

CITY COUNCIL MEETING AGENDA - VERSION 1

June 17, 2013

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

June 10, 2013

(Approve)

END OF CONSENT AGENDA

REGULAR AGENDA

7. COMMUNICATIONS

1. Compensated Absences Reserve Fund – FY14 Appropriation

8. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mid-Year Report
2. DPS-Sewer I/I Reduction Prog. \$100,000 to CIP-Plum Island Alarm Syst \$100,000 *09/10/2012
3. Order FY2014 Budget *05/13/2013
4. DPS Highway Gen Fd Free Cash \$10,134 to CMMS \$10,134 *05/28/2013
5. Amend ORD Sec. 2-392 Interest on Water and Sewer Bills *05/28/2013
6. Youth Svcs Sub Abuse Grant \$12,000 to Drug Free Communities Grant \$12,000 *06/10/2013
7. Hlth Engy/Recyc Sol Wste Fee \$19,999.88 to Hlth Dept Sal En/Rec Coord \$19,999.88 *06/10/2013
8. DPS Water Ret'd Earnings \$540,000 to FY14 Budget Reserve \$540,000 *06/10/2013
9. DPS Sewer Ret'd Earn \$835,000 to FY14 Budget Reserve \$835,000 *06/10/2013
10. Community Preservation Committee FY14 Appropriations *06/10/2013

General Government

In Committee:

1. Campaign Finance Reports – Municipal Forms website posting *05/14/2012
2. Amend ORD Sec. 2-30 Performance of duties of mayor upon absence, disability *05/28/2013
3. Amend ORD Sec. 2-29 Special Meetings *05/28/2013
4. Amend ORD Sec. 2-62 Residency requirement *05/28/2013
5. Amend ORD Sec. 2-126 Salary of elected officials *05/28/2013
6. Amend ORD Sec. 2-128 Departmental records to be kept; employee records *05/28/2013
7. Amend ORD Sec. 5-42 Term of office *05/28/2013
8. Amend ORD Sec. 2-273 Removal for cause *05/28/2013

Joint Education

In Committee:

1. Letter regarding World War II Memorial Stadium *10/23/2012
2. NHS Baseball Alumni Assoc. re loss of baseball field *11/26/2012

Neighborhoods & City Services

In Committee:

- | | |
|--|-------------|
| 1. Amend Ord. 3-27 Animals, dogs, Licensing of dogs and kennels | *06/25/2012 |
| 2. Letter re naming park bench in memory of Mayor George H. Lawler | *04/08/2013 |

Planning & Development

In Committee:

- | | |
|--|-------------|
| 1. Order Cushing Park land transfer to Mayor for Municipal Parking | *06/25/2012 |
| 2. Request for Discontinuance of Westerly Side of Harnch's Way | *11/13/2012 |
| 3. Open Space & Recreation Plan Update – Final Plan | *03/26/2013 |
| 4. 2013 Demolition Delay | *03/26/2013 |

Public Safety

In Committee:

- | | |
|---|-------------|
| 1. Amend Ord. 10-9 Miscellaneous offenses – use or consumption of marijuana | *11/28/2011 |
| 2. Amend Ord. 13-180 Parking Resident Harris St. | *01/30/2012 |
| 3. Community Giving Tree of Boxford donation box | *04/30/2012 |
| 4. Order Yankee Homecoming Parade | *06/25/2012 |
| 5. Parking, Russell Terrace, No Parking, 50 feet from Storey Ave | *08/27/2012 |
| 6. ORD Ch. 2 Sec.358 Fingerprint Criminal History Checks | *09/24/2012 |
| 7. Letter regarding speeding traffic on Turkey Hill Road | *04/29/2013 |
| 8. Amend Sec. 13-176.1 30 minutes High St. from Ashland St. and west | *04/29/2013 |
| 9. Amend ORD Sec. 13-121 One way streets add Court St. | *05/28/2013 |
| 10. Amend ORD Ch 13 Ar. IV Div. 4 Sec. 13-136 Stop Intersection Goodwin Ave | *06/10/2013 |

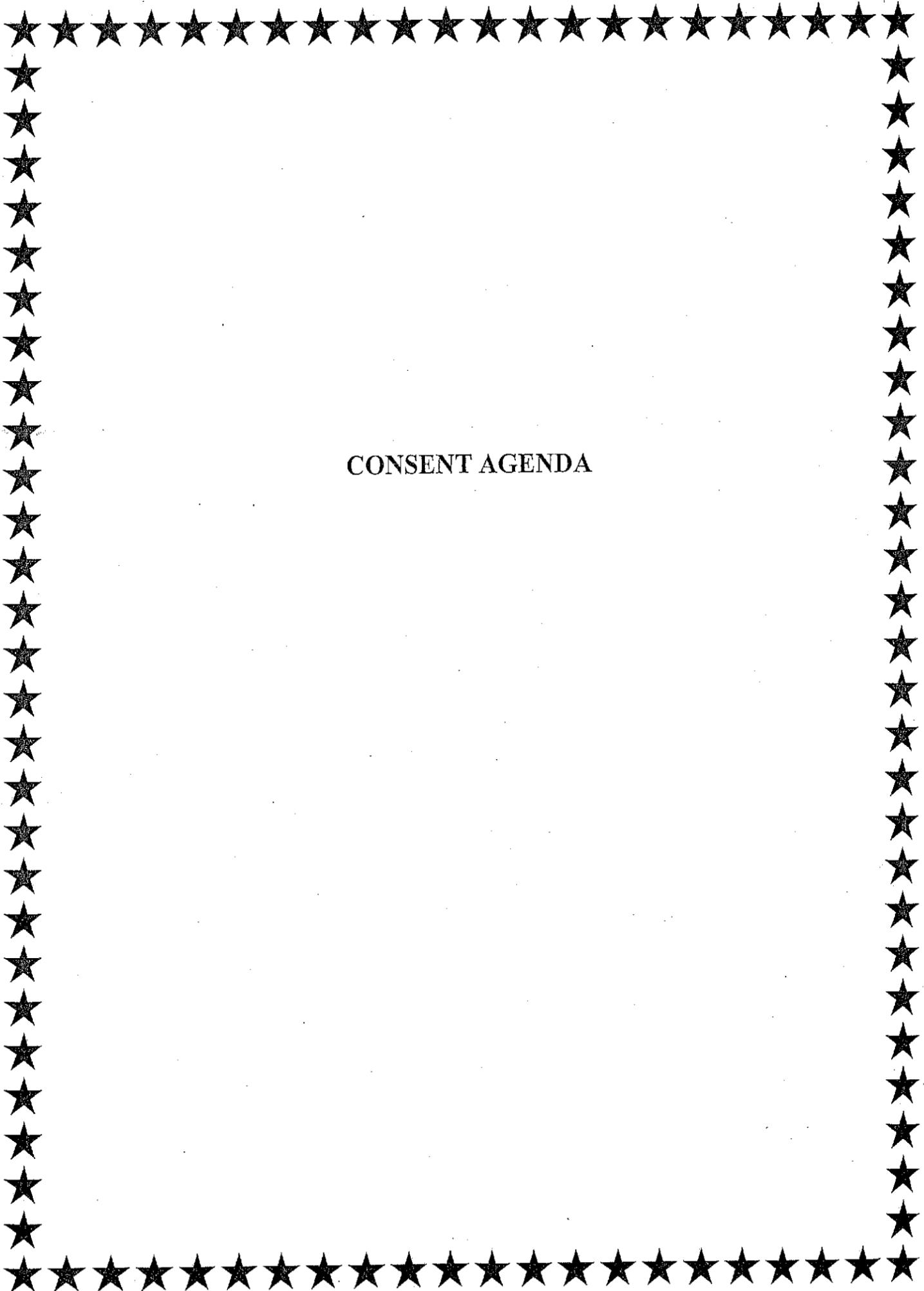
Public Utilities

In Committee:

- | | |
|--|-------------|
| 1. Resolution Special Legislation to create Board of Water and Sewer Commissioners | *06/10/2013 |
|--|-------------|

9. GOOD OF THE ORDER

10. ADJOURNMENT

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CONSENT AGENDA

CITY COUNCIL MEETING MINUTES - VERSION 1

June 10, 2013

7:30 PM

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

1. LATE FILES – Transfer #5 and Communication #4

Motion to approve late file by Councillor Jones, seconded by Councillor Connell. So voted.

2. PUBLIC COMMENT –

- | | | |
|------------------|--|-----------------|
| 1. Pamela Corkum | 16 State Street Pawsitively Best Friends | Vest A Dog |
| 2. Don Little | 6 Cottage Ct | CPC Appointment |

CONSENT AGENDA

3. APPROVAL OF MINUTES

June 10, 2013

(Approved)

4. TRANSFERS

- | | |
|---|-------|
| 1. Youth Svcs Sub Abuse Grant \$12,000 to Drug Free Communities Grant \$12,000 | (B&F) |
| 2. Hlth Engy/Recyc Solid Wste Fee \$19,999.88 to Hlth Dept Sal En/Recyc Coord \$19,999.88 | (B&F) |
| 3. DPS Water Ret'd Earnings \$540,000 to FY14 Budget Reserve \$540,000 | (B&F) |
| 4. DPS Sewer Ret'd Earn \$835,000 to FY14 Budget Reserve \$835,000 | (B&F) |

5. COMMUNICATIONS

- | | |
|---|-----------|
| 1. Block Party, Anna Jaques Hospital, July 29, 2013, Highland Ave/Lafayette Streets | (Approve) |
|---|-----------|

Removed by Councillor Cameron.

- | | |
|--|-----------|
| 2. Block Party, Fred & Kathleen Habib, June 15, 2013, Butler St. from Merrimack St | (Approve) |
| 3. Block Party, Donna Rosenbaum, July 27, 2013, Ocean Street | (Approve) |

6. APPOINTMENTS - First Reading

- | | | | |
|----------------------|----------------|--------------------|-------------|
| | | Appointment | |
| 1. Byron M. Getchell | 14 Milk Street | Tree Commission | May 1, 2016 |

- | | | | |
|--------------------|------------------|------------------------------|-------------|
| | | Re-Appointment | |
| 2. Judith C. Grohe | 14 Strong Street | Community Preservation Comm. | May 1, 2016 |

END OF CONSENT AGENDA

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

REGULAR AGENDA

7. TRANSFERS

5. LATE FILE - Myr Gen Fd Free Cash \$14850 to Library Maint \$11850, to Library Equip \$3000

Motion to refer to Budget & Finance by Councillor Jones, seconded by Councillor Cameron. 9 yes, 2 absent (Hutcheson, O'Brien). So voted.

8. COMMUNICATIONS

1. Block Party, Anna Jaques Hospital, July 29, 2013, Highland Ave/Lafayette Streets

Motion to approve by Councillor Cameron, seconded by Councillor Jones. 9 yes, 2 absent (Hutcheson, O'Brien). So voted.

6. LATE FILE – Pawsitively Best Friends fundraiser for Vest A Dog July 20, 2013

Motion to approve by Councillor Cronin, seconded by Councillor Jones. 9 yes, 2 absent (Hutcheson, O'Brien). So voted.

9. APPOINTMENTS - Second Reading

Re-Appointment

3. Margaret Welch 82 Curzon Mill Rd	Historical Commission	May 31, 2016
4. Paul Healy 8 N Street	Conservation Commission	May 31, 2016
5. Paul Healy 8 N Street	Community Preservation Act Comm	May 31, 2016
6. Donald F. Little 6 Cottage Court	Community Preservation Act Comm	May 1, 2016
7. Donald B. Walters 15 Smith Street	Planning Board	May 31, 2018

Motion to approve second reading collectively by Councillor Jones, seconded by Councillor Connell. Roll call vote, 9 yes, 2 absent (Hutcheson, O'Brien). So voted.

10. ORDERS

1. Tabled - Resolution Clean Air Act

Motion to remove from the Table by Councillor Jones, seconded by Councillor Connell. Motion to approve by Councillor Jones, seconded by Councillor Connell. 9 yes, 2 absent (Hutcheson, O'Brien). So voted.

2. Resolution Special Legislation to create Board of Water and Sewer Commissioners

Motion to refer to Public Utilities by Councillor Cronin, seconded by Councillor Sullivan. So voted.

3. Community Preservation Committee FY14 Appropriations

Motion to refer to Budget & Finance and Committee of the Whole by Councillor Connell, seconded by Councillor Jones. So voted.

4. Acceptance of MGL Ch 40 Sec 13D Reserve Fd compensated absences

Motion to approve by Councillor Cronin, seconded by Councillor Cameron. 8 yes, 1 no (Connell), 2 absent (Hutcheson, O'Brien). So voted.

11. ORDINANCES

5. Amend ORD Ch 13 Ar. IV Div. 4 Sec. 13-136 Stop Intersection Goodwin Ave

Motion to refer to Public Safety by Councillor Heartquist, seconded by Councillor Derrivan. Roll call vote, 9 yes, 2 absent (Hutcheson, O'Brien). So voted.

12. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mid-Year Report
2. DPS-Sewer I/I Reduction Prog. \$100,000 to CIP-Plum Island Alarm Syst \$100,000 *09/10/2012
3. Mayor Gen Fd Free Cash \$156,361.20 to Snow & Ice Exp, \$139,132.42 to Snow & Ice Labor \$14,228.78 *05/13/2013

Motion to remove by Councillor Cameron, seconded by Councillor Derrivan. Motion to approve by Councillor Cameron, seconded by Councillor Derrivan. 9 yes, 2 absent (Hutcheson, O'Brien) So voted.

4. Mayor Gen Fd Free Cash \$4,900 to Park Maintenance \$4,900 *05/13/2013

Motion to remove by Councillor Cameron, seconded by Councillor Derrivan. Motion to approve by Councillor Derrivan, seconded by Councillor Cameron. 9 yes, 2 absent (Hutcheson, O'Brien) so voted.

5. Order FY2014 Budget *05/13/2013

6. Mayor Gen Fd Free Cash \$120,778.55 to Fire Ret Exp \$114,652.71, COA Ret Exp \$1,004.72, Library Ret Exp \$5,121.12 *05/28/2013

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

7. DPS Water Ret'd Earn \$410,133 to CIP-DPS Bldg \$250,000, to CIP WTR Main Rep \$100,000, to CIP Meter Rep Prog \$50,000, to CMMS \$10,133 *05/28/2013

Motion to remove \$250,000, \$100,000 and \$50,000 by Councillor Cameron, seconded by Councillor Connell.

Motion to approve by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 3 yes (Cameron, Connell, Heartquist), 6 no, 2 absent (Hutcheson, O'Brien). Motion failed.

8. DPS Water Modification of DPS Bldg \$33,000 to CIP HVAC Improvements \$33,000 *05/28/2013

Motion to remove by Councillor Cameron, seconded by Councillor Cronin. Motion to approve by Councillor Cameron, seconded by Councillor Connell. 9 yes, 2 absent (Hutcheson, O'Brien) so voted.

9. DPS Sewer Ret'd Earn \$610,133 to CIP Vacuum Truck Pur \$200,000, CIP DPS Bldg \$350,000, to CIP Meter Rep Prog \$50,000, to CMMS \$10,133 *05/28/2013

Motion to remove all by Councillor Cameron, seconded by Councillor Derrivan. Motion to approve items to be voted separately excluding \$10,133 by Councillor Cameron, seconded by Councillor Derrivan. So voted.

Motion to approve \$200,000 by Councillor Herzog, seconded by Councillor Cameron. 8 yes, 1 no (Jones), 2 absent (Hutcheson, O'Brien). Motion passed.

Motion to approve \$350,000 by Councillor Cameron, seconded by Councillor Jones. 3 yes (Cameron, Connell, Heartquist), 6 no, 2 absent (Hutcheson, O'Brien). *Motion failed.*

Motion to approve \$50,000 by Councillor Cameron, seconded by Councillor Jones. 7 yes, 2 no (Earls, Sullivan), 2 absent (Hutcheson, O'Brien) Motion passed.

10. DPS Sewer CIP Clarifiers \$100,000 to CIP WWTF Fence \$100,000 *05/28/2013

Motion to remove by Councillor Cameron, seconded by Councillor Connell. Motion to approve by Councillor Cameron, seconded by Councillor Connell. 6 yes, 3 no (Derrivan, Earls, Jones), 2 absent (Hutcheson, O'Brien) Motion passed.

11. DPS Sewer Sew Prim Clarifiers \$100,000 to CIP WWTF Fence \$100,000 *05/28/2013

Motion to remove by Councillor Cameron, seconded by Councillor Herzog. Motion to approve by Councillor Cameron, seconded by Councillor Herzog. 8 yes, 1 no (Derrivan) 2 absent (Hutcheson, O'Brien) Motion passed.

12. DPS Sewer Mod of DPS Bldg \$33,000 to CIP HVAC Improvements \$33,000 *05/28/2013

Motion to remove by Councillor Cameron, seconded by Councillor Jones. Motion to approve by Councillor Cameron, seconded by Councillor Jones. 6 yes, 3 no (Derrivan, Jones, Sullivan), 2 absent (Hutcheson, O'Brien) so voted.

13. DPS Highway Gen Fd Free Cash \$10,134 to CMMS \$10,134 *05/28/2013

14. Amend ORD Sec. 2-392 Interest on Water and Sewer Bills *05/28/2013

Public Safety

In Committee:

1. Amend Ord. 10-9 Miscellaneous offenses – use or consumption of marijuana *11/28/2011
2. Amend Ord. 13-180 Parking Resident Harris St. *01/30/2012
3. Community Giving Tree of Boxford donation box *04/30/2012
4. Order Yankee Homecoming Parade *06/25/2012
5. Parking, Russell Terrace, No Parking, 50 feet from Storey Ave *08/27/2012
6. ORD Ch. 2 Sec.358 Fingerprint Criminal History Checks *09/24/2012
7. Letter regarding speeding traffic on Turkey Hill Road *04/29/2013
8. Amend Sec. 13-176.1 30 minutes High St. from Ashland St. and west *04/29/2013
9. Children's Fun Run June 30, 2013 Bromfield, Purchase, Madison, Hancock Streets *05/28/2013

Motion to waive the rules to allow committee item not in packet by Councillor Cronin, seconded by Councillor Jones. So voted. Motion to remove by Councillor Cronin, seconded by Councillor Jones. So voted. Motion to approve subject to police being notified by Councillor Cronin, seconded by Councillor Jones. So voted.

10. Amend ORD Sec. 13-121 One way streets add Court St. *05/28/2013

13. GOOD OF THE ORDER

Councillor Derrivan recommended the idea of cancelling the June 24, 2013 City Council meeting and moving the July 8, 2013 meeting to July 15, 2013.

Councillor Jones spoke on the issue of an over-reaching federal government.

Councillor Cronin stated that the Custom House Maritime Museum would have a presentation by the Committee for an Open Waterfront on June 12, 2013 at 7pm.

14. ADJOURNMENT

Motion to adjourn at 9:02 pm by Councillor Cameron, seconded by Councillor Jones. So voted.



END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

COMMUNICATIONS



Communication #1
June 17, 2013

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

To: President and Members of the City Council

From: Peter Lombardi, Director of Policy and Administration

Date: June 13, 2013

Subject: Compensated Absences Reserve Fund - FY14 Appropriation

With the City Council's vote of Monday June 10, 2013 to accept the provisions of MGL Chapter 40, Section 13D, Mayor Holaday has adjusted her initial FY14 Budget submission to account for the creation of a new Reserve Fund to cover sick leave buyback costs upon employee retirement. This new Reserve Fund is located in General Administration under the Other Charges and Expenses category as "Compensated Absences" (page 49). Total funding needed to account for anticipated retirements in FY14 is \$390,810.00.

The Mayor's initial FY14 Budget submission still has retirement buybacks in several separate Department line items. They are as follows:

FIRE RETIREMENT EXPENSE 51901	\$220,310.00
DPS: HIGHWAY RETIREMENT BUYBACK 51901	\$ 28,000.00
AUDITOR RETIREMENT BUYBACK 51901	\$ 82,500.00
POLICE RETIREMENT EXPENSE 51901	\$ 60,000.00

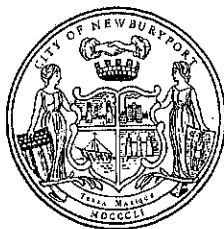
With the establishment of this new Reserve Fund, these line items now need to be cut down to \$0 for FY14. If anticipated retirements do not occur in FY14, this Reserve Account will carry over the fund balance to the next fiscal year. As discussed, these buybacks are contractually required.

GENERAL ADMINISTRATION

	FY2010 ACTUAL	FY2011 ACTUAL	FY2012 ACTUAL	FY2013 APPROVED	FY2013 REVISED	FY2014 PROPOSED
001 - PERSONAL SERVICES						
51150 MYO SAL CUSTODIAN	38,501	39,421	39,271	39,271	40,182	0.00
51167 MYO TEMPORARY HELP CITYHALL	2,412	1,505	1,222	3,500	3,500	3,500.00
51170 MYO SAL CLAM WARDEN	292	0	0	0	0	0.00
51405 MYO CLOTHING REIMBURSEMENT	600	600	600	600	600	0.00
001 - PERSONAL SERVICES Total	41,804	41,526	41,093	43,371	44,282	3,500.00
002 - PURCHASE OF SERVICES						
52101 MYO HEAT/ELECTRIC-CH	31,217	31,046	26,838	34,000	34,000	34,000.00
52102 MYO HEAT/ELEC KELLEY SCH	15,945	0	0	0	0	0.00
52401 MYO MAINT/REPAIR-BLD	22,329	16,066	27,584	15,000	15,000	1,000.00
52402 MYO MAINT/REPAIR-COPIER	2,200	2,116	1,747	2,200	2,200	2,200.00
52403 MYO PUBLIC REST ROOMS	6,500	6,407	6,416	6,500	6,500	6,500.00
52411 MYO ELECTRICAL MAINT	10,000	21,000	10,000	10,000	10,000	0.00
52701 MYO LEASE POSTAGE MACHINE	3,000	2,821	5,555	3,000	3,000	3,000.00
53001 MYO PRE-EMPLOYMENT PHYSICAL	459	0	0	0	0	0.00
53003 MYO GEOGRAPHIC INFO SYSTEMS	14,526	18,915	0	0	0	0.00
53004 MYO TRAINING/TRAVEL/CONFERENC	23,090	23,996	34,973	24,000	24,000	26,000.00
53401 MYO POSTAGE	29,000	28,832	20,250	18,000	18,000	30,000.00
53406 MYO TELEPHONE SYSTEM	43,500	41,728	43,500	43,500	43,500	48,200.00
002 - PURCHASE OF SERVICES Total	201,765	192,927	176,863	156,200	156,200	150,900.00
004 - SUPPLIES						
54200 MYO SUPPLIES-OFFICE	4,605	2,534	3,000	3,000	3,000	5,000.00
54301 MYO SUPPLIES (CH)	3,495	2,500	3,267	2,500	9,443	1,000.00
004 - SUPPLIES Total	8,100	5,034	6,267	5,500	12,443	6,000.00
007 - OTHER CHARGES & EXPENSES						
57300 MYO DUES & MEMBERSHIPS	3,669	3,683	3,592	3,900	3,900	3,900.00
57301 MYO MERR VALLEY RPC	5,568	5,668	5,571	5,570	5,570	5,760.00
57401 MYO MUNICIPAL INSURANCE	0	0	133,320	129,150	129,150	135,608.00
57805 MYO BUDGET CONTINGENCY	106	542	8,000	10,000	10,000	54,553.77
57806 MYO GEN GOV CHARTER COM EXP	0	4,285	4,655	0	0	0.00
57810 MYO JEANNE GEIGER CTR	0	0	0	0	5,000	0.00
57811 MYO COMPENSATED ABSENCES	0	0	0	0	0	390,810.00
007 - OTHER CHARGES & EXPENSES Total	9,344	14,178	155,137	148,620	153,620	590,631.77
Grand Total	261,013	253,666	379,359	353,691	366,545	751,031.77

COMMITTEE ITEMS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 13, 2013

THAT the General Fund budget for the City of Newburyport for Fiscal Year 2014 (July 1, 2013 through June 30, 2014) be approved in the amount of \$ _____, and \$ _____ of this amount is established as a School Department Budget for Fiscal Year 2014.

The following Enterprise Fund budgets for Fiscal Year 2014 are also approved as follows:

Water Enterprise Fund	\$
Sewer Enterprise Fund	\$
Harbormaster Enterprise Fund	\$

The above approved budget represents the budget submitted by Mayor Holaday on May 13, 2013 as amended.

President Thomas O'Brien

Councillor Edward C. Cameron

Councillor Barry N. Connell

Councillor Robert J. Cronin

Councillor Brian Derrivan

Councillor Gregory D. Earls

Councillor Allison Heartquist

Councillor Ari B. Herzog

Councillor Thomas Jones

Councillor Steven R. Hutcheson

Councillor Richard E. Sullivan, Jr.

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