

CITY COUNCIL MEETING AGENDA - VERSION 1
CITY COUNCIL CHAMBERS
APRIL 29, 2019

7:15PM

Pole Hearing – 197 Low Street

7:30PM

(Sound Check)

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS**
- 5. PUBLIC COMMENT**
- 6. MAYOR'S COMMENT**
- 7. PRESENTATION RE: 41C½**

CONSENT AGENDA

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

8. APPROVAL OF MINUTES

- April 8, 2019 (Approve)

9. TRANSFERS

- TRAN049_04_29_19 Pd Prk Fund \$54.5K to CIP Prk Facility \$34.5K, Ticket & Permit Expense \$20K (B&F)
- TRAN050_04_29_19 POL Fuel/Oil \$11K to POL Maint - Building \$11K (B&F)
- TRAN051_04_29_19 LIB SAL Librarian \$7.7K to LIB AV Material \$3.7K, LIB Admin Expense \$2K, LIB Supplies \$2K (B&F)
- TRAN052_04_29_19 LIB SAL Staff \$11K to LIB Maint - Building \$11K (B&F)

10. COMMUNICATIONS

- COMM142_04_29_19 Newburyport Spring Festival - 5/26-27 2019 (PS)
- COMM143_04_29_19 Cruisin' the 50s Car Show - 8/15/19 (PS)
- COMM144_04_29_19 Newburyport Fall Harvest Festival - 10/13-14 2019 (PS)
- COMM145_04_29_19 Witches' Night Out - 10/18/19 (PS)
- COMM146_04_29_19 Downtown Trick or Treat - 10/25/19 (PS)
- COMM147_04_29_19 Invitation Nights - 12/6, 12/13, 12/20 2019 (PS)
- COMM148_04_29_19 Bed Race - 8/1/2019 (PS)
- COMM149_04_29_19 Newburyport Art Walk - 5/4/19 (PS)
- COMM150_04_29_19 5th Annual Harborside Half Marathon & 5K - 11/10/19 (PS)
- COMM151_04_29_19 A-Frame Variance Request - Wellsco, LLC (L&P)

11. APPOINTMENTS

Re-Appointments

- APPT097_04_29_19 Peter M. Blaiwas 61 Pleasant St #717 Human Rights Comm 5/1/2022
- APPT098_04_29_19 Thomas Getz 36 Broad St Human Rights Comm 5/31/2022

Refer to Planning & Development

- APPT099_04_29_19 Stephen G. DeLisle 195 High St ZBA 5/31/2020

ALL ITEMS NOTED BELOW ARE REMOVED FROM THEIR RESPECTIVE COMMITTEES WITH THE MOTION TO APPROVE THE CONSENT AGENDA:

Budget & Finance

- TRAN045_04_08_19 Pd Prk Fund \$99.5K to Prk Clk/Admin \$5K, Prk PT Enforcement Officers \$64K, Prk Supplies \$2.5K, Prk Ticket/Permit Exp \$28K
- TRAN046_04_08_19 Health Insurance \$2,160 to LCM Clerical \$2,160
- TRAN047_04_08_19 Gen Fund - Free Cash \$6K to Spec Needs Parks Equip \$6K
- TRAN048_04_08_19 Mult Accts \$1,668,067.29 to Mult Accts \$1,668,067.29

License & Permit

- APPT093_04_08_19 Bruce Bergwall 32B Bromfield St License Comm 5/1/2025

Public Safety

- APPT090_03_11_19 Dr. Sam A. Merabi 7 Brown Sq Board of Health 4/1/2022
- COMM129_03_25_19 Annual 8th Pan Mass Challenge Kids Ride – 06/09/2019
- COMM130_03_25_19 Cultural Survival Bazaar – July 20-21 2019
- COMM131_03_25_19 Alzheimer’s Association Ride to End Alzheimer’s – 06/23/2019
- COMM133_03_25_19 9th Annual GNOCA 5K Run/Walk 09/22/2019
- COMM137_04_08_19 IPA 5K - 5/19/2019, 7/14/2019, 9/8/2019
- COMM140_04_08_19 Sip, Shop, SupPORT - 5/10/2019
- COMM141_04_08_19 Dr. Sam A. Merabi Resume *as requested*

**END OF CONSENT AGENDA
REGULAR AGENDA**

12. MAYOR’S UPDATE

13. COMMUNICATIONS

- **COMM120_03_11_19** Central Congregational Grant Award Letter (**TABLED**)

14. APPOINTMENTS

Second Reading

- APPT092_04_08_19 Ron Ziembra 58 Lime St, #1 Comm Pres Act Comm (rep. Hist Comm) 4/1/2022

Re-Appointments

- APPT094_04_08_19 Donald F. Little 6 Cottage Ct Comm Pres Act Comm 5/1/2022
- APPT095_04_08_19 Brian Greenberg 29 Lafayette St Disabilities Comm 3/1/2022

15. ORDERS

- ORDR097_04_29_19 Council on Aging Van Gift Acceptance \$25K
- ORDR098_04_29_19 FY19 Revolving Fund Spending Limit Increase

- ORDR099_04_29_19 Band Uniforms Gift Acceptance \$2190
- ORDR100_04_29_19 Resolution Recognizing NHS 2019 Valedictorian and Salutatorians

16. ORDINANCES

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17. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

Budget & Finance

In Committee:

- ORDR007_01_29_18 41C Amendment
- COMM112_02_11_19 Memo re: Fire-Based EMS Cost/Benefit Analysis
- ORDR091_03_11_19 41C-1/2 Ballot Question (COTW)
- ORDR092_03_11_19 41C-1/2 Adjustments (COTW)
- TRAN041_03_25_19 Free Cash \$54.5K, RRFA Sale of Municipal Bldgs \$54.5K to CIP NHS Exterior Woodwork \$109K
- COMM134_03_25_19 FY2020-FY2024 Capital Improvement Program Submission
- **TRAN045_04_08_19 Pd Prk Fund \$99.5K to Prk Clk/Admin \$5K, Prk PT Enforcement Officers \$64K, Prk Supplies \$2.5K, Prk Ticket/Permit Exp \$28K**
- **TRAN046_04_08_19 Health Insurance \$2,160 to LCM Clerical \$2,160**
- **TRAN047_04_08_19 Gen Fund - Free Cash \$6K to Spec Needs Parks Equip \$6K**
- **TRAN048_04_08_19 Mult Accts \$1,668,067.29 to Mult Accts \$1,668,067.29**

Education

In Committee:

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General Government

In Committee:

- COMM139_04_08_19 Communication from Kopelman & Paige re: Closed Legal Matters

License & Permits

In Committee:

- COMM029_04_30_18 Outdoor Seating – West Row Café
- COMM104_01_14_19 Seacoast Taxi - Application by Richard Hewlett for 2019
- **APPT093_04_08_19 Bruce Bergwall 32B Bromfield St License Comm 5/1/2025**

Neighborhoods and City Services

In Committee:

- ORDR048_06_13_16 Sidewalk Order
- COMM111_10_10_17 Petition for Road Repairs and Repaving – Squires Glen
- ODNC028_11_26_18 Parks & Recreation Fees

Planning & Development

In Committee:

- ODNC008_02_12_18 Disposition of G. W. Brown School
- ODNC014_04_30_18 Amendment to Demolition Delay
- ORDR086_01_28_19 CPC FY2019 Amended Recommendation for Affordable Housing Trust Funds
- ODNC029_01_28_19 Zoning Map Amendment – Storey Ave South

- COMM115_02_11_19 Conservation Restriction - 3 & 5 Collins Farm Road
- ORDR087_02_11_19 Preservation Restriction Agreement – 28-30 Pleasant Street
- ODNC030_03_25_19 Zoning - Amend Article XXVII Downtown Overlay District
- **APPT096_04_08_19 Richard Person 4 Wrights Ct Redevelopment Authority** **4/10/2022**

Public Safety

In Committee:

- ODNC009_02_12_18 Floating Homes, Houseboats, and Related Marinas
- COMM087_09_24_18 Ltr re: Coffin Street
- COMM116_02_25_19 Toward Zero Waste Newburyport Initiative *(full text available)* (COTW)
- **COMM128_03_25_19 Open Streets 2019 - Newburyport Parks Dept – 06/23/2019**
- **COMM129_03_25_19 Annual 8th Pan Mass Challenge Kids Ride – 06/09/2019**
- **COMM130_03_25_19 Cultural Survival Bazaar – July 20-21 2019**
- **COMM131_03_25_19 Alzheimer’s Association Ride to End Alzheimer’s – 06/23/2019**
- **COMM133_03_25_19 9th Annual GNOCA 5K Run/Walk 09/22/2019**
- ODNC031_03_25_19 Regulation of the Use of Pesticides
- **APPT090_03_11_19 Dr. Sam A. Merabi 7 Brown Sq Board of Health** **4/1/2022**
 - **COMM136_04_08_19 Yankee Homecoming 2019 - 7/26-8/4**
 - **COMM137_04_08_19 IPA 5K - 5/19/2019, 7/14/2019, 9/8/2019**
 - **COMM138_04_08_19 Newburyport Lions Club YHC Road Race - 7/30/2019**
 - **COMM140_04_08_19 Sip, Shop, SupPORT - 5/10/2019**
 - **COMM141_04_08_19 Dr. Sam A. Merabi Resume as requested**
 - ORDR094_04_08_19 Traffic Changes - Green, Pleasant, and Titcomb Streets
 - ORDR095_04_08_19 Resolution Promoting Awareness of Sewage Pollution in Public Water

Public Utilities

In Committee:

- COMM122_11_27_17 Mobilitie Application/Small Cell Utility Petition (re-file)
- ODNC022_05_29_18 Addition to Chapter 5, Article 6 - Small Cell Sites
- ORDR096_04_08_19 Solar Alternative On-Bill Credits

Rules Committee

In Committee:

- ORDR057_08_27_18 Amendment to Council Rule 12A

17. GOOD OF THE ORDER

18. ADJOURNMENT

nationalgrid

NEWBURYPORT
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2019 APR -1 AM 11:12

March 26, 2019

The City Council of Newburyport, Massachusetts

To whom it may concern:

Enclosed please find a petition of NATIONAL GRID, covering NATIONAL GRID 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 **978 725 1418**

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Lisa Ayres; 1101 Turnpike Street; North Andover, MA 01845

Very truly yours,

Dave Johnson/lla

Dave Johnson
Supervisor, Distribution Design

Enclosures

Questions contact – John Butler 978-725-1415

PETITION FOR POLE AND WIRE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Newburyport, Massachusetts

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

Low St. - National Grid to relocate (1) SO pole on Low St. Relocate pole 54-1 approximately 50 feet at customers request for new driveway access.

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 – Low St. - Newburyport, Massachusetts.

27986621

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

March 26, 2019

Newburyport

Questions contact – John Butler 978-725-1415

ORDER FOR POLE AND WIRE LOCATIONS

In the City of Newburyport, Massachusetts

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

that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 26th day of March 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 – Low St. - Newburyport, Massachusetts.

27986621 Filed with this order:

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

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

Low St. - National Grid to relocate (1) SO pole on Low St. Relocate pole 54-1 approximately 50 feet at customers request for new driveway access.

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

Massachusetts

City/Town Clerk.
20__

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

Attest:
City/Town Clerk

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

NATIONAL GRID

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

City/Town Clerk.

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Board or Council of Town or City, Massachusetts

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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 , 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



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

April 3, 2019

Dear Property Owner:

Notice is hereby given that a Public Hearing will be held on the petition of National Grid to relocate (1) SO pole on Low Street. Relocate pole 54-1 approximately 50 feet at customers request for new driveway access.

Said meeting will be held on Monday, April 29, 2019 at 7:15 PM in the City Council Chamber, City Hall, 60 Pleasant St., 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

42/ 21/ / /
HIGGINS FORREST A TRS
FORREST A HIGGINS NOMINEE TRST
196 LOW ST
NEWBURYPORT, MA 01950

42/ 22/ / /
KELLY ALEXANDRIA LISETTE
194 LOW ST
NEWBURYPORT, MA 01950

98/ 8/C / /
CHAISSON DAVID P
197 LOW ST
NEWBURYPORT, MA 01950

98/ 8/D / /
KEEGAN JOHN R
JEAN F WALLACE T/E
199 LOW ST
NEWBURYPORT, MA 01950



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

April 3, 2019

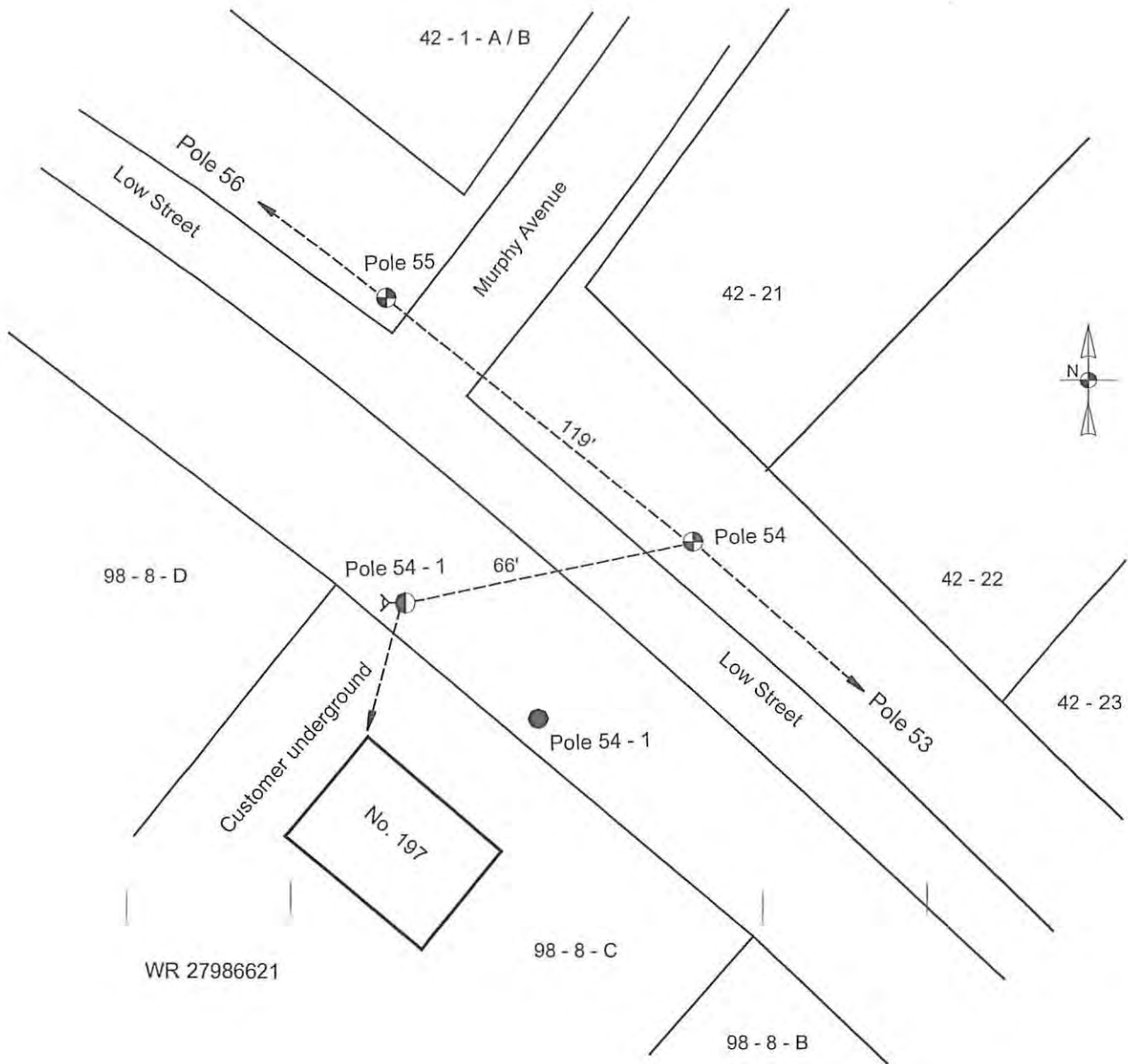
TO: Richard Jones, City Clerk

FROM: Board of Assessors

RE: Low Street – Relocate pole 54-1 approximately 500 feet at customers request for new driveway access.

The attached are the abutters to the above described location:

Jill Brennan



POLE PETITION	nationalgrid
<ul style="list-style-type: none"> Proposed NGRID Pole Locations Existing JO Pole Locations Existing Pole Locations to be removed Pole anchor 	<p>Date: March 8, 2019</p> <p>Work Request Number: 27986621</p> <p>To Accompany Petition Dated: March 8, 2019</p> <p>To The: City Of Newburyport</p> <p>For Proposed Relocation Pole:54-1 Location: 197 Low St.</p>
DISTANCES ARE APPROXIMATE	

Ngrid

Questions contact – John Butler 978-725-1415

ORDER FOR POLE AND WIRE LOCATIONS

In the City of Newburyport, Massachusetts

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

that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 26th day of March 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 – Low St. - Newburyport, Massachusetts.

27986621 Filed with this order:

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

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

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Massachusetts

City/Town Clerk.
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Received and entered in the records of location orders of the City/Town of
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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

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

City/Town Clerk.

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Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 , and recorded with the records of location orders of the said City, Book , 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

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES

CITY COUNCIL CHAMBERS

APRIL 8, 2019

7:30PM

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

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS – Version 2 3/25/19 minutes, ORDR096_04_08_19

Motion to waive the rules, to allow late files, by Councillor Zeid, seconded by Councillor Tontar. So voted.

5. PUBLIC COMMENT

1. Robert Uhlig	174 Merrimac St	Dissolution of NRA
2. Rebecca Brodish	26 Summit Pl	Parking
3. Jordan Becker	7 Sanborn Terr, Amesbury	Employee Parking
4. Robin Spero	123 Atlantic Ave, Salisbury	Employee Parking
5. Jordan Cashman	18 Whittier Ave, Amesbury	Employee Parking
6. Ginny Eramo	28R Toppans Ln	Parking
7. Don Little	6 Cottage Ct	CPA Appointment
8. David Strand	10 Railroad St	Dissolution of NRA
9. Bruce Bergwall	32B Bromfield St	Licensing Appointment
10. Bill Harris	56 Lime St	Dissolution of NRA
11. Tom Salemi	16 Tyng St	Dissolution of NRA
12. Elizabeth Heath	25 Oak St	Dissolution of NRA
13. Sandra Small	25 Oak St	Dissolution of NRA
14. Dale Granger-Eckert	89 Lime St	Go Purple
15. Molly Ettenborough		Solar
16. Rhonda McManus	58 Merrimac St	Parking
17. Pam Ketchum	15 Washington St	Dissolution of NRA

6. MAYOR'S COMMENT

The Mayor gave a verbal update.

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

- March 25, 2019 *Version 2*

(Approve)

8. TRANSFERS

- TRAN045_04_08_19 Pd Prk Fund \$99.5K to Prk Clk/Admin \$5K,
Prk PT Enforcement Officers \$64K, Prk Supplies \$2.5K, Prk Ticket/Permit Exp \$28K

(B&F)

- TRAN046_04_08_19 Health Insurance \$2,160 to LCM Clerical \$2,160 (B&F)
- TRAN047_04_08_19 Gen Fund - Free Cash \$6K to Spec Needs Parks Equip \$6K (B&F)
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9. COMMUNICATIONS

- COMM136_04_08_19 Yankee Homecoming 2019 - 7/26-8/4 (PS)
- COMM137_04_08_19 IPA 5K - 5/19/2019, 7/14/2019, 9/8/2019 (PS)
- COMM138_04_08_19 Newburyport Lions Club YHC Road Race - 7/30/2019 (PS)
- COMM139_04_08_19 Communication from Kopelman & Paige re: Closed Legal Matters (GG)
- COMM140_04_08_19 Sip, Shop, SupPORT - 5/10/2019 (PS)
- COMM141_04_08_19 Dr. Sam A. Merabi Resume *as requested* (PS)

10. APPOINTMENTS

First Reading

- APPT092_04_08_19 Ron Ziemba 58 Lime St, #1 Comm Pres Act Comm (rep. Hist Comm) 4/1/2022

Refer to License & Permit

- APPT093_04_08_19 Bruce Bergwall 32B Bromfield St License Comm 5/1/2025

Re-Appointments

- APPT094_04_08_19 Donald F. Little 6 Cottage Ct Comm Pres Act Comm 5/1/2022
- APPT095_04_08_19 Brian Greenberg 29 Lafayette St Disabilities Comm 3/1/2022

ALL ITEMS NOTED BELOW ARE REMOVED FROM THEIR RESPECTIVE COMMITTEES WITH THE MOTION TO APPROVE THE CONSENT AGENDA:

Committee Items - Budget & Finance

- TRAN042_03_25_19 – Health Ins \$28.5K to PRK PT/Seasonal Labor \$28.5K
- TRAN043_03_25_19 – Free Cash \$28K to CIP Slope Mower Purchase \$28K
- TRAN044_03_25_19 – CIP Reserv Terr Wall Constr \$22.5K to CIP PI Beach Dune \$22.5K
- ORDR093_03_25_19 – Gift of Artwork from Scott Signore
- ORDR090_03_11_19 – Parking Garage Rates
- COMM135_03_25_19 – Ltr from Chamber of Commerce re: Parking Permits in Garage

Committee Items - Public Safety

- ORDR031_04_30_18 No Parking Titcomb from Pleasant to Merrimac
- ORDR032_04_30_18 No Parking Merrimac St from Titcomb St Running Westerly
- COMM126_03_11_19 Go Purple for Alzheimer's - 6/15/2019

END OF CONSENT AGENDA

REGULAR AGENDA

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

11. MAYOR'S UPDATE

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

12. COMMUNICATIONS

- COMM120_03_11_19 Central Congregational Grant Award Letter (TABLED)

Motion to remove from table by Councillor Zeid, seconded by Councillor Tontar. Motion to table by Councillor Zeid, seconded by Councillor Devlin. So voted.

13. ORDERS

- ORDR094_04_08_19 Traffic Changes - Green, Pleasant, and Titcomb Streets
Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Giunta. So voted.
- ORDR095_04_08_19 Resolution Promoting Awareness of Sewage Pollution in Public Water
Motion to refer to Public Safety by Councillor Khan, seconded by Councillor Giunta. So voted.
- ORDR096_04_08_19 LATE FILE Solar Alternative On-Bill Credits
Motion to refer to Public Utilities by Councillor Zeid, seconded by Councillor Eigerman. So voted.

14. ORDINANCES

- NONE

15. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

Budget & Finance

In Committee:

- ORDR007_01_29_18 41C Amendment
- COMM112_02_11_19 Memo re: Fire-Based EMS Cost/Benefit Analysis
- **ORDR090_03_11_19 Parking Garage Rates**
Motion to approve (Comm vote 3-0) by Councillor Tontar, seconded by Councillor Zeid. So voted.
- ORDR091_03_11_19 41C-1/2 Ballot Question (COTW)
- ORDR092_03_11_19 41C-1/2 Adjustments (COTW)
- TRAN041_03_25_19 Free Cash \$54.5K, RRFA Sale of Municipal Bldgs \$54.5K to CIP NHS Exterior Woodwork \$109K
- **TRAN042_03_25_19 Health Ins \$28.5K to PRK PT/Seasonal Labor \$28.5K**
Motion to approve (Comm vote 2-1, Zeid) by Councillor Tontar, seconded by Councillor Khan... So voted (2 no – Eigerman, Zeid; 1 absent – OBrien).
- **TRAN043_03_25_19 Free Cash \$28K to CIP Slope Mower Purchase \$28K**
Motion to approve by Councillor Tontar, seconded by Councillor Khan... So voted.
- **TRAN044_03_25_19 CIP Reserv Terr Wall Constr \$22.5K to CIP PI Beach Dune \$22.5K**
Councillor Eigerman recused. Motion to approve by Councillor Tontar, seconded by Councillor Khan. So voted.
- COMM134_03_25_19 FY2020-FY2024 Capital Improvement Program Submission
- **COMM135_03_25_19 Ltr from Chamber of Commerce re: Parking Permits in Garage**
Motion to receive and file by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **ORDR093_03_25_19 Gift of Artwork from Scott Signore**
Motion to approve (Comm vote 3-0) by Councillor Tontar, seconded by Councillor Zeid. So voted.

Education

Handout for School Committee Budget from Councillor Giunta

In Committee:

-

General Government

In Committee:

-

License & Permits

In Committee:

- COMM029_04_30_18 Outdoor Seating – West Row Café
- COMM104_01_14_19 Seacoast Taxi - Application by Richard Hewlett for 2019

Neighborhoods and City Services

In Committee:

- ORDR048_06_13_16 Sidewalk Order
- COMM111_10_10_17 Petition for Road Repairs and Repaving – Squires Glen
- ODNC028_11_26_18 Parks & Recreation Fees

Planning & Development

In Committee:

- **ODNC003 01 29 18 Zoning - Amendment to Table of Use Regulations**

Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Eigerman, seconded by Councillor Zeid. So voted.

- ODNC008_02_12_18 Disposition of G. W. Brown School

- **ORDR024 04 09 18 Special Act to Dissolve Newburyport Redevelopment Authority (COTW)**

Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 7 yes, 3 no (Giunta, Khan, Shand), 1 absent (OBrien). Motion passed. Motion to amend by substituting amendment of April 4, 2019, by Councillor Eigerman, seconded by Councillor Vogel. Motion to amend, insert the following language as a new Section 4: “The City shall reserve any monies transferred to the City pursuant to Section 2 above in addition to no less than 100% of any ongoing meter revenues generated from parking on the land solely for the purposes of design, construction, maintenance, or operation of an extended Waterfront Park, as designated in this Order under Article 97. Such funds shall be placed into a separate, designated Receipts Reserved for Appropriation fund for these purposes as improvements to the public realm.”, by Councillor Zeid, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (OBrien). Motion to amend, add Section 9: “The City of Newburyport commits to designing, funding, and building a Waterfront Park, in accordance with the will of the Residents of the City of Newburyport. On a best-efforts basis, the design shall be consistent with the principles and references documented in “COMM067_05_30_17” – Ad Hoc Central Waterfront Committee agreed upon by the Newburyport City Council in May of 2017 by a 10-0 (1 absent) vote.”, by Councillor Zeid, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (OBrien). Motion to amend with the language of the proposed amendment, update April 4, 2019 amendment to include updated language in sections 4 and 9, by Councillor Eigerman, seconded by Councillor Vogel. Roll call vote, 9 yes, 1 no (Khan), 1 absent (OBrien). Motion to approve as amended by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 9 yes, 1 no (Khan), 1 absent (OBrien). Motion passed.

APPOINTMENTS

- APPT096_04_08_19 Richard Person 4 Wrights Ct Redevelopment Authority 4/10/2022
Motion to refer to Planning & Development by Councillor Khan, seconded by Councillor Devlin. Withdrawn. Taken up with Planning & Development committee items, after ORDR024_04_09_18. Motion to refer to Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted.

- ODNC014_04_30_18 Amendment to Demolition Delay

- **COMM105 01 14 19 Ltr re: Newport Condominiums**

Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Eigerman, seconded by Councillor Zeid. So voted.

- ORDR086_01_28_19 CPC FY2019 Amended Recommendation for Affordable Housing Trust Funds
- ODNC029_01_28_19 Zoning Map Amendment – Storey Ave South
- COMM115_02_11_19 Conservation Restriction - 3 & 5 Collins Farm Road
- ORDR087_02_11_19 Preservation Restriction Agreement – 28-30 Pleasant Street
- **APPT088_02_25_19 Wilbur Shenk 1 Beck St Waterfront Trust 12/1/2024**
Motion to remove APPT088_02_25_19, APPT089_03_11_19, and APPT091_03_25_19 collectively from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to approve collectively by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 10 yes, 1 absent (OBrien) Motion passed.
- **COMM123_03_11_19 Comprehensive Update to the Newburyport Zoning Ordinance**
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Eigerman, seconded by Councillor Zeid. So voted.
- **APPT089_03_11_19 Paul Healy 8 N St Conservation Comm 5/1/2022**
- **COMM132_03_25_19 Free Standing Sign - 3 Perkins Way**
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to approve subject to removal of existing signs by Councillor Eigerman, seconded by Councillor Zeid. So voted.
- **APPT091_03_25_19 Rick Taintor 10 Dexter St Planning Board 04/01/2020**
- ODNC030_03_25_19 Zoning - Amend Article XXVII Downtown Overlay District

Public Safety

In Committee:

- ODNC009_02_12_18 Floating Homes, Houseboats, and Related Marinas
- **ORDR031_04_30_18 No Parking Titcomb from Pleasant to Merrimac**
Motion to receive and file by Councillor Devlin, seconded by Councillor Zeid. So voted.
- **ORDR032_04_30_18 No Parking Merrimac St from Titcomb St Running Westerly**
Motion to receive and file by Councillor Devlin, seconded by Councillor Zeid. So voted.
- COMM087_09_24_18 Ltr re: Coffin Street
- COMM116_02_25_19 Toward Zero Waste Newburyport Initiative (*full text available*) (COTW)
- **COMM124_03_11_19 2019 Chamber of Commerce Events**
Motion to approve by Councillor Devlin, seconded by Councillor Giunta. So voted.
- **COMM126_03_11_19 Go Purple for Alzheimer's – 6/15/2019**
Motion to approve by Councillor Devlin, seconded by Councillor Zeid. So voted.
- COMM128_03_25_19 Open Streets 2019 - Newburyport Parks Dept – 06/23/2019
- COMM129_03_25_19 Annual 8th Pan Mass Challenge Kids Ride – 06/09/2019
- COMM130_03_25_19 Cultural Survival Bazaar – July 20-21 2019
- COMM131_03_25_19 Alzheimer's Association Ride to End Alzheimer's – 06/23/2019
- COMM133_03_25_19 9th Annual GNOCA 5K Run/Walk 09/22/2019
- ODNC031_03_25_19 Regulation of the Use of Pesticides
- APPT090_03_11_19 Dr. Sam A. Merabi 7 Brown Sq Board of Health 4/1/2022

Public Utilities

In Committee:

- COMM122_11_27_17 Mobilitie Application/Small Cell Utility Petition (re-file)
- ODNC022_05_29_18 Addition to Chapter 5, Article 6 - Small Cell Sites

Rules Committee

In Committee:

- ORDR057_08_27_18 Amendment to Council Rule 12A

Motion to waive the Rules to extend the Council meeting past 11:00pm...by Councillor Zeid, seconded by Councillor Tontar. So voted.

16. EXECUTIVE SESSION – to discuss strategy with respect to the following legal matters, litigation, and other negotiations: 115 Water Street Acquisition; Collective Bargaining and Grievances; Central Congregational Church, United Church of Christ v. City of Newburyport Planning Board; Evergreen Commons; Habeeb, et. al. v. Teixeira, et. al.; McConnell, et. al. v. Bonnie Sontag, et. al.; Raymond v. Mark Murray (Marshal of Police); The Cottages at Plum Island, LLC v. Atkinson et. al.
Motion to go in to Executive Session by Councillor Zeid, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed. 10:52pm. Councillor Connell announced that the City Council would not return to Open Session. Motion to go out of Executive Session by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.

19. GOOD OF THE ORDER

Councillor Tontar stated that Capital Improvement Program hearing on Monday, April 22nd at 7pm.

20. ADJOURNMENT

Motion to adjourn by Councillor Zeid, seconded by Councillor Giunta. So voted. 11:25pm.

TRANSFERS



City of Newburyport

FY 2019

BUDGET TRANSFER REQUEST

CITY OF NEWBURYPORT, MA
APR 23 PM 3:46

Department: Planning & Development / Parking Clerk

Submitted by: Andrew R. Port, Richard B. Jones

Date Submitted: 4/29/2019

Transfer From:

Account Name	<u>Paid Parking Fund</u>	YTD Bal:	<u>\$ 1,013,876.95</u>
Account Number:	<u>2739-59600</u>	Category:	<u>\$ -</u>
Amount:	<u>\$54,500.00</u>	Trans I/O:	<u>\$ (259,500.00)</u>

Why are Funds Available: This fund is a receipts reserved for appropriation account. Funding sources include parking fees, violations and parking permits. Current year transfers out included \$30,000 for a parking vehicle, \$130,000 for new parking kiosks and \$99,500 to the parking operating budget. YTD balance reflects FY20 budgeted expenditures for the parking program and parking-related debt service.

Transfer To:

Account Name	<u>CIP Parking Facility</u>	YTD Bal:	<u>\$ 1,611,081.44</u>
Account Number:	<u>3605-49700</u>	Category:	<u>\$ -</u>
Amount:	<u>\$34,500.00</u>	Trans I/O:	<u>\$ -</u>


Why are Funds Needed: A traffic flow study, as required by the Planning Board (see excerpt attached), was not included in the budget for the parking garage and should start soon after the facility opens. The study will analyze the impact of the garage on traffic flow. Based on their findings, the consultant will make recommendations to the City regarding traffic flow improvements, such as changing the direction of streets, signaling, technology, business delivery schedules, and changes to parking rates to minimize cruising.

Transfer To:

Account Name	<u>Ticket & Permit Expense</u>	YTD Bal:	<u>\$ (1,733.59)</u>
Account Number:	<u>01293004-55800</u>	Category:	<u>\$ 1,567.13</u>
Amount:	<u>\$20,000.00</u>	Trans I/O:	<u>\$ -</u>

Why are Funds Needed: The City has discontinued its three year contract with Complus Data. As such, the Parking Clerk negotiated a greatly reduced settlement of \$20,000 to terminate the contract early. Consolidating with one vendor for parking payments, permitting and ticketing results in much improved technology integration, as well as, significant cost savings that will more than cover the early termination fee.

Donna D. Holaday, Mayor
Ethan R. Manning, Auditor




Date:

Date:

4/23/19

4/23/19

certification, made by a registered architect or civil engineer, that what was constructed is consistent with approved plans and conditions set forth by the Planning Board as part of this Site Plan approval.

9. Should there be any discrepancy in the above referenced plans and/or drawings, all landscaping, plantings and screening improvements shall be installed in accordance with the above referenced and approved drawing sheet C-07 entitled "Landscape Plan."
10. Any proposed material change to the use, size, configuration, footprint or height of the existing or proposed buildings shall require an amendment of this permit, this approval having been based on a review of the buildings and site design as presented to the board on the above referenced drawings.
11. This Site Plan and Special Permit approvals are valid for two years from the date from filing with the City Clerk, unless an extension is requested by the applicant and approved by the Board prior to expiration.

Special Conditions

1. Prior to issuance of a **Building Permit** for the proposed facility the applicant shall provide the following additional documents for review and approval of the Planning Board at a regular meeting without the need to advertise for a public hearing:
 - a. **Specifications for the proposed lighting fixtures**, including rooftop lights and façade lighting, along with a photometric plan to confirm that the proposed facility will not project any undue glare onto adjacent properties. If possible, the applicant shall install rooftop lighting fixtures only along the center "spandrel" line running east-west through the facility (*set back from the outside walls*). All rooftop lighting fixtures shall be "shoebox"-style dark sky glare-cutoff fixtures directing light onto the rooftop parking level and not onto adjacent properties.
 - b. **Design and/or specifications for the proposed façade signage.**
 - c. **A stormwater management plan**, including an Operation & Maintenance (O&M) Plan for any stormwater drainage systems associated with the proposed facility, along with confirmation of final peer review approval from the Board's consulting engineer (CSI).
2. **Prior to issuance of an Occupancy Permit by any vehicles, including municipal, the applicant shall provide the following additional documents to the Planning Board:**
 - a. The final **Phase II Traffic Impact Study**, addressing potential traffic from the proposed facility as well as "future build" conditions that may result from additional development proposed by New England Development (NED) in the so-called "Waterfront West" area and opening of the so-called "Merrimac Ale House" (*now under construction*). Said Study shall include consideration of potential traffic impacts to the intersection at Merrimac Street and Route One as well as the downtown area in general.
 - b. **A Traffic Flow Study and Management Plan. The City shall provide evidence of a signed/executed contract in place with a traffic consultant with specific traffic flow management experience to develop a traffic flow study and management plan for downtown Newburyport. The minimum geographic scope shall include the area bounded by Kent Street, Merrimac St. (through Market Square) along Water Street, up Federal Street and along High Street back to Kent Street. The consultant shall**

begin observations immediately after the garage is open. The consultant shall, if necessary make short term recommendations to improve traffic flow. The consultant shall study traffic for at least one full summer season (May 1 to Sept 30) at least six times during the anticipated peak congestion times. The consultant shall recommend traffic flow improvements including, but not limited to:

- i. Changing the direction of any street, making any street one way, or two way
- ii. Removing or adding signalization to any pedestrian or street intersection
- iii. Using technology to synchronize flow
- iv. Considering the delivery schedule impacts of businesses in the geographic area
- v. Changes to parking rates to minimize cruising for parking

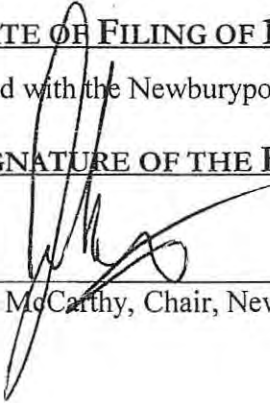
c. The results of an air quality analysis on and associated with operation of the proposed new parking facility at this location. The scope of the study shall include an estimate of how many cars idling for what amount of time would create need for additional engineering (*to mitigate air quality conditions at the proposed site*).

3. **Traffic Management During Construction:** During construction the applicant shall work with the Newburyport Police Department to manage construction activities both on- and off-site and to prevent traffic delays on surrounding streets.
4. **No Bus Idling:** The applicant shall prohibit idling of any buses using the proposed bus stop on Merrimac Street.
5. **Reduction in Waterfront Parking Spaces:** The City shall continue to work diligently and cooperatively with the Newburyport Redevelopment Authority (NRA) to identify no less than one hundred (100) spaces on the NRA's central waterfront parking lots which will be removed (*in order to facilitate park expansion thereon*) commensurate with opening of the proposed parking facility. Commensurate with the issuance of an Occupancy Permit for the proposed parking facility the City shall report to the Planning Board and City Council on the status and timeline for reduction of waterfront parking spaces in consultation with the NRA. Within 15 days of the flow study identified and submitted under Special Condition (2)(b) above, the City shall request that the NRA provide specific plans for the removal of no less than one hundred (100) spaces on the NRA's central waterfront parking lots, such plans to be provided to the City within seventy-five (75) days thereafter. The NRA's response and/or plans relative thereto shall be forwarded to the Planning Board, Mayor and City Council accordingly.

DATE OF FILING OF DECISION

Filed with the Newburyport City Clerk on 7/18/17.

SIGNATURE OF THE BOARD



Jim McCarthy, Chair, Newburyport Planning Board

7/18/17

Date



City of Newburyport

FY 2019

BUDGET TRANSFER REQUEST

CITY CLERK'S OFFICE
NEWBURYPORT, MA

23 PM 2:58

Department: Police Department

Submitted by: Mark R. Murray, Marshal

Date Submitted: 4/29/2019

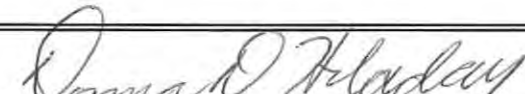
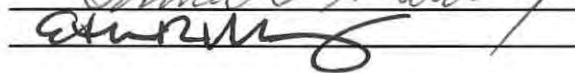
Transfer From:

Account Name	<u>POL Fuel/Oil</u>	YTD Bal:	<u>\$ 19,959.87</u>
Account Number:	<u>01210004-54801</u>	Category:	<u>\$ 39,776.84</u>
Amount:	<u>\$11,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Available:	<u>A surplus is anticipated at year-end due to fuel prices.</u>		

Transfer To:

Account Name	<u>POL Maint-Building</u>	YTD Bal:	<u>\$ 10,627.07</u>
Account Number:	<u>01210002 52401</u>	Category:	<u>\$ 55,922.29</u>
Amount:	<u>\$11,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Needed:	<u>The HVAC system in the dispatch area has failed and needs to be replaced.</u>		
	<u>The total cost of the replacement unit is \$19,145.</u>		

Donna D. Holaday, Mayor
Ethan R. Manning, Auditor

Date: 4/23/19
Date: 4/23/19



CITY OF NEWBURYPORT

POLICE DEPARTMENT

MARK R. MURRAY
CITY MARSHAL

4 GREEN STREET
NEWBURYPORT, MA 01950

TEL: 978-462-4411

FAX: 978-462-0396

April 17, 2019

To: City Council
From: City Marshal Mark Murray
Re: Transfer

City Council Members,

I am requesting a transfer for the amount \$11,000 from Fuel/Vehicles 01210004-54801 to Maintenance of Building and Grounds 01210002-52401. The HVAC system in the dispatch area in the police station has failed and needs to be replaced. In order to make the area comfortable for working we had to purchase a stand-alone system which provided a short term fix until we could appropriate money for the repairs.

Mark Murray

City Marshal



City of Newburyport

FY 2019

BUDGET TRANSFER REQUEST

CITY CLERK'S OFFICE
NEWBURYPORT, MA

2019 APR 23 PM 2:58

Department: Library

Submitted by: Giselle Stevens, Head Librarian

Date Submitted: 4/29/2019

Transfer From:

Account Name	<u>LIB SAL Librarian</u>	YTD Bal:	<u>\$ 26,855.22</u>
Account Number:	<u>01610001-51101</u>	Category:	<u>\$ 263,036.62</u>
Amount:	<u>\$7,700.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Available:	<u>A surplus is anticipated at year-end due to new personnel.</u>		

Transfer To:

Account Name	<u>LIB Audio-Visual Material</u>	YTD Bal:	<u>\$ (3,159.44)</u>
Account Number:	<u>01610002 55101</u>	Category:	<u>\$ 40,331.75</u>
Amount:	<u>\$3,700.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Needed:	<u>Required materials expenditure is not fully funded by municipal budget - this transfer will be applied to the deficit.</u>		

Transfer To:

Account Name	<u>LIB Admin Expense</u>	YTD Bal:	<u>\$ 340.48</u>
Account Number:	<u>01610002 55101</u>	Category:	<u>\$ 40,331.75</u>
Amount:	<u>\$2,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Needed:	<u>Additional staff training and regional and statewide meeting travel will be funded by this transfer, as well as, added marketing materials.</u>		

Transfer To:

Account Name	<u>LIB Supplies</u>	YTD Bal:	<u>\$ (166.43)</u>
Account Number:	<u>01610002 55101</u>	Category:	<u>\$ 40,331.75</u>
Amount:	<u>\$2,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Needed:	<u>The cost of materials supplies and paper has risen.</u>		

Donna D. Holaday, Mayor
Ethan R. Manning, Auditor

Donna D. Holaday
Ethan R. Manning

Date:

Date:

4/22/19

4/23/19



City of Newburyport

FY 2019

BUDGET TRANSFER REQUEST

CITY OF NEWBURYPORT OFFICE
NEWBURYPORT, MA

2019 APR 23 PM 3:16

Department: Library
Submitted by: Giselle Stevens, Head Librarian **Date Submitted:** 4/29/2019

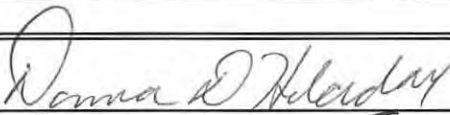

Transfer From:

Account Name	<u>LIB SAL Staff</u>	YTD Bal:	<u>\$ 236,181.40</u>
Account Number:	<u>01610001-51156</u>	Category:	<u>\$ 263,036.62</u>
Amount:	<u>\$11,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Available:	<u>A surplus is anticipated at year-end due to staff vacancies.</u>		

Transfer To:

Account Name	<u>LIB Maint-Building</u>	YTD Bal:	<u>\$ 116.25</u>
Account Number:	<u>01610002-52402</u>	Category:	<u>\$ 40,331.75</u>
Amount:	<u>\$11,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Needed:	<u>The HVAC system for the library requires repairs prior to the start of summer in order to cool the building.</u>		

Donna D. Holaday, Mayor
 Ethan R. Manning, Auditor

Date: 4/23/19
 Date: 4/23/19

COMMUNICATIONS



38R Merrimac Street, Newburyport, MA 01950

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

www.newburyportchamber.org

info@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 Sunday, May 26 – Monday, May 27, 2019 from 12:00PM – 6:00PM. We ask for permission to utilize the Bullnose, Inn Street, and in parking spaces along the western half of State Street from Market Square to Pleasant. We ask permission for live music to be played in the Bullnose as well as the placement of booths. Parking spaces as listed above will be for Chamber members, non-profits, and crafters to have booths.

Sincerely,

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: Newburyport Spring Festival

Date: Sunday + Monday, May 26 - May 27 Time: from 12:00 PM to 6:00 PM
Rain Date: _____ Time: from _____ to _____

2. Location: Bullnose, Inn Street, State Street

3. Description of Property: State St, western parking spaces, square → Pleasant St Public Private _____

4. Name of Organizer: Greater Newburyport Chamber City Sponsored Event: Yes _____ No
Contact Person Elisabeth Hurley
Address: 38R Merrimac St. Newburyport Telephone: 978-572-1494
E-Mail: charley@newburyportchamber.org Cell Phone: 508-212-8289
Day of Event Contact & Phone: Elisabeth →

5. Number of Attendees Expected: ~500 / day

6. MA Tax Number: _____

7. ^{will be} Is the Event Being Advertised? Yes Where? Social media, press releases

8. What Age Group is the Event Targeted to? Young Families

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No _____, Who? _____
will notify abutters if approved

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

A. Vending: Food Beverages Alcohol _____ Goods _____ Total # of Vendors 5 food / barage

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** 30' **Recycling** _____
 - ii. Name of disposal company: **Trash** G-Mello **Recycling** _____
 - iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes _____ No _____
 - iv. If no, where will the trash & recycling be disposed? _____

Dumpster placed behind chamber office.

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: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	_____
		<input type="checkbox"/> Yes: \$ _____ due on _____	<input type="checkbox"/> No Fee for Special Events applies
		Other requirements/instructions per DPS _____	_____
_____	10.	Recreation Department:	_____
_____	11.	License Commission	_____

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

Limitations

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

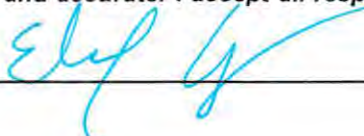
- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers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

13-101 Enforcement

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

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

Signed: _____



Date: _____

04/09/2019



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
9/21/2018

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

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

PRODUCER Eastern Insurance Group LLC 233 West Central St Natick MA 01760		CONTACT NAME: Alex Campbell PHONE (A/C, No., Ext): 978-225-6361 FAX (A/C, No.): E-MAIL ADDRESS: acampbell@easterninsurance.com	
INSURED Greater Newburyport Chamber of Commerce Inc 38 R Merrimac Street Newburyport MA 01950		INSURER(S) AFFORDING COVERAGE INSURER A: Philadelphia Insurance Company INSURER B: NorGuard INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES CERTIFICATE NUMBER: 18 GL, WC 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	ADOL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		PHPK1861216	8/5/2018	8/5/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	GRWC980485	4/23/2018	4/23/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

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

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

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38R Merrimac Street, Newburyport, MA 01950

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

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,

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 '50s 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 if 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  4/23/19 60 Pleasant St.

DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

Limitations

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

- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.
- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
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- (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



CITY CLERK'S OFFICE
NEWBURYPORT, MA

38R Merrimac Street, Newburyport, MA 01950

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

2019 APR 11 PM 1:32

www.newburyportchamber.org

info@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 Sunday, October 13 – Monday, October 14, 2019 from 12:00PM – 6:00PM. This longstanding event will feature booths for Chamber members, non-profits, and crafters. We request the use of Inn Street and parking spaces along the western half of State Street from Market Square to Pleasant Street for booths. Lastly, we request use of the Bullnose for live music and booths.

Sincerely,

A handwritten signature in blue 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: Newburyport Fall Harvest Festival

Date: Sun. Oct 13 - Oct 14, 2019 Time: from 12:00PM to 6:00PM

Rain Date: _____ Time: from _____ to _____

2. Location: Bullnose, Inn Street, State Street

3. Description of Property: Western parking spaces State Square → Pleasant Public Private _____

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

Contact Person: Elisabeth Hurley

Address: 38R Merrimack St. 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: ~400/day

6. MA Tax Number: _____

7. Is the Event Being Advertised? will be Yes Where? social media, press releases

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

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

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

A. Vending: Food Beverages Alcohol _____ Goods _____ Total # of Vendors 5 food/beverage 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** 30' **Recycling** _____
 - ii. Name of disposal company: **Trash** G Mello **Recycling** _____
 - iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No
 - iv. If no, where will the trash & recycling be disposed ? _____
Dumpster placed behind chamber office

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? _____



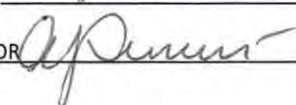
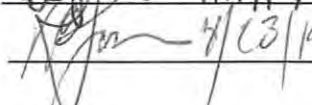
9. Formation Location & Time for Participants: _____

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: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	
	<input type="checkbox"/> Yes: \$_____ due on _____	<input type="checkbox"/> No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
___	10. Recreation Department:	_____
___	11. License Commission	_____

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

Limitations

- (a) *"Procedure"* All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place the application on the regular City Council agenda. Upon following the procedures of the Council, as deemed appropriated in the sole judgment of the Council, the application will be considered approved if the Council votes favorably by majority. The event will name one person responsible on the application and shall provide contact information to include name, address and telephone number.
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- (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.
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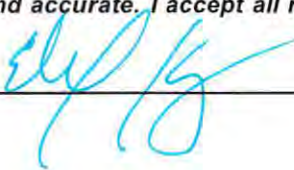
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- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
- (g) *"Event termination"* If in 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



38R Merrimac Street, Newburyport, MA 01950

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

www.newburyportchamber.org

info@newburyportchamber.org

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

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

This annual adult-friendly event mimics an Invitation night but with a Halloween theme. The goal of this event is to stimulate downtown foot traffic and encourage spending in the City of Newburyport on Friday, October 18, 2019 from 6:00PM – 9:00PM. Attendees walk along the downtown shops, restaurants, and cafes and are encouraged to dress in Halloween attire.

Sincerely,

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: Witches' Night Out

Date: Friday, October 18, 2019 Time: from 6:00PM to 9:00PM

Rain Date: _____ Time: from _____ to _____

2. Location: Downtown shops, The Tannery, Merrimac Place, Harboris Yard

3. Description of Property: _____ 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: charley@newburyportchamber.org Cell Phone: 508-212-8259

Day of Event Contact & Phone: Elisabeth →

5. Number of Attendees Expected: ~ 300

6. MA Tax Number: _____

7. Is the Event Being Advertised? will be Where? social media, shops/flyers

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

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

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

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

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

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

Name of Carnival Operator: _____

Address: _____

Telephone: _____

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

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

If yes:

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

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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

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

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

5. Start Time: _____ Expected End Time: _____

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

- Number of Floats: _____

- Locations of Viewing Stations: _____

- Are Weapons Being Carried: Yes _____ No _____

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

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

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

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

Deposits 4/14/15
[Signature] 4/28/15

DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

Limitations

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

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

13-101 Enforcement

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

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

Signed: _____

[Handwritten signature]

Date: _____

04/09/2019



38R Merrimac Street, Newburyport, MA 01950

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

www.newburyportchamber.org

info@newburyportchamber.org

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

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

This event was also created by the Chamber's retail committee and is targeted towards the City's youngest residents. On the Friday before Halloween, October 25, 2019, young children in costume accompanied by an adult are encouraged to visit downtown Newburyport and the Tannery from 4:00PM – 5:00PM. Chamber members provide treats to children in costume.

Sincerely,

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: Downtown Trick or Treat

Date: Friday, October 25, 2019 Time: from 4:00 PM to 5:00 PM
Rain Date: _____ Time: from _____ to _____

2. Location: Downtown Newburyport, The Tannery, Harbor's Yard, Merrimac Place

3. Description of Property: _____ Public _____ Private _____

4. Name of Organizer: Greater Newburyport Chamber City Sponsored Event: Yes _____ No
Contact Person: Elisabeth Hurley
Address: 58R Merrimac St. Telephone: 978.572.1494
E-Mail: ehurley@newburyportchamber.org Cell Phone: _____
Day of Event Contact & Phone: _____

5. Number of Attendees Expected: ~ 250

6. MA Tax Number: _____

7. Is the Event Being Advertised? will be yes Where? social media, flyers, in shops

8. What Age Group is the Event Targeted to? young families

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No _____, Who? will if 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 _____
- b) # of recycling container(s) to be provided by Recycling Office _____
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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

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

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

5. Start Time: _____ Expected End Time: _____

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

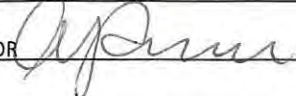

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

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

CITY MARSHAL  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: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	
	<input type="checkbox"/> Yes: \$ _____ due on _____	<input type="checkbox"/> No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
_____	10. Recreation Department:	_____
_____	11. License Commission	_____

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

Limitations

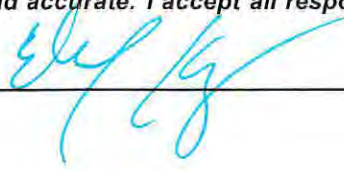
- (a) *"Procedure"* All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place the application on the regular City Council agenda. Upon following the procedures of the Council, as deemed appropriated in the sole judgment of the Council, the application will be considered approved if the Council votes favorably by majority. The event will name one person responsible on the application and shall provide contact information to include name, address and telephone number.
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- (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).
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- (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.
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- (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

CITY CLERK'S OFFICE
NEWBURYPORT, MA

38R Merrimac Street, Newburyport, MA 01950

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

2019 APR 11 PM 1:33

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:

This event is traditionally held the first three Fridays of December. This year's dates are Friday, December 6, 13, and 20, 2019. Downtown merchants stay open late and offer merchant hospitality as well as shopping specials. Shoppers will walk along the downtown shops, restaurants, and cafes from 6:00PM – 9:00PM. This is an event that draws both locals and visitors and also markets dining and shopping in the City of Newburyport. Invitation Nights help promote the City, support the local economy, and encourage return visits to Newburyport. Additionally, as completed for the last several decades, we will work closely with the Department of Public Services to erect a Christmas tree in the Bullnose and decorate the lampposts for the holidays.

Sincerely,

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: Invitation Nights

Date: Fridays, December 6, 13, 20, 2019 Time: from 6:00 PM to 9:00 PM

Rain Date: _____ Time: from _____ to _____

2. Location: Downtown Newburyport, Merrimac Place, The Tannery, Horton's Yard


3. Description of Property: _____ Public _____ Private _____

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

Contact Person: Elisabeth Hurley

Address: 38 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: ~250/night

6. MA Tax Number: _____

7. Is the Event Being Advertised? will be yes Where? social media, flyers, press releases, signs

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

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

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

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

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

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

Name of Carnival Operator: _____

Address: _____

Telephone: _____

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

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

If yes:

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

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

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: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	
	<input type="checkbox"/> Yes: \$ _____ due on _____	<input type="checkbox"/> No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
_____	10. Recreation Department: _____	
_____	11. License Commission _____	

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

Limitations

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

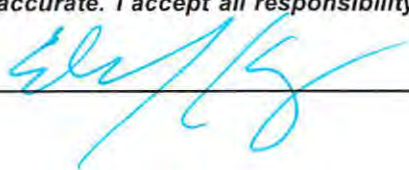
- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers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

13-101 Enforcement

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

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

Signed: _____



Date: _____

04/09/2019

NEWBURYPORT SPECIAL EVENT APPLICATION OFFICE
NEWBURYPORT, MA

Tel.

Fax.

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

710 APR 23 PM 1:28

NAME OF EVENT: Bed Race

Date: Aug 1 2019 Time: from 5:30 pm to 7:30 pm

Rain Date: Aug 2 2019 Time: from 5:30 pm to 7:30 pm

2. Location: Federal Street

3. Description of Property: City Street Public Private

4. Name of Organizer: Lions Club City Sponsored Event: Yes No

Contact Person Chad McDonald

Address: 33 Low St Newburyport Telephone: 978 - 314 - 9000

E-Mail: cem2020@gmail.com Cell Phone:

Day of Event Contact & Phone: 978 - 314 - 9000

5. Number of Attendees Expected: ≈ 2000 - 2500

6. MA Tax Number: 51-0230184

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

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

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 N/A 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 ? Bins @ 33 Low St

If no:

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

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

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

0 Standard # 0 ADA accessible

Name of company providing the portable toilets: _____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____ BED ROAD RACE X WALKATHON _____

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

2. Name, Address & Daytime Phone Number of Organizer: Chad McDonald 33 Low St Newburyport
978-314-9000

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Same as # 2 above

4. Date of Event: Aug 1 2019 Expected Number of Participants: 120-150 Participants
2000-2500 Spectators

5. Start Time: 5:30 pm Expected End Time: 7:30 pm

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

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

8. Will Detours for Motor Vehicles Be Required? Yes If so, where? Federal St Access Streets

9. Formation Location & Time for Participants: Upper End of Federal St

10. Dismissal Location & Time for Participants: Lower End of Federal St

11. Additional Parade Information:
- Number of Floats: 20-25
 - Locations of Viewing Stations: Federal Street Sidewalks
 - Are Weapons Being Carried: Yes _____ No X
 - Are Marshalls Being Assigned to Keep Parade Moving: Yes X No _____

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

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 4/16/19 0 Greenleaf St.
DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.
4/18/19

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.

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

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) *Enforcement.*

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

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

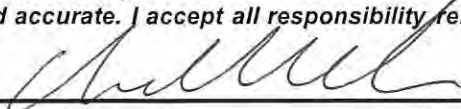
(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance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

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

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

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

Signed: _____



Date: _____

4/10/19



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/22/2019

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

PRODUCER DSP Insurance 1900 E. Golf Road, Suite 650 Schaumburg, IL 60173	CONTACT NAME: John Adams	
	PHONE (A/C, No, Ext): 1-800-316-6705 FAX (A/C, No): 847-934-6186 E-MAIL ADDRESS: lionsclubs@dspins.com	
INSURED Newburyport Lions Club Newburyport Massachusetts	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: ACE American Insurance Company	22667
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Agg. Per Named Insured is \$2,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			HDOG71094972	09/01/2018	09/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			ISAH25159226	09/01/2018	09/01/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

Provisions of the policy apply to the named insureds participation in the following activity during the policy period shown above: Bed Race 8/1/2019 (rain date 8/2/2019)

The following persons or organizations granting use of real property, including structures thereon are included as Additional Insured(s), but only with respect to General Liability arising out of the use of premises by the insured shown above and not out of the sole negligence of said additional insured.
City Of Newburyport
PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES

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

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NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

2019 APR 11 AM 11:30
CITY OF NEWBURYPORT, MA

NAME OF EVENT: Newburyport ArtWalk

Date: May 4, 2019 Time: from 10 am to 6 pm

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

2. Location: Bullnose

3. Description of Property: looking to have tent with info Public Private _____

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

Contact Person

Address: 14 Maple St West Newbury MA Telephone: 978-317-2030

E-Mail: julie@cookbowe.com / newburyportartwalk@gmail.com Cell Phone: _____

Day of Event Contact & Phone: Julie Cook 978-317-2030 978-317-2030

5. Number of Attendees Expected: 100-300

6. MA Tax Number: _____

7. Is the Event Being Advertised? yes Where? social media, Newburyport Chamber

8. What Age Group is the Event Targeted to? adults + all ages

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

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

If no:

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

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

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least

one ADA accessible toilet)

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

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:

Newburyport ArtWalk

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

Julie Cook 14 Maple St. West Newbury MA 01985
978-317-2030

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

Julie Cook 14 Maple St. West Newbury MA 01985
978-317-2030

4. Date of Event: May 4, 2019 Expected Number of Participants: 100-350

5. Start Time: 10 am Expected End Time: 6 pm

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

Bullnose

7. Locations of Water Stops (if any):

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

9. Formation Location & Time for Participants:

10. Dismissal Location & Time for Participants:

11. Additional Parade Information:

- Number of Floats: _____
- 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] 4/8/19 4 Green St.

FIRE CHIEF [Signature] 4/9/19 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.

<i>Approval Required</i>	Date: _____	Signature _____
___	1. Special Events:	_____
___	2. Police:	_____
	Is Police Detail Required: _____	# of Details Assigned: _____
___	3. Traffic, Parking & Transportation:	_____
___	4. ISD/Health:	_____
___	5. Recycling:	_____
___	6. ISD/Building:	_____
___	7. Electrical:	_____
___	8. Fire:	_____
	Is Fire Detail Required: _____	# of Details Assigned: _____
___	9. Public Works: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	
	Yes: \$ _____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
___	10. 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 harbormasters departments prior to submission to the city clerk.

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

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

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

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

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

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

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

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(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: _____

Julie Cook

Date: _____

4/3/19



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/18/2019

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

PRODUCER Eastern Insurance Group LLC 233 West Central St Natick MA 01760		CONTACT NAME: Cliff Adams PHONE (A/C, No, Ext): (800) 333-7234 E-MAIL ADDRESS: CLAdams@easterninsurance.com FAX (A/C, No):	
INSURED Society For The Development of Arts & Humanities of Newburyport/ The Firehouse One Market Square Newburyport MA 01950		INSURER(S) AFFORDING COVERAGE INSURER A: Peerless Insurance Company INSURER B: AM Trust Group INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 18-19 Master

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	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			BKS56739503	8/11/2018	8/11/2019	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
							MED EXP (Any one person)	\$ 15,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
							Liquor Liability	\$ 1,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			BKS56739503	8/11/2018	8/11/2019	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 5,000			USO56739503	8/11/2018	8/11/2019	EACH OCCURRENCE	\$ 1,000,000
							AGGREGATE	\$ 1,000,000
								\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	TWC3730890	8/25/2018	8/25/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
							E.L. EACH ACCIDENT	\$ 100,000
							E.L. DISEASE - EA EMPLOYEE	\$ 100,000
							E.L. DISEASE - POLICY LIMIT	\$ 500,000

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

The City of Newburyport is named as additional insured with respect to general liability as required by written contract.

CERTIFICATE HOLDER**CANCELLATION**

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

John Koegel/CADMAM

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NEWBURYPORT
 NEWBURYPORT, MA
 2019 APR 17 PM 1:25



Newburyport City Council

April 10, 2019

Re: Road Race Request

Councilors,

We formally request permission to conduct a half marathon and 5K road race in Newburyport on Sunday, November 10, 2019. This will be the 5th Annual Harborside Half Marathon and 5K.

The event will start near 40 Parker Street and finish at Michael's Harborside. We have already secured permission from the Director of the Parks Department for the use of the Clipper Trail. The event will bring many people to Newburyport to stay over for the weekend at local hotels and dine in local restaurants.

Police: We have submitted the course plan to Police Lieutenant Siemasko and will work with the department on an approved safety plan.

Insurance: The race will have a \$1 Million per occurrence and \$2 Million general aggregate liability insurance policy that names the City as additional insured. A certificate of insurance will be sent to City Clerk, Richard Jones.

Race Course: The half marathon race course spends about half of its 13-mile length on Newburyport roads, with another mile on the Clipper Trail. The remainder of the course is on rural roads in West Newbury. Both courses are essentially the same as last year. Please see course maps included with the Special Event Permit application.

ALL Police and ambulance expenses to be paid by the race.

Event Information

The event will have 1,200 - 1,500 runners and about that number of spectators coming from all over New England and locally. Volunteer groups from the Newburyport area will be encouraged to help out with the race in a variety of duties including registration, water stops, start and finish areas.

Thank you for your consideration in allowing us to present this event.
 We welcome your comments, suggestions and, of course, approval.

Sincerely,

Arlon A. Chaffee
 Co-Founder, Loco Sports, LLC

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. 603-659-2824

Fax.

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

NAME OF EVENT: 5th Annual Harborside Half Marathon & 5K

Date: November 10, 2019 Time: from 9AM to 12:30PM

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

2. Location: Start: 40 Parker St. Finish: Michael's Harborside

3. Description of Property: Start: Parking Lot Finish: Restaurant & grounds Public _____ Private Y

4. Name of Organizer: Loco Sports, LLC City Sponsored Event: Yes _____ No N

Contact Person Arlon Chaffee

Address: PO Box 423 Newmarket NH 03857 Telephone: o:603-659-2824 m:603-682-9954

E-Mail: arlon@locorunning.com Cell Phone: _____

Day of Event Contact & Phone: Arlon Chaffee 603-682-9954

5. Number of Attendees Expected: 1,500

6. MA Tax Number: N/A

7. Is the Event Being Advertised? Yes Where? Facebook

8. What Age Group is the Event Targeted to? Ages 16-80

9. Have You Notified Neighborhood Groups or Abutters? Yes Y No _____, Who? Notice signs on route week before event.

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

A. Vending: Food 1 Beverages 1 Alcohol 1 Goods _____ Total # of Vendors 3

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ _____ Radio/CD _____
Performers _____ Dancing _____ Amplified Sound Announcer 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 Y No _____

If yes:

- a) How many trash receptacles will you be providing? 16 managed by our crew
- b) How many recycling receptacles will you be providing? 8 managed by our crew
- c) Will you be contracting for disposal of : **Trash** Yes _____ No N **Recycling** Yes _____ No N
 - 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 ? Finish host venue's compactor dumpsters

If no:

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

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

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

40 Start/5 Finish Standard # 2 Start/1 Finish ADA accessible

Name of company providing the portable toilets: Dave's Septic

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE _____

ROAD RACE Yes _____

WALKATHON _____

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

Loco Sports, LLC

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

Arlon Chaffee

PO Box 423 Newmarket NH 03857

m:603-682-9954

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

Arlon Chaffee

PO Box 423 Newmarket NH 03857

m:603-682-9954

4. Date of Event: Sunday November 10, 2019 Expected Number of Participants: 1,500

5. Start Time: 9AM Expected End Time: 12:30PM

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

2 distances - half marathon & 5K - see attached course maps

7. Locations of Water Stops (if any): 50 Parker St, Middle St

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

9. Formation Location & Time for Participants: 7:45 to 8:45AM at 40 Parker St

10. Dismissal Location & Time for Participants: 10AM to 12:30PM at Michael's Harborside

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] 4/3/19 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.

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

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

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

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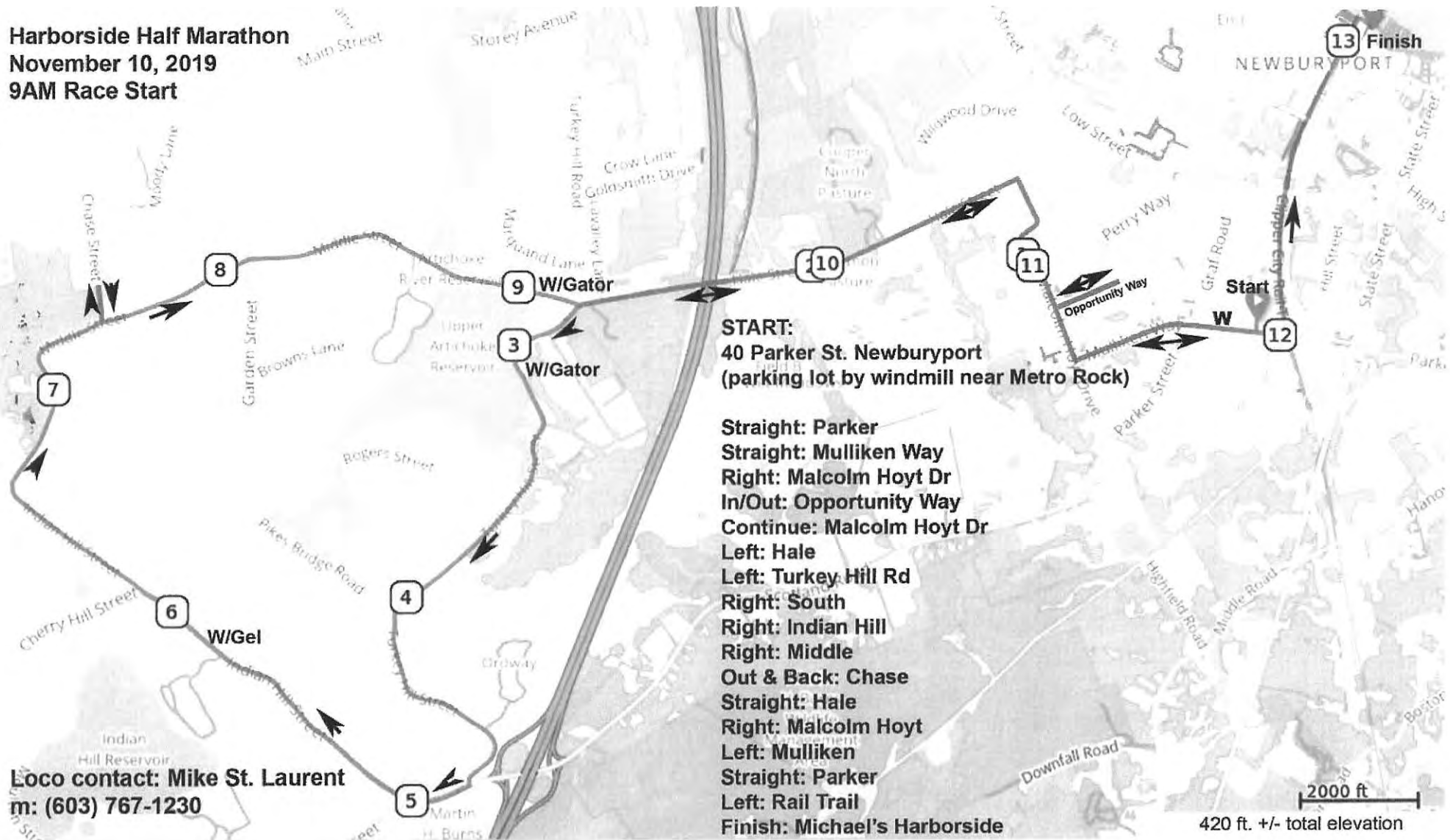
Signed: _____

Anton Q. Chaffee

Date: March 22, 2019

Harborside Half Marathon
November 10, 2019
9AM Race Start

Loco contact: Mike St. Laurent
m: (603) 767-1230



Harborside 5K

Sunday November 10, 2019

Start: 9AM

Presented by LOCO Sports

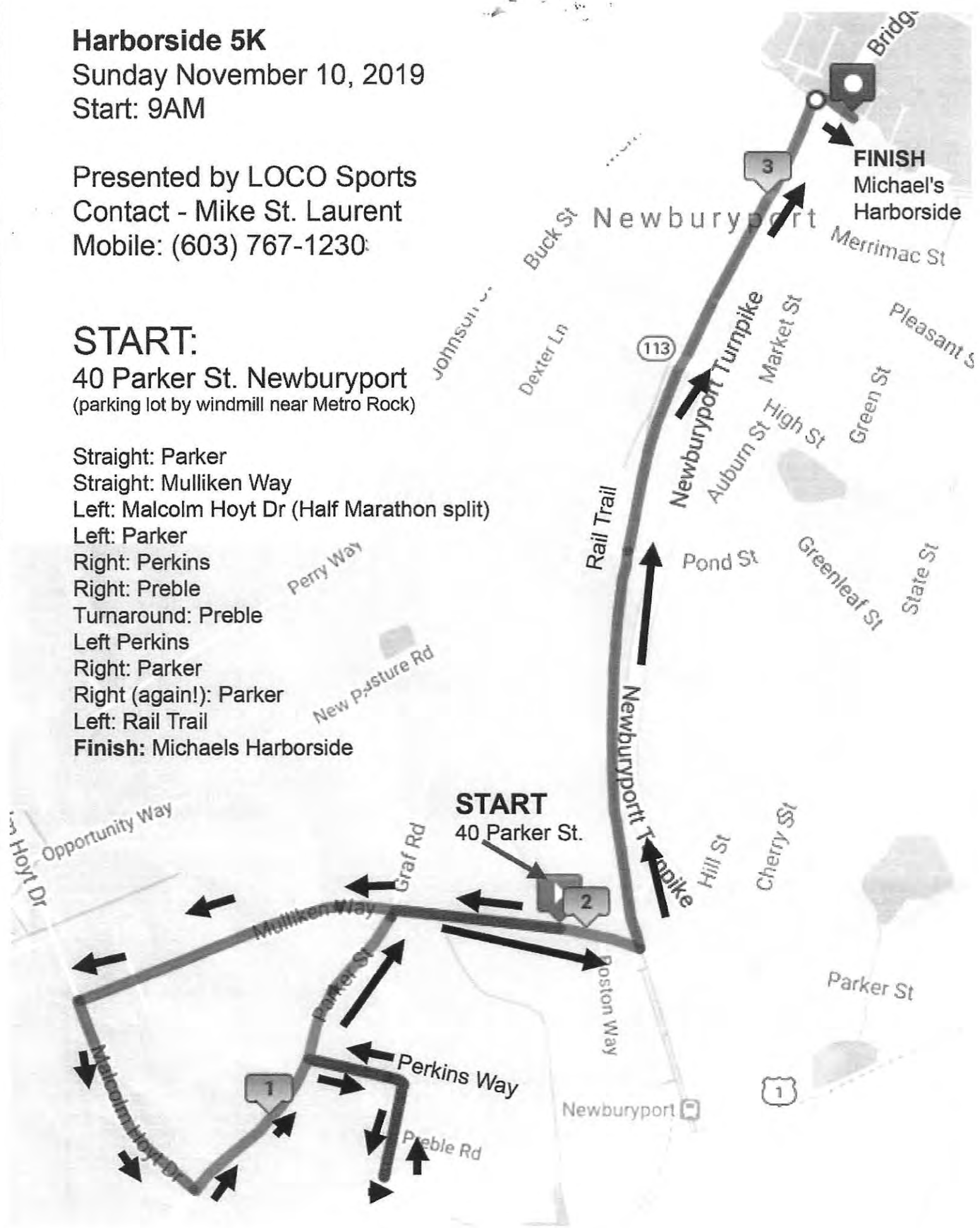
Contact - Mike St. Laurent

Mobile: (603) 767-1230

START:

40 Parker St. Newburyport
(parking lot by windmill near Metro Rock)

- Straight: Parker
- Straight: Mulliken Way
- Left: Malcolm Hoyt Dr (Half Marathon split)
- Left: Parker
- Right: Perkins
- Right: Preble
- Turnaround: Preble
- Left Perkins
- Right: Parker
- Right (again!): Parker
- Left: Rail Trail
- Finish:** Michaels Harborside



Permit Issued: # _____

APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY

Application Fee \$100.00

2019 APR 22 AM 8:56

Date: _____

FOR CITY CLERK'S OFFICE ONLY

Date Recorded _____

Expiration Date: _____

Amount Paid _____

To the City Council of the City of Newburyport:

The undersigned requests that he/she may be granted permission to place one (1) movable sign on public property and private rights-of-way open to the public. This permission will only be effective for the listed location, and will be subject to all of the terms, conditions, and limitations set forth in the Newburyport Code of Ordinances, and any applicable State and Federal laws and any condition prescribed by the City Council and/or City Departments, including, but not limited to, those conditions appearing below.

Name of applicant Wells, John

Home address of applicant 1 Gove Dr.

City, State, Zip of applicant Newburyport MA 01950

Telephone of applicant 978-518-1481

Name of business Wellsco LLC

Address of business 40R Merrimac St, Newburyport


Telephone of business 978-518-1481

Description of the location and movable sign to placed on the Public Way.

A-Frame at entrance to Water Front Trust Lot

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

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

Signature of Applicant or Duly Authorized Agent 

Date 3/25/19



CERTIFICATE OF LIABILITY INSURANCE

OP ID: GOGL

DATE (MM/DD/YYYY)

03/27/2019

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 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 Macdonald & Pangione Insurance 104 Main Street North Andover, MA 01845 Craig S Childs	CONTACT NAME: Hannah Courtemanche AAI CISR	
	PHONE (A/C, No, Ext): 978-688-6921 FAX (A/C, No): 978-688-5350	
	E-MAIL ADDRESS: hannah@mpins.net	
	PRODUCER CUSTOMER ID #: WELLS-1	
INSURED Wellsco LLC John P. Wells 40R Merrimac St, Suite 101e Newburyport, MA 01950	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Hartford Fire Insurance Co	19682
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	X		08SBANW8864	12/09/2018	12/09/2019	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (PER ACCIDENT) \$
	<input type="checkbox"/> HIRED AUTOS						\$
	<input type="checkbox"/> NON-OWNED AUTOS						\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DEDUCTIBLE						\$
	RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATU-TORY LIMITS
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						OTHER
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$
A	Property			08SBANW8864	12/09/2018	12/19/2019	BPP 114,100 DED 1,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
City of Newburyport is listed as an additional insured

CERTIFICATE HOLDER**CANCELLATION**

CITYOFN 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 Craig S Childs
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**APPOINTMENTS
FIRST READING**



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

APR 17 2:19:05

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
Subject: Re-Appointment
Date: April 16, 2019

Donna D. Holaday

I hereby re-appoint, subject to your confirmation, the following named individual as a member of the Human Rights Commission. This term will expire on May 1, 2022.

Peter M. Blaiwas
61 Pleasant Street #717
Newburyport, MA 01950

Peter M. Blaiwas Graphic Design Consultant

Summary More than 20 years experience overseeing all phases of design and production of high quality, image driven four-color books; design [book covers and interiors](#), design and art direction of marketing materials; design and conceptualization of [information graphics](#), posters, banners, signage, and exhibition design; [logo design, brand development and implementation](#); budget and schedule management; fee negotiation, hiring, supervision, and management of freelance graphic designers. Close collaboration with authors, editorial, production, sales, and marketing departments.

My exceptional design, layout, and page make-up skills, fluency in Adobe InDesign, Illustrator, Photoshop, QuarkXPress, and all MS Office applications allow me to offer complete production services at competitive rates.

Experience

1994–Present **Freelance design and art direction** for a wide range of high-profile clients including Abbeville Press; Bulfinch Press; Henry Holt; Houghton Mifflin; Little, Brown and Company; MIT Press; Pearson; St. Martin's Press. I have been awarded fifteen New England Book Show and BookBuilders West Awards, three New England Museum Association Awards, four American Association of University Press Awards, and my work has been featured in Print's Regional Design Annual.

1994–2014 **Vern Associates, Inc., Amesbury, MA / President, Cofounder, Creative Director**
Cofounded a full-service graphic design, production, and editorial resource for top-quality, photo and illustration-driven nonfiction titles on architecture, urban planning, travel, history, and the fine arts, including catalogs for major museums.
Clients include: Museum of Fine Arts, Boston; Peabody-Essex Museum; Sterling and Francine Clark Art Institute; Winterthur Museum; Massachusetts Institute of Technology; Harvard University; Massachusetts Bar Association; Lincoln Institute of Land Policy; University of Massachusetts Press; Yale University Press; Woods Hole Oceanographic Institution

1990–1994 **Addison-Wesley Longman Publishing Company, Reading, MA / Design Manager**
Responsible for design through production of covers and dust-jackets for more than 80 major higher-education titles per year; managed a staff of three designers and an administrator.

Education: **Pratt Institute, Brooklyn, NY: BFA with honors**

Awards: Book Industry Guild of New York (BIGNY) 2017 design award
American Association of University Presses Design awards 1995, 2004, 2006, 2017
New England Museum Association (NEMA) Publications Competition Award 2008, 2012, 2013
New England Book Show 1991–95, 1997–99, 2000, 2002, 2003, 2005, 2007, 2010, 2013
Print Regional Design Annual 1993;

Computer skills: All Adobe Creative Suite applications; Quark XPress; all Microsoft Office applications

Volunteer service: Newburyport Literary Festival, Newburyport, MA; Art director for website and all collateral print materials. www.newburyportliteraryfestival.org

Newburyport Human Rights Commission, 2015–present

Founding member of HOPE in Action Initiative to raise awareness of local area homelessness

References upon request

Contact 61 Pleasant Street, #717 Newburyport, MA 01950 978.255.4212
peter@blaiwasgraphicdesign.com www.blaiwasgraphicdesign.com



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

APR 17 2019 9:05

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
Subject: Re-Appointment
Date: April 16, 2019

Donna D. Holaday

I hereby re-appoint, subject to your confirmation, the following named individual as a member of the Human Rights Commission. This term will expire on May 31, 2022.

Thomas Getz
36 Broad Street
Newburyport, MA 01950

tcgetz@verizon.net * 978-463-6644

THOMAS J. GETZ

36 Broad Street
Newburyport, MA 01950

WORK EXPERIENCE

- 2013 - Present SUBSTITUTE TEACHER: Salisbury Elementary, Pine Grove, River Valley Charter, Brookwood, Pike, Shore Country Day, and Tower Schools
- 2012 - 2013 HILL VIEW MONTESSORI CHARTER PUBLIC SCHOOL -- Haverhill, MA
Upper Elementary (4-6) Teacher
- Trained in upper elementary Montessori teacher program
 - Developed parent rapport with communication, conferences, and student exhibitions
- 2010 - 2012 SUBSTITUTE TEACHER: multiple grades at Andover School of Montessori, Brookwood, Glen Urquhart, Pike, Shore Country Day, and Tower Schools
- 2009 - 2010 RIVER VALLEY CHARTER SCHOOL – Newburyport, MA
Upper Elementary (4-6) Assistant Teacher
- Organized Montessori math curriculum for 5th and 6th year students
 - Encouraged cooperation and fostered self-confidence in multi-age classroom
- 1997 - 2009 *Founding Member*
- As co-founder, co-wrote charter application for public Montessori school
 - Hired initial and subsequent Head of School and top level staff
- 1991 - 2009 MARBLEHEAD PUBLIC SCHOOLS – Marblehead, MA
Grade Five Teacher
- Demonstrated growth of 110% in mathematics over a six year period
 - Adapted *Everyday Math* program for academically weak and strong students
- 1989 - 1991 *Principal of Glover (K-5) and Eveleth (K-2) Schools*
- Created successful 2/3 combination class and two all-day kindergarten classes

SKILLS

Student

- Motivate students' effort by providing choices that utilize their abilities, interests, and learning styles, using positive reinforcement and humor
- Empower students to develop self-understanding (metacognition) of their strengths and interests while mutually developing a plan for improvement and evaluation

Teacher

- Promote synergy through sharing successes with peers and collaboratively planning academic initiatives

Parent

- Garner parental support by educating them about curriculum, acknowledging their child's interests, strengths, and areas of concern, and frequently communicating their child's academic progress

CERTIFICATION

Massachusetts: Elementary (K-8) #162129

New Hampshire: General Elementary #293369933



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

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

RECEIVED
CITY CLERK
APR 16 AM 10:14
Donna D. Holaday

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Subject: Appointment
Date: April 16, 2019

I hereby appoint, subject to your confirmation, the following
named individual as a member of the Zoning Board of Appeals.
This term will expire on May 31, 2020.

Stephen G. DeLisle
195 High Street
Newburyport, MA 01950

STEPHEN G. DELISLE

195 High Street, Newburyport, MA | 617.620.0251 | delisle.stephen@gmail.com

March 28, 2019

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

RE: Zoning Board of Appeals Vacancy

Dear Mayor Holaday:

I write to express to you my interest in being considered as a candidate to fill the currently vacant position on the Newburyport Zoning Board of Appeals.

Currently, I am a partner in the law firm of Rubin and Rudman LLP. My practice is primarily in the area of commercial real estate, with a focus on leasing and other transactions. In addition, my practice covers contract negotiation, bankruptcies, and specialized tax cases.

I was raised in Newburyport, and together with my wife, we are now raising our children in town. My father was a member of Newburyport's Board of Health for over a decade. We are all very fortunate to be able to call such a special place "home." It is my desire to help to keep this community special—a place that people want to call "home." I believe that I can bring a relevant and polished set of skills to the Zoning Board of Appeals to assist in its critical mission. As the city moves forward into our collective future, I am hopeful that you will consider me for a role on the Zoning Board of Appeals.

I would be happy to discuss this important matter with you at your convenience.

Sincerely,



Stephen G. Delisle

Enclosure

cc: Andy Port, Planning Director

STEPHEN G. DELISLE

195 High Street • Newburyport, MA 01950 • (617) 620-0251 • delisle.stephen@gmail.com

EXPERIENCE

RUBIN AND RUDMAN LLP – Boston, MA

April 2003 – Present

Partner, Real Estate Department

- Represent clients in commercial leasing transactions, including retail, office and industrial uses. Clients include national retailers and regional owners as well as operators and managers of commercial real estate. Additional representation of clients in the acquisition, disposition and financing of commercial real estate.
- Counsel to debtors, creditors, creditors' committees, and trustees in complex bankruptcy matters involving real estate. Debtor and creditor clients include banks and other lending institutions, Fortune 500 companies, closely held businesses, and individuals.
- Represent banks and other lending institutions, Fortune 500 companies, closely held businesses, and individuals in commercial disputes, U.C.C. matters and specialized transactional matters.
- Bankruptcy experience includes negotiation and development of Chapter 11 plans of reorganization; acquisition and disposition of assets through Section 363 of the Bankruptcy Code; acquisition of debtor-in-possession financing; usage of cash collateral; and requests for modification of automatic stay.
- Transactional experience includes formation of business entities; and negotiation and drafting of commercial agreements, merger agreements and related documents, commercial loan documents, and modifications to commercial loan documents in connection with work-outs or restructurings.

FORD MARRIN ESPOSITO WITMEYER & GLESER – New York, NY

Sept. 2001 – April 2003

Associate, Litigation Group

- Practiced in the areas of commercial litigation, environmental litigation, and insurance coverage litigation.
- Drafted discovery documents, motions, and legal memoranda in complex litigations.

EDUCATION

WASHINGTON AND LEE UNIVERSITY SCHOOL OF LAW – Lexington, VA

Juris Doctor, May 2001

Activities: *Race and Ethnic Ancestry Law Journal*, Student Articles Editor

Moot Court, Negotiation, Client Counseling, and Mock Trial Competitions.

BLACK LUNG LEGAL PRACTICE CLINIC – Lexington, VA

Aug. 2000 – May 2001

Caseworker. Competitively selected to participate in clinical program representing coal miners suffering from pneumoconiosis in Department of Labor administrative proceedings.

BATES COLLEGE – Lewiston, ME

Bachelor of Arts, English Literature, June 1995

Senior Thesis: "The *Bildung* of the Hero: Amory Blaine and Stephen Dedalus"

Activities: Lacrosse – Four-year letter winner.

AFFILIATIONS

- Admitted in Massachusetts, New York, United States District Courts for the Districts of Massachusetts, and the Eastern and Southern Districts of New York.
- Massachusetts Bar Association and Boston Bar Association.

SKILLS AND INTERESTS

Proficient in written and spoken French. Enjoy fly-fishing, skiing, and mountain biking.

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

COMMUNICATIONS



CITY OF NEWBURYPORT
COMMUNITY PRESERVATION COMMITTEE

60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400 • (978) 465-4452 (FAX)

July 20, 2017

Amantha Moore
10 North Atkinson Street
Newburyport, MA 01950

Re: Community Preservation Award & Grant Agreement

Dear Amantha,

Congratulations! The Community Preservation Committee (CPC) is pleased to inform you that the Newburyport City Council voted on July 10, 2017 to appropriate Community Preservation Funds (CPA Funds) to your proposed project as follows:

Project Name:	Steeple Project: Central Congregational Church, UCC
Recipient:	Central Congregational Church, United Church of Christ
Project Location:	14 Titcomb Street
Award Amount:	\$75,000
Project Description:	To perform restoration work on the steeple and exterior of the Central Congregational Church.

In order to ensure that your project is executed as successfully as your application, please pay close attention to the following instructions and funding conditions:

1. The City contact assigned to oversee your project is Kate Newhall-Smith. The contact will perform inspections and reviews of the project as necessary. All documentation and communication with the City regarding this project shall be directed to both the CPC and the City contact person as follows:

Community Preservation Committee	AND	Kate Newhall-Smith
c/o Office of Planning and Development		Office of Planning and Development
60 Pleasant Street		60 Pleasant Street
Newburyport, MA 01950		Newburyport, MA 01950
CPC@cityofnewburyport.com		KSmith@cityofnewburyport.com

2. CPA funds shall be disbursed only after completion of the approved project or project phases more fully described in your application, incorporated by reference and conditioned herein, and after:
 - Anticipated receipt of state matching funds on or about November 15, 2017. A maximum of 75% of this award may be requested prior to receipt of the state match;
 - Receipt of final funding is conditioned upon final execution and recording of a preservation restriction agreement on the exterior of the property;
 - Approval by the City contact person of a brief narrative and invoice for payment (or reimbursement) for services completed by the contractor(s) who performed the work; and
 - Verification that all applicable state purchasing and ethics regulations, local ordinances, and financial policies have been met.

Receipt of the requested disbursement will take approximately four to six weeks following submittal of the above with the Office of Planning & Development. Invoices can be made payable to the Recipient or directly to a vendor or contractor (please provide payee's name, address, telephone number, and taxpayer identification number on a W-9 Form).

3. The recipient shall provide the CPC with quarterly progress reports on or before each January 15th, April 15th, July 15th, and October 15th during which any of the funds remain unexpended. A Final Report, including digital photo documentation of the Project if appropriate, is due within 30 days after the Completion Date.
4. Appropriated funds shall be used within twelve months, unless a written request for an extension is received and approved by the CPC. Otherwise, unused awards or portions thereof may be reclaimed as CPA Funds. Upon project completion, excess funds, if any, shall also be returned to the CPA Fund.
5. If the CPC determines that funds have been spent on goods or services not included in the application or otherwise not authorized under the CPA, the recipient shall be responsible for repayment of such funds to the CPA Fund.
6. Any significant changes to the project as limited herein shall require CPC approval. Please contact Kate Newhall-Smith (978-465-4400) to help determine whether a particular change is significant and to schedule a meeting with the CPC if necessary.
7. To raise awareness about this important program and support for the Community Preservation Act, efforts shall be made to credit this funding in written materials and with signage at the project location stating, "This project has been generously supported by the City of Newburyport Community Preservation Fund."

Please sign and return the enclosed duplicate copy of this letter to acknowledge your organization's agreement with the above terms. You may contact Kate Newhall-Smith in the Planning Office at 978-465-4400 with questions related to this award and agreement, or the Newburyport Community Preservation Program more generally.

We look forward to the successful completion of your project.

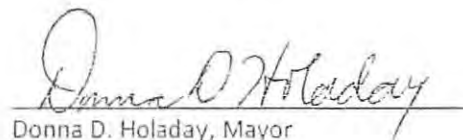
Sincerely,



Michael Dissette
Chair, Community Preservation Committee

Acknowledged and Agreed

The City of Newburyport,



Donna D. Holaday, Mayor

Central Congregational Church, United Church of Christ,

Signatory above acknowledges and affirms that he/she has the authority to execute this Agreement on behalf of Recipient

**APPOINTMENTS
SECOND READING**

SECOND READING APPOINTMENTS

- APPT092_04_08_19 Ron Ziemba 58 Lime St, #1 Comm Pres Act Comm (rep. Hist Comm) 4/1/2022

Re-Appointments

- APPT094_04_08_19 Donald F. Little 6 Cottage Ct Comm Pres Act Comm 5/1/2022
- APPT095_04_08_19 Brian Greenberg 29 Lafayette St Disabilities Comm 3/1/2022

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

Donald F. Little
6 Cottage Ct
Newburyport MA 01950

Introduction

I am pleased to submit my name to be re-appointed as an At-Large Member on the Community Preservation Committee

A lifelong resident of Newburyport, I am drawn to this position as an opportunity to make a positive difference in the allocation of the Community Preservation Act funds

I first was made aware of CPC when I attended a CPC meeting and spoke in favor of Ghlee Woodworth's gravestone restoration project

I have the commitment needed to serve on the Community Preservation Committee

Professional Experience

1987 - Present

Technical Support Engineer for AT&T / Lucent Technologies / Alcatel-Lucent / NOKIA

Education

Bachelor of Science Degree in Computer Science in 1985 from the University of Lowell

Newburyport High Class of 1981

City Involvement

At-Large Member of the Community Preservation Committee - 2010 - Present

I have attended and spoken at multiple Planning Board, Zoning Board, and School Committee meetings

For many years, I volunteered for the Parks Commission's Spring Clean-Up and for the Friends of the Public Library Book Sale

SUMMARY

A seasoned on-site and remote TypeWell® transcriber/captioner for multiple universities and colleges nationwide; writer, editor, and project manager in non-profit administration.

WORK HISTORY

2012-Present	TypeWell® Speech-To-Text Transcriber for Deaf and Hearing-Impaired Individuals
2009-Present	Free-lance Technical and Educational Writer, Words With Impact
1983-2009	Program Manager, AARP, Washington, DC

ON-SITE AND REMOTE TypeWell® Speech-To-Text Transcriber (2012 to Present)

- Remote real-time transcriber for various universities and colleges throughout the US. Transcribe a variety of science, math and humanities courses in subjects including nursing courses (anatomy, medical conditions, medications and treatments), respiratory therapy and social work.
- On-site transcriber for various universities and government organizations in the Baltimore/Washington, DC area. Transcribed a variety of subjects for high school, undergraduate and graduate students in subject areas from arts and humanities, to science and medical. Also transcribed live meetings for government agencies and conferences.
- Proficiency in TypeWell® Premium V7 transcribing software system. Proficiency in writing, language, grammar and background context in a wide variety of subject areas in the sciences, arts and humanities. Familiarity with medical terminology.

PUBLISHED PIECES

- "Volunteer Jobs Can Launch Paying Careers," [The Beacon Newspaper](#), Chevy Chase, MD
- "[The AARP/SCSEP Safety Program: A Policy/Procedure Guidebook for Project Directors and Safety Assistants](#)"

EDUCATION

M.Ed. in Continuing and Adult Education, Boston University
B.A. in Literature, Maharishi University of Management, Fairfield, IA

CERTIFICATION

TypeWell® Certification, August, 2012 at Basic Skills Level

COMMUNITY/PROFESSIONAL ORGANIZATIONS

Media/Publicity Director, Board of Directors, Newburyport Choral Society
Member, Newburyport Commission on Disabilities
Member, ATSP (Association of Transcribers and Speech-to-text Transcribers)

REFERENCES

References and recommendations provided upon request.

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 29, 2019

WHEREAS the City Council appropriated \$44,000 for the purchase of a new transportation van to be used by the Newburyport Council on Aging,

WHEREAS the Trust Fund Committee approved the expenditure of \$6,000 from the William Horton Trust for said van purchase,

NOW, THEREFORE, the CITY COUNCIL of the CITY OF NEWBURYPORT accepts with gratitude a gift from the Friends of the Council on Aging in the amount of \$25,000 for the purpose of purchasing a new transportation van to be used by the Newburyport Council on Aging in accordance with M.G.L. Chapter 44, Section 53A.

FURTHER THAT, said funds are appropriated to the existing capital project account for the van purchase (3814-49100) for a total appropriation of \$75,000.

Councillor Charles F. Tontar

THE FRIENDS OF THE NEWBURYPORT COUNCIL ON AGING, Inc.

Senior/Community Center 331 High Street, Newburyport, MA 01950 978-462-0430

www.foncoa.org

www.facebook.com/Friends-of-the-Newburyport-Council-on-Aging

April 22, 2019

Ethan Manning
Chief Financial Officer
City of Newburyport
City Hall Pleasant Street
Newburyport, MA 01950

Dear Mr. Manning,

Enclosed please find a check for \$25,000 as a contribution towards the purchase of a new Van for the Newburyport Council on Aging. This contribution is to augment city funds earmarked for this project.

This contribution was made possible by ongoing fundraising efforts undertaken by the Friends to support needs of the COA, by contributions received from the Newburyport Society for the Relief of Aged Women and the Frank L. Currier Charitable Foundation.

We are pleased to provide this financial support to improve transportation reliability and safety for all its users.

Regina Correia-Branco

Treasurer 

Ben Iacono

President 

The Friends of the Newburyport Council on Aging is a non-profit tax deductible organization under Section 501(c) (3) of the IRS code.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 29, 2019

THAT, the City Council of the City of Newburyport authorizes an increase to the spending limit for the following fund(s) for fiscal year 2019 in accordance with MGL, Chapter 44 Section 53E1/2:

<u>Account Name</u>	<u>Original FY19 Spending Limit</u>	<u>Revised FY19 Spending Limit</u>
Recreational Services	\$370,000	\$490,000
Electrical Inspector	\$60,000	\$85,000
Gas Inspector	\$40,000	\$50,000
Solid Waste	\$80,000	\$100,000

Councillor Charles F. Tontar
Chair, Budget & Finance Committee



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

DONNA D. HOLADAY
MAYOR

ETHAN R. MANNING
FINANCE DIRECTOR/CITY AUDITOR

To: President and Members of the Newburyport City Council

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

Date: April 23, 2019

Subject: FY19 Revolving Fund Spending Limits

Attached is a report showing balances in the departmental revolving funds (G.L. c. 44, §53E½). Based on spending projections through fiscal year-end, we are requesting increases to the spending limits for four revolving funds: recreational services, electrical inspector, gas inspector and solid waste.

The increase to the spending limit for the recreational services revolving fund is driven by several factors; including the elimination of the "middle school drop-in" revolving fund for FY19, increased costs of providing services due to changes in the minimum wage and inflationary pressures, and a greater number of programs offered by Newburyport Youth Services. The increase to spending limit for the electrical inspector and gas inspector revolving funds is driven by a greater number of permits issued and inspections required. Lastly, the increase to the spending limit for the solid waste revolving fund is driven by increased activity at the recycling center, compost facility and household hazardous waste days.

We will submit the request to establish spending limits for FY20 in the next month.

Thank you for your consideration.

**CITY OF NEWBURYPORT
DEPARTMENTAL REVOLVING FUNDS**

FY2019 YEAR-TO-DATE ACTIVITY
(AS OF MARCH 31, 2019)

<u>Account Name</u>	<u>Fund Code</u>	<u>Beginning Balance</u>	<u>YTD Revenue</u>	<u>YTD Expended</u>	<u>Transfers Out</u>	<u>Current Balance</u>	<u>FY19 Spending Limit</u>
Council on Aging	2802	\$30,618	\$22,855	(\$29,034)	\$0	\$24,439	\$40,000
Recreational Services	2803	\$143,264	\$494,648	(\$364,095)	\$0	\$273,817	\$370,000
Historical Commission	2804	\$8,222	\$1,025	(\$750)	\$0	\$8,497	\$2,500
Electrical Inspector	2806	\$19,452	\$98,328	(\$59,686)	\$0	\$58,094	\$60,000
Plumbing Inspector	2807	\$1,988	\$42,126	(\$40,639)	\$0	\$3,475	\$65,000
Gas Inspector	2808	\$9,337	\$30,580	(\$34,245)	\$0	\$5,671	\$40,000
Disabilities Commission	2809	\$19,317	\$4,720	\$0	(\$3,300)	\$20,737	\$3,000
Emma Andrews Library	2810	\$37,349	\$4,500	(\$14,392)	\$0	\$27,457	\$30,000
Transient Vendors	2812	\$12,040	\$10,275	(\$3,944)	\$0	\$18,372	\$20,000
Planning & Zoning	2813	\$52,535	\$43,650	(\$33,916)	\$0	\$62,269	\$70,000
Animal Control	2817	\$14,144	\$1,080	\$0	\$0	\$15,224	\$6,000
Tree Commission	2818	\$4,926	\$1,485	(\$33)	\$0	\$6,378	\$10,000
Medicare/Medicaid	2835	\$26,862	\$2,247	(\$14,428)	\$0	\$14,682	\$25,000
Veterans Services	2836	\$1,283	\$60	\$0	\$0	\$1,343	\$2,000
City Hall Maintenance	2840	\$2,003	\$1,815	(\$472)	\$0	\$3,346	\$5,000
Senior Comm. Ctr. Maint.	2841	\$27,628	\$22,574	(\$7,178)	\$0	\$43,023	\$15,000
Parks Maint.	2842	\$0	\$295	(\$295)	\$0	\$0	\$15,000
Solid Waste	2843	\$320,631	\$49,641	(\$66,653)	\$0	\$303,619	\$80,000
Assessor	2844	\$2,520	\$205	\$0	\$0	\$2,725	\$2,000

Total Revolving Funds

\$734,121

\$782,264

(\$603,106)

(\$3,300)

\$586,827

\$778,500

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 29, 2019

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from Port Performing Arts in the amount of \$2,190.00 for the purpose of completing the purchase of new uniforms for the Newburyport High School band in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Charles F. Tontar

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 23, 2019

A RESOLUTION CONGRATULATING ALL NEWBURYPORT STUDENTS ON 2019-2019 SCHOOL YEAR ACCOMPLISHMENTS WITH SPECIAL RECOGNITION OF SAMUEL ACQUAVIVA, THIS YEAR'S NEWBURYPORT HIGH SCHOOL GRADUATING CLASS VALEDICTORIAN AND ERIC CAPRI, JILLIAN GRAY, AND KATHERINE SHEEHY THIS YEAR'S NEWBURYPORT HIGH SCHOOL GRADUATING CLASS SALUTATORIANS

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

WHEREAS, The City of Newburyport highly values education as the ultimate investment in our collective futures

WHEREAS, The City's students have worked extremely hard throughout this school year to achieve excellence in all pursuits and deserve recognition for doing so

WHEREAS, The City seeks to recognize the achievements of the all of the City's students and the hard work of all those who work towards educating our children

NOW, THEREFORE, BE IT RESOLVED that:

1. Recognition of achievements. The City of Newburyport acknowledges and recognizes all students for their hard work and dedication towards their studies, extracurricular activities, sports, volunteer, work and all other pursuits
2. Sincere Congratulations. The City of Newburyport congratulates all students who will receive an award at Awards Night
3. Special Congratulations. The City of Newburyport offers special congratulations to Samuel Acquaviva, Newburyport High School's Class of 2019 Valedictorian AND Eric Capri, Jillian Gray, and Katherine Sheehy, Newburyport High School's Class of 2019 Salutatorians for their superior academic achievement.

4. Expression of Gratitude. The City wishes to extend its gratitude and appreciation to teachers, administrators, staff, coaches and other staff who work towards the education of our children
5. Best Wishes. The City of Newburyport wishes the entire Class of 2019 its best as its students move onto their next endeavors and pursuits. Know that an entire City is behind you and proud of you.

Councillor Sharif I. Zeid

Councillor Joseph H. Devlin