

CITY COUNCIL MEETING
AGENDA - VERSION 2
May 31, 2011
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
May 9, 2011 (Approve)
7. TRANSFERS
 1. Police Court Time (\$1,500) to Police Dispatchers Overtime (\$1,500) (Approve)
 2. Police Salary of Reserves (\$1,500) to Police Dispatchers Overtime (\$1,500) (Approve)
 3. Mayor Senior Tax Incentive (\$11,969.03) to City Clerk Admin (\$1,969.03), and to Unemployment Claims (\$10,000) (Approve)
 4. Mayor Health Solid Waste (\$60,000) to PSD Street Lights (\$60,000) (B&F)
 5. Assessors Mileage Expense (\$250.00) to Assessors Other Supplies (\$250.00) (Approve)
8. COMMUNICATIONS
 1. Cars Port Taxi rate increase request (L&P)
 2. St. Paul's Church request to restrict parking on Summer Street entrance (PS)
 3. Newburyport Firefighters' Fill the Boot Drive Aug. 4, 5, 6, 2011 at Market Sq (Approve)
 4. Yankee Homecoming events in NRA East Lot requests for July 29, 30, 2011 (PS)
 5. Newburyport Retirement Board meeting June 28, 2011 Retiree COLA vote (R&F)
 6. Letter to designate Matthews Court at Inn Street Mall (P&D)
 7. Letter regarding Pole at 114 High Street (PU)
 8. Rockfish Outdoor Seating Application Renewal (Approve)
 9. Chamber of Commerce 10th Annual Riverfront Festival July 16, 2011 (PS)
9. APPOINTMENTS

Re-Appointment

1. Daniel T. Bowie	11 Erie Avenue	Planning Board	May 31, 2016
2. Daniel Scott	4 Ferry Road	Harbormaster & Spec. Police Officer	April 15, 2014

Appointment

- | | | | |
|-------------------|-----------------|--|----------------|
| 3. Jay F. Iannini | 9 Horton St | Trust Fund Commission | May 31, 2014 |
| 4. Lance Thokle | 1 River Court | Ass't Harbormaster & Spec. Police Officer | April 14, 2014 |
| 5. Leah McGavern | 21 Marlboro St. | Fruit St. Local Historic District Study Com. | May 31, 2014 |

END OF CONSENT AGENDA

REGULAR AGENDA

10. APPOINTMENTS – 2nd Reading

Re-Appointment

- | | | | |
|-----------------------|----------------------|-----------------------|---------------|
| 6. Alan Papert | 174 State St, Unit 4 | Youth Commission | May 31, 2014 |
| 7. Frances Reslewic | 12 Chase Street | Council on Aging | May 1, 2016 |
| 8. Charles Carroll | 25 Hill Street | Council on Aging | May 1, 2016 |
| 9. Richard J. O'Brien | 41 Olive Street | Trust Fund Commission | April 1, 2014 |

Appointment

- | | | | |
|--------------------|------------------|--------------------------|--------------|
| 10. Ellen Hanick | 9 Hallisey Drive | Bartlett Mall Commission | May 31, 2014 |
| 11. Jean L. Berger | 33 Middle Street | Street Tree Committee | |

11. ORDERS

1. Belleville Congregation Church Preservation Restriction Agreement

12. ORDINANCES

1. Amend Ch.8 Sec. 8-83 Solid Waste Regulations
2. Amend Ch.8 Sec. 8-90 Solid Waste Recycling Collection
3. Amend Ch.13 Sec. 13-168 Traffic & Motor Vehicles Parking Restricted on Certain Streets
4. Amend Ch.3 Sec. 3-26 Animals Dogs Leash Required

13. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor Green Initiatives REV APPR (\$20,000) to Mayor-CHMM *11/29/2010
2. Mayor Cap. Improve Stab Fd to Gen Admin-Phone System (\$140,914.74) *03/14/2011
3. DPS-Water Undesignated Fund Balance to Capital Outlay- Water Tank Maint (\$450,000), to Water-Debt Principal (\$90,000), to Water-Debt Interest (\$4,162.50), to Water-Well Redevelopment (\$10,000) *04/11/2011
4. Veterans' Free Cash (\$23,000) to Veterans' Benefits (\$23,000) *05/09/2011
5. Mayor Treasurer Staff Sal.(\$10,000) to Mayor Gen Admin Ed Credit (\$10,000) *05/09/2011
6. Mayor Asst. Treasurer Sal. (\$6,825) to Mayor Gen Admin Ed Credit (\$6,825) *05/09/2011
7. DPS-Water Operations Manager (\$7,914.02) to City Engineer (\$1,544.24), Water Distribution Supervisor (\$2,207.28), FICA Expense (\$4,162.50) *05/09/2011

General Government

In Committee

1. Atmospheric Pollution Ordinance *02/08/2010

- | | |
|---|-------------|
| 2. Proposed Special Act Water & Sewer Commission | *01/10/2011 |
| 3. Proposed Charter on Ballot for November 8, 2011 Municipal Election | *05/09/2011 |
| 4. Campaign Finance Reports-Municipal Forms posting on City Website | *05/09/2011 |
| 5. Union Contract posting on City Website | *05/09/2011 |

Joint Education

In Committee:

License & Permits

In Committee:

- | | |
|---|-------------|
| 1. James Noyes, Taffy's Restaurant 88 State St, Outdoor Seating Application | *05/09/2011 |
| 2. Mark Tramontana, Upper Crust Pizzeria 44 State St. Outdoor Seating App. | *05/09/2011 |

Neighborhoods & City Services

In Committee:

- | | |
|---|-------------|
| 1. Newburyport Tree Ordinance | *07/22/2010 |
| 2. Delete Ordinance entitled Traffic & Motor Vehicles Sec.13-30 | *02/28/2011 |

Planning & Development

In Committee:

- | | |
|---|-------------|
| 1. Residential Handicap Parking Ordinance | *01/11/2010 |
| 2. Atmospheric Pollution Ordinance | *02/08/2010 |
| 3. Green Communities Order | *03/29/2010 |
| 4. Zoning Ord – Sec II Definitions/Sec VI Dimensional Contr | *06/28/2010 |
| 5. Newburyport Tree Ordinance | *07/22/2010 |
| 6. McCarthy Betterment Abatement Order | *04/25/2011 |

Public Safety

In Committee:

- | | |
|--|-------------|
| 1. Residential Handicap Parking Ordinance | *01/11/2010 |
| 2. Sec 13-136 Stop Sign, Plummer Spring Road | *04/25/2011 |
| 3. Ovarian Cancer Awareness Walk, Sept. 25, 2011 | *04/25/2011 |
| 4. Amend Sec. 13-86 Water St. (25mph) State to Federal | *05/09/2011 |

Public Utilities Committee

In Committee:

- | | |
|--|-------------|
| 1. Proposed Special Act Water & Sewer Commission | *01/10/2011 |
| 2. McCarthy Betterment Abatement Order | *04/25/2011 |

Rules Committee

In Committee:

14. GOOD OF THE ORDER

15. ADJOURNMENT

CONSENT AGENDA-BEGINNING

CITY COUNCIL MEETING MINUTES

May 9, 2011

Council President O'Brien called the meeting to order at 7:32 pm and asked for a moment of silence followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Cronin, Derrivan, Earls, Heartquist, Herzog, Hutcheson, Ives, Jones and O'Brien. Councillor Connell absent.

LATE FILE ITEMS – None

PUBLIC COMMENT –

1. Ellen Hanick, 9 Hallisey Drive, Bartlett Mall Park Commission
2. Mark T. Janos, 6 Harris Street, 138 sec. 33B Sunday Alcohol serving

The Mayor was escorted in to address the Council by Councillors Cameron and Ives. The Mayor presented the FY2012 Budget.

Motion to refer the budget to Budget & Finance by Councillor Cameron, seconded by Councillor Derrivan. 10 yes, 1 absent (Connell). So voted.

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.

1. APPROVAL OF MINUTES

April 25, 2011

(Approved)

2. TRANSFERS

1. Veterans' Free Cash (\$23,000) to Veterans' Benefits (\$23,000) (B&F)
2. Health Salary Administrative Asst (\$2,850) to Compost Att'd (\$900), Training Travel Conference (\$850), Misc. Expense (\$1,100) (Approved)
3. Mayor Treasurer Staff Salaries(\$10,000) to Mayor Gen Admin – Ed Credit (\$10,000) (B&F)
4. Mayor Asst. Treasurer Salary (\$6,825) to Mayor Gen Admin – Ed Credit (\$6,825) (B&F)
5. DPS-Sewer Retained Earnings (\$61,408.15) to Sewer Low St. Judgement (\$61,408.15)(Approved)
6. Harbormaster-Longevity (\$450) to Telecommunications (\$450), from Add'l Equipment (\$2,500) to Fuel/Oil Vehicles (\$2,500) (Approved)
7. DPS-Highway Division Labor (\$7,200) to Summer Help (\$7,200) (Approved)
8. DPS-Water Operations Manager (\$7,914.02) to City Engineer (\$1,544.24), Water Distribution Supervisor (\$2,207.28), FICA Expense (\$4,162.50) (B&F)

3. COMMUNICATIONS

1. Chamber of Commerce Oktoberfest date change to Oct. 15, 2011 at Bartlett Mall (Approved)
2. James Noyes, Taffy's Restaurant 88 State St, Outdoor Seating Application (L & P)
3. Mark Tramontana, Upper Crust Pizzeria 44 State St. Outdoor Seating Application (L & P)

4. Letter from residents of 53rd-56th Streets re: closure of beach right of way
5. Sharon Cassily, Warren St. Block Party June 18, 2011

(R&F)
(Approved)

4. APPOINTMENTS

Re-Appointment

1. Alan Papert	174 State St, Unit 4	Youth Commission	May 31, 2014
2. Frances Reslewic	12 Chase Street	Council on Aging	May 1, 2016
3. Charles Carroll	25 Hill Street	Council on Aging	May 1, 2016
4. Richard J. O'Brien	41 Olive Street	Trust Fund Commission	April 1, 2014

Appointment

1. Ellen Hanick	9 Hallisey Drive	Bartlett Mall Commission	May 31, 2014
2. Jean L. Berger	33 Middle Street	Street Tree Committee	

END OF CONSENT AGENDA

Transfer number 4 changed from B&F to approved by Councillor O'Brien.

Communication number 4 removed by Councillor O'Brien.

Motion to approve as amended by Councillor Cameron, seconded by Councillor Earls. 10 yes, 1 absent (Connell). So voted.

REGULAR AGENDA

5. APPOINTMENTS – 2nd Reading

Re-Appointment

1. Duncan LaBay	4 Ferry Road	Zoning Board of Appeals	February 1, 2014
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Motion to approve by Councillor Jones, seconded by Councillor Earls. 10 yes, 1 absent (Connell). So voted.

6. ORDERS

1. Proposed Charter on Ballot for November 8, 2011 Municipal Election

Motion to refer to General Government by Councillor Cameron, seconded by Councillor Cronin. 8 yes, 2 no (Jones, O'Brien), 1 absent (Connell). So voted.

2. Campaign Finance Reports-Municipal Forms posting on City Website

Motion to refer to General Government by Councillor Cameron, seconded by Councillor Jones. 10 yes, 1 absent (Connell). So voted.

3. Union Contract posting on City Website

Motion to refer to General Government by Councillor Cameron, seconded by Councillor Cronin. 9 yes, 1 recused (O'Connor Ives), 1 absent (Connell). So voted.

4. Acceptance MGL c.138 § 33B Alcohol Sales on Sunday

Motion to approve by Councillor Earls, seconded by Councillor Jones. 9 yes, 1 recused (O'Connor Ives), 1 absent (Connell). So voted.

7. ORDINANCES

1. Amend Sec. 13-86 Water St. (25mph) State to Federal

Motion to refer to Public Safety by Councillor Earls, seconded by Councillor Jones. 10 yes, 1 absent (Connell). So voted.

8. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. City Hall Revolving Fund

***08/30/2010**

Motion to remove from Committee by Councillor Cameron, seconded by Councillor Herzog. So voted.

Motion to approve from Committee by Councillor Cameron, seconded by Councillor O'Connor Ives.

10 yes, 1 absent (Connell). So voted.

2. Mayor Green Initiatives REV APPR (\$20,000) to Mayor-CHMM

***11/29/2010**

3. Mayor Cap. Improve Stab Fd to Gen Admin-Phone System (\$140,914.74)

***03/14/2011**

4. DPS-Water Undesignated Fund Balance to Capital Outlay- Water Tank Maint (\$450,000), to Water-Debt Principal (\$90,000), to Water-Debt Interest (\$4,162.50), to Water-Well Redevelopment (\$10,000)

***04/11/2011**

5. Harbor Chapter 4 Boats, Docks & Waterways – fees

***04/11/2011**

Motion to remove from Committee by Councillor Cameron, seconded by Councillor Herzog. So voted.

Motion to approve from Committee by Councillor Cameron, seconded by Councillor Herzog. 10 yes,

1 absent (Connell). So voted.

General Government

In Committee

1. Atmospheric Pollution Ordinance

***02/08/2010**

2. Proposed Special Act Water & Sewer Commission

***01/10/2011**

Joint Education

In Committee:

License & Permits

In Committee:

1. Letter from Agave re: serving alcoholic beverages weekend mornings

***03/14/2011**

Motion to remove from Committee by Councillor Earls, seconded by Councillor Jones. So voted.

Motion to Receive and File by Councillor Earls, seconded by Councillor Jones. 10 yes, 1 absent

(Connell). So voted.

2. Letter from Newburyport Farmers Market Sunday Pour Hours

***03/29/2011**

Motion to remove from Committee by Councillor Earls, seconded by Councillor Jones. So voted.

Motion to Receive and File by Councillor Earls, seconded by Councillor Jones. 10 yes, 1 absent

(Connell). So voted.

Neighborhoods & City Services

In Committee:

1. Newburyport Tree Ordinance

***07/22/2010**

2. Delete Ordinance entitled Traffic & Motor Vehicles Sec.13-30

***02/28/2011**

Planning & Development

In Committee:

- | | |
|---|-------------|
| 1. Residential Handicap Parking Ordinance | *01/11/2010 |
| 2. Atmospheric Pollution Ordinance | *02/08/2010 |
| 3. Green Communities Order | *03/29/2010 |
| 4. Zoning Ord – Sec II Definitions/Sec VI Dimensional Contr | *06/28/2010 |
| 5. Newburyport Tree Ordinance | *07/22/2010 |
| 6. McCarthy Betterment Abatement Order | *04/25/2011 |

Public Safety

In Committee:

- | | |
|--|-------------|
| 1. Residential Handicap Parking Ordinance | *01/11/2010 |
| 2. Sec 13-136 Stop Sign, Plummer Spring Road | *04/25/2011 |
| 3. Ovarian Cancer Awareness Walk, Sept. 25, 2011 | *04/25/2011 |

Public Utilities Committee

In Committee:

- | | |
|--|-------------|
| 1. Proposed Special Act Water & Sewer Commission | *01/10/2011 |
| 2. McCarthy Betterment Abatement Order | *04/25/2011 |

Councillor Cronin stated the committee would be meeting Wednesday at 6:30p.m.

Rules Committee

In Committee:

14. GOOD OF THE ORDER

Councillor Derrivan spoke regarding the Fire Chief's letter on overtime reduction and potential closing of the West End Station.

15. ADJOURNMENT

Motion to adjourn by Councillor Jones and seconded by Councillor Cameron. 10 yes, 1 absent (Connell). So voted. 8:30p.m.

TRANSFERS

City of Newburyport
FY 2011
BUDGET TRANSFER REQUEST

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
A 11:43

Department: Police

Submitted by: Thomas Howard, City Marshal

Date Submitted: 5/17/2011

Transfer From:

Account Name	Court Time	YTD Bal:	\$ 14,896.38
Account Number:	01210001-51404	Trans In:	\$ -
Amount:	\$1,500.00	Trans Out:	\$ -
Why are Funds Available:	These funds are available because the incidents which have required officers to appear in District Court have been less than expected, leaving a surplus in this account.		

Transfer To:

Account Name	Dispatchers Overtime	YTD Bal:	\$ 1,724.07
Account Number:	01210001-51302	Trans In:	\$ 6,000.00
Amount:	\$1,500.00	Trans Out:	\$ -
Why are Funds Required:	<i>This transfer is needed to cover unfilled dispatcher shifts when part timers are unavailable</i>		

Transfer To:

Account Name		YTD Bal:	
Account Number:		Trans In:	
Amount:		Trans Out:	
Why are Funds Required:			

Transfer To:

Account Name		YTD Bal:	
Account Number:		Trans In:	
Amount:		Trans Out:	
Why are Funds Required:			

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

Donna D. Holaday
William B. Squillace

Date: 5/18/11
Date: 5/17/2011

Transfer #2
May 31, 2011

City of Newburyport
FY 2011
BUDGET TRANSFER REQUEST

CLERK'S OFFICE
NEWBURYPORT, MA

2011 MAY 18 A 10:13

Department: Police

Submitted by: Thomas Howard, City Marshal

Date Submitted: 5/3/2011

Transfer From:

Account Name	Salary of Reserves	YTD Bal:	\$ 4,405.00
Account Number:	01210001-51144	Trans In:	\$ -
Amount:	\$1,500.00	Trans Out:	\$ -
Why are Funds Available:	These funds are available because 911 Personnel Grant money was added to this account.		

Transfer To:

Account Name	Dispatchers Overtime	YTD Bal:	\$ 1,724.07
Account Number:	01210001-51302	Trans In:	\$ 6,000.00
Amount:	\$1,500.00	Trans Out:	\$ -
Why are Funds Required:	This transfer is needed to cover unfilled dispatcher shifts when part timers are unavailable		

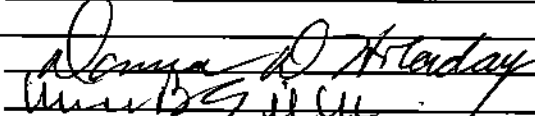
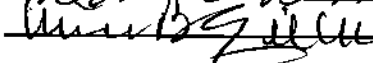
Transfer To:

Account Name		YTD Bal:	
Account Number:		Trans In:	
Amount:		Trans Out:	
Why are Funds Required:			

Transfer To:

Account Name		YTD Bal:	
Account Number:		Trans In:	
Amount:		Trans Out:	
Why are Funds Required:			

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

Date: 5/18/11
Date: 5/18/11



City of Newburyport
FY 2011
BUDGET TRANSFER REQUEST

Transfer #3
May 31, 2011

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2011 MAY 17 P 1:55

Department: Mayor

Submitted by: Mayor Holaday

Date Submitted: 5/16/2011

Transfer From:

Account Name	Mayor- Senior Tax incentive	YTD Bal:	\$	13,500.00
Account Number:	01121007-57802	Trans In:	\$	-
Amount:	\$11,969.03	Trans Out:	\$	-
Why are Funds Available:	<i>Funding for the Senior Tax incentive program will come from abatelements and not direct payments to seniors from the General Fund as originally planned.</i>			

Transfer To:

Account Name	City Clerk - Administration	YTD Bal:	\$	4.22
Account Number:	01161002-54200	Trans In:	\$	-
Amount:	\$1,969.03	Trans Out:	\$	-
Why are Funds Required:	<i>Funds are required to pay for ordinance violation tickets.</i>			

Transfer To:

Account Name	Unemployment Claims	YTD Bal:	\$	328.81
Account Number:	01913001-51780	Trans In:	\$	-
Amount:	\$10,000.00	Trans Out:	\$	-
Why are Funds Required:	<i>Funding for unemployment compensation claims was reduced from \$50,000 in FY 2010 to \$25,000 in FY 2011. Actual expenditures for FY 2011 will exceed the FY 2011 budgeted amount by an estimated \$10,000.</i>			

Transfer To:

Account Name	_____	YTD Bal:	_____
Account Number:	_____	Trans In:	_____
Amount:	_____	Trans Out:	_____
Why are Funds Required:	_____		

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

Donna D. Holaday
William B. Squillace

Date: 5/17/11
Date: 5/16/11



City of Newburyport
FY 2011
BUDGET TRANSFER REQUEST

Transfer #4
May 31, 2011

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2011 MAY 17 P 1:54

Department: Mayor

Submitted by: Mayor Holaday

Date Submitted: 5/16/2011

Transfer From:

Account Name	Health - Solid Waste	YTD Bal:	\$	258,765.72
Account Number:	01510002-52905	Trans In:	\$	-
Amount:	\$60,000.00	Trans Out:	\$	-
Why are Funds Available:	Variable expense depending on actual tonnage of solid waste collected.			
In FY 2011, actual tonnage will be less than projected which will result in a surplus in this account at year-end.				

Transfer To:

Account Name	PSD - Street Lights	YTD Bal:	\$	0.06
Account Number:	01421002-52103	Trans In:	\$	10,000.00
Amount:	\$ 60,000.00	Trans Out:	\$	-
Why are Funds Required:	In FY 2010, \$210,424.46 was spent for street lights. In FY 2011, this line item was reduced to \$150,000 in anticipation of projected savings which will not be realized in FY 2011.			

Transfer To:

Account Name		YTD Bal:		
Account Number:		Trans In:		
Amount:		Trans Out:		
Why are Funds Required:				

Transfer To:

Account Name		YTD Bal:		
Account Number:		Trans In:		
Amount:		Trans Out:		
Why are Funds Required:				

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

Donna D. Holaday
William B. Squillace

Date: 5/17/11
Date: 5/16/2011



City of Newburyport
FY 2011
BUDGET TRANSFER REQUEST

Transfer #5
May 31, 2011

REC
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Department: Assessors

2011 MAY 24 A 11:48

Submitted by: Daniel Raycroft

Date Submitted: 5/20/2011

Transfer From:

Account Name	MILEAGE EXPENSE	YTD Bal:	\$ 962.89
Account Number:	01141004-54801	Trans In:	\$ -
Amount:	\$250.00	Trans Out:	\$ -
Why are Funds Available: <u>Funds are available from this account because the assessor used his personal vehicle less than anticipated due to numerous reasons. Throughout the FY 2011 Reval project much of the field review was done using the Vision appraiser's vehicle. Also the great amount of snow this year resulted in fewer abatement applications and less field work being performed during the winter months.</u>			

Transfer To:

Account Name	OTHER SUPPLIES	YTD Bal:	\$ 1.77
Account Number:	01141004-55800	Trans In:	\$ 1,941.00
Amount:	\$250.00	Trans Out:	\$ -
Why are Funds Required: <u>Needed to fund statutory Motor Vehicle excise abatement books & toner for our printers.</u>			

Transfer To:

Account Name		YTD Bal:	
Account Number:		Trans In:	
Amount:		Trans Out:	
Why are Funds Required:			

Donna D. Holaday, Mayor

Donna D. Holaday
William B. Squillace

Date: 5/23/11

William B. Squillace, Auditor

Date: 5/23/11

City Council Approval: (Stamp)

COMMUNICATIONS

Cars-Port Taxi

52 Elm Street

Salisbury, Ma. 01952

978-465-5107

978-465-2333

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2011 MAY -9 A 11:14

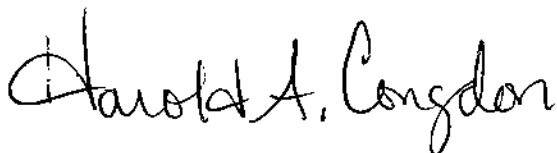
May 4, 2011

Dear City Counsel,

We would like to request an increase of the cities taxi rates, due to the increase of gas, which from our understanding is still on the rise. Please consider this, the gas prices have an extreme impact on our business as it increases the gas and our oil prices, as well as parts. Our last increase was October of 2005.

We would like to increase the rates a dollar more across the chart.
Thank you in advance for your time with this matter.

Sincerely,



Harold A. Congdon

Owner

ST. PAUL



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

May 4, 2011

2011 MAY 10 A 11:18


Robert J. Cronin, Ward 3 Councilor
City of Newburyport
PO Box 550
Newburyport, MA 01950

Dear Mr. Cronin,

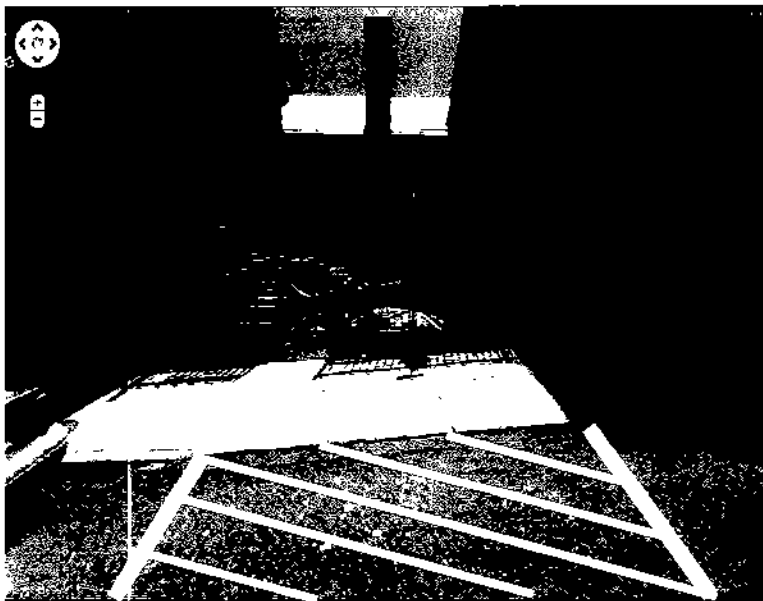
I am requesting that the city paint the appropriate lines on the Summer Street entrance to St. Paul's Church restricting all parking in the area that is illustrated below*. I trust you will agree that this is both a public safety, and accessibility issue that requires the city's attention. The area of concern is less than a car's length, as you can see below.

I was glad to meet you and the City Clerk, Mr. Jones, at City Hall last week, and I thank you for bringing this to the Council for consideration.

Best regards,


Sharon Clark, Sr. Warden
Home: 978-388-3372
Work: 978-462-6721 x10

C.c. Mr. Richard Jones, City Clerk



*No Parking Zone proposal on Summer Street





Communication #3
May 31, 2011

MDA CLERK'S OFFICE
NEWBURYPORT, MA

Newburyport Firefighters Local 827 2011 MAY 10 A 8:51
International Association of Firefighters

0 Greenleaf Street
Newburyport, MA 01950

May 8, 2011

To: Newburyport City Council

The Newburyport Firefighters respectfully request permission to hold our annual Fill-The-Boot Drive for The Muscular Dystrophy Association. The location is Market Square on Aug 4, 5, and 6. The time frames are 10 am to 4 pm. All funds collected are forwarded to MDA's Local office. Thank you all for your continued support.

Thank you again,
Firefighter Michael J. Kent
MDA Chairman

Any QUESTIONS please call
FIRE STATION - 465 4427
MIKE (cell) 978-3601361



RECEIVED
CITY CLERK'S
NEWBURYPORT, MA

2011 MAY 13 A 11:12

May 13, 2011

City of Newburyport
Richard B. Jones, City Clerk
60 State Street
Newburyport, MA 01950

Dear Richard,

My apologies for the delay in getting this letter off to you. I wanted to follow up on the conversation we had in early April with regard to a portion of the Waterfront Lot East (see attached map) that Yankee Homecoming would like to use for 2 fundraisers this summer.

The events in question are the High School Battle of the Bands which is scheduled to take place on Friday July 29th and the Yankee Homecoming Brewfest which is scheduled for Saturday evening, July 30th. Both fundraisers have already been approved by various authorities in town and it is our hope that we can find a way to work through your concerns as well.

Last year, the Brewfest used approx 40 parking spaces in lot. The spaces were occupied from Friday morning until mid-day the following Monday. This duration allowed ample time for set up, breakdown and clean up of event equipment including a 4,000 sf tent, a temporary stage, toilets and temp fencing. The City of Newburyport DPW and Essex County Sherriff's Department were on hand for both the set up and breakdown and we all are committed to "treading lightly" on the space and returning it to the City in the same or better condition than before we used it.

We realize this parking lot is now part of the new Newburyport Parking Plan and we have the following suggestions of how we can work with the City to accommodate our events as well as those city residents who may have permitted parking in this lot.

- YH Inc., will contact all permit holders at least 2 weeks in advance by email, mail or phone to let them know of the parking restrictions. All contact information to be provided by the city

- YH Inc., will post temporary signage in the parking lot documenting the parking restrictions at least 1 week in advance of our events
- YH Inc., will work with the NRA to reserve the same number of parking spaces we plan to use, in their adjacent parking lot, so that any parking permit holder who wishes to park during our events, can do so in these alternative spaces for no additional fee
- YH Inc., is aware that this parking lot was recently resurfaced. YH Inc will make note of the existing condition of the parking lot before we set up, and we commit to working with the Department of Public Works to make sure the lot is left in the same or better condition upon completion of our weekend events.

Please feel free to contact me and / or the 2011 Yankee Homecoming General Chair, Cheryl Munick, at any time to discuss this proposal. We would obviously like to work through any and all your concerns as soon as possible so we may continue moving forward with both of our fundraising events.

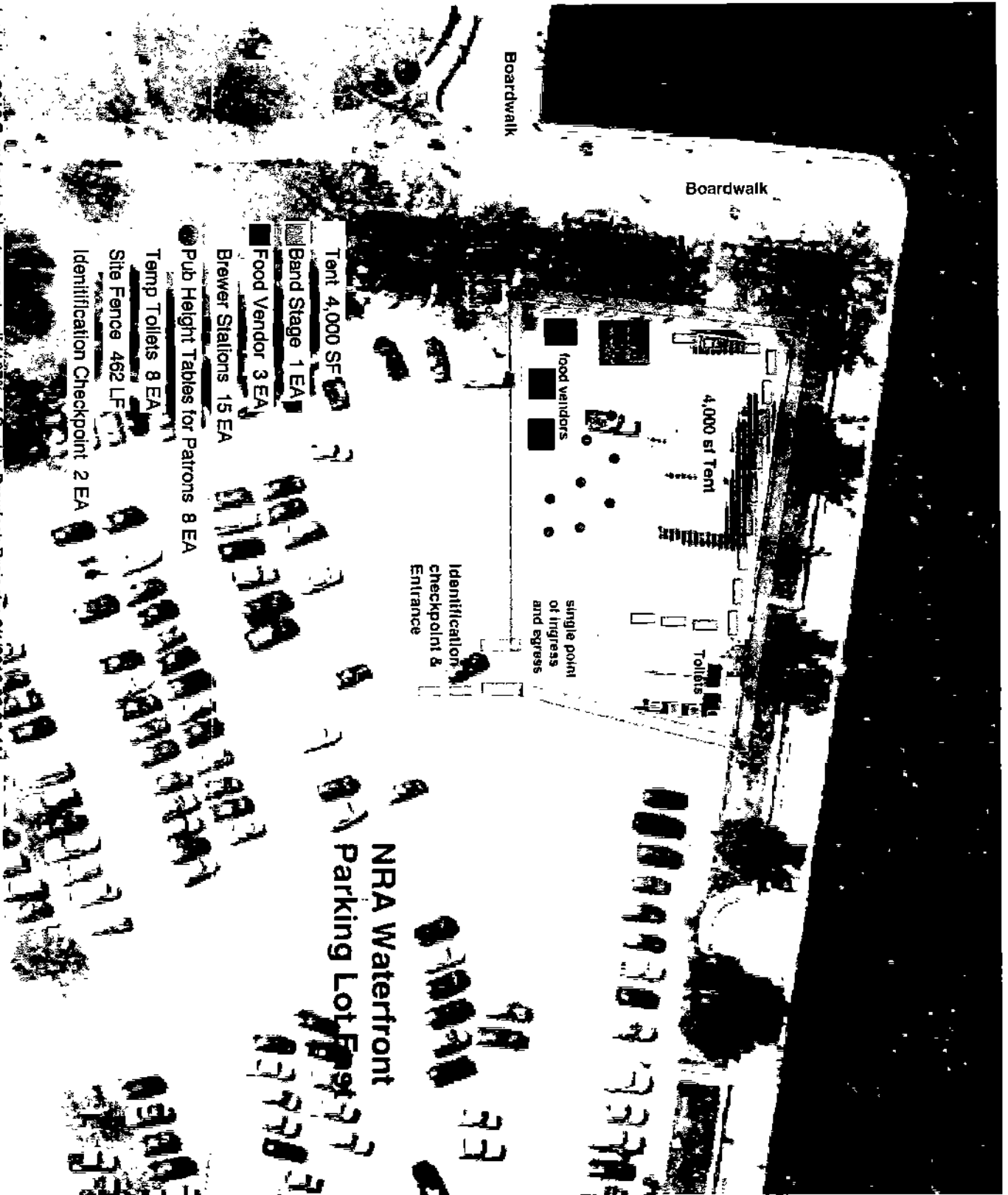
Thank you in advance for you time,

Libby McNeill
2011 Brewfest Chair
emcneill@shawmut.com
cell: 617.293.1643

Cheryl Munick
2011 General Chair
cheryl.munick@verizon.net
cell: 617.763.7808

Yankee Homecoming is a 501(c)(3) organization.

2011 Yankee Homecoming 2010 Brewfest Site Logistics Plan



Newburyport Retirement System

60 Pleasant Street, City Hall
Newburyport, MA 01950

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2011 MAY 17 P 1:58

Board Members

J. Paula Fowler

Alexander Kravchuk

Franklin Spaulding, Chairman

William Squillace, City Auditor

Vincent Malgeri, Attorney

Telephone

(978) 465-6619

Fax

(978) 462-4042

May 17, 2011

To: President and Members of the City Council

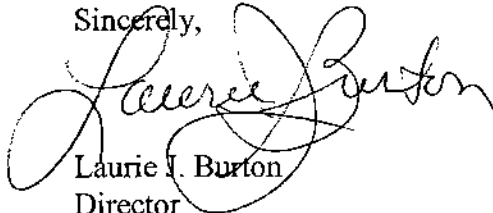
From: Newburyport Retirement Board

Re: Retirement Board Meeting for the Purpose of Voting on COLA for Retirees

Per the provisions of Section 51 of Chapter 127 of the Acts of 1999, we are hereby notifying you that the Newburyport Retirement Board will be holding a meeting in the retirement office on the second floor in City Hall at 10:00 A.M on June 28, 2011.

The Retirement Board, at this meeting, will address the election of paying a COLA of up to 3% to the Retirees for F/Y 2012, pursuant to Chapter 32, Section 103 and Chapter 127, Section 51 of the Acts of 1999.

Sincerely,



Laurie J. Burton
Director

March 23, 2011

Councilor Thomas E. Jones
Planning & Development Committee
City Hall
Newburyport, MA 01950

Councilor Brian P. Derrivan
Planning & Development Committee
City Hall
Newburyport, MA 01950
derrivan@comcast.net

Councilor Barry N. Connell, Chairperson
Planning & Development Committee
City Hall
Newburyport, MA 01950
envirocom@comcast.net


Gentlemen:

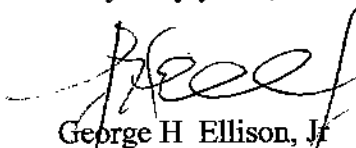
A group of local citizens, providing private funding, are seeking permission to recognize the leadership that brought about the Newburyport renaissance of the 1970's by Byron Matthews, the mayor during that period of the city's dynamic rebirth, with a descriptive marker located adjacent to the Inn Street Mall area to be dedicated as Matthews Court.

The location of a low granite marker approximately 3' by 4' that the group proposes is in the southwesterly portion of the paved brick space between the Green Street parking lot and Inn Street. The inscription would be simply stated.

We have had a favorable response by Mayor Holaday and if you have any questions I would be please pleased to address them.

Thank you for your attention and support for this opportunity to show the public the impact that this significant revitalization undertaking had to our downtown and the role it played in the restoration of cities across America.

Very truly yours,


George H. Ellison, Jr.
233 High Street
Newburyport, Ma. 01950
617-909-7493

May 23, 2011

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Dear Newburyport City Council,

2011 MAY 24 A 10:32

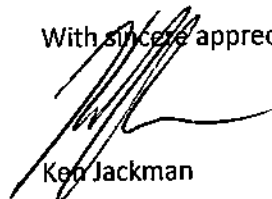
I am writing to request to be included on the agenda of the upcoming May 31st City Council Pole Hearing regarding the location of pole 31X at 114 High Street (the corner of High Street and State Street).

The pole is located 2' inside of the 9' wide easement through the public sidewalk that enables access our shared driveway. Like most homes on the downtown area, we have a narrow driveway, and having the pole nearly a third of the way into our driveway impairs the normal and reasonable access to our home. The pole makes it incredibly difficult to back out of our driveway onto High Street, and the angle at which we have to back into the direction of traffic and then swing around the pole poses a traffic safety hazard. On occasions when our neighbor parks a vehicle on their half of the shared driveway, the position of the pole makes it physically impossible for us to get in or out of our driveway.

On May 9th, I contacted National Grid to request that they move the pole so that it does not obstruct normal use of our driveway, and on May 16th, I met with the engineer National Grid sent to take a look at the situation with the pole, John Butler. The issue with the location of the pole relative to our driveway was clearly obvious, and during the meeting, Mr. Butler marked a location he proposed for moving the pole. The location he marked represents a move that is approximately 15' to the other side of the driveway, so the one electrical service the pole carries to our neighbor's house will make a direct connection to their house. I have attached a picture showing the location of the pole relative to our driveway and the proposed new location marked by the engineer from National Grid. Mr. Butler followed-up with a phone call to me on May 20th to let us know that he had filed his report with National Grid regarding the proposed location of the pole.

At the same time I initially contacted National Grid, I also visited the Town Clerk's office to inquire about the proper channel for consideration of the issue, and I learned about the upcoming meeting. By means of this letter, I would like to be included on the agenda to request town approval for National Grid to move the pole to the identified new location.

With sincere appreciation,



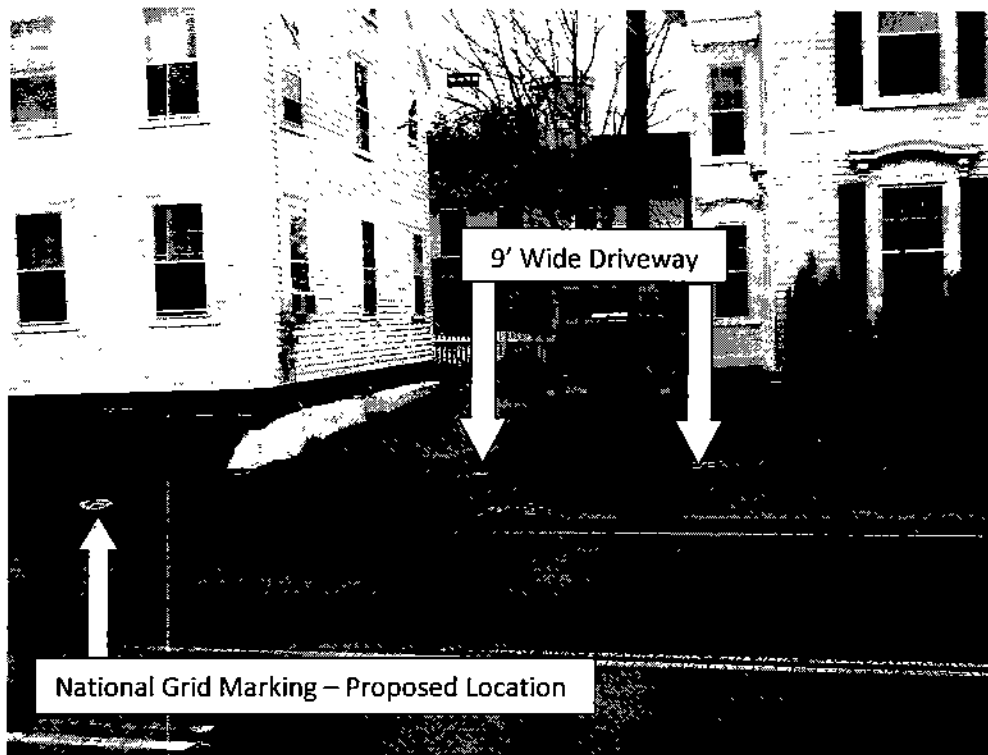
Ken Jackman

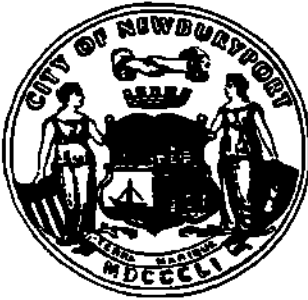
(508) 330-1119

Ken@kenjackman.com

Attached: Two Photos showing location of pole 31X

View of Pole 31X at 114 High Street





City of Newburyport

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Application

2011 MAY 24 P 3:29

Food Establishment Outdoor Seating on Public Property

Date: 5/24/11

Name of Business Owner: Mango, Inc.

Name of Property Owner: State Street Fishmonger, LLC

Business Name: The Rockfish

Business Address: 38 State Street

Number of Tables Requested: 5 Dimensions: 24" Material: Metal

Number of Chairs Requested: 10 Dimensions: 20" Material: Metal

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

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

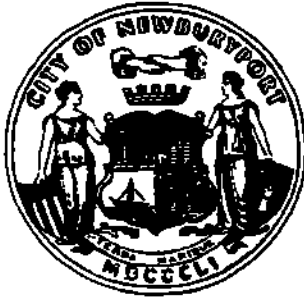
Application Requirements

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

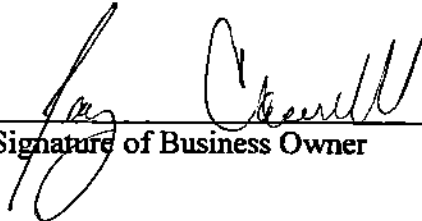
Food Establishment Outdoor Seating on Public Property (continued)

- 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.

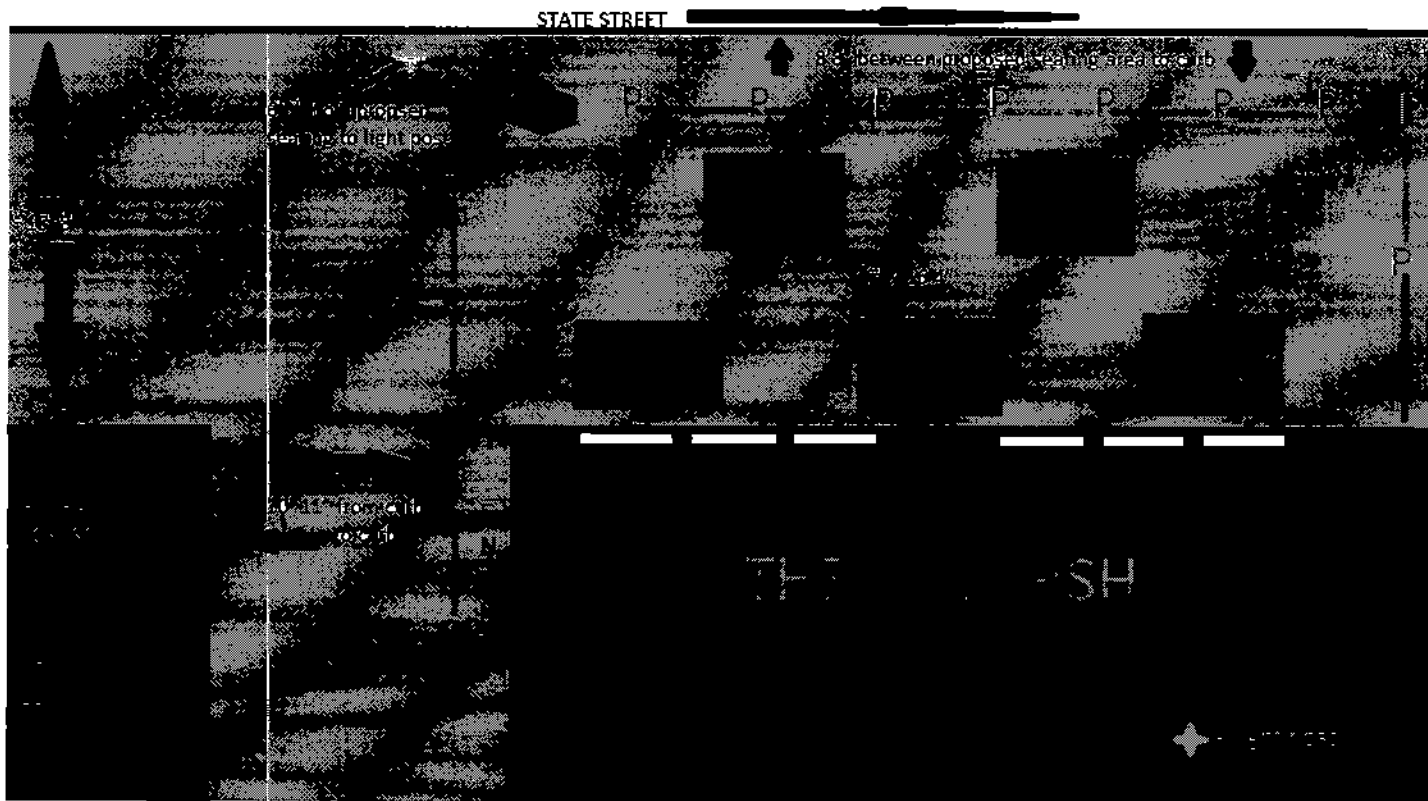
A completed application for outdoor seating for the service of food and alcohol will also include a written recommendation from the Newburyport Police Department. Upon the City Clerk's receipt of a completed application, the Clerk will request from the Newburyport Police Department a recommendation regarding the application.

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



ACORD CERTIFICATE OF LIABILITY INSURANCEDATE (MM/DD/YY)
04/28/11

PRODUCER: Chase & Lunt Insurance Agency
47 State Street
Newburyport, MA 01950

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

INSURERS AFFORDING COVERAGE

INSURED
Mango Corporation dba The Rockfish
38 State Street
Newburyport, MA 01950

INSURER A: State National Insurance Company, Inc.

INSURER B:

INSURER C:

INSURER D:

INSURER E:

COVERAGES

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

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	RCB100896-10	11/27/10	11/27/11	EACH OCCURRENCE \$ 1,000,000 FIRE DAMAGE (Any one fire) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
	EXCESS LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	OTHER				

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

CERTIFICATE HOLDER IS NAMED AS ADDITIONAL INSURED.

CERTIFICATE IS SUBJECT TO ALL TERMS, CONDITIONS, WARRANTIES AND EXCLUSIONS PER POLICY FORMS.

CERTIFICATE HOLDER

☒

ADDITIONAL INSURED; INSURER LETTER: A

CANCELLATION

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

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL --- DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE



IMPORTANT

If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

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).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

LICENSE ALCOHOLIC BEVERAGES

THE LICENSING BOARD OF
The.....City.....of.....*Newburyport*.....

MASSACHUSETTS

HEREBY GRANTS A

COMMON VICTUALER

**License to Expose, Keep for Sale, and to Sell
All Kinds of Alcoholic Beverages
To Be Drunk On the Premises**

To.....*Mango Inc. dba The RockFish*.....
.....*38 State Street*.....*Kendall W. Bowie, Manager*
on the following described premises

.....*Three story brick building, three floors with lounge and bar area on the ground floor, 2nd
and 3rd floors for dining area, kitchen also on premises. Two entrances/exits. Three
tables & 12 chairs with serving of alcohol on State Street.*.....

.....
This license is granted and accepted upon the express condition that the
licensees shall, in all respects, conform to all the provisions of the Liquor Control
Act, Chapter 138 of the General Laws, as amended, and any rules or regulations
made thereunder by the licensing authorities. This license expires December 31st,
20..11., unless earlier suspended, cancelled or revoked.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their
official signatures this.....*First*.....day of.....*January, 2011*.....20.....

The Hours during which Alcoholic
Beverages may be sold are

From.....*8:00 A.M. - 1:00 A.M.*.....

.....*Sunday 12:00 P.M. - 1:00 A.M.*.....

.....*NO ALCOHOL BEFORE NOON*.....

.....*ON SUNDAY*.....

William H. T. [Signature]
Margaret Terry

LICENSING BOARD



May 24, 2011

Mr. Richard B. Jones
City Clerk
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

Dear Clerk Jones:

The Greater Newburyport Chamber of Commerce & Industry kindly requests the use of the streets in the downtown for the following Chamber of Commerce sponsored festival:

- 10th Annual Riverfront Festival, Saturday, July 16, 2011

Approximate times for this festival is from 7:00 AM to 7:00 PM.

The revenues generated from these Chamber fund raising events are used for marketing the city, beautification of the downtown and various other projects in the interest of the community. All funds are raised through our sponsorships, artisans and vendor festival entry fees.

1. The decoration of the lampposts throughout the downtown with flower baskets begins in mid-May in preparation for Memorial Day weekend. Included in this effort are the holiday decorations that adorn our streets in November and throughout the holiday season. The cost for the flower baskets and upkeep assumed by the Chamber and its marketing program is over \$16,000.

We look forward to working with the retailers, restaurants and service providers while being mindful of the residents and hope that these fairs will be welcomed events for residents and visitors alike. Given the economic climate we are all faced with, it is vital that we bring as many people to Newburyport as possible.

Areas Requested:

- Use of Market Square, and sidewalks on areas in front of Waterfront Park and the Firehouse Center for the Arts.

- Use of the parking spaces along Merrimac Street in front of the Chamber Information Booth.

Thank you for your consideration.

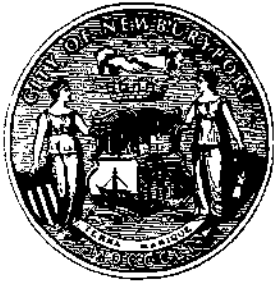
Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Ormond".

Ann Ormond
President

cc: Mayor Donna Holaday
Members of the Newburyport City Council
Councilor Robert Cronin, Chair, Public Safety Committee

**APPOINTMENTS
FIRST READING**



CITY OF NEWBURYPORT

Appointment #1
May 31, 2011

OFFICE OF THE MAYOR

DONNA D. HOLADAY, Mayor

60 PLEASANT STREET - P.O. Box 550

NEWBURYPORT, MA 01950

(978) 465-4413 (978) 465-4402 (FAX)

REC

INVOICE

NEWBURYPORT, MA

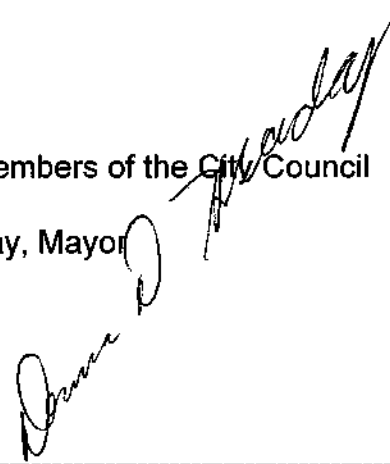
2011 MAY 24 A 9:47

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 24, 2011

Subject: Re-Appointment



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, 2016.

Daniel T. Bowie
11 Erie Avenue
Newburyport, MA 01950

LAW OFFICE
OF
DANIEL T. BOWIE, ESQ.
172 STATE STREET
NEWBURYPORT, MASSACHUSETTS 01950

TELEPHONE (978) 462-4045
FACSIMILE (978) 462-5489
E-MAIL DANIEL.BOWIE@VERIZON.NET

May 23, 2011

Donna D. Holaday, Mayor
City Hall
60 Pleasant Street
Newburyport, MA 01950

RE: Planning Board Appointment

Dear Mayor Holaday:

As you know, my appointment to the City of Newburyport's Planning Board expires on May 31, 2011. I am writing to express my interest in being re-appointed to the Board.

In the fifteen years I have been on the Board, I have witnessed first-hand the changes communities such as Newburyport face in terms of development as a result of dwindling supplies of large tracts of open space and a resulting focus on developed or partially developed land. The Planning Board, together with the Planning Department and City Council have fashioned a number of zoning initiatives in the past several years to bridge the gap between an outdated state zoning code and subdivision control law and the demands of present day. I believe the Planning Board has shown itself to be a responsible board in terms of permitting development, consistent with the City's master plan and allowing those who are impacted by the development to be aware of plans and have an opportunity to comment on those plans.

There are a number of approved projects that, due to the economic slowdown, have not been built out but will be coming forward again. Included in these are the 24 residential lot development at the end of Russell Terrace and the development of the former Towle site. The Board is likely to see a number of new proposals in the foreseeable future including development of the Rindler estate off Toppans Lane, portions of Eleanor Woodman's land on Storey Avenue and Hale Street, the Little River Transit District and, hopefully, property owned by New England Development. Each of those projects will have a significant effect on the character of Newburyport, and I would enjoy being part of the discussions.

I have lived and worked in Newburyport since 1986. I presently reside in the North End. My two children were raised and educated in Newburyport and both

have strong ties to the city. I have the interest, the time and I believe the experience to commit to the Planning Board, including the position of Chairman of the Board, which I have held for the past 2 ½ years. I would appreciate your consideration in re-appointing me to another term. Should you have any questions or wish to discuss this further, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "Daniel T. Bowie", with a long horizontal flourish extending to the right.

Daniel T. Bowie
DTB/jij



CITY OF NEWBURYPORT

Appointment #2
May 31, 2011

OFFICE OF THE MAYOR

DONNA D. HOLADAY, Mayor

60 PLEASANT STREET - P.O. Box 550

NEWBURYPORT, MA 01950

(978) 465-4413

(978) 465-4402 (Fax)

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
2011 MAY 23 P 2:48

To: President and Members of the City Council

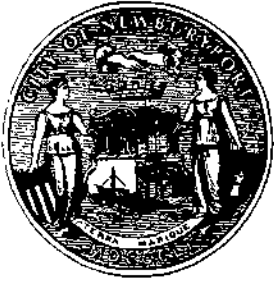
From: Donna D. Holaday, Mayor

Date: May 20, 2011

Subject: Re- Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Harbor Master and Special Police Officer. This term will expire on April 15, 2014.

Daniel Scott
4 Ferry Road
Methuen, MA 01844



CITY OF NEWBURYPORT

Appointment #3

May 31, 2011

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. Box 550

NEWBURYPORT, MA 01950

(978) 465-4413 (978) 465-4402 (fax)

RECEIVED

CITY CLERK'S OFFICE

NEWBURYPORT, MA

2011 MAY 24 A 10:15

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 24, 2011

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Trust Fund Commission. This term will expire on May 31, 2014.

Jay F. Iannini
9 Horton Street
Newburyport, MA 01950

9 HORTON STREET • NEWBURYPORT, MA 01950
HOME 978-463-2852 • MOBILE 302-377-1068
E-MAIL JAY_IANNINI@ALUMNI.TUFTS.EDU

JAY F. IANNINI

PROFESSIONAL EXPERIENCE

BarclaycardUS, Newton, MA

A subsidiary of Barclays PLC, London, England. A top-ten US credit card issuer, specializing in co-branded partnership programs with industry-leading airlines, retailers and financial services companies.

Vice President, Business Development

2008-present

Barclays is the number one credit card issuer in the UK. Five years ago, Barclays acquired Juniper Bank in order to launch their credit card business in the US. In that time, the business has grown from \$1 billion to \$11 billion in credit card receivables. Barclays has grown this business with highly selective acquisitions and partnerships with organizations such as US Airways, L.L. Bean, and Apple. Responsible for engaging and exploring potential portfolio acquisition opportunities with top twenty-five US banks. Selected to lead sales efforts for new initiatives in sales finance and merchant acquiring.

The Kessler Group, Boston, MA

The Kessler Group (KG) is a privately-held sales and marketing organization, which employed approximately 230 people worldwide, working on behalf of super-regional, national and international financial institutions in establishing credit card programs for alumni associations, non-profit groups, and financial institutions.

Vice President, Investment Banking Group

2002-2008

Developed relationships with community, regional and super-regional banks with \$500 million to \$100 billion in assets for potential portfolio acquisition opportunities. Managed business development activities on behalf of Bank of America, U.S. Bank and First National of Nebraska. Developed contacts, analyzed financial data and presented acquisition opportunities.

Selected accomplishments include:

- Initiated and closed \$3 billion merchant portfolio acquisition, the largest in KG history.
- Lead revenue generator among group vice presidents in 2004.

Vice President, Credit Union Portfolio Acquisitions

2000-2002

Hand-picked to initiate business development for a start up group focused on credit unions with between \$200 million to \$5 billion in assets.

Selected accomplishments include:

- Broke into new market and closed eight portfolio acquisitions valued at over \$100 million.
- Awarded Account Executive of the Month twice in 12 month period.

Account Executive, Community Banking Group

1999-2000

Selected to initiate community bank portfolio and agent banking opportunities. Clients included banks with between \$100 million to \$2 billion in assets.

Selected accomplishments include:

- Developed and closed 15 agent and small portfolio business relationships valued at \$1,750,000 to KG.

Business Development Manager, Affinity Sales Group

1997-1999

Generated leads, developed sales presentations and created executive client meeting materials.

Fidelity Investments, Boston, MA

Technical Specialist, Brokerage Technologies Group

1996-1997

Brokerage Technologies Group was a start up division created to sell internally developed technologies to clients clearing trades through Fidelity. Managed client relationships and installation of wide-area network connectivity.

Kessler Financial Services, Boston, MA

Network Administrator

1994-1996

Developed LAN and WAN connectivity between clients. Established initial companywide internet connection. Awarded Team Player of the Year for 1994.

COMMUNITY INVOLVEMENT

Newburyport Education Foundation, Board of Directors (2008-present)

First Religious Society of Newburyport, Chair, Finance Committee (2009-present)

Newburyport Youth Soccer Association, President (2007-2009)

City of Newburyport, Mayoral Financial Transition Team (2009-present)

City of Newburyport, Income Task Force (2008)

Walker School (Needham, MA), Volunteer Soccer Program (2009-present)

EDUCATION

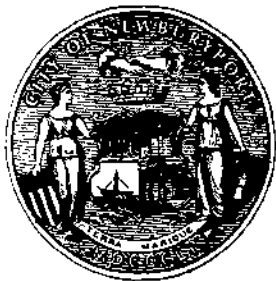
Boston University, Boston, MA

Master of Business Administration (MBA), 2004

Coursework focused on Finance

Tufts University, Medford, MA

Bachelor of Arts (BA), Anthropology, 1993



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. Box 550

NEWBURYPORT, MA 01950

(978) 465-4413 (978) 465-4402 (Fax)

Appointment #4
May 31, 2011

NEWBURYPORT, MA

2011 MAY 23 P 12:35

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: May 20, 2011
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as an Assistant Harbor Master and Special Police Officer. This term will expire on April 15, 2014.

Lance Thokle
1 River Court
Amesbury, MA 01913

Lance Thokle
1 River Ct.
Amesbury MA 01913
603.512.6002
LTCIGARETTE@COMCAST.NET

PROFILE

Innovative professional with 16+ years of progressive experience in sales/marketing and management positions. Possessing skills to drive business growth, identify and capitalize on new revenue potential and manage all aspects of daily business operations. Well versed in marketing and sales lifecycles; proven negotiator and strategist. Able to build relationships with high-level personnel and close large sales in a competitive environment.

EMPLOYMENT

Sales Manager, Dragon Powerboats, Fort Lauderdale, FL 2002-2010

Developed a worldwide network for a new product line.

Responsible for pricing of custom products exceeding initial sales expectations by 25%.

Created a marketing plan to deliver a higher level of quality through the sales process.

General Manager, Riverfront Marina, Newbury, MA 2000-2006

Responsible for marina operations and sales targets to exceed 3 million.

Manage sales team for a product line consisting of Wellcraft, Four Winns, Parker and Starcraft.

Coordinated daily tasks for mechanics to include solving complicated issues.

Drive continuous improvement in rigging integration relative to quality, cost, and delivery time.

Work with customers to resolve service and warranty needs.

Director of Design, Cigarette Racing Team, Inc., Aventura, FL 1989-2000

Implemented production schedules to assure sales and financial goals were achieved and market demands were satisfied.

Developed, managed all creative and design aspects of entire product line.

Defined, created and implemented a successful advertising and marketing strategy.

Cultivated an existing dealer network using key marketing outlets and competitive strategies.

In charge of dealer relations for all over-seas markets to include Asia and the Middle East.

Served as primary liaison with dealers in facilitating sales negotiations at major boat shows.

Designer/Sales and Marketing, Aronow Powerboats, Aventura, FL 1988-1990

Worked as Project Manager on the creation of a new product line.

Established a new advertising campaign, I.E. brochures and boat shows.

Managed the implementation of an initial dealer network.

ACCOMPLISHMENTS

Promoted from service manager to general manager for my leadership and pro active vision for business-development.

Successfully managed a 163-slip marina and increased annual revenue by 15% in the first year.

Designed,engineered and led the production of two highly progressive and successful models of powerboats.

Produced print advertising campaigns from start to finish.

Created and implemented innovative graphic designs, setting a new industry standard, which promoted greater brand awareness for Cigarette Racing Team.

Designed a marketing program for the "Florida Marlins".

Collaborated with renowned artist Roy Lichtenstein on graphics for an America's Cup syndicate.

EDUCATION & AFFILIATIONS

Landing School of Boat Building and Design, Kennebunkport, ME

Wentworth Institute of Technology, Boston, MA

Member of the Society of Naval Architects and Marine Engineers.



RECEIVED
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NEWBURYPORT, MA

2011 MAY 24 A 9:47

CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. Box 550

NEWBURYPORT, MA 01950

(978) 465-4413 (978) 465-4402 (Fax)

Appointment #5
May 31, 2011

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: May 24, 2011
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Fruit Street Local Historic District Study Committee. This term will expire on May 31, 2014.

Leah McGavern
21 Marlboro Street
Newburyport, MA 01950

Leah McGavern
21 Marlboro Street
Newburyport, MA 01950
978-465-2238
mcgaverndesign.com

Current Employment

McGavern Design, Newburyport, MA. 1997-Present

Founder. Design, coordinate and manage residential additions and renovations in the Boston area and Maine, handling all aspects of projects, from initial client contact through schematic design, documents and construction.

Previous Work Experience

Burt, Hill Architects, Boston, MA 2007-2008

Consultant, Internal Revenue Service, Andover, MA, in coordination with JLA Architects, Boston, MA. Designed and drafted construction details for the renovation of 40,000sf building.

Cannon Design, Boston, MA 2000-2001.

Designer, The Stata Center, Massachusetts Institute of Technology, Cambridge, MA, in coordination with Frank Gehry Architects, Los Angeles, CA. Designed and drafted design development details.

Hamlin & Co., Brookline, MA 1998-1999

Designer/Drafter in small design/build firm. Designed, detailed and drafted for high-end residential additions to historic homes. Handled all aspects of design and construction documents.

DTS Shaw Associates, Boston, MA 1996-1997

Project Architect, Histology Laboratory, Massachusetts General Hospital, Boston, MA

Project Architect, Surgical Pathology Laboratory, Massachusetts General Hospital, Boston, MA

Designer, Asmara Hospital, Asmara, Eritrea.

Design Development Coordinator, Tufts University School of Veterinary Medicine Hospital, Grafton, MA.

Marketing Production Manager, coordinated production of all project proposals, marketing materials, and project documentation.

Dean, Tucker, Shaw, Inc., Boston, MA 1994-1996

Project Architect, Biocare Diagnostics, Quincy, MA. Designed, coordinated and oversaw construction of 3,000sf of healthcare facility fit-up, including offices, exam rooms and waiting rooms.

Designer/Drafter, Massachusetts General Hospital, Boston, MA. Coordinated and drafted various healthcare and laboratory fit-up projects, including CT Scanning Suite, Adult and Pediatric Infusion Unit, and Cardiac Operating Suite.

Boards/Committees

Newburyport Historical Commission, 2004-2010

Essex Heritage Scenic Byway Advisory Committee, 2008-2010

Institution for Savings Science Speaker Series Committee, 2009-2010, *Co-Chair*

School Council, Newburyport Elementary Schools, 2006-2009. *Co-Chair*

Proposition 2 ½ Override Committee, 2007-2008. *Neighborhood Leader*

Science Fair Committee, Newburyport Elementary Schools, 2004-2009, *Chair*

Education

Massachusetts Institute of Technology, School of Architecture, 1990-1994, Master of Architecture

Sarah Lawrence College, 1984-1988, Bachelor of Arts

Oxford University, Oxford England, 1986-1987, Sarah Lawrence College at Oxford Program.



END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

REGULAR AGENDA

**APPOINTMENTS
SECOND READING**

MAYOR'S APPOINTMENTS
SECOND READING
May 31, 2011

APPOINTMENTS - Second Reading

Re-Appointment

6. Alan Papert	174 State St, Unit 4	Youth Commission	May 31, 2014
7. Frances Reslewic	12 Chase Street	Council on Aging	May 1, 2016
8. Charles Carroll	25 Hill Street	Council on Aging	May 1, 2016
9. Richard J. O'Brien	41 Olive Street	Trust Fund Commission	April 1, 2014

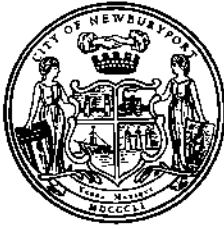
Appointment

10. Ellen Hanick	9 Hallisey Drive	Bartlett Mall Commission	May 31, 2014
11. Jean L. Berger	33 Middle Street	Street Tree Committee	

In City Council May 9, 2011

Motion to accept the Consent Agenda by Councillor Cameron, seconded by Councillor Earls. So voted on a unanimous voice vote.

ORDERS



CITY OF NEWBURYPORT

RECEIVED
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NEWBURYPORT, MA

2011 MAY 24 P 3:42

IN CITY COUNCIL

ORDERED:

Date:

May 31, 2011

THAT the City Council authorizes the Newburyport Historical Commission to accept, and the Mayor to approve, a Preservation Restriction from the Belleville Congregational Church for the 1867 Meetinghouse and 1848 Chapel/Parish Hall located at 300 High Street, Newburyport. This gift is made in accordance with the Council vote taken August 9, 2010 to appropriate \$40,000 from Community Preservation Funds to support the restoration of the Meetinghouse and Chapel and the related grant agreement between Belleville Congregational Church and the City of Newburyport, dated August 24, 2010.

Full text available in the City Clerk's office.

Councillor Edward C. Cameron



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)

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NEWBURYPORT, MA
2011 MAY 24 P 2:44

May 24, 2011

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

Re: Belleville Congregation Church Preservation Restriction Agreement

Dear Council President O'Brien,

I am very pleased to present you with the enclosed final version of the Belleville Congregational Church Preservation Restriction Agreement for formal acceptance and approval by the City of Newburyport. The Agreement will affect the 1867 Meetinghouse and 1848 Chapel/Parish Hall located at 300 High Street. Both buildings were listed in the National Register of Historic Places on August 2, 1984 as contributing resources to the Newburyport Historic District.

The Preservation Restriction fulfills a condition of a \$40,000 appropriation made by the City Council from the Community Preservation Fund on August 9, 2010 and the related grant agreement between the City and the Belleville Congregational Church. Once the Agreement is fully executed and recorded, the grant will offset costs associated with the continued restoration of the Belleville Congregational Church. Planned repairs include window re-pointing and re-glazing, replacement of rotted trim, roof work and removal of a large honey bee nest and associated damage from the Meetinghouse walls.

The Agreement has been reviewed in detail by city representatives and legal counsel with the Massachusetts Historical Commission. The Massachusetts Historical Commission issued its preliminary approval on May 9 and the Newburyport Historical Commission voted to accept the terms of the restriction on May 19. As such, we respectfully request that the Council consider authorizing Mayor Holaday to enter into the agreement at its upcoming meeting on May 31. Your approval will allow this important restoration project to proceed.

Thank you in advance for your consideration.

Sincerely,

Emily Wentworth
Planning & Zoning Administrator

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:
May 31, 2011

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED HEALTH AND SANITATION

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

Chapter 8 Health and Sanitation
Article 3 Solid Waste
Division 1 Generally
Section 8-83 Regulations

Delete (a) and (b).

Add:

(a) No disposable refuse shall be exhibited for collection prior to 5:00 pm on the day before collection day.

(b)

(1) Commercial and residential disposable refuse in the downtown district, as defined in Section 8-81, must be placed in closed containers. All loose material, such as cardboard, shall be broken down and securely tied.

(2) Residential disposable refuse outside of the downtown district must be placed in closed containers or durable heavy bags and securely tied. All loose material, such as cardboard, shall be broken down and securely tied.

Councillor Ari B. Herzog

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

May 31, 2011

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED HEALTH AND SANITATION

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

Chapter 8	Health and Sanitation
Article 3	Solid Waste
Division 2	Recycling
Section 8-90	Collection

Delete (b)(4).

Add:

(b)(4) *Plastic products*. Plastic containers labeled #1 through #7 are allowed. (Styrofoam is not allowed, nor are plastic bags or wrapping of any sort.)

Councillor Ari B. Herzog



CITY OF NEWBURYPORT

IN CITY COUNCIL

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NEWBURYPORT, MA

2011 MAY 24 P 3:42

ORDERED:

Date:

May 31, 2011

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 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-168	Parking restricted on certain streets

No person shall park any vehicle on the following streets or portions of streets as indicated below:

Add:

Street

Extent

Low Street

From Toppan Lane to Hunter Drive on the north side.
From Crow Lane to Hale Street on the south side.

Sponsor Councillor Thomas E. Jones

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

May 31, 2011

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED ANIMALS

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

Chapter 3 Animals
Article II Dogs
Section 3-26 Leash required

Delete Section 3-26 (b)
Delete Section 3-26 (c)

Add Section 3-26 (b)

Failure to comply with subsection (a) shall be punishable by the following schedule of fines:

- (1) First offense \$ 50.00
- (2) Second offense 75.00
- (3) Third and each subsequent offense 100.00

Councillor Ari B. Herzog