

CITY COUNCIL MEETING AGENDA - VERSION 1

April 30, 2012

7:30 PM

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

CONSENT AGENDA

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

6. APPROVAL OF MINUTES

April 9, 2012

(Approve)

7. TRANSFERS

1. Treasurer/Collector Payroll Expenses \$5,000 to Tax Title Expenses (Approve)
2. Treasurer/Collector Copy Machine \$1,500 to Tax Bills \$1,000, to Other Exp. \$500 (Approve)
3. Mayor Free Cash \$9,193.50 to Gen. Admin. Postage \$1,500, Gen. Admin. Maint./Repair Building \$4,913.50, Mayor Misc. \$2,780 (Budget & Finance)

8. COMMUNICATIONS

1. MRFRS Annual Strut for Strays May 20, 2012 (PS)
2. Jeanne Geiger Crisis Ctr. 21st Annual Walk Against Violence Sept. 30, 2012 (PS)
3. Block Party 44 Warren Street June 16, 2012 (Approve)
4. Nbppt Firefighters Annual Fill the Boot for Muscular Dystrophy Aug. 2, 3, 4, 2012 (PS)
5. Outdoor Seating Application for food for Ceia Kitchen & Bar (L&P)
6. Annual Audit of the City Financials FY2011 (full text available in clerk's office) (R&F)
7. Community Giving Tree of Boxford donation box (PS)

9. APPOINTMENTS – First Reading

Appointments

- | | | | |
|---------------------|-------------------|-------------------------------|---------------|
| 1. Howard A. Snyder | 26B Strong Street | Zoning Board of Appeals | April 1, 2016 |
| 2. Kimberly Logue | 50 Park Circle | Newburyport Housing Authority | May 1, 2017 |

Re-Appointments

- | | | | |
|---------------------|------------------|---|---------------|
| 3. Patricia Dorfman | 16A Toppans Lane | Newburyport Redevelopment Authority | March 1, 2017 |
| 4. Martha True | 24 Cherry Street | Council on Aging | May 31, 2017 |
| 5. Bonnie Sontag | 10 Upland Road | Fruit Street Local Hist. District Comm. | May 31, 2015 |
| 6. Bonnie Sontag | 10 Upland Road | Planning Board | May 31, 2017 |
| 7. Linda Smiley | 7 Atwood Street | Historical Commission | May 1, 2015 |

END OF CONSENT AGENDA

REGULAR AGENDA

10. APPOINTMENTS – Second Reading

Re-Appointments

- | | | | |
|---------------------------|---------------------|---------------------------------|---------------|
| 8. Michael Dissette | 44 Jefferson Street | Open Space Committee | No term |
| 9. Michael Dissette | 44 Jefferson Street | Community Preservation Act Com. | March 1, 2015 |
| 10. Robert Ciampitti, Jr. | 552 Merrimac Street | Zoning Board of Appeals | Feb. 1, 2016 |

11. ORDER

- 1. Proclamation for Public Service Recognition week - Mayor

12. COMMITTEE ITEMS

Budget & Finance

In Committee:

- 1. Mayor/Harbor Master Capital Outlay \$2750 to Harbor Master Salary \$2750 *03/12/2012
- 2. Mayor/Youth Svcs Free Cash \$24,000 to Gen Admin Maint/Repair City Hall \$24,000 *03/12/2012
- 3. DPS-Sewer Retained Earnings \$16,000 to Police Details \$7,000, to Fuel/Oil \$9,000 *04/09/2012

General Government

In Committee

Joint Education

In Committee:

*01/09/2012

License & Permits

In Committee:

- 1. Movable Sign application Port City Sandwiches *03/12/2012
- 2. Movable Sign application Black Cow Tap & Grill for Merrimack Street *04/09/2012

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. 6.5 Environment Article II Wetlands – Wetlands Protection *11/28/2011
- 3. Amend Ord. Sec. III-C Zoning Map Storey Avenue Re-Zoning *02/13/2012
- 4. Conservation Restriction Oleo Woods Open Space Residential Subdivision *03/12/2012
- 5. Plum Island Lighthouse Lease *04/09/2012

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. Amend Ord. 13-180 Parking Resident Harris St. *01/30/2012
- 4. Yankee Homecoming 2012 July 29th – August 5th *03/27/2012
- 5. PMC Kids Ride June 24, 2012 *03/27/2012

Public Utilities Committee

In Committee:

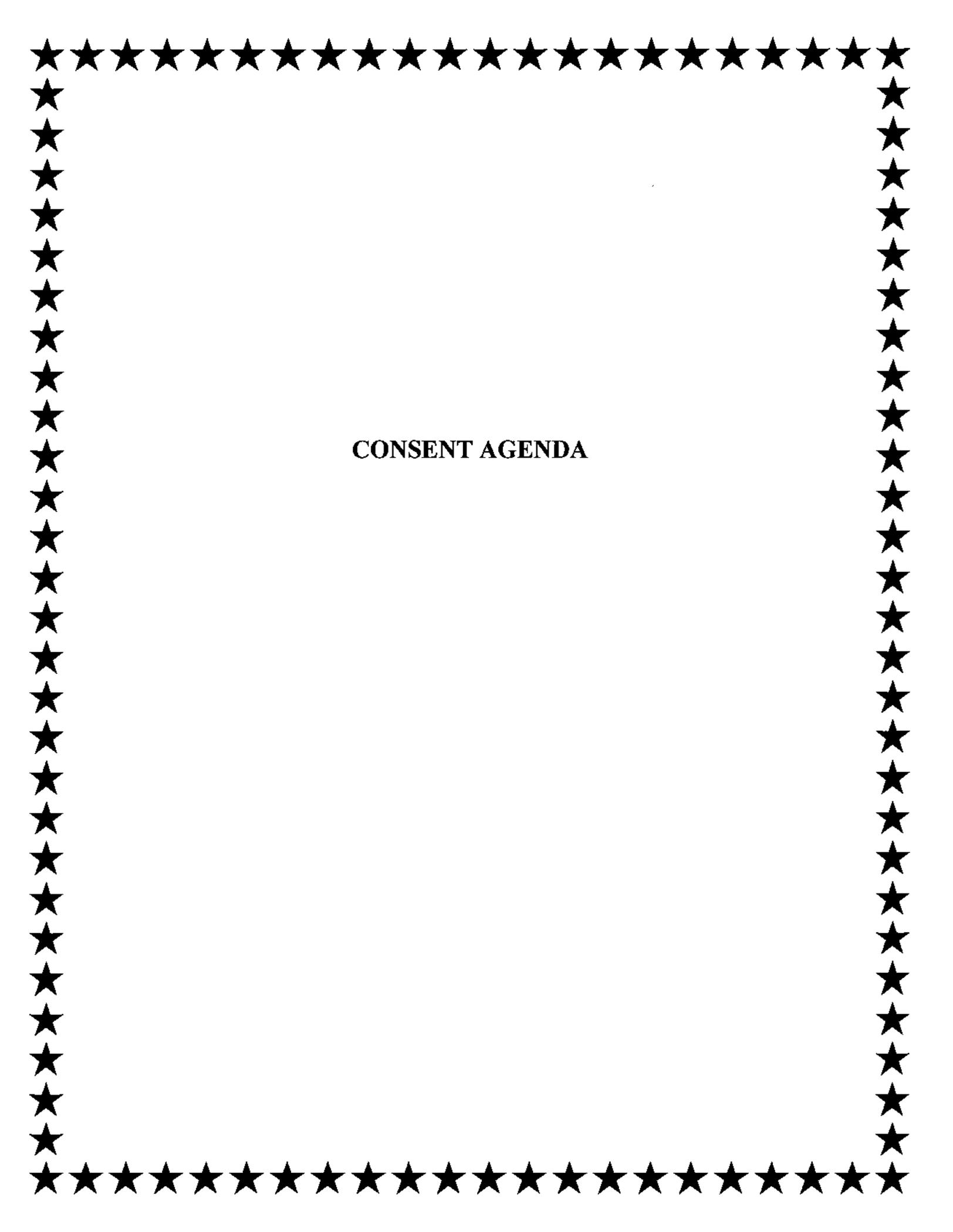
- 1. Street Lighting Recommendation *09/21/2011

Rules Committee

In Committee:

13. GOOD OF THE ORDER

14. ADJOURNMENT

A decorative border of stars surrounds the text. The border consists of a top row of 20 stars, a bottom row of 20 stars, and two vertical columns of 20 stars each on the left and right sides, forming a rectangular frame.

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES

April 9, 2012

Acting Council President Earls called the meeting to order at 7:30 pm. A moment of silence was held with well wishes for Councillor O'Brien. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Ives, Jones, Sullivan, Cameron, Cronin, Derrivan, Heartquist, Herzog, Earls. 9 present, 2 absent (Connell, O'Brien).

1. **LATE FILES** – Councillor Cameron asked to waive the rules and allow the removal of items from Budget and Finance to be allowed.
2. **PUBLIC COMMENT**
 - 1) Mike Duratti 54R Merrimack Street (Black Cow Restaurant) A-Frame Sign

CONSENT AGENDA

3. APPROVAL OF MINUTES

March 27, 2012

(Approve)

4. TRANSFERS

1. Veterans-Veterans Benefits \$3,400 to Veterans Burials \$3,400 (Approve)
2. DPS-Sewer Retained Earnings \$16,000 to Police Details \$7,000, to Fuel/Oil \$9,000 (B&F)
3. DPS-Highway Div. Snow & Ice Labor \$20,000 to DPS-Hwy Overtime \$20,000 (B&F)

Removed by Councillor Cameron.

5. COMMUNICATIONS

1. Black Cow Tap & Grill A Frame Sign request on Merrimack Street (L&P)

Removed referral to Public Safety Committee as scribner's error.

2. NHA's representative to the Community Preservation Committee (R&F)
3. Letter from Senator John F. Kerry regarding Seabrook Station (R&F)
4. Letter from Congressman John F. Tierney regarding Seabrook Station (R&F)

6. APPOINTMENTS – First Reading

Re-Appointments

- | | | | |
|--------------------------|---------------------|---------------------------------|---------------|
| 1. Michael Dissette | 44 Jefferson Street | Open Space Committee | No term |
| 2. Michael Dissette | 44 Jefferson Street | Community Preservation Act Com. | March 1, 2015 |
| 3. Robert Ciampitti, Jr. | 552 Merrimac Street | Zoning Board of Appeals | Feb. 1, 2016 |
| 4. Kevin D. Hunt | 14 Tenth Street | Director of Veteran's Service | April 1, 2013 |

END OF CONSENT AGENDA

Motion to approve the Consent Agenda as amended by Councillor Jones, seconded by Councillor Herzog. 9yes, 2 absent (Connell, O'Brien). So voted.

REGULAR AGENDA

7. TRANSFERS

3. DPS-Highway Div. Snow & Ice Labor \$20,000 to DPS-Hwy Overtime \$20,000

Motion to approve by Councillor Derrivan, seconded by Councillor Cameron. Roll call vote, 9 yes, 2 absent (Connell, O'Brien).

4. TABLED Mayor/School Free Cash \$25,000 to School Rev Curric/Staff Devel. \$25,000

Motion to remove from the Table by Councillor Heartquist, seconded by Councillor Cameron.

Motion to waive the rules and remove from Budget & Finance by Councillor Cameron, seconded by Councillor Jones. So voted. Motion to approve by Councillor Heartquist, seconded by Councillor Cameron. Roll call vote, 9 yes, 2 absent (Connell, O'Brien).

In Committee:

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

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4. Yankee Homecoming 2012 July 29th – August 5th *03/27/2012
5. PMC Kids Ride June 24, 2012 *03/27/2012

Public Utilities Committee

In Committee:

1. Street Lighting Recommendation *09/21/2011
2. Drain Layer/Utility Contractor Tom Williamson's Landscape Masonry *03/12/2012

Motion to remove by Councillor Herzog, seconded by Councillor Derrivan. Motion to approve by Councillor Herzog, seconded by Councillor Derrivan. 9 yes, 2 absent (Connell, O'Brien).

Rules Committee

In Committee:

12. GOOD OF THE ORDER

Councillor Sullivan spoke on the Local Historic District study.

13. ADJOURNMENT

Motion to adjourn at 8:07pm by Councillor Derrivan, seconded by Councillor Herzog. So voted.

TRANSFERS



City of Newburyport FY 2012 BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 APR 24 P 1:37

Department: Mayor

Submitted by: Mayor Holaday

Date Submitted: 4/24/2012

Transfer From:

Account Name	Free Cash	YTD Bal:	\$ 784,377.07
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$9,193.50	Trans Out:	\$ 1,006,710.93

Why are Funds Available:

Free Cash is available for any municipal purpose upon the recommendation of the Mayor and a majority vote of the City Council.

Transfer To:

Account Name	General Admin. - Postage	YTD Bal:	\$989.12
Account Number:	01129002-53401	Trans In:	\$ 750.00
Amount:	\$1,500.00	Trans Out:	\$ -

Why are Funds Required: *Postage costs and the number of mailings have increased more than anticipated.*

Transfer To:

Account Name	General Admin. Maint./ Repair Building	YTD Bal:	\$897.73
Account Number:	01129002-52401	Trans In:	\$ 5,000.00
Amount:	\$4,913.50	Trans Out:	\$ -

Why are Funds Required: *Funds are required to make repairs to the heating system in City Hall.*

Transfer To:

Account Name	Mayor - Misc.	YTD Bal:	\$1,584.75
Account Number:	01121007-57801	Trans In:	\$ 2,000.00
Amount:	\$2,780.00	Trans Out:	\$ -

Why are Funds Required: *Funds are required to purchase banner brackets that will hold signs placed throughout the downtown area.*

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

Donna D. Holaday
William B. Squillace

Date: 4/24/12
Date: 4/24/12

COMMUNICATIONS



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 APR 11 P 2:01

April 11, 2012

Dear Mr. President and Members of the City Council,

I am writing on behalf of the Merrimack River Feline Rescue Society, a non profit 501 c3 organization, to request the use of Bartlett Mall for our annual "Strut For Strays" pledge walk. The event will take place on Sunday, May 20, 2012 from 11:00 am to 4:00 pm. We have used the Bartlett Mall in the past and will be setting up the event in the same way with fun and games related booths, entertainment and food. We will need to use the electricity for our stage activities.

The walk will commence at 1:00 pm and will proceed down High Street to Marlboro Street, west on Water Street and up Green Street to return to the Bartlett Mall.

All funds raised will help us to continue our programs for homeless, abused and feral cats.

We are currently working on promotional materials and publicity programs for the event and would appreciate your approval for our event.

If there are any questions regarding this request, please contact Joe Bell by phone at (978) 360-2967 or by email to Joebatl@aol.com

Thank you,

Joe Bell
MRFRS Board Member

The MRFRS is a nationally recognized, non-profit volunteer organization committed to ensuring the health and welfare of feral and domestic cats and kittens by promoting pro-active, compassionate, no-kill programs.

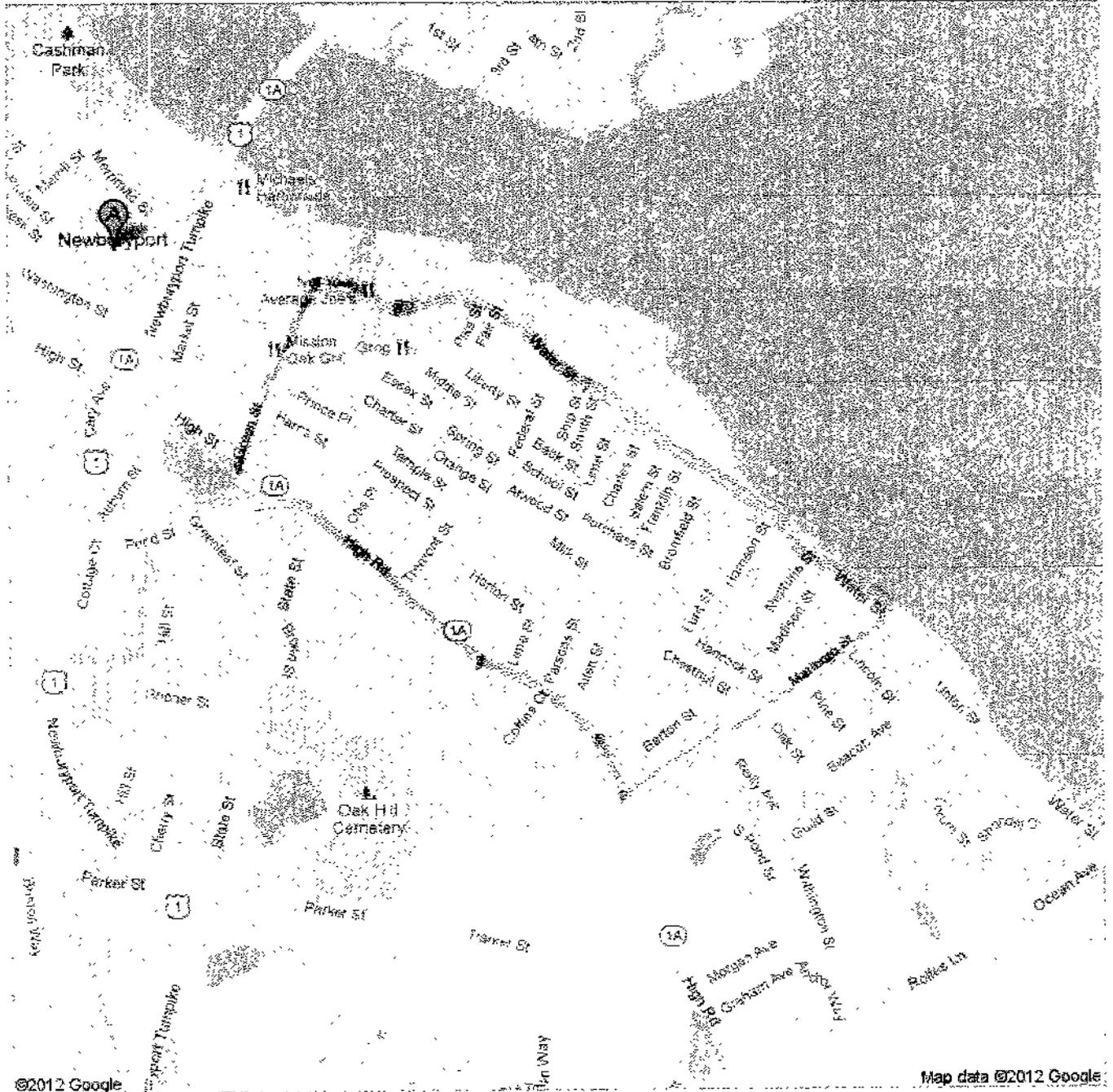
63 Elm Street (Route 110)
Salisbury, MA 01952
phone: 978-462-0760
fax: 978-463-6826
info@mrfrs.org
www.mrfrs.org



Address Newburyport, MA

Get Google Maps on your phone

Text the word "GMAPS" to 466453



©2012 Google

Map data ©2012 Google



Applicant Information

Name of organization The Merrimack River Feline Rescue Society
 Contact name Kimberley Werner
 Address 63 Elm Street (Route 110)
 City Salisbury
 State MA Zip 01952
 Phone 484-357-5125 - Kimberley's cell Fax 978-463-6826
 Email Strut@mrfrs.org MRFRS # 978-462-1700

Scheduling Information

Date of Application 7-13-11

We request use of: Barbet Mall, Newburyport

- | | | |
|--|---|--|
| <input type="checkbox"/> Atwood Park - South End | <input type="checkbox"/> Cushing Park | <input type="checkbox"/> Perkins Park - South End |
| <input type="checkbox"/> Basketball Court | <input type="checkbox"/> Basketball Courts | <i>(For ball field please use "Field Use Permit Form")</i> |
| <input type="checkbox"/> Tennis Court | <input type="checkbox"/> Joppa Park at the Sea Wall - South End | <input type="checkbox"/> Basketball Courts |
| <input type="checkbox"/> Brown Square | <input type="checkbox"/> Jason Sawyer Playground - Plum Island | <input type="checkbox"/> Tennis Courts |
| <input type="checkbox"/> Cashman Park - North End | <input type="checkbox"/> Basketball Court | For Moseley Pavilion please go to |
| <i>(For ball field please use "Field Use Permit Form")</i> | <input type="checkbox"/> Pavilion | www.Moseley Woods.com |
| <input type="checkbox"/> Basketball Courts | <input type="checkbox"/> March's Hill | |
| <input type="checkbox"/> Tennis Courts | <input type="checkbox"/> Basketball Court | <input type="checkbox"/> Rail Trail |

Dates/days requested May 20, 2012
 Time slot requested All day please as in past years. Event will run from 10am - 4pm with set-up
(1 1/2 hour blocks) around 8 am
 Activity Strut for Strays Number of attendees Approx 200

IF YOUR ORGANIZATION SERVES YOUTH UNDER 18 YEARS OLD PLEASE INCLUDE THE FOLLOWING ITEMS WITH YOUR APPLICATION:

- A statement of your organization's purpose including, if applicable, website, program information, brochures
- A copy of a Certificate of Insurance
- A notarized letter stating that the organization runs criminal history, CORI checks, on all staff and volunteers
- A copy of proof that the organization is certified to perform CORI checks through the State of Massachusetts

It is expressly understood and agreed that the regulations of the Parks Commission are to be strictly complied with, and that the undersigned hereby assumes full responsibility for any damages to, or loss of, City Property in consequence of such use of the accommodations described above, and engages to make the same good without any expense to the City. The undersigned also further agrees to promptly pay such charges as may be made for the accommodations requested.

Authorized Applicant Signature Kimberley Werner

• We will also be requesting authorization for commercial activities (Booth Vendors). MRFRS is a 501c3 and the Strut for Strays is a non-profit event that directly benefits the Newburyport and other surrounding communities

For Parks Commission Use
Date reviewed _____
Approved _____
Rejected _____
Comments _____

Donation received _____

Direct further inquiries to
 Lise Reid, Parks Administrator, 978-463-3545, nportparkscommission@yahoo.com
 See page 2 for Rules and Regulations and contacts for use of other parks and recreational facilities

• Flotread will also be joining us again in 2012 with their mobile oven. This contained fire was approved by the Newburyport Fire Dept in 2011. The mobile oven will be parked on street and not directly on the Mall. No Fire permit needed.



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 APR 17 A 8:08

April 5, 2012

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

Dear Mr. O'Brien and City Council Members,

On behalf of the Jeanne Geiger Crisis Center, I am writing to ask for City Council approval on our plans for the 21st Annual Walk Against Violence, scheduled for Sunday, September 30th, 2012.

Since seeking permission from the Council earlier this year, we have decided to make some changes to the event which will both enhance the event and create a better and smoother logistical situation for the City.

The suggested major changes are the following:

- Moving the location of the start and end of the Walk from the Bresnahan School, to the parking lot at Mark Richey Woodworking, 40 Parker St., in the Industrial Park. Mr. Richey has approved our request to stage the Walk at his facility.
- Change the time of the start of the Walk from noon or 1 p.m., to 9 a.m.
- Change the route of the Walk so as to avoid having to cross High Street, and keep all walkers essentially on the same big "block". Marshall Tom Howard has indicated that this would be a preferable to the earlier route

Our reasons for making these changes in location and starting time are as follows:

- As you know, the Industrial Park is virtually empty on a Sunday morning, with ample parking and no traffic, and easy access for our walkers and friends. An ideal place for us to gather and to start the Walk, well away from any residential neighborhoods.
- The Richey Woodworking parking lot is located right next to the Rail Trail, which would be where we begin and end our walk.
- From the Rail Trail next to this property, we would proceed to Low Street, and walk about a 3 mile loop along Low Street, up North Atkinson St. to High Street, then back to the Rail Trail, ending again in the Richey Woodworking parking lot after a 3- mile walk. This proposed route would eliminate the need for our crowd to cross either Low or High Streets (an idea that makes the Police Dept. happy!)

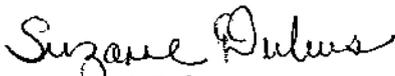
- Staging our event in the Industrial Park would keep our crowd and all of the commotion in the staging area, out of the residential neighborhoods and would thus eliminate any disruption in the community.

For your information, I have enclosed a copy of the proposed revised route. If you have any questions, please call our Event manger, Kelly Majewski, at 978-465-0999.

This year represents our 30th year of providing services to the community. We intend to recognize our 30th anniversary with a number of events and activities during 2012, but none is bigger, or more important to us, than our annual Walk Against violence. I hope you will look favorably upon this request, and please let us know if you have any questions.

Thank you for your consideration.

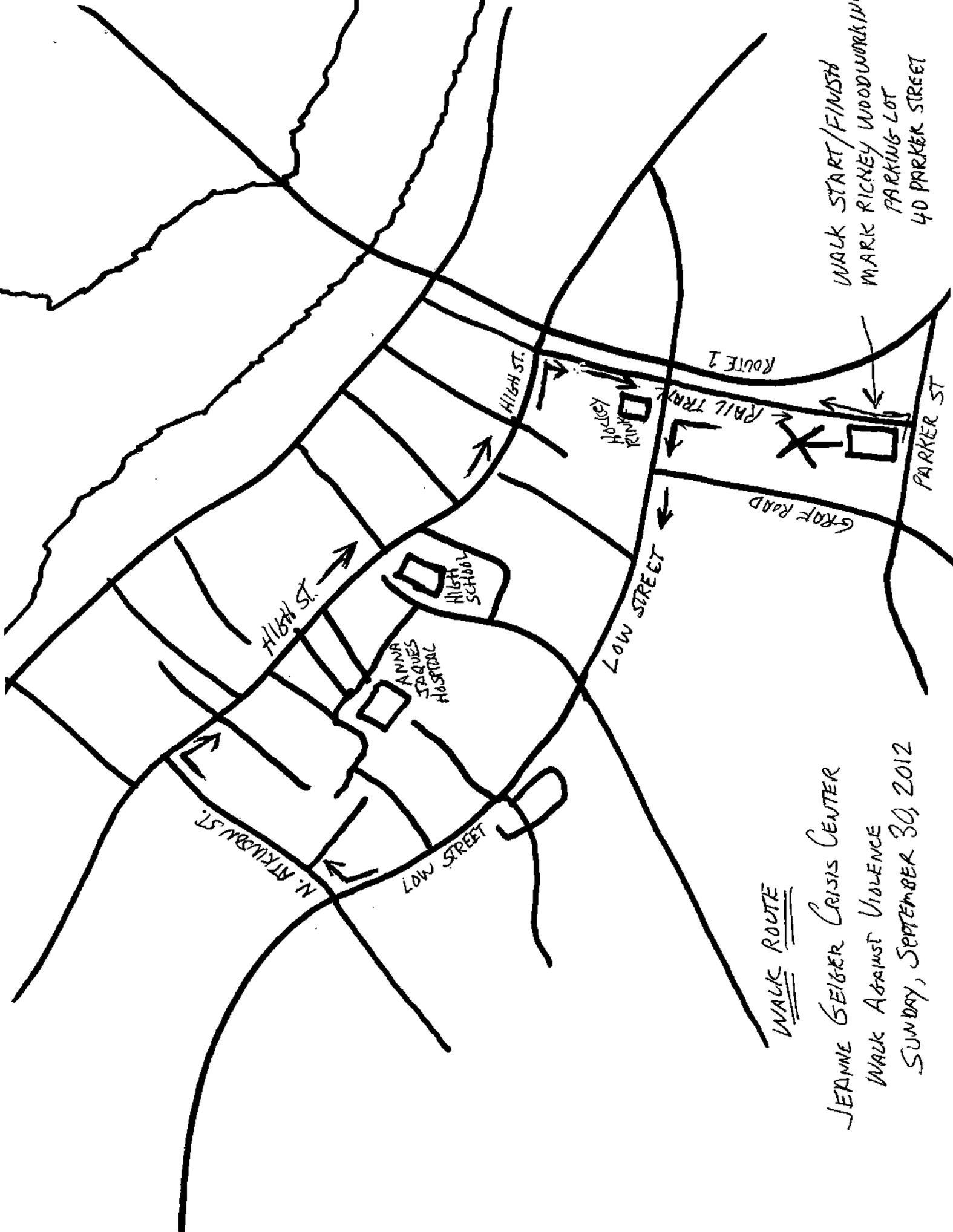
Sincerely,



Suzanne C. Dubus
Chief Executive Officer

Cc: Richard B. Jones, City Clerk

enclosure



WALK START/FINISH
 MARK RINEY WOODWORKING
 PARKING LOT
 40 PARKER STREET

WALK ROUTE

JEANNE GEIGER CRISIS CENTER
 WALK AGAINST VIOLENCE
 SUNDAY, SEPTEMBER 30, 2012



RECEIVED
CITY CLERK'S OFFICE
2012 APR 17 P 3:39



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

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

DATE OF REQUEST: 4/17/12

CONTACT INFORMATION

FIRST AND LAST NAME: Sharon Cassily

MAILING ADDRESS: 49 Warren St.

PHONE NUMBER: 978-358-8686

E-MAIL ADDRESS: mann.sharon@comcast.net

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: 6/16 and rain date 6/23

DESIRED STREET CLOSING LOCATION: Warren St. (Between cutters CT. and Griffen CT.)

Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: YES Between cutters CT. and Griffen CT. on Warren St.

DESIRED STREET CLOSING TIME: 2:00 - 9:00 PM

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

REGULATIONS

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

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

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

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

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

Applicant Signature Sharon Casidy

Date 4/17/12

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL
4 Green Street

FIRE CHIEF
Greenleaf Street

DEPUTY DIRECTOR
1 Perry Way

CITY CLERK
60 Pleasant St.

[Signature] Lt Dennis / 4/17/12

[Signature] Chief

[Signature] 4/17/2012

City use only:

Approved _____ -Denied _____ Date _____



Communication #4
April 30, 2012

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 APR 18 A 10:33

Newburyport Firefighters Local 827
International Association of Firefighters

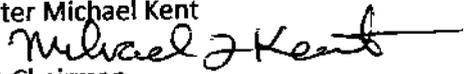
0 Greenleaf Street
Newburyport, MA 01950

To: Newburyport City Council

April 15, 2012

The Newburyport firefighters would like to ask permission to hold it's annual Fill-The-Boot Drive for the Muscular Dystrophy Association during the 2012 Yankee Homecoming Celebration. The location will be Market Square on August 2,3 and 4. All proceeds collected go directly to MDA. Thank you for your continued support.

Firefighter Michael Kent


MDA Chairman

Contact Info: Newburyport Fire Dept : 978-465-4427

Michael Kent: 978-360-1361



JANOS & GRIFFIN, P.C.
ATTORNEYS AT LAW

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 APR 23 A 11: 37

Communication #5
April 30, 2012

MARK L. JANOS*
MARK W. GRIFFIN

BETHANY J. RAFFA*

*ADMITTED IN MA AND NH

April 11, 2012

City Clerk's Office
Newburyport City Hall
60 Pleasant Street
P.O. Box 550
Newburyport, MA 01950

Re: **Application for Approval of
Outdoor Seating for Food Consumption Only**

To Whom It May Concern:

Please be advised that our office represents Caswell Restaurant Group, Inc., d/b/a/, Ceia Kitchen & Bar. We would like to be placed on the City Council's April 30, 2012 Agenda to submit for approval the enclosed Application for Food Establishment Outdoor Seating on Public Property.

If you have any questions regarding this matter, or should the Planning Board wish that we provide any documentation prior to the April 30, 2012 meeting, please do not hesitate to contact me at (978) 465-2043 or via email at bethany.raffa@janosgriffin.com.

Thank you.

Sincerely,


Bethany J. Raffa, Esq.

Enclosure

cc: Caswell Restaurant Group, Inc. (via email)
Newburyport Licensing Commission



NEW FILING X
RENEW _____

City of Newburyport

Application

Food Establishment Outdoor Seating on Public Property

Date: 4/17/2012

Name of Business Owner: Caswell Restaurant Group, Inc.

Name of Property Owner: W. Scott Hoppe

Business Name: Ceia Kitchen & Bar

Business Address: 25 State Street

Number of Tables Requested: 2 Dimensions: 24" x 48" Material: Teak

Number of Chairs Requested: 8 Dimensions: 18" Material: Teak

Applicant requests approval of outdoor seating for the sole purpose of food consumption.

Applicant requests approval of outdoor seating for food *and* alcohol consumption.

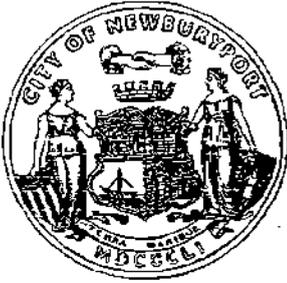
Application Requirements

Please submit the following documents with the completed application to:

**City Clerk's Office
Newburyport City Hall
PO Box 550
60 Pleasant Street
Newburyport, MA 01950**

1) Applicants must provide evidence of liability insurance to the City Clerk with minimum coverage in the amount of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period.

2) 8 ½ x 11 sketch of outdoor seating detailing: a) measurements of tables and chairs
b) total width of sidewalk and c) distance between proposed seating and sidewalk



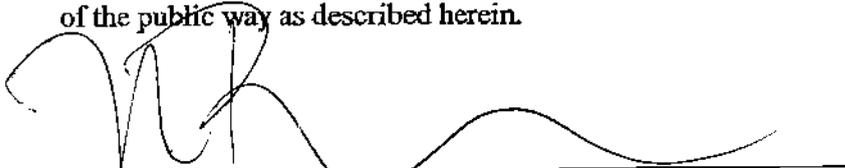
Application

Food Establishment Outdoor Seating on Public Property
(continued)

- 3) obstacles such as streetlights, signs, trees, benches, and garbage barrels.
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
 - a) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including the information and sketch used for the basis of the License Commission approval.
 - b) 8 ½ x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

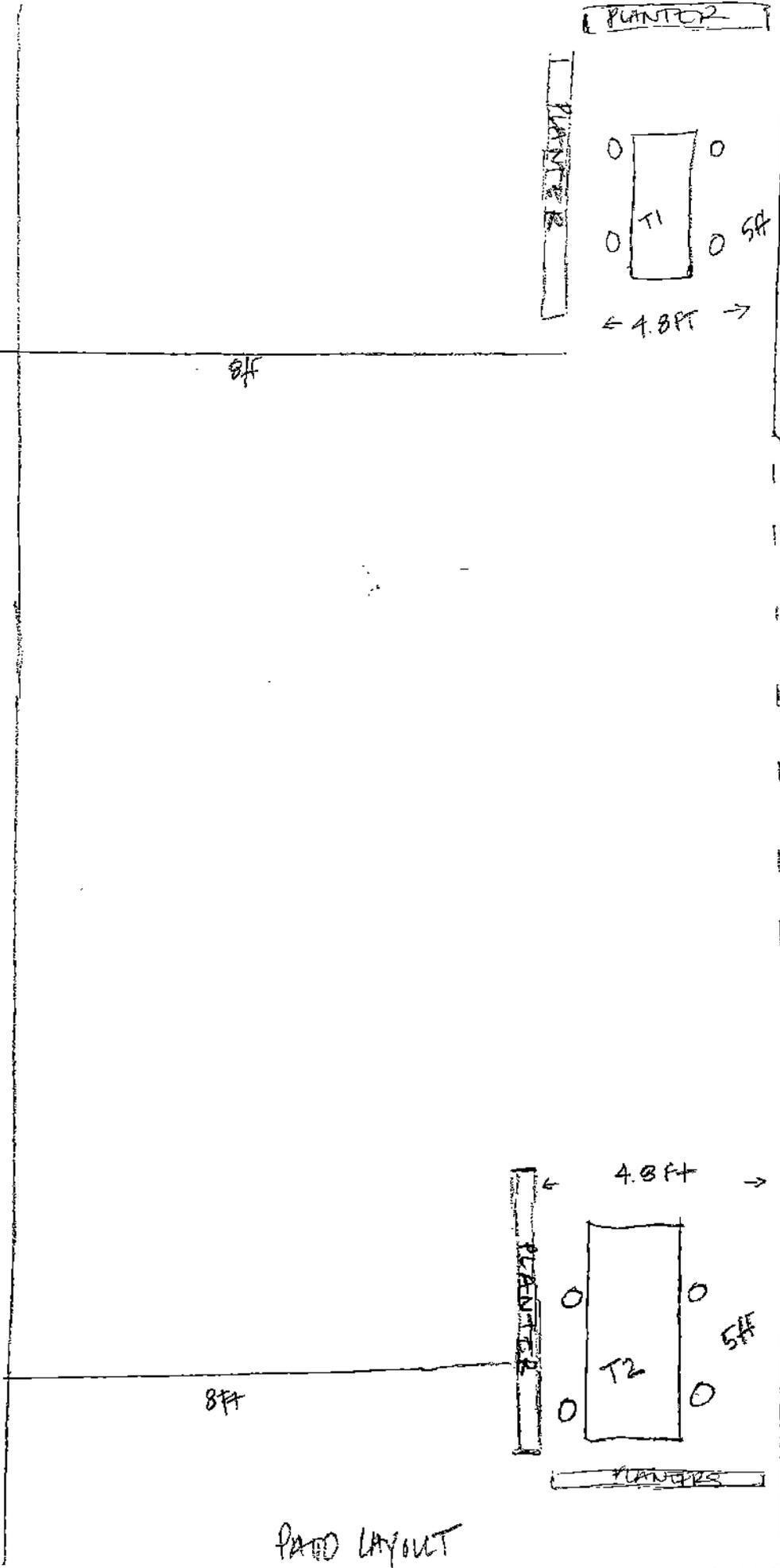
RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

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



Signature of Business Owner

STATE STREET



PATIO LAYOUT

Caswell Restaurant Group, Inc.

Action by Consent of Shareholders and Directors
in Lieu of a Special Meeting
April 10, 2012

Pursuant to the provisions of Massachusetts General Laws, the undersigned, being all of the Stockholders and Directors of **Caswell Restaurant Group, Inc.**, a Massachusetts corporation authorized to do business in the Commonwealth of Massachusetts (the "Corporation") hereby consents to the adoption of the following resolutions, effective as of the date set forth above:

RESOLVED: That the Corporation is hereby authorized and directed to execute any and all documents and instruments necessary to obtain approval to alter the premises in connection with the All Alcoholic Beverage and Common Victuals licenses for the Corporation, d/b/a Ceia, for the premises located at **25 State Street, Newburyport, Massachusetts.**

FURTHER
RESOLVED: That the execution and delivery by **Nancy Caswell**, President of the Corporation of any documents, instruments and certificates authorized in the preceding resolutions, and the taking by him of any acts in any way relating to the transactions contemplated hereby shall be conclusive evidence of the approval by this Board thereof and of their authority to execute and deliver and take the same in the name and on behalf of the Corporation.

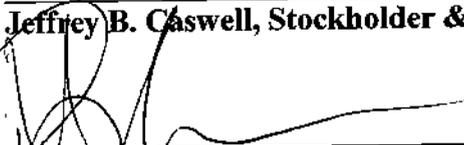
FURTHER
RESOLVED: That **Nancy Caswell**, as President of the Corporation be, and hereby is, authorized, empowered and directed to take any and all actions and to execute and deliver any and all documents and instruments, in the name and on behalf of the Corporation, and under its corporate seal or otherwise, and to do any and all things he deems necessary or advisable to carry out the intent of the foregoing resolutions.

[Remainder of page intentionally blank]

This consent may be executed in one or more counterparts and should be filed with the minutes of meetings of directors and shareholders of this Corporation and shall be treated for all purposes as votes taken at the meeting.

ACKNOWLEDGEMENT AND CONSENT:)

_____)
Jeffrey B. Caswell, Stockholder & Director)


_____)
Nancy Caswell, Director)

BEING ALL OF THE
STOCKHOLDERS AND
DIRECTORS OF
Caswell Restaurant Group, Inc.



CERTIFICATE OF LIABILITY INSURANCE

OP ID: AB

DATE (MM/DD/YYYY)

04/19/12

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

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

PRODUCER Chase & Lunt LLC P O Box 590 47 State Street Newburyport, MA 01950 Mark D. Bailey	978-462-4434 978-465-6204	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS: PRODUCER CUSTOMER ID #: CEIA-01	FAX (A/C, No):
INSURED Ceia Kitchen & Bar Caswell Restaurant Group dba 25 State Street Newburyport, MA 01950	INSURER(S) AFFORDING COVERAGE INSURER A: Arbella Insurance Co. NAIC # 41360 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:		

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

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	GENERAL LIABILITY					EACH OCCURRENCE \$ 1,000,000
A	X COMMERCIAL GENERAL LIABILITY		8500053592	12/13/11	12/13/12	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	CLAIMS-MADE X OCCUR					MED EXP (Any one person) \$ 5,000
						PERSONAL & ADV INJURY \$ 1,000,000
						GENERAL AGGREGATE \$ 2,000,000
						PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					
	POLICY	PRO-JECT	LOC			\$
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	ANY AUTO					BODILY INJURY (Per person) \$
	ALL OWNED AUTOS					BODILY INJURY (Per accident) \$
	SCHEDULED AUTOS					PROPERTY DAMAGE (Per accident) \$
	HIREN AUTOS					\$
	NON-OWNED AUTOS					\$
	UMBRELLA LIAB	OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	CLAIMS-MADE				AGGREGATE \$
	DEDUCTIBLE					\$
	RETENTION					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					WC STATUTORY LIMITS OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A			E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 City of Newburyport is additional insured with respect to general liability as it relates to insured's outdoor restaurant seating as their interest may appear.

CERTIFICATE HOLDER**CANCELLATION**

CITYNBT City of Newburyport 60 Pleasant Street Newburyport, MA 01950	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>James J. Howlett</i>
--	--

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RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

APR 24 P 3:49

CITY OF NEWBURYPORT CITY AUDITOR'S OFFICE

CITY AUDITOR'S OFFICE

NEWBURYPORT CITY HALL

60 PLEASANT STREET

NEWBURYPORT, MA 01950

TEL: 978.465.4404

FAX: 978.462-3257

TO: MAYOR DONNA D. HOLADAY
PRESIDENT THOMAS O'BRIEN AND MEMBERS OF THE
NEWBURYPORT CITY COUNCIL

FROM: WILLIAM B. SQUILLACE, CITY AUDITOR

DATE: APRIL 24, 2012

RE: ANNUAL AUDIT OF THE CITY'S FY 2011 FINANCIAL
STATEMENTS

The certified public accounting firm of Melanson Heath & Company has completed the annual audit of the City's FY 2011 financial statements. This audit must be performed by an outside/independent CPA firm and is required by bond rating agencies, financial institutions, and various state and federal government entities. A copy of the audit is on file in the City Clerk's Office for your review.

The audit was conducted in accordance with auditing standards generally accepted in the United States and standards applicable to financial audits contained in the publication, Government Auditing Standards, issued by the Comptroller General of the United States. These standards require that the audit be performed to obtain a reasonable assurance that the City's financial statements are free of material misstatements. In addition, the audit assesses the accounting principles used and significant estimates made by City management.

The audit indicates that the City's Financial Statements and Schedule of Expenditures of Federal Awards, as required by OMB Circular A-133, are presented fairly, in all material respects and are in conformity with accounting principles generally accepted in the United States of America.

The audit also includes a management report that contains recommendations for strengthening internal controls and operating efficiency. City departments have implemented some of the prior year's recommendations; however, other recommendations will be addressed in FY2012 once the MUNIS and payroll systems have been upgraded. See the audit report for more details on prior year recommendations and an up-date on their implementation.

For FY 2011, the outside auditors included only one recommendation... to improve year-end cut-off procedures to ensure that all invoices are charged to the appropriate fiscal year. This was a particular issue with Capital Project Funds and Special Revenue Funds, which are carried forward from one fiscal year to the next. The City Auditor's Office will be working closely with Department Heads to insure that all invoices are charged to the same fiscal year in which the service or item was received.

Full text available in the City Clerk's Office.

April 30, 2012

Krist

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
16 Olive St. • Newburyport, MA 01950
Phone: 978-358-7718 • E-Mail: kristendonahue@yahoo.com

2012 APR 25 A 8:09

Date: 4/24/12

Newburyport City Council
City Hall
60 Pleasant St.
Newburyport, MA 01950

Dear City Council Members:

I am writing on behalf of the Community Giving Tree of Boxford to ask that you grant permission to the organization to park a small van at Cushing Park for two hours one Saturday a month for the purpose of collecting donations for families in need.

The Community Giving Tree provides low-income families in Essex County with basic necessities such as clothing, school supplies, baby equipment, and personal care items. Many Newburyport families already contribute to the Community Giving Tree, and the organization has offered to help local families donate by coming to us rather than having us individually drive to Boxford. With your permission, the collection van would be parked in the parking lot from 10-12 on the first Saturday of the month year round.

I appreciate your consideration.

Sincerely,



Kristen Donahue

APPOINTMENTS

Appointment #1
April 30, 2012



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 APR 13 A 11:42

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: April 13, 2012
Re: Appointment

A handwritten signature in cursive script, appearing to read "Donna D. Holaday".

I hereby appoint, subject to your approval, the following named individual as a member of the Zoning Board of Appeals. This term shall expire on April 1, 2016.

Howard A. Snyder
26B Strong Street
Newburyport, MA 01950

HOWARD A. SNYDER R.L.A., A.S.L.A., C.L.A.R.B.

26B Strong Street
978.764.6155

Newburyport, MA 01950
howard.snyder@me.com

April 2, 2012

Mr. Andy Port, AICP
Director of Planning and Development
Office of Planning & Development
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

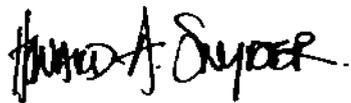
Dear Andy,

I am writing your office to be considered for an appointment to the Zoning Board of Appeals. From your correspondence and speaking with a current member, the Board has an available position and is need for the position to be filled.

In brief, my relevant experience pertains to a previous appointment to Newburyport's Planning Board, private practice work in Massachusetts that involved consultation to and presentation before planning and zoning boards, and my current position as Town Planner in the nearby Town of Georgetown.

Attached is a copy of my resume. Please review and forward to the Board of Selectmen for their consideration if you believe I would be of benefit to Newburyport's Zoning Board. If you have any questions or comments regarding my resume, please email me at howard.snyder@me.com or call, 978.764.6155. I look forward to hearing from you soon.

Sincerely,



Howard A. Snyder

HOWARD A. SNYDER

26B Strong Street
978.764.6155

Newburyport, MA 01950
howard.snyder@me.com

EXPERIENCE SUMMARY

My professional work has engaged a wide range of land use planning and design projects. From implementation of community master plans and oversight of downtown revitalization efforts to park and open space planning, and planning board appointments. With over fifteen years of planning experience, I have developed an exceptional set of design, planning, management, and leadership skills that foster shared effort and coordination among staff, community members and the general public in best practice methods of landscape architecture, economic development, and land use planning.

EDUCATION

New York University, Robert F. Wagner Graduate School of Public Service: New York, N.Y., May 1996
Master of Urban Planning and Public Policy

State University of New York, College of Environmental Science & Forestry: Syracuse, N.Y., May 1991
Bachelor of Landscape Architecture

Semester Thesis in Heidelberg, Germany, 1990
Self-described study regarding psychology of space in urban environments.

Semester Thesis in Copenhagen, Denmark, 1986
Independent investigation of architecture and design in Danish society.

PROFESSIONAL REGISTRATIONS

Registered Landscape Architect
Council of Landscape Architects Registration Board

PROFESSIONAL ASSOCIATIONS

Member, American Society of Landscape Architects
Member, American Planning Association
Associate Member, Urban Land Institute
Associate Member, USGBC

PROFESSIONAL APPOINTMENTS

Planning Board: Newburyport, MA. (2002-2006). Active involvement in a variety of sub-committees including economic development, affordable housing, open space residential design subdivisions and targeted downtown zoning revisions.

Borough Planner: Westwood, NJ and Park Ridge, NJ. Consultant to municipality's planning and zoning boards regarding review of site plan and subdivision applications in respect to conformance to applicable planning guidelines and zoning regulations.

EMPLOYMENT EXPERIENCE

- 2012 to Present: Town of Georgetown, MA: Town Planner. Director of Planning Office overseeing planning and land use efforts. Direct staff support to the Planning Board, Development Review Committee, Economic Development Committee and Affordable Housing Trust. Coordinates with Building Department in the review of all formally submitted plans in respect to zoning, subdivision and special permit regulations. Coordinates technical review of proposed development with inter-department heads and external consultants. Coordinates periodic review, drafting, and public hearings on changes to zoning bylaw, subdivision and associated regulations.
-
- 2009 to Present: Landscape Architect and Land Use Planner: Providing landscape architecture and land use planning services to both public- and private-sector clients. Project types have involved site design and permitting for mixed-use commercial projects, open space subdivisions, and small-scale affordable housing projects.

HOWARD A. SNYDER

26B Strong Street
978.764.6155

Newburyport, MA 01950
howard.snyder@me.com

- 2005 to 2009: eGroup, Inc. Phoenix, AZ: Project Manager. Responsibilities included management of various project team members in various schematic design, construction document and administrative phases of work. Technical responsibilities included specification writing, construction drawing review and coordination between all construction documents. Coordinated specific work tasks with staff members in foreign satellite offices. Administrative responsibilities included client relations, fee negotiations, base and additional service fee contract writing, monthly invoicing and project budget analysis.
- 2002 to 2005: The Cecil Group, Inc., Boston, MA: Project Landscape Architect and Land Use Planner. Landscape Architect roles included project design and process from site analysis through construction documents and project closeout. Urban Planner roles included research, analysis and formulation of report recommendations with hand and computer graphics with various software applications. Facilitated public outreach efforts to advocate municipality's planning efforts to residents and interested public and quasi-public agencies.

HOWARD A. SNYDER

26B Strong Street
978.764.6155

Newburyport, MA 01950
howard.snyder@me.com

- ~~2002 to 2005: The Cecil Group, Inc., Boston, MA: Project Landscape Architect and Land Use Planner. Landscape Architect roles included project design and process from site analysis through construction documents and project closeout. Urban Planner roles included research, analysis and formulation of report recommendations with hand and computer graphics with various software applications. Facilitated public outreach efforts to advocate municipality's planning efforts to residents and interested public and quasi-public agencies.~~
- 1998 to 2002: Carol R. Johnson Associates, Inc., Boston, MA: Senior Landscape Architect. Responsibilities included implementation and coordination of projects in design development, construction document and construction administration phases of work. Tasks included hand and computer generated presentation graphics, formulation of construction documents and field supervision of installation.
- 1996 to 1998: Burgis Associates, Inc., Westwood, NJ: Associate Landscape Architect and Land Use Planner. Responsibilities included design development and construction documentation with presentation graphics/renderings. Planner responsibilities included conformance review of site plan and zoning regulations of development applications, master plan documents and assistance in review and evaluation of municipal conformance to state and federal requirements.
- 1994 to 1996: New York City Parks and Recreation Department, Riverside Park: Internship as Landscape Architect in Training. Internship role supported Parks Department manager and lead landscape architect in efforts to maintain and improve the second largest park in the City of New York.
- 1994 to 1996: New York City Department of Planning, Transportation Division: Internship as Transportation Division Planner. Internship position supported lead planner in analysis and formulation of reports to document physical and policy solutions to transportation driven issues affecting the Borough of Manhattan.
- 1991 to 1994: Richard Emik Associates, Inc. Phoenix, AZ: Project Manager. Responsibilities included design, coordination, and production of site plans, and construction administration for residential, sports centers, corporate and commercial development and redevelopment, city parks and interpretative centers. Performed site investigations and developed written and graphic documentation of findings for the purpose of private developer's assessment of development potential.

DEVELOPMENT PROJECTS

- Open Space Residential Development, Amesbury, MA. Coordinated the design and permitting for a 14 unit OSRD subdivision on 5 acres of historically significant farmland in Amesbury. The project included over 15 acres (76%) of permanent public open space, walking trails, boardwalks. It also included a full restoration of the c. 1795 homestead on the property and conversion into a two-family in order to meet the affordability requirements of the town.

HOWARD A. SNYDER

26B Strong Street
978.764.6155

Newburyport, MA 01950
howard.snyder@me.com

- Mixed-Use Redevelopment Project, Amesbury, MA. Coordinated the design and permitting of a mixed-use redevelopment project with ground-floor commercial uses and upper floor residential within a traditional village center district. Preliminary design and neighborhood outreach was required in order to revise eight zoning regulations in order to support the use and dimensional requirements of the project. The project includes a context-sensitive building design, shared parking and utilities and is projected to add over \$50,000 in new annual tax revenue and 10-12 new permanent full time jobs.
- Affordable Housing Project, Amesbury, MA. This small-scale, 4-unit affordable housing project included public outreach with the neighborhood and community in order to support rezoning of the property for two traditionally designed two-family structures to be located within an urban infill property in Downtown Amesbury. The town was credited with the affordable housing unit that was added to the State's inventory of affordable housing units (SHI).
- Malden Mills: Lawrence, MA. Adaptive redevelopment of a former textile mill brownfield site into a cohesive residential and office mix-use complex. Coordinate developer's economic based program needs with limiting site conditions to develop and document phased site improvements.
- Redevelopment of the Hingham Shipyard: Hingham, MA. Shipyard facilities established during World War Two had remained unused since the early 1980's. Develop overall site plan to graphically represent municipal development policy requirements and market driven program needs of developer. Integrated residential and retail development paired with marina and marina-related development.

INSTITUTIONAL PROJECTS

- University of New England Campus Master Plan: Biddeford, ME. Analysis and evaluation of a regional institution's physical campus. Plan incorporated findings and University's short and long range needs for smart growth.
- Vassar Streetscape Redevelopment: Massachusetts Institute of Technology, Cambridge, MA. Research and feasibility analysis to develop streetscape programming that conformed to the Institute's requirements while complementing and enhancing the surrounding urban fabric context.

MUNICIPAL PROJECTS

- Beverly Farms Development Strategy: Beverly Farms, MA. Study and document physical and policy improvements to support downtown economic revitalization efforts.
- Newburyport High Street Master Plan: Newburyport, MA. Master Plan for phased implementation of streetscape improvements to the principal vehicular and pedestrian gateway into a historic seaport city.
- Northern Conomo Point, Essex, MA. Preliminary planning and design for potential subdivision of the municipally-owned land in Northern Conomo Point. Project planning included a conceptual subdivision design, draft zoning amendment and open space planning for shoreline access, parking and park improvements.
- Community Development Plan: West Newbury, MA. Economic development strategies for a rural community that is sensitive to their civic image. Plan based upon community participation and grant funding requirements and sources.
- Oradell Streetscape: Oradell, NJ. Plan for re-development of town center and overlay business district to address analyzed transportation, pedestrian and park improvement constraints and opportunities.

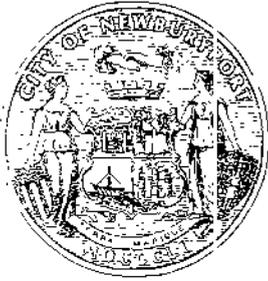
HOWARD A. SNYDER

26B Strong Street
978.764.6155

Newburyport, MA 01950
howard.snyder@me.com

POLICY PROJECTS

- Port Canaveral Land Use and Development Plan: Port Canaveral, FL. Provide site and economic analysis for Port Authority to establish and adopt an overall Port Canaveral Master Plan. Subsequent supporting land use planning associated with the implementation of the adopted Port Canaveral Land Use Plan.
- Truro Civic Center and Residential Development: Truro, MA. Strategic Development Plan to balance the Town's needs for affordable housing, open space, recreation requirements, and civic center development.
- Wall Street Area Plan: Norwalk, CT. Analyzed and documented existing urban fabric. Developed an overall plan to describe a coherent central district character to attract business development.
- ~~References available upon request~~



CITY OF NEWBURYPORT

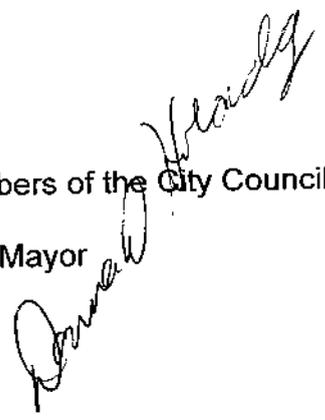
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 APR 24 P 1:54

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: April 24, 2012
Subject: Appointment



I hereby appoint, subject to your approval, the following named individual as the tenant member of the Newburyport Housing Authority. This term will expire on May 1, 2017.

Kimberley Logue
50 Park Circle
Newburyport, MA 01950

**Park Circle Tenants Organization
50 Park Circle
Newburyport, MA 01950**

April 20, 2012

The Honorable Mayor Holaday
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

Dear Mayor Holaday,

I am writing to express my interest in being the Tenant Representative on the Newburyport Housing Authority Board and have attached my resume for your consideration. In addition to being the President of the Park Circle Tenants Organization I was an active member of the original planning group. It would be an honor to represent all of the Newburyport public housing tenants. Please feel free to call or email me with any questions or to schedule a meeting at your convenience.

Sincerely,



Kimberley Logue
angelfan428@aol.com
(978) 462-1949
(978) 394-9925

Kimberley Logue
6 Park Circle
Newburyport, MA 01950
(978) 462-1949
(978) 394-9925

Objective

To be appointed as the Tenant Representative on the Newburyport Housing Authority Board of Directors

Summary

A quick learner, works well independently and as part of a team. Honest, reliable and productive individual possessing an excellent reputation with customers as a competent, knowledgeable and helpful professional.

Training

The Career Center of Lowell, Lowell, MA
PC Applications Certificate Program
Keyboarding, Word, Excel, Power Point and Access

Experience

Park Circle Tenants Organization; Newburyport, MA (PCTO)
June 2011 -- Present

President

- Schedule and post monthly meetings
- Develop meeting agenda
- Meet monthly with PCTO Officers to discuss financial statement, plan events, guest speakers, old and new business
- Coordinate quarterly newsletter
- Communicate with Newburyport Housing Authority about tenant issues

Park Circle Tenants Organization; Newburyport, MA
September 2009 – May 2010

Planning Committee Member

The Lowell Publishing Company; Lowell, MA
July 2004 – February 2005

Classified Sales Representative

- Data Entry.
- Responsible for customer service and order taking.
- Outbound telemarketing.
- Copied, filed and faxed information pertaining to orders.

The Career Center of Lowell; Lowell, MA

March 2004 – July 2004

Office Clerk Internship

- Assist Computer Programs Coordinator in instruction of all business related computer programs.
- Under the supervision of Computer Programs Coordinator, instruct students individually in computer applications.
- Provide assistance in conducting basic job related tasks utilizing an individualized computer format.
- Assist Workshop Facilitator by creating sample documents for workshops including resumes, cover letters and labor market research.
- Copy, file and fax correspondence for the Employment Services Department.

Dunkin Donuts; Lowell, MA

April 1994 – October 1996

Customer Service / Cashier

- Responsible for customer service and sales transactions.
- Operate computerized register system.
- Handle cash intake, inventory control and light maintenance.
- Stock and reshelve store.
- Accurately handle large amounts of cash.

Dunkin Donuts; Chelmsford, MA

September 1990 – April 1993

Cashier/Shift Leader / Donut Finisher / Baker

- Responsible for customer service and sales transactions.
- Perform food and beverage related duties including daily food preparation, cash register accountability, customer service, maintenance and sanitation.
- Train new employees in professional customer service, store policies and procedures, product lines and register operations.
- Resolve conflicts in high-pressure environment.



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 APR - 9 PM 6:49

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: April 9, 2012
Re: Re-Appointment

Donna D. Holaday

I hereby appoint, subject to your approval, the following named individual as a member of the Newburyport Redevelopment Authority. This term shall expire on March 1, 2017.

Patricia Dorfman
16A 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

RECEIVED
CITY CLERK'S OFFICE
APR 17 2012 10:49

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: April 17, 2012
Re: Re-Appointment

I reappoint, subject to your approval, the following individual as a member of the Council on Aging. This term will expire on May 31, 2017.

Martha True
24 Cherry 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

RECEIVED
CITY CLERK'S OFFICE
APR 17 2012 10:50

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: April 17, 2012
Re: Re-Appointment

Donna D. Holaday

I hereby reappoint, subject to your approval, the following named individual as a member of the Fruit Street Local Historic District Commission. This term will expire on May 31, 2015.

Bonnie Sontag
10 Upland Road
Newburyport, MA 01950

Re-Appointment #6
April 30, 2012



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 APR 17 4 13 50

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: April 17, 2012
Re: Re-Appointment

A handwritten signature in cursive script, appearing to read "Donna D. Holaday", is written over the "Re:" line and extends upwards into the "From:" line.

I hereby reappoint, subject to your approval, the following named individual as a member of the Planning Board. This term will expire on May 31, 2017.

Bonnie Sontag
10 Upland Road
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

RECEIVED
CITY CLERK
APR 17 2012

2012 APR 17 P 2:00

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: April 17, 2012

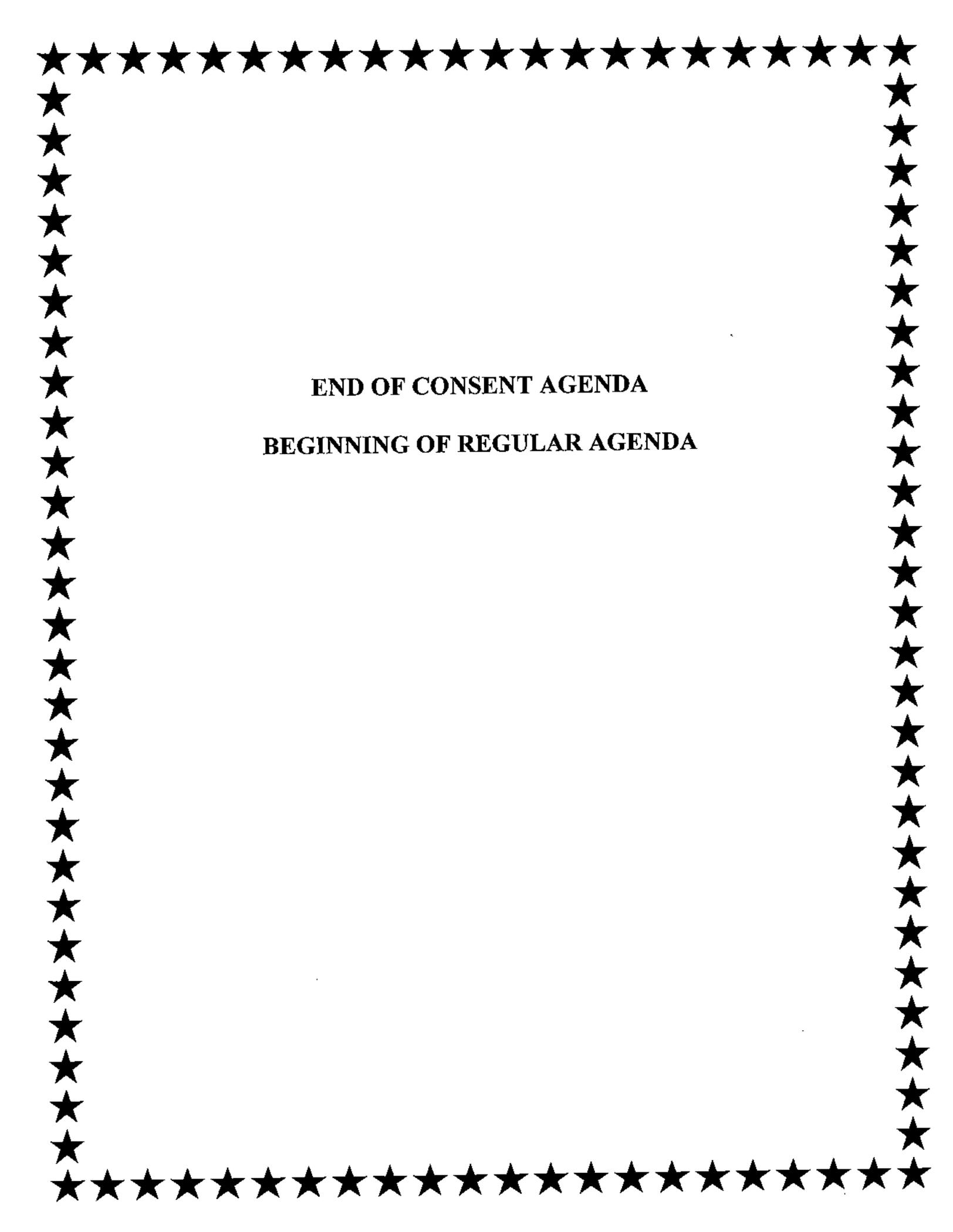
Subject: Re-Appointment

Smiley

Smiley

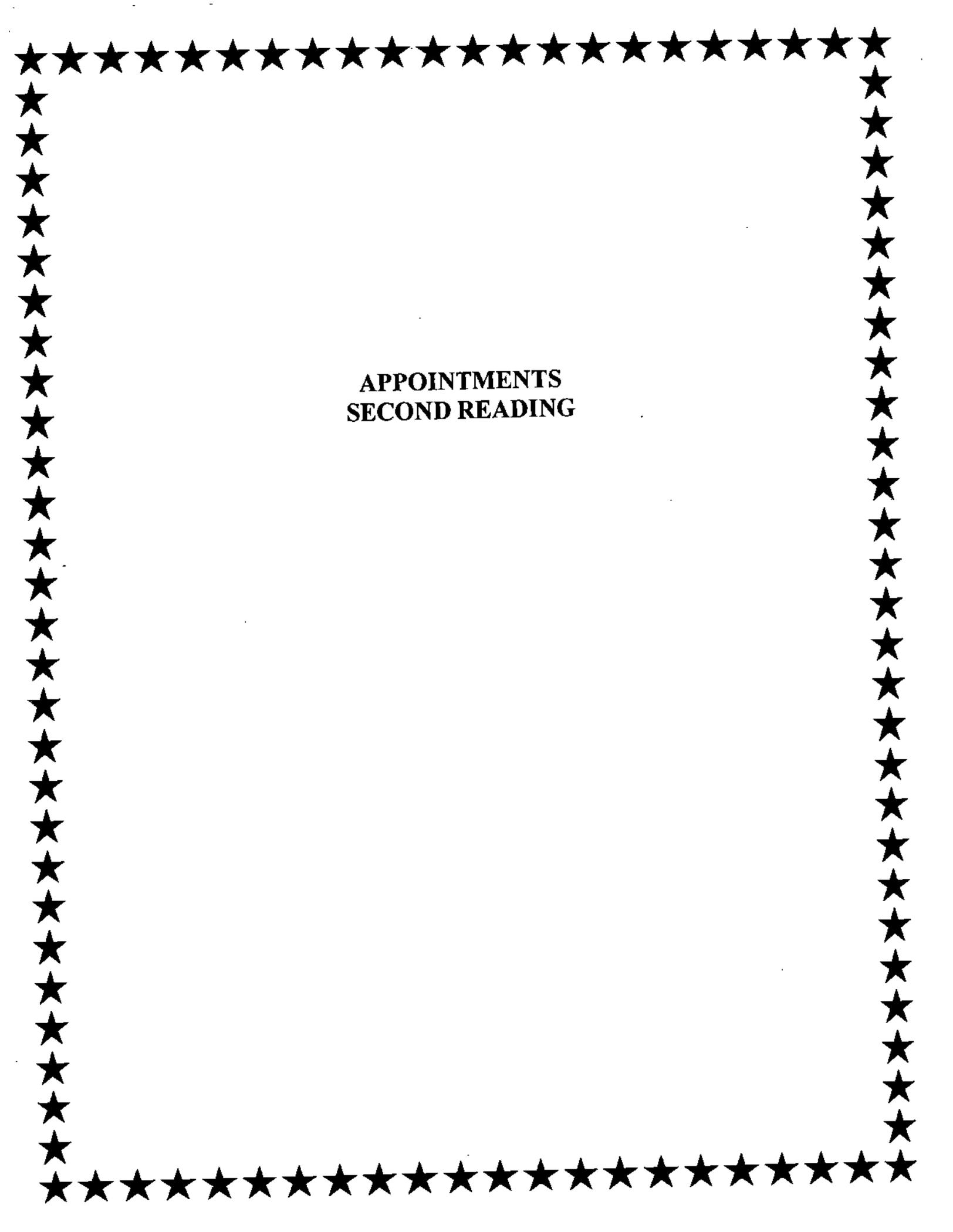
I hereby reappoint, subject to your approval, the following named individual as a member of the Historical Commission. This term will expire on May 1, 2015.

Linda Smiley
7 Atwood Street
Newburyport, MA 01950



END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA



**APPOINTMENTS
SECOND READING**

MAYOR'S APPOINTMENTS
April 30, 2012
SECOND READING

Re-Appointments

1. Michael Dissette	44 Jefferson Street	Open Space Committee	No term
2. Michael Dissette	44 Jefferson Street	Community Preservation Act Com.	March 1, 2015
3. Robert Ciampitti, Jr.	552 Merrimac Street	Zoning Board of Appeals	Feb. 1, 2016
4. Kevin D. Hunt	14 Tenth Street	Director of Veteran's Service	April 1, 2013

In City Council April 9, 2012

Motion to approve the Consent Agenda as amended by Councillor Jones, seconded by Councillor Herzog. 9yes, 2 absent (Connell, O'Brien). So voted.

ORDERS

PROCLAMATION

WHEREAS, Newburyport citizens are served every day by public servants in federal, state, county, and local government. These unsung heroes do the work that keep our government alive and working; and

WHEREAS, Public servants throughout the city include teachers, nurses, laborers, librarians, public safety officers, computer technicians, health care professionals, and many other occupations. These employees provide the services demanded by citizens with efficiency and integrity; and

WHEREAS, Without these public servants throughout the city, continuity of government would be impossible in a democracy that regularly changes its leaders and elected officials; and

WHEREAS, Public Service Recognition Week has been celebrated the first week of May every year since 1985, in accordance with an annual designation by the President and Congress. Throughout the country, mayors, governors, communities, and public service organizations participate by issuing proclamations, hosting award ceremonies and special tribute events, and delivering messages about the value of public service.

THEREFORE, BE IT RESOLVED, that Mayor Donna D. Holaday and the Newburyport City Council proclaims to all citizens that May 6 - 12, 2012 is Public Service Recognition Week. All citizens are encouraged to recognize the accomplishments and contributions of government employees at all levels, federal, state, county, and city.



Given under my hand and seal this
Thirty Day of April in the Year Two
Thousand and Twelve,

Donna D. Holaday, Mayor

COMMITTEE ITEMS



City of Newburyport

FY 2012

BUDGET TRANSFER REQUEST

Transfer #2
April 9, 2012

bot

132 153 -3 P 2:44

Department: DPS - SEWER

Submitted by: Anthony Fumari, Director

Date Submitted: 3/22/2012

Transfer From:

Account Name	<u>Retained Earnings</u>	YTD Bal:	<u>\$ 1,562,412.51</u>
Account Number:	<u>6144-32801</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$16,000.00</u>	Trans Out:	<u>\$ 513,413.49</u>
Why are Funds Available:	<u>Certified retained earnings balance from FY2011. "Retained Earnings" is the term used in Enterprise Funds for "Free Cash" in the General Fund.</u>		

Transfer To:

Account Name	<u>Police Details</u>	YTD Bal:	<u>\$ 640.00</u>
Account Number:	<u>61440002-53026</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$7,000.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Required:	<u>Police details are now required for all work. There are seventeen more police details for construction in FY2012.</u>		

Transfer To:

Account Name	<u>Fuel/Oil</u>	YTD Bal:	<u>\$ 7,363.71</u>
Account Number:	<u>61440004-54801</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$9,000.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Required:	<u>Due to the rise in fuel costs. Five more months in FY2012 at \$3,200 per month less remaining funds.</u>		

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

Donna D Holaday
William B Squillace

Date: 4/3/12
Date: 4/3/12

Tara Mahon McQuaid
5 Silver Ledge Road
Newbury, MA 01951

Newburyport City Council
Newburyport City Hall
60 Pleasant Street
Newburyport, MA 01950

March 22, 2012

Dear City Council Members,

I am writing to request authorization to hold a PMC Kids Ride in Newburyport. The idea is for kids to ride their bikes in an effort to raise money for The Jimmy Fund. The Pan Mass Challenge (PMC) is the major fundraiser for Dana Farber Cancer Institute's Jimmy Fund. One hundred percent of rider-raised dollars are donated to The Jimmy Fund. The PMC Kids Rides have been happening in communities throughout the state since 2005. If approved, this will be the first PMC Kids Ride in the Greater Newburyport area. The proposed date is June 24, 2012. The proposed time is 9am-1pm. The proposed location is the Clipper City Rail Trail for approximately 1-2 hours as well as Cashman Park for a post-event gathering for 1-2 hours.

If you would like to familiarize yourselves with PMC Kids Rides that have taken place in other communities, please visit www.kids.pmc.org. I hope you share my belief that this would be a positive event for the Greater Newburyport Community. Please let me know if I can provide you with any additional information. Thank you for your consideration.

Respectfully,

Tara Mahon McQuaid

Tara Mahon McQuaid
(978)809-1241
tnmmcquaid@comcast.net



DAB

RECEIVED
CITY OF NEWBURYPORT
CITY CLERK'S OFFICE
100 STATE STREET
NEWBURYPORT, MA

MAR 19 10 09 50

YANKEE HOMECOMING 2012 – “Newburyport-A Hidden Jewel”

July 29th – August 5th

March 12, 2012

Dear Newburyport City Council,

My name is David Chretien and I am pleased to introduce myself as the General Chairman for Yankee Homecoming 2012. I have been a lifelong Salisbury resident and have witnessed firsthand the evolution of Newburyport over the years. Yankee Homecoming is very proud to be a part of the last 55-years of the City's rich history.

“Newburyport-A Hidden Jewel” is our theme. On behalf of the entire Yankee Homecoming committee; our Board of Directors and dedicated volunteer group, I would like to respectfully request the use of the City for this summer's festivities.

The dates are Sunday, July 29th through Sunday, August 5th. I look forward to sharing our “hidden jewel” with you, our great residents and the many visitors to this beautiful corner of the world.

Thank you, in advance, for your continued accommodation and support of Yankee Homecoming.

Respectfully,

David Chretien
Yankee Homecoming 2012 – General Chairman

CITY OF NEWBURYPORT



77110-6 P 3:50

IN CITY COUNCIL

ORDERED:

Date:

March 12, 2012

THAT the City Council approves a perpetual Conservation Restriction, pursuant to MGL c. 184, §31-33, from Springwell Investments LLC to the Essex County Greenbelt Association. The Conservation Restriction affects a portion of the Oleo Woods Open Space Residential Subdivision that is approximately 36 acres in size. This gift is made in accordance with the agreed-upon conditions of a Section XIV Special Permit issued by the Planning Board on February 15, 2006.

Councillor Barry N. Connell

Handwritten:
To -
Felix
PAB
BC
BD



CITY OF NEWBURYPORT
OFFICE OF PLANNING AND DEVELOPMENT

60 PLEASANT STREET • P.O. Box 550
NEWBURYPORT, MA 01950
(978) 465-4400 • (978) 465-4452 (FAX)

RECEIVED
CITY OF NEWBURYPORT
PLANNING & ZONING OFFICE
2012 MAR -5 P 3:49

March 6, 2012

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

Re: Oleo Woods Conservation Restriction

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

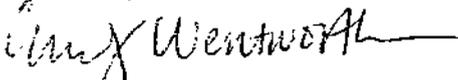
I am pleased to present the enclosed conservation restriction for the review and approval of the City Council, as required pursuant to MGL Chapter 184, Section 32.

The conservation restriction fulfills a condition of an Open Space Residential Development special permit originally approved by the Planning Board in 2006. The restriction, which affects approximately 36 acres located within the Oleo Woods Subdivision, will protect significant wetland resources and provide public trail access adjacent to the existing Little River Nature Trail. I attached a site plan of the proposed restriction boundaries so that you can see the affected area.

The restriction will be held by the Essex County Greenbelt Association, and approved by the Council, Mayor and Massachusetts Secretary of Energy and Environmental Affairs. The term of the restriction is perpetual.

Please feel free to contact me with any questions at all regarding this request.

Sincerely,


Emily Wentworth
Planning & Zoning Administrator

Cc: Donna D. Holaday, Mayor
David Santomenna, ECGA
Michael Green, Springwell Investments, LLC

Springwell CR 2/28/2012

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NOTARY PUBLIC
2012 MAR -5 P 3:49

CONSERVATION RESTRICTION

The undersigned, Springwell Investments, LLC, a New Hampshire Limited Liability Company, registered to do business in Massachusetts, and having its principal office at 11 Lafayette Road, P.O. Box 1297, North Hampton, New Hampshire, for its successors and assigns (hereinafter "Grantor"), acting pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws, for nominal consideration, hereby grants to ESSEX COUNTY GREENBELT ASSOCIATION, INC., a Massachusetts not for profit corporation having its principal office at 82 Eastern Avenue, Essex, Essex County, Massachusetts 01929, and its permitted successors and permitted assigns (hereinafter "Grantee"), in perpetuity and exclusively for conservation purposes, the following Conservation Restriction on a parcel of land located in the City of Newburyport, Essex County, Massachusetts (the "Premises") containing approximately 35.95 acres, shown as "Remaining Land" on a plan of land entitled "Oleo Woods OSRD Definitive Subdivision, Newburyport, MA," prepared by Millennium Engineering, Inc. (MEI), 62 Elm Street, Salisbury, MA on behalf of Springwell Investments, LLC, Sheets 1-25, dated 03/09/2011 and revised through 08/01/2011, and recorded at the Essex South District Registry of Deeds in Plan Book 430, Plan No. 16 (the "Plan"), a reduced copy of which is attached hereto as Exhibit A. For Grantor's title see deed recorded with Essex South District Registry of Deeds at Book 30253, Page 549.