

**CITY COUNCIL MEETING AGENDA - VERSION 1**  
**CITY COUNCIL CHAMBERS**  
**AUGUST 14, 2017**

**7:30PM**

**(Sound Check)**

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

**CONSENT AGENDA**

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

**7. APPROVAL OF MINUTES**

July 10, 2017

(Approve)

July 13, 2017

(Approve)

**8. TRANSFERS**

- NONE

**9. COMMUNICATIONS**

- **COMM090\_08\_14\_17** Ltr re: Parking Garage (N&CS)
- **COMM091\_08\_14\_17** A-Frames - Star Nails (L&P)
- **COMM092\_08\_14\_17** Ltr re: Suprin's Driving School Road Test (PS)
- **COMM093\_08\_14\_17** Bartlet Mall Day - 10/7/17 (PS)
- **COMM096\_08\_14\_17** Friends of the Poor - 9/30/17 (PS)

**10. APPOINTMENTS**

- **APPT050\_08\_14\_17** Kathryn L. Haried      100 High St      Tree Comm (Alt)      5/1/2018
- **APPT052\_08\_14\_17** Maureen Louise Pomeroy      62 Boardman St      ZBA      8/1/2021

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

**11. MAYOR'S UPDATE**

**12. COMMUNICATIONS**

- **COMM094\_08\_14\_17** Ember Plinko Event - 8/26/17
- **COMM095\_08\_14\_17** Newburyport River Run - 5/6/18

13. APPOINTMENTS

Emergency Preamble

- APPT051\_08\_14\_17 Christopher Zaremba 52 Longfellow Dr ZBA 8/1/2019
- APPT051\_08\_14\_17 Christopher Zaremba 52 Longfellow Dr ZBA 8/1/2019

Second Reading

- APPT049\_07\_10\_17 Sandy Friede 44 Ferry Rd Water/Sewer Comm 8/1/2022

14. ORDERS

- ORDR046\_08\_14\_17 88 State Street Loading Zone
- ORDR047\_08\_14\_17 Pilot Program for Wayfinding Signage
- ORDR048\_08\_14\_17 Scott Blood Excavation, LLC, Lic Contractor

15. ORDINANCES

- NONE

15. COMMITTEE ITEMS

Budget & Finance

*In Committee:*

- ORDR002\_01\_25\_16 Accept Gift of \$25,000 Repairing Brown’s Wharf Culvert (COTW)
- ORDR009\_02\_08\_16 Increase Fees for Fire Dept.
- ORDR010\_02\_08\_16 Increase Fines Parking Violations
- ORDR039\_05\_31\_16 Increase Hourly Parking Rate to \$1.50
- ORDR079\_09\_26\_16 Movie Location Order (L&P)
- ORDR080\_09\_26\_16 LATE FILE Order of Taking Parking Facility (P&D)
- TRAN005\_02\_27\_17 Free Cash 25K to Dog Park Project 25K
- ORDR010\_02\_27\_17 Dog Park Grant Acceptance
- ORDR032\_06\_12\_17 Nock Parking Lot Order
- TRAN040\_07\_10\_17 Revisions to March's Hill Pathway Connecting to Rail Trail
- ORDR045\_07\_13\_17 Bond Order - Parking Garage, 4.5M (COTW)

General Government

*In Committee:*

- ORDR044\_07\_13\_17 Ballot Question - Parking Garage (N&CS)

Joint Education

*In Committee:*

License & Permits

*In Committee:*

- COMM010\_01\_25\_16 Licensing Commission Acoustic & Amplified Entertainment
- ORDR079\_09\_26\_16 Movie Location Order (B&F)
- ODNC001\_01\_30\_17 BYOB Ordinance
- COMM028\_03\_13\_17 LATE FILE Ltr from Smitten LLC re: A-Frames
- COMM085\_07\_10\_17 A-Frames - Wellsco Realty
- COMM086\_07\_10\_17 A-Frames – Plum Island Coffee Roasters

## Neighborhoods and City Services

### *In Committee:*

- **ODNC001\_01\_11\_16** Amend Ch11 Parks and Recreation (**COTW**)
- **ORDR048\_06\_13\_16** Sidewalk Order
- **COMM048\_04\_24\_17** Ltr from Merchants re: Downtown Events (**PS**)
- **COMM080\_06\_26\_17** Ltr re: Dedication of Public Space to Recognize Citizens
- **ORDR044\_07\_13\_17** Ballot Question - Parking Garage (**GG**)

## Planning & Development

### *In Committee:*

- **COMM076\_07\_11\_16** **LATE FILE** Boyd Drive Petition
- **ORDR080\_09\_26\_16** **LATE FILE** Order of Taking Parking Facility (**B&F**)
- **COMM096\_10\_31\_16** Draft of Newburyport's Master Plan
- **COMM114\_12\_12\_16** Memo on Master Plan - Work Plan and Appendix XX
- **COMM023\_02\_27\_17** Zoning Changes to Waterfront West (**COTW**)
- **COMM024\_03\_13\_17** Newburyport's Master Plan - Final Document (**COTW**)
- **COMM030\_03\_28\_17** Pres. Trust Ltr to City Council re: 1690 House
- **COMM034\_03\_28\_17** Evergreen Special Permit Issued by Planning Board
- **COMM038\_03\_28\_17** Lower Custom House Way
- **ORDR015\_04\_10\_17** Complete Streets Policy (**PU**)
- **COMM069\_06\_12\_17** Air Quality Analysis of Intermodal Facility
- **ODNC007\_06\_12\_17** Zoning Amendment - I2 Zone Change
- **ODNC008\_06\_26\_17** Zoning Amendment – Bed & Breakfast Use (V-D, V-E) (**COTW**)
- **ODNC009\_06\_26\_17** Zoning Amendment – Ag/Con District, Lot Area/Lot Cov (**COTW**)
- **ODNC010\_06\_26\_17** Zoning Amendment – Zoning Map, R-2, Dimensional Controls (**COTW**)
- **ODNC011\_06\_26\_17** Zoning Amendment – Inclusionary Affordable Housing (**COTW**)
- **ORDR043\_07\_10\_17** Order of Taking - West End Sewer Access Road Project (**PU**)

## Public Safety

### *In Committee:*

- **ORDR077\_09\_12\_16** Parking Restricted on Daniel Lucy Way
- **COMM048\_04\_24\_17** Ltr from Merchants re: Downtown Events (**N&CS**)
- **COMM087\_07\_10\_17** Walk Against Domestic Violence - 10/1/17
- **COMM088\_07\_10\_17** Newburyport Half Marathon - 10/22/17
- **COMM089\_07\_10\_17** Merrimack River Feline Rescue Society 25th Anniversary - 9/23/17
- **ORDR042\_07\_10\_17** Stop Sign - Independent St at Water St

## Public Utilities

### *In Committee:*

- **COMM060\_05\_31\_16** Mobilitee, LLC Highway Access Permit
- **ORDR015\_04\_10\_17** Complete Streets Policy (**P&D**)
- **ORDR043\_07\_10\_17** Order of Taking - West End Sewer Access Road Project (**P&D**)

## Rules Committee

### *In Committee:*

- **ORDR013\_02\_27\_17** Amend City Council Rules Relating to Bonding Funds (**COTW**)

**16. GOOD OF THE ORDER**

**17. ADJOURNMENT**

**CONSENT AGENDA**

**CITY COUNCIL MEETING MINUTES**  
**CITY COUNCIL CHAMBERS**  
**JULY 10, 2017**

**7:30PM**

The City Council President called the meeting to order at 7:30pm and led the Council in the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Earls, Eigerman, Giunta, Tontar, Vogel, Zeid, Cameron, Cronin, OBrien. 9 present, 2 absent (Connell, Devlin).

**(Sound Check)**

**1. MOMENT OF SILENCE**

**2. PLEDGE OF ALLEGIANCE**

**3. CALL TO ORDER**

**4. LATE FILE ITEMS Mayor's Update; Description of Public Benefit, Preservation Restriction Agreement as it relates to CPC Project #4**

The Clerk noted there was a notice of a special City Council meeting, to be held on Thursday, July 13<sup>th</sup>, at 6:30pm in the Council Chamber, given to the councillors.

**5. PUBLIC COMMENT**

Motion to waive the rules, to allow Stephen Comley, Sr. to speak, by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 6 yes, 3 no (Eigerman, Vogel, OBrien), 2 absent (Connell, Devlin). Motion passed.

- |                        |                  |              |
|------------------------|------------------|--------------|
| 1. Stephen Comley, Sr. |                  | WTP Letter   |
| 2. Amantha Moore       | 10 N Atkinson St | CPA          |
| 3. Jennie Donahue      | 18 Cherry St     | March's Hill |
| 4. Kim Turner          | 27 High St       | March's Hill |

**6. MAYOR'S COMMENT**

The mayor gave an update pursuant to her written communication.

**CONSENT AGENDA**

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

**7. APPROVAL OF MINUTES**

June 26, 2017

(Approve)

**8. TRANSFERS**

- **TRAN040\_07\_10\_17** Revisions to March's Hill Pathway Connecting to Rail Trail  
Councillor Cronin removed from the Consent Agenda. Motion to refer to Budget & Finance by Councillor Cronin, seconded by Councillor Cameron. So voted.

**9. COMMUNICATIONS**

- **COMM084\_07\_10\_17** Whittier Regional VoTech 2017-18 Assessment (R&F)
- **COMM085\_07\_10\_17** A-Frames - Wellsco Realty (L&P)
- **COMM086\_07\_10\_17** A-Frames – Plum Island Coffee Roasters (L&P)
- **COMM087\_07\_10\_17** Walk Against Domestic Violence - 10/1/17 (PS)
- **COMM088\_07\_10\_17** Newburyport Half Marathon - 10/22/17 (PS)

- **COMM089\_07\_10\_17** Merrimack River Feline Rescue Society 25th Anniversary - 9/23/17 (PS)

**10. APPOINTMENTS**

- **APPT049\_07\_10\_17** Sandy Friede 44 Ferry Rd Water/Sewer Comm 8/1/2022

**END OF CONSENT AGENDA  
REGULAR AGENDA**

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Cameron. 8 yes, 1 present (Vogel). Motion passed.

**11. MAYOR'S UPDATE**

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

**12. COMMUNICATIONS**

- **COMM079EP\_07\_10\_17** Emergency Preamble - A-Frames - Greetings by Design  
Motion to approve by Councillor Vogel, seconded by Councillor Earls. Roll call vote, 9 yes, 2 absent (Connell, Devlin). Motion passed.
- **COMM079\_06\_26\_17** A-Frames - Greetings by Design  
Motion to approve, at 1 Water Street, by Councillor Earls, seconded by Councillor Cameron. So voted.
- **COMM083EP\_07\_10\_17** Emergency Preamble - Block Party - Congress/Buck/Olive 8/5/17  
Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 9 yes, 2 absent (Connell, Devlin). Motion passed.
- **COMM083\_07\_10\_17** Block Party - Congress/Buck/Olive 8/5/17  
Motion to approve by Councillor Cronin, seconded by Councillor Zeid. So voted.

**13. APPOINTMENTS**

**Second Reading  
Re-Appointments**

- **APPT048\_06\_26\_17** Kimberley Logue 18 Woodman Way #3 Housing Authority 5/1/2022  
Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 8 yes, 1 present (OBrien), 2 absent (Connell, Devlin). Motion passed.

**14. ORDERS**

- **ORDR042\_07\_10\_17** Stop Sign - Independent St at Water St  
Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Cameron. So voted.
- **ORDR043\_07\_10\_17** Order of Taking - West End Sewer Access Road Project  
Motion to refer to Planning & Development and Public Utilities by Councillor Zeid, seconded by Councillor Cameron. So voted.

**15. ORDINANCES**

- NONE

**15. COMMITTEE ITEMS**

**Budget & Finance**

*In Committee:*

- **ORDR002\_01\_25\_16** Accept Gift of \$25,000 Repairing Brown's Wharf Culvert (COTW)
- **ORDR009\_02\_08\_16** Increase Fees for Fire Dept.

- **ORDR010\_02\_08\_16** Increase Fines Parking Violations
- **ORDR039\_05\_31\_16** Increase Hourly Parking Rate to \$1.50
- **ORDR079\_09\_26\_16** Movie Location Order (**L&P**)
- **ORDR080\_09\_26\_16** **LATE FILE** Order of Taking Parking Facility (**P&D**)
- **TRAN005\_02\_27\_17** Free Cash 25K to Dog Park Project 25K
- **ORDR010\_02\_27\_17** Dog Park Grant Acceptance
- **COMM032\_03\_28\_17** Line Items Reduced in FY17 Adopted Budget  
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **TRAN022\_04\_24\_17** PI Utility Fund \$1.9M to PI Hydrant Replacement \$1.9M (**PU**)
- **ORDR032\_06\_12\_17** Nock Parking Lot Order
- **TRAN037\_06\_26\_17** Hwy Sal Labor \$40K, Hwy Sal Facilities Maint \$7K to Hwy Streetlight Electricity \$47K  
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.
- **TRAN038\_06\_26\_17** School Expenses \$42K to School Lunch \$42K  
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **TRAN039\_06\_26\_17** FY18 Gen Budget Conting \$20,876 to Pol Sal Officers \$20,876  
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **ORDR041\_06\_26\_17** CPC FY2018 Recommended Appropriations (**COTW**)  
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Giunta. Motion to exclude Projects #3 and #18 by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 9 yes, 2 absent (Connell, Devlin). Motion passed. Motion to amend Project #4 to include Public Benefit and Preservation Restriction Agreement by Councillor Tontar, seconded by Councillor Giunta. Roll call vote, 9 yes, 2 absent (Connell, Devlin). Motion passed. Motion to amend Project #11, that all design monies associated with any work should be for the City of Newburyport portion and not outside the city, by Councillor Cronin, seconded by Councillor Eigerman. Roll call vote, 9 yes, 2 absent (Connell, Devlin). Motion passed. Motion to approve as amended by Councillor Tontar, seconded by Councillor Giunta. Roll call vote, 9 yes, 2 absent (Connell, Devlin). Motion passed. Motion to approve Projects #3 and #18 by Councillor Tontar, seconded by Councillor Zeid. Roll call vote, 8 yes, 1 recused (Cameron), 2 absent (Connell, Devlin). Motion passed.

## **General Government**

### ***In Committee:***

- 

## **Joint Education**

Councillor Giunta announced the next meeting will be held August 7<sup>th</sup> at 5:30pm in Room 118 at Newburyport High School.

### ***In Committee:***

## **License & Permits**

### ***In Committee:***

- **COMM010\_01\_25\_16** Licensing Commission Acoustic & Amplified Entertainment
- **ORDR079\_09\_26\_16** Movie Location Order (**B&F**)



- **ODNC001\_01\_30\_17** BYOB Ordinance
- **COMM028\_03\_13\_17** **LATE FILE** Ltr from Smitten LLC re: A-Frames
- **COMM079\_06\_26\_17** A-Frames - Greetings by Design  
Motion to remove from License & Permit by Councillor Vogel, seconded by Councillor Tontar. So voted. Motion to receive and file by Councillor Vogel, seconded by Councillor Tontar. So voted.

### Neighborhoods and City Services

#### *In Committee:*

- **ODNC001\_01\_11\_16** Amend Ch11 Parks and Recreation (**COTW**)
- **ORDR048\_06\_13\_16** Sidewalk Order
- **COMM048\_04\_24\_17** Ltr from Merchants re: Downtown Events (**PS**)
- **COMM080\_06\_26\_17** Ltr re: Dedication of Public Space to Recognize Citizens

### Planning & Development

#### *In Committee:*

- **COMM076\_07\_11\_16** **LATE FILE** Boyd Drive Petition
- **ORDR080\_09\_26\_16** **LATE FILE** Order of Taking Parking Facility (**B&F**)
- **COMM096\_10\_31\_16** Draft of Newburyport's Master Plan
- **COMM114\_12\_12\_16** Memo on Master Plan - Work Plan and Appendix XX
- **COMM023\_02\_27\_17** Zoning Changes to Waterfront West (**COTW**)
- **COMM024\_03\_13\_17** Newburyport's Master Plan - Final Document (**COTW**)
- **COMM030\_03\_28\_17** Pres. Trust Ltr to City Council re: 1690 House
- **COMM034\_03\_28\_17** Evergreen Special Permit Issued by Planning Board
- **COMM038\_03\_28\_17** Lower Custom House Way
- **ORDR015\_04\_10\_17** Complete Streets Policy (**PU**)
- **COMM069\_06\_12\_17** Air Quality Analysis of Intermodal Facility
- **ODNC007\_06\_12\_17** Zoning Amendment - I2 Zone Change
- **ODNC008\_06\_26\_17** Zoning Amendment – Bed & Breakfast Use (V-D, V-E) (**COTW**)
- **ODNC009\_06\_26\_17** Zoning Amendment – Ag/Con District, Lot Area/Lot Cov (**COTW**)
- **ODNC010\_06\_26\_17** Zoning Amendment – Zoning Map, R-2, Dimensional Controls (**COTW**)
- **ODNC011\_06\_26\_17** Zoning Amendment – Inclusionary Affordable Housing (**COTW**)

### Public Safety

#### *In Committee:*

- **ORDR077\_09\_12\_16** Parking Restricted on Daniel Lucy Way
- **COMM048\_04\_24\_17** Ltr from Merchants re: Downtown Events (**N&CS**)
- **COMM081\_06\_26\_17** Fill the Boot for Muscular Dystrophy Assoc. - 8/3-5, 2017  
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. So voted.  
Motion to approve by Councillor Cronin, seconded by Councillor Zeid. So voted.
- **COMM082\_06\_26\_17** Bed Race - 8/3/2017  
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. So voted.  
Motion to approve by Councillor Cronin, seconded by Councillor Tontar. So voted.

### Public Utilities

#### *In Committee:*

- **COMM060\_05\_31\_16** Mobilitie, LLC Highway Access Permit
- **ORDR015\_04\_10\_17** Complete Streets Policy (**P&D**)

- **TRAN022\_04\_24\_17** PI Utility Fund \$1.9M to PI Hydrant Replacement \$1.9M **(B&F)**
- **ORDR037\_06\_12\_17** Contractor Application - Northern Drill Services  
 Motion to remove ORDR037\_06\_12\_17, ORDR038\_06\_12\_17, ORDR039\_06\_26\_17, and ORDR040\_06\_26\_17, collectively, from Public Utilities by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to waive the rules regarding Committee Items by Councillor Zeid, seconded by Councillor Tontar. So voted. Motion to approve ORDR037\_06\_12\_17, ORDR038\_06\_12\_17, ORDR039\_06\_26\_17, and ORDR040\_06\_26\_17, collectively, by Councillor Eigerman, seconded by Councillor Zeid. So voted.
- **ORDR038\_06\_12\_17** Contractor Application - Brennan Construction, Inc.
- **ORDR039\_06\_26\_17** New England Paving, LLC, Lic Contractor
- **ORDR040\_06\_26\_17** Tim Zanelli Excavating, LLC, Lic Contractor

**Rules Committee**

*In Committee:*

- **ORDR013\_02\_27\_17** Amend City Council Rules Relating to Bonding Funds **(COTW)**

**16. GOOD OF THE ORDER**

Councillor Zeid gave an update on the Plum Island grant for the mats to create an accessible path to the ocean. Councillor Cameron wished a happy birthday to Councillor Giunta and Councillor Vogel.

**17. ADJOURNMENT**

Motion to adjourn by Councillor Zeid, seconded by Councillor Tontar. So voted. 8:45pm.

**CITY COUNCIL SPECIAL MEETING MINUTES**  
**CITY COUNCIL CHAMBERS**  
**JULY 13, 2017**

**6:30 PM**

The City Clerk called the meeting to order at 6:30 pm. The Pledge of Allegiance was recited. The Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Eigerman, Giunta, Tontar, Vogel, Zeid, Cameron, Cronin, Earls, OBrien. 9 present, 2 absent (Connell, Devlin).

**(Sound Check)**

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

- |                      |                |                |
|----------------------|----------------|----------------|
| 1. Hazem Mahmoud     | 52A Ferry Rd   | Parking Garage |
| 2. Linda Lambert     | 58 Merrimac St | Parking Garage |
| 3. Jeanette Isabella | 1 Lime St      | Parking Garage |

- 5. MAYOR'S COMMENT**

The Mayor commented on the proposed ballot question order.

**REGULAR AGENDA**

- 6. TRAN022\_04\_24\_17** PI Utility Fund \$1.9M to PI Hydrant Replacement \$1.9M **(B&F) (PU)**  
Motion to remove from Budget & Finance and amend to \$3,377,460 by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to remove from Public Utilities as well by Councillor Eigerman, seconded by Councillor Vogel. So voted. Motion to approve as amended by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 9 yes, 2 absent (Connell, Devlin). Motion passed.
- 7. ORDR043\_07\_10\_17** Order of Taking - West End Sewer Access Road Project **(P&D) (PU)**
- 8. ORDR044\_07\_13\_17** Ballot Question – Parking Garage  
Motion to refer to General Government and Neighborhood & City Services by Councillor Cronin, seconded by Councillor Zeid. Roll call vote, 7 yes, 2 no (Tontar, Vogel), 2 absent (Connell, Devlin). Motion passed.
- 9. ORDR045\_07\_13\_17** Bond Order – Parking Garage  
Motion to refer to Budget & Finance and Committee of the Whole by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 7 yes, 1 no (OBrien), 1 present (Vogel), 2 absent (Connell, Devlin). Motion passed.
- 10. GOOD OF THE ORDER**  
Councillor Eigerman commented on the event to recognize J. Bradshaw and J. Woodman to be held on the bullnose on September 9<sup>th</sup> at 11am.
- 11. ADJOURNMENT**  
Motion to adjourn by Councillor Tontar, seconded by Councillor Vogel. So voted. 7:00pm.

# COMMUNICATIONS

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2017 JUL 12 PM 2:46

City Council

City of Newburyport

60 Pleasant Street

Newburyport, MA 01950

July 12, 2017

Dear President O'Brien and honorable City Councilmen;

On behalf of the Ballot Petitioners' Committee, including 250 voters' signatures, and many hundreds more that are eager to sign for their right to Vote; I am kindly and respectfully asking that the City Council would adopt and vote **YES** on **ORDR044\_07\_13\_17 Ballot Question – Parking Garage**. We are asking that the order would be Amended to a **BINDING** ballot question and placed on September 19, 2017 preliminary election.

Moreover, we are pleading that the Honorable Council would reject and vote **NO** on **ORDR045\_07\_13\_17 Bond Order – Parking Garage** until the result of the Ballot vote is rendered by Newburyport Registered voters.

In a memo dated February 8, 2016 to your Honorable Council; City Planner Mr. Andy Port wrote *“Over the past few decades numerous studies have been completed relative to the need for a new Parking structure which can provide additional downtown parking”*. Accordingly the City Council voted yes (10-1).

Most recently, on July 5, 2017 at the combined Planning Board and Newburyport Preservation Trust Meeting; *Mr. Andy Port categorically stated that “We are not adding traffic or Parking to downtown .... This is ONLY to move parking from waterfront central parking”. Thus, clearly contradicting the “purpose” of the garage stated in his February 8th memo to City Council a year earlier.*

The aim of this letter is not to decipher the continued conflicting and misleading of Newburyport tax payers by the City Hall regarding the “GARAGE”; but to provide conclusive evidence that credibly negates and refutes their assertions that hundreds of cars are parked at NRA waterfront central parking year round.

Google Earth Pro satellite orbits Newburyport few times a year, and has provided several Aerial photos of the City of Newburyport over the past 15 years. Attached is a PDF of 18 photo samples of Google Earth Pro. These photos undoubtedly depict the exact number of cars parked in NRA waterfront Central lot at the orbiting date, and time. These dates vary from July to December, thus providing a more concise data than Mr. Burke's report of Downtown parking needs and calculations done in July over 2 days only! The NRA lot is constantly “less than 30% occupied” in each Satellite aerial photo. Simple calculations will render less than 50 cars parked

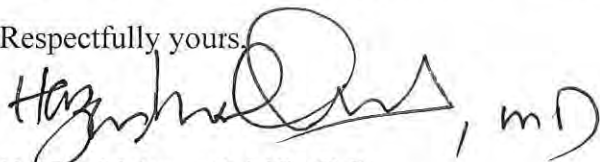
\*Photos on file in Clerk's Office

which will cost Newburyport Taxpayers over 16 million to displace them to “the garage” according to Mr. Port’s latest alleged justifications.

However, any one who visits the board walk at any time of the year would immediately notice how many elderly, retirees, and disabled -- some in wheel chairs, and young ladies with toddlers in a stroller, and a dog or two on the leash are enjoying the park. Should we truly believe Mayor Holaday and Mr. Port intentions to remove all parking spaces from waterfront central to the Titcomb garage -- as most recently Echoed by NRA president; Mr. Bob Uhlig’s letter to the Daily News Editor on June 8-- how could we imagine the Hardship that will be endured by our most vulnerable residents frequently using the Board walk, and the Park.

It is clearly evident that the City Hall did not figure out how these special need residents will travel from the Titcomb garage to the waterfront in freezing winter cold, or in scorching summer heat. As a Pediatric Oncologist who cared for thousands of children with cancer; I humbly ask the Honorable Council to **“do NO harm”**, and protect our Special need friends, family and neighbors to have an easy access to Waterfront Central parking.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Hazem Mahmoud, MD, PhD". The signature is fluid and cursive, with a large loop at the end.

Hazem Mahmoud, MD, PhD

52A ferry Road

Newburyport, MA 01950

**APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY**

Application Fee \$100.00

Date: 8/2/17

FOR CITY CLERK'S OFFICE ONLY	
Date Recorded	_____
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. 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 THAI NINH

Home address of applicant 5 MICHELLE DR

City, State, Zip of applicant SANBURY MA 01912

Telephone of applicant 978 417 2908

Name of business STAR MAIL

Address of business 18 Liberty St Newburyport

Telephone of business 978 462 4444

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

\* Corner of Starbucks at Liberty and State \*  
(currently has one A-frame in front of storefront)

**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 08/02/17

RECEIVED  
 CITY CLERK'S OFFICE  
 NEWBURYPORT, MA  
 2017 AUG -2 AM 9:46



STARN-1

OP ID: MB

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
06/07/2017

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

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

PRODUCER Francis Provencher Insurance Agency, Inc. 530 Rogers Street Lowell, MA 01852	978-459-8681	CONTACT NAME:	
		PHONE (A/C, No, Ext): 978-459-8681	FAX (A/C, No): 978-454-9343
		E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A : The Hartford	NAIC # 30104
		INSURER B :	
		INSURER C :	
		INSURER D :	
		INSURER E :	
		INSURER F :	

INSURED  
**Star Nails**  
**Thai Ninh**  
**18 Liberty Street**  
**Newburyport, MA 01950**

### COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

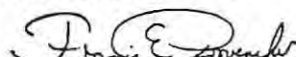
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		08SBMIX1228	03/06/2017	03/06/2018	EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMPI/OP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
City of Newburyport listed as named additional insured per written contract as it pertains to the general liability.

### CERTIFICATE HOLDER

### CANCELLATION

City Of Newburyport City Clerk's office 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 



RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

Dear City Council Members,

2017 JUL 31 PM 3:38

My name is Ed Suprin. I own and operate Suprin's Driving School on Route 1 Newbury, MA.

I am requesting permission from the City Council Members to conduct driving tests for my students from in front of City Hall in Newburyport (or at the parking lot of the District Court by the rotary) if City Hall was being used.

I will be scheduling an examiner from the Registry of Motor Vehicles to come and give the test for my students.

I have signs to be placed in front indicating "Driving Test in Process" to alert the public.

The road tests would be scheduled Saturdays and/or Sundays morning/afternoon one weekend a month depending on the availability of the examiner.

I want to thank you for reviewing my letter and look forward to hearing from you.

Thank you,



Ed Suprin

Suprin's Driving School

Email: [suprinsdrivingschool@gmail.com](mailto:suprinsdrivingschool@gmail.com)

Submitted 08/08/2107

**NEWBURYPORT SPECIAL EVENT APPLICATION**

RECEIVED  
CLERK'S OFFICE  
NEWBURYPORT, MA

Tel.

Fax.

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

NAME OF EVENT: Bartlet Mall Day

Date: October 7, 2017 Time: from 11:00 a.m. to 2:00 p.m.

Rain Date: October 8, 2017 Time: from 11:00 a.m. to 2:00 p.m.

2. Location: Bartlet Mall and Greenleaf Street

3. Description of Property: public park and public st Public  Private

4. Name of Organizer: Parks Dept. / Bartlet Mall City Sponsored Event: Yes  No

Contact Person Comm.  
Address: 60 Pleasant Street Telephone: 978/518-9720

E-Mail: ireid@cityofnewburyport.com Cell Phone: same

Day of Event Contact & Phone: Andrea Eigerman 978/376-6376

5. Number of Attendees Expected: 300-500

6. MA Tax Number: 04-6001403

7. Is the Event Being Advertised? yes Where? newspapers, social media, local flyers and signs

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

9. Have You Notified Neighborhood Groups or Abutters? Yes TBD No  Who? facebook, Nextdoor

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

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

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

C. Games /Rides: Adult Rides  Kiddie Rides  Games  Raffle   
Other historical "booths" on Mall features Total # 5-12

Name of Carnival Operator: NA / Possible hay ride w/ tractor or horse

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 \_\_\_\_\_ 6
- b) # of recycling container(s) to be provided by Recycling Office \_\_\_\_\_ 6
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

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

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

# 2 Standard # 1 ADA accessible

Name of company providing the portable toilets: D.A. Wilkinson LLC

**FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY**

(NA)

*Closure of Greenleaf Street*

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: <u>permit # 17-018</u> _____	
		Is Fire Detail Required: <u>dependent on attendance</u>	# of Details Assigned: _____
_____	9.	Public Works: Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply	
		<input type="checkbox"/> Yes: \$ _____ due on _____	<input type="checkbox"/> No Fee for Special Events applies
		Other requirements/instructions per DPS _____	
✓	10.	Recreation Department: <u>PARIS</u> _____	
✓	11.	License Commission: <u>application submitted for one-day liquor license</u>	
		<u>Permit obtained 7/12/2017</u>	

**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.

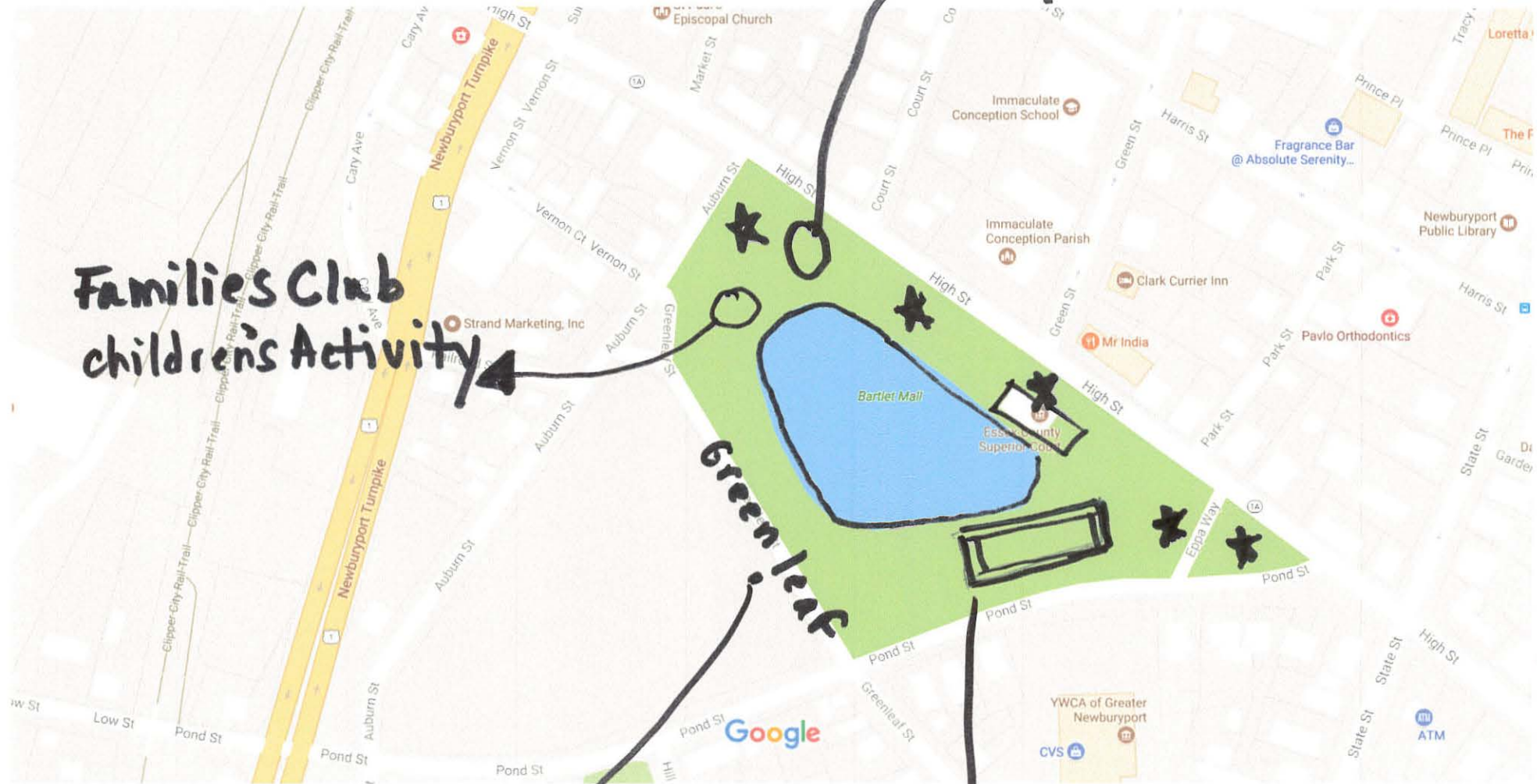
***I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.***

**Signed:** \_\_\_\_\_

*Andrea M. Cigerman*

**Date:** \_\_\_\_\_

*August 8, 2017*



**Families Club  
children's Activity**

**Hayride passenger pickup**

**Green leaf**

**★ Interpretation  
of historical  
features**

**Closure of  
Green leaf Street**

**Enclosure with  
Food, beer, music**

**EXHIBIT B**

August 8, 2017

Dear City Councillors,

Please find attached a completed Newburyport Special Event Application form for Bartlet Mall Day, scheduled for Saturday, October 7<sup>th</sup> from 11:00 am to 2:00 pm. An alternative rain date is scheduled for Sunday, October 8<sup>th</sup>. The City of Newburyport Parks Department, the Newburyport Parks Conservancy, and the Bartlet Mall Commission are sponsoring this event to celebrate the beauty and historical significance of the Bartlet Mall. Food and non-alcoholic drinks will be available for purchase from the Newburyport Greek Orthodox Church and beer from the Newburyport Brewing Company. O'Carolan Etcetera, a North Shore trio of guitar, flute, and fiddle, will perform music inspired by three centuries of instrumental music. Historical elements of the Mall will be interpreted through signage and historical photos with the help of local organizations such as the Newburyport Preservation Trust, Museum of Old Newbury, and the Custom House Maritime Museum. Family activities will include Theater in the Open actors "enlivening" the history and other fun.

We are requesting that Greenleaf Street be closed for the event to allow the loading and unloading of supplies and for a tractor hayride. The City of Newburyport License Commission approved a one-day liquor license for the event on July 12, 2017, pending details on the dimensions of a beer garden enclosure and information on the system that will be used to check patron identification. This additional information was submitted to the Commission on July 24, 2017. In addition, the License Commission will not provide its written approval until the Newburyport Brewing Company provides its updated Certification of Insurance, which will be available September 1, 2017. Attached Exhibit A is an email from Lynn Varney, representing the License Commission, noting our event's status. General insurance for the event will be covered by the City of Newburyport. Attached Exhibit B shows the general layout of the event at the Bartlet Mall. Should you have any questions about the event, please feel free to contact Andrea Gaut Eigerman at 978/376-6376. Thank you for your time.

Sincerely,

Lise Reid, Parks Director

Joanna Fernandes, Bartlet Mall Commissioner

Andrea Gaut Eigerman, Bartlet Mall Chair



**Subject:** RE: Follow-up on One-Day Liquor License for Bartlet Mall Day  
**From:** Lynn Varney (LVarney@CityofNewburyport.com)  
**To:** andreaeigerman@yahoo.com;  
**Date:** Friday, August 4, 2017 11:49 AM

Hi Andrea,

The Licensing Commisison will be meeting on Wed. Aug. 12th. They will review what you submitted then. I do not anticipate any problems. The alcohol license will not be issued until the insurance paperwork is submitted, but many organizations get the approval from the City Council for their events and come to us after, and/or at the same time. This should not hold up your application for the City Council.

Best regards,

Lynn Varney  
Assistant to the Licensing Commission  
Website: [www.cityofnewburyport.com/licensing-board](http://www.cityofnewburyport.com/licensing-board)  
City of Newburyport  
PO Box 550  
Newburyport, MA 01950  
978-904-1478

---

**From:** Andrea Eigerman [andreaeigerman@yahoo.com]  
**Sent:** Wednesday, August 02, 2017 1:32 PM  
**To:** Lynn Varney  
**Cc:** Lise Reid; Joanna Fernandes  
**Subject:** Follow-up on One-Day Liquor License for Bartlet Mall Day

Hello Lynn,

I just wanted to check back in regarding our one day liquor license. We need to submit our Special Event Application to the City Council by August 8th. Will we have any type of written approval by then?

Thank you,

Andrea Eigerman  
978/376-6376

# NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT: Friends of the Poor

Date: Sept 30 2017 Time: from \_\_\_\_\_ to 8:30  
Time: from \_\_\_\_\_ to 11 AM

2. Location: Immaculate Conception

3. Description of Property: Parking Lot Public  Private

4. Name of Organizer: \_\_\_\_\_ City Sponsored Event: Yes  No

Kathleen A Williamson for St Vincent de Paul Org.

Rain Date: none

Contact Person Kathleen Williamson  
Address: Kathleen<sup>188</sup> High Rd Telephone: 978 992 6450  
E-Mail: Kathie108a@gmail.com Cell Phone: same ↑  
Day of Event Contact & Phone: 978 992 6450

5. Number of Attendees Expected: 100

6. MA Tax \_\_\_\_\_  
Number: \_\_\_\_\_

7. Is the Event Being Advertised?  Where? Parish Bulletin

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

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

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

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

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music \_\_\_\_\_ DJ \_\_\_\_\_ Radio/CD \_\_\_\_\_

N/A

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

Rev. 12/15

If yes:

a) How many trash receptacles will you be providing? 2

b) How many recycling receptacles will you be providing? 2

c) Will you be contracting for disposal of : **Trash** Yes \_\_\_\_\_ No  **Recycling** Yes \_\_\_\_\_ No

i. If yes, size of dumpster(s): **Trash** \_\_\_\_\_ **Recycling** \_\_\_\_\_

ii. Name of disposal company: **Trash** \_\_\_\_\_ **Recycling** \_\_\_\_\_

iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes \_\_\_\_\_ No \_\_\_\_\_

iv. If no, where will the trash & recycling be disposed ? At Parich

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) N/A

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

facilities available @ Church

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:  
St Vincent DePaul Society of Immaculate  
Conception Roman Catholic Church

2. Name, Address & Daytime Phone Number of Organizer: Kathleen A Williamson  
188 High Rd Newbury MA 01951  
978 992 6450

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Kathleen + James Williamson  
see above  
603-491 9916 - James cell

4. Date of Event: 9/30 Expected Number of Participants: 150

5. Start Time: 9 AM Expected End Time: 10:30 AM

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

7. Locations of Water Stops (if any): None

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

9. Formation Location & Time for Participants: Immaculate Conception Parking Lot 8:30

10. Dismissal Location & Time for Participants: " " " 11 AM

11. Additional Parade Information:

- Number of Floats: 0
- Locations of Viewing Stations: none
- Are Weapons Being Carried: Yes \_\_\_ No

- (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.

Rev. 12/15


- (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: 8/6/17

Rev. 12/15

• Are Marshalls Being Assigned to Keep Parade Moving:

Yes  No  Parishoners

**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.

Rev. 12/15

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

10. Recreation Department: \_\_\_\_\_ 11. \_\_\_\_\_ License \_\_\_\_\_ Commission \_\_\_\_\_

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

**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.

RECEIVED  
CITY CLERK'S OFFICE  
NEWPORT, MA  
2010 JUN 11 AM 9:00



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
08/09/2017

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

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

<b>PRODUCER</b> Roman Catholic Archdiocese of Boston 66 Brooks Drive Braintree, MA 02184	<b>CONTACT NAME:</b> PHONE (A/C, No., Ext): 617-746-5742      FAX (A/C, No.): 617-779-4572 E-MAIL ADDRESS: ormadmin@rcab.org																				
	<table border="1"> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A : National Catholic Risk Retention Group</td> <td></td> <td>10083-001</td> </tr> <tr> <td>INSURER B :</td> <td></td> <td></td> </tr> <tr> <td>INSURER C :</td> <td></td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A : National Catholic Risk Retention Group		10083-001	INSURER B :			INSURER C :			INSURER D :			INSURER E :			INSURER F :	
INSURER(S) AFFORDING COVERAGE		NAIC #																			
INSURER A : National Catholic Risk Retention Group		10083-001																			
INSURER B :																					
INSURER C :																					
INSURER D :																					
INSURER E :																					
INSURER F :																					
<b>INSURED</b> Location 288-000 Immaculate Conception Parish & School 42 Green Street Newburyport MA 01950																					

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

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			RCAB \$250,000.00 RRG 10358-20 \$750,000.00	07/01/17	07/01/18	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$ COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						
A	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED      RETENTION \$			FM10358-20	07/01/17	07/01/18	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ \$ PER STATUTE      OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below <input type="checkbox"/> Y / <input checked="" type="checkbox"/> N / A						

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
Evidence of Insurance for Immaculate Conception - St. Vincent dePaul walk for Poor on September 30, 2017. Certificate Holder is an additional insured where required by written contract.

<b>CERTIFICATE HOLDER</b> City of Newburyport Massachusetts 60 Pleasant Street Newburyport, Ma 01950	<b>CANCELLATION</b> 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 
---	--





**The Society of St. Vincent de Paul**  
**Immaculate Conception Parish**  
42 Green Street  
Newburyport, MA 01950

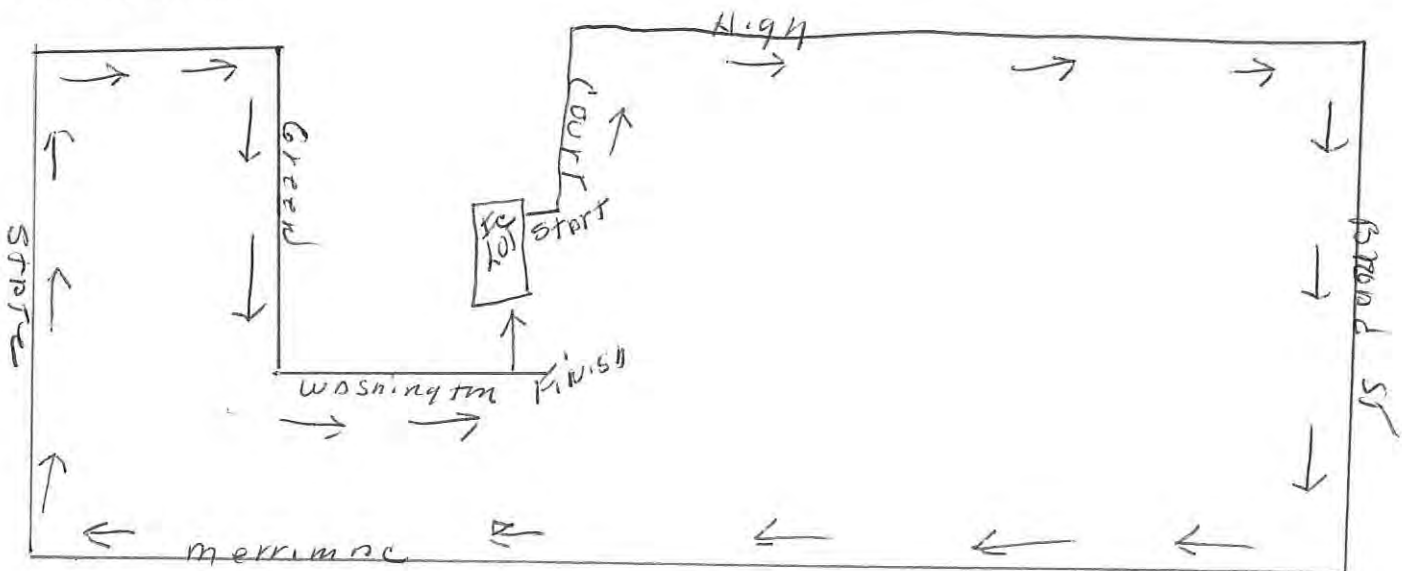
Walk for the Poor ~~02608~~ 9/30/17

The route is 4K or 2.5 miles as follows:

**Start in IC parking lot; up Court St.; turn right on High St., to Broad St.; take right on Broad down to Merrimac; take right on Merrimac St. to State St.; up State; take right on High St; then turn right on Green St. to Washington St.; take Left on Washington St.; back to IC parking lot.**

~~Jan Kolman,~~  
Walk Coordinator  
Hm 978-462-3389  
Cell 978-270-5128

Kathie Williamson  
Walk Coordinator  
978-992-6450



**APPOINTMENTS  
FIRST READING**



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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2017 JUL 19 PM 2:44

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

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: July 19, 2017  
Re: Appointment

-----  
I hereby appoint, subject to your approval, the following named individual as an Alternate Member of the Tree Commission to fulfill the unexpired term of Ed Taylor. This term shall expire on May 1, 2018.

Kathryn L. Haried  
100 High Street  
Newburyport, MA 01950

**Kathryn L. Haried**

100 High Street \* Newburyport, MA 01950 \* (978) 463-9903 \* klharied@comcast.net

- SUMMARY** Results-oriented professional with experience in small business ownership, the medical capital equipment industry, real estate sales and development, and hospital clinical laboratory. Productive project leader with effective interpersonal skills and strong leadership qualities. Resourceful problem solver, able to assess needs, identify options and determine an effective course of action within environment of cutting edge technology.
- EDUCATION**
- |   |                         |
|---|-------------------------|
| <b>Boston University</b><br>Certificate in Paralegal Studies                | Boston, MA<br>2016      |
| <b>Landscape Institute</b> of Harvard University<br>Landscape Design        | Cambridge, MA<br>2007   |
| <b>University of St. Thomas</b><br>Master of Business Administration        | St. Paul, MN<br>1989    |
| <b>Baptist Memorial Hospital</b><br>Graduate Medical Technologist, A.S.C.P. | Memphis, TN<br>1971     |
| <b>DePauw University</b><br>B.A., Pre-Med                                   | Greencastle, IN<br>1970 |
- BUSINESS EXPERIENCE**
- |  |                          |
|--|--------------------------|
| <b>Katie Haried Designs</b> Newburyport, MA<br>Own and operate small landscape design business.<br>All aspects of business, including customer development, establishing contracts with suppliers and contractors; and translating customer needs and wants into finished landscape project.   | 2003-Present             |
| <b>Philips Medical Systems</b><br>(formerly Hewlett-Packard's Medical Products Group)<br><i>Business Development Specialist: Created marketing programs and strategized on large and strategic business opportunities for the market leader of high-end critical care and patient monitoring equipment. Responsibilities included business development, sales support, market analysis, development of special promotions and direct marketing programs.</i> | Andover, MA<br>1990-2003 |
- ADDITIONAL EXPERIENCE**
- |  |   |
|--|---|
| <b>BioSensor</b><br>Provided customer support and managed all aspects of small medical device business office.   | Brooklyn Center, MN<br>1987-1989          |
| <b>Real Estate Consultant</b><br>Managed direct sales and marketing of a variety of residential, vacation and investment real estate properties and for two full service retirement communities. | Minneapolis, MN<br>1978-1987              |
| <b>Copley Memorial Hospital</b><br>Medical Technologist  | Aurora, IL<br>1972-1977                   |
| <b>Non-Profit</b><br>Museum of Old Newbury: board member, officer, committee chair<br>Newburyport Tree Committee/Commission<br>P.E.O. Sisterhood: Officer, committee chair                       | 1997-Present<br>2007-2013<br>1977-Present |



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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2017 AUG -4 AM 9:56

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: Confirmatory Appointment  
Date: August 3, 2017



---

I hereby appoint, subject to your confirmation, the following named individual as a full-time member of the Zoning Board of Appeals. This term will expire on August 1, 2021.

Maureen Louise Pomeroy  
62 Boardman Street  
Newburyport, MA 01950

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

# COMMUNICATIONS

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

Tel.

Fax.

(For Parades, Road Races and Walkathons Only - Please complete page 3 of this application): 32

NAME OF EVENT: Ember Plinko Event. Gather

Date: 8/26/17 Time: from 11 Am to 3 pm

Rain Date: 9/2/17 Time: from 11 Am to 3 pm

2. Location: 59 State St

3. Description of Property: Building facade /sidewalk Public  Private

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

Contact Person David Dziemian /cassandra Ruff

Address: dave@Emberbrand Fire.com Telephone: 603 793-6317

E-Mail: 59 State St Cell Phone: " "

Day of Event Contact & Phone: David Dziemian 603 793-6317

5. Number of Attendees Expected: hoping public participation 100-200

6. MA Tax Number: \_\_\_\_\_

7. Is the Event Being Advertised? yes Where? Facebook / Instagram

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

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

happy to...

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

A. Vending: Food \_\_\_\_\_ Beverages \_\_\_\_\_ Alcohol \_\_\_\_\_ Goods \_\_\_\_\_ Total # of Vendors 0

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music \_\_\_\_\_ DJ \_\_\_\_\_ Radio/CD MC YES

Performers \_\_\_\_\_ Dancing \_\_\_\_\_ Amplified Sound \_\_\_\_\_ Stage \_\_\_\_\_

C. Games /Rides: Adult Rides \_\_\_\_\_ Kiddie Rides \_\_\_\_\_ Games YES Raffle \_\_\_\_\_

Other \_\_\_\_\_ Total # 1 Plinko Game/w prizes

Name of Carnival Operator: Ember (in house)

Address: 59 State St. Newbury Port MA 01950

Telephone: 781-587-1440

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? (2)
- b) How many recycling receptacles will you be providing? (0)
- c) Will you be contracting for disposal of: Trash Yes \_\_\_ No  Recycling Yes \_\_\_ No
- i. If yes, size of dumpster(s): Trash \_\_\_ Recycling \_\_\_
- ii. Name of disposal company: Trash \_\_\_ Recycling \_\_\_
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes \_\_\_ No \_\_\_
- iv. If no, where will the trash & recycling be disposed? through our own  
Trash via Newburyport  
city works

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

N/A

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? \_\_\_\_\_

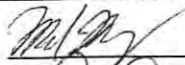

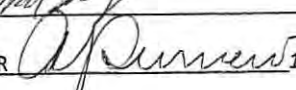
9. Formation Location & Time for Participants: \_\_\_\_\_

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		8/8/17	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.

<b>Approval Required</b>	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.

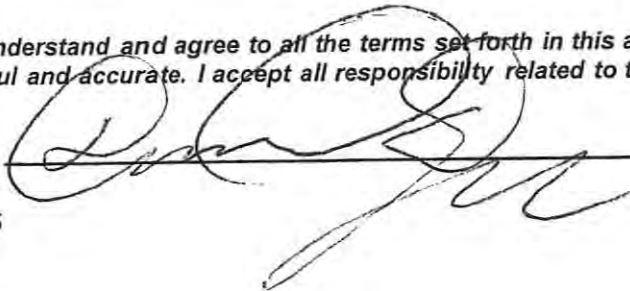
- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers 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: \_\_\_\_\_

8 / 8 / 17



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
8/8/2017

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

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

<b>PRODUCER</b> D.B. Warlick & Co. PO Box 1260 North Hampton NH 03862	<b>CONTACT NAME:</b> Kathleen M. Flibotte, CISR <b>PHONE (A/C, No, Ext):</b> 603-964-6065 x101 <b>FAX (A/C, No):</b> 603-964-9029 <b>E-MAIL ADDRESS:</b> kflibotte@dbwarlick.com <b>PRODUCER CUSTOMER ID#:</b>
<b>INSURED</b> Ember, LLC 59 State Street Newburyport MA 01950	<b>INSURER(S) AFFORDING COVERAGE</b> NAIC # <b>INSURER A:</b> Hanover Insurance Company <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>

COVERAGES CERTIFICATE NUMBER: 17-18 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 SUDR INSR 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  GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC		ODV5481915	04/26/2017	04/26/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 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
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		ODV5481915	04/26/2017	04/26/2018	COMBINED SINGLE LIMIT (Ea accident) \$ Included BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$ 0		ODV5481915	04/26/2017	04/26/2018	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N N/A If yes, describe under DESCRIPTION OF OPERATIONS below		WDV5482029	04/26/2017	04/26/2018	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER EL EACH ACCIDENT \$ 100,000 EL DISEASE - EA EMPLOYEE \$ 100,000 EL DISEASE - POLICY LIMIT \$ 500,000
A	Misc. Professional Liability		ODV5481915	04/26/2017	04/26/2018	\$1,000,000 \$1,000 Deductible

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

Workers Compensation: Statutory State: MA. No members are excluded.

Date: Saturday, August 26 from 11am - 3pm, Event: Public life-sized Plinko game. With respects to the General Liability & if required by writton contract, agreement or permit the City of Newburyport is included as an Additional Insured.

**CERTIFICATE HOLDER****CANCELLATION**

City of Newburyport  
 59 State 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

Edward Young/KF

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED  
CLERK'S OFFICE  
NEWBURYPORT, MA  
Tel.

Fax.

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

NAME OF EVENT: THE NEWBURYPORT RIVER RUN 1/2 MARATHON + 5K

Date: MAY 6<sup>th</sup>, 2018 Time: from 9:15 to 1:00

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

2. Location: CASHMAN PARK

3. Description of Property: \_\_\_\_\_ Public  Private \_\_\_\_\_

4. Name of Organizer: JULIE BOKAT / JEAN CARTER City Sponsored Event: Yes \_\_\_\_\_ No \_\_\_\_\_

Contact Person \_\_\_\_\_

Address: 75 MERRIMACK ST Telephone: 978-270-0020

E-Mail: JJC@FULLTRAININGSTUDIO.COM Cell Phone: 617-694-5489

Day of Event Contact & Phone: 617-694-5489

5. Number of Attendees Expected: 1000

6. MA Tax Number: \_\_\_\_\_

7. Is the Event Being Advertised? YES Where? ACTIVE.COM

8. What Age Group is the Event Targeted to? 12 - ADULTS

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 12

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? 8 w/A DUMPSTER
- b) How many recycling receptacles will you be providing? 8
- c) Will you be contracting for disposal of : Trash Yes  No  Recycling Yes  No
- i. If yes, size of dumpster(s): Trash 1 SMALL Recycling \_\_\_\_\_
- ii. Name of disposal company: Trash MELLO Recycling \_\_\_\_\_
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes \_\_\_\_\_ No \_\_\_\_\_
- iv. If no, where will the trash & recycling be disposed ? \_\_\_\_\_

**If no:**

- a) # of trash container(s) to be provided by DPS \_\_\_\_\_
- b) # of recycling container(s) to be provided by Recycling Office 6
- 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)**

# 20 Standard # 1 ADA accessible

Name of company providing the portable toilets: WILKINSON & SON

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:

FUEL TRAINING STUDIO

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

JULIE BOKAT / JEAN CAUTER  
75 MERRIMAC ST.  
NEWBURYPORT MA 01950  
617-694-5489 JULIE  
978-270-0020 JEANNE

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

SAME AS ABOVE

4. Date of Event: MAY 6<sup>th</sup>, 2018 Expected Number of Participants: 1000

5. Start Time: 9:15 Expected End Time: 1:00

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

7. Locations of Water Stops (if any): ON MAP

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

9. Formation Location & Time for Participants: 9:00 AM MERRIMAC ST. &

10. Dismissal Location & Time for Participants: 9:15 AM

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 Christopher Blawie \_\_\_\_\_ 0 Greenleaf St.

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

NOTE dt. SIEMASKO (H<sub>3</sub>)



## 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.

<b>Approval Required</b>	<b>Date:</b> _____	<b>Signature</b> _____
_____	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

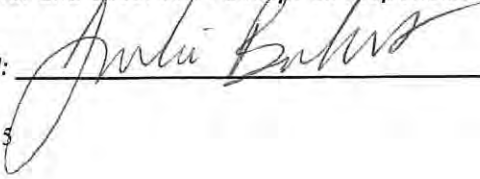
- (a) *"Procedure"* All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place 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:** 7/5/17

# newburyport

# Jewel

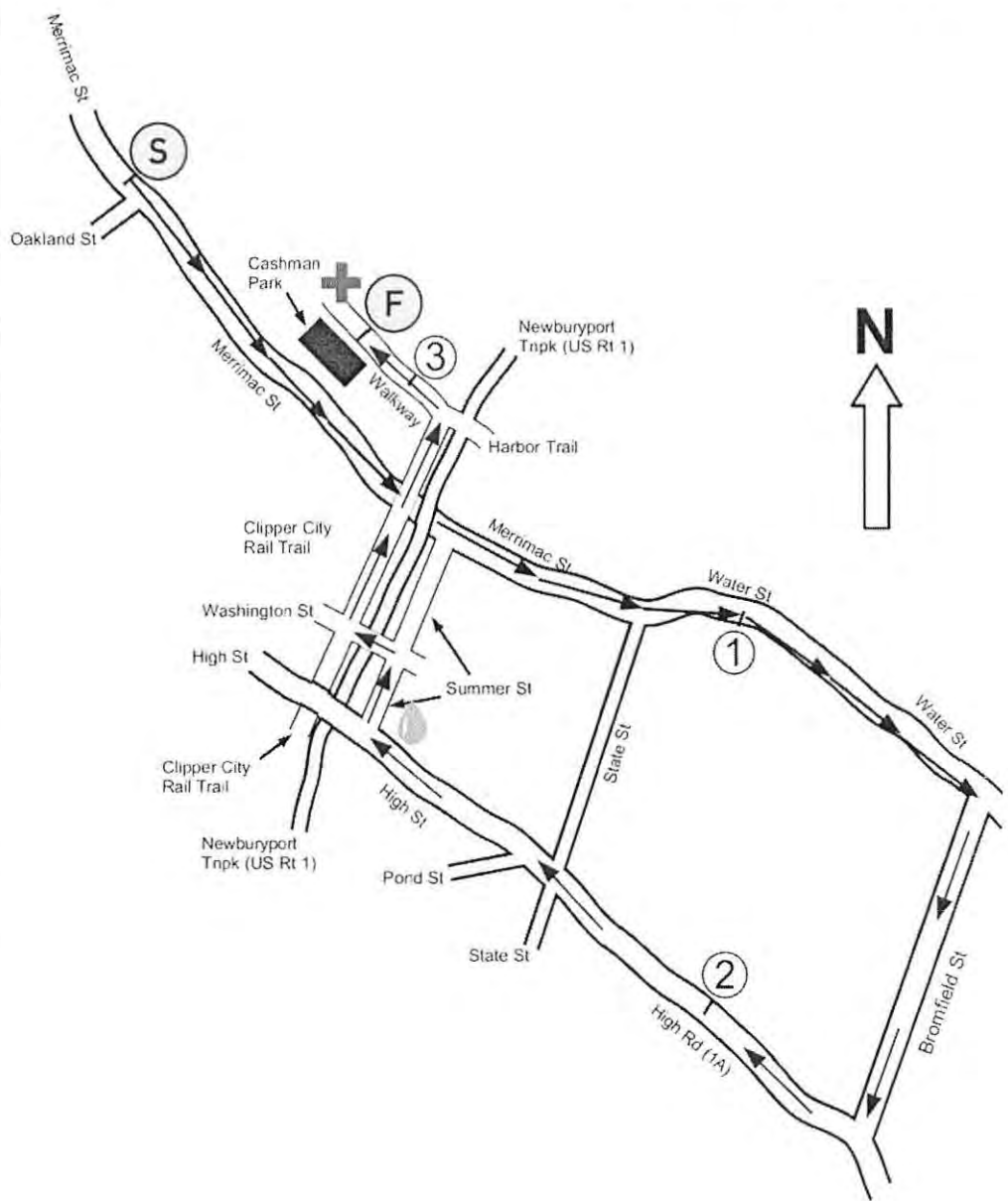
## 13.1 & 5K

USATF Certificate MA15007BK  
Effective Nov 27, 2015 - Dec 31, 2025

Start Detail



Finish Detail



① — ③ MILE MARKERS

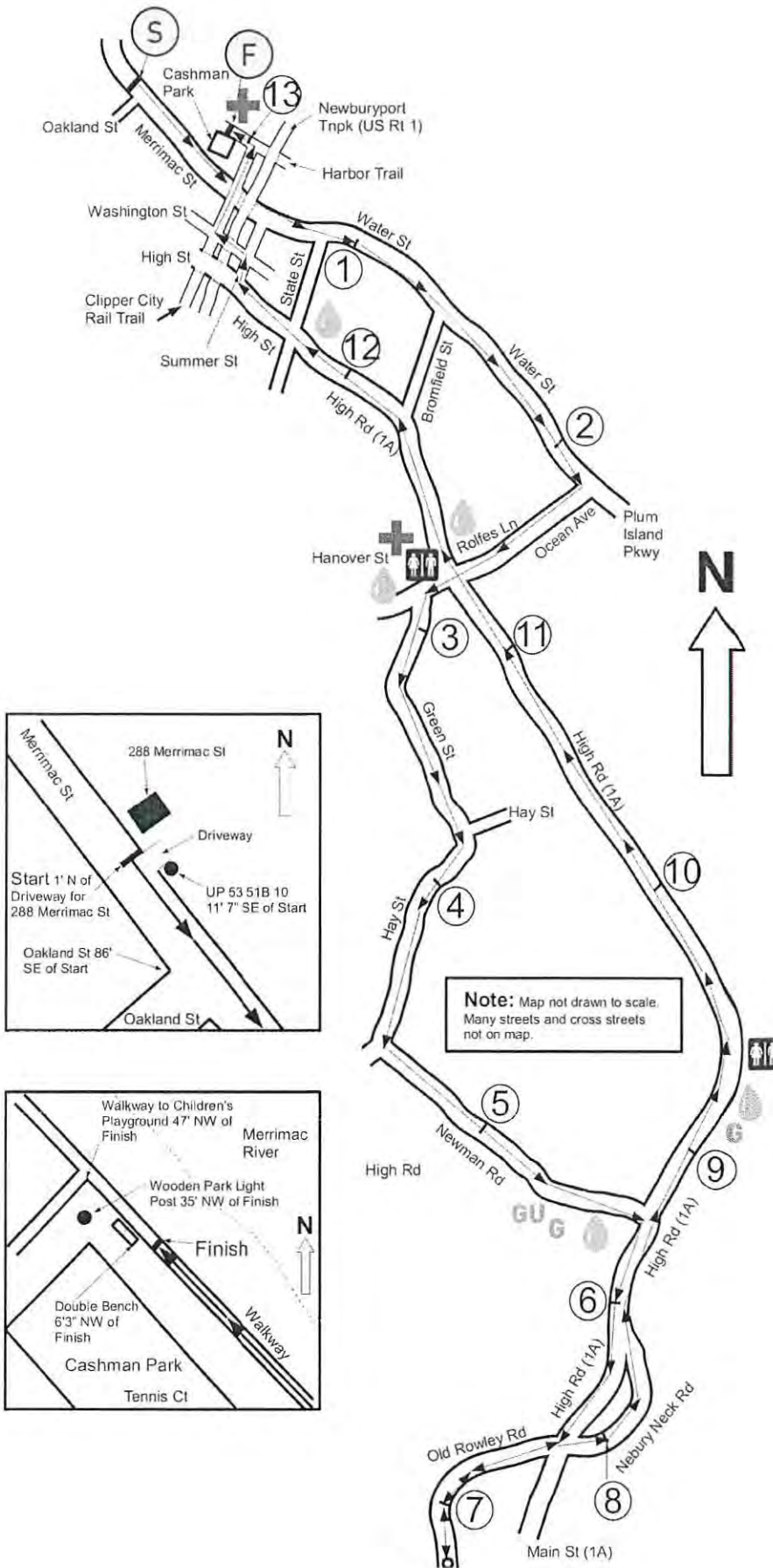
RED CROSS +  
Finish line, Cashman Park

WATER STAND 🚰  
Mile 2.25 High St.

# newburyport


# 13.1 & 5K


USATF Certificate MA15008BK  
Effective Nov 27, 2015 - Dec 31, 2025



①-⑬ MILE MARKERS

RED CROSS +  
Finish line, Cashman Park  
Corner of Hanover St. and High Rd.

WATER STANDS   
 Mile 2.75 Corner of High Rd. and Hanover St.  
 Mile 5.8 Corner of High Rd. and Newman Rd.  
 Mile 9 High Rd.  
 Mile 11.25 Corner of High Rd. and Rolfes Lane  
 Mile 12 High Rd.

RELIEF STOPS   
 Mile 2.75 Corner of High Rd. and Hanover St.  
 Mile 9 High Rd.  
 Mile 11.25 Corner of Hanover St. and High Rd.

GU  
 Mile 5.5 Newman Rd.

GATORADE  
 Mile 5.5 Newman Rd.  
 Mile 9 High Rd.



## CITY OF NEWBURYPORT

### POLICE DEPARTMENT

**MARK MURRAY**  
CITY MARSHAL

**RICHARD J. SIEMASKO**  
SENIOR LIEUTENANT

4 GREEN ST  
NEWBURYPORT, MA  
01950

TEL: 978-462-4411

To Whom it May Concern,

Regarding the Fuel ½ Marathon and 5k I cannot approve the application.

Having 2 races go through the downtown and later State and High St's cause major traffic congestion and delays.

Especially a ½ Marathon which goes through State and High near the end of the race, it is necessary to hold up traffic for extended lengths of time causing traffic to back up significantly. Traffic cannot be detoured as there is no re-routing option.

The only way to deal with this traffic is to stop it and only allow traffic to proceed when gaps in the runners occur.

The out and back section on Olde Rowley Rd is also concerning. The lead motorcycle had great difficulty negotiating this section last year as he was leading the race back into the race. The road is quite narrow and the number of runners exceeds the capacity of the road.

I highly recommend that the race organizers find an alternate route which takes the runners away from the congested areas of the City, not directly into them.

These are not new concerns. These were all made to race organizers 2 years ago. The race organizers have failed to address any of my concerns or take any corrective action.

Sincerely,

Richard J. Siemasko  
Senior Lieutenant



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
8/8/2017

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

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


<b>PRODUCER</b> Eastern Insurance Group LLC 233 West Central St  Natick MA 01760	<b>CONTACT NAME:</b> Alex Campbell <b>PHONE (A/C, No, Ext):</b> 978-225-6361 <b>E-MAIL ADDRESS:</b> acampbell@easterninsurance.com	<b>FAX (A/C, No):</b>
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> Fuel Training Studio 75 Merrimac Street  Newburyport MA 01950	<b>INSURER A:</b> Philadelphia Insurance Company	
	<b>INSURER B:</b>	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	

**COVERAGES**                      **CERTIFICATE NUMBER:** 17 GL                      **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			PHPK1650824	6/25/2017	6/25/2018	EACH OCCURRENCE \$ 100000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100000 MED EXP (Any one person) \$ 1000 PERSONAL & ADV INJURY \$ 100000 GENERAL AGGREGATE \$ 2000000 PRODUCTS - COMP/OP AGG \$ 2000000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED 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</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**  
 City of Newburyport is additional insured with respect for General Liability if required by written permit, contract or agreement.

<b>CERTIFICATE HOLDER</b>  City of Newburyport City Hall, PO Box 550 Newburyport, MA 01950	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	<b>AUTHORIZED REPRESENTATIVE</b>  John Koegel/SCAMPB 

## APPOINTMENTS

CITY OF NEWBURYPORT



---

IN CITY COUNCIL

ORDERED:

**EMERGENCY PREAMBLE**

Pursuant to Charter Section 2-9 (b) and as further defined in Section 1-7(7) an emergency exists due to the fact that the matter referenced in APPT051\_08\_14\_17, an appointment of Christopher Zaremba to the Zoning Board of Appeals, is time sensitive and should be completed before the next Council meeting on August 28, 2017.

Therefore, the City Council hereby affirmatively declares that an emergency exists such that APPT051\_08\_14\_17 may be voted upon at its first introduction to this Council.

---

Councillor Edward C. Cameron





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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2017 AUG -4 AM 9:56

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: Appointment  
Date: August 3, 2017

-----  
I hereby appoint, subject to your confirmation, the following named individual as an alternate member of the Zoning Board of Appeals. This term will expire on August 1, 2019.

Christopher Zaremba  
52 Longfellow Drive  
Newburyport, MA 01950

July 11, 2017

Christopher Zaremba  
52 Longfellow Drive  
Newburyport, MA 01950  
603-809-5899  
[czaremba@gmail.com](mailto:czaremba@gmail.com)

**Letter of Interest: Zoning Board of Appeals, Historical Commission, and Water & Sewer Commission**

Dear Mayor Holaday,

I would greatly appreciate the opportunity to serve Newburyport on the Zoning Board of Appeals, Historical Commission, or Water and Sewer Commission.

As a lawyer I believe I am able to successfully remove personal preferences and beliefs from the decision making process. In my current position, as Counsel at BOX Options Exchange, I am constantly asked to give un-biased opinions involving complex legal matters. I believe these skills will make me a valuable member of the Zoning Board of Appeals, Historical Commission, or Water and Sewer Commission.

Since graduating college, I have moved around the greater Boston area a bit until meeting my wife and settling in Newburyport (we got married at Newburyport City Hall). There is something very unique and special about Newburyport that immediately made us feel welcome and part of the community. Being a part of helping our city grow while still staying close to our historical roots would be a great honor.

Regards,

Christopher M. Zaremba

## Christopher M. Zaremba

52 Longfellow Dr · Newburyport, MA 01950  
(603) 809-5899 · czaremba@gmail.com

### EDUCATION

**Suffolk University Law School** · Boston, MA **2010 – 2013**

*Juris Doctor, cum laude*, May 2013

Honors: Dean's List (2010-2013)

Courses: Federal Income Tax, Corporations, Securities Regulation, Secured Transactions, Corporate Finance, Mergers & Acquisitions, Taxation of Business Entities, ERISA, Bankruptcy, Investment Management Regulation

**University of New Hampshire** · Durham, NH **2005 – 2009**

*Bachelor of Science*, Business Administration: Finance, Minor in Economics, May 2009

### LEGAL EXPERIENCE

**BOX Options Exchange LLC ("BOX")** · Boston, MA **May 2012 – Present**

*Counsel* (August 2013 – Present), *Legal Intern* (May 2012 – July 2013)

- Draft, review, and negotiate all contracts with vendors, service providers, consultants and licensing agreements.
- Review and approve all press releases and marketing data sent to the public on behalf of BOX.
- Provide legal counsel and guidance to top management of BOX (including the BOX Board).
- Provide advice on business initiatives.
- Drafting and filing of BOX rule changes with the Securities and Exchange Commission ("SEC").
- Responsible for monitoring the competing exchanges for changes to their trading rules.
- Drafting memoranda on a variety of issues, including SEC Rules, securities laws, and competitor rules.
- Drafted action plans in response to SEC requests for market infrastructure changes.
- Provide guidance with respect to the interpretation of the trading rules of BOX and other exchanges.

**Suffolk University Law School** · Boston, MA **September 2012 – December 2012**

*Research Assistant to Professor Meredith Conway*

- Reviewed and edited articles on various taxation issues, including an article that examined the legislative history and rationale behind the progressive income tax in America.
- Researched the double tax on corporate income and how it creates inequity for non-accredited investors versus the tax rate available to higher-income accredited investors.

**New Hampshire Circuit Court, 6<sup>th</sup> Circuit, District Division** · Concord, NH **May 2011 – August 2011**

*Judicial Intern to the Honorable Gerard J. Boyle and the Honorable M. Kristin Spath*

- Conducted research and drafted legal memoranda on a variety of criminal and civil matters.
- Observed all aspects of courtroom proceedings, including trials, motions, sentencing hearings, pleas and arraignments and discussed the relevant legal issues with Judge Boyle and Judge Spath.

### BAR ADMISSIONS

- New Hampshire State Bar (2013), Massachusetts State Bar (2014)

### Interest

- Golf, History, and Woodworking

**APPOINTMENTS  
SECOND READING**

## SECOND READING APPOINTMENTS

- **APPT049\_07\_10\_17** Sandy Friede 44 Ferry Rd Water/Sewer 8/1/2022  
Comm

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Cameron. 8 yes, 1 present (Vogel). Motion passed.

# ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

August 14, 2017

AN ORDER PURUSANT TO SECTION 166 OF CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE PURSUANT

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

- Chapter 13                      Traffic and Motor Vehicles
- Article 4                        Specific Street Schedules
- Division 6                      Stopping, Standing and Parking
- Section 13-168                Parking restricted on certain streets.

*Amend the table to insert a new row, as follows, with deletions ~~double stricken through~~, and additions double-underlined:*

State	<u>No parking on the westerly side at 88 State Street (Map 001, Lot 016), beginning at the northwesterly corner of State Street and Prince Place, and extending northeasterly for a distance of 43'-0"</u>
-------	--

\_\_\_\_\_  
Councillor Jared J. Eigerman

CITY OF NEWBURYPORT



---

IN CITY COUNCIL

ORDERED:

August 14, 2017

**That The City Council of the City of Newburyport** hereby authorizes a pilot program to establish a Wayfinding System of Signage beginning but not limited to the following two areas:

- The Pleasant Street entrance to Tracy Place
- The Merrimac Street entrance to the Waterfront Trust Lot

The Pilot Program shall have the authority to erect Wayfinding signage on or about these two areas. The Pilot Program shall further explore amending the current Sign Ordinance to allow the City to efficiently implement Wayfinding.

---

Councillor Bruce L. Vogel



CITY OF NEWBURYPORT



---

IN CITY COUNCIL

ORDERED:

August 14, 2017

**THAT** the City Council of the City of Newburyport approves the following Licensed Contractor application for the 2017 construction year for Water, Sewer, Drain Layer, Roadway and Sidewalk work:

Scott Blood Excavation LLC  
21 Stard Rd  
Hampton Falls, NH 03844

*Paperwork on file in the City Clerk's office.*

---

Councillor Jared J. Eigerman  
Public Utilities Chairperson



CITY OF NEWBURYPORT RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA


2017 JUL 10 PM 4:16

DEPARTMENT  
OF  
PUBLIC SERVICES

## MEMORANDUM

ANTHONY J. FURNARI  
DIRECTOR

WAYNE S. AMARAL  
DEPUTY DIRECTOR /  
DIRECTOR OF OPERATIONS

**TO:** Richard Jones, City Clerk  
**FROM:** Wayne S. Amaral, DPS Deputy Director   
**DATE:** July 10, 2017  
**RE:** License Contractor Application and recommendation 2017 Season

---

16A PERRY WAY  
NEWBURYPORT, MA 01950

Enclosed is a copy of a new Licensed Contractor application with bond and references to be forwarded to the city council for approval for;

TEL: 978-465-4464  
FAX: 978-465-1623

Scott Blood Excavation LLC  
21 Stard Rd  
Hampton Falls, NH 03844

[CITYOFNEWBURYPORT.COM](http://CITYOFNEWBURYPORT.COM)

For the following work;

Water Main  
Sewer Service/Main  
Roadway

Thank you for your attention to this matter.



**CITY OF NEWBURYPORT**  
**DEPARTMENT OF PUBLIC SERVICES**  
 16A PERRY WAY  
 NEWBURYPORT, MA 01950

ANTHONY J. FURNARI, DIRECTOR  
 WAYNE S. AMARAL, DEPUTY DIRECTOR

PHONE: 978-465-4464  
 FAX: 978-465-1623

**Application to become a  
 Licensed Contractor**

*Submit completed application to DPS at 16A Perry Way, Newburyport, MA*

Name of Company: SCOTT Blood Excavation LLC

Name of Owner: SCOTT m BLOOD

Contact Person: SCOTT BLOOD

Street Address: 21 Stard Road City: Hampton Falls State: N.H. Zip Code: 03844

Phone #: 603 234-5159 Cell #: 603-234-5159 Fax #: N/A

Insurance Certificate #: GHUB/8H141861 Policy Expiration Date: 6/9/2018

Name and Contact Information of Insurer: Don Corcoran  
DB Warlick Co. PO Box 1260 North Hampton NH 03862

Bond # S-855604 Bond Expiration Date: 6/8/2018

**Type of Work Qualified for: (check all that apply)**

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Water Service/Main        | <input checked="" type="checkbox"/> Sewer Service/Main | <input type="checkbox"/> Drain Laying     |
| <input checked="" type="checkbox"/> Roadway (incl. curb cuts) | <input type="checkbox"/> Sidewalk                      | <input type="checkbox"/> Street Occupancy |
| <input type="checkbox"/> Gas                                  | <input type="checkbox"/> Electric                      | <input type="checkbox"/> Communications   |

**Submit the Following with this completed Application:**

- **Certificate of Insurance incl. Worker's Compensation Insurance Affidavit** (per M.G.L. .c152)
- **\$5000 Bond ORIGINAL ONLY** (\$10,000 Bond for laying Wire or Conduit)
- **\$500 Check non-refundable payable to City of Newburyport** (not required for ROW Occupancy)
- **Minimum 3 Municipal References within the last 5 years** (Renewals do not require references)

BOND NUMBER S-855604

### LICENSE OR PERMIT BOND

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Scott Blood Excavating  
of 21 Stard Rd Hampton Falls NH 03844 as Principal,  
and NGM Insurance Company, a Florida Corporation with principal office at  
4601 Touchton Rd East Ste 3400 Jacksonville, FL 32245-6000, as Surety,  
are held and firmly bound unto City of Newburyport in the sum of  
Five Thousand and 00/100 DOLLARS (\$ 5,000.00 ),  
for the payment of which sum, well and truly to be made, we bind ourselves, our personal representatives,  
successors and assigns, jointly and severally, firmly by these presents.

The Condition of this obligation is such, that Whereas the Principal is desirous of obtaining a license from  
City of Newburyport to carry on business as Street Opening  
in Newburyport MA for the term commencing on the  
8th day of June, 2017 and ending on the 8th day of June, 2018.

The Principal shall faithfully perform said work in all respects and shall guarantee his work for a period of 1 year  
after completion, against any failure caused by defective materials, or defective workmanship and will make good  
such defects, if so ordered, to the satisfaction of the Town Manager or the Town Manager's designee, and shall  
comply in all respects with the rules and regulations established relative to such work, and with the terms of the  
permits that may be issued to them.

NOW, THEREFORE, if Principal shall, during the aforesaid term, faithfully observe and honestly comply with such  
Ordinances, Rules and Regulations, and any Amendments thereto, as require the execution of this bond, then  
this obligation shall become void and of no effect, otherwise to be and remain in full force and virtue.

The Surety may, if it shall so elect, cancel this bond by giving thirty (30) days written notice to the Obligee and the  
bond shall be deemed canceled at the expiration of said period; the Surety remaining liable, however subject to all  
the terms, conditions and provisions of this bond, for any act or acts covered which may have been committed by  
the Principal up to the date of such cancellation.

PROVIDED, HOWEVER, that this bond may be continued from year to year by certificate executed by the Surety  
heron.

SIGNED, SEALED AND DATED on this 8th day of June, 2017.

Scott Blood Excavating  
Principal  
By Scott Blood

NGM Insurance Company  
Surety  
By Carol A Hawkins  
Carol A Hawkins Attorney-in-Fact



**KNOW ALL MEN BY THESE PRESENTS:** That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"SECTION 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint Carol A Hawkins its true and lawful Attorney-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed bond number S-855604 dated June 8, 2017, on behalf of \*\*\*\* Scott Blood Excavating \*\*\*\*, in favor of City of Newburyport for Five Thousand and 00/100 Dollars (\$ 5,000.00 ) and to bind NGM Insurance Company thereby as fully and to the same extent as if such instrument was signed by the duly authorized officers of NGM Insurance Company; this act of said Attorney is hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

*IN WITNESS WHEREOF*, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 11th day of January, 2016.

NGM INSURANCE COMPANY By:



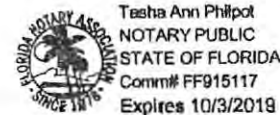
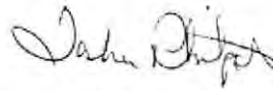
Bruce R. Fox  
Vice President, General Counsel and Secretary



State of Florida,  
County of Duval

On this 11th day of January, 2016 before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Bruce R. Fox of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me fully sworn, deposed and said that he is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

*IN WITNESS WHEREOF*, I have hereunto set my hand and affixed by official seal at Jacksonville, Florida this 11th day of January, 2016.



I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in force and effect. *IN WITNESS WHEREOF*, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this 8th day of June, 2017.



**WARNING:** Any unauthorized reproduction or alteration of this document is prohibited.

**TO CONFIRM VALIDITY** of the attached bond please call **1-603-358-1343**.

**TO SUBMIT A CLAIM:** Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claim Dept. or call our Bond Claim Dept. at 1-603-358-1229.



# CERTIFICATE OF LIABILITY INSURANCE

DATE  
06-23-2017

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

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

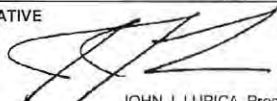
<b>PRODUCER</b> D B WARLICK & CO. P.O. BOX 1260 NORTH HAMPTON, NH 03862	CONTACT NAME:	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC #
<b>INSURED</b> SCOTT BLOOD EXCAVATION LLC PO BOX 188 HAMPTON FALLS, NH 03844	INSURER A : THE TRAVELERS INDEMNITY COMPANY OF AMERICA	
	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
	<b>GENERAL LIABILITY</b> <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED 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 <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$100,000 E.L. DISEASE - EA EMPLOYEE \$100,000 E.L. DISEASE - POLICY LIMIT \$500,000
	6HUB 8H141861				06-09-2017	06-09-2018	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
JOB LOCATION: 26 CHARLES STREET NEWBURYPORT MA 01950

<b>CERTIFICATE HOLDER</b> CITY OF NEWBURYPORT DEPARTMENT OF PUBLIC SERVICES 16A PERRY WAY NEWBURYPORT, MA 01950	<b>CANCELLATION</b> 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 J. LUPICA, President
---	--

## NOTICE OF ASSIGNMENT

**EMPLOYER:**

SCOTT BLOOD EXCAVATION LLC  
PO BOX 188  
HAMPTON FALLS, NH 03844

**COMBO I.D.**

001089493

**STATUS OF EMPLOYER**

Limited Liability Comp

**COVERAGE GROUP**

1150236

The Waiver of Our Right to Recover from Others Endorsement is available on Pool policies. Contact your agent for details.

Coverage under this assignment applies to Massachusetts operations only. For coverage outside of Massachusetts, contact the appropriate Pool or Plan for that state.

**AGENT OR PRODUCER:**

D B WARLICK & CO  
DAVID WARLICK  
P O BOX 1260  
NORTH HAMPTON, NH 03862

**INSURANCE COMPANY:**

TRAVELERS INDEMNITY CO OF AMERICA  
Jonathan Scharnberg  
P O BOX 3556  
ORLANDO, FL 32802-3556  
(800) 443-4404

**AGENCY FEIN:** 020425478

CLASSIFICATION OF OPERATION	CLASS CODE	ESTIMATED TOTAL ANNUAL REMUNERATION	RATE	ESTIMATED PREMIUM
EXCAVATION & DRIVERS	6217		\$0	\$0
EMPLOYERS LIABILITY 100/100/500	9845		4.53	\$0
STANDARD PREMIUM				\$0
LOSS CONSTANT	0032			\$50
EXPENSE CONSTANT	0900			\$159
TERRORISM CHARGE	9740			\$0
RISK MINIMUM PREMIUM	0990			\$459
TOTAL POLICY MINIMUM PREMIUM				\$459
TOTAL ESTIMATED PREMIUM				\$459
DIA ASSESS. 5.6%				\$0
<b>TOTAL EST. PREMIUM PLUS ASSESSMENT</b>				<b>\$459</b>
<b>INSTALLMENT BASIS:</b> Annual			<b>DEPOSIT PREMIUM:</b>	<b>\$459</b>

**THIS IS NOT A BILL**

**COMMENTS**

Coverage effective 12:01 AM on 06/09/17.

CARRIER NOTE: Certain information on the electronic application was initially reported incorrectly or has changed. For the corrected information, refer to the attachments to this application included in your application bundle.

**DATE OF NOTICE:** 06/09/17

**PREPARED BY:**

Evelyn Cobb  
EXT 522

\* \* SERVICING CARRIER ASSIGNMENT \* \*

**The Workers' Compensation Rating and Inspection Bureau of Massachusetts**  
101 Arch Street · Boston, MA 02110  
(617)439-9030 · FAX (617)439-6055 · www.wcribma.org

Steven J Tucker  
13 Newfields Road  
Utility Foreman Water/Sewer Dept.  
Exeter NH 03933  
[Date]June 9, 2017

:

TO WHOM IT MAY CONCERN:

Scott Blood Contracting has worked within the Town of Exeter for the past 20 years. Scott has performed work on sewer installations to private homes as well as Town owned systems. He works on water piping throughout the Town of Exeter also installing water services as well as fire sprinkler lines. Over the time Scott has worked within the Town of Exeter he has always made the Water and Sewer Dept aware of all work being done, and to follow Town specs with detailed work and professionalism.

P.S If you have any further questions please call me at : 1-603-235-0625

Sincerely,

Steven J Tucker  
[Title]



Aquarion Water Company  
of New Hampshire  
7 Scott Road  
Hampton, NH 03842  
[www.aquarionwater.com](http://www.aquarionwater.com)

603.926.3319 phone



**AQUARION**  
*Water Company*

*Stewards of the Environment*

To whom it may concern. Mr. Scott Blood has worked in the Aquarion water system. He has demonstrated quality in his workmanship and meticulous on his installations. I have had no problems with Mr. Blood working in our system.

Thank You

Michael Bernier

General Foreman

# *Town of Hampton*



June 7, 2017

City of Newburyport  
Department of Public Services  
16A Perry Way  
Newburyport, MA 01950

To Whom It May Concern,

Scott Blood is a contractor who has been working in the Town of Hampton for several years. We have never had any issues with the work that he has performed.

If you have any further questions, please feel free to give me a call at 603-926-4402.

Sincerely,

Tobey Spainhower  
Sewer & Drain Foreman

## ORDINANCES

**COMMITTEE ITEMS**

August 14, 2017

**BUDGET & FINANCE COMMITTEE ITEMS-**

1. **TRAN005\_02\_27\_17** – Free Cash 25K to Dog Park Project 25K.
2. **ORDR010\_02\_27\_17** – Dog Park Grant Acceptance.
3. **TRAN040\_07\_10\_17** – Revisions to March's Hill Pathway Connecting to Rail Trail.
4. **ORDR045\_07\_13\_17** – Bond Order – Parking Garage.

*bst*



# City of Newburyport

## FY 2017

### BUDGET TRANSFER REQUEST

2017 FEB 21 P 3:55

**Department:** Mayor's Office  
**Submitted by:** Donna D. Holaday, Mayor      **Date Submitted:** 2/27/2017

**Transfer From:**

Account Name	<u>General Fund - Free Cash</u>	YTD Bal:	<u>\$ 2,352,094.00</u>
Account Number:	<u>01-35910</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$25,000.00</u>	Trans Out:	<u>\$ (21,908.00)</u>

Why are Funds Available: The Massachusetts Department of Revenue certified Free Cash for FY2017 at \$2,374,002. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.

**Transfer To:**

Account Name	<u>Dog Park Project</u>	YTD Bal:	<u>\$ -</u>
Account Number:	<u>New Account</u>	Category:	<u>\$ -</u>
Amount:	<u>\$25,000.00</u>	Trans I/O:	<u>\$ -</u>

Why are Funds Required: The \$250,000 grant from The Stanton Foundation to build a dog park requires a 10% match from the City of Newburyport. See attached explanatory memorandum from the Parks Director.

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

*Donna D. Holaday*  
*Ethan R. Manning*

Date: 2/21/17  
 Date: 2/21/17



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY

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

2017 FEB 21 P 3:55

To: President and Members of the City Council

From: Lisë Reid, Parks Director

CC: Donna D. Holaday, Mayor  
Kimberly Turner, Parks Commission Chair  
Ethan Manning, Finance Director  
Patricia Moore, Chief Administrative Officer

Date: 17 February 2017

Subject: Acceptance of Donation from Stanton Foundation

---

I am writing to explain the transfer request of \$25,000 from free cash to a dog park construction project fund.

Residents have been asking the Parks Commission to build a fenced in dog park for at least 10 years. A recent survey, tabulated below, reveals that the majority of surveyed residents want a fenced in dog park in Newburyport.

**Results of Dog Park Survey as of 2/17/2017**

**Total respondents: 306**

<b>Need fenced in Dog park</b>	<b>Survey Count</b>	<b>Percent of Total respondents</b>
Strongly Agree	216	71%
Somewhat Agree	44	14%
Indifferent	7	2%
Disagree	38	12%

As part of its mission of encouraging positive dog/human relationships, the Stanton Foundation provides grants to support the creation of enclosed dog parks in cities and towns in Massachusetts. In

accordance with that mission, the Stanton Foundation has awarded Newburyport a grant of up to \$250,000 toward construction of a dog park.

The dog park grant process provides three phases of funding: design, construction, and capital improvement. During the design phase, the Foundation will provide funding for 100% of the design costs. The City has already received a check for \$24,990 to cover those costs.

During the construction phase, the Foundation will fund 90% of the hard construction costs, which is defined as labor and materials and does not include contingencies, insurance, permits, bonds, or other miscellaneous expenses. Construction grants typically range from \$100,000 to \$225,000. **The City is expected to pay 10% of construction costs or up to \$25,000.**

Finally, once the park is open, the Foundation will award three separate grants equal to 5% of the hard construction costs to make capital improvements to the park no earlier than 12, 18, and 24 months after the park opens.

I have attached a preliminary budget. Because we have not yet contracted with a project architect, the project budget is a rough estimate that was put together for grant-writing purposes.

It should be noted that all three grants are included in the program. The grant program is designed to take a community from start to finish on a dog recreational space while subsidizing the early costs of design and construction. **By applying for a grant**, towns are committing to the entire process with the Foundation as a partner.



**PROJECTED BUDGET FOR  
COLBY FARM NEWBURYPORT DOG PARK PROJECT**

<b>CONSTRUCTION PHASE</b>				
<b>Enclosed Off Leash Area</b>	<b>Qty</b>	<b>Unit</b>	<b>Amount/unit</b>	<b>Total</b>
Survey	1	flat	\$ 4,900.00	\$ 4,900.00
Mobilization	1	flat	\$ 5,000.00	\$ 5,000.00
Erosion Control	1	flat	\$ 5,000.00	\$ 5,000.00
Site clearing	1	flat	\$ 20,000.00	\$ 20,000.00
Stormwater drainage	1	flat	\$ 40,000.00	\$ 40,000.00
Fencing, installed, includes gates #1 grade Northern white cedar S4S materials for a 4 ft tall fencing, three 5/4" x 6" ranch rail, bevel topped 5x5 cedar posts, green 2x4 welded, 14 gauge wire mesh, 4 <b>double entry gates</b>	2,262	lf	\$ 18.12	\$ 40,980.65
Walkways & Plazas, permeable pavers installed*	1,400	sf	\$ 15.00	\$ 21,000.00
Parking, off-street lot, 25 spaces	1	flat	\$ 20,000.00	\$ 20,000.00
Exterior lighting, lampposts, installed	4	each	\$ 4,500.00	\$ 18,000.00
Dog bag waste stations, 2 *	2	each	\$ 200.00	\$ 400.00
Trash barrels*				\$ -
Barrel	1	each	\$ 896.00	\$ 896.00
Recycling bin	1	each	\$ 992.00	\$ 992.00
Play elements, use found & reclaimed objects*				\$ -
Seating*				\$ -
Wooden, manufactured benches (incl. shipping, funded by donations)	4	each	\$ -	\$ -
Reclaimed granite blocks	12	each	\$ -	\$ -
Shade systems, artificial	3	each	\$ 3,000.00	\$ 9,000.00
Shade system installation	1	flat	\$ 5,000.00	\$ 5,000.00
Signage	2	each	\$ 150.00	\$ 300.00
High-low water bubbler with spigot, including installation *	3	each	\$ 2,500.00	\$ 7,500.00
Electrical (To be paid by City)				\$ -
Connection to site	1	lump	\$ 10,000.00	\$ 10,000.00
Water connection (To be paid by City)				\$ -
Street crossing	1	each	\$ 10,000.00	\$ 8,000.00
Meter pit, meter w/shutoff	1	each	\$ 4,000.00	\$ 2,000.00
2-inch backflow	1	each	\$ 1,500.00	\$ 1,500.00
Cage & pad	1	each	\$ 2,000.00	\$ 2,000.00
Yard hydrant	1	each	\$ 2,000.00	
Sewer connection	1	lump	\$ 2,000.00	\$ 1,000.00
Irrigation System (in ground heads & snap connect)*	1	flat	\$ 8,000.00	\$ 8,000.00
Planting Plan *				\$ -
Trees	18	ea	\$ 300.00	\$ 5,400.00
Entry and building landscaping	1	lump	\$ 250.00	\$ 250.00
Shed, 8'x12' to house hand tools, pet waste supplies, mowing equipment	1	ea	\$ 4,158.00	\$ 4,158.00
Interior electrical *	1	lump	\$ 3,500.00	\$ 3,500.00
Shed installation, concrete pad	1	ea	\$ 5,000.00	\$ 5,000.00
10% of grant funded construction costs (to be paid by city)				
<b>Subtotal Construction Costs</b>				<b>\$ 249,776.65</b>

*brt*

CITY OF NEWBURYPORT



---

IN CITY COUNCIL

ORDERED:

February 27, 2017

**THAT, The CITY COUNCIL of the City of Newburyport** accepts with gratitude a grant from The Stanton Foundation in the amount of \$250,000 for the purpose of designing and constructing a dog park in accordance with M.G.L. Chapter 44, Section 53A, subject to the approval of a Free Cash appropriation of \$25,000, resulting in a total project cost of \$275,000.

---

Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

TRAN 040-7-10-17

BT



# City of Newburyport FY 2017 BUDGET TRANSFER REQUEST

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2017 JUL -5 PM 3:57

**Department:** Mayor's Office  
**Submitted by:** Donna D. Holaday, Mayor **Date Submitted:** 6/30/2017

**Transfer From:**

Account Name: NHS Stadium Capital Project YTD Bal: \$ 74,153.46  
Account Number: 3512-59600 Trans In:  
Amount: \$74,153.46 Trans Out:  
Why are Funds Available: *A transfer of \$170,000 was made into this account in March 2016 from Free Cash. The project is closed out and the remaining balance is available for any legal expenditure at the recommendation of the Mayor with approval of the City Council.*

**Transfer To:**

Account Name: Rail Trail Phase 2 Capital Project YTD Bal: \$ 69,631.33  
Account Number: 3608-49730 Category:  
Amount: \$74,153.46 Trans I/O:  
Why are Funds Required: *Additional engineering and construction is needed to address a portion of the Rail Trail at the March's Hill corridor. See attached explanatory memo.*

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

*Donna D. Holaday*  
*Ethan R. Manning*

Date: 7/5/17  
Date: 7/5/17

(NOTICED TO BT  
RC/EE  
5)



CITY OF NEWBURYPORT  
OFFICE OF PLANNING AND DEVELOPMENT  
60 PLEASANT STREET • P.O. Box 550  
NEWBURYPORT, MA 01950  
(978) 465-4400 • (978) 465-4452 (FAX)

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2017 JUL -5 PM 3: 57

DONNA D. HOLADAY  
MAYOR

MEMORANDUM

TO: NEWBURYPORT CITY COUNCIL  
FROM: GEORDIE VINING, SENIOR PROJECT MANAGER  
SUBJECT: TRANSFER REQUEST TO SUPPORT REVISIONS TO MARCH'S HILL PATHWAY CONNECTING TO RAIL TRAIL  
DATE: 7/5/17

We are writing to respectfully request the City Council's approval of a transfer of \$74,153.46 from the Stadium Capital Project account to the Rail Trail Capital Project account in order to support substantial revisions to the spur pathway connecting High Street and March's Hill Park with the Phase II Clipper City Rail Trail. The Stadium Project has been closed out, and this funding, which originated from a Free Cash transfer, is available for any legal expenditure at the recommendation of the Mayor and the approval of the City Council.

The revised plan for this area is in response to calls for changes by the neighborhood, Parks Commission, and City Councilors due to a significant concern about the overall height and bulk of the accessible pathway under construction. The revised plan is a consensus approach based on discussion between representatives of the Parks Commission, Disabilities Commission, City Council, Mayor's Office, Planning Office, and neighbors. The revised plan is handicapped accessible but will significantly reduce the height of the current embankment by 3-½ to 4 feet, basically halving the height of the current mound. It will also pull back the "bulge" of slope from the bottom of the basin of March's Hill by about 50 feet. Please see the attached plan and 3D rendering.

During the past two decades, the City's Open Space Plans have consistently articulated the objective of connecting High Street and March's Hill Park to the new Phase II Rail Trail. *"Universal access should be a priority when this park is redeveloped to include formal access to the rail trail. Rebuild staircase with appropriate tread depth and handrails.... Re-design park entrance off of High Street to serve as an access point for the future Clipper City Rail Trail extension (Phase 2)" (2012 Open Space Plan).*

A primary driver of the connecting pathway's design has been federal and state universal access regulations requiring a wheelchair accessible grade of under 5% for new construction. Another primary driver of the previous design was the requirement of circumventing the private parcel boundary lines of the adjacent driveway parcel. This parcel was purchased by its former owner in 2003 when the City waived its right of first refusal to acquire the property. While a subsequent lawsuit in 2010 secured an easement for the main trail, access was not allowed across the parcel for the connecting pathway. In addition, at the time, neighbors wanted the spur pathway to begin at the location of the old stairs at High Street as opposed to the crosswalk further west. The resulting plan was approved by the Parks Commission, the Conservation Commission, the state Architectural Access Board, and others, funding was approved by federal and state authorities, and construction began last year.

During the last few months, as the contractor brought in fill for the connecting pathway, the embankment extended farther from the edge of the park and its height and bulk were considerably greater than most people

had envisioned or anticipated. Most acknowledge that wholesale removal of the pathway is not a viable option due to the City's desire to provide a handicapped accessible connection to the trail from High Street, as well as the negative ramifications of potential for exposure to \$1,000/day fines from the Architectural Access Board, private plaintiff lawsuits under the Americans with Disabilities Act, resistance from neighbors of alternative Rail Trail access points, additional financial charges from MassDOT, etc. However, significant modifications are now possible due to the change in owners of the adjacent driveway parcel, who offered this spring to allow the pathway and associated fill to cross their property line. This will allow the intersection of the pathway with the main trail to shift approximately 50 feet north in the revised plan. In addition, the revised plan shifts the other end point of the pathway about 50 feet west along the High Street sidewalk near the location of the crosswalk, which is now supported by neighbors. This will allow a longer run so that the grade of the handicapped accessible pathway drops down lower and quicker. The open sledding hill for younger children parallel with High Street is maintained. The low areas on the eastern side of the pathway will be filled so that the pathway establishes more of an edge to the park's basin than a cut-through. There will be cedar split rail fencing along the edges of the middle portion of the pathway where we have reduced the shoulder width by two feet to pull back more of the slope. There will be about eight new trees on the eastern side to provide screening and reinforce the edge of the park. The plan continues to include new granite stairs to access the park from High Street as well as a lower stairway to the bottom of the basin.

MassDOT has stopped the contractor's work on this section of the project, but has determined that the City needs to pay for the change order and the contractor's additional work. The primary cost is the excavation, shifting, and removal of a significant amount of fill (approximately 2,625 cubic yards). Other costs include revised drainage and engineering to meet FHWA and MassDOT specifications. We plan to close the financial gap for the change order with the remaining contingency funds for the overall Rail Trail project. The work is expected to be completed this fall along with substantial completion of the entire trail. Please see the attached order and itemized cost estimate along with the plan and rendering.

Thank you for your consideration.



# City of Newburyport

## FY 2017

### BUDGET TRANSFER REQUEST

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2017 JUL -5 PM 3:57

**Department:** Mayor's Office  
**Submitted by:** Donna D. Holaday, Mayor      **Date Submitted:** 6/30/2017

**Transfer From:**

Account Name	<u>NHS Stadium Capital Project</u>	YTD Bal:	<u>\$ 74,153.46</u>
Account Number:	<u>3512-59600</u>	Trans In:	<u>                    </u>
Amount:	<u>\$74,153.46</u>	Trans Out:	<u>                    </u>
Why are Funds Available:	<u>A transfer of \$170,000 was made into this account in March 2016 from</u>		
	<u>Free Cash. The project is closed out and the remaining balance is available for any legal expenditure at the</u>		
	<u>recommendation of the Mayor with approval of the City Council.</u>		

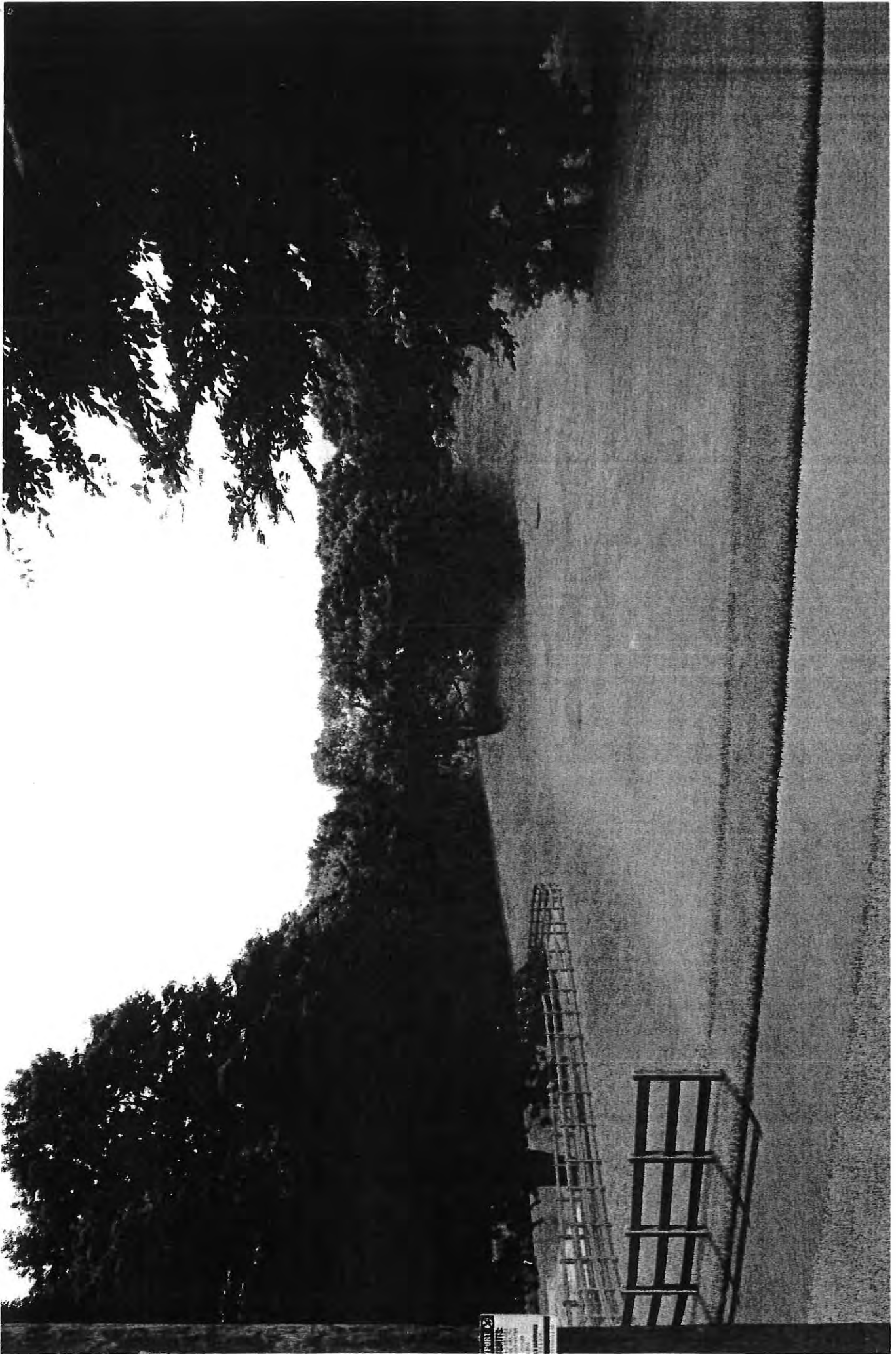
**Transfer To:**

Account Name	<u>Rail Trail Phase 2 Capital Project</u>	YTD Bal:	<u>\$ 69,631.33</u>
Account Number:	<u>3608-49730</u>	Category:	<u>                    </u>
Amount:	<u>\$74,153.46</u>	Trans I/O:	<u>                    </u>
Why are Funds Required:	<u>Additional engineering and construction is needed to address a portion</u>		
	<u>of the Rail Trail at the March's Hill corridor. See attached explanatory memo.</u>		

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

*Donna D. Holaday*  
*Ethan R. Manning*

Date: 7/5/17  
 Date: 7/5/17



PORT  
LIMITS





## **Re-Design and Re-Construction: March's Hill Connecting Pathway - Clipper City Rail Trail Phase II**

### **FUNDING**

Capital Project Account Transfer	\$74,153.46
Rail Trail Project Contingency	\$38,152.54
<b>Total:</b>	<b>\$112,306.00</b>

### **COSTS**

Engineering (MassDOT specifications)	\$11,800.00	<i>(Construction, Profiles, Typical &amp; Cross Sections, Grading, Drainage, Landscape, Signage)</i>
Earth Excavation (2,625 CY @ \$28/CY)	\$73,500.00	<i>(Item 120)</i>
Tree Removal (2)	\$2,000.00	<i>(Item 103)</i>
Topsoil excavated and stacked (130 CY)	\$2,730.00	<i>(Item 125)</i>
Catch basin - municipal standard (1)	\$2,500.00	<i>(Item 201.5)</i>
Catch basin grate - municipal standard (1)	\$770.00	<i>(Item 222.3)</i>
12" reinforced concrete pipe (80 feet)	\$7,600.00	<i>(Item 241.12)</i>
8" corrugated plastic pipe (45 feet)	\$3,150.00	<i>(Item 252.08)</i>
stone for pipe ends (6 square yards)	\$216.00	<i>(Item 258)</i>
cement concrete sidewalk (27 square yards)	\$1,134.00	<i>(Item 701)</i>
topsoil rehandled and spread (130 CY)	\$3,770.00	<i>(Item 752)</i>
seeding - shoulder mix - type A (170 CY)	\$136.00	<i>(Item 765.11)</i>
landscape boulders remove and reset (10)	\$3,000.00	<i>(Item 984.52)</i>
<b>Total:</b>	<b>\$112,306.00</b>	

## CITY OF NEWBURYPORT



---

IN CITY COUNCIL

ORDERED:

July 13, 2017

THAT, \$3,704,072 is appropriated to pay costs of constructing a new intermodal parking facility, including the payment of all costs incidental and related thereto, which amount shall be expended in addition to amounts previously appropriated to pay costs of this project, and that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, s. 7(l) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; and that the Mayor and the Treasurer are authorized to take any other action necessary or convenient to carry out this vote. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

---

Councillor Charles F. Tontar  
Chair, Budget & Finance Committee

## LICENSE & PERMIT COMMITTEE ITEMS

August 14, 2017

- COMM028\_03\_13\_17 Late File Smittens AFrame
- COMM086\_7\_10\_17 PIC Roasters AFrame (Councillor Vogel will recuse)
- COMM085\_7\_10\_17 WellsCo AFrame

#08

**APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY**

Application Fee \$100.00

FOR CITY CLERK'S OFFICE ONLY
Date Recorded <u>3/15/17</u>
Amount Paid <u>\$100</u>

Date: 2/6/17

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. 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 Alanna Pastman / (Smitten) June Pastman

Street Address of Applicant 23 Inn St (Home 29 Hope Dr Amesbury MA 01913)

City, State, Zip of Applicant Newburyport MA 01950

Telephone Number of Applicant 978 499-7912 cell 978 314 1149

Name of Business Smitten LLC

Address of Business 23 Inn St Newburyport MA 01950

Telephone Number of Business 978 499 7912

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2017 MAR 15 P 3:36

Approved location and description of moveable sign to be placed on Public Way

outside our door.

**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 Alanna Pastman Date 2/6/17

NOTE - Please email me with any questions, comments, concerns. I cannot always get to my phone due to circumstances. smitten@comcast.net

From: ALANNA PASTMAN

asassyabby@yahoo.com

Subject: letter to city council

Date: Mar 6, 2017, 2:36:33 PM

To: June Pastman junebug813@comcast.net

to RHP  
BV/LL

CITY OF NEWBURYPORT  
ATTENTION:  
TOM O'BRIEN,  
PRESIDENT OF CITY COUNCIL  
60 PLEASANT ST  
NEWBURYPORT, MA 01950

We, the owners of Smitten LLC located at 23 Inn St, are requesting relief for a second A frame sign (sign #2) and relief of location for A frame sign #2 as well. Currently, our A frame sign is located right outside our front entrance. We have applied and paid for our permit for sign #1 and would like to ask for an exception to the rules of having one

sign only.

We previously asked the permission of Nancy Batista to put an A frame sign near her restaurant by the alley that leads to Inn st via State Street. We were very grateful when she happily agreed being that a large amount of tourists were not aware of Inn Street shops from State Street. Once we put our sign at the end of the alley near Ceia restaurant, there was a significant increase in foot traffic to Inn Street along with remarks of "we had no idea this was back here, we came because of your sign"

We were really disappointed to learn we are only given permission for one

sign, for the fact that we are trying to strive and be as successful as we possibly can in making a living from a small family business.

We believe removing our second A frame sign from the end of the alley will significantly decrease our foot traffic, and awareness to the consumers that we exist. This will absolutely negatively impact our revenue.

Please consider allowing us to leave our second A frame sign.

Thank You for your time.

Sincerely,

June and Alanna Pastman

Smitten

23 Inn St

Newburyport MA



L+P

**Plum Island Coffee Roasters**

54R Merrimac Street, Newburyport, MA 01950  
978-465-1444 | 978-828-0711 c | info@plumislandcoffee.com

June 22, 2017

Newburyport City Council

To all Concerned,

Please accept this letter as a request for location relief of PICR's a-frame sign to allow the sign be placed at the northeast corner of Merrimac Street and the entrance to the Waterfront Trust parking lot.

Such relief will bring attention to the existence of the tucked away and off the beaten track business.

Thank you in advance for your consideration.

Respectfully,

Bruce L. Vogel

Proprietor



APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY

Application Fee \$100.00

Date: 6/21/17

FOR CITY CLERK'S OFFICE ONLY
Date Recorded
Amount Paid \$100

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. 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 Bruce L Vogel
Street Address of Applicant 5 Bromfield Ct
City, State, Zip of Applicant Newburyport MA 01950
Telephone Number of Applicant 978 828 0711
Name of Business Plum Island Coffee Roasters
Address of Business 54 R MERRIMAC
Telephone Number of Business 978 - 465 - 1444

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2017 JUN 22 PM 2:56

Approved location and description of moveable sign to be placed on Public Way

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 [Signature] Date 6/21/17



## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
5/16/2017

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

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

PRODUCER <b>Salem Five Insurance Services, LLC</b> 445 Main Street Woburn, MA 01801	CONTACT NAME:	
	PHONE (A/C, No, Ext): (781) 933-3100	FAX (A/C, No): (781) 933-9048
E-MAIL ADDRESS: <b>insurance.services@salemfive.com</b>		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A : <b>Selective Insurance Company of New England</b>		<b>11867</b>
INSURED  <b>Newburyport Coffee LLC dba Plum Island Coffee Roasters</b> 5 Bromfield Court Newburyport, MA 01950	INSURER B : <b>Mass Retail Merchants</b>	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			S 2057009	02/01/2017	02/01/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
	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) \$ \$
	UMBRELLA LIAB EXCESS LIAB 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	N/A	014005032730117	01/01/2017	01/01/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

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

City of Newburyport is named as Additional Insured on a primary and non-contributory basis when required by written contract on 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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

1stP

2017 JUN 19 AM 8:43

President Thomas F. O'Brien  
And Members of the City Council  
Newburyport City Hall  
60 Pleasant Street  
Newburyport, Mass. 01950

Dear Mr. O'Brien:

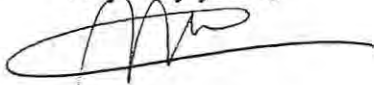
The amendments to Chapter 12 – Streets, Sidewalks and Other Public Places, Sec. 1.5 prohibits A-frame signs beyond the 4 square feet of the sidewalk at the direct entrance of a business has dictated me to write to you today for your support.

My name is John Wells and I own a business at Wellsco Realty located at 40R Merrimac Street, Newburyport, Mass. Because my business is not visible from Merrimac Street, it poses a challenge for potential customers to stop in at my location. I am respectfully requesting your approval to place my A-Frame on Merrimac Street at the entrance to the Waterfront Trust Parking lot. This location will provide maximum visibility and minimal invasion of the walkway. Also, by allowing me this variance, my customers will have no difficulty finding my establishment.

I've already purchased the permit #20 for Movable Signage on Public Property. I appreciate your attention to this matter and look forward to hearing from you. If you have any further questions, please feel free to contact me at 978-518-1481 or email me at [john@wellscorealty.com](mailto:john@wellscorealty.com).

Thank you for your consideration.

Very truly yours,



John Wells

Wellsco Realty

Liability insurance #20

APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY

Application Fee \$100.00

Date: 5/31/17

FOR CITY CLERK'S OFFICE ONLY
Date Recorded 6/1/17
Amount Paid \$100

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. 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 Wellsco LLC / John Well

Home address of applicant 1 Gove Drive

City, State, Zip of applicant Newburyport MA 01950

Telephone of applicant 978-518-1481

Name of business Wellsco LLC

Address of business 408 Memorial St. Suite 101E

Telephone of business 978-518-1481

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

Plastic A-frame to be placed at far edge of parking at front door

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 [Handwritten Signature]

Date 5/31/17



# CERTIFICATE OF LIABILITY INSURANCE

OP ID: CHCR

DATE (MM/DD/YYYY)

05/31/2017

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

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

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

**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 SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	X	08SBANW8864	12/09/2016	12/09/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 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
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED 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 DEDUCTIBLE RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			<input type="checkbox"/> W/C STATUTORY LIMITS <input type="checkbox"/> OTHER 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)  
 City of Newburyport is listed as an additional insured

**CERTIFICATE HOLDER**

CITYOFN

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

© 1988-2009 ACORD CORPORATION. All rights reserved.

## PLANNING & DEVELOPMENT COMMITTEE ITEMS

August 14, 2017

- **COMM076\_07\_11\_16 LATE FILE** Boyd Drive Petition
- **ORDR080\_09\_26\_16 LATE FILE** Order of Taking Parking Facility (**B&F**)
- **COMM096\_10\_31\_16** Draft of Newburyport's Master Plan
- **COMM114\_12\_12\_16** Memo on Master Plan - Work Plan and Appendix XX
- **COMM034\_03\_28\_17** Evergreen Special Permit Issued by Planning Board

COMM 076-7-11-16  
DATE FILE

June 28, 2016

Dear Mayor Holaday,

The undersigned residents of Boyd Drive have concerns regarding the public health and safety of our community. A Letter of Intent for an OSRD special permit for the current location of the Evergreen Golf Course located at 18 Boyd Drive will be provided to the Planning Board in the coming months.

The past leaders of our community are well documented in the original planning of the development with regard to their safety and health concerns, and took precautions to assure our well being.

We ask that your office along with the Planning Board, Water and Sewer Commissioners, and Fire Department review in depth our three top concerns:

1. Contamination to Well #2 affecting 20% of the public water supply and approximately 4,000 residents.
2. Flooding of the proposed 38 new houses and those at the bottom of Boyd Drive from the Seasonal High Groundwater, which is likely to increase as a result of the development of the 36+acre parcel, leaving 40+ families at risk.
3. Public safety in times of medical or fire emergencies with only one egress for the largest R1 developed area in the city affecting 55+ houses and putting more than 150 residents at risk.

Name

Address

Jourea Maas	6 Boyd Drive
[Signature]	18 Boyd Dr
[Signature]	19 Boyd Drive
Sherry Chu	17 Boyd Drive
Peter Chu	17 Boyd Drive
Pamela Hatcher	15 Boyd Dr
Peter Hatcher	15 Boyd Dr
[Signature]	21 Boyd Dr.
[Signature]	3 Boyd Dr.

Life  
Dad  
CC EG



Cyl Hlaf

Michelle Rogers

John Rogers

Res. Lee

~~John~~

Wendy Mann

Kara Jean

~~John~~

DAVE & STEPH MARINO

Sara Blumhett

Jan & Pro Bull

Amela V

Cindi Cottone

David Cottone

Thom & Nich Bradie

Niall & Katie Robinson

Michael & Pamela Lee

3 Boyd Dr

11 Boyd Dr

11 Boyd Dr.

6 Boyd Drive

13 Boyd Drive

13 Boyd Drive

9 Boyd Dr.

9 Boyd Dr.

7 BOYD DR.

23 Boyd Dr

23 Boyd Drive .

21 Boyd Drive

4 Boyd DR.

4 Boyd DR

8 Boyd Dr

2 Boyd DR

1 Boyd Drive

ORD 2016-9-26-16  
DAD

September 26, 2016

**ORDERED:**

**AN ORDER AUTHORIZING THE TAKING OF REAL PROPERTY FOR THE INTERMODAL TRANSIT PARKING FACILITY**

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

**THAT** the City Council of the City of Newburyport by virtue of and in accordance with the provisions of Massachusetts General Laws, Chapter 79, as amended, the City's Charter, the Newburyport Code, and of any and every other power and authority which is hereunto in any way enabling, does hereby adopt the Order of Taking attached hereto, to acquire for public transit and public parking purposes, together with the attendant customary uses as set forth in the Order of Taking, the entire fee simple interest in and to those two certain parcels of real property, including all structures thereon, commonly known as 90 Pleasant Street (Assessor's Parcel 47-34) and 81-83 Merrimac Street (Assessor's Parcel 47-38), both located in Newburyport, and together having a total area of approximately 36,610 square feet (together, the "Site"), which fee simple ownership interests in land and which Site are more particularly described in Schedule A and Exhibit A to the Order of Taking, respectively, and to authorize the City Council President to execute the Order of Taking to effectuate the purposes of this vote.

**THAT** The City Council further authorizes the Mayor to acquire and accept the specified fee simple interests on behalf of the City by providing monetary compensation to the Owner in an amount equal to the appraised value of the Site, which amount is \_\_\_\_\_dollars and no cents (\$\_\_\_\_\_.00), based upon that certain appraisal report entitled "63-81 Merrimac," dated October 3, 2014, and updated October \_\_, 2016, by Colliers International (Colliers File #: J140238), a copy of which is on file with the City Clerk.

\_\_\_\_\_  
Councilor Robert J. Cronin

\_\_\_\_\_  
Councilor Jared J. Eigerman

PAD



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

RECEIVED  
 MAYOR'S OFFICE  
 NEWBURYPORT, MA

2016 OCT 24 P 4:00

To: President and Members of the City Council  
 From: Donna D. Holaday  
 Date: October 25, 2016  
 Subject: Draft of Newburyport's Master Plan

Following three years of work by a group of dedicated volunteers, community members, elected officials, and municipal employees, I am pleased to submit to the City Council the first draft of the new City of Newburyport's Master Plan.

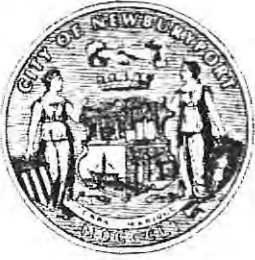
This Plan is a comprehensive document that:

- Establishes long-term policy recommendations for the community's physical development, and outlines implementation strategies that address land issues, transportation, community facilities and services, the local economy and the environment;
- Includes assessments of existing resources and issues, projections of future conditions and needs, and consideration of community goals and desires;
- Acts as a policy guide and provides direction and a framework for decision-making when projects are proposed and funding decisions need to be made; and
- Explores a broad range of issues focused on managing redevelopment and guiding sustainable growth over the next decade.

I encourage your review of this draft document in the coming weeks. You were provided with hard copies of the draft Plan in your packets; additionally, the document, in its entirety, is also posted on the City's website at the following link: <http://www.cityofnewburyport.com/master-plan-steering-committee>.

Together, with the Planning Board, and the community-at-large, we will review the draft document, solicit comments and suggestions, make edits, and finalize our Master Plan that provides an articulated and comprehensive strategy for Newburyport's future.

I would also like to acknowledge the leadership of Kathryn Newhall-Smith, Project Manager for the development of the Master Plan and Courtney Starling, Community Opportunities Group consultant who compiled all of the data and narratives to create this final draft plan.



CITY OF NEWBURYPORT  
OFFICE OF PLANNING AND DEVELOPMENT  
60 PLEASANT STREET • P.O. BOX 550  
NEWBURYPORT, MA 01950  
(978) 465-4400 • (978) 465-4452 (FAX)

P&amp;D

TO: **City Council / Planning & Development Committee**

CC: **Planning Board**

FROM: **Andrew R. Port, Director of Planning & Development**

DATE: **December 7, 2016**

RE: **Draft of Newburyport's Master Plan – "Work Plan" Appendix**

---

On October 31, 2016, the City Council received a copy of the Draft Master Plan update from the Mayor and Office of Planning & Development. That document is also posted on the City website here:

<http://www.cityofnewburyport.com/master-plan-steering-committee>

At that time we were able to post the main narrative of the document but were unable to provide you with a copy of the detailed "Work Plan" appendix, which identifies specific actions that, when implemented, will result in the achievement of the goals listed within the plan. The Work Plan is structured with Goals, Objectives and Actions, and identifies specific departments and/or boards that will be responsible for implementing each of these recommendations over the next ten years.

Attached is a copy of the draft Master Plan "Work Plan" which is to be incorporated in the adopted Master Plan (*as an appendix*). We ask that you review this document in addition to the core Master Plan report previously provided. We intend to use the "Work Plan" as a checklist which can be monitored on a yearly basis moving forward, in order to assess progress being made each year in implementation of the Master Plan, as well as to identify shortcomings which may be improved in future years. We intend to provide the Planning Board and City Council with this yearly progress report. We ask that you forward this Work Plan to the Planning & Development Committee where it can be discussed further as P&D/COTW.

We will make ourselves available to address any questions the Council may have in the coming weeks, beginning with the Planning & Development (P&D) / Committee of the Whole (COTW) meeting scheduled for December 8, 2016. We expect to make additions and revisions to the draft Master Plan during the next few weeks with the goal of obtaining final City Council and Planning Board approval of the entire Master Plan document in early 2017.

Please do not hesitate to contact me if you have any questions regarding the Master Plan or any other planning initiative. Thank you.

p40

Newburyport City Council  
President, Tom O'Brien  
60 Pleasant Street  
Newburyport, MA 01950

2017/03/21 A 8:34

20 March 2017

RE: Evergreen Special Permit issued by the Planning Board

The purpose of this communication is to provide a brief overview of the Special Permit decision issued by the Planning Board for the Evergreen development on Boyd Drive, and to offer to appear before the Council if further discussion is requested.

It is important to note that the scope of the Board's decision had to be limited to the Permit request before us, and the regulations in place at that time. Although there is keen interest in the City's future water resources, the Board agreed that this objective was outside the Board's purview. The two main categories of regulations that the Board applied are the subdivision regulations, and the Water Resource Protection District regulation (WRPD) (Sec. XIX of the Zoning Code).

Application of the subdivision regulations was straightforward, and the Board decided that the compact form of development encouraged by our Open Space Residential Development (OSRD) regulation was best. (This regulation allows development with approximately half size lots and the remaining 60% of the parcel to be given as permanent open space.) The vast majority of our time was spent on the WRPD, which had two main points of deliberation. First, residential housing is not a prohibited use in Zone II. (Sec XIX-G) (In fact, I could find no community that prohibits residential in Zone II.) Second, there is a provision of the WRPD regulation (Sec XIX-F, 10.) that provides that the Board may stop any activity that is likely to cause or contribute to contamination. Although there was some contention about the legality of the Board's ability to apply this contamination provision, the Board agreed with the opinion of our Solicitor. It was clearly understood by the Board that if there was evidence of a likelihood to cause or contribute to contamination, that the Board had the responsibility under the WRPD to vote no.

As the Chair I proactively reached out to all City departments involved, including the DPS, the Conservation Commission, the Board of Health, and the Water and Sewer Commission. The Board received input from several technical experts including a hydrologist, AECOM, as our water peer review, and Christiansen and Sergi, as our engineering peer review. At several points during the process Director Port made inquiries with our Solicitor regarding legal points, and briefed me directly thereafter. In addition to materials presented at meetings, I have reviewed multiple other comminutes regulations and spoken to several of their staff.

After consideration of the copious materials taken as a whole, including City department input and public testimony, the Board voted 6-2 to grant a Special permit for a 38 lot Open Space Residential Development. It was clear from the final deliberation and vote that Board members were not convinced that the approved residential design was likely to cause a contamination risk. The two dissenting votes were focused not on the conclusion that contamination was likely, but that if contamination was found during construction, that there was not enough surety to adequately protect the City. The resulting decision has in part: 1) a chemical test plan (some of which has already been completed), 2) a layout that moves all the lots away from the low-lying flood areas/wetlands, 3) a \$2 million insurance requirement in case of environmental issues during construction, and, 4) a requirement to make a recommendation to the DPS on their ongoing EPA test protocol, if required.

The 26 page Special Permit decision entailed consideration of some 1000+ pages of submitted materials, both technical and legal, 100s of pages of regulations, and more than 20 hours of public input, including a 4 hour long final deliberation. In addition to this OSRD Special Permit, the applicant is still required to provide detailed engineering plans and apply for two additional Special Permits under the WRPD. The Board intends to scrutinizing these engineering plans and Special Permits to insure that the neighborhood and the City receive the safest, most optimized plan possible.

All of the materials have been posted on the City website as they have become available. I would be glad to appear before the Council to discuss any of the above.

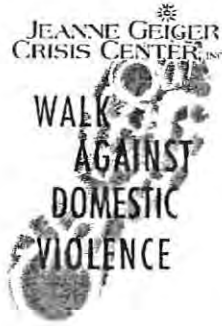
Respectfully,

A handwritten signature in black ink, appearing to read 'Jim McCarthy', written over the word 'Respectfully,'.

Jim McCarthy  
Chairman, Newburyport Planning Board

PUBLIC SAFETY COMMITTEE ITEMS  
August 14, 2017

- **COMM087\_07\_10\_17** Walk Against Domestic Violence - 10/1/17
- **COMM088\_07\_10\_17** Newburyport Half Marathon - 10/22/17
- **COMM089\_07\_10\_17** Merrimack River Feline Rescue Society 25th Anniversary - 9/23/17
- **ORDR042\_07\_10\_17** Stop Sign - Independent St at Water St



PS

June 21, 2017

Thomas F. O'Brien, President  
Newburyport City Council  
City Hall  
60 Pleasant Street  
Newburyport, MA 01950

Dear Mr. O'Brien and City Council Members,

On behalf of the Jeanne Geiger Crisis Center, I am writing to ask for City Council's approval of our plans for the 26th Annual Walk Against Domestic Violence, scheduled for Sunday, October 1<sup>st</sup> again this year at Waterfront Park, situated directly behind the Firehouse Theater located at 1 Market Square, Newburyport, MA from 8:00 AM (registration) – noon.

For your review, I have enclosed a copy of our walk route that we used last year and will again for this upcoming walk. As in the past, we have an army of volunteers who are stationed along the route to direct walkers and we will have officers stationed at crossing points. If you have any questions, please call our Event Coordinator, Cara Kennedy, at 978-465-0999.

I hope you will look favorably upon this request, and please let us know if you have any questions.

Thank you for your immediate attention to this matter. We look forward to your earliest response so that we may publicize this exciting event.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne C. Dubus".

Suzanne C. Dubus  
Chief Executive Officer

Cc: Richard B. Jones, City Clerk

enclosure



# NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT: Jeanne Geiger Crisis Center Walk Against Domestic Violence

Date: 10/11/17 Time: from 8 AM to 11 AM

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

2. Location: Waterfront Park (see attached map for walk route)  
Rail trail and walk route

3. Description of Property: \_\_\_\_\_ Public  Private \_\_\_\_\_

4. Name of Organizer: Jeanne Geiger Crisis Center City Sponsored Event: Yes \_\_\_\_\_ No

Contact Person Cara Kennedy

Address: 2 Harris Street, NBPT, MA Telephone: 978-465-0999

E-Mail: ckennedy@jeannegeiger.org Cell Phone: 978-994-3358

Day of Event Contact & Phone: Cara Kennedy, 978-994-3358

5. Number of Attendees Expected: 500

6. MA Tax Number: 22-2474823

7. Is the Event Being Advertised? yes Where? local media, radio, social media

8. What Age Group is the Event Targeted to? 25-60

9. Have You Notified Neighborhood Groups or Abutters? Yes  No \_\_\_\_\_, Who? Newburyport Parks NBPT Waterfront Trust

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? None we use the Park's & empty if 10
- b) How many recycling receptacles will you be providing? \_\_\_\_\_
- c) Will you be contracting for disposal of : **Trash** Yes \_\_\_\_\_ No X **Recycling** Yes \_\_\_\_\_ No X
- i. If yes, size of dumpster(s): **Trash** \_\_\_\_\_ **Recycling** \_\_\_\_\_
- ii. Name of disposal company: **Trash** \_\_\_\_\_ **Recycling** \_\_\_\_\_
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes \_\_\_\_\_ No \_\_\_\_\_
- iv. If no, where will the trash & recycling be disposed? \_\_\_\_\_

**If no:**

- a) # of trash container(s) to be provided by DPS None
- 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: We use the public toilets at Waterfront park and provide extra toilet paper.

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE \_\_\_\_\_

ROAD RACE \_\_\_\_\_

WALKATHON X

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

Jeanne Geiger Crisis Center

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

Jeanne Geiger Crisis Center - Cara Kennedy  
2 Harris Street, Newburyport MA 01950  
978-465-0999

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

Meredith Tierney  
2 Harris Street, Newburyport, MA 01950  
978-994-3358

4. Date of Event: 10/1/17 Expected Number of Participants: 500

5. Start Time: 8 am Registration Expected End Time: 11:00 AM

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

Rail Trail, Hight street, Bramfield street, Merrimac Street

7. Locations of Water Stops (if any): March's Hill

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

9. Formation Location & Time for Participants: Water front Park - 8 am

10. Dismissal Location & Time for Participants: Waterfront Park - 11 am

11. Additional Parade Information:

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

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

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

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

## DEPARTMENT APPROVAL (for Committee Member use only):

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

<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>	
	<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.

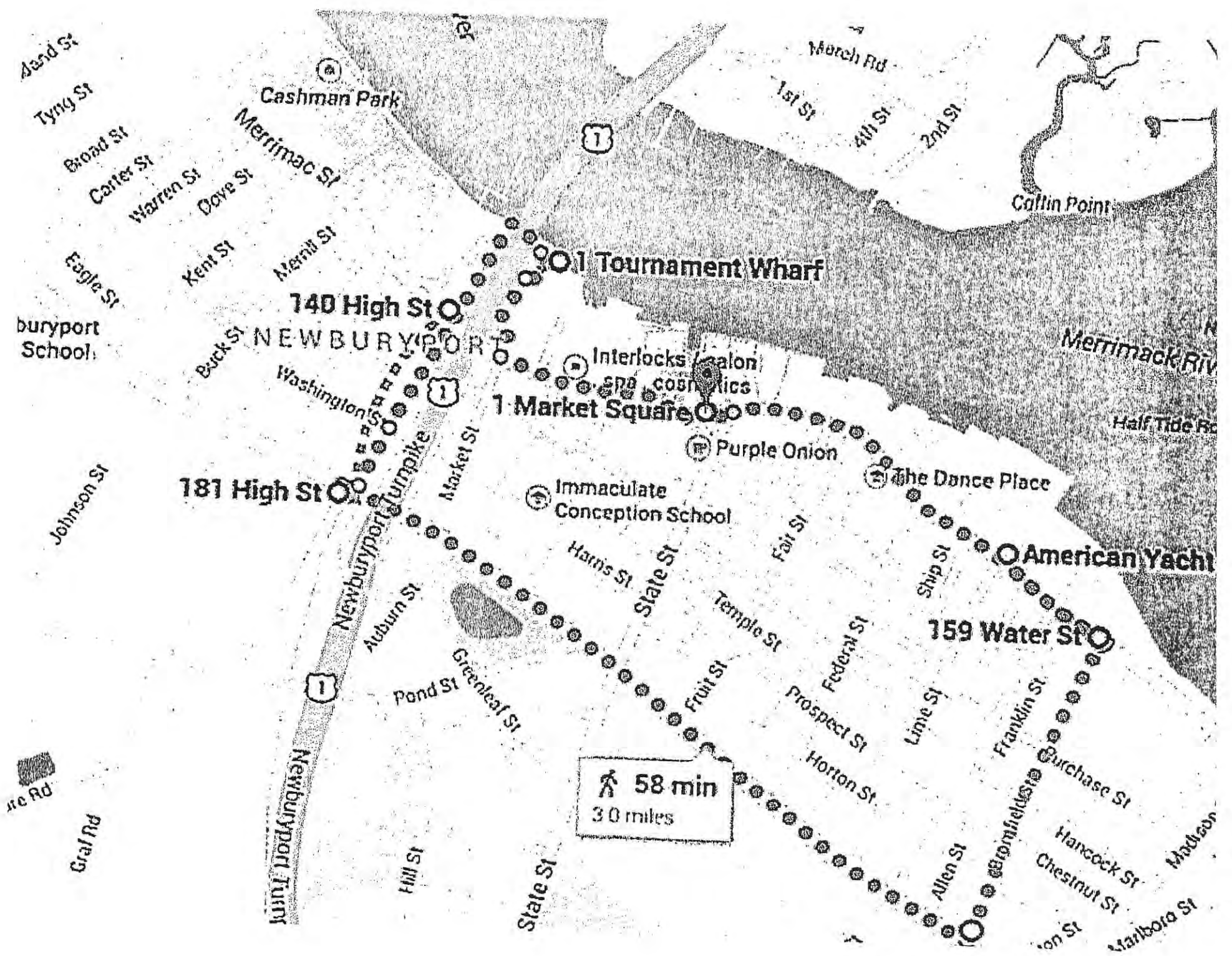
- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers 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: *Cara Kennedy* Date: *6/6/17*



Acad St  
Tyng St  
Broad St  
Carter St  
Warren St  
Dove St  
Eagle St

Cashman Park  
Merrimac St  
Kent St  
Merrill St

March Rd  
1st St  
4th St  
2nd St

Coffin Point

Newburyport School

140 High St  
NEWBURYPORT

Tournament Wharf

Merrimack River  
Half Tide Rd

Johnson St

181 High St

Interlocks Salon  
spa cosmetics  
1 Market Square  
Purple Onion

The Dance Place

Immaculate  
Conception School

American Yacht

159 Water St

Gravel Rd

Newburyport Turnpike

Auburn St  
Pond St  
Greenleaf St

58 min  
3.0 miles

State St

Harris St  
State St  
Temple St  
Fruit St  
Prospect St  
Horton St

Ship St  
Lime St  
Franklin St  
Purchase St  
Hancock St  
Chestnut St  
Marlboro St



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
6/9/2017

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

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

<b>PRODUCER</b> Eastern Insurance Group LLC 233 West Central St Natick MA 01760		<b>CONTACT NAME:</b> Lori Keiffer <b>PHONE (A/C. No. Ext):</b> (800) 333-7234 <b>FAX (A/C. No.):</b> <b>E-MAIL ADDRESS:</b> LKeiffer@easterninsurance.com	
		<b>INSURER(S) AFFORDING COVERAGE</b>	
		INSURER A: Philadelphia Insurance Company	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	
<b>INSURED</b> Jeanne Geiger Crisis Center, Inc; S.A.F.E. Inc. 2 Harris Street Newburyport MA 01950			


**COVERAGES**                      **CERTIFICATE NUMBER:** 17 GL UMB                      **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			PHPK1491103	5/7/2017	5/7/2018	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							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
							Professional Liability	\$ 1,000,000
	AUTOMOBILE LIABILITY  <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			PHUB539576	5/7/2017	5/7/2018	EACH OCCURRENCE	\$ 2,000,000
							AGGREGATE	\$ 2,000,000
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

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

RE: Walk Against Domestic Violence  
 Location: Water Front Park, Newburyport, MA  
 located behind the Firehouse Center for Arts,  
 1 Market Square, Newburyport, MA 01950  
 Date: October 1, 2017, from 8:00 AM - Noon  
 The Newburyport Waterfront Trust is additoinal insured for General Liability

<b>CERTIFICATE HOLDER</b>  The Newburyport Waterfront Trust City Hall 60 Pleasant Street Newburyport, MA 01950	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	<b>AUTHORIZED REPRESENTATIVE</b>  John Koegel/LKEIFF 

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

15

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. 978 270 2026

Fax.

2017 JUN 30 AM 10:15

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

NAME OF EVENT: Newburyport Half Marathon

Date: 10/22/17 Time: from 6:00am to 2:00pm

Rain Date: 10/29/17 Time: from 6:00am to 2:00pm

2. Location: Cashman Park - Softball Field / Boat Ramp Area

3. Description of Property: ↑ Public  Private

4. Name of Organizer: Green Stride City Sponsored Event: Yes  No

Contact Person Eli Bailin

Address: 55 Prospect St Amesbury Telephone: 978 270 2026

E-Mail: elibailin@hotmail.com Cell Phone: ↓

Day of Event Contact & Phone: same

5. Number of Attendees Expected: 3,000

6. MA Tax Number: 47-0987984

7. Is the Event Being Advertised? yes Where? online to runners network

8. What Age Group is the Event Targeted to? 18-70+

9. Have You Notified Neighborhood Groups or Abutters? Yes  No  Who? We notify leading into event

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? 10
- b) How many recycling receptacles will you be providing? 10
- c) Will you be contracting for disposal of: **Trash** Yes  No  **Recycling** Yes  No
- i. If yes, size of dumpster(s): **Trash** 30 yard **Recycling** \_\_\_\_\_
- ii. Name of disposal company: **Trash** GMello **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)

# 60 Standard # 2 ADA accessible

Name of company providing the portable toilets: D.A. Wilkison

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

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

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

Green Stride

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

Eli Bailin  
55 Prospect St Amesbury 978 270 2026

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

Eli Bailin  
55 Prospect St Amesbury 978 270 2026

4. Date of Event:

10/22/17

Expected Number of Participants:

3,000

5. Start Time:

9:00am

Expected End Time:

2:00 pm

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

See attached plan

7. Locations of Water Stops (if any):

See attached

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

see attached

9. Formation Location & Time for Participants:

Merrimac + Kent St for start

10. Dismissal Location & Time for Participants:

11. Additional Parade Information:

• Number of Floats:

N/A

• Locations of Viewing Stations:

N/A

• Are Weapons Being Carried:

Yes \_\_\_ No \_\_\_

• Are Marshalls Being Assigned to Keep Parade Moving:

Yes \_\_\_ No \_\_\_

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

CITY MARSHAL

RLR

4 Green St.

FIRE CHIEF

Dep SHB

6/30/17

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.

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

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

### Limitations


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

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

**13-101 Enforcement**

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

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

Signed:  Date: 6/30/17

## COURSE DESCRIPTION

START: Merrimac & Kent St intersection

Continue Merrimac St- 1 mile Jefferson St before Atkinson Common

Left on Spofford St- 2 miles

Right on Ferry Rd

Across bridge over Route 95

Continue to Pine Hill Rd- 3miles

Bear right onto Curzon Mill Rd

Left on Hoyts Ln

Left on Storey Ave, Route 113- 4 miles

Right on Dennette DR

Left on Everett DR

Right on Turkey Hill Rd

Right on Plummer Spring Rd- 5 miles

Continues to Middle St

Left on Garden St- 6 miles

Left on Rogers St- 7 miles

Left on Turkey Hill Rd- 8 miles

Right on Hale St- 8.34 miles; 9 miles after RT 95 overpass

Right on Malcolm K Hoyt Rd- 10 miles

Left on Milliken Way to reverse direction at turn around point

Left on Malcolm K Hoyt Rd -10.84 miles; 11 miles before Parker St turn

Left on Parker St

Continue right on Parker St

Left on Clipper City Rail Trail- 11.8 miles; 12 miles on Trail

Continue Trail to before boat ramp & left to

Finish: adjacent to Cashman Park parking lot

# GREEN STRIDE NEWBURYPORT HALF MARATHON

NEWBURYPORT, MASSACHUSETTS

- 1 - ON MERRIMAC ST. @ 50 YD. AFTER JEFFERSON ST., AT BEGINNING OF DRIVEWAY #420 (R), 16 FT. AFTER POLE 91 (R)
- 2-3 FT. AFTER END OF DRIVEWAY #52 SPOFFORD ST. (R) - EVEN WITH GRANITE LAMPPOST IN YARD, 33 FT. BEFORE BEGINNING OF BRIDGE LN. (L)
- 3 - AT BEGINNING OF 2<sup>ND</sup> DIRT DRIVEWAY #37 PINE HILL RD. (L), 27 FT. BEFORE POLE 23
- 4 - IN WESTBOUND LANE OF STOREY AVE., 13 FT. AFTER ROAD COVER IN DIRECT LINE OF RUNNERS' PATH.

\*CONE ON CENTER LINE OPPOSITE BEGINNING OF STORM DRAIN AT NORTH SIDE OF STOREY AVE. RUNNERS RESTRICTED TO RIGHT SIDE OF STOREY AVE.

- 5 - AT CORNER OF TURKEY HILL RD. / MIDDLE ST.
- 6 FT. AFTER STOP LINE
- 6 - IN DRIVEWAY #406 MIDDLE RD. (R) EVEN WITH END OF DOORS, 5.5 FT. BEFORE END OF CURBED DRIVEWAY
- 7 - AT END OF DRIVEWAY #38 ROGERS ST. (L), AT BEGINNING OF STONE WALL

- 8 - 69 FT. AFTER POLE 53 (L), 54 FT. BEFORE BEGINNING OF BIGGEST BOULDER (L) AT 'CUT OUT' (R)

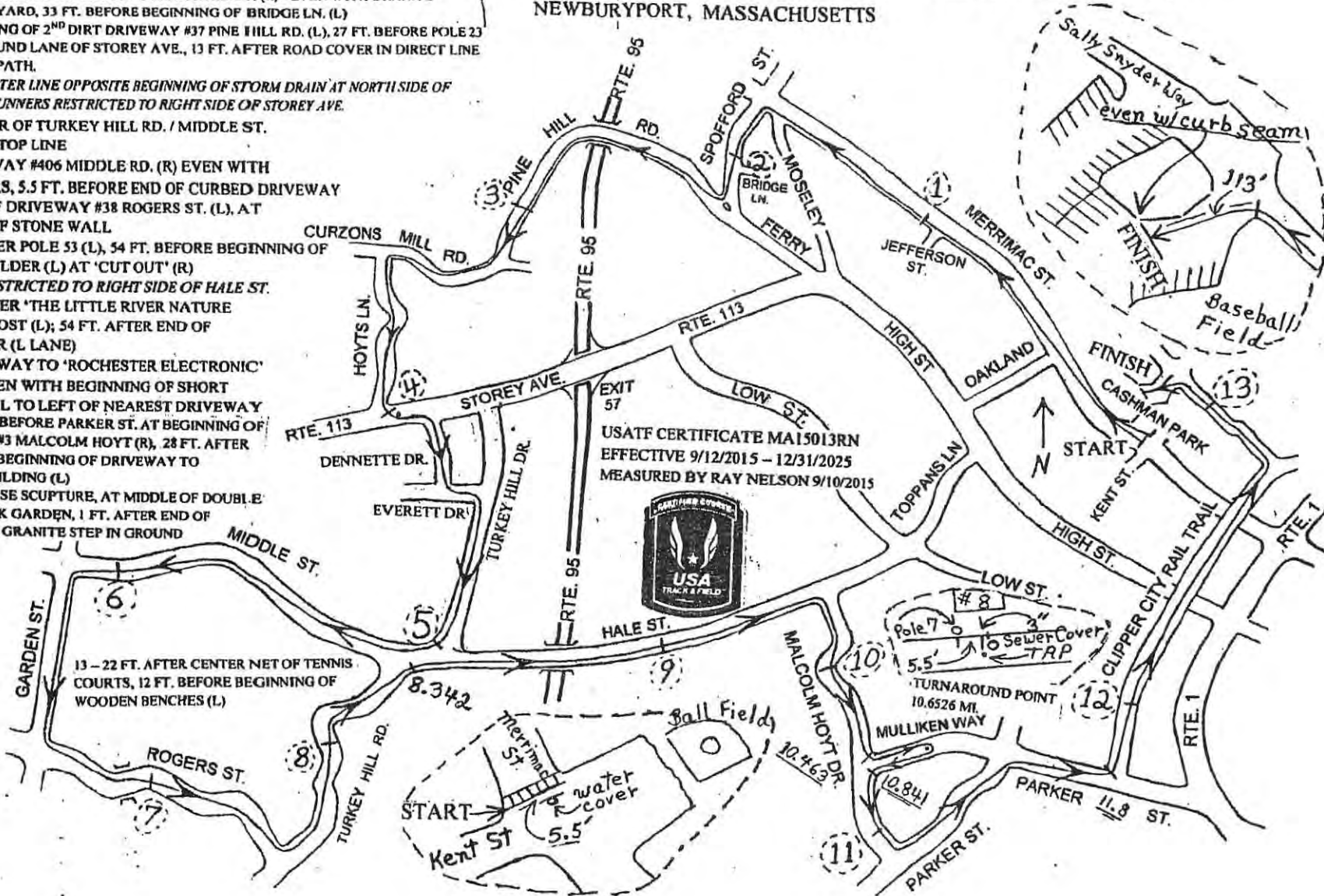
\*RUNNERS RESTRICTED TO RIGHT SIDE OF HALE ST.

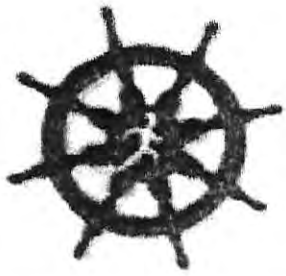
- 9 - 86 YD. AFTER 'THE LITTLE RIVER NATURE TRAIL' SIGNPOST (L); 54 FT. AFTER END OF SEWER COVER (L LANE)

- 10 - IN DRIVEWAY TO 'ROCHESTER ELECTRONIC' BLDG. (L); EVEN WITH BEGINNING OF SHORT CEMENT WALL TO LEFT OF NEAREST DRIVEWAY

- 11 - @ 0.1 MILE BEFORE PARKER ST. AT BEGINNING OF DRIVEWAY TO #3 MALCOLM HOYT (R), 28 FT. AFTER POLE 4 (R); AT BEGINNING OF DRIVEWAY TO BLUE GRAY BUILDING (L)

- 12 - AFTER HORSE SCULPTURE, AT MIDDLE OF DOUBLE CIRCULAR ROCK GARDEN, 1 FT. AFTER END OF RECTANGULAR GRANITE STEP IN GROUND





# Newburyport Half Marathon

Sunday, ~~October 25th, 2015~~

COURSE MAP

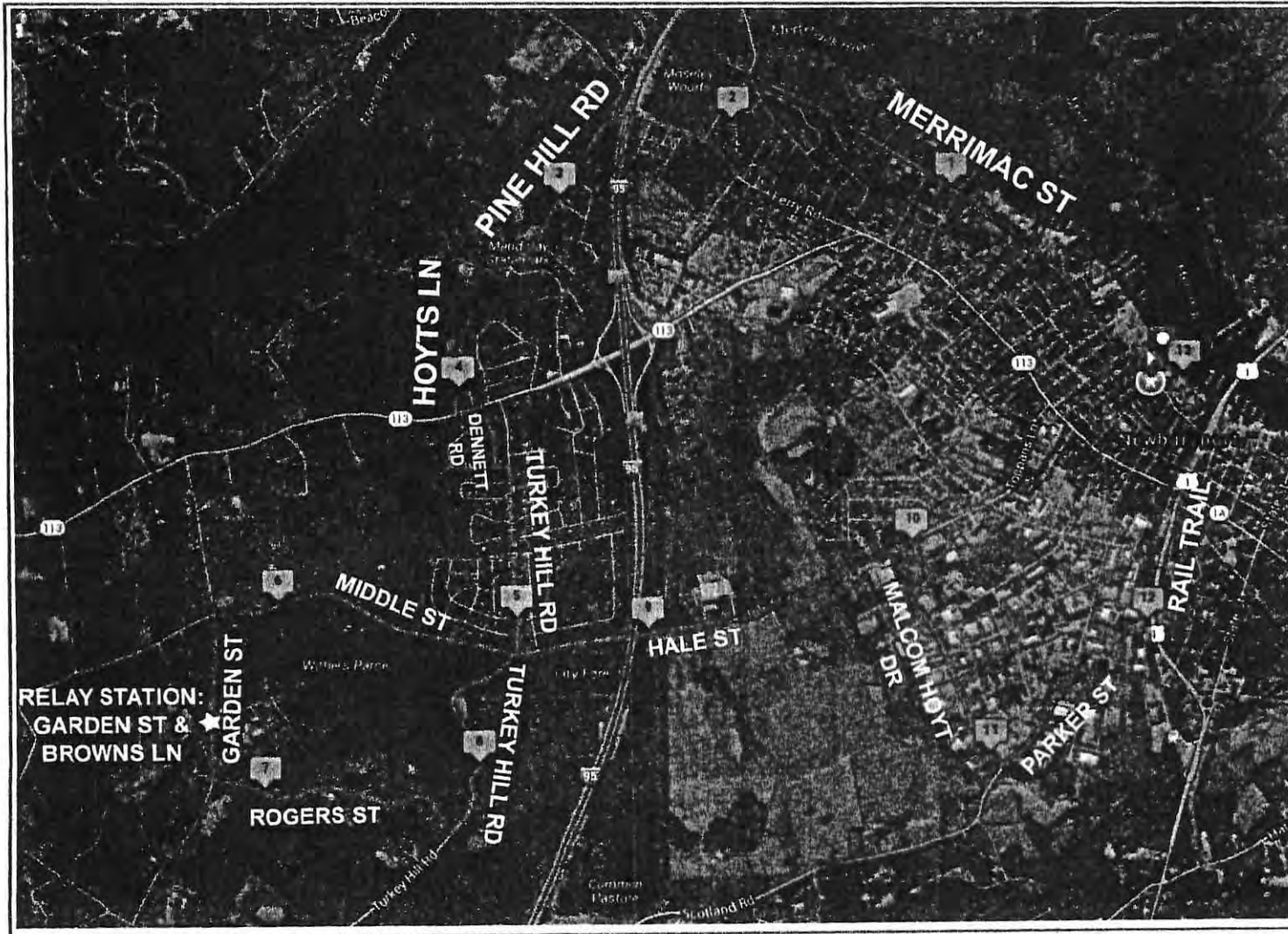
Oct. 22nd  
2017

Prepared by:

**DMSE**  
DAVE MCGILLIVRAY SPORTS ENTERPRISES  
**SPORTS**

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

v. 10/13/2015



Attn!

New Start Time is 9:00am!

This page should reconsider the one hour difference.

RUNNER PACE TIMELINE		PACE: 4:59/MILE	PACE: 10:00/MILE	PACE: 18:19/MILE
MILE	LOCATION	Cross start line: LEAD	Plus 2 min MIDDLE PACK	Plus 4 min. LAST
START	MERRIMAC ST & KENT ST INTERSECTION	10:00:00	10:02:00	10:04:00
1	MERRIMAC ST AFTER JEFFERSON ST	10:04:59	10:12:00	10:22:19
1.8	MERRIMAC ST & SPOFFORD ST INTERSECTION	10:09:00	10:20:00	10:37:00
2	#32 SPOFFORD ST	10:10:00	10:22:00	10:40:38
2.2	SPOFFORD ST & FERRY RD	10:12:00	10:24:00	10:41:18
3	#37 PINE HILL RD	10:14:57	10:32:00	10:58:57
3.4	CURZONS MILL RD & HOYTS LN	10:16:00	10:36:00	11:06:17
4	ON STOREY AVE/RTE 113 JUST AFTER HOYTS LN TURN	10:19:56	10:42:00	11:17:16
4.1	STOREY AVE & DENNETTE DR	10:20:26	10:43:00	11:19:06
4.3	DENNETTE DR & EVERETT DR	10:21:26	10:43:00	11:22:46
4.5	EVERETT DR & TURKEY HILL RD	10:23:56	10:47:00	11:26:26
4.6	EVERETT DR & TURKEY HILL RD	10:24:26	10:48:00	11:28:16
5	TURKEY HILL RD & MIDDLE ST	10:24:55	10:52:00	11:35:35
6	3406 MIDDLE ST BEFORE GARDEN ST TURN	10:29:54	11:02:00	11:53:54
7	#38 ROGERS ST	10:34:53	11:12:00	12:12:13
8	ON TURKEY HILL RD BEFORE HALE ST	10:39:52	11:22:00	12:30:45
8.34	TURKEY HILL & HALE ST INTERESECTION	10:40:30	11:22:40	12:30:32
9	ON HALE ST AFTER "LITTLE RIVER NATURE CENTER SIGNPOST	10:44:51	11:32:00	12:48:51
9.8	HALE ST & MALCOLM HOYT DR INTERSECTION	10:48:51	11:40:00	12:52:30
10	AFTER CURVE ADJACENT TO ROCHESTER ELECTRONIC BLDG	10:49:50	11:42:00	1:07:10
10.5	MALCOML HOYT DR & MULLIKEN WAY	10:52:20	11:47:00	1:16:20
10.84	TURNAROUND ON MULLIKEN WAY	10:53:20	11:51:00	1:22:00
11	0.1 BEFORE LEFT TURN ON PARKER ST	10:54:49	11:52:00	1:25:29
11.5	RIGHT TURN ON PARKER ST	10:56:30	11:54:30	1:34:40
11.8	PARKER ST & ENTRANCE TO CLIPPER CITY RAIL TRAIL	10:58:50	11:56:00	1:40:10
12	ON CLIPPER CITY RAIL TRAIL AFTER HORSE SCULPTURE	10:59:48	12:02:00	1:43:48
13	AFTER LEFT TURN ON TRAIL ALONG THE MERRIMAC RIVER	11:04:57	12:22:00	2:02:07
13.1	PARKING LOT BEFORE THE BOAT RAMP	11:05:20	12:13:05	2:04:00



**POLICE ASSIGNMENTS**

1. OIC
2. Lead vehicle
3. Merrimac and Carter
4. Merrimac and Kent
5. Merrimac and Oakland
6. Merrimac & Route 1
7. Merrimac & Route 1
8. Merrimac and Ashland (beer tent)
9. Merrimac and Jefferson (beer tent)
10. Merrimac and Spofford
11. Merrimac and Spofford
12. 113 & Hoyts Lane
13. Dennett & 113
14. Turkey Hill & 113
15. Turkey Hill & Crow
16. Turkey Hill & Hale
17. Turkey Hill & Hale
18. High & Mosely
19. High & Ferry
20. Low & Hale
21. Hale and Malcolm Hoyt
22. Mullikan & Parker
23. Malcolm Hoyt and Parker
24. Malcolm Hoyt & Parker
25. Parker and Parker
26. Rail Trail Parker
27. Rail Trail Washington

## Barricades Locations List for ½ Marathon Sunday 1000 hrs

1. Pine Hill & Hallisey
2. Pine Hill & Daniel Lucey
3. Hale & Toppans
4. Hale & Turkey Hill
5. Hale & Lavalley
6. Parker & Malcolm Hoyt
7. Graf & Parker
8. Rt1 & Parker by Haley's

## COURSE MONITOR PLAN

LOCATION	RACE MONITORS	NEWBURYPORT POLICE	
Merrimac & Route 1		2	
Merrimac & Kent [Race start]	2	1	
Merrimac & Carter	1	1	
Merrimac & Oakland	1	1	
Merrimac & Ashland	1	1	Beer Tent
Merrimac & Jefferson	1	1	Beer Tent
Merrimac & Spofford	1	2	
Spofford & Ferry	1		
High & Mosely		1	
High & Ferry		1	
Ferry & Briggs	1		
Ferry & Laurel	1		
Pine Hill & Whitcomb Ln	1		
Pine Hill & Curzon Mill	1		
Curzon Mill & Daniel Lucy Way	1		
Curzon Mill & Hoyts Ln	1		
Hoyts Ln & Drew	1		
113 & Hoyts Ln	1	1	
113 & Dennett Dr	1	1	
113 & Turkey Hill		1	
Dennett & Everett	1		
Turkey Hill & Everett Dr	2		
Turkey Hill & Bourbeau Terrace	2		
Turkey Hill & Windward Dr	2		
Turkey Hill & Longfellow Dr	2		
Turkey Hill & Newhall Ln	2		
Turkey Hill & Marquard Ln	2		
Turkey Hill & Longfellow Dr	2		
Turkey Hill & Crow		1	
Turkey Hill & Hale		2	
Low & Hale		1	
Middle & Garden	1		
Garden & Browns Ln	2		
Garden & Rogers	1		
Garden & Turkey Hill	1		
Hale & Malcolm Hoyt	1	1	
Malcolm Hoyt & Parker		2	
Mulliken & Parker		1	
Parker & Parker		1	
Parker & Rail Trail	2	1	
Rail Trail & Washington	1	1	
	41	25	

## newburyport Fall Marathon

## Start/Finish Equipment

Qty	Item	Location	Provided	Comments
2	2 Wheeler	Start/Finish	DMSE	Ballfield-1, Start-1
1	Airhorn	Start	DMSE	
1	American Flag	Start	DMSE	
1	Announcer Platform	Start	DMSE/IRS	Ron to pick up from IRS
2	Ballast Water Barrel	Start	DMSE	NEED COAT HANGER
2	Banner	Start	ELI	2 - Single Sided Start Banners, back to back
1	Bullhorn	Start	DMSE	
2	Garden Hose	Start	DMSE	
2	Scaffolding Tower Scrim Set	Start	DMSE	Blue/White
2	Scaffolding Towers (4' x 7' x 12')	Start	DMSE	
150	Steel Barricade - Feet	Start	DMSE	All on trailer plus 30 from warehouse
120	Steel Barricade (10' x 44")	Start	DMSE	Start-80, Finish-20, Ballfield-20
4	Straps	Start	DMSE	
30	Traffic Cones (18")	Start	DMSE	
9	Veratruss System (Per Meter)	Start	DMSE	3 - 3M
1	Zip Ties - 8" (bag)	Start	DMSE	



## Water Station Equipment

Qty	Item	Location	Provided By	Comments
8	UCAN Concentrate Mix (case)	Water Stations	Eli	
4	UCAN Cups (case)	Water Stations	Eli	
4	UCAN Stirrers	Water Stations	DMSE	
8	Gloves	Water Stations	DMSE	
4	Gotts	Water Stations	DMSE	
1	Pallet Jack	Water Stations	DMSE	
4	Pitchers	Water Stations	DMSE	
16	Rakes	Water Stations	DMSE	
16	Shovels	Water Stations	DMSE	
32	Tables	Water Stations	Eli	
28	Trash Barrels	Water Stations	DMSE	
105	Trash Liners	Water Stations	DMSE	
132	Water - Gallon (case)	Water Stations	Eli	
15	Water Cups (case)	Water Stations	Eli	

## Newburyport Half Marathon

## DMSE Equipment

Qty	Item	Location	Provided By	Comments	Truck
2	2 Wheeler	Start/Finish	DMSE	Ballfield-1, Start-1	DMSE
1	Airhorn	Start	DMSE		DMSE
1	American Flag	Start	DMSE		DMSE
1	Announcer Platform	Start	DMSE/IRS	Ron to pick up from IRS	DMSE
2	Ballast Water Barrel	Start	DMSE	NEED COAT HANGER	DMSE
1	Bullhorn	Start	DMSE		DMSE
2	Garden Hose	Start	DMSE		DMSE
8	Gloves	Water Stations	DMSE		16' Water
4	Gotts	Water Stations	DMSE		16' Water
1	Pallet Jack	Water Stations	DMSE		26' Water
30	Parking Flags	Course	DMSE	Aaron to give to volunteers Thurs before	
4	Pitchers	Water Stations	DMSE		16' Water
16	Rakes	Water Stations	DMSE		16' Water
45	Safety Vests	Course	DMSE	One for every course monitor	
33	Sandwich Boards (2'x3')	Course	DMSE	20 Directional, 13 Mile Markers	16' Course
2	Scaffolding Tower Scrim Set	Start	DMSE	Blue/White	DMSE
2	Scaffolding Towers (4' x 7' x 12')	Start	DMSE		DMSE
16	Shovels	Water Stations	DMSE		16' Water
20	Signs - Course Directional	Course	DMSE		16' Course
150	Steel Barricade - Feet	Start	DMSE	All on trailer plus 30 from warehouse	26' Water
120	Steel Barricade (10' x 44")	Start	DMSE	Start-80, Finish-20, Ballfield-20	26' Water & TRAILER
4	Straps	Start	DMSE		DMSE
32	Tables	Water Stations	Eli		26' Water
30	Traffic Cones (18")	Start	DMSE		DMSE
100	Traffic Cones (18")	Course	DMSE		16' Course
28	Trash Barrels	Water Stations	DMSE		16' Water
105	Trash Liners	Water Stations	DMSE		16' Water
2	Velcro	Course	DMSE		16' Course
9	Veratruss System (Per Meter)	Start	DMSE	3 - 3M	DMSE
1	Zip Ties - 8" (bag)	Start	DMSE		DMSE

## MEDICAL PROGRAM

10/22/17

Medical Plan and Layout: Sunday ~~10/25/15~~ 1/2 Marathon and Relay

**Medical staff arrival:** ~~9:30 AM~~ 8:30  
**Start time:** ~~10:00 AM~~ 9:00 am  
**Orthopedic support**  
**Staff arrival:** ~~10:30 AM~~ 9:30 am  
**Estimated end time:** ~~2:00 PM~~ 1:00 pm

## Medical Plan Details:

- Dedicated BLS ambulance at finish line next to tent
  - With AEDx2
- Tent staff including:
  - Medical
    - NP (Pam)
    - 3 BLS EMTs
    - (possibly) PA (Dixie)
  - Musculoskeletal
    - DC (Adam) – orthopedic complaints
    - PT (Chris)
    - PT (James)
- 1/2 way tent staff including:
  - 2 EMTs with bags and truck
- 5 Volunteer spotters on course at following intervals from finish (equipped with cell phone and/or radio)
  - 3/4 mile
  - 1/2 mile
  - 1/4 mile
  - Finish (2)

## Tent contents:

1. 4-6 medical cots
2. 2 portable massage tables
3. 5 25ct boxes instant ice packs
4. Mueller M tape, White athletic tape
5. Ace wraps
6. Vaseline
7. 5 EMS bags (red)
  - a. Contents include:
    - i. Airway & CPR mask
    - ii. Wound care bandages
      1. Various sized band aids
      2. Sterile gauze pads
      3. Sterile gauze wraps
      4. Waterproof tape

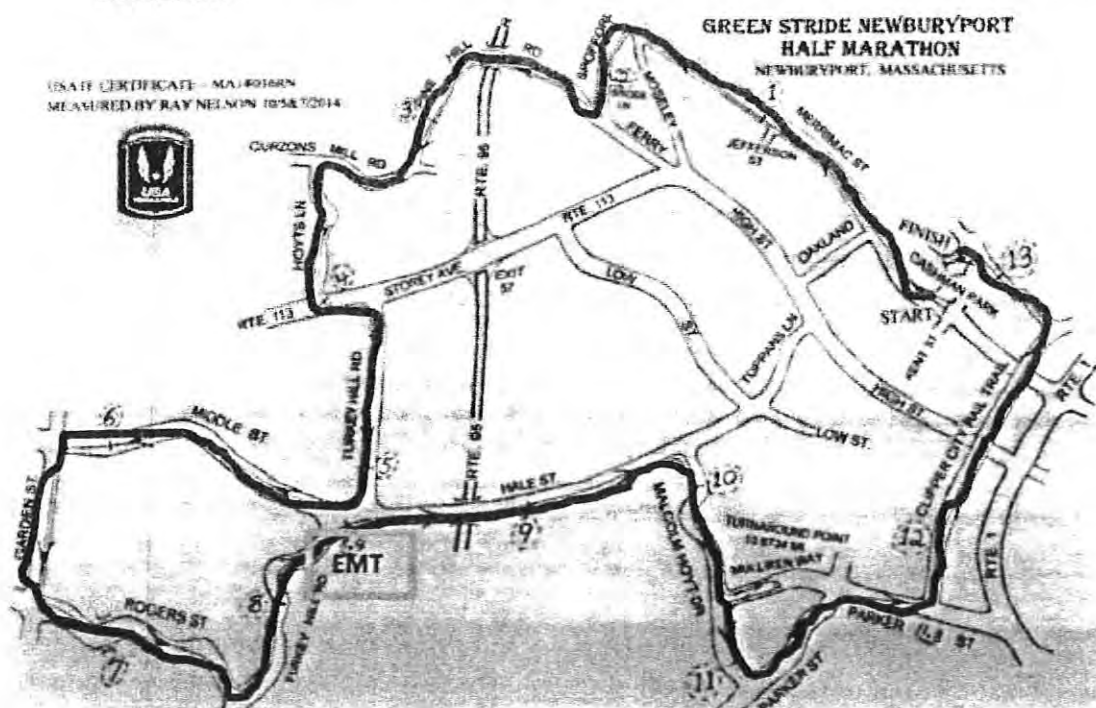


## MEDICAL PROGRAM

- iii. Wound cleaning supplies
  - 1. Iodine swabs
  - 2. Alcohol prep swabs
  - 3. Bacitracin
- iv. SAM splint
- v. Moleskin
- vi. Sunscreen
- vii. Glucose tabs
- viii. Acetaminophen tabs
- 8. Nitrile gloves size L
- 9. Nitrile gloves size M
- 10. Glucometer
  - a. Lancets
  - b. Test strips
- 11. 10 gallons concentrated electrolyte solution (Gatorade)

## Medical Tent Organization:

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





# Newburyport Half Marathon

Sunday,

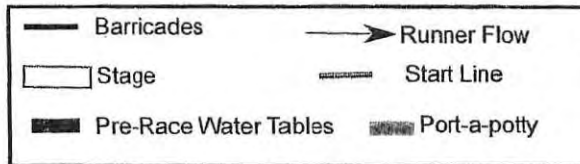
October 25th, 2015

10/22/17

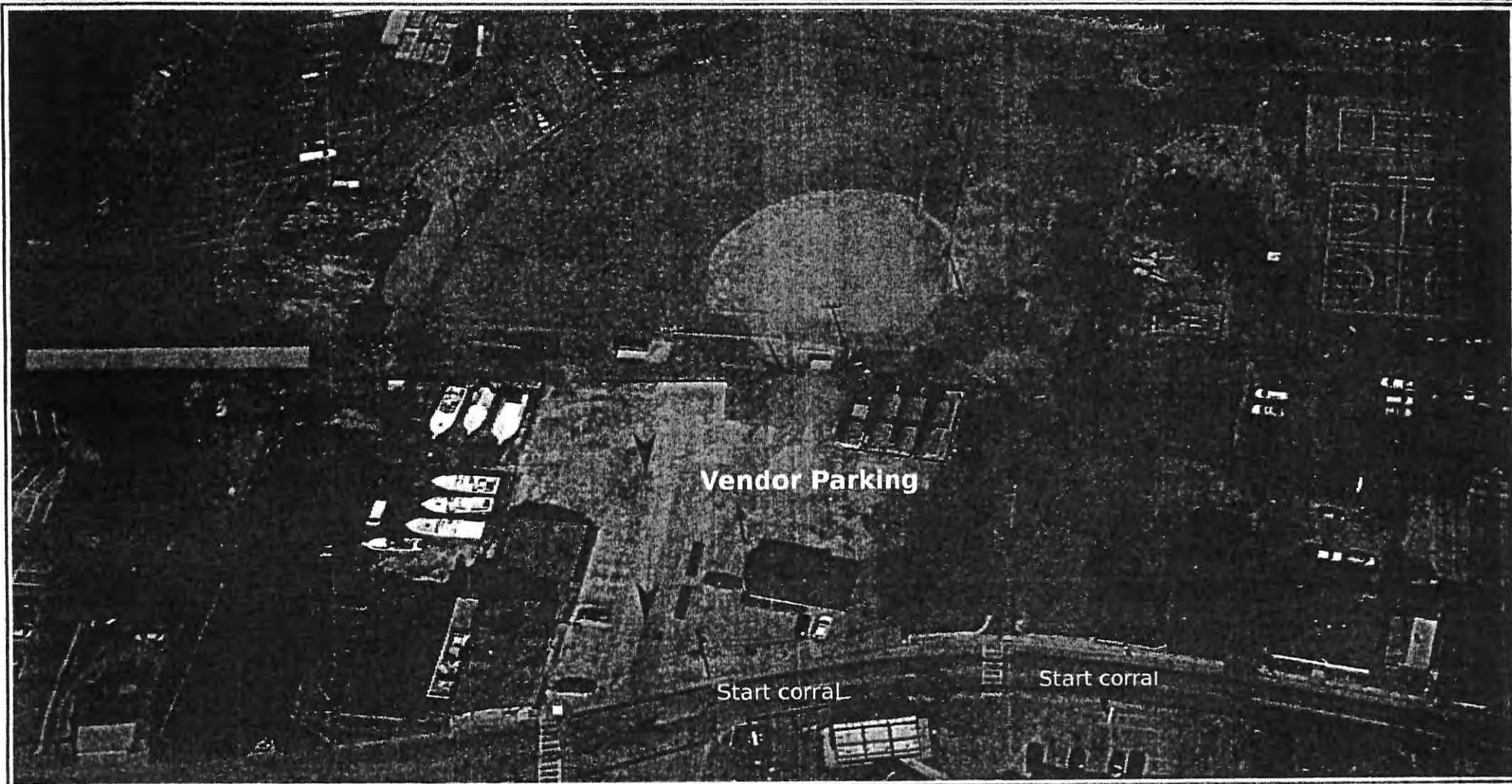
# Start Area

Prepared by:

**DMSE**  
DAVE MCGILLIVRAY SPORTS ENTERPRISES  
**SPORTS**



v. 10/13/2015



DRAFT

Revised 10/31/16

**DMISE**  
DAVE MCGILLIVRAY SPORTS ENTERPRISES  
**SPORTS**





GREEN-9

OP ID: KQ

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
06/26/2017

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

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

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

INSURED  
Green Stride  
Eli Bailin  
55 Prospect St.  
Amesbury, MA 01950

COVERAGES                      CERTIFICATE NUMBER:                      REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		MP0020003003560	10/22/2017	10/23/2017	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 \$ INCLUDED
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ 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 <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / <input checked="" type="checkbox"/> N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

CITY001  City of Newburyport 60 Pleasant Street Newburyport, MA 01950	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>Kate E. Gill</i>



GREEN-9

OP ID: KQ

# CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)  
06/26/2017

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

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

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

**COVERAGES                                  CERTIFICATE NUMBER:                                  REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		X	MP0020003003560	10/22/2017	10/23/2017	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	\$ INCLUDED
								\$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED      RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE	\$
							OTH-ER	\$
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
**Town Of West Newbury is Additional Insured**

<b>CERTIFICATE HOLDER</b>  WESTN01  Town Of West Newbury 381 Main Street West Newbury, MA 01985	<b>CANCELLATION</b>  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 
---	--

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

PS

Tel.

Fax.

(For Parades, Road Races and Walkathons Only - Please complete page 5 of this application)

(Memmack River Feline Rescue Society)

NAME OF EVENT: MRFRS'S 25th Anniversary Celebration

Date: Saturday, September 23rd Time: from 1 PM to 4 PM

Rain Date: Sunday, September 24th Time: from 1 PM to 4 PM

2. Location: Market Square

3. Description of Property: The "bull nose", downtown NBPT Public  Private

4. Name of Organizer: Liz Pease + Steph Lyon City Sponsored Event: Yes  No

Contact Person

Address: 63 Elm St., Salisbury, MA Telephone: (978) 465-1948

E-Mail: liz@mrfrs.org Cell Phone: (978) 457-2067

Day of Event Contact & Phone: Liz Pease - (978) 457-2067

5. Number of Attendees Expected: 100+

6. MA Tax Number: 04-3172322

7. Is the Event Being Advertised? Yes Where? press release sent to local outlets, MRFRS contacts emailed, mrfrs.org

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

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 25

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? 5-6 (can provide more if needed)
- b) How many recycling receptacles will you be providing? 1-2 (can provide more if needed)
- 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)**

# 1 Standard # 1 ADA accessible

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



FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

PARADE \_\_\_\_\_

ROAD RACE \_\_\_\_\_

WALKATHON \_\_\_\_\_

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

\_\_\_\_\_

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.

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

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

### Limitations

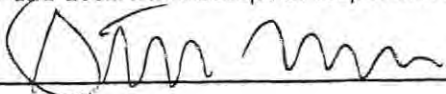
- (a) *"Procedure"* All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place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

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

**13-101 Enforcement**

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

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

Signed:  Date: 6/20/17



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/5/2017

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

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

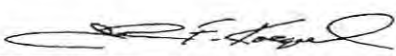
<b>PRODUCER</b> <b>Eastern Insurance Group LLC</b> 233 West Central St  <b>Natick MA 01760</b>	<b>CONTACT NAME:</b> Lori Keiffer	
	<b>PHONE (A/C, No, Ext):</b> (800) 333-7234	<b>FAX (A/C, No):</b>
<b>E-MAIL ADDRESS:</b>		
<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURER A:</b> Hanover Insurance Co.		22292
<b>INSURER B:</b> Safety Insurance Group		
<b>INSURER C:</b> Ace American Insurance Company		
<b>INSURER D:</b>		
<b>INSURER E:</b>		
<b>INSURER F:</b>		

**COVERAGES**                      **CERTIFICATE NUMBER:REV:16 AUTO 17 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	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <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:		OHN8990251	3/25/2017	3/25/2018	EACH OCCURRENCE \$ 2,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
						MED EXP (Any one person) \$ 5,000
						PERSONAL & ADV INJURY \$ 2,000,000
						GENERAL AGGREGATE \$ 4,000,000
						PRODUCTS - COMP/OP AGG \$ 4,000,000
						Veterinarian Professional \$ 2,000,000
B	AUTOMOBILE LIABILITY  <input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS		6224867	8/28/2016	8/28/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
						BODILY INJURY (Per person) \$
						BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
						\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$
						AGGREGATE \$
						\$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y/N    N/A	4477P96417	2/15/2017	2/15/2018	<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 additional insured for General Liability if required by written contract for the 25th Anniversary Celebration to be held Sept. 23, 2017. (Rain date Sept. 24, 2017).

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

PS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date: July 10, 2017

**THAT** the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-136, that the following street shall be designated as a stop intersection:

**Street:** Independent Street

**Intersection:** Southbound drivers at the intersection of Independent Street and Liberty Street

**Furthermore,** the City Clerk shall add this stop intersection to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

-----  
Councillor Jared J. Eigerman

Refer  
PS  
JE/EC

## PUBLIC UTILITIES COMMITTEE ITEMS

August 14, 2017

- **ORDR043\_07\_10\_17 Order of Taking, West Sewer Access Road Project P&D**



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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2017 JUN 29 PM 2:24

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

June 28, 2017

Newburyport City Council

Re: **Order of Taking**  
**Temporary and Permanent Easements – West End Sewer Access Road Project**

We currently have sanitary sewers that collect flows from the neighborhoods between Turkey Hill Road and the Artichoke Reservoir. These sewers were installed during the 1970's and 1980's – most notably Finnegan Way, Everett Drive, Bourbeau Terrace, Windward Drive, and Longfellow Drive – and these sewers run through the wooded landscape between these neighborhoods and the reservoir. Specifically, a gravity sewer runs through the woods from Longfellow Drive all the way to the Storey Avenue Pump Station, collecting sewage from all of the abutting neighborhoods along the way. The pump station then pumps the flows via a force main back up to the gravity system in Turkey Hill Road. See attached map for reference.

The section of the sewer system from Storey Avenue to Everette Drive cannot be accessed by maintenance vehicles due to the vegetated growth and steep sideslopes. The Engineering Department has designed an access road along this section and DPS hopes to put the project out to bid this year – pending the acquisition of these easements. The access road has been designed to minimize disruption to the properties but unfortunately access and maintenance easements are necessary. The road is urgently needed to ensure that we provide some maintenance to the systems and in the event of a pipe failure to these aging pipes, DPS will be well equipped to make the necessary repairs before the sewage reaches our public water supply.

In order to construct the access road, temporary and permanent easements must be obtained from six (6) property owners. In coordination with our legal counsel, the Engineering Department has obtained signed documents from these owners waiving damages and rights of appraisal of said damages in order for this 'friendly' taken to be achieved. The signed waivers will be placed on file with the City Clerk but they are not to be filed at the Registry of Deeds.

In accordance with Massachusetts General Laws referenced on the attached Order of Taking, we request that the City Council approve these friendly takings in order that the City maintain these sewers and protect our public water supply of any possible contamination coming from these sewers.

Thank you for your commitment to our public water and sewer systems.

Sincerely,

*Donna D. Holaday*  
Donna D. Holaday, Mayor

*PPH  
JPU  
SZ/EL  
AN*

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

CITY OF NEWBURYPORT

ORDER OF TAKING

At a regularly convened meeting of the CITY COUNCIL of the CITY OF NEWBURYPORT held the \_\_\_\_ day of \_\_\_\_\_, 2017, it was voted and ordered as follows:

The City Council of the City of Newburyport, duly elected, qualified, and acting as such, on behalf of the City and by virtue of and in accordance with the authority of the provisions of Chapter 79 and Chapter 83, Section 1 of the General Laws, as amended, Chapter 261 of the Acts of 1963, and of any and every other power and authority which is hereunto in any way enabling, does hereby take, on behalf of the City:

- 1) **Perpetual easements** for sewer purposes over, in, through, under and upon the following lands:
  - a) Those lands located at 19 Everette Drive, Newburyport, MA, depicted as “20’ Wide Sewer Easement, Area = 1,279 ± S.F.” on the plan entitled: “*Plan of Sewer Easement, 19 Everette Drive, in Newburyport, Massachusetts, Essex County, Prepared for City of Newburyport,*” dated August 30, 2016, prepared by DGT Survey Group - North Shore, a copy of which is attached hereto as Exhibit A;
  - b) Those lands located at 22 Finnegan Way, Newburyport, MA, depicted as “Variable Width Sewer Easement, Area = 2,334 SF ±” on the plan entitled: “*Plan of Sewer Easement, 22 Finnegan Way, in Newburyport, Massachusetts, Essex County, Prepared for City of Newburyport,*” dated August 30, 2016, prepared by DGT Survey Group - North Shore, a copy of which is attached hereto as Exhibit B;
  - c) Those lands located at 24 Finnegan Way, Newburyport, MA, depicted as “20’ Wide Sewer Easement SF, Area = 620 ± S.F.” on the plan entitled: “*Plan of Sewer Easement, 24 Finnegan Way, in Newburyport, Massachusetts, Essex*



*County, Prepared for City of Newburyport,*” dated August 30, 2016, prepared by DGT Survey Group - North Shore, a copy of which is attached hereto as Exhibit C;

- d) Those lands located at 233 Storey Avenue, Newburyport, MA, depicted as “Variable Width Sewer Easement, Area = 3,340 ± SF,” on the plan entitled: “*Plan of Sewer Easement, 233 Storey Avenue in Newburyport, Massachusetts, Essex County, Prepared for: City of Newburyport,*” dated August 31, 2016, prepared by DGT Survey Group - North Shore, a copy of which is attached hereto as Exhibit D; and
- f) Those lands located at 235 Storey Avenue, Newburyport, MA, depicted as “Variable Width Sewer Easement, Area = 1,150 ± SF,” on the plan entitled: “*Plan of Sewer Easement, 235 Storey Avenue, in Newburyport, Massachusetts, Essex County, Prepared for City of Newburyport,*” dated August 31, 2016, prepared by DGT Survey Group - North Shore, a copy of which is attached hereto as Exhibit E.

Such easement purposes shall include, without limitation, the right to survey, construct, inspect, repair, remove, replace, operate, forever maintain, and abandon in place a sanitary sewer with any manholes, pipes, conduits and other appurtenances associated therewith, and to do all other acts incidental to the foregoing, including entry by foot, vehicle, and heavy equipment, and to pass along, over, in, through, under, and upon the easement premises from time to time for all purposes of the easement.

2) **A Temporary easement** for construction purposes in those lands located at 237 Storey Avenue, Newburyport, MA, depicted as “Temporary Easement Area = 2,233 SF ±”; “Temporary Easement Area = 25,057SF ±” ; “Temporary Easement, Area = 3,941 SF ±”; and “Temporary/Proposed Future Permanent Easement Area = 27,372 SF ±”, on the plan entitled: “*Plan of Sewer Easement, 237 Storey Avenue in Newburyport, Massachusetts, Essex County, Prepared for: City of Newburyport,*” dated August 31, 2016, prepared by DGT Survey Group - North Shore, a copy of which is attached hereto as Exhibit F, which shall include, without limitation, all purposes incidental to locating and constructing sanitary sewer facilities and a permanent access road within the easement premises and adjoining lands. The construction of the

access road may include, but is not limited to, removal of trees and other vegetation, reshaping the sideslopes, installation of erosion control measures, loaming and seeding, hauling materials to and from the site, and the installation of a 12-foot wide gravel access road with a truck turnaround.

The temporary easement taken herein shall expire **two (2) years** from the date this Order is recorded.

This taking of permanent and temporary easements does not include those structures now or hereafter located within the easement premises, including walls and fences, but does include the right of the City to remove or relocate such structures whenever their removal shall be required for said easement purposes, and shall include such trees and other vegetation located within the easement premises whose removal shall be required for said easement purposes, and the right to remove such vegetation growing thereafter. The easements taken herein shall be construed to prohibit the owners of the subject property from constructing such improvements on or making modifications to the easement premises as, but not limited to, removing or adding soils; planting trees or vegetation other than grass; installing patios, decks, fencing, or permanent structures of any kind; blocking access to any part of the easement premises; parking of vehicles or equipment; stockpiling materials; or making connections to said utilities, without the written approval of the City. Such rights and limitations with respect to the temporary easement premises shall expire upon the expiration of that easement.

The City shall restore, at its sole cost and expense, and within a reasonable time thereafter, any portion of the easement premises disturbed as a result of the City's exercise of the rights granted herein, as nearly as reasonably practicable to the conditions that existed prior to any such disturbance, and consistent with the continuing exercise of the rights acquired hereby.

Sewer facilities and appurtenances installed, constructed, and maintained by the City in the easement premises, including the access road, shall at all times be and remain the property of the City, and shall be maintained and serviced exclusively by the City. The owner shall not be responsible for any maintenance or repair of such facilities. The owner shall be responsible for repairing and restoring, at its sole cost and expense, any damage caused to the City's facilities by owner, its agents, representatives, invitees, successors, and assigns.

The lands affected by the herein taking are owned or supposedly owned by the owners listed in Schedule A, attached hereto and incorporated within. If in any instance the name of any owner is not correctly stated in Schedule A, it is understood that in such instance the land referred to is owned by an owner or owners unknown to the City.

Certain owners listed in Schedule A have waived damages and a right of appraisal of said damages, and we therefore award no damages to those persons for the herein taking. In accordance with the provision of General Laws, Chapter 79, Section 6, we hereby award to those remaining owners listed in Schedule A those damages sustained by such owners in their property by reason of the aforesaid takings, the amount of such awards being set out in a separate Schedule A which is incorporated herein by reference but will not be recorded. No betterments are to be assessed under this taking.

[signatures on following page]

IN WITNESS WHEREOF, I, the duly elected and qualified president of the City Council of the City of Newburyport, acting as the duly authorized representative of said Council, have hereunto set my hand and seal as of this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF NEWBURYPORT  
By its City Council

\_\_\_\_\_  
Thomas F. O'Brien, President

Approved:

\_\_\_\_\_  
Mayor Donna D. Holaday

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, before me, the undersigned Notary Public, personally appeared Thomas F. O'Brien, President of the City Council of the City of Newburyport, as aforesaid, and proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the City of Newburyport.

\_\_\_\_\_  
(Official Signature and Seal of Notary)

585250/NBPT/0001

**SCHEDULE A**

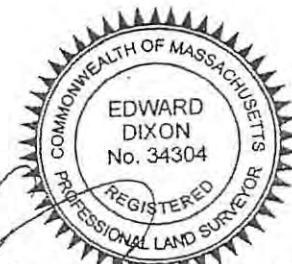
<b>Property Address</b>	<b>Owner Name</b>	<b>Mailing Address</b>	<b>Book</b>	<b>Page</b>
19 Everette Drive	Robert A. Cook Barbara K. Cook	19 Everette Drive Newburyport, MA 01950	13751	248
	MERS (mtge)	P.O. Box 2026 Flint, MI 48501	30571	325
22 Finnegan Way	Walter M. Purdie III	22 Finnegan Way Newburyport, MA 01950	34275	420
	Newburyport Five Cent Savings Bank (mtge)	P.O. Box 350 Newburyport, MA 01950	34275	422
24 Finnegan Way	Neil E. Wilson Ronda D. Kahan Wilson	24 Finnegan Way Newburyport, MA 01950	13744	433
233 Storey Ave.	Robert Postle Donna L. Postle	233 Storey Ave. Newburyport, MA 01950	15087	19
	Danvers Savings Bank (mtge)	One Conant Street Danvers, MA 01923	19614	82
235 Storey Ave.	Salman Ghiasuddin and Saira Naseer, Trustees Haider-Zarah Realty Trust	235 Storey Ave. Newburyport, MA 01950	14874	195
	Institution for Savings (mtge)	93 State Street Newburyport, MA 01950	30789	480
	“ “		34067	458
237 Storey Ave.	Barbara J. Chambers Jeffrey S. Monahan	237 Storey Ave. Newburyport, MA 01950	14678	586
	First Republic Bank (mtge)	111 Pine Street San Francisco, CA 94111	27734	591
	“ “		32376	8

REFERENCES:

- DEED BOOK 13751 PAGE 248
- PLAN ENTITLED "RE-SUBDIVISION OF STOREY AVENUE SUBDIVISION IN NEWBURYPORT, MASS" PREPARED FOR BAY STATE SAVINGS AND LOAN - DATED 2-28-1995 AND RECORDED IN THE E.S.R.D. IN PLAN BOOK 196 PLAN 75

NOTES:

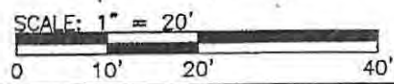
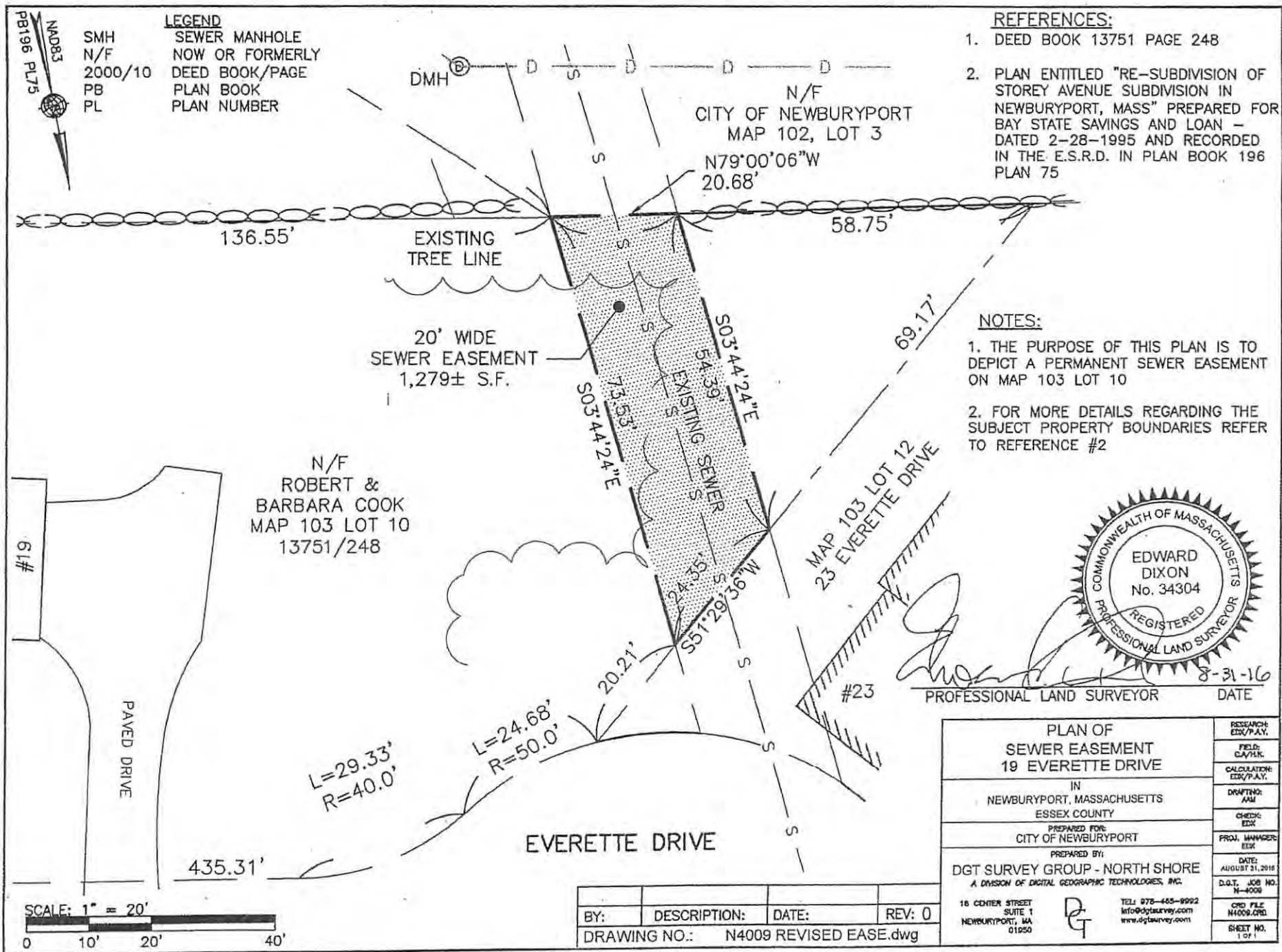
- THE PURPOSE OF THIS PLAN IS TO DEPICT A PERMANENT SEWER EASEMENT ON MAP 103 LOT 10
- FOR MORE DETAILS REGARDING THE SUBJECT PROPERTY BOUNDARIES REFER TO REFERENCE #2



PROFESSIONAL LAND SURVEYOR DATE 8-31-16

**LEGEND**

SMH	SEWER MANHOLE
N/F	NOW OR FORMERLY
2000/10	DEED BOOK/PAGE
PB	PLAN BOOK
PL	PLAN NUMBER



BY:	DESCRIPTION:	DATE:	REV: 0
DRAWING NO.: N4009 REVISED EASE.dwg			

PLAN OF SEWER EASEMENT 19 EVERETTE DRIVE		RESEARCH: EDK/P.A.Y.
IN NEWBURYPORT, MASSACHUSETTS ESSEX COUNTY		FIELD: C.A.Y./K.
PREPARED FOR: CITY OF NEWBURYPORT		CALCULATION: EDK/P.A.Y.
PREPARED BY: DGT SURVEY GROUP - NORTH SHORE A DIVISION OF DIGITAL GEOGRAPHIC TECHNOLOGIES, INC.		DRAFTING: AMI
18 CENTER STREET SUITE 1 NEWBURYPORT, MA 01950		CHECK: EDK
TEL: 978-465-9992 info@dgtsurvey.com www.dgtsurvey.com		PROJ. MANAGER: EDK
DATE: AUGUST 31, 2016		D.G.T. JOB NO. N-4009
SHEET NO. 1 OF 1		

**LEGEND**  
 SMH SEWER MANHOLE  
 N/F NOW OR FORMERLY  
 2000/10 DEED BOOK/PAGE  
 PB PLAN BOOK  
 PL PLAN NUMBER

**REFERENCES:**

1. DEED BOOK 34275 PAGE 420 (#22)
2. PLAN ENTITLED "MODIFICATION PLAN - STOREY AVE SUBDIVISION - NEWBURYPORT." PREPARED BY ANTHONY P. SALAMANCA, PREPARED FOR EDWARD HILL, DATED 1-15-1988 AND RECORDED IN THE E.S.R.D. IN PLAN BOOK 235 PLAN 90

N/F  
 WALTER M. PURDIE  
 22 FINNEGAN WAY  
 MAP 103 LOT 15  
 34275/420

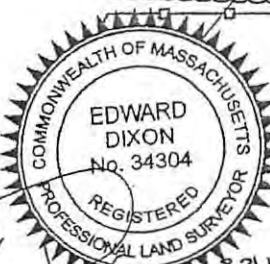
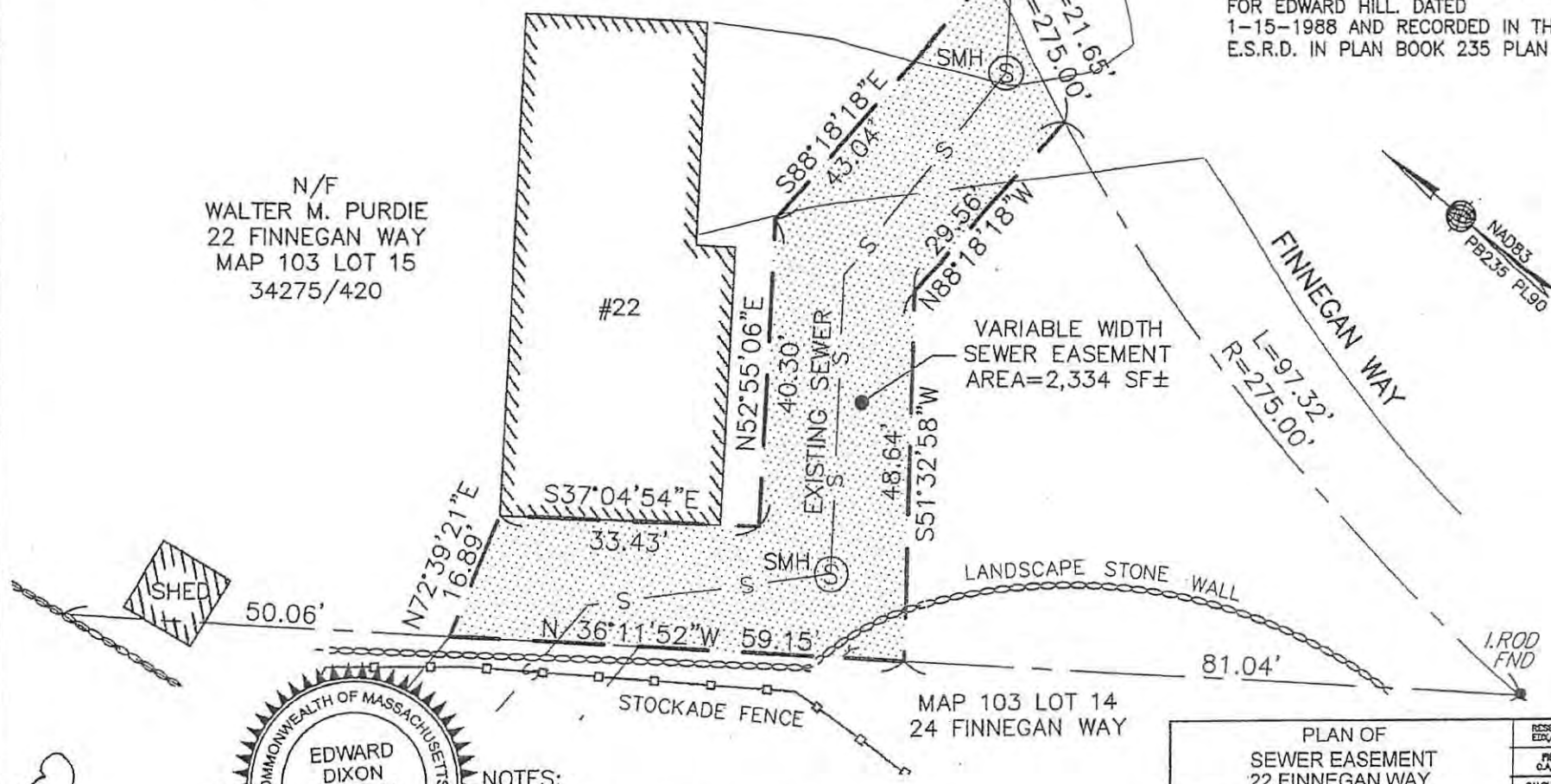
MAP 103 LOT 16  
 20 FINNEGAN WAY  
 181.67'

L=6.03'  
 R=275.00'

SMH  
 L=21.65'  
 R=275.00'

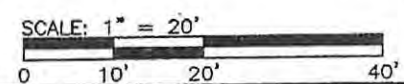
VARIABLE WIDTH  
 SEWER EASEMENT  
 AREA=2,334 SF±

FINNEGAN WAY  
 L=97.32'  
 R=275.00'



- NOTES:**
1. THE PURPOSE OF THIS PLAN IS TO DEPICT A PERMANENT VARIABLE WIDTH SEWER EASEMENT
  2. FOR MORE DETAILS REGARDING THE SUBJECT PROPERTY BOUNDARIES REFER TO REFERENCE #2

PROFESSIONAL LAND SURVEYOR DATE



BY:	DESCRIPTION:	DATE:	REV: 0
DRAWING NO.:		N4009 EASE.dwg	

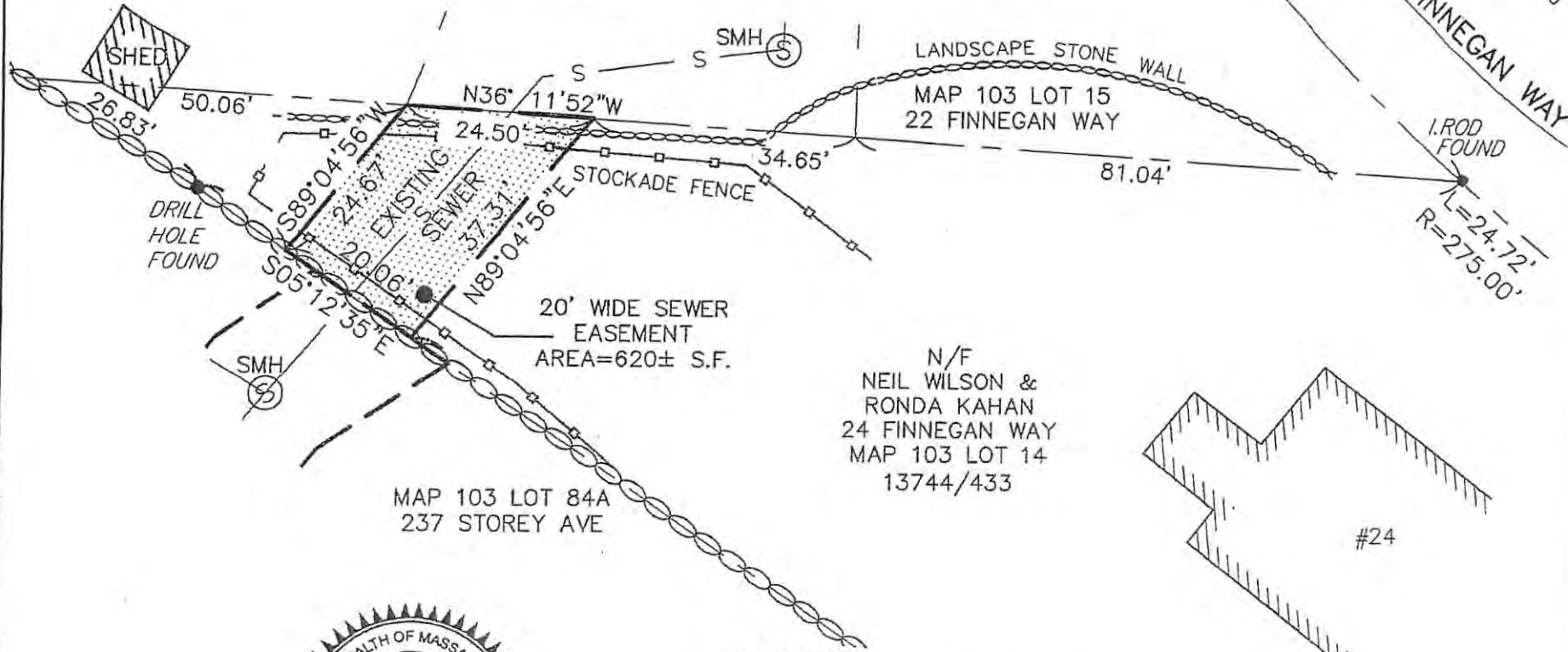
PLAN OF SEWER EASEMENT 22 FINNEGAN WAY IN NEWBURYPORT, MASSACHUSETTS ESSEX COUNTY PREPARED FOR: CITY OF NEWBURYPORT PREPARED BY: DGT SURVEY GROUP - NORTH SHORE A DIVISION OF DIGITAL GEOGRAPHIC TECHNOLOGIES, INC. 18 CENTER STREET SUITE 1 NEWBURYPORT, MA 01950		RESEARCH: EDX/P.A.T. FIELD: CA/H.K. CALCULATOR: EDX/P.A.T. DRAFTING: AM CHECK: EDX PROJ. MANAGER: EDX DATE: AUGUST 21, 2010 D.G.T. JOB NO. N-4009 CPO FILE N4009.CRD SHEET NO. 1 OF 1
TEL: 978-465-9992 info@dgtasurvey.com www.dgtasurvey.com		

**LEGEND**

SMH SEWER MANHOLE  
 N/F NOW OR FORMERLY  
 2000/10 DEED BOOK/PAGE  
 PB PLAN BOOK  
 PL PLAN NUMBER

**NOTES:**

1. THE PURPOSE OF THIS PLAN IS TO DEPICT A PERMANENT SEWER EASEMENT
2. FOR MORE DETAILS REGARDING THE SUBJECT PROPERTY BOUNDARIES REFER TO REFERENCE #2

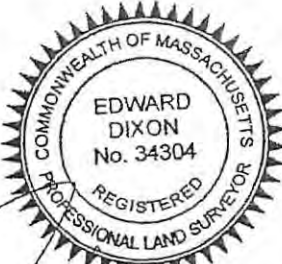


N/F  
 NEIL WILSON &  
 RONDA KAHAN  
 24 FINNEGAN WAY  
 MAP 103 LOT 14  
 13744/433

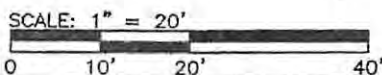
MAP 103 LOT 84A  
 237 STOREY AVE

**REFERENCES:**

1. DEED BOOK 13744 PAGE 433 (#24)
2. PLAN ENTITLED "MODIFICATION PLAN - STOREY AVE SUBDIVISION NEWBURYPORT." PREPARED BY ANTHONY P. SALAMANCA, PREPARED FOR EDWARD HILL, DATED 1-15-1988 AND RECORDED IN THE E.S.R.D. IN PLAN BOOK 235 PLAN 90



*[Signature]*  
 PROFESSIONAL LAND SURVEYOR  
 DATE 8-31-16



BY:	DESCRIPTION:	DATE:	REV: 0
DRAWING NO.:		N4009 EASE.dwg	

PLAN OF SEWER EASEMENT 24 FINNEGAN WAY		RESEARCH: EDK/P.A.T.
IN NEWBURYPORT, MASSACHUSETTS ESSEX COUNTY		FIELD: C.A.R.K.
PREPARED FOR: CITY OF NEWBURYPORT		CALCULATION: EDK/P.A.T.
PREPARED BY: DGT SURVEY GROUP - NORTH SHORE A DIVISION OF DIGITAL GEODATUM TECHNOLOGIES, INC.		DRAFTING: M.M.
16 CENTER STREET SUITE 1 NEWBURYPORT, MA 01950		CHECK: EDK
TEL: 878-465-9992 info@dgtsurvey.com www.dgtsurvey.com		PROJ. MANAGER: EDK
		DATE: AUGUST 31, 2016
		D.T. JOB NO. N-4009
		GSD FILE N4009.DTD
		SHEET NO. 1 OF 1



