

CITY COUNCIL MEETING AGENDA - VERSION 1

February 9, 2015

7:00 PM

(Sound Check)

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

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

January 29, 2015

(Approve)

8. TRANSFERS

1. School Dept. for school expenses to Lunch Program, \$25,000 (B&F)
2. Youth Services, Substance Abuse Grant to Drug Free Communities Grant, \$15,000 (Approve)

9. COMMUNICATIONS

1. Letter for use of Brown Square June 7, 2015 (PS)
2. Newburyport Public Schools letter re fluoride (PU)

10. APPOINTMENTS – First Reading

RE-APPOINTMENTS

- | | | | |
|-----------------------|--------------------------|----------------------------|------------------|
| 1. Barry J. McBride | 5 Pine Street, Salisbury | Assistant Wiring Inspector | January 31, 2016 |
| 2. Paul M. Bevilacqua | 126 Merrimac St. #3 | Tree Commission | November 1, 2018 |

END OF CONSENT AGENDA

REGULAR AGENDA

11. COMMUNICATIONS

3. Auditor's Mid Year report
4. LATE FILE Mayor's Update

12. APPOINTMENTS Second Reading - None

13. ORDERS

1. TABLED - Discontinuance Harnch's Way - pending ZBA decision
2. Referendum on Plastic Bags for Nov. 3, 2015

14. ORDINANCES

1. Amend ORD 13-136 Stop Intersections Beacon Ave. 2nd Reading - *Pending Publication*
2. Amend ORD 6.5-48 Rev Plastic Bags, Effective Date

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor letter regarding Order for Revolving Fund Expenses *03/17/2014
2. Order Amend Revolving Fund expenses *03/17/2014
3. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014

- | | |
|---|-------------|
| 4. Amend ORD Ch. 2 Section 2-45 City Council Salary | *05/12/2014 |
| 5. Amend ORD Ch. 2 Section 2-61A School Committee Salary | *05/12/2014 |
| 6. Human Resources Dependent Audit | *06/30/2014 |
| 7. Letter from Hope Church regarding Master Box fee | *11/10/2014 |
| 8. Mayor's Office Gen Fd Free Cash \$163,000 to Rail Trail Capital Project Fd | *01/29/2015 |
| 9. OPEB appoint custodian | *01/29/2015 |

General Government

Joint Education

In Committee:

- | | |
|--|-------------|
| 1. Order Home Rule Petition- supplementing education budget (COTW) | *05/12/2014 |
|--|-------------|

License & Permits

In Committee:

- | | |
|--|-------------|
| 1. Movable Sign Application Newburyport Brewing Company | *02/10/2014 |
| 2. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas | *04/28/2014 |
| 3. Letter regarding transient vendor licensing | *06/30/2014 |
| 5. Taxi License Renewal Harold Congdon Port Taxi, Inc. | *01/12/2015 |

Neighborhoods and City Services

In Committee:

- | | |
|---|-------------|
| 1. Amend ORD Part 2 Article III Ch. 3-31 Feeding or baiting of wild birds | *01/12/2015 |
|---|-------------|

Planning & Development

In Committee:

- | | |
|---|-------------|
| 1. Letter from Newburyport Preservation Trust | *03/31/2014 |
| 2. First Refusal to Purchase Lot 8 Low Street | *01/12/2015 |
| 3. Amend ORD Zoning Map Sec. III-C "Back Bay Area Zoning Map Change" | *01/12/2015 |
| 4. Amend Zoning ORD Appendix A Sec. XXIX Smart Growth District (SGOD) | *01/29/2015 |

Public Safety

In Committee:

- | | |
|---|-------------|
| 3. Amend ORD 13-174 State Street Resident Parking | *11/10/2014 |
| 4. Amend ORD 13-174 Parking limited State Street 4 hour | *01/29/2015 |
| 5. Amend ORD 13-168 Parking restricted Norman Avenue | *01/29/2015 |
| 6. Amend ORD 13-168 Parking restricted Murphy Avenue | *01/29/2015 |
| 7. Amend ORD 13-180 Resident Parking | *01/29/2015 |

Public Utilities Committee

In Committee:

- | | |
|--|-------------|
| 1. Water and Sewer Commissions adjustment of sewer bill charges re second meters | *11/24/2014 |
| 2. Home Rule Petition Fluoride in Water | *01/12/2015 |

Rules Committee

16. GOOD OF THE ORDER

17. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES - VERSION 1

January 29, 2015

HEARING 7:30PM Harnch's Way

The Clerk opened the hearing and conducted a roll call. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Heartquist, Herzog, Kinsey, Tontar, Vogel and O'Brien. 10 Present, 1 Absent (Giunta). Council President asked if there were any persons who may wish to speak in favor or against the matter at hand. Hearing none, the President entertained a motion to continue the hearing until the Zoning Board of Appeals has made a decision on the same matter.

7:45PM

Council President O'Brien called the meeting to order at 7:45 pm. A moment of silence was held for Robert Gouldthorpe, retired firefighter and father of current firefighter, Margaret Taranda, whose father served on the school committee for many years and Fuller Field is named after him, and Maura Perkins, former Newburyport resident and member of several local boards. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Heartquist, Herzog, Kinsey, Tontar, Vogel and O'Brien. 10 Present, 1 Absent (Giunta).

1. **LATE FILES** – Communication #4 Letter from Councillor Cronin to USCG and Communication #5 Mayor's Update, Committee items: License & Permits #5, 7, 8 and Planning & Development #2. Council President O'Brien pulled Ordinance #6.

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

2. PUBLIC COMMENT

- | | | |
|----------------------|--------------------|----------------------------|
| 1. Monika Chas | 35 Broad Street | Plastic Bag Ban |
| 2. Kathy Tate Howard | 94 Pleasant Street | Parking Garage Air quality |
| 3. Barry Spiro | 4 Lafayette Street | Fluoride |
| 4. Jennie Donahue | 18 Cherry Street | Handicap Fines |

3. **MAYOR'S COMMENT** – The Mayor gave an update.

4. **HEARTSAFE COMMUNITY DESIGNATION PRESENTATION** - removed from agenda.

5. **CITATION FOR SUSAN BELUK M.D.** – removed from agenda.

CONSENT AGENDA

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6. APPROVAL OF MINUTES

January 12, 2015

(Approved)

7. TRANSFERS

1. Mayor's Office Gen Fd Free Cash \$163,000 to Rail Trail Capital Project Fd (B&F)

8. COMMUNICATIONS

1. Letter from CVS Health re Plastic Bags (PU)

Removed by Councillor Herzog.

2. Second Hand Motor Vehicle License Maguires Auto Repair and Sales (L&P)

Removed by Councillor Heartquist.

3. Election Calendar 2015 (Approved)

9. APPOINTMENTS – First Reading

RE-APPOINTMENTS

- | | | |
|--------------------|-----------------|----------------------|
| 1. David Zinck | 6 Laurel Road | Electrical Inspector |
| 2. Gary Calderwood | 3 Howard Street | Building Inspector |

January 31, 2016

January 15, 2018

Re-appointments 1 & 2 removed collectively by Councillor Cronin.

END OF CONSENT AGENDA

Motion to approve the consent agenda as amended by Councillor Cameron, seconded by Councillor Herzog. So voted.

REGULAR AGENDA

10. COMMUNICATIONS

1. Letter from CVS Health re Plastic Bags

Motion to receive and file by Councillor Herzog, seconded by Councillor Cronin. 9 yes, 1 no (Vogel), 1 absent (Giunta). So voted.

2. Second Hand Motor Vehicle License Maguires Auto Repair and Sales

Motion to approve contingent upon providing the City Clerk with the insurance binder by Councillor Heartquist, seconded by Councillor Herzog. So voted.

4. LATE FILE Letter to US Coast Guard Captain O'Connor

Motion to approve by Councillor Cameron, seconded by Councillor Cronin. So voted.

5. LATE FILE Mayor's Update

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

11. APPOINTMENTS – First Reading

RE-APPOINTMENTS

- | | | |
|--------------------|-----------------|----------------------|
| 1. David Zinck | 6 Laurel Road | Electrical Inspector |
| 2. Gary Calderwood | 3 Howard Street | Building Inspector |

January 31, 2016

January 15, 2018

Motion to waive the rules and approve in one readings collectively by Councillor Cronin, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Giunta). So voted.

12. APPOINTMENTS Second Reading –

APPOINTMENTS

3. Marian Leighton Levy 323 Merrimac St. Fruit Street Local Historic Dist.

Dec. 1, 2017

RE-APPOINTMENTS

4. James D. O'Brien 8 67th Street. Conservation Commission

June 1, 2017

Motion to approve second readings concurrently by Councillor Cameron, seconded by Councillor Herzog. Roll call vote, 10 yes, 1 absent (Giunta). So voted.

13. ORDERS

1. TABLED - Discontinuance Harnch's Way until January 29, 2015 at 7:30 pm

Motion to remove from the Table by Councillor Cameron, seconded by Councillor Cronin. So voted. Motion to Table pending ZBA decision by Councillor Herzog, seconded by Councillor Cameron. So voted.

2. OPEB appoint custodian

Motion to refer to Budget and Finance by Councillor Tontar, seconded by Councillor Cameron. So voted.

3. Accept Mayor Gayden W. Morrill Charitable Foundation Donation \$85,000

Motion to approve by Councillor Cameron, seconded by Councillor Connell. So voted.

14. ORDINANCES

1. 2nd READ Revised Amend Zoning Ordinance Section III-C Back Bay

Motion to approve second reading by Councillor Cronin, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Giunta). So voted.

2. 2nd READ Amend ORD 13-184 Handicapped Parking Regulations
Motion to approve second reading by Councillor Herzog, seconded by Councillor Cronin. Roll call vote, 10 yes, 1 absent (Giunta). So voted.
3. Amend ORD 13-174 Parking limited State Street 4 hour
Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Cronin. So voted.
4. Amend ORD 13-168 Parking restricted Norman Avenue
Motion to refer to Public Safety by Councillor Connell, seconded by Councillor Herzog. So voted.
5. Amend ORD 13-168 Parking restricted Murphy Avenue
Motion to refer to Public Safety by Councillor Connell, seconded by Councillor Herzog. So voted.
6. Amend ORD 6.5-48 Rev Plastic Bags, Effective Date
Removed by Council President O'Brien.
7. Amend ORD 13-180 Resident Parking
Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Cameron. So voted.
8. Amend Zoning ORD Appendix A Sec. XXIX Smart Growth District (SGOD)
Motion to refer to Planning & Development by Councillor Eigerman, seconded by Councillor Herzog. So voted.

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor letter regarding Order for Revolving Fund Expenses *03/17/2014
2. Order Amend Revolving Fund expenses *03/17/2014
3. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
4. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
5. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014
6. Human Resources Dependent Audit *06/30/2014
7. Letter from Hope Church regarding Master Box fee *11/10/2014

General Government

Joint Education

In Committee:

1. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas *04/28/2014
3. Letter regarding transient vendor licensing *06/30/2014
5. Second Hand Motor Vehicle License Renewal GNFD dba Newburyport Sunoco *01/12/2015

Motion to remove items 5, 7 and 8 collectively by Councillor Heartquist, seconded by Councillor Herzog. So voted. Motion to approve items 5, 7 and 8 collectively by Councillor Heartquist seconded by Councillor Herzog. So voted.

6. Taxi License Renewal Harold Congdon Port Taxi, Inc. *01/12/2015
7. Second Hand Motor Vehicle License Renewal LCA Motors *01/12/2015

Motion to remove items 5, 7 and 8 collectively by Councillor Heartquist, seconded by Councillor Herzog. So voted. Motion to approve items 5, 7 and 8 collectively by Councillor Heartquist seconded by Councillor Herzog. So voted.

8. Second Hand Motor Vehicle License Renewal Plum Autoworks, Inc. *01/12/2015

Motion to remove items 5, 7 and 8 collectively by Councillor Heartquist, seconded by Councillor Herzog. So voted. Motion to approve items 5, 7 and 8 collectively by Councillor Heartquist seconded by Councillor Herzog. So voted.

Neighborhoods and City Services

In Committee:

1. Amend ORD Part 2 Article III Ch. 3-31 Feeding or baiting of wild birds *01/12/2015

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. Correspondence Unnamed Way off Spofford Street *01/12/2015

Motion to waive the rules and allow committee item by Councillor Cameron, seconded by Councillor Herzog. So voted. Motion to confirm that the way is in the care, custody and control of the Water Department by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Giunta). So voted.

3. First Refusal to Purchase Lot 8 Low Street *01/12/2015
4. Amend ORD Zoning Map Sec. III-C "Back Bay Area Zoning Map Change" *01/12/2015

Public Safety

In Committee:

1. Amend ORD 13-174 State Street Resident Parking *11/10/2014
2. Amend ORD 13-136 Stop Intersections Beacon Avenue *01/12/2015

Motion to remove by Councillor Cronin, seconded by Councillor Heartquist. So voted. Motion to approve 1st reading and order published by Councillor Cronin, seconded by Councillor Heartquist. Roll call vote, 10 yes, 1 absent (Giunta). So voted.

Public Utilities Committee

In Committee:

1. Water and Sewer Commissions adjustment of sewer bill charges re second meters *11/24/2014
2. Home Rule Petition Fluoride in Water *01/12/2015

Rules Committee

16. GOOD OF THE ORDER

Councillor Herzog thanked the Morrill Foundation for their donation of \$85,000.

Councillor Eigerman commended the DPS efforts on snow removal.

17. ADJOURNMENT

Councillor Cameron moved to adjourn, seconded by Councilor Connell at 8:51 pm. So voted.

TRANSFERS



City of Newburyport
FY 2015
BUDGET TRANSFER REQUEST

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA

FEB -3 P 2:20

Department: School Department

Submitted by: Susan L. Viccaro

Date Submitted: 2/3/2015

Transfer From:

Account Name	School Expenses	YTD Bal:	\$ 14,264,463.13
Account Number:	01300002-53201	Trans In:	\$ -
Amount:	\$25,000.00	Trans Out:	\$ -
Why are Funds Available:	<i>The FY2015 appropriation of \$25,148,813.00 for the Newburyport Public Schools included a \$50,000.00 contingency for the School Lunch Program.</i>		

Transfer To:

Account Name	School Lunch Program	YTD Bal:	\$ 9.86
Account Number:	22-49700	Trans In:	\$ -
Amount:	\$25,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>Contingency funds, budgeted for within the regular school budget, are needed to fund the School Lunch Program. The Finance Committee of the School Committee voted in favor of this transfer at their January 15, 2015 meeting. An additional transfer request may be required prior to year-end.</i>		

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

Donna D. Holaday
Ethan R. Manning

Date:

1/30/2015

Date:

1/30/2015



City of Newburyport
FY 2015
BUDGET TRANSFER REQUEST

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA

FEB -3 P 2:20

Department: Youth Services

Submitted by: Andrea Egmont

Date Submitted: 2/3/2015

Transfer From:

Account Name	Substance Abuse Grant	YTD Bal:	\$	15,000.00
Account Number:	01542007-67841	Trans In:	\$	-
Amount:	\$15,000.00	Trans Out:	\$	-
Why are Funds Available:	<i>This is part of the required 150% match the city is responsible for.</i>			
<i>The city is in year 9 of 10 years. The remainder of the match is done with in-kind funds.</i>				

Transfer To:

Account Name	Drug Free Communities Grant	YTD Bal:	\$	(42,689.66)
Account Number:	2501-49700	Trans In:	\$	-
Amount:	\$15,000.00	Trans Out:	\$	-
Why are Funds Required:	<i>To cover the city's share of costs associated with Year 10 of the DFC Grant</i>			
<i>The grant funds the work of the BEACON coalition including funding to the schools, police, youth organizations and prevention campaigns.</i>				

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

Donna D. Holaday
Ethan R. Manning

Date: 1/30/2015
Date: 1/30/2015

COMMUNICATIONS

Russell & Babette Duttweiler

27 Dayton Street ♦ Lowell, MA 01852 ♦ 978-944-0646 ♦ rbdutt90@hotmail.com

2015 JAN 26 P 1:52

January 19, 2015

President O'Brien
Newburyport City Council
60 Pleasant Street
P.O. Box 550
Newburyport, MA 01950

Dear President O'Brien and Members of the City Council,

I'm writing to you to request the use of the Brown Square area for Sunday, June 7, 2015. Our daughter, Victoria, is getting married on June 7 and having the reception in the Auditorium of Newburyport City Hall. We would like to use the Brown Square area for our guests to play lawn games, such as bocce and croquet, and enjoy light hors d'oeuvres between the ceremony which will take place at Maudsley State Park and the reception. The time for the use of Brown Square will be approximately 5:00-6:00 pm.

I look forward to meeting with you to discuss this further. Thank you for your consideration of our request.

Sincerely,

Babette Duttweiler

Babette Duttweiler



NEWBURYPORT PUBLIC SCHOOLS

70 LOW STREET

NEWBURYPORT, MASSACHUSETTS 01950-4086

Communication #2
February 9, 2015

OFFICE OF THE SUPERINTENDENT

TELEPHONE 978.465.4456

FAX 978.462.3495

Health Services Department of the Newburyport Public Schools Letter to City Council Members supporting Community Water Fluoridation February 3, 2015

The Health Services Department of the Newburyport Schools supports public health, the control of disease, and the promotion of healthy living conditions for Newburyport school children and their families. The following information regarding fluoride's long researched protective factors in controlling dental caries and improving the oral health for school aged children is detailed. Early childhood tooth decay is the most common chronic disease among children (Bell, H, Rozier, HG, Preisser, JS. 2014. Effects of early dental office visits on dental caries experience. *American Journal of Public Health*, 104: 10, 1979-1985). **We support continued community water fluoridation in Newburyport.**

FLUORIDE FACTS

- 1) **Fluoride occurs naturally in water.**
 - a) Fluoride is a naturally occurring element in minerals and water.
 - b) In Newburyport, we add fluoride to our drinking water to reach the recommended level that prevents dental cavities. (CDC. 2013. *Community Water Fluoridation*. <http://www.cdc.gov/fluoridation/faqs/>)
- 2) **Water fluoridation has played a dominant role in the prevention of dental cavities in two ways:**
 - a) Fluoride works topically on tooth surfaces joining the enamel crystals on tooth surfaces, keeping the surfaces strong and solid, strengthening and protecting teeth from decay. (CDC. 2013. *Community Water Fluoridation*. <http://www.cdc.gov/fluoridation/faqs/>; Featherstone, J. 1999. Prevention and the reversal of dental caries. *Community Dentistry and Oral Epidemiology*, 17: 31-40)
 - b) In young children fluoride works systemically by combining with calcium and phosphate of the developing teeth making them more resistant to decay for longer periods than topically applied fluoride (Hellwig, E, Lennon, AM. 2004. Systemic versus topical fluoride. *Caries Research*, 38: 258-26; Singh, KA, Spencer, AJ, Armfield, JM. 2003. Relative effects of pre- and post- eruption water fluoride on caries. *Journal of Public Health Dentistry*, 63: 11-19; Rozier, RG, et. Al. 2010. Evidence-based clinical recommendations on the prescription of dietary fluoride for caries prevention. *Journal of the American Dental Association*, 141: 1480-1489).
- 3) **Fluoride is a proven way to strengthen teeth for people of all ages.**
 - a) Among 4 to 17 year olds water fluoridation reduces dental caries by 30% to 50% of what could be expected for those not consuming fluoridated water (Truman, BI, Goochh, BF, Sulama, I, Gift, HC, et. al. 2002. Reviews of evidence on intervention to prevent dental caries, oral and pharyngeal cancers and sports-related craniofacial injuries. *American Journal of Preventive Medicine*, 23: 21-54)
 - b) Adults who had lived all their lives in a fluoridated community had, on average, 34.7% fewer decayed, missing and filled teeth than those who had lived all their lives in non-fluoridated communities. (Griffin, SO, Regnier E, Griffin PM, Huntley, V. 2007. Effectiveness of fluoride in preventing caries in adults. *Journal of Dental Research*, 86:410-415)
 - c) A Nevada study found that youth living in a community without water fluoridation and not having had dental sealants had a significant higher probability of being in the high decayed, missing, filled teeth group. (Ditmeyer, M, Dounis, G, Mobley, C, Schwarz, E. 2010. A case-controlled study of determinants for high and low dental caries prevalence in Nevada youth. *BMC Oral Health*, 10:24-31)

4) Scientific studies support the benefits of water fluoridation – both past and recent studies.

- a. Epidemiological studies on dental cavities and the benefits of community water fluoridation have been conducted since the 1940s and investigators document the benefits of fluoride in drinking water (McDonagh, et.al. 2000. A systematic review of water fluoridation. *Br Medical Journal*, 321: 855-9; Rozier, RG, et. Al. 2010. Evidence-based clinical recommendations on the prescription of dietary fluoride for caries prevention. *Journal of the American Dental Association*, 141: 1480-1489)
- b. Every surgeon general since 1952 has supported water fluoridation as a means to improve the public's health and decrease dental cavities.
- c. April 25, 2013: U.S. Surgeon General Regina Benjamin, MD, officially endorsed community water fluoridation as "one of the most effective choices communities can make to prevent health problems while actually improving the oral health of their citizens." She noted "Fluoridation's effectiveness in preventing tooth decay is not limited to children, but extends throughout life, resulting in fewer and less severe cavities. In fact, each generation born since the implementation of water fluoridation has enjoyed better dental health than the generation that preceded it."

5) Water fluoridation is safe

- a. Fluoride in the context of community water fluoridation is not neurotoxic. (Broadbent, JM, Thomson, WM, Ramrakha, S., Moffitt, TE, et. al. 2014. Community Water Fluoridation and Intelligence. *American Journal of Public Health*,)
- b. Water fluoridation has no impact, beneficial or deleterious, on the risk of hip fractures. (Suarez-Almazor, ME, Flowerdew, LD, Saunders, LD, Soskoin, CL, Russell, AS. 1993. The fluoridation of drinking water and hip fractures. *American Journal of Public Health*. 83: 689-693)
- c. The National Cancer Institute has reviewed studies over the past 25 years and concludes that none of the data demonstrate an association between fluoridated drinking water and cancer. (National Cancer Institute, 2011, Fluoridated Water. <http://www.cancer.gov/cancertopics/factsheet/Risk/fluoridated-water>)
- d. The City of Newburyport Public Works Department adheres to Massachusetts Regulation: 310 CMR 22.04(8)
No supplier of water shall add, install or use any chemicals, drinking water additives or treatment devices or equipment that come into direct contact with drinking water unless such devices or equipment have received the prior written approval of the Department.....and conforms to the applicable American National Standards Institute/National Sanitation Foundation (ANSI/NSF) Standard 60 or 61 ...was approved by the Environmental Protection Agency (EPA) prior to April 1990 and conforms to the Standards of the American Water Works Association (AWWA).

6) What is Fluorosis?

- a. Dental fluorosis is caused by a disruption in enamel formation which occurs during tooth development in early childhood related to higher than optimal intake of fluoride (American Dental Association, 2005)
- b. The type of fluorosis seen in the US today is largely the very mild and mild categories which has no effect on tooth function and may make tooth enamel more resistant to decay (American Dental Association, 2005; USDHHS, 1/13/2011; Lewis, C. 2014. Fluoride and Dental Caries Prevention in Children. *Pediatrics in Review*, 35:3-15)
- c. More severe dental fluorosis is unusual in the US. (Lewis, C. 2014. Fluoride and Dental Caries Prevention in Children. *Pediatrics in Review*, 35:3-15)

7) Water Fluoridation saves the community money.

- a. Medicare expenses for dental care are reduced. A New York study shows that approximately \$24 per person, per year was saved in Medicaid expenditures because of the cavities that were prevented by drinking fluoridated water. (Kumar, JV, Adekunle, O, Melnik, TA. 2010. Geographic Variation In Medicaid Claims for Dental Procedures in NY State: Role of Fluoridation Under Contemporary Conditions, *Public Health reports*, 125: 647-654)

- b. Alternatives to water fluoridation are costly fluoride varnishes or gels. In Massachusetts, 25% of residents had no dental insurance coverage, while the accessibility of dentists participating in MassHealth remains low and cannot meet the needs of eligible children. (Massachusetts Department of Public Health, Office of Oral Health. *The Status of Oral Disease in Massachusetts: A Great Unmet Need 2009*. Boston, Massachusetts Department of Public Health, 2009)
- c. Note: The City of Newburyport does NOT fund any school fluoride varnish, gel or wash programs.

8) Water fluoridation is good for the citizens of Newburyport

- a. It decreases the gap in tooth decay rates between upper and lower income people and is an effective method of reducing the socio-economic-status disparity in the burden of dental cavities. (Burt, BA. 2002. Fluoridation and Social Equity. *Journal of Public Health Dentistry*, 62; 195-200)
- b. Leading health and medical organizations agree that fluoridated water is safe and effective. (See attached letter from Harvard and Table)
- c. Community water fluoridation is considered among the 10 greatest US public health achievements of the 20th century. (CDC. 1999. *Achievements in Public Health, 1900-1999: Fluoridation of Drinking Water to Prevent Dental Caries*. <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm4841a1.htm>)
- d. *Healthy People 2020* supports community water fluoridation as the most effective way to deliver the benefits of fluoride to a community. Studies show that it prevents tooth decay by 18 to 40 percent <http://www.healthypeople.gov/2020/topics-objectives/topic/oral-health?topicid=32>

9) Water fluoridation will keep children in the classroom

- a. Newburyport Public Schools will not have to fund oral health screening programs which will reduce time on learning
- b. Newburyport Public Schools will not have to provide fluoride varnish, gel or wash programs which would impact time on learning

Health Services Department of the Newburyport Public Schools
Lars Lundgren, MD School Physician and Pediatrician
Cathy J Riccio, RN MS MSN, Director





March 22, 2013

Dr. Myron Allukian, Jr.

Immediate Past President, American Association for Community Dental Programs

Associate Clinical Professor, Harvard School of Dental Medicine

Via email: myalluk@aol.com

Dear Dr. Allukian:

As Deans of Harvard Medical School, Harvard School of Dental Medicine and the Harvard School of Public Health, we continue to support community water fluoridation as an effective and safe public health measure for people of all ages.

Numerous reputable studies over the years have consistently demonstrated that community water fluoridation is safe, effective, and practical. Fluoridation has made an enormous impact on improving the oral health of the American people.

Our country is fortunate to have over 204 million Americans living in fluoridated communities and having access to the health and economic benefits of this vital public health measure.

Sincerely,

Jeffrey S. Flier, MD

Dean of the Faculty of Medicine

Caroline Shields Walker Professor of Medicine

Harvard Medical School

R. Bruce Donoff, DMD, MD

Dean and Walter C. Guralnick Distinguished Professor of Oral and Maxillofacial Surgery

Harvard School of Dental Medicine

Julio Frenk, MD, MPH, PhD

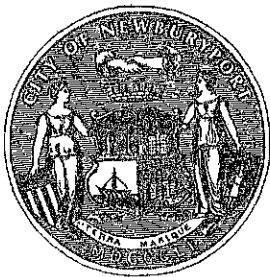
Dean of the Faculty, Harvard School of Public Health

T & G Angelopoulos Professor of Public Health and International Development,

Harvard School of Public Health and Harvard Kennedy School

**APPOINTMENTS
FIRST READING**

Re-Appointment #1
February 9, 2015



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

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

RECEIVED
CITY OF NEWBURYPORT
JAN 29 P 12:46

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

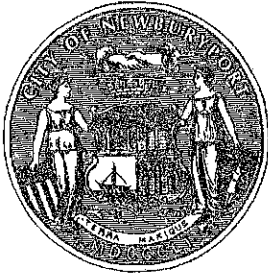
Date: January 29, 2015

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following
named individual as Assistant Wiring Inspector. This term
will expire on January 31, 2016.

Barry J. McBride
5 Pine Street
Salisbury, MA 01952

Re-Appointment #2
February 9, 2015



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. Box 550

NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

JAN 29 P 2:33

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: January 29, 2015
Re: Re-Appointment

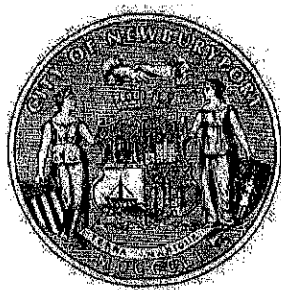
I hereby re-appoint, subject to your approval, the following
named individual as a member of the Tree Commission.
This term shall expire on November 1, 2018.

Paul M. Bevilacqua
126 Merrimac Street Unit #3
Newburyport, MA 01950

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

COMMUNICATIONS



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

DONNA D. HOLADAY
MAYOR

ETHAN R. MANNING
FINANCE DIRECTOR/CITY AUDITOR

To: Mayor Donna D. Holaday
President and Members of the Newburyport City Council

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

Date: February 3, 2015

Subject: FY 2015 Mid-Year Budget Report

Attached is the FY 2015 Mid-Year Budget Report that includes a summary of budget expenditures for the period of July 1, 2014 through December 31, 2014. The report covers expenditures within the General Fund and the Water, Sewer, and Harbormaster Enterprise Funds. Also included below is an update on the City's reserve positions.

FY 2015 marked the third year of implementation of the new budget format that requires the Mayor and City Council to present and approve the budget in categories. These categories are: Personnel Services, Purchase of Services, Supplies, Other Charges and Expenses, Capital Outlay and Debt Service. This format is recommended by the Massachusetts Department of Revenue and is in accordance with the best practices recognized by the Government Finance Officers Association (GFOA).

Once the annual budget is approved by the City Council, spending, in each category, cannot exceed the total appropriation for that category unless additional funding is provided through a budget transfer or supplemental budget appropriation. This format has proven to be an effective tool that has helped to reduce the need for the City Council to approve routine budget transfers. This format also allows City managers greater flexibility in managing their budgets.

Mid-year budget expenditures within the General Fund, and the Water, Sewer, and Harbormaster Enterprise Funds, were all on target. General Fund expenditures were 47.0% of appropriations, Water 59.2% of appropriations, Sewer 51.4% of appropriations, and Harbormaster 41.9% of budget appropriations. Typically, expenditure levels are not exactly 50% at mid-year as major expenditures occur during various times of the year. At mid-year, General Fund expenditures were slightly below the 50% mark primarily due to school expenses, which are typically higher in the second half of the fiscal year given the academic calendar.

While most department/cost centers show expenses below or near 50% of appropriations, those that were higher than 55% included:

- **General Administration (65.5%)**: Contingency funds were used to fulfill increases as a result of a collective bargaining agreement with the firefighters' union signed in the fall.
- **Information Technology (69.9%)**: Licenses, including the license for the City's MUNIS financial software, are paid in July, resulting in higher expenditures in the first half.
- **Board of Registrars (81.7%)**: Due to increased election work resulting from the recount and debt exclusion vote for athletic fields.
- **Planning Board (58.3%), Zoning Board (100.0%)**: Funding for minute takers is drawn first from the General Fund budget and then from the revolving fund.
- **Whittier Vocational Technical School (85.0%)**: The majority of the assessment payments are made during the first half of the fiscal year.
- **Youth Services (56.9%)**: This department is partially funded by grants. A transfer for Youth Services should be anticipated by year-end.
- **Veterans' Department (55.5%)**: Costs were slightly higher in the first half due to the payment of veterans' benefits.
- **Parks Department (64.4%)**: The majority of the Parks budget is utilized during the summer months, resulting in higher expenditures in July, August and September.
- **Excluded Debt Service (66.1%), Ordinary Debt Service (73.5%)**: Annual debt service payments typically include two interest payments and one principal payment. The principal payment is typically due in July or October, resulting in higher expenditures during the first half of the fiscal year.
- **Retirement Board (100.0%)**: The City's appropriation to the Newburyport Retirement System was paid on July 1st, resulting in a cost savings of approximately \$80,000.
- **Water Enterprise Fund (59.2%)**: Due to fall water main replacement projects, as well as, debt service payments made during the first half of the fiscal year.

Additional funding may be required in some accounts, such as snow and ice and overtime, due to the unpredictability of those line items. In accordance with State law, the City is allowed to exceed the budget appropriation for snow and ice removal as it is a matter of public safety. However, any deficit must be removed prior to year-end through the use of reserves or other available funds. If the deficit is not removed prior to year-end, then the shortage must be made-up in the next fiscal year's tax rate. Although the Snow and Ice account was not heavily utilized during the first half of the fiscal year, extreme weather conditions in January and February have largely depleted the \$180,000 appropriation. In past years, Free Cash has been the source of funding to cover Snow and Ice deficits, which have run as high as \$200,000.

RESERVE BALANCES

Newburyport's Free Cash for the current year was certified at \$2,373,046, and the current Stabilization Fund balance is \$2,633,708. Collectively, Free Cash and Stabilization Fund balances are at 9.3% of General Fund Expenditures, which is viewed favorably by the bond

rating agencies and has been a major factor in maintaining the City's AA+ credit rating from Standard and Poor's. Additionally, FY 2015 was the third year in a row that the Mayor's Proposed Budget did not require funding from either the Stabilization Fund or Free Cash to balance the proposed City budget.

As of December 31, 2014, \$332,237 has been used from Free Cash leaving an available balance of \$2,040,809. The appropriated amount of \$332,237 was returned to property owners in the form of a reduced tax rate of \$13.34 per \$1,000 of assessed value. In past years, Free Cash has also been used to cover potential snow and ice deficits. Given the current snow and ice deficit, a portion of Free Cash should be reserved for that purpose in FY 2015.

In addition, it is advisable to reserve a portion of Free Cash going into the next year's certification in order to provide additional assurance that the City will remain in a positive Free Cash position at year-end. A year-end *minimum* Free Cash balance of \$500,000 is targeted in accordance with the City's Financial Policies.

Although there is a high likelihood that Free Cash will again be available in FY 2016 due to conservative revenue estimates and effective budget controls, it should be kept in mind that Free Cash is not a guaranteed recurring funding source and expenditures from this account should be used primarily for non-recurring expenses.

The Stabilization Fund, an invested account commonly referred to as the "Rainy Day Fund," has remained stable in recent years. The City's Financial Policies state that the Stabilization Fund balance should equal at least 5% of General Fund revenues. The current balance is just below that target and, as such, a transfer may be recommended by year-end to bring this balance back to 5%.

In addition to Free Cash and the Stabilization Fund, the City has taken an important step by establishing a Trust Fund for Other-Post Employment Benefits (OPEB). The balance in the OPEB Trust Fund was \$25,000 on December 31, 2014 and there is currently a recommended transfer to increase the balance by \$549,772. It is the City's goal to invest these funds through the state's Pension Reserve Investment Trust (PRIT), which is among the best performing state pension funds in the nation, with an average annual return of +9.6% since its inception in 1985.

Please feel free to contact me if you have any questions.

Respectfully submitted,



Ethan R. Manning
Finance Director/Auditor



City of Newburyport
FY 2015 Mid-Year Budget Report
 July 1, 2014 to December 31, 2014

Expenditures by Department

	ORIGINAL APPROP	TRANFRS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	AVAILABLE BUDGET	% USED
111 CITY COUNCIL	69,680	0	69,680	37,056	32,624	53.20
121 MAYOR'S DEPARTMENT	278,181	0	278,181	135,271	142,911	48.60
129 GENERAL ADMINISTRATION	453,666	(107,724)	345,942	226,586	119,356	65.50
135 AUDITOR'S DEPARTMENT	305,503	0	305,503	126,944	178,559	41.60
141 ASSESSORS DEPARTMENT	225,479	0	225,479	120,291	105,188	53.30
145 TREASURER'S DEPARTMENT	497,916	0	497,916	238,200	259,716	47.80
151 INFO TECHNOLOGY DEPT	261,527	17,857	279,384	195,250	84,134	69.90
152 HUMAN RESOURCES	194,735	3,608	198,343	92,646	105,697	46.70
161 CITY CLERK'S DEPARTMENT	223,986	0	223,986	110,522	113,464	49.30
163 BOARD OF REGISTRARS	40,040	0	40,040	32,713	7,327	81.70
165 LICENSE COMMISSION	6,840	0	6,840	3,293	3,547	48.20
171 CONSERVATION COMMISSION	1,800	0	1,800	750	1,050	41.70
175 PLANNING BOARD	1,800	0	1,800	1,050	750	58.30
176 ZONING BOARD	1,800	0	1,800	1,800	0	100.00
182 PLANNING & DEVELOPMENT	291,333	0	291,333	137,906	153,427	47.30
191 LEGAL DEPARTMENT	70,000	0	70,000	34,841	35,159	49.80
210 POLICE DEPARTMENT	3,385,795	5,877	3,391,672	1,622,094	1,769,578	47.80
220 FIRE DEPARTMENT	3,359,635	126,729	3,486,364	1,760,086	1,726,278	50.50
241 BUILDING DEPARTMENT	168,231	0	168,231	86,029	82,202	51.10
291 EMERGENCY MANAGEMENT	27,250	0	27,250	5,712	21,538	21.00
292 ANIMAL CONTROL	61,978	0	61,978	19,891	42,087	32.10
293 PARKING CLERK DEPARTMENT	43,486	0	43,486	22,043	21,443	50.70
300 SCHOOL DEPARTMENT	25,148,813	0	25,148,813	8,980,868	16,167,945	35.70
399 WHITTIER VO TECH SCHOOL	336,873	0	336,873	286,342	50,531	85.00
421 PUBLIC SERVICES DEPARTMENT	2,232,884	150,000	2,382,884	930,985	1,451,899	39.10
423 SNOW & ICE	180,000	0	180,000	62,904	117,096	34.90
510 HEALTH DEPARTMENT	178,948	0	178,948	81,235	97,713	45.40
519 SUSTAINABILITY	1,190,518	17,500	1,208,018	506,833	701,185	42.00
541 COUNCIL ON AGING	266,411	0	266,411	126,901	139,510	47.60
542 YOUTH SERVICES	244,611	0	244,611	139,294	105,318	56.90
543 VETERANS' DEPARTMENT	258,580	0	258,580	143,494	115,086	55.50
610 LIBRARY DEPARTMENT	1,293,998	0	1,293,998	685,461	608,538	53.00
630 PARKS COMMISSION	167,866	0	167,866	108,164	59,702	64.40
691 HISTORICAL COMMISSION	1,800	0	1,800	750	1,050	41.70
710 DEBT EXCLUSION	2,520,695	0	2,520,695	1,665,246	855,448	66.10
720 ORDINARY DEBT SERVICE	855,202	0	855,202	628,424	226,778	73.50
911 RETIREMENT BOARD	3,428,009	0	3,428,009	3,427,470	539	100.00
914 INSURANCE GROUP	7,990,396	0	7,990,396	3,766,300	4,224,096	47.10
921 COMMISSION ON DISABILITY	5,927	0	5,927	1,320	4,607	22.30
942 STABILIZATION OUTLAY	5,000	0	5,000	0	5,000	0.00
TOTAL GENERAL FUND	56,277,195	213,847	56,491,042	26,552,965	29,938,077	47.00
060 WATER FUND	4,887,817	0	4,887,817	2,891,520	1,996,297	59.20
061 SEWER FUND	6,247,877	0	6,247,877	3,211,325	3,036,552	51.40
6520 HARBORMASTER	357,684	0	357,684	149,794	207,890	41.90
TOTAL GENERAL & ENTERPRISE FUNDS	67,770,572	213,847	67,984,419	32,805,604	35,178,814	48.30

Expenditures by Budget Category

	ORIGINAL APPROP	TRANSFRS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	AVAILABLE BUDGET	% USED
111 CITY COUNCIL						
001 PERSONNEL SERVICES	60,680	0	60,680	30,340	30,340	50.00
002 PURCHASE OF SERVICES	9,000	0	9,000	6,716	2,284	74.60 *
TOTAL CITY COUNCIL	69,680	0	69,680	37,056	32,624	53.20
121 MAYOR'S DEPARTMENT						
001 PERSONNEL SERVICES	224,181	0	224,181	111,348	112,833	49.70
002 PURCHASE OF SERVICES	39,000	0	39,000	16,500	22,500	42.30
007 OTHER CHARGES & EXPENSES	15,000	0	15,000	7,423	7,577	49.50
TOTAL MAYOR'S DEPARTMENT	278,181	0	278,181	135,271	142,911	48.60
129 GENERAL ADMINISTRATION						
001 PERSONNEL SERVICES	13,500	0	13,500	5,675	7,825	42.00
002 PURCHASE OF SERVICES	152,700	15,000	167,700	60,417	107,283	36.00
004 SUPPLIES	6,000	0	6,000	3,299	2,701	55.00
007 OTHER CHARGES & EXPENSES	281,466	(122,724)	158,742	157,195	1,547	99.00 *
TOTAL GENERAL ADMINISTRATION	453,666	(107,724)	345,942	226,586	119,356	65.50
135 AUDITOR'S DEPARTMENT						
001 PERSONNEL SERVICES	257,273	0	257,273	123,258	134,015	47.90
002 PURCHASE OF SERVICES	46,500	0	46,500	2,292	44,208	4.90
004 SUPPLIES	1,500	0	1,500	1,169	331	78.00 *
007 OTHER CHARGES & EXPENSES	230	0	230	225	5	97.80 *
TOTAL AUDITOR'S DEPARTMENT	305,503	0	305,503	126,944	178,559	41.60
141 ASSESSORS DEPARTMENT						
001 PERSONNEL SERVICES	200,679	0	200,679	102,260	98,419	51.00
002 PURCHASE OF SERVICES	20,600	0	20,600	15,834	4,766	76.90 *
004 SUPPLIES	4,200	0	4,200	2,197	2,003	52.30
TOTAL ASSESSORS DEPARTMENT	225,479	0	225,479	120,291	105,188	53.30
145 TREASURER'S DEPARTMENT						
001 PERSONNEL SERVICES	281,216	0	281,216	139,668	141,548	49.70
002 PURCHASE OF SERVICES	54,500	0	54,500	17,801	36,699	32.70
004 SUPPLIES	4,350	0	4,350	1,282	3,068	29.50
007 OTHER CHARGES & EXPENSES	157,850	0	157,850	79,447	78,403	50.30
TOTAL TREASURER'S DEPARTMENT	497,916	0	497,916	238,200	259,716	47.80
151 INFO TECHNOLOGY DEPT						
001 PERSONNEL SERVICES	77,794	0	77,794	41,574	36,220	53.40
002 PURCHASE OF SERVICES	182,133	17,857	199,990	153,098	46,892	76.60 *
004 SUPPLIES	1,600	0	1,600	578	1,022	36.10
TOTAL INFO TECHNOLOGY DEPT	261,527	17,857	279,384	195,250	84,134	69.90
152 HUMAN RESOURCES						
001 PERSONNEL SERVICES	73,498	3,608	77,106	14,978	62,128	19.40
002 PURCHASE OF SERVICES	110,637	0	110,637	77,371	33,267	69.90 *
004 SUPPLIES	10,000	0	10,000	297	9,703	3.00
007 OTHER CHARGES & EXPENSES	600	0	600	0	600	0.00
TOTAL HUMAN RESOURCES	194,735	3,608	198,343	92,646	105,697	46.70

* Denotes budget categories > 55% spent

	ORIGINAL APPROP	TRANFRS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	AVAILABLE BUDGET	% USED
161 CITY CLERK'S DEPARTMENT						
001 PERSONNEL SERVICES	211,886	0	211,886	102,245	109,642	48.30
002 PURCHASE OF SERVICES	12,100	0	12,100	8,278	3,822	68.40 *
TOTAL CITY CLERK'S DEPARTMENT	223,986	0	223,986	110,522	113,464	49.30
163 BOARD OF REGISTRARS						
001 PERSONNEL SERVICES	4,040	0	4,040	2,025	2,015	50.10
007 OTHER CHARGES & EXPENSES	36,000	0	36,000	30,688	5,312	85.20 *
TOTAL BOARD OF REGISTRARS	40,040	0	40,040	32,713	7,327	81.70
165 LICENSE COMMISSION						
001 PERSONNEL SERVICES	5,340	0	5,340	2,670	2,670	50.00
007 OTHER CHARGES & EXPENSES	1,500	0	1,500	623	877	41.60
TOTAL LICENSE COMMISSION	6,840	0	6,840	3,293	3,547	48.20
171 CONSERVATION COMMISSION						
001 PERSONNEL SERVICES	1,800	0	1,800	750	1,050	41.70
TOTAL CONSERVATION COMMISSION	1,800	0	1,800	750	1,050	41.70
175 PLANNING BOARD						
001 PERSONNEL SERVICES	1,800	0	1,800	1,050	750	58.30 *
TOTAL PLANNING BOARD	1,800	0	1,800	1,050	750	58.30
176 ZONING BOARD						
001 PERSONNEL SERVICES	1,800	0	1,800	1,800	0	100.00 *
TOTAL ZONING BOARD	1,800	0	1,800	1,800	0	100.00
182 PLANNING & DEVELOPMENT						
001 PERSONNEL SERVICES	275,283	0	275,283	135,485	139,798	49.20
002 PURCHASE OF SERVICES	10,000	0	10,000	0	10,000	0.00
004 SUPPLIES	6,050	0	6,050	2,422	3,628	40.00
TOTAL PLANNING & DEVELOPMENT	291,333	0	291,333	137,906	153,427	47.30
191 LEGAL DEPARTMENT						
002 PURCHASE OF SERVICES	70,000	0	70,000	34,841	35,159	49.80
TOTAL LEGAL DEPARTMENT	70,000	0	70,000	34,841	35,159	49.80
210 POLICE DEPARTMENT						
001 PERSONNEL SERVICES	3,035,881	5,877	3,041,758	1,471,144	1,570,613	48.40
002 PURCHASE OF SERVICES	178,866	0	178,866	81,230	97,636	45.40
004 SUPPLIES	110,600	0	110,600	30,025	80,575	27.10
007 OTHER CHARGES & EXPENSES	9,448	0	9,448	7,269	2,179	76.90 *
008 CAPITAL OUTLAY	51,000	0	51,000	32,425	18,575	63.60 *
TOTAL POLICE DEPARTMENT	3,385,795	5,877	3,391,672	1,622,094	1,769,578	47.80
220 FIRE DEPARTMENT						
001 PERSONNEL SERVICES	2,968,035	126,729	3,094,764	1,648,633	1,446,131	53.30
002 PURCHASE OF SERVICES	309,750	0	309,750	90,264	219,486	29.10
004 SUPPLIES	76,400	0	76,400	18,785	57,615	24.60
007 OTHER CHARGES & EXPENSES	5,450	0	5,450	2,404	3,046	44.10
TOTAL FIRE DEPARTMENT	3,359,635	126,729	3,486,364	1,760,086	1,726,278	50.50

	ORIGINAL APPROP	TRANSFRS/ ADJSTMNTS	REVISED BUDGET	YTD EXPENDED	AVAILABLE BUDGET	% USED
241 BUILDING DEPARTMENT						
001 PERSONNEL SERVICES	167,156	0	167,156	85,200	81,956	51.00
002 PURCHASE OF SERVICES	1,075	0	1,075	829	246	77.10 *
TOTAL BUILDING DEPARTMENT	168,231	0	168,231	86,029	82,202	51.10
291 EMERGENCY MANAGEMENT						
001 PERSONNEL SERVICES	13,000	0	13,000	3,351	9,649	25.80
002 PURCHASE OF SERVICES	10,000	0	10,000	2,113	7,887	21.10
004 SUPPLIES	2,250	0	2,250	249	2,001	11.10
007 OTHER CHARGES & EXPENSES	2,000	0	2,000	0	2,000	0.00
TOTAL EMERGENCY MANAGEMENT	27,250	0	27,250	5,712	21,538	21.00
292 ANIMAL CONTROL						
001 PERSONNEL SERVICES	49,548	0	49,548	18,782	30,766	37.90
002 PURCHASE OF SERVICES	9,840	0	9,840	743	9,097	7.60
004 SUPPLIES	2,290	0	2,290	365	1,925	15.90
007 OTHER CHARGES & EXPENSES	300	0	300	0	300	0.00
TOTAL ANIMAL CONTROL	61,978	0	61,978	19,891	42,087	32.10
293 PARKING CLERK DEPARTMENT						
001 PERSONNEL SERVICES	43,486	0	43,486	22,043	21,443	50.70
TOTAL PARKING CLERK DEPARTMENT	43,486	0	43,486	22,043	21,443	50.70
300 SCHOOL DEPARTMENT						
002 PURCHASE OF SERVICES	25,148,813	0	25,148,813	8,980,868	16,167,945	35.70
TOTAL SCHOOL DEPARTMENT	25,148,813	0	25,148,813	8,980,868	16,167,945	35.70
399 WHITTIER VO TECH SCHOOL						
002 PURCHASE OF SERVICES	336,873	0	336,873	286,342	50,531	85.00 *
TOTAL WHITTIER VO TECH SCHOOL	336,873	0	336,873	286,342	50,531	85.00
421 PUBLIC SERVICES DEPARTMENT						
001 PERSONNEL SERVICES	1,379,442	0	1,379,442	609,216	770,227	44.20
002 PURCHASE OF SERVICES	385,567	0	385,567	191,995	193,572	49.80
004 SUPPLIES	222,875	150,000	372,875	89,228	283,647	23.90
008 CAPITAL OUTLAY	245,000	0	245,000	40,546	204,454	16.50
TOTAL PUBLIC SERVICES DEPARTMENT	2,232,884	150,000	2,382,884	930,985	1,451,899	39.10
423 SNOW & ICE						
001 PERSONNEL SERVICES	90,000	0	90,000	8,254	81,746	9.20
002 PURCHASE OF SERVICES	90,000	0	90,000	54,649	35,351	60.70 *
TOTAL SNOW & ICE	180,000	0	180,000	62,904	117,096	34.90
510 HEALTH DEPARTMENT						
001 PERSONNEL SERVICES	167,703	0	167,703	77,851	89,852	46.40
002 PURCHASE OF SERVICES	4,245	0	4,245	1,029	3,216	24.30
004 SUPPLIES	5,000	0	5,000	1,847	3,153	36.90
007 OTHER CHARGES & EXPENSES	2,000	0	2,000	508	1,492	25.40
TOTAL HEALTH DEPARTMENT	178,948	0	178,948	81,235	97,713	45.40

	ORIGINAL APPROP	TRANFRS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	AVAILABLE BUDGET	% USED
519 SUSTAINABILITY						
001 PERSONNEL SERVICES	73,119	0	73,119	48,868	24,251	66.80 *
002 PURCHASE OF SERVICES	1,116,399	17,500	1,133,899	457,454	676,445	40.30
004 SUPPLIES	1,000	0	1,000	511	489	51.10
TOTAL SUSTAINABILITY	1,190,518	17,500	1,208,018	506,833	701,185	42.00
541 COUNCIL ON AGING						
001 PERSONNEL SERVICES	221,311	0	221,311	99,665	121,646	45.00
002 PURCHASE OF SERVICES	32,100	0	32,100	23,201	8,900	72.30 *
004 SUPPLIES	13,000	0	13,000	4,036	8,964	31.00
TOTAL COUNCIL ON AGING	266,411	0	266,411	126,901	139,510	47.60
542 YOUTH SERVICES						
001 PERSONNEL SERVICES	150,893	0	150,893	74,920	75,973	49.70
002 PURCHASE OF SERVICES	19,300	0	19,300	18,993	308	98.40 *
007 OTHER CHARGES & EXPENSES	74,418	0	74,418	45,381	29,037	61.00 *
TOTAL YOUTH SERVICES	244,611	0	244,611	139,294	105,318	56.90
543 VETERANS' DEPARTMENT						
001 PERSONNEL SERVICES	74,500	0	74,500	38,350	36,150	51.50
002 PURCHASE OF SERVICES	5,180	0	5,180	2,601	2,579	50.20
007 OTHER CHARGES & EXPENSES	178,900	0	178,900	102,542	76,358	57.30 *
TOTAL VETERANS' DEPARTMENT	258,580	0	258,580	143,494	115,086	55.50
610 LIBRARY DEPARTMENT						
001 PERSONNEL SERVICES	966,201	0	966,201	453,998	512,204	47.00
002 PURCHASE OF SERVICES	327,797	0	327,797	231,463	96,334	70.60 *
TOTAL LIBRARY DEPARTMENT	1,293,998	0	1,293,998	685,461	608,538	53.00
630 PARKS COMMISSION						
001 PERSONNEL SERVICES	64,000	0	64,000	32,250	31,750	50.40
002 PURCHASE OF SERVICES	98,866	0	98,866	73,357	25,509	74.20 *
004 SUPPLIES	5,000	0	5,000	2,557	2,443	51.10
TOTAL PARKS COMMISSION	167,866	0	167,866	108,164	59,702	64.40
691 HISTORICAL COMMISSION						
001 PERSONNEL SERVICES	1,800	0	1,800	750	1,050	41.70
TOTAL HISTORICAL COMMISSION	1,800	0	1,800	750	1,050	41.70
710 DEBT EXCLUSION						
009 DEBT SERVICE	2,520,695	0	2,520,695	1,665,246	855,448	66.10 *
TOTAL DEBT EXCLUSION	2,520,695	0	2,520,695	1,665,246	855,448	66.10
720 ORDINARY DEBT SERVICE						
009 DEBT SERVICE	855,202	0	855,202	628,424	226,778	73.50 *
TOTAL ORDINARY DEBT SERVICE	855,202	0	855,202	628,424	226,778	73.50
911 RETIREMENT BOARD						
001 PERSONNEL SERVICES	3,428,009	0	3,428,009	3,427,470	539	100.00 *
TOTAL RETIREMENT BOARD	3,428,009	0	3,428,009	3,427,470	539	100.00

	ORIGINAL APPROP	TRANFRS/ ADJSMTS	REVISED BUDGET	YTD EXPENDED	AVAILABLE BUDGET	% USED
914 INSURANCE GROUP						
001 PERSONNEL SERVICES	7,990,396	0	7,990,396	3,766,300	4,224,096	47.10
TOTAL INSURANCE GROUP	7,990,396	0	7,990,396	3,766,300	4,224,096	47.10
921 COMMISSION ON DISABILITY						
001 PERSONNEL SERVICES	2,640	0	2,640	1,320	1,320	50.00
004 SUPPLIES	3,287	0	3,287	0	3,287	0.00
TOTAL COMMISSION ON DISABILITY	5,927	0	5,927	1,320	4,607	22.30
942 STABILIZATION OUTLAY						
007 OTHER CHARGES & EXPENSES	5,000	0	5,000	0	5,000	0.00
TOTAL STABILIZATION OUTLAY	5,000	0	5,000	0	5,000	0.00
TOTAL GENERAL FUND	56,277,195	213,847	56,491,042	26,552,965	29,938,077	47.00
060 WATER ENTERPRISE FUND						
001 PERSONNEL SERVICES	1,942,554	0	1,942,554	1,042,043	900,511	53.60
002 PURCHASE OF SERVICES	807,972	0	807,972	320,752	487,220	39.70
004 SUPPLIES	227,785	0	227,785	66,622	161,162	29.20
007 OTHER CHARGES & EXPENSES	81,858	0	81,858	54,723	27,134	66.90 *
008 CAPITAL OUTLAY	155,000	0	155,000	122,288	32,712	78.90 *
009 DEBT SERVICE	1,672,649	0	1,672,649	1,285,092	387,557	76.80 *
TOTAL WATER FUND	4,887,817	0	4,887,817	2,891,520	1,996,297	59.20
061 SEWER ENTERPRISE FUND						
001 PERSONNEL SERVICES	1,991,411	0	1,991,411	1,043,842	947,568	52.40
002 PURCHASE OF SERVICES	1,332,913	0	1,332,913	400,679	932,234	30.10
004 SUPPLIES	351,790	0	351,790	55,401	296,388	15.70
007 OTHER CHARGES & EXPENSES	29,265	0	29,265	28,121	1,144	96.10 *
008 CAPITAL OUTLAY	271,000	0	271,000	40,660	230,340	15.00
009 DEBT SERVICE	2,271,498	0	2,271,498	1,642,621	628,877	72.30 *
TOTAL SEWER FUND	6,247,877	0	6,247,877	3,211,325	3,036,552	51.40
6520 HARBORMASTER ENTERPRISE FUND						
001 PERSONNEL SERVICES	236,659	0	236,659	129,649	107,010	54.80
002 PURCHASE OF SERVICES	40,750	0	40,750	10,082	30,668	24.70
004 SUPPLIES	18,200	0	18,200	6,547	11,653	36.00
007 OTHER CHARGES & EXPENSES	6,075	0	6,075	3,255	2,820	53.60
008 CAPITAL OUTLAY	30,000	0	30,000	261	29,739	0.90
009 DEBT SERVICE	26,000	0	26,000	0	26,000	0.00
TOTAL HARBORMASTER FUND	357,684	0	357,684	149,794	207,890	41.90
TOTAL GENERAL & ENTERPRISE FUNDS	67,770,572	213,847	67,984,419	32,805,604	35,178,814	48.30

**APPOINTMENTS
SECOND READING**

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 12, 2015

ORDERED:

THAT WHEREAS, Barker Street was accepted as a public way by order of the City Council dated January 29, 1996 but was not constructed to its full length on the ground; and

WHEREAS, the public interest and convenience requires that the portion of Barker Street which is unconstructed and encroaching between 0 Harbor Street and 245 Northern Boulevard be discontinued;

NOW, THEREFORE, the City Council of the City of Newburyport, pursuant to General Laws Chapter 82, Sections 21 and 32A hereby specifically abandons and discontinues permanently the portion of the public way known as Barker Street, as shown on the plan entitled "Plan of Land in Newburyport Showing a Re-Division of Land at 245 Northern Blvd.," dated August 15, 2014, prepared by Millennium Engineering, Inc., as shown on the plan as "ROW 10" and noted "This Portion to be Discontinued," as shown on the plan, and discontinues as part of said public way all land lying within the above described boundaries of said Barker Street as specified as being discontinued on said Plan, and authorizes the Mayor, upon condition of receipt of the sum of \$1,000 from Kevin and Debra Raftery, the owners of the land currently burdened by said unconstructed way, to release all right, title and interest of the City of Newburyport in the discontinued portion of Barker Street.

Said portion of Barker Street is hereby declared abandoned and is unused for ordinary travel and the common convenience and necessity no longer requires this portion of the public way to be maintained in a condition reasonably safe and convenient for travel. The City shall no longer be bound to keep such way or portion thereof in repair.

Councilor Allison Heartquist

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 12, 2015

THAT the City of Newburyport adds the following referendum on the official ballot at the next regular municipal election of November 3, 2015:

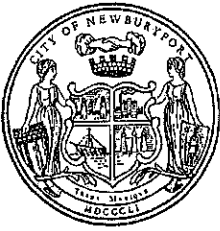
"Shall the City of Newburyport ban the use of Thin-Film Plastic Bags with
Integral Handles?

☐ Yes ☐ No

Councillor Thomas F. O'Brien
Councillor Robert J. Cronin

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

October 27, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES.

Chapter 13 Traffic and Motor Vehicles
Article IV Specific Street Schedules
Division 6 Stopping, Standing and Parking
§ 13-176 Resident Parking

Delete:

Beacon Avenue Northeastbound drivers on Beacon Avenue at Oak Street.

Amend to state as follows:

Beacon Avenue Northeastbound and southwestbound drivers on Beacon Avenue at Oak Street.

Oak Street Northwestbound and southeastbound drivers on Oak Street at Beacon Avenue.

Councillor Allison Heartquist

In City Council January 12, 2015

Motion to refer to Public Safety by Councillor Heartquist, seconded by Councillor Herzog. So voted.

In City Council January 29, 2015

Motion to remove by Councillor Cronin, seconded by Councillor Heartquist. So voted. Motion to approve 1st reading and order published by Councillor Cronin, seconded by Councillor Heartquist. Roll call vote, 10 yes, 1 absent (Giunta). So voted.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 26, 2015

AN ORDINANCE TO AMEND AN ORDINANCE TO LIMIT THE USE OF THIN-FILM PLASTIC BAGS WITH INTEGRAL HANDLES

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

General Ordinance Amendment:

CHAPTER 6.5: ENVIRONMENT

ARTICLE III: PLASTIC SHOPPING BAGS

Section 6.5-48. Effective Date

DELETE:

To facilitate compliance by retail establishments, this Article shall take effect one-hundred and eighty (180) days from the date that the mayor approves this Article or it otherwise comes into force. During such period of suspension, the city shall direct an effort to educate retail establishments about this Article.

ADD:

To facilitate compliance by retail establishments, this Article shall take effect on December 1, 2015. During such period of suspension, the city shall direct an effort to educate retail establishments about this Article.

Councillor Thomas F. O'Brien

Councillor Robert J. Cronin

COMMITTEE ITEMS

BUDGET AND FINANCE



bH

Transfer #1
January 26, 2015

City of Newburyport

FY 2015

BUDGET TRANSFER REQUEST

Department: Mayor's Office

Submitted by: Mayor Donna D. Holaday

Date Submitted: 1/20/2015

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 2,018,943.57
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$163,000.00	Trans Out:	\$ -
Why are Funds Available:	<i>The Massachusetts Department of Revenue certified Free Cash for FY2015 at \$2,373,046. These funds are available for any legal expenditure with the approval of the Mayor and a majority vote of the City Council.</i>		

Transfer To:

Account Name	Rail Trail Capital Project Fund	YTD Bal:	\$ 113,507.80
Account Number:	15-49700	Trans In:	\$ -
Amount:	\$163,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>See attached explanatory memo from the Office of Planning and Development.</i>		

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

Donna D. Holaday
Ethan R. Manning

Date: 1/20/15
Date: 1/20/15

bpt

CITY OF NEWBURYPORT



IN CITY COUNCIL

January 26, 2015

ORDERED:

Whereas, on the 27th day of January, 2014, the City of Newburyport accepted the provisions of Chapter 32B, Section 20 of the Massachusetts General Laws, as amended by Chapter 68, section 57 of the Acts of 2011 (the "Act"), authorizing the creation of a Trust Fund for Other Post-Employment Benefits ("OPEB Trust Fund");

Whereas, on the 27th day of January, 2014, the City of Newburyport appropriated \$25,000.00 for the purpose of establishing an OPEB Trust Fund;

Whereas, the City of Newburyport received \$549,772.44 in settlement proceeds as a result of a class action products liability lawsuit brought against manufacturers and distributors of gasoline containing Methyl Tertiary Butyl Ether ("MTBE");

Now therefore, be it **Ordered** that:

In accordance with the Act, the City of Newburyport hereby designates the Health Care Security Trust (HCST) board of trustees to serve as custodian of the City of Newburyport's OPEB Trust Fund;

The Treasurer/Collector, acting on behalf of the City of Newburyport, be authorized to execute and deliver the Custodian and Investment Agreement with HCST in substantially the form attached hereto, to sign checks and wire OPEB Trust Funds to HCST or to the Pension Reserves Investment Trust, or as it may otherwise be directed by HCST, and to make withdrawals and investments and enter into such agreements and deliver such certificates and other documents as HCST or the Pension Reserves Investment Management Board may direct; and

The sum of \$549,772.44, together with the prior appropriation of \$25,000.00, be appropriated as a total initial investment of \$574,772.44 into the OPEB Trust Fund.

Councillor Charles F. Tontar

PUBLIC UTILITIES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 12, 2015

THAT the Newburyport City Council petitions the General Court for special legislation pertaining to water fluoridation, as attached.

Councilor Ari B. Herzog
Councilor Meghan C. Kinsey

HOME RULE PETITION

An Act to place the local question, "Shall the public water supply for domestic use in the City of Newburyport continue to be fluoridated?" on the November 2015 biennial election ballot

SECTION 1. Notwithstanding section 8C of chapter 111 of the General Laws or any general or special law to the contrary, the city of Newburyport is authorized to include on the ballot for the November 3, 2015 municipal election the following question: "Shall the public water supply for domestic use in the City of Newburyport continue to be fluoridated?"

If the majority of votes in answer to this question is in the negative, the water supply of the city of Newburyport shall not be fluoridated, and the fluoridation of the water supply shall not be ordered again by the board of health for a period of at least 2 years from the date of that vote.

SECTION 2. This act will take effect upon passage.