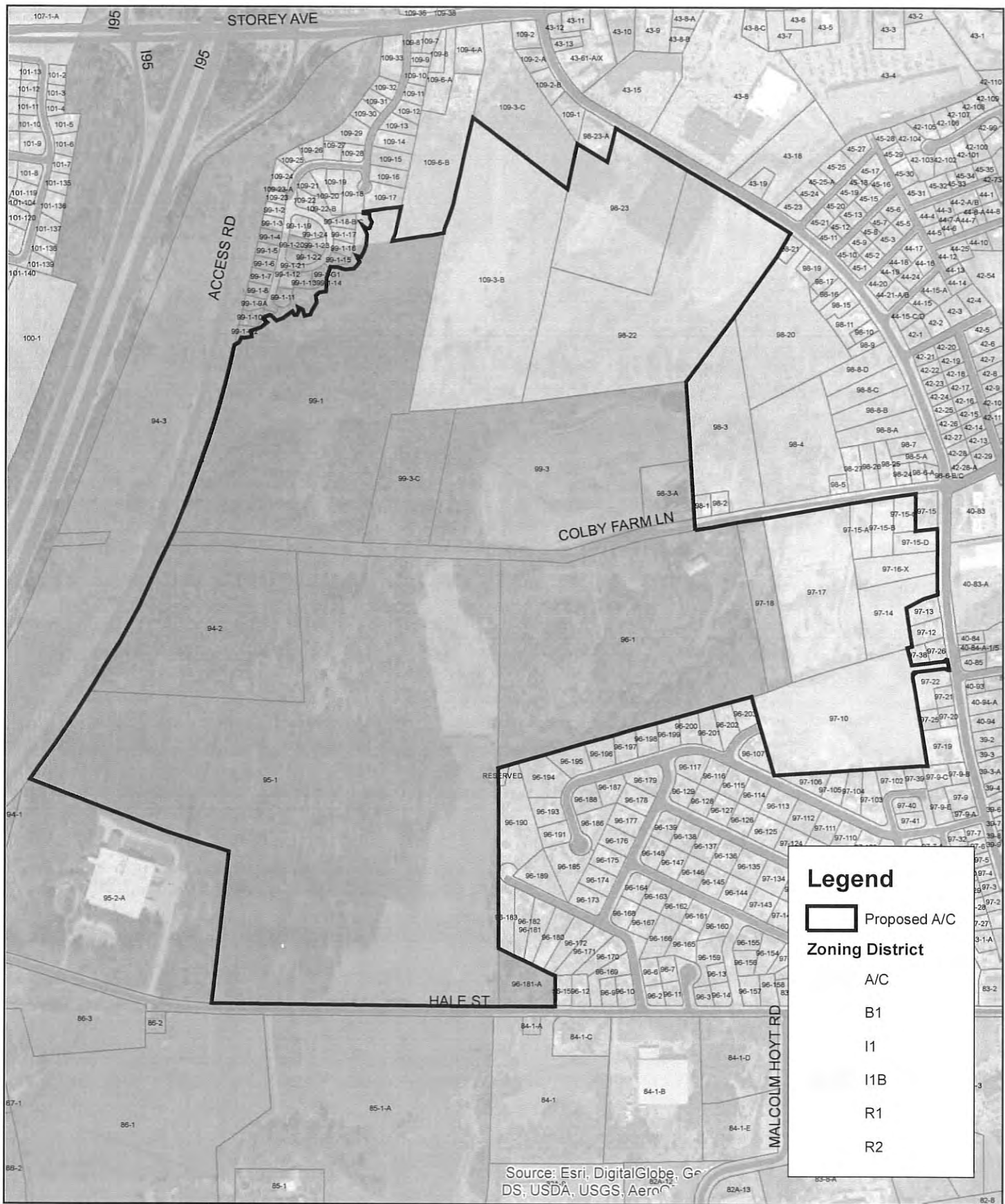
The Zoning Map of said Zoning Ordinance entitled "Zoning Map of the City of Newburyport" is hereby amended pursuant to Section III-D "Changes to Zoning Map" such that all of the following properties, as depicted on a map prepared by the Newburyport Office of Planning & Development, dated march 6, 2018 and entitled "Low Street Agricultural Zoning Map Change" are included within the Agricultural / Conservation (A/C) Zoning District:

1. 251 Low Street (*Assessors Map 98 Lot 23*);
2. Low Street (*Assessors Map 98 Lot 22*);
3. 9 Crow Lane (*Assessors Map 97 Lot 17*);
4. 7 Colby Farm Road [formerly Crow Lane] (*Assessors Map 97 Lot 15-A*);
5. 5 Colby Farm Road [formerly Crow Lane] (*Assessors Map 97 Lot 15-B*);
6. 3 Colby Farm Road [formerly Crow Lane] (*Assessors Map 97 Lot 15-C*);
7. 183 Low Street (*Assessors Map 97 Lot 15-D*);
8. 181 Low Street (*Assessors Map 97 Lot 16-X*);
9. 179 Low Street (*Assessors Map 97 Lot 14*);
10. 159 Low Street (*Assessors Map 97 Lot 22*);
11. 155 Low Street Rear (*Assessors Map 97 Lot 10*);
12. 21 Colby Farm Road [formerly Crow Lane] (*Assessors Map 97 Lot 18*);
13. 23 Colby Farm Road [formerly Crow Lane] (*Assessors Map 96 Lot 1*);
14. 30 Colby Farm Road [formerly Crow Lane] (*Assessors Map 98 Lot 3-A*);
15. Colby Farm Road [formerly Crow Lane] (*Assessors Map 99 Lot 3*);
16. Colby Farm Road [formerly Crow Lane] (*Assessors Map 99 Lot 3-C*);
17. Colby Farm Road [formerly Crow Lane] (*Assessors Map 99 Lot 1*);
18. 79 Storey Ave Rear (*Assessors Map 109 Lot 3-B*);
19. 25 Colby Farm Road [formerly Crow Lane] (*Assessors Map 94 Lot 2*); and

20. Colby Farm Road [formerly Crow Lane] (*Assessors Map 95 Lot 1*);
21. 48 Hale Street (*Assessors Map 96 Lot 181-A*);

Councillor Larry G. Giunta, Jr.

Councillor Charles F. Tontar



Low Street Agricultural Zoning Map Change

Office of Planning and Development
3/6/2018

COMMITTEE ITEMS

March 12, 2018
Committee on Budget & Finance

- **ORDR006_01_29_18** – Adjustments to Income and Int Rate for 41A Deferral.
- **COMM012_01_29_18** – Zeid Senior Tax Credit Table.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 29, 2018

Deletions in the amended version are indicated by a ~~double strikethrough~~.
Additions are underlined.

THAT, the City of Newburyport increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes under G.L. c. 59 § 5, Clause 41A from ~~\$40,000~~ \$20,000 to 100% of the amount established annually by the Commissioner of Revenue as the income limit for single seniors who are not heads of households to qualify for the "circuit breaker" state income tax credit for the preceding state tax year, with such increase to be effective for deferrals granted for taxes assessed for any fiscal year beginning on or after July 1, 2018.

FURTHER THAT, the City of Newburyport reduce the rate of interest that accrues on property taxes deferred by eligible seniors under G.L. c. 59, § 5, Clause 41A from 8% to ~~4%~~ 3%, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2018.

Councillor Afroz Khan

Councillor Sharif I. Zeid

January 29th, 2018 - City Council President and Members of the City Council,

The State gives municipalities several options to offer tax relief to residents. There are myriad of different options and I thought it would serve a great purpose to summarize the different clauses. This communication represents *my* best understanding of the options:

MGL Chapter 59 § 5	Clause 41A	Clause 41C	Clause 41 C ½	Clause 41 D
Basic premise	Allows municipality to offer a deferral to a taxpayer at a defined interest rate	Allows a municipality to offer an exemption based on certain eligibility criteria	Allows a municipality to offer an exemption based on certain eligibility criteria	Allows the eligibility criteria for Clause 41C to grow with inflation and cost of living
Adopted by the City of Newburyport	Yes	Yes	Proposed*	Yes
Method of adoption or revocation	Vote of the City Council + Mayoral Approval	Vote of the City Council + Mayoral Approval	Upon being placed on ballot by City Council + Mayor, must be approved by voters. Home rule petition needed to do it via special election (no petition needed if done in regular municipal election). Can't be revoked for 3 years	Vote of the City Council + Mayoral Approval
Statewide Adoption	125 out of 351 municipalities	330 out of 351 Municipalities	2 out of 351 municipalities	Unable to find
Eligibility Criteria (In Newburyport)	<ul style="list-style-type: none"> • Must own and occupy the property exemption is being requested for • Domiciled in MA for 10 or more consecutive years prior to application • Owned/Occupied any MA property as domicile for any 5 or more years 			
Nota Bene: Primary domicile does not count towards asset limit	<ul style="list-style-type: none"> • 65 years of age or older • 40,000 of gross receipts ("Income") or less* 	<ul style="list-style-type: none"> • 65 years of age or older • Income Limit: Single: \$30,107 Married: \$45,161 • Asset Limit: Single: \$51,138 Married: \$70,314 	<ul style="list-style-type: none"> • 70 years of age or older** • Income Limit (Household**): Single: \$57,000 Head of Household: \$72,000 Married: \$86,000 (tied to State Senior Circuit Breaker) • Asset Limit: None*** ** Administration recommendation *** State Statute does not allow for asset limit. Can do custom but no state reimbursement (see below). 	<ul style="list-style-type: none"> • N/A – dovetails with 41C
Taxpayer exemption/deferral Calculation	<ul style="list-style-type: none"> • Deferral of property taxes at an interest rate of 8%* 	<ul style="list-style-type: none"> • \$500 exemption from property taxes* 	<ul style="list-style-type: none"> • 5-20% of the average residential value in the City 	<ul style="list-style-type: none"> • N/A –dovetails with 41C

MGL Chapter 59 § 5	Clause 41A	Clause 41C	Clause 41 C ½	Clause 41 D
	(changes to 16% after death). • Enforced by lien.		(currently ~\$483k) • Percentage set by City Council + Mayor	
"5 C1/2" doubles exemption amount above?	No	Yes, but property owner cannot pay less in property taxes in current fiscal year than previous fiscal year.		N/A –dovetails with 41C
State Reimbursement	No	Yes, \$500 per approved application (max 116k)	Yes, \$500 per approved application (max 116k) as long as you adopt the Statute as written	N/A –dovetails with 41C
Impact to City Budget <i>assuming all else equal</i>	Reduction in total net taxes ("Total Revenue") in years of deferral. Catch-up when lien is called. Irrespective of Tax Levy.	Reduction in total net taxes ("Total Revenue") taken in by way of "Reserve for Abatement", irrespective of tax levy.		
Clause co-existence	With all other clauses	With 41A and 4D	With 41A	With 41A and 41C
Notes	*ORDR006 would change the deferral interest rate to 4% (16% unchangeable MGL Ch. 60 Sec. 62) and \$40,000 to 100% of State's Circuit Breaker (\$57,000 Single, \$72,000 Head of House Hold, \$86,000 Joint as of 2017)	* ORDR007 would change the exemption to \$1,000, which is maximum permissible under the Statute.	*ORDR061 requests a home rule petition from the state legislature allowing for a special election	None

Other notes:

- Most Clauses have "options" that can be exercised by the Municipality while still staying within the bounds of the Clause (not custom, per se). For example, the minimum age can be set to 65 for 41c rather than the default 70. The items are how they are adopted/proposed today in Newburyport
- There is a clause 41B that I have not studied in-depth but it appears to be something of an older version of 41C
- There is a Bill (House No. 4001) that has been filed at the State House that attempts to possibly create a new program that allows for means testing

Best,



Sharif I. Zeid
Ward 1 City Councillor

March 12, 2018

Committee on General Government

- **ODNC019_12_11_17** Recommended Additions to Chapter 2, Article III, Division 6, Section 2-125a
- **COMM015_02_26_18** Ltr re: City of Newburyport Charter Amendments
- **ORDR012_02_26_18** Intermunicipal Agreement Animal Control Extension through 6/30/2019

CITY OF NEWBURYPORT



 IN CITY COUNCIL

ORDERED:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED ADMINISTRATION

Chapter 2 Administration; Article III Boards, Committees, Commissions; Division 6 Human Rights Commission

Section 2-125 a

Delete:

It is the policy of the City of Newburyport to uphold the human rights of all persons in Newburyport and the free exercise and enjoyment of any rights and privileges secured by the Constitution and laws of the United States and the Commonwealth of Massachusetts. This policy shall promote and support equal opportunity for each person regardless of race, color, religious creed, national origin, sex, age, ancestry, sexual orientation, gender identity and expression, marital, family or military status, and source of income or disability with respect to housing, employment, education, public accommodations, City services, insurance, banking, credit and healthcare.

Add:

It is the policy of the City of Newburyport to uphold the human rights of all persons in Newburyport and the free exercise and enjoyment of any rights and privileges secured by the Constitution and laws of the United States and the Commonwealth of Massachusetts. This policy shall promote and support equal opportunity for each person regardless of race, color, religious creed, national origin, immigration status, sex, age, ancestry, sexual orientation, gender identity and expression, marital, family or military status, and source of income or disability with respect to housing, employment, education, public accommodations, City services, insurance, banking, credit and healthcare.

Further, City employees shall not ask for information about immigration status in the performance of daily tasks unless required to do so by Federal or State statute, regulation or court decision.

City department heads shall use tools at their disposal, including meetings and trainings, to direct their staff to comply with the City's policies described above. A communication shall be issued by City department heads to their staff upon adoption of this ordinance.

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 FEB 16 AM 11:51

City Council
City of Newburyport
60 Pleasant Street,
Newburyport, MA 01950

City of Newburyport Charter Amendments

February 14, 2018

Dear President Connell, and honorable City Council members;

The City of Newburyport Charter of 2011; failed to have specific provisions and procedures regarding the Office of Mayor Term limits and the Recall of Mayor from Office.

1. Term Limits of the Office of Mayor was not specified or included in Article 3, section 1. Only Term "duration" of the Office was specified in Section 3-1 (B).
2. Mayor Recall from Office is not specified or not provided for by the Charter. However, Mayor Removal from Office is referred to under Section 3-10: "Vacancy in the Office of Mayor"; (A) Special Election. Nevertheless, NO rules or procedures were mentioned on how and why is the Removal "recall" of the Mayor from Office.

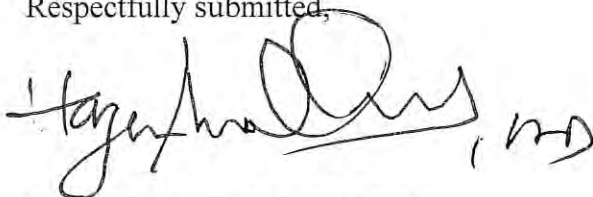
Several Cities and Municipalities across USA and the Commonwealth have recalled elected Officials including Mayors and Councilors. For yearly details of these Municipalities and Cities please review the following link.

https://ballotpedia.org/Mayoral_recalls

The City Charter clearly allows amendments under Section 9-1 or during the Periodic Review of the Charter before the 1st day of July, 2019; under section 9-6.

I am kindly asking that the honorable City Council would consider such amendments.

Respectfully submitted,



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

Professor of Pediatric Hematology Oncology

52A Ferry Road, Newburyport, MA 01950

SECTION 2-11: FILLING OF VACANCIES

If a vacancy occurs at any time in the office of a councilor elected by and from the voters at large, such vacancy shall be filled forthwith by a majority vote of all the remaining members of the city council for the remainder of the unexpired term. If a vacancy occurs, before the last 6 months of the term, in the office of a councilor elected by and from the voters of a ward, the city council shall forthwith order an election to fill such vacancy for the remainder of the unexpired term. If a vacancy occurs in the last 6 months of the term of said office, such vacancy shall be filled forthwith by a voter of the ward as elected by a majority vote of all the remaining members of the city council for the remainder of the unexpired term.

ARTICLE 3

EXECUTIVE BRANCH

SECTION 3-1: MAYOR: QUALIFICATIONS; TERM OF OFFICE; COMPENSATION; PROHIBITIONS

(a) Mayor, Qualifications - The chief executive officer of the city shall be a mayor, elected by and from the voters of the city at large or, in the case of a vacancy, as provided in section 3-10. Any voter shall be eligible to hold the office of mayor. The mayor shall devote full time to the office and shall not hold any other elective public office.

(b) Term of Office - The term of office of the mayor shall be 4 years beginning on the first Monday in the January succeeding his election, except when said first Monday falls on a legal holiday, in which event the term shall begin on the following day and continue until his successor has been qualified.

(c) Compensation - The city council shall, by ordinance, establish an annual salary for the mayor. No ordinance increasing or reducing the salary of the mayor shall be effective unless it shall have been adopted by a 2/3 vote of the full city council. No increase or reduction in such salary shall take effect

SECTION 3-9: DELEGATION OF AUTHORITY BY MAYOR

The mayor may authorize any subordinate officer or employee of the city to exercise any power or perform any function or any duty which is assigned by this charter, or otherwise, to the mayor, and the mayor may rescind or revoke any such authorizations previously made, but all acts performed under any such delegation of authority during a period of authorization shall be and remain the acts of the mayor. Nothing in this section shall be construed to authorize a mayor to delegate his power of appointment to city office or employment or the power to sign or return measures approved by the city council.

SECTION 3-10: VACANCY IN OFFICE OF MAYOR

(a) Special Election - If a vacancy in the office of mayor occurs during the first 3 years of the term for which the mayor is elected, whether by reason of death, resignation, removal from office, incapacity, or otherwise, the city council shall immediately, in the manner provided in section 7-1, order a special election to be held within 90 days following the date the vacancy is created, to fill the vacancy for the balance of the then unexpired term. If a regular city election is to be held within 120 days following the date the vacancy is created, a special election need not be held and the position shall be filled by vote at such regular election.

(b) President of City Council To Serve As Mayor - If a vacancy in the office of mayor occurs in fourth year of the term for which the mayor is elected, whether by reason of death, resignation, removal from office, or otherwise, the city council president shall serve as mayor. If, however, the city council president is unable or unwilling to serve as mayor, the city council shall then elect by majority vote one of its remaining members to serve as mayor. Upon the qualification of any member of the city council as mayor, under this section, a vacancy shall exist in that seat on the city council which shall be filled in the manner provided in section 2-11. A city councilor serving as

ARTICLE 9
GENERAL PROVISIONS

SECTION 9-1: CHARTER CHANGES

This charter may be replaced, revised or amended in accordance with any procedure made available under the state constitution, or by statutes enacted in accordance with the state constitution.

SECTION 9-2: SEVERABILITY

The provisions of this charter are severable. If any provision of this charter is held invalid the other provisions shall not be affected by this holding. If the application of this charter, or any of its provisions, to any person or circumstance is held invalid, the application of the charter and its provisions to other persons and circumstances shall not be affected thereby.

SECTION 9-3: SPECIFIC PROVISION TO PREVAIL

To the extent that any specific provision of this charter shall conflict with any provision expressed in general terms, the specific provision shall prevail.

SECTION 9-4: RULES AND REGULATIONS

A copy of all rules and regulations adopted by any city agency shall be placed on file in the office of the city clerk no later than their effective date and shall be available for review by any person who requests such information at any reasonable time. Unless an emergency exists as determined by the mayor, no rule or regulation adopted by any city agency shall become effective until at least 5 days following the date it is so filed.

SECTION 9-5: PERIODIC REVIEW OF ORDINANCES

Not later than the first day of July, at 5 year intervals, in each year ending in a 5 or in a zero, beginning in 2015, the mayor and city council shall provide for a review to be made of the ordinances of the city for the purpose of preparing a proposed revision or recodification of them, without substantive change. This review shall be made by a special committee to consist of 9 members, 4 of whom shall be appointed by the city council president and 5

of whom shall be appointed by the mayor. At least 2 of the persons appointed by the city council president shall be members of the city council. All members of said committee shall be voters of the city. The appointing authority shall fill any vacancies within 14 days. The special committee shall file its report with the city clerk not later than the first day of May in the year following the year in which the committee is appointed. The recommendations of the special committee shall appear on the city council agenda for action before the fifteenth day of June in that year and if not so scheduled by the city clerk, the matter shall come before the city council for action at its next meeting held following the fifteenth day of June, and no other business shall be in order until the report has been acted upon, by roll call vote. The review of city ordinances shall be under the supervision of the city solicitor. Copies of the revision, recodification or republication shall be made available to the public at a cost not to exceed the actual cost of the reproduction. In each year between these reenactments, an annual supplement shall be published which shall contain all ordinances and amendments to ordinances adopted in the preceding year.

SECTION 9-6: PERIODIC REVIEW OF CHARTER

Not later than the first day of July, at 10 year intervals, in each year ending in a 9, the mayor and city council shall provide for a review to be made of the city charter. This review shall be made by a special committee to consist of 9 members, 4 of whom shall be appointed by the city council president and 5 of whom shall be appointed by the mayor. At least 2 of the persons appointed by the city council president shall be members of the city council. All members of the committee shall be voters of the city. The appointing authority shall fill any vacancies within 14 days. The special committee shall file its report with the city clerk, not later than the first day of May in the year following the year in which the committee is appointed. The recommendations of the special committee shall appear on the city council's

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

February 26, 2018

THAT the City Council of the City of Newburyport approves the extension through June 30, 2019 of the attached Intermunicipal Agreement between the Town of West Newbury and the City of Newburyport for Shared Animal Control Services.

Councillor Tontar
Chairman, Budget & Finance

RECEIVED
CITY OF NEWBURYPORT
MAY 27 2016

CITY OF NEWBURYPORT AND
TOWN OF WEST NEWBURY
INTERMUNICIPAL AGREEMENT FOR THE ADMINISTRATION OF SHARED
ANIMAL CONTROL SERVICES

Article 1. Purpose

This agreement is entered into, pursuant to Massachusetts General Laws Chapter 40, Section 4A, by and between the City of Newburyport, as authorized by its City Council and approved by its Mayor, and the Town of West Newbury, as authorized by its Board of Selectmen.

WHEREAS, the City of Newburyport and the Town of West Newbury are each obligated to provide animal control services to their residents; and

WHEREAS, the City of Newburyport and the Town of West Newbury have determined that their residents can more efficiently and effectively be served with such services through a joint undertaking between the communities; and,

WHEREAS, the City of Newburyport and the Town of West Newbury have determined to join together to establish and administer a program of shared Animal Control Services.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree as follows:

Article 2. Definitions

Participating Governmental Units: the City of Newburyport and the Town of West Newbury.

Animal Control Services: Any and all services as required of an Animal Control Officer under applicable Massachusetts Laws and regulations, including but not limited to MGL Chapter 140, Section 151 *et seq.* and MGL Chapter 129, Section 15 *et seq.*

Article 3. Term

This Agreement shall take effect on the 1st day of July 2016, for a one year term that may be extended by up to two additional one year terms commencing on July 1, 2017 and July 1, 2018. Any such extension term shall be subject to approval by the City of Newburyport, as authorized by its City Council and approved by its Mayor, and the Town of West Newbury, as authorized by its Board of Selectmen. The Participating Governmental Units shall give each other notice of whether or not they wish to extend this initial one year term at least ninety days prior to the annual Town Meeting of the Town of West Newbury but no later than ninety days prior to June 1st of the then-current term, unless another date is mutually agreed upon in writing. Should the

parties fail to extend this Agreement by written addendum hereto, the agreement shall terminate upon the last day of the then-current term.

Article 4. Lead City

The City of Newburyport shall act as the "lead city" for the Participating Governmental Units, by employing the necessary officers and providing the necessary equipment, vehicles and kennel to perform said Animal Control Services. Said officers shall be considered employees of the City of Newburyport and be accorded all applicable benefits enjoyed by other Newburyport municipal employees as they are or shall be established. Each such officer must be a Massachusetts certified Animal Control Officer (excepting that new employees may acquire such certification within two years of the commencement of employment). Said certification must be maintained during the term of this Agreement. The office where such officers shall be primarily located will be in Newburyport.

Article 5. Funding Contribution

During the Fiscal Year 2017 (July 1, 2016 – June 30, 2017), the Town of West Newbury shall pay the City of Newburyport for animal control services a total sum of \$20,000.00 to be paid in four equal quarterly payments of \$5,000.00 on or before August 1, November 1, February 1, and May 1. This payment shall include all applicable expenses incurred by the City of Newburyport in providing Animal Control Services on behalf of the Participating Governmental Units, including, but not limited to, salaries, group health insurance, workers' compensation insurance, and all other applicable benefits. Nothing herein shall prevent the parties from mutually agreeing in writing to change the funding contribution during the initial term or any extended term of this agreement, subject to available appropriation.

Article 6 Financial Safeguards

Under the provisions of M.G.L. Chapter 40, §4A, the City of Newburyport Director of Public Health shall provide to the Town of West Newbury periodic financial statements that shall include: accurate and comprehensive records of the services performed under this agreement; the costs incurred; and the reimbursements and contributions received. Such reports shall be compiled and distributed by the Health Director on a quarterly basis. In addition, all bills and payrolls submitted for work done under this regional agreement shall be plainly marked to indicate that the work was done under the authority of this agreement.

The accounting records of the Newburyport Animal Control Services, working under the direction of the Newburyport Director of Public Health, shall be subject to the City's annual audit process and shall be subject to periodic audit by the Newburyport City Auditor as is current practice.

I. OPERATIONS:

- a. The Animal Shelter Facility shall be accessible to the citizens of each Participating Governmental Unit for the retrieval of impounded animals during normal business hours, Monday through Friday 8AM to 4PM by appointment. Weekend hours will be provided by appointment only. Notice shall be posted conspicuously and in a readily accessible format in the main municipal building of both Participating Governmental Units which states the hours of operation and an emergency telephone number for use by residents to retrieve their pets. Such information shall also be made available on each respective Participating Governmental Unit website. The animal shelter shall be able to accept impounded animals 24 hours a day, 365 days a year.
- b. Newburyport will provide daily supervision, food, water and humane care to animals boarded at the shelter.
- c. All Animal Control Officers will log in each time they enter the Animal Shelter Facility. The sign-in sheets will be submitted monthly to the Director of Public Health.
- d. The Animal Shelter Facility is to be solely used for the impounding of animals and to be used by Animal Control Officers only. There shall be no entry of other persons in the shelter without the consent of the City of Newburyport Director of Public Health.
- e. Newburyport will be responsible for the Animal Shelter Facility cleaning/sanitizing supplies, maintenance, heat, water, electric and other utility costs incurred in connection with the operation of the Facility.
- f. Newburyport will be responsible to keep the Animal Shelter Facility and associated kennels maintained, clean, and sanitary on a daily basis. Excreta and food waste shall be removed from primary enclosures daily and from under enclosures as often as necessary to prevent an excessive accumulation of feces and food waste, to prevent soiling of the animals contained in the enclosures, and to reduce disease, hazards, insects, pests, and odors. The condition of the kennels and quality of care is to be of a high caliber and performed to the standards established by the City of Newburyport Director of Public Health.

Article 7 Hours of Services and Service Requirements

The City of Newburyport shall provide Animal Control Services under this Agreement on an as-needed basis, seven days a week, twenty four hours a day. Animal Control Services shall be provided on an equal basis between the communities.

Article 8 Vehicle Usage

The Town of West Newbury shall provide a 2005 Ford Van. This vehicle shall be made available for the use of the Animal Control Officers. Collision and liability insurance for this vehicle shall continue to be paid by the Town of West Newbury. The City of Newburyport shall be responsible for the maintenance and upkeep of West Newbury's vehicle.

Article 9 Fines

Any fines, exempting boarding fees, collected will be collected on behalf of and returned to the Participating Governmental Unit from within the municipal boundaries of which the animal was taken, or in the case of an animal not taken, returned to the Participating Governmental Unit in which the animal resides or is kept.

Article 10 Indemnification

In the event that any claims, demands, suits, causes of action, costs, and expenses arise with respect to the services provided pursuant to this 'agreement, and to the extent permitted by Massachusetts General Laws chapter 258 and other applicable law, a Participating Governmental Unit shall indemnify, defend and hold harmless the other participating Government Unit from and against any such claims, demands, suits, causes of actions, costs and expends, including reasonable attorneys' fees and legal costs, but only to the extent that they arise from or relate to the negligent acts or omissions of the first Participating Governmental Unit, or its agents, servants, or employees, By entering into this Agreement, neither of the parties have waived any governmental immunity or limitation of liability or damages which may be extended to them by operation of law. This Agreement is by and between the municipalities which have executed it and each states that this is intended for their mutual benefit alone and is not intended to confer any express or implied benefits on any other person. This Agreement is not intended to confer third party beneficiary status on any person.

Article 11 Operation of Animal Shelter Facilities

The City of Newburyport shall maintain and operate an Animal Shelter Facility under the following terms and conditions.

- g. Boarding facilities shall include a sheltered kennel unit with cages and/or runs that protect the animals from precipitation, and extreme hot (100°F or greater) and cold (45°F or less) conditions. Except in emergency situations, as determined by the Newburyport Animal Control Officer, no more than one adult animal shall be kept per cage.
- h. Newburyport will be responsible for ensuring that an ill or injured animal is treated promptly by the respective Participating Governmental Unit's contracted licensed veterinarian, depending on the nature and/or seriousness of the illness or injury, and that any prescribed medication is promptly obtained and administered.

II. FEES:

- a. Owners who reclaim animal(s) shall make payment to the City of Newburyport prior to reclaiming their animal(s) for all boarding fees (\$35.00 per day for each animal) and all other fees related to shelter services provided per day per animal.
- b. Newburyport shall provide invoices, collect monies and keep records of all required fees received from owners. Invoices provided to owners who are retrieving their animal shall include the date that the animal was delivered to the shelter, the per day shelter rate, the number of days that the animal was sheltered, medical bills as applicable, and total fee due and collected.
- c. Each Participating Governmental Unit shall be responsible for the direct costs to care for the animals which originate from said community, including but not limited to flea treatments and any veterinary costs. For the purposes of this agreement, "veterinary costs" shall include rabies vaccinations, health evaluation, treatment of minor curable diseases and euthanasia.
- d. Each Participating Governmental Unit shall pay any additional costs associated with the transport and removal of animals from their community if an animal is not claimed or is injured.
- e. Newburyport may add a surcharge of up to ten (10) percent (not to exceed \$25.00) to medical bills to cover certain incidental costs relating to

transportation of an animal to a veterinarian's office, telephone expenses incurred in connection with medical treatment, and any special care involved. Bills must support all medical charges and receipts bearing the name of the veterinarian or firm from whom they were obtained.

- f. Fees for animals that are unclaimed by the owner at the end of the maximum seven (7) day holding period shall be paid by the Participating Governmental Unit where the animal originated.
- g. All fees and receipts from boarding and all other services related to the shelter shall be submitted monthly to the City of Newburyport Health Department.

III. RECORD KEEPING: Each Participating Governmental Unit's Animal Control Officers shall maintain an impound record on each animal delivered to the Animal Shelter Facility. The impound record will be prepared and filled out by the appropriate Animal Control Officer and delivered to the Facility with the animal.

Upon discharge, one (1) copy of the animal's completed record shall be provided to the person claiming the animal and one (1) copy of each discharged animal's record shall be provided to Newburyport. If the agreement is terminated, all impound records shall be transmitted to the appropriate town.

IV. DISCHARGE:

- a. Claimed animals: Each Participating Governmental Unit will require the person claiming the animal to show identification (preferably a driver's license). In the case of a dog, a certificate of license is required of all dogs six (6) months of age or older for release.

In the event of non-licensure of a dog, the owner or person claiming the dog will be required to show proof of licensure prior to release by the Animal Control Officer. The Animal Control Officer will not be responsible for ensuring licensure of the dog.

In addition, the Animal Control Officer will provide the person claiming the animal with a full disclosure of any medical treatment rendered by a veterinarian and/or the Animal Shelter Facility and by whom it was rendered

and a complete identification of any prescription or non-prescription medicine(s) administered to the animal while in custody. Finally, the Animal Shelter Facility must obtain the signature and the driver's license number of the person to whom the animal is released on the Impound Record.

- b. Unclaimed animals: Unless requested by the Newburyport Director of Public Health or West Newbury Police Chief to retain the animal for a longer period (2 to 4 additional days), animals will be picked up on or immediately following the seventh (7th) day of confinement by the Animal Control Officer. The written notice to extend shelter services from the Newburyport Director of Public Health or West Newbury Police Chief must accompany the reports to the city or town. The shelter may place such animals as are deemed suitable up for adoption in accordance with MGL Chapter 140, section 136A.

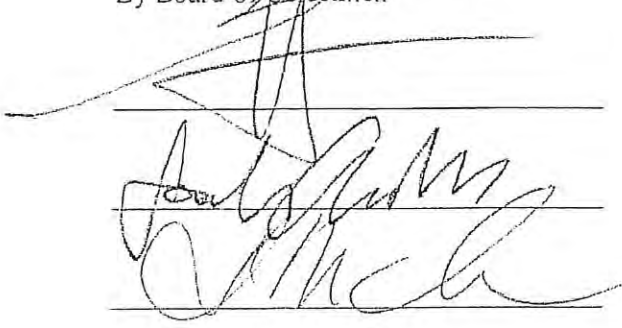
Article 12 Dangerous or Nuisance Dogs

In accordance with M.G.L. Ch. 140 Sec. 157, complaints regarding dogs must be filed with the hearing authority in the city or town in which the dog is owned or kept. For the purposes of this IMA, the hearing authority for the City of Newburyport and for the Town of West Newbury shall be the Mayor and the Board of Selectmen respectively. Both hearing authorities will consult with the relevant animal control officer(s) in their review and resolution of these complaints.

Article 13 Miscellaneous

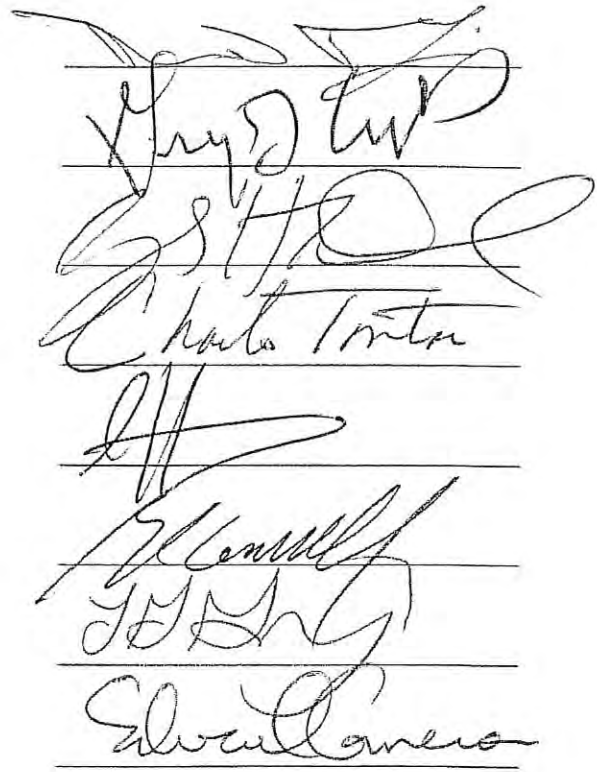
- a. This agreement may be amended in writing by vote of both of the Participating Governmental Units. Should additional municipalities seek to join this program of shared Animal Control Services, the terms agreed to herein, including apportionment of expenses, for such additional municipalities shall be negotiated and approved by both of the Participating Governmental Units.
- b. This agreement represents the entire understanding of the parties with respect to its subject matter.
- c. This agreement shall be governed by the laws of the Commonwealth of Massachusetts.
- d. If any of the provisions of this agreement is declared to be illegal, unenforceable, or void, then both parties shall be relieved of all obligations under such provision, provided, however, that the remainder of the Agreement shall be enforced.

TOWN OF WEST NEWBURY
By Board of Selectmen



Dated: 5/16/16

CITY OF NEWBURYPORT
By City Council



Dated: 8/10/16