

CITY COUNCIL MEETING AGENDA - VERSION 2

CITY COUNCIL CHAMBERS

MAY 14, 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**
- 7. MAYOR'S BUDGET PRESENTATION**

CONSENT AGENDA

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

8. APPROVAL OF MINUTES

April 30, 2018

(Approve)

9. TRANSFERS

- **TRAN009_05_14_18** Free Cash \$191,818.51 to Snow&Ice Labor \$7,921.19, Snow&Ice Expenses \$183,897.32 (B&F)
- **TRAN010_05_14_18** Health Ins \$1,410 to LCM Clerical \$900, LCM General \$510 (B&F)
- **TRAN011_05_14_18** Transfers - Capital and Reserve Fund \$1,879,054.50 (B&F)

10. COMMUNICATIONS

- **COMM039_05_14_18** Feline Rescue Strut for Strays - 6/3/2018 (PS)
- **COMM040_05_14_18** Ride to End Alzheimer's - 6/9/2018 (PS)
- **COMM041_05_14_18** Lions Club Bed Race - 8/2/2018 (PS)
- **COMM042_05_14_18** Ltr re: Marijuana Moratorium (P&D)
- **COMM043_05_14_18** Greek Food Festival - July 27-29, 2018 (PS)

11. APPOINTMENTS

- **APPT039_05_14_18** Ronald M. Thurlow 28A Hancock St Harbor Commission 6/1/2020

**END OF CONSENT AGENDA
REGULAR AGENDA**

12. MAYOR'S UPDATE

13. APPOINTMENTS

- | | | Second Reading | | |
|---|-------------------------|-----------------------|--------------|--------------------------------|
| • | APPT034_04_30_18 | Christopher J. Fay | 20 Strong St | Historical Commission 5/1/2021 |
| • | APPT035_04_30_18 | Glenn Richards | 6 Kent St | Historical Commission 5/1/2020 |

Re-Appointments

- APPT036_04_30_18 Mary Zinck 6 Laurel Rd Board of Registrars 3/31/2021
- APPT037_04_30_18 Bonnie Sontag 10 Upland Rd Fruit St Local Historic District 5/31/2021

14. ORDERS

- ORDR033_05_14_18 Adoption of Housing Production Plan
- ORDR034_05_14_18 Roof Replacement Projects Loan
- ORDR035_05_14_18 Budget Order FY2019
- ORDR036_05_14_18 Marijuana Retailers Ballot Question
- ORDR037_05_14_18 Lease of Coast Guard Auxiliary Building on Plum Island Point

15. ORDINANCES

- ODNC020_05_14_18 Amendment to Chapter 11, Parks & Recreation
- ODNC021_05_14_18 Temporary Moratorium on Recreational Marijuana Establishments

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- ORDR007_01_29_18 41C Amendment
- COMM022_03_26_18 FY2018-FY2022 Capital Improvement Program Submission
- ORDR022_04_09_18 Local Retail Sales Tax on Marijuana
- TRAN008_04_30_18 PRK Maint - Trees \$9K to PRK Seasonal Employees \$9K
- ODNC013_04_30_18 Establishment of Departmental Revolving Funds
- ORDR027_04_30_18 FY18 Revolving Fund Spending Limit Increase
- ORDR028_04_30_18 FY19 Revolving Fund Spending Limits
- ORDR029_04_30_18 Paid Parking RRFA Fund
- ORDR030_04_30_18 Saltbox Financial Parks Gift Acceptance \$1,000
- COMM034_04_30_18 AFSCME Local 939 - Tentative Agreement

Education

In Committee:

-

General Government

In Committee:

- ODNC007_02_12_18 Amendment to Division 7 – City Solicitor
- ORDR016_03_26_18 Naming of the Five (5) Nature Trails Contained in the Little River Trail System

License & Permits

In Committee:

- COMM029_04_30_18 Outdoor Seating - West Row Café
- COMM031_04_30_18 Inn Street Artisans Revival - John Brown
- COMM033_04_30_18 Ltr re: Business Licenses and Permits

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
- **COMM027_04_09_18** River Valley Charter School Storm Drain Project
- **COMM028_04_09_18** Essex Coastal Scenic Byway Visitor Center Kiosk

Planning & Development

In Committee:

- **ODNC017_10_30_17** Zoning Amendment – No Use Variances (**COTW**)
- **ODNC001_01_08_18** Medical Marijuana Zoning Map
- **ODNC003_01_29_18** Zoning - Amendment to Table of Use Regulations
- **ODNC008_02_12_18** Disposition of G. W. Brown School
- **ODNC011_03_12_18** Zoning Map Change - Low Street Farms
- **ORDR024_04_09_18** Special Act to Dissolve Newburyport Redevelopment Authority (**COTW**)
- **COMM036_04_30_18** Memo re: Proposed Marijuana Zoning Amendments
- **APPT038_04_30_18** Edward Cameron 17 Oakland St Zoning Board of Appeals 2/1/2023
- **ODNC014_04_30_18** Amendment to Demolition Delay
- **ODNC015_04_30_18** Marijuana Zoning – Cultivation (**COTW**)
- **ODNC016_04_30_18** Marijuana Zoning - Retail Sales (**COTW**)

Public Safety

In Committee:

- **COMM020_03_12_18** Newburyport Half Marathon - 10/21/2018
- **ODNC009_02_12_18** Floating Homes, Houseboats, and Related Marinas
- **ODNC012_03_26_18** Amendment to Chapter 13, Section 13-26
- **ORDR023_04_09_18** Additions to 2-Hour Parking Zones
- **ORDR025_04_30_18** Handicapped Space – 17 Merrill Street
- **ORDR026_04_30_18** Handicapped Space – 29 Tyng Street
- **ORDR031_04_30_18** No Parking Titcomb from Pleasant to Merrimac
- **ORDR032_04_30_18** No Parking Merrimac St from Titcomb St Running Westerly
- **COMM030_04_30_18** NBPT Lions Club Yankee Homecoming Road Race - 7/31/18
- **COMM035_04_30_18** Block Party - Lafayette Street - 7/21/18
- **COMM037_04_30_18** Pan Mack - 6/16/2018

Public Utilities

In Committee:

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

Rules Committee

In Committee:

16. GOOD OF THE ORDER

17. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES

CITY COUNCIL CHAMBERS

APRIL 30, 2018

7:30PM

The City Council President, Barry Connell, called the meeting to order at 7:30pm. A moment of silence was held for Ruth Hughes, Theodore Atkinson, and Saul Katz, followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Vogel, Zeid, Devlin, Earls, Eigerman, Giunta, Khan, Shand, Tontar, Connell. 10 present, 1 absent (OBrien).

(Sound Check)

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

1. Glenn Richards	6 Kent St	Historical Comm Appt
2. Paul O'Neil	23 Clipper Way	Trash Pickup
3. Everett Chandler	34 Water St	Zoning Wetlands
4. Laurel Allgrove	22 Beacon Ave	Parking Fees/Hours
5. Jane Nocera	25 Clipper Way	Trash Pickup
6. Walt Thompson	100 State St	Trash Pickup
7. Nancy Peace	53 Warren St #217	Trash Pickup
8. Jeanette Isabella	1 Lime St	Parking
9. Mark Rosen	20 Fair St	Trash Pickup
10. Art Currier	100 State St	Trash Pickup
11. Jayne Allard	5 Parker Ridge Way	Trash Pickup
12. Victoria Carr	1 Hill St	Trash Pickup
13. Bob Lynch	13 Parker Ridge Way	Trash Pickup
14. Christopher Fay	20 Strong St	Historical Comm Appt
15. Paul Bevilacqua	126 Merrimac St #3	Trash Pickup
16. Sandra Turner	Plum Island	Inn Street Artisans Revival
17. John Brown	42 Federal St	Inn Street Artisans Revival
18. Bill Harris	56 Lime St	Act to Dissolve NRA
19. Melinda Everett	7 Parker Ridge Way	Trash Pickup
20. Edward DeSousa	North Reading	Marijuana Zoning
21. Janice Hayes	1 Zabriskie Dr	Trash Pickup
22. Jane Snow	9 Coffin St	Parking Fees
23. Rob Germinara	2 Ashland St	Business Licenses

6. MAYOR'S COMMENT

The mayor gave an update pursuant to her written communication.

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

April 9, 2018

(Approve)

8. TRANSFERS

- **TRAN008_04_30_18** PRK Maint - Trees \$9K to PRK Seasonal Employees \$9K (B&F)

9. COMMUNICATIONS

- **COMM030_04_30_18** NBPT Lions Club Yankee Homecoming Road Race - 7/31/18 (PS)
- **COMM031_04_30_18** Inn Street Artisans Revival - John Brown (L&P)
- **COMM034_04_30_18** AFSCME Local 939 - Tentative Agreement (B&F)
- **COMM035_04_30_18** Block Party - Lafayette Street - 7/21/18 (PS)
- **COMM037_04_30_18** Pan Mack - 6/16/2018 (PS)
- **COMM038_04_30_18** Ltr re: Condo Owners and Trash Pick-up (R&F)

10. APPOINTMENTS

- **APPT034_04_30_18** Christopher J. Fay 20 Strong St Historical Commission 5/1/2021
- **APPT035_04_30_18** Glenn Richards 6 Kent St Historical Commission 5/1/2020

Re-Appointments

- **APPT036_04_30_18** Mary Zinck 6 Laurel Rd Board of Registrars 3/31/2021
- **APPT037_04_30_18** Bonnie Sontag 10 Upland Rd Fruit St Local Historic District 5/31/2021

Appointments, to be Referred to Planning & Development

- **APPT038_04_30_18** Edward Cameron 17 Oakland St Zoning Board of Appeals 2/1/2023

END OF CONSENT AGENDA

REGULAR AGENDA

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

11. MAYOR’S UPDATE

Motion to receive and file by Councillor Eigerman, seconded by Councillor Earls. So voted.

12. COMMUNICATIONS

- **COMM029EP_04_30_18** Emergency Preamble - Outdoor Seating - West Row Café
Motion to approve by Councillor Vogel, seconded by Councillor Tontar. Roll call vote, 7 yes, 3 no (Zeid, Devlin, Khan), 1 absent (OBrien). Motion passed.
- **COMM029_04_30_18** Outdoor Seating - West Row Café
Motion to amend, to issue license until May 14th at 11:59pm, on the condition of “if required by written contract” struck from certificate of insurance, with the ability to renew and refer to License & Permit, by Councillor Zeid, seconded by Councillor Devlin. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.
Motion to approve as amended by Councillor Vogel, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.
- **COMM033_04_30_18** Ltr re: Business Licenses and Permits
Councillor Eigerman removed from Consent Agenda. Motion to refer to License & Permit by Councillor Eigerman, seconded by Councillor Khan. So voted.
- **COMM036_04_30_18** Memo re: Proposed Marijuana Zoning Amendments
Councillor Giunta removed from Consent Agenda. Motion to refer to Planning & Development by Councillor Giunta, seconded by Councillor Tontar. So voted.

13. APPOINTMENTS

Second Reading

- **APPT022_04_09_18** Ronald S. Ziemba 58 Lime St. Unit 1 Historical Commission 5/1/2021
- **APPT023_04_09_18** Paul Hogg 4 Coltin Dr. Special Police Officer 3/1/2020

Re-Appointments

- **APPT024_04_09_18** Johnny Walker (Capt.) 64A Boardman St. Asst Harbormaster 3/1/2021
- **APPT025_04_09_18** Karen Popken 49 Boardman St. Parks Commission 5/1/2023
- **APPT026_04_09_18** Kathryn L. Haried 100 High St. Tree Comm (Alt) 5/1/2019
- **APPT027_04_09_18** Kim Kudym 44 Hale St. Tree Comm (*amended*) 5/1/2021
- **APPT028_04_09_18** Jane Niebling 45 Temple St. Tree Comm 6/1/2021
- **APPT029_04_09_18** Kevin Hunt 14 10th St. Veterans' Agent 4/1/2019
- **APPT030_04_09_18** Barry J. McBride 5 Pine St. Asst Wiring Inspector 5/1/2019

Motion to approve collectively second reading appointments by Councillor Zeid, seconded by Councillor Khan. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.

14. ORDERS

- **ORDR025_04_30_18** Handicapped Space – 17 Merrill Street
Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Shand. So voted.
- **ORDR026_04_30_18** Handicapped Space – 29 Tyng Street
Motion to refer to Public Safety by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **ORDR027_04_30_18** FY18 Revolving Fund Spending Limit Increase
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted.
- **ORDR028_04_30_18** FY19 Revolving Fund Spending Limits
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **ORDR029_04_30_18** Paid Parking RRFA Fund
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted.
- **ORDR030_04_30_18** Saltbox Financial Parks Gift Acceptance \$1,000
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted.
- **ORDR031_04_30_18** No Parking Titcomb from Pleasant to Merrimac
Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Zeid. So voted.
- **ORDR032_04_30_18** No Parking Merrimac St from Titcomb St Running Westerly
Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Tontar. So voted.

15. ORDINANCES

- **ODNC002_01_29_18** Noise Division to Chapter 8 (**2nd Reading**)
Motion to approve second reading by Councillor Eigerman, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.
- **ODNC013_04_30_18** Establishment of Departmental Revolving Funds
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted.
- **ODNC014_04_30_18** Amendment to Demolition Delay
Motion to refer to Planning & Development by Councillor Eigerman, seconded by Councillor Tontar. So voted.
- **ODNC015_04_30_18** Marijuana Zoning – Cultivation
Motion to refer to Planning & Development and Committee of the Whole by Councillor Zeid, seconded by Councillor Tontar. So voted.
- **ODNC016_04_30_18** Marijuana Zoning - Retail Sales
Motion to refer to Planning & Development and Committee of the Whole by Councillor Vogel, seconded by Councillor Zeid. 1 no (Giunta). So voted.

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR007_01_29_18** 41C Amendment
- **COMM022_03_26_18** FY2018-FY2022 Capital Improvement Program Submission
- **TRAN007_04_09_18** Health Insurance \$30K to LGL City Solicitor \$30K
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **COMM026_04_09_18** Annual Audit of the City's FY2017 Financial Statements
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Tontar, seconded by Councillor Khan. So voted.
- **ORDR020_04_09_18** Parking Fees
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Khan. Motion to approve as amended in committee (resident annual permits reduced from \$25 to \$15 (2-1, no – Tontar), on-street resident annual permits reduced from \$5 to \$0 (2-1, no – Khan)) by Councillor Tontar, seconded by Councillor Zeid. Motion to amend, to increase resident permits to \$25 annually, by Councillor Eigerman, seconded by Councillor Tontar. Roll call vote, 4 yes (Vogel, Eigerman, Tontar, Connell), 6 no, 1 absent (OBrien). Motion failed. Motion to approve by Councillor Tontar, seconded by Councillor Khan. Roll call vote, 7 yes, 3 no (Zeid, Devlin, Giunta), 1 absent (OBrien). Motion passed.
- **ORDR021_04_09_18** Parking Lot Hours
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted. Motion to approve as amended, to reduce Sunday hours from 8pm to 6pm, by Councillor Tontar, seconded by Councillor Khan. Roll call vote, 8 yes, 2 no (Zeid, Giunta), 1 absent (OBrien). Motion passed.
- **ORDR022_04_09_18** Local Retail Sales Tax on Marijuana

Education

In Committee:

Councillor Giunta stated there would be a meeting on May 7th at 5:30pm at the Senior Center.

General Government

In Committee:

- **ODNC007_02_12_18** Amendment to Division 7 – City Solicitor
- **ORDR016_03_26_18** Naming of the Five (5) Nature Trails Contained in the Little River Trail System

License & Permits

In Committee:

- **APPT031_04_09_18** Gregg M. Ogden 6 Merrill St. Licensing Commission 6/1/2024
- **APPT032_04_09_18** Ted Waldron 12 Frances Dr. Licensing Commission 6/1/2024

Motion to waive the rules, as the items were not included in the packet, by Councillor Zeid, seconded by Councillor Tontar. So voted. Motion to remove from License & Permit by Councillor Earls, seconded by Councillor Eigerman. So voted. Motion to approve APPT031_04_09_18 and APPT032_04_09_18 collectively by Councillor Earls, seconded by Councillor Eigerman. Roll call vote, 9 yes, 1 recused, (Vogel), 1 absent (OBrien).

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
- **COMM027_04_09_18** River Valley Charter School Storm Drain Project
- **COMM028_04_09_18** Essex Coastal Scenic Byway Visitor Center Kiosk

Planning & Development

In Committee:

- **ODNC017_10_30_17** Zoning Amendment – No Use Variances (**COTW**)
- **ODNC001_01_08_18** Medical Marijuana Zoning Map
- **ODNC003_01_29_18** Zoning - Amendment to Table of Use Regulations
- **ODNC008_02_12_18** Disposition of G. W. Brown School
- **ODNC010_03_12_18** Lot Area Calculations for Residential Districts

Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Tontar. So voted. Motion to amend, to change “the applicable zoning district(s)” in Paragraph D to “residential districts”, by Councillor Eigerman, seconded by Councillor Tontar. Motion to amend, to change to “applicable R1, R2, and R3 districts” in Paragraph D, by Councillor Eigerman, seconded by Councillor Tontar. So voted. Motion to approve as amended by Councillor Earls, seconded by Councillor Tontar. Roll call vote, 3 yes (Earls, Tontar, Connell), 7 no, 1 absent (OBrien). Motion failed.

- **ODNC011_03_12_18** Zoning Map Change - Low Street Farms
- **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

Motion to waive the rules, to allow consideration of APPT016_03_12_18 which was not included in the packet, by Councillor Eigerman, seconded by Councillor Tontar. So voted. Motion to remove APPT016_03_12_18 and APPT017_03_12_18 collectively from Planning & Development by Councillor Eigerman, seconded by Councillor Tontar. So voted. Motion to receive and file APPT016_03_12_18 and APPT017_03_12_18 collectively by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.

- **ORDR024_04_09_18** Special Act to Dissolve Newburyport Redevelopment Authority (**COTW**)
 - **APPT033_04_09_18** LATE FILE Jennifer Blanchet 4 Island Ln, Nwby Zoning Admin 12/31/2018
- Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Tontar. So voted. Motion to approve by Councillor Eigerman, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.

Public Safety

In Committee:

- **COMM020_03_12_18** Newburyport Half Marathon - 10/21/2018
- **ODNC009_02_12_18** Floating Homes, Houseboats, and Related Marinas
- **ODNC012_03_26_18** Amendment to Chapter 13, Section 13-26
- **ORDR023_04_09_18** Additions to 2-Hour Parking Zones

Public Utilities

In Committee:

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

Rules Committee

In Committee:

16. GOOD OF THE ORDER

Councillor Tontar remarked that all the councillors wish Councillor OBrien well.

17. ADJOURNMENT

Motion to adjourn by Councillor Zeid, seconded by Councillor Tontar. So voted. 10:51pm.

TRANSFERS



City of Newburyport

FY 2018

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 MAY -8 PM 2: 23

Department: Mayor's Office

Submitted by: Donna D. Holaday, Mayor

Date Submitted: 5/14/2018

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 663,160.77
Account Number:	01-35910	Trans In:	\$ -
Amount:	\$191,818.51	Trans Out:	\$ 1,830,378.23

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

Transfer To:

Account Name	Snow & Ice - Labor	YTD Bal:	-\$7,921.19
Account Number:	01423001-51301	Category:	\$ -
Amount:	\$7,921.19	Trans I/O:	\$ -

Why are Funds Required: Snow and ice expenses are variable depending on winter weather conditions. This account is used to pay the overtime for City employees during snow and ice events. State law allows communities to deficit spend in this category, however the deficit must be removed by fiscal year-end with available funds, or raise in FY2019.

Transfer To:

Account Name	Snow & Ice - Expenses	YTD Bal:	-\$183,897.32
Account Number:	01423002-52901	Category:	\$ -
Amount:	\$183,897.32	Trans I/O:	\$ -

Why are Funds Required: Snow and ice expenses are variable depending on winter weather conditions. This account is used to pay the cost of contractors hired to clear snow, equipment maintenance, as well as, materials such as salt and sand. State law allows communities to deficit spend in this category, however the deficit must be removed by fiscal year-end with available funds, or raise in FY2019.

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

Donna D. Holaday

Ethan R. Manning

Date: 5/8/18
Date: 5/8/18

**City of Newburyport
Department of Public Services
Snow & Ice Expense**

	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018
Budgeted Expense	\$ 85,000.00	\$ 90,000.00	\$ 90,000.00	\$ 95,000.00	\$ 100,000.00	\$ 100,000.00
Budgeted Labor	\$ 85,000.00	\$ 90,000.00	\$ 90,000.00	\$ 95,000.00	\$ 100,000.00	\$ 100,000.00
Parts	\$ 36,854.61	\$ 29,179.48	\$ 49,393.50	\$ 33,253.19	\$ 36,370.42	\$ 40,911.29
Salt	\$ 121,083.75	\$ 68,948.16	\$ 104,412.63	\$ 104,345.74	\$ 139,646.10	\$ 125,630.48
Calcuim	\$ 5,950.00	\$ 8,000.00	\$ 3,981.98	\$ 3,889.71	\$ 7,213.14	\$ 6,719.00
OT Labor	\$ 99,228.78	\$ 54,883.13	\$ 164,488.58	\$ 36,151.39	\$ 108,158.02	\$ 107,921.19
Contractors	\$ 59,049.05	\$ 43,238.50	\$ 443,894.25	\$ 24,530.00	\$ 30,492.50	\$ 102,342.80
Other Material	\$ 1,195.00	\$ 1,195.00	\$ 1,694.62	\$ 9,023.19	\$ 4,612.00	\$ 8,293.75
Pending			\$ 69,000.00	\$ -	\$ -	\$ -
Remaining Total	\$ (153,361.19)	\$ (25,444.27)	\$ (656,865.56)	\$ (21,193.22)	\$ (126,492.18)	\$ (191,818.51)



City of Newburyport

FY 2018

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2018 MAY -8 PH 2: 23

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 5/14/2018

Transfer From:

Account Name	<u>Health Insurance</u>	YTD Bal:	<u>\$ 1,653,904.48</u>
Account Number:	<u>01914001-51700</u>	Category:	<u>\$ 1,785,983.49</u>
Amount:	<u>\$1,410.00</u>	Trans I/O:	<u>\$ (38,550.00)</u>
Why are Funds Available:	<u>A surplus is anticipated in the health insurance line item at year-end.</u>		

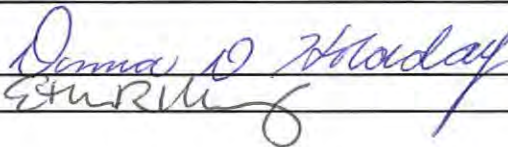
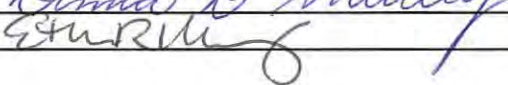
Transfer To:

Account Name	<u>LCM Clerical Services</u>	YTD Bal:	<u>\$ 350.00</u>
Account Number:	<u>01191002-53020</u>	Category:	<u>\$ 350.00</u>
Amount:	<u>\$900.00</u>	Trans I/O:	<u></u>
Why are Funds Required:	<u>Due to Licensing Commission activity, as well as, frequency of board meetings.</u>		

Transfer To:

Account Name	<u>LCM General Expenses</u>	YTD Bal:	<u>\$ 168.75</u>
Account Number:	<u>01191002-53020</u>	Category:	<u>\$ 168.75</u>
Amount:	<u>\$510.00</u>	Trans I/O:	<u></u>
Why are Funds Required:	<u>Due to higher than normal expenses incurred by Licensing Commission, including legal ads and office supplies/equipment.</u>		

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


Donna D. Holaday

Ethan R. Manning

Date: 5/8/18
 Date: 5/8/18



City of Newburyport

FY 2018

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 MAY -8 PM 2:23

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 5/14/2018

Transfer From:

Account Name	<u>Multiple Accounts (see attached)</u>	YTD Bal:	<u>\$</u>	<u>-</u>
Account Number:	<u>See attached</u>	Trans In:	<u>\$</u>	<u>-</u>
Amount:	<u>\$1,879,054.50</u>	Trans Out:	<u>\$</u>	<u>-</u>
Why are Funds Available:	<u>See attached spreadsheet.</u>			

Transfer To:

Account Name	<u>Multiple Accounts (see attached)</u>	YTD Bal:	<u>\$</u>	<u>-</u>
Account Number:	<u>See attached</u>	Category:	<u>\$</u>	<u>-</u>
Amount:	<u>\$1,879,054.50</u>	Trans I/O:	<u>\$</u>	<u>-</u>
Why are Funds Required:	<u>See attached spreadsheet.</u>			

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

Donna D. Holaday
Ethan R. Manning

Date: 5/8/18
 Date: 5/8/18

**Transfer Requests to Fund FY2018 Capital and Reserves
May 14, 2018**

Transfer From:

Transfer To:

Account Name	Account Number	Amount	Account Name	Account Number	Amount
General Fund - Free Cash	01-35910	\$847,525.62	Roadway & Sidewalk Improvements	New	\$158,690.62
			Compensated Absences Fund	8270-49700	\$150,000.00
			Two (2) Mack Dump Trucks with Plowing Equipment	New	\$135,000.00
			Phillips Drive Drainage Improvements	New	\$75,000.00
			Station 2 Design/Feasibility Study	New	\$75,000.00
			Stabilization Trust Fund	8263-49700	\$50,000.00
			OPEB Trust Fund	8280-49700	\$50,000.00
			IT Hardware	New	\$42,835.00
			Locker Replacement	New	\$30,000.00
			Garage Doors	New	\$25,000.00
			Hale Street Fence Replacement	New	\$23,000.00
			New Front Entryway / Rear Door for HQ	New	\$20,000.00
			Frances Drive Trees	New	\$13,000.00
COA Revolving	2802-59600	\$15,000.00	Van	New	\$44,000.00
Medicare/Medicaid	2835-59600	\$15,000.00			
Transient Vendors	2812-59600	\$14,000.00			
Brown Square	3011-59600	\$1,001.10	Roadway & Sidewalk Improvements	New	\$216,309.38
VOIP Phone System	3506-59600	\$2,307.50			
Cashman Park Right Field Netting	3508-59600	\$5.00			
Brown School Gym Handicapped Ramp	3509-59600	\$5,625.00			
FY15 - Fire Trucks - "2"	3514-59600	\$247.22			
Police Utility Vehicle	3702-59600	\$1,770.85			
2 Ton Dump Truck w/Plow	3706-59600	\$940.00			
Multipurpose Tractor	3708-59600	\$3,272.35			
3/4 Ton Pickup Truck w/Plow	3709-59600	\$140.36			
Downtown Paid Parking	2839-59600	\$150,000.00			
Electrical Inspector	2806-59600	\$40,000.00			
Transient Vendors	2812-59600	\$11,000.00			
Bresnahan School Construction	4501-59600	\$771,219.50	Nock/Molin Parking Lot Repaving & Lighting Improvements	New	\$400,000.00
			High School Projector Upgrade	New	\$166,503.00
			High School Computer Upgrade	New	\$80,716.50
			High School Masonry Repairs	New	\$65,000.00
			High School-Concrete/Sidewalk Repairs	New	\$15,000.00
			High School-Front Walkway Extension	New	\$15,000.00
			Nock-Walkway/Sidewalk Repairs and Repaving	New	\$15,000.00
			High School Boiler #2 Interior Brickwork	New	\$14,000.00
Total		\$1,879,054.50	Total		\$1,879,054.50



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 MAY -8 PM 2:23

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: May 14, 2018
Subject: FY18 Capital & Reserve Funding Requests

I am pleased to submit a FY2018 funding request to you that addresses the city's highest priority capital needs and makes important allocations into the city's major reserve funds. Now that we are past the winter months, the City is now in a position to definitively ascertain what our current financial capacity is to fund this year's Capital Improvement Program. Over the past several months, I have worked with Department Heads and our Finance Team to identify priority funding needs that I am recommending for appropriation.

Based on their feedback and consistent with the FY18-22 CIP, I am requesting appropriations for the attached listing of projects and accounts totaling \$1,879,055. This year's funding request designates \$1,629,055 for capital investments and another \$250,000 for the city's reserve accounts. Below is a summary of the funding sources, broken down in greater detail with the enclosed transfer request:

Account Name	Amount
General Fund - Free Cash	\$847,526
Bresnahan School Project	\$771,220
Downtown Paid Parking Revolving	\$150,000
Electrical Inspector Revolving	\$40,000
Transient Vendors Revolving	\$25,000
Closed-Out Capital Project Balances	\$15,309
COA Revolving	\$15,000
Medicare/Medicaid Revolving	\$15,000
Total	\$1,879,055

The proposed request draws down the majority of the balance in the Bresnahan School Project and leaves us with \$663,161 in remaining Free Cash for FY18. In addition, this request allows for the close-out of several capital project accounts and draws down some of the larger revolving fund balances. Note that the School Committee voted unanimously on May 7, 2018 to endorse this funding recommendation as far as the school capital projects are concerned.

Now that we have moved past many of the larger building projects in the city, this FY18 funding request carries forward my goal of making more intensive capital investments in our streets and sidewalks, as well as, addressing other important capital needs throughout our community. Combined with the appropriation made in November, along with Chapter 90 funds and Meals Tax revenue, this capital request will bring our current year funding for streets and sidewalks to approximately \$1.5 million. This will finally allow us to start to make some much-needed improvements to our highly utilized streets, such as High Street and Merrimac Street, along with others throughout the city.

I feel that this FY18 funding request keeps us right on track with the FY18-22 CIP. For the next City Council meeting, you should expect to receive FY18 funding requests for the water and sewer enterprise funds, which are currently being vetted by the Water and Sewer Commission. I look forward to discussing these important needs in further detail when this request has been referred to the Budget and Finance Committee for their review.

Thank you for your consideration.

Department	Need	Amount	Rationale
Council on Aging	Van	\$44,000.00	Replaces a 2008 Ford E450; the oldest of the three COA vans. The van has over 100,000 miles; the engine is worn and the transmission is failing. Total cost \$60,000. Additional Funding From: William Horton Trust: \$6,000, EOE Grant \$5,000 and Friends of Newburyport COA \$5,000.
DPS - Highway	Roadway & Sidewalk Improvements	\$375,000.00	Additional funding for roadway and sidewalk improvements. Funded \$300,000 Nov. 2017. Additional \$375,000 will bring total funding to \$675,000 for FY18 plus Chapter 90 (\$517,057) and Meals Tax revenue (\$293,287) for grand total FY18 funding of \$1,485,344.
DPS - Highway	Two (2) Mack Dump Trucks with Plowing Equipment	\$135,000.00	Purchase of two 2019 Mack Dump Trucks w/ Snow Plow Equipment. Replaces 1999 and 1969 dump trucks that need to be taken out of service. These are front line trucks used to haul materials to/from job sites and for snow plowing. First payment of three (lease to purchase).
DPS - Highway	Phillips Drive Drainage Improvements	\$75,000.00	The first phase of drainage improvements to the Phillips Drive area will address the icing issue on the hill this spring. We will also contract with a surveyor to complete the extensive surveying needed for project design. Once that work is complete, additional funding will be requested for the design and engineering phase. Ultimately the construction will require borrowing given the cost (est. \$2M for Phase 1 and \$2M for Phase 2).
DPS - Highway	Hale Street Fence Replacement	\$23,000.00	Funding is requested to replace the discolored and rusty green fence that runs along Hale Street near Port Rehab. It will be replaced with a 5' high chained link black vinyl fence.
DPS - Highway	Frances Drive Trees	\$13,000.00	The Whittier Bridge/I-95 Improvement Project has created a noise impact on the Frances Drive neighborhood. As the project comes to a close, funding is requested to plant trees between the neighborhood and the highway.
Finance	Compensated Absences Fund	\$150,000.00	To fund anticipated retirements for FY19.
Finance	Stabilization Trust Fund	\$50,000.00	Infusing our Stabilization Trust Fund with free cash will bring us in line with our financial policy target of maintaining 5% of the General Fund budget.

Department	Need	Amount	Rationale
Finance	Other Post-Employment Benefits (OPEB) Trust Fund	\$50,000.00	An annual appropriation to the OPEB Reserve Fund is recommended as financial best practice and closely monitored by financial rating agencies. Current balance is \$571,053.
Fire	Station 2 Design/Feasibility Study	\$75,000.00	The District 2 fire station, built in the early 1970's, is undersized, overcrowded, and is in violation of current building and life safety codes. It is an unsafe, unsanitary and inappropriate place to house our personnel. It is imperative that the station remain in District 2 to ensure appropriate response times and staffing. A design/feasibility study is needed for a total replacement of the building, which is anticipated to cost approx. \$5-7 million based on preliminary estimates.
Fire	New Front Entryway / Rear Door for HQ	\$20,000.00	The front door assembly at Fire Headquarters is rotted and not weather or rodent/insect resistant any longer. Additionally, there is no security at this entryway. This project would allow a double-door, foyer entry way with the ability to hold visitors inside but on the outside of a locked door until escorted through the building. Additionally, as the rear yard is reconfigured at HQ for recreation/living/storage area, a rear door configuration is needed.
Information Technology	IT Hardware	\$42,835.00	2018 (20) Computers to be replaced + 2 multifunction psf + 4 HP Procurve Switches
Police	Locker Replacement	\$30,000.00	The existing lockers that the officers use to store their duty gear and weapons are desperately in need of repair. The current lockers are 21 years old. The existing locker doors and locking mechanisms are failing and are irreparable. The officers store department issued firearms and Tasers in the lockers. It is required by state law as well as department policy and accreditation standards that all firearms and Tasers must be stored in a locked and secured location.

Department	Need	Amount	Rationale
Police	Garage Doors	\$25,000.00	<p>Replace 3 garage doors and automatic door openers. The garage doors and automatic openers for the police station are 21 years old and are in need of replacement. The 2 garage doors that are used daily are the doors labeled 1 and 2. These doors are where prisoners are transported in and out of the station. These 2 doors have been malfunctioning over the last year, and are very important to the security of the building.</p>
Schools	Nock/Molin Parking Lot Repaving & Lighting Improvements	\$400,000.00	<p>Parking lot is in extremely poor condition and needs a total replacement. Potholes, excessive cracking and poor drainage pose a safety hazard to drivers and pedestrians. Lighting is also poor in most areas of the parking lot and needs to be improved for safety and security reasons. The cost estimate was prepared in June 2017 by DPS in consultation with their paving contractor and the City Electrician.</p>
Schools	High School Projector Upgrade	\$166,503.00	<p>Projector removal and replace with new cabling @\$125,766; replace monitors @\$7,647; Replace electrical work @\$18,090; Replace audio amps @\$15,000.</p>
Schools	High School Computer Upgrade	\$80,716.50	<p>New desktops @\$903.55 x 54, Chromebooks @\$385.21 x 80.</p>
Schools	High School Masonry Repairs	\$65,000.00	<p>In the summer of 2012 we made repairs to the masonry at the front of the building to prevent the infiltration of water into the brick walls on the front terrace and the formation of efflorescence on that brick. The Stadium project, completed in 2015, addressed similar issues along the south facade of the building that was allowing water to infiltrate into the locker room and gym areas on the ground floor. In the fall of 2017 the brick planter on the East Terrace was removed and that area will be sealed and filled with concrete in the spring of 2018 to stop water infiltration into the mechanical space below. The next phase would be to remove the brick planter on the West Terrace before it begins to leak into the underlying storage and mechanical rooms. The remaining work after that would involve concrete and brick repairs around the stairways and facades of both the East & West Terraces.</p>

Department	Need	Amount	Rationale
Schools	High School-Concrete/Sidewalk Repairs	\$15,000.00	Concrete sidewalks have deteriorated in many areas and need to be repaired in order to provide safe walking surfaces and to meet ADA requirements. Costs are budget number. Areas would be prioritized and projects would be planned to fit within the available budget each year.
Schools	High School-Front Walkway Extension	\$15,000.00	The front walkway from the main entrance toward High Street ends abruptly. It has become obvious over the years due to the wear pattern that has developed in the grass that the walkway should be continued around the corner of the building to meet up with the sidewalk in that location. This will provide a safer more even path of travel than what is currently there. Cost includes installation of a railing to meet ADA requirements.
Schools	Nock-Walkway/Sidewalk Repairs and Repaving	\$15,000.00	The walkways, including the fire road around the back of the school are in poor condition in some areas. This project would prioritize the areas in most urgent need of repair and resurfacing, and then move on to other areas until all walkways are in good condition and meet the requirements of the Americans with Disabilities Act. Costs are budget numbers. Each year's project would be designed to fit within the available budget for that year.
Schools	High School Boiler #2 Interior Brickwork	\$14,000.00	The brick lining the inside of Boiler #2 is leaning away from the sidewalls of the boiler and needs to be replaced. If the brick gets to the point that it falls, the boiler will be unusable eliminating the redundancy in the heating system at the high school. This in turn could result in a closure of the school if an issue arose with Boiler #1 at the same time.
Total Funding		\$1,879,054.50	

COMMUNICATIONS

978 JWC 2101

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION

2018 APR 25 AM 11:15

Tel.

Fax.

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

NAME OF EVENT: STRUT FOR STRAYS

Date: June 3, 2018 Time: from 10:00 to 3:00

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

2. Location: Spencer Peirce Little Farm

3. Description of Property: Historic New England Property Public _____ Private

4. Name of Organizer: Feline Rescue Society City Sponsored Event: Yes _____ No

Contact Person Gail Lynch

Address: 63 Elm St. Salisbury Telephone: 978 887-2122

E-Mail: moabmeadow@verizon.net Cell Phone: 617 797-6015

Day of Event Contact & Phone: Gail Lynch 617 797-6015 978-380-2967

5. Number of Attendees Expected: 150

6. MA Tax Number: 04-3172322

7. Is the Event Being Advertised? yes Where? Facebook, Local Papers, MRFRS website

8. What Age Group is the Event Targeted to? 20+

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 0

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ _____ Radio/CD _____
Performers 0 Dancing 0 Amplified Sound yes Stage 0

C. Games /Rides: Adult Rides 0 Kiddie Rides 0 Games 0 Raffle 1
Other N/A Total # _____

Name of Carnival Operator: N/A

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? 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? SPLF dumpster
recycling will be taken to transfer station

If no:

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

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

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

1 Standard # 1 ADA accessible

Name of company providing the portable toilets: P.A. Wilkinson Septic Inc.

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:

Merrimack River Feline Rescue Society

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

Gail Lynch
63 Elm Street Salisbury, MA 01952

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

Joseph Bell
19 Chestnut St. Newburyport, MA 01950
978 360-2967

4. Date of Event: June 3, 2018 Expected Number of Participants: 150

5. Start Time: 11:00 am Expected End Time: 12:30 pm

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

High Road (Newbury)
Rolf's Lane, Union St., Beacon Ave., South Pond St.,
Graham Ave., High Road.

7. Locations of Water Stops (if any): 0

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

9. Formation Location & Time for Participants: Spencer Peirce Little Farm 10:45 am

10. Dismissal Location & Time for Participants: Spencer Peirce Little Farm 12:30 pm

11. Additional Parade Information:

• Number of Floats: N/A

• Locations of Viewing Stations: N/A

• Are Weapons Being Carried: Yes _____ No

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

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

CITY MARSHAL [Signature] 4 Green St.

FIRE CHIEF [Signature] 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 16A Perry Way

CITY CLERK [Signature] 60 Pleasant St.

DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

Limitations

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

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

13-101 Enforcement

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

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

Signed: Joseph C. Bell Date: 4-21-18

From: Gail Lynch Moabmeadow@verizon.net
Subject: FW: Strut
Date: April 3, 2018 at 2:20 PM
To: JOSEPH C BELL joebatl@aol.com



Joe,

Let me know what you think after you have driven or walked it! Thanks for checking on the licenses needed and whether or not we need police at that intersection.

Gail

This picture shows a route that is about 2.5 miles





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/23/2018

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 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 Eastern Insurance Group LLC 233 West Central St Natick MA 01760	CONTACT NAME: Lori Keiffer PHONE (A/C, No, Ext): (800) 333-7234 E-MAIL ADDRESS: LKeiffer@easterninsurance.com	FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE	
INSURED Merrimack River Feline Rescue Society 63 Elm St Salisbury MA 01952	INSURER A: New Hampshire Insurance Company	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER: 18 GL-STRUT FOR STRAYS** **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			TBD	4/24/2018	6/5/2018	EACH OCCURRENCE	\$ 4,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						MED EXP (Any one person)	\$
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PERSONAL & ADV INJURY	\$ 4,000,000
	OTHER:						GENERAL AGGREGATE	\$ 4,000,000
							PRODUCTS - COMP/OP AGG	\$ 4,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/>	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/>	<input type="checkbox"/> NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB						EACH OCCURRENCE	\$
	<input type="checkbox"/> EXCESS LIAB						AGGREGATE	\$
	<input type="checkbox"/> DED							\$
	<input type="checkbox"/> RETENTION \$							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE	OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/>	<input type="checkbox"/>				E.L. EACH ACCIDENT	\$
	If yes, describe under DESCRIPTION OF OPERATIONS below						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 for general liability for 2018 Strut for Strays Event to be held 6/3/18.

CERTIFICATE HOLDER

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

John Koegel/LKEIFF 

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/23/2018

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 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 Eastern Insurance Group LLC 233 West Central St Natick MA 01760	CONTACT NAME: Lori Keiffer PHONE (A/C, No, Ext): (800) 333-7234 FAX (A/C, No): E-MAIL ADDRESS: LKeiffer@easterninsurance.com													
	<table border="1"> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A: New Hampshire Insurance Company</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></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> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: New Hampshire Insurance Company		INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:
INSURER(S) AFFORDING COVERAGE	NAIC #													
INSURER A: New Hampshire Insurance Company														
INSURER B:														
INSURER C:														
INSURER D:														
INSURER E:														
INSURER F:														
INSURED Merrimack River Feline Rescue Society 63 Elm St Salisbury MA 01952														

COVERAGES **CERTIFICATE NUMBER: 18 GL-STRUT FOR STRAYS** **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	
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	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						MED EXP (Any one person)	\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/>	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/>	<input type="checkbox"/> NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident)	\$
	<input type="checkbox"/> UMBRELLA LIAB		<input type="checkbox"/> OCCUR				EACH OCCURRENCE	\$
	<input type="checkbox"/> EXCESS LIAB		<input type="checkbox"/> CLAIMS-MADE				AGGREGATE	\$
	<input type="checkbox"/> DED		<input type="checkbox"/> RETENTION \$					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE	OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/>	<input type="checkbox"/> Y/N	N/A			E.L. EACH ACCIDENT	\$
	If yes, describe under DESCRIPTION OF OPERATIONS below						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 for general liability for 2018 Strut for Strays Event to be held 6/3/18.

CERTIFICATE HOLDER

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

John Koegel/LKEIFF

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RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

Bike Ride X

2018 MAY -1 PM 3:49

PARADE _____

ROAD RACE _____

WALKATHON _____

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

Alzheimer's Association

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

Jayne Paragona 617 393 2052 or 617 645 5255
Alzheimer's Association, 309 Waverley Oaks Rd.
Waltham, MA 02452

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

Same as above -

4. Date of Event: June 9, 2018 Expected Number of Participants: 150

5. Start Time: 8am Expected End Time: 12pm

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

Parker St, Graf Rd, Low Street, Pond St., High St.
Hanover St, Green St.

7. Locations of Water Stops (if any): 3 Graf Rd Newburyport

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

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.

FIRE CHIEF

[Signature] 4/22/18 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 16A Perry Way

CITY CLERK

[Signature] 60 Pleasant St.

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT: _____

Date: _____ Time: from _____ to _____

Rain Date: _____ Time: from _____ to _____

2. Location: _____

3. Description of Property: _____ Public _____ Private _____

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

Contact Person

Address: _____ Telephone: _____

E-Mail: _____ Cell Phone: _____

Day of Event Contact & Phone: _____

5. Number of Attendees Expected: _____

6. MA Tax Number: _____

7. Is the Event Being Advertised? _____ Where? _____

8. What Age Group is the Event Targeted to? _____

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

If no:

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

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>	_____	
	Yes: \$_____ due on _____	No Fee for Special Events applies	_____
	Other requirements/instructions per DPS	_____	
___	10. Recreation Department:	_____	
___	11. License Commission	_____	

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

Limitations

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

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

13-101 Enforcement

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

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

Signed: _____ **Date:** _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/26/2018

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.

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PRODUCER AssuredPartners of Illinois, LLC. 4153 Main Street Skokie IL 60076	CONTACT NAME: Sandy Crespin	
	PHONE (A/C No. Ext): (847) 679-7350	FAX (A/C. No): (847) 679-7361
E-MAIL ADDRESS: sandyc@tacummings.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Philadelphia Insurance Company		18058
INSURER B: Hartford Insurance Company		00914
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

COVERAGES CERTIFICATE NUMBER: 2018-19 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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY						EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X	X	PHPK1623108	3/11/2018	3/11/2019	MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> Sexual Abuse/Molestation						PERSONAL & ADV INJURY \$ 1,000,000
	<input checked="" type="checkbox"/> Social Serv Professional						GENERAL AGGREGATE \$ 3,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG \$ 3,000,000
<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						\$	
A	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS	X	X	PHPK1623108	3/11/2018	3/11/2019	PROPERTY DAMAGE (Per accident) \$
<input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS						Underinsured Motorists \$ 1,000,000	
A	UMBRELLA LIAB						EACH OCCURRENCE \$ 10,000,000
	<input checked="" type="checkbox"/> OCCUR						AGGREGATE \$ 10,000,000
	EXCESS LIAB			PHUB575868	3/11/2018	3/11/2019	\$
<input type="checkbox"/> CLAIMS-MADE							
<input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000							
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY		X				<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N					E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		83WEBU6934	3/11/2018	3/11/2019	E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	D & O, EPLI			PHSD1228044	3/11/2018	3/11/2019	D&O \$25/EPLI \$35K Retention 10,000,000
A	Professional Liability			PHPK1623108	3/11/2018	3/11/2019	Occurrence 1,000,000 Aggregat 3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Massachusetts/New Hampshire Chapter
 RE: 22nd Annual Ride to End Alzheimer's, Event date: June 8-9, 2018.
 Certificate Holder is named as Additional Insured for operations conducted by the insured. Subject to policy terms and conditions.
 **Bounce Houses and other rebounding devices are excluded from any liability coverage on this policy.

CERTIFICATE HOLDER 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 Scott Cummings/CRES01 <i>Scott Cummings</i>

Cassandra G. Green

From: Nicole Francoeur <nifrancoeur@alz.org>
Sent: Thursday, May 03, 2018 5:10 PM
To: Cassandra G. Green
Cc: Richard Jones
Subject: Re: Copy of ride coi

Cassandra,

That is correct, no bounce houses or other similar devices will take place.

For this ride, the riders will only be riding their bikes through NBPT on the streets, no street closures etc. There is no event site in nbpt.

On Thu, May 3, 2018 at 5:04 PM, Cassandra G. Green <CGreen@cityofnewburyport.com> wrote:

Thank you, Nicole! I noticed there is an exclusion for bounce houses and other rebounding devices; could you please confirm there will be none at this event?

Kind regards,

Cassandra M. Green

Administrative Assistant II – City Clerk’s Office

City of Newburyport

60 Pleasant Street

Newburyport, MA 01950

Ph | (978) 465-4407, x.1204

Fax | (978) 462-7936

www.cityofnewburyport.com

cgreen@cityofnewburyport.com



Timeline and Overview of Event

The Ride to End Alzheimer's is proposed as follows:

This untimed endurance event is proposed to start at 6:30 AM on Saturday June 9, 2018. At the start of each course riders may be grouped tightly together, but as they follow the route the distance between riders will grow, often with large gaps. We anticipate approximately 500 cyclists; 250 riders on the 30-mile course, 150 on the 62-mile course, and 100 on the 100-mile course.

Alzheimer's Association will have volunteers strategically placed along the route to assist with directions and to support the riders. All major intersections as well as traffic control for the start of the event, will be coordinated by our professional route director, Reuben Kline of Gran Fondo National Series. We are not requesting any road closures or police controlled intersections aside from the start of the route as riders take a left hand turn onto Route 1A South. If you feel there are safety concerns with any of the intersections on the course that would require police details please let us know. Please also provide any additional feedback or suggestions you might have.

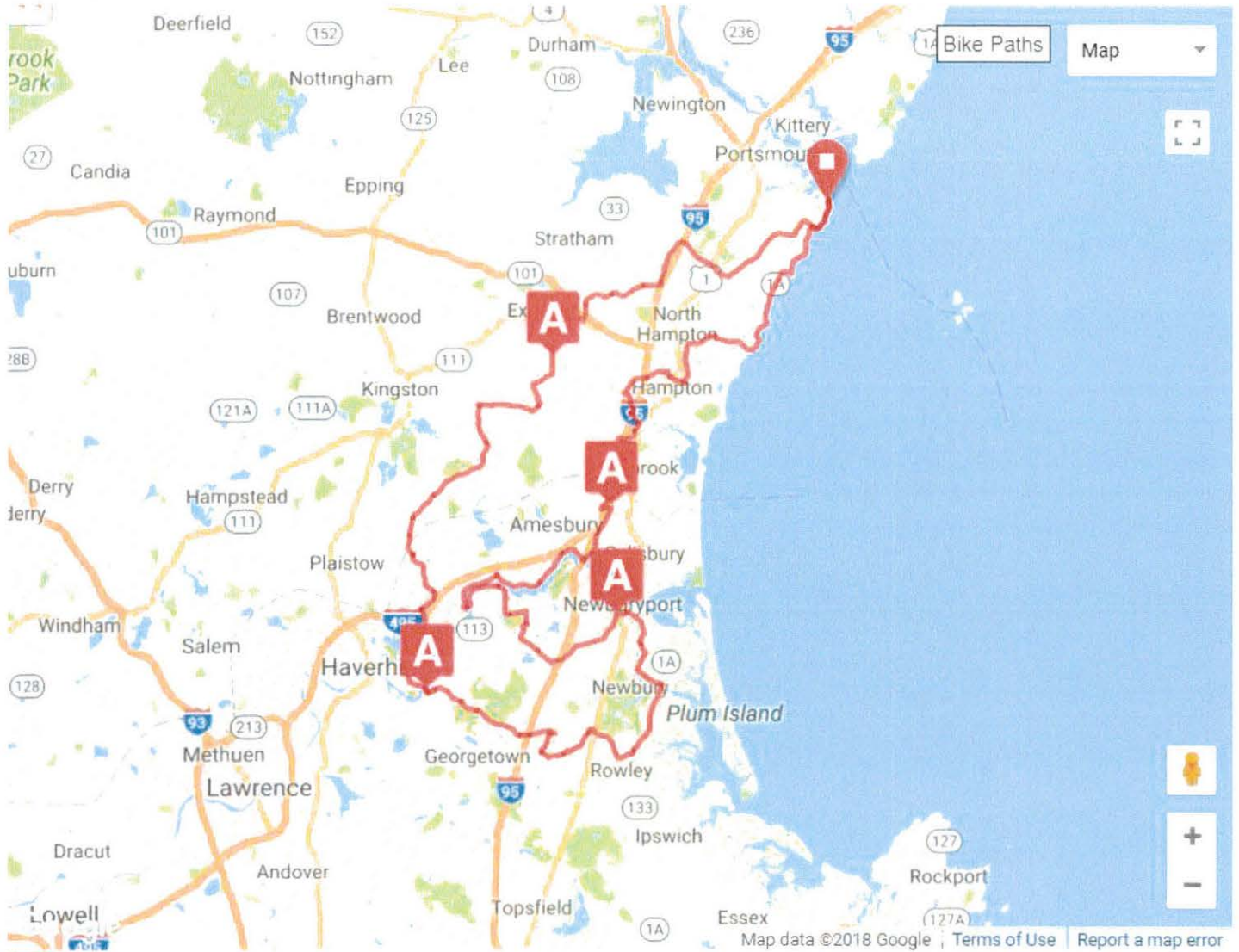
Route Director, Reuben Kline will be in a lead vehicle on the course to verify all turns and intersections are visibly marked appropriately. There will also be four other support and gear vehicles on the course to assist cyclists. Event vehicles will visibly marked as such and are instructed to obey all traffic laws.

There will be five pit stops strategically placed along the route, all of which are located on privately owned properties. We have secured permission directly from these private institutions, and will be providing liability insurance certificates to them. *In towns with no pit stops, the copies of insurance binders covering riders as they pass through your town will be kept with support vehicles the day of the event, as well as at the Start/Finish line area and the Alzheimer's Association.*

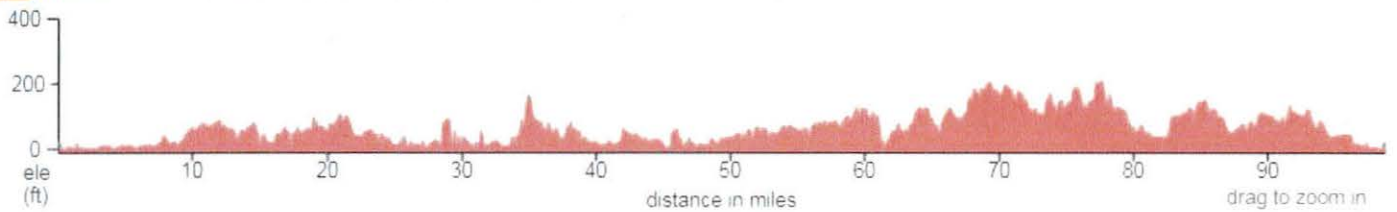
We are concerned about the environment and the local communities in proximity to this event. In order to ensure low-negative impact on the environment, the route will be marked with reusable, high-visibility signage. When marking route directions on pavement, we always use a water soluble spray chalk that has a limited environmental and visual impact. With regard to the local communities, we are dedicated to building appreciation for cycling in the community and do all we can to minimize impact on local residence.

100 Mile Route Map

Red "A" Symbols indicate Pit Stops/First-Aid Stations



ele grade 98.7 mi +3700 ft / -3698 ft



NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
Fax _____

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

2018 MAY -2 AM 10:07

NAME OF EVENT: Bed Race

Date: August 02, 2018 Time: from 6:00 pm to 7:00 pm
 Rain Date: August 03, 2018 Time: from 6:00 pm to 7:00 pm

2. Location: Federal Street

3. Description of Property: Federal Street Public Private _____

4. Name of Organizer: Lions Club City Sponsored Event: Yes _____ No
 Contact Person Chad McDonald
 Address: 33 Low St Newburyport Telephone: 978-314-9000
 E-Mail: cem2070@gmail.com Cell Phone: _____
 Day of Event Contact & Phone: Same

5. Number of Attendees Expected: ≈ 2000

6. MA Tax Number: 47-3532870

7. Is the Event Being Advertised? Yes Where? Yankee Homecoming & Banners

8. What Age Group is the Event Targeted to? All

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) N/A 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: N/A
 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? 0
- b) How many recycling receptacles will you be providing? 0
- c) Will you be contracting for disposal of : **Trash** Yes ___ No X **Recycling** Yes ___ No X
- 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 X No ___
- iv. If no, where will the trash & recycling be disposed ? Watts Eye Associates
Trash & Recycling Dumpsters

If no:

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

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

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

_____ Standard # N/A ADA accessible

Name of company providing the portable toilets: _____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____ ~~BED~~ ROAD RACE X WALKATHON _____

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

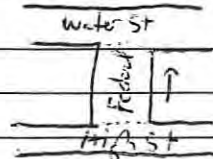
2. Name, Address & Daytime Phone Number of Organizer: _____
Chad McDonald
Watts Eye Associates, 33 Low St Newburyport
(W) 978-462-2020 (C) 978-314-9000

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up _____
(Same as above)

4. Date of Event: August 02, 2018 Expected Number of Participants: ~ 2000

5. Start Time: 6:00 pm Expected End Time: 7:00 pm

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



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

8. Will Detours for Motor Vehicles Be Required? Yes If so, where? All access streets

9. Formation Location & Time for Participants: Upper Federal St 5:30 pm

10. Dismissal Location & Time for Participants: Lower Federal St 7:00 pm

11. Additional Parade Information:
- Number of ~~Fleets~~ ^{Beds}: 20-30
 - Locations of Viewing Stations: Federal St side walks
 - Are Weapons Being Carried: Yes _____ No X
 - Are Marshalls Being Assigned to Keep Parade Moving: Yes X 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>	
	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

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: _____

Date: _____

4/25/18

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 harbor masters 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,



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/26/2018

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 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 DSP Insurance 1900 E. Golf Road, Suite 650 Schaumburg, IL 60173	CONTACT NAME: John Adams	
	PHONE (A/C, No, Ext): 1-800-316-6705	FAX (A/C, No): 1-888-467-2378
E-MAIL ADDRESS: lionsclubs@dspins.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: ACE American Insurance Company		22667
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

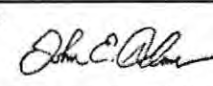
COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Agg. Per Named Insured is \$2,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			HDOG27867431	09/01/2017	09/01/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			ISAH09061046	09/01/2017	09/01/2018	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 RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N If yes, describe under DESCRIPTION OF OPERATIONS below			N/A			WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$

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

Provisions of the policy apply to the named insureds participation in the following activity during the policy period shown above: Bed Race August 02, 2018
 City of Newburyport is included as an Additional Insured(s), but only with respect to General Liability arising out of the use of premises by the Insured shown above and not out of the sole negligence of said additional insured.
PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES

CERTIFICATE HOLDER City of Newburyport 60 Pleasant Street Newburyport Massachusetts 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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Dear Jared:

Pursuant to our telephone conversation, attached please find relevant portions from the CCC's most recent *Guidance for Municipalities*. Although not a legal opinion, the Guidance document reflects the CCC's interpretation of the law. It indicates that a moratorium of reasonable length may be passed as a zoning amendment. It also states that the number of marijuana *retailers* may be limited to 20% of the number of liquor licenses (the proposed Newburyport Ordinance contains no limitation). The question of whether to enact a complete prohibition on marijuana establishments for adult use (cultivation and/or retail) may be posed to the people of the municipality at a regular or special election per the Guidelines. A Registered Marijuana Dispensary cannot be prevented from converting to a marijuana establishment for adult use.

There are a number of different types of marijuana establishments, but the proposed Newburyport ordinance does not make any distinction except as to "with" or "without" retail. The proposed ordinance does not include any residential buffer zone for retail marijuana use and the proposed marijuana retail zone abuts residential areas. As I understand it, the proposed marijuana retail use corridor is too narrow to accommodate even a 250 ft. buffer zone and still remain viable, so no buffer zone is proposed. The expanded proposed marijuana cultivation zone, **which now includes the entire Industrial Park**, also abuts residential areas and the buffer zone is only 250 ft. for residential areas that abut Districts I-1 and I-1B. As we understand it, two companies have expressed an interest to operate marijuana establishments in the Park. If this becomes a permitted use throughout the Park, it is conceivable that marijuana establishments may buy out existing leases and properties, if the price is right. This could result in a de facto major shift in policy and economic strategy for the City.

A moratorium would afford a more reasonable time frame to evaluate the City's options and would afford the citizens of Newburyport an opportunity to opine through a ballot initiative. The proposed changes will have a long-term impact on the Business and Industry Park and on residents, with potentially harmful and unintended consequences.

The Joint Planning Board and City Council Committee Meeting on this issue will take place at City Hall on May 16. The hearing before the Zoning Board of Appeals on the pending zoning variance application to add restaurant use and entertainment in the Park is scheduled for May 22.

The Chamber and EDAC appreciate the opportunity to work with you and our other councilors on these important issues.

As always, thank you for your time and consideration. Grace

Grace Gonzalez Connolly
Law Offices of Connolly & Connolly
P.O. Box 332 51 Green Street
Newburyport, MA 01950978-462-2251
978-463-8282 (Fax)
grace@connolly.legal

Cannabis Control Comm

Guidance for Municipalities 2018 MAY -3 PM 2:25

same type of activities for adult use of marijuana that it is engaged in for medical use of marijuana. For a discussion on bans or limiting the number of marijuana establishments through a general bylaw or ordinance, please see the next page.

Local Control: Moratoria — *to be passed as a Zoning Amendment*

A Moratorium of a Reasonable Length of Time is Permitted. Although municipalities are prohibited from using a zoning bylaw or ordinance to prevent the conversion of a registered marijuana dispensary, the Commission does not interpret the word prevent to prohibit the municipality from imposing a moratorium, a temporary delay passed as a zoning amendment to allow a municipality to engage in a planning process to determine how best to zone marijuana establishments for adult use in its community.

The Commission will interpret the reasonableness of the length of a moratorium in a manner consistent with the opinions issued by the Attorney General's Office in reviewing moratoria proposed by communities, which, as of the date of this publication, in the majority of cases has allowed moratoria through December 31, 2018. When the moratorium expires, the Commission cautions local officials from amending their zoning bylaws or ordinances in a manner that could be deemed to conflict with the statute and recommends consulting the City Solicitor and Town Counsel regarding any zoning amendments.

Local Control: Additional Permits

Additional Local Permits for Adult Use May Be Required. Although municipalities are prohibited from using a zoning bylaw or ordinance to prevent the conversion of a registered marijuana dispensary, the Commission does not interpret the word prevent to prohibit the municipality from requiring a registered marijuana dispensary eligible under the statute to apply for any additional local permits required to change its existing operation with a marijuana establishment for adult use. The Commission cautions local permitting boards from exercising their discretion in acting on a request for a local permit in a manner that could be deemed to conflict with the statute and recommends consulting the City Solicitor and Town Counsel during their decision-making.

Local Control: Bylaws, Ordinances, and Ballots

Banning or Limiting the Number of Marijuana Establishments in a Municipality:

A municipality may restrict the number of marijuana establishments in its community, but it must follow certain procedures to do so.

- A municipality may pass a bylaw or ordinance limiting the number of marijuana retailers to 20% or more of the number of liquor licenses issued pursuant to G.L. c.138 §15 (commonly known as "package stores") in that municipality. For example, if a municipality has 100 such liquor licenses, that municipality may set a maximum limit for 20 marijuana retailers.
- If the governing body of a municipality seeks to ban marijuana retailers from operating in the municipality, limit the number of them to fewer than 20% of the number of liquor licenses or limit the number of any type of marijuana establishment to fewer than the number of RMDs registered to engage in the same type of activity in the city or town, there are two different procedures for proceeding, which depend on how the municipality voted on the ballot initiative to legalize marijuana in 2016.

- o If a municipality voted no on the initiative, then the governing body may limit or ban the number of marijuana establishments by passing a bylaw or ordinance prior to and including December 31, 2019.
 - o If a municipality voted yes on the initiative or if it is after December 31, 2019, then the question must be posed to the people of the municipality at a regular or special election following a specific process and wording.
- There is legislation pending - malegislature.gov/Bills/190/H4284 - to clarify the election process.

*Ballot
Regular
Special
Election*

Ban:

If a municipality enacts a complete prohibition on marijuana establishments for adult use through a general bylaw or ordinance, the Commission will not issue a license so as to authorize the conversion of a registered marijuana dispensary to a marijuana establishment for adult use in that municipality.

Limited Number:

If a municipality adopts a general bylaw or ordinance imposing a limitation on the number of marijuana establishments within its community, such that the amount allowed is less than the registered marijuana dispensaries within that community, the municipality must determine which registered marijuana dispensaries will be permitted to proceed to the application process for adult use by executing a host community agreement with those dispensaries.

Local Control: Buffer Zones, Signage, and Transportation

Buffer Zone:

Under state law, a marijuana establishment may not be located within 500 feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12. Municipalities may adopt an ordinance or bylaw to reduce that distance requirement.

Signage:

A municipality may regulate, by bylaw or ordinance, signage regarding marijuana-related uses, but the ordinance or bylaw may not impose a standard more restrictive than those applied to retail establishments selling alcoholic beverages within the municipality.

Transportation:

Municipalities are prohibited from barring the transportation of marijuana or marijuana products or adopting an ordinance or by-law that makes the transportation of marijuana or marijuana products unreasonably impracticable.

Questions?

If you have additional questions regarding types of Marijuana Establishments, please contact the Commission at CannabisCommission@State.MA.US or (617) 701-8400.

The Commission encourages municipalities to carefully consider the impact of the particular marijuana establishment proposed for a community, as well as benefits it may bring in local revenue and employment, when negotiating a host community agreement.

There is legislation pending to protect host community agreements executed on or before July 1, 2017 malegislature.gov/Bills/190/H4284. The same legislation requires municipalities receiving community impact fee payments to establish a separate account into which fee payments must be deposited.

Local Control: Taxes

A municipality that accepts the local sales tax option may collect a 3% tax on sales of marijuana by a marijuana retailer to a consumer. The tax will be collected with other sales tax and distributed to municipalities at least four times per year. Please note that there is legislation pending - malegislature.gov/Bills/190/H4284 - that would remove “marijuana products intended for consumption as defined in G.L. c.94G” from the exemption from sales tax for food products for human consumption in G.L. c.64H §6.

Local Control: Bylaws & Ordinances

The law allows, but does not require, municipalities to pass bylaws and ordinances governing the “time, place, and manner” of marijuana establishments (cultivators, retailers, manufacturers, testing labs, and any other licensed marijuana-related businesses) as well as businesses dealing with marijuana accessories. Such bylaws and ordinances may not be “unreasonably impracticable.”

Under the definition in the law, this means that the local laws cannot be so difficult to comply with that they would subject licensees to unreasonable risk, or require such a high investment of risk, money, time or any other resource or asset, that a reasonably prudent businessperson would not operate a marijuana establishment.

Alternatively, a municipality may determine a proposed marijuana-related use falls under an existing use authorized by its bylaws or ordinances. For the purpose of understanding how to respond to a notification from the Commission that an application has been deemed to be complete, the Commission provides the following interpretation of the limits of local control.

Local Control: Conversion from Medical Use to Adult Use

Zoning bylaws or ordinances are not permitted to operate to prevent the conversion of an RMD registered not later than July 1, 2017 that is engaged in the cultivation, manufacture or sale of marijuana or marijuana products to a marijuana establishment for adult use engaged in the same type of activity. The Commission interprets conversion to include not only replacing the operation of a registered marijuana dispensary entirely with the operation of a marijuana establishment, but also to address adding marijuana establishment operations to the operations of a RMD.

There is legislation pending - malegislature.gov/Bills/190/H4284 - that clarifies this interpretation. A registered marijuana dispensary that has received its provisional or final registration no later than July 1, 2017 is grandfathered against zoning bylaws or ordinances that would prevent it from conducting the

Jim Sperelakis <jim.sperelakis@dsm.com>

Cover letter for Harris St. closure proposal - GFF

E-MAIL CONTACT

To: mariaconnor@comcast.net <mariaconnor@comcast.net> Copy Jim Sperelakis <jim.sperelakis@dsm.com>

Maria, here is the letter I read at the last GFF meeting. Please add the City Clerk's name (I forgot it, but attached it to the application). Feel free, of course, to make edits, as you see fit. Thanks again for preparing and submitting this application. It's much appreciated.

Dear City Clerk Mr. xxxx, in celebration of our Parish's 100th anniversary this year, we would like to respectfully request that a portion of Harris Street which directly abuts our Church property (approx. 50 ft. east of Green to Park Streets), be closed for festivities on Saturday evening July 28 between the hours of 5 and 9 PM.

Our intention is to sponsor a live band playing Greek music, accompanied by dancers in traditional Greek costumes. This is a way of celebrating and sharing our culture with the local community.

As you know, we have proudly and successfully participated in the first weekend of Yankee Homecoming for over 30 years, with our annual Greek food festival. We respect our neighbors and those in the community and will obviously do our utmost to ensure the event is safe, fun and enjoyable for all.

Our intention is to continue to offer our outdoor carry-out menu, as we do every year. During the specific time the band is playing Sat. evening, we also hope to sell beer and wine outside, as long as that is agreeable with the City of Newburyport. We, of course, have an insurance waiver and will abide by all ordinances.

The rest of the weekend from Friday July 27 at 9 AM through Sunday afternoon July 29 at 3 PM we would also like to respectfully request that the entire (one car width) parking lane (approx. 10 spots) on the south lane of Harris Street directly in front of our Church property, be cordoned off (we will handle that), so that we can install vendors selling cultural products as well as Greek food in that space.

We are thrilled to have played a vibrant role in the wonderful City of Newburyport for 100 years. We thank you and the City administration for continuing to work collaboratively with us. Thank you for your kind consideration and we look forward to your feedback and guidance.

Respectfully submitted,

Maria Andriotakis-Connor & Jim Sperelakis
478-462-2232 / 978-462-6352 (Lynch Pharmacia)
Parish Council members and Chair Greek Food Festival

Annunciation Greek Orthodox Church
7 Harris St., Newburyport, MA

Sent from my iPhone

The Daniel L. Lynch Pharmacy
 Traditional Pharmacy,
 Professional Grade Vitamin Supplements,
 Homeopathic and Herbal Remedies,
 Compression Stockings & More

173 High Street, Newburyport MA 01950
 Tel: 978 462-2232 / 978 462-6352 - Fax: 978-463-0432
 Email: mariaconnor@comcast.net

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NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT: Greek Food

Date: July 27-29, 2018 Time: from 11:00am to 9:00pm

Rain Date: _____ Time: from _____ to _____

2. Location: Annunciation Greek Church, 7 Harris St, Newburyport

3. Description of Property: Church Grounds Public _____ Private _____

4. Name of Organizer: Greek Church Festival Committee City Sponsored Event: Yes _____ No

Contact Person Jim Sperelakis - Maria Andriatakis Co-ordinator

Address: 173 Hoon St, NBSP Telephone: 978-462-6352

E-Mail: Maria.Coordinator@contact.net Cell Phone: 978-270-9121

Day of Event Contact & Phone: Jim Sperelakis

5. Number of Attendees Expected: in 300

6. MA Tax Number: 04-3039927

7. Is the Event Being Advertised? Yes Where? Banner (Fuller Field), Radio, Flyers (Local Business)

8. What Age Group is the Event Targeted to? All Ages

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No _____, Who? Appleton Eye, P In Process

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

A. Vending: Food Beverages Alcohol Goods Total # of Vendors 4/5 10

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? 3
- b) How many recycling receptacles will you be providing? _____
- c) Will you be contracting for disposal of : Trash Yes No _____ Recycling Yes No _____
- i. If yes, size of dumpster(s): Trash 30 gallon Recycling 30 gallon
- ii. Name of disposal company: Trash Mello 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: _____

Requesting Street Closure ~~outside~~ in front of Greek Church - Harris Street during Festival - From Beginning of church to Park Street.

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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

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

4. Date of Event: _____ Expected Number of Participants: _____

5. Start Time: _____ Expected End Time: _____

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

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

8. Will Detours for Motor Vehicles Be Required? _____ If so, where? _____

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

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

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 5/7/18 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: Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply	
	<input type="checkbox"/> Yes: \$ _____ due on _____	<input type="checkbox"/> No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
_____	10. Recreation Department:	_____
_____	11. License Commission	_____

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

Limitations

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

(e) "Road Closure" No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.

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

(g) "Event termination" If in the judgment of the City Marshal, Fire Chief or Department of Public Services (DPS) Director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the Harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.

(h) "Event and traffic Security" The City Marshal, Fire Chief, DPS Director or in the case of a triathlon, the Harbormaster can require special duty personnel to oversee the safety and security of the event. All special duty assignments will be paid by the event organizers.

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

13-101 Enforcement

(a) "Regulations" Consistent with this ordinance, the city shall promulgate regulations to enforce and otherwise implement the provisions of this ordinance upon passage by the City Council. Any event previously approved by City Council shall be deemed permitted.

(b) "Warning" In the circumstance that this ordinance is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the City Clerk and City Council and may be used as a factor in future application approvals and denials.

(c) "Noncriminal Disposition" If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in Subsection 1-17 of Chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in 13-101(d)

(d) "Violation" The non-criminal violation shall be \$100.00 for the first offense and \$250.00 for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the City Clerk and City Council and shall be used as a factor in future application approvals and denials.

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

Signed: 

Date: _____

**APPOINTMENTS
FIRST READING**



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 MAY -8 AM 11:00

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: May 8, 2018
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as an alternate member of the Harbor Commission. This term will expire on June 1, 2020.

Ronald M. Thurlow
28A Hancock Street
Newburyport, MA 01950

March 6, 2018

Dear Mr. Casson,

I would like to be a member of the Newburyport Harbor Commission. The harbor is a valuable part of what Newburyport is and the City's stewardship of the harbor is to be commended. I have been a life time Newburyport resident, recognizing the value and importance of our harbor and waterfront.

I have supported the Newburyport community over the years through activities such as youth sports coach, religious education teacher, school building needs committee and other activities. I am retiring in a few weeks and ready to further support this great city. Besides passion and time to help out I also bring extensive professional experience, including being the Maintenance Director for a large highly regulated facility managing a group of 170 people and a department budget of over forty million dollars a year, and a Master's of Science from the University of Lowell. Early in my career I served as Captain in the US Air Force. I have attached a resume with additional career details.

About six years ago I was able to be part of the harbor stewardship efforts in action when the South Jetties at the mouth of the river were in need of rebuilding. Working with local contacts I was able to identify and secure the needed rocks that were used for the South Jetty. I hope as a member of the harbor commission I can support the city in maintaining the harbor for all to enjoy.

Thank you for your consideration and for your leadership for preserving this important community asset.

Sincerely

Ron Thurlow

Ronald M. Thurlow, CHP
28A Hancock Street
Newburyport, MA 01950
603-765-7291 Rlthurlow@comcast.net

Professional experience includes senior level leadership roles in radiological and industrial safety, maintenance, military and nuclear assurance positions.

Nuclear Assurance and Assessment Manager, Seabrook Nuclear Power Station, NEXTEra Energy (NEE), July 2017 to present

Provide independent assessment of Station performance in all functional areas. Assessments identify gaps, drivers and recommended actions. Seabrook Station recently received the ninth consecutive Institute for Nuclear Power Operations (INPO) exemplary (highest possible) rating. This represents 20 consecutive years of INPO exemplary performance rating.

Safety and Human Performance Manager, NEE, October 2016- July 2017

Responsible for industrial safety and human performance programs at Seabrook Station. Fleet and industry best performance achieved.

NEE, Nuclear Oversight Rotational Assignment, NEE, January 2016-October 2016

Planned and performed independent assessments. Diverse experience such as CFAM in multiple functional areas, and senior positions such as Site Maintenance Director applied to provide high level insights and strategic and tactical recommendations to improve site and Fleet performance.

Safety and Human Performance Corporate Functional Area Manager (CFAM), NEE, 2013-2016

Responsible for Fleet wide industrial safety and human performance. While CFAM the Fleet achieved the lowest injury rates of the Corporation and had the lowest rates in the Nuclear Division history.

Seabrook Station- Site Maintenance Director, NEE, January 2010-2012

Responsible for all aspects of Maintenance at a Nuclear Station, including managing five departments with 170 employees and an annual budget of forty million dollars. Successful outage execution, INPO 1 rating, also supported and attended successful training accreditation board.

CFAM Radiation Protection and Chemistry, NEE, January 2008 – January 2010

Managed Radiation Protection, Chemistry, and Radioactive Waste Programs for the Fleet. Established long term disposal contracts saving NEE over 50 million dollars in life of plant disposal costs. Created a Fleet Outage Execution program that eliminated Chemistry related delays Fleet wide. NEE Fleet member of the Technical Advisory Committees for all Chemistry, Radiation Protection and Radioactive Waste research efforts by Electric Power Research Institute (EPRI).

Radiation Protection Manager, NEE Seabrook Station, 2005 – 2008

Managed all aspects of the radiation protection program including health physics staff, radioactive waste and decontamination staff, ALARA, instrumentation, waste disposal, shipping, operational radiation protection, respiratory protection program, radiological environmental monitoring program and hazardous waste program.

Health Physics Supervisor, Seabrook Station, 1997- 2005

Responsibilities included supervision of professional Health Physics Staff. Responsible for implementation of technical studies, ALARA, Waste Disposal, RAM Shipping, radiological investigations, internal dosimetry, equipment evaluations, procedure development and environmental monitoring program.

Senior Health Physicist, Seabrook Station, 1991-1997

Responsibilities included supervising HP personnel in the daily operation of the Station Radiation Protection Program during normal operations and refueling outages. Health Physicist responsibilities included providing technical and administrative support to the Health Physics Program.

Captain, USAF - Chief Ionizing Radiation Consulting Section, Air Force Occupational and Environmental Health Laboratory, Brooks Air Force Base, San Antonio, TX, October 1988-August 1991

Provided onsite and consultative support to worldwide Air Force units. Team Chief for the Air Force Radiation Assessment Response Team. Performed worldwide response for radiological issues including treaty verification in the Soviet Union, accident response, support to NASA and other government agencies. Entrusted with both a Top Secret and Critical Nuclear Weapons Design Information clearances and broad operational authority. Recognized as the Company Grade Officer of the Year for 1989 and 1990 for the entire unit.

Health Physicist, Seabrook Station, May 1985-September 1988

Provided technical and administrative support for the internal and external dosimetry programs. Developed and provided emergency dose assessment training to station and state emergency response personnel.

Student Health Physicist, Seabrook Station, June 1983-May 1985

Developed dosimetry algorithms and performed software validation and verification.

Emergency Operations Facility Coordinator, Seabrook Station Radiological Emergency Plan Role, 1994 to present. Senior emergency response position responsible for dose assessment, offsite monitoring, protective action recommendation formulation, State notification and State and Federal response coordination.

Education:

University of Lowell

Lowell, MA

Bachelor of Science; Radiological Health Physics, 1984

Master of Science; Radiological Sciences and Protection, 1986

INPO Senior Nuclear Plant Manager Course 2012.

Accreditations:

Certified by American Board of Health Physics

Six Sigma Certified

Certified Audit Team Leader

Professional Affiliations:

National Health Physics Society, President, Power Reactor Section 2006-2008

American Academy of Health Physics, Certified Health Physicist, since 1992

New England Chapter of the Health Physics Society, President, 2005-2006

Reactor Safeguards Committee Member, appointed by the MIT President, for the Massachusetts Institute of Technology Reactor, 2000 to date.

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

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

- APPT034_04_30_18 Christopher J. Fay 20 Strong St Historical Commission 5/1/2021
- APPT035_04_30_18 Glenn Richards 6 Kent St Historical Commission 5/1/2020

Re-Appointments

- APPT036_04_30_18 Mary Zinck 6 Laurel Rd Board of Registrars 3/31/2021
- APPT037_04_30_18 Bonnie Sontag 10 Upland Rd Fruit St Local Historic District 5/31/2021

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

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 14, 2018

WHEREAS, recent trends in Newburyport suggest a growing 'affordability gap' for those in need of affordable housing (including rental units, affordable homeownership, and housing for at-risk and special needs populations); and

WHEREAS, the Newburyport Affordable Housing Trust and Office of Planning & Development has worked with Merrimack Valley Planning Commission to update the City's comprehensive plan for the creation and preservation of affordable housing in Newburyport entitled, "City of Newburyport Housing Production Plan, 2018-2022" ('Housing Production Pan'); and

WHEREAS, said plan recommends the City consider and undertake a variety of strategies for plan implementation, including public education and capacity building strategies, policy changes, regulatory changes, and housing development programs; and

WHEREAS, the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD) requires adoption of such a proactive plan to be eligible for certain state grants and assistance in accordance with M.G.L. Chapter 40B and 760 CMR 56; and

WHEREAS, the City Council recognizes that implementation of said plan will require further action by the Council, Newburyport Affordable Housing Trust, Office of Planning & Development, and others,

NOW THEREFORE LET IT BE RESOLVED that the Newburyport City Council hereby adopts the Housing Production Plan as a guidance document for implementation by the City in future years.

Councillor Jared J. Eigerman



Merrimack Valley
Planning Commission

J M Goldson

community preservation
+ planning

CITY OF NEWBURYPORT

Housing Production Plan

2018-2022

PREPARED FOR:

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

PREPARED BY:

Merrimack Valley Planning Commission
With assistance by JM Goldson community preservation + planning

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Acronyms

ACS	US Census Bureau's American Community Survey
AMI	Area Median Income
DHCD	MA Department of Housing and Community Development
MVPC	Merrimack Valley Planning Commission
MOE	Margins of Error

Key Definitions

The following definitions are for key terms used throughout the document and are based on information from the U.S. Census Bureau, unless otherwise noted:

ACS – American Community Survey, conducted every year by the United States Census Bureau.

Affordable Housing – Housing that is restricted to individuals and families with qualifying incomes and asset levels, and receives some manner of assistance to bring down the cost of owning or renting the unit, usually in the form of a government subsidy, or results from zoning relief to a housing developer in exchange for the income-restricted unit(s). Affordable housing can be public or private. The Massachusetts Department of Housing and Community Development (DHCD) maintains a Subsidized Housing Inventory (SHI) that lists all affordable housing units that are reserved for households with incomes at or below 80 percent of the area median income (AMI) under long-term legally binding agreements and are subject to affirmative marketing requirements. The SHI also includes group homes, which are residences licensed by or operated by the Department of Mental Health or the Department of Developmental Services for persons with disabilities or mental health issues

Comprehensive Permit – a local permit for the development of low- or moderate- income housing issued by the Zoning Board of Appeals pursuant to M.G.L. c.40B §§20-23 and 760 CMR 56.00.

Cost Burdened – Households who pay more than 30 percent of their income for housing.

Disability – The American Community Survey defines disability as including difficulties with hearing, vision, cognition, ambulation, self-care, and independent living. All disabilities are self-reported via the 2011-2015 American Community Survey. Disability status is determined from the answers from these six types of disability.

- Independent Living: People with independent living difficulty reported that, due to a physical, mental, or emotional condition, they had difficulty doing errands alone.
- Hearing: People who have a hearing disability report being deaf or as having serious difficulty hearing.
- Vision: People who have a vision disability report being blind or as having serious difficulty seeing even when wearing glasses.
- Self-Care: People with a self-care disability report having difficulty dressing or bathing.
- Ambulatory: People who report having ambulatory difficulty say that they have serious difficulty walking or climbing stairs.
- Cognitive: People who report having a cognitive disability report having serious difficulty concentrating, remembering, or making decisions.

Income Thresholds – The Department of Housing and Urban Development (HUD) sets income limits that determine eligibility for assisted housing programs including the Public Housing, Section 8 project-based, Section 8 Housing Choice Voucher, Section 202 housing for the elderly, and Section 811 housing for persons with disabilities programs. HUD develops income limits based on Median Family Income estimates and Fair Market Rent area definitions for each metropolitan area, parts of some metropolitan areas, and each non-metropolitan county. The most current available income thresholds are provided in the appendices. Definitions for extremely low, very low, and low/moderate income are provided below.

- Extremely Low Income (ELI) – HUD bases the ELI income threshold on the FY2014 Consolidated Appropriations Act, which defines ELI as the greater of 30/50ths (60 percent) of the Section 8 very low-income limit or the poverty guideline as established by the Department of Health and Human Services (HHS), provided that this amount is not greater than the Section 8 50 percent very low-income limit.

- Very Low Income (VLI) – HUD bases the VLI income threshold on 50 percent of the median family income, with adjustments for unusually high or low housing-cost-to-income relationships.
- Low/Moderate Income (LMI) – HUD bases the LMI income threshold on 80 percent of the median family income, with adjustments for unusually high or low housing-cost-to-income relationships.

Family – A family is a group of two people or more (one of whom is the householder) related by birth, marriage, or adoption and residing together; all such people (including related subfamily members) are considered as members of one family.

Household – A household includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit. A person living alone in a housing unit, or a group of unrelated people sharing a housing unit such as partners or roomers, is also counted as a household. The count of households excludes group quarters.

Median Age – The age which divides the population into two numerically equal groups; that is, half the people are younger than this age and half are older.

Median Income – Median income is the amount which divides the income distribution into two equal groups, half having incomes above the median, half having incomes below the median. The medians for households, families, and unrelated individuals are based on all households, families, and unrelated individuals, respectively. The medians for people are based on people 15 years old and over with income.

Millennials – The demographic cohort following Generation X. There are no precise dates when the generation starts and ends. Researchers and commentators use birth years ranging from the early 1980s to the early 2000s. (en.wikipedia.org/wiki/millennials.)

Housing Unit – A housing unit is a house, an apartment, a mobile home or trailer, a group of rooms, or a single room that is occupied, or, if vacant, is intended for occupancy as separate living quarters.

Poverty – Following the Office of Management and Budget's (OMB's) Directive 14, the Census Bureau uses a set of money income thresholds that vary by family size and composition to detect who is poor. If a family's total income is less than that family's threshold, then that family, and every individual in it, is considered poor. The poverty thresholds do not vary geographically, but they are updated annually for inflation with the Consumer Price Index (CPI-U). The official poverty definition counts money income before taxes and excludes capital gains and noncash benefits (such as public housing, Medicaid, and food stamps).

Subsidized Housing Inventory – The state's official list for tracking a municipality's percentage of affordable housing under M.G.L. Chapter 40B (C.40B). This state law enables developers to request waivers to local regulations, including the zoning bylaw, from the local Zoning Board of Appeals for affordable housing developments if less than 10 percent of year-round housing units in the municipality is counted on the SHI. It was enacted in 1969 to address the shortage of affordable housing statewide by reducing barriers created by local building permit approval processes, local zoning, and other restrictions.

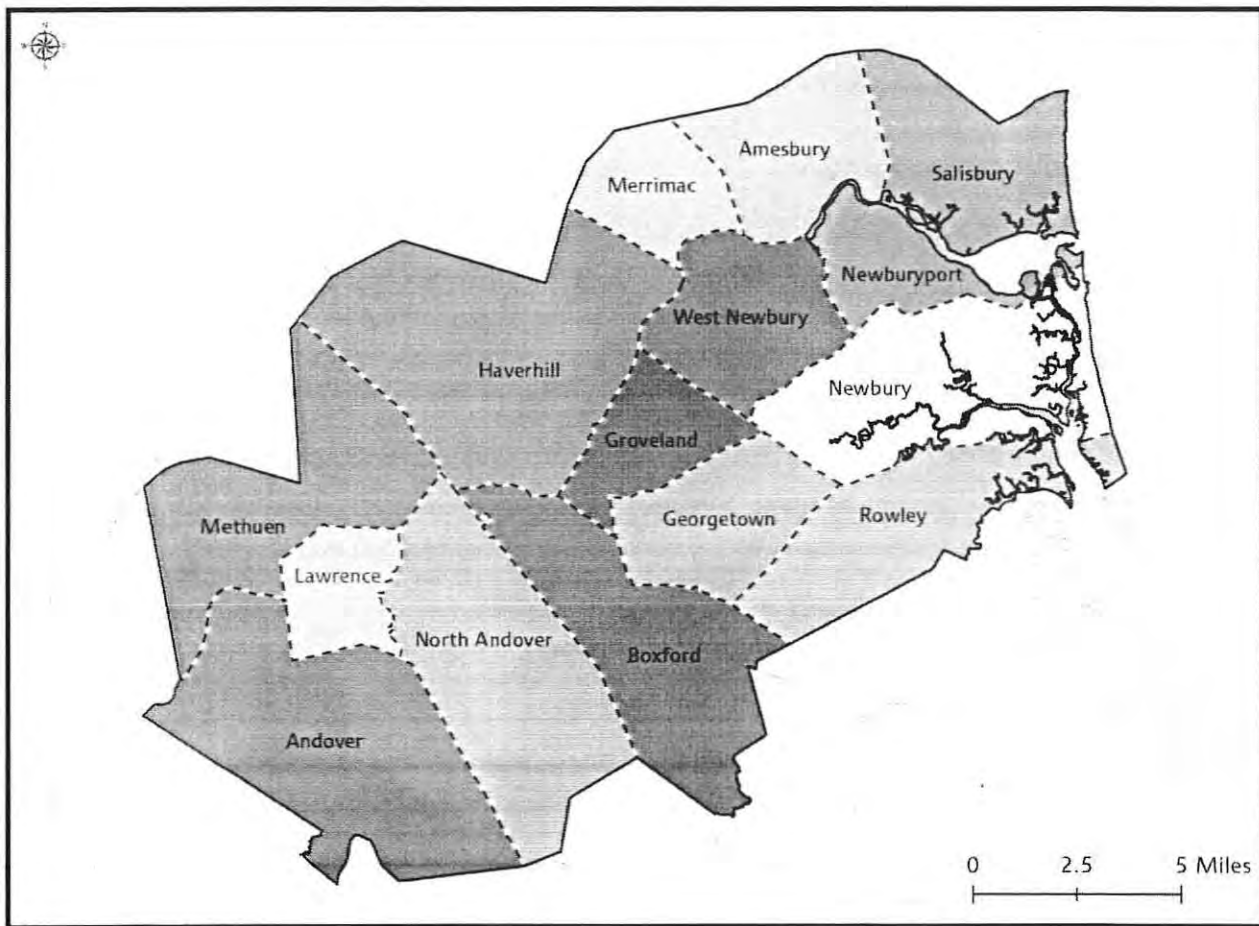
Tenure – Tenure identifies a basic feature of the housing inventory: whether a unit is owner occupied or renter occupied. A unit is owner occupied if the owner or co-owner lives in the unit, even if it is mortgaged or not fully paid for. A cooperative or condominium unit is "owner occupied" only if the owner or co-owner lives in it. All other occupied units are classified as "renter occupied," including units rented for cash rent and those occupied without payment of cash rent.

Merrimack Valley Region

Newburyport is part of the Merrimack Valley Region consisting of 15 municipalities in the northeastern portion of Massachusetts that are connected by a common, natural thread – the Merrimack River.

Amesbury
Andover
Boxford
Georgetown
Groveland
Haverhill
Lawrence
Merrimac

Methuen
Newbury
Newburyport
North Andover
Rowley
Salisbury
West Newbury



CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 14, 2018

THAT, \$1,040,000 is appropriated to pay costs of roof replacement projects at the Department of Public Services Building, Public Library, and Greenleaf Street Fire Headquarters, including the payment of all costs incidental and related thereto, which amount shall be expended in addition to amounts previously appropriated to pay costs of this project, and that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, s. 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; and that the Mayor and the Treasurer are authorized to take any other action necessary or convenient to carry out this vote. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Councillor Charles F. Tontar



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

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

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NEWBURYPORT, MA

2018 MAY -8 PM 2: 23

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: May 14, 2018
Subject: Roof Replacement Projects Loan Order

I respectfully request your approval of the enclosed loan order appropriating \$1,040,000 for roof replacement projects at the Department of Public Services Facility, Greenleaf Street Fire Headquarters and the Newburyport Public Library.

All three of the roofs were identified as being problematic during routine annual roof inspections, as well as, internal leaking experienced by the departments. As a result, the city hired an architect in Fall 2017 to conduct more in-depth investigations at those three sites. Those Investigative Roof Reports, attached hereto, were prepared by Raymond Guertin of RTG Architects.

In summary, the current DPS building roof is original to the building (29 years) and is failing. Over the past 29 years, sealing and caulking repairs have been completed as needed. However, at this time, the roof needs to be replaced. The Greenleaf Fire Headquarters roof was replaced in 1999, however the roof shingles have deteriorated and are in need of replacement. Lastly, the Public Library roof is in need of repairs consisting of replacing the modified bitumen membrane roofing and slate roof shingle repairs.

The estimated project costs and funding sources (for debt service) are as follows:

Location	General Fund	Water Enterprise Fund	Sewer Enterprise Fund	Total
DPS Building	\$220,000	\$220,000	\$220,000	\$660,000
Public Library	\$250,000			\$250,000
Fire Headquarters	\$130,000			\$130,000
Total	\$600,000	\$220,000	\$220,000	\$1,040,000

We look forward to discussing these projects in more depth once sent to committee.

Thank you for your consideration.

**NEWBURYPORT DEPARTMENT OF PUBLIC SERVICES
16A PERRY WAY, NEWBURYPORT, MA**

Investigative Roof Report



**Raymond T. Guertin, Architect
89 Turnpike Road, Suite 207
Ipswich, Massachusetts 01938
Tel: 978-356-2749 Fax: 978-356-2409
Email: Ray@RTGArchitect.com**

November 9, 2017

EXISTING CONDITIONS

We visited the Newburyport Department of Public Services Building on September 14th and November 21st to survey the roof. We reviewed the Roof Survey Report prepared by The Garland Company, dated June 14, 2015.

The pre-engineered metal building, built in 1990, consists of clear-span, steel framed structure with exterior metal roof and wall panels as manufactured by Star Building Systems. Roof pitch is ½:12 with aluminum gutters and downspouts. Thermal blanket insulation is provided between the roof purlins, with a typical R-Value of 19.

The existing 24-gauge, double-lock 360 standing seam metal roof panels are in fair to good condition; however, we did observe some damaged trapezoidal panels, particularly at the eaves, and many missing and/or “backed-out” fasteners due to corrosion and expansion and contraction. We also noted that many fasteners are of the wrong type, that is, not stainless steel or without self-sealing EPDM washers. The original metal gutter system has been replaced with 6” standard K-style aluminum gutters and downspouts with corroded and loose gutter straps. The “Dek-Tite” type pipe boot flashings at vent pipes and stacks are poorly installed. The rubber cone is not pulled up the pipe appropriately, improper or missing fasteners, and missing stainless steel clamps. Flashings appear to be a source of water infiltration evidenced by a variety of mastic repairs over the years.

Repairs include a variety of products such as asphaltic and acrylic mastics and other coatings which may not be compatible. We also observed many open seams at ridge cap joints and rake edge flashing. Roof penetrations consist of plumbing vent stacks, fan curbs, and gooseneck vents. The fan curbs appear to have been installed after the roof/building was built. The curbs do not appear to be properly installed, that is, integrated within the metal roof panel system, and do not appear to be properly reinforced below the panels. Many fasteners are missing and/or of the wrong type.

A solar photovoltaic system was installed on the roof in March of 2009 in accordance with a Power Purchase Agreement with Ameresco Solar Newburyport LLC (Provider). The term of the agreement is 20 years or through March of 2029. According to Section 4.5 Outages, “*Customer shall be entitled to one thirty (30) day Scheduled Outage per Delivery Site during the Term for the purpose of roof repair and/or replacement following proper written notice to Provider at least thirty (30) days in advance of the commencement of such Scheduled Outage, during which days Customer shall not be obligated to accept or pay for energy.*”

Therefore, any roof repair/replacement work requires careful coordination with the Ameresco for temporary removal and re-installation of the solar photovoltaic system and must be completed within 30 days to avoid charges from the Provider.



Overview looking east



Overview looking north



Flashing repairs at vent stacks



Flashing repairs at various roof penetrations - curbs appear to have been installed after the roof was completed



Seam repairs at ridge caps - fasteners are backing out and many do not have EPDM washers



Open seams at ridge cap - no fasteners



Overview of solar photovoltaic system



Solar photovoltaic system equipment & cabling - cabling should be secured to roof panels



Attachment of solar photovoltaic panels on existing standing seam metal roof – minimal clearance



Concrete blocks used as rooftop supports at equipment directly on metal roof



Standard K-style aluminum gutters and hangers - original metal gutter system must have been replaced



Rusted fasteners at rake trim - should be stainless steel fasteners.



Interior steel frame with insulation blankets at roof purlins



RECOMMENDATIONS

Although the existing standing seam metal roof panels are in fair to good condition, the improper and missing fasteners, poor flashing details, and questionable quality control during installation, in our opinion, have resulted in a roof system nearing the end of its useful life.

We recommend a 30-year warranted retrofit roof system rather than a tedious repair/restoration of the existing metal roof system that would most assuredly result in a roofing system requiring constant maintenance and ongoing water infiltration issues.

A retrofit roofing system, requiring minimal alterations, consists of installing a new standing seam metal roof directly over the existing roof system, including the following:

- Remove and dispose of all existing aluminum gutters and downspouts;
- Mechanically install new engineered hat channels and clips over the existing standing seam panels;
- Installation of new rigid roof insulation in the cavity between the new and existing roofs increasing the overall R-value of the entire roof;
- Installation of new one-piece standing seam metal panels from ridge to eaves without exposed fasteners;
- Installation of new non-penetrating snow retention system;
- Installation of a new metal gutter and downspout system to match the new roof system color;
- This work would need to be closely coordinated with the solar photovoltaic system provider, Ameresco, for the temporary removal and re-installation of the solar panels within 30 days to avoid charges from the Provider.

Typically, a new retrofit roof system can add approximately 1½ to 2 pounds per square foot to the existing roof structure. A registered professional engineer would be consulted to determine if the existing structure can safely support the additional loads and/or make structural reinforcement recommendations.

We would estimate the cost of the above Retrofit Roofing System at \$591,198.00 - refer to attached Cost Estimate.

RETROFIT METAL ROOF SYSTEM

NEWBURYPORT DEPARTMENT OF PUBLIC SERVICES

COST ESTIMATE - November 9, 2017

Raymond T. Guertin, Architect

NEWBURYPORT DEPARTMENT OF PUBLIC SERVICES	QTY	UNIT PRICE	COST	TOTAL
* Coordinate with vendor of solar photovoltaic system to remove & reinstall system for roof replacement:				
Remove & dispose of existing aluminum gutters and downspouts:	830 LF	\$2.50 /LF	\$2,075	
Supply & install new rigid roof insulation between existing trapezoidal metal roof panels:	25,000 SF	\$2.50 /SF	\$62,500	
Supply & install new one-piece standing seam metal roof panels, including hat channels, clips, fasteners, and snow rails:	25,000 SF	\$16.50 /SF	\$412,500	
Supply & install new roof curb flashing kits and plumbing vent flashing:	1 LS	\$9,000 EA	\$9,000	
Supply & install new metal gutters and downspouts:	830 LF	\$18 /LF	\$14,940	
TOTAL CONSTRUCTION:				\$501,015
Contractor's Overhead & Profit (15%):				\$75,152
Bonds & Insurance (3%):				<u>\$15,030</u>
TOTAL PROJECT COST - DPS BUILDING:				\$591,198

* Costs to remove & reinstall the solar photovoltaic system is not included in the above estimate. It appears these costs are borne by the system provider.

**NEWBURYPORT PUBLIC LIBRARY
94 STATE STREET, NEWBURYPORT, MA**

Investigative Roof Report



**Raymond T. Guertin, Architect
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Email: Ray@RTGArchitect.com**

November 9, 2017

BRIEF HISTORY



A renovated and expanded 18th century Federalist mansion houses the Newburyport Public Library. In the period of the Revolutionary War it was the most notable mansion of Newburyport, owned by the Tracy's, the leading family of the times. The Tracy Mansion was built in 1771 by Patrick Tracy for his son Nathaniel.

Among its visitors were the first president of the United States, George Washington, Thomas Jefferson, John Quincy Adams, Benedict Arnold, Lafayette, Talleyrand, Louis-Phillipe and others. When the family no longer had an interest in remaining there, they sold it as a hotel.

The Tracy Mansion was for sale and was purchased as the new home for the library. Any building converted for library use must be reinforced to bear the weight of the books. The Tracey home was totally redesigned, internally, externally and grounds, by Arthur Gilman of Boston, a native of Newburyport, "making no charge for his services." A time capsule was placed in a cornerstone, stating that the building was a "free gift to the city." The date was April 6, 1865.

The final deed of conveyance specified among other conditions that the building must be used "exclusively for the city library," and that it "shall not be open for public use on the Lord's Day." The Board of Aldermen accepted the gift by vote on September 4, 1865, and passed the appropriate ordinances.

By the early 1990's the need for a larger and improved facility became evident. After a successful community effort, the Library moved forward with a \$6.8 million-dollar building project to renovate and expand the Tracy Mansion. In October 1999, the Library moved to a temporary location, the Anvil Rock Farm in the industrial park, providing library services during construction. With great anticipation, the newly renovated and expanded facility at 94 State Street reopened on May 6, 2001.

EXISTING CONDITIONS

We visited the Newburyport Public Library on September 14th and 21st to survey the roof, and reviewed the original construction drawings of the 2001 addition, dated September 10, 1999, prepared by Finegold Alexander + Associates Inc. Architects & Preservation Planners of Boston, MA. We have also reviewed the Infrared Scans performed by The Garland Company on September 29, 2015.

The Roof Scans identified areas of the flat roof with wet insulation and multiple punctures in the single ply membrane. We confirmed the wet insulation during our site visit, noting the areas in question are soft and crunchy, indicating deteriorated roof insulation. We also observed many water stains on the suspended ceilings and walls inside the building.

The original building consists of a large slate shingle hip roof with a smaller raised hip roof over the Tracy Mansion Attic. A small flat roof at the raised hip consists of a wood deck and fully adhered EPDM roof membrane. Main roof features include copper ridge, hip, and valley flashings, two brick chimneys with copper chimney flashings and crickets, and copper gutters at the northwest end of the original building.

The 2001 addition at the southwest side of the original building, consists of a flat roof with a pitched roof along the perimeter similar to a mansard roof. We obtained test cores of the flat roof - the existing roof construction consists of 60 mil EPDM roof membrane on tapered polyisocyanurate roof insulation, vapor barrier, plywood sheathing, and metal deck.

The pitched roofs are clad in slate shingles with the exception of a lead coated copper roof over the main entrance of the building. There are numerous areas of broken or missing slate at both the original building and new addition roofs, including loose slate resting on the flat roof. The lead coated copper roofing over the main entrance appears to be in good condition.

Roof penetrations include plumbing vent pipes, roof drains, exhaust fan roof caps, brick chimney, roof hatch, HVAC equipment, and elevator penthouse.

Many roof edges are protected with snow guards in typical arrangement (3 rows, staggered) and a 3-pipe style snow fence along a portion of the northwest (rear) of the addition.

There are four low flat roofs at entrances below at the front and sides of the building consisting of EPDM membrane roofing.



2001 Addition - Field of roof looking northeast



Equipment Screen at Mechanical Unit



Looking southwest at Mechanical Unit



Elevator Penthouse tying into original pitched roof



Roof Hatch



Chimney at original building with copper flashing



Typical snow guards, 3 rows, staggered



Damaged snow fence at the northwest side



Hip slate roof tower at southeast corner of the 2001 addition



Miscellaneous slates stacked on membrane roofing



Damaged and missing slate shingles at original building roof



Lead coated copper standing seam roof over main entrance

RECOMMENDATIONS

The existing single ply EPDM roof membrane is more than 17 years old and at the end of its life expectancy evidenced by multiple punctures, fasteners backing-out, and damp roof insulation. All membrane roofing and flashing should be replaced with either a similar single-ply EPDM roof membrane or preferably a multi-ply modified bitumen roof system. New R-30 flat and tapered insulation would be included with either membrane system.

The existing slate, also installed in 2000, appears to be in good condition with the exception of some missing, loose, and broken slate in various areas at both the original building and new addition roofs. Slate is an excellent material, often showing no wear after 120 years. According to the National Slate Association, *"slate is a stone material which has an indefinite life...slate roofs, with proper maintenance, can last indefinitely."*

If less than 25% of the slates on a roof are damaged or sliding down from worn out nails, slate repairs are in order. Such roofs should be maintained, not replaced. We have estimated approximately 120 missing, broken, or cracked slate to be replaced or slightly less than 1 percent of all slate.

We recommend the following two options for consideration:

OPTION 1 - LOW-SLOPE ROOF REPLACEMENT MULTI-PLY SBS MODIFIED BITUMEN ROOFING SYSTEM

Introduced to the U.S. in the mid 1970s, modified bitumen membranes are roofing sheets made of asphalt that has been modified with either rubber (SBS) or plastic (APP) that offer greater stretch and flexibility.

Modified bitumen is installed in multiple plies, typically up to 3. Hot-air welding machines or cold-process adhesives are used to join material seams, creating a watertight system.

Benefits of modified bitumen as detailed by the National Roofing Contractors Association (NCRA) include:

- Uniformity - Modified bitumen sheets are manufactured under tight quality control, resulting in consistent thickness.
- Broader temperature range - The modified material can handle high and low temperature extremes.
- Easy Maintenance - Greater tensile strength and flexibility - Modified bitumen can withstand greater levels of fatigue for longer periods of time, negating the need for constant maintenance to repair brittle roofing.
- Multiple plies equal multiplied strength - Whereas single-ply roofing tends to break under pressure, using two or three layers of a compound like polyester offers more resistance to punctures and elongation. Multi-ply systems can be as thick as 300 millimeters, much more than even the thickest single-ply membranes.

We recommend the installation of a new multi-ply SBS modified bitumen roofing assembly with a mineral surface, in cold adhesive, with new 1/4" per foot tapered polyisocyanurate R-30 roof insulation/coverboard. This system is recommended based on its high quality, reasonable installation cost, reasonable annual cost of ownership, and estimated service life of 30 to 40 years.

We would estimate the cost of a new multi-ply SBS modified bitumen roof system between \$33-35 per square foot. This is due to many factors including small roof size and configuration, limited access/staging areas and debris removal via crane pan/chute, and required tapered roof insulation. Refer to attached Cost Estimate.

OPTION 2 - LOW-SLOPE ROOF REPLACEMENT SINGLE-PLY 60 MIL EPDM ROOFING SYSTEM (similar to existing)

Single-ply roofing systems or membrane roofs include EPDM, TPO and PVC roofing. These roofing products are designed to protect flat roofs and come in a variety of colors to match exterior features. They can be installed by mechanically fastening, fully adhering, and wind vented, and generally last between 10 and 20 years.

Benefits of single-ply roofs include:

- Consistent product quality - manufactured in a factory, single-ply roofing materials are designed to meet strict quality controls.
- Easy installation - often faster and cleaner than built-up and modified bitumen roofing systems.
- Lightweight - materials work well on modern building designs that require material flexibility.

The biggest drawback to single-ply roofs is that they only have one layer, whereas modified bitumen roofs have multiple layers. Therefore, if the single-ply membrane punctures or tears, the entire underlying structure is at risk.

We recommend the installation of a new 60 mil thick EPDM roofing assembly, fully adhered, with new 1/4" per foot tapered polyisocyanurate R-30 roof insulation/coverboard. This system has an estimated service life of 10 to 20 years.

We would estimate the cost of a new single-ply 60 mil EPDM roofing system between \$21-24 per square foot. This is due to many factors including small roof size and configuration, limited access/staging areas and debris removal via crane pan/chute, and required tapered roof insulation. Refer to attached Cost Estimate.

SELECTIVE SLATE ROOF SHINGLE REPAIRS AND MISCELLANEOUS REMEDIAL WORK

The missing and broken slate is almost certainly allowing water to access the substrate and will result in active leaks if not already. All existing loose and free slate on the roof should be removed and replaced using copper slate hooks. We recommend replacement of approximately 120 pieces throughout the field of the roof – recommend including Unit Price of \$75 per slate to be used for adjustments to the total amount of slate replaced.

Miscellaneous repairs include selective repairs and re-soldering of existing copper gutters, replacement of damaged snow fence, and installation of new snow guards where loose or missing.

We would estimate the cost of the above selective repairs at \$22,450.00 - refer to attached Cost Estimate.

**MEMBRANE ROOFING REPLACEMENT & SELECTIVE SLATE
SHINGLE REPAIRS - OPTION 1**

MULTI-PLY MODIFIED BITUMEN ROOFING SYSTEM

NEWBURYPORT PUBLIC LIBRARY

COST ESTIMATE - November 9, 2017

Raymond T. Guertin, Architect

NEWBURYPORT PUBLIC LIBRARY - OPTION 1	QTY	UNIT PRICE	COST	TOTAL
Remove & dispose of existing EPDM membrane roofing, flashing, and roof insulation down to existing deck:	4,100 SF	\$1.50 /SF	\$6,150	
New Flat & 1/4" Tapered Polyisocyanurate Roof Insulation:	4,100 SF	\$6 /SF	\$24,600	
Supply and install new 2 Ply Modified Bitumen Roofing System - Cold Applied:	4,100 SF	\$22 /SF	\$90,200	
Perimeter Wood Blocking:	1 LS	\$1,200 EA	\$1,200	
Drains & Associated Plumbing:	7 EA	\$1,100 EA	\$7,700	
Crane Service:	1 LS	\$5,000 EA	\$5,000	
Dumpster & disposal costs:	1 LS	\$5,000 EA	\$5,000	
TOTAL LOW-SLOPE ROOFS:				\$139,850
Selective Slate Roof Shingle Repairs:	120 PCS	\$75 EA	\$9,000	
Copper Gutter Repairs:	40 LF	\$85 /LF	\$3,400	
Replacement of damaged snow fence:	26 LF	\$225 EA	\$5,850	
Installation of new snow guards where missing/damaged:	1 LS	\$1,200 EA	\$1,200	
Aerial-Lift Rental:	1 LS	\$3,000 EA	\$3,000	
TOTAL SLATE ROOF & MISCELLANEOUS REPAIRS:				\$22,450
TOTAL CONSTRUCTION:				\$162,300
Contractor's Overhead & Profit (15%):				\$24,345
Bonds & Insurance (3%):				<u>\$4,869</u>
TOTAL PROJECT COST - OPTION 1:				\$191,514

MEMBRANE ROOFING REPLACEMENT & SELECTIVE SLATE SHINGLE REPAIRS - OPTION 2

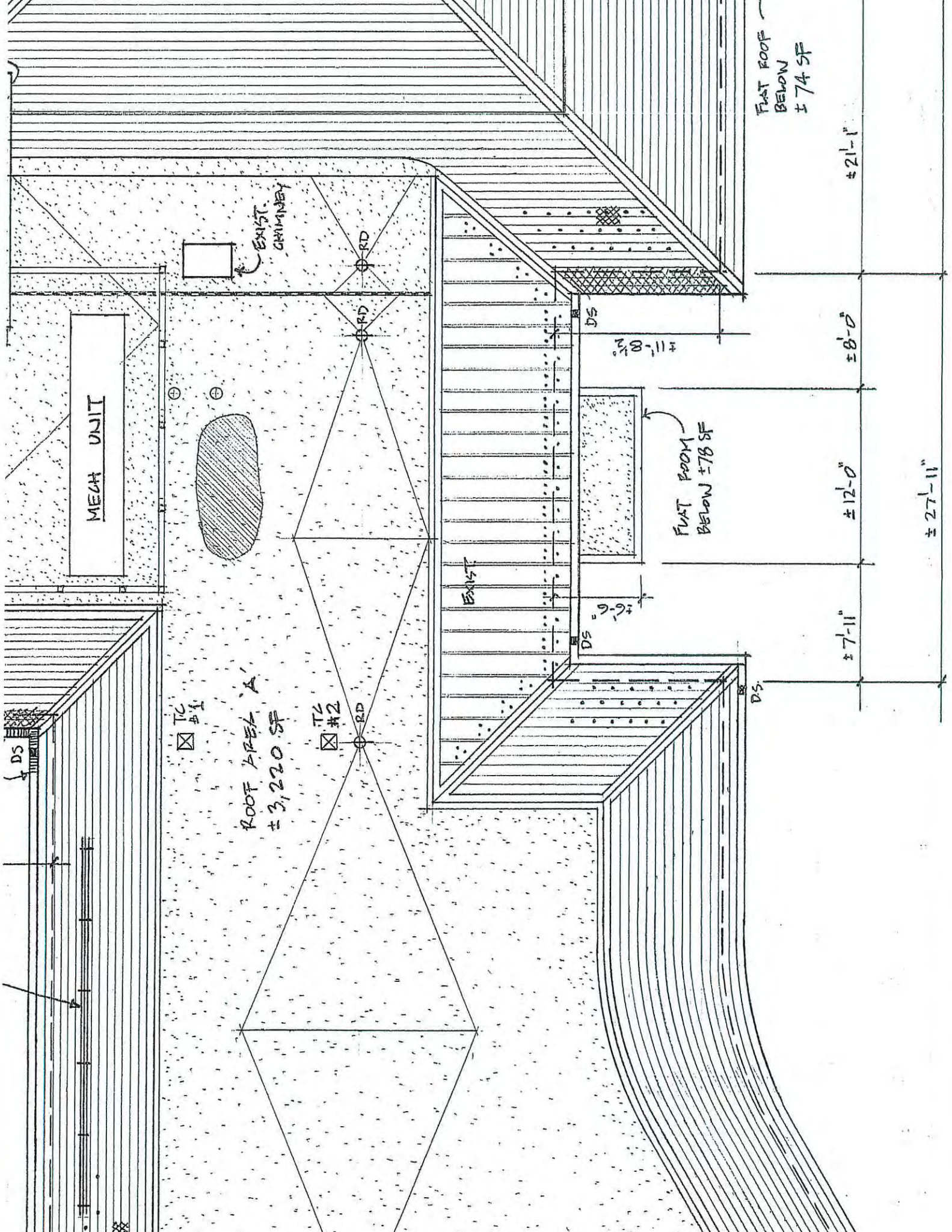
60 MIL EPDM MEMBRANE ROOFING SYSTEM

NEWBURYPORT PUBLIC LIBRARY

COST ESTIMATE - November 9, 2017

Raymond T. Guertin, Architect

NEWBURYPORT PUBLIC LIBRARY - OPTION 2	QTY	UNIT PRICE	COST	TOTAL
Remove & dispose of existing EPDM membrane roofing, flashing, and roof insulation down to existing deck:	4,100 SF	\$1.50 /SF	\$6,150	
New Flat & 1/4" Tapered Polyisocyanurate Roof Insulation:	4,100 SF	\$6 /SF	\$24,600	
Supply and install new 60 mil EPDM Membrane Roofing:	4,100 SF	\$10 /SF	\$41,000	
Perimeter Wood Blocking:	1 LS	\$1,200 EA	\$1,200	
Drains & Associated Plumbing:	7 EA	\$1,100 EA	\$7,700	
Crane Service:	1 LS	\$5,000 EA	\$5,000	
Dumpster & disposal costs:	1 LS	\$5,000 EA	\$5,000	
TOTAL LOW-SLOPE ROOFS:				\$90,650
Selective Slate Roof Shingle Repairs:	120 PCS	\$75 EA	\$9,000	
Copper Gutter Repairs:	40 LF	\$85 /LF	\$3,400	
Replacement of damaged snow fence:	26 LF	\$225 EA	\$5,850	
Installation of new snow guards where missing/damaged:	1 LS	\$1,200 EA	\$1,200	
Aerial-Lift Rental:	1 LS	\$3,000 EA	\$3,000	
TOTAL SLATE ROOF & MISCELLANEOUS REPAIRS:				\$22,450
TOTAL CONSTRUCTION:				\$113,100
Contractor's Overhead & Profit (15%):				\$16,965
Bonds & Insurance (3%):				<u>\$3,393</u>
TOTAL PROJECT COST - OPTION 2:				\$133,458



FLAT ROOF
BELOW
± 74 SF

± 21'-1"

± 8'-0"

± 12'-0"

± 7'-11"

± 27'-11"

MECH UNIT

EXIST.
CHIMNEY

FLAT ROOM
BELOW ± 78 SF

ROOF AREA 'A'
± 3,220 SF

TC #1

TC #2

EXIST

± 11'-8 1/2"

± 9'-6"

DS

DS

DS

DS

NEWBURYPORT FIRE HEADQUARTERS GREENLEAF STREET, NEWBURYPORT, MA

Investigative Roof Report



**Raymond T. Guertin, Architect
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Email: Ray@RTGArchitect.com**

November 9, 2017

EXISTING CONDITIONS

We visited the Newburyport Fire Headquarters building on September 14th to survey the roof and reviewed the original construction drawings, dated December 6, 1977, prepared by Palmiter and Hutchinson Architects of Newburyport, MA. We have also reviewed the Roof Survey Report prepared by The Garland Company, dated February 8, 2017.

The building, built in 1978, consists of steel frame and masonry wall construction. Roof construction includes structural steel roof trusses, wood rafters, plywood deck, and asphalt roof shingles. Roof insulation includes 6" batt insulation in the roof rafters and ceiling joists. R-values appear to be R-19 over the Apparatus Room and Hose Tower and nearly R-38 over the second floor living and office spaces including the ceiling insulation.

The original roof shingles were replaced nearly 20 years ago in 1999. Roof configuration consists of a broken gable roof intersecting at approximately 30 degrees and a small shed roof at the Hose Tower. Roof pitch is approximately 4:12 and there is approximately 11,200 square feet of roofing. The roof shingles have deteriorated, severely in many locations, including areas where shingles have been repaired/replaced. Shingle deterioration observed includes curling, cracks, granule loss, exposed felts, as well as several missing and broken shingles.

Curling occurs as the asphalt hardens and the surface granules are eroded from the shingles. As the asphalt continues to harden, the layers contract. As a result, the shingle is placed under stress as it resists the contraction of the coating at the top as well as the bottom. This will eventually cause the shingles to curl at the edges.

Surface cracks develop as the heat and other elements leach the oils from the asphalt and the shingle becomes less flexible. As a result, when it is subjected to stress from thermal shock or movement of the roof deck, cracks may develop in the surface.

Roof penetrations are minimal, consisting of plumbing vent stacks, antennas, guy wires, and 6 skylights at the rear of the building over the Apparatus Room. The skylights are in poor condition with mastic repairs along the flashings and should either be replaced or removed and roofed over. Exterior wood fascia and rake boards and soffits are deteriorating in many locations with open joints and signs of rot. There are no gutters on the building.



Overview - west side



Existing copper thru-wall flashing at Hose Tower

	
<p>Deteriorated shingles - granule loss & curling</p>	<p>Deteriorated shingles at intersection of hip, valley & ridge</p>
	
<p>Skylights at the rear of the building</p>	<p>Deteriorated fascia boards and soffits</p>

RECOMMENDATIONS

The existing roof shingles have reached the end of their useful life and should be replaced with new 50-year architectural asphalt roof shingles. All roof shingles, underlayment, ridge vents, metal flashing, and drip edges should be removed down to the existing wood deck. The existing copper through wall flashing at the Hose Tower appears to be in good condition and can be re-used. All plumbing vent stack flashing should be replaced.

The existing skylights at the rear of the building do not seem to have great value in the Apparatus Room and are a potential source of water infiltration. We recommend removing the skylights, framing in the openings, and roofing over.

Miscellaneous repairs include repair/replacement of damaged wood fascia and rake boards and soffits. We recommend replacing 150 linear feet of the approximate 475 linear feet of fascia/rakes with new PVC trim rather than painted wood for durability and minimal maintenance. Unit Prices can be included in the contract to be used for adjustments to the total amount of fascia replacement required.

Due to the condition of the existing shingles and the potential of water damaged roof sheathing, we recommend including approximately 5 percent of roof sheathing replacement in the base bid along with Unit Prices for determining adjustments to the Contract Sum during the work.

We would estimate the cost of the above Asphalt Shingle Roofing Replacement at \$92,418.00 - refer to attached Cost Estimate.

ASPHALT SHINGLE ROOFING REPLACEMENT

NEWBURYPORT FIRE HEADQUARTERS

COST ESTIMATE - November 9, 2017

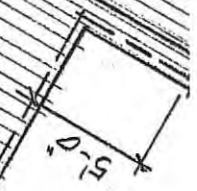
Raymond T. Guertin, Architect

NEWBURYPORT FIRE HEADQUARTERS	QTY	UNIT PRICE	COST	TOTAL
Remove & dispose of existing roofing & flashing down to existing deck:	11,200 SF	\$1.50 /SF	\$16,800	
Remove existing deteriorating skylights, fill-in openings & roof over:	6 EA	\$900 EA	\$5,400	
Replace deteriorated roof sheathing - (allowance 5%):	560 SF	\$7 /SF	\$3,920	
Supply& install new 50 year Architectural Grade Roof Shingles, Ice & Water Sheet, Aluminum Drip Edges, and Metal Flashing:	11,200 SF	\$4.50 /SF	\$50,400	
Miscellaneous repairs including fascia, soffits and rake boards:	150 LF	\$12 /LF	\$1,800	
TOTAL CONSTRUCTION:				\$78,320
Contractor's Overhead & Profit (15%):				\$11,748
Bonds & Insurance (3%):				<u>\$2,350</u>
TOTAL PROJECT COST - FIRE STATION:				\$92,418

TYPICAL



RIDGE



EXISTING
SKYLIGHTS,
TYPICAL

±53'-0"

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 14, 2018

THAT the General Fund budget for the City of Newburyport for **Fiscal Year 2019** (July 1, 2018 through June 30, 2019) be approved in the amount of \$ _____, and \$ _____ of this amount is established as a School Department Budget for Fiscal Year 2019.

The following Enterprise Fund budgets for Fiscal Year 2019 are also approved as follows:

Water Enterprise Fund \$ _____

Sewer Enterprise Fund \$ _____

Harbormaster Enterprise Fund \$ _____

The above approved budget represents the budget submitted by Mayor Holaday on May 14, 2018 as amended.

President Barry N. Connell

Councillor Joseph H. Devlin

Councillor Gregory D. Earls

Councillor Jared J. Eigerman

Councillor Larry G. Giunta, Jr.

Councillor Afroz Khan

Councillor Thomas F. O'Brien

Councillor Heather L. Shand

Councillor Charles F. Tontar

Councillor Bruce L. Vogel

Councillor Sharif I. Zeid



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NEWBURYPORT, MA
2018 MAY -8 PM 3:43

CITY OF NEWBURYPORT, MASSACHUSETTS

Fiscal Year 2019 Proposed Budget



DONNA D. HOLADAY, MAYOR

CITY OF NEWBURYPORT MASSACHUSETTS



PROPOSED FISCAL YEAR 2018 BUDGET

GENERAL AND ENTERPRISE FUNDS
JULY 1, 2018 TO JUNE 30, 2019

MAYOR

DONNA D. HOLADAY

CITY COUNCIL

Barry N. Connell	President, Councillor At-Large
Sharif I. Zeid	Ward 1 Councillor
Jared J. Eigerman	Ward 2 Councillor
Heather L. Shand	Ward 3 Councillor
Charles F. Tontar	Ward 4 Councillor
Larry G. Giunta Jr.	Ward 5 Councillor
Thomas F. O'Brien	Ward 6 Councillor
Joseph H. Devlin	Councillor At-Large
Gregory D. Earls	Councillor At-Large
Afroz Khan	Councillor At-Large
Bruce L. Vogel	Councillor At-Large

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 14, 2018

Ballot Question

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

"Consistent with G.L. c. 94G sec. 3(a)(2), "Marijuana Retailers" as defined in G.L. c. 94G, Section 1(j) shall be prohibited within the City of Newburyport. This prohibition shall not apply to the sale, distribution, manufacture or cultivation of marijuana for medical purposes if licensed in accordance with applicable law"

Yes/No

Afroz Khan
At-Large City Councillor

Larry G. Giunta
Ward 5 City Councillor

Heather L. Shand
Ward 3 City Councillor

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Order Regarding Lease of Coast Guard Auxiliary Building on Plum Island Point

Date: May 14, 2018

THAT pursuant to General Laws Chapter 40, Sections 15 and 15A the City Council of the City of Newburyport hereby designate the Coast Guard Auxiliary Building and underlying property located at 300 Northern Boulevard as surplus property, no longer required for exclusive use by the City, and further that the Council hereby transfers the care, custody, management and control of said property, including any structures thereon, to the Mayor for the purposes of further conveyance by lease, on terms and conditions, and for such consideration, as the Mayor deems appropriate, provided that as a condition of said lease the City shall:

- a) retain rights to use said building as an election/polling location;
- b) maintain rights for the local Coast Guard Auxiliary (a.k.a. Flotilla 38) to use said building for educational and training purposes consistent with a 2004 Memorandum of Understanding in relation thereto;
- c) require that any rehabilitation, preservation and/or maintenance of said historic building be made in compliance with the Secretary of the Interior's Standards for Rehabilitation; and
- d) require the designated lessee to comply with all terms and conditions memorialized in the 2002 Quitclaim Deed to the City from the United States Coast Guard;
- e) use any proceeds from lease of the subject property to address ongoing Plum Island erosion, its beach/ecosystem, its beach cleanliness and other Newburyport Plum Island concerns.

Councillor Sharif I. Zeid

ORDINANCES

CITY OF NEWBURYPORT

May 14, 2018



IN CITY COUNCIL

ORDERED: AN ORDINANCE TO AMEND CHAPTER 11 OF THE MUNICIPAL CODE REGARDING PARKS AND RECREATION

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

Delete Section 11-1. – Names of parks and squares; establishing and changing names.” in its entirety and replace it with the following text:

Sec. 11-1. – Names of city’s public parks and playgrounds.

All of the city’s public parks and playgrounds shall retain the names by which they are listed in section 11-2 of this chapter 11, unless the city council, by a two-thirds supermajority vote of the council, votes to adopt an ordinance to change such name in section 11-2.

Delete Section 11-2 – “Drug free parks and playgrounds; designation” in its entirety and replace it with the following text:

Sec. 11-2. – City’s public parks and playgrounds.

The following real property, identified by name, and listed by assessor’s map and lot numbers, or other reference, constitute the city’s public parks and playgrounds under the meaning of Chapter 45 of the General Laws, Chapter Section 32J of Chapter 94C of the General Laws, and the city’s code of ordinances.

Table with 3 columns: Name, Map #, Lot #. Lists various parks and playgrounds with their corresponding map and lot numbers.

Bartlet Mall (including Frog Pond)	035	160
Washington Park (Eppa Way, Pond Street, High Street)	035	Not numbered
Bradley Fuller Park	037	001
Brown Square	047	004
Cushing Park (including Ayer Playground)	051	042
Cashman Park	052	068
	052	083
Atkinson Common (includes so-called Pioneer Park)	069	028
Moseley Avenue and Ferry Road Park	070	086
Moulton Square	071	023
Moseley Woods	072	014
Jason Sawyer Playground	077	125-A
Woodman Park	094	004
	100	001
Cherry Hill Athletic Fields	107	001-A
Clipper City Rail Trail – Phase 1	All locations depicted on a plan in __ sheets entitled “_____”, dated _____, as revised on _____, on file with the City Clerk	
Clipper City Rail Trail – Phase 2	All locations depicted on a plan in 17 sheets entitled “Newburyport/Newbury Clipper City Rail Trail - Phase 2, Preliminary Right of Way Property Plans,” dated June 8, 2015, as revised on June 22, 2015, on file with the City Clerk	

Delete Section 11-3 – “Parking limited.” in its entirety and replace it with the following text:

Sec. 11-3. – Limited parking at certain public parks and playgrounds.

(a) No person shall park any vehicle or trailer in the area known as Cushing Park for a period in excess of seventy-two (72) hours, except upon declaration of a snow emergency, or as authorized by an individual license or permit issued by the Parks Commission. In the case of a declared snow emergency, vehicles may remain for the duration of the snow emergency and for twenty-four (24) hours after the declaration of the end of the snow emergency.

(b) No person shall park any vehicle or trailer in the playground area of the Bartlet Mall, located at the corner of Auburn Street and High Street, except upon declaration of a snow emergency. In the case of such declared snow emergency, vehicles may remain for the duration of the snow emergency and for no more than twenty-four (24) hours after the declaration of the end of the snow emergency.

(c) No person shall park any vehicle or trailer in any portion of Bartlet Mall other than the playground area, even upon declaration of a snow emergency, with the sole exception of the presiding justice of the superior court and, in addition, no more than two (2) of his or her designee, who may park in proximity to the superior courthouse.

Add Section 11-4 – “Board of Parks Commissioners,” to read as follows:

Sec. 11-4. – Board of Parks Commissioners.

(a) A board of parks commissioners for the city is hereby established but with powers more limited than those set forth under Section 5 of Chapter 45 of the General Laws (hereinafter referred to as the Parks Commission).

(b) The Parks Commission shall consist of five persons, who shall hold office for terms of one (1), two (2), three (3), four (4), and five (5) years, respectively, from the first Monday in May next following such appointment, or until their successors are qualified; and thereafter the mayor shall annually, before the first Monday in May, with like approval appoint one such commissioner for a term of five years from said first Monday in May. Such commissioners shall serve without compensation. A vacancy in the Parks Commission shall be filled in like manner for the residue of the unexpired term. Any commissioner may be removed by a vote of two thirds of all the members of the city council.

(c) Subject to appropriation, the Parks Commission may lay out and improve public parks and playgrounds, make rules for their use and government, and define the powers and duties (but shall neither appoint nor fix the compensation) of all necessary engineers, surveyors, clerks, and other officers, including a police force, to act in such parks and playgrounds. At parks and playgrounds under its jurisdiction, the Parks Commission shall have the authority given to the mayor, aldermen, selectmen, road commissioners and tree warden respectively by Section 7 of Chapter 84, and by Chapter 87. Subject to appropriation, the Parks Commission shall also have the power to conduct park programs and recreation activities at places throughout the city of Newburyport other than public parks and playgrounds.

(d) The Parks Commission shall make reports of its doings, and detailed statements of all receipts, expenditures, and liabilities for the preceding fiscal year of the city, to the city council annually, within thirty (30) days after the end of the city’s fiscal year.

Add Section 11-5 – “Rules and regulations.,” to read as follows:

Sec. 11-5. – Rules and regulations for all Public Parks and Playgrounds.

(a) All other city ordinances applying to public areas also apply to the public parks and playgrounds listed in section 11-2, including but not limited to the following:

(1) Dogs shall be leashed and animal waste cleaned up and disposed of pursuant to chapter 3 of the code of ordinances; provided, however, that pursuant to such chapter 3 dogs are permitted off leash at Cashman Park, Moseley Woods, and March's Hill, subject to both the exclusions and restrictions, off leash hours and seasonal restrictions in the "Table of Designated Off Leash Areas" and the "Rules" as set forth therein. Both the city marshal and the health director, and their designees, including, without limitation, the animal control officer, are expressly authorized to enforce these rules by issuing citations for civil infractions pursuant to Section 21D of Chapter 40 of the General Laws.

(2) No littering is permitted.

(3) No vandalism, damage or defacement or other acts of willful destruction of public property is permitted.

(4) Loud noise, music, and other sounds are prohibited from 10:00 p.m. to 7:00 a.m. pursuant to chapter 8 of the code of ordinances.

(5) No snowmobiles, motorcycles, motorbikes or other motorized vehicles, with the exception of wheelchairs, are permitted unless specifically authorized by city council vote.

(6) No smoking pursuant to chapter 8 of the code of ordinances.

(7) For other activities regulated by city ordinances, additional authorization may be required from the city officer or department designated under this code.

(8) No activities are permitted that would potentially endanger members of the public.

(b) No activities are permitted that would disturb the quiet use and enjoyment of the city's public parks and playgrounds, without prior written authorization from the appropriate board of commissioners designated under this chapter 11.

(c) No commercial activities, including, without limitation, soliciting, are permitted without prior written authorization from the appropriate board of commissioners designated under this chapter 11.

(d) No commercial activities of any nature is permitted on any portion of the Bartlet Mall unless for specific, nonprofit events that benefit the Newburyport community, unless it is approved in advance by a majority vote of the City Council.

(e) No vehicular parking is permitted in areas other than designated parking lots, in accordance with posted signs. No unauthorized vehicles are allowed in areas other than designated driveways and parking lots.

(f) No alcoholic beverages are permitted without prior written authorization from the appropriate board of commissioners designated under this chapter 11.

(g) Horses are not allowed except as expressly authorized by rules and regulations promulgated under this chapter 11, and with prior written authorization from the appropriate board of commissioners designated under this chapter 11.

(h) No dogs are permitted on tennis courts, in fountains, or in other restricted park areas.

(i) No bicycling, rollerblading, snowboarding, or skateboarding is permitted on play equipment or site furnishings, including, without limitation, benches, curbs, walls, statuary, handrails, fountains, ponds, tennis courts, playing fields, etc. Within those public parks and playgrounds, as indicated by signage approved by the appropriate board of commissioners designated under this chapter 11, bicycling, rollerblading, and skateboarding are prohibited entirely.

(j) Trash receptacles in public parks and playgrounds are intended for the collection of refuse related to public use of such facilities, and the disposal of other items in park trash receptacles is not permitted. Dumping of private yard waste is not permitted.

(k) No unauthorized posting of bills, signs, or any other materials is permitted.

- (l) No fires are permitted except in specific locations expressly authorized by rules and regulations promulgated under this chapter 11, or with prior written authorization from the designated permitting body.
- (m) No fireworks are permitted without prior written authorization from the fire chief.
- (n) No firearms are permitted.
- (o) No camping is permitted, unless specifically authorized by city council vote.
- (p) No unauthorized change of any sort to the property, vegetation, equipment, or structures is permitted, including, without limitation, trimming, pruning, removal or harming of plantings.
- (q) No use of water or electrical receptacles is permitted with the specific exception of public drinking fountains and as authorized under an individual license or permit issued by the Parks Commission.
- (r) Athletic field lighting shall be turned off by 10:00 p.m.
- (s) Fines for violation of any rules and regulations promulgated under this chapter 11 shall be established by ordinance of the city council.
- (u) Except where another board of commissioners is designated under this chapter 11, the Parks Commission shall be the authorizing agency for all of the city's public parks and playgrounds, and applications for activities therein shall be made to such commission. The Parks Commission may vote to delegate some or all of its authority to the parks director.
- (v) For Market Landing Park and other Newburyport Waterfront Trust property, the Newburyport Waterfront Trust shall be the authorizing agency, and applications for activities therein shall be made to the Newburyport Waterfront Trust.
- (w) For the Atkinson Common, but expressly excluding so-called Pioneer Park, the Atkinson Common Commission shall be the authorizing agency, and applications for activities therein shall be made to such commission. The Atkinson Common Commission may vote to delegate some or all of its authority to the parks director.
- (x) For the Bartlet Mall (including the Frog Pond), the Bartlet Mall Commission shall be the authorizing agency, and applications for activities therein shall be made to such commission. The Bartlet Mall Commission may vote to delegate some or all of its authority to the parks director.
- (y) Applications for authorization made pursuant to the rules and regulations of this chapter 11 shall be processed in the order of their receipt. The designated board of commissioners (or the parks director as its delegate) shall determine whether to grant or deny an application within thirty (30) days of receipt, unless the applicant provides written consent to extend such period for not more than an additional fifteen (15) days.
- (z) A granted application for authorization made pursuant to the rules and regulations of this chapter 11 may permit the applicant a revocable license with a duration of no more than one (1) year to use designated areas of the relevant public park or playground. All other rights of use to any public park or playground, whether by revocable license, lease, or otherwise, shall be invalid unless approved by the City Council pursuant to all applicable laws. Notwithstanding the foregoing, the Newburyport Waterfront

Trust may grant rights of use at Market Landing Park, and other property held by it in public trust, pursuant to its declaration of trust, as amended.

(aa) All fees for use of any public park or playground, regardless of type or duration, shall be established by ordinance of the city council. Notwithstanding the foregoing, the Newburyport Waterfront Trust may grant rights of use at Market Landing Park, and other property held by it in public trust, pursuant to its declaration of trust, as amended.

(bb) Denial of an application for authorization shall be in writing, and shall set forth clearly the grounds upon which the permit was denied. Where feasible, the designated board of commissioners (or the parks director as its delegate) shall suggest in such written denial those measures by which the applicant may cure any defects in its permit application, or otherwise procure a permit in a subsequent application.

(cc) An application for authorization may be denied on any of the following grounds:

(1) The application (including any required attachments and submissions) is not fully completed and executed;

(2) The application contains a material falsehood or misrepresentation;

(3) The applicant is legally incompetent to contract, or to sue and be sued;

(4) The applicant has on a prior occasion damaged public park or playground property, and has not paid full compensation for such damage, or has other outstanding and unpaid debts to the relevant authorizing agency;

(5) A fully completed and executed application for an activity at the same time and place has been received, and authorization has been or will be granted to such prior applicant authorizing uses or activities that do not reasonably permit multiple occupancy of the particular public park or playground, or part thereof;

(6) The use or activity intended by the applicant would conflict with a program or activity previously planned by the parks department, or by another city department or city official, for the same time and place; or

(7) The proposed use or activity is prohibited by or inconsistent with any rules and regulations of this chapter 11, or with the classifications and uses of the relevant public park or playground.

Add Section 11-6 – “Parks Commission—Promulgation of rules,” to read as follows:

Sec. 11-6. – Parks Commission—Promulgation of rules.

(a) Provided they are not in conflict with the rules and regulations provided in this chapter 11, the Parks Commission may, as it deems appropriate, promulgate such additional, reasonable rules and regulations for the use of the city’s public parks and playgrounds under its oversight, rather than under that of the Newburyport Waterfront Trust, Bartlet Mall Commission, and Atkinson Common Commission. Such additional rules and regulations may include, but are not limited to, hours of use, conduct of persons, and the manner of use of particular facilities or areas within any public parks or playgrounds.

(b) Such additional rules and regulations, or any repeal or amendment thereof, shall become effective only after they have been published in each of not less than two (2) weeks in a newspaper of local circulation, and posted for a period of two (2) weeks in one (1) or more prominent places in the public park or playground to which they are proposed to pertain, without the need for further action by the city council.

Delete Article II. – “ATKINSON COMMON AND MOSELEY WOODS AND BARTLET MALL.” in its entirety and replace it with the following text:

ARTICLE II. – MARKET LANDING PARK, ATKINSON COMMON, AND BARTLET MALL

Sec. 11-26. – Promulgation of rules for Market Landing Park, Atkinson Common, and Bartlet Mall.

(a) Provided they are not in conflict with the rules and regulations provided in this chapter 11, the Newburyport Waterfront Trust, Atkinson Common Commission, and Bartlet Mall Commission may, as they deem appropriate, promulgate such additional, reasonable rules and regulations for the use of those city’s public parks and playgrounds under their oversight. Such additional rules and regulations may include, but are not limited to, hours of use, conduct of persons, and the manner of use of particular facilities or areas within any public parks or playgrounds.

(b) Such additional rules and regulations, or any repeal or amendment thereof, shall become effective only after they have been published in each of not less than two (2) weeks in a newspaper of local circulation, and posted for a period of two (2) weeks in one (1) or more prominent places in the public park or playground to which they are proposed to pertain, without the need for further action by the city council.

(c) At those public parks and playgrounds under their oversight, the Newburyport Waterfront Trust, Atkinson Common Commission, and Bartlet Mall Commissions shall have the authority given to the mayor, aldermen, selectmen, road commissioners and tree warden respectively by Section 7 of Chapter 84, and by Chapter 87.

Sec. 11-27. - Atkinson Common—Board of commissioners designated; Duties of same; To serve without pay.

The mayor and the president of the city council, *ex officio*, together with three (3) persons to be chosen as hereinafter designated, shall constitute a board of commissioners of the Atkinson Common (hereinafter the Atkinson Common Commission), to advise the Parks Commission in carrying out the provisions and limitations of the will of Mrs. Eunice Atkinson Currier, dated March 23, 1867, granting the Atkinson Common to the city for use as a common public and free to all the inhabitants of the city, and in exercising the proper care, management and supervision of the Atkinson Common as well as the adjacent land purchased from Merrill Estate by Belleville Improvement Society and given to the city. Such board may be known as the Atkinson Common Commission. The members of the Atkinson Common Commission shall serve without pay.

Sec. 11-28. - Atkinson Common —Annual appointment to board.

Annually in the month of March, the mayor shall appoint, subject to the approval of the city council, from the citizens at large, one (1) member of the Atkinson Common Commission to hold office for three (3) years from the last Monday in April following.

Sec. 11-29. - Atkinson Common —Financial matters; Capital improvements

The money annually appropriated by the city for the upkeep of Atkinson Common, together with such sums as may be received for such purposes from other sources, including, without limitation, the Belleville Improvement Society, shall be available for expenditure only upon an affirmative vote of a majority of the Atkinson Common Commission, and only for the upkeep of Atkinson Common. Moreover, all capital improvements at Atkinson Common, regardless of their scale or cost to the city, shall be approved in advance by an affirmative vote of the Atkinson Common Commission.

Sec. 11-30. - Atkinson Common — Monthly meetings; Records; Annual report of board.

The Atkinson Common Commission shall meet monthly, and maintain records of its doings, organized by fiscal year. The Atkinson Common Commission shall make reports of its doings, and detailed statements of all receipts, expenditures, and liabilities for the preceding fiscal year of the city, to the city council annually, within thirty (30) days after the end of the city's fiscal year.

Sec. 11-31. - Moseley Woods—Acceptance of provisions of Charles W. Moseley will.

The city hereby accepts the provisions of paragraph 7 of the will of Charles W. Moseley, dated September 3, 1918, granting Moseley Woods to the city, to be held as a public park. Accordingly, the city shall annually appropriate and spend to the satisfaction of the trustees of the Charles W. Moseley Trust not less than five hundred dollars (\$500.00) for the care of Moseley Woods, and especially for the policing thereof.

Sec. 11-32. - Moseley Woods—Board of commissioners abolished.

The board of commissioners of Moseley Woods are hereby abolished and dissolved, upon the effective date of this new Section 11-32.

Sec. 11-33. - Moseley Woods—Financial matters; Capital improvements

The money annually appropriated by the city for the upkeep of Moseley Woods, together with such sums as may be received from other sources, including, without limitation, the trustees of the Charles W. Moseley Trust, shall be available for expenditure only upon an affirmative vote of a majority of the Parks Commission, and only for the upkeep of Moseley Woods. Moreover, all capital improvements at Moseley Woods, regardless of their scale or cost to the city, shall be approved in advance by an affirmative vote of the Parks Commission.

Sec. 11-34. - Bartlet Mall—Board of commissioners; duties; term of office.

The mayor shall appoint five (5) residents of the city to constitute the board of commissioners of Bartlet Mall (hereinafter referred to as the Bartlet Mall Commission). The Bartlet Mall Commission shall oversee the proper care, management, and supervision of the Bartlet Mall. Each commissioner of said board shall be appointed for a term of not in excess of three (3) years, and the appointments shall be so

made that the terms of not more than two (2) commissioners shall expire in any single year. All members shall hold office until their respective successors are appointed, and shall serve without pay.

Sec. 11-35. - Bartlet Mall—Annual appropriation for upkeep.

The mayor and city council shall annually appropriate a sum of not less than five hundred dollars (\$500.00) for the general care and policing of Bartlet Mall, including the maintenance of public ice skating on the pond.

Sec. 11-36. - Bartlet Mall—Financial matters; Capital improvements.

The money annually appropriated by the city for the upkeep of Bartlet Mall, together with such sums as may be received for such purposes from other sources, including, without limitation, the City Improvement Society, shall be available for expenditure only upon an affirmative vote of a majority of the Bartlet Mall Commission, and only for the upkeep of Bartlet Mall. Moreover, all capital improvements at Bartlet Mall, regardless of their scale or cost to the city, shall be approved in advance by an affirmative vote of the Bartlet Mall Commission.

Sec. 11-36. - Bartlet Mall— Monthly meetings; Records; Annual report of board.

The Bartlet Mall Commission shall meet monthly, and maintain records of its doings, organized by fiscal year. The Bartlet Mall Commission shall make reports of its doings, and detailed statements of all receipts, expenditures, and liabilities for the preceding fiscal year of the city, to the city council annually, within thirty (30) days after the end of the city's fiscal year.

Secs. 11-37—11-50. - Reserved.

Delete Article III. - "RECREATION AREAS." in its entirety.

Councillor Jared J. Eigerman

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 14, 2018

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

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

Zoning Ordinance Amendment:

THAT the Zoning Ordinance be amended pursuant to Section XII-B "Adoption and Amendment" as follows:

Section V: Use Regulations

Insert a new section "V-H" after Section V-G (Medical Marijuana Treatment) as follows:

Section V-H Temporary Moratorium on Recreational Marijuana Establishments

A. Purpose

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new O.L. c. 940, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 (as amended on December 30, 2016 by Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017). Currently under the Zoning Ordinance, a non-medical Marijuana Establishment (hereinafter, a "Recreational Marijuana Establishment"), as defined in O.L. c. 40, 1, is not specifically addressed in the Zoning Ordinance. The City needs time to study and consider a possible referendum and/or regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Ordinance regarding regulation of Recreational Marijuana Establishments. The City Council intends to adopt a temporary moratorium on the use of land and structures in the City for Recreational Marijuana Establishments so as to allow sufficient time to

address the effects of such structures and uses in the City and to pursue a referendum and/or to enact ordinances in a consistent manner.

B. Definition

"Recreational Marijuana Establishment" shall mean an "marijuana retailer" as defined in G.L. c.94G, § 1"

C. Temporary Moratorium

Temporary Moratorium Notwithstanding any other provision of the Zoning Ordinance to the contrary, the City Council hereby enacts a temporary moratorium on the use of land or structures for Recreational Marijuana Establishments. The moratorium will be in effect through December 31, 2018 or until such time as the City holds a referendum on the matter and/or adopts Zoning Ordinance amendments, whichever occurs earlier. During the moratorium, the City shall undertake a planning process to address the potential impacts of recreational marijuana.

Afroz Khan
At Large City Councillor

Larry G. Giunta
Ward 5 City Councillor

Heather L. Shand
Ward 3 City Councillor

COMMITTEE ITEMS

May 14, 2018
Committee on Budget & Finance

- **TRAN008_04_30_18** – PRK Maint – Trees \$9K to PRK Seasonal Employees \$9K.
- **COMM034_04_30_18** – AFSCME Local 939 – Tentative Agreement.
- **ORDR027_04_30_18** – FY18 Revolving Fund Spending Limit Increase.
- **ORDR029_04_30_18** – Paid Parking RRFA Fund.
- **ORDR030_04_30_18** – Saltbox Financial Parks Gift Acceptance \$1,000.



City of Newburyport

FY 2018

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

APR 24 AM 11:34

Best

Department: Parks Department
Submitted by: Lisë Reid, Parks Director **Date Submitted:** 4/30/2018

Transfer From:

Account Name	<u>PRK Maint-Trees</u>	YTD Bal:	<u>\$ 9,743.68</u>
Account Number:	<u>01630002-52404</u>	Category:	<u>\$ 16,955.56</u>
Amount:	<u>\$9,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Available:	<u>We have held off on purchasing tree-related equipment and contracted services, knowing that our greatest need is for the labor that we use for tree work.</u>		

Transfer To:

Account Name	<u>PRK Seasonal Employees</u>	YTD Bal:	<u>\$ (652.75)</u>
Account Number:	<u>01630001-51190</u>	Category:	<u>\$ 35,759.61</u>
Amount:	<u>\$9,000.00</u>	Trans I/O:	<u></u>
Why are Funds Required:	<u>We have found that we can accomplish much more tree work by using in-house resources rather than contracting out. Therefore, labor is our greatest funding need. More than \$9,000 in labor costs have been spent on tree work since fall 2017 and more will be spent this spring.</u>		

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

Donna D. Holaday
Ethan R. Manning

Date: 4/24/18
 Date: 4/24/18

BT

COMM034_04_30_18



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY
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NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2018 APR 24 AM 11:34

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: April 24, 2018
Re: AFSCME Local 939 – Tentative Agreement

The following is a summary of the agreement that has been reached in principle for July 1, 2018 – June 30, 2021 with the AFSCME bargaining unit, AFL-CIO, State Council 93, Local 939. The City has agreed to the terms contained herein subject to appropriation by the City Council. The Local 939 voted to ratify the terms of this agreement on April 12, 2018.

The monetary considerations for FY19 have been accounted for in the Mayor's Proposed FY19 Annual Operating Budget. Both parties tentatively agree to the following:

1. Removal of three positions from the AFSCME unit due to the nature of the supervisory responsibilities:

- Assistant Chief Operator Wastewater
- Assistant Superintendent Water
- General Foreman (Highway) – when incumbent retires (Fall 2018)

**2. Wage scale adjustments
FY2019:**

- Truck Driver: Grade 6 to 8
- HEO Highway: Grade 8 to 10
- Senior Clerk Typist is now *Data Entry Clerk I*; Grade 8 to 10
- Computer Operator (Gr. 18) is now *Office Clerk I* (Gr.18) and *Office Clerk II* (Gr.20)
- Senior Information Specialist is now *Senior Office Clerk*; Grade 20 to 22
- Administrative Assistant is now *Office Coordinator* (remain at Grade 24)
- Water Distribution HEO: Grade 12 to 14 (5 positions)
- Senior Water HEO D2: Eliminated title (all Grade 14's now)
- WTP Plant Operators: Grades 16, 18, 20 to 18, 20, 22
- Lab Chemist: Grade 16 to 18
- Shift differential for WTP: \$0.50 to \$1.00 (3rd Shift) \$0.00 to \$0.50 (2nd Shift)

- Sixth step added upon completion of 15 years of service (2% over 10 yr. step)

FY2020:

- Sewer by operating license Grade 4, 5, 6 – 16, 18, 20
- Sewer Maintenance Foreman: Grade 20 to 22
- DPS Mechanic & Welder: Grade 14 to 16
- Mechanic Foreman: Grade 18 to 20
- DPS Foreman, Construction: Grade 18 to 20
- Landscape Foreman: Grade 14 to 16
- Senior Librarian: Grade 18 to 20

FY2021:

- Fire Dispatch: Grade 6 to 8
- Police Dispatch: Grade 8 to 10
- Police Dispatch Supervisor: Grade 16 to 18

3. COLA Increases

- FY2019: 2.0%
- FY2020: 2.0%
- FY2021: 2.0 %

4. Vacation

- a. Increased vacation allowance for 7/1/2013 and newer hires:
 - After one (1) year three (3) weeks' vacation (15 days) (*up from 10 days*)
 - After five (5) years four (4) weeks' vacation (20 days) (*up from 15 days*)
 - After ten (10) years five (5) weeks' vacation (25 days) (*up from 20 days*)
- b. Implementing monthly vacation accruals for new hires of July 1, 2018 or later (current practice is annual vacation accrual is allotted on July 1st)
- c. Increase annual vacation carry-over to two weeks from one for consistency with other contracts

5. Agreed to automatic payment for licenses as follows (replacing \$500 for utilization of license):

2A = \$400

1C = \$400

Class A = \$400

6. Increase of tool allowance for mechanics from \$500 to \$700 annually.

B&F
CT AK

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 30, 2018

THAT, the City Council of the City of Newburyport authorizes an increase to the spending limit for the following fund(s) for fiscal year 2018 in accordance with MGL, Chapter 44 Section 53E1/2:

<u>Account Name</u>	<u>Spending Limit</u>
Engineering Services	\$130,000

Councillor Charles F. Tontar
Chair, Budget & Finance Committee

100F
C11

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 30, 2018

THAT, the City of Newburyport accepts sections 22A, 22B and 22C of Chapter 40 of the General Laws, as amended by Chapter 218 of the Acts of 2016 – *the Municipal Modernization Act*, for the purpose of establishing a parking receipts reserved for appropriation fund to be called the *Paid Parking Fund*;

This fund, upon recommendation of the Mayor and approval of the City Council, may be used for acquisition, installation, maintenance and operation of parking meters and other parking payment and enforcement technology, the regulation of parking, salaries of parking management personnel, improvements to the public realm, and transportation improvements; and be it

FURTHER ORDERED THAT, the balance in the *Downtown Paid Parking Revolving Fund* be transferred into the *Paid Parking Fund* at the end of fiscal year 2018.

Councillor Charles F. Tontar



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Bot

2018 APR 24 PM 12:51

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: April 30, 2018
Subject: Paid Parking Fund

Submitted herewith for your approval is the acceptance of the provisions of G.L. c. 40, §22A, 22B and 22C, as amended by Chapter 218 of the Acts of 2016 (the Municipal Modernization Act). This local option allows municipalities to continue to account for parking receipts separately by establishing a receipts reserved for appropriation fund, to be called the Paid Parking Fund. This will replace the former method of accounting for parking funds through a departmental revolving fund, which is no longer practicable given the expansion of the parking program, as well as, the changes in the law.

With your approval, all parking receipts will be deposited into the Paid Parking Fund to be reserved for appropriation for acquisition, installation, maintenance and operation of parking kiosks and other parking payment and enforcement technology, the regulation of parking, salaries of parking management personnel, improvements to the public realm and transportation improvements.

In the fiscal year 2019 proposed operating budget, you will see an entire budget for the parking operation to be offset by an appropriation from the Paid Parking Fund. The appropriation will also include the payment of debt service related to the Intermodal Facility.

I respectfully urge your acceptance of this local option.

Parking Fees: Accounting Options and Rate Setting
MA Department of Revenue, Division of Local Services
Written by Kathleen Colleary, Bureau Chief, Municipal Finance Law
November 2017

Before and after the Municipal Modernization Act, revenue from parking fees covers the costs of regulating parking even though now accounted for in the general fund and included in the tax levy as a financing source for appropriations.

Accounting for Revenue from Parking Fees

Generally, all municipal revenue belongs to the general fund unless otherwise provided by statute. G.L. c. 44, § 53. Before the Municipal Modernization Act, however, parking meter or other parking receipts were reserved under G.L. c. 40, § 22A, 22B and 22C and amounts collected were an available fund for appropriations for certain parking related purposes. As of the November 7, 2016 effective date of the Act, those receipts are now unreserved and belong to the general fund unless the city or town accepts provisions in those statutes in order to credit them to a “receipts reserved for appropriation” special revenue fund. Any revenue received before November 7, 2016 remains in the receipts reserved special revenue fund to be appropriated accordingly. Therefore, if a city or town wants to continue accounting for parking revenues in a “receipts reserved for appropriation” special revenue fund its legislative body must accept the provisions in the statutes.

Otherwise, the parking receipts are part of the tax levy as a financing source for municipal appropriations. The tax levy is a single financing source made up of all anticipated revenues accounted for in the general fund, which include real and property taxes, unrestricted local aid (Cherry Sheet monies) and other unreserved revenues (*e.g.*, excises, fees, fines, investment income). The tax levy may be appropriated for any municipal purpose.

Setting Parking Fees

However, fees must be compensatory. They can be set to cover all costs incurred by the city or town in providing a service or regulating an activity, such as parking, but not to raise revenue like taxes. Costs include all direct and indirect municipal resources required to regulate the activity, not just those direct expenses funded by the current operating budget of the responsible department or entity. Accounting treatment is not decisive on the question of whether the fee is valid, as municipal revenue is generally accounted for in the general fund, G.L. c. 44, § 53. So long as the amount charged is *reasonably* related to the expenses needed for the governmental entity to regulate the activity and is designed to be compensatory. *i.e.*, set to produce revenues that reimburse the governmental entity for its anticipated regulation related expenses, the fee will be upheld. *Silva v. Attleboro*, 454 Mass. 165 (2009); *Commonwealth v. Caldwell*, 25 Mass. App. Ct. 91 (1987).

bet

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 30, 2018

THAT, The CITY COUNCIL of the City of Newburyport accepts with accepts with gratitude a gift from Jim McCarthy, Saltbox Financial, in the amount of \$1,000 for the painting of city park signposts to be placed into the Parks Gifts & Donations Account in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Charles F. Tontar
Chair, Budget & Finance Committee

May 14, 2018
Committee Items-License & Permits

1. **COMM 031_04_30_18 Artisan Revival**
2. **COMM033_04_30_18 Business Permit 1 Kent Street**
3. **COMM029_04_30_18 Outdoor Seating - West Row Café**

LH

COMM031_04_30_18

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

March 25, 2018

2018 APR 18 PM 3: 07

RE; Inn Street Artisans Revival

To Whom It May Concern,

Last September, I applied for, and received, a permit for an Inn Street Artisans show during Labor Day weekend. Simultaneously, the Chamber of Commerce organized the Riverfest. All signatures had been collected; insurance policy purchased, along with a letter of recommendation by an Inn Street retailer, Claudia Harris of the Elephants Trunk. This show went off without a hitch. All parties agreed that this was a good thing for the retailers, tourist, artisans, and city. There were no complications and served as a great compliment to the Riverfest concert.

I have been coordinator of the Artisans Revival since its inception during Yankee Homecoming 2016. Up until last September, all artisan shows were held during this time. This year during the third annual Inn Street Artisans Revival, we will also be incorporating the long-standing 'Market Square Craft day' during Yankee Homecoming under the supervision of the Artisans Revival.

These artisans' shows have been so successful for all parties involved that many feel that the addition of small-scale art shows are a very welcomed, and ideal addition for the Inn Street area. They are well organized, unobtrusive, and add a subtle yet vital addition to the local economics of not only Inn Street, but also the downtown shopping district itself. For this reason I am filing a special event application for several small-scaled artisans shows on Inn Street for the 2018 season. The schedule included total eight shows throughout the season, an average of about once a month, with no more then ten vendors at any given show. The scheduled dates are listed and included within the application.

On behalf of the Newburyport Artisans, we hope you will continue to support this developing and thriving platform for local artisan vendors.

Thank you.

John Brown
Artist/Owner – Spirit of Newburyport
42 Federal Street,
Newburyport, MA 01950
Inn Street Artisans Revival Coordinator

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT: ARTISANS REVIVAL

Date: See Attached Schedule Time: from 10:00 A.M. to 6:00 P.M.

Rain Date: _____ Time: from _____ to _____

2. Location: Inn Street - Newburyport

3. Description of Property: Artisan Tents - Arts & Craft Goods Public _____ Private _____

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

Contact Person

Address: 42 Federal Street Telephone: 978-417-1987

E-Mail: John @ Spirit of Newburyport.com Cell Phone: _____

Day of Event Contact & Phone: 978-417-1987

5. Number of Attendees Expected: 1,000 - total all shows combined

6. MA Tax Number: 20-4867386

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

8. What Age Group is the Event Targeted to? 25+

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

** See Attached letters of Recommendation*

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

A. Vending: Food _____ Beverages _____ Alcohol _____ Goods Total # of Vendors 10

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 _____

4

If yes:

- a) How many trash receptacles will you be providing? 2
- b) How many recycling receptacles will you be providing? 1
- 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? proper state

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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

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

4. Date of Event: _____ Expected Number of Participants: _____

5. Start Time: _____ Expected End Time: _____

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

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

8. Will Detours for Motor Vehicles Be Required? _____ If so, where? _____

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

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

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

DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK [Signature]

[Signature] SHAB 3/30/10
[Signature] 0 Greenleaf St.
[Signature] 60 Pleasant St.

K

to Review

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>	
	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 harbor masters 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: _____

John W. Brown

Date: _____

3-15-18

Inn Street Artisans Revival 2018

1. Artisans Revival Spring Fest
Saturday May 26th, 2018

2. Artisans Artwalk Weekend
Saturday and Sunday
June 3, ~~4th~~ 2018

June 23, 24, 2018

3. Artisans Fourth of July Show
Saturday and Sunday
June 30, and July 1st, 2018

4. Artisans Artwalk Weekend
Saturday and Sunday
August 18th and August 19th, 2018

5. Artisans Labor Day Show
Saturday, Sunday, and Monday
September 1st, 2nd, and 3rd, 2018

6. Artisans Harvest Fest
Saturday October 6th, 2018

7. Artisans Artwalk Weekend
Saturday and Sunday
November 3rd and 4th, 2018

- Artisans Artwalk weekends are simultaneous with Newburyport Gallery Artwalks on the Saturday and Sunday listed date.
- Artisans Spring and Harvest Festivals precede Newburyport Chamber of Commerce art festivals on Sunday and Mondays of same weekend.

[Print](#) | [Close Window](#)

Subject: Re: John Brown's Inn Street Artisans Market
From: Claudia Harris <trunkport@aol.com>
Date: Mon, Aug 14, 2017 3:38 pm
To: jon@spiritofnewburyport.com

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 APR 18 PM 3:07

After many years of complaining about the benign neglect of Inn Street. I believe that at long last we have our renaissance man, to create the activity and art that I have always thought would be of great value to our street. I think Mr. Brown has proven that he is a man of his word and therefore; I highly recommend he be awarded a license for the River Festival and Labor Day weekend.

Sincerely,
Claudia S. Harris, CEO, President
Elephant's Trunk, Inc.

Sent from my iPad

QSR

Quaker Special Risk

February 13, 2018
EGCC

Risk #:124237-0447365

Jackie Page
Arthur S. Page Ins. Agency
57 State Street, P.O. Box 391
Newburyport, MA 01950

Phone:(978) 465-5301
Fax: (978) 462-0890

RE: Spirit of Newburyport, Jon Brown

Dear Jackie:

We are pleased to provide you with the following Quotation for coverage. Please review this quote carefully, as it may vary from what you requested. You are responsible for reviewing and explaining to your client the coverages offered, including other options, whether available through Quaker or not. The coverage terms attached are not fully described, and you should make no assumption as to the adequacy of coverages offered, as compared to your client's exposures.

In order to bind coverage, we must receive a written request from you prior to the effective date listed below as well as all documents listed in Subjectivities at the end of this quotation.

Policy Term

02/15/2018 to 02/15/2019

COMPANY: MESA UNDERWRITERS SPECIALTY INSURANCE COMPANY
A.M. Best Rating A (XIV) As Of 09/08/2017

COMMERCIAL GENERAL LIABILITY COVERAGE

LIMITS OF LIABILITY

OPTION	General Aggregate Limit	Product / Completed Operations Aggregate	Personal / Advertising Injury	Each Occurrence Limit	Fire Damage Limit	Medical Expenses Limit
1	\$2,000,000	\$2,000,000	EXCLUDED	\$1,000,000	\$100,000	\$5,000

DEDUCTIBLES (Per Occurrence):

OPTION	Bodily Injury and/or Property Damage
1	\$250

QUOTE VALID UNTIL: 03/15/2018
COMMISSION TO YOUR OFFICE: 10%



Risk #: 124237-0447365 - Spirit of Newburyport, Jon Brown

Forms and Conditions:

MUS010110002	Commercial Lines Common Policy Declarations	
MUS010110003	Schedule of Forms and Endorsements	
MUS010110007	Minimum Earned Premium - 25%	
MUS010110001	Signature Page	
MUS010110043	Privacy Notice	
MUS010110029	Service of Suit - MA	
IL0017	Common Policy Conditions	
ILN001	Fraud Statement	
MUS010110010	Coverage Acceptance Confirmation TRIA	
CG2170	Cap on Losses From Certified Acts of Terrorism	
CG0001	Commercial General Liability Coverage Form	
CG2147	Employment Related Practices Exclusion	
CG2155	Total Pollution Exclusion With a Hostile Fire Exception	
CG2167	Fungi or Bacteria Exclusion	
CG2196	Silica or Silica-Related Dust Exclusion	
CG2426	Contractual Liability Amendment	
IL0021	Nuclear Energy Liability Exclusion	
MUS010120001	Commercial General Liability Declarations	
MUS010120055	Assault or Battery Exclusion	
MUS010120058	Lead Contamination Exclusion	
MUS010120080	Earth Movement Exclusion	
MUS010120082	Exclusion - Asbestos	
MUS010120094	Amendment of Conditions - Premium Audit	
MUS010120112	Exclusion - Occupational Disease	
MUS010120125	Excl. - Injury to Employees, "Temp. Workers" and Contractors - Mandatory on All Contracting Risks	
MUS010120139	Exclusion - Infringement of Intellectual Property	
CG2144	Limitation of Coverage to Designated Premises: Inn Street Newburyport, MA 01950	
CG2144	Limitation of Coverage to Designated Projects: Inn Street outdoor art shows Inn Street Newburyport, MA 01950	
CG2026	Additional Insured(s): Designated Person or Organization City of Newburyport 60 Pleasant St Newburyport, MA 01950	
CG2132	Communicable Disease Exclusion	
CG2138	Exclusion - Personal and Advertising Injury	
CG2279	Exclusion - Contractors Prof Liability	
MUS010120010	Exclusion - Unscheduled Activities and Events	
MUS010120011	Exclusion - Pyrotechnicians or Fireworks	
MUS010120013	Exclusion - Animal Liability	
MUS010120016	Exclusion - Lethal Weapons	
MUS010120017	Exclusion - Participants	
MUS010120043	Exclusion - Classification Limitation	
MUS010120057	Abuse or Molestation Exclusion	
MUS010120063	Punitive Damages Exclusion	



Risk # : 124237-0447365 - Spirit of Newburyport, Jon Brown

MUS010120084 Non-Stacking of Limits Endorsement
MUS010120131 Exclusion - Tobacco, Nicotine or Nicotine Replacement

SUBJECTIVITIES:

Please forward signed and fully completed ACORD Application, Affidavit, and Terrorism form in order to bind.

Please forward three (3) years currently-valued, hard copy loss runs prior to binding.

Quote valid for 30 days.

Quote based upon the following classes:

15608 - Kiosk, \$20,000 sales

16471 - Photographer, "if any" sales

43424 - Exhibitions, outside, \$20,000 receipts

Minimum premium applies

Annual Premium:	\$800.00	Total \$832
Taxes:	\$32.00	
TRIA Premium:	\$150.00	
TRIA Taxes:	\$6.00	
Total:	\$988.00	

Thank you for the opportunity to quote this account. We hope we are honored with an order to bind.

Regards,

Eric Greenwell, CPCU, CPIA
Account Executive
Phone: (508) 755-6210
Fax: (508) 753-0646
Email: egreenwell@quakerma.com

Coverage is not bound until confirmed by our office. Thank you for your business.

Please note: This quote does not necessarily provide the terms and/or coverage requested in your submission.

[Print](#) | [Close Window](#)

Subject: RE: Art Shows
From: Kate Quill <kate@arthurpage.com>
Date: Mon, Apr 16, 2018 8:55 am
To: "jon@spiritofnewburyport.com" <jon@spiritofnewburyport.com>

Thanks Jon, That's great information.

Kate E. Quill
Commercial Lines Manager
Arthur S. Page Insurance Agency
57 State Street; P.O. Box 391
Newburyport, MA 01950
Phone: 978.465.5301
Fax: 978.462.0890
www.arthurpage.com

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From: jon@spiritofnewburyport.com [mailto:jon@spiritofnewburyport.com]
Sent: Friday, April 13, 2018 10:41 AM
To: Kate Quill
Subject: RE: Art Shows

Hi Kate,

Thanks for getting in touch with me. You are on my list. I am including the dates requested. My special event application will probably not be going before city council till May, with the first show scheduled for May 26th. I have indeed been granted my city Transient Vendors License for the 2018 season. As stated in my last email, the general liability for that has increased this year from 1 million to 2 million. And the coverage needed for the art shows is 2 million as well.

You had stated that there was a possibility one one coverage for all. That would be great as long as I am granted the permits for the additional shows and artist. There will be no more then 10 artist at any show.

To clarify, I will not be executing any of this until after the April 30th city council meeting. After that meeting I will know for sure whether or not it will be a policy for just me, or with the expanded art show schedule. Either way I will be aiming for May 15th as my 'launch date' to obtaining a policy.

Hope this is clear. If you have any questions, please let me know. I appreciate your communications, time and support on this endeavor. I realize its a little more work this time than previous years. If all goes well, then at least it will be easier next year.

I've promised your office some pictures. I haven't forgotten.

Thank you.

- 1. Artisans Revival Spring Fest**
Saturday May 26th, 2018
- 2. Artisans Artwalk Weekend**
Saturday and Sunday
June 3, 4th 2018
- 3. Artisans Fourth of July Show**
Saturday and Sunday
June 30, and July 1st, 2018
- 4. Artisans Artwalk Weekend**
Saturday and Sunday
August 18th and August 19th, 2018
- 5. Artisans Labor Day Show**
Saturday, Sunday, and Monday
September 1st, 2nd, and 3rd, 2018
- 6. Artisans Harvest Fest**
Saturday October 6th, 2018

4/18/2018

Workspace Webmail :: Print

Saturday and Sunday
November 3rd and 4th, 2018

Best Regards,

John William Brown
Artist/Owner
Spirit of Newburyport
42B Federal Street
Newburyport, MA 01950
978-417-1987
www.spiritofnewburyport.com

Artisans Revival Coordinator

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

Subject: Art Shows
From: Kate Quill <kate@arthurpage.com>
Date: Fri, April 13, 2018 10:10 am
To: "'jon@spiritofnewburyport.com'" <jon@spiritofnewburyport.com>

Hi Jon,

I am quoting the arts shows with a different company to see if we can get something better in place for you. In order to quote it, I'll need the list of dates of when the arts shows will take place. If you can get that for me, I would like to see about better pricing.

Kate E. Quill
Commercial Lines Manager
Arthur S. Page Insurance Agency
57 State Street; P.O. Box 391
Newburyport, MA 01950
Phone: 978.465.5301
Fax: 978.462.0890
www.arthurpage.com

This communication, including attachments, is for the exclusive use of the addressee and may contain proprietary, confidential or privileged information. If you are not the intended recipient, any use, copying, disclosure, dissemination or distribution is strictly prohibited. If you are not the intended recipient, please notify the sender immediately by return email and delete this communication and destroy all copies.

April 23, 2018

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 APR 23 PM 12:53

LAP
JE/AK
SS

Dear City Clerk Jones, City Council President Barry Connell and ALL City Council members,

Please let this letter serve as my notice to the City Clerk and City Council my desire to put on the agenda for the City Council meeting of April 30, 2018 my concerns about Businesses being issued Licenses and/or Permits in Newburyport without having Real Estate Taxes paid on their properties. Specifically, but not limited to, 1 Kent Street, LLC is in violation of City Ordinances Sections 9-4 through 9-6 by owing over \$7,500.00+ in unpaid Real Estate Taxes. I first brought this to the attention of the City Council on 4/13/2015 and 4/27/2015, as the Newburyport City Council is the ONLY Licensing Authority for Flammables Permits for Gas Stations as well as being in charge of insuring that other Businesses in the City be held accountable through the Treasures Office for paying any UNPAID TAXES. How is it possible that a Business is allowed to owe \$7,500.00+ in unpaid Real Estate Taxes and yet is able to renew a valuable and necessary License/Permit for that Business? THIS IS TOTALLY UNACCEPTABLE.

Therefore, I respectfully request that the City Council immediately Revoke the Flammables License/Permit for 1 Kent Street, LLC and that NO reconsideration for that License/Permit be granted again until after a Sub-committee hearing of Licenses and Permits takes place and this issue is fully vetted in front of that Sub-committee and a full City Council, including a Public Hearing in which Public comment can be heard. This should also trigger from the City Council an immediate order and/or action to direct the Newburyport Fire Department to immediately enforce a SHUTDOWN of this Business pending a Revocation of License/Permit Hearing in May.

Also, against MASSACHUSETTS Fire Codes Section 527 CMR, two or more Violations currently exist on the property relative to its SAFE OPERATION. There are NO Crash Bollards located in front of the 20lb Gas Grill Cabinet and NO Licensed Underground Storage Tank (UST) Operators are on site. These two Violations should cause the immediate Revocation of any License/Permit on this property. I look forward to your prompt and immediate attention to this matter.

Sincerely yours,



Robert A. Germinara

Phone: 978-804-7290

Email: parker77street@aol.com

conviction, be fined a sum of fifty dollars (\$50.00) for each offense. Each day or portion of a day that any violation is allowed to continue shall constitute a separate offense. The city clerk shall forward to the police department the names of approved licenses.

Personal property belonging to the applicant and his immediate family, or if the applicant is a charitable organization, then in such event personal property donated to it shall be the only property to be sold at such yard sales.

It shall be the obligation of the holder of a yard sale permit to remove any and all publicly displayed notices of such yard sale by 12:00 noon on the date immediately following the last day of such yard sale as licensed by the city. Such sign for which a sign permit shall not be required, shall not exceed two (2) feet wide and two (2) feet long and shall not be affixed to any public property nor placed in such a manner as to obstruct the view of pedestrian or vehicular traffic.

(Ord. of 4-26-76; Ord. of 4-25-88(2); Ord. of 1-11-11)

Cross reference— Zoning, app. A.

Sec. 9-3. - Self-service gasoline stations.

⋮

Gasoline stations in the city may offer self-service sale of gasoline so long as they offer full-service sale of gasoline.

(Ord. of 1-11-77; Ord. of 9-24-90(2))

Sec. 9-4. - Notice of delinquencies—Furnished by treasurer/collector.

⋮

The treasurer/collector shall annually furnish to each department, board, commission, or division that issues licenses or permits, including renewals or transfers, a list of any person or business enterprise that has neglected or refused to pay any local taxes, fees, assessments, betterments, or other municipal charges for not less than a twelve-month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

(Ord. of 7-11-88, § 15-26)

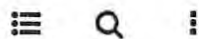
Sec. 9-5. - Same—Denial, revocation, etc., of license.

⋮

- (a) The department, board, commission or division which issues the license may deny, suspend any license or permit, including renewals and transfers of any party whose name appears on the list of the treasurer/collector; provided, however, that written notice to the party and the treasurer/collector, as required by applicable provisions of law, party is given a hearing, to be held not earlier than fourteen (14) days after such notice is given. Such notice shall be prima facie evidence for denial, revocation or suspension of a license or any party. The treasurer/collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension.
- (b) Any findings made by the department board, commission or division issuing such license with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until a certificate is issued by the treasurer/collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other charges payable to the city as of the date of issuance of such certificate.

(Ord. of 7-11-88, § 15-27)

Code of Ordinances



Sec. 9-6. - Same—Payment agreement.



The party shall be given an opportunity to enter into a payment agreement, thereby allowing the license to be issued and a certificate shall be issued indicating the limitations on the license or permit and the validity of such license shall be conditioned upon the satisfactory compliance with such agreement. Failure to comply with such agreement shall be grounds for the suspension or revocation of the license or permit; provided, however, that the party shall be given notice and a hearing as required by applicable provisions of law.

(Ord. of 7-11-88, § 15-28)

Sec. 9-7. - Same—Waiver by council.



The city council, in its discretion, may waive such denial, suspension, or revocation, if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in M.G.L.A. c. 268, § 1 in the business or activity conducted in or on the property.

04/23/2018 10:45
TreasCounter

City of Newburyport
Real Estate Tax Statement

P 1
txtaxstm

PARCEL: 052-065-000

LOCATION: 1 KENT ST

CURRENT OWNER:
1 KENT STREET LLC
CHARLES MABARDY MANAGER
1 KENT ST
NEWBURYPORT MA 01950

CURRENT STATUS:
SQ FT: 9,994
LAND VALUATION: 339,200
BUILDING VALUATION: 192,200
EXEMPTIONS: 0
TAXABLE VALUATION : 531,400

LEGAL DESCRIPTION:

DEED DATE: 10/23/2015 BOOK/PAGE: 34466/0577

INTEREST DATE: 04/23/2018

YEAR	TYPE	BILL INST CHARGE	BILLED	PRIN DUE	INT DUE	TOTAL DUE
2018	RE-R	1				
	1	RE TAX REV	1,732.36	1,732.36	176.08	1,908.44
		CPA SURCHA	34.65	34.65	3.52	38.17
			1,767.01	1,767.01	179.60	1,946.61
	2	RE TAX REV	1,732.36	1,732.36	114.95	1,847.31
		CPA SURCHA	34.65	34.65	2.30	36.95
			1,767.01	1,767.01	117.25	1,884.26
	3	RE TAX REV	1,790.82	1,790.82	55.64	1,846.46
		CPA SURCHA	35.82	35.82	1.11	36.93
			1,826.64	1,826.64	56.75	1,883.39
	4	RE TAX REV	1,790.82	1,790.82	.00	1,790.82
		CPA SURCHA	35.81	35.81	.00	35.81
			1,826.63	1,826.63	.00	1,826.63
			7,187.29	7,187.29	353.60	7,540.89
GRAND TOTALS			7,187.29	7,187.29	353.60	7,540.89

Commod 19-04-30-18
APR UNTIL 05/MAY 11:59 PM
LYP

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2018 APR 24 PM 2:02 NEW FILING
RENEW



City of Newburyport

Application

Food Establishment Outdoor Seating on Public Property

Date: 4/26/18

Name of Business Owner: DAVID PIERRE

Name of Property Owner: DAVID PIERRE & NANCY ANGELL (JETICO PROPERTIES)

Business Name: JETICO WEST ROW (WEST ROW CAFE & BAR)

Business Address: 35 MARKET SQ. Business Phone: 978-572-1471

Number of Tables Requested: 8 Dimensions: 30x30 Material: METAL

Number of Chairs Requested: 32 Dimensions: 18x18 Material: METAL

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

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

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

Application Requirements

Please submit the following documents with the completed application to:

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

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

Application - Food Establishment Outdoor Seating on Public Property

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

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

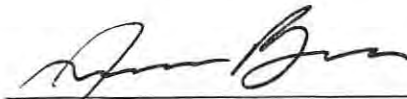
I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, DISCHARGE, and HOLD HARMLESS, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents, and servants from all actions, causes of action, claims, demands, damages,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



Signature of Business Owner

04/20/18

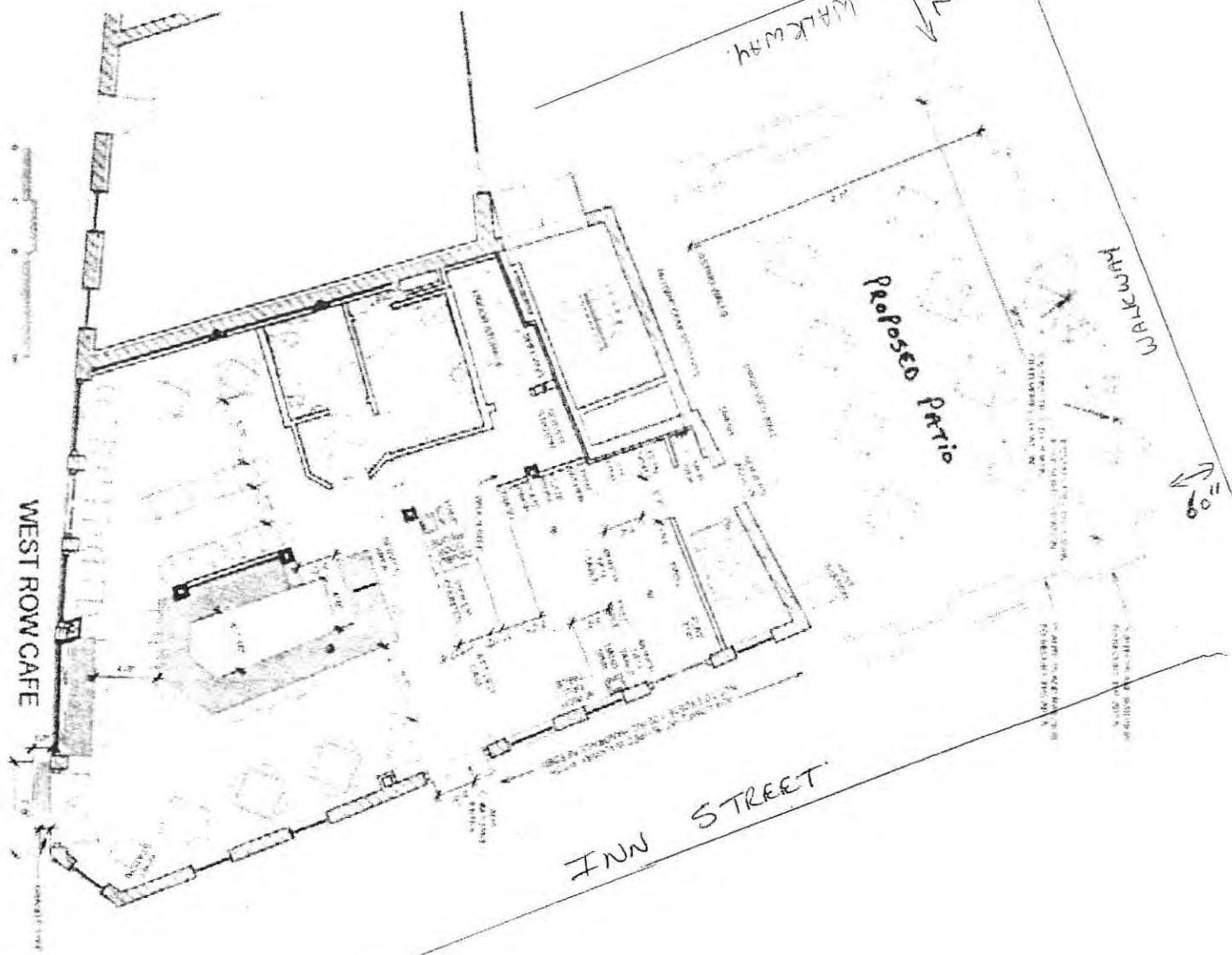
DATE



Signature of ADA Coordinator
(Building Department)

4.24.18

DATE





CITY OF NEWBURYPORT
Licensing Commission

NEWBURYPORT CITY HALL
60 PLEASANT STREET
NEWBURYPORT, MA 01950
TEL: 978-904-1478
WWW.CITYOFNEWBURYPORT.COM/LICENSING-BOARD

March 6, 2017

David Pierre
Jetico West Row, LLC
35 Market Square
Newburyport, MA 01950

Dear Mr. Pierre,

At a meeting of the Licensing Commission on Wednesday, March 1, 2017, the commission unanimously voted to accept and forward your application for an on premises, all alcohol license to the Alcoholic Beverages Control Commission.

The commission accepted your application with the outdoor patio as included on the floorplan submitted with your application, as adjusted by you showing the barriers in line with the building, and allowing access way for the tenants and to the air conditioning units.

Best regards,

Craig Holt
Chairman



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/26/2017

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

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

PRODUCER
Eastern Insurance Group LLC
 233 West Central St

Natick MA 01760

 INSURED
Jetico West Row, LLC, DBA: West Row Cafe & Bar
 35 Market Sq.

Newburyport MA 01950

CONTACT NAME: **Karen Landry**
 PHONE (A/C, No, Ext): **(800)333-7234** FAX (A/C, No):
 E-MAIL ADDRESS: **KaLandry@easterninsurance.com**

 INSURER(S) AFFORDING COVERAGE NAIC #
 INSURER A **Acadia Insurance Company** **31325**
 INSURER B :
 INSURER C :
 INSURER D :
 INSURER E :
 INSURER F :

COVERAGES CERTIFICATE NUMBER: **17 LL** 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			CPA5323699	10/26/2017	10/26/2018	EACH OCCURRENCE	\$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
	<input checked="" type="checkbox"/> LIQUOR LIAB						MED EXP (Any one person)	\$ 10,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						PERSONAL & ADV INJURY	\$ 1,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					BODILY INJURY (Per person)	\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE					BODILY INJURY (Per accident)	\$
	DED	RETENTION \$					PROPERTY DAMAGE (Per accident)	\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	<input type="checkbox"/> Y/N	<input type="checkbox"/> N/A				PER STATUTE	OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						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 for general liability if required by written contract.

CERTIFICATE HOLDER

City of Newburyport
 60 Pleasant St
 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

John Koegel/KALAND

May 14, 2018
Committee on Neighborhood & City Services

COMM 027_04_09_18 River Valley Charter School; Drain Marking.

Chas Jones - MCS

MCS

COMM027_04_09_18

Richard Jones

From: vtsdmailer@vt-s.net on behalf of Contact form at Newburyport MA <vtsdmailer@vt-s.net>
Sent: Monday, April 02, 2018 3:02 PM
To: Richard Jones
Subject: [Newburyport MA] Request to be added to Agenda (Sent by River Valley Charter School Middle School Storm Drain Team, hreusse@rivervalleycharter.org)

Hello rjones,

River Valley Charter School Middle School Storm Drain Team
(hreusse@rivervalleycharter.org) has sent you a message via your contact form
(<https://www.cityofnewburyport.com/users/rjones/contact>) at Newburyport MA.

If you don't want to receive such e-mails, you can change your settings at
<https://www.cityofnewburyport.com/user/96/edit>.

Message:

The middle school in the River Valley Charter School (Newburyport, MA), is taking part in a project relating to the Merrimack River and how to take better care of it. There are numerous groups such as Outgoing Awareness, the Green Team, and Storm Drains (our group). Students created drawings of fish that are in the Merrimack River and captioned the drawings with phrases like "Don't Dump, Drains to River" which sums up the main idea of not carelessly littering near storm drains, which lead directly to the Merrimack.

We are planning to transform the drawings into stencils, later painting them near the storm drains to tell citizens our message.

Some students from the Storm Drain group visited City Hall to explain the situation and to ask for clarification on what the next steps shall be.

Though we have gotten permission from Mayor Holaday via Jon-Eric White to go on with some actions, we would now like to go before the City Council to present our plans in order to obtain more formalized permission, and respectfully request to be added to your next agenda.

Please let us know how we can go forward.

Sincerely,

The Storm Drain Team at River Valley Charter School

May 14, 2018
Committee Items-Planning & Development

- **APPT038_04_30_18** Edward Cameron 17 Oakland St Zoning Board of Appeals 2/1/2013
- **ODC011_03_12_18** Zoning Map Change - Low Street Farms

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.

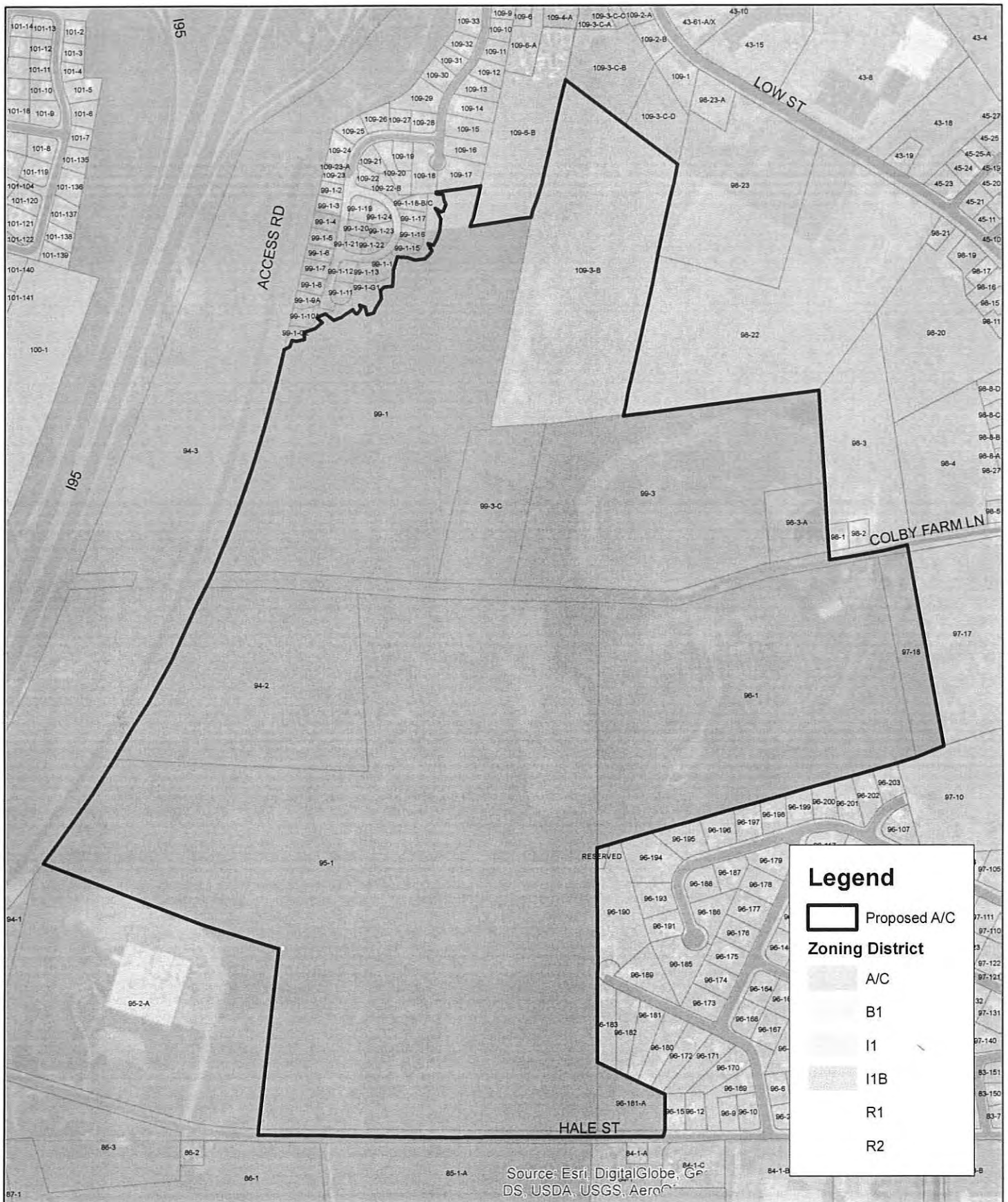
The Zoning Map of said Zoning Ordinance entitled "Zoning Map of the City of Newburyport" is hereby amended pursuant to Section III-D "Changes to Zoning Map" such that all of the following properties, as depicted on a map prepared by the Newburyport Office of Planning & Development, dated march 6, 2018 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
5/14/2018

May 14, 2018
Committee Items-Public Safety

COMM030_04_30_18 NBPT Lions Club Yankee Homecoming Road Race - 7/31/18

COMM035_04_30_18 Block Party - Lafayette Street - 7/21/18

COMM037_04_30_18 Pan Mack - 6/16/2018

ORDR023_04_09_18 Additions to 2-Hour Parking Zones

(PS)

PS

2018 ORIGINAL COPY
NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. Fax.

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

NAME OF EVENT: NEWBURYPORT LIONS Y.H.C. ROAD RACE

Date: 07-31-18 Time: from 8AM to 8PM

Rain Date: _____ Time: from _____ to _____

2. Location: NEWBURYPORT HIGH SCHOOL + NBPT STREETS

3. Description of Property: HIGH SCHOOL GROUND'S Public _____ Private _____

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

Contact Person

Address: JONATHAN PEARSON Telephone: 978-462-2703

E-Mail: YANKEESEACOAST@GMAIL.COM Phone: _____

Day of Event Contact & Phone: _____

5. Number of Attendees Expected: 3000 THREE THOUSAND

6. MA Tax Number: 47-3532870

7. Is the Event Being Advertised? YES Where? LIONS WEBSITE - YHC PUBLICITY

8. What Age Group is the Event Targeted to? ALL AGE GROUPS

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 NO Goods NO Total # of Vendors 0

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

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

Name of Carnival Operator: NA

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 _____

Bob Colomycki

If yes:

- a) How many trash receptacles will you be providing? 12
- b) How many recycling receptacles will you be providing? MOLLY ETTENBOROUGH 12
- c) Will you be contracting for disposal of: Trash Yes ___ No ___ Recycling Yes ___ No ___
- i. If yes, size of dumpster(s): Trash 10 YARD Recycling AT N.H.S
- ii. Name of disposal company: Trash G. MELLO Recycling MOLLY ETTENBOROUGH
- 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? MOLLY ETTENBOROUGH

If no:

- a) # of trash container(s) to be provided by DPS 12 N.H.S. JANITORS
- b) # of recycling container(s) to be provided by Recycling Office 12
- 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)

35 Standard # 1 ADA accessible

Name of company providing the portable toilets: DAVE'S SERVICES

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:

NO CHANGED
TO START
TIMES
LTS

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

JONATHAN PEARSON
TEL # 978-462-2203

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

4. Date of Event: 07-31-18 Expected Number of Participants: _____

5. Start Time: 8AM Expected End Time: 4:30 PM

6. Road Race, Parade or Walkathon Route: (List street names & attach map of route): SEE ATT 5410K
MAP'S.

7. Locations of Water Stops (if any): SEE ATT - 9-WATER STOPS VARIOUS LOC'S.

8. Will Detours for Motor Vehicles Be Required? _____ If so, where? SEE POLICE DEPT

9. Formation Location & Time for Participants: N.H.S. GROUND'S

10. Dismissal Location & Time for Participants: N.H.S. GROUND'S

11. Additional Parade Information:

- Number of Floats: NONE
- Locations of Viewing Stations: SEE ROAD MAP'S ATTACHED
- 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] 4/9/18 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.

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

13-101 Enforcement

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

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

Signed: Paul Kilman Date: 4/4/18



CERTIFICATE OF LIABILITY INSURANCE

Pg 4 of 8
DATE (MM/DD/YYYY)
03/16/2018

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 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 DSP Insurance 1900 E. Golf Road, Suite 650 Schaumburg, IL 60173	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">CONTACT NAME: John Adams</td> </tr> <tr> <td>PHONE (A/C, No, Ext): 1-800-316-6705</td> <td>FAX (A/C, No): 1-888-467-2378</td> </tr> <tr> <td colspan="2">E-MAIL ADDRESS: lionsclubs@dspins.com</td> </tr> <tr> <td colspan="2" style="text-align: center;">INSURER(S) AFFORDING COVERAGE</td> </tr> <tr> <td>INSURER A: ACE American Insurance Company</td> <td>NAIC # 22667</td> </tr> <tr> <td>INSURER B:</td> <td></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> </table>	CONTACT NAME: John Adams		PHONE (A/C, No, Ext): 1-800-316-6705	FAX (A/C, No): 1-888-467-2378	E-MAIL ADDRESS: lionsclubs@dspins.com		INSURER(S) AFFORDING COVERAGE		INSURER A: ACE American Insurance Company	NAIC # 22667	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURED Newburyport Lions Club D 33N Newburyport Massachusetts																					

COVERAGES	CERTIFICATE NUMBER:	REVISION NUMBER:
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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

NSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Agg. Per Named Insured is \$2,000,000 GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			HDOG27867431	09/01/2017	09/01/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/CP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS			ISAH09061046	09/01/2017	09/01/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						OCCUR CLAIMS-MADE 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			N/A			WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

Provisions of the policy apply to the named insureds participation in the following activity during the policy period shown above: Newburyport Lions Club 10 Mile & 5 K Road Races July 31, 2018

Newburyport High School & City of Newburyport is included as an Additional Insured(s), but only with respect to General Liability arising out of the use of premises by the Insured shown above and not out of the sole negligence of said additional insured.

PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES

CERTIFICATE HOLDER Newburyport High School 241 High Street Newburyport Massachusetts 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

195 of 8

DATE (MM/DD/YYYY)

03/16/2018

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PRODUCER DSP Insurance 1900 E. Golf Road, Suite 650 Schaumburg, IL 60173	CONTACT NAME: John Adams	
	PHONE (A/C, No, Ext): 1-800-316-6705 FAX (A/C, No): 1-888-467-2378 E-MAIL ADDRESS: lionsclubs@dspins.com	
INSURED Newburyport Lions Club D 33 N Newburyport Massachusetts	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: ACE American Insurance Company	22667
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
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	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ S
	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			WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

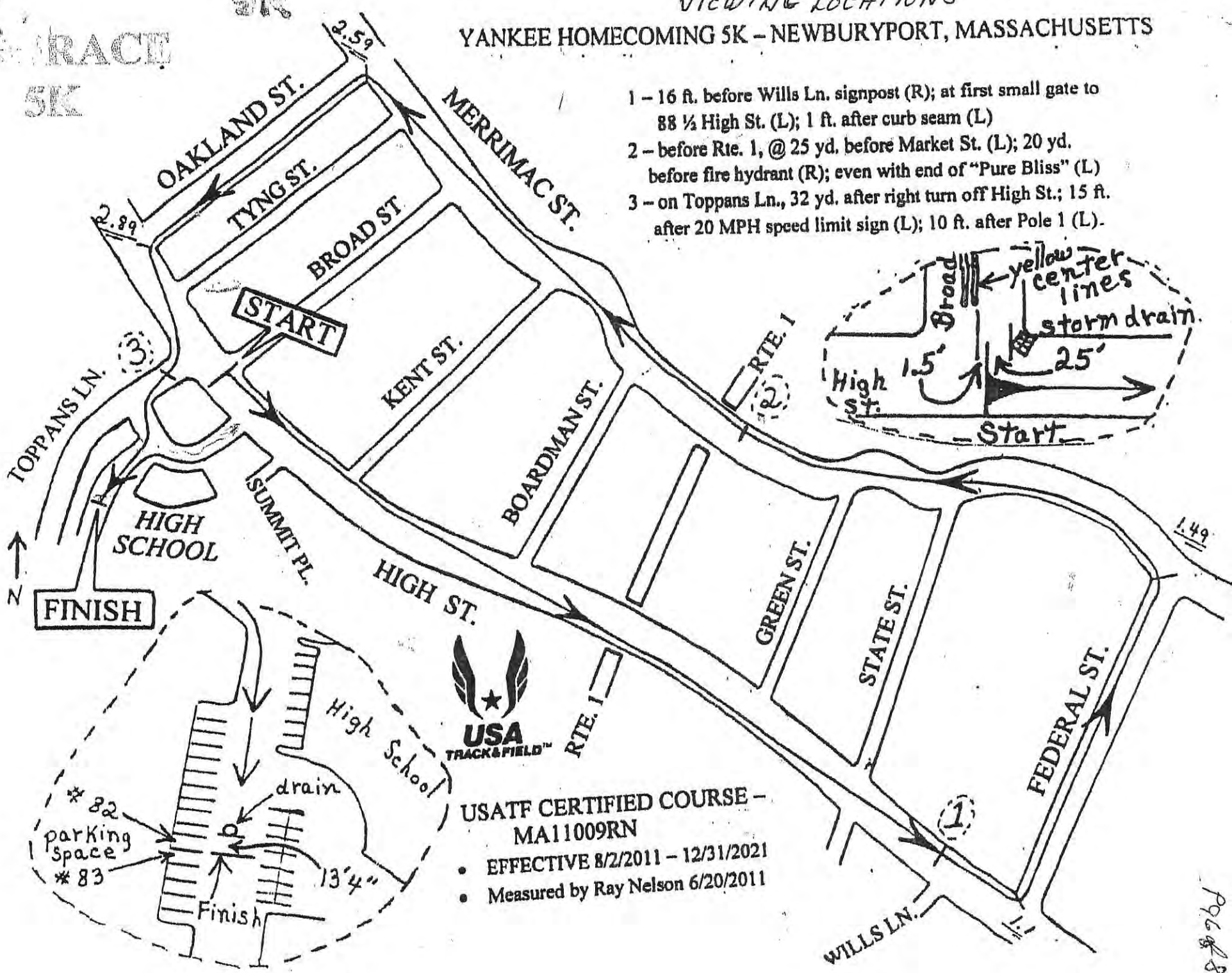
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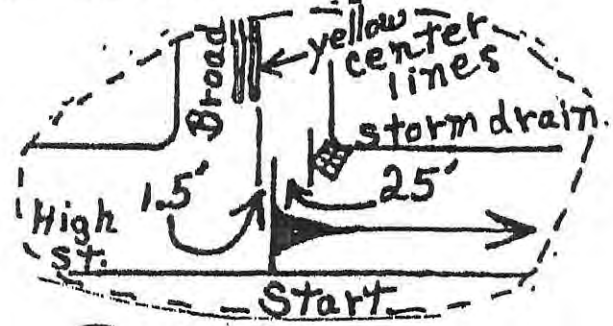
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	AUTHORIZED REPRESENTATIVE

VIEWING LOCATIONS
 YANKEE HOMECOMING 5K - NEWBURYPORT, MASSACHUSETTS

5K
 TRACK
 5K



- 1 - 16 ft. before Wills Ln. signpost (R); at first small gate to 88 1/2 High St. (L); 1 ft. after curb seam (L)
- 2 - before Rte. 1, @ 25 yd. before Market St. (L); 20 yd. before fire hydrant (R); even with end of "Pure Bliss" (L)
- 3 - on Toppans Ln., 32 yd. after right turn off High St.; 15 ft. after 20 MPH speed limit sign (L); 10 ft. after Pole 1 (L).



USATF CERTIFIED COURSE -
 MA11009RN
 • EFFECTIVE 8/2/2011 - 12/31/2021
 • Measured by Ray Nelson 6/20/2011

10M Race

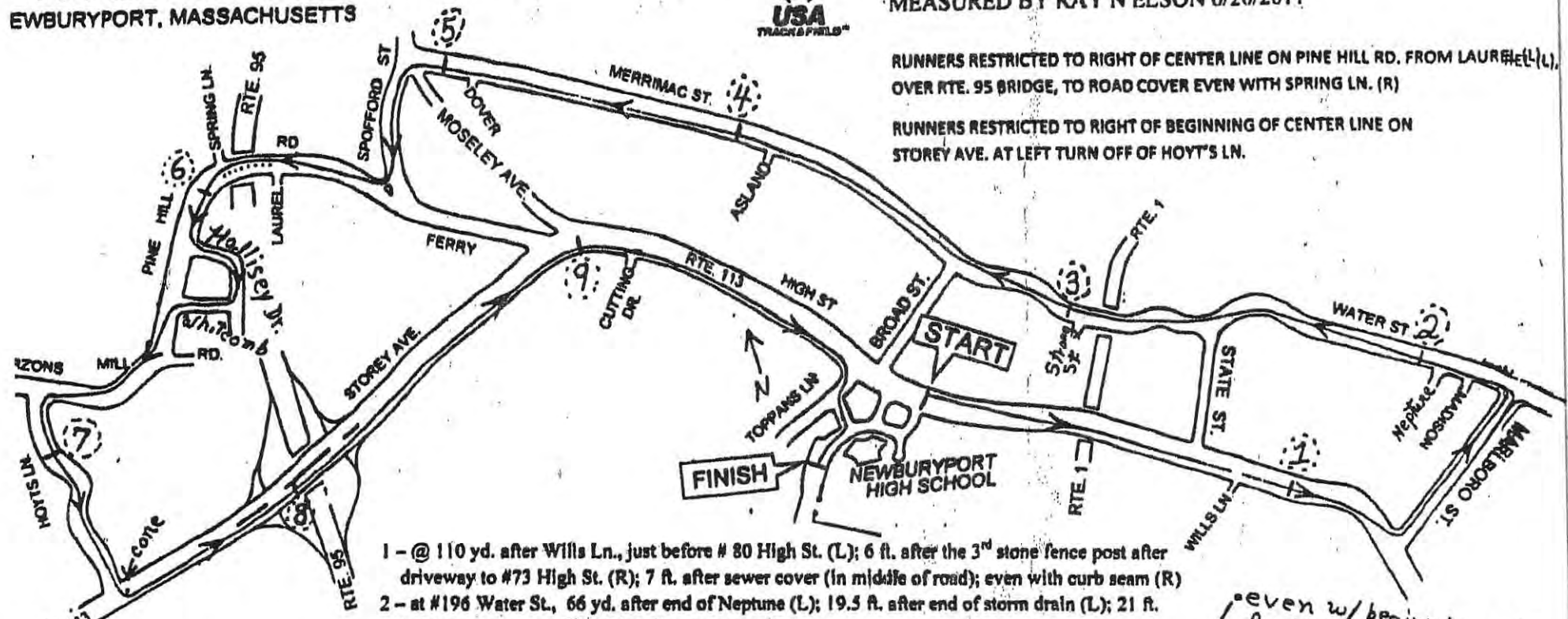
Yankee Homecoming 10 Mile Road Race EWBURYPORT, MASSACHUSETTS



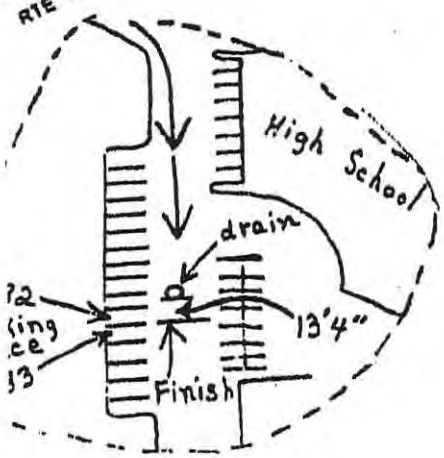
VIEWING LOCATIONS
 USATF CERTIFIED COURSE - MA11008RN
 EFFECTIVE 8/2/2011 - 12/31/2021
 MEASURED BY RAY NELSON 6/20/2011

RUNNERS RESTRICTED TO RIGHT OF CENTER LINE ON PINE HILL RD. FROM LAUREL (L),
 OVER RTE. 95 BRIDGE, TO ROAD COVER EVEN WITH SPRING LN. (R)

RUNNERS RESTRICTED TO RIGHT OF BEGINNING OF CENTER LINE ON
 STOREY AVE. AT LEFT TURN OFF OF HOYT'S LN.



- 1 - @ 110 yd. after Wills Ln., just before # 80 High St. (L); 6 ft. after the 3rd stone fence post after driveway to #73 High St. (R); 7 ft. after sewer cover (in middle of road); even with curb seam (R)
- 2 - at #196 Water St., 66 yd. after end of Neptune (L); 19.5 ft. after end of storm drain (L); 21 ft. before sewer cover (L); 10 in. after curb seam (L)
- 3 - after Rte. 1 exit, 15 ft. after end of Strong St. (L); in brick driveway to Perry Murphy construction; 15.5 ft. before storm drain (R)
- 4 - 70 yd. after Ashland (L); 30 ft. after Pole 79 (R); 10 ft. before beginning of big window to Merseni; 46 ft. before crosswalk; 6 ft. after end of single driveway immediately after the car repair place (L)
- 5 - just after # 568 Merrimac St. (R); 25 ft. after Pole 51B/80 / 123 (R); 37 ft. before driveway #571 (L)
- 6 - at end of property to # 13 Pine Hill Rd. (R); 23.5 ft. after Pole 12 (L)
- 7 - on Hoyts Ln. 55 ft. after Pole 12 (R)
- 8 - just before the actual bridge (with high fencing) over Rte. 95; 30 ft. after sign for Rte. 95 north, 30 ft. after end of storm drain; 15 ft. before water cover on sidewalk (R)
- 9 - just after Moseley Ave.(L); at beginning of building #361 High St. (Home for Aged Men); 4 ft. after Pole 113

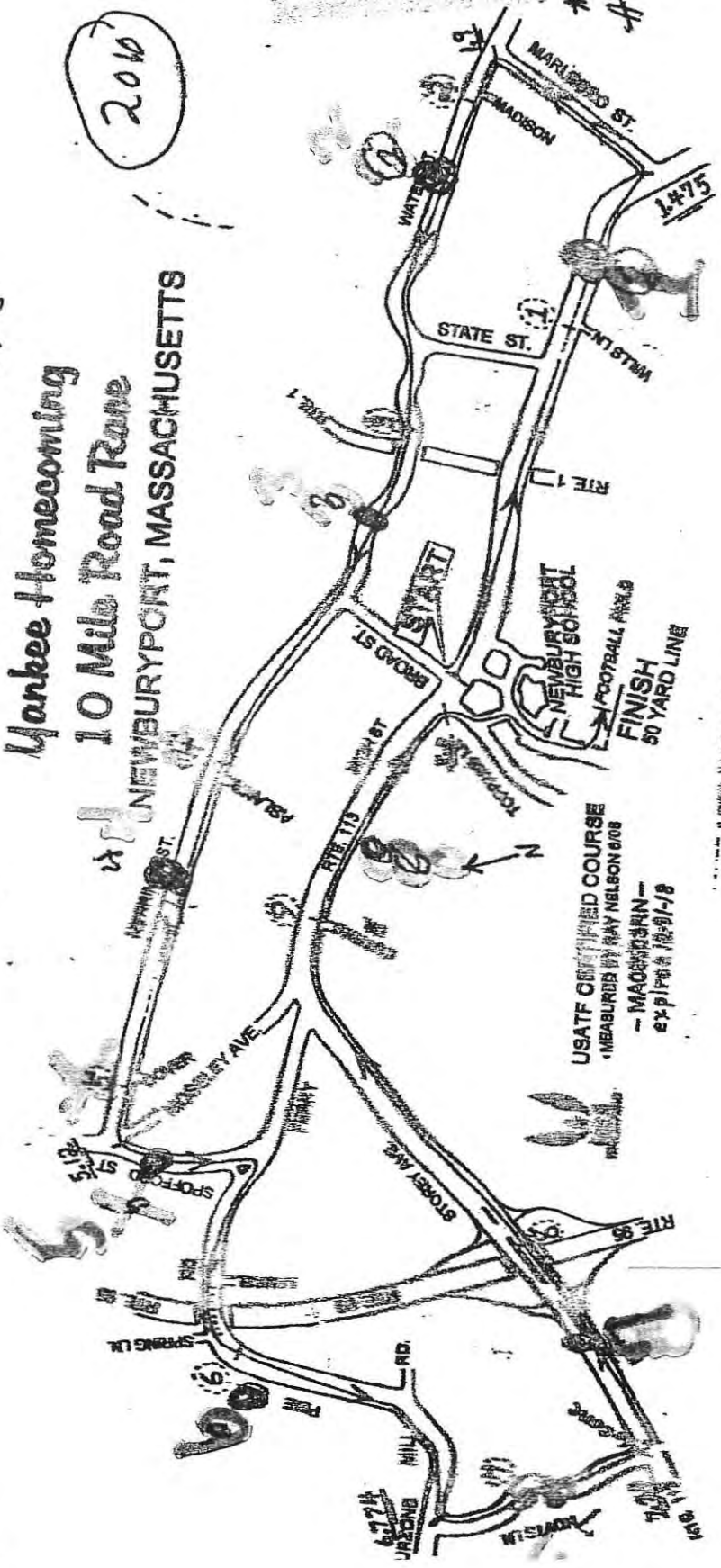


Ray Nelson

"WATER STEPS"

Manbee Homecoming
10 Mile Road Race
NEWBURYPORT, MASSACHUSETTS

2067



- #1 39 High St
- #2 59 Water St
- #3 Chiven Merrimac
- #4 437 Merrimac
- #5 28 Spofford St
- #6 3 Pinehill Rd
- #7 PlayTe: LA
- #8 West End Fire Sta
- #9 343 High St

CITY CLERK'S OFFICE
NEWBURYPORT, MA

APR 24 AM 11:50



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

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

DATE OF REQUEST: 4/12/18

CONTACT INFORMATION

FIRST AND LAST NAME: Katie Suckecki

MAILING ADDRESS: 33 Lafayette St.

PHONE NUMBER: 860-502-9005

E-MAIL ADDRESS: katie.suckecki@gmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: 7/21/2018

DESIRED STREET CLOSING LOCATION: Hignst / Lafayette St / Highland Ave.
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Hignst & Highland Ave.

DESIRED STREET CLOSING TIME: 3-9
Block Parties should run no later than 10:00 p.m.

REGULATIONS

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

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

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

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

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

Applicant Signature Kate Grebede Date 4/12/18

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL
 4 Green Street
 FIRE CHIEF
 Greenleaf Street
 DEPUTY DIRECTOR
 1 Perry Way
 CITY CLERK
 60 Pleasant St.

[Signature]
[Signature] 4/24/18
[Signature]
[Signature]

City use only:

Approved _____ -Denied _____ Date _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

PS

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

2018 APR 11 PM 2:58

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

NAME OF EVENT: DAN MACK

Date: 6/16/18 Time: from 8 am to 1 pm

Rain Date: none Time: from _____ to _____

2. Location: RiverWalk Brewing Co. (start and finish)

3. Description of Property: Brewery / Restaurant Public Private

4. Name of Organizer: Katherine Brown/Riverside City Sponsored Event: Yes _____ No

Contact Person

Address: 50 Water St. NBPT. Telephone: 978-465-5566

E-Mail: Katherine@riversidecycle.com Cell Phone: 978-376-6147

Day of Event Contact & Phone: same as above

5. Number of Attendees Expected: 150

6. MA Tax Number: _____

7. Is the Event Being Advertised? yes Where? banners, flyers in NBPT + surrounding towns

8. What Age Group is the Event Targeted to? 6 and up. Family friendly

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? 6
- b) How many recycling receptacles will you be providing? 6
- 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: _____

charity bike ride

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:

Riverside Cycle, Riverside Rockets PML Team, Riverwalk Brewing Co.

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

Katherine Brown / Riverside Cycle
90 Water St. The Tannery
978-376-6147 978-465-5566

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

Katherine Brown 978-376-6147

4. Date of Event: 6/16/18 Expected Number of Participants: 150

5. Start Time: 8am Expected End Time: 1pm

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

Charity Bike ride

7. Locations of Water Stops (if any): 1 water stop at Pump House in Rock's Village

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

9. Formation Location & Time for Participants: 8am Riverwalk Brewing Co.

10. Dismissal Location & Time for Participants: 1pm Riverwalk Brewing Co.

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.
- (c) *"Course map"*, All applications shall be accompanied by a course map showing the event route, water stops, refreshment stops, and so-called "porta-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by Police, Fire, Department of Public Services, Parks Commission and Harbormasters Departments prior to submission to the City Clerk.
- (d) *"Electronic Amplifier"* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 A.M. except for Sundays when electronic amplifiers, loud speakers or bullhorns will be used for public address announcements or music before 9:00 AM. This shall be deemed a requirement for all permitted events regardless of type or location.

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

13-101 Enforcement

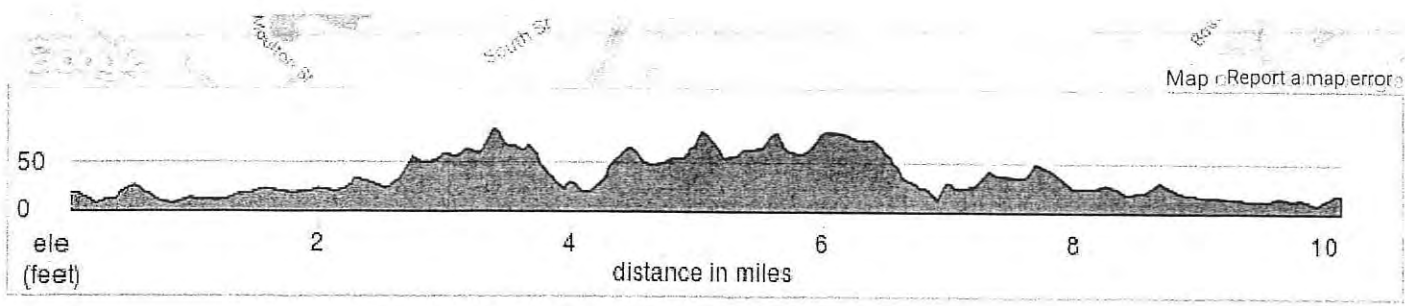
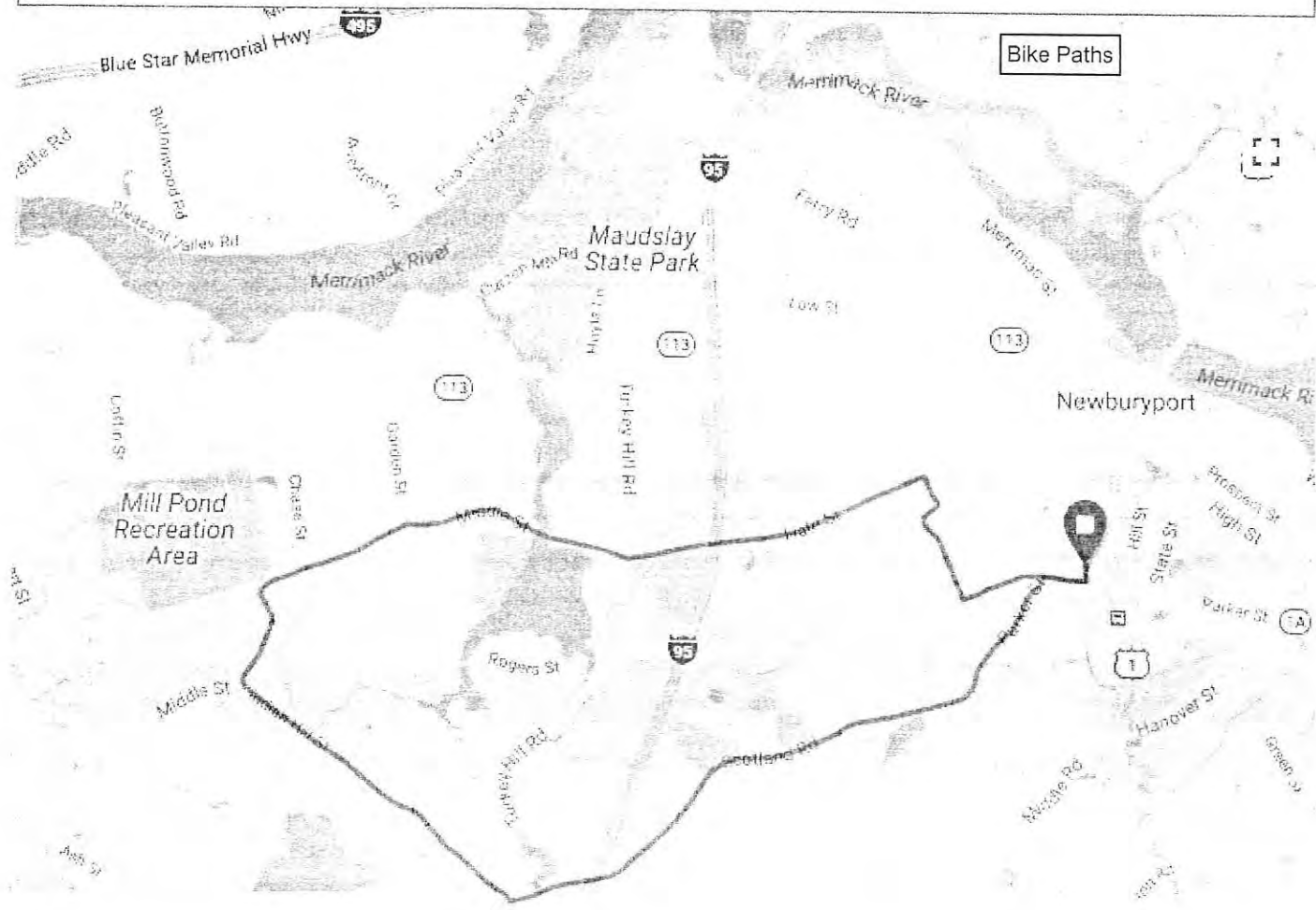
- (a) *"Regulations"* Consistent with this ordinance, the city shall promulgate regulations to enforce and otherwise implement the provisions of this ordinance upon passage by the City Council. Any event previously approved by City Council shall be deemed permitted.
- (b) *"Warning"* In the circumstance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

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

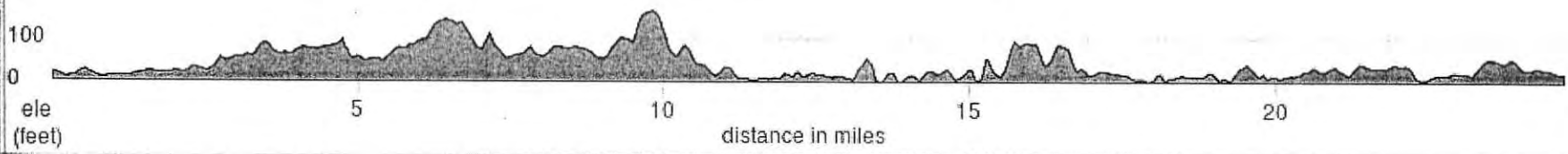
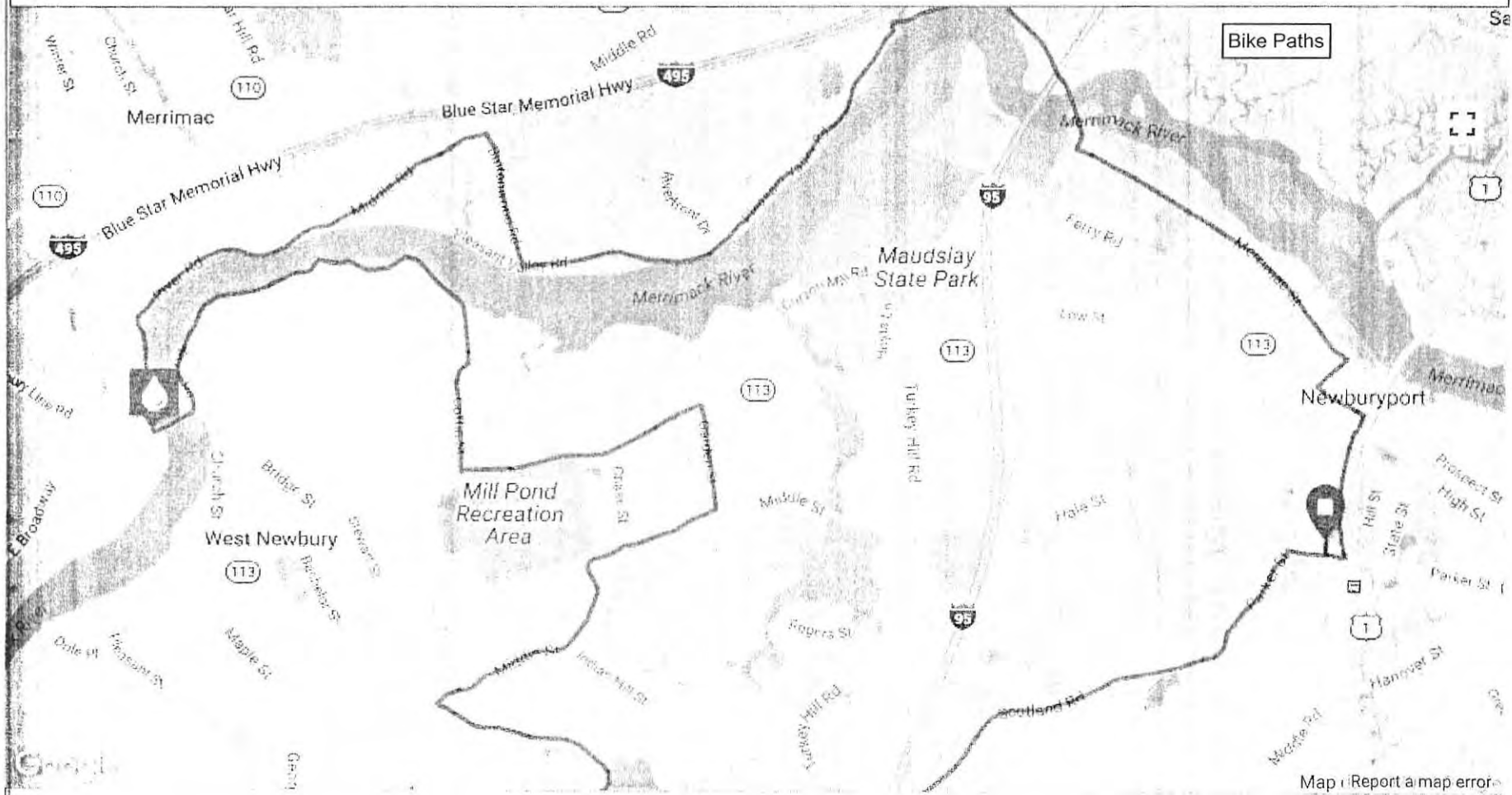
Signed:  **Date:** 3/26/18

panmac 2018 10 mile family ride

10.1 mi, +309/-308 ft

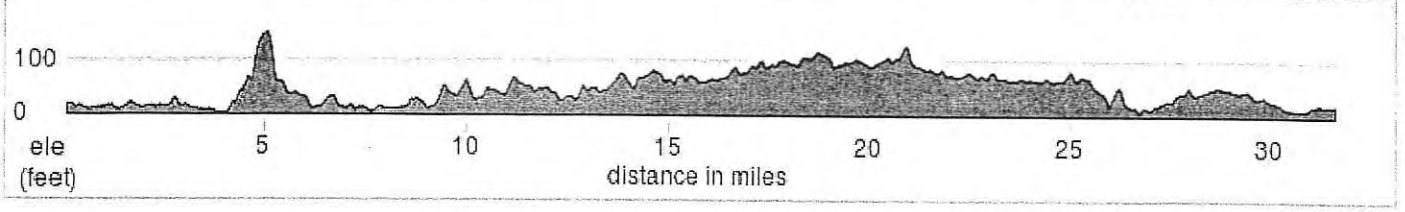
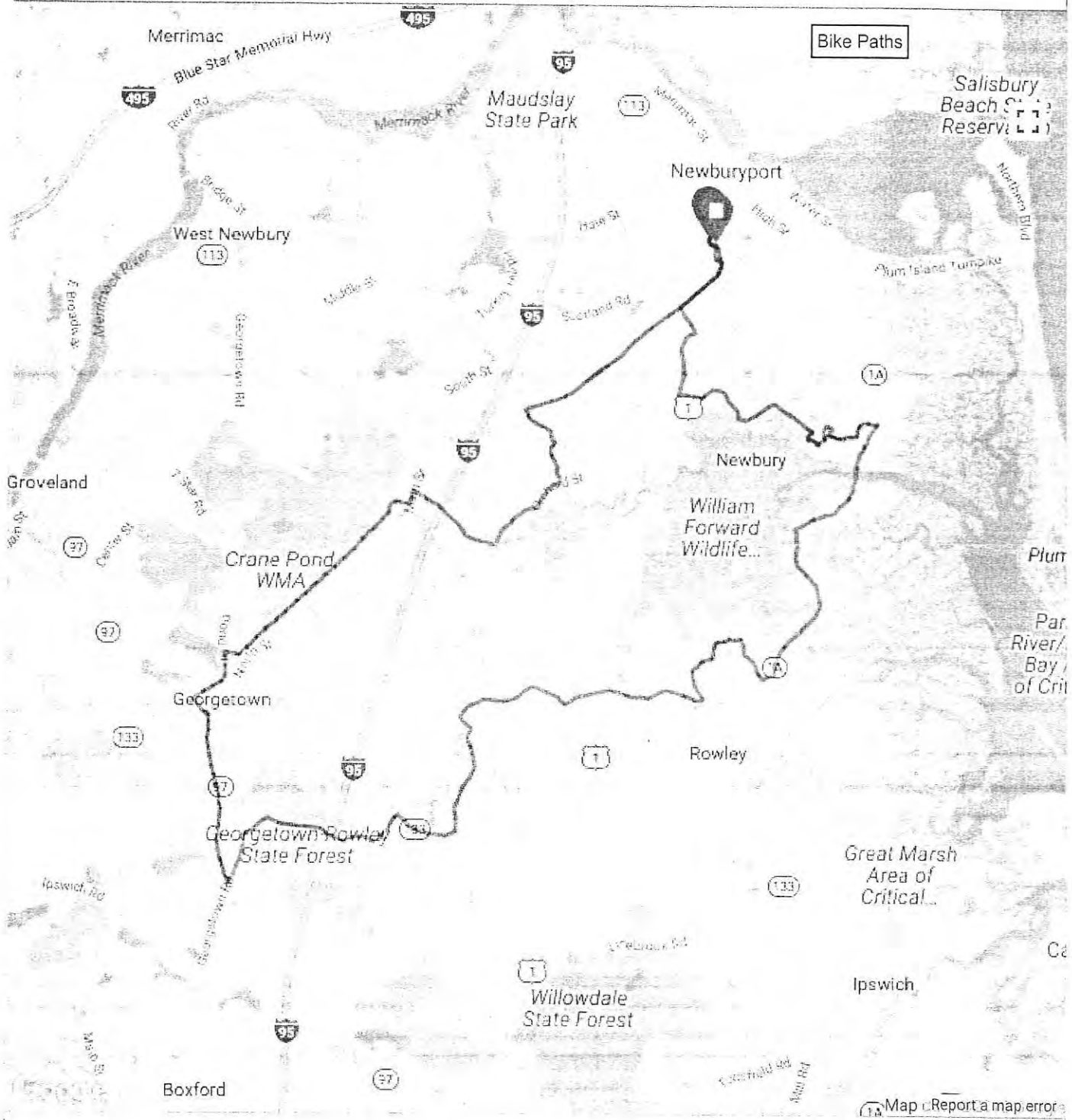


panmac 2018 25 mile 24.6 mi, +918 /-917 ft

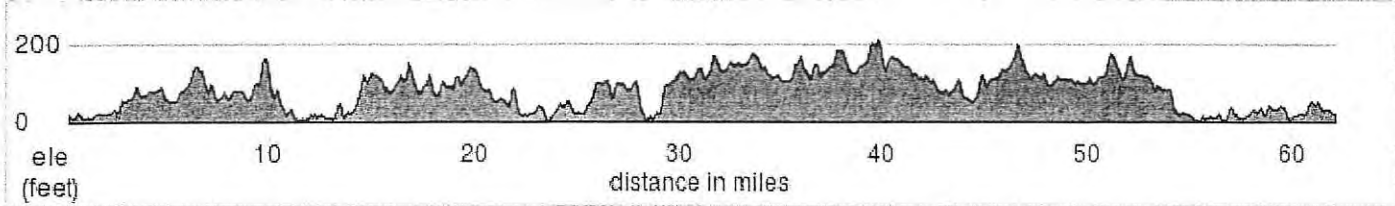
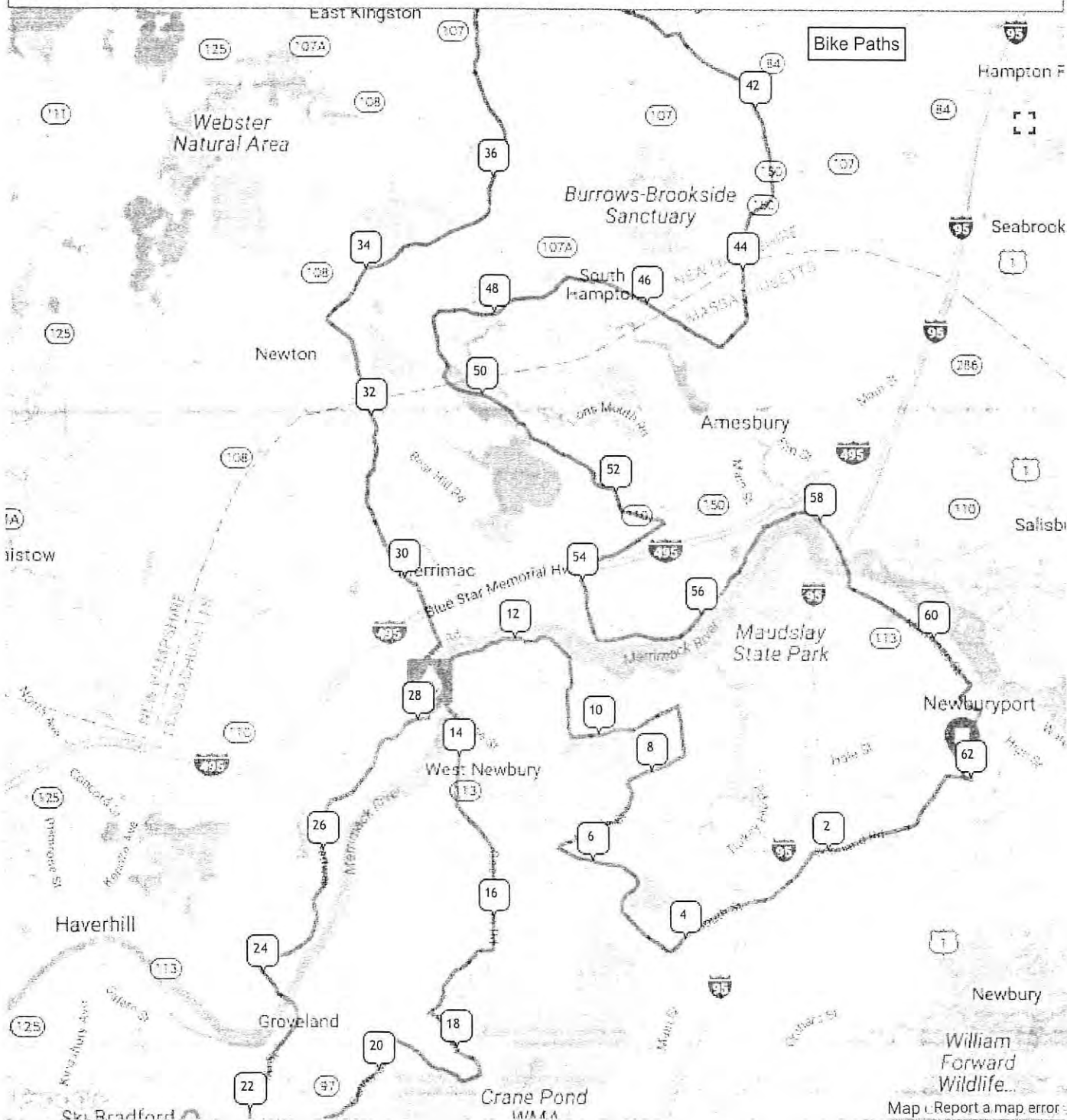


Ride With GPS · <https://ridewithgps.com>

panmac 2018 32 mile gravel 31.6 mi, +890 /-888 ft



panmac 2018 62 mile metric century 62.1 mi, +2480 /-2479 ft



Certificate of General Liability & Accident Medical Insurance

DATE (MM/DD/YYYY)
04/30/2018

PRODUCER Phone: (800) 747-9573 Fax: (303) 422-1276
The Camp Team
 9035 Wadsworth Pkwy., Suite 3840
 Westminster, CO 80021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC #

INSURED Sports and Recreation Providers Assoc. (purchasing group) and its members.
Eastern Fat Tire Association
 138 Kaulback Rd
 Sanbornton, NH 03269

INSURER A: United States Fire Ins. Co.	21113
INSURER B: United States Fire Ins. Co.	21113
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

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. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADDL INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS			
A		GENERAL LIABILITY	SRPGAPML-101-0717	01/26/2018	01/26/2019	EACH OCCURRENCE	\$ 1,000,000		
	X	COMMERCIAL GENERAL LIABILITY				FIRE DAMAGE (Any one fire)	\$ 300,000		
		CLAIMS MADE				X	OCCUR	MED. EXP (Any one person)	\$ 0
	X	INC ATHLETIC PARTICIPANTS				PERSONAL & ADV INJURY	\$ 1,000,000		
						GENERAL AGGREGATE	\$ 2,000,000		
						PRODUCTS-COMP/OP AGG.	\$ 2,000,000		
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	\$		
		ANY AUTO				BODILY INJURY (Per person)	\$		
		ALL OWNED AUTOS				BODILY INJURY (Per accident)	\$		
		SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	\$		
		HIRED AUTOS							
		NON-OWNED AUTOS							
B		ACCIDENT MEDICAL	US997927	01/26/2018	01/26/2019	MAXIMUM MEDICAL BENEFIT PER CLAIM	\$ 25,000		
	X	PRIMARY				ACCIDENTAL DEATH & DISMEMBERMENT	\$ 5,000		
						DEDUCTIBLE PER CLAIM	\$ 500		
		EXCESS / UMBRELLA LIABILITY				EACH OCCURRENCE	\$		
		OCCUR					AGGREGATE	\$	
		CLAIMS MADE						\$	
						DEDUCTIBLE	\$		
						RETENTION \$	\$		
OTHER:									

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENTS/SPECIAL PROVISIONS

Mountain Biking
 Additional Insured(s): Effective 04/30/2018, Certificate holder(s) are/is added as additional insured in regards to the operations of the insured.

CERTIFICATE HOLDER

City of Newburyport
 60 Pleasant St
 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


 Harold Leid

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Additional Insured Person(s) Or Organization(s)

Any individual person(s) or organization(s), on file with us, that the individual Named Insured Member has requested be added to the policy as an Additional Insured for the purposes of the coverage provided by this endorsement.

City of Newburyport
60 Pleasant St
Newburyport, MA 01950

A. Section II - WHO IS AN INSURED is amended to include as an additional insured the person or organization identified in the Schedule shown above, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused by, in whole or in part, the "Requesting Named Insured Member's" acts or omissions or the acts or omissions of those acting on behalf of the "Requesting Named Insured Member":

1. In the performance of "Requesting Named Insured Member's" ongoing operations; or
2. In connection with premises owned by or rented to the "Requesting Named Insured Member".

B. The Limits of Insurance applicable to the additional insured shall be the same as and shared with the Limits of Insurance applicable to the "Requesting Named Insured Member".

PS
JE/LG
roll call
11/4/18

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 9, 2018

AN ORDER TO ADD CERTAIN STREETS TO THE TWO-HOUR RESIDENTIAL PARKING PROGRAM

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

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-180	Resident parking.

Amend subsection (g)(3) regarding the designation of streets within two-hour residential parking permit zones, as follows, with deletions ~~italicized and double-stricken through~~, and additions italicized and double-underlined:

- (3) *Zone 4*: Includes the following streets or portions thereof designated:
 - a. Arlington Street, both sides from Highland Avenue to the northerly end of those properties known as #23 and #24 on each side of the street respectively.
 - b. Lafayette Street, both sides from Highland Avenue to the northerly end of those properties known as #18 and #25 on each side of the street respectively.
 - c. Cherry Street.
 - d. Hill Street.
 - e. Bricher Street.
 - f. Titcomb Street, ~~both sides from the way known as Brown Square to Washington Street.~~
 - g. Green Street, on the west side running in a northerly direction from Washington Street for a distance of one hundred (100) feet.

- h. Washington Street, on the northerly side running in a westerly direction from Green Street to Market Street for a distance of one hundred twenty (120) feet, and on the southerly side from Court Street to Market Street.
- i. Pleasant Street, both sides from the property at 66 Pleasant Street to ~~Titcomb~~ Market Street.
- j. Winter Street, beginning at the corner of Washington Street and proceeding southerly on Winter Street to High Street.
- k. State Street, beginning at 184 State Street and proceeding southerly to the end of said State Street on the westerly side.
- l. Market Street, from Merrimac Street to Washington Street.
- m. Court Street.

Councillor Jared J. Eigerman

May 14, 2018
Committee Items-Public Utilities

- 1) COMM122_11_27_17 Mobilitie Application/Small Cell Utility Petition (re-file)
- 2) ORDR008_01_29_18 Mobilitie Grant of Location

Richard Jones

From: Eric Kallio <EKallio@mobilitie.com>
Sent: Tuesday, November 21, 2017 12:18 PM
To: Richard Jones
Subject: Mobilitie/Small Cell Utility Petition for Grant of Location, Intersection of Storey Avenue and Noble Street, Newburyport, MA (BS90XSD32C)
Attachments: BS90XSD32C Cover Letter to Utility Petition.docx; BS90XSD32C Utility Petition and Order.docx; BS90XSD32C_CONSTDWGS_20171106_A.pdf; NGRID Letter of Authorization.pdf

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

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

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

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

Sincerely,

Eric Kallio | NRE Permitting Manager
 Mobile- 978-808-8258
ekallio@mobilitie.com

mobilitie

www.mobilitie.com

CONFIDENTIAL - FIDUCIARY: This email message contains confidential and/or otherwise proprietary information involving all attachments. If you do not see this email even if you are not specifically named as confidential and/or fiduciary, such information is exclusively for the addressee(s) and no others, unless and in the event expressly stated above to the contrary. If you are not the addressee, you are notified that you are prohibited from reading or using this message in any way. If you have received this message by mistake, please click on "reply" and delete the email message and all attachments.



November 21, 2017

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

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

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

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

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

APPLICANT INFORMATION

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

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

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

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

PROJECT NARRATIVE

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

Summary of key points for the proposed installation:

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

CLOSING REMARKS

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

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

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

Truly Yours,

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

nationalgrid

40 Sylvan Road
Waltham MA 02451

September 7, 2017

Attention: State and Municipal Permitting Authorities

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

To Whom It May Concern:

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

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

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

Sincerely,



Amy Sullivan
Third Party Attachment Analyst

nationalgrid

40 Sylvan Road
Waltham MA 02451

September 7, 2017

Attention: State and Municipal Permitting Authorities

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

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

Sincerely,

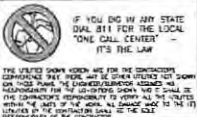


Amy Sullivan
Third Party Attachment Analyst

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

LATITUDE/LONGITUDE:
 42.820658/-70.907972

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



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

mobilitie

PROJECT NO:	1948021220
DRAWN BY:	EC
CHECKED BY:	SJS
DATE:	
SCALE:	AS SHOWN

GENERAL NOTES

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

SITE INFORMATION

SITE ID:	9MAB001238C
CASCADE ID:	BS90XSD32C
LATITUDE:	42.820658
LONGITUDE:	-70.907972
CROSS STREET:	STOREY AVE & NOBLE ST
CITY, STATE, ZIP:	NEWBURYPORT, MA 01950
COUNTY:	ESSEX COUNTY
JURISDICTION:	NEWBURYPORT CITY
PROPERTY OWNER:	PUBLIC RIGHT-OF-WAY
APPLICANT:	MOBILITE, LLC 120 S WINDSOR PLAZA, SUITE 1800 CHICAGO, IL 60608 PHONE: (312) 538-5400

ENGINEER

KMB DESIGN GROUP, LLC
 1800 ROUTE 24, SUITE 209
 WHEELING, WV 26071
 FOR QUESTIONS EMAIL: DESIGNTEAM@KMBDG.COM
 TEL: (733) 280-5823 FAX: (733) 700-1583 www.kmbdg.com

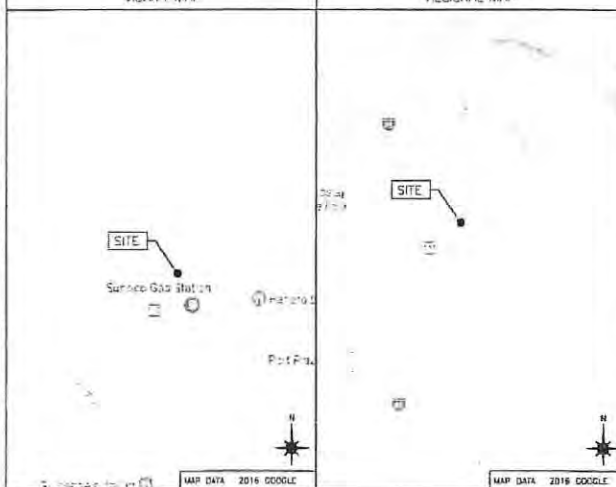
DO NOT SCALE DRAWINGS

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

LOCATION MAPS

VICINITY MAP

REGIONAL MAP



PROJECT DESCRIPTION

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

CODES

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

DRAWING INDEX

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



PROJECT NO:	1948021220
DRAWN BY:	EC
CHECKED BY:	SJS
DATE:	
SCALE:	AS SHOWN

BS90XSD32C
 NEWBURYPORT, MA 01950
 EXISTING 21'-0" WOOD POLE
 SHEET TITLE
 TITLE SHEET
 SHEET NUMBER
 T-1

mobilitie

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

PROJECT NO.	0800002000
DRAWN BY	EC
CHECKED BY	SD
DATE	11/20/11

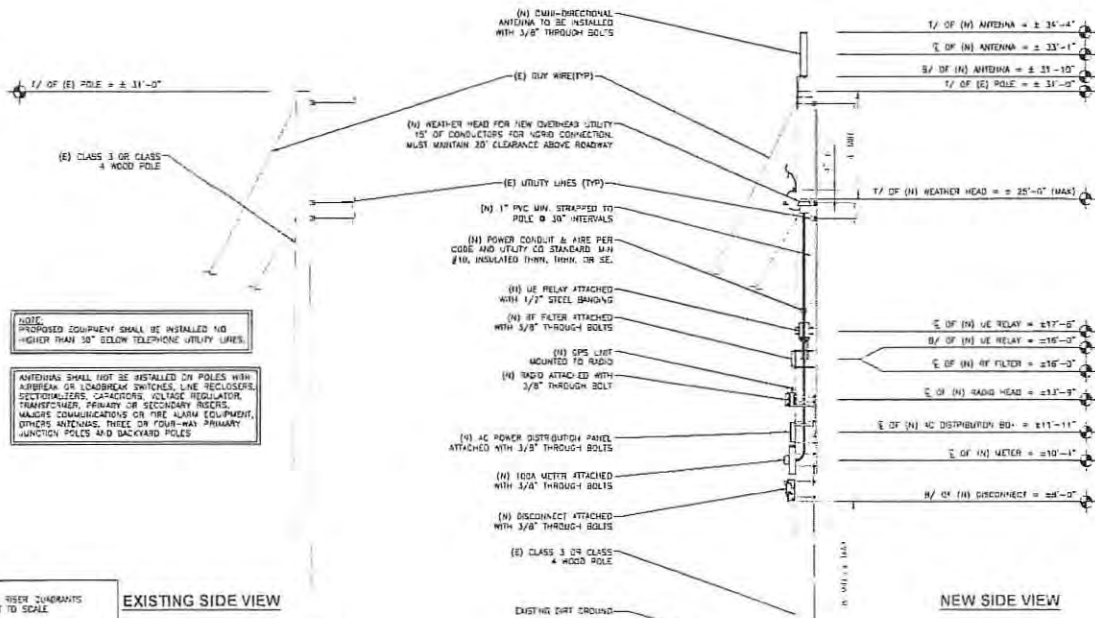


THIS IS A PLAN OF THE LINE FOR ANY
WORK BEING DONE THAT WILL INVOLVE THE
USE OF THE LINE. A LICENSED PROFESSIONAL
ENGINEER HAS REVIEWED THE DOCUMENT.

BS08002000
NEWBURYPORT, MA 01850
EXISTING 31" WOOD POLE

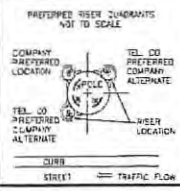
SHEET TITLE
POLE ELEVATIONS

SHEET NUMBER
EV-1



NOTE:
PROPOSED EQUIPMENT SHALL BE INSTALLED NO
HIGHER THAN 30\"/>

ANTENNAS SHALL NOT BE INSTALLED ON POLES WITH
AFTERBURN OR LOADBREAK SWITCHES, LINE RECLOSERS,
SECTIONALIZERS, CAPACITORS, VOLTAGE REGULATORS,
TRANSFORMER, PRIMARY OR SECONDARY DISCS,
MAINT. COMMUNICATIONS OR FIRE ALARM EQUIPMENT,
OTHERS ANTENNAS, THREE OR FOUR-WAY PRIMARY
JUNCTION POLES AND BACKWARD POLES



EXISTING SIDE VIEW



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

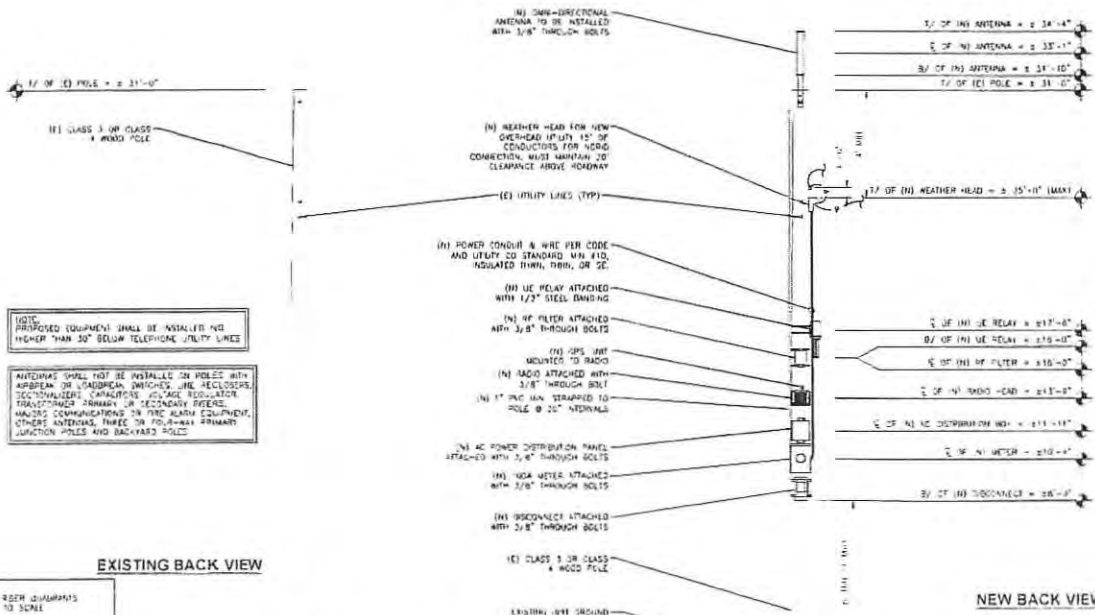
NOTE:
REFER TO STRUCTURAL ANALYSIS REPORT
BS08002000 (SEPARATE DOCUMENT) FOR
ADDITIONAL STRUCTURAL INFORMATION.

NEW SIDE VIEW

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

mobilitie

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

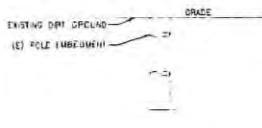
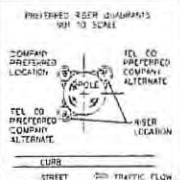


NOTE:
PROPOSED EQUIPMENT SHALL BE INSTALLED NO HIGHER THAN 30' BELOW TELEPHONE UTILITY LINES

ANTENNAS SHALL NOT BE INSTALLED ON POLES WITH AIRSPIN OR VANDERBILT SWITCHES, WIRE ENCLOSURES, OCCUPATIONAL CAPACITORS, VOLTAGE REGULATORS, TRANSFORMER BANKS OR SECONDARY FEEDERS. MAINTAIN COMMUNICATIONS OR FIRE ALARM EQUIPMENT, OTHER ANTENNAS, FIBER OR POLYMER FRAMING, JUNCTION BOXES AND BACKWARD BOLTS

EXISTING BACK VIEW

NEW BACK VIEW



- NOTES:
- 1 ALL WAREWIRE SHALL BE STAINLESS STEEL
 - 2 ALL CABLES SHALL BE SECURED TO POLE EVERY 36" OR LESS
 - 3 LIGHTNING RODS SHALL BE INCLUDED AS REQUIRED
- NOTE:
REFER TO STRUCTURAL ANALYSIS REPORTS SUBMITTED, SEPARATE DOCUMENTS FOR ADDITIONAL STRUCTURAL INFORMATION

(E) POLE ELEVATIONS

SCALE 1" = 8'

PROJECT NO. 150000000
DRAWN BY HC
CHECKED BY JLB

DATE: 11-18-11

BY: JLB

11-18-11

PROJECT NO. 150000000
DRAWN BY HC
CHECKED BY JLB

PROJECT NO. 150000000
DRAWN BY HC
CHECKED BY JLB

PROJECT NO. 150000000
DRAWN BY HC
CHECKED BY JLB

PROJECT NO. 150000000
DRAWN BY HC
CHECKED BY JLB

PROJECT NO. 150000000
DRAWN BY HC
CHECKED BY JLB

PROJECT NO. 150000000
DRAWN BY HC
CHECKED BY JLB

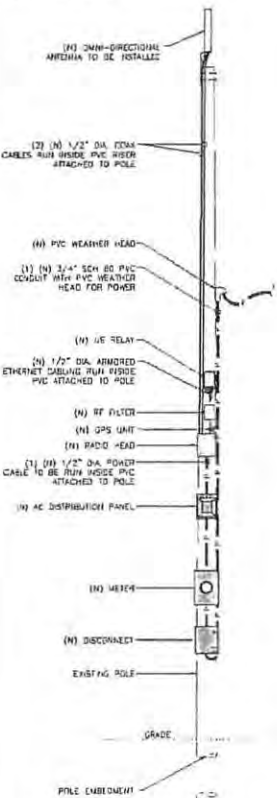
PROJECT NO. 150000000
DRAWN BY HC
CHECKED BY JLB

PROJECT NO. 150000000
DRAWN BY HC
CHECKED BY JLB

PROJECT NO. 150000000
DRAWN BY HC
CHECKED BY JLB

PROJECT NO. 150000000
DRAWN BY HC
CHECKED BY JLB

NOTE:
(1) POLE MOUNTED EQUIPMENT
NOT SHOWN FOR CLARITY



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

CABLEING NOTE:

- 1) WOOD, CONCRETE AND EXISTING METALLIC POLES
- 2) FROM GRADE UP TO 11'-0" ABOVE GRADE, ALL CABLES/CONDUCTORS EXCEPT GROUNDING CONDUCTOR MUST RUN IN RIGID GALVANIZED STEEL CONDUIT (RGS)
- 3) GROUNDING CONDUCTORS IN EXPOSED LOCATIONS MUST BE INSTALLED IN PVC
- 4) IN EARTH INSTALL PVC CONDUIT FOR BACKHAUL AND ELECTRICAL SERVICE TRANSITION TO RGS AT GRADE LINE
- 5) ABOVE 11'-0" ALL CABLES (POWER, ETHERNET, COAXIAL) MUST RUN IN PVC UTILITY POLE RISER
- 6) AT W/LOE EQUIPMENT, EXTEND UTILITY DUCT W/INVERTS ADJACENT TO THE EQUIPMENT. INSTALL CABLES IN THE UTILITY POLE RISER CREATING CABLE DRIP LOOPS NOT LESS THAN THE CABLE BENDING RADIUS
- 7) INSIDE THE UTILITY POLE RISER, UTILIZE 1/2" COAX BLOCKS WITH LAG SCREWS TO SUPPORT COAX, RADIO AND W/ POWER, RF COAX, AND ETHERNET CABLES TO WITHIN 12" OF THE EQUIPMENT BEING SERVED AND ON INTERVALS NOT TO EXCEED 6'
- 8) FOR UNDERGROUND W/FC/PUBLIC BACKHAUL, ROUTE ETHERNET CABLE IN CONDUIT IN THE POLE AND ENTER THE UTILITY POLE RISER. SEAL EXPOSED END OF CONDUIT WITH A CABLE TERMINATION FITTING
- 9) BY APPROVAL IN SELECT CASES LIQUID-TIGHT FLEXIBLE METALLIC CONDUIT (LMFC) MAY BE USED IN LENGTHS NOT TO EXCEED 35' TO EXTEND THE ELECTRICAL SERVICE CONDUIT TO THE AC DISTRIBUTION BOX. EXAMPLES W/FC-REQUIRED DISCONNECT ON POLE W/ AC DISTRIBUTION BOX ON OPPOSITE SIDE OF POLE. NOT REQUIRED FOR COAX
- 10) NEW METALLIC POLES
- 11) PRECLUDE NEW POLES WITH SUSCEPTIBLE HOLES SUCH THAT HOLES EXIST AT ALL EQUIPMENT LOCATIONS
- 12) WITH CLIENT APPROVAL IN SELECT CASES TO FACILITATE IMPROVED APPEARANCE BY COAXIAL CABLES MAY BE "BULB-LESS" IN USE OF LDF-4
- 13) WHERE POSSIBLE, INSTALL POLE BASE SUCH THAT THE ELECTRICAL FEED AND BACKHAUL (IF UNDERGROUND) CIRCUIT ENTER THE POLE THROUGH THE POLE BASE. IF A DISCONNECTING MEANS SEPARATE FROM THE AC DISTRIBUTION BOX IS REQUIRED BY JURISDICTION ON UTILITY, WITH APPROVAL IN SELECT CASES LIQUID-TIGHT FLEXIBLE METALLIC CONDUIT (LMFC) MAY BE USED IN LENGTHS NOT TO EXCEED 35' TO EXTEND THE ELECTRICAL SERVICE CONDUIT TO THE AC DISTRIBUTION BOX

PLUMBING DIAGRAM

SCALE: NOT TO SCALE

1

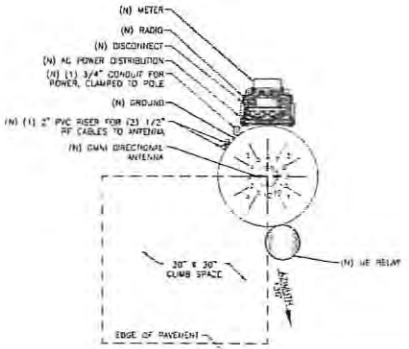
BILL OF MATERIALS							
QTY	DESCRIPTION	MANUFACTURER	MODEL NUMBER	AZIMUTH	CABLE	DIMENSIONS (F*W*H)	WEIGHT
1	ANTENNA	ALPHA WIRELESS	AP3477-5	0°	18'-0" x 30.7" x 4.7" DIAMETER		7 LBS
1	WE RELAY	HOKIA/CELEST	PTHG/4737E3A	135°	3" x 24.62" x 7.87" DIAMETER		5.5 LBS
-	-	-	-	-	-	-	-
1	GPS	HOKIA	FAWD/472532A	-	-	3.1" x 2.1" DIAMETER	0.3 LBS
1	RADIO	HOKIA	FWNR B41 -05	-	3" x 3.7" x 12.9" x 8.3"		27.3 LBS
1	RF SELECT *RTN	RFS	FRM13635-1C	-	12.8" x 4.8" x 2.8"		5.7 LBS
1	AC DISTRIBUTION PANEL	WATCAP	WSTAC-3112-P-120	-	12" x 3.25" x 9.5" x 3.81"		14 LBS
1	NEW TYPE-UP DISCONNECT	SCHONS	CF222AP (EXAMPLE)	-	17" x 13.45" x 8.7" x 3.95"		14 LBS
1	METER SOCKET	MELBAM	JAB01-RL-372 (EXAMPLE)	-	10" x 9.5" x 1.5" x 4.84"		21 LBS

W/FC REVISION TYPE: FINAL
W/FC REVISION NUMBER: 4.4
W/FC REVISION DATES/TAMP: 2017-11-02

BILL OF MATERIALS

SCALE: NOT TO SCALE

2



ANTENNA AZIMUTH: 0°
WE RELAY AZIMUTH: 135°

RISER ORIENTATION DIAGRAM

SCALE: NOT TO SCALE

3

mobilitie

PROJECT NO: WRA52010C
DRAWN BY: AC
CHECKED BY: SJS

13 - A REVISION OF THE JOB FOR ANY
WORK SHALL NOT BE MADE UNLESS THE
OWNER OF A LEGAL PROFESSIONAL
ENGINEER TO SIGN THE REVISION

85033033C
NEWBURYPORTE MA 01950
EXISTING 31'-0" WOOD POLE

SHEET TITLE
PLUMBING & RISER DIAGRAM

SHEET NUMBER
PL-1

<p>MANUFACTURED BY ALPHA AW3477-S NOKIA, FINLAND TYPE: B41 HEIGHT: 1.07m WEIGHT: 1.1kg MOUNTING: 1.1kg MOUNTING: 1.1kg</p> <p>ALPHA WIRELESS</p> <p>PLAN FRONT SIDE</p>	<p>MANUFACTURED BY NOKIA/GEMTEK NOKIA, FINLAND TYPE: UE RELAY HEIGHT: 1.1m WEIGHT: 1.1kg MOUNTING: 1.1kg</p> <p>NOKIA</p> <p>SIDE FRONT</p>	<p>MANUFACTURED BY RFS RFS, FINLAND TYPE: FIMM1963S-1C HEIGHT: 1.1m WEIGHT: 1.1kg MOUNTING: 1.1kg</p> <p>PLAN FRONT SIDE ISOMETRIC</p>	<p>MANUFACTURED BY RAYCAP RAYCAP, FINLAND TYPE: RSTAC-3112-P-120 HEIGHT: 1.1m WEIGHT: 1.1kg MOUNTING: 1.1kg</p> <p>Raycap</p> <p>FRONT BOTTOM</p>	<p>mobilitie</p>
<p>MANUFACTURED BY NOKIA NOKIA, FINLAND TYPE: FWHR B41 HP HEIGHT: 1.1m WEIGHT: 1.1kg MOUNTING: 1.1kg</p> <p>NOKIA</p> <p>FRONT SIDE</p>	<p>NOT USED</p>	<p>NOT USED</p>	<p>MANUFACTURED BY SIEMENS SIEMENS, GERMANY TYPE: NEMA TYPE-3R DISCONNECT HEIGHT: 1.1m WEIGHT: 1.1kg MOUNTING: 1.1kg</p> <p>SIEMENS</p> <p>FRONT SIDE</p>	<p>PROJECT NO: BMS001212 DRAWN BY: EC CHECKED BY: SB DATE: 11-20-11 REV: 001</p>
<p>MANUFACTURED BY NOKIA NOKIA, FINLAND TYPE: RADIO MOUNT HEIGHT: 1.1m WEIGHT: 1.1kg MOUNTING: 1.1kg</p> <p>NOKIA</p> <p>NOKIA INTERFACE STATIC</p>	<p>NOT USED</p>	<p>MANUFACTURED BY NOKIA NOKIA, FINLAND TYPE: GPS UNIT HEIGHT: 1.1m WEIGHT: 1.1kg MOUNTING: 1.1kg</p> <p>NOKIA</p> <p>ELEVATION BOTTOM PLAN</p>	<p>MANUFACTURED BY MILBANK MILBANK, FINLAND TYPE: METER SOCKET HEIGHT: 1.1m WEIGHT: 1.1kg MOUNTING: 1.1kg</p> <p>FRONT SIDE</p>	<p>BMS001212 HERBURYPORT, MA 01853 EXISTING 31-2" WOOD POLE</p> <p>SHEET TITLE EQUIPMENT DETAILS</p> <p>SHEET NUMBER EQ-1</p>

**SITE ID-CANDIDATE LETTER/CASCADE ID-CANDIDATE LETTER:
9MAB001425B/BS90XSF27B**

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

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



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

THE UTILITIES SHOWN HEREIN ARE FOR THE CONTRACTOR'S
CONSIDERANCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN
ON THESE PLANS. THE CONTRACTOR/SUPPLIER ASSUMES NO
RESPONSIBILITY FOR THE UTILITY-LOCATING SHOWN AND IT SHALL BE
THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL THE UTILITIES
WITHIN THE LIMITS OF THE WORK. ALL DAMAGE TO THE (G)
UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE
RESPONSIBILITY OF THE CONTRACTOR.

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

mobilitie

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

11-06-17 FOR CLIENT REVIEW

STEPHEN A. BRAY, INC.
Stephen A. Bray
11/07/17
IT IS A VIOLATION OF THE LAW FOR ANY
PERSON, UNLESS THEY ARE ACTING UNDER THE
DIRECTION OF A LICENSED PROFESSIONAL
ENGINEER, TO ALTER THIS DOCUMENT

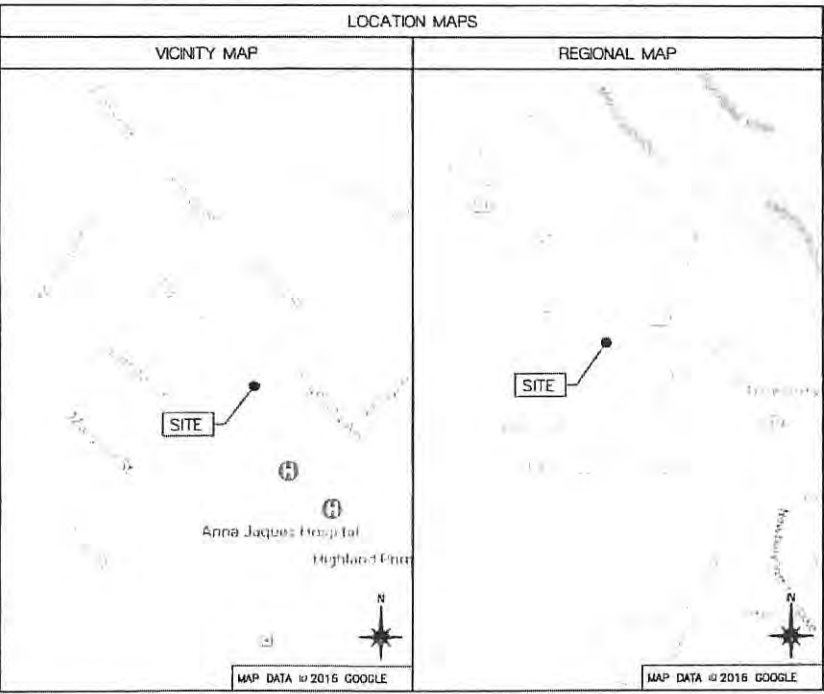
GENERAL NOTES
THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A
TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE
MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT
DISTURBANCE OF EFFECT ON DRAINAGE; NO SANITARY SEWER
SERVICE, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED AND
NO COMMERCIAL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

SITE INFORMATION

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

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

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



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

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

DRAWING INDEX

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

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

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1

NOTE:
EXHIBIT PHOTO IS FOR
REFERENCE USE ONLY
AND SHOULD NOT BE
USED FOR
CONSTRUCTION
PURPOSES.

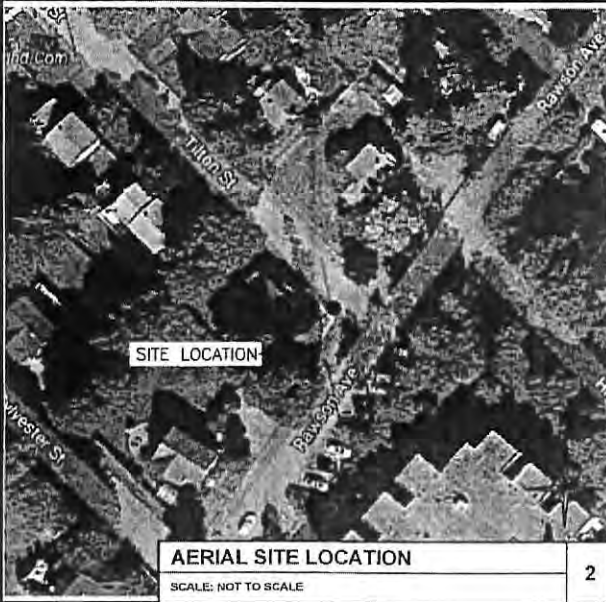


EXISTING WOOD
LIGHT POLE

EXHIBIT PHOTO

SCALE: NOT TO SCALE

1

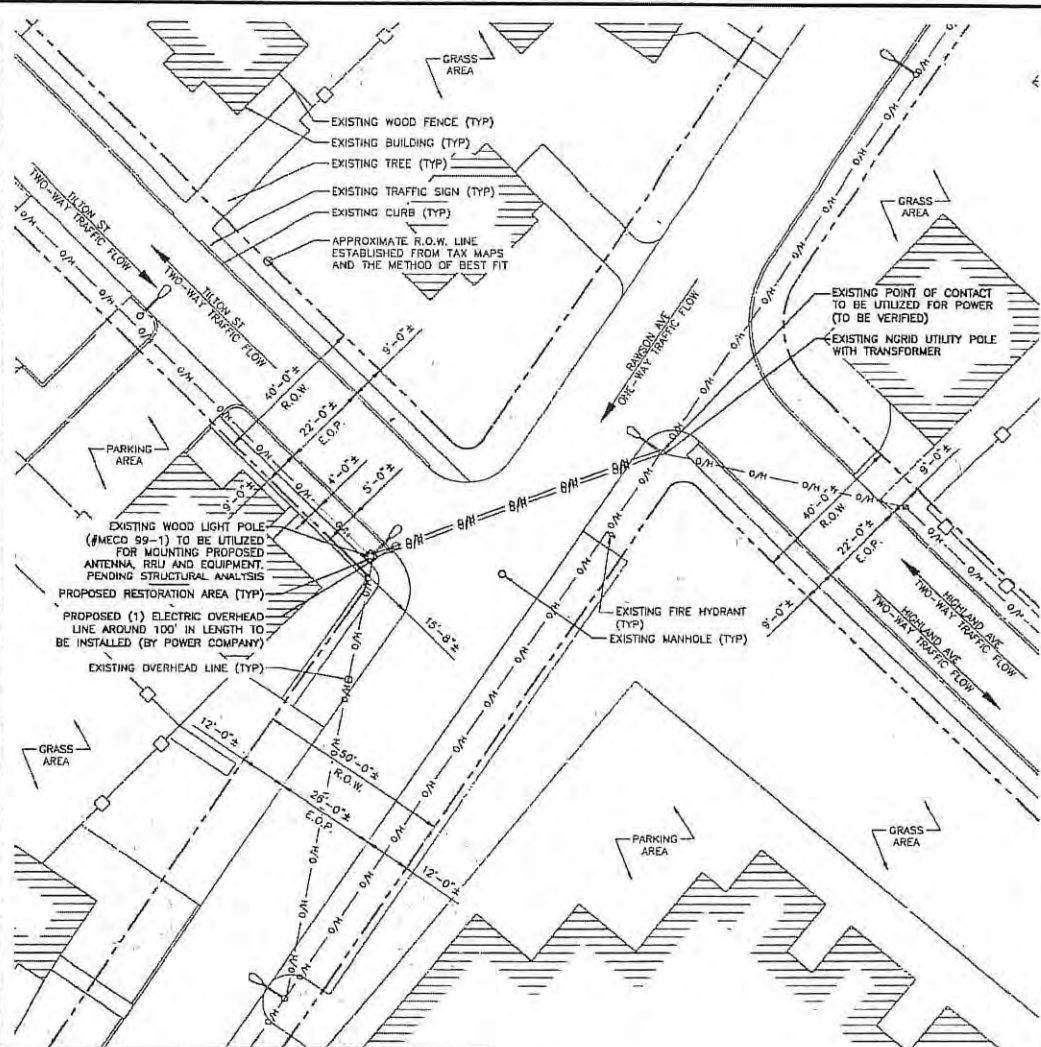


SITE LOCATION

AERIAL SITE LOCATION

SCALE: NOT TO SCALE

2



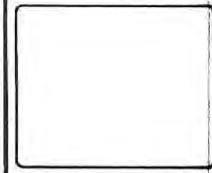
NOTE:
1. ALL DAMAGED AREAS SHALL BE RESTORED TO EQUAL OR BETTER CONDITION.
2. THIS SITE PLAN WAS GENERATED WITHOUT THE USE OF A SURVEY. PROPERTY LINES, RIGHT-OF-WAYS, POWER & TELCO UTILITY POINT CONNECTIONS/ROUTES AND EASEMENTS SHOWN ON THESE PLANS ARE ESTIMATED. ALL ITEMS AND DIMENSIONS SHOULD BE VERIFIED IN THE FIELD.
3. GENERAL CONTRACTORS ARE REQUIRED TO CROSS CHECK COORDINATES, AERIAL PHOTO AND SITE PLAN TO ENSURE PROPER POLE LOCATION PRIOR TO BREAKING GROUND. CONCERNS OR QUESTIONS SHOULD BE IMMEDIATELY DIRECTED TO THE ASSIGNED MOBILITE CM.



ENLARGED SITE PLAN

SCALE: 1" = 30'-0" (1" = 15'-0" ON 24"x36" SHEET)

3



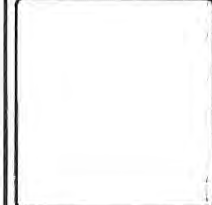
PROJECT NO: 5MAB001425B
DRAWN BY: RC
CHECKED BY: SJB

DATE: 11-26-17 FOR CLIENT REVIEW

MR. DESIGN GROUP LLC
Stephen A. Bray
Professional Engineer No. 118517



IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.



BS90XS27B
NEWBURYPORT, MA 01950
EXISTING 40'-0" WOOD POLE

SHEET TITLE
EXHIBIT PHOTO & SITE PLAN

SHEET NUMBER
SP-1

January 29, 2018

THAT, The CITY COUNCIL of the City of Newburyport hereby approves the following Grant of Location:

Grantee:

Mobilitie, LLC
660 Newport Center Drive, STE 200
Newport Beach, CA 92660

Grant Period:

For a period of 10 years from the date of Newburyport City Council Approval. If Grantee fails to commence construction at this Grant of Location within 12 months from approval, then the Grant shall be considered invalid.

Grant:

The grant allows the Grantee to install a single small cell facility as detailed in plans on file with the Newburyport City Clerk, at two locations. Such equipment shall be powered from the pole and no wiring shall be trenched or brought to the pole.

Granted Locations:

- 1) Existing utility pole located at the following GPS coordinates: 42.815290/-70.891645 with nearest street intersection Tilton St. and Rawson Ave.
- 2) Existing utility pole located at the following GPS coordinates: 42.8206658/-70.907972 with nearest street intersection Storey Ave. and Noble St.

Terms and Conditions:

- 1) The Grant is solely for the locations shown above and for the equipment detailed in the plans on file with the Newburyport City Clerk. Deviations are not permitted without further approval by the City Council.
- 2) The Grant is specific to the Grantee and is non-transferrable without further approval by the City Council
- 3) Grantee shall comply all other applicable local, state, and/or federal laws and regulations.
- 4) Grantee shall obtain and maintain appropriate liability coverage for the entire term of the Grant as required by the City Clerk with the City of Newburyport as an additional insured

- 5) Grantee shall maintain all equipment installed under this Grant in a state of good repair during the term of Grant, and may replace or upgrade equipment, provided that the replacement is of like size, weight, and visual impact.
- 6) The City of Newburyport assumes no liability for any construction, maintenance, or operation undertaken through this Grant.
- 7) No later than the expiration or early termination of the Grant, the Grantee shall be solely responsible to remove its equipment from the granted locations.
- 8) Such Grant is revocable by the City of Newburyport for any reason by supermajority vote of the Newburyport City Council upon notice to the Grantee (180 days for any reason, 15 days for breach of the Grant).

Sharif I. Zeid, Ward 1 City Councillor
Chair, Public Utilities