

COMMITTEE ITEMS

July 15, 2019

Committee Items Budget & Finance

Consent Agenda-Committee Items

ORDR007_01_29_18	41C Amendment
ORDR091_03_11_19	41C½ Ballot Question
ORDR092_03_11_19	41C½ Adjustments
ODNC034_05_13_19	Amendment to Salary of Elected Officials

BT

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 29th, 2017

THAT, The CITY COUNCIL of the City of Newburyport sets the maximum exemption starting in Fiscal Year 2019 to the greater of \$8,000 of taxable valuation or \$1,000 in accordance with the provisions of Chapter 59, Section 5, Clause 41c of the Massachusetts General Laws; the aforementioned Clause already having been previously duly accepted by the City of Newburyport.

Respectfully Submitted,

Sharif I. Zeid
Ward 1 City Councillor

Afroz Khan
City Councillor At-Large

Bot

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 11, 2019

THAT, the City Council of the City of Newburyport hereby approves the following question to be placed on the ballot at the election to be held on November 5, 2019:

“Shall Section 41 of Chapter 139 of the Acts of 2006 granting real estate property tax exemptions to qualifying seniors be accepted?”

Councillor Charles F. Tontar

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 11, 2019

THAT, the property tax exemption for senior citizens under M.G.L. Chapter 59, Section 5, Clause 41C½ be accepted with adjustments to the exemption amount and eligibility factors as follows:

1. By increasing the exemption percentage to 8% (from 5%).
2. By adjusting the gross receipts limit to: (1) in a household containing the applicant and spouse, the combined gross receipts of the couple using the total income limit for a married couple filing a joint return under the state circuit breaker income tax credit, and (2) in a household containing the applicant and a person other than the applicant's spouse, to the combined gross receipts of all household members using the total income limit for a head of a household under the state circuit breaker income tax credit.

Councillor Charles F. Tontar



City of Newburyport Senior Tax Relief Proposal (Clause 41C $\frac{1}{2}$)

March 11, 2019

Newburyport Senior Tax Programs

PROGRAM NAME	PROPERTY TAX RELIEF					STATE	WORK PROGRAM	CPA
	Surviving Spouse and Elderly Exemption Clause 17D	Exemption for the Blind Clause 37A	Property Tax Deferral Clause 41A	Elderly Exemption Clause 41C	Elderly Exemption Clause 41C½	Senior Circuit Breaker Income Tax Credit	Senior Property Tax Work-Off Program	Community Preservation Act
ASSISTANCE TYPE	Reduces local property tax liability for homeowner who meets qualification	Reduces local property tax liability for homeowners who are Legally Blind.	Delays property tax liability by entering into a deferral & recovery agreement with the city	Reduces local property tax liability of senior homeowner	Reduces local property tax liability of senior homeowner	Reduces state income taxes owed (or provides refund if non owed) for senior whose property taxes plus half of water/sewer charges (excluding abatements) exceed 10% of income.	Provides supplemental income to help senior pay property tax	Removes local CPA liability for homeowner who meets qualification
ELIGIBLE AGE	Surviving spouse: (any age), Senior <u>70</u> & older, minor children (less than 18)	All	<u>65</u> & older	<u>65</u> & older (city can set at 65 or 70)	<u>70</u> & older (city can set at 65 or 70)	<u>65</u> by December 31	<u>60</u>	Over <u>60</u> by # in household
INCOME LIMIT	none	none	\$58,000	Single: \$35,488 Married: \$53,232 <small>(Includes SS Income Deduction)</small>	Single: \$58,000 Married: \$88,000 Head of Household: \$73,000	Single: \$58,000 Married: \$88,000 Head of Household: \$73,000	\$85,556	1 Person: \$75,500 2 Persons: \$86,200 Possible medical deduction
ASSET LIMIT	\$54,985	none	A 3% annual interest & one time recording fee will be charged until paid or sold	Single: \$52,416 Married: \$72,072	none	Max. Assessed Value \$778,000 of principal residence	none	none
ASSISTANCE AMOUNT	\$241 up to \$482	\$500 up to \$1,000	some or all of the tax	\$500 up to \$1,000 (may be increased to \$1,000 to \$2,000)	\$531 up to \$1,061 (8% of avg residential value; adjustable from 5 to 20%)	\$1,100 Maximum Credit	\$1,500 maximum per fiscal year - credited at \$11.00 per hour volunteered	Total
APPLICATION PROCEDURE	Senior files application at Assessor's Office, 978-465-4403	Senior files application at Assessor's Office, 978-465-4403	Senior files application at Assessor's Office, 978-465-4403	Senior files application at Assessor's Office, 978-465-4403	Senior files application at Assessor's Office, 978-465-4403	Complete Schedule CB with your MA state income tax return.	Senior files application at Council On Aging office, 978-462-8650	Senior files application at Assessor's Office, 978-465-4403
WHEN TO FILE	January - April 1st	January - April 1st	January - April 1st	January - April 1st	January - April 1st	January 1 - April 15	Apply @ Senior Center	January - April 1st
ADDITIONAL INFORMATION	Applicants aged <u>70</u> + must have owned and occupied the property for 5 years.	Applicant must be registered with the Massachusetts Commission for the Blind as of July 1 of the tax year. 1-800-392-6450	Applicant must have resided in Mass for the preceding 10 years and owned and occupied the property for 5 years	Applicant must have resided in Mass for the preceding 10 years and owned and occupied the property for 5 years	Applicant must have resided in Mass for the preceding 10 years and owned and occupied the property for 5 years	Must be a MA resident or part-year resident; own or rent residential property in MA and occupy as primary residence; if you are a renter 25% of your annual MA rent must exceed 10% of total MA income for tax year.	Applicants are expected to be the owner of the property for which they pay taxes, and be experiencing difficulty making the property tax payments due to limited financial resources.	Applicants must own & occupy, age & income as of January 1st
OTHER				<i>If approved 41C½ would replace 41C</i>				No corps or business'

Overview of Clause 41C½

- Establishes exemption equal to a percentage of the average residential value (5 to 20%)
[\$332 to \$1,326 based on FY19 values]
- Same income limit as state's Circuit Breaker Tax Credit program
- No asset limit
- City can set age limit at 65 or 70 years of age

Demographics

Senior (65+) Households

Age	Own	%	Rent	%	Total	%
65-70	590	32%	348	30%	938	31%
70-75	530	29%	298	25%	828	27%
75-80	333	18%	181	15%	514	17%
80-85	206	11%	131	11%	337	11%
85-90	112	6%	106	9%	218	7%
90-95	63	3%	77	7%	140	5%
95-100	17	1%	26	2%	43	1%
>100	2	0%	7	1%	9	0%
Total	1,853	100%	1,174	100%	3,027	100%
%	61%		39%		100%	

of Owner-Occupied Newburyport Senior Households

Demographics

Time in Newburyport

Move Date	Households	%
Moved in 2015 or later	75	4%
Moved in 2010 to 2014	282	15%
Moved in 2000 to 2009	400	22%
Moved in 1990 to 1999	281	15%
Moved in 1980 to 1989	257	14%
Moved in 1979 or earlier	558	30%
Total	1,853	100%

Demographics

Assessed Values

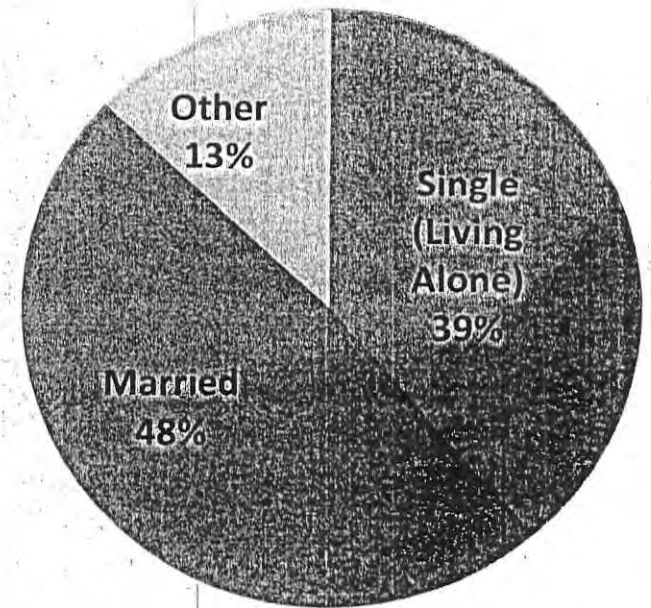
FY2019 Assessment	Households	%
<\$300,000	147	8%
\$300,000-\$400,000	415	22%
\$400,000-\$500,000	490	26%
\$500,000-\$600,000	351	19%
\$600,000-\$700,000	202	11%
\$700,000-\$778,000	84	5%
>\$778,000	164	9%
Grand Total	1,853	100%

Median Value = \$473,800

Demographics

Living Situation

Living Situation	Households	%
Married couple	895	48%
Single male w/ other family	37	2%
Single female w/ other family	132	7%
Single male w/ other nonfamily	34	2%
Single female w/other non family	40	2%
Single male (living alone)	186	10%
Single female (living alone)	529	29%
Total	1,853	100%



Tax Program Usage History

	Surviving Spouse, Elderly 17D	Veterans 22	Veterans 22A	Veterans 22D	Veterans 22E	Blind 37A	Seniors 41C	CPA Low-Income*	Senior Work-Off Program	State Senior Circuit Breaker
# of Abatements										
2008	13	64	1		17	20	66	332		342
2009	12	63	1	1	19	20	69	254		393
2010	16	58	1	1	20	19	61	228		377
2011	19	52	1	1	22	19	61	229	13	378
2012	21	55	1	1	25	17	57	200	17	358
2013	19	55	1	4	23	15	63	255	22	373
2014	18	57	1	4	22	18	57	237	34	406
2015	15	59	1	4	26	11	58	248	35	422
2016	10	61	1	4	30	11	52	239	39	433
2017	11	58	1	4	30	11	49	243	42	not avail
2018	9	57	1	15	24	11	47	234	60	not avail
2019TD*									62	
Amount (\$)										
2008	\$4,054	\$35,026	\$754		\$19,609	\$14,575	\$49,196	\$13,423		\$259,609
2009	\$3,761	\$37,638	\$846	\$3,074	\$22,315	\$15,509	\$54,054	\$10,918		\$314,316
2010	\$4,948	\$35,621	\$1,094	\$3,181	\$23,696	\$13,315	\$46,376	\$10,617		\$308,890
2011	\$6,880	\$33,770	\$1,380	\$3,259	\$27,834	\$15,110	\$48,863	\$10,960	\$9,750	\$316,688
2012	\$7,899	\$38,424	\$1,500	\$3,420	\$33,140	\$14,553	\$48,480	\$10,552	\$15,023	\$300,531
2013	\$6,915	\$40,333	\$1,500	\$13,360	\$32,168	\$13,292	\$52,193	\$10,396	\$21,680	\$329,094
2014	\$7,420	\$43,699	\$1,500	\$14,479	\$33,829	\$13,891	\$51,835	\$9,842	\$33,168	\$367,299
2015	\$5,676	\$43,303	\$1,500	\$13,139	\$39,396	\$10,634	\$50,068	\$11,106	\$32,006	\$393,691
2016	\$4,408	\$44,702	\$1,500	\$13,788	\$46,608	\$10,962	\$46,446	\$10,641	\$41,309	\$405,859
2017	\$4,427	\$43,001	\$1,500	\$15,264	\$48,601	\$10,500	\$44,415	\$10,881	\$43,490	not avail
2018	\$3,620	\$39,039	\$1,500	\$78,999	\$38,594	\$10,500	\$39,677	\$10,612	\$57,576	not avail
2019TD*									\$87,299	

*Prior to FY17, this amount included partial abatements that are applied to all exemptions, as well as, any adjustments and overvaluation abatements. Therefore, only actual data for FY17 and FY18 is shown.

Estimate of Eligible Households for Clause 41C½ Exemption

- Look at Senior Circuit Breaker Program
 - Same income limits
 - CB has asset limit (Home must be valued < \$778K)
 - CB is less restrictive on residency/ownership; renters are eligible to apply
- Look at Revere's experience
 - Adopted 41C½ in November 2017 taking effect 7/1/18 (FY19)

Estimate Based on Circuit Breaker

Assessed Value	#
<\$778,000	433
>\$778,000	40
Total	473



Age	#
<70 years	151
>70 years	322
Total	473



Occupancy	#
Own	196
Rent	126
Total	322



Length	#
<5 years	8
>5 years	188
Total	196

Approximately 188* taxpayers would qualify for 41C½ based on the # of C.B. tax credits issued in FY2017

*Assumes minimum age of 70 years

Estimate Based on Revere's Experience

- In first year, approximately 460 exemptions granted
 - Minimum age: 65 years
 - Income limit: Based on individual income rather than household

	Revere	%	Newburyport	%
Population	53,993	75%	18,060	25%
Clause 41 Exemption Cap	788	77%	232	23%
Circuit Breaker Tax Credits	861	66%	447	34%
Clause 41C Exemptions	76	62%	47	38%
Clause 41C½ Exemptions	460	62%	284	38%

Assumes same proportion as 41C

Estimate based on above factors	284
Subtract 36% to account for residents 65-70	- 90
<i>Newburyport Estimate</i>	194

Approximately 194* taxpayers would qualify for 41C½ based on Revere's experience

*Assumes minimum age of 70 years

Possible Alternatives

- a) Do nothing – keep 41C as is at \$500
- b) Increase 41C exemption to \$750
- c) Increase 41C exemption to \$1,000
- d) Adopt 41C½ w/ 65 year minimum
- e) Adopt 41C½ w/ 70 year minimum
- f) Home Rule Petition to create a customized exemption

Comparison of Alternatives

Alternative	(a) Existing 41C	(b) 41C, \$750	(c) 41C, \$1000	(d) 41C½, 8%, 65+	(e) 41C½, 8%, 70+	(f) Home Rule Petition
Clause	41C	41C	41C	41C½	41C½	
Exemption %	n/a	n/a	n/a	8%	8%	
Exemption	\$500	\$750	\$1,000	\$531	\$531	Means tested senior tax exemption accepted via home rule petition ("Sudbury model")
Additional Exemption†	\$1,000	\$1,500	\$2,000	\$1,061	\$1,061	
Minimum Age	65	65	65	65	70	
Estimated # Exemptions	53	53	53	300	200	
Avg. Est. Exemption	\$883	\$1,325	\$1,766	\$937	\$937	
Gross Cost	\$46,799	\$70,199	\$93,598	\$281,072	\$187,381	tax shift/ unknown
State Reimbursement*	\$26,500	\$26,500	\$26,500	\$150,000	\$100,000	\$0
Net Cost	\$20,299	\$43,699	\$67,098	\$131,072	\$87,381	tax shift/ unknown
Pros	Lowest budget impact	Helps those in greatest need the most; Low budget impact	Helps those in greatest need the most; Low to moderate budget impact	Helps most residents; Maximizes state reimbursement	Helps more residents than 41C; Low to moderate budget impact	Can set eligibility requirements; not funded from overlay
Cons	Helps fewer residents than 41C½; lowest exemption; low state reimbursement	Helps fewer residents than 41C½; low state reimbursement	Helps fewer residents than 41C½; low state reimbursement	High budget impact; no asset limit	Higher age requirement; no asset limit	No state reimbursement; shifts tax burden onto ineligible residents; lengthy process to establish; difficult to administer

† Additional exemption will not be granted if it will a) make your current year bill lower than last year's bill or b) reduce the taxable value of your property below 10% of the assessed value.

* State reimbursement of \$500 per exemption up to 232 exemptions (\$116,000 maximum).

Recommendation

- Alternative (e) - adopt 41C½ with following requirements:
 - Keep minimum age at 70 years (default)
 - Income Limit: Set limit based on household rather individual income with limits tied to Senior Circuit Breaker Program
 - Taxpayers < 70 years old currently receiving 41C exemption will continue to receive exemption under Clause 18

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 13, 2019

AN ORDINANCE TO AMEND THE SALARY OF ELECTED OFFICIALS

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

THAT the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended by amending existing Section 2-126, of ARTICLE IV. – OFFICERS AND EMPLOYEES, to read as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

ARTICLE IV. – OFFICERS AND EMPLOYEES

Sec. 2-126. – Salary of elected officials.

~~Commencing with the inauguration of the mayor in January 2014, and continuing thereafter, the annual salary of the mayor shall be ninety-eight thousand dollars (\$98,000.00), plus three thousand dollars (\$3,000.00) annual expense allowance.~~

A) Commencing with the inauguration of the Mayor in January 2020, and continuing thereafter, the annual salary of the Mayor shall be one hundred and eighteen thousand, five hundred and five (\$118,505.00) one hundred and two thousand, seven hundred and fifty dollars (\$102,750.00) plus three thousand dollars (\$3,000.00) annual expense allowance. As of January 1, 2021 and each year thereafter, said annual salary shall be adjusted by the Consumer Price Index.

~~B) Commencing with the inauguration of the Council in January 2020, and continuing thereafter, the annual salary of each Councillor, except the President of the City Council, shall be six thousand (\$6,000.00). Commencing with the inauguration of the Council President in January 2020 the annual salary of the Council President shall be seven thousand, two hundred (\$7,200.00). As of January 1, 2021 and each year thereafter, said annual salary of the Council and the Council President shall be adjusted by the Consumer Price Index.~~

- ⊖ ~~Commencing on January 1, 2020, and continuing thereafter, the annual salary of each School Committee member, except the Mayor and the Vice-Chair, shall be three thousand dollars (\$3,000.00). Commencing on January 1, 2020 the annual salary of the Vice-Chair shall be three thousand, six hundred dollars (\$3,600.00). As of January 1, 2021 and each year thereafter, said annual salary of each School Committee member and the Vice-Chair shall be adjusted by the Consumer Price Index.~~

Councillor Barry N. Connell

Committee Items General Government

Committee Items

July 15, 2019

- COMM139_04_08_19 Communication from Kopelman & Paige re: Closed Legal Matters
- ODNC036_06_10_19 Recording of Planning Board and ZBA Meetings
- ORDR131_06_24_19 Resolution re: Cultural District
- ORDR130_06_24_19 City Clerk Contract 2019-2022 (COTW)

To: Newburyport City Council
From: Mark Reich, Esq, KP Law, City Solicitor
Re: Recently Closed Legal Matters.
Dated: March 11, 2019

RECENTLY CLOSED MATTERS

- 1. Castagna, et al. v. City of Newburyport Planning Board, et al.
Essex Superior Court No. 1677CV00812-B
(20600-0119-JDE)

This matter arose from an appeal of a Planning Board decision approving a Smart Growth District plan for One Boston Way, and included a further count seeking a declaratory judgment regarding a restrictive covenant alleged to burden the subject property. Immediately following the filing of the complaint, the plaintiffs filed an amended complaint removing the City defendants from the litigation and the count appealing the Planning Board decision. The action is now solely between the private parties and seeks to determine the enforceability of certain recorded protective covenants burdening the party's land. The court docket reports the litigation as settled by agreement of the parties.

- 2. Cray v. City of Newburyport Planning Board, et al.
Land Court – C.A. No. 17 MISC 000426-MDV
(20600-0123-TPL)

This was an appeal by an abutter of a Planning Board decision granting the City site plan approval and 2 special permits for the construction of a parking garage at 83 Merrimac Street and 90 Pleasant Street. The Land Court conducted a Case Management Conference and strongly suggested that the parties attempt to settle the remaining claims. We negotiated a settlement with the property owner and a Stipulation of Dismissal was filed with the Land Court.

- 3. Mahmoud Public Records Request
(20600-0120-JC)

We assisted the City in responding to a serial records requester who made numerous voluminous public records requests to the City. Several appeals were filed with the Secretary of State's Office, which decided all appeals in favor of the City. There have been no requests since August, 2017.

- 4. Packaging Realty, LLC et al. v. HVV Massachusetts, Inc., et al.
Land Court Department, C.A. No. 18 MISC 00417
(20600-0127-JDE/TPL)

This was an appeal by the plaintiff of the Planning Board's July 26, 2018 decision granting a special permit to HVV Massachusetts, Inc. (Happy Valley) to allow the conversion of an 85,000 sq. ft. industrial warehouse into a marijuana grow facility. After

reviewing cross Motions by the Plaintiff and Happy Valley, the Land Court remanded the Special Permit to the Planning Board for additional consideration. At that time, the parties negotiated additional terms and submitted an agreed proposed Special Permit to the Planning Board. The Planning Board conducted a public hearing and issued an Amended Special Permit. No further appeal was filed and a Stipulation of Dismissal was filed with the Land Court in January, 2019.

5. REM Realty v. Riverrun Gardens LLC
Essex Land Court Department, C.A. No. 18 MISC 000466
(20600-0126-JDE/TPL)

This matter involved an appeal by the plaintiff of the Planning Board's July 23, 2018 decision granting a special permit to REM, LLC allowing conversion of an industrial warehouse into a marijuana grow facility. The plaintiff is asking the Court to annul the Board's decision, rescind the grant of the special permit to Riverrun Gardens, LLC, award the plaintiff damages and attorney's fees, and grant such relief as the Court deems justified and equitable. REM, LLC decided not to defend the Special Permit. The Land Court entered judgment annulling the Special Permit.

659919/NBPT/8888

CITY OF NEWBURYPORT



 IN CITY COUNCIL

ORDERED:

June 10th, 2019

**AN ORDINANCE RELATING TO THE RECORDING OF NEWBURYPORT PLANNING BOARD AND
NEWBURYPORT ZONING BOARD OF APPEALS MEETINGS**

WHEREAS, The City of Newburyport values transparency and openness of government and its proceedings

WHEREAS, Recording of Planning Board and Zoning Board of Appeals meetings will provide for a substantially higher level of transparency and accessibility to proceedings for residents and taxpayers. Such recordings also create official record of the proceedings and can serve to augment written minutes.

WHEREAS, the City of Newburyport's Code of Ordinances Section 2-63 – Member Holding Adjudicatory Hearing currently consists of language adopted from the MGL CH 39, Sec 23D related to the use of evidence such as video, audio or a transcript. Section 2-63 defines how members may vote in matters when absent from attending hearings through the opportunity to review all evidence received at the missed session. Recording meetings will help facilitate intention of Section 2-63;

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

- Chapter 2** Administration
Article III. Boards, Committees, Commissions
Division 1. Generally

That the following new section shall be inserted:

Section 2-65. Recording of Planning Board and Zoning Board of Appeals Meetings

All Planning Board and Zoning Board of Appeals meetings shall be video and/or audio recorded in a manner prescribed by the City Clerk. Such recordings shall be made publicly available electronically (via the City's website or other appropriate channels) no more than 30 days following the meeting in a manner to be determined by the City Clerk. Recordings shall not be materially altered or edited prior to distribution; the prior statement shall not be construed as prohibiting the addition of screens providing basic information about the meeting, overlays indicating the date/time/meeting name, or overlays indicating who is speaking.

In the event that a duly called Executive Session is called, recording shall be paused. Recording shall be immediately resumed once Executive Session has ended unless the only action taken following Executive Session is adjournment.

All recordings shall be retained, at minimum, for three (3) years following the meeting date excepting any recording which contains subject matter that becomes the subject of a) an appeal or b) litigation. In such case of appeal or exception, the recording shall be held for 3 years following the adjudication of any such appeal or litigation.

This requirement shall become effective for all Planning Board and Zoning Board of Appeals meetings dated on or after 1/1/2020.

Councillor Sharif I. Zeid

Councillor Heather L. Shand

Councillor Afroz Khan

Gen Gork



CITY CLERK'S OFFICE
NEWBURYPORT, MA

2019 JUN 12 PM 3:34

RESOLUTION

A RESOLUTION by the City of Newburyport to re-designate the state-authorized cultural district for at 5 years;

WHEREAS, the City of Newburyport wishes to pursue the application to re-designate the Newburyport cultural district; and,

WHEREAS, The City of Newburyport has a mixed-use geographical area that has a concentration of cultural facilities and assets; and,

WHEREAS, the City of Newburyport has created a broad and diverse partnership-of stakeholders committed to cultural, community and economic development to provide oversight of the district; and,

WHEREAS, the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to re-designate said cultural district.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newburyport that the City:

ARTICLE 1 Endorses the submission of this application and agrees to foster the development of its cultural district.

ARTICLE 2 Endorses the State-sponsored cultural district goals; attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development.

ARTICLE 3 Will appoint a City official to represent the City within the district partnership of said cultural district.

ARTICLE 4 Encourages all who own property or businesses within said cultural district to involve themselves and participate in the continued development of the cultural district.

ARTICLE 5 Directs City agencies to identify programs and services that could support and enhance the cultural district and ensure that those programs and services are accessible to the cultural district.

ADOPTED ON THIS _____ day of _____ 2019.

Barry N. Connell, President
Newburyport City Council

Date

Donna D. Holaday, Mayor

Date

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 24, 2019

THAT, The CITY COUNCIL of the City of Newburyport hereby approves the Amendment #1 to the contract entitled "City of Newburyport Contract between The City Council and Richard B. Jones, City Clerk, Amendment #1 Dated June 24, 2019" to the contract originally dated June 12, 2017 by and between the City of Newburyport and Richard B. Jones, City Clerk.

Said contract is attached hereto and incorporated herewith and marked 'Amendment #1 Dated June 24, 2019.' and consisting of pages 1 through 5.

Councillor Barry N. Connell

City of Newburyport
Contract
Between
The City Council
And
Richard B. Jones, City Clerk
AMENDMENT #1 DATED
JUNE 24, 2019

This Agreement originally made the TWELFTH day of JUNE, 2017 by and between the City Council (herein after City Council) and Richard B. Jones (herein after City Clerk) is hereby AMENDED AS FOLLOWS:

The City Council and the City Clerk hereby agree that the following terms and conditions of said contract, specifically **Paragraph #1 Term of the Contract, Paragraph #3 Essential Functions and Paragraph #4 Compensation** are **AMENDED**, subject to annual appropriation, to which Richard B. Jones shall be entitled as City Clerk for the City of Newburyport.

1. Term of Contract and Termination

A. AMENDED Term of Contract and Probation Period

This agreement is for a term of three years commencing on July 1, 2019 and ending on June 30, 2022. Reappointment is subject to the majority vote of City Council. In the event the City Clerk is re-appointed for another three (3) year term, this contract can be extended and amended with terms that are agreeable to the City Council and the Clerk. This contract is also subject to amendment in the event of any significant changes in job responsibilities or duties.

If the City Clerk decides to resign from the position at any time during the three (3) year contract, the City Clerk shall provide the City at least sixty (60) calendar days written notice of said resignation.

B. Disciplinary Action and Dismissal

The City Council reserve and retain the right to discharge, suspend, or otherwise discipline for just cause the employee covered by this agreement. The City Council shall provide the City Clerk with written notification of any contemplated discipline or dismissal for just cause.

C. Non-Reappointment

The Clerk position is subject to appointment. In the event that the Clerk is not to be reappointed, the City Council shall ordinarily notify the Clerk, in writing, ninety (90) days in advance. Such notice shall be hand delivered to the City Clerk with signed confirmation by the City Council President. The City shall provide one (1) month severance pay to the City Clerk if the ninety (90) days advance written notice of non-appointment is not provided by the City Council to the City Clerk.

2. Hours of Work

The City Clerk is a salaried position requiring at least a 40 hour work week. The days worked include all week days and also weekends as part of the Clerk’s responsibilities extend to managing the paid parking program and its enforcement officers. The total hours worked will be based on the fulfillment of the duties and responsibilities of the position with full understanding the total number of hours of work may vary from week to week. The City Clerk is expected to attend evening and weekend meetings and events.

3. AMENDED Essential Functions

A. Clerk

The Clerk shall maintain vital records including birth, death and marriage, prepare an annual list of residents, maintain the code of ordinances, issue DBA certificates and dog licenses, offer notarial and genealogical services, serve as the State Ethics Commission liaison and training officer, and maintain associated databases

B. Council

The Clerk shall prepare council agendas, draft any orders and ordinances requested, draft and prepare minutes and assist at Council meetings – whether special or regular.

C. Elections

The Clerk shall serve on the Board of Registrars, maintain the voter registrations, manage all special and regular elections, provide and certify nomination papers, coordinate five polling places and six precincts, and manage early voting.

D. U.S. Department of State Passports

The Clerk acts as the Facility Manager for the Passport Acceptance Facility wherein he shall be an annually-certified Passport agent and manage one or more certified agents. The facility is audited and certified annually by the Boston Passport agency.

E. Parking

The Clerk shall maintain any and all kiosks, any parking vehicles including the mobile LPR unit, manage the enforcement officers, coordinate data collection, ticket payment and related systems, the parking garage, issue parking permits, handle ticket appeals and hearings, prepare monthly reports on income and expenses for the parking system.

4. AMENDED Compensation

Subject to annual appropriation, the City Clerk for Fiscal Year 2020 currently scheduled to receive \$108,297.72 annually. The budget for this salary comes from the following areas:

City Clerk	Clerk of Council	Clerk Registrar	Registrar	Parking Clerk	Total
\$77,328.25	\$4,504.65	\$2,252.33	\$563.08	\$23,649.41	\$108,297.72

Subject to annual appropriation, for the next three next three Fiscal Years, at the beginning of the Fiscal Year, the City Clerk will receive a salary increase and a 2% Cost of Living Adjustment per the schedule below.

Fiscal Year	City Clerk	Clerk of Council	Clerk Registrar	Registrar	Parking Clerk	Total
FY 2020	<u>\$83,393.00</u>	<u>\$4,504.65</u>	<u>\$2,252.33</u>	<u>\$563.08</u>	<u>\$23,649.41</u>	<u>\$114,362.47</u>
FY 2021	<u>\$85,060.86</u>	<u>\$4,594.74</u>	<u>\$2,297.38</u>	<u>\$574.34</u>	<u>\$24,122.40</u>	<u>\$116,649.72</u>
FY 2022	<u>\$86,762.08</u>	<u>\$4,686.64</u>	<u>\$2,343.32</u>	<u>\$585.83</u>	<u>\$24,604.85</u>	<u>\$118,982.71</u>

5. Professional Development

Consistent with existing practice the City shall grant reasonable time off without loss of pay and without charge to any other leave to attend conferences, seminars, or professional meetings, which are directly related to improving the City Clerk's knowledge and skills in his particular position. A request for such time off shall be made to the City Council as soon as practical and shall outline the nature and extent of the proposed leave. Attendance at such conference on non-scheduled workdays shall not entitle the employee to any additional compensation or additional time off. The City may appropriate funds for tuition and related expenses for attending conferences.

The City will reimburse the City Clerk for the cost of attendance at seminars, conferences, and other meetings attended by employees, with prior approval of the Mayor. Mileage for travel shall be reimbursed at the current IRS rate.

6. Education

The City Clerk shall hold a bachelor's degree from an accredited institution. A law degree is preferred.

7. Longevity

The City Clerk hereby waives any claim to longevity payment.

8. Insurance

The City Clerk is eligible for all health insurance benefits in accordance with the agreement negotiated the City and the Public Employee Committee (PEC agreement) pursuant to MGL Chapter 32B, Section 19. The city will pay seventy-five percent (75%) of the premium for the first \$2000.00 worth of Life insurance and the employee will pay twenty-five (25%) of the cost for the first \$2000.00 worth of Life insurance. The difference between the \$2000.00 life insurance and the \$5000 life insurance will be paid 100% by the City.

9. Equipment

The City will provide the following equipment to support the Position Title in the fulfillment of their duties:

Equipment

Cell Phone

10. Vacation, Personal, Bereavement, Sick, and Jury Duty

A. Vacation

The City Clerk will be entitled to six (6) weeks vacation, each Fiscal Year. Vacation for the fiscal year is provided on July 1 of that Fiscal Year. With the City Council President's permission, the City Clerk may carry over ten (10) days of unused vacation from one fiscal year to the next. Upon termination of employment, the City Clerk shall be paid for any unused vacation previously accrued. If termination is caused by death, such payment shall be made to the City Clerk's spouse or beneficiary.

B. Personal

The City Clerk shall be entitled to four (4) personal days per Fiscal Year. Unused personal days shall not be carried from year to year. Personal days are not cumulative form one Fiscal Year to the next and unused amounts are not eligible for buy-back upon retirement or termination of employment.

C. Bereavement Leave

The City Clerk shall be entitled to five (5) days of paid bereavement time, without loss of pay, vacation, or other leave. This time off will be granted upon the death of an immediate family member (spouse, parent, child, step-child, foster-child, brother, sister, mother and father in-law, grandmother, grandfather, spouse's mother father grandmother, grandfather). Should the death occur during the City Clerk's scheduled vacation or days off, then the five (5) days of bereavement leave will be substituted for said vacation or days off, and the vacation.

D. Sick Leave

The City Clerk has accumulated sick leave and will continue to accumulate 1.25 days of sick leave each month. Sick leave is cumulative and carried forward from one Fiscal Year to the next. Upon retirement, the City Clerk will be paid 50% of the number of unused sick days with a maximum of days paid not to exceed eighty-five (85) days. There will be no buy-back of sick leave if the employee resigns or is terminated.

E. Jury Duty

If the City Clerk is requested for Jury Duty, he shall be given the time off without the loss of pay.

11. Holidays

The City Clerk shall be entitled to twelve (12) paid holidays. These are:

1. New Year's Day,	7. Labor Day
2. Martin Day King Day	8. Columbus Day

3. Washington's Birthday	9. Veteran's Day
4. Patriot's Day	10. Thanksgiving Day
5. Memorial Day	11. Day after Thanksgiving
6. Independence Day	12. Christmas Day.

The City Clerk shall receive one day's pay for each Holiday worked in association with his parking clerk responsibilities. Payment for these days worked will come from the paid parking program.

12. Other

Other information and guidance for the City Clerk *not* covered in this Agreement can be found in the Employee Handbook.

IN WITNESS WHEREOF, the parties hereunto have set their hands and seal to this instrument the date and year first above written.

City Council President
 Barry N. Connell
 36 Woodland St.
 Newburyport, MA 01950

City Clerk
 Richard B. Jones
 283 High Street
 Newburyport, MA 01950

 Signature

 Signature

 Date

 Date

July 15, 2019
Committee Items
Neighborhood & City Services

- ODNC028_11_26_18 Parks & Recreation Fees

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 26, 2018

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:

Add new Section 11-7 – “Fees” to read as follows:

Sec. 11-7 – Fees

(a) *Definitions.* The following definitions shall apply to the interpretation and implementation of terms used in this section:

- (1) *Group A:* City of Newburyport departments, including Newburyport Public Schools; other non-profit and for-profit education located within the City; and Active Duty Military.
- (2) *Group B:* Recurring use by exclusively youth leagues.
- (3) *Group C:* Recurring use by organizations, including adult sports leagues.
- (4) *Group D:* Recurring use by organizations that do not charge end-users any fee to participate, including pick-up leagues.
- (5) *Group E:* Special events held by individuals or groups with up to twenty-five (25) attendees.
- (6) *Group F:* Special events held by individuals or groups with twenty-six (26) to fifty (50) attendees.
- (7) *Group G:* Special events held by individuals or groups with fifty (50) to two-hundred (200) attendees.
- (8) *Group H:* Special events held by individuals or groups with greater than two-hundred (200) attendees

Excepting Group A, in the event that an organization or event can fit into more than one category, the most intense category (*i.e.* highest letter) shall apply.

(b) *Fees and charges.* In consultation with the Parks Commission, the City Council establishes the following fees and charges for reserved use of parks and playgrounds; parks and playgrounds not listed below are typically unavailable for reserved use:

Athletic Fields & Courts	Group/Hourly Rate							
	A	B*	C	D	E	F**	G**	H**
Cashman Park Ballfield	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Perkins Park Ballfield	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cashman Park Soccer Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cherry Hill Soccer Field Parcel A	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cherry Hill Soccer Field Parcel B	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Bradley Fuller Park Track	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Bradley Fuller Park Infield	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Bradley Fuller Park North Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Woodman Park Multi-use Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cashman Park Tennis	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Perkins Park Tennis	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Bartlet Mal Basketball Courts	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Cashman Park Basketball Court	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
G.W. Brown School Playground Basketball	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Perkins Park Basketball Courts	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Woodman Park Basketball Courts	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Moseley Woods Lawn	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Atkinson Common, Lower, Founders Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Atkinson Common, Lower, Pepe Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Atkinson Common, Lower, Hawkes Field	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Atkinson Common Tennis	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Small Parks	A	B	C	D	E	F*	G*	H*
Brown Square	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Cornelius Doyle Triangle	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Joppa Park	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Moulton Square	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Washington Park (Eppa Way, Pond Street, High Street)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
270 Water Street (Perkins Park)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Patrick Tracy Square (Tracy Place)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Newburyport Skate Park (Nock Schoolyard)	N/C	\$5.00	\$15.00	N/C	N/A	\$25.00	\$100.00	\$200.00
Mid to Large Parks:	A	B	C	D	E	F*	G*	H*
Atkinson Common, Upper (other than fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Atkinson Common, Lower (other than fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Atwood Park /Garrison Gardens	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	N/A
Bartlet Mall (other than fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Cashman Park (other than fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Clipper City Rail Trail (any segments)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Cushing Park (other than fields or courts)	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Inn Street Mall	N/C	N/A	N/A	N/C	N/A	\$25.00	\$100.00	\$200.00
March's Hill	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00
Market Landing Park	[per Newburyport Waterfront Trust]							
Market Square Bullnose	N/C	N/A	N/A	N/C	N/A	\$25.00	\$100.00	\$200.00
Moseley Woods Pavilion	N/C	N/A	N/A	N/C	N/C	\$25.00	\$100.00	\$200.00

* Up to 50% of the fee may be waived in exchange for in-kind services at the sole discretion of the Parks Commission

** Any charitable non-profit registered as a 501c3 may apply for a fee reduction or waiver from the Parks Commission. The Parks Commission is under no obligation to offer any reduction or waiver. Any reduction or waiver is at the sole discretion of the Parks Commission.

N/C = no charge, N/A = not applicable

- a. Pursuant to the Section 11-4(d), the Parks Commission shall include in its annual report to the City Council a list of all permitted activities, with relevant details such as the computed fee, discounts, and waivers, final charged fee, date of the event, and group for each.
- b. Subletting any permit to groups not named on the application is prohibited.
- c. All fees paid are non-refundable unless the scheduled event is cancelled within thirty (30) days of the event.
- d. For Groups B, C, and D (recurring field use), the fee to utilize the Concession Stand/Restroom at Atkinson Common, Lower, shall be fifty dollars (\$50.00) per month. Group E, F, G, and H (special events), may request use of the restrooms for a one-time fee of one-hundred dollars (\$100.00).
- e. A booth or tent shall be no more than one-hundred and twenty (120) square feet in area.
- f. While longer-term special events are generally discouraged, events lasting longer than two (2) weeks may request a fee reduction from the Parks Commission. The Parks Commission is under no obligation to offer any reduction and any reduction shall be offered at the sole discretion of the Parks Commission.

Councilor Heather L. Shand

Councilor Sharif I. Zeid

Councilor Jared J. Eigerman

July 15, 2019
Committee Items-
Planning & Development

Committee Items

- APPT113_06_24_19 Elizabeth M. 50 Woodland
DeLisle St Planning Board 8/31/2021



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2019 JUN 26 PM 1:08

pdD

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: June 25, 2019

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of Planning Board to fulfill the unexpired term of Rishi Nandi. This term will expire on August 31, 2021.

Elizabeth M. DeLisle
50 Woodland Street
Newburyport, MA 01950

June 21, 2019

Elisabeth M. DeLisle, Esq.
50 Woodland St.
Newburyport, MA 01950

The Honorable Donna D. Holaday, Mayor
Newburyport City Hall
60 Pleasant St.
P.O. Box 550
Newburyport, MA 01950

Re: Planning Board Vacancy

Dear Mayor Holaday,

I am writing to express my interest in being considered as a candidate to fill the currently vacant position on the Newburyport Planning Board.

I attach a copy of my resume in order to provide you with details of my background and qualifications to serve on the Planning Board. Some of my background that might be of interest to you includes my practice in the administrative law department at Foley Hoag LLP, and more recently, my practice in environmental and land use law in a part-time capacity at the Law Offices of Jeffrey L. Roelofs, P.C. During my time at Foley Hoag, my practice focused in the area of environmental law. In that capacity, I represented private and public entities, including municipalities and public authorities, on a wide array of environmental issues. My experience includes work on litigation, compliance and transactional matters arising under numerous state and federal environmental laws and regulations. My current practice includes work on behalf of private entities as well as municipalities and focuses on both environmental law and various land use matters. I am a 2003 graduate of the University of Chicago Law School and have been licensed to practice law in Massachusetts continuously since 2003.

I was raised in Newburyport and returned to the City with my family in 2017. I feel very fortunate to have grown up in Newburyport and to now be raising my three children here. Newburyport is a wonderful town and community, and I want to help keep Newburyport a great place to live. I am very interested in becoming more involved in local issues and increasing my knowledge of local land use law, and serving on the Planning Board will allow me to achieve these goals. Given my strong background in environmental and land use law, I will be able to make an immediate and valuable contribution to the Planning Board.

Thank you very much for your consideration. I would be happy to discuss this matter with you further at your convenience.

Very Truly Yours,

Elisabeth M. DeLisle, Esq.

ELISABETH M. DELISLE

50 Woodland St., Newburyport, MA 01950

617.460.5502

elisabeth.m.delisle@gmail.com

PROFESSIONAL EXPERIENCE:

Law Offices of Jeffrey L. Roelofs, Newburyport, MA

Of Counsel

July 2013 – Present

- Conducts legal research regarding various environmental law and land use related topics.
- Represents clients on environmental law matters including enforcement compliance issues and M.G.L. Chapter 21E cost recovery and property damage claims.
- Assisted significant Massachusetts residential and commercial developer in obtaining approvals for projects involving M.G.L. Chapter 40B.

Foley Hoag, LLP, Boston, MA

Associate, Administrative Law Department, Environmental Law Group

Sept. 2003 – July 2012

- Represented private and public clients on a broad array of litigation and compliance matters involving state and federal environmental laws and regulations, including the Clean Air Act, the Clean Water Act, CERCLA, M.G.L. Chapter 21E, NEPA, and MEPA.
- Litigation responsibilities included: drafting and editing pleadings, motions, memoranda and briefs; conducting all aspects of discovery, including drafting and responding to interrogatories and requests for production, reviewing documents for responsiveness, confidentiality and privilege, and preparing and deposing witnesses; preparing for and assisting in trial of cases.
- Transactional experience includes: conducting due diligence and handling permitting aspects of dispositions and acquisitions of facilities; reviewing environmental site assessments and compliance audits; advising clients regarding environmental risks associated with transactions; negotiating with opposing counsel to minimize environmental risk to client; reviewing and drafting environmental provisions of transaction documents, including environmental representations and warranties and indemnification provisions.
- Assisted clients with respect to environmental permitting matters, including reviewing and commenting on draft permits, appealing permits to administrative tribunals and representing clients in related proceedings in federal court.
- Provided compliance advice to industrial clients, including electric generating facilities.
- Communicated extensively with clients, state and federal regulators and opposing counsel. Supervised the work of junior associates and paralegals.

Business and Professional People for the Public Interest, Chicago, IL, *Legal Intern*

Summer 2001

- Conducted extensive legal research and completed writing assignments on Chicago-area transportation issues.
- Wrote memoranda analyzing various requirements for environmental impact statements under NEPA.

Jenner & Block, Chicago, IL, *Project Assistant*, Environmental Law Department

1998-2000

- Researched topics including environmental audit laws, brownfields programs, and natural resource damage claims.

EDUCATION:

University of Chicago Law School, J.D. 2003

Vice President, Environmental Law Society; Mandel Legal Aid Clinic; Member, *The University of Chicago Legal Forum*

Middlebury College, B.A., Environmental Studies, 1998

Concentration in Conservation Biology; Departmental High Honors; Honors Thesis; Dean's List; College Scholar

BAR ADMISSIONS AND INVOLVEMENT:

- Admitted to the following bars: Massachusetts; United States District Court for the District of Massachusetts; United States Court of Appeals for the First Circuit.; United States Court of Appeals for the Fourth Circuit.
- Co-chair of Boston Bar Association's Environmental Law Section Public Policy Committee, 2012-2014.

Committee Items-Public Safety

July 15, 2019

In Committee:

- ORDR 126 06 24 19 - One Hour Parking Restriction - Merrimac St
- ORDR115_06_10_19 Additions to 2-Hour Parking Zones- Ferry Road
- ORDR 116 06 10 19 Additions to 2-Hour Parking Zones - Summer Street
- ORDR117 06_10_19 Two Hour Parking Section 175- Upper Summer St
- ORDR 118 06 10 19 Resident Parking 13-180 Zone Changes
- COMM143 04 29 19 Cruisin' the 50s Car Show- 8/15/19
- COMM156 05 28 19 Traffic Concern Ferry Road
- COMM161_06_24_19 Block Party - Lafayette Street- 8/17/20 19 (PS)
- COMM163_06_24_19 High Street Mile - 8/4/20 19 (PS)

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Amended as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Date: June 24, 2019

THAT pursuant to the CITY OF NEWBURYPORT Code of Ordinances Section 13-180.1 and Section 13-166 the CITY COUNCIL of the CITY OF NEWBURYPORT hereby amends and approves as follows:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-176	One Hour Parking

Amend existing Section as follows, with deletions ~~double-stricken-through~~, and additions double-underlined:

No person shall park a vehicle for longer than One (1) hour between the hours of 9:00 a.m. and 6:00 p.m. of any day except Sundays and holidays in the following described streets or parts thereof:

<u>Street</u>	<u>Extent</u>
<u>Merrimac Street</u>	<u>On the northerly side starting at McKav's Wharf Way and running westerly for a distance of one hundred (180) feet.</u>

Councillor Jared J. Eigerman

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Amended as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Date: June 10, 2019

THAT pursuant to the CITY OF NEWBURYPORT Code of Ordinances Section 13-180.1 and Section 13-166 the CITY COUNCIL of the CITY OF NEWBURYPORT hereby amends and approves as follows:

- | | |
|----------------|--------------------------------|
| Chapter 13 | Traffic and Motor Vehicles |
| Article 4 | Specific Street Schedules |
| Division 6 | Stopping, Standing and Parking |
| Section 13-180 | Two Hour Resident Parking |

Amend existing Section as follows, with deletions ~~double-stricken through~~, and additions double-underlined:

Street

Ferry Road

Extent

On the southerly side in front of the property known as 1 Ferry Road

Councillor Thomas F. OBrien

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Amended as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Date: June 10, 2019

THAT pursuant to the CITY OF NEWBURYPORT Code of Ordinances Section 13-180.1 and Section 13-166 the CITY COUNCIL of the CITY OF NEWBURYPORT hereby amends and approves as follows:

- | | |
|----------------|--------------------------------|
| Chapter 13 | Traffic and Motor Vehicles |
| Article 4 | Specific Street Schedules |
| Division 6 | Stopping, Standing and Parking |
| Section 13-180 | Two Hour Resident Parking |

Amend existing Section as follows, with deletions ~~double-stricken-through~~, and additions double-underlined:

<u>Street</u>	<u>Extent</u>
Summer Street	On the easterly side starting at the property known as 31 Summer Street and running northerly to Merrimac Street

Councillor Heather L. Shand

CITY OF NEWBURYPORT



 IN CITY COUNCIL

ORDERED:

Amended as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Date: June 10, 2019

THAT pursuant to the CITY OF NEWBURYPORT Code of Ordinances Section 13-180.1 and Section 13-166 the CITY COUNCIL of the CITY OF NEWBURYPORT hereby amends and approves as follows:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-175	Two Hour Parking

Amend existing Section as follows, with deletions ~~double-stricken-through~~, and additions double-underlined:

No person shall park a vehicle for longer than two (2) hours between the hours of 9:00 a.m. and 6:00 p.m. of any day except Sundays and holidays in the following described streets or parts thereof:

<u>Street</u>	<u>Extent</u>
<u>Summer Street</u>	<u>On the easterly side starting at High Street and running northerly to the property known as 31 Summer Street</u>

 Councillor Heather L. Shand

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Amended as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Date: June 10, 2019

THAT pursuant to the CITY OF NEWBURYPORT Code of Ordinances Section 13-180.1 and Section 13-166 the CITY COUNCIL of the CITY OF NEWBURYPORT hereby amends and approves as follows:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-180(g)	Resident Parking Zones

Amend existing Section as follows, with deletions ~~double-stricken through~~, and additions double-underlined:

(g) Designation of two-hour residential parking permit zones.

(1) Zone 1: Includes the following streets between State Street and ~~Fair~~ Federal Street:

- ~~Charter Street.~~
- ~~Essex Street.~~
- ~~Garden Street.~~
- ~~Liberty Street.~~
- ~~Middle Street.~~
- ~~Otis Place.~~
- ~~Prospect Street.~~
- ~~Temple Street.~~

<u>Street</u>	<u>Extent</u>
<u>Center</u>	<u>From Liberty Street to Middle Street, easterly side</u>
<u>Charter</u>	<u>From State Street to Fair Street, southerly side</u>
<u>Essex</u>	<u>From State Street to Fair Street, both sides</u>
<u>Fair</u>	<u>From Water Street to Liberty Street, easterly side, and westerly side until the southerly edge of the driveway at 2 Fair Street</u>
<u>Fair</u>	<u>From Liberty Street to Prospect Street, easterly side</u>
<u>Fruit</u>	<u>From High Street to Prospect Street, both sides</u>
<u>Garden</u>	<u>From State Street to Otis Place, both sides</u>

<u>Independent</u>	<u>From Water Street to Liberty Street, northwesterly side</u>
<u>Liberty</u>	<u>From State Street to Independent Street, both sides</u>
<u>Liberty</u>	<u>From Independent Street to Federal Street, southeasterly side</u>
<u>Middle</u>	<u>From State Street to Federal Street, southerly side</u>
<u>Orange</u>	<u>From Fair Street to Federal Street, both sides</u>
<u>Otis Place</u>	<u>Both sides</u>
<u>Pike</u>	<u>From Liberty Street to Water Street, westerly side</u>
<u>Prospect</u>	<u>From State Street to Federal Street, southerly side</u>
<u>Spring</u>	<u>From Fair Street to Federal Street, both sides</u>
<u>Temple</u>	<u>From State Street to Federal Street, southerly side</u>

(2)

(2) Zone 2: Includes the following streets between ~~Fair State~~ and ~~Federal Winter~~:

~~Middle Street,~~
~~Temple Street,~~
~~Spring Street,~~

<u>Street</u>	<u>Extent</u>
<u>Birch</u>	<u>From Market Street to Summer Street, northerly side</u>
<u>Green</u>	<u>From Harris Street to Merrimac Street</u>
<u>Green</u>	<u>From Washington Street, westerly side to Loading Zone in front of 26 Green Street</u>
<u>Harris</u>	<u>From Green Street to State Street, both sides</u>
<u>Market</u>	<u>From Washington Street to Merrimac Street, both sides</u>
<u>Pleasant</u>	<u>From property at 66 Pleasant Street to Summer Street, both sides</u>
<u>Titcomb</u>	<u>From Merrimac Street to Washington Street, both sides</u>
<u>Washington</u>	<u>From Green Street to Market Street, northwesterly side</u>
<u>Washington</u>	<u>From Court Street to Market Street, Southeasterly side</u>
<u>Winter</u>	<u>From Washington Street to High Street, westerly side</u>

(3)

(3) Zone 3:

a.

~~Fair Street, on the easterly side between Liberty Street and Water Street, and on the westerly side, between Liberty Street and southerly edge of driveway at 2 Fair Street.~~

<u>Arlington</u>	<u>From Highland Avenue, both sides to northerly end of those properties known as #23 and #24 on each side of street respectively</u>
<u>Ashland</u>	<u>Beginning at the lower end of Ashland Court and proceeding northerly on the westerly side of Ashland Street to a point of six (6) feet north of the property line between 2 Ashland Street and 345 Merrimac Street</u>
<u>Ashland</u>	<u>Beginning at the lower corner of Ashland Court and proceeding northerly on the easterly side of Ashland Street and Merrimac Street</u>
<u>Bricher</u>	<u>All</u>
<u>Cherry</u>	<u>All</u>
<u>Hill</u>	<u>All</u>
<u>Lafayette</u>	<u>From Highland Avenue, both sides in a northerly direction from Washington Street for a distance of one hundred (100) feet</u>
<u>State</u>	<u>Beginning at 184 State Street and proceeding southerly to the end of said State Street on the westerly side</u>

(4)

~~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 north side running in a westerly direction from Green Street for a distance of one hundred twenty (120) feet.~~

~~i.~~

~~Pleasant Street, both sides from the property at 66 Pleasant Street to Titcomb 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.~~

Councillor Jared J. Eigerman

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

38R Merrimac Street, Newburyport, MA 01950

O: 978-462-6680 F: 978-465-4145

APR 11 PM 1:32

www.newburyportchamber.orginfo@newburyportchamber.org

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Council President Connell and Members of the Newburyport City Council:

We seek permission to hold this event on Thursday, August 15, 2019 with a rain date of Thursday, August 22, 2019. Similarly to previous years, we request permission to close State, Pleasant, and Inn Streets from 2:00PM – 9:00PM as well as Patrick Tracy Square and the State Street Lot. Cars will arrive at approximately 3:00PM. In regards to State Street, we request closure from Market Square to the intersection of State and Harris Streets. For Pleasant Street, we request permission to close from State to Green Streets. We also ask that Harris Street be restricted to residents only in order to prevent an abundance of vehicles bypassing downtown via Green to Harris Street which becomes a safety issue as vehicles turn from Harris to State Street where a number of pedestrians are enjoying the event. We also request utilization of the Bullnose for live music.

Sincerely,

A handwritten signature in black ink, appearing to read "Elisabeth Hurley".

Elisabeth Hurley
Membership Development
Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

- NAME OF EVENT: Cruisin' to 150s Car Show
- Date: 08/15/2019 Time: from 2:00 PM to 9:00 PM
Rain Date: 08/22/2019 Time: from 2:00 PM to 9:00 PM
2. Location: State Pleasant Inn Streets, Patrick Tracy Square, State Street Lot
3. Description of Property: Also request Harris Street be ^{resident} only Public Private
4. Name of Organizer: Greater Newburyport Chamber City Sponsored Event: Yes No
Contact Person Elisabeth Hurley
Address: 38R Merrimac Street Telephone: 978.572.1494
E-Mail: ehurley@newburyportchamber.org Cell Phone: 508.212.8289
Day of Event Contact & Phone: Elisabeth [↑]
5. Number of Attendees Expected: 10,000
6. MA Tax Number: _____
7. ^{will be} Is the Event Being Advertised? Yes Where? social media, car newsletters
8. What Age Group is the Event Targeted to? Families and Baby Boomers
9. Have You Notified Neighborhood Groups or Abutters? Yes No , Who? _____
Will it approved

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 5 _____
- b) # of recycling container(s) to be provided by Recycling Office 5 _____
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

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: _____

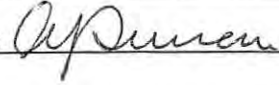
10. Dismissal Location & Time for Participants: _____

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  4 Green St. FIRE CHIEF  0 Greenleaf St.

DEPUTY DIRECTOR  16A Perry Way CITY CLERK _____ 60 Pleasant St.

DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

Limitations


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

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

13-101 Enforcement

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

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

Signed: 

Date: 04/09/2019

From: "O'Gorman, Cal" <cal.o'gorman@fmr.com>
Date: May 16, 2019 at 4:50:31 PM EDT
To: "Thomasobrien11@aol.com" <Thomasobrien11@aol.com>
Subject: Traffic Concern

Good afternoon, Councilor O'Brien –

My name is Cal O'Gorman and I live with my family at 105 Ferry Road in town.

I'm writing to express our growing concern with patrons of Moseley park using Azalea road / our drive as a U-turn point after they are done walking dogs. We have three young children and have concerns for the lack of caution demonstrated by the parks' patrons over the years.

In addition, I've seen multiple close calls with other cars, our cars, pedestrians and our mailbox. To be honest, it's only a matter of time before these are no longer near misses.

Given the multitude of options for folks to reverse their direction, I'm writing to you in the hope that we can petition you to help us by getting a no U-turn sign posted somewhere.

There are a number of other concerns we have that include the speed at which folks travel on ferry road, utilizing parts of our driveway for parking, amongst others. I've notice that residents of Daniel Lucy Way have a sign prohibiting parking 25 feet from the intersection. We'd like to explore this with you as well.

We have contacted the city and police department. The City advised that we should speak to you. Regarding the speed of traffic, the police were less than responsive to put it lightly.

Is there anything we/you/us can do to help make this area more safe not just for us and our neighbors but for the hundreds of folks that enjoy Moseley woods and the surrounding attractions?

I can be reached at 509-728-6892 if you'd prefer to speak in person.

Thanks in advance for your time.

Cal O'Gorman | Order Room | Fidelity Capital Markets

Mailing Address: 200 Seaport Boulevard, Mail Zone ZW11A, Boston, MA 02210

Office Address: 155 Seaport Boulevard, Boston, MA 02210

Phone: 617.563.9510

Fax: 617-385-0773

Cell: 617-872-6008

cal.o'gorman@fmr.com

www.capitalmarkets.fidelity.com

Fidelity Capital Markets is a division of National Financial Services LLC. Clearing, custody or other brokerage services may be provided by National Financial Services LLC, or Fidelity Brokerage Services LLC, Members NYSE, SIPC.

This email is prepared by Fidelity Capital Markets (FCM). It is for your information only and is not an offer or solicitation for the purchase or sale of any security or a recommendation or endorsement of any security or issuer. FCM makes no



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

R. Safety

2019 JUN 11 AM 10:52

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 Street, Newburyport, MA 01950 **at least eight (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: _____

CONTACT INFORMATION

FIRST AND LAST NAMES: Louise Nelson

MAILING ADDRESS: 25 Lafayette St. Newburyport

PHONE NUMBER: 978-270-9020

E-MAIL ADDRESS: Lbbn1973@gmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: August 17, 2019

DESIRED STREET CLOSING LOCATION: Lafayette St from Highland St. to High St

Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Lafayette Street

DESIRED STREET CLOSING TIME: 12:00 pm - 9:00 pm

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 (4) 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 (10) 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 two (2) hours of the end of 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 five hundred (500) feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution.
11. Only approved readily removable Barricades will be permitted such as orange cones and sawhorses with a sign. No vehicles will be permitted to be used as a Barricade.
12. Block parties are permitted 10 A.M. - 10 P.M.

Applicant signature: Lois Row Date: 5/13/19

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

^{police station}
 CITY MARSHALL [Signature]
 4 Green Street

FIRE CHIEF [Signature] 5/21/19
 Greenleaf Street

DEPUTY DIRECTOR [Signature]

16 Perry Way DEPT 3-20
 CITY CLERK [Signature] KFCO acm
 60 Pleasant Street

City use only:

Approved _____ Denied _____ Date _____

PS

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax 2019 JUN 14 AM 10:13

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

NAME OF EVENT: High Street Mile

Date: 8/4/19 Time: from 8:30 to 10:00

Rain Date: Time: from to

2. Location: Atholston Common to Newburyport High School

3. Description of Property: Public Private

4. Name of Organizer: Waverly Circle Running Club City Sponsored Event: Yes No

Contact Person Mike McCormick

Address: 16 Norman Ave Newburyport Telephone: 978-462-0117

E-Mail: marmcc12@gmail.com Cell Phone:

Day of Event Contact & Phone: Same 978-382-0738

5. Number of Attendees Expected: 300-500

6. MA Tax Number:

7. Is the Event Being Advertised? yes Where? Daily news, Newspapers, on-line, websites, social media

8. What Age Group is the Event Targeted to? 6-99

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? 3-4
- 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 ? _____

If no:

- a) # of trash container(s) to be provided by DPS NA
- 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 STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE /

WALKATHON _____

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

Winnier's Circle R.C.

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

M. Lie McCormick
16 Norman Ave
Newburyport, MA 01950 978-382-0728

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

Same

4. Date of Event: 8/4/19 Expected Number of Participants: 300-500

5. Start Time: 9:00 Expected End Time: 10:00

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

High Street : 'Three road' intersection to Newburyport High

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

8. Will Detours for Motor Vehicles Be Required? yes If so, where? Away from Fish Cove & Toppans to Kent St

9. Formation Location & Time for Participants: 8:30-9:30

10. Dismissal Location & Time for Participants: 10:00

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 Date: _____ Signature _____
Required

___ 1. Special Events: _____
___ 2. Police: _____
 Is Police Detail Required: _____ # of Details Assigned: _____
___ 3. Traffic, Parking & Transportation: _____
___ 4. ISD/Health: _____
___ 5. Recycling: _____
___ 6. ISD/Building: _____
___ 7. Electrical: _____
___ 8. Fire: _____
 Is Fire Detail Required: _____ # of Details Assigned: _____
___ 9. Public Works: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
 Yes: \$_____ due on _____ No Fee for Special Events applies
 Other requirements/instructions per DPS _____
___ 10. Parks 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: *M. A. [Signature]*

Date: *6/10/19*



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/20/2019

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

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

PRODUCER Insurance Management Group 959 E. 4th St. P.O. Box 1600 Marion IN 46952	CONTACT NAME: Margaret Mayers	PHONE (A/C, No, Ext): (260) 338-2925	FAX (A/C, No):
	E-MAIL ADDRESS: mmayers@insmgt.com		
INSURED Road Runners Club of America/2019 and Its Member Clubs 1501 Lee Highway, Suite 140 Arlington VA 22209	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: National Casualty Company		11991
	INSURER B: Nationwide Life Insurance Co.		66869
	INSURER C:		
	INSURER D:		
	INSURER E:		

COVERAGES CERTIFICATE NUMBER: 2019 \$1M A.I. REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			KRO0000007654500	12/31/2018	12/31/2019	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000
	<input checked="" type="checkbox"/> Legal Liability to Participant \$1,000,000						MED EXP (Any one person) \$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ Unlimited PRODUCTS - COMP/OP AGG \$ 1,000,000 Abuse and Molestation \$ 500,000
A	AUTOMOBILE LIABILITY			KRO0000007654500	12/31/2018	12/31/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED						\$
	RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						OTH-ER
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$
B	Excess Medical & Accident (\$250 Deductible/Claim)			SPX0000030282400	12/31/2018	12/31/2019	Excess Medical \$10,000 AD & Specific Loss \$2,500

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

CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED AS RESPECTS THEIR INTEREST IN THE OPERATIONS OF THE NAMED INSURED. DATE OF EVENT(S): 8/04/19 High Street Mile INSURED RRCA CLUB/EVENT MEMBER: Winner's Circle Running Club, Att'n: Jane Lemuth, 211 Elm Street, Salisbury, MA 01952

CERTIFICATE HOLDER

CANCELLATION

08/04/19 City of Newburyport 60 Pleasant Street Newburyport MA 01950	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Jerry R. Diller</i>
--	---

© 1988-2015 ACORD CORPORATION. All rights reserved.

July 15, 2019
Committee Items
Public Utilities

Pole hearing 2 Opportunity Way



CITY OF NEWBURYPORT

MASSACHUSETTS

CITY CLERK'S OFFICE

NEWBURYPORT CITY HALL

60 PLEASANT STREET • P.O. BOX 550

NEWBURYPORT, MA 01950

TEL: 978-465-4407 • FAX: 978-462-7936

RICHARD B. JONES

CITY CLERK

June 05, 2019

Dear Property Owner:

Notice is hereby given that a public hearing will be held on the petition of National Grid and Verizon New England Inc., to install (1) JO pole on Malcolm K. Hoyt Rd., beginning at a point approximately 15 feet off the centerline of the intersection of Opportunity Way and continuing approximately 133 feet. Install new in line pole 15-50 for equipment to serve customer at 2 Opportunity Way.

Said hearing will be held on Monday, June 24, 2019 at 7:15 pm, in the City Council Chamber, City Hall, Newburyport, MA. At that time, all interested parties will have an opportunity to be heard.

Location approximately as shown on plan attached.

Sincerely,

Tricia E. Barker
Assistant City Clerk



CITY OF NEWBURYPORT

OFFICE OF THE
ASSESSOR

JILL BRENNAN
CITY ASSESSOR

NEWBURYPORT CITY HALL

60 PLEASANT STREET

NEWBURYPORT, MA 01950

TEL: 978-465-4403

FAX: 978-462-8495

WWW.CITYOFNEWBURYPORT.COM

June 5, 2019

TO: Richard Jones, City Clerk

FROM: Board of Assessors

RE: Malcolm Hoyt Road – Install 1 JO pole beginning at a point approximately 15 feet of the centerline of the intersection of Opportunity Way and continuing approximately 133 feet. Install new in line pole 15-50 for equipment to serve customer at 2 Opportunity Way.

The attached are the abutters to the above described location:

Jill Brennan

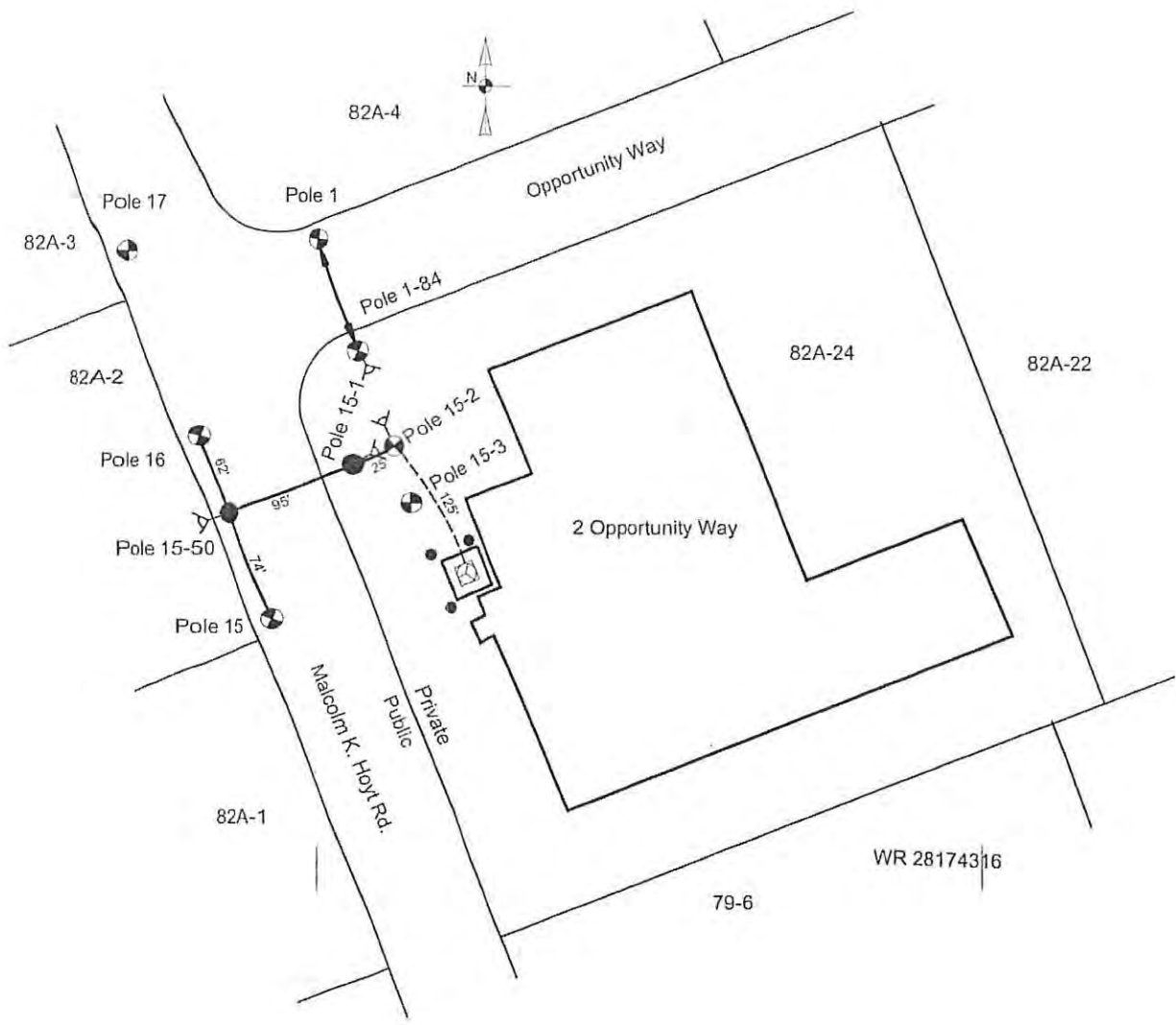
82/A 1/ / /
JOHNSON F & R H & H A TRS
HAJ REALTY TRUST
525 MAIN ST UNIT 3
AMESBURY, MA 01913

82/A 2/ / /
STRODA REALTY LLC
13 MALCOLM HOYT RD
NEWBURYPORT, MA 01950








82/A 3/ / /
DA/PRO RUBBER INC
PO BOX 470175
TULSA, OK 74147

82/A 15/ / /
GERRISH CURTIS L TRS
GERRISH REALTY TRUST
16 MALCOLM HOYT RD
NEWBURYPORT, MA 01950

82/A 24/ / /
HVV NEWBURYPORT LLC
39 COUNTRY CLUB WAY
IPSWICH, MA 01938



JOINT OWNED POLE PETITION

-  Anchor
-  New Pole
-  Existing pole
-  Transformer with containment & bollards
-  Pole to Pole Guy
-  2-4" Conduit
-  Primary

DISTANCES ARE APPROXIMATE

nationalgrid
 And
Verizon New England, Inc.

Date: February 8, 2019

Work Request Number: 28174316

To Accompany Petition Dated: February 8, 2019

To The: City Of Newburyport Ma.

For Proposed: Pole:15-50 Location: 13 Malcom K Hoyt

nationalgrid

May 20, 2019

City Council of Newburyport, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

John Butler 978-725-1415

Please notify National Grid's Lisa Ayres of the hearing date / time.

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid Contact: Lisa Ayres, 1101 Turnpike Street; North Andover, MA 01845
978-725-1418

Very truly yours,

Dave Johnson/lla

Dave Johnson
Supervisor, Distribution Design

Enclosures

Questions contact John Butler 978-725-1415

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To City Council
Of Newburyport, Massachusetts

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

Malcolm K. Hoyt Rd. - National Grid to install (1) JO pole on Malcolm K. Hoyt Rd. beginning at a point approximately 15 feet off the centerline of the intersection of Opportunity Way and continuing approximately 133 feet. Install new in line pole 15-50 for equipment to serve customer at 2 Opportunity Way.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked - Malcolm K. Hoyt Rd - Newburyport, Massachusetts.

28174316

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

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

NATIONAL GRID
BY Dave Johnson/lla
Engineering Department

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

April 18, 2019

Newburyport

Questions contact – John Butler 978-725-1415

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council - Newburyport, Massachusetts

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

that NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 18th day of April 2019.

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

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

28174316 Filed with this order:

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

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

Malcolm K. Hoyt Rd. - National Grid to install (1) JO pole on Malcolm K. Hoyt Rd. beginning at a point approximately 15 feet off the centerline of the intersection of Opportunity Way and continuing approximately 133 feet. Install new in line pole 15-50 for equipment to serve customer at 2 Opportunity Way.

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

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

Massachusetts City/Town Clerk.
20 .

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

Attest:
City/Town Clerk

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

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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

Board or Council of Town or City, Massachusetts

CERTIFICATE

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

Attest:
City/Town Clerk