

CITY COUNCIL MEETING
AGENDA - VERSION 1
September 26, 2011
7:30 PM

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

CONSENT AGENDA

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

6. **APPROVAL OF MINUTES**
September 12, 2011 (Approve)
7. **TRANSFERS**
 1. Police Department Officer Salary to Clothing Allowance \$2,750 (Approve)
8. **COMMUNICATIONS**
 1. Local Election Districts Review approval (R&F)
 2. Block Party Jackson St at Oakland and Woodland Sts. Oct. 22, 2011 (Approve)
 3. Ltr re Plum Island Polling Place (R&F)
9. **APPOINTMENTS**
 1. Dylan McCloy 17 Wildwood Drive Youth Commission May 31, 2014

END OF CONSENT AGENDA

REGULAR AGENDA

10. **TRANSFERS**
 2. Parks Commission-Quail Run to Park Maintenance \$2,900, to Atkinson Common \$2,000, to Rail Trail \$3,000, to Other Supplies \$12,100
11. **ORDINANCES**
 1. Second Reading Amend Ch.8 Sec. 8-90 Solid Waste Recycling Collection
 2. Second Reading Amend Ord Ch.12 sec 12-103 Highland Cemetery Commission

12. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor Green Initiatives REV APPR (\$20,000) to Mayor-CHMM *11/29/2010
2. CPA Allocation to Moseley to Maudslay Trail Con. Project *09/12/2011

General Government

In Committee

1. Atmospheric Pollution Ordinance *02/08/2010
2. Proposed Special Act Water & Sewer Commission *01/10/2011
3. Proposed Charter on Ballot for November 8, 2011 Municipal Election *05/09/2011
4. Campaign Finance Reports-Municipal Forms posting on City Website *05/09/2011
5. Union Contract posting on City Website *05/09/2011
6. Section 13 - 180 Add/Delete Streets By Order *09/12/2011

Joint Education

In Committee:

License & Permits

In Committee:

1. Cars Port Taxi rate increase request *05/31/2011

Neighborhoods & City Services

In Committee:

1. Newburyport Tree Ordinance *07/22/2010
2. Amend Ord. 3-26 Animals, Dogs leash required *08/29/2011

Planning & Development

In Committee:

1. Residential Handicap Parking Ordinance *01/11/2010
2. Atmospheric Pollution Ordinance *02/08/2010
3. Green Communities Order *03/29/2010
4. Zoning Ord – Sec II Definitions/Sec VI Dimensional Contr *06/28/2010
5. Letter for Essex St. Inn Visitor Parking *07/11/2011
6. Intermunicipal Agreement Newburyport and Newbury *07/11/2011
7. Amend Ord.13-182 Traffic and Motor Vehicles *08/29/2011

Public Safety

In Committee:

1. Residential Handicap Parking Ordinance *01/11/2010
2. Amend Sec. 13-86 Water St. (25mph) State to Federal *05/09/2011
3. St. Paul's Church request to restrict parking on Summer Street entrance *05/31/2011
4. Amend Ord 13-121 One-Way Streets Griffin Court *07/25/2011
5. Amend Ord.13-180 Parking Resident Harris Street from Green to State Sts *08/29/2011
6. Amend Ord.13-180 Parking Resident Fruit Street *08/29/2011
7. Amend Ord.13-182 Traffic and Motor Vehicles *08/29/2011
8. Section 13-176.1 Traffic and Motor Vehicles, High and Ashland *09/12/2011

- 9. Section 13-168 Salem Street, No Parking *09/12/2011
- 10. Section 13-182 entitled: Hotel/Inn and Bed and Breakfast Accommodations *09/12/2011

Public Utilities Committee

In Committee:

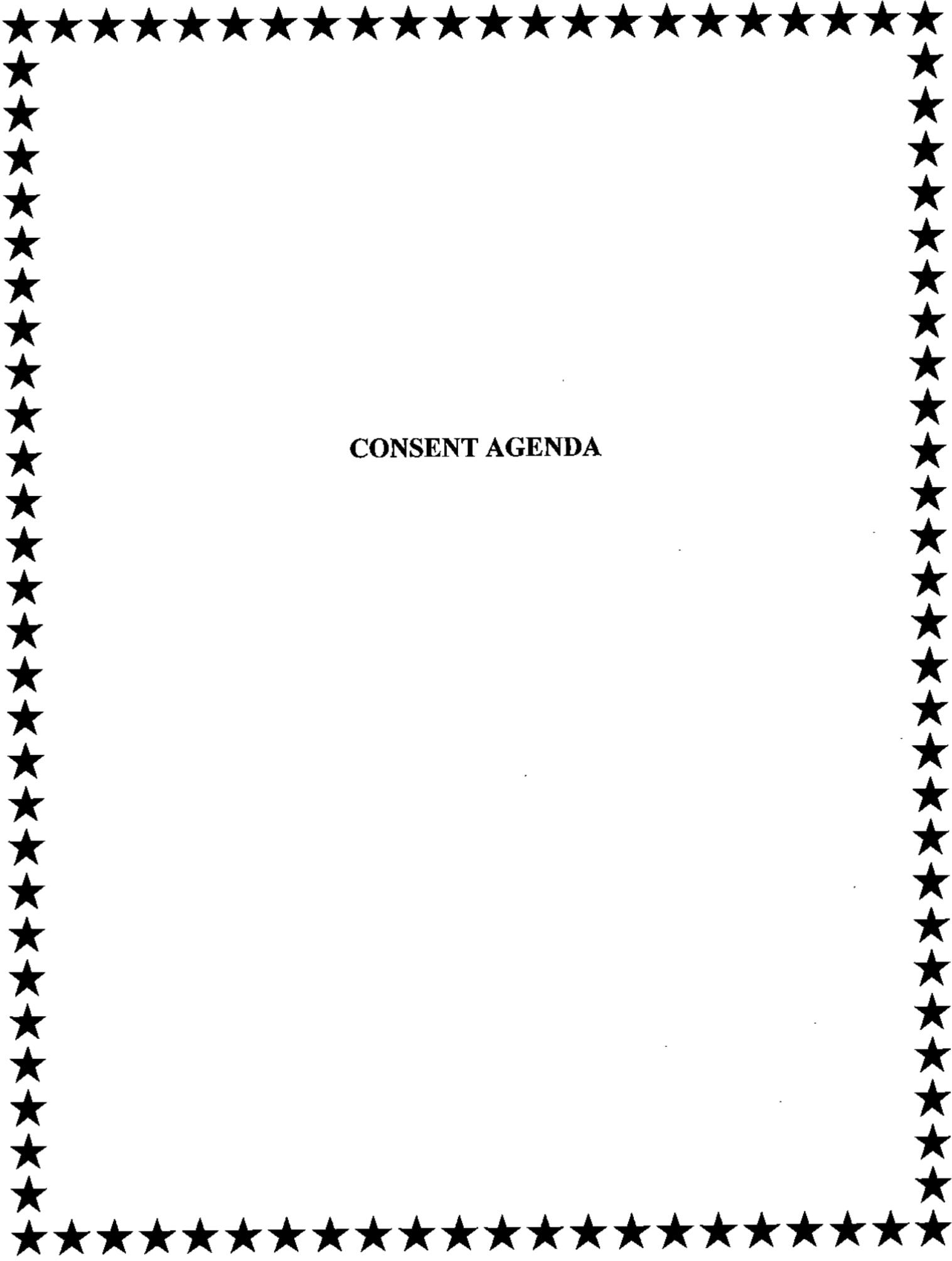
- 1. Letter regarding Pole at 114 High Street *05/31/2011
- 2. Mayor's letter regarding True North Solar for renewable energy contract *08/29/2011

Rules Committee

In Committee:

13. GOOD OF THE ORDER

14. ADJOURNMENT



CONSENT AGENDA

CITY COUNCIL MEETING
Minutes – September 12, 2011
7:30 PM

Council President O'Brien called the meeting to order at 7:31 pm and asked for a moment of silence for the victims and their families of 9/11, and for Patricia Pollard and Mary McCarthy who recently passed away. 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, Earls, Heartquist, Herzog, Ives, Jones and O'Brien. Councillors Derrivan and Hutcheson were absent.

LATE FILE ITEMS

Communication #3 and Appointment #1

Motion to waive the rules and accept the late file items into the regular agenda by Councillor Jones, seconded by Councillor Cameron. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

PUBLIC COMMENT –

1. Andrew Port, Planning Director, CPA Allocation
2. Jean Berger, 33 Middle Street, CPA Allocation
3. Jeff Tomlinson, 21 Hill Street
4. Jerry Mullins, 7 Parsons Street, Maudslay to Mosely Pines CPA
5. Judy Tymon, 39 Lime Street, CPA Allocation
6. John Morris, 209 Water Street, CPA Allocation
7. Laurel Allgrove, 22 Beacon Ave, YWCA Housing

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

August 29, 2011

(Approved)

2. TRANSFERS

1. Police Sal Officers to Retirement Acct (41,940.93) Brunault and Rice

(B&F)

3. COMMUNICATIONS

1. Block Party – Otis Place; Green to State, Sept 24, 2011
2. Ltr re Undergd Fuel Storage, Apache Oil, 75 Storey Ave, Biodiesel

(Approve)

(PU)

4. APPOINTMENTS None

Motion to accept the consent agenda by Councillor Cronin, seconded by Councillor Cameron. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

END OF CONSENT AGENDA

REGULAR AGENDA

5. LATE FILE COMMUNICATION

3. Ltr re CPA Funds Allocation Moseley/Maudslay Trail from Planning Director
Motion to receive and file by Councillor Earls, seconded by Councillor Cronin. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

6. LATE FILE APPOINTMENT

1. T. Bradley Duffin 2 Cutting Drive Licensing Board June 1, 2017

Motion to waive the rules and approve on one reading by Councillor Earls, seconded by Councillor Jones. Roll call vote, 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

7. APPOINTMENTS – 2nd Reading

Appointment

1. Richard Sharp 11 Lincoln Street Licensing Board June 1, 2017
2. Stephen Dodge 57 Milk Street Historical Commission August 1, 2014

Motion to approve collectively by Councillor Jones, seconded by Councillor Cameron. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

8. ORDERS

1. Order Accepting Public Safety Mutual Aid Law MGL c40 sec 4J

Motion to approve by Councillor Cronin, seconded by Councillor Cameron. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

2. CPA Allocation to YWCA Affordable Housing **TABLED**

Motion to remove from table by Councillor Jones, seconded by Councillor Cameron. 9 yes, 2 absent (Derrivan, Hutcheson). So voted. Motion to approve by Councillor Connell, seconded by Councillor Ives. Roll call vote 6 yes, 3 no (Cronin, Jones, O'Brien) 2 absent (Derrivan, Hutcheson). So voted.

3. CPA Allocation to Moseley to Maudslay Trail Con. Project **RECONSIDERED**

Motion to reconsider by Councillor Jones, seconded by Councillor Ives. 9 yes, 2 absent (Derrivan, Hutcheson). Motion to refer to Budget & Finance by Councillor Earls, seconded by Councillor Jones. 8 yes, 1 no (O'Brien), 2 absent (Derrivan, Hutcheson). So voted.

4. Order to Move Meeting from October 11 to October 17, 2011

Motion to approve by Councillor Cameron, seconded by Councillor Ives. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

9. ORDINANCES

1. Section 13-176.1 Traffic and Motor Vehicles, High and Ashland

Motion to refer to Public Safety by Councillor Cameron, seconded by Councillor Ives. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

2. Section 13 - 168 Salem Street, No Parking

Motion to refer to Public Safety by Councillor Jones, seconded by Councillor Heartquist. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

3. Ordinance removed per EC

4. Section 13 - 180 Add/Delete Streets By Order

Motion to refer to General Government by Councillor Cronin, seconded by Councillor Jones. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

5. Section 13-182 entitled: Hotel/Inn and Bed and Breakfast Accommodations

Motion to refer to Public Safety by Councillor Earls, seconded by Councillor Ives. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

10. COMMITTEE ITEMS

Budget & Finance

In Committee:

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

*11/29/2010

General Government

In Committee

1. Atmospheric Pollution Ordinance
2. Proposed Special Act Water & Sewer Commission
3. Proposed Charter on Ballot for November 8, 2011 Municipal Election
4. Campaign Finance Reports-Municipal Forms posting on City Website
5. Union Contract posting on City Website

*02/08/2010

*01/10/2011

*05/09/2011

*05/09/2011

*05/09/2011

Joint Education

In Committee:

License & Permits

In Committee:

1. Cars Port Taxi rate increase request

*05/31/2011

Neighborhoods & City Services

Councillor Herzog stated the next meeting for the committee is Thursday 9/15

In Committee:

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

*07/22/2010

*02/28/2011

Motion to remove by Councillor Herzog, seconded by Councillor Earls. Motion to approve by Councillor Herzog, seconded by Councillor Earls. 2 yes (Herzog, Heartquist), 7 no, 2 absent (Derrivan, Hutcheson). Motion fails.

3. Amend Ch.8 Sec. 8-90 Solid Waste Recycling Collection

*05/31/2011

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

4. Draft Ordinance for the Friends of the Highland Cemetery Commission

*08/08/2011

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

5. Amend Ord. 3-26 Dogs Leash required

*08/29/2011

Planning & Development

In Committee:

1. Residential Handicap Parking Ordinance
2. Atmospheric Pollution Ordinance
3. Green Communities Order
4. Zoning Ord – Sec II Definitions/Sec VI Dimensional Contr
5. Letter for Essex St. Inn Visitor Parking
6. Intermunicipal Agreement Newburyport and Newbury
7. Amend Ord.13-182 Traffic and Motor Vehicles

*01/11/2010

*02/08/2010

*03/29/2010

*06/28/2010

*07/11/2011

*07/11/2011

*08/29/2011

Public Safety

In Committee:

1. Residential Handicap Parking Ordinance
2. Amend Sec. 13-86 Water St. (25mph) State to Federal
3. St. Paul's Church request to restrict parking on Summer Street entrance
4. Amend Ord 13-121 One-Way Streets Griffin Court

*01/11/2010

*05/09/2011

*05/31/2011

*07/25/2011

5. Chamber of Commerce Great Pumpkin Lighting & Stroll, Oct. 22, 2011 *08/29/2011
Motion to remove by Councillor Cronin, seconded by Councillor Cameron. Motion to approve by Councillor Cronin, seconded by Councillor Earls. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.
6. Amend Ord.13-180 Parking Resident Harris Street from Green to State Sts *08/29/2011
7. Amend Ord.13-180 Parking Resident Fruit Street *08/29/2011
8. Amend Ord.13-182 Traffic and Motor Vehicles *08/29/2011

Public Utilities Committee

In Committee:

1. Letter regarding Pole at 114 High Street *05/31/2011
2. Underground Storage Tank Replacement 76 Storey Ave. *08/08/2011

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

3. Mayor's letter regarding True North Solar for renewable energy contract *08/29/2011

Rules Committee

In Committee:

9. GOOD OF THE ORDER

Councillor Herzog thanked the Health Dept. and Mayor's office for continuing to test the Merrimack River water after Labor Day.

Councillor Cronin stated that the Friends of Anna Jaques Hospital are holding a gathering at Brown's Square on October 2, 2011 from 1pm to 3pm.

Councillor Connell recognized the Exchange Club for the 9/11 ceremony that was held at the Bartlett Mall.

10. ADJOURNMENT

Motion to adjourn at 8:26pm by Councillor Cameron, seconded by Councillor Herzog. 9 yes, 2 absent (Derrivan, Hutcheson). So voted

TRANSFERS



City of Newburyport

FY 2012

BUDGET TRANSFER REQUEST

RECEIVED
CITY OF NEWBURYPORT
OFFICE OF THE CITY CLERK
SEP 26 2011

Department: POLICE DEPARTMENT

Submitted by: Thomas Howard, Marshal

Date Submitted: 9/20/2011

Transfer From:

Account Name	Officer Salary	YTD Bal:	\$ 1,455,007.24
Account Number:	01210001-51142	Trans In:	\$ -
Amount:	\$2,750.00	Trans Out:	\$ 1,500.00

The amount required in this account at year-end will depend on the actual dates new police officers are hired to fill two positions which will be vacant due to retirements.

As a result, additional funding could be required before the end of FY 2012.

Transfer To:

Account Name	Clothing Allowance	YTD Bal:	\$ 250.00
Account Number:	01210001-51405	Trans In:	\$ -
Amount:	\$2,750.00	Trans Out:	\$ -

This account's original appropriation was underfunded due to superior officers negotiations of an increase in clothing allowance to each superior officer.

Transfer To:

Account Name		YTD Bal:	
Account Number:		Trans In:	
Amount:		Trans Out:	

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: 9/20/11
Date: 9/20/11

COMMUNICATIONS



The Commonwealth of Massachusetts

Local Election Districts Review Commission

c/o Elections Division
One Ashburton Place, Room 1705
Boston, MA 02108
(617) 727-2828 (800) 462-8683

RECEIVED
SEP 26 2011
SEP 12 PM 12:07

Thomas F. O'Brien, President
City Council
P.O. Box 550
Town Hall
Newburyport, MA 01950

Dear President O'Brien:

On July 14, 2011, the Local Election Districts Review commission considered the submission re-dividing the city of Newburyport into wards and precincts.

The Commission is pleased to inform you that this division meets the requirements of Massachusetts General Laws chapter 54, section 1, and is otherwise consistent with law and has thus been approved by the Commission. Please note that the effective date of your new wards and precincts is not until December 31, 2011.

Thank you for your cooperation.

Sincerely,

LOCAL ELECTION DISTRICTS
REVIEW COMMISSION

Hon. William Francis Galvin

Hon. William I. Cowin

Avi Green

cc: Richard Jones, City Clerk



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2011 SEP 20 P 2:30



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

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

DATE OF REQUEST:

9/19/11

CONTACT INFORMATION

FIRST AND LAST NAME:

Molly Brennan

MAILING ADDRESS:

1 Jackson St

PHONE NUMBER:

978 760 1402

E-MAIL ADDRESS:

MollyBrennan@gmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE:

Oct 22nd, 2011

DESIRED STREET CLOSING LOCATION:

Jackson St blocked at

Please indicate cross streets when requesting the closing of street sections

Oakland & Woodland

STREET TO BE BARRICADED:

Jackson St.

DESIRED STREET CLOSING TIME:

3 pm - 9:00

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

REGULATIONS

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

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

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

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

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

Applicant Signature

Date

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

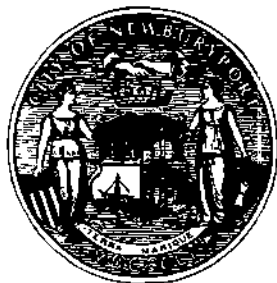
60 Pleasant St.

City use only:

Approved

-Denied

Date



CITY OF NEWBURYPORT
MASSACHUSETTS
CITY CLERK'S OFFICE
NEWBURYPORT CITY HALL
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
TEL: 978-465-4407 • FAX: 978-462-7936

RICHARD B. JONES
CITY CLERK

September 20, 2011-09-20

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

Re: Plum Island Boathouse, Polling Place – IP

Dear President and Members of the Council,

By way of update, there has been substantial progress on preparing the Plum Island Boathouse for use as the Plum Island polling place. You may remember that the Division of Mosquito Control has given us notice that we can no longer use the garage for a polling place at Plum Island Point. We have an order of conditions issued by the conservation commission that has allowed us to enlarge the access ramp and put new mats down on the sand from the parking lot to the building.

The DPW, with the assistance of some prisoners (thank you Sheriff Cousins), has been working on the ramp widening. The mats are being delivered within two weeks. At that time, the Elections Division will come back to hopefully sign off on the improvements (that we made at their suggestion).

The cost of the improvement including the mats will be approximately \$7,000. We will be coming in with a transfer request at the next council meeting.

If we hold to this schedule we will notify the plum island residents at least 20 days before the election of the new polling place. Also, we will put up signs at the old polling place directing them to the new place across the way.

Please let me know if you have any questions.

Sincerely,

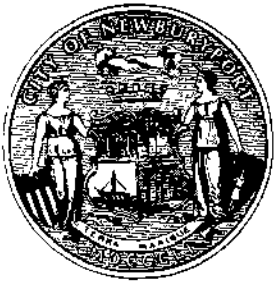
A handwritten signature in black ink, appearing to be 'R. Jones', with a stylized, wavy line extending from the end.

Richard B. Jones, City Clerk/Board of Registrars

Newburyport City Hall
60 Pleasant Street
Newburyport, Massachusetts 01950
Tel: (978) 465-4407
Fax: (978) 462-7936
Email: rjones@cityofnewburyport.com
On the web at www.cityofnewburyport.com

RBJ/me

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 (978) 465-4402 (FAX)

Appointment #1
September 26, 2011

153-15
CLERK'S OFFICE
1000-0000

2011 SEP 14 P 1:01

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: September 14, 2011

Subject: Appointment

Donna D. Holaday

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

Dylan McCloy
17 Wildwood Drive
Newburyport, MA 01950

17 Wildwood Drive
Newburyport, MA 01950
September 11, 2011

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

Dear Mayor Holaday,

Please accept my application to become a Youth Commissioner for the City of Newburyport. I am currently a Junior at Newburyport high school. I have had the opportunity to sit in on three Youth Commission meetings and I think that I can contribute to the ongoing conversation.

I would like to be a Youth Commissioner; it is important to me that youth have a voice in our community, and in being a commissioner, I would not only have a voice of my own, but will be the voice for many other youth in the community. I have been involved with youth services for over four years now and I am an active member of the youth council. I am currently working in two different groups under the youth council, the first dealing with policy awareness among students at the high school, and the other assessing and presenting survey data on the 40 assets.

Please feel free to contact me if you have any questions, I can be reached at 978-465-4006 or dmccloy13@yahoo.com.

Sincerely,

Dylan McCloy

Resume

Dylan McCloy
17 Wildwood Drive
Newburyport, MA 01950
978-465-4006
Grade 11, Newburyport High School

Involved in Youth services and the youth council since 2007
Employed by youth services as a counselor for the summer tennis programs
Class treasurer for the class of 2013
Member of the high school spirit council
Varsity tennis player and member of the high school golf team



END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

TRANSFERS



City of Newburyport

FY 2012

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Department: Parks Commission

Submitted by: Lise Reed, Parks Administrator

Date Submitted: 9/15/2011

Transfer From:

Account Name	Parks Commission - Quail Run	YTD Bal:	\$ 56,819.11
Account Number:	29660010-59600	Trans In:	\$ -
Amount:	\$20,000.00	Trans Out:	\$ -
Why are Funds Available:	<i>The Parks Commission has determined that these funds are no longer required for Quail Run and has requested that they be transferred into other Parks Commission accounts as needed.</i>		

Transfer To:

Account Name	Parks Commission- Park Maintenance	YTD Bal:	\$ 6,326.00
Account Number:	01630002-52420	Trans In:	\$ -
Amount:	\$2,900.00	Trans Out:	\$ -
Why are Funds Required:	<i>Funds are required to provide maintenance for City parks.</i>		

Transfer To:

Account Name	Parks Commission - Atkinson Common	YTD Bal:	\$ -
Account Number:	01630002-52424	Trans In:	\$ -
Amount:	\$2,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>Funds are required for the care and maintenance of Atkinson Common.</i>		

Transfer To:

Account Name	Parks Commission- Rail Trail	YTD Bal:	\$ 4,527.00
Account Number:	01630002-52426	Trans In:	\$ -
Amount:	\$3,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>Funds are required for the care and maintenance of the Rail Trail.</i>		

Transfer To:

Account Name	Parks Commission - Other Supplies	YTD Bal:	\$ 4,966.01
Account Number:	01630004-55800	Trans In:	\$ -
Amount:	\$12,100.00	Trans Out:	\$ -
Why are Funds Required:	<i>Funds are required to purchase supplies and materials associated with the upkeep of park areas.</i>		

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

Donna D. Holaday
William B. Squillace

Date: 9/20/11
Date: 9/20/11

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

September 12, 2011

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED HEALTH AND SANITATION

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

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

Delete (b)(4).

Add:

(b)(4) *Plastic products*. Plastic containers labeled #1 through #7 are allowed.

Councillor Ari B. Herzog

In City council May 31, 2011

Motion to refer to Neighborhoods & City Services by Councillor Herzog, seconded by Councillor O'Connor Ives. 11 yes. So voted.

In City Council Sept. 12, 2011

Motion to remove from committee by Councillor Herzog, seconded by Councillor Connell. Motion to approve by Councillor Herzog, seconded by Councillor Cameron. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

September 12, 2011

AN ORDINANCE TO CREATE AN ORDINANCE ENTITLED

Chapter 12 Streets, Sidewalks, and Other Public Places
Article 5 Public Places
Division 2 Cemeteries
Section 12-103 Highland Cemetery Commission

(a) Establishment

There is hereby established a Highland Cemetery Commission for the purpose of assisting in preserving and enhancing Highland Cemetery; in a shared stewardship with the public and municipal departments.

(b) Board of Commissioners; term of office

The mayor shall appoint five (5) members to constitute the Board of Commissioners of Highland Cemetery. Members must be residents of the City and shall serve without pay. Each commissioner of said Commission shall be appointed for a term of not in excess of three (3) years and the appointments shall be made so that the terms of not more than two (2) commissioners shall expire in a single year. The appointments shall be made on or before the first Monday of February. All members shall hold office until their respective successors are appointed.

(c) Annual appropriation for upkeep; use of other funds

- (1) The mayor and city council shall annually appropriate a sum of not less than five hundred dollars (\$500.00) for the preservation and enhancement of Highland Cemetery.
- (2) The money annually appropriated by the city for the upkeep of Highland Cemetery together with such sums as may be received by the commissioners shall be expended, in consultation with the mayor and city council, to the satisfaction of the commissioners for the preservation and enhancement of Highland Cemetery as a public cemetery.

(d) Promulgation of Rules

Commissioners are hereby authorized to promulgate reasonable rules for the use by the public of Highland Cemetery. Such rules may include, but are not limited to, hours of use, conduct of visitors, and manners of use of certain areas. Commissioners shall consult with the mayor and city council prior to such promulgation.

(e) Financial Matters

All money received for the account of the Highland Cemetery Commission shall be deposited with the city treasurer/collector, in trust, subject to withdrawal by the majority of a quorum of the Board of Commissioners only for expenditures on Highland Cemetery; and the accounts of the Highland Cemetery Commission shall be kept by the city treasurer/collector in such form and manner as the commissioners may direct.

(f) Annual Report of Commission

The Board of Commissioners of Highland Cemetery shall make a report of their doings, receipts and expenditures by the thirtieth (30th) day of September in each year, to the city council, before the last Monday in October.

Councillor Robert J. Cronin

In City Council August 8, 2011

Motion to approve Consent Agenda as amended by Councillor Earls, seconded by Councillor Jones. 11 yes, so voted.

In City Council Sept. 12, 2011

Motion to remove from committee by Councillor Herzog, seconded by Councillor Cameron. Motion to approve by Councillor Herzog, seconded by Councillor Earls. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.