

CITY COUNCIL MEETING AGENDA - VERSION 1
REMOTE

August 10, 2020

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7:30 PM
Council Meeting

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

6. APPROVAL OF MINUTES

- July 13, 2020 (Approve)
- July 30, 2020 (Approve)

7. COMMUNICATIONS

- COMM254_08_10_2020 Moseley Ave Ltr with Map (PS)
- COMM255_08_10_2020 World Disorders of the Corpus Callosum Day (R&F)

8. TRANSFERS - None

9. FIRST READING APPOINTMENTS - None

- APPT184_08_10_2020 Richard J. O'Brien 41 Olive St. Trust Fund Comm, 8/15/2023

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

**Budget & Finance
General Government**

- ORDR197_07_13_2020 Implementing Ch. 96 of the Acts of 2020 re: NRA

Planning & Development

- ORDR201_07_30_2020 Intermunicipal Agreement; Amesbury and Newburyport CDBG

Public Safety

- APPL004_03_09_2020 Footsteps for Food - 4/14/2020
- APPL005_03_09_2020 Cultural Survival Bazaar - 7/18-19 2020
- APPL006_03_09_2020 Spring Invitation Night - 5/1/2020
- APPL007_03_09_2020 Newburyport Spring Festival - 5/24-25 2020
- APPL008_03_09_2020 Newburyport Car Show - 8/20/2020
- APPL009_03_09_2020 Newburyport Fall Harvest Festival - 10/11-12 2020
- COMM237_03_30_2020 21-23 Walnut St Public Safety Concern
- COMM246_05_26_2020 Ltr To City Council from A Calcagni re: ORDR180
- COMM250_06_29-2020 Letter Elizabeth Goullaud
- ORDR190EP_06_29_2020 Emergency Preamble for Resolution Racial Justice COTW

**END OF CONSENT AGENDA
REGULAR AGENDA**

10. MAYOR'S UPDATE

11. SECOND READING APPOINTMENTS – None

12. COMMUNICATIONS –

- COMM253_07_30_2020 Charter Sec 2-7 Notice re: NYS **TABLED**

13. ORDERS

- ORDR202_08_10_2020 Pioneer League Gift
- ORDR203_08_10_2020 FY21 Three Month Appropriation Budgetl
- ORDR204_08_10_2020 Yankee Homecoming Appreciation Resolution
- ORDR205_08_10_2020 Hybrid/In Person Remote Participation Policy

14. ORDINANCES

15. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

Ad Hoc Committee on Economic Development

In Committee:

Budget & Finance

In Committee:

- ORDR132_07_15_19 CPC FY2020 Recommended Appropriations (COTW) Project No. 9 held in committee.
- ORDR136_08_19_19 Fuller Track Phase II Loan Order
- COMM189_09_09_19 CPC Revised Recommendation for FY2020 Appropriations
- ORDR178_04_27_2020 Acts of 1987 (w/ **Education**)
- ORDR198_07_13_2020 Intermunicipal K w/ West Newbury for Shared ACO

Education

In Committee:

- COMM235_03_30_2020 Ltr re: SC Appt. of Brett Murphy to Whittier Vo-Tech Cmte
- COMM240_04_27_2020 Memo re: SOI Submission Info
- ORDR178_04_27_2020 Acts of 1987 (w/ **B&F**)

General Government

In Committee:

- COMM241_05_11_2020 Charter Review Final Report
- COMM242_05_11_2020 Confirmatory Legal Opinion from KP Law re: Charter Changes
- **ORDR197 07 13 2020 Implementing Ch. 96 of the Acts of 2020 re: NRA**

License & Permits

In Committee:

- ODNC047_1_27_20 General Ordinance - Short Term Rental Units Rules
- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance
- COMM230_03_09_2020 Yearly Report, Section 16A of the Liquor Control Act
- APPL014_06_08_2020 Outdoor Seating application from Vera Ristorante LLC
- APPL015_06_08_2020 Ltr with Layout from Ted Epstein re: Outdoor Seating

Neighborhoods & City Services

In Committee:

- COMM197_10_28_19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)
- ODNC050_02_24_2020 Curb Cuts and Notice of Work Involving Sidewalks
- COMM233_03_09_2020 Ltr re: MVRTA State Street Bus Stop Shelter
- COMM234_03_30_2020 Ltr from Newburyport Livable Streets March 11, 2020
- COMM252_07_30_2020 Ltr re: Face Masks in public
- ODNC061_07_30_2020 Amendment to Ch. 11 Parks and Recreation for Covid-19

Planning & Development

In Committee:

- COMM214_01_13_2020 Ltr from Central Cong Church re: CPA Funding, Historic Pres
- COMM215_01_13_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046_1_27_20 Zoning Amendment - Short Term Rental Units Definition
- ODNC051_02_24_2020 Fences in Downtown Overlay District
- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance
- ODNC054_03_09_2020 Enforcement of the State Building Code

- ORDR196_07_13_2020 Open Space and Recreation Plan 2020 (COTW)
- **ORDR201_07_30_2020 Intermunicipal Agreement; Amesbury and Newburyport CDBG**

Public Safety

In Committee:

- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
- COMM221_01_27_2020 Letter re: Sign at 43 Pine Hill Road
- COMM227_02_10_2020 Update and Request from Waste Stream Task Force
- **APPL004 03 09 2020 Footsteps for Food - 4/14/2020**
- **APPL005 03 09 2020 Cultural Survival Bazaar - 7/18-19 2020**
- **APPL006 03 09 2020 Spring Invitation Night - 5/1/2020**
- **APPL007 03 09 2020 Newburyport Spring Festival - 5/24-25 2020**
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- **APPL009 03 09 2020 Newburyport Fall Harvest Festival - 10/11-12 2020**
- APPL010_03_09_2020 Witches' Night Out - 10/23/2020
- APPL011_03_09_2020 Downtown Trick or Treat - 10/30/2020
- APPL012_03_09_2020 Invitation Nights - 12/4, 12/11, 12/18 2020
- **COMM237 03 30 2020 21-23 Walnut St Public Safety Concern**
- **COMM246 05 26 2020 Ltr To City Council from A Calcagni re: ORDR180**
- COMM243_05_11_2020 Ltr from Jane Rascal re: NMMCD
- **COMM250 06 29-2020 Letter Elizabeth Goullaud**
- **ORDR190EP 06 29 2020 Emergency Preamble for Resolution Racial Justice COTW**
- ODNC059_06_29_2020 Truck Routes
- APPT165_04_13_2020 Dr. Robin Blair 18 Market St Board of Health 4/30/2023

Public Utilities

In Committee:

- APPT156_03_09_2020 John Tomasz 38 Storeybrooke Dr Water/Sewer Comm 3/31/2023
- APPT166_04_13_2020 Robert A. Cook 19 Everette Dr Water/Sewer Comm 3/1/2023
- APPT166_04_13_2020 Resume of Robert Cook, Water/Sewer Commission

Rules

In Committee:

- COMM220_01_27_2020 Proposed City Council Rule 9F
- ORDR170_02_24_2020 Amendment Council Rules 2020 (COTW)
- ORDR171_02_24_2020 Amendment to Rule 17B (COTW)

16. GOOD OF THE ORDER

17. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING AGENDA - VERSION 3

REMOTE
MINUTES
July 13, 2020

Link to join Webinar

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248 7799

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7:30 PM

Council Meeting

The City Council President, Jared Eigerman, called the meeting to order at 7:30pm. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Vogel, Wallace, Zeid, Devlin, Khan, Lane, McCauley, Connell, Shand, Tontar, and Eigerman. 11 present using Zoom as a platform.

1. MOMENT OF SILENCE

2. CALL TO ORDER

3. LATE FILE ITEMS Order 199 and Emergency Preamble on Use of Sen/Comm Center for EV; Page 5 of June 29, 2020 minutes; Mayor's Update

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

4. PUBLIC COMMENT

1. David Archibald, West Newbury, ORDR195
2. Nancy Harrington, 53 Federal St., ORDR190
3. Elizabeth Goullaud, 9 Marquand Lane, ORDR190
4. Richard Parker, West Newbury, ORDR195
5. Glenn Kemper, West Newbury, ORDR195
6. Walt Thompson, State St., ORDR193, 194

5. MAYOR'S COMMENT – See Mayor's Update Submitted

CONSENT AGENDA

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At the request of Councillor Tomtar, the minutes are removed from the Consent Agenda.

6. APPROVAL OF MINUTES

- June 29, 2020
Minutes removed at the request of Councillor Tontar

(Approve)

7. COMMUNICATIONS

- COMM251_07_13_2020 Whittier Voc Tech Lrr RE: Nbpt Assessment (R&F)

8. TRANSFERS - None

9. FIRST READING APPOINTMENTS - None

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

Budget & Finance

- TRAN083_06_29_2020 Solid Waste Revolving Fund \$20,000 to SUS Solid Waste \$20,000
- ORDR191_06_29_2020 Waterfront Parking Fund

Neighborhood and City Services

- ORDR195_06_29_2020 Plummer Spring Road Agreement City & West Newbury

Planning & Development

- ORDR193_06_29_2020 Institution for Savings Fence Panel Gift
- ORDR194_06_20_2020 Mary Alice Arakelian Foundation Fence Panel Gift

Public Safety

- ORDR190_06_29_2020 Resolution Racial Justice

END OF CONSENT AGENDA

Motion to approve the Consent Agenda as Amended by Councillor Zeid, seconded by Councillor Khan. So voted.

10. APPROVAL OF MINUTES for June 29, 2020

Motion to amend the minutes by Councillor Eigerman, seconded by Councillor Tontar to include: COMM236_03_30_2020 Motion to receive and file by Councillor Tontar, seconded by Councillor Khan. So voted.

Motion to amend the minutes by Councillor Eigerman, seconded by Councillor Tontar to include:

ORDR192_06_29_2020 Motion to approve by Councillor Zeid, seconded by Councillor Tontar. So voted.

Motion to approve the minutes as amended by Councillor Zeid, seconded by Councillor McCauley. So voted.

REGULAR AGENDA

11. MAYOR’S UPDATE

Motion to receive & file by Councillor Zeid, seconded by Councillor Khan. So voted.

12. SECOND READING APPOINTMENTS

- APPT180_06_29_2020 Paula Estey 3 Pine Street Cultural Commission 06/30/2023
- APPT181_06_29_2020 Diana Kerry 33 Temple St Cultural Commission 07/15/2023
- APPT182_06_29_2020 Richard A. Eaton 4 Horton St. NBPT Trust Fund Comm. 07/15/2023

- APPT183_06_29_2020 Ryan Kelley 24 School St. , Byfield Cultural Commission 07/15/2023 Motion to approve on 2nd reading collectively by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passed.

13. COMMUNICATIONS

14. ORDERS

- ORDR196_07_13_2020 Open Space and Recreation Plan 2020 Motion to refer to Committee of the Whole and Planning & Development by Councillor Shand, seconded by Councillor Connell. So voted.

- ORDR197_07_13_2020 Implementing Ch. 96 of the Acts of 2020 re: NRA Motion to refer to General Government by Councillor Zeid, seconded by Councillor Khan. So voted.

- ORDR198_07_13_2020 Intermunicipal K w/ West Newbury for Shared ACO Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted.

- ORDR199_07_13_2020 Late File Early voting at Senior Center Motion to approve Emergency Preamble by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passed.

Motion to approve by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passed.

15. ORDINANCES

- ODNC051_02_24_2020 Fences in Downtown Overlay District (**2nd Reading**) Motion to approve 2nd reading by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passed.

16. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

Ad Hoc Committee on Economic Development

In Committee:

Budget & Finance

In Committee:

- ORDR132_07_15_19 CPC FY2020 Recommended Appropriations (COTW) Project No. 9 held in committee.
- ORDR136_08_19_19 Fuller Track Phase II Loan Order
- COMM189_09_09_19 CPC Revised Recommendation for FY2020 Appropriations
- ORDR178_04_27_2020 Acts of 1987 (w/ **Education**)
- TRAN083_06_29_2020 Solid Waste Revolving Fund \$20,000 to SUS Solid Waste \$20,000

Motion to approve as amended by Councillor Tontar, seconded by Councillor Khan. So voted.

- ORDR191_06_29_2020 Waterfront Parking Fund

Motion to approve by Councillor Tontar, seconded by Councillor Khan. CMTE 3-0. Roll call vote. 11 yes. Motion passed.

Education

In Committee:

- COMM235_03_30_2020 Ltr re: SC Appt. of Brett Murphy to Whittier Vo-Tech Cmte
- COMM240_04_27_2020 Memo re: SOI Submission Info
- ORDR178_04_27_2020 Acts of 1987 (w/ **B&F**)

General Government

In Committee:

- COMM241_05_11_2020 Charter Review Final Report
- COMM242_05_11_2020 Confirmatory Legal Opinion from KP Law re: Charter Changes

License & Permits

In Committee:

- ODNC047_1_27_20 General Ordinance - Short Term Rental Units Rules
- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance
- COMM230_03_09_2020 Yearly Report, Section 16A of the Liquor Control Act
- APPL014_06_08_2020 Outdoor Seating application from Vera Ristorante LLC
- APPL015_06_08_2020 Ltr with Layout from Ted Epstein re: Outdoor Seating

Neighborhoods & City Services

In Committee:

- COMM197_10_28_19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)
- ODNC050_02_24_2020 Curb Cuts and Notice of Work Involving Sidewalks
- COMM233_03_09_2020 Ltr re: MVRTA State Street Bus Stop Shelter
- COMM234_03_30_2020 Ltr from Newburyport Livable Streets March 11, 2020
- **ORDR195_06_29_2020 Plummer Spring Road Agreement City & West Newbury**

At the suggestion of Councillor Connell two scrivener's errors were corrected.

Motion to approve by Councillor Connell, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passed.

Planning & Development

In Committee:

- COMM214_01_13_2020 Ltr from Central Cong Church re: CPA Funding, Historic Pres
- COMM215_01_13_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046_1_27_20 Zoning Amendment - Short Term Rental Units Definition
- ODNC051_02_24_2020 Fences in Downtown Overlay District
- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance
- ODNC054_03_09_2020 Enforcement of the State Building Code
- **ORDR193_06_29_2020 Institution for Savings Fence Panel Gift**
- **ORDR194_06_29_2020 Mary Alice Arakelian Foundation Fence Panel Gift**

Motion to approve ORDR193_06_29_2020 and ORDR194_06_29_2020 collectively by Councillor Shand, seconded by Councillor Tontar. So voted.

Public Safety

In Committee:

- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
- COMM221_01_27_2020 Letter re: Sign at 43 Pine Hill Road
- COMM227_02_10_2020 Update and Request from Waste Stream Task Force
- APPL004_03_09_2020 Footsteps for Food - 4/14/2020
- APPL005_03_09_2020 Cultural Survival Bazaar - 7/18-19 2020
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- APPL012_03_09_2020 Invitation Nights - 12/4, 12/11, 12/18 2020
- COMM237_03_30_2020 21-23 Walnut St Public Safety Concern
- COMM246_05_26_2020 Ltr To City Council from A Calcagni re: ORDR180
- COMM243_05_11_2020 Ltr from Jane Rascal re: NMMCD
- COMM250_06_29-2020 Letter Elizabeth Goullaud
- ORDR190EP_06_29_2020 Emergency Preamble for Resolution Racial Justice COTW
- **ORDR190_06_29_2020 Resolution Racial Justice COTW**

Motion to approve as amended in committee by Councillor McCauley, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passed.

- ODNC059_06_29_2020 Truck Routes
- APPT165_04_13_2020 Dr. Robin Blair 18 Market St Board of Health 4/30/2023

Public Utilities

In Committee:

- APPT156_03_09_2020 John Tomasz 38 Storeybrooke Dr Water/Sewer Comm 3/31/2023
- APPT166_04_13_2020 Robert A. Cook 19 Everette Dr Water/Sewer Comm 3/1/2023
- APPT166_04_13_2020 Resume of Robert Cook, Water/Sewer Commission

Rules

In Committee:

- COMM220_01_27_2020 Proposed City Council Rule 9F
- ORDR170_02_24_2020 Amendment Council Rules 2020 (COTW)
- ORDR171_02_24_2020 Amendment to Rule 17B (COTW)

17. GOOD OF THE ORDER

Happy Birthday to Councillor Shand, belated Happy Birthday to Councillor Vogel.
Discussion of the August meeting schedule.

18. ADJOURNMENT

Motion to Adjourn by Councillor Tontar, seconded by Councillor Connell. So voted. 9:08pm.

CITY COUNCIL MEETING AGENDA - VERSION 1

REMOTE
MINUTES
JULY 30, 2020

7:30PM

1. Call to Order

The City Council President, Jared Eigerman, called the meeting to order at 7:30pm. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Vogel, Wallace, Zeid, Khan, Lane, McCauley, Connell, Shand, Tontar, and Eigerman. 10 present, 1 absent (Devlin) using Zoom as a platform.

Late File: Charter Sec 2-7 Notice re: NYS Motion to waive the rules and allow late files by Councillor Zeid, seconded by Councillor Tontar. So voted.

2. Communications

- COMM252_07_30_2020 Ltr re: Face Masks in public
Motion to refer to NCS by Councillor Zeid, seconded by Councillor Tontar. So voted.
- COMM253_07_30_2020 Charter Sec 2-7 Notice re: NYS
Motion to Table by Councillor Zeid, seconded by Councillor Connell. So voted.

3. Orders

- ORDR200_07_30_2020 Crosswalk Order
Motion to refer to PS by Councillor Wallace, seconded by Councillor Khan. So voted
- ORDR201_07_30_2020 Intermunicipal Agreement; Amesbury and Newburyport CDBG
Motion to refer to P&D by Councillor Shand, seconded by Councillor McCauley. So voted

4. Ordinances

- ODNC060_07_30_2020 Parking on Plum Island w/ Emergency Preamble
Motion to Approve the Emergency Preamble and Waive the Rules to Approve in one reading by Councillor Zeid, seconded by Councillor Tontar. Motion to Waive Rule 9B to allow the measure in one reading by Councillor Zeid, seconded by Councillor Tontar. Motion to Approve by Councillor Zeid, seconded by Councillor McCauley, roll call vote 10Y, 1 A(JD).
- ODNC061_07_30_2020 Amendment to Ch. 11 Parks and Recreation for Covid-19
Motion to Waive Rule 12D by Councillor Zeid, seconded by Councillor Khan, so voted. Motion to Refer to NCS by Councillor Zeid, seconded by Councillor Khan, so voted.

5. Reports by Standing and Ad Hoc Committees Councillor Eigerman announced that the members of the Ordinance Review Cmte would be Jim Connolly, Esq., Cllr. Barry Connell, Cllr. Afroz Khan, and Cllr. Jared Eigerman. Mayor's announcement to follow.

6. Good of the Order Councillor Eigerman announced the members of the Ad Hoc Committee on the Waterfront as:

Members:

1. Cllr. Jared Eigerman, Ward 2, Council President
2. Cllr. Barry Connell, At Large, Chair, Cmte. on Neighborhood & City Service
3. Cllr. Sharif Zeid, Ward 1
4. Cllr. Heather Shand, Ward 3, Chair, Cmte. on Planning & Development
5. Cllr. Jim McCauley, Ward 5

Ex Officio (Non-Voting) Members:

1. Mayor Donna Holaday
2. Kim Turner, Chair, Parks Commission
3. Planning Director Andy Port
4. Parks Director Lise Reid
5. DPS Director Tony Furnari
6. City Engineer Jon-Eric White
7. Harbormaster Paul Hogg
8. Matt Pieniazek, Waterfront Trust, Trustee
9. Bill Harris, Waterfront Trust, Settlor

To be involved: Finance Director Ethan Manning; Parking Clerk Richard Jones

7. Adjournment Motion to Adjourn at 8:01 pm by Councillor Zeid, seconded by Councillor Khan.

Zoom Details:

<https://us02web.zoom.us/j/85064050482>

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Webinar ID: 850 6405 0482

COMMUNICATIONS

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 AUG -4 PM 3:47

Dear Council President and Members of the City Council,

The residents of Moseley Avenue would like the opportunity to discuss our issues with lack of sidewalks and speeding on our street. Attached is a letter that outlines some possible resolutions that we hope you will consider. In the meantime we will be working on getting a petition signed from the whole street in support of our request in the near future. Thank you for consideration to review this in your upcoming August meeting. Please reach out if you have any further questions.

Sincerely,

Krista Yablin, 76 Moseley Avenue
yablin@comcast.net
cell: 978-360-8111

August 4, 2020

Dear Council President Eigerman and Members of the City Council,

We are reaching out today, to seek the council's help in making Mosely Avenue a safer street for the families who reside here, and for those who utilize the street for accessibility daily.

Moseley Avenue is the most direct route on the north end of the town for traveling north/south and is therefore very heavily trafficked. One needs only to observe rush hour traffic to see the number of motor vehicles that exceed the 25 MPH speed limit that is intended to maintain a safe environment on our street. However, cars and trucks are not only travelers- pedestrian traffic and bicycle traffic are at odds with drivers on the road. We are asking for 2 items to be discussed: 1) Continuing the sidewalks on one side of Moseley Avenue and 2) Implement tangible tools or systems to reduce the frequent and excessive speeding on our street. If no action is taken, we believe that it is just a matter of time before a horrific accident on Moseley Avenue takes place.

Mayor Holiday was notified of our concerns by Moseley Avenue residents Stephen Kern, and Krista Yablin worked with the previous city councilor Charles Tontar, but we sense little traction and have seen no tangible action to address the issue other than increased law enforcement for a limited time. The following are a few suggestions that we would like to be considered.

Problem #1: Sidewalk Safety

- One section of Moseley Avenue lacks any type of sidewalk, forcing pedestrian travel to be combined with motorist travel. There is no continuous sidewalk for the entire length of Moseley Avenue, which results in having to walk in the road.
- Adults and children who are walking, riding bicycles, using wheelchairs, strollers, and other means of transportation share the same travel lanes, day and night as dump trucks, trucks with wide and heavy trailers, cars, and other vehicles.
- Combined pedestrian and motorist traffic on Moseley is very dangerous. The increased volume of vehicles traveling this road, the volume of pedestrians, and the lack of a sidewalk puts both pedestrians and motorists at risk for accidents leading to injuries or death.
- **Possible Solution**: Complete the sidewalk on the north end of Moseley Ave to have one continuous sidewalk running the entire length of Moseley Avenue.

Federal grants enabled construction of the new rotary at the intersection of Spofford, Moseley and Merrimac in 2014. Sidewalks were constructed on the north end of Moseley however the sidewalk ends after just a few hundred feet, where pedestrians then use the main road. The distance without a sidewalk is not far, but it is very dangerous and frequently traveled. The area that is missing the

sidewalk is quite a straight shot with no intersections. For an illustration on the exact location of the requested sidewalk, please see the attached map.

We can see progress has been made on Spofford and Merrimac streets installing sidewalks and would urge the city of Newburyport approve the addition of sidewalks to the small area on Moseley that currently does not have them. This would allow a consistent sidewalk on one side of the road. The residents in the 4 homes on Moseley Avenue (# 80,78,76 and 74) passionately support the addition of a sidewalk. Walking small children, dogs, and visitors on a daily basis is trying, dangerous, and stressful. The safety of our residents should be paramount in our community.

Problem #2: Speeding & Lack of Speed Limit Signage

There is no posted speed limit signage currently on Moseley Avenue. Minimizing infrastructure such as signage keeps maintenance costs low and maintains a natural environment, but there is a safety issue here that should be addressed and treated as a high priority.

- Excessive speeding is common on Moseley Avenue and increases the risk of an accident by reducing driver reaction time at the many 3-4-way intersections on Moseley.
- Recently, within the last 6 months there was a head on collision on Elmira Ave where speed may have been a factor. The accident occurred approximately ¼ mile from Moseley Avenue.
- **Possible Solutions:** Improve the speed limit awareness on Moseley Avenue. The majority of motorists may not be aware of the speed limit since there are no signs displayed on Moseley. We recommend adding one speed limit sign at each end of Moseley with integrated radar, and visual feedback text with observed vehicle speed. Ideally, the text turns red when a motorist is speeding. No audible feedback or flashing lights would be recommended.

Additionally, the blind hill on the north end of Moseley drastically reduces driver reaction time to prevent accidents and this, combined with the excessive speeding and lack of a sidewalk create a very dangerous stretch of road.

- Drivers are often surprised to see strollers and people who are forced to travel in the road. Drivers often swerve towards oncoming traffic and to brake quickly and heavily to avoid pedestrians, all very unsafe for other motorist and pedestrians.
- **Possible Solutions:** Add white lines to the street to reduce lane width as much as possible, making high speed travel uncomfortable. Add bicycle lanes. Consider the addition of curbing at intersections to the pinch lane width and to influence drivers to slow down. On a recurring basis, have a Police Officer on our street between the hours of 6:30-8:30 AM and/or 4:30 -6:30 PM to enforce the speed limit.

Moseley Avenue is a street that has been forgotten in Newburyport. We are families with children, dogs and active residents that want to feel safe walking on our street to go to Moseley Woods or even to enjoy playing tennis at Atkinson Commons however we don't feel comfortable enjoying these beautiful treasures that are so close by due to the lack of sidewalks as well as the ongoing speeding issue.

We urge the council to fight for Moseley Avenue to complete the sidewalk as and to help provide a way to drastically reduce the speeding on Moseley Avenue before a preventable tragedy occurs and someone is seriously injured. We welcome the opportunity to work with the council towards an executable plan in the near future.

Thank you for your consideration.

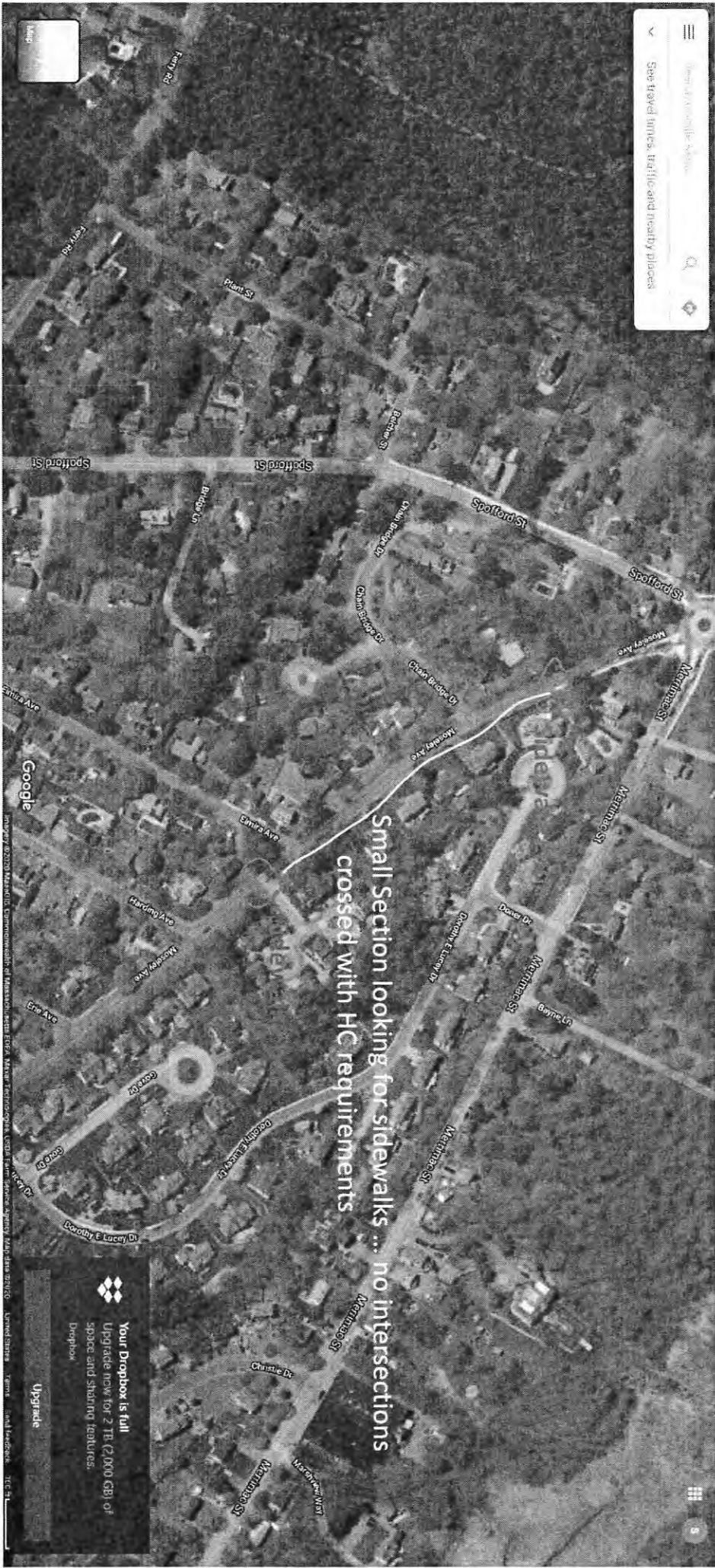
Krista and Andy Yablin
76 Moseley Avenue

Brittany Verville and Greg Kluesener
77 Moseley Avenue

Beth and Stephen Kerns
79 Moseley Avenue

Kathy Fowler
74 Moseley Avenue

Sylvia and Pawel Zawadzki
78 Moseley Avenue



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Presented to
Colin Sarff
Honoring

2020 AUG -4 PM 1:58

World Disorders of the Corpus Callosum Day

W **Hereas** on July 2, the world celebrated the World Disorders of the Corpus Callosum (DCC). The corpus callosum is a band of nerve fibers that connects the two halves of the brain. When the corpus callosum does not develop or develops abnormally, individuals with this disorder may face a variety of challenges that cover a broad range of disability, and

W **Hereas** One person in 2,053 are living with DCC and must find other ways to communicate and get information from one side of the brain to the other. Individuals living with the disorder face communication, social, development and behavioral challenges, and

W **Hereas** Colin Sarff of Newburyport was diagnosed with the disorder at sixteen and overcame many challenges academically by being able to read body language, and by pushing himself in grade school, through high school, in college, and when he studied abroad. Colin has also attended conferences, where he has met others with DCC, and today enjoys family, many friendships, and works a full-time job. He continues to advocate and learn about DCC, and

W **Hereas** This observance pays tribute to those children and adults living with DCC. Educating people about these diagnoses can help support individuals navigate successfully through life and lead productive and meaningful lives, and

Now, Therefore I, **Donna D. Holaday**, Mayor of Newburyport, Massachusetts do hereby proclaim August 10th,

TO BE ANOTHER DAY TO SPREAD AWARENESS
AND TO RAISE THE PROFILE, UNDERSTANDING
AND ACCEPTANCE OF THESE DISORDERS
THROUGH EDUCATION AND ADVOCACY.

And urge all the citizens of Newburyport to take cognizance and participate fittingly in its observance.

Mayor Donna D. Holaday

TRANSFERS

**APPOINTMENTS
FIRST READING**



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2020 JUL 20 PM 4:11

Donna D. Holaday

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: July 21, 2020
Subject: Re-appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Trust Fund Commission. This term will expire on August 15, 2023.

Richard J. O'Brien
41 Olive Street
Newburyport, MA 01950

Richard J. O'Brien – Senior Vice President and Chief Compliance Officer for Fidelity Institutional



Richard O'Brien is a Senior Vice President and Chief Compliance Officer for Fidelity Institutional, a unit of Fidelity Investments. Fidelity Institutional businesses include clearing and custody, prime brokerage, securities lending, trading, family office and mutual fund distribution and services.

Mr. O'Brien has responsibility for providing compliance support to Fidelity Institutional, which includes regulatory management, regulatory interpretation, regulatory advocacy, supervisory controls and oversight. In this role, he serves as Chief Compliance Officer for National Financial Services LLC, Fidelity Distributors Company LLC and Co-Chief Compliance Officer for Fidelity Brokerage Services LLC. He also provides compliance support to Fidelity Prime Financing LLC and Fidelity Institutional Wealth Advisers LLC.

Mr. O'Brien is currently a member of the FINRA Clearing Firm Advisory Committee and the FINRA North Region Committee.

Mr. O'Brien has more than 32 years in the financial services industry. He has held several compliance leadership roles in Fidelity for the past 27 years. He began his career at FINRA (formerly NASD) in Boston.

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

COMMUNICATIONS

From: Jared Eigerman
Sent: Wednesday, July 29, 2020 3:05 PM
To: Andrea Egmont; Donna Holaday
Cc: Richard Jones; Barry Connell; Margot Harrington; Stacy Gijsbers; Matthew Coogan
Subject: Charter Section 2-7 Notice

Andi, I see that you are out until August 3, so I am copying Margot and Stacy, too.

Councillors have now seen the press announcement about YS absorbing the Families Club as of three days from now. It is hard to tell from the media what has actually happened. Surely, it cannot really be anything like a corporate merger.

Under Charter Section 2-7, we need to give you seven notices to appear, so I will set up the ZOOM call for Wednesday, August 5th, at 7:00 pm. The call-in info will be waiting for you, when you return.

The specific questions / document requests are:

1. Who approached whom about the "merger?"
2. What are the terms of the merger?
3. What will change at NYS physically, in terms of staffing, and programming?
4. How will you fund any such changes?
5. Is there a written agreement with the Families Club, and if so, please provide it in connection with the Notice.
6. Are there assets that the City needs to accept from the Families Club?
7. Please provide an accounting of any and all funds expended regarding the pending "merger."

Thank you. We look forward to your appearance on August 5th.

-- Jared Eigerman, Newburyport City Council (Ward 2)
President
Chair, Committee on General Government
Member, Committee on Rules

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

August 10, 2020

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude the following gift:

Donor: Newburyport Pioneer League
Amount: \$1,000.00
Purpose: Additional survey work as part of the Lower Atkinson Master Plan project

This gift is accepted in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Charles F. Tontar

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2020 AUG -4 PM 3:47

August 10, 2020

WHEREAS, Section 11 of Chapter 92 of the Acts of 2020 (An Act Relative to Municipal Governance During the COVID-19 Emergency) allowed for the Mayor to submit to the City Council a continuing appropriation budget for the City of Newburyport for a period not to exceed three months in order to allow for additional time to submit an annual budget for Fiscal Year 2021 in accordance with Section 32 of Chapter 44 of the Massachusetts General Laws; and

WHEREAS, a continuing appropriation budget was submitted by the Mayor to the City Council in the amount of \$24,696,801 for the first three months of Fiscal Year 2021; and

WHEREAS, an annual budget for Fiscal Year 2021 must be adopted for the period of July 1, 2020 through June 30, 2021; and

WHEREAS, an annual budget supersedes and replaces the spending authority granted under a continuing appropriation budget in accordance with Section 32 of Chapter 44 of the Massachusetts General Laws;

NOW, THEREFORE BE IT ORDERED, THAT, the General Fund budget for the City of Newburyport for Fiscal Year 2021 be approved in the amount of \$ _____, of which \$ _____ is established as a School Department Budget for Fiscal Year 2021.

FURTHER THAT, the following Enterprise Fund budgets for Fiscal Year 2021 are approved as follows:

- Water Enterprise Fund \$ _____
- Sewer Enterprise Fund \$ _____
- Harbormaster Enterprise Fund \$ _____

FURTHER THAT, the following sources are reserved to fund the annual budget:

Paid Parking Fund	\$ 1,033,552.18	(General Fund)
Water Retained Earnings	\$ 171,322.49	(Water Enterprise Fund)
Sewer Retained Earnings	\$ 300,034.04	(Sewer Enterprise Fund)

The approved budget represents the annual budget for Fiscal Year 2021 as submitted by Mayor Holaday on August 10, 2020, as amended.

Jared J. Eigerman, Council President

Barry N. Connell, Councillor At-Large

Joseph H. Devlin, Councillor At-Large

Afroz Khan, Councillor At-Large

Charles F. Tontar, Councillor At-Large

Bruce L. Vogel, Councillor At-Large

Sharif I. Zeid, Ward 1 Councillor

Heather L. Shand, Ward 3 Councillor

Christine E. Wallace, Ward 4 Councillor

James J. McCauley, Ward 5 Councillor

Byron J. Lane, Ward 6 Councillor

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

NEWBURYPORT CITY COUNCIL

A Resolution from the City of Newburyport in Appreciation of the 2020 Yankee Homecoming Committee in "Giving Back" to Our Community and Beyond

Sponsored by Afroz Khan, City Councillor At-Large and Byron Lane, City Councillor Ward 6

- WHEREAS,** *Yankee Homecoming was first conducted in 1958 during a difficult economic climate when most of the city's factories and mills had closed and storefronts were left empty and the first Yankee Homecoming Chairman, George Cashman, selected August 4th, the birthday of the Coast Guard, to be the basis of the celebration;*
- WHEREAS,** *Yankee Homecoming is the second oldest festival in the US and is a valuable and much anticipated summer event for the City of Newburyport that brings residents and visitors into our community by celebrating the past and embracing the future;*
- WHEREAS,** *Over the years, Yankee Homecoming has grown to include longtime annual events that showcase road (and bed) races, Olde Fashioned Sunday, Waterfront Concerts on the Merrimack River, Family Day at Maudslay State Park, Market Square Entertainment, craft & artisan fairs, Fireworks and a Grand Parade on high street;*
- WHEREAS,** *COVID-19 has impacted the traditional manner that Yankee Homecoming has been celebrated and conducted over the past decades and the Yankee Homecoming Committee had "reimagined" the delivery of this beloved annual celebration by adopting the motto "Yankee Homecoming Gives Back"; and*
- WHEREAS,** *In accordance to their mission statement, they have continued to support local businesses as well as bring joy and lift the spirits of the community through socially distant activities such as Drive-In Movies, virtual races, Door Decorating, Food Drive, Blood Drive, Capture the Flag, Take out Tuesday, Veteran Lunches Delivery (230 meals delivered) while also using their collective force of volunteers to expand the reach of support by offering a Senior Buddies program and collecting donations for Food Pantries.*
- BE IT RESOLVED,** *That on this ___ day of August in the year Two Thousand and Twenty, the City Council of Newburyport recognizes and appreciates the effort of all of those involved in the organization and execution of this celebration including Yankee Homecoming Officers Dennis Palazzo, Cheryl Munick, Jason Lacroix and Lucien Lacroix.*

ATTEST:

Members of the Newburyport City Council

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CITY OF NEWBURYPORT



 IN CITY COUNCIL

ORDERED:

City Council of the City of Newburyport
Hybrid – In-Person/Remote Participation Policy
 (Meaning and intending to replace ORDR179_04_27_2020)

Document Information

Updates may include additions or alterations to this plan or a revocation of this plan (in whole or in part) and return to normal processes as conditions warrant.

This document was initially produced by the Ad-Hoc Committee on “Remote Participation” formed by Council President Jared J. Eigerman on March 13th, 2020 and has been updated through the pandemic by vote of the City Council. Members of the Committee are Councillors Sharif I. Zeid (chair), Bruce L. Vogel, Jared J. Eigerman, and ex-officio member City Clerk, Richard B. Jones.

Background and purpose:

The world is currently facing a WHO-declared pandemic in the form of COVID19, which is a novel Coronavirus. Organizations both public and private are taking different approaches to dealing with this situation that will allow the organization will be able to continue to operate while allowing for precautions to be taken to minimize the spread of the virus.

The City of Newburyport, acting through its City Council, boards, commissions, and officers, is subject to the Open Meeting Law (“OML”), which governs how meetings are conducted with the primary purpose of ensuring that the public has open access to its local government for the purposes of observing and participating.

Open access and participation are crucial to a properly functioning democracy. While the current situation will strain the ability, the purpose of this document is to outline a plan that will balance the current situation with the importance of maintaining an open and transparent government.

Finally, the Governor of Massachusetts has recognized the challenges that face municipalities with respect to OML. As a result, the Governor issued an Order on the 12th of March suspending certain provisions of OML. This Order does not completely eliminate open meeting requirements by any stretch but does offer some options provided that accommodations are made.

The full text of the Governor's Order can be found at the following link:

<https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download>

There are three paragraphs in particular that are most salient to this discussion that will be referenced by the provision number shown below this paragraph (provision number added into this document to provide clarity and reference). This Order as well as the underlying OML, other applicable state laws, regulations and executive orders, the Newburyport City Charter and Code, and City Council rules are the basis for this plan.

Provision 1:

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

Provision 2:

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

Provision 3:

(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

Guiding Principal:

Even in light of these current challenges, the City Council of the City of Newburyport affirms its commitment to open and transparent government and the inclusion of any members of the public who wish to observe and/or participate and that this plan shall be a reflection of that core value.

The City Council has established as its policy that remote meetings are generally disfavored as compared in-person meetings. This plan attempts to balance that policy with the need to meet in a way that is respectful of the public health challenges that we face today.

Plan:

On the following pages, there are plans for each of the three primary types of meetings that the City Council engages in. There are also a section for non-City Council meetings.

The revised plan establishes a protocol by which hybrid meetings can be held. Hybrid means that some Councillors, staff, and members of the public, participate in-person and others remotely.

Technology:

The City Clerk shall provide instructions to arrange meetings, including platform, dial-in information, etc for those attending remotely. The City Clerk shall also keep an audio recording of such meetings, where possible, and store them as a public record.

Lastly, the Clerk shall arrange for the approved in-person meeting spaces to be supplied with the necessary technology to allow for hybrid meetings (e.g. camera, room speaker, room microphone).

Updates:

This document is a living document and the *Ad Hoc* Committee to discuss and update this document as the situation evolves and as needed.

Questions:

Questions about this plan should be directed to the following:

City of Newburyport

Richard B. Jones, City Clerk

60 Pleasant St.

Newburyport, MA 01950

Phone: 978-462-7936, Fax: 978-462-7936

Hybrid Meetings

Throughout this document, the term “hybrid” is used. This term means meetings where some or all members are physically present or some or all members are participating remotely. A hybrid meeting allows for maximum flexibility as circumstances dictate, while continuing to ensure meetings are as accessible and transparent as possible to the public.

Nothing in this policy shall be construed as to prohibit fully remote meetings where all participants and attendees are remote.

Establishment of In-Person Meeting Spaces and Rules

In order to facilitate hybrid meetings, the following spaces are designated as places to meet and are shown with accompanying rules.

These spaces are then referred to below:

Location	Notes
City Hall Auditorium	In-person attendees will be limited to 20 people.
Senior Community Center (1 st floor space)	In-person attendees will be limited to 15 people.
City Council Chambers	In-person attendees will not be permitted.

In all cases:

- A) Councillors shall be seated 6 or more feet apart.
- B) Attendees shall be seated a minimum of 6’ away from Councillors and 6’ from one another (except those attending from the same household).
- C) A sign-in sheet will be provided and sign-in will be required including full and phone number for attendees. Such sign-in sheets will be stored by the City +Clerk – held in confidence, only used if contract tracing is required, and be permanently destroyed 14 days following the date of the meeting. Attendees failing or unwilling to provide this information will result in denied entry to the meeting.
- D) All attendees shall wear a face covering for the duration of the meeting.
- E) Hand sanitizer shall be provided at the entrance to the room and all are asked to use it
- F) Once the limit of attendees is reached no further attendees shall be permitted in but overflow attendees may observe remotely. In-person spaces are offered on a first-come, first-serve basis.
- G) A large sign will be posted at the entrance to each sign making it clear that attendance is denied if the prospective attendee meets any of the following criteria
 - a. Prospective attendee has a fever and/or chill
 - b. Has a cough
 - c. Has shortness of breath or difficulty breathing
 - d. Has a new loss of taste of smell
 - e. Has a sore throat
 - f. Has congestion or a runny nose
 - g. Has nausea or vomiting
 - h. Has diarrhea
 - i. Has come into contact with anyone known to have COVID-19 anytime within the past 14 days of the meeting date

City Council Meetings

Description These are typically held 2x per month where all 11 members of the Council come together to deliberate and vote.

How are these meetings handled traditionally	How these meetings will be handled during this situation	Compliance with Governor’s OML Order
Meetings are posted in due time in accordance with Open Meeting Law which requires a minimum of 48 hours’ notice given except during an emergency	No Change	✓ Provision 1 ✓ Provision 2 ✓ Provision 3
Meeting agendas include any/all City Council business in accordance with packet submission rules and removal from Committee rules	No Change	
Meetings are held at City Hall in City Council Chambers.	Meetings will be held in a hybrid fashion and in accordance with the “Establishment of In-Person Meeting Spaces and Rules” section above	
Meetings are open to the public.	Meetings continue to be open to the public, who can either choose to attend in person (see above) or tune in either via remote meeting platform or to a live broadcast	

	offered by NCM Hub, if applicable.	
For regular meetings, members of the public are offered time during a specified period to offer 2 minutes of comments, each. This comment is to be dedicated to a matter on the Agenda.	No change, with the exception being that the chair shall identify, by name, at the beginning of the public comment. Comments may be made in-person or via the remote meeting platform.	
Councillors attend in person (generally) and sit in designated seats.	All meetings will be held in a hybrid fashion and each individual Councillor may decide how to attend.	
Customary minutes are maintained and published in the next City Council Packet.	No Change	
Votes are generally taken orally with roll calls for specific items (e.g. Ordinances/Appointments)	Procedural votes may be taken by voice vote so long as no single Councillor objects. Other votes typically taken by Roll Call (e.g. Ordinances) shall continue to be taken by Roll Call.	

City Council Committee Meetings

Description The City Council has a committee structure with several standing Committees as well as potential Ad-Hoc meetings. It is the intention of this document that, generally, Boards and Commissions will use these same rules.

How are these meetings handled traditionally	How these meetings will be handled during this situation	Compliance with Governor’s OML Order
Meetings are posted in due time	No Change	✓ Provision 1 ✓ Provision 2 ✓ Provision 3
Meeting agendas include all Committee business at the discretion of the Chair	No Change	
Meetings are held on an as-needed basis and as called by the Committee Chair	No Change	
Meetings are held in various rooms throughout the City such as in City Hall, The Senior Community Center, Library, Police Station, etc.	Meetings will be held a hybrid fashion and in accordance with the “ Establishment of In-Person Meeting Spaces and Rules ” section above	
Meetings are open to the public.	Meetings continue to be open to the public, who can either choose to attend in person (see above) or tune in via remote meeting platform.	
Members of the public are offered time to speak at the discretion of the Chair.	No change with the exception being that participation shall be facilitated through technology platform.	
Meetings are held in a more informal setting and Councillors and the public simply find a seat to sit in.	All meetings shall be held remotely for all participants.	

Chairs either take minutes and/or notes which are then published or provided via oral report to the full Council, respectively.	Meetings shall be recorded where technologically possible, and sufficient storage space exists.	
Votes are generally taken orally	Votes may be taken by voice vote so long as no single Councillor objects.	

Public Hearings by the Council

Description These are special types of meetings held when required by state law, such as for zoning. Hearings often times are expected to draw more people than a typical Committee meeting.

How are these meetings handled traditionally	How these meetings will be handled during this situation	Compliance with Governor's OML Order
Hearings are held on an as-needed basis and as called by the Committee Chair responsible.	No Change. Meetings continue to be open to the public, who can either choose to attend in person (see above) or tune in either via remote meeting platform or to a live broadcast	N/A
Meetings are scheduled at various locations across the City based on availability.	Meetings will be held a hybrid fashion and in accordance with the " <u>Establishment of In-Person Meeting Spaces and Rules</u> " section above.	✓ Provision 1 ✓ Provision 2 ✓ Provision 3

Board/Commission/Other Meetings

Description These are meetings of the many boards and Commissions that are part of the City's governance. Examples would include the Conservation Commission, Zoning Board of Appeals, Planning Board, Historic Commission, Tree Commission, etc.

How are these meetings handled traditionally	How these meetings will be handled during this situation	Compliance with Governor's OML Order
Meetings are held on an as-needed basis and as called by the Committee Chair responsible.	The City Council recommends that such boards resume meeting in person (particularly land-use boards) using the guidelines in this document as a guide.	N/A

ORDINANCES

COMMITTEE ITEMS

**Committee Items
General Government**

August 10, 2020

ORDR197_07_13_2020

NRA Land Management re: Bill H.4545

Gen Council

CITY OF NEWBURYPORT



IN CITY COUNCIL

~~AN ORDER~~ IMPLEMENTING CHAPTER 96 OF THE ACTS OF 2020 WHICH DISSOLVED THE NEWBURYPORT REDEVELOPMENT AUTHORITY

WHEREAS, Chapter 96 of the Acts of 2020 (hereinafter referred to as "Chapter 96") effected the dissolution of the Newburyport Redevelopment Authority (hereinafter referred to as the "NRA"), and

WHEREAS, Chapter 96 provides that the transfer of the NRA lands, and all other property and funds shall be to the City of Newburyport (hereinafter referred to as "City"), and

WHEREAS, the City now shall, for all purposes, be the successor of interest to the NRA under the stipulation filed in Land Court on or about March 31, 1980, and

WHEREAS, notwithstanding any laws to the contrary, the entirety, without exception, of all monies, and personal and real property are hereby transferred and conveyed to the City with all lands whatsoever, including, without limitation, tidelands, whether flowed or filled, to be held permanently for the purposes of park and conservation uses; and provided, however, that public parking shall not be an excluded use and all existing public rights for fishing, fowling and navigation within said tidelands shall be preserved in their entirety, and

WHEREAS, Chapter 96 provides that the City of Newburyport shall design, fund and construct an extended waterfront park and on a best-efforts basis, said design shall be consistent with the principles and references documented in the Order 067, adopted by the City Council on May 30, 2017, a copy of which is attached hereto (hereinafter referred to as the "May 2017 Resolution"), and

WHEREAS, the City may execute and deliver a certificate in a form suitable for recording of real property heretofore owned by the NRA, and

WHEREAS, the City shall, for all purposes, be the successor of interest to the NRA including, without limitation, as to all outstanding obligations thereunder, and

WHEREAS, The City shall all reserve any monies transferred to the City pursuant to Chapter 96 in addition to no less than one-hundred percent (100%) of any ongoing meter revenues generated from parking on the land solely for the purposes of design, construction, maintenance or operation of an extended waterfront park and related infrastructure, and

WHEREAS, the City shall place said monies into a separate, designated receipts reserved for appropriation fund for these purposes as improvements to the public realm, and

WHEREAS, it is the desire and intent of the City to implement the obligations and responsibilities placed upon it pursuant to Chapter 96,

NOW, THEREFORE, the City Council hereby orders the following:

1. Any and all valid contractual obligations of the NRA shall be assumed by the City through the appropriate and necessary contractual amendments, updates, and other documentation, forthwith, and
2. To effectuate design and construction of the expanded park consistent with the May 2017 Resolution, including, without limitation, the final disposition of all public ways to the river, there shall be established by the City Council President an *ad hoc* committee of the City Council whose stated purpose is to oversee a request for proposals (hereinafter referred to as the "RFP") to be issued by the Office of Planning and Development, to review responses to the RFP, and to recommend a preferred bidder to the City Council and the Mayor for their approval no later than December 31, 2020, which *ad hoc* committee may include City officials other than members of the City Council, serving as *ex officio*, non-voting members, and
3. No later than August 31, 2020, said *ad hoc* committee shall, in consultation with the Mayor and the Director of Planning, develop and present to the City Council a proposed, tentative schedule for the design, construction, and transfer of the completed park to the Waterfront Trust contingent upon its reorganization, consistent with the terms of the May 2017 Resolution.

Councillor Jared J. Eigerman

AD HOC CENTRAL WATERFRONT COMM. – PROPOSED AMENDMENT, MAY 30, 2017

The *Ad Hoc* Central Waterfront Committee was charged to develop policies and objectives regarding a long-term vision for the Central Waterfront, including number of parking spaces, land ownership, and operational and maintenance responsibilities, subject to full Council approval. The Committee recommends that the City Council endorse the following terms of a final settlement.

Executive Summary of Proposed Settlement:

- NRA grants all parcels to Waterfront Trust for public park and waterside uses, *except* Firehouse Patio (City leases to Firehouse Ctr.) and Custom Hse. land (City leases to Custom Hse.)
- City takes exclusive easement to operate public parking at West & East Parking Lots
- Submerged lands equitably split between City and Waterfront Trust
- Construction of expanded park contingent upon raising capital funds

1. Master Plan reconciling Sidford-Uhlig Plan + COW Plan + Andy Port Plan

- a. Expanded Market Landing Park, including widened shoreline berm
- b. Reconfigured and smaller West Parking Lot and East Parking Lot
- c. Dimensions and locations of “Ways” settled for all time, with all ways perpendicular to shore, and non-vehicular Central Wharf Way aligned with Unicorn Street
- d. Clipper City Rail Trail passes through as a “loop”
- e. Firehouse Center lease with City adds patio as facility of public accommodation
- f. Custom House lease with (now) City adds land back to bulkhead, subject to current public uses
- g. Harbor Master operates all water-dependent uses (docks), as today

2. Waterfront Trust reorganizes, such that:

- a. Board of Trustees increases to seven (7). Mayor appoints four (4) and City Council appoints three (3). First two appointed by Council = 1 NRA member + 1 Settlor.
- b. One trustee serves ex-officio on Harbor Commission, and one Harbor Commissioner (or Harbor Master) serves as ex-officio on Waterfront Trust.
- c. No further role for 1980 litigants (Settlers) or the NRA
- d. Primary mission = stewardship of “public park and waterside uses”
- e. Acts as City commission: open meeting, conflicts of interest, & public records laws
- f. Can grant easements solely to government agencies for public purposes, at below market
- g. Duty to charge reasonable usage fees for public park and waterside uses
- h. Audit and enforcement rights by City Council and citizens
- i. Amendments require 2/3 Trustees + 2/3 City Council + Attorney General

3. Diverse, direct revenue streams to an autonomous Waterfront Trust

a. Existing Income to continue:

Riverside Park parking revenues
Embayment + Upriver ≈250 linear ft. dockage fees
Park usage fees, etc
Donations, etc

AD HOC CENTRAL WATERFRONT COMM. – PROPOSED AMENDMENT, MAY 30, 2017

b. New income from West & East Park Lots that increase with Park size/costs:

Park Size	West & East Pkg. Lot Revenues		City Cash Payment
+ acres (current)	10% Trust / 90% City		\$0
4.5 acres	30% Trust / 70% City	+	\$12,500
5 acres	50% Trust / 50% City		\$25,000
5.5 acres	70% Trust / 30% City		\$37,500
6+ acres (built out)	90% Trust / 10% City		\$50,000

Parking Revenue shares are fixed; require mutual City/Trust agreement to change

- c. New income from any docks extended outward from Embayment/Upriver ≈250 linear feet, shared with City in equal proportion to City's share of capital/grant investment.
 - d. New income from ≈\$350,000 endowment fund created from WT and NRA reserves (Principal cannot be spent)
 - e. City not obliged to help fund construction, maintenance, or replacement of any WT property excepting the Bulkhead
4. NRA grants 100% of its land, with no "deadline" for agency dissolution
- a. WT accepts NRA land, and confirmation of the following rights:
 - i. Bulkhead, but City gets right to access for public waterside uses
 - ii. Riverside Pk./Somerville Way, including all rights to public parking use
 - iii. West Parking Lot, but City gets exclusive easement for public parking use
 - iv. East Parking Lot, but City gets exclusive easement for public parking use
 - v. Scrap of land east of Railroad Avenue
 - vi. Non-exclusive easement for telecommunications at Firehouse Center
 - vii. Embayment, including all rights to use and revenue (no change)
 - viii. Submerged lands upriver of Embayment (≈250 linear ft.), including use and revenue
 - b. City accepts two parcels for non-profit tenants, and confirmation of the following rights:
 - i. Firehouse Center patio, but restricted to use by City's non-profit Firehouse tenant
 - ii. Submerged lands downriver of Embayment, including use and revenues
 - iii. Land behind Custom House to Bulkhead, but restricted to use by City's non-profit Custom House tenant, subject to existing public uses, under a new 99-year lease
 - iv. Non-exclusive easement for Clipper City Rail Trail (Mass. rights, too)
 - v. Non-exclusive easement for underground utilities
 - vi. Non-exclusive easement for operations and maintenance
 - vii. Vehicular public way through Riverside Park (Mass. rights, too.)
 - viii. Exclusive easement for public parking use at West & East Pkg. Lots (resident privs.)
 - ix. Non-exclusive easement to provide public safety services
 - c. Accurate surveys and subdivision maps to be recorded
5. Parties agree to cooperate reasonably regarding planned public park expansion
- a. NRA to resolve Activities Use Limitation (AUL) with US EPA
 - b. City to assist in identifying grants to fund construction of capital improvements
 - c. Waterfront Trust obliged to build capital improvements only once funding in place

**Committee Items-
Planning & Development
August 10, 2020**

ORDR201_07_30_2020

Inter-municipal Agreement - Amesbury/Newburyport (amended in
Committee)

INTERMUNICIPAL AGREEMENT
BETWEEN THE CITIES OF
AMESBURY AND NEWBURYPORT

This Agreement is made and entered into this ___ day of ___, 2020, in accordance with the provisions of Massachusetts General Laws, Chapter 40, section 4A, by and between the City of Amesbury, acting by and through its Mayor and authorized by its City Council, and the City of Newburyport, acting by and through its Mayor and authorized by its City Council (collectively referred to as the “Cities”).

WHEREAS, the Cities applied jointly for a CDBG-CV grant through the Massachusetts Community Development Block Grant (“CDBG”) program funds to address impacts upon local businesses due to the COVID-19 pandemic; and

WHEREAS, it is the intent of the Cities to utilize the grant funds to create a Microenterprise Grant Program that will provide businesses with grants of up to \$10,000 to directly address the most pressing concerns related to the COVID-19 crisis as indicated in a business survey, to include cash flow, paying rent/mortgage, and technical assistance; and

WHEREAS, on July 11, 2020 the City of Amesbury was informed by the Commonwealth’s Department of Housing and Community Development (“DHCD”) that a CDBG-CV grant in the amount of \$800,000 had been awarded; and

WHEREAS, the Cities wish to enter into this agreement to establish a process for the joint administration of the CDBG-CV grant for the benefit of both Cities as set forth in this Agreement; and

WHEREAS, the Cities shall work together to create the program guidelines and application process, in accordance with guidelines provided by DHCD; and

WHEREAS, each of the Cities has been authorized to enter into this Agreement by votes of their respective City Council in accordance with the provisions of G.L. c. 40, §4A.

NOW THEREFORE, in consideration of the promises and mutual benefits to be derived by the parties hereto, the Cities agree as follows:

1. Amount of Award: The total amount awarded to the Cities pursuant to the joint application is \$800,000. The terms of the DHCD grant are incorporated into this Agreement by reference and shall govern the use of those funds. The grant funding will be expended by each City as stipulated in the CDBG-CV Grant Award Contract with DHCD which has been set forth in the table below:

Budget Item	Requested Amount	Other Sources (In-kind)	Total
Salaries			
Amesbury OCED Director (3% of		\$3,000	\$3,000

FTE @ \$100,000)			
Newburyport Chief of Staff (1% of FTE @ \$87,367)		\$876	\$876
Program Manager (\$86.06/hour x 20 hours/week x up to 52 weeks)	\$89,503		\$89,500
Amesbury Finance Staff (2% of FTE @ \$70,000)		\$1,400	\$1,400
Supplies/Printing	\$1,500		\$1,500
Grants to businesses in Amesbury	\$354,500		\$354,500
Grants to businesses in Newburyport	\$354,500		\$354,500
TOTAL	\$800,000	\$5,276	\$805,276

2. Lead Community: The City of Amesbury will serve as the lead community and will be responsible for:

- Procurement and oversight of the grant contracted Program Manager (PM) (through the Office of Community and Economic Development (“OCED”)).
- Grant disbursements (payments) to be issued by the City Treasurer.
- Maintaining detailed grant records (financial, administrative and programmatic)
- Any reporting or administration with DHCD
- Financial Management
- Website hosting
- Office space, work station for CDBG Program Manager

3. Program Manager: The procurement of the Program Manager must specify that the PM shall:

- Be operationally responsible for all grant management activities;
- Work under the direction of, and frequently provide reports to, the OCED Director;
- Ensure compliance with DHCD Guidelines;
- Complete any required reporting to DHCD; and
- Maintain separate accounting of grant funding for each City, including eligible business grant awards, PM hours worked for each City.

4. Distribution of Grant Funds: The Project Manager shall administer and oversee the program so as to ensure that grant funds are equally distributed between businesses within each of the Cities to the maximum extent possible.

- The funds designated for each City in Section 1 above shall be used as specified and in no event shall the funds designated for grants to eligible businesses in one City be used or drawn upon for businesses in the other City.
- Each City shall work with the PM to allocate the maximum grant funds to eligible businesses within that City.
- To the extent that the allocation of funding to the PM for services for one City is not exhausted, the PM shall work with that City to reallocate those remaining funds for grants to eligible businesses within that City.

- The PM will notify the point of contact for each City prior to a grant being awarded to an eligible business within that City.

5. Reporting: The City of Amesbury will provide monthly reports to the City of Newburyport on the grant process. In addition, the Cities agree to hold bi-weekly meetings for the purpose of receiving updates from the Program Manager to include but not be limited to program oversight, expenses, and funding distribution.

6. Point of Contact: For the purpose of receiving updates and reports as set forth in this Agreement, the Cities have established points of contact as follows:

For the City of Amesbury: Angela Cleveland
Director of Community and Economic
Development

For the City of Newburyport: Matt Coogan
Chief of Staff

7. Liability: The Cities shall each be liable for the negligent or intentional acts of their officials and employees, and shall hold each other harmless from any claims or demands arising therefrom. This clause shall not be construed to limit liability as it relates to the City of Amesbury's responsibility as defined under Sections 2 and 3 above.

8. Term: This Agreement shall commence on the date first entered above and shall continue for a period of eighteen (18) months, provided, however, that the term shall be extended until the disbursement of all CDBG-CV Funds to the Cities as stipulated in the CDBG-CV Grant Award Contract with DHCD.

9. Assignment: No party shall assign, sublet or otherwise transfer its rights under this Agreement, in whole or in part, without the prior written consent of the other party.

10. Amendments: This Agreement shall not be modified or amended except by a written document executed by the Mayors and approved by the City Council for each City.

~~This Agreement shall not be modified or amended except by a written document executed by the Mayors for each City.~~

11. Governing Law: This Agreement shall be governed by, construed and enforced in accordance with the laws of the Commonwealth of Massachusetts.

12. Severability: If any term or condition of this Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by the court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Agreement shall not be deemed affected thereby unless one or both parties would be substantially or materially prejudiced.

13. Entire Agreement: This Agreement, including all documents incorporated herein by reference, constitutes the entire integrated agreement between the parties with respect to the matters described. This Agreement supersedes all prior agreements, negotiations and representations, either written or oral.

IN WITNESS WHEREOF, the parties have caused this instrument to be signed by their individual representatives, whose signatures are hereto affixed.

CITY OF AMESBURY

CITY OF NEWBURYPORT

Kasandra Gove, Mayor

Donna Holaday, Mayor

Committee Items-August 10, 2020

Public Safety

In Committee:

- *APPL004 03_09_2020 Footsteps for Food (4/14)*
- *APPL005 03_09_2020 Cultural Survival Bazaar (7/18-19)*
- *APPL006 03_09_2020 Spring Invitation Night (5/1)*
- *APPL007 03_09_2020 Newburyport Spring Festival (5/24-5/25)*
- *APPL008 03_09_2020 Newburyport Car Show (8/20)*
- *APPL009 03_09_2020 Newburyport Fall Harvest Festival (10/11-10/12)*
- *COMM 237_03_30_2020 21-23 Walnut St Public Safety Concern*
- *COMM 246_05_26_2020 Ltr to CC from A Calcagni RE: ORDR180*
- *COMM 250_06_29_2020 Ltr from Elizabeth Goullaud*
- *ORDR 190 EP 06_29_2020 Emergency Preamble for Resolution for Racial Justice*

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Tel.

Fax.

2019 AUG 13 PM 3:16

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

NAME OF EVENT: Footsteps for Food

Date: Sat. April 14, 2020 Time: from 10:00 a.m. to 12:00 pm

Rain Date: _____ Time: from _____ to _____

2. Location: Water front park, Newburyport

3. Description of Property: walk/run in park and rail trail Public _____ Private _____

4. Name of Organizer: Rotary/Interact Club - N.H.S City Sponsored Event: Yes _____ No _____

Contact Person Jill Moran / Sophie Scali

Address: 241 High St Telephone: 978 465-4440

E-Mail: jmoran@newburyport.k12.ma.us Cell Phone: _____

Day of Event Contact & Phone: Jill Moran 978 417 1195
Sophie Scali 978 806 5271

5. Number of Attendees Expected: 200

6. MA Tax Number: _____

7. Is the Event Being Advertised? yes Where? throughout Newburyport Public Sch

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

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 ^(water) 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 _____ Total # _____

Name of Carnival Operator: N/A

Address: _____

Telephone: _____

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

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

If yes:

- a) How many trash receptacles will you be providing? 5
- b) How many recycling receptacles will you be providing? 2
- c) Will you be contracting for disposal of : **Trash** Yes No **Recycling** Yes No
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No
- iv. If no, where will the trash & recycling be disposed? _____

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: N/A

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:
NHS Interact Club and Newburyport Rotary International

2. Name, Address & Daytime Phone Number of Organizer:
Jill Moran, 241 High St, NHS 978 465 4440

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up
Jill Moran, 241 High St, NHS cell 978 417 1195
Sophie Scali 978 806 5271

4. Date of Event: 4/4/20 Expected Number of Participants: 200

5. Start Time: 10:00 AM Expected End Time: 12:00 PM

6. Road Race, Parade or Walkathon Route: (List street names & attach map of route):
Start and end at Waterfront - same route as Jeanne Geiger Crisis Center walk

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: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information: N/A
- 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] SHS 0 Greenleaf St.
 DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.

DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) *Enforcement.*

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

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

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

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

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

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

Signed: Sophia Seali

Date: 8/13/19



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

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 J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008	CONTACT NAME: Ali Sulita PHONE (A/C, No, Ext): 1-833-3ROTARY E-MAIL ADDRESS: rotary@ajg.com	FAX (A/C, No): 630-285-4062
	INSURER(S) AFFORDING COVERAGE	
INSURED All Active US Rotary Clubs & Districts ATTN: Risk Management Dept. 1560 Sherman Ave. Evanston, IL 60201-3698	INSURER A : Lexington Insurance Company	NAIC # 19437
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES

CERTIFICATE NUMBER: 899307648

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		Y	015375594	7/1/2019	7/1/2020	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			015375594	7/1/2019	7/1/2020	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N N/A	NOT APPLICABLE			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)

The Certificate holder is included as additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER**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

NEWBURYPORT SPECIAL EVENT APPLICATION

RECEIVED
CITY CLERK
NEWBURYPORT, MA
Fax.

Tel.

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

NAME OF EVENT: Cultural Survival Bazaar

Date: July 18-19 Time: from 10am to 8pm

Rain Date: n/a Time: from n/a to n/a

2. Location*: Inn Street (inc: Byron's Court), Market Square, & Patrick Tracy Square

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: _____ Public Private _____

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

Contact Person

Address: 2067 Mass Ave., Cambridge, MA 02140 Telephone: 617.441.5400x15

E-Mail: danae@cs.org Cell Phone: _____

Day of Event Contact & Phone: 978.697.3641

5. Number of Attendees Expected: 100-200 at a time

6. MA Tax Number: _____

7. Is the Event Being Advertised? yes Where? social media, press releases, mailing list, banner in town

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

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No Who? We will notify Inn St and State : shops/businesses and be in touch with Chamber of Commerce/ Mayor's Office, well in advance

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

A. Vending: Food _____ Beverages _____ Alcohol _____ Goods Total # of Vendors 40-60

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music yes DJ _____ Radio/CD _____
Performers _____ Dancing _____ Amplified Sound Stage _____
ambient music for shopping, not loud concert

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
- b) How many recycling receptacles will you be providing? 3
- c) Will you be contracting for disposal of : **Trash** Yes _____ No **Recycling** Yes _____ No
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No _____
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

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

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

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

one ADA accessible toilet)

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) *Enforcement.*

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

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

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

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

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

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

Signed: Danielle Laura

Date: 1.27.20

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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: _____

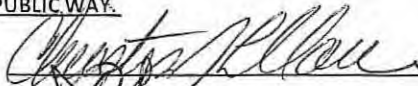
• Locations of Viewing Stations: _____

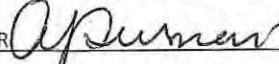
• Are Weapons Being Carried: Yes _____ No _____

• 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.

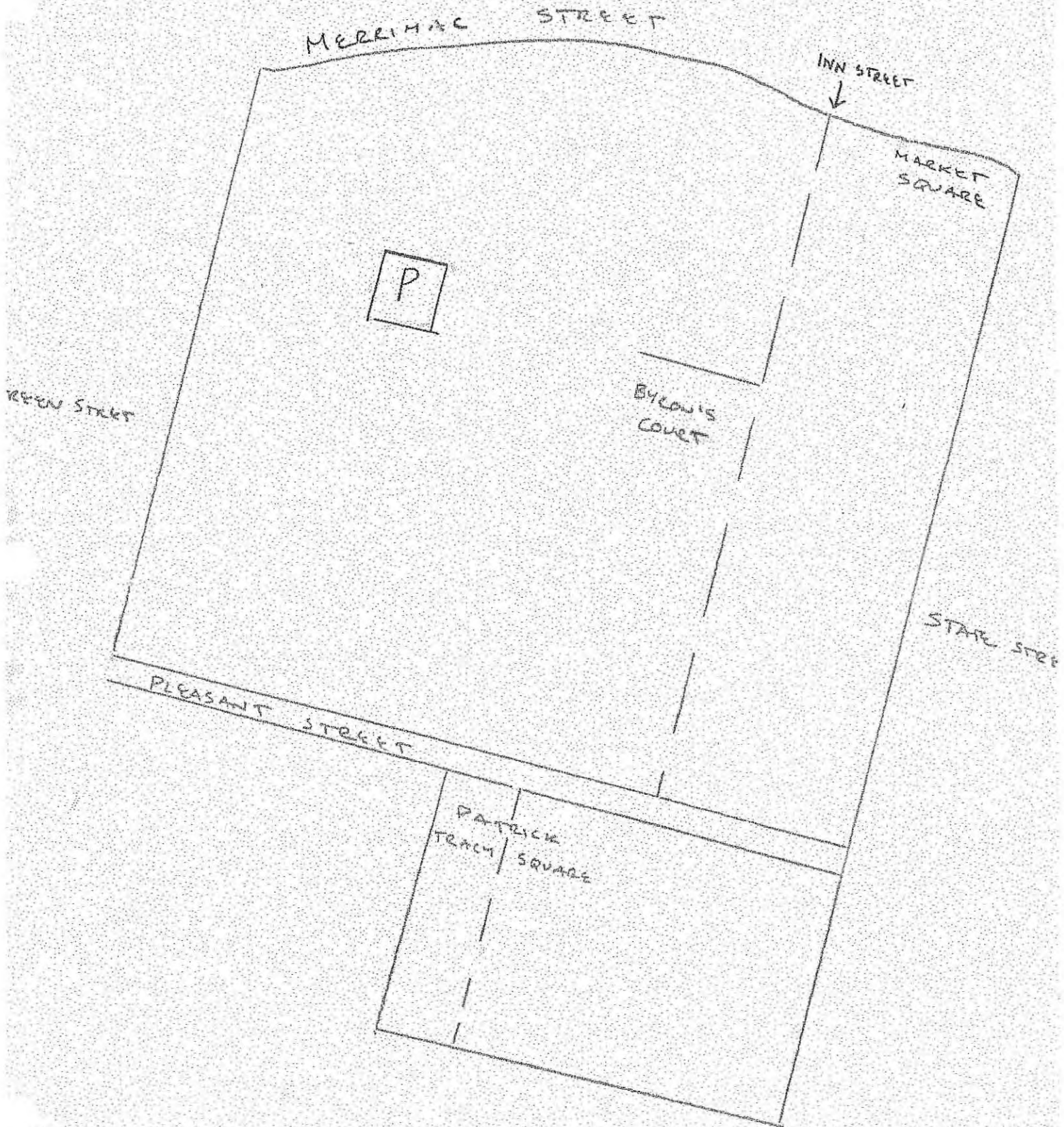
FIRE CHIEF  0 Greenleaf St.

DEPUTY DIRECTOR  16A Perry Way

CITY CLERK  60 Pleasant St.

DRAFT SITE PLAN OVERVIEW

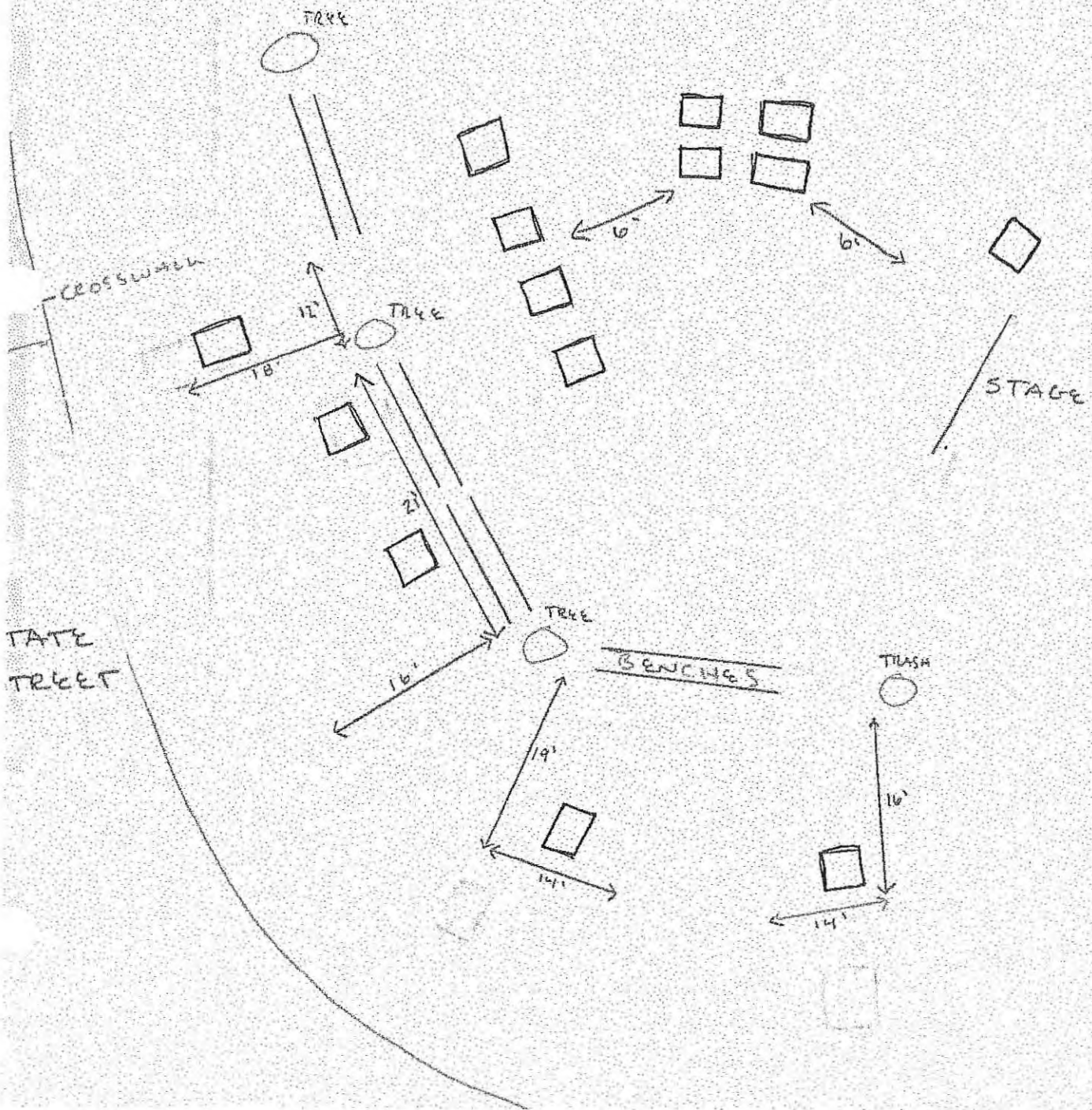
NOT DRAWN TO SCALE



MARKET SQUARE DRAFT SITE PLAN

NOTE: DRAWING NOT TO SCALE □ = 10x10' OR 12x12' TENT

INN STREET

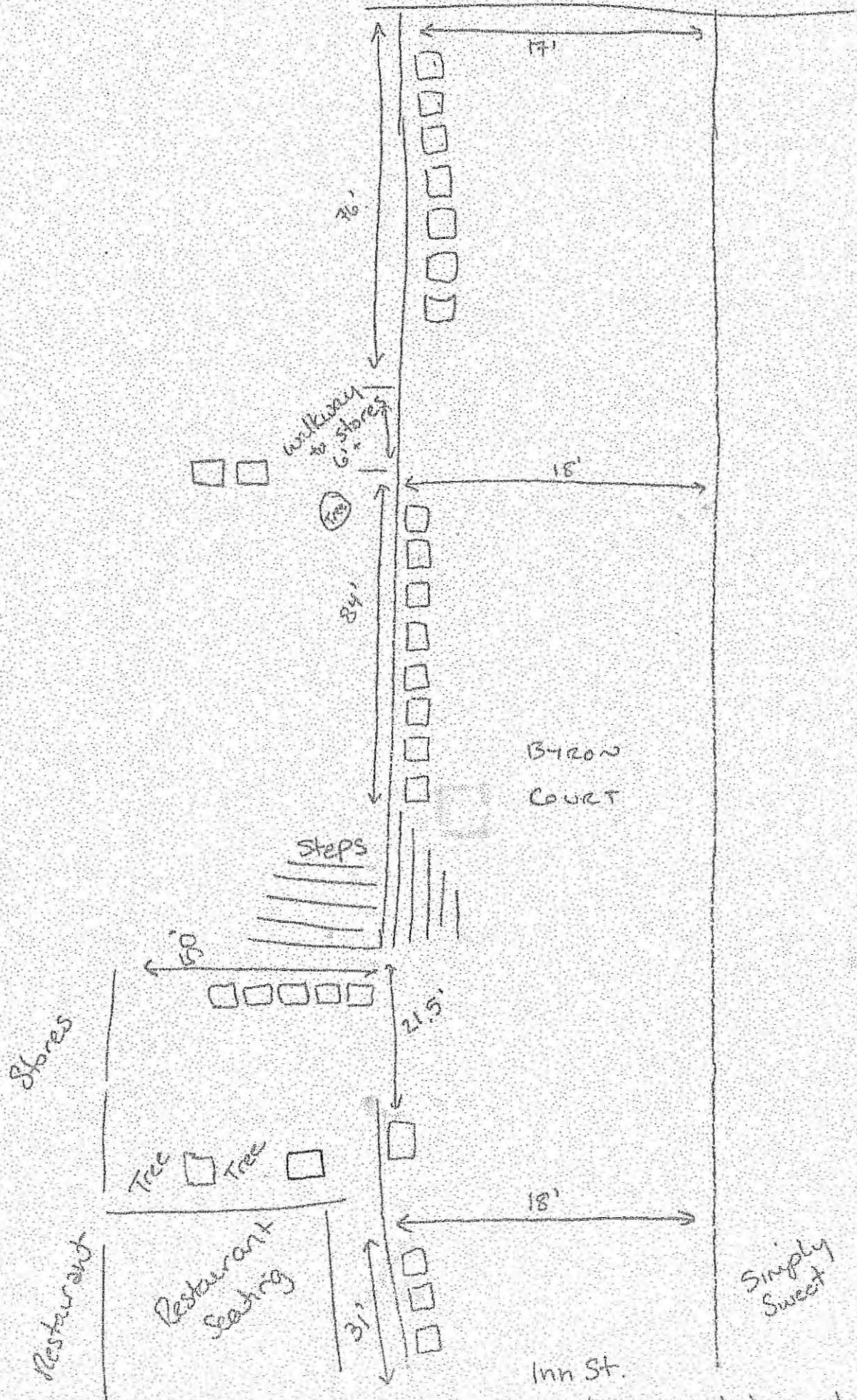


Inn St. Draft Site Plan

Loretta

Szechuan

State Street



6' x 6'

walkway to stores

84'

steps

15'

Stores

Tree Tree

Restaurant

Restaurant seating

31'

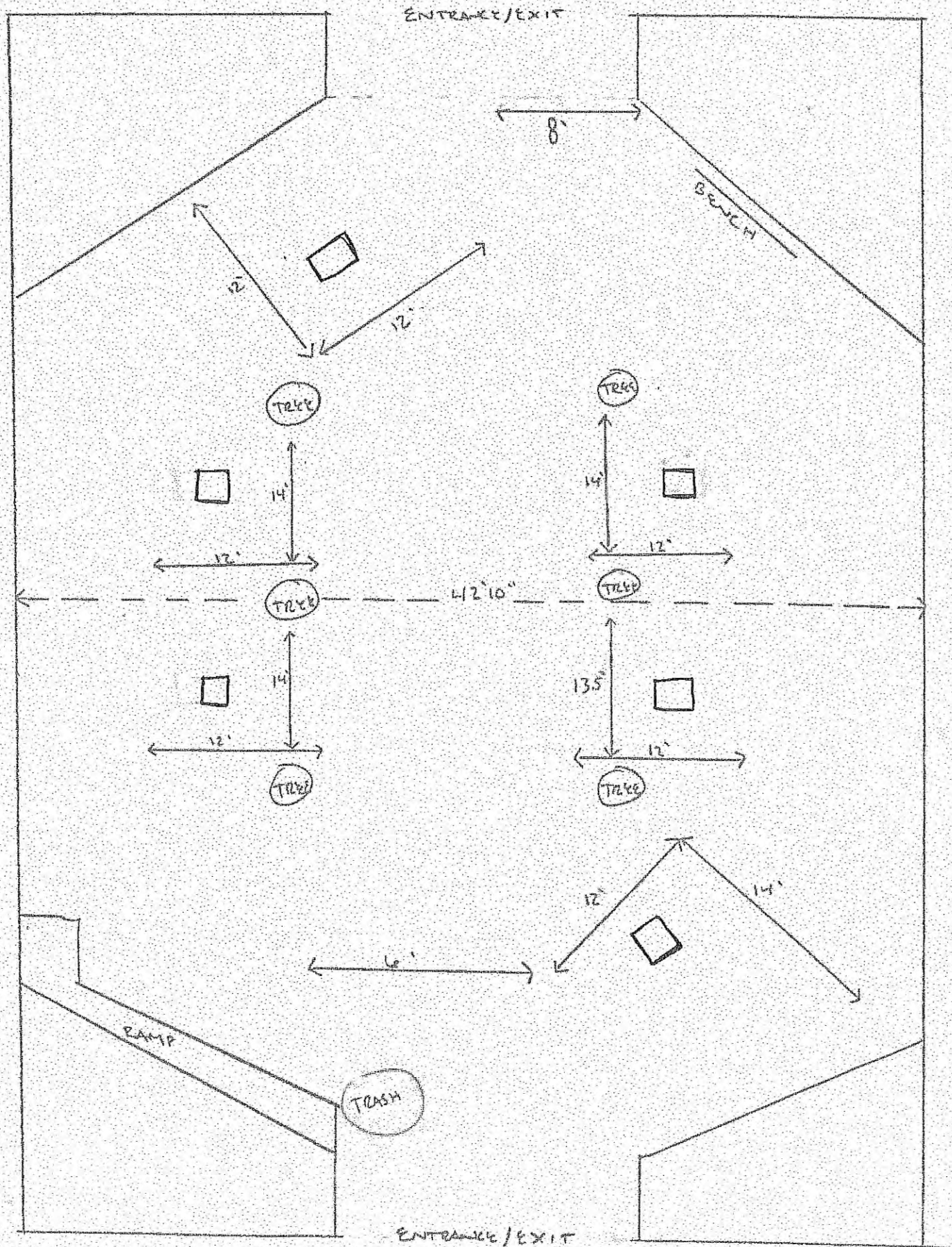
Byron Court

Simply Sweet

Inn St.

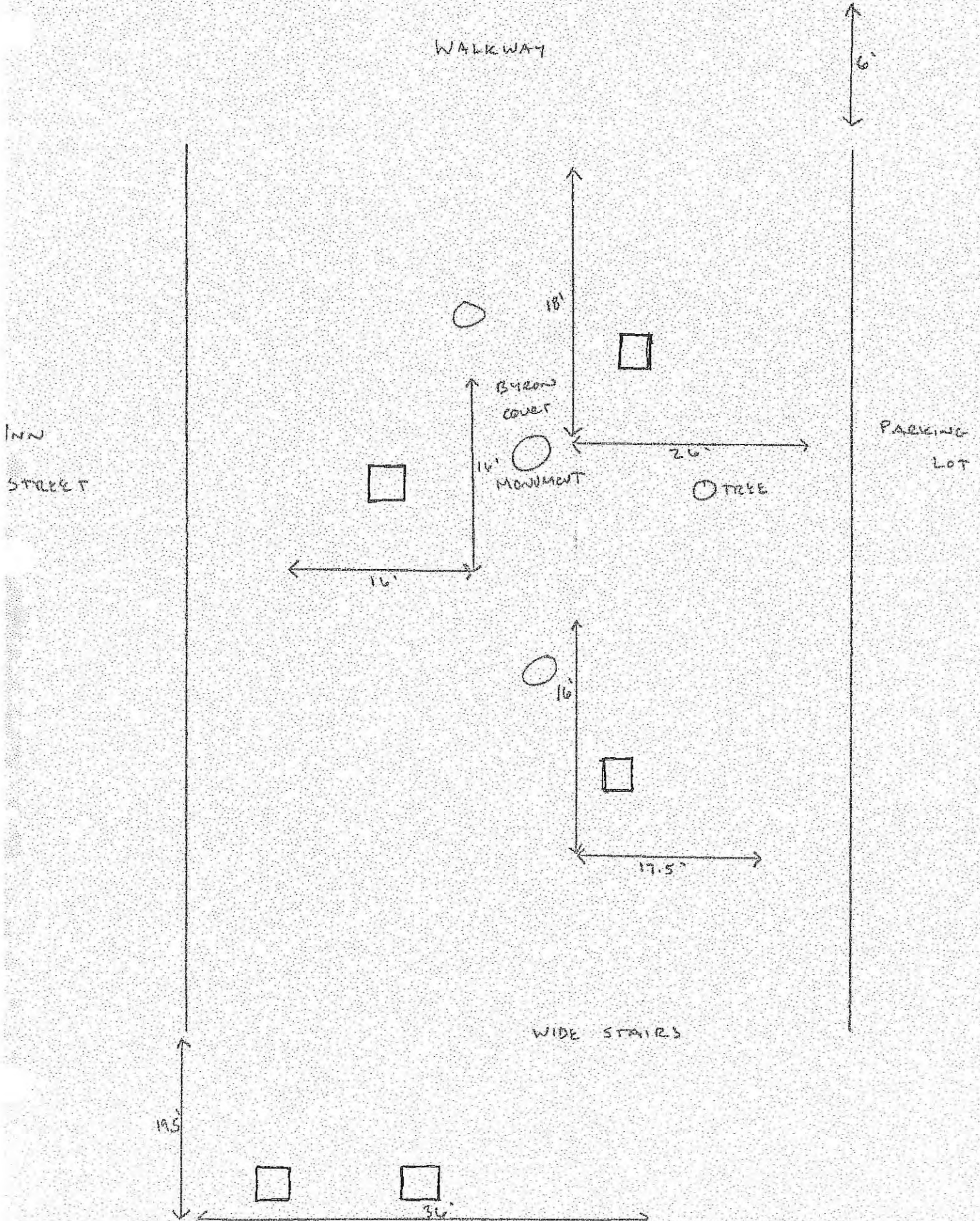
PATRICK TRACY SQUARE DEFT SITE PLAN

DRAWING NOT TO SCALE $\square = 10 \times 10'$ OR $12' \times 12'$ TENT



BYRON'S COURT - DRAWING NOT TO SCALE $\square = 10 \times 10'$ OR $12 \times 12'$ TENT

DRAFT SITE PLAN



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: _____

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

_____ 3. Traffic, Parking & Transportation: _____

_____ 4. ISD/Health: _____

_____ 5. Recycling: _____

_____ 6. ISD/Building: _____

DPS/STB 7. Electrical: _____

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

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

_____ 10. Parks Department: _____

_____ 11. License Commission _____

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

STAGE SET FOR AMBIENT MUSIC



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/03/2019

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

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

PRODUCER W.T. Phelan & Company 645R Massachusetts Avenue Arlington MA 02476	CONTACT NAME: Collette Creedon PHONE (A/C, No, Ext): (781) 641-7200 E-MAIL ADDRESS: collette.creedon@wtphelan.com	FAX (A/C, No): (781) 646-2410
	INSURER(S) AFFORDING COVERAGE	
INSURED Cultural Survival, Inc. PO Box 381569 Cambridge MA 02238	INSURER A: Philadelphia Insurance Co.	
	INSURER B: The Hartford	
	INSURER C:	
	INSURER D:	
	INSURER E:	
INSURER F:		NAIC #

COVERAGES **CERTIFICATE NUMBER:** CL196314027 **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:			PHPK1971774	05/31/2019	05/31/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Professional Liability \$ 1,000,000 COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$ \$ EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			PHUB672899	05/31/2019	05/31/2020	PER STATUTE 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
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	08WE CAB20HV	02/20/2019	02/20/2020	

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

Event: Cultural Survival Bazaar & Set-up, July 20-21 at Market Square and Inn St, Newburyport, MA. City of Newburyport is additional insureds with respect to General Liability per Form #PJ-GLD-HS (10/11). Subject to policy terms, conditions and exclusions with written contract required.

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

Greater
Newburyport
Chamber
Commerce & Industry



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 MAR -3 PM 3:47

Merrimac Street, Newburyport, MA 01950

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

www.newburyportchamber.org

info@newburyportchamber.org

Thursday, January 23, 2020

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

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

The Greater Newburyport Chamber of Commerce & Industry (GNCCI) kindly requests the use of downtown streets for the following GNCCI sponsored events:

- Spring Invitation Night: Friday, May 1, 2020 from 6:00PM – 9:00PM

The Greater Newburyport Chamber makes every effort, in conjunction with Mayor Donna Holaday, city departments, and our members, to promote the City of Newburyport and Greater Newburyport area as a unique destination for its shopping, dining, arts & culture, and natural resources. The GNCCI, through events such as this, seeks to help promote the City of Newburyport by attracting visitors to the area, increasing foot traffic, encouraging return visits, and offering events to promote shopping locally for residents.

Spring Invitation Night: A Friday evening prior to Mother's Day, similar to the first three Fridays in December, downtown merchants stay open late and offer refreshments to customers. Shoppers will walk amongst the downtown brick & mortar shops, restaurants, and cafes. This is an event that draws both locals and visitors and causes increased foot traffic especially on State, Water, Pleasant, and Inn Streets. No vendors will be setup and street closure is *not* requested. This is simply an increase in typical foot traffic.

Sincerely,

Elisabeth Hurley
Membership Development
Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT: Spring Invitation Night

Date: Friday, May 1, 2020 Time: from 6:00PM to 9:00PM

Rain Date: _____ Time: from _____ to _____

2. Location*: Increased number of people downtown from shop to shop esp. State, Pleasant, Inn, and Water Streets

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: _____ Public Yes Private _____

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

Contact Person Elisabeth Hurlev

Address: 38R Merrimac Street, Newburyport Telephone: 978-462-6680

E-Mail: ehurley@newburyportchamber.org Cell Phone: _____

Day of Event Contact & Phone: Same as above 508-212-8289

5. Number of Attendees Expected: 250/night

6. MA Tax Number: 83-2884007

7. Is the Event Being Advertised? Yes Where? Social Media, E-Newsletters, Daily News Press Release, Flyers, Radic

8. What Age Group is the Event Targeted to? Adults, especially women 40-60

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No _____, Who? _____
If approved, we notify abutting residents and businesses

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments None

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 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: None

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE _____ WALKATHON _____

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

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 *RLC* 4 Green St. FIRE CHIEF *Dep SHB* 0 Greenleaf St.

DEPUTY-DIRECTOR *A. Permani* 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.

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

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) *Enforcement.*

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

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

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

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

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

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

Signed: _____

Date: _____

01/23/2020



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/23/2019

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

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

PRODUCER Eastern Insurance Group LLC 233 West Central St Natick MA 01760		CONTACT NAME: Alex Campbell PHONE (A/C, No, Ext): (800) 333-7234 FAX (A/C, No): 781-586-8244 E-MAIL ADDRESS: acampbell@easterninsurance.com	
INSURED Greater Newburyport Chamber of Commerce & Industry Inc DBA: Newburyport Chamber of Commerce 38 R Merrimac Street Newburyport MA 01950		INSURER(S) AFFORDING COVERAGE INSURER A: Philadelphia Insurance Company NAIC # 18058 INSURER B: NorGuard 31470 INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES CERTIFICATE NUMBER: 19 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:		PHPK1998920	8/5/2019	8/5/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	GRWC085162	4/23/2019	4/23/2020	<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)
NON-PROFIT ORGANIZATION
CITY OF NEWBURYPORT IS RECOGNIZED AS ADDITIONAL INSURED FOR GENERAL LIABILITY.

CERTIFICATE HOLDER CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE John Koegel/KH3
---	---



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 MAR -3 PM 3:47

Merrimac Street, Newburyport, MA 01950

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

www.newburyportchamber.org
info@newburyportchamber.org

Thursday, January 23, 2020

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

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

The Greater Newburyport Chamber of Commerce & Industry (GNCCI) kindly requests the use of downtown streets for the following GNCCI sponsored events:

- Newburyport Spring Festival: Sunday, May 24 – Monday, May 25 from 10:00AM – 5PM each day

The Greater Newburyport Chamber makes every effort, in conjunction with Mayor Donna Holaday, city departments, and our members, to promote the City of Newburyport and Greater Newburyport area as a unique destination for its shopping, dining, arts & culture, and natural resources. The GNCCI, through events such as this, seeks to help promote the City of Newburyport by attracting visitors to the area, increasing foot traffic, encouraging return visits, and offering events to promote shopping locally for residents.

Newburyport Spring Festival: The Newburyport Spring Festival has been held for multiple decades on the Sunday and Monday of Memorial Day Weekend. We request permission to utilize the Bullnose, Inn Street, and parking spaces along the western half of State Street from Market Square to Pleasant Street. We ask permission for live music to be played in the Bullnose as well as the placement of booths in the Bullnose. Parking spaces as listed above will be for Chamber members, non-profits, and crafters to have booths. This event is marketed to locals and residents within a 30-minute driving radius. Spring Fest showcases the retailers and restaurants offered in the City of Newburyport, kicks off the Summer season, and encourages return visits throughout the Summer.

Sincerely,

Elisabeth Hurley
Membership Development
Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT: Newburyport Spring Festival

Date: May 24 - 25, 2020 Time: from 10:00AM each day to 5:00PM each day

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

2. Location*: Bullnose, Inn Street, Western Parking Spaces on State Street from Market Square to Pleasant Street

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Music and booths in Bullnose, Booths on State and Inn Streets Public Yes Private _____

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

Contact Person Elisabeth Hurlev

Address: 38R Merrimac Street, Newburyport Telephone: 978-462-6680

E-Mail: ehurley@newburyportchamber.org Cell Phone: _____

Day of Event Contact & Phone: Same as above 508-212-8289

5. Number of Attendees Expected: 750 to stroll though downtown Newburyport each day

6. MA Tax Number: 83-2884007

7. Is the Event Being Advertised? Yes Where? Social Media, E-Newsletters, Daily News Press Release, Flyers, Radic

8. What Age Group is the Event Targeted to? Adults, especially women 40-60

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No _____, Who? _____
If approved, we will notify abutting residents and businesses.

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

A. Vending: Food Yes Beverages Yes Alcohol _____ Goods Yes Total # of Vendors 55

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

If yes:

- a) How many trash receptacles will you be providing? We utilize the existing trash and recycling receptacles
- b) How many recycling receptacles will you be providing? _____
- c) Will you be contracting for disposal of : **Trash** Yes Yes No _____ **Recycling** Yes _____ No _____
- i. If yes, size of dumpster(s): **Trash** 15 yard **Recycling** _____
- ii. Name of disposal company: **Trash** G Mello **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes Yes* No _____
- iv. If no, where will the trash & recycling be disposed ? _____

*We remove trash from existing receptacles with personal vehicle and place trash into G Mello dumpster we coordinate behind Chamber office

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE _____ WALKATHON _____

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

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

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

4. Date of Event: _____ Expected Number of Participants: _____
5. Start Time: _____ Expected End Time: _____
6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): _____

7. Locations of Water Stops (if any): _____
8. Will Detours for Motor Vehicles Be Required? _____ If so, where? _____
9. Formation Location & Time for Participants: _____
10. Dismissal Location & Time for Participants: _____
11. Additional Parade Information:
 - Number of Floats: _____
 - Locations of Viewing Stations: _____
 - Are Weapons Being Carried: Yes _____ No _____
 - Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____

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

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

DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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Signed: _____

Date: _____

01/23/2020



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DATE (MM/DD/YYYY)
8/23/2019

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PRODUCER Eastern Insurance Group LLC 233 West Central St Natick MA 01760	CONTACT NAME: Alex Campbell PHONE (A/C, No, Ext): (800) 333-7234 E-MAIL ADDRESS: acampbell@easterninsurance.com	FAX (A/C, No): 781-586-8244
	INSURER(S) AFFORDING COVERAGE	
INSURED Greater Newburyport Chamber of Commerce & Industry Inc DBA: Newburyport Chamber of Commerce 38 R Merrimac Street Newburyport MA 01950	INSURER A: Philadelphia Insurance Company NAIC # 18058	
	INSURER B: NorGuard NAIC # 31470	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 19 GL WC **REVISION NUMBER:**

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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:			PHPK1998920	8/5/2019	8/5/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	GRWC085162	4/23/2019	4/23/2020	<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)
 NON-PROFIT ORGANIZATION
 CITY OF NEWBURYPORT IS RECOGNIZED AS ADDITIONAL INSURED FOR GENERAL LIABILITY.

CERTIFICATE HOLDER**CANCELLATION**

CITY OF NEWBURYPORT
 60 PLEASANT STREET
 NEWBURYPORT, MA 01950

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

John Koegel/KH3



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 MAR -3 PM 3:47

88R Merrimac Street, Newburyport, MA 01950

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

www.newburyportchamber.org
info@newburyportchamber.org

Friday, January 24, 2020

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

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

The Greater Newburyport Chamber of Commerce & Industry (GNCCI) kindly requests the use of downtown streets for the following GNCCI sponsored events:

- Newburyport Car Show: Thursday, August 20, 2020 from 5:00PM – 8:00PM
(Rain date of Thursday, August 27, 2020)

The Greater Newburyport Chamber makes every effort, in conjunction with Mayor Donna Holaday, city departments, and our members, to promote the City of Newburyport and Greater Newburyport area as a unique destination for its shopping, dining, arts & culture, and natural resources. The GNCCI, through events such as this, seeks to help promote the City of Newburyport by attracting visitors to the area, increasing foot traffic, encouraging return visits, and offering events to promote shopping locally for residents.

Cruisin' the 50s Car Show: This 9th annual car show draws car enthusiasts from the region to downtown Newburyport. Local families also enjoy the display of antique cars. This free event has become one of the busiest nights for the city's restaurants which is especially important because it is held on a weeknight. We seek permission to hold this event on Thursday, August 20, 2020 with a rain date of Thursday, August 27, 2020. Like previous years, we request permission to close State, Pleasant, and Inn Streets from 2:00PM – 9:00PM as well as Tracy Place and the State Street Lot. Cars will arrive at approximately 3:00PM. Regarding State Street, we request closure from Market Square to the intersection of State and Harris Streets. For Pleasant Street, we request permission to close from State to Green Streets. We also ask that Harris Street be restricted to residents only in order to prevent an abundance of vehicles bypassing downtown via Green to Harris Streets which becomes a safety issue as vehicles turn from Harris to State Street where pedestrians enjoy the event. We also request utilization of the Bullnose for live music.

Sincerely,

Elisabeth Hurley
Membership Development
Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT: Newburyport Car Show (Cruisin the 50s)

Date: Thursday, August 20, 2020 Time: from 5:00PM to 8:00PM

Rain Date: Thursday, August 27, 2020 Time: from 5:00PM to 8:00PM

2. Location*: Bullnose, State Street to State Street Lot, Pleasant Street to Green Street, Inn Street, Tracy Place, Byron's Court
*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Music & booths in Bullnose, Antique cars in all other listed locations Public Yes Private _____

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

Contact Person Elisabeth Hurlev

Address: 38R Merrimac Street, Newburyport Telephone: 978-462-6680

E-Mail: ehurley@newburyportchamber.org Cell Phone: 508-212-8289

Day of Event Contact & Phone: Same as above

5. Number of Attendees Expected: 10,000 from late afternoon until approximately 9:00PM

6. MA Tax Number: 83-2884007

7. Is the Event Being Advertised? Yes Social Media, E-Newsletters, Daily News Press Release, Flyers, Radio
Where? Local car printed newsletters

8. What Age Group is the Event Targeted to? Families, especially Baby Boomers

9. Have You Notified Neighborhood Groups or Abutters? Yes _____ No _____, Who? _____
If approved, we notify abutting residents and businesses and work with DPS to post sign boards regarding street closures

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 Yes DJ _____ Radio/CD _____
Performers _____ Dancing _____ Amplified Sound Yes 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 No - we coordinate with DPS instead

If yes:

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

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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 RLLR 4 Green St. FIRE CHIEF Dep STAB 1/28/20 0 Greenleaf St.

DEPUTY DIRECTOR Apurnaw 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.

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

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) *Enforcement.*

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

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

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

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

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

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

Signed: _____

Date: _____

01/24/2020



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/23/2019

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

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

PRODUCER Eastern Insurance Group LLC 233 West Central St Natick MA 01760	CONTACT NAME: Alex Campbell PHONE (A/C, No, Ext): (800) 333-7234 E-MAIL ADDRESS: acampbell@easterninsurance.com	FAX (A/C, No): 781-586-8244
	INSURER(S) AFFORDING COVERAGE	
INSURED Greater Newburyport Chamber of Commerce & Industry Inc DBA: Newburyport Chamber of Commerce 38 R Merrimac Street Newburyport MA 01950	INSURER A: Philadelphia Insurance Company NAIC # 18058	
	INSURER B: NorGuard NAIC # 31470	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES **CERTIFICATE NUMBER:** 19 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 GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		PHPK1998920	8/5/2019	8/5/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A	GRWC085162	4/23/2019	4/23/2020
						<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)
NON-PROFIT ORGANIZATION
CITY OF NEWBURYPORT IS RECOGNIZED AS ADDITIONAL INSURED FOR GENERAL LIABILITY.

CERTIFICATE HOLDER CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE John Koegel/KH3
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RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2020 MAR -3 PM 3:47

Merrimac Street, Newburyport, MA 01950

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

www.newburyportchamber.org

info@newburyportchamber.org

Friday, January 24, 2020

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

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

The Greater Newburyport Chamber of Commerce & Industry (GNCCI) kindly requests the use of downtown streets for the following GNCCI sponsored events:

- Newburyport Fall Harvest Festival: Sunday, October 11 – Monday, October 12, 2020
from 10:00AM – 5:00PM each day

The Greater Newburyport Chamber makes every effort, in conjunction with Mayor Donna Holaday, city departments, and our members, to promote the City of Newburyport and Greater Newburyport area as a unique destination for its shopping, dining, arts & culture, and natural resources. The GNCCI, through events such as this, seeks to help promote the City of Newburyport by attracting visitors to the area, increasing foot traffic, encouraging return visits, and offering events to promote shopping locally for residents.

Newburyport Fall Harvest Festival: This event is in its fourth decade and attracts local and visitor families to downtown Newburyport over the course of Columbus Day Weekend. This event will feature booths for Chamber members, non-profits, and crafters/artisans. We seek permission to utilize the Bullnose for live music as well as the placement of booths. We also request the use of Inn Street and parking spaces along the western half of State Street from Market Square to Pleasant Street. These areas will be for booths as well. This Fall event showcases the retailers and restaurants offered in the City of Newburyport and encourages repeat business.

Sincerely,

Elisabeth Hurley

Membership Development

Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

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

NAME OF EVENT: Newburyport Fall Harvest Festival

Date: Sunday, October 11 - Monday, October 12, 2020 Time: from 10:00AM each day to 5:00PM each day

Rain Date: _____ Time: from _____ to _____

2. Location*: Bullnose, Inn Street, State Street's western parking spaces from Market Square to Pleasant Street

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Music & booths in Bullnose. Booths on State and Inn Streets Public Yes Private _____

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

Contact Person Elisabeth Hurlev

Address: 38R Merrimac Street, Newburyport Telephone: 978-462-6680

E-Mail: ehurley@newburyportchamber.org Cell Phone: _____

Day of Event Contact & Phone: Same as above _____

508-212-8289

5. Number of Attendees Expected: 750/day

6. MA Tax Number: 83-2884007

7. Is the Event Being Advertised? Yes Where? Social Media, E-Newsletters, Daily News Press Release, Flyers, Radio

8. What Age Group is the Event Targeted to? Families and women 40-60

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

If approved, we notify abutting residents and businesses

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

A. Vending: Food Yes Beverages Yes Alcohol _____ Goods Yes Total # of Vendors 55

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

Performers _____ Dancing _____ Amplified Sound Yes 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 Yes No _____

If yes:

- a) How many trash receptacles will you be providing? We utilize the existing trash and recycling receptacles
- b) How many recycling receptacles will you be providing? _____
- c) Will you be contracting for disposal of : **Trash** Yes Yes No _____ **Recycling** Yes _____ No _____
- i. If yes, size of dumpster(s): **Trash** 15 yard **Recycling** _____
- ii. Name of disposal company: **Trash** G Mello **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes Yes* No _____
- iv. If no, where will the trash & recycling be disposed ? _____
- *We remove trash from existing receptacles with personal vehicle and place trash into G Mello dumpster we coordinate behind Chamber office

If no:

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

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

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

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

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

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

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

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

5. Start Time: _____ Expected End Time: _____

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

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

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

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

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

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

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

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

DEPARTMENT APPROVAL (for Committee Member use only):

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

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

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) *Enforcement.*

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

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

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

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

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

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

Signed: _____

Date: _____

01/27/2020



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/23/2019

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

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

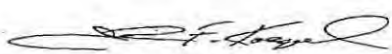
PRODUCER Eastern Insurance Group LLC 233 West Central St Natick MA 01760	CONTACT NAME: Alex Campbell PHONE (A/C, No, Ext): (800) 333-7234 E-MAIL ADDRESS: acampbell@easterninsurance.com		FAX (A/C, No): 781-586-8244
	INSURER(S) AFFORDING COVERAGE INSURER A: Philadelphia Insurance Company INSURER B: NorGuard INSURER C: INSURER D: INSURER E: INSURER F:		NAIC # 18058 31470
INSURED Greater Newburyport Chamber of Commerce & Industry Inc DBA: Newburyport Chamber of Commerce 38 R Merrimac Street Newburyport MA 01950			

COVERAGES **CERTIFICATE NUMBER:** 19 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 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:			PHEK1998920	8/5/2019	8/5/2020	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> 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	GRWC085162	4/23/2019	4/23/2020	<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)
NON-PROFIT ORGANIZATION
CITY OF NEWBURYPORT IS RECOGNIZED AS ADDITIONAL INSURED FOR GENERAL LIABILITY.

CERTIFICATE HOLDER CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA 01950	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE John Koegel/KH3 

Kathleen & Bronson de Stadler
19 Walnut Street
Newburyport, MA 01950

City Council President Jared J. Eigerman
Newburyport City Council Members
City Hall
Newburyport, MA 01950

March 28, 2020

Dear City Council President Jared Eigerman and City Council Members,

We are writing to enlist the City Council's help in next steps to address a deteriorating property adjacent to our Walnut Street home.

Background

21-23 Walnut Street is a Greek Revival three story home dating from the 1840s. The property was originally a single family house that was converted into a 2 unit condominium some years ago, with each unit now owned by a different bank related mortgage company. The property was abandoned by its prior owners with personal possessions left in the house and throughout the property 3 years ago.

As adjacent neighbors, our property faces the property. We began enlisting the help of the Health and Building Departments by lodging complaints in 2018 about the ongoing problem of squirrels entering the building through rotted soffits along the roof and rotten openings in the side of the building and basement. Further, the garage had a gaping hole in one wall and a missing door.

Our initial efforts were unsuccessful. Upon inspection by the building department in November 2018 we were told the building "looked occupied" despite the fact it had not been for some time, and the water and electricity had been turned off. After subsequent complaints by us and other neighbors over a two year period (and the intervention of historic preservation advocates) the mortgage companies were notified that the building must be secured or they would face daily fines until this work was done as it presented a hazard to the neighborhood. The companies complied by removing the previous owners possessions in the building and yard, boarding up openings, securing windows, and hiring an extermination company to prevent animals entering the building through holes in the soffits.

The initial extermination company used illegal traps to catch animals entering the building, resulting in a dead squirrel hanging by its neck in a trap down the side of the building, in full view of children in the neighborhood and passersby. A call was made to the Health Department

and the Animal Control Officer, who intervened. A new extermination company was hired and used appropriate and legal methods to trap squirrels and other animals and prevent access by them.

Actions Taken to Date

1. Complaint filed with the City Health Department after consulting with the Building Department (October 31, 2018).
2. Visit from Planning Department (Nov. 2018, result noted above).
3. Neighbors sought help from Ward 4 City Councilor Charlie Tontar (no response received).
4. Email sent to Andy Port and Jennifer Blanchet of a possible NZO Section XXVIII-F situation by a contributing building to the DCOD (January 5, 2019)
5. Site visit made on January 9, 2019 by Jennifer Blanchet (result was "not grounds to consider the property neglected or abandoned")
6. Email sent to Andy Port and Jennifer Blanchet requesting further investigation and monitoring of the abandoned property (February 12, 2019). No response.
7. Complaint filed with the City Health Department (June 19, 2019)
8. Ward 4 City Councilor Christine Wallace contacted December 2019, and has been actively involved since that time.
9. Zoning Compliance Request sent on January 9, 2020 to Chalet Properties III LLC (21 Walnut Street) and Federal Home Loan Mortgage Corporation (23 Walnut Street) certified mail citing Newburyport Zoning Ordinance (section XXVIII-F) authority to fine \$300 a day for non-compliance.
10. Coco, Early & Associates responded for FHLM to Zoning Compliance Request, saying they will comply (January 23, 2020).
11. Disposal company removed belongings from inside the house and all possessions and trash from the exterior of the property.
12. Construction company hired and covered all gaping holes into the basement, the side of the building and missing garage door.
13. The Realty company hired an exterminator, needed to fire him, hired a second company.

Current Situation

1. In the 8 weeks since the second exterminator completed his work, there has been no monitoring, and squirrels and possibly rodents or other animals have found multiple spots in the building or rotten soffits to enter.
2. No further repairs have been made. The soffits and other parts of the building continue to rot further. The roof continues to deteriorate with shingles on the property and in our yard.

Concerns

1. One of the realtors and one of the exterminators reported that the squirrels had done extensive damage to the interior of the building, tearing-up areas to build nests. This is apparently continuing.
2. Squirrels and possibly other animals are again entering the building, likely causing further damage.
3. The loose shingles could fly off at any time, possibly injuring passersby and pets being injured.

Requests

1. The stopgap measures taken to keep squirrels from infesting the building have not worked. There has been no follow-up. We request that more substantive repairs be done to the rotting soffits and other parts of the building to prevent this from happening.
2. We are concerned about the possibility of chewed wires inside the building which could present a fire hazard. We would like to request that the Building Inspector and Fire Marshal inspect the property, especially the third floor.
3. We hope that the City may have some means to influence the Mortgage Holders to promptly make necessary repairs so that both units can be released for sale. (Only one unit is currently for sale.) We have been told that there are buyers interested in buying both units, not one in a deteriorating building, and rehabilitating the property.
4. Finally, from an animal protection standpoint, it seems cruel to allow squirrels to continue to enter the building, as extermination involves luring them into traps and then euthanizing them.

As 40+ year residents of this beautiful city, we hope you will take action on this long-standing situation to address a health and safety problem.

Sincerely yours,

Bronson and Kathleen de Stadler

Ashlyn Calcagni
Anchor Stone Deck Pizza
44 State Street
Newburyport, MA 01950

May 17, 2020

Jared J. Eigerman
Newburyport City Council
60 Pleasant Street
Newburyport, Ma 01950

Dear Sir,

I am writing to you today with concern for an emergency measure to close both State and Pleasant Street to vehicle traffic in response to the economic impact of the partial shutdown brought on by both city and state imposed Covid-19 restrictions.

As the owner of a restaurant located in the downtown business district, my concern is the impact the closure of these two main thoroughways would have on our ability to conduct business, and the manners in which we do so.

It is my understanding the joint effort between the mayor's office and city council aims to close State and Pleasant Streets to convert these areas into a temporary walking mall in order to allow for downtown area restaurants and retail establishments additional outdoor space to conduct business.

Closure of these streets would have direct and indirect negative impacts on several factors that have allowed certain establishments, including my own, to remain in business during an unprecedented economic disaster brought on by the current health crisis.

First and foremost, my primary concern is not enough respect for the currently available space has been considered. There are alternative spaces in the downtown district which could be utilized by operating businesses instead of the main streets, which bring customers directly to our doors and have allowed for the implementation of the curbside pickup option - universally regarded as the best solution for getting product to consumers during this difficult time. For example, portions of Inn Street could be utilized by various businesses. Threadneedle Alley could be utilized by Ceia. The gravel area behind 8 Pleasant Street, which was once an outdoor dining area, could temporarily be used for this purpose again. Market Square has ample space to support multiple setups while respecting social distancing guidelines. These alternatives should be considered.

It should be taken into account that Newburyport is a high traffic tourist destination during the summer months, and creating a walking mall of its main streets would make it more enticing at a time when we don't want to be unwittingly attracting thousands of unregulated visitors into our community, the demographics of which skew toward the population most vulnerable to severe complications from Covid-19.

Other logistical concerns exist for businesses which offer delivery service or have elected to utilize 3rd party delivery services to supplement sales. In my own business, I have made significant investments to safely continue offering my delivery service. The inability to efficiently access my restaurant would impose yet another

obstacle and our ability to offer a quality service would certainly suffer, having a long term affect on this differentiating factor of our business. Those consumers who could not access our restaurant for curbside pickup would likely shop elsewhere in town where such barriers and restrictions would not exist.

In conclusion, I hope you will deny the motion to close State and Pleasant Streets. As an alternative to utilizing the spaces outlined above, I would suggest eliminating parking on either side of these street, dedicating the parking lanes to foot traffic on one side and curbside pickup on the other, allowing retail and restaurants to utilize the entire sidewalk in front of their buildings and/or alternative areas in the downtown district and reducing traffic to one lane on State Street if it is deemed absolutely necessary to use these vital public ways in this manner.

With the certain negative impact on existing, operating businesses so great and the safety of the constituency at an increased risk, I hope good sense will prevail and other measures will be taken to sustain our local economy.

Thank you for your consideration,

Ashlyn Calcagni
Anchor Stone Deck Pizza
(978) 478 - 8174

Stephen Luz
Angies Food and Beer Inc.
978-479-8913

Andreas Asprogianni's
Stonecrust Pizza
978 578 9319

George Asprogianni's
Famous Pizza
978 397 0186

PS
COTW

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 actions of the Minneapolis police officer and death of George Floyd and the desire of the City of Newburyport reaffirm the commitments of the City of Newburyport.

Therefore, the City Council hereby affirmatively declares that an emergency exists in order for said measure to be acted upon at its first introduction to this Council.

Joseph Devlin, At-Large City Councillor At-Large
Afroz Khan, At-Large City Councillor At-Large
Byron Lane, Ward 6 City Councillor
Heather Shand, Ward 3 City Councillor

Dear Councilors,

I am writing again, this time to all the city councilors rather than just at-large and my own, because I would like my voice to be heard regarding this issue and unfortunately will be working during the next city council meeting (as I often am, due to my work schedule). If possible, I would appreciate it if my comments could be read into the record. To that end, I will make my comments as brief as possible to try to keep it to the two minute standard.

We live in a city that is predominantly white. According to the census data I've seen, we are approximately 92% white and less than 2% black. This creates an interesting dynamic for discussing whether or not Newburyport is a "racist" city. The very thought of oneself being "racist" is objectionable to even the most obvious racists, and in my experience, this has translated to one's city in much the same way. The very suggestion of racism in our city and its municipalities has often been met with immediate defensiveness. We need to first get past that, to even begin to have an honest discussion about the issue. I'd like to suggest a discussion about what it even means to be "nonracist" versus being "antiracist". I would challenge us as a city to work towards being "antiracist".

I have spoken with many other citizens of Newburyport recently regarding this issue, both in general and specifically regarding policing in Newburyport. Almost exclusively, when speaking to white people, even the most liberal of white people, there is a perception of Newburyport as a place where racism is very rare and a perception of our police department and other institutions as being uniquely devoted to being without bias. However, this is not what I have heard from most of the non-white people I have spoken to about this issue, some of whom are citizens of Newburyport and others who simply work here. I would respectfully submit that a white person's perspective on whether or not Newburyport, or any of Newburyport's institutions, are racist are unreliable and fallacious. That isn't to say that I think Newburyport's institutions are racist, it's simply to say that, as a white person, I wouldn't know. If you are white, please stop saying Newburyport, or any part of Newburyport, "isn't racist", but rather, ask the citizens, employees, and visitors of Newburyport who aren't white what problems of racism they see in Newburyport.

When racist experiences are brought to light in Newburyport, they are often treated as, or spoken of as, "isolated incidents". I would argue that in a city where the minority population is so small, that of course incidences of racism would be "isolated", so this is a meaningless statement here. In addition, I have heard and seen of racist incidents in Newburyport being dismissed and even concealed. I recently heard someone use the phrase "toxic positivity" in referencing how one is treated when reporting such incidents.

I find this phrase frighteningly accurate. My son is biracial, so I have personal knowledge of this trait of Newburyport.

I grew up in a city just outside Boston that most would consider to be "much more racist" than Newburyport. We certainly had many incidences of racist behavior, but I'd suggest that the differences between that city and Newburyport are not that one city is more racist than the other, but that one is simply more populous and more diverse than the other. We simply don't live in the magic bubble that so many white people in Newburyport seem to think exist around our city. I understand the desire to think we are somehow immune to this issue, or that we work harder at this issue, or that we are more aware of this issue, than so many other cities and towns around us, but it simply isn't true. I think you'd find, if you speak to white people across the Commonwealth, especially in cities and towns with similar racial & ethnic makeup, that many of them would say the same sorts of things that I've heard from the people of Newburyport. We need to get past the idea that we are not a racist city, if we are even going to be able to begin to do the work that needs to be done. Otherwise, we may be doing the opposite of what we intend. In the words of the indomitable Angela Davis, "Historically, when one looks at efforts to create reforms, they inevitably lead to more repression".

My hope is that Newburyport would be ready and willing to fight hard against racism and aspire to become an "antiracist" city, rather than just "nonracist". I would advise you all of this though: it's uncomfortable. In fact, it's extremely uncomfortable. It involves pushing back against who we think we are and acknowledging that we really are not who we want to be. It involves questioning our leaders and our public officials regarding the implicit bias and the results of implicit bias and systemic racism that absolutely DO exist in our municipal structures. I will even go so far as to say that if you aren't feeling uncomfortable, worried, and unsettled about the task before us, then you aren't really ready to do the work.

Respectfully,
Elizabeth Goullaud, RN
9 Marquand Lane, NBPT
617-957-3305 (cell)

For any who are confused about the term "antiracist" vs. "nonracist", I'd suggest the book How To Be Antiracist by Ibram X. Kendi.

Dear Councilors:

I would not ordinarily write a second email on the same subject so quickly, but I did not have access to the resolution that will be put forth this Monday (tomorrow) until after I sent my previous email. I recently had a conversation with my niece, a 30-year-old mother of three who also happens to be a young black woman. When discussing the upcoming resolution being presented this Monday, June 29th, in the Newburyport City Council, juxtaposed with the Newburyport census data, she was astounded that the city could possibly consider itself not racist. I admit her statement took me aback at first. My initial (not voiced) reaction was that the numbers were possibly related to a history of racism, but didn't reflect current feelings or policies of racism. However, after sitting with the thought a bit longer, I am beginning to see her point and I believe it is a question we should be asking ourselves here in Newburyport.

I am extraordinarily disappointed in the resolution being put forth at the council and remain disappointed by the reaction, essentially the almost complete non-reaction, from the police department, the school department, and our city government in general regarding the deeply rooted and systemic racism in our country, particularly as it relates to education and police brutality. Antiracist sentiment is exploding all over our country and this is a perfect opportunity to not only speak up in acknowledgement of how far we have to go, but to begin to make drastic changes in who we are and how we do things.

As a simple example, the president of the hospital group I work in spoke weeks ago about how we as a system must and will change. He said, "Let me be clear and unequivocal: Black Lives Matter" and "statements... ..are starting points, but... ..action is what counts." He took responsibility for the racial inequities in healthcare and committed our organization to identifying what it will take to advance equity, inclusion, and social justice. He also promised to "measure, publicly report on, and commit to improving... ..recruitment, retention, & promotion of clinicians and staff of color, as well as disparities in patient care." Furthermore, he admitted that it would be hard work, uncomfortable, and would require real change." These are the kind of statements that are completely absent from anything that Newburyport has been able to come up with in reaction to the long overdue changes that need to be made in our society, including in Newburyport.

In contrast, let me paraphrase how I hear the resolution: Whereas we already have a policy against racism and prejudice and bias in all of its forms and Whereas we already said the police shouldn't have murdered George Floyd in public and Whereas our police department has no such problems and Whereas our city also has no such problems, let us resolve to commit to "public safety" (the police??) and let us further resolve that we will continue to be perfect. Now, I realize I am being disparaging of a document that I truly do believe was put forth in good faith and in an effort to accommodate disparate but well-meaning viewpoints. However, I ask you to hold back from defensiveness for a moment, and see if there is truth in my paraphrasing.

The resolution as it is, says so little and stands for so little that it is ineffectual at driving any change, but will lead to the sentiment that we have done something, when we have not. I find this possibility to be even more dangerous than saying nothing. Even the title of the resolution "Reaffirming Support" implies that no change is needed. I urge all the councilors, but in particular my Ward Six Councilor and my at-large Councilors, to vote no on passing this resolution.

Respectfully,
Elizabeth Goullaud, RN
9 Marquand Lane, NBPT
617-957-3305 (cell)
xthrenody@hotmail.com (email)

CITY OF NEWBURYPORT



 IN CITY COUNCIL
NEWBURYPORT CITY COUNCIL**ORDERED:***A Resolution Reaffirming Support for Racial Equality*

WHEREAS, it is the policy of the City of Newburyport to uphold the human rights of all persons regardless of race, color, religious creed, national origin, immigration status, sex, age, ancestry, sexual orientation, gender identity and expression, marital, family or military status, and source of income or disability; and

WHEREAS, on May 31, 2020 Mayor Donna D. Holaday and City Marshal Mark Murray, representing the leadership team of the City of Newburyport, denounced the egregious actions of the Minneapolis police officers and mourn the killing of George Floyd on May 25, 2020; and

WHEREAS, the Newburyport Police Department (NPD) remains committed to upholding the highest standards in policing, having been accredited by the Massachusetts Police Accreditation Commission since 2003, which includes 257 mandatory standards that include the prevention of bias based policing, use of force, hiring and training practices; and

WHEREAS, the City of Newburyport strives to be a welcoming city, where all people can feel protected, included, secure and safe; and

NOW, THEREFORE, BE IT RESOLVED:

That the City Council will work with the Newburyport Police Department alongside community leaders and advocates to understand the steps that have been taken and can be taken to provide effective public safety, while ensuring accountability not only to the City Council and Mayor's Office, but to the public as a whole and the community of Newburyport; and

THEREFORE, BE IT FURTHER RESOLVED:

That we, the members of the Newburyport City Council, will continue to support and further racial equality in the City of Newburyport through the Orders and Ordinances that are undertaken.

Joseph Devlin, At-Large City Councillor At-Large
 Afroz Khan, At-Large City Councillor At-Large
 Byron Lane, Ward 6 City Councillor
 Heather Shand, Ward 3 City Councillor