

CITY COUNCIL MEETING AGENDA - VERSION 1

June 9, 2014

7:15PM -- Collins Street Hearing

7:30PM -- Budget Hearing

(Sound Check)

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

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

May 27, 2014

(Approve)

8. TRANSFERS

1. Mayor Gen Fd Free Cash \$35,000 to Anniversary Celebrations \$35,000 (B&F)
2. Mayor Ins 32-B \$18,520 to Kelley School Exp \$9,946, to Fac Maint Repair \$6,800, to Vehicle/Equipment Purchase \$1,774 (B&F)
3. Police Dept Salary Officers \$21,000 to Purchase Cruisers \$15,000, to Maint Equipment \$6,000, to Misc Supplies \$4,800 (B&F)
4. Emergency Mgmt Building Maintenance \$400, to EM Deputy Coordinator \$400 (B&F)
5. Assessors Res. Appr. Assr Svc Fee \$550 to Other Supplies \$550 (B&F)
6. DPS Sewer Retained Earnings \$400,000 to CIP Meter Replcmt Prg \$50,000, to West End Easement \$150,000, to CIP-Vacuum Truck Purch \$200,000 (B&F)
7. DPS Water Retained Earnings \$250,000 to CIP Meter Replcmt Prg \$50,000, to CIP Wtr Main Replacement \$200,000 (B&F)
8. DPS Water and Sewer CIP Water Tank Maint \$192,074.79, to CIP Network Expansion \$30,000, to Water Retained Earnings \$14,425.78, to Crow Lane Pump Station \$10,844.24, to SWR CIP Flood Study \$41,182.43, to SWR CIP Replace Generators \$63,101.76, to Sewer Retained Earnings \$91,371, to DPS Building Project \$443,000 (B&F)

9. COMMUNICATIONS

1. 3rd Annual Cruisin the 50's event, city streets, August 14, 2014 5pm to 8pm (Public Safety)
2. Block Party June 19, 2014 Tyng/Monroe St to Merrimac (Approve)
3. A Frame Sign Request on Inn Street near fountain for Pandora's Box (License & Permits)

END OF CONSENT AGENDA

REGULAR AGENDA

10. COMMUNICATIONS

4. LATE FILE Mayor's Update

11. TABLED APPOINTMENTS-First Reading

TABLED Appointment

1. Robert Uhlig 10 Ocean Ave. Newburyport Redevelopment Authority

12. APPOINTMENTS-Second Reading

2.	Judy Avery	54 Milk Street	Appointment Cultural Council	June 1, 2017
3.	Katie Guildner	7 Broad Street#2	Re-Appointment Moseley Woods Commission	January 1, 2017

13. ORDERS

1. TABLED Community Preservation Recommendations FY2014
2. Amended Order Collins Street
3. Amend Order Loan Appropriation for Bresnahan Project from Aug. 13, 2012
4. Resolution and Order for next special election ballot question approval new athletic and baseball fields bonds

14. ORDINANCES

1. 2nd Reading Amend ORD Sec. 13-136 Stop Intersections Russell Terrace Ext
2. Amend ORD Ch.13 Sec 13-179 Handicap Parking Lime St

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor letter regarding Order for Revolving Fund Expenses *03/17/2014
2. Order Amend Revolving Fund expenses *03/17/2014
3. FY2015 Budget Order *05/12/2014
4. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
5. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
6. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014

General Government

Joint Education

In Committee:

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

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Amend Ch.6.5, Article III Plastic Bags (NCS & COTW) *03/17/2014
3. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas *04/28/2014

Neighborhoods and City Services

In Committee

1. Amend Ch.6.5, Article III Plastic Bags (L&P, COTW) *03/17/2014
2. Amend ORD Sec. 3-26-d Table of Designated Off Leash Areas *04/28/2014
3. Amend ORD Sec. 3-26 subsection e, Rules for Designated Off Leash Areas *04/28/2014
4. Market Basket Letter re: plastic bags *05/12/2014

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. Order Collins Street *04/15/2014
3. Letter re: Collins Street *05/12/2014
4. Revised Collins Street surplus Property Order
5. Amend ORD Zoning Section XII-B, Medical Marijuana treatment center *05/27/2014
6. Amend ORD Zoning Section XII-B, Harbormaster Facility *05/27/2014
7. Amend ORD Zoning Section III, Floodplain Overlay District *05/27/2014
8. Amend ORD Zoning Section XXVII-E and F (downtown overlay district) *05/27/2014
9. Amend ORD Zoning Section XXVIII, Demolition control overlay district *05/27/2014

Public Safety***In Committee:***

1. Roadway and Sidewalk Update *05/12/2014
2. Patriots for American Veterans Organization (PAVO) Walk for our Troops Oct.4, 2014 *05/27/2014
3. Amend ORD Ch.13 Section 13-179 Waterfront Trust Lot Handicapped Parking *05/27/2014

Public Utilities Committee***In Committee:***

1. Stormwater Permitting Status Update *05/12/2014
2. Letter from Daniel Eyink, MD regarding water fluoridation *05/27/2014

Rules Committee**16. GOOD OF THE ORDER –****17. ADJOURNMENT**

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES - VERSION 1

May 27, 2014

Council President O'Brien called the meeting to order at 7:35 pm. A moment of silence was held for all those remembered during this past Memorial Day Observance. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Tontar, Vogel, Cameron, Connell, Cronin, Eigerman, Giunta, Herzog, Kinsey and O'Brien. 10 present, 1 absent (Heartquist).

1. LATE FILES – Mayor's Communication #11

2. Motion to waive the rules and allow the late file by Councillor Cameron, seconded by Councillor Vogel. 10 yes, 1 absent (Heartquist). So voted.

3. PUBLIC COMMENT

- | | | |
|----------------------|---------------|------------------------|
| 1) Dan Eyink | 171 High St | Water Fluoridation |
| 2) Bill Patenaude | Methuen, MA | Water Fluoridation |
| 3) Chris Martel | Amesbury, MA | Water Fluoridation |
| 4) Spencer McNeil | Bedford, MA | Water Fluoridation |
| 5) Vincent Zanfagna | 8 Beck St. | Water Fluoridation |
| 6) Andrew Teichner | Boxford, MA | Water Fluoridation |
| 7) Judy Avery | 54 Milk St. | Appt. Cultural Council |
| 8) Steve Ruszczyk | Seabrook, NH | PAVO |
| 9) Marnee Meyer | Cambridge, MA | Water Fluoridation |
| 10) Jeffrey Brunelle | 106 Low St | Plastic Bags |
| 11) Paul O'Brien | 11 Munroe St | Plastic Bags |
| 12) Daniel Deren | 154 Water St | Water Fluoridation |
| 13) P.J.Goddard | 21 Carter St | Water Fluoridation |

4. MAYOR'S COMMENT

The Mayor provided a brief update on a number of matters outlined in her communication.

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

May 12, 2014

(Approved)

2. TRANSFERS

- | | |
|--|------------|
| 1. Youth Services Sub. Abuse Gr \$15,000 to Drug Free Communities Gr. \$15,000 | (Approved) |
| 2. DPS RSV App DPW Gas \$23,000 to DPS Highway Fuel & Oil \$23,000 | (Approved) |

9. COMMUNICATIONS

- | | |
|---|-------|
| 1. Patriots for American Veterans Organization (PAVO) Walk for our Troops Oct.4, 2014 | (PS) |
| 2. Letter from Daniel Eyink, MD regarding water fluoridation | (R&F) |

Removed at the request of Councillor Herzog. Councillor Herzog moved to Refer to PU, seconded by Councillor Kinsey. So voted on a Roll Call vote, 8 yes, 2 No (Connell, O'Brien), 1 absent (Heartquist).

- | | |
|---|------|
| 3. Orange Leaf Frozen Yogurt use of Market Square June 28, 2014 | (PS) |
|---|------|

Removed at the request of Councillor Cronin. Councillor Cronin moves to Approve, seconded by Councillor Giunta. So voted.

10. APPOINTMENTS-First Reading

- | | | Appointment | |
|-------------------|------------------|--------------------------|-----------------|
| 1. Judy Avery | 54 Milk Street | Cultural Council | June 1, 2017 |
| | | Re-Appointment | |
| 2. Katie Guildner | 7 Broad Street#2 | Moseley Woods Commission | January 1, 2017 |

END OF CONSENT AGENDA

Motion to approve Consent Agenda as amended by Councillor Cameron, seconded by Councillor Herzog. So voted.

REGULAR AGENDA

11. COMMUNICATIONS

11. LATE FILE Mayor's Update

12. APPOINTMENTS-Second Reading

Re-Appointment

- | | | | |
|------------------|---------------------|-------------------|----------------|
| 3. Andrew Casson | 240 Merrimac Street | Harbor Commission | March 31, 2017 |
| 4. James Knapp | 24 Cutting Drive | Harbor Commission | May 1, 2017 |

Councillor Cronin moved to approve collectively #3, seconded by Councillor Herzog. Roll call vote, 10 yes 1 absent (Heartquist).

13. ORDERS

1. Community Preservation Recommendations FY2014

Councillor Eigerman recused himself.

Councillor Tontar moved to Approve, seconded by Councillor Vogel. Councillor Cronin moved to Table, seconded by Councillor Herzog. Roll call vote, 6 Yes, 3 No (O'Brien, Tontar, Vogel), 1 recused (Eigerman), 1 absent (Heartquist). So Voted.

2. Acceptance of gift from Port Paint and Paper of \$1772

Councillor Cronin moved to Approve, seconded by Councillor Giunta. So Voted.

3. Revised Kelley School Order

Councillor Cameron moved to refer to P&D, seconded by Councillor Kinsey, So Voted.

14. ORDINANCES

1. Amend ORD Ch.13 Section 13-179 Waterfront Trust Lot Handicapped Parking

Councillor Cronin moved to refer to Public Safety Committee, seconded by Councillor Herzog, so voted.

2. Amend ORD Zoning Section XII-B, Medical Marijuana treatment center

Councillor Cronin Recused himself. Councillor Connell moved to refer to P&D Committee and Planning Board, seconded by Councillor Herzog, so voted.

3. Amend ORD Zoning Section XII-B, Harbormaster Facility
4. Amend ORD Zoning Section III, Floodplain Overlay District
5. Amend ORD Zoning Section XXVII-E and F (downtown overlay district)

Councillor Cameron moved to collectively refer #3,#4,#5 to P&D Committee and Planning Board, seconded by Councillor Herzog, so voted.

6. Amend ORD Zoning Section XXVIII, Demolition control overlay district

Councillor Cameron moved to P&D Committee and Planning Board, seconded by Councillor Herzog, so voted.

7. Pending Publication – 2nd Reading Amend ORD Sec. 13-136 Stop Intersections Russell Terrace Ext

NO ACTION

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- | | |
|--|-------------|
| 1. Mayor letter regarding Order for Revolving Fund Expenses | *03/17/2014 |
| 2. Order Amend Revolving Fund expenses | *03/17/2014 |
| 3. Free Cash \$255,170.80 to Multiple-detail attached \$255,170.80 | *05/12/2014 |

Councillor Tontar moved to remove and approve, seconded by Councillor Cameron,

Councillor Cronin moved to amend to change the amount for the Defibrillator to \$9,740, seconded by Councillor Giunta, so voted. Vote on Amended motion to Approve, so voted.

4. Free Cash \$238,241.30 to Snow & Ice Labor \$29,132.60, to Snow & Ice Expenses \$209,108.70 *05/12/2014

Councillor Tontar moved to remove, seconded by Councillor Cameron, So voted. Councillor Tontar moved to approve, seconded by Councillor Kinsey, so voted.

5. Insurance 32-B \$471,078.18 to School Expenses \$250,000, to Fire Overtime \$100,000, to DPS Streetlights \$120,000, to Retirement Appropriation \$1,078.18 *05/12/2014

Councillor Tontar moved to remove, seconded by Councillor Cameron, So voted. Councillor Tontar moved to approve, seconded by Councillor Connell, so voted.

6. Solid Waste Fee \$21,580.87 to Health Dept. Sal/Energy/Recycling Coord \$21,580.87 *05/12/2014

Councillor Tontar moved to remove, seconded by Councillor Herzog, So voted. Councillor Tontar moved to approve, seconded by Councillor Herzog, so voted.

7. FY2015 Budget *05/12/2014

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

9. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
10. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014

General Government

In Committee:

1. Intermunicipal Agreement Animal Control Services *05/12/2014

Councillor Vogel moved to Remove, seconded by Councillor Herzog. So Voted.

Councillor Vogel moved to Approve, seconded by Councillor Herzog. Motion passed on a Roll Call vote, 10 yes, 1 absent (Heartquist).

Joint Education - Councillor Kinsey gave a brief update on upcoming meetings.

In Committee:

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

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Amend Ch.6.5, Article III Plastic Bags (NCS & COTW) *03/17/2014
3. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas *04/28/2014

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In Committee

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3. Amend ORD Sec. 3-26 subsection e, Rules for Designated Off Leash Areas *04/28/2014
4. Market Basket Letter re: plastic bags *05/12/2014

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. Order Kelley School – Surplus Property *04/15/2014

Councillor Cameron moved to Remove, seconded by Councillor Herzog. So Voted.

Councillor Cameron moved to Approve, seconded by Councillor Tontar, Motion passed on a Roll Call vote, 10 Yes, 1 Absent (Heartquist).

3. Order Collins Street *04/15/2014
4. Letter re: Collins Street *05/12/2014
5. Appointment Robert Uhlig, 10 Ocean St, Newburyport Redevelopment Authority (COTW) *05/12/2014

Councillor Cameron moves to remove, seconded by Councillor Connell, So voted

Councillor Cameron moved to Table, Seconded by Councillor Connell, So voted.

6. Revised Collins Street surplus Property Order *05/12/2014

Public Safety

In Committee:

1. Letter from Jessica Reines re: traffic Gypsy Lane *05/12/2014

Councillor Cronin moves to remove, seconded by Councillor Giunta, So voted. Councillor Cronin moves to Rec & File, seconded by Councillor Giunta, so voted.

2. All Women & 1 Lucky Guy ½ Marathon Sept. 14, 2014 *05/12/2014

Councillor Cronin moves to remove, seconded by Councillor Herzog, So voted. Councillor Cronin moves to Approve, seconded by Councillor Giunta, so voted.

3. Roadway and Sidewalk Update *05/12/2014

Public Utilities Committee - Councillor Herzog announced that there will be a Meeting on June 5th at 6 pm.

In Committee:

1. Storm water Permitting Status Update *05/12/2014

Rules Committee

16. GOOD OF THE ORDER – None

17. ADJOURNMENT

Councillor Tontar moved to adjourn, seconded by Councillor Cronin at 8:50 pm. So Voted.

TRANSFERS



City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

Transfer #1
June 9, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Department: Mayor

Submitted by: Mayor Holaday

Date Submitted: 6/3/2014 3:53

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 888,395.88
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$35,000.00	Trans Out:	\$ 1,603,713.12
Why are Funds Available:	<i>Surplus funds are available from the prior years financial activities and can be used for any legal purpose with the approval of the Mayor and a majority vote of the City Council.</i>		

Transfer To:

Account Name	Anniversary Celebrations	YTD Bal:	\$ -
Account Number:	2819-49700	Trans In:	\$ -
Amount:	\$35,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>Newburyport has been allotted \$35,000 from the State to help pay for the City's 250th Birthday celebration. These funds are included in the State budget, but will not be received until the start of the new fiscal year, however funds are needed now. Once State funds have been received, they will go back into Free Cash. This is a special account included in MGLs for this purpose.</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: 6/3/14
Date: 6/3/14



City of Newburyport
FY 2014

Transfer #2
June 9, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

BUDGET TRANSFER REQUEST

2014 JUN -3 P 3:53

Department: Mayor

Submitted by: Mayor Donna D. Holaday

Date Submitted: 6/3/2014

Transfer From:

Account Name	Insurance - 32-B	YTD Bal:	\$	762,802.22
Account Number:	01914001-51700	Trans In:	\$	-
Amount:	\$18,520.00	Trans Out:	\$	-
Why are Funds Available:	<i>A surplus is anticipated in this account at year-end.</i>			

Transfer To:

Account Name	Kelley School Expenses	YTD Bal:	\$	(8,854.88)
Account Number:	01542007-57843	Trans In:	\$	-
Amount:	\$9,946.00	Trans Out:	\$	-
Why are Funds Required:	<i>A temporary fuel tank had to be installed and modifications had to be made to the existing heating system after the City was notified that the underground storage tank failed its pressure test early this past winter. Additionally, unanticipated sewer line issues had to be addressed on an emergency basis. The cost impact of this work is clear now that the heating season is over.</i>			

Transfer To:

Account Name	Facility Maintenance/Repair	YTD Bal:	\$	-
Account Number:	01542002-52401	Trans In:	\$	-
Amount:	\$6,800.00	Trans Out:	\$	-
Why are Funds Required:	<i>Repairs to existing skatepark (see attached memo).</i>			

Transfer To:

Account Name	Vehicle/Equipment Purchase	YTD Bal:	\$	-
Account Number:	01542002-52410	Trans In:	\$	-
Amount:	\$1,774.00	Trans Out:	\$	-
Why are Funds Required:	<i>Temporary skatepark (see attached memo).</i>			

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

Donna D. Holaday
William B. Squillace

Date: 6/3/14
Date: 6/3/14



CITY OF NEWBURYPORT NEWBURYPORT YOUTH SERVICES

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN -3 P 3:53

May 3, 2014

Dear City Council,

I am writing in support of the two transfers connected to the Newburyport Skate Park.

The first transfer is to complete repairs to the park during the time that the park has to be closed this summer. These repairs are very much needed. We have not done any significant repairs to the park in the 12 years since it was built. Annual maintenance and patch work repairs have done their job but these repairs are long overdue. The Friends of the Skate Park are contributing \$2,000 to this project.

The second transfer is for the purchase of some park elements including ramps and rails for a temporary park to be created. These elements in addition to a few others will be used throughout the summer. NYS has offered to contribute 50% of the cost from our Rev Rec Services account. The elements will be used by NYS in the future for programming.

Thank you in advance for your support. If you have any questions, please do not hesitate to contact me.

Sincerely,

Andrea Egnat
Director of Youth and Recreation Services

NYS / BEACON COALITION
60 Pleasant Street
Newburyport, MA 01950
978.465.4434 youthservices@cityofnewburyport.com
www.newburyportyouthservices.com



City of Newburyport
FY 2014
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN -3 P 3:53

Department: POLICE DEPARTMENT

Submitted by: Thomas Howard, Marshal

Date Submitted: 6/3/2014

Transfer From:

Account Name	SALARY OF OFFICERS	YTD Bal:	\$187,433.43
Account Number:	01210001-51142	Trans In:	\$0.00
Amount:	\$21,000.00	Trans Out:	\$0.00
Why are Funds Required:	<i>There is a surplus in this account due to officers retiring and resigning.</i>		

Transfer To:

Account Name	PURCHASE OF CRUISERS	YTD Bal:	\$11,933.38
Account Number:	01210008-58502	Trans In:	\$0.00
Amount:	\$15,000.00	Trans Out:	\$0.00
Why are Funds Required:	<i>This funding is needed to replace an unmarked cruiser with a blown engine.</i>		

Transfer To:

Account Name	MAINTENANCE EQUIPMENT	YTD Bal:	\$1,498.95
Account Number:	01210002-52402	Trans In:	\$0.00
Amount:	\$6,000.00	Trans Out:	\$0.00
Why are Funds Required:	<i>This funding is needed to equip five new Honor Guard members.</i>		

Transfer To:

Account Name	MISC SUPPLIES	YTD Bal:	-\$975.65
Account Number:	01210004-55800	Trans In:	\$0.00
Amount:	\$4,800.00	Trans Out:	\$0.00
Why are Funds Required:	<i>This second speed tracking device will help as a traffic calming measure and is needed to continue to gather data to support the work of the Traffic Safety Advisory Committee.</i>		

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

Donna D. Holaday
William B. Squillace

Date: 6/3/14
Date: 6/3/14



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 JUN -3 P 3:54

City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

Department: Emergency Management

Submitted by: Thomas Howard, Marshal

Date Submitted: 6/3/2014

Transfer From:

Account Name	BULIDING MAINTENANCE	YTD Bal:	\$3,006.25
Account Number:	01291002-52401	Trans In:	\$5,000.00
Amount:	\$400.00	Trans Out:	\$0.00
Why are Funds Required:	<i>There is a surplus in this account to cover uninsured costs due to a water main break.</i>		

Transfer To:

Account Name	EM DEPUTY COORDINATOR	YTD Bal:	\$1,500.00
Account Number:	01291001-51102	Trans In:	\$0.00
Amount:	\$400.00	Trans Out:	\$0.00
Why are Funds Required:	<i>This amount needs to be funded due to the labor costs to break down and reinstall radios and equipment in and out of the EOC Facility due to a water main break.</i>		

Donna D. Holaday, Mayor

William B. Squillace, Auditor

City Council Approval: (Stamp)

Donna D. Holaday
William B. Squillace

Date:

6/3/14

Date:

6/3/14



City of Newburyport
FY 2014
BUDGET TRANSFER REQUEST

Transfer #5
June 9, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN -3 P 3:54

Department: Assessors

Submitted by: Daniel Raycroft

Date Submitted: 6/3/2014

Transfer From:

Account Name	Reserve for Appr. Assr Srvc Fee	YTD Bal:	\$ 1,863.50
Account Number:	2724-59600	Trans In:	\$ -
Amount:	\$550.00	Trans Out:	\$ -
Why are Funds Available:	<i>Fees charged by the Assessor's Office are deposited into this reserve for appropriation account.</i>		

Transfer To:

Account Name	OTHER SUPPLIES	YTD Bal:	\$ 7.15
Account Number:	01141004-55800	Trans In:	\$ -
Amount:	\$550.00	Trans Out:	\$ -
Why are Funds Required:	<i>To purchase toner, Motor Vehicle Excise abatement books and miscellaneous office supplies required to meet administrative needs of the Assessor's Office. This line item is short because we had to buy a computer printer earlier in the year that was unanticipated.</i>		

Transfer To:

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

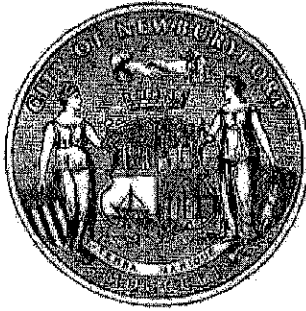
Transfer To:

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: 6/3/14
Date: 6/3/14



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN -3 P 3:54

To: President and Members of the City Council
From: Mayor Donna D. Holaday
Date: June 2, 2014
Subject: FY14 Capital Transfer Request – Water and Sewer Enterprise Funds

The following requests were submitted in the FY2014 Capital Improvement Program for the Water and Sewer Enterprise Funds. These capital needs were reviewed by the Water and Sewer Commission, submitted in FY2014 budget requests to the City Council and attached are requests to transfer the funds from Retained Earnings into appropriate accounts.

METER REPLACEMENT PROGRAM – The city conducted a system-wide meter replacement program in 2008 at a cost of over one million dollars. Given that the meters have a life expectancy of 12 – 15 years; it is recommended that \$50,000 be funded each year from both the Water and Sewer Enterprise Funds until 2023.

WATER MAIN REPLACEMENT - Annual funding is needed to execute scheduled improvements to the City's aging water distribution infrastructure. In an effort to minimize the impact on the operating budget, funds have been designated each year to this capital account. It is requested to transfer \$200,000 to this account.

WEST END EASEMENT - This project is necessary so that, in the event of a sewer line break or backup, the DPS Sewer Division will be able to access the line and prevent sewer from entering the drinking water supply. It is requested to transfer \$150,000 to this account.

VACUUM TRUCK - The Vactor truck, used to clean sewer lines, is at the end of its useful life. Total cost is \$400,000 of which \$200,000 was transferred in FY2013 and the balance of \$200,000 is requested to be transferred to fully fund the purchase.

At the end of FY2014, the Department of Revenue certified a healthy retained earnings balance for the Water and Sewer Enterprise Funds. For Water, \$1,609,481 was

certified. The attached transfer request uses \$250,000 in water retained earnings, leaving a balance of \$1,359,481. Likewise for sewer, \$1,768,057 was certified. The attached transfer request uses \$400,000 in sewer retained earnings, leaving a balance of \$1,368,057.

As we approach the beginning of the new fiscal year, the Water and Sewer Commissions are actively discussing rates for FY2015 and, as in past years, will approve rates in June based on final approved expenditures. Despite significant increases to debt service in recent years, a major goal of the Water and Sewer Boards is to continue to ensure the stability of rates; made possible by healthy retained earnings balances. As such, it is expected that further transfers will be requested into budget reserve line items as to mitigate the rate increases needed to service debt payments. Such transfers, however, cannot be submitted until the final budget is approved by City Council.

Please see attached the requested capital transfers.

Thank you for your assistance.



Transfer #6
June 9, 2014

City of Newburyport
FY 2014
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 JUN -3 P 3:54

Department: DPS - SEWER

Submitted by: Anthony Furnari, Director

Date Submitted: 6/3/2014

Transfer From:

Account Name	RETAINED EARNINGS	YTD Bal:	\$ 1,768,057.00
Account Number:	61-35900	Trans In:	\$ -
Amount:	\$400,000.00	Trans Out:	
Why are Funds Available:	Certified retained earnings balance from FY2013.		

Transfer To:

Account Name	CIP-METER REPLACEMENT PROG	YTD Bal:	\$ 183,812.00
Account Number:	3409-50000	Trans In:	\$ -
Amount:	\$50,000.00	Trans Out:	\$ -
Why are Funds Required:	The City conducted a system-wide meter replacement program in 2008 at a cost of over \$1 million. Given that meters have a life expectancy of 12-15 years, it is recommended that \$50,000 be funded each year from both the Water and Sewer Enterprise Funds until 2023.		

Transfer To:

Account Name	WEST END EASEMENT	YTD Bal:	\$ 196,207.62
Account Number:	3406-50000	Trans In:	\$ -
Amount:	\$150,000.00	Trans Out:	\$ -
Why are Funds Required:	This project is necessary so that in the event of a sewer line break or backup, DPS Sewer Division will be able to access the line and prevent sewer from entering the drinking water supply.		

Transfer To:

Account Name	CIP-VACUUM TRUCK PURCHASE	YTD Bal:	\$ 200,000.00
Account Number:	3412-50000	Trans In:	\$ -
Amount:	\$200,000.00	Trans Out:	\$ -
Why are Funds Required:	The Vacor truck, used to clean sewer lines, will be nearing the end of its useful life. Given the total replacement cost of \$400,000, it is recommended that a CIP account be created with \$200,000 from current year retained earnings and fund the balance out of next year's retained earnings.		

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

Donna D Holaday
William B Squillace

Date:

Date:

4/3/14
6/3/14



City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN -3 P 3:54

Department: DPS - WATER

Submitted by: Anthony Furnari, Director

Date Submitted: 6/3/2014

Transfer From:

Account Name	RETAINED EARNINGS	YTD Bal:	\$ 1,609,481.00
Account Number:	60-35900	Trans In:	\$ -
Amount:	\$250,000.00	Trans Out:	
Why are Funds Available:	<i>Certified retained earnings balance from FY2013.</i>		

Transfer To:

Account Name	CIP - METER REPLACEMENT PROG	YTD Bal:	\$ 183,812.00
Account Number:	3409-50000	Trans In:	\$ -
Amount:	\$50,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>The City conducted a system-wide meter replacement program in 2008 at a cost of over \$1 million. Given that meters have a life expectancy of 12-15 years, it is recommended that \$50,000 be funded each year from both the Water and Sewer Enterprise Funds until 2023.</i>		

Transfer To:

Account Name	CIP-WTR MAIN REPLACEMENT	YTD Bal:	\$ 192,811.01
Account Number:	3204-50000	Trans In:	\$ -
Amount:	\$200,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>Annual funding is needed to execute scheduled improvements to the City's aging water distribution infrastructure. In an effort to minimize the impact on the operating budget, funds have been designated each year to this capital account.</i>		

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

Donna D Holaday
William B. Squillace

Date:

6/3/14

Date:

6/3/14



City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

Transfer #8
June 9, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN - 3 P 3:54

Department: DPS - WATER and SEWER

Submitted by: Anthony Furnari, Director

Date Submitted: 6/3/2014

Transfer From:

Account Name	CIP - Water Tank Maintenance	YTD Bal:	\$ 192,074.79
Account Number:	3402-59600	Trans In:	\$ -
Amount:	\$192,074.79	Trans Out:	
Why are Funds Available:	<i>Originally funded for \$477,000.00 in FY2013 for refurbishing and repainting and repainting Rawson Hill and March's Hill tanks. Projects came in under budget and are complete with balance of \$192,074.79 in account.</i>		

Transfer From:

Account Name	CIP Network Expansion	YTD Bal:	\$ 30,000.00
Account Number:	3410-59600	Trans In:	\$ -
Amount:	\$30,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>Capital Transfer approved in FY2012 for CIP Expansion for the DPS Administration Building. Request to move funds to overall DPS Building Project fund as networking costs are built into the project costs.</i>		

Transfer From:

Account Name	Water - Retained Earnings	YTD Bal:	\$ 1,609,481.00
Account Number:	60-59600	Trans In:	\$ -
Amount:	\$14,425.78	Trans Out:	\$ -
Why are Funds Required:	<i>Certified retained earnings balance from FY2013.</i>		

Transfer From:

Account Name	Crow Lane Pump Station	YTD Bal:	\$ 10,844.24
Account Number:	3203-59600	Trans In:	\$ -
Amount:	\$10,844.24	Trans Out:	\$ -
Why are Funds Required:	<i>Original Transfer completed in FY2011 for \$501,500.00. Project complete and transfer is requested to close account.</i>		

Transfer From:

Account Name	SWR CIP Flood Study	YTD Bal:	\$ 41,182.43
Account Number:	3404-59600	Trans In:	\$ -
Amount:	\$41,182.43	Trans Out:	\$ -
Why are Funds Required:	<i>Capital request and transfer approved in FY2011. Project was cancelled. A transfer is needed to close out the account.</i>		

(continued next page)

Transfer From:

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 JUN 3 4 30 PM

Account Name	SWR CIP Replace Generators	YTD Bal:	\$	63,101.76
Account Number	3405-59600	Trans In:	\$	-
Amount:	\$63,101.76	Trans Out:	\$	-
Why are Funds Required:	<i>Original capital approval and transfer occurred in FY2011 to replace existing generators. Project was overfunded and complete and request transfer to close out account.</i>			

Transfer From:

Account Name	Sewer - Retained Earnings	YTD Bal:	\$	1,768,057.00
Account Number:	61-59600	Trans In:	\$	-
Amount:	\$91,371.00	Trans Out:	\$	-
Why are Funds Required:	<i>Certified retained earnings balance from FY2013.</i>			

Transfer To:

Account Name	DPS Building Project	YTD Bal:	\$	1,171,971.31
Account Number:	3403-49700	Trans In:	\$	-
Amount:	\$443,000.00	Trans Out:	\$	-
Why are Funds Required:	<i>Original projected cost of DPS Building project was estimated at \$1.2M. Funds for this project were approved and transferred in FY2011, split 50/50 between Water and Sewer. Updated project costs due to conservation adjustments, CSS architect, and increase in prevailing wage estimates, the new cost is estimated at \$1.643M (50/50 split Water and Sewer).</i>			

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

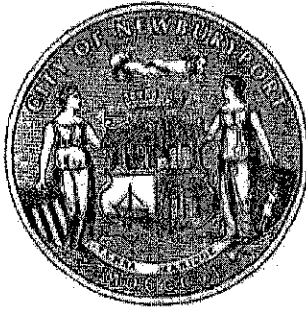
Donna D Holaday
William B Squillace

Date:

6/3/14

Date:

6/3/14



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN -3 P 3:54

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: June 2, 2014
Subject: FY14 Capital Transfer Request - DPS Administration Building

The Water and Sewer Business Office has reviewed all existing Water and Sewer Capital Accounts and identified five capital accounts whose projects are complete and currently have remaining balances, which may be transferred to close out the accounts. Simultaneously, the Water and Sewer Commissioners, DPS Director and Business Office have reviewed updated quotes relative to the DPS Administration Building. The original capital request for the DPS Building was approved in 2011 for \$1.2M and, based on delays in moving forward with this project, design changes based on CSS architect recommendations, and in conjunction with the Conservation Commission suggestions, and prevailing wage estimates, the project has an increased cost of \$443,000.00.

The five capital accounts that are finalized and have surplus funds total \$337,203.22. To minimize the impact on water and sewer retained earnings, it is our recommendation that these five accounts are closed and the balance transferred to the DPS Administration Building capital account. This will bridge the gap required for funding. If approved, an additional \$105,796 would need approval to be transferred from Retained Earnings (Water \$14,425 and Sewer \$91,371). Retained Earnings for the Water and Sewer Fund were certified by the Department of Revenue in the amount of \$1,768,057 for Sewer and for \$1,609,481 for Water.

I am asking that you consider transfer requests for the aforementioned amounts to fully fund the DPS Administration Building on Perry Way.

We expect to break ground on the new building in the September 2014 timeframe for completion by April 1, 2015.

COMMUNICATIONS

On May 21, 2014, at 4:38 PM, "Carl Strube" <carl@wnbp.com> wrote:

Dear Rich, Ann Ormond asked me to send you a request for our 3rd Annual Cruisin the 50's Event. We would like to request permission to enable us to accommodate more classic car owners who want to participate in this great event. It has become the Premier Cruisin event of the summer in our area, according to the car owners who come each year.

If possible, in addition to the spots we use on State, Pleasant, Inn St and Unicorn Streets, we would request permission for the following spaces:

1. The 3 spaces in front of the Institution for Savings main office on the left side of State St.
2. Since buses will not be running up State street during our event, we'd like the two spaces that are now used as a bus stop at the corner of Harris and State St.
3. We'd like the Harris Street parking lot for the hours of our event. It would allow us to add an additional 25 cars.
4. We'd like to put 8 smaller cars on the park at Patrick Tracy Square, opposite Inn Street off Pleasant St.

That's it and we wont come back again next year for more. This would be great if they can be approved. I am happy to meet with the Council or anyone with any concerns.

Sincerely,

Carl Strube, General Manager

WNBP 106.1FM/1450AM-Newburyport, MA

WWSF 102.3FM/1220AM-Sanford, ME

Corporate Offices

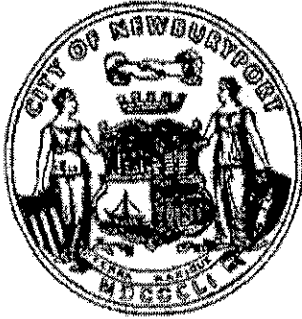
6 Federal Street

Newburyport, MA 01950

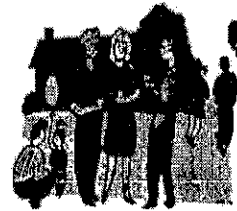
978-462-1450

617-513-7278 (cell)

Our Stations are committed to a policy of non-discrimination in the advertising contracts that it enters into with its advertisers. Station will not enter into or carry out, in connection with any advertising contract it is a party to, any terms, conditions, or policies that commit the advertiser or Station to discriminate in the sale or placement of advertising, based on the race, gender, or programming format of a broadcasting station or its owners.



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.

Cell = 978-764-2655

DATE OF REQUEST:	5/15/14
CONTACT INFORMATION	
FIRST AND LAST NAME:	M LAUREN PRITY
MAILING ADDRESS:	10 TYNG STREET NBPT
PHONE NUMBER:	(978) 463-7853
E-MAIL ADDRESS:	lprity90@gmail.com
BLOCK PARTY INFORMATION	
BLOCK PARTY DATE:	6/19/14
DESIRED STREET CLOSING LOCATION:	TYNG/MERRIC - TYNG/MONROE
Please indicate cross streets when requesting the closing of street sections	
STREET TO BE BARRICADED:	TYNG (LOWER)
DESIRED STREET CLOSING TIME:	6pm - 10pm
Block Parties should run no later than 10:00 p.m.	
* MAY HAVE AMPLIFIED MUSIC	

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

Lauren Petty

Date

05.15.14

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.

Thomas Howard
Deputy Brian 5/16/14
Clifford 5/29/2014
Julie Bjm

City use only:

Approved

-Denied

Date

APPLICATION FOR MOVABLE SIGNAGE ON PUBLIC PROPERTY

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA

Application Fee \$50.00

Date: 6/3/2014

FOR CITY CLERK'S OFFICE ONLY
Date Recorded _____
Amount Paid _____

To the City Council of the City of Newburyport:

The undersigned requests that he/she may be granted permission to place one (1) movable sign on public property. This permission will only be effective for the listed location, and will be subject to all of the terms, conditions, and limitations set forth in the Newburyport Code of Ordinances, and any applicable State and Federal laws and any condition prescribed by the City Council and/or City Departments, including, but not limited to, those conditions appearing below.

Name of applicant Karyn Nicholson

Street address of applicant 108 LOW STREET

City, State, Zip of applicant NEWBURYPORT, MA 01950

Telephone of applicant 781-570-1296

Name of business Pandora's Box

Address of business 19 Inn Street, Lower Level

Telephone of business 978-463-1777

Description of the location and movable sign to placed on the Public Way.

A-Frame sign pointing ^{POTENTIAL} customers to stairway. Location: Inn St near fountain.

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 Applicant or Duly Authorized Agent Karyn J Nicholson Date 6/3/2014



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/30/2014

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 EA Stevens Company, Inc. 389 Main St. P. O. Box 188 Malden MA 02148	CONTACT NAME: Jo Anne Layhe PHONE (A/C, No. Ext): (781) 322-2324 FAX (A/C, No.): (781) 397-7672 E-MAIL: joanne@eastevensins.com ADDRESS: joanne@eastevensins.com
INSURED Karyn J. Nicholson dba Pandora's Box 14 Pleasant St Newburyport MA 01950	INSURER(S) AFFORDING COVERAGE INSURER A: THE TRAVELERS INDEMNITY COMPANY 25658 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER: CL1453006096

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 WVO	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	X	6807815C478	9/29/2013	9/29/2014	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					MED EXP (Any one person) \$ 5,000
						PERSONAL & ADV INJURY \$ 1,000,000
						GENERAL AGGREGATE \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					PRODUCTS - COMP/OP AGG \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC					
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	ANY AUTO					BODILY INJURY (Per person) \$
	ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR				
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				EACH OCCURRENCE \$
	DED	RETENTION \$				AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	N/A			WC STATUTORY LIMITS \$
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. EACH ACCIDENT \$
						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)
Re: 19 Inn Street, Lower Level, Newburyport, MA 01950

The City of Newburyport, MA is named Additional Insured per written contract with respect to "Movable Signage on Public Property".

CERTIFICATE HOLDER

(978) 462-7936

City of Newburyport
Newburyport City Hall
60 Pleasant Street
P.O. Box 550
Newburyport, MA 01950

CANCELLATION

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

Thomas Cares, Jr./JL



END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

APPOINTMENTS



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

2014 MAY -5 P 1:11

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: May 5, 2014
Re: Appointment

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

Robert Uhlig
10 Ocean Street
Newburyport, MA 01950

BL
+ TO RFA
planning + Dev
committee of the
whit

(BL
#6)

Roll call
NO (DC PH TO)
YES - CT BL EC RC LG
JE PH MK
SV

4 May 2014

10 Ocean Street
Newburyport, Massachusetts 01950

Mayor Donna Holaday
City of Newburyport
City Hall
Pleasant Street
Newburyport, Massachusetts 01950

RE: Open Position on the Newburyport Redevelopment Authority

Dear Mayor Holaday:

This letter is intended to convey my interest in one of the open positions on the Newburyport Redevelopment Authority (NRA).

It is after much consideration and deliberation that I submit this letter. It is also with the acknowledgement and appreciation for the diligent and selfless efforts of those who have voluntarily served the NRA to date that I submit this letter of interest.

The past 50 years has provided numerous opportunities for the city, its residents and various stakeholders to consider and debate the program and vision for our central waterfront. These conversations through time have further defined the constraints and identified the opportunities for these parcels. I look forward being a part of the opportunity at hand to both refine that vision and to focus on making it a reality.

Why should I be appointed? I present three reasons: (1) my perspective as an active 24 year resident and volunteer in the community; (2) my understanding as an 18 year member and Chair of the Parks Commission of the city budget and staffing challenges as it relates to capital improvements and maintenance; and (3) my 30 years of experience as a landscape architect of urban parks, mixed use waterfronts and active pedestrian areas.

If I am chosen, I recognize that this position may limit my ability to pursue professionally the design contracts for these areas. However I have decided that it is more important to contribute my expertise collaboratively toward realizing a final conceptual site plan which can be implemented and enjoyed to the benefit of both residents and visitors to Newburyport in the near future.

As we move forward, I am enthusiastic about the opportunities made clearer by these past efforts. I am optimistic, but we need to focus on what we agree on collectively and enthusiastically work collaboratively to overcome those challenges yet before us.

I share some of my own guiding principals based on both my observations of the efforts to date and successful projects I have been apart of in the past. I hope these can be beneficial to our process and guide our conversation as we move forward:

>Think Holistically: to be successful we must look at the area from east to west holistically and collaboratively not as individual pieces by as a whole.

>Be Overtly Public: the central waterfront is to be designed to continue to be public and welcoming.

>Activate the edges and Create a Year Round Destination: Our harborwalk is a seasonal destination, our Ways to the Water provide pleasant connections from downtown to the boardwalk and Market Landing Park, provides a flexible open space which responds to a variety of scaled uses. However, aside from the Fire House Performing Arts Center, none of the buildings participate in the activation of the civic open spaces. Their backs all face the park. We should seek to activate the non-participating edges to create invitations. To make the park more viable and usable during the shoulder seasons of Spring and Autumn and aim to also create destinations and opportunities to draw people to the waterfront during the winter months.

>Successful Parks around the nation are a balance of Public and Private Investment: Post Office Square and Bryant Park are a few examples. The interfaces between public open space and buildings is where people gather. The main attraction for people is other people. The park should be an asset that brings in more business to Newburyport.

>Create a reliable Funding Stream: we need to establish a designated and continuous funding source for capital improvements and more importantly for ongoing maintenance, which has been a long time shortcoming of our city budget.

>Aim high: as this is our central waterfront, the focus of our city and attention – as evidenced by the attention given to the discussion – it should be nothing less than world class.

>Work Collaboratively: It is essential for our community to succeed both in its parks and other civic endeavors that we work together and optimistically.

Page 3
Letter of Interest

It is with these thoughts and with my commitment that I look forward to assisting you and the community to advance the vision for the central waterfront to a successful conclusion.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a series of loops and a final horizontal stroke.

Robert Uhlig

5/6/2014

Robert Uhlig, ASLA, is President of Halvorson Design Partnership, Inc., serving as Principal-in-Charge on many urban projects including the Lakewood Cemetery Mausoleum in Minneapolis, MN, ASLA Honor 2013, South Boston Maritime Park, Center City Park in Greensboro NC, the BAC Green Campus project, and numerous other sustainable landscapes. He holds a Bachelor of Environmental Design in Landscape Architecture for NC State. He is a Licensed Landscape Architect in MA, CT, RI, NC and MN, a LEED® Accredited Professional, and a Certified Construction Specifier with the Construction Specification Institute. He serves as the Chair of the Newburyport Parks Commission and was appointed to the Newburyport Community Preservation Committee. He was the appointed by the Secretary of Housing and Economic Development to serve on Revere Beach Design Review Board. He serves on the Landscape Architectural Advisory Board for the Boston Architectural College and as a periodic guest lecturer and critique at the institution.

**APPOINTMENTS
SECOND READING**

MAYOR'S APPOINTMENTS
June 9, 2014
SECOND READING

		Appointment	
3.	Judy Avery	54 Milk Street	Cultural Council
			June 1, 2017
		Re-Appointment	
4.	Katie Guildner	7 Broad Street#2	Moseley Woods Commission
			January 1, 2017

In City Council May 27, 2014

Motion to approve Consent Agenda as amended by Councillor Cameron, seconded by Councillor Cronin. So voted.

ORDERS

NEWBURYPORT COMMUNITY PRESERVATION COMMITTEE RECOMMENDATIONS FOR FY15 APPROPRIATIONS AND RESERVATIONS

The Newburyport Community Preservation Committee recommends that the City Council appropriate or reserve \$1,236,006.26 from Community Preservation Fund Revenues for the projects, in the amounts, in the categories, and subject to the conditions hereinafter described.

The following CONDITIONS are common to recommended projects #1 through #11:

- A. Each recipient of funds is required to submit to the CPC a written report on the status of the project by each October 15, January 15, April 15 and July 15 following appropriation and until final completion of the project.
- B. If a project is not completed within twelve (12) months of appropriation, the grantee must submit a written request to the CPC for an extension of the grant. Otherwise, funds may be subject to rescission and returned to Community Preservation Fund Reserves (applicable to appropriations, not to reservations).
- C. Full funding is conditioned upon the receipt of state matching funds, estimated to be 23% of local revenue, expected in October 2014.

Attached are:

- 1. One page summary spreadsheet of CPC recommendations.
- 2. Recommendations for appropriation or reservation numbers 1-14, with project summaries for each.
- 3. Criteria for project evaluation adopted and published by the CPC.

Estimated Community Preservation Fund Revenues available for appropriation or reservation in FY 2015 total approximately \$1,243,564. This figure includes estimated receipts of the local CPA surcharge through fiscal year end 2014, accumulated interest, the anticipated 23% state matching funds to be received in October 2014, current uncommitted funds and returned funds from completed and closed-out projects.

Applications for all projects are available for review in the Office of Planning and Development.

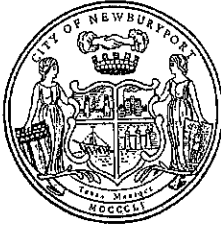
Respectfully submitted by:

Community Preservation Committee Members

Judith Grohe, Chair
Paul Healy
Daniel Koen
Robert Uhlig

Michael Dissette, Vice Chair
Don Little
Linda Smiley
Jane Healey

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 27, 2014

That the City Council appropriates or reserves from the Community Preservation Act FY 2015 estimated revenues, in accordance with the provisions of M.G.L. Chapter 44B, the following projects, based upon the Community Preservation Committee's recommendation, to spend a total of \$800,000.00. Each project listed below shall be considered a separate appropriation.

No.	Project Title	Requested Amount	Category	Recommendation
1	Open Space Reserves	\$100,000	Open Space	\$50,000
2	YWCA Roof	\$54,000	Community Housing	\$54,000
3	Belleville Church Restoration	\$30,000	Historic Resource	\$15,000
4	Clipper City Rail Trail	\$140,000	Open Space	\$115,000
5	Down Payment Assistance	\$100,000	Community Housing	\$75,000
6	Affordable Housing Trust	\$400,000	Community Housing	\$220,000
7	Inn Street Fountain	\$75,000	Historic Resource	\$50,000
8	Green Street Trees	\$39,670	Historic Resource	\$21,000
9	FRS Steeple Restoration	\$226,270	Historic Resource	\$200,000

Further, that the City Council appropriates or reserves from the Community Preservation Fund Balance, in accordance with the provisions of M.G.L. Chapter 44B, the following projects, based upon the Community Preservation Committee's recommendation, to spend a total of \$436,006.26. Each project listed below shall be considered a separate appropriation.

No.	Project Title	Requested Amount	Category	Recommendation
10	NHS Exterior Woodwork	\$100,000	Historic Resource	\$100,000
11	Atkinson Common Tree Restoration	\$44,950	Historic Resource	\$15,000
12	City Hall Debt	\$189,187.50	Historic Resource	\$189,187.50
13	Open Space Debt	\$119,818.76	Open Space	\$119,818.76
14	Administrative Costs	\$12,000	Administrative Expenses	\$12,000

Councillor Charles F. Tontar

PROJECT NO. 1 OPEN SPACE RESERVE

The CPC recommends the reservation of \$50,000 from the FY 2015 Estimated Revenues to the Community Preservation Open Space Reserve Fund. Use of reserve funds are subject to future CPC recommendation and City Council appropriation for specific projects.

The CPA category for this reservation is Open Space.

Project Summary

This recommendation is in response to an application from the City's Open Space Committee indicating there are potential opportunities for open space acquisitions and/or conservation restrictions of land. These potential projects require confidentiality. Supplemental information will be submitted as individual projects enter more public phases and are presented to the CPC and the City Council for project specific funding from the reserve. Continued savings will better enable the City to make timely responses and attract acquisition partners to open space opportunities as they arise.

PROJECT NO. 2 YWCA WOMEN'S RESIDENCE ROOF REPLACEMENT

The CPC recommends the appropriation of \$54,000 from the FY 2015 Estimated Revenues to the Greater Newburyport YWCA for the replacement of the existing roof on the rear portion of the building and add "ice breaks" to the new roof on the front portion of the building.

The CPA category for this reservation is Community Housing

Project Summary

The YWCA is committed to keeping the rents of this building affordable to the women who reside there. Affordable rents barely cover the operating costs of the housing and do not provide any additional reserves to cover the cost of major capital repairs or improvements. In order for the YWCA to continue to offer affordable rental opportunities for the residents at 13 Market Street, the organization relies upon grant funding to support major capital repairs and improvements. This funding will allow the organization to repair the roof and also create a safer environment for both the residents and the community during the winter months with the installation of the "ice breaks."

PROJECT NO. 3 BELLEVILLE CONGREGATIONAL CHURCH RESTORATION PROJECT

The CPC recommends the appropriation of \$15,000 from the FY 2015 Estimated Revenues to the Belleville Congregational Church to restore and paint the East, West, and North façades of the Meeting House. This appropriation is made with a condition that CPA funding be used solely for the painting of the façades and any associated carpentry and construction work necessary to prepare said façades for paint.

The CPA category for this project is Historic Preservation.

Project Summary

The Belleville Congregational Church has served the community in many ways – as a place of religious worship and also as a community space that hosts a variety of cultural events throughout the year. The congregation has made significant strides in fundraising for capital improvements, which is supported by this recommended appropriation. Funding shall be utilized to strip, scrap, and sand the exterior wood surfaces of the Meeting House and the subsequent application of an oil-based prime coat. These efforts will not only improve the external appearance of the structure, but also help to guard against weather-associated deterioration of this historic structure.

PROJECT NO. 4 CLIPPER CITY RAIL TRAIL AND HARBORWALK, PHASE II

The CPC recommends the appropriation of \$115,000 from the Community Preservation Fund Balance to the City of Newburyport through its Office of Planning and Community Development to support the completion of the final design phase as well as fund the construction administration costs for Phase II of the Rail Trail.

The CPA category for this appropriation is Recreation and Open Space.

Project Summary

The City of Newburyport has been working on the Clipper City Rail Trail for well over a decade, but conversion of the old Eastern Line railroad corridor into a multiuse, recreation trail was finally completed 2010. This first phase of the Rail Trail Project now allows people to walk, run and bike between the commuter rail station and the Merrimack River.

Phase II of the Rail Trail will extend 1 ½ miles between the eastern edge of Newburyport's central waterfront and Parker Street in Newbury, travelling along the shoreline of the Merrimack River, through the South End residential neighborhood, and through a woodland. The trail will primarily run along the corridor of the old City Branch Rail Line. This funding will support the completion of the design phase, which involves permitting, consultation with abutters and the public, negotiation with National Grid, design, specifications and cost estimates and develop a "shovel-ready" project. Design completion is necessary in order to apply for construction funding.

PROJECT NO. 5 DOWN PAYMENT ASSISTANCE AND MLS INPUT-ONLY LISTING SERVICES

The CPC recommends the appropriation of \$75,000 from the FY 2015 Estimated Revenues to the Newburyport Affordable Housing Trust (NAHT) to support its Down Payment Assistance and its Multiple Listing Services (MLS), Input-Only, Listing Services programs.

The CPA category for this project is Community Housing

Project Summary

The NAHT designed and initiated both of these programs in an effort to retain the City's existing affordable housing inventory. The City's affordable units are at greater risk now than in the past in large part due to the downturn in the housing market and accompanying economic crash, which resulted in both a smaller gap between market rate and affordable prices and a tightened lending climate that make it more difficult to attract qualified buyers of existing deed-restricted units.

The Down Payment Assistance Program helps lower income buyers who are able to afford monthly mortgage payments but do not have enough capital to pay the initial home purchase costs. The NAHT offers up to \$15,000 to each eligible buyer to put toward down payment and/or closing costs for the purchase of a deed-restricted resale unit. The assistance is considered a deferred payment loan and secured through a second mortgage.

The Multiple Listing Services Program (MLS) is offered to sellers of deed restricted units. The MLS reaches a broader pool of potential buyers than more traditional methods such as newspaper ads and the city website. The NAHT assumes a small flat fee for inputting the real estate listing on MLS on behalf of the seller, who in exchange agrees to extend the period of time during which the unit is marketed exclusively to income-eligible buyers.

PROJECT NO. 6 NEWBURYPORT AFFORDABLE HOUSING TRUST

The CPC recommends the appropriation of \$220,000 from the FY 2015 Estimated Revenues to the Newburyport Affordable Housing Trust (NAHT) to be placed in its Affordable Housing Trust Fund (the "Fund") so the NAHT may continue its efforts to support, develop and manage affordable housing for low and moderate income households

The CPA category for this project is Community Housing.

Project Summary

The NAHT has been entrusted by the community to watch over the Fund and judiciously allocate funding to projects and initiatives that promote affordable housing in Newburyport, educate the community on the benefits of having a diverse housing stock, and advocate for both public and private housing development projects that include affordable units. This funding will allow the NAHT to grow the Fund to allow for prompt action when affordable housing opportunities present themselves, in a similar way as when open space purchase opportunities arise. Funding may be used to prevent the loss of income-restricted units, support individuals and families in Newburyport with low to moderate incomes, and also to provide a local financial match for a housing development project.

PROJECT NO. 7 INN STREET FOUNTAIN AND INTERPRETIVE SIGNAGE

The CPC recommends the appropriation of \$50,000 from the FY 2015 Estimated Revenues to the City of Newburyport through its Office of Planning & Community Development to support the restoration of the Inn Street Fountain through the improvement and upgrade of the water filtration system, installation of artistic up-lighting, and creation and installation of interpretive historic signage conveying downtown Newburyport's story of urban renewal.

The CPA category for this project is Historic Preservation

Project Summary

The Inn Street Fountain is designated as a state-listed historic resource by the Massachusetts Historical Commission. This Inn Street focal point has been out of operation for several years due to excessive water usage and public concerns regarding water quality. This project will upgrade the fountain pump and filtration system with a full treatment, self-contained unit that recycles municipal water, thereby eliminating the concerns that led to the shutting down of the fountain. The project will also feature two to three interpretive signs that tell the story of the fountain and of Newburyport's urban renewal and downtown preservation efforts of the 1960s and 70s.

PROJECT NO. 8 GREEN STREET TREE RESTORATION PROJECT

The CPC recommends the appropriation of \$21,000 from the FY 2015 Estimated Revenues to the City of Newburyport through the Newburyport Tree Commission to restore Green Street's historic tree-lined streetscape. The initiative will be managed by the Commission in collaboration with the City's Tree Warden and the Department of Public Services.

The primary CPA category for this project is Historic Preservation.

Project Summary

The Tree Commission continues its efforts to restore and enhance the visual importance and uniqueness of Green Street as the principal entryway to downtown Newburyport by planting site-appropriate and diverse trees. In contrast to tree-lined High Street, the current Green Street tree-scape has suffered from years of deterioration. Recent restoration at Garrison Park and tree plantings alongside of City Hall and in front of the Police Station strongly demonstrate the positive impact of continuing a unified design and coordinated planting to extend this renewal further up Green Street.

The project has two phases, which will be completed as funding allows. Phase I will include the planting of 16 trees from Harris Street to Pleasant Street, which is expected to be completed in Spring 2014. Phase II includes the planting of 14 trees from High Street to Harris Street and Pleasant Street to Merrimac Street. The timing of this phase depends on funding availability with the goal to have it completed, if not in Spring 2014, then Spring 2015.

PROJECT NO. 9 FIRST RELIGIOUS SOCIETY MEETINGHOUSE AND STEEPLE PRESERVATION AND PAINTING

The CPC recommends the appropriation of \$200,000 from the FY 2015 Estimated Revenues to the First Religious Society Unitarian Universalist (FRS) to be used for the preservation and restoration of the steeple and meetinghouse windows and doors as well as maintenance and upgrades to the structures systems. This recommendation comes with the following condition:

- The applicant shall execute a Preservation Restriction on the exterior façade of the structure.

The CPA category for this project is Historic Resource.

Project Summary

The FRS' historic meetinghouse, with its majestic steeple has been a centerpiece of our city and over time, has been recognized as an outstanding example of Federal style architecture. The upkeep and maintenance of a building of this scale and historic importance are expensive propositions and because of its architectural and historical importance and civic prominence, community support is imperative. Funding shall be used to repair and/or replace in-kind exterior elements on both the steeple and the meetinghouse. This work shall be guided by *The Secretary of the Interior's Standard for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*.

PROJECT NO. 10
EXTERIOR WOODWORK RESTORATION, PHASE II
AT
NEWBURYPORT HIGH SCHOOL

The CPC recommends the appropriation of \$100,000 from the FY 2015 Estimated Revenues to the Newburyport Public Schools for Phase II of exterior woodwork rehabilitation project with the following condition:

- The applicant shall execute a Preservation Restriction on the exterior façade of the structure.

The CPA category is Historic Resource.

Project Summary

This project will rehabilitate and restore the exterior woodwork on the historic Newburyport High School. Age and exposure to weather have caused a variety of issues with the exterior woodwork, necessitating a well-planned historic restoration guided by *The Secretary of the Interior's Standard for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*.

The project is divided into four phases. This recommendation will be combined with \$150,000 in CPA funding from FY 2014 as well as a School Department budget item of \$80,000 to accomplish the first two phases of the project, which focus on the front façade of the structure. The north-facing façade is not only the most prominent portion of the building, but it is also the most urgent in need of rehabilitation and restoration.

PROJECT NO. 11
ATKINSON COMMON HISTORIC LANDSCAPE PRESERVATION, PHASE II

The CPC recommends the appropriation of \$15,000 from the FY 2015 Estimated Revenues to the Belleville Improvement Society to further implement their 2010 "Urgent Tree/Shrub Care and Replacement Project" to ensure the longevity of the existing trees, remove hazardous conditions and improve public safety for the visitors to this diverse heritage landscape.

The CPA category is Historic Resource.

Project Summary

The Belleville Improvement Society continues to diligently implement its plan address the overwhelming needs to protect and preserve this historic landmark. Preservation, restoration and repair of this natural resource are paramount to the continued use and enjoyment of this property on a cultural, recreational, artistic, athletic and educational basis. This funding will support the Society in its efforts to remove hazardous trees, prune existing vegetation and plant new trees so that this park will continue to be a beautiful and safe community amenity.

PROJECT NO. 12
CITY HALL BOND DEBT PAYMENT

The CPC recommends the appropriation of \$189,187.50 from the Community Preservation Fund Balance to the City of Newburyport for the eighth annual payment of interest and principal on the City Hall Restoration Bond.

The CPA category is Historic Preservation.

Project Summary

In December 2005, the City Council authorized issuance of a \$1,950,000 bond against future CPA revenue for the City Hall Restoration Project. Work on City Hall is now largely complete, though debt payments will continue through 2019. The CPC is advised that it is necessary to appropriate the debt service payments on an annual basis.

PROJECT NO. 13
OPEN SPACE ACQUISITIONS BOND DEBT PAYMENT

The CPC recommends the appropriation of \$119,818.76 from the Community Preservation Fund Balance to the City of Newburyport for the eighth annual payment of interest and principal on the Open Space Acquisitions Bond.

The CPA category is Open Space.

Project Summary

In December 2005, the City Council authorized bonding up to \$1,775,000 against future CPA revenue for open space acquisitions, including the Cooper North Pasture and the former Guilford properties. Under this authorization, the City Treasurer conservatively borrowed \$1,275,000 to fund the acquisition costs. Debt payments on the bond will continue through 2019. The CPC is advised that it is necessary to appropriate the debt service payments on an annual basis.

PROJECT NO. 14
CPA ADMINISTRATIVE COSTS

The CPC recommends the appropriation of \$12,000 from the Community Preservation Fund Balance to fund the Community Preservation Committee's expected administrative costs. These costs include a stipend for the CPC administration liaison position in the Planning Office, annual membership dues in the statewide community preservation coalition, and other recurring expenses including note taking at meetings, legal advertising, and city solicitor review of legal documents when necessary. Excess funds remaining in this account at the end of the fiscal year revert to general Community Preservation Funds.

The CPA category for this appropriation is Administration.

COMMUNITY PRESERVATION COMMITTEE

EVALUATION CRITERIA

The Newburyport Community Preservation Committee gives preference to proposals which address as many of the following general criteria as possible:

1. Eligible for Community Preservation Act (CPA) funding according to the requirements described in the CPA legislation (Chapter 44B of Mass. General Laws).
2. Consistent with the Master Plan, Open Space and Recreation Plan, Land Use and other planning documents that have received public scrutiny and input.
3. Preserve and enhance the essential character of the city.
4. Protect resources that would otherwise be threatened.
5. Serve more than one CPA purpose or demonstrate why serving multiple needs is not feasible.
6. Demonstrate practicality and feasibility, and that the project can be implemented within budget and on schedule.
7. Produce an advantageous cost/benefit value.
8. Leverage additional public and/or private funds (eg. qualify the project for additional grants from other sources) or receive partial funding from other sources and/or voluntary contributions of goods or services.
9. Preserve or improve utility of currently owned city assets.
10. Receive endorsement by other municipal boards or departments and broad-based support from community members.

CATEGORY SPECIFIC CRITERIA

The Community Preservation Act funds three key community interests: open space, historic preservation, and affordable housing. Public recreation projects may also be funded.

1. **Open Space** proposals which address as many of the following specific criteria as possible will receive preference for funding:
 - Permanently protect important wildlife habitat, particularly areas that include:
 - locally significant biodiversity;
 - variety of habitats with a diversity of geologic features and types of vegetation;
 - Endangered habitat or species of plant or animal.
 - Preserve active agricultural use.
 - Provide opportunities for passive recreation and environmental education.
 - Protect or enhance wildlife corridors, promote connectivity of habitat or prevent fragmentation of habitats.
 - Provide connections with existing trails, protected open space or potential trail linkages.
 - Preserve scenic views.
 - Border a scenic road.
 - Protect drinking water quantity and quality.
 - Provide flood control/storage.
 - Preserve and protect important surface water bodies, including streams, wetlands, vernal pools or riparian zones.
 - Buffer for protected open space, or historic resources.

2. Historic Preservation proposals which address as many of the following criteria as possible will receive preference for funding:

- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.
- Protect, preserve, enhance, restore and/or rehabilitate city-owned properties, features or resources of historical significance.
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site.
- Demonstrates a public benefit.
- Ability to provide permanent protection for the historic resource.

3. Affordable Housing proposals which address as many of the following criteria as possible will receive preference for funding:

- Contribute to the goal of 10% affordability as defined by chapter 40B of Mass. General Laws.
- Promote a socioeconomic environment that encourages a diversity of income.
- Provide housing that is harmonious in design and scale with the surrounding community.
- Intermingle affordable and market rate housing at levels that exceed state requirements for percentage of affordable units pursuant to chapter 40B.
- Ensure long-term affordability.
- Address the needs of range of qualified household, including very low, low and low-to moderate income families and individuals.
- Provide affordable rental and affordable ownership opportunities.
- Promote use of existing buildings or construction on previously-developed or city-owned sites.
- Convert market rate to affordable units.

4. Recreation proposals which address as many of the following criteria as possible will receive preference for funding:

- Support multiple recreation uses.
- Serve a significant number of residents.
- Expand the range of recreational opportunities available to city residents of all ages.
- Jointly benefit Conservation Commission and Parks Commission initiatives by promoting recreation, such as hiking, biking, and cross-country skiing.
- Maximize the utility of land already owned by city (e.g. school property).
- Promote the creative use of railway and other corridors to create safe and healthful non-motorized transportation opportunities.

CITY OF NEWBURYPORT



IN CITY COUNCIL

June 9, 2014

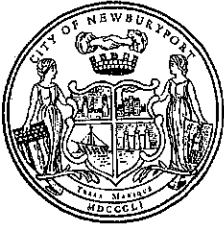
ORDERED:

THAT pursuant to General Laws Chapter 82, Sections 21 and 32A the City Council of the City of Newburyport hereby abandon and discontinue permanently the vacant (*unimproved*) land (*between 24 and 28 Collins Street*) which is portion of Collins Street (a public way) as shown on a plan, a copy of which is on file with the City Clerk and Office of Planning & Development, entitled "*Plan Showing a Portion of Collins Street to be Discontinued, Located in Newburyport, MA,*" prepared by Christiansen & Sergi, Inc., 160 Summer Street, Haverhill, Massachusetts 01830 and dated April 18, 2014. Said portion of Collins Street hereby abandoned and discontinued is bounded and described, according to said plan, as the area labeled "Area to be Discontinued," consisting of approximately 1,664 sq.ft.

Said portion of Collins Street is hereby declared abandoned and is unused for ordinary travel and the common convenience and necessity no longer requires this portion of the public way to be maintained in a condition reasonably safe and convenient for travel (*based upon the opinion of the Director of Public Services*). The City shall no longer be bound to keep such way or portion thereof in repair. Within thirty (30) days from the adoption of this Order the Department of Public Services shall install at least one sign in this location (*at this bend in the Collins Street layout*) indicating "End of Public Way" or "Private Property" as sufficient notice to warn the public that the way is no longer maintained by the City.

Councillor Charles Tontar

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 9, 2014

NOW THEREFORE BE IT RESOLVED and ORDERED:

That the Loan Order duly adopted by the City Council on August 13, 2012 appropriating \$38,818,204 for the purpose of paying costs of designing, constructing, furnishing and commissioning a new Bresnahan Model School (the "Bresnahan Project"), be hereby amended to allow for the borrowing and expenditure of funds not otherwise needed for the Bresnahan Project for the construction of a new baseball field behind the Nock-Molin Upper Elementary School and for the rehabilitation of the Fuller Field athletic facilities.

Councillor Larry G. Giunta

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 9, 2014

RESOLUTION and ORDER pursuant to the provisions of G.L. c.59, § 21C

this _____ day of _____, 2014

(1) That the City of Newburyport, pursuant to G.L. c. 59, § 21C(a), shall seek voter approval at the next special election on [_____] to assess taxes in excess of the amount allowed pursuant to G.L. 59 § 21C for the payment of principal and interest on bonds, notes or certificates of indebtedness, issued by the City of Newburyport to pay costs of constructing a new baseball field behind the Nock-Molin Upper Elementary School and rehabilitating the athletic fields at Fuller Field, including the payment of all costs incidental or related thereto;

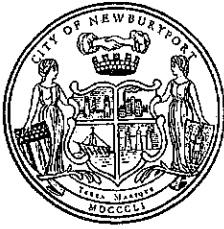
(2) to that end the City Clerk is hereby directed to place the following question on the ballot:

Shall the city of Newburyport be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued in order to pay costs of constructing a new baseball field behind the Nock-Molin Upper Elementary School and rehabilitating the athletic fields at Fuller Field, including the payment of all costs incidental or related thereto?

Councillor Larry G. Giunta

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

APRIL 28, 2014

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:

General Ordinance Amendment:

Chapter 13:	TRAFFIC AND MOTOR VEHICLES
Article IV:	Specific Street Schedules
Division 4:	Stop Intersections
Section 13-136:	Designated

The following streets are designated as stop intersections and vehicles traveling thereon shall come to a complete stop before entering such intersections:

ADD:

Russell Terrace Extension	On the southerly side at the intersection of Russell Terrace.
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Councillor Larry G. Giunta

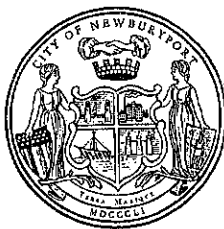
In City Council April 28, 2014

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

In City Council May 12, 2014

Motion to remove by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to approve 1st reading and order published by Councillor Giunta, seconded by Councillor Cronin. Roll call vote, 11 yes. Motion passed.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 3, 2014

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

Chapter 13 Traffic and Motor Vehicles
Article IV Specific Street Schedules
Division 6 Stopping, Standing and Parking
§ 13-179 Handicapped Parking

No person without a duly authorized handicapped vehicle registration or placard, as described in MGL, Chapter 90, § 2, shall park in the following described parking space as designated by signs and symbols:

ADD:

Lime Street

One (1) space at 70 Lime Street until June 30, 2016.

Councillor Jared J. Eigerman

COMMITTEE ITEMS

Budget & Finance

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 12, 2014

THAT the General Fund budget for the City of Newburyport for **Fiscal Year 2015** (July 1, 2014 through June 30, 2015) be approved in the amount of \$ _____, and \$ _____ of this amount is established as a School Department Budget for Fiscal Year 2015.

The following Enterprise Fund budgets for Fiscal Year 2015 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 12, 2014 as amended.

President Thomas O'Brien

Councillor Edward C. Cameron

Councillor Barry N. Connell

Councillor Robert J. Cronin

Councillor Jared J. Eigerman

Councillor Larry G. Giunta

Councillor Allison Heartquist

Councillor Ari B. Herzog

Councillor Meghan C. Kinsey

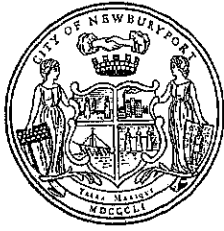
Councillor Charles F. Tontar

Councillor Bruce L. Vogel

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PLANNING & DEVELOPMENT

CITY OF NEWBURYPORT



IN CITY COUNCIL

Date: April 28, 2014

ORDERED:

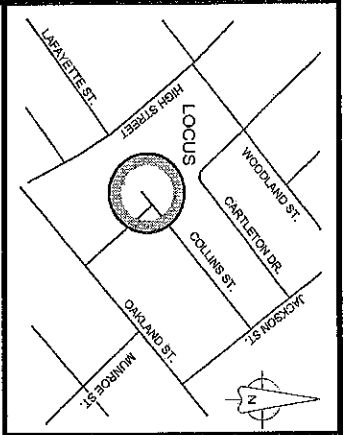
THAT pursuant to General Laws Chapter 82, Sections 21 and 32A the City Council of the City of Newburyport hereby abandon and discontinue permanently the vacant (*unimproved*) land (*between 24 and 28 Collins Street*) which is portion of Collins Street (a public way) as shown on a plan, a copy of which is on file with the City Clerk and Office of Planning & Development, entitled "*Plan Showing a Portion of Collins Street to be Discontinued, Located in Newburyport, MA,*" prepared by Christiansen & Sergi, Inc., 160 Summer Street, Haverhill, Massachusetts 01830 and dated April 18, 2014. Said portion of Collins Street hereby abandoned and discontinued is bounded and described, according to said plan, as the area labeled "Area to be Discontinued," consisting of approximately 1,664 sq.ft.

Said portion of Collins Street is hereby declared abandoned and is unused for ordinary travel and the common convenience and necessity no longer requires this portion of the public way to be maintained in a condition reasonably safe and convenient for travel (*based upon the opinion of the Director of Public Services*). The City shall no longer be bound to keep such way or portion thereof in repair. Within thirty (30) days from the adoption of this Order the Department of Public Services shall install at least one sign in this location (*at this bend in the Collins Street layout*) indicating "End of Public Way" or "Private Property" as sufficient notice to warn the public that the way is no longer maintained by the City.

Further, pursuant to General Laws Chapter 40, Sections 15 and 15A, the Council hereby designates this property (*any residual fee ownership and/or easements that may exist*) as surplus property, no longer needed by the City for such purposes or for other public purposes, and that the Council hereby transfers the care, custody, management and control of the subject land (*as applicable*) to the Mayor for the purposes of further conveyance, on such terms and conditions, and for such consideration, as the Mayor deems appropriate.

Councillor Charles Tontar

PHD
EC
PH
SV



LOCUS MAP

SCALE: NO SCALE

NOTES

1. ALBUTER INFORMATION AND DEED REFERENCES ARE FROM THE LATEST NEWBURYPORT ASSESSOR RECORDS.
2. THE NEWBURYPORT CITY CLERK HAS NO DESCRIPTION OR RECORD OF THE LAYOUT AND/OR ACCEPTANCE OF COLLINS STREET. IT IS HOWEVER FOUND IN A LISTING OF PUBLIC STREETS MAINTAINED BY THE CITY CLERK. THE WIDTHS SHOWN ARE BASED ON DEEDS FOR THE ORIGINAL PARCELS ALONG COLLINS STREET AT THE TIME OF ITS CREATION.
3. THE 40' PORTION OF COLLINS STREET WAS ORIGINALLY KNOWN AS COLLINS COURT.

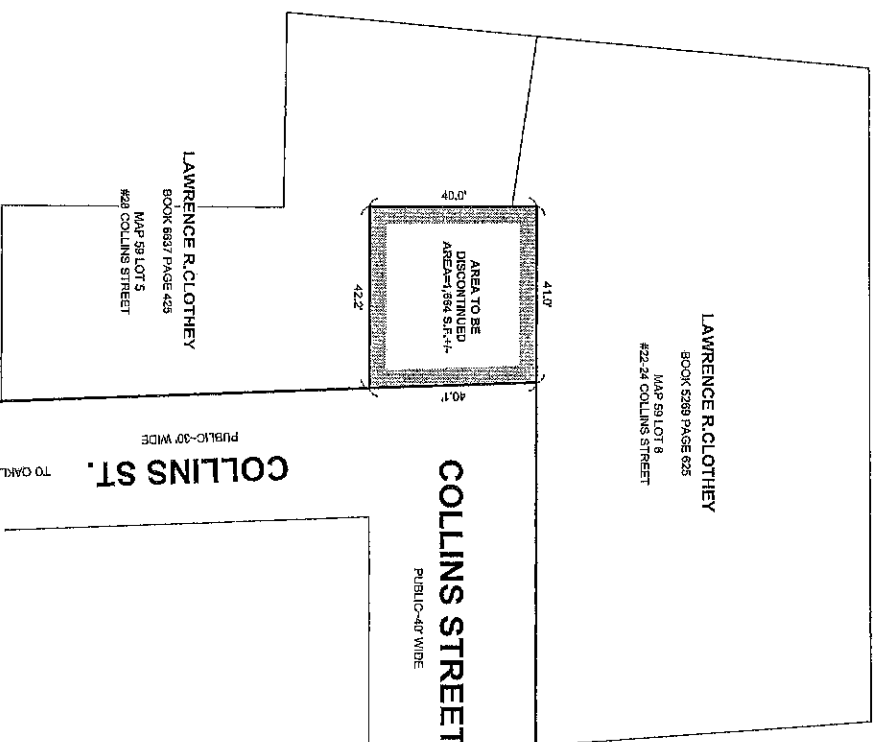
I CERTIFY THAT THE PROPERTY LINES SHOWN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN.

CHAPTER 41 SECTION 81X

MICHAEL J. SERGI, P.L.S.

DATE

THE CERTIFICATION SHOWN ABOVE IS INTENDED TO MEET REGISTRATION REQUIREMENTS AND IS NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN. OWNERSHIP OF ADJOINING PROPERTIES ARE, ACCORDING TO ASSESSORS RECORDS.



COLLINS STREET

PUBLIC-40' WIDE

TO JACKSON ST. →

COLLINS ST.

PUBLIC-30' WIDE

LAWRENCE R. CLOTHEY

BOOK 6837 PAGE 425

MAP 59 LOT 5

#23 COLLINS STREET

LOCATED IN
NEWBURYPORT, MA.

DRAFT FOR
REVIEW ONLY
PLAN SHOWING A
PORTION OF COLLINS
STREET TO BE
DISCONTINUED



DATE: 4/18/14

SCALE: 1"=20'



PROFESSIONAL ENGINEERS & LAND SURVEYORS
CHRISTIANSEN & SERGI, INC.
160 SUMNER STREET, NEWBURYPORT, MASSACHUSETTS 01950
WWW.CS-ENGINEERS.COM TEL. 978/374-0310 FAX. 978/374-2380

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS.

DATE

FOR REGISTRY USE ONLY

10: Andy
Fr. Charles

LOUIS J. NICOLosi
Paralegal Services
14 Fox Run Drive
Haverhill, MA 01832

(978) 618-7956 (cell phone) ♦ (978) 521-9012 (fax)
louisjnicolosi@gmail.com

Refer
p+D

May 6, 2014

Charles S. Palmisano, Esq.
Palmisano & Associates, PC
11A Liberty Street
Newburyport, MA 01950

RE: City of Newburyport - Collins Street, 1,664 Square Feet Parcel, Newburyport
FILE NO.: None Provided

Dear Attorney Palmisano:

Per your request of April 30, 2014, a title examination was conducted on the 1,664 square foot parcel on Collins Street in Newburyport that abuts the Clothey parcels. The purpose of this examination was to provide any and all information that would affect this parcel, including Collins Street. This would include, but not be limited to the City Council order to accept the street and to outline any takings, easements and exceptions.

I spoke with Anthony J. Furnari, City of Newburyport Director of Public Services. He had no information regarding when Collins Street was accepted as a public street. He did state it is a public street and that the City Clerk's office should have those records. I was also told by Mr. Furnari that the 1,664 square foot parcel in question has no easements on it.

I also spoke with Richard Jones, City of Newburyport City Clerk. At my request Mr. Jones conducted a due diligence search of when the city took the street as a public way. His reply via e-mail on May 6, 2014 was that he could not locate a City Council Order or a date when the street was accepted as a public way. Mr. Jones did state that he does have a sheet dated 2002 from the Commonwealth of Massachusetts showing Collins Street as a public way in Newburyport.