

CITY COUNCIL MEETING AGENDA - VERSION 1

February 27, 2012

7:30 PM

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

Mayor's State of the City Address

CONSENT AGENDA

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

6. APPROVAL OF MINUTES

February 13, 2012

(Approve)

7. TRANSFERS

1. Mayor/Fire Free Cash \$33,840 to Fire Med/Physical Test \$4,800, to Fire Protective Clothing \$13,200, to Fire Protective Equipment \$15,840 (B&F)

8. COMMUNICATIONS

1. American Red Cross 9th Annual Chocolate Tour May 19, 2012 (PS)
2. Jeanne Geiger Crisis Ctr 20th Annual Walk & 5k Run Sept. 30, 2012 (PS)

9. APPOINTMENTS – First Reading

Re-Appointments

- | | | | |
|--------------------|---------------------|--------------------------|------------------|
| 1. Neil Bleicken | 8 Horton Street | Harbor Commission | January 1, 2015 |
| 2. Dr. Susan Beluk | 14 Toppans Lane | Board of Health | February 1, 2015 |
| 3. Madeline Nash | 19 Arlington Street | Affordable Housing Trust | February 1, 2014 |

END OF CONSENT AGENDA

REGULAR AGENDA

10. APPOINTMENTS – Second Reading

Re-Appointments

- | | | | |
|-----------------------|----------------|------------------------------|---------------|
| 4. Joseph C. Teixeira | 44 Hale Street | Conservation Commission | March 1, 2015 |
| 5. Gary Robinson | 12 Hill Street | Highland Cemetery Commission | Feb. 1, 2015 |

11. ORDERS

1. Confirmatory Order Gayden Morrill Charitable Foundation
2. Newburyport Retirement Board Stipend

12. ORDINANCES

1. 2nd Reading Amend Ord. Traffic & Motor Vehicles 2 year permits

13. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor Gen Fd Free Cash \$10,000 to NBPT Tree Committee Fund \$10,000 *01/09/2012
2. Mayor/School Gen Fd Free Cash \$25,000 to Sch. Rev Curric/Staff Devel. \$25,000 *01/09/2012

General Government

In Committee

Joint Education

In Committee:

1. Mayor/School Gen Fd Free Cash \$25,000 to Sch Rev Curric/Staff Devel. \$25,000 *01/09/2012

License & Permits

In Committee:

1. Taxi Cab Renewal Application Port Taxi *01/09/2012
2. Taxi Cab Renewal Application Seacoast Taxi *01/30/2012

Neighborhoods & City Services

In Committee:

1. Newburyport Tree Ordinance *07/22/2010

Planning & Development

In Committee:

1. Newburyport Tree Ordinance *07/22/2010
2. Amend Ord Zoning Map B1 Zone Storey Ave *11/28/2011
3. Amend Ord. 6.5 Environment Article II Wetlands – Wetlands Protection *11/28/2011
4. Amend Ord. Sec. III-C Zoning Map Storey Avenue Re-Zoning *02/13/2012

Public Safety

In Committee:

1. Amend Ord. 10-9 Miscellaneous offenses – use or consumption of marijuana *11/28/2011
2. Nbpt Labor Day Festival request for 3 day downtown event Sept. 1-3, 2012 *01/30/2012
3. Green Stride Half Marathon October 21, 2012 *01/30/2012
4. Amend Ord. 13-180 Parking Resident Harris St. *01/30/2012
5. Amend Ord. 13-180 Parking Resident Middle St. *01/30/2012
6. National Multiple Sclerosis Society Walk March 31, 2012 *02/13/2012
7. HMS Bounty visit to City July 12-16, 2012 street use *02/13/2012
8. Amend Ord. 13-180A Designated Employee Parking spaces *02/13/2012

Public Utilities Committee

In Committee:

1. Street Lighting Recommendation *09/21/2011
2. Drain Layer/Utility Contractor Application for Dube Plus & Dirt Pro, LLC *11/14/2011
3. Sewer Commission surplus land *02/13/2012

Rules Committee

In Committee:

14. GOOD OF THE ORDER

15. ADJOURNMENT

CONSENT AGENDA-BEGINNING

CITY COUNCIL MEETING
MINUTES - February 13, 2012

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Connell, Cronin, Derrivan, Heartquist, Herzog, Ives, Jones, Sullivan, Cameron and O'Brien. 11 present.

1. LATE FILES

Transfer #3 and Appointment #4

Motion to waive the rules and allow the late file items by Councillor Earls, seconded by Councillor Jones. So voted.

2. PUBLIC COMMENT –

- | | | |
|------------------|-------------------|--------------------|
| 1) Mark Kerble | Superintendent | 13.3 |
| 2) Tom Salemi | 29 Oakland Street | NRA |
| 3) Katie Howlett | Chase & Lunt | HMS Bounty |
| 4) Rob Kaplan | 4 Shandel Drive | "Green" Resolution |
| 5) Hugh Kelleher | 8 Summit | Budget Transfer |

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.

3. APPROVAL OF MINUTES

January 30, 2012

(Approve)

4. TRANSFERS

- | | |
|--|------------|
| 1) Auditor Ins. Claims RSV APP \$4,170 to Gen Admin-Muni Ins. \$4,170 | (Approve) |
| 2) Mayor Free Cash \$14,000 to Clerk Elects & Reg \$12,000 and Clerk Admin \$2,000 | (Approve) |

4. COMMUNICATIONS

- | | |
|---|-----------|
| 1) Second Hand Motor Vehicles App. Renewal Great Bay Autobody | (Approve) |
| 2) National Multiple Sclerosis Society Walk March 31, 2012 | (PS) |
| 3) HMS Bounty visit to City July 12-16, 2012 street use | (PS) |

5. APPOINTMENTS – First Reading

Re-Appointments

- | | | | |
|-----------------------|----------------|------------------------------|---------------|
| 1) Joseph C. Teixeira | 44 Hale Street | Conservation Commission | March 1, 2015 |
| 2) Gary Robinson | 12 Hill Street | Highland Cemetery Commission | Feb. 1, 2015 |

END OF CONSENT AGENDA

Motion to approve the Consent Agenda by Councillor Jones, seconded by Councillor Cameron. So voted.

REGULAR AGENDA

6. LATE FILE - TRANSFER

- 3) Mayor/Planning & Dev Free Cash to \$24, 198.10 to Inn Street Electrical \$24,198.10

Motion to approve by Councillor Jones, seconded by Councillor Cameron. 10 yes, 1 present (Herzog). So voted.

7. APPOINTMENTS – Second Reading

Appointments

1) Tom Salemi 29 Oakland Street Newburyport Redevelopment Authority Jan. 14, 2017
Motion to approve by Councillor Connell, seconded by Councillor Derrivan. 10 yes, 1 present (Herzog). So voted.

8. LATE FILE - APPOINTMENT

1) Donald P. Zabriskie 87 Lime Street Licensing Board June 1, 2018
Motion to waive the rules and approve on the first reading by Councillor Earls, seconded by Councillor Jones. Motion to approve by Councillor Earls, seconded by Councillor Jones. Roll call vote, 11 yes. So voted.

9. ORDERS

1) Resolution Geen Community
Motion to approve by Councillor Herzog, seconded by Councillor Connell. 11 yes, so voted.
2) Resolution Night Sky
Motion to approve by Councillor Herzog, seconded by Councillor Connell. 5 yes (Cameron, Connell, Earls, Herzog, Ives), 6 no. Motion fails. So voted.
3) Sewer Commission surplus land
Motion to refer to Public Utilities and Committee of the Whole by Councillor Herzog, seconded by Councillor Sullivan. 10 yes, 1 present (Jones), so voted.

10. ORDINANCES

1) Amend Ord. 13-180A Designated Employee Parking spaces
Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Cameron. Roll call, 11 yes, so voted.
2) Amend Ord..Zoning Lot Width Shape
Motion to approve second reading by Councillor Cameron, seconded by Councillor Derrivan. Roll call, 10 yes, 1 no (Jones), so voted.
3) Amend Ord. Sec. III-C Zoning Map Storey Avenue Re-Zoning
Motion to refer to Planning Board and Planning & Development by Councillor Connell, seconded by Councillor Jones. Roll call, 9 yes, 2 no (Cronin, O'Brien), so voted.

11. COMMITTEE ITEMS

Budget & Finance

In Committee:

1) Mayor/Police Gen Fd Free Cash \$17,640.90 to Police-Sal Officers \$13,890.90, to Police-Clothing Allowance \$3,750.00 *01/09/2012
Motion to remove by Councillor Cameron, seconded by Councillor Herzog Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote,

2) Mayor Gen Fd Free Cash \$10,000 to NBPT Tree Committee Fund \$10,000 *01/09/2012
3) Mayor/School Gen Fd Free Cash \$25,000 to Sch. Rev Curric/Staff Devel. \$25,000 *01/09/2012

General Government

In Committee

Joint Education

Councillor Heartquist gave an update on what is going on with the new Bresnahan school. There will be a Port Pride meeting on 3/8/12. For more information go to www.newbres.org, or email PortPride01950@gmail.com.

In Committee:

1) Mayor/School Gen Fd Free Cash \$25,000 to Sch Rev Curric/Staff Devel. \$25,000 *01/09/2012

License & Permits

In Committee:

- 1) Taxi Cab Renewal Application Port Taxi *01/09/2012
- 2) Taxi Cab Renewal Application Seacoast Taxi *01/30/2012

Neighborhoods & City Services

In Committee:

- 1) Newburyport Tree Ordinance *07/22/2010

Planning & Development

In Committee:

- 1) Newburyport Tree Ordinance *07/22/2010
- 2) Amend Ord Zoning Map B1 Zone Storey Ave *11/28/2011
- 3) Amend Ord. 6.5 Environment Article II Wetlands – Wetlands Protection *11/28/2011

Public Safety

In Committee:

- 1) Amend Ord. 10-9 Miscellaneous offenses – use or consumption of marijuana *11/28/2011
- 2) Amend Ord 13-180A Paid Parking Permits *01/09/2012

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote,

- 3) American Diabetes Assoc. May 20, 2012 North Shore Tour de Cure *01/30/2012

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote,

- 4) Inn Street Montessori Scholarship Auction use of Inn Street Mall March 31, 2012 *01/30/2012

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote,

- 5) Nbpt Elem. PTO 8th Annual Spring Fever 5K & Family Fun Run May 6, 2012 *01/30/2012

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote,

- 6) Nbpt Labor Day Festival request for 3 day downtown event Sept. 1-3, 2012 *01/30/2012

- 7) Winner's Circle Running Club annual High Street Mile August 5, 2012 *01/30/2012

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote,

- 8) Green Stride Half Marathon October 21, 2012 *01/30/2012

- 9) Greater Newburyport Chamber of Commerce schedule of festivals 2012 *01/30/2012

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote,

- 10) Amend Ord. 13-180 Parking Resident Harris St. *01/30/2012

- 11) Amend Ord. 13-180 Parking Resident Middle St. *01/30/2012

Public Utilities Committee

In Committee:

- 1) Street Lighting Recommendation *09/21/2011
- 2) Drain Layer/Utility Contractor Application for Dube Plus & Dirt Pro, LLC *11/14/2011

Rules Committee

In Committee:

12. GOOD OF THE ORDER

13. ADJOURNMENT

Motion to adjourn at 8:30pm.

TRANSFERS



City of Newburyport

FY 2012

BUDGET TRANSFER REQUEST

2012 FEB 21 P 3:44

Department: Mayor /Fire

Submitted by: Mayor Holaday / Chief Cutter

Date Submitted: 2/21/2012

Transfer From:

Account Name	Free Cash	YTD Bal:	\$ 1,333,388.00
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$33,840.00	Trans Out:	\$ 457,700.00
Why are Funds Available:	<i>Funds are available for expenditure with the approval of the Mayor and a majority vote of the City Council.</i>		

Transfer To:

Account Name	Fire - Medical/Physical Test	YTD Bal:	\$ 1,000.00
Account Number:	01220002-53005	Trans In:	\$ -
Amount:	\$4,800.00	Trans Out:	\$ -
Why are Funds Required:	<i>Funds are required to conduct medical and PAT for six (6) new Call Firefighters who are required due to promotions, retirements, and vacancies in the Fire Department.</i>		

Transfer To:

Account Name	Fire - Protective Clothing	YTD Bal:	\$ 14,729.00
Account Number:	01220004-54317	Trans In:	\$ -
Amount:	\$13,200.00	Trans Out:	\$ -
Why are Funds Required:	<i>Funds are required for protective clothing for six (6) new Call Firefighters who are required due to promotions, retirements, and vacancies in the Fire Department.</i>		

Transfer To:

Account Name	Fire - Protective Equipment	YTD Bal:	\$ 3,900.23
Account Number:	01220004-54318	Trans In:	\$ -
Amount:	\$15,840.00	Trans Out:	\$ -
Why are Funds Required:	<i>Funds are required for protective equipment for six (6) new Call Firefighters who are required due to promotions, retirements, and vacancies in the Fire Department.</i>		

Donna D. Holaday, Mayor
William B. Squillace, Auditor
City Council Approval: (Stamp)

Donna D. Holaday
William B. Squillace

Date: 2/21/12
Date: 2/21/12

CITY OF NEWBURYPORT

FIRE DEPARTMENT

0 Greenleaf Street, Newburyport, MA 01950
(978) 465-4427 FAX (978) 463-9177

Stephen J. Cutter
Fire Chief

Stephen Bradbury
Deputy Chief

To: Mayor Donna Holaday

From: Stephen Cutter
Fire Chief

Date: September 21, 2012

Re: Call Firefighter request

I am requesting your support for the hiring of six (6) new call firefighters. As you know having enough personnel on scene of an emergency is critical to the success of any emergency response. With a limited number of full time firefighters on duty our call firefighters over the years have been critical to our success in operating at the scene of numerous incidents. But because of promotions and retirements the number of call firefighters in our department has been drastically reduced to its present number of six (6) members.

We have requested during numerous budget meetings over the years that the number of call firefighters should be increased or we would be faced with a severe shortage of this valuable resource. That time has come. With the promotion of call firefighter/dispatcher Marc Ouellet to a full time firefighter position and the hiring of call firefighter Matt Houle to fill the dispatch opening this has left us with only five (5) call firefighters available to respond to an incident. Even with the dedication of these personnel their immediate availability is uncertain at any time due to work and family commitments. This number will drop even lower within the next year with the expected retirements of some full time firefighters and the expected promotion of a number of our call firefighters to replace these personnel.

I am requesting the hiring of six (6) new call firefighters to help fill the present void. Even though this number will not completely fill the void it will bring our call department to twelve and help with our present shortage. We have learned through the years that six new members appointed at a time is a manageable number to train and to track at an emergency incident. Even though they are appointed to the position they must undergo extensive training before they can safely operate at the scene of an emergency. This training will include the call/volunteer training program that is sponsored by the state fire academy and the county chiefs association. This training may take up to a year but it is for the safety of both the new call firefighter and our other personnel. Any

number less than the six (6) requested will have little impact on the number of persons available for responses.

With our call firefighters being civil service we have also found that requesting a list for this many positions should give us a solid list of candidates to choose from. This gives us a better chance at interviewing candidates that may have some prior experience and this would be beneficial to us. Being able to hire someone with prior experience would reduce the amount of training time needed to allow that member to operate on an emergency scene. This would increase the number of personnel available to us in a shorter period of time.

For years our call firefighters have been used to fill the ranks of retiring full time firefighters. With civil service allowing us to promote call firefighters with three (3) years of service to full time we have a chance to train and evaluate our personnel. If we wish to continue with this practice we must maintain a solid call firefighter force.

I have attached a sheet outlining the initial expenses for the hiring. This includes physicals and equipment. The initial hiring is the most costly time period for our new personnel. The annual salary for a call firefighter is only \$1,000.00 a year. We have enough in our present budget to cover the salaries till the end of the present fiscal year. I have not included the cost of pagers in the attached list because those will need to be purchased as part of our capital plan to replace the pagers for the entire department.

The hiring of these six (6) would be a start in replenishing the number of call firefighters. With an aging full time staff and the expected retirements over the next couple of years there needs to be a commitment to replace the call firefighters on a regular basis. I believe a staff of fifteen to eighteen call firefighters would be an adequate number to help support our full time firefighters and give the city a solid base for filling full time positions.

Thank you very much for your assistance with this request.

Stephen Cutter
Fire Chief

CALL FIREFIGHTER
INITIAL COST
OF HIRING
February 2012

Salary: \$1,000 per year

Equipment/Physicals:

Medical and PAT:	\$800
Protective Clothing:	\$2,200
Boots:	\$325
Helmet:	\$300
Gloves:	\$65
Hood:	\$30
SCBA Masks:	\$550
Rescue Rope:	\$100
Accountability Tags:	\$20
Portable Radio	\$850
PASS Alarm	\$325
Flashlight	\$75
Total	\$5,640

Year Total: \$6,640

Note: I recommend that we put on six (6) new personnel initially this year. This is a manageable number to train at one time. We have enough in salaries to get through the year with the six. I did not put in the money for pagers because those are included as part of our capital plan to purchase new narrow band compliant pagers for the entire department. The total request would then be \$34,000.

COMMUNICATIONS

Feb. 27, 2012

**American
Red Cross**

Eastern Massachusetts Region
Northeast Massachusetts Chapter
100 Cummings Center, Suite 207-F
Beverly, MA 01915
Tel (978) 922-2224
Fax (978) 922-0325
northeastmassredcross.org

2012 FEB 17

February 16, 2012

Ms. Kathleen O'Connor Ives
City Hall, City Council
P.O. Box 550
Newburyport, MA 01950

Dear Kathleen,

On behalf of the American Red Cross of Northeast Massachusetts, I would like to inform you of our 9th Annual Chocolate Tour as well as request your assistance.

The Chocolate Tour will be Saturday, May 19, 2012 from 1pm to 5pm in Newburyport. We would like to request three permits for three board signs at the Tannery, Market Square, and Inn Street. We would also like a permit to place a tent at the Unitarian Church.

Thank you for your consideration and time in making this event successful. We look forward to hearing your reply.

Sincerely,

Kimberly O'Hare
Office Manager



2012 FEB 16 A 8:55

February 10, 2012

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

Dear Mr. O'Brien and City Council Members,

Re: Jeanne Geiger Crisis Center's 20th Annual Walk Against Violence & Dorothy's Run 5K Sunday,
September 30, 2012

On behalf of the Jeanne Geiger Crisis Center, Inc., I am writing to notify the Newburyport City Council of our plans for the **20th Annual Walk Against Violence & Dorothy's Run 5K**. On February 3, 2012, the Newburyport School Committee approved the Jeanne Geiger Crisis Center's request to hold our event at the Bresnahan School on **Sunday, September 30, 2012** from 8:00 AM – 4:00 PM. The Jeanne Geiger Crisis Center event committee is excited to be holding the event at the Bresnahan School.

For your approval, I have enclosed a copy of the proposed Walk/Run route. If you have any questions or need additional information, please contact Kelly Majewski, at 465-0999 X 14.

Our *Walk Against Violence & Dorothy's Run 5K* raises community awareness about domestic violence and funding in support our programs.

Thank you for your immediate attention to this matter. We look forward to your earliest response.

Sincerely,

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

Suzanne C. Dubus
Executive Director

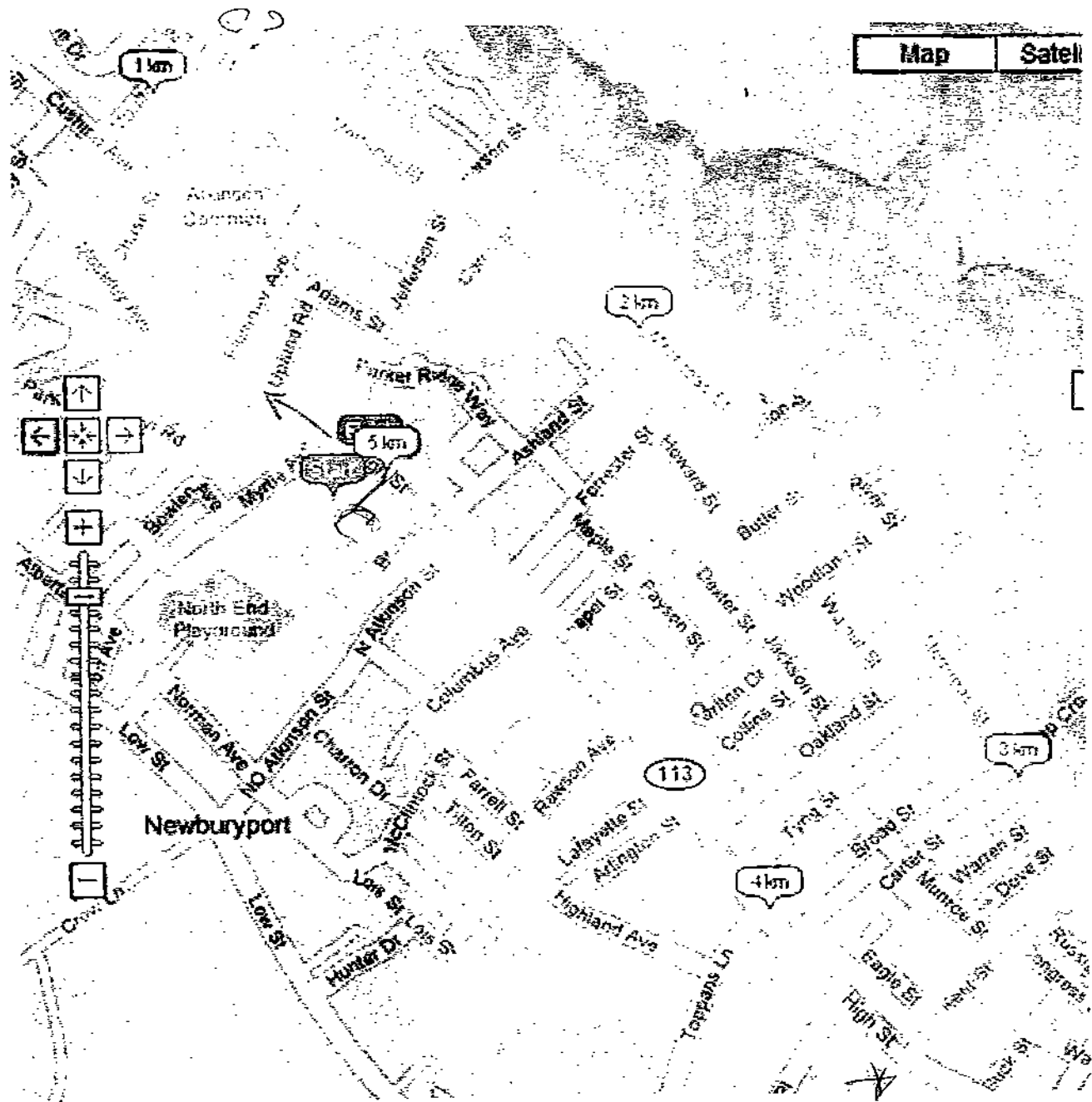
cc: Richard B. Jones, City Clerk

Enclosure

Two Harris Street
Newburyport, Massachusetts 01950
(978) 465-0999 • Fax (978) 465-7158
Administration & Education

24 Hour Hotline (978) 388-1888
www.jeannegeigercrisiscenter.org

Five Market Square, Suite 109
Amesbury, Massachusetts 01913
(978) 834-9710 • Fax (978) 834-0825
Client Services



**APPOINTMENTS
FIRST READING**



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

2012 FEB 17 A 9:03

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: February 16, 2012

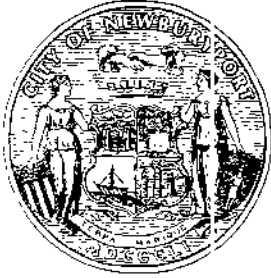
Subject: Re-Appointment

A handwritten signature in dark ink, appearing to read "Donna D. Holaday", is written diagonally across the right side of the letterhead section.

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I hereby reappoint, subject to your approval, the following named individual as a Member of the Harbor Commission. This term will expire on January 1, 2015.

Neil Bleicken  
8 Horton Street  
Newburyport, MA 01950



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

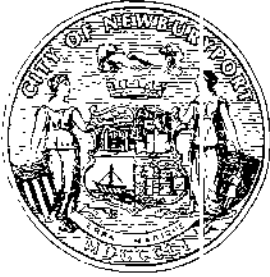
2012 FEB 21 P 1:03

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: February 21, 2012  
Subject: Re-Appointment

A handwritten signature in dark ink, appearing to read "Donna D. Holaday", is written over the "From:" and "Date:" lines of the letterhead.

I hereby reappoint, subject to your approval, the following named individual as a member of the Board of Health. This term will expire on February 1, 2015.

Dr. Susan Beluk  
14 Toppans Lane  
Newburyport, MA 01950



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

FEB 21 P 1:52

To: President and Members of the  
City Council

From: Donna D. Holaday, Mayor

Date: February 21, 2012

Subject: Re-Appointment

~~~~~  
I hereby re-appoint, subject to your approval, the following named individual as a member of the Affordable Housing Trust. This term will expire on February 1, 2014.

Madeline Nash
19 Arlington Street
Newburyport, MA 01950



END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

**APPOINTMENTS
SECOND READING**

MAYOR'S APPOINTMENTS

February 27, 2012

SECOND READING

Re-Appointments

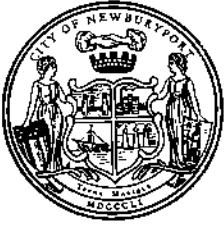
- | | | | |
|-----------------------|----------------|------------------------------|---------------|
| 1) Joseph C. Teixeira | 44 Hale Street | Conservation Commission | March 1, 2015 |
| 2) Gary Robinson | 12 Hill Street | Highland Cemetery Commission | Feb. 1, 2015 |

In City Council February 13, 2012

Motion to approve the Consent Agenda by Councillor Jones, seconded by Councillor Cameron. 11 yes. So voted.

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

CONFIRMATORY ORDER

February 27, 2012

THAT the City Council of the City of Newburyport on behalf of the City accepts with gratitude the donation of \$65,229 from the Gayden W. Morrill Charitable Foundation, funds to be used as indicated in a letter to Mayor Donna D. Holaday from Gayden W. Morrill, Trustee, dated November 28, 2011.

Councillor Thomas F. O'Brien

**Order #1
December 12, 2011**

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

December 12, 2011

THAT the City Council of the City of Newburyport on behalf of the City accepts with gratitude the donation of \$65,220 from the Gayden W. Morrill Charitable Foundation, funds to be used as indicated in a letter to Mayor Donna D. Holaday from Gayden W. Morrill, Trustee, dated November 28, 2011.

Councillor Thomas F. O'Brien



Donna D. Holaday
Mayor

IN CITY COUNCIL

ORDERED:

DATE:

February 27, 2012

THAT, in accordance with Section 34 of Chapter 176 of the Acts of 2011, the City Council approve an increase in the annual stipend for Newburyport Retirement Board members from \$3, 000 to \$4,500 per year. Said stipend is a local option and has been included in new legislation that requires board members to attend educational seminars and other activities as part of the Retirement Reform Act approved by the Governor and State Legislature.

FURTHER, in accordance with State Law, the funding for this increase shall come from earnings on retirement investments and not from City funds.

City Councilor Gregory D. Earls

MEMORANDUM #02, 2012

Commonwealth of Massachusetts | Public Employee Retirement Administration Commission
Five Middlesex Avenue, Suite 304, Somerville, MA 02145

Ph 617 666 4446 | Fax 617 628 4002 | TTY 617 591 8917 | www.mass.gov/perac

Domenic J. F. Russo, *Chairman*

Auditor Suzanne M. Bump | Alan Macdonald | James M. Machado | Donald R. Marquis | Robert B. McCarthy |
Gregory R. Mennis

Joseph E. Connarton, *Executive Director*

MEMORANDUM

TO: All Retirement Boards

FROM: Joseph E. Connarton, Executive Director

RE: Local Option Increasing Board Members' Stipend Section 34 of Chapter 176 of the Acts of 2011

DATE: January 5, 2012

As you know, Section 34 of Chapter 176 of the Acts of 2011 re-wrote G.L. c. 32, § 20(6) creating a new local option provision that replaces the current \$3,000 local option and allows for an increase in the stipend paid to members of Retirement Boards. The language of this section that becomes effective on February 16, 2012 is set forth below. It can be adopted at any time after February 16, 2012.

The local option allows the Board Member stipend to be increased to an amount not less than \$3,000 and not more than \$4,500. If the local option is accepted, the *ex officio* Board Member shall receive an annual stipend of not more than \$4,500 in the aggregate for services rendered in the active administration of the Retirement System. It should be noted that the *ex officio* Board member cannot receive more than the amount accepted by the local option. For example, if he or she is receiving \$1,500 for services rendered in the active administration of the system pursuant to G.L. c. 32 § 20, he or she may receive the stipend in an amount so that the aggregate of the payments for services and the stipend equals the total amount of the Board Member Compensation.

This local option is accepted by a vote of the legislative body. The legislative body in a city is the city council subject to its charter; in a town, the town meeting; in a county, the county retirement board advisory council; in a region, by a vote of the regional retirement board advisory council; in a district, the district members; and for an authority, its governing body. The Retirement Board is not included in the acceptance process, but may wish to bring the availability to the attention of the legislative body. The Retirement Board must notify the Commission of the local legislative body's acceptance and provide certified copies of the votes.

If the Board has adopted the local option that is contained in G.L. c. 32, § 20(6) prior to the amendment, that acceptance remains in effect. In order to increase the stipend to an amount up to \$4,500, the new local option must be accepted. If the Board has not accepted the \$3,000 local option, the new option can be accepted as outlined in the statute. In either case, the amount of the stipend (from \$3,000 to \$4,500) must be included in the acceptance vote.

Section 34 of Chapter 176 of the Acts of 2011

SECTION 34 Said section 20 of said chapter 32, as so appearing, is hereby further amended by striking out subdivision (6) and inserting in place thereof the following subdivision:-

(6) Retirement Board Members Compensation.-The elected and appointed members of a city, town, county, regional, district or authority retirement board upon the acceptance of the appropriate legislative body shall receive a stipend; provided, however, that the stipend shall not be less than \$3,000 per year and not more than \$4,500 per year; provided, further, that the stipend shall be paid from funds under the control of the board as shall be determined by the commission; and provided, further, that an ex-officio member of a city, town, county, district or authority retirement board upon the acceptance of the appropriate legislative body shall receive a stipend of not more than \$4,500 per year in the aggregate for services rendered in the active administration of the retirement system.

If you have questions or need assistance, please contact this office.

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

January 12, 2012

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

Chapter 13 Traffic and Motor Vehicles
Article IV Specific Street Schedules
Division 6 Stopping, Standing and Parking
Sec. 13-180A Paid Parking Permits

Delete the following phrase:

(c) (1) 'for an annual parking permit'

Insert the following phrase:

(c) (1) 'for a two year parking permit'

Councillor Robert J. Cronin

In City Council January 9, 2012

Motion to move to Public Safety by Councillor Earls, seconded by Councillor Herzog. 11 yes. So voted.

In City Council February 13, 2012

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve first reading and order published by Councillor Cronin, seconded by Councillor Derrivan. 11 yes, so voted.