

**CITY COUNCIL “HYBRID”  
(REMOTE & IN PERSON) MEETING AGENDA**

**June 28, 2021**

**7:30 pm**

**LOCATION: City Council Chambers, City Hall  
60 Pleasant Street, Newburyport**

Zoom Details

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87977934012>

Or One tap mobile :

US: +13017158592

Or Telephone:

US: +1 301 715

Webinar ID: 879 7793 4012

**1. CALL TO ORDER**

**2. LATE FILE**

- APPT256\_06\_28\_2021 Mark Murray Marshal Newburyport Police Dept. 6/30/2026
- APPT257\_06\_28\_2021 Erin Sheehy 2 River St. Council on Aging 5/31/2026
- APPT258\_06\_28\_2021 Nancy K. Alcorn 58 Merrimac St. Board of Registrars 3/31/2024
- ORDR263\_06\_28\_2021 FY22 Rec Revolving Fund Order
- ORDR264\_06\_28\_2021 Amending Rule 20A
- APPL041\_06\_28\_2021 30<sup>th</sup> Annual Walk Against Domestic Violence 10/3/2021

**3. PUBLIC COMMENT**

**4. 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.

**5. APPROVAL OF MINUTES**

- June 7, 2021 City Council Meeting (Approve)

**6. COMMUNICATIONS**

- APPL032\_06\_28\_2021 NBPT Road Race 10/17/2021 Cashman Park (PS)
- APPL033\_06\_28\_2021 Movable Sign Grand Trunk Corner Center St. & Water St. (PS)
- APPL034\_06\_28\_2021 Block Party Bricher St. & Hill St. 7/31/2021 (PS)
- APPL035\_06\_28\_2021 Block Party Temple St. b/w Federal & Fair 8/15/2021 (PS)
- APPL036\_06\_28\_2021 Block Party Dove St. b/w Monroe & Merrimac 8/7/2021 (PS)
- APPL037\_06\_28\_2021 Block Party Cutters Ct. to Griffin Ct. 8/20/2021 (PS)
- APPL039\_06\_28\_2021 YHC Lion’s Club Bed Race 8/5/2021 (PS)

- APPL040\_06\_28\_2021 Plum Island Summer Fest 7/30/2021-8/1/2021 (PS)
- COMM332\_06\_28\_2021 Phillips Drive Neighborhood Committee Letter (B&F)
- COMM333\_06\_28\_2021 American Rescue Plan Act of 2021 ARPA Funds (B&F)
- COMM334\_06\_28\_2021 Crosswalk Rawson Ave/High St/Highland Ave (N&CS)
- COMM335\_06\_28\_2021 Safety Review Rawson Ave Ltr. Daniel Blest (N&CS)

7. **TRANSFERS**

- TRAN106\_06\_28\_2021 LIB Sal Staff \$5,000 to LIB Maint-Equipment \$5,000 (B&F)

8. **APPOINTMENTS**

- \*APPT255\_06\_28\_2021 \*Referred to Planning & Development  
Robert Koup 36 Lime St. Planning Board 1/31/2024

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

**END OF CONSENT AGENDA**

**Budget and Finance**

- TRAN097\_05\_24\_2021 Gen. Fund-Free Cash \$65,260.87 & HWY Streetlights \$50,000 to Snow & Ice Labor \$238.00 & Snow & Ice-Expenses \$115,498.87
- TRAN098\_05\_24\_2021 Multiple Accounts Transfer Appropriation Request \$3,071,492.00 to Multiple FY2022 Capital & Reserves \$3,071,492.00 (COTW)
- ODNC079\_05\_24\_2021 Plumbing and Gas Fees Sec 5-111 & 5-112
- TRAN099\_06\_07\_2021 Lib Staff 8,519.00 to GEN Heat/Elec 8,500.00, HR 19.00
- TRAN100\_06\_07\_2021 RRFA Wtrfrnt 16,580.22 to PKG Main 16,580.22
- TRAN101\_06\_07\_2021 Wtr Ret Earnings 194,000 to Fund Bal 100,000, CIP Lease 94,000
- TRAN102\_06\_07\_2021 Sew Ret Earnings 149,000 to Fund Bal 100,000, CIP Lease 49,000
- TRAN103\_06\_07\_2021 Free Cash 24,000 to CIP Lease 24,000
- TRAN104\_06\_07\_2021 Free Cash 110,000 to FF Sal 53K, FF OT 45K, Dispatch 12K
- TRAN105\_06\_07\_2021 Lib Staff 3,475.00 to Rental 525, Supplies 1,500, Fuel 1,450
- ORDR254\_06\_07\_2021 Increase to spending limit Electrical Insp.
- ORDR255\_06\_07\_2021 FY 2022 Revolving Funds

**Public Safety**

- APPL025\_06\_07\_2021 Block Party Lafayette St. 8/7/2021
- APPL026\_06\_07\_2021 Lyons Road Race 8/3/2021
- APPL027\_06\_07\_2021 Chocolate Tour 10/2/2021
- APPL028\_06\_07\_2021 GNOCA 5K Walk/Run 9/26/2021
- APPL029\_06\_07\_2021 Nbpt Half Marathon 10/24/2021
- APPL030\_06\_07\_2021 50's Car Show 8/12/2021
- APPL031\_06\_07\_2021 Yankee Homecoming 7/31/21-8/8/21
- APPL023\_03\_08\_2021 The Moving Wall 9/2021

**Public Utilities**

- ORDR257\_06\_07\_2021 Water & Sewer Rates

## REGULAR AGENDA

### 9. MAYOR'S UPDATE

### 10. COMMUNICATIONS

- APPL041\_06\_28\_2021 Late File 30<sup>th</sup> Annual Walk Against Domestic Violence 10/3/2021
- APPL038\_06\_17\_2021 Firehouse Event at City Waterfront Land on June 18, 2021  
(Continued from June 17, 2021)

### 11. FIRST READING APPOINTMENTS

- APPT256\_06\_28\_2021 Late File Mark Murray Marshal Newburyport Police Dept. 6/30/2026
- APPT257\_06\_28\_2021 Late File Erin Sheehy 2 River St. Council on Aging 5/31/2026
- APPT258\_06\_28\_2021 Late File Nancy K. Alcorn 58 Merrimac St. Board of Registrars 3/31/2024

### 12. SECOND READING APPOINTMENTS

- APPT250\_06\_07\_2021 Theresa Rooney 7R Beacon St. COA 5/31/2026
- APPT252\_06\_07\_2021 Adam Armstrong 5 Buck St Harbor Comm 4/01/2024
- APPT253\_06\_07\_2021 Ahmer Ibrahim 85 Prospect St HRC 6/30/2024

### 13. ORDERS

- ORDR258\_06\_28\_2021 Ch 59 Sec 5N Vet Property Tax Exemption
- ORDR259\_06\_28\_2021 Ch. 59 Sec. 5K to allow the adjustments to the exemptions
- ORDR260\_06\_28\_2021 Ch. 59 Sec. 5K, changing the income limits
- ORDR261\_06\_28\_2021 Parks Gift Acceptance- Pioneer
- ORDR262\_06\_28\_2021 Accepting ARPA Grant
- ORDR263\_06\_28\_2021 Late File FY22 Rec Revolving Fund Order
- ORDR264\_06\_28\_2021 Late File Amending Rule 20A

### 14. ORDINANCES

- ODNC077\_05\_10\_2021 2<sup>nd</sup> Reading Merrimac St. Parking Restrictions
- ODNC082\_06\_28\_2021 ARPA Fund
- ODNC083\_06\_28\_2021 Zoning-Amendment-I-95-Wind-Corridor

### 15. COMMITTEE ITEMS

#### Ad Hoc Committee on Economic Development

##### *In Committee:*

#### Ad Hoc Committee on Market Landing Park and COTW

##### *In Committee:*

- COMM261\_08\_31\_2020 Proposed Timeline, Waterfront
- ORDR227\_12\_14\_2020 Appropriate NRA funds for RFP award

#### Budget & Finance

##### *In Committee:*

- COMM311\_03\_08\_2021 Cllr Tontar letter re: KP Law Legal Opinion on Council Salaries
- ORDR248\_05\_10\_2021 Budget Order 2022 w/memo from the Mayor
- **TRAN097\_05\_24\_2021 Gen. Fund-Free Cash \$65,260.87 & HWY Streetlights \$50,000 to Snow & Ice Labor \$238.00 & Snow & Ice-Expenses \$115,498.87**
- **TRAN098\_05\_24\_2021 Multiple Accounts Transfer Appropriation Request \$3,071,492.00 to Multiple FY2022 Capital & Reserves \$3,071,492.00 (COTW)**
- ORDR252\_05\_24\_2021 Phillips Drive Loan Order
- **ODNC079\_05\_24\_2021 Plumbing and Gas Fees Sec 5-111 & 5-112**
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- **TRAN105\_06\_07\_2021 Lib Staff 3,475.00 to Rental 525, Supplies 1,500, Fuel 1,450**
- **ORDR254\_06\_07\_2021 Increase to spending limit Electrical Insp.**
- **ORDR255\_06\_07\_2021 FY 2022 Revolving Funds**

## Education

### *In Committee:*

- COMM273\_10\_13\_2020 Ltr of Non-Support from Mayor on Acts of 1987
- COMM329\_05\_24\_2021 Statement of Interest, School Building Authority

## General Government

### *In Committee:*

- COMM325\_05\_10\_2021 Ordinance Review Committee Report
- COMM330\_05\_24\_2021 Late File Code of Ordinances Edited May 2021
- COMM331\_05\_24\_2021 Late File Newburyport Fee Schedule

## License & Permits

### *In Committee:*

- ODNC047\_01\_27\_2020 General Ordinance - Short Term Rental Units Rules
- COMM229\_02\_24\_2020 Ltr re: Implementation of Short-Term Rental Ordinance

## Neighborhoods & City Services

### *In Committee:*

- COMM234\_03\_30\_2020 Ltr from Newburyport Livable Streets March 11, 2020
- COMM285\_01\_27\_2021 Memorandum from Councillor Christine Wallace
- COMM299\_02\_08\_2021 Late File Phillips Dr. Neighborhood Committee Ltr
- COMM326\_05\_10\_2021 Late File Hale Street bicycle/pedestrian improvements (CIP)
- ORDR256\_06\_07\_2021 Intent to Lease 50 Parker St

## Planning & Development

### *In Committee:*

- COMM215\_01\_13\_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046\_01\_27\_2020 Zoning Amendment - Short Term Rental Units Definition
- COMM231\_03\_09\_2020 Ltr re: Short-Term Rental Ordinance
- ORDR196\_07\_13\_2020 Open Space and Recreation Plan 2020 (COTW)
- ODNC076\_05\_10\_2021 Proposed Zoning Amendment Mini-Reform (COTW)

- APPT248\_05\_24\_2021 Christopher J. Fay 20 Strong St. Historical Comm. 5/31/2024
- APPT251\_06\_07\_2021 Aileen Graf 2 Liberty St. Fruit St Hist Comm. 6/20/2024
- ODNC081\_06\_07\_2021 Amended Quorum Historic Comm
- COMM282\_01\_27\_2021 Ltr from Jim McCarthy re: Sign Proposal
- APPT254\_06\_22\_2021 Dennis Morel, Jr 83 Bow Ridge Building Inspector 12/31/2023  
Lynn, MA

## Public Safety

### *In Committee:*

- COMM216\_01\_13\_2020 Ltr re: Ban the Use of Glyphosate
- APPT165\_04\_13\_2020 Dr. Robin Blair 18 Market St. Board of Health 4/30/2023
- COMM243\_05\_11\_2020 Ltr from Jane Rascal re: NMMCD
- ORDR200\_07\_30\_2020 List of Crosswalks Amended
- COMM283\_01\_27\_2021 Ltr from Jim McCarthy-speed limit
- COMM328\_05\_10\_2021 Late File Petition 25 mph Ferry & Laurel Rds.
- ODNC080\_06\_07\_2021 Amended Union St Parking Restrictions
- APPL025 06 07 2021 Block Party Lafayette St. 8/7/2021
- APPL026 06 07 2021 Lyons Road Race 8/3/2021
- APPL027 06 07 2021 Chocolate Tour 10/2/2021
- APPL028 06 07 2021 GNOCA 5K Walk/Run 9/26/2021
- APPL029 06 07 2021 Nbpt Half Marathon 10/24/2021
- APPL030 06 07 2021 50's Car Show 8/12/2021
- APPL031 06 07 2021 Yankee Homecoming 7/31/21-8/8/21
- APPL023 03 08 2021 The Moving Wall 9/2021

## Public Utilities

### *In Committee:*

- COMM290\_02\_08\_2021 Falmouth Broadband Feasibility Study (full text in Clerk's office)
- COMM295\_02\_08\_2021 Best Best & Krieger Small Cells Order Annual Meeting
- COMM296\_02\_08\_2021 Natoa FCC Small Wireless Facilities Rules Compliance Guide
- ORDR257 06 07 2021 Water & Sewer Rates

## 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)
- ORDR239\_02\_8\_2021 Council Rule 7 and 10B

## 16. GOOD OF THE ORDER

## 17. ADJOURNMENT

**CONSENT AGENDA**

**CITY COUNCIL “HYBRID”**  
**(REMOTE & IN PERSON) MEETING MINUTES**

**June 7, 2021**

**7:30 pm**

**LOCATION: Senior/Community Center, 331 High St, Newburyport**

Zoom Details

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87977934012>

Or One tap mobile :

US: +13017158592

Or Telephone:

US: +1 301 715

Webinar ID: 879 7793 4012

**1. CALL TO ORDER**

The City Council President, Jared Eigerman called the City Council meeting to order at 730 pm and asked the City Clerk, Richard B. Jones to call the roll. The following City Councillors answered present Zeid, Devlin, Khan, Lane, McCauley, Connell, Shand, Tontar, Vogel, Wallace, and Eigerman. 11 present, 4 using Zoom as a platform (AK, HS, BC, BL). Motion to waive rule 10A by Councillor Tontar, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

**2. LATE FILE**

- ORDR 253\_05\_24\_2021 Crosswalk High St
- APPL031\_06\_07\_2021 Yankee Homecoming 7/31/21-8/8/21

Motion to waive the rules and accept the late file items by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 10 yes, 1 absent (JD). Motion passes.

**3. PUBLIC COMMENT**

Ahmer Ibrahim, 85 Prospect St.  
Jane Snow, 9 Coffin St.

**4. MAYOR'S COMMENT**

Council President postponed until later in the meeting when the Mayor would be present.  
8:05pm Mayor gave update.

**CONSENT AGENDA**

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

**5. APPROVAL OF MINUTES**

- May 24, 2021 City Council Meeting (both Public Sessions) (Approve)

**6. COMMUNICATIONS**

- APPL025\_06\_07\_2021 Block Party Lafayette St. 8/7/2021 (PS)
- APPL026\_06\_07\_2021 Lyons Road Race 8/3/2021 (PS)
- APPL027\_06\_07\_2021 Chocolate Tour 10/2/2021 (PS)

- APPL028\_06\_07\_2021 GNOCA 5K Walk/Run 9/26/2021 (PS)
- APPL029\_06\_07\_2021 Nbpt Half Marathon 10/24/2021 (PS)
- APPL030\_06\_07\_2021 50's Car Show 8/12/2021 (PS)

**7. TRANSFERS**

- TRAN099\_06\_07\_2021 Lib Staff 8,519.00 to GEN Heat/Elec 8,500.00, HR 19.00 (B&F)
- TRAN100\_06\_07\_2021 RRFA Wtrfrnt 16,580.22 to PKG Main 16,580.22 (B&F)
- TRAN101\_06\_07\_2021 Wtr Ret Earnings 194,000 to Fund Bal 100,000, CIP Lease 94,000 (B&F)
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- TRAN103\_06\_07\_2021 Free Cash 24,000 to CIP Lease 24,000 (B&F)
- TRAN104\_06\_07\_2021 Free Cash 110,000 to FF Sal 53K, FF OT 45K, Dispatch 12K (B&F)
- TRAN105\_06\_07\_2021 Lib Staff 3,475.00 to Rental 525, Supplies 1,500, Fuel 1,450 (B&F)

**8. APPOINTMENTS**

- APPT250\_06\_07\_2021 Theresa Rooney 7R Beacon St. COA 5/31/2026
- APPT251\_06\_07\_2021 Aileen Graf 2 Liberty St. Fruit St Hist Comm. 6/20/2024
- APPT252\_06\_07\_2021 Adam Armstrong 5 Buck St Harbor Comm 4/01/2024
- APPT253\_06\_07\_2021 Ahmer Ibrahim 85 Prospect St HRC 6/30/2024

Councillor Eigerman requested removing APPT251\_06\_07\_2021 Aileen Graf from Consent Agenda.

Councillor Khan requested removing APPT253\_03\_06\_2021 Ahmer Ibrahim from the Consent Agenda.

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

**Neighborhoods & City Services**

ORDR253\_05\_24\_2021 Crosswalk High St

**Public Safety**

COMM282\_01\_27\_2021 Ltr from Jim McCarthy re: Sign Proposal

**END OF CONSENT AGENDA**

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Connell. Roll call vote. 11 yes. Motion passes.

**REGULAR AGENDA**

**9. MAYOR'S UPDATE**

Motion to receive and file by Councillor Zeid, seconded by Councillor Devlin. Roll call vote. 11 yes. Motion passes.

**10. COMMUNICATIONS**

- APPL031\_06\_07\_2021 Yankee Homecoming 7/31/21-8/8/21

Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

**11. FIRST READING APPOINTMENTS**

- APPT251\_06\_07\_2021 Aileen Graf 2 Liberty St. Fruit St Hist Comm. 6/20/2024

Motion to refer to Planning & Development by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.



- APPT253\_06\_07\_2021 Ahmer Ibrahim 85 Prospect St HRC 6/30/2024  
Councillor Khan recused. Motion to approve by Councillor Zeid, seconded by Councillor Devlin. Roll call vote. 10 yes, 1 absent (AK). Motion passes.

**12. SECOND READING APPOINTMENTS**

- APPT247\_05\_24\_2021 Brian Brunault 83 Garden St. Cnstble for Civil Business 7/1/2024
- APPT249\_05\_24\_2021 Joseph Haberland 22 Farrell St Sch. Cmte. Whittier Reg. 5/31/2024  
Vo.Tech. HS

Motion to approve collectively on 2<sup>nd</sup> reading by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.

**13. ORDERS**

- ORDR254\_06\_07\_2021 Increase to spending limit Electrical Insp.

Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.

- ORDR255\_06\_07\_2021 FY 2022 Revolving Funds

Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.

- ORDR256\_06\_07\_2021 Intent to Lease 50 Parker St

Motion to refer to Neighborhood & City Services by Councillor Tontar, seconded by Councillor Vogel. Roll call vote. 10 yes, 1 no (SZ). Motion passes.

- ORDR257\_06\_07\_2021 Water & Sewer Rates

Motion to refer to Public Utilities by Councillor Tontar, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.

**14. ORDINANCES**

- ODNC074\_04\_12\_2021 2<sup>nd</sup> reading Council Salaries with Supporting Memo

Motion to approve on second reading by Councillor Tontar, seconded by Councillor Connell. Roll call vote. 9 yes, 2 no (SZ, JD). Motion passes.

- ODNC077\_05\_10\_2021 Merrimac St. Parking Restrictions  
(Continued from May 24, 2021)

Motion to amend to read “No parking during prescheduled, permitted events at the Lower Atkinson Common fields” by Councillor Wallace, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

Motion to approve 1<sup>st</sup> reading as amended by Councillor McCauley, seconded by Councillor Wallace. Roll call vote. 11 yes. Motion passes.

- ODNC080\_06\_07\_2021 Amended Union St Parking Restrictions

Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- ODNC081\_06\_07\_2021 Amended Quorum Historic Comm

Motion to refer to Planning & Development by Councillor Shand, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.

**15. COMMITTEE ITEMS**

**Ad Hoc Committee on Economic Development**

*In Committee:*

**Ad Hoc Committee on Market Landing Park and COTW**

*In Committee:*

- COMM261\_08\_31\_2020 Proposed Timeline, Waterfront

- ORDR227\_12\_14\_2020 Appropriate NRA funds for RFP award

## Budget & Finance

### *In Committee:*

- COMM311\_03\_08\_2021 Cllr Tontar letter re: KP Law Legal Opinion on Council Salaries
- ORDR248\_05\_10\_2021 Budget Order 2022 w/memo from the Mayor
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## Education

### *In Committee:*

- COMM273\_10\_13\_2020 Ltr of Non-Support from Mayor on Acts of 1987
- COMM329\_05\_24\_2021 Statement of Interest, School Building Authority

## General Government

### *In Committee:*

- COMM325\_05\_10\_2021 Ordinance Review Committee Report
- COMM330\_05\_24\_2021 Late File Code of Ordinances Edited May 2021
- COMM331\_05\_24\_2021 Late File Newburyport Fee Schedule

## License & Permits

### *In Committee:*

- ODNC047\_01\_27\_2020 General Ordinance - Short Term Rental Units Rules
- COMM229\_02\_24\_2020 Ltr re: Implementation of Short-Term Rental Ordinance

## Neighborhoods & City Services

### *In Committee:*

- COMM234\_03\_30\_2020 Ltr from Newburyport Livable Streets March 11, 2020
- COMM285\_01\_27\_2021 Memorandum from Councillor Christine Wallace
- COMM299\_02\_08\_2021 Late File Phillips Dr. Neighborhood Committee Ltr
- COMM326\_05\_10\_2021 Late File Hale Street bicycle/pedestrian improvements (CIP)
- **ORDR253\_05\_24\_2021 Crosswalk High St**

Motion to approve with 60 ft by Councillor Connell, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.

## Planning & Development

### *In Committee:*

- COMM215\_01\_13\_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046\_01\_27\_2020 Zoning Amendment - Short Term Rental Units Definition
- COMM231\_03\_09\_2020 Ltr re: Short-Term Rental Ordinance
- ORDR196\_07\_13\_2020 Open Space and Recreation Plan 2020 (COTW)
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## Public Safety

### *In Committee:*

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- APPT165\_04\_13\_2020 Dr. Robin Blair 18 Market St. Board of Health 4/30/2023
- COMM243\_05\_11\_2020 Ltr from Jane Rascal re: NMMCD
- ORDR200\_07\_30\_2020 List of Crosswalks Amended
- **COMM282\_01\_27\_2021 Ltr from Jim McCarthy re: Sign Proposal**  
Motion to refer to Planning & Development by Councillor McCauley, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.
- COMM283\_01\_27\_2021 Ltr from Jim McCarthy-speed limit
- APPL023\_03\_08\_2021 Late File Event App The Moving Wall
- COMM328\_05\_10\_2021 Late File Petition 25 mph Ferry & Laurel Rds.

## Public Utilities

### *In Committee:*

- COMM290\_02\_08\_2021 Falmouth Broadband Feasibility Study (full text in Clerk's office)
- COMM295\_02\_08\_2021 Best Best & Krieger Small Cells Order Annual Meeting
- COMM296\_02\_08\_2021 Natoa FCC Small Wireless Facilities Rules Compliance Guide

## 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)
- ORDR239\_02\_8\_2021 Council Rule 7 and 10B

## 16. GOOD OF THE ORDER

Councillor Shand – DEI meets on the next three Tuesday nights.

## 17. ADJOURNMENT

Motion to adjourn at 8:17 pm by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.

# COMMUNICATIONS

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2301 MAY 14 2019 10:27

4.22.2021

To Whom It May Concern,

This permit request is for a fall road race much like the fall half marathons Newburyport has seen before. Our company was actually the logistics company hired to manage those so we are very familiar with the roads and neighbors. We are also partnering with the same company that applied and was approved for the spring half marathon scheduled for April 2020 (C5K Sports). I was actually the contact that attended the town meetings seeking the approval.

We have already directed several events in 2021 in NH and will have @ 10-12 more before this event in 3 other states, should it be approved. That will give us ample time and experience to adjust to any Covid guidelines Mass & the City of Newburyport asks us to follow. The only main adjustment I can see to this plan is possibly a one lane close on Merrimac St instead of the typical full closure should we decide to use the staggered start method that we have been using successfully in our other events. Using a staggered start also means we will likely be able to open one lane and stagger vehicles.

We are happy to discuss any contingency plans and ensure our runners & the citizens of Newburport are safe.

Sincerely,



Chris Bernier  
Sub 5 Race Management  
603.801.5757

# NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. 603.801.5757 Fax.

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

NAME OF EVENT: Newburyport Road Race

Date: Oct 17 2021 Time: from 8AM to NOON

Rain Date: NO RAIN DATE. Time: from \_\_\_\_\_ to \_\_\_\_\_

2. Location\*: OPEN TO adjustment, But would like CASHMAN PARK / MOOREMACK ST.  
\*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: CASHMAN PARK - fields & Parking lot Public  Private \_\_\_\_\_

4. Name of Organizer: Sub 5 Race MGT & CSK City Sponsored Event: Yes \_\_\_\_\_ No

Contact Person

Address: 14 SFTVIEW DR Telephone: 603-801-5757

E-Mail: CHRIS@SUBS5RACING.COM Cell Phone: \_\_\_\_\_

Day of Event Contact & Phone: CHRIS BERNIER 603-801-5757

5. Number of Attendees Expected: 750 +

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

7. Is the Event Being Advertised? NOT YET Where? \_\_\_\_\_

8. What Age Group is the Event Targeted to? Anyone THAT can RUN a Halfmarathon

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

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

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

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? Depends on # of runners
- b) How many recycling receptacles will you be providing? YES
- c) Will you be contracting for disposal of : **Trash** Yes  No  **Recycling** Yes  No
- i. If yes, size of dumpster(s): **Trash** TBD **Recycling** \_\_\_\_\_
- ii. Name of disposal company: **Trash** TBD **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)

# TBD Standard # TBD ADA accessible

Name of company providing the portable toilets: TBD

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:

Sub 5 Race Management

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

CHRIS BERNIER 145 FLYVIEW DR. Rindge NH  
603.801.5757

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

CHRIS BERNIER  
603.801.5757

4. Date of Event: Oct 17 2021 Expected Number of Participants: 250+

5. Start Time: 8AM Expected End Time: NOON

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

ROAD RACE - SEE MAP.

→ Probably NOT - we will start in Casman Park with waves. Thus small, spaced out groups will go out on the road.

7. Locations of Water Stops (if any): MAUDSLAY PARK, corners of Turkey Hill & Hale, Malcolm Hart

8. Will Detours for Motor Vehicles Be Required? YES If so, where? MERIDIAN ST. - JUST FOR START

9. Formation Location & Time for Participants: Parking lot @ Casman Park onto Meridian.

10. Dismissal Location & Time for Participants: Casman Park People will NOT leave in one large group

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.



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:

Sub 5 Race Management

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

CHRIS BERNIER 14 SKYLINE DR Rindge NH  
603.801.5752

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

CHRIS BERNIER  
603.801.5752

4. Date of Event: Oct 17 2021 Expected Number of Participants: 250+

5. Start Time: 9AM Expected End Time: Noon

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

Road Race - SEE MAP.

→ Probably NOT - will start in Cassman Park with waves. Thus small, spaced out groups will be out on the road.

7. Locations of Water Stops (if any): Maudslayi Park, corners of Turkey Hill & 1st St, Malcolm Hart

8. Will Detours for Motor Vehicles Be Required? Yes If so, where? Meridian St. - just for start

9. Formation Location & Time for Participants: Parking lot at Cassman Park onto Meridian.

10. Dismissal Location & Time for Participants: Cassman Park. People will NOT leave in one large group

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 Deputy Reed 6/25/21 0 Greenleaf St.  
DEPUTY DIRECTOR \_\_\_\_\_ 16A Perry Way CITY CLERK \_\_\_\_\_ 60 Pleasant St.

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:

Sub 5 Race Management

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

CHRIS BERNIER 1454 WILLOW DR Rindge NH  
603.801.5752

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

CHRIS BERNIER  
603.801.5752

4. Date of Event: Oct 17 2021 Expected Number of Participants: 250+

5. Start Time: 7AM Expected End Time: Noon

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

Road Race - SEE MAP.

→ Probable NOT - we will start in Cashman Park with waves. Thus small, spaced out groups will go out onto the road.

7. Locations of Water Stops (if any): Middlebury Park, corners of Underhill & Hale, Malcolm Hart

8. Will Detours for Motor Vehicles Be Required? Yes If so, where? Merrimac St. - just for start

9. Formation Location & Time for Participants: Parking lot @ Cashman Park onto Merrimac.

10. Dismissal Location & Time for Participants: Cashman Park People will NOT leave in one large group

11. Additional Parade Information:

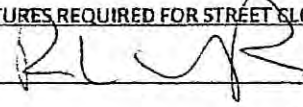
• Number of Floats: \_\_\_\_\_

• 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.

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:

Sub 5 Race Management

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

CHRIS BERNIER 1454 WINDY DR. RINDGE NH  
603.801.5752

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

CHRIS BERNIER  
603.801.5752

4. Date of Event: Oct 12 2021 Expected Number of Participants: 750+

5. Start Time: 9AM Expected End Time: NOON

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

Road Race - SEE MAP.

→ Probably NOT - WE WILL START IN CASHMAN PARK WITH WAVES. THUS SMALLY SPACED OUT GROUPS WILL GO OUT ON THE ROAD.

7. Locations of Water Stops (if any): MAULSLAY PARK, COURTS OF TUNNEY HILL & HILLS, MALCOLM HART

8. Will Detours for Motor Vehicles Be Required? YES If so, where? MERRIMACK ST. - JUST FOR START

9. Formation Location & Time for Participants: PARKING LOT @ CASHMAN PARK onto MERRIMACK.

10. Dismissal Location & Time for Participants: CASHMAN PARK People will NOT LEAVE IN ONE LARGE GROUP

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

**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,

## 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**

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

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

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

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

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

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

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

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

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

(e) *Enforcement.*

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

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

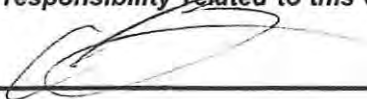
(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance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

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

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

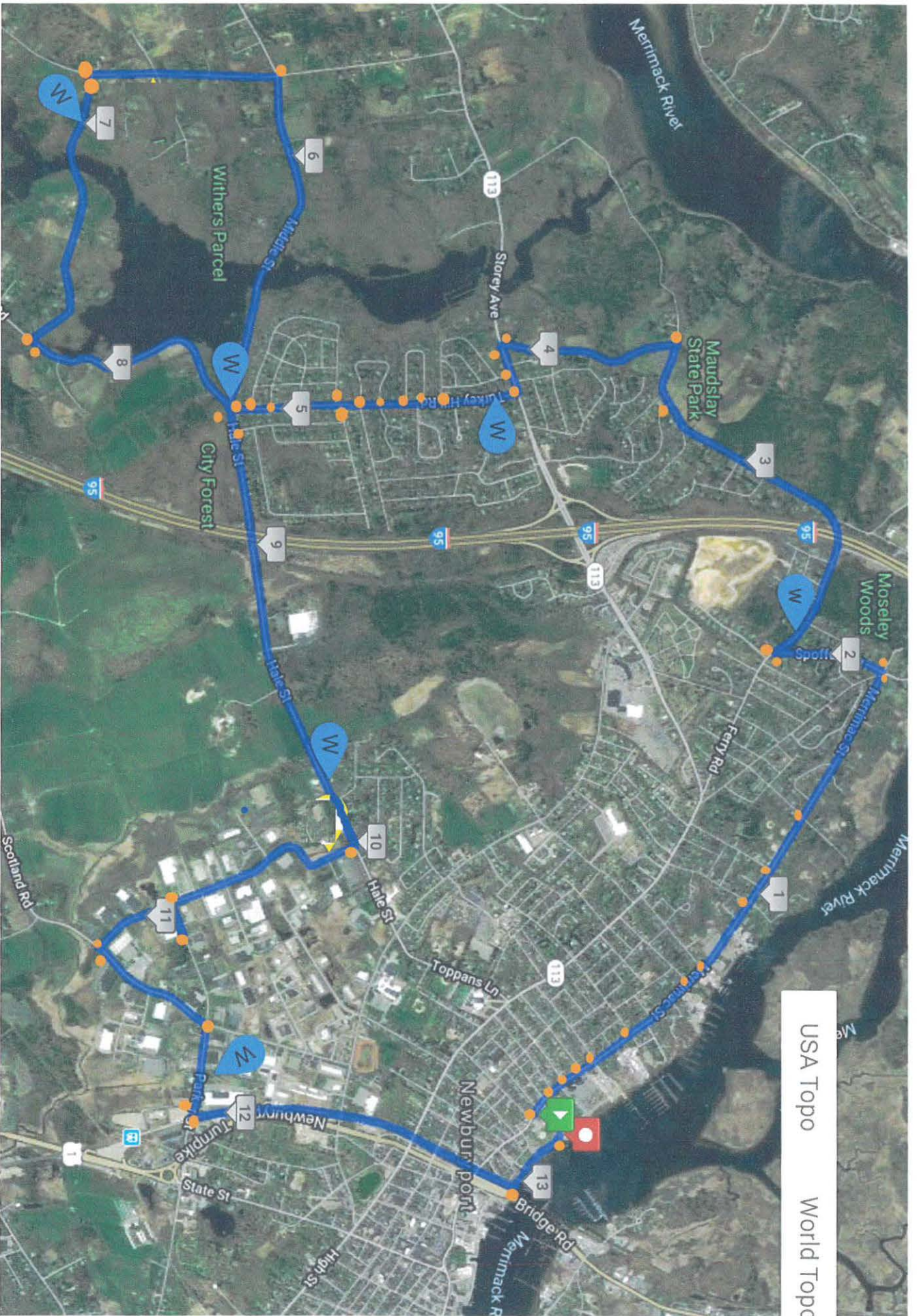
***I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.***

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



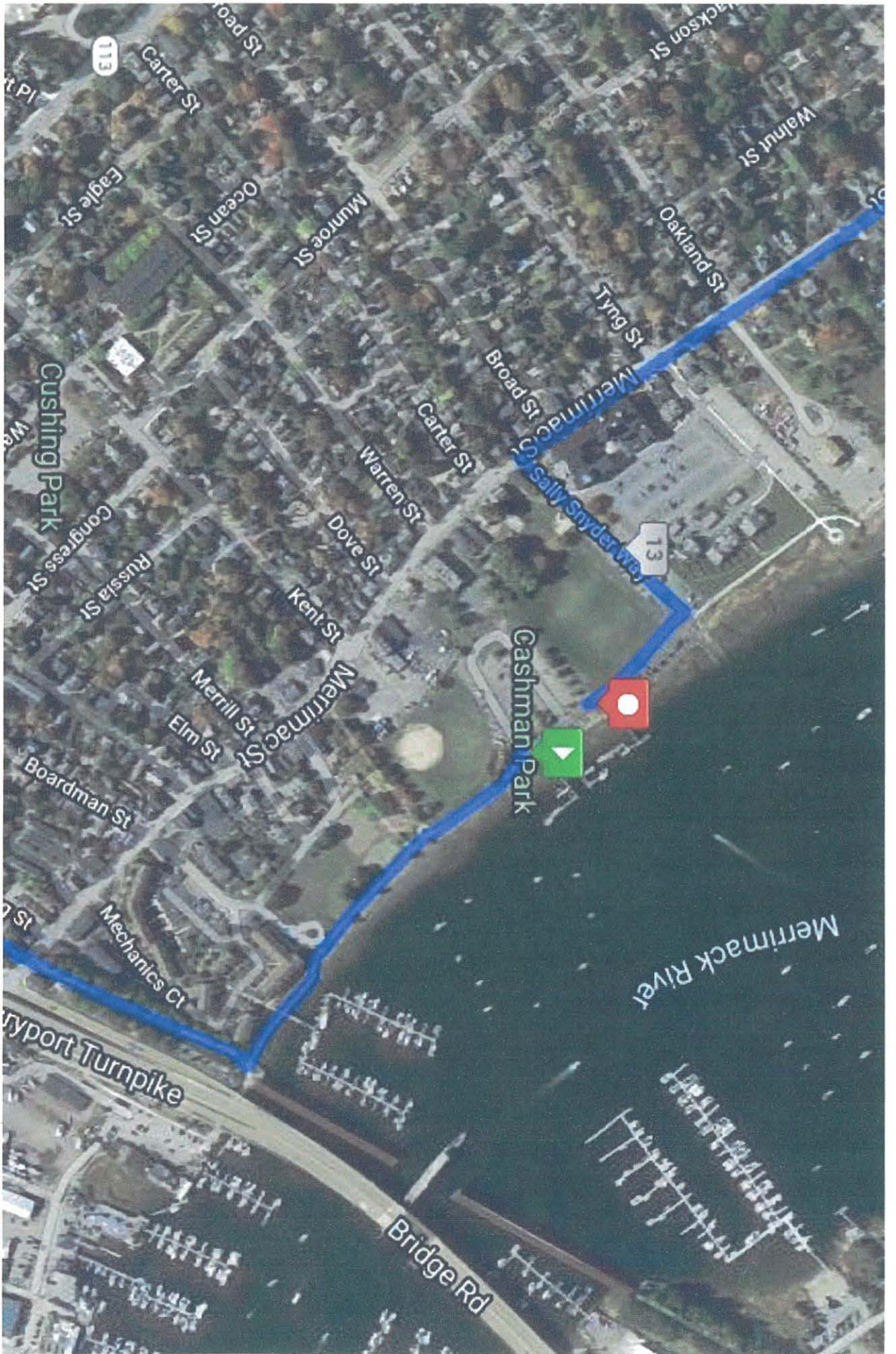
Date: \_\_\_\_\_

4/22/21



USA Topo

World Topo





# CERTIFICATE OF INSURANCE

PRINT DATE: 6/14/2021

CERTIFICATE NUMBER: 20210613831949

**AGENCY:**

Edgewood Partners Insurance Center  
2727 Paces Ferry Road, Building Two, Suite 1500  
Atlanta, GA 30339  
678-324-3300 (Phone), 678-324-3303 (Fax)

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

**NAMED INSURED:**

USA Track & Field, Inc. C5K Sports  
130 East Washington Street, Suite 800  
Indianapolis IN 46204

**INSURERS AFFORDING COVERAGE:**

INSURER A: Philadelphia Indemnity Ins. Co. NAIC #: 18058

**EVENT INFORMATION:**

Newburyport Fall Half Marathon (10/17/2021 - 10/18/2021)

**POLICY/COVERAGE INFORMATION:**

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

INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	PHPK2197728	11/1/2020 12:01 AM	11/1/2021 12:01 AM	GENERAL AGGREGATE (Applies Per Event) \$3,000,000
	<input checked="" type="checkbox"/> Host Liquor Liability				EACH OCCURRENCE \$1,000,000
	<input checked="" type="checkbox"/> Participant Legal Liability				DAMAGE TO RENTED PREMISES (Each Occ.) \$1,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$1,000,000
					PRODUCTS-COMP/OP AGG \$3,000,000
A	UMBRELLA/EXCESS LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	PHUB743472	11/1/2020 12:01 AM	11/1/2021 12:01 AM	EACH OCCURRENCE \$10,000,000
					AGGREGATE \$10,000,000

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:**

Coverage applies to USA Track & Field sanctioned events and registered practices, including any directly related activities, such as event set-up and tear-down, participant check-in and award ceremonies.

The certificate holder is an additional insured per the following endorsement: Additional Insured - Certificate Holders (Form PI-AM-002)

The General Liability policy is primary and non-contributory with respect to the negligence of the Named Insureds (Form CG 00 01)

The General Liability policy contains a blanket Waiver of Subrogation as required by contract per Waiver of Transfer of Rights of Recovery Against Others (Form CG 24 04).

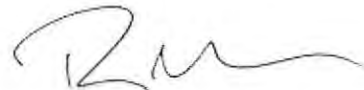
Excess policy follows form of underlying General Liability.

**CERTIFICATE HOLDER:**

City of Newburyport  
60 Pleasant Street  
Newburyport MA 01950

**NOTICE OF 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:**

# CERTIFICATE OF INSURANCE

PRINT DATE: 6/14/2021

CERTIFICATE NUMBER: 20210613831949

**AGENCY:**

Edgewood Partners Insurance Center  
2727 Paces Ferry Road, Building Two, Suite 1500  
Atlanta, GA 30339  
678-324-3300 (Phone), 678-324-3303 (Fax)

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**NAMED INSURED:**

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130 East Washington Street, Suite 800  
Indianapolis IN 46204

**INSURERS AFFORDING COVERAGE:**

INSURER A: Philadelphia Indemnity Ins. Co. NAIC #: 18058

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INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	X Occurrence	PHPK2197728	11/1/2020 12:01 AM	11/1/2021 12:01 AM	GENERAL AGGREGATE (Applies Per Event) \$3,000,000
	X Host Liquor Liability				EACH OCCURRENCE \$1,000,000
	X Participant Legal Liability				DAMAGE TO RENTED PREMISES (Each Occ.) \$1,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$1,000,000
					PRODUCTS-COMP/OP AGG \$3,000,000
A	UMBRELLA/EXCESS LIABILITY				
	X Occurrence	PHUB743472	11/1/2020 12:01 AM	11/1/2021 12:01 AM	EACH OCCURRENCE \$10,000,000
					AGGREGATE \$10,000,000

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:**

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The General Liability policy contains a blanket Waiver of Subrogation as required by contract per Waiver of Transfer of Rights of Recovery Against Others (Form CG 24 04).

Excess policy follows form of underlying General Liability.

**CERTIFICATE HOLDER:**

City of Newburyport  
60 Pleasant Street  
Newburyport MA 01950

**NOTICE OF 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:**



Permit Issued: # \_\_\_\_\_

**APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY**

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

Application Fee \$100.00

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

2021 JUN -7 PM 2:03

FOR CITY CLERK'S OFFICE ONLY

Date Recorded \_\_\_\_\_

Expiration Date: \_\_\_\_\_

Amount Paid \_\_\_\_\_

To the City Council of the City of Newburyport:

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

Name of applicant Angela + Jeremy Kirkpatrick

Home address of applicant 9 HIGH RD NEWBURY, MA

City, State, Zip of applicant NEWBURY, MA

Telephone of applicant (978) 499-4441

Name of business GRAND TRUNK WINE & CHEESE

Address of business 3 1/2 Center St. NEWBURYPORT, MA

Telephone of business (978) 518-0849 / (978) 499-4441

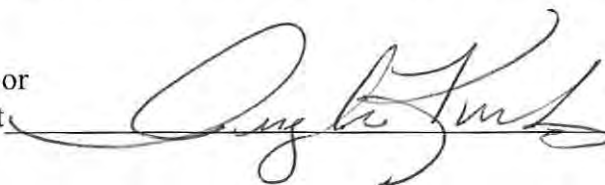
Description of the location and movable sign to placed on the Public Way.

TENT SIGN (3' FOLDING SIGN) CORNER OF  
CENTER ST AND WATER ST, LEFT OF PARKING LOT  
(BRICK + ASH)

**RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY**

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

Signature of Applicant or  
Duly Authorized Agent



Date 8 June, 2021



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
06/25/2021

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

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

<b>PRODUCER</b> Peter L. Chetsas Insurance Agency 68 Pleasant Street Newburyport, MA 01950	<b>CONTACT NAME:</b>		
	<b>PHONE (A/C, No, Ext):</b> 978-465-2700	<b>FAX (A/C, No):</b> 978-465-2357	
<b>INSURED</b> Grand Trunk Imports LLC c/o Jeremy & Angela Kirkpatrick 3 1/2 Center Street Newburyport, MA 01950	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
	INSURER A: QUINCY MUTUAL GROUP		
	INSURER B:		
	INSURER C:		
	INSURER D:		
INSURER E:			
INSURER F:			

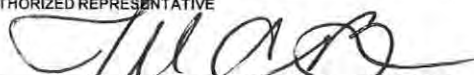
COVERAGES    CERTIFICATE NUMBER:    REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <b>OTHER:</b>			BO 212882	06/28/2021	04/28/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE <b>DED</b> <b>RETENTION \$</b>						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y <input type="checkbox"/> N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER 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)

A FRAME SIGN on public sidewalk located outside store front

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



RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2021 JUN -8 PM 1:59

CITY OF NEWBURYPORT  
60 PLEASANT STREET  
NEWBURYPORT, MA 01950

## BLOCK PARTY APPLICATION

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

DATE OF REQUEST: \_\_\_\_\_

### CONTACT INFORMATION

FIRST AND LAST NAMES: CHRISTIAN HANSEN

MAILING ADDRESS: 29 Hill ST. NBPT, MA 01950

PHONE NUMBER: 917.518.3946

E-MAIL ADDRESS: christianhansen@gmail.com

### BLOCK PARTY INFORMATION

BLOCK PARTY DATE: 7/31/2021

DESIRED STREET CLOSING LOCATION: BRICHER ST & HILL ST.  
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: BRICHER ST.

DESIRED STREET CLOSING TIME: 12:00 - 10:00  
Block Parties should run no later than 10:00 p.m.

**REGULATIONS**

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

I understand that applications for block party permits may take up to four (4) weeks to process.


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


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

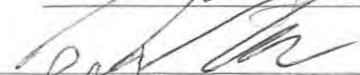
1. All residents living on the street or block for which the party is planned request the block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or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


Applicant signature:  Date: 6/7/2021

**APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE**

**CITY MARSHALL**   
*4 Green Street*

**FIRE CHIEF**  6/7/21  
*Greenleaf Street*

**DEPUTY DIRECTOR**  6/8/21  
*1 Perry Way*

**CITY CLERK**   
*60 Pleasant Street*

City use only:

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Date \_\_\_\_\_



RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2021 JUN 10 PM 2:12

CITY OF NEWBURYPORT  
60 PLEASANT STREET  
NEWBURYPORT, MA 01950

### BLOCK PARTY APPLICATION

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

DATE OF REQUEST:	<u>6/9/2021</u>
<b><u>CONTACT INFORMATION</u></b>	
FIRST AND LAST NAMES:	<u>Ghlee Woodworth Marie Roy Susan Crawford</u>
MAILING ADDRESS:	<u>52 Temple St</u>
PHONE NUMBER:	<u>978 462-2010</u>
E-MAIL ADDRESS:	<u>pcbahati@yahoo.com</u>
<b><u>BLOCK PARTY INFORMATION</u></b>	
BLOCK PARTY DATE:	<u>Thursday, July 15 August 2021</u>
DESIRED STREET CLOSING LOCATION:	<u>Temple St between Federal + Fair Sts.</u>
Please indicate cross streets when requesting the closing of street sections	
STREET TO BE BARRICADED:	<u>Temple St one way - Federal to Fair Sts</u>
DESIRED STREET CLOSING TIME:	<u>6pm to 10 pm</u>
Block Parties should run no later than 10:00 p.m. <u>(Bedrace evening)</u>	

Past 2 Block Parties (Covid 2020)  
2019 and 2018 Very Successful!

**REGULATIONS**

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

I understand that applications for block party permits may take up to four (4) weeks to process.

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

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

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

Applicant signature: *Julie Woodworth* Date: 6/9/2021

**APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE**

**CITY MARSHALL**

*4 Green Street*

**FIRE CHIEF**

*Greenleaf Street*

**DEPUTY DIRECTOR**

*1 Perry Way*

**CITY CLERK**

*60 Pleasant Street*

*X [Signature]*  
 \_\_\_\_\_  
*Dep SHB 6/9/21*  
 \_\_\_\_\_  
*[Signature] 6-9-21*  
 \_\_\_\_\_  
*[Signature]*  
 \_\_\_\_\_

City use only:

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Date \_\_\_\_\_





RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2021 JUN 10 AM 11:54

CITY OF NEWBURYPORT  
60 PLEASANT STREET  
NEWBURYPORT, MA 01950

## BLOCK PARTY APPLICATION

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

DATE OF REQUEST: 6/1/21

### CONTACT INFORMATION

FIRST AND LAST NAMES: Milissa Duncan

MAILING ADDRESS: 14 Dove St. Newburyport

PHONE NUMBER: 978-764-1019

E-MAIL ADDRESS: milissaduncan@hotmail.com

### BLOCK PARTY INFORMATION

BLOCK PARTY DATE: Sat. Aug. 7 2021

DESIRED STREET CLOSING LOCATION: Dove St - between Monroe + Merrimac  
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Dove St.

DESIRED STREET CLOSING TIME: 5:30 pm  
Block Parties should run no later than 10:00 p.m.

**REGULATIONS**

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

I understand that applications for block party permits may take up to four (4) weeks to process.

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

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

1. All residents living on the street or block for which the party is planned request the block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.) alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
4. Amplified music shall be permitted with permission of the City Council. *yes!*
5. To leave **AT LEAST A TWELVE (12) FOOT AISLE** in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten (10) foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. **Public safety personnel will monitor the party for strict adherence to this rule.**
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11. Only approved readily removable Barricades will be permitted such as orange cones and sawhorses with a sign. No vehicles will be permitted to be used as a Barricade.
12. Block parties are permitted 10 A.M. – 10 P.M.

Applicant signature: *Melissa Duncan* Date: 6/1/21

**APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE**

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

*RLLR / Ct Siemasko*  
*D. S. H. B. 6/3/21*  
*[Signature]*

City use only:

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Date \_\_\_\_\_



RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2021 JUN 10 AM 10:44

CITY OF NEWBURYPORT  
60 PLEASANT STREET  
NEWBURYPORT, MA 01950

### BLOCK PARTY APPLICATION

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

DATE OF REQUEST: June, 7, 2021

CONTACT INFORMATION

FIRST AND LAST NAMES: Kay Cassidy

MAILING ADDRESS: 23 Carter Street

PHONE NUMBER: 978-462-7094

E-MAIL ADDRESS: KayCassidy@comcast.net

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: August 20, 2021

DESIRED STREET CLOSING LOCATION: Cutters Ct to Griffin Court  
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Carter Street

DESIRED STREET CLOSING TIME: 5:00 p.m.

Block Parties should run no later than 10:00 p.m.

**REGULATIONS**

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

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

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

Applicant signature:     Kay L Cassidy     Date:     6-7-2021    

**APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE**

**CITY MARSHALL** \_\_\_\_\_  
*4 Green Street*

**FIRE CHIEF** \_\_\_\_\_  
*Greenleaf Street*

**DEPUTY DIRECTOR** \_\_\_\_\_  
*1 Perry Way*

**CITY CLERK** \_\_\_\_\_  
*60 Pleasant Street*

City use only:

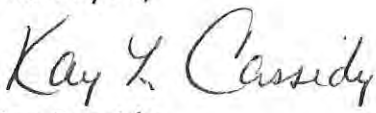
Approved \_\_\_\_\_ Denied \_\_\_\_\_ Date \_\_\_\_\_

June 7, 2021

To whom it may concern:

I am requesting a block party to not only get together with our neighbors but to celebrate the life of Mary Jackson who passed away on March 20<sup>th</sup>. Mary lived at 30 Carter Street. She was almost 103 years old, a lovely lady and a big part of Carter Street.

Thank you,

  
Kay Cassidy

# NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. \_\_\_\_\_

Fax: RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

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

NAME OF EVENT: Newburyport Lions Yankee Homecoming Bed Race

Date: August 5, 2021 Time: from 5:00 pm to 8:00 pm

Rain Date: August 8, 2021 Time: from 5:00 pm to 8:00 pm

2. Location\*: Federal St.

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

3. Description of Property: Public Street Public  Private

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

Contact Person Frank Bertolino

Address: 10 Maple Terrace Newbury, MA 01951 Telephone: 978-270-0365

E-Mail: fpb4kw@gmail.com (Cell) Phone: \_\_\_\_\_

Day of Event Contact & Phone: Frank Bertolino 978-270-0365

5. Number of Attendees Expected: 1,000 +

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

7. Is the Event Being Advertised?  Where? Yankee Homecoming + NBC News

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

9. Have You Notified Neighborhood Groups or Abutters? Yes  No  Who? \_\_\_\_\_  
Actually this event is not new and well attended.

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

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

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

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

Name of Carnival Operator: 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? Residents usually provide trash cans
- 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** 2 **Recycling** 2
- ii. Name of disposal company: **Trash** 2 **Recycling** 2
- 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? Frank Bertolin office dumpster and Local Neighbors

**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)

# 2 Standard # 2 ADA accessible

Name of company providing the portable toilets: 2

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

BED RACE

PARADE \_\_\_\_\_

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

WALKATHON \_\_\_\_\_

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

Newburyport Lionr Club

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

Frank Bertolini 978-270-0365

10 Maple Terrace

Newbury, Mt. 01951

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

Frank Bertolini

10 Maple Terrace

Newbury, Mt 01951

4. Date of Event: August 5, 2021 Expected Number of Participants: 1,000+

5. Start Time: 5:00 Expected End Time: 8:00

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

Federal St. ONLY

7. Locations of Water Stops (if any):

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

9. Formation Location & Time for Participants: 5:00 - 6:00 pm Federal St.

10. Dismissal Location & Time for Participants: 8:00 pm Federal St.

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  2 motorcycle police

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

CITY MARSHAL  4 Green St.

FIRE CHIEF  0 Greenleaf St.

DEPUTY DIRECTOR  16A Perry Way

CITY CLERK  60 Pleasant St.



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

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

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

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

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

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

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

(c) *Definitions.*

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

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

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

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

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

(d) *Limitations.*

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

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

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

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

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

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



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/16/2021

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

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

<b>PRODUCER</b>		<b>CONTACT NAME:</b> John Adams	
DSP Insurance 1900 E. Golf Road, Suite 650 Schaumburg, IL 60173		<b>PHONE (A/C, No, Ext):</b> 1-800-316-6705	<b>FAX (A/C, No):</b> 847-934-6186
		<b>E-MAIL ADDRESS:</b> lionsclubs@dspins.com	
		<b>INSURER(S) AFFORDING COVERAGE</b>	
		<b>INSURER A:</b> ACE American Insurance Company	<b>NAIC #</b> 22667
<b>INSURED</b>		<b>INSURER B:</b>	
Newburyport Lions District 33N Newburyport Massachusetts		<b>INSURER C:</b>	
		<b>INSURER D:</b>	
		<b>INSURER E:</b>	
		<b>INSURER F:</b>	

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

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Agg. Per Named Insured is \$2,000,000 GENL AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			HDOG71573448	09/01/2019	09/01/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			ISAH25301754	09/01/2019	09/01/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						OCCUR CLAIMS-MADE \$ \$ \$
	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						WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

Provisions of the policy apply to the named insured's participation in the following activity during the policy period shown above: Newburyport Lions Club Bed Race Aug. 5 2021  
PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES.

**CERTIFICATE HOLDER**

City of Newburyport  
60 Pleasant St.  
Newburyport Massachusetts 01950

**CANCELLATION**

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

AUTHORIZED REPRESENTATIVE

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: 6/16/21



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/22/2021

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

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

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

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INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Agg. Per Named Insured is \$2,000,000 GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			HDOG71573448	09/01/2019	09/01/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			ISAH25301754	09/01/2019	09/01/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED RETENTIONS						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

Provisions of the policy apply to the named insureds participation in the following activity during the policy period shown above: Newburyport Lions Club Yankee Homecoming Bed Race

The following persons or organizations granting use of real property, including structures thereon are included as Additional Insured(s), but only with respect to General Liability arising out of the use of premises by the insured shown above and not out of the sole negligence of said additional insured.

\*\*\* City of Newburyport \*\*\*

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

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

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## NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. 978-604-0183

 RECEIVED  
 CITY CLERK'S OFFICE  
 NEWBURYPORT, MA

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

2021 JUN 21 AM 9:51

**NAME OF EVENT:** Plum Island Summer Fest

Date: July 30 - August 1 2021 Time: from July 30 6-10, July 31 6-10 to August 1 3-8

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

2. Location\*: Plum Island Airport

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

 3. Description of Property: Plum Island Airport Public  Private \_\_\_\_\_

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

Contact Person Peter Cushing

Address: 196 Wildwood Street Wilmington, MA 01887 Telephone: 978-604-0183

E-Mail: peter@cushingamusements.com Cell Phone: \_\_\_\_\_

Day of Event Contact &amp; Phone: Peter Cushing 978-604-0183

5. Number of Attendees Expected: 500

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

7. Is the Event Being Advertised? Yes \_\_\_\_\_ Where? Social Media \_\_\_\_\_

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

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

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

 A. Vending: Food  Beverages \_\_\_\_\_ Alcohol \_\_\_\_\_ Goods \_\_\_\_\_ Total # of Vendors 6

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

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

 C. Games /Rides: Adult Rides  7 Kiddie Rides  7 Games  10 Raffle \_\_\_\_\_

Other \_\_\_\_\_ Total # 24

Name of Carnival Operator: Cushing Amusements

Address: 196 Wildwood Street Wilmington, MA 01887

Telephone: 978-604-0183

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? 12
- 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** 20 yard dumpsters **Recycling** 3
- 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 ? Miller Waste - Middleton, MA

**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)

# 4 Standard # 1 ADA accessible

Name of company providing the portable toilets: Throne Depot

# 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.



## 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: \_\_\_\_\_

*Pete Eskja*

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

6-16-21



LARRCUS-01

CSALAMONE

**CERTIFICATE OF LIABILITY INSURANCE**DATE (MM/DD/YYYY)  
6/21/2021

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 Johnson, Kendall & Johnson, Inc. 109 Pheasant Run Newtown, PA 18940	CONTACT NAME:	PHONE (A/C, No, Ext): (215) 968-4741	FAX (A/C, No): (215) 968-0973
	E-MAIL ADDRESS: info@jkj.com		
INSURED LARRY CUSHING ENTERPRISES, LTD DBA:CUSHING AMUSEMENTS; ISLAND CONCESSIONS,LLC 196 Wildwood Street Wilmington, MA 01887	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Everest National Insurance Company		10120
	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL 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			S18ML01650-201	12/10/2020	12/10/2021	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 500,000
							MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 5,000,000
							PRODUCTS - COMP/OP AGG	\$ 1,000,000
								\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED RETENTION \$						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						PER STATUTE	OTH-ER
				N/A			E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

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

## 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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2021 JUN 21 AM 10:07



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Cushing Amusements  
Plum Island Summerfest  
City Of Newburyport Proposal

July 30 - August 1 2021



Rides	Green
Games	Red
Food stands	Yellow
Generator	Blue
Support equipment	Grey
Parking	Pink



## Scope

We envision putting together an annual festival for the community to look forward to. We plan to bring family rides, games, and special carnival fair foods to set up and help raise funds for the Plum Island Airport.

## Hassle free events

We provide everything it takes to put an event on from dumpsters, portable toilets, police details, and all permitting.

## Company

Cushing Amusements is a 47 year old, family-owned and operated amusement company currently being run by 4th and 5th generation Cushing family members. Based out of Wilmington, MA, the company travels as one unit to locations from Martha's Vineyard to Clinton, Maine. The company is currently led by Marion Cushing, her son Lawrence Cushing, and his son Peter Cushing with one-to-all of leadership on-site at any given time.

Cushing Amusements prides itself on developing deep, lasting partnerships with many of our location relationships being built over decades of consistent, reliable service.

## Safety

Safety and consistency are our top priorities. Our rides are constantly inspected by state and local officials as well as our own staff.

Every single employee of Cushing Amusements goes through an extensive, multi-state background check, including name-based court arraignment checks (CORI). They are also drug tested during their time of employment and randomly. All employees wear the proper safety equipment during setup and tear-down of our rides.

## Rides

We offer rides distributed evenly across ride types as thrill, family, and kiddie rides. A sampling of our rides can be seen at [cushingamusements.com/rides](http://cushingamusements.com/rides) with highlights that include our new Italian built gondola wheel, zipper, gravitron, classic merry-go-round, and more. We typically make ride improvements and exchanges during our offseason so what's listed on our site is only a snapshot of our equipment at any given time. Please inquire about any specific rides that are of particular interest.

## Games

We typically travel with 8-15 games with the bulk geared towards families. Games are a complement to our midway to provide a complete carnival experience, but they are not generally a first priority. All of our games have limits, and you'll never hear of anyone being "taken" from our offered games.



## Food

We provide food stands with fried dough, cotton candy, ice cream, sausages, french fries, corn dogs and more. We are more than willing to work with additional food providers, too, to provide a custom midway your event.

## Advertising

Being that its 2021 not only have we stepped up our social media advertising but we have also brought traditional advertising to another level. We have done studies on our facebook ads finding what is the most efficient tactic for advertising to age and gender in New England locations. Generally speaking we cover Facebook, Instagram, twitter and snap chat. Nevertheless we are always working on improvements in letting people know where and when one of our events are.

## Additional Info

We pride ourselves on consistency and reliability and as such, we like to set expectations with our partners as to how we'll operate from the day we sign a contract up until we've cleared our equipment from the location. All of this is up for discussion, but here is how we like to make that clear:

- Our events is smoke free for all employees
- We CORI check all employees as well as run a national background check.
- Our staff cleans the carnival area throughout the day to ensure cleanliness throughout operations.
- Management is onsite whenever staff is onsite, including overnight. Any issues with employees before, during, or after our time on the property results in termination.
- We establish allowable hours for running any and all machinery, including generators, trucks, sound systems on rides, anything else sound related to keep neighborhoods welcoming us back.
- Upon departure, we aim to leave no trace of the carnival with all equipment off the carnival site by given guidelines.
- We follow all state and federal health protocols to keep everyone safe.
- We provide shade tents, seating areas, and light towers to our events.
- All generators are built with silencer packages.
- Ticketless systems will be implemented giving options for real time accounting and pre-sales.

As a family company we have always given back to the communities in different ways. In the spring of 2017 we introduced our "thanks to service" program. We now give 5 free rides to any active or inactive military personnel. We try to reach out to local community funds or pantries and find ways to bring the less fortunate to our events as our guests with free ride passes or wristbands.

We envision establishing a new decades-long relationship similar to our other partners. If there's something that you're not seeing in this proposal, please let us know. Any questions or comments on this proposal can be sent to Peter Cushing, [peter@cushingamusements.com](mailto:peter@cushingamusements.com) and 978.604.0183.



# TOWN OF WAKEFIELD

MASSACHUSETTS

FIRE DEPARTMENT HEADQUARTERS

ONE UNION STREET  
WAKEFIELD, MA 01880-2495

RECEIVED  
CLERK'S OFFICE  
NEWBURYPORT, MA

2021 JUN 21 AM 10:07

MICHAEL J. SULLIVAN

FIRE CHIEF

(781) 246-6435

FAX: (781) 246-6433

BUSINESS PHONE: (781) 246-6432

EMAIL - msullivan@wakefield.ma.us

FIRE PREVENTION

(781) 246-6435

December 10, 2018

Dear Sir/Madam,

This letter is intended to serve as a reference for Cushing Amusements. I presently serve as the Fire Chief for the Wakefield, Massachusetts fire department. My son Patrick has served as the Chairman of the Wakefield Independence Day Committee for the past five years. This committee raises all of the money to fund Wakefield's annual July 4<sup>th</sup> parade in town. There are many fundraisers that the committee sponsors each year but the most successful has been the annual carnival held during April school vacation week. Cushing Amusements took on this carnival in 2017 and did an exceptional job with the committee realizing the largest profit from the carnival since its creation five years ago.

I have volunteered for the past five year to coordinate the carnival event for the committee. I have found Peter Cushing and his entire family to be a pleasure to work with. They are kind, courteous and very professional in the way that they conduct themselves. It is obvious that they have many years of experience operating carnivals. They arrive on time, map out the midway, set-up, operate, tear down, clean up and depart all in a very precise manner. Bothe the Cushing family and their employees are very pleasant in all of their interactions with the public. They have a good working knowledge of the permitting requirements of operating a carnival on both a state and local level. They are always willing to interact with and help out the many volunteers from the committee who help sell tickets and staff the booth.

I would strongly recommend using Cushing Amusements to operate a fundraising carnival in your community. I am often asked to give recommendations and do not do so lightly. Please contact me at (781) 246-6435 with any questions or concerns regarding this matter.

Sincerely,

Chief Michael J. Sullivan  
Wakefield Fire Department



## PUERTO RICAN FESTIVAL OF MA, INC.

Date: 11/7/17

To whom it may concern:

I am writing in support of the Cushing family and the Cushing Amusement Company. This 2017 season was a huge deal to us because we were celebrating our 50<sup>th</sup> anniversary. As the new president of the PR festival organization I knew we needed a more family oriented atmosphere when it came to the amusement/carnival part of our event.

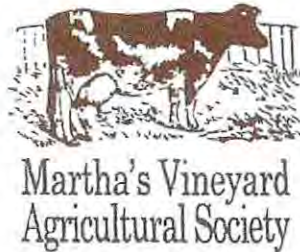
We met with several amusement companies, looked at numerous references and finally after meeting the Cushing family we looked no further, we chose this company because it is still family owned and family managed on and off site.

Larry, Marion and Peter Cushing were amazing to deal with, they were there on our site from beginning to end and that's a tough thing to do when our 3-day festival is in the heart of Boston City Hall Plaza. I had numerous meetings with Larry and Peter to make sure this event was planned right because of it's grand anniversary and they helped make it the best year ever by making it very family oriented, navigable and as safe as possible. They brought in rides and games to meet everyone's needs and then some.

The Cushing's were on time to all our meetings, were present at our city hall meetings as well and were super easy to deal with because they were extremely knowledgeable in dealing with all the permits and governmental codes to make sure our event was covered from day one with no worries on our end. They arrived and set up on time, they left and brokedown on time and most importantly they left the area clean and spotless on their departure.

I found that the Cushing family amusement company was more of a true and real family company that cared about and treated this organization like family as well. We do recommend this company to be a part of your event as well and we look forward to having them as our company for many years to come. If you have any further questions please feel free to call me at 781-706-5384.

Sincerely,



October 4, 2018

I am often asked to write letters of reference for various individuals and businesses. I take the task seriously as my name is behind what I am supporting. I can not say enough about Larry Cushing's reliability, professionalism and attention to detail.

The Martha's Vineyard Agricultural Society has worked with the Cushing family for 46 years, when Larry Cushing, Sr. ran the amusements for our 111th MV Agricultural Society Fair. This was his first agricultural fair with us and throughout the years each fair has been a well organized, safe and professional endeavor.

This is my first year as President of the MVAS, but not my first involvement with the Fair or the entire Cushing family. From a child to a young adult, I have been involved in our annual Fair in some aspect or another.

Over the years, I have watched the Cushing family and amusements arrive, map out the midway, setup, operate, tear down, clean up and depart all in a very precise manner. The Cushing family took away the anxiety and added great professionalism to the carnival aspect of the Fair allowing us to focus on other aspects of planning and at a great relief to our staff and volunteers.

I now have the good fortune to carry on working with the next generation of the Cushing family and I look forward to generations to come. They have earned my whole-hearted thanks and full recommendation as an integral part of the success for other Fairs.

If you have any specific questions, please feel free to call or email me.

Respectfully,

Brian H. Athearn  
President  
508-693-9549 / [brian@mvasmv.org](mailto:brian@mvasmv.org)



November 2, 2014

To Whom It May Concern:

I am pleased to write this letter of recommendation for Larry Cushing and Cushing Amusements. Andona is comprised of a small group of women in Andover who run two to three fundraisers per year. Our largest fundraiser is held on the third Friday and Saturday in May and is called Clown Town. The Cushing family has provided the rides and midway games/ food for Clown Town for over 30 years. I have personally chaired or co-chaired this event for the past six years and have worked closely with the Cushings prior to and during our two day event. Larry is respectful and responsible: before, during and after the event year after year. When issues arise, as they always will, he is approachable and makes needed changes. He knows our event well and is willing to suggest improvements and respond to suggestions from us.

Each year the Town of Andover requires a permit to use the "Park" and meeting with town officials prior to the event. The Cushings attend this meeting and work within the limits that the Town requires. The Park always looks cleaner after Clown Town than it did before it opened. When adjustments have to be made due to bad weather, Larry is able to plan ahead with our organization and the Town in order to run the event.

The money raised from Clown Town is critical to Andona's mission to support the children and schools in Andover. I would not hesitate to recommend the Cushing Amusement company for a carnival fundraiser.

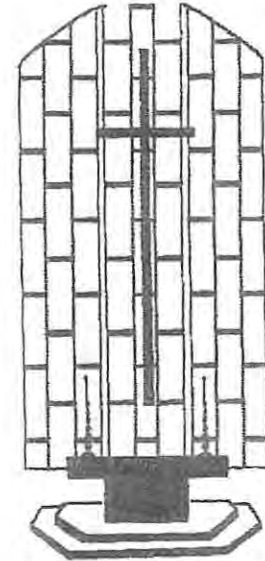
Sincerely,

Melissa Litton  
Andona President

# TRINITY EPISCOPAL CHURCH

The Reverend Philip C. Jacobs, III  
*Rector*

October 27, 2014



To Whom It May Concern::

Since 2006 Cushing Amusements has been providing Trinity Church with a midway and carnival which has served us very well. As a fundraiser it provides the church thousands of dollars of revenue to offset operating expenses. The carnival draws people of all ages from many of the surrounding towns and many come back year after year.

The Cushing have been and continue to be a pleasure to work with. Not only are their rides and attractions clean and presentable they take pains to assure the grounds are kept neat and clean. Their workers are respectful and go out of their way to be helpful and friendly.

For anyone looking to have a carnival fundraiser I highly recommend Cushing Amusements. You could make no better choice.

Sincerely

Gil Swire

Junior warden, Trinity Episcopal Church

P.S.

If you have any questions about our experience or how you might hold a carnival please feel free to contact me at 866 440-8702 line 2

Patrice Clough  
Senior Class Advisor  
Lead English Teacher Language Arts  
Marblehead High School  
Marblehead MA 01945  
November 18, 2014

To whom it may concern,

I have known the Cushing family for about 25 years. Marion and her husband Larry, brought their carnival to Marblehead over 40 years ago. When Larry Cushing passed away a few years ago, Marion and Larry's eldest son, Larry Cushing stepped in to the void that Larry senior left. As the Senior Class Advisor for Marblehead High School, I am responsible for the preliminary preparations preceding the arrival of the carnival. Marion has watched my daughters volunteer at her carnival, and I have watched her grandchildren grow into their responsibilities in their family business. Marblehead Massachusetts is a small coastal town of about 26,000 people, so everyone knows everyone. Marion's carnival has always been well attended by parents of young families, as well as teenagers. It is a right of passage to win your first love's stuffed panda at Marion's carnival. Parents know that Cushing Enterprises, LTD is a well run, safe, fun, and well managed carnival.

This particular carnival is really a rolling philanthropy. For four days Larry and Marion allow high school seniors to "work the carnie". It is a tremendous responsibility for Marion, me, and these high school students, since these teenagers collect all the receipts for every ride the entire time the carnival is open. They account for the money, the tickets, mollify parents and babies, and balance the books. Every year there are new seniors learning the carnival ropes, and every year Marion entrusts these teens to collect and record the receipts of her business. A percentage of the collected money is donated to the senior class. It would take a myriad of car washes and bake sales to earn the \$9,000-\$10,000 Marion donates every year.

Everyone I know who has ever dealt with Larry Cushing Enterprises can attest to the integrity and honesty of Marion and Larry Cushing, from the wiring inspector, to the police officers that Marion hires at her own expense, to little Billy Brown, who found that last year's crinkled green tickets will guarantee rides the next year when the tickets are blue.

Every year the trucks arrive on Monday, and every year they pull away late Sunday evening, somewhere around one am, after a twenty hour day, after all the trash has been pickup up, and after the cotton candy stand has been packed away for the next site. Mothers' Day around here means stuffed animals and sausages because Marion and Larry Cushing will be arriving.

Sincerely,





November 18, 2014

Re: Cushing Amusements, Inc.

From: Linda R. Plaut, Director

Mayor's Office for Cultural Affairs

To Whom It May Concern:

I am writing in support of Cushing Amusements, Inc. who have been our sole amusement ride vendor through the Mayor's Office for Cultural Affairs and Newton Community Pride for the past 9 years, since 2005.

Three times a year, we invite Cushing Amusements to offer kiddie rides at our KidsFEST in May at Newton City Hall, at our July 4<sup>th</sup> Celebration at the Albemarle Field in Newtonville and then in October, Harvest Fair, on the Newton Center Green.

Because Larry Cushing and Marian Cushing adhere carefully to our contracts, they arrive and set up on time, operate clean, well repaired rides that pass all city and state inspections before they are operational and at the end of the fair, remove all of their equipment within the agreed upon time frame leaving the site ready for regular business the next day.

I have always found Cushing Amusements to be a very dependable company with which to work. That we invite them back year after year attests to our satisfaction with their work ethic and practices.

Should you have any questions, please do not hesitate to contact me.

Richard Aronovitz Real Estate  
60 Aaron Way  
**Carlisle, MA 01741**

Cell Phone (508) 380-6322  
Home Phone (978) 776-6115  
Work Phone @ Lincoln Liquors (978) 667-4773  
e-mail: [RickAronovitz@Hotmail.com](mailto:RickAronovitz@Hotmail.com)  
February 24, 2017

To Whom It May Concern:

**RE: Larry Cushing Carnivals and Amusements**

Larry Cushing and his Carnival operating company have operated charity sponsored carnivals at the Pinefield Plaza in Saxonville each spring for many years.

There have never been any problems and off-duty policemen have always been present to be sure that there never will be. The carnival equipment has always been promptly removed at the end of the event and the area has been left at least as clean as before they came. The community has benefitted from a wholesome, family fun activity and from the money raised for local charities.

Please feel free to contact me if you need additional information.

Yours truly,



*Richard Aronovitz*

Richard Aronovitz,  
Property owner



LARRCUS-01

CSALAMONE

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/22/2021

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<b>PRODUCER</b> Johnson, Kendall & Johnson, Inc. 109 Pheasant Run Newtown, PA 18940	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): <b>(215) 968-4741</b> FAX (A/C, No): <b>(215) 968-0973</b> E-MAIL ADDRESS: <b>info@jkk.com</b>
INSURER(S) AFFORDING COVERAGE	
<b>INSURER A : Everest National Insurance Company</b>	
NAIC #	
<b>10120</b>	
<b>INSURED</b>  <b>LARRY CUSHING ENTERPRISES, LTD DBA:CUSHING AMUSEMENTS; ISLAND CONCESSIONS,LLC</b> 196 Wildwood Street Wilmington, MA 01887	<b>INSURER B :</b>  <b>INSURER C :</b>  <b>INSURER D :</b>  <b>INSURER E :</b>  <b>INSURER F :</b>

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

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
<b>A</b>	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <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:			<b>S18ML01650-201</b>	<b>12/10/2020</b>	<b>12/10/2021</b>	EACH OCCURRENCE \$ <b>1,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>500,000</b> MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ <b>1,000,000</b> GENERAL AGGREGATE \$ <b>5,000,000</b> PRODUCTS - COMP/OP AGG \$ <b>1,000,000</b> \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
<b>A</b>	<input type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$			<b>TBD</b>	<b>6/23/2021</b>	<b>12/10/2021</b>	EACH OCCURRENCE \$ <b>4,000,000</b> AGGREGATE \$ <b>4,000,000</b> \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)    Y/N    N/A If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

**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 
--	---

## Phillips Drive Neighborhood Committee

C/O 21 Phillips Dr., Newburyport MA 01950

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

June 2021

City Council of Newburyport  
60 Pleasant Street  
Newburyport MA 01950

Dear Members of the Newburyport City Council:

The residents of the greater Phillips Drive Neighborhood (Phillips Dr., Ryan Rd., Drew St., Sullivan St.), hereby respectfully request your full approval of the \$2.3 million bond, in addition to the \$1.5 million from the DPS budget, in support of total funding for the Phillips Drive Neighborhood infrastructure and roadway paving project.

### History of Neglect

For the past 10 years, Phillips Drive Neighborhood residents have paid over \$5.5 million in city taxes. Of note, this neighborhood has received little to no capital improvements since its establishment over 55 years ago.

Beginning in 1999, after the development of the Cherry Hill neighborhood, homeowners of the Phillips Drive neighborhood began re-issuing complaints to the City about flooding, property damage, and other environmental and public safety hazards due to improper water drainage and deteriorating roadways and water mains. These issues were never adequately addressed or rectified.

In mid-April 2017, neighborhood residents received an invitation to attend a community discussion about a potential new Habitat for Humanity construction on Hoyts Lane. A number of residents in attendance expressed grave concerns that any construction would worsen the neighborhood's already severe water drainage issues and concomitant environmental and public safety hazards.

### Financial Impact

The Phillips Drive Neighborhood Committee has been meeting since April 2017 with Mayor Holaday, City Councilors, local and state representatives, and others to fully address these hazardous issues that have resulted in more than \$750,000 in **homeowner** remediation expenses. For example:

- Multiple homeowners have spent upwards of 20% or more of their homes' value into mitigation which has had no positive effect on property value.
- Some homes have experienced foundation shifts and cracking due to improper or failed drainage which they must repair at their own expense.
- Multiple homes have installed more than one sump pump and multiple generators to ensure their basements are pumping water 24/7/365. Without those back-up generators, basements would be fully flooded.
- Multiple homes have had to replace or repair basement flooring, walls, and water damaged furniture and other personal effects due to floods and water main breaks and service line collapses.

### **Impact on Quality of Life**

According to the Artichoke Watershed data, there is direct causality between the Artichoke Watershed discharge and sheet flow on Phillips Drive. The hypothesis that cleanouts fixed the problem are **not** supported by precipitation data. Instead, data supports the conclusion that we should be preparing for another event, **not** waiting.

Examples of storm water flowing through private property and across Phillip's drive are:

- April 2, 2004: Flood
- May 2006: Mother's Day Flood
- March 15, 2010: Flood, rainfall totals equivalent the 2006 Mother's Day storm
- November 27, 2018: Water Main Break on Sullivan Dr.
- Spring Thaw, 2019: Neighbors town water lines break
- July 2019: service line failure on Phillips
- October 2019: Opposing Neighbors line breaks, 2nd line failure within months of each other.

Further:

- Homeowners have experienced car crashes due to extreme ice build-up on Phillips Dr.
- There have been several incidents of physical harm to residents and their guests, including broken bones, while traveling on street surface ice build-up.
- Due to deteriorating roads and severe ice conditions, post office vehicles, city maintenance vehicles, and city fire trucks have been unable to navigate sections of Phillips Drive, putting everyone involved at risk.

While the City's conclusion that our roadway drainage systems are typically designed to handle the 10-year or 25-year storm events, engineering studies have proven that our infrastructure is **not** able to handle increased risks of safety and infrastructure damage with the expected rise of water volumes.

April 29, 2007: Mult-hazard mitigation plan approved.

- 27 storms with flooding conditions reported to the city from Phillip's Drive.
- Ryan Drive sub drain expansion mitigation proposal put forward for grant.
- City wins grant but spends **none** of the money on Phillip's drive, even though our narrative was used to secure the money for the city.

Only after decades of complaints did the City make a few repairs, notably:

- 2018: Phillips drive roadway pipe installation to cease 24/7/365 water seepage on roadway
- 2019: 25 Phillips Drive drainage repair (owner pays half the cost)

The plan developed by BSC, with additional input from the City's engineer, addresses all major issues including full replacement of water mains. Any design that does not include full water main replacements will result in a failed plan that will waste millions of dollars.

The citizens of the Phillips Drive Neighborhood have donated countless hours to research, document, and present data supporting the recommendations presented by both City Engineering and BSC. Your vote to approve the \$2.3 million bond, in addition to the \$1.5 million from the DPS budget, will not only provide a safe living environment for our residents but also correct past malfeasance on the part of this city's government. The signatures on the following page attest to our support for the BSC plan.

Respectfully, Members of the Phillips Drive Neighborhood Committee:

*David Brittan Kathleen Cufano*  
 David and Kathleen Brittan, 21 Phillips Dr.

*Philip Cootey Nobuko Matsuo*  
 Philip Cootey and Nobuko Matsuo, 22 Phillips Dr.

*Richard Goulet Anita Goulet*  
 Richard and Anita Goulet, 25 Phillips Dr.

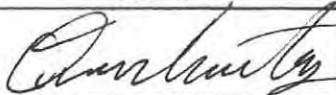
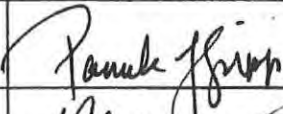
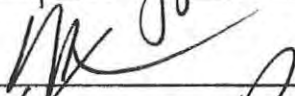
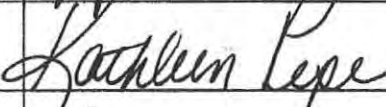
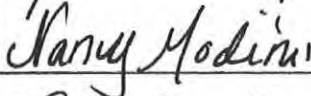
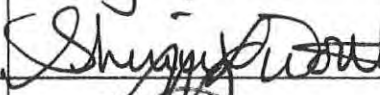

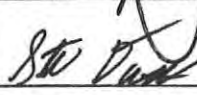
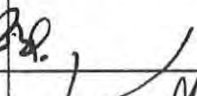
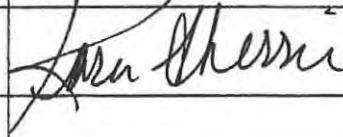
*Cindy Palladino*  
 John and Cindy Palladino, 23 Phillips Dr.

*Melissa Welch Michael Aery*  
 Melissa Welch and Michael Aery, 6 Drew Street

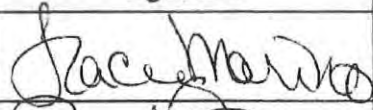
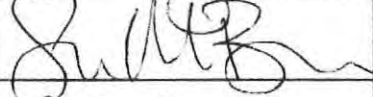

The following citizens of the Phillips Drive Neighborhood hereby endorse this request:

Print Name	Address	Signature
DAVID STROIS	61 PHILLIPS DRIVE	<i>David Strois</i>
LINDA LU BURCIAGA	18 HAYS LANE	<i>Linda Lu Burciaga</i>
JOHN BURCIAGA	18 HAYS LANE	<i>John Burciaga</i>
RICHARD D. HENDERSON	14 SULLIVAN DRIVE	<i>Richard D. Henderson</i>
PAT ELLIOTT	47 PHILLIPS DR	<i>Pat Elliott</i>
DAVID ELLIOTT	47 PHILLIPS DR	<i>David Elliott</i>
PAUL GALLAGHER	49 PHILLIPS DR	<i>Paul Gallagher</i>
JENNIE GALLAGHER	49 PHILLIPS DR	<i>Jennie Gallagher</i>
JIM HEADLEY	12 DREW ST	<i>Jim Headley</i>
HUMBERTO A. JORGE	14 PHILLIPS DR.	<i>Humberto A. Jorge</i>
MARIA JORGE	14 PHILLIPS DR.	<i>Maria Jorge</i>

Print Name	Address	Signature
Laura Platt	11 Sullivan Drive	Laura Platt
ANDREA PERO	19 PHILLIPS DR.	Andrea Pero
Dan Langille	19 Phillips Dr.	Dan Langille
Elizabeth Wilcox	17 Phillips Dr	E. Wilcox
MICHAEL DURATTI	15 Phillips Dr	Michael Duratti
Michelle Valway Denner	15 Phillips Dr.	Michelle Valway Denner
Sean R. Denner	15 Phillips Dr.	Sean R. Denner
Lillian Booth	9 Phillips Dr.	Lillian Booth
Ron Booth	9 Phillips Dr.	Ron Booth
James Hayden	5 Sullivan Dr.	James Hayden
Fletcher Hayden	5 Sullivan Drive	Fletcher Hayden
Mark Crowley	4 Sullivan Dr.	Mark P. Crowley
P. Jayne Vlademis	172 Storey Ave	P. Jayne Vlademis
Callie Rotko	172 Storey Ave	Callie Rotko
Samuel Spinney	59 Phillips Dr.	Samuel Spinney
Neal Spinney	59 Phillips Dr.	Neal Spinney
Kim Spinney	59 Phillips Dr.	Kim Spinney

Print Name	Address	Signature
Owen Cootey	22 Phillips Drive	
Pamela Shipp	8 Sullivan Drive	
Joyce Rucinski	55 Phillips Dr	
KATHLEEN PEPE	16 Drew St.	
Nancy Modini	27 Phillips Dr	
Sherrie L. Worthen	24 Phillips Dr	
Nick Fouchon	40 Phillips	
Steve Dowsett	7 Ryan Rd	
Catherine Gabard	9 Bryan Rd.	
Karen Therrin	4 Ryan Rd	



Print Name	Address	Signature
Tracey Marino	20 Hoyts Lane Newburyport	
Sarah Marino Babcock	"	
Roberta Cammett	24 Hoyts Lane	Roberta Cammett
Randy Cammett	24 Hoyts Lane	Randy Cammett
Nick DiGiovanni	26 Hoyts Lane	Nick DiGiovanni
Steve Desno	200 Storey	Steve Desno
Shelw Zienba	22 Dnew Street	

Print Name	Address	Signature
Scott Knight	3 Drew St.	<i>Scott Knight</i>
Kelly Knight	3 Drew ST	<i>Kelly Knight</i>
Deborah Knight	5 Phillips DR	<i>Deborah Knight</i>
Emma McCullough	12 Sullivan Dr.	<i>Emma McCullough</i>
Gretchen Allen	29 Phillips DR.	<i>Gretchen Allen</i>
Joann Healey	12 Drew St	<i>Joann Healey</i>

Print Name	Address	Signature
Tracy Johnson	20 Phillips Dr	<i>Tracy Johnson</i>
Robert P. Crofts	53 Phillips Dr	<i>Robert P. Crofts</i>
DIANE L. CROFTS	53 PHILLIPS DR.	<i>Diane L. Crofts</i>
NORMA S. SWACKO	41 Phillips DR	<i>Norma Swacko</i>
Ann MacCarthy	55 Phillips Dr.	<i>Ann MacCarthy</i>
<del>Robert and Caitlin Sadlak</del>	6 Ryan Road	<i>Caitlin Sadlak</i>
Rob Sadlak	6 Ryan Road	<i>Robert Sadlak</i>
Barbara Daurheimer	22 Drew St.	<i>Barbara Daurheimer</i>
HOWARD SALT	7 PHILIPS DR.	<i>Howard Salt</i>
Debra Knight	5 Phillips Dr	<i>Debra Knight</i>
Pat Stevens	2 Phillips	<i>Pat Stevens</i>
Liana Salt	7 Phillips Dr	<i>Liana Salt</i>



Print Name	Address	Signature
NANCY NOSEWORTHY	3 RYAN RD.	<i>Nancy Noseworthy</i>
Richard NOSEWORTHY	" " "	<i>Richard Noseworthy</i>
Barbara Pulaski	15 DREW ST	<i>Barbara Pulaski</i>
Valene Davison	10 DREW STR	<i>Davison</i>
JOHN WEBBER	4 DREW ST	<i>John</i>
Mary O'Connell	9 DREW ST	<i>Mary O'Connell</i>





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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2021 JUN 22 PM 3:33

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: June 22, 2021

Subject: American Rescue Plan Act of 2021 (ARPA) Funds

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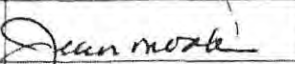
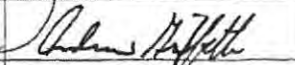
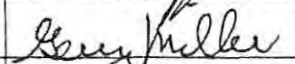
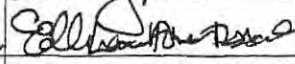

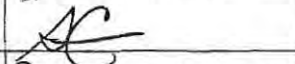
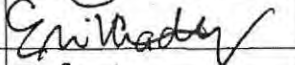
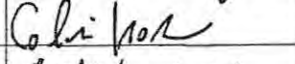
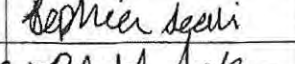
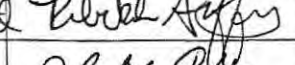
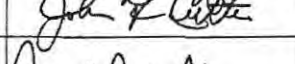
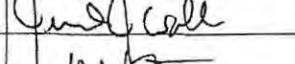
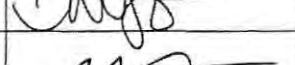
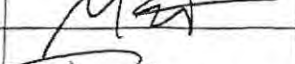
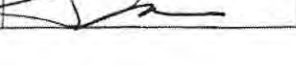
As you may be aware, through the American Rescue Plan Act of 2021 (ARPA), Newburyport is eligible to receive a municipal allocation of \$1,914,283 and a county reallocation of \$3,552,424. So far we have received 50% of the municipal allocation (\$957,142) and are anticipating receipt of 50% of the county reallocation. The remaining 50% will be disbursed in approximately twelve months.

Based on the guidance from the US Treasury and further interpreted by the Division of Local Services' (DLS) Bulletin 2021-6, the City is required to accept the funds per MGL Chapter 44, Section 53A. In order to be in compliance with the statute, as well as, relevant guidelines set forth by the US Treasury with respect to the administration and audit requirements for federal awards; I request your timely acceptance of these funds. My staff and I have participated in a number of informational webinars on this topic and have reviewed much of the guidance that has been issued to-date and continue to review the guidance in conjunction with our independent auditors and City Solicitor.

As outlined in Bulletin 2021-6, while these funds are a federal grant not requiring appropriation by the legislative body, I recognize that the City Council must play a role in determining how these funds are spent. This is a rare and unprecedented opportunity for the City to have such a large influx of funds that can be used to invest in our community. As such, it is imperative that everyone has the opportunity to provide input as to how the funds are utilized.

In the coming weeks, I will begin the process of establishing an ad hoc committee with the purpose of engaging community stakeholders, including representation from the City Council, in order to strategically program these funds in a way that reflects the goals and priorities of our city. I realize that we are all still waiting on some additional clarification regarding the mechanics of how these funds will get used. For now, I strongly urge the City Council to accept these funds and then move on to the critically important task of determining how they will be spent.

Thank you for your support and consideration.

Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders act now to: <ul style="list-style-type: none"> <li>• Extend the current sidewalk on Rawson Avenue to connect High Street and Highland Avenue</li> <li>• Add additional crosswalks, signage and road markings</li> <li>• Review traffic patterns to determine if a detour is appropriate for heavy vehicles</li> </ul>			
Printed Name	Signature	Address	Comment	Date
Jean moak		170 Beach Rd <sup>#26</sup> Salisbury	grandmother that often walks grandchildren buses are very intimidating	6.11.2021
Andrew Griffith		5 Collins St. Newburyport	Safety!	6/15/2021
GERRY MILLER		575 High St NBPT.	safety	6-15-2021
Ellen Menesale		8 Lantier Dr.	safety	6-15-21
Kristen Maher		11 Rawson Hill Rd	safety!	6/17/21
Susan Cronin		126 Merrimac	friend daughter lives in Lebanon	6/15/21
Erin Bradley		11 North Atkinson	erinbradleyrose@gmail.com please contact me for additional support	6/17/21
Colin Irose		11 North Atkinson	Kid safety!	6/17/21
Sophie Scali		7 Margerie St.	safer!	6/17/21
Rebekah Stafford		5 Rawson Hill Road	SAFETY!	6/17/21
John Cotter		17 Rawson Ave	Safety	6/17/21
Jeremiah Walker		15 Rawson Hill Rd	Safety	6/18/21
Martina Trull		14 Rawson Ave	Safety	6/19/21
Matt Trull		14 Rawson Ave	Safety	6/19/21
Dan Blast		15 Rawson Ave	Safety	6/21/21



Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders act now to: <ul style="list-style-type: none"> <li>• Extend the current sidewalk on Rawson Avenue to connect High Street and Highland Avenue</li> <li>• Add additional crosswalks, signage and road markings</li> <li>• Review traffic patterns to determine if a detour is appropriate for heavy vehicles</li> </ul>			
Printed Name	Signature	Address	Comment	Date
Kathleen Cutter	<i>Kathleen Cutter</i>	17 Rawson Ave		6/10/21
Jack M... ..	<i>Jack M...</i>	13 Rawson Ave		6/14/21
Jenny Davis	<i>Jenny Davis</i>	6 Highland Ave		6/10/21
Wade Anos	<i>Wade Anos</i>	6 Highland Ave		6/11/21
BENJAMIN BOE	<i>Benjamin Boe</i>	3 Rawson Hill Rd		6/10/21
KAREN MAKIVER	<i>Karen Makiver</i>	13 RAWSON AVE.	VERY IMPORTANT!!	6/10/21
Madeline Nash	<i>Madeline Nash</i>	19 Arlington St.	Of course we need this	6/10/21
Nick Bertami	<i>Nick Bertami</i>	17 Rawson Ave		6/10/21
Michael...	<i>Michael...</i>	17 RAWSON HILL RD	URGENT	6/10/21
Angela Brazier	<i>Angela Brazier</i>	7 Rawson Hill Rd	very unsafe without one	6/10/21
Eric O'Neill	<i>Eric O'Neill</i>	7 Rawson Hill Rd	Emergency sign on high st	6/10/21
Kristin Cutter	<i>Kristin Cutter</i>	17 Rawson Ave.		6/11/21
Dorie...	<i>Dorie...</i>	9 Rawson Hill Ave		6/11/21
MARSHALL...	<i>Marshall...</i>	84 Ipswich Rd Ipswich, MA 197 Vt 01920	1 Nanny in this town and it's dangerous waiting the kids on the st.	6/10/21
Norm...	<i>Norm...</i>			

To: Council President Eigerman and Members of the City Council

From: Daniel Blest of 15 Rawson Avenue, representing neighbors of the hospital

Date: 6/21/21

Re: Safety Review of Rawson Avenue

Dear Council President Eigerman and Members of the City Council.

I am writing to request a safety review of Rawson Avenue. Rawson Avenue is a heavily trafficked one way main artery, connecting High Street and Highland Avenue. Rawson is marked as a Hospital route and serves as an entrance point to the Anna Jacques Emergency Room. In addition, the Merrimack Valley Regional Transit Authority bus accesses the hospital via Rawson Avenue, running an average of 4 buses/hour. Lastly, Rawson Avenue is the only vehicle outlet for residents of Rawson Ave and Rawson Hill Rd (dead end cul-de-sac).

All pedestrian residents on Rawson Avenue and Rawson Hill Rd must use Rawson Avenue if they want to get to the Hospital, High Street, any of the local schools or simply go for a walk in their neighborhood. Given the close proximity of the schools, all children in this neighborhood are considered "walkers" and either walk or ride their bikes to school. This means that in the morning, the street is heavily trafficked by Hospital employees, MVRTA buses, children walking (or riding bicycles to school), and residents walking their dogs.

The geography of Rawson Avenue poses further problems. Rawson Hill Rd connects to Rawson Avenue at the crest of the hill. Drivers cannot see pedestrians at the top of the hill until they clear the crest. Unfortunately, many drivers are exceeding the speed limit, posing a danger for pedestrians at the top of the hill. Emergency vehicles, especially police responding to emergency calls, speed up the street with some regularity. Due to the hospital serving folks from out of town (who are not familiar with the neighborhood), it is very common for people to go the wrong way down Rawson Avenue.

On a street with such heavy traffic it's surprising to find no sidewalks for pedestrians, inadequate signage and lack of crosswalks.

There is an existing sidewalk at the very bottom of Rawson Avenue on the right side (where Rawson Avenue originates at High Street), but abruptly stops and doesn't begin again until Highland Avenue. The stretch of Rawson Avenue without sidewalks is the most heavily traveled and the most dangerous part of Rawson Avenue. This creates a situation where there simply is no way to walk safely on Rawson Avenue. Given the volume of traffic and lack of alternate routes for pedestrians, we feel it is important for the city to conduct this review before a safety incident occurs.

I've included a petition in support of the following:

- Extending of the current sidewalk at the bottom of Rawson Avenue to connect High Street to Highland Avenue
- Adding additional crosswalks, signage and road markings
- Reviewing traffic patterns to determine if a detour is appropriate for heavy traffic

I hope the city takes action, and reviews both short term (low cost) options as well as longer term solutions such as the sidewalk expansion. We feel like it's critical to implement these safety measures as soon as possible, especially before the start of a new school year.

Thank you in advance for your attention to this matter.

Sincerely,



Dan Blest

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