

CITY COUNCIL MEETING AGENDA - VERSION 2

July 14, 2014

7:00PM

Hearing- Franklin Street Petition

7:30PM

Public Hearing

Nation Grid Underground Conduits 21 – 124 Merrimac Street

7:30PM

(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

June 30, 2014

(Approve)

8. TRANSFERS

- 1. Mayor Gen'l Fund \$7,890 to School Expenses \$7,890**

(Approve)

9. COMMUNICATIONS

- 1. Block Party Highland Ave/Lafayette/Anna Jaques July 28, 2014**
- 2. Block Party Congress Street from Buck to Dove August 2, 2014**
- 3. Block Party 54th Street August 9, 2014**
- 4. Whittier Reg. Voc. Tech. HS 2014-15 Budget Assesment**

(Approve)

(Approve)

(Approve)

(B&F)

10. APPOINTMENTS-First Reading

Re-Appointment

- | | | | |
|----------------------|----------------------|-------------------------------------|---------------------|
| 1. John Ronan | 21 Ferry Road | Constable for Civil Business | May 31, 2019 |
|----------------------|----------------------|-------------------------------------|---------------------|

END OF CONSENT AGENDA

REGULAR AGENDA

11. APPOINTMENTS Second Reading

Appointment

- | | | | |
|-----------------------------|----------------------------|--------------------------------|----------------------|
| 2. Rich Traister, MD | 325 Merrimac Street | Disabilities Commission | June 30, 2017 |
|-----------------------------|----------------------------|--------------------------------|----------------------|

Re-Appointment

- | | | | |
|--------------------------|---------------------------------|--|-----------------------|
| 3. Brian Brunault | 83 Garden St, W. Newbury | Constable for Civil Business | July 1, 2017 |
| 4. Daniel Scott | 4 Ferry Rd, Methuen | Harbor Master & Special Police Off. | April 15, 2017 |

12. COMMUNICATIONS

- 5. LATE FILE Mayor's Update**

13. ORDERS

- 1. Licensed Contractor Waveguide Inc.
- 2. Acceptance of grant from Bethany Masonic Lodge \$1,000 for Nock-Molin baseball diamond

14. ORDINANCES

- 1. Second Reading Amend ORD Ch.13 Section 13-179 Waterfront Trust Lot Handicapped Parking
- 2. Second Reading 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. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
- 4. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
- 5. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014
- 6. DPS Water Retained Earnings \$400,000 to Upper Artichoke Dam Proj. \$400,000 *06/30/2014
- 7. GenFd Free Cash \$29,525 to Roadwork & Paving \$29,525 *06/30/2014
- 8. GenFd Free Cash \$19,661.79 to Green Initiatives Fd \$19,661.79 *06/30/2014
- 9. DPS Water Ret'd Earnings \$420,000 to FY2015 Budget Reserve \$420,000 *06/30/2014
- 10. DPS Sewer Ret'd Earnings \$315,000 to FY2015 Budget Reserve \$315,000 *06/30/2014
- 11. Police Superiors Negotiation Tentative Agreement *06/30/2014
- 12. Human Resources Dependent Audit *06/30/2014

General Government

In Committee:

- 1. Amend Order Loan Appropriation for Bresnahan Project from Aug. 13, 2012 (COTW) *06/09/2014
- 2. Resolution and Order for next special election ballot question (COTW) *06/09/2014
- 3. Mayor's Update *06/09/2014

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
- 4. A Frame Sign Request on Inn Street near fountain for Pandora's Box *06/09/2014
- 5. Letter regarding transient vendor licensing *06/30/2014
- 6. Letter Health Department enforcement (COTW) *06/30/2014

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. Amend ORD Zoning Section XII-B, Medical Marijuana treatment center *05/27/2014
3. Amend ORD Zoning Section XII-B, Harbormaster Facility *05/27/2014
4. Amend ORD Zoning Section III, Floodplain Overlay District *05/27/2014
5. Amend ORD Zoning Section XXVII-E and F (downtown overlay district) *05/27/2014
6. Amend ORD Zoning Section XXVIII, Demolition control overlay district *05/27/2014

Public Safety

In Committee:

1. 4th annual 5k run/walk for Ovarian Cancer Sept. 28, 2014 *06/30/2014
2. Green Stride ½ Marathon October 26, 2014 *06/30/2014
3. River Run ½ Marathon and 5k, May 31, 2015 *06/30/2014
4. Citizen's petition reconsideration Franklin Street "no parking" zone *06/30/2014
5. Amend ORD Sec 12-97 Road Races *06/30/2014
6. Amend ORD Sec 13-174 State Street *06/30/2014
7. Amend ORD Sec 13-168 Parking Restricted Fair Street *06/30/2014
8. Amend ORD Sec 13-180 Sec. (g(2)) Zone 2 Add Fair Street *06/30/2014
9. Amend ORD Sec 13-187 Speed Limits *06/30/2014
10. Amend ORD Sec 13-179 Handicap Parking *06/30/2014

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
3. Energy Advisory Committee letter regarding lights on private property *06/30/2014

Rules Committee

16. GOOD OF THE ORDER - Discussion of cancelling the July 28, 2014 Council meeting

17. ADJOURNMENT

FUEL

↓ ↓ ↓ ↓ ↓ ↓

ATTENTION FUEL CONSUMERS:

All ads in this classification run in our 10 paper "Classified Connection" that covers the North Shore, Merrimack Valley and Southern New Hampshire.

Ads appearing in this section may or may not deliver to this entire market.

Prices may reflect a "local" delivery area only and may be higher for an extended delivery area.

↑ ↑ ↑ ↑ ↑ ↑

John's Oil

Home heating oil. Dyed Red Off Road Diesel available. Fuel Assistance Welcome

www.johnsol.com
978-777-4205

FURNITURE

BEDROOM 7pc solid cherry sleigh dress w/mirror, chest, nightstand. New in boxes. Cost \$2100. Sacrifice \$795. 603-235-1773

BEDROOM SUITE 4 piece pine \$400. Queen sleeper couch \$350. 6x12 wool area rug \$300. Vaple hutch \$100. 2 Oak side chairs with reed seats \$20 each. Oak entertainment center \$100. 2 recliners \$50 each. Folding tables \$10 each. Metal closet \$15. Call 603-329-6870

COMPUTER / TV CABINET Ethan Allen, dark wood. Approx 5' high x 3' wide. In excellent condition. Asking \$150. Call: (978) 914-8873

LIVING ROOM COUCH & LOVESEAT floral, neutral colors. Good condition. \$225. (978) 687-9374

Dak Dining room Set with 2 inserts, 6 chairs, and china cabinet. great condition. \$650. or best offer. Call (978) 959-2618 (Beverly)

OUTDOOR FURNITURE Beautiful set - wrought iron round table, 4 chairs with cushions, umbrella & stand. Chaise lounge with cushion & 2 end tables \$450. Call (978) 372-8218

DFA, chair, end tables, dinette set with china cabinet & buffet, dishes service for 8. All good condition come see & make offer 978-683-6285



WICKER FURNITURE - 3 pc. set; high back settee, high back chair and coffee table. Excellent condition. \$365. 617-320-0875 Newburyport

HAY FOR SALE

NEW FIRST CROP HAY - Green tender native hay. You pick up at farm, \$5 from the wagon. Maple Acre Farm, Groveland, MA. Call Bob 978-276-2762

HEALTH & BEAUTY

MASSAGE TABLE Oakworks, 6 mos. old. In excellent condition. With travel case, face cradle and leg bolster. \$275. (978) 682-8168

Legals

DAVID THOMAS COMPTON (Deceased)

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the forementioned deceased, late of 22 Maple Street Amesbury Essex MA USA, who died on 5 February 2014, are required to send particulars thereof in writing to the undersigned solicitors on or before two months from the date of this publication after which date the Estate will be distributed, having regard only to claims and interests of which they have had notice.

SILLS & BETTERIDGE LLP
Aquils House Clasketgate Lincoln N2 1JN England
IT - 7/3/14

HOUSEHOLD GOODS

AIR CONDITIONER, for a window, with remote, 10,000 BTU's, Friedrich, used 1 season, excellent rating will sell for half price \$245.00
Call John (978) 959-1467 (Beverly)

BED, Queen Sealy Closeouts from Macy's. Super nice! \$350-\$450. Kings and Fulls. Can deliver. Call 603-235-1773

ESTATE SALE; MOVING TO FLORIDA
"All Must Go" Kitchen/Pantry/Bedroom Set
Call (978) 372-3896

HE Kenmore Energy Star high efficiency washer 6 mos. old \$325. **Cable Electric Dryer** Xlarge capacity works Great \$75. or \$350 for the pair OR best offer. Call 715-292-2876 (Gloucester)

KENMORE, refrigerator, white, \$200. **TWIN BED w/frame**, \$50. **HUTCH**, \$50. **UPRIGHT dresser**, 5 draws, \$50. **TABLE w/4 chairs**, \$50 Call (978) 228-9543

LAWN-MOWERS
(2) gas mowers, Run great.
\$50 each. Call (978) 346-7470

REFRIGERATOR White, Maytag 20.7 cu. ft., top freezer, great condition, \$150. 603-434-5215

STORM DOOR - Larsen exterior storm door, with glass. Nice condition 38.5" x 90", white. Asking \$80. **KAYAK ORE**, nice shape, \$20. Call 978-242-2976

MISC ITEMS WANTED

Military Items Wanted
NAME-YOUR-PRICE - Most Countries; Rev War through Vietnam. Call Peter (781) 631-1718

RECORDS, CD's, DVD's
We Buy Them! The Record Exchange,
255 Washington St., Salem, 978-745-0777

Wanted To Purchase Antiques & Fine Art, 1 item Or Entire Estate Or Collection. Gold, Silver, Coins, Jewelry, Toys, Oriental Glass, China, Lamps, Books, Textiles, Paintings, Prints - almost anything old Evergreen Auctions 973-818-1100. Email: evergreenauctions@hotmail.com NECAN

MISC MERCHANDISE

AIR Conditioner, (4) Asking \$30 ea. or \$100 for all 4. 14' ALUMINUM boat, 9.9 hp motor and fishing equipment. All in good shape. \$2500/best offer. Call (978) 373-4033

ATTENTION!

Beware of anyone replying to your ad offering to send you a check for shipping and you sending them back the difference. Also beware when responding to classified ads that ask you to send shipping cost. Possible scam!

CANOE 16' Wenonah Aurora canoe. Good shape. New its. 1200\$. Asking \$600. Only 6 trips in the Parker River. 2 paddles incl. 978.499.9452

Legals

"Public Hearing Notice" Pursuant to a Free Petition seeking the City Council to reopen and reconsider the creation of a 'No Parking' zone on Franklin Street. Said hearing to be held at 7:00 pm on Monday, July 14, 2014 in the City Council Chamber, City Hall, 60 Pleasant Street, Newburyport MA. NT - 7/3/14

COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT PROBATE AND FAMILY COURT

Essex Probate and Family Court
36 Federal Street
Salem, MA 01970
(978) 744-1020
Docket No. ES14PC0150CA

NOTICE OF PETITION FOR CHANGE OF NAME

In the Matter of: Aidan Michael Ruane
Of: Amesbury, MA

to all persons interested in petition described: A petition has been

MISC MERCHANDISE

Moving SALE

FURNITURE AND OTHER HOUSEHOLD ITEMS
Dining room table, 4 chairs & side board, \$750. green leather sofa & loveseat, \$300. brown leather sofa & loveseat, \$175. patio table with 4 chairs & umbrella, \$75. A lot more furniture and other household items. (978) 470-3021

GAS GRILL; 2 burner, Outdoor gas grill. Good condition, \$25.
Call (978) 668-5172

GRANITE BLOCKS & CURB
Screened Loom & Processed Gravel
Miles River Sand & Gravel - (978) 356-2290

HAIR SALON EQUIPMENT; Reception desk, 5 stations, 5 chairs, 2 shampoo chairs/sinks, pedic chair/sink, washer/dryer, \$2500. 978-856-5913

HAND TOOLS WANTED
Planes-chisels-adzes-clamps-callipers. Machinist and Mechanics. Useful tools. All Trades. Estate Lots. 1-888-405-2007.

HOT TUB 5-6 person. 2014 model. All options warranty & cover. Cost \$6500. Sell \$3,300. Can deliver. 603-427-2001

KITCHEN CABINETS Glazed cherry. Never installed! All dovetail. Cost \$6600. Sell \$1700. 603-235-1895

Moving SALE

MOVING - MUST SELL! No offer refused. Bedroom set, dining room set, living room set, large screen TV & stereo speakers, exercise equipment & other misc. items. All in good condition. Call for appointment (978) 475-2045

TORO LAWNMOWER 21" cut. Self-propelled with bagger. Great condition \$400. **HONDA MOWER** 21" cut with bagger, self-propelled. Like new condition \$400. (978) 350-9225

Wanted to buy
Stairlifts
Call 603-236-1227 or 603-801-7106

Legals

Commonwealth of Massachusetts The Trial Court Probate and Family Court ORDER OF INFORMAL PROBATE OF WILL AND/OR APPOINTMENT OF PERSONAL REPRESENTATIVE

Docket No. ES14P1300EA
Essex Division
Estate of:
John H. Small
Date of Death: December 8, 2013

1. A Petition has been filed requesting:
The appointment of a Personal Representative.

Informal probate of the Will dated December 1, 2005 and codicils of the above named decedent.

2. Upon consideration of the Petition, I determine based upon the Petition that all of the following are true:

- a. The Petitioner is an interested person and has filed a complete and verified petition.
- b. Venue is proper.
- c. The Petition was filed within the time period permitted by law.
- d. Any required notices have been given or waived.
- e. A death certificate issued by a public officer is in the Court's possession.
- f. The spouse and heirs are not incapacitated persons or minors; or if they are, they are represented by a Guardian or Conservator other than the Petitioner.

APPOINTMENT OF PERSONAL REPRESENTATIVE

3. The appointed Personal Representative has priority entitling that person to appointment, with or without appropriate nomination and/or renunciation. Any Will to which the requested appointment relates has been formally or informally probated.

The following persons have been

**PUBLIC HEARING
APPLICATION AND NOTICE**

Questions contact – Tim Lyford -401-784-7000

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Petition of the NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric conduit Location:

2014 JUL -1 A 10:39

To the City Council of Newburyport Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Merrimac St-Newburyport Massachusetts

The following are the streets and highways referred to:

16415130 Install underground facilities Single Phase Electrical Conduit @ Merrimack St.
10' +/- of Electrical Primary Conduit to be installed from pole 21 Merrimac St and continuing to 124 Merrimac St.

Location approximately as shown on plan attached

NATIONAL GRID
BY Chris RADY
Engineering Department

Dated: June 30, 2014

City

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 30th day of June 2014 .

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked -16415130 Install underground facilities Single Phase Electrical Conduit @ Merrimack St. 10' +/- of Electrical Primary Conduit to be installed from pole 21 Merrimac St and continuing to 124 Merrimac St.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

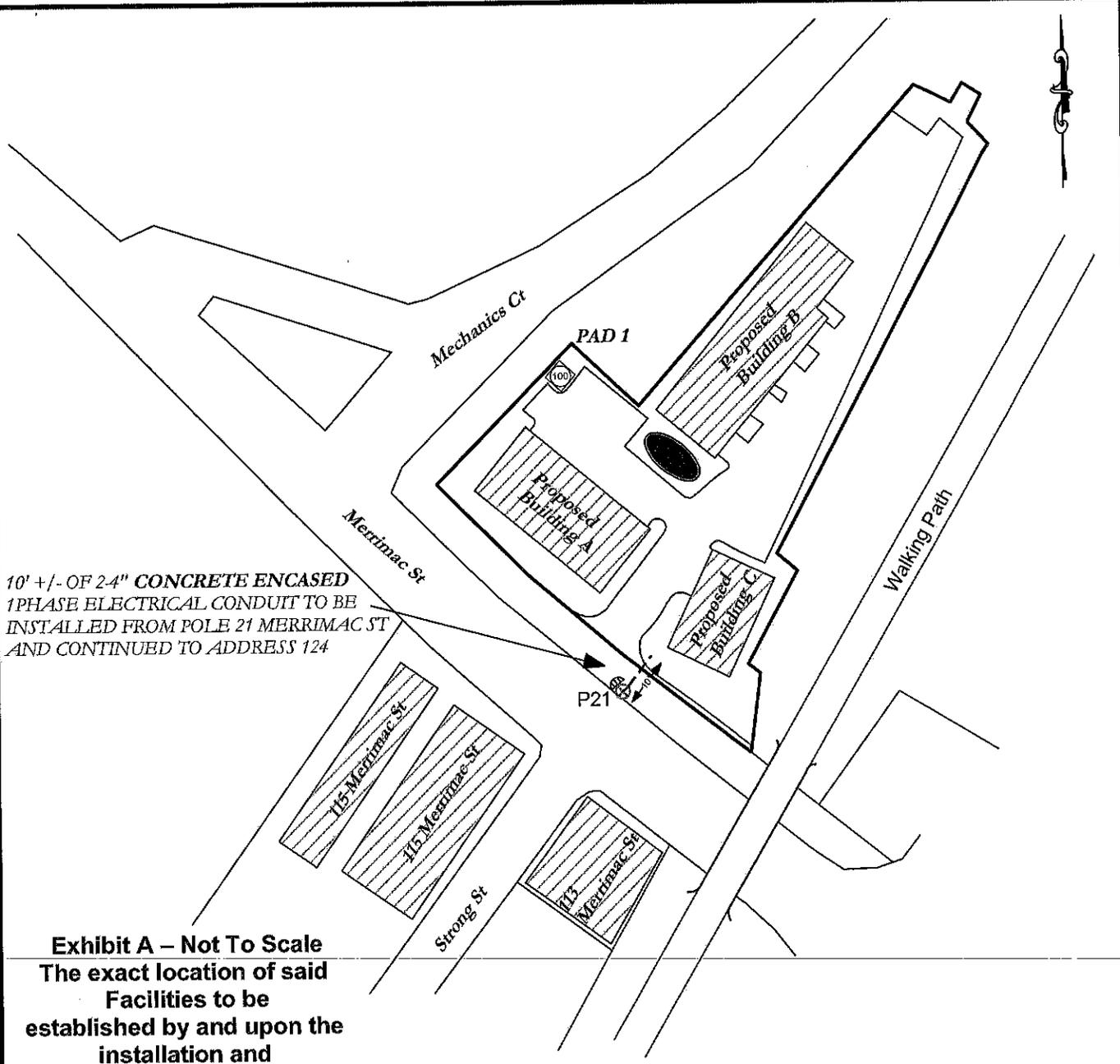
I hereby certify that the foregoing order was adopted at a meeting of the
.....
....., held on the day of, 20
....., 20

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
.....

..... Hereby certify that on20..... at o'clock, .M
at, a public hearing was held on the petition of
NATIONAL GRID for permission to construct the underground electric conduits described in the
order herewith recorded, and that I mailed at least seven days before said hearing a written notice
of the time and place of said hearing to each of the owners of real estate (as determined by the last
preceding assessment for taxation) along the ways or parts of ways upon which the Company is
permitted to construct the underground electric conduits under said order. And that thereupon said
order was duly adopted.

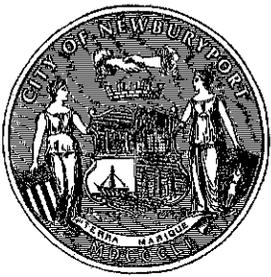
.....



10' +/- OF 24" CONCRETE ENCASED
 1PHASE ELECTRICAL CONDUIT TO BE
 INSTALLED FROM POLE 21 MERRIMAC ST
 AND CONTINUED TO ADDRESS 124

Exhibit A – Not To Scale
 The exact location of said
 Facilities to be
 established by and upon the
 installation and
 erection of the Facilities thereof.

UNDERGROUND PETITION		nationalgrid
⊗ <i>EXISTING UTILITY POLE</i>	----- <i>PRIMARY UG WIRE</i>	
Ⓜ <i>SINGLE PHASE PAD</i>	Ⓜ <i>PROPOSED PRIMARY RISER</i>	
— <i>PROPERTY LINE</i>		Date: 6-25-14
		Plan Number: 16415130
		To Accompany Petition Dated:
		To The: Town Of Newburyport
		For Proposed: Primary Conduit Location: 124 Merrimac St
DISTANCES ARE APPROXIMATE		Date Of Original Grant:



CITY OF NEWBURYPORT

OFFICE OF THE
ASSESSOR

DANIEL RAYCROFT
CITY ASSESSOR

NEWBURYPORT CITY HALL
60 PLEASANT STREET
NEWBURYPORT, MA 01950

TEL: 978-465-4403

FAX: 978-462-8495

WWW.CITYOFNEWBURYPORT.COM

July 3, 2014

TO: Richard Jones, City Clerk

FROM: Board of Assessors

**RE: 124 Merrimac Street – Install concrete encased
electrical conduit from pole 21 to 124 Merrimac Street**

**The attached are the abutters to the above described
location:**

50/ 4/ / /
BUZZY BEE LLC
C/O ALDRICH
29 UNION ST
NEWBURYPORT, MA 01950

50/ 16/A / /
NADEAU NICOLE YOUNG
287 1/2 HIGH ST
NEWBURYPORT, MA 01950

50/ 16/B / /
CROCETTI LISA M
2 STRONG ST
NEWBURYPORT, MA 01950

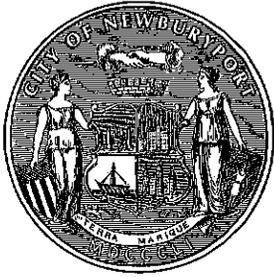
50/ 16/C / /
SCOTT DONNA C TRS
DCE FAMILY TRUST
4 STRONG ST
NEWBURYPORT, MA 01950

50/ 16/D / /
AHERN DANIEL J
119 MERRIMAC ST UNIT A
NEWBURYPORT, MA 01950

50/ 16/E / /
SHEVLIN CHARLES
JENNIFER STACEY J/T
119 MERRIMAC ST UNIT B
NEWBURYPORT, MA 01950

50/ 16/F / /
FLYNN-MICHAEL-D
JANE E T/E
119 MERRIMAC ST UNIT C
NEWBURYPORT, MA 01950

50/ 63/ / /
2 MECHANICS COURT LLC
C/O CRAIG PESSINA
11A LIBERTY ST
NEWBURYPORT, MA 01950



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

July 3, 2014

Dear Property Owner:

Notice is hereby given that a Public Hearing will be held on the petition of National Grid to install concrete encased conduit from pole 21 to 124 Merrimac Street.

Said meeting will be held on Monday, July 14, 2014 at 7:30 PM in the City Council Chamber, City Hall, 60 Pleasant St., Newburyport, MA. At that time, all interested parties will have an opportunity to be heard.

A copy of the plan is enclosed.

Sincerely,

Tricia E. Barker

Assistant City Clerk

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES - VERSION 1

June 30, 2014

CITY COUNCIL MEETING

Acting Council President Connell called the meeting to order at 7:30 pm. A moment of silence was held for Mark Kavanagh's mother. 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, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Tontar, and Vogel. 10 present, 1 absent (O'Brien).

1. **LATE FILES** – Mayor's Communication, Ordinance #6, revised Ordinance Road Races
Motion to waive the rules and allow the late file by Councillor Cameron, seconded by Councillor Cronin. 10 yes, 1 absent (O'Brien). So voted.

2. **PUBLIC COMMENT**

- | | | |
|---------------------|------------------------|-------------------------------|
| 1) Michael Volpone | PO Box 493 | Yankee Homecoming |
| 2) Dana Wildes | Newburyport Freemasons | Donation |
| 3) Jeffrey Brunelle | Salvation Army | 13-3 |
| 4) Gloria Poirier | 22 Fair Street | 2 hour parking |
| 5) Lyndi Lamphear | 347 High St. | Salvation Army |
| 6) Dan Deren | 154 Water St. B | Citizen's Petition re Parking |
| 7) Renee Pappa | 4 Franklin St. | Parking Franklin St. |
| 8) Mark Rosen | 20 Fair St. | Salvation Army |
| 9) Paula Estey | 20 Fair St. | Parking |
| 10) Tom Salemi | 16 Tyng St. | NRA |
| 11) Rick Accardi | 1 Fair St. | Parking |
| 12) Scott Jewell | 8 Fair St. | Parking |
| 13) Joe Sciacca | 10 Fair St. | Parking |
| 14) Lisa Accardi | 1-3 Fair St. | Parking |
| 15) Lou Valli | Fair St. | Parking |

3. **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.

4. **APPROVAL OF MINUTES**

June 9, 2014

(Approved)

5. **TRANSFERS**

- | | |
|---|-------|
| 1. DPS Water Retained Earnings \$400,000 to Upper Artichoke Dam Proj. \$400,000 | (B&F) |
| 2. GenFd Free Cash \$29,525 to Roadwork & Paving \$29,525 | (B&F) |
| 3. GenFd Free Cash \$19,661.79 to Green Initiatives Fd \$19,661.79 | (B&F) |
| 4. DPS Water Ret'd Earnings \$420,000 to FY2015 Budget Reserve \$420,000 | (B&F) |
| 5. DPS Sewer Ret'd Earnings \$315,000 to FY2015 Budget Reserve \$315,000 | (B&F) |

6. **COMMUNICATIONS**

- | | |
|--|-----------|
| 1. Block Party Dove and Monroe to Merrimac | (Approve) |
| 2. Letter regarding transient vendor licensing | (L&P) |
| 3. Annual Nbpt Firefighter's Local 827 Fill The Boot Drive July 31-Aug 2 Market Square | (Approve) |
| 4. Police Superiors Negotiation Tentative Agreement | (B&F) |
| 5. 4 th annual 5k run/walk for Ovarian Cancer Sept. 28, 2014 | (PS) |
| 6. Green Stride ½ Marathon October 26, 2014 | (PS) |
| 7. Energy Advisory Committee letter regarding lights on private property | (PU) |
| 8. River Run ½ Marathon and 5k, May 31, 2015 | (PS) |

- 9. Citizen's petition reconsideration Franklin Street "no parking" zone (PS)
- 10. Exchange Club Field of Honor Program table in Market Square July 19, August 23 & 30 (Approve)
- 11. Letter request use of streets and sidewalks during Yankee Homecoming (Approve)
- 12. Human Resources Dependent Audit (B&F)
- 13. Letter Health Department enforcement (L&P)

Removed by Councillor Vogel.

7. APPOINTMENTS-First Reading

- | | | | |
|----------------------|--------------------------|-------------------------------------|----------------|
| | | Appointment | |
| 1. Rich Traister, MD | 325 Merrimac Street | Disabilities Commission | June 30, 2017 |
| | | Re-Appointment | |
| 2. Brian Brunault | 83 Garden St, W. Newbury | Constable for Civil Business | July 1, 2017 |
| 3. Daniel Scott | 4 Ferry Rd, Methuen | Harbor Master & Special Police Off. | April 15, 2017 |

END OF CONSENT AGENDA

Motion to approve the consent agenda as amended by Councillor Cronin, seconded by Councillor Cameron. So voted.

REGULAR AGENDA

8. COMMUNICATIONS

- 14. LATE FILE Mayor's Update

Motion to receive and file by Councillor Cameron, seconded by Councillor Kinsey. So voted.

- 9. Letter Health Department enforcement

Motion to refer to License & Permits and Committee of the Whole by Councillor Vogel, seconded by Councillor Heartquist. So voted.

9. ORDERS

- 1. Licensed Contractor Abbey 891 Management LLC dba Dolbier Property Services

Motion to approve by Councillor Herzog, seconded by Councillor Heartquist. So voted.

- 2. Revolving Accounts FY2015

Motion to approve by Councillor Tontar, seconded by Councillor Giunta. So voted.

- 3. Acceptance of grant from National Grid \$23,743.04

Motion to accept by Councillor Tontar, seconded by Councillor Cameron. So voted.

10. ORDINANCES

- 1. Amend ORD Sec 12-97 Road Races

Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Cameron. So voted.

- 2. Amend ORD Sec 13-174 State Street

Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Cameron. So voted.

- 3. Amend ORD Sec 13-168 Parking Restricted Fair Street

Motion to refer Ordinance #3 and #4 to Public Safety by Councillor Eigerman, seconded by Councillor Tontar. So voted.

- 4. Amend ORD Sec 13-180 Sec. (g(2)) Zone 2 Add Fair Street

- 5. Amend ORD Sec 13-187 Speed Limits Low Street

Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Cameron. So voted.

- 6. LATE FILE ORD Sec 13-179 Handicap Parking

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

11. 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. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
4. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
5. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014
6. Mayor Gen Fd Free Cash \$35,000 to Anniversary Celebrations \$35,000 *06/09/2014

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cronin. So voted.

7. Police Dept Salary Officers \$21,000 to Purchase Cruisers \$15,000, to Maint Equipment \$6,000, to Misc Supplies \$4,800 *06/09/2014

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve at \$25,800 by Councillor Tontar, seconded by Councillor Cronin. 9 yes, 1 no (Herzog), 1 ab (O'Brien) So voted.

8. 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 *06/09/2014

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.

9. DPS Water Retained Earnings \$250,000 to CIP Meter Replcmt Prg \$50,000, to CIP Wtr Main Replacement \$200,000 *06/09/2014

Motion to remove by Councillor Tontar, seconded by Councillor Giunta. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Giunta. So voted.

10. 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 *06/09/2014

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Vogel. So voted.

General Government

In Committee:

1. Amend Order Loan Appropriation for Bresnahan Project from Aug. 13, 2012 (COTW) *06/09/2014
2. Resolution and Order for next special election ballot question (COTW) *06/09/2014

Joint Education

Councillor Kinsey stated there will be a School Committee Meeting Tuesday July 1, 2014.

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
4. A Frame Sign Request on Inn Street near fountain for Pandora's Box *06/09/2014

Neighborhoods and City Services

Councillor Connell stated that the committee will meet at 7:30pm on July 10, 2014.

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

Councillor Cameron said there will be a committee meeting on Wed. July 2, 2014 at 7pm.

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. Amend ORD Zoning Section XII-B, Medical Marijuana treatment center *05/27/2014
3. Amend ORD Zoning Section XII-B, Harbormaster Facility *05/27/2014
4. Amend ORD Zoning Section III, Floodplain Overlay District *05/27/2014
5. Amend ORD Zoning Section XXVII-E and F (downtown overlay district) *05/27/2014
6. Amend ORD Zoning Section XXVIII, Demolition control overlay district *05/27/2014

Public Safety

In Committee:

1. Patriots for American Veterans Organization (PAVO) Walk for our Troops Oct.4, 2014 *05/27/2014

Motion to approve as amended with "Rain or Shine" by Councillor Cronin, seconded by Councillor Cameron. So voted.

2. Amend ORD Ch.13 Section 13-179 Waterfront Trust Lot Handicapped Parking *05/27/2014

Motion to remove by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to approve 1st reading and order published by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (O'Brien). So voted.

3. 3rd Annual Cruisin the 50's event, city streets, August 14, 2014 5pm to 8pm *06/09/2014

Motion to remove by Councillor Cronin, seconded by Councillor Giunta. So voted. Motion to approve by Councillor Cronin, seconded by Councillor Giunta. So voted.

4. Jeanne Geiger Crisis Center Walk October *06/09/2014

Motion to remove by Councillor Cronin, seconded by Councillor Connell. So voted. Motion to approve by Councillor Cronin, seconded by Councillor Giunta. So voted.

5. Amend ORD Ch.13 Sec 13-179 Handicap Parking Lime St *06/09/2014

Motion to remove by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to approve 1st reading and order published by Councillor Cronin, seconded by Councillor Eigerman. Roll call vote, 10 yes, 1 absent (O'Brien). So voted.

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

12. GOOD OF THE ORDER

Councillor Tontar wished Team USA good luck.

13. ADJOURNMENT

Councillor Cameron moved to adjourn, seconded by Councillor Kinsey at 9:01pm. So Voted.

TRANSFERS



Transfer #1
July 14, 2014

City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUL -8 P 1:50

Department: Mayor's Office
Submitted by: Donna D. Holaday **Date Submitted:** 7/14/2014

Transfer From:

Account Name: General Fund - Free Cash YTD Bal: \$ 853,395.88
Account Number: 01-35900 Trans In: \$ -
Amount: \$7,890.00 Trans Out: \$ 1,638,713.12
Why are Funds Available: The Mass Dept. of Revenue certified Free Cash for FY2014 at \$2,492,109.
These funds are available for any legal purpose with the approval of the Mayor and a majority vote of the City Council.

Transfer To:

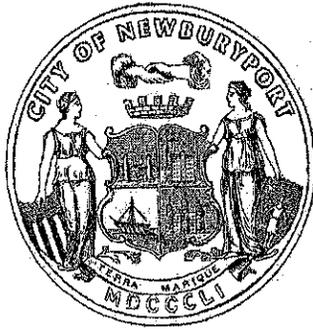
Account Name: SCHOOL EXPENSES YTD Bal: \$ 1,043,285.54
Account Number: 01300002-53201 Trans In: \$ 422,887.66
Amount: \$7,890.00 Trans Out: \$ -
Why are Funds Required: To fund the rehabilitation of the 90 foot baseball diamond at Newburyport High School. Repairs include significant landscaping and drainage work, along with rebuilding the pitcher's mound and putting down new clay in the base paths, home plate area and infield.
This is the only regulation baseball field in Newburyport.

Donna D. Holaday, Mayor
Ethan R. Manning, Auditor
City Council Approval: (Stamp)

Donna D. Holaday
Ethan R. Manning

Date: 7/8/14
Date: 7/8/14

COMMUNICATIONS



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: ~~3/5/14~~ 6/19/14

CONTACT INFORMATION

FIRST AND LAST NAME: Sarah Gnerre / Community Health Foundation
MAILING ADDRESS: Anna Jaques Hospital, 25 Highland Avenue
PHONE NUMBER: 978-463-1176

E-MAIL ADDRESS: sgnerre@ajh.org

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: Monday, July 28, 2014

DESIRED STREET CLOSING LOCATION: Highland Ave between Lafayette
Please indicate cross streets when requesting the closing of street sections
and the entrance to AJH Parking Lot

STREET TO BE BARRICADED: Yes

DESIRED STREET CLOSING TIME: 4:30 - 7:15
Block Parties should run no later than 10:00 p.m.

AMPLIFIED MUSIC: YES NO

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 *[Signature]*

Date 6/18/2014

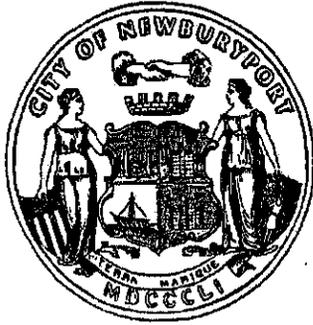
APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHAL
 4 Green Street
 FIRE CHIEF
 Greenleaf Street
 DEPUTY DIRECTOR
 1 Perry Way
 CITY CLERK
 60 Pleasant St.

[Signature]
 Dep Dir 6/25/14
[Signature] 1 Jul 2014
[Signature]

City use only:

Approved _____ -Denied _____ Date _____



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 26 12:23



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: 6/19/14 Annual Block Party

CONTACT INFORMATION

FIRST AND LAST NAME: Jamie Chabot

MAILING ADDRESS: 4 Congress St.

PHONE NUMBER: 775-240-6836 (cell)

E-MAIL ADDRESS: Jamie.Chabot1@gmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: Aug 2, 2014

DESIRED STREET CLOSING LOCATION: Congress (from Buck to Olive)

Please indicate cross streets when requesting the closing of street sections.

STREET TO BE BARRICADED: Congress St.

Olive	Congress	Buck
	X → X	

Kent

DESIRED STREET CLOSING TIME: 4:00pm - 9:00pm

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

[Handwritten Signature]

Date

June 18, 2014

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHAL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

60 Pleasant St.

LT [Signature]

Dep SUTB 6/24/14

[Signature] DDS Dir -

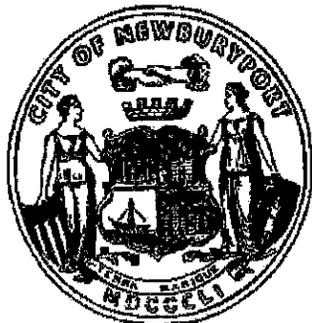
[Signature]

City use only:

Approved _____

-Denied _____

Date _____



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUL -1 A 11:56



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: 7/1/14

CONTACT INFORMATION

FIRST AND LAST NAME: Lynne Murray

MAILING ADDRESS: 8 54th Street

PHONE NUMBER: 978-462-4240

E-MAIL ADDRESS: sndipt@aol.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: August 9, 2014

DESIRED STREET CLOSING LOCATION: NONE

Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: 8 54th Street

DESIRED STREET CLOSING TIME: 3^{PM} - 10 pm.

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

REGULATIONS

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

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

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

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

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

Applicant Signature Regina M. Murray Date 7/1/14

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.

[Signature]
[Signature]
[Signature] Jul 2014

City use only:

Approved _____ -Denied _____ Date _____



Whittier Regional Vocational Technical High School

Communication #4

July 14, 2014

115 Amesbury Line Road
Haverhill, MA 01830-1898
978-373-4101
Fax: 978-372-5331
kkosmes@whittier.tec.ma.us

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUL -1 A 10:40

William P. DeRosa
Superintendent

Kara M. Kosmes
Business Manager

Amy Pocsik
Treasurer

June 30, 2014

Ms. Julie Languirand, Treasurer
City of Newburyport
60 Pleasant Street, PO Box 550
Newburyport, MA 01950

Dear Ms. Languirand,

On April 9, 2014 the Whittier Regional Vocational Technical High School Committee voted to adopt a final **2014-2015 Gross Budget** in the amount of \$21,214,487.00, which consists of \$17,534,545.00 for the Required Net School Spending as defined under the Ed Reform formula; \$1,132,942.00 for Other Assessments, Assessment Transportation & Community Education; \$385,000.00 for Capital Assessments; \$2,162,000.00 for Other Educational Assessment. The estimated receipts for the school year are \$8,577,330.00, resulting in a **Total Approved Assessment for 2014-2015 at \$12,637,157.00.**

This is to certify that the **2014-2015 net assessment for the City of Newburyport is \$336,873.00.**

NEWBURYPORT		TOTAL DUE
25%	Due August 15, 2014	\$84,218.00
25%	Due November 1, 2014	\$84,218.00
35%	Due February 1, 2015	\$117,906.00
15%	Due April 1, 2015	\$50,531.00
TOTAL:		\$336,873.00

Attached to this correspondence is a copy of the **Approved 2014-2015 Budget**. If you have any questions, please do not hesitate to call our Business Manager, Ms. Kosmes at 978-373-4101 x269.

Sincerely,

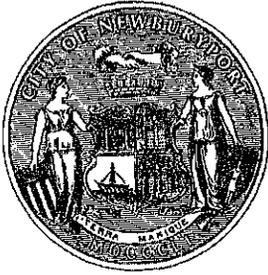
Amy Pocsik, Treasurer

Cc: Mayor, City Clerk, Chmn. Board of Assessors, Finance Director, Superintendent of Schools, Whittier Representative

Certification: I hereby certify that the information contained above is true to the best of my knowledge and belief.

Amy Pocsik, Treasurer

APPOINTMENTS



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. Box 50615
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members of the
City Council

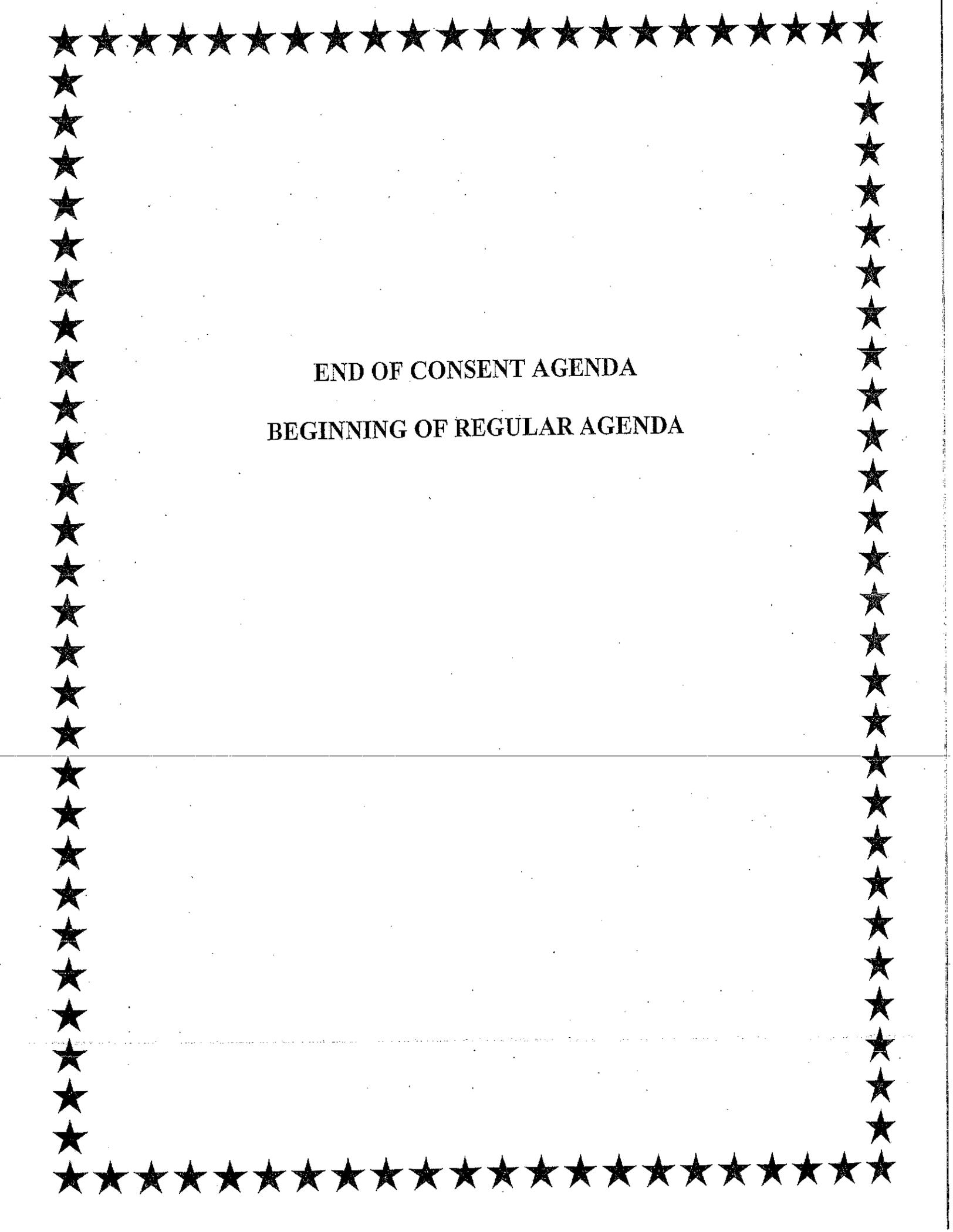
From: Donna D. Holaday, Mayor

Date: June 26, 2014

Subject: Re-Appointment

I hereby reappoint, subject to your approval, the following
named individual as a member of the Council on Aging. This
term will expire on May 31, 2019.

John Ronan
21 Ferry Road
Newburyport, MA 01950



END OF CONSENT AGENDA
BEGINNING OF REGULAR AGENDA

**APPOINTMENTS
SECOND READING**

MAYOR'S APPOINTMENTS
July 14, 2014
SECOND READING

Appointment

2. Rich Traister, MD	325 Merrimac Street	Disabilities Commission	June 30, 2017
----------------------	---------------------	-------------------------	---------------

Re-Appointment

3. Brian Brunault	83 Garden St, W. Newbury	Constable for Civil Business	July 1, 2017
4. Daniel Scott	4 Ferry Rd, Methuen	Harbor Master & Special Police Off.	April 15, 2017

In City Council June 30, 2014

Motion to approve the consent agenda as amended by Councillor Cronin, seconded by Councillor Cameron. So voted.

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 9, 2014

THAT the City Council of the City of Newburyport approves the following Licensed Contractor application for the 2014 construction year:

Waveguide Inc.
10 N. Southwood Drive
Nashua, NH 03063

Paperwork on file in the City Clerk's office.

Councillor Ari B. Herzog
Public Utilities Chairperson

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

July 14, 2014

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude the gift in the amount of \$1,000.00 from the Bethany Masonic Lodge, 724 Main Street, Hampstead, New Hampshire from their fundraising efforts associated with the 2013 Red Sox World Series Trophy tour. Said proceeds are to be applied to the Nock-Molin baseball diamond project.

Councillor Charles F. Tontar

ORDINANCE

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 27, 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:

Waterfront Trust Lot

First space on the northwesterly side of the Waterfront Trust Parking Lot upon entry from Merrimac Street.

Councillor Robert J. Cronin

In City Council May 27, 2014

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

In City Council June 30, 2014

Motion to remove from committee by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to approve 1st reading and order published by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (O'Brien). So voted.

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

In City Council June 9, 2014

Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Connell. So Voted.

In City Council June 30, 2014

Motion to remove from committee by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to approve 1st reading and order published by Councillor Cronin, seconded by Councillor Eigerman. Roll call vote, 10 yes, 1 absent (O'Brien). So voted.

COMMITTEE ITEMS

Budget & Finance



City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

Transfer #1
June 30, 2014

b+f

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 24 P 12:13

Department: DPS - WATER

Submitted by: Anthony Furnari, Director

Date Submitted: 6/18/2014

Transfer From:

Account Name	<u>RETAINED EARNINGS</u>	YTD Bal:	<u>\$ 1,609,481.00</u>
Account Number:	<u>60-35900</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$400,000.00</u>	Trans Out:	<u></u>
Why are Funds Available:	<u>In FY2014, the Department of Revenue Certified Water Enterprise Fund</u>		
<u>Retained Earnings at \$1,609,481.</u>			

Transfer To:

Account Name	<u>Upper Artichoke Dam Project</u>	YTD Bal:	<u>\$ 1,122,205.97</u>
Account Number:	<u>3202-49700</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$400,000.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Required:	<u>A transfer of \$400,000.00 is requested from Water Enterprise Fund</u>		
<u>Retained Earnings to fund the FY2015 Upper Artichoke Dam Project for Construction and Engineering cost</u>			
<u>which came in from bid higher than originally estimated based on temporary portable dam and</u>			
<u>other line items.</u>			

Donna D Holaday, Mayor

William B. Squillace, Auditor

City Council Approval: (Stamp)

Donna D Holaday
William B Squillace

Date:

6/23/14

Date:

6/23/14



CITY OF NEWBURYPORT
DEPARTMENT OF PUBLIC SERVICES
WATER AND SEWER DIVISION
BUSINESS OFFICE
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4420 • (978) 465-9242 (FAX)
WSBILLING@CITYOFNEWBURYPORT.COM

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 24 P 12:13

To: President and Members of the City Council
From: Donna D. Holaday, Mayor *DPH*
Date: June 18, 2014
Subject: FY14 Capital Transfer Request – Water and Sewer Enterprise Funds

The Artichoke Upper Dam Project was approved by the Board of Water Commission in FY2014 and a bond in the amount \$1.4M was secured which will upgrade the Dam and includes Design/Permitting, Intake Design, Construction Services, Engineering Services and Contingencies.

On June 12, 2014, three bids were submitted for the Construction Phase of this project and the lowest, qualified bidder had a bid that was \$400,000.00 higher than originally forecasted. There are many factors that could be contributed to the higher than expected bid prices. The largest and most difficult component of the project is installation of temporary dams and pumping to be able to perform the work in the dry while maintaining half of the spillway active. The cost to install the temporary portable dam alone was more than twice what we had included in the estimate.

This project represents much needed work on the Artichoke Dam. The dam itself has had little maintenance for 100 years and there is leaking although the Dam is structurally sound.

The Joint Water and Sewer commission has reviewed the bid documents in detail and has voted their approval to move forward with this project, which includes an additional \$400,000.00 transfer from Retained Earnings. The approval of this transfer in a timely manner is necessitated by the Department of Revenue rules that freeze any movement from Retained Earnings for a period of time and is typically released in the November time frame.

Please consider this transfer for the Upper Artichoke Dam project to be fully funded and can move forward with awarding contract.



City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

Transfer #2
June 30, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 24 P 12:12

Department: Mayor's Office
Submitted by: Donna D. Holaday Date Submitted: 6/24/2014

Transfer From:

Account Name	<u>General Fund - Free Cash</u>	YTD Bal:	<u>\$ 888,395.88</u>
Account Number:	<u>01-35900</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$29,525.00</u>	Trans Out:	<u>\$ 1,603,713.12</u>

Why are Funds Available: The Mass Dept. of Revenue certified Free Cash for FY2014 at \$2,492,109.
These funds are available for any legal purpose with the approval of the Mayor and a majority vote of the City Council.

Transfer To:

Account Name	<u>Roadwork & Paving</u>	YTD Bal:	<u>\$ 35,216.41</u>
Account Number:	<u>3005-49700</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$29,525.00</u>	Trans Out:	<u>\$ -</u>

Why are Funds Required: The City's Roundabout was funded at \$1.0mm by the Commonwealth of Massachusetts' Small Bottleneck Bill. At the end of the project, there was a cost overrun of \$29,525 due to additional design work, legal fees and property takings that were required to finish the project.

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

Donna D. Holaday
Ethan Manning

Date: 6/23/14
Date: 6/23/14



City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

Transfer #3
June 30, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

btf

2014 JUN 24 P 2:58

Department: Mayor's Office
Submitted by: Donna D. Holaday Date Submitted: 6/24/2014

Transfer From:

Account Name	<u>General Fund - Free Cash</u>	YTD Bal:	<u>\$ 888,395.88</u>
Account Number:	<u>01-35900</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$19,661.79</u>	Trans Out:	<u>\$ 1,603,713.12</u>
Why are Funds Available:	<u>In FY2013, \$117,861.47 was transferred from the Green Initiatives Reserve for Appropriation Account to the Green Initiatives expenditure line item in order to fund the street light purchase, which came in at a lower price of \$98,199.68. The balance of \$19,661.79 will close out to Free Cash unless a transfer is made prior to year-end.</u>		

Transfer To:

Account Name	<u>Green Initiatives Fund</u>	YTD Bal:	<u>\$ 219,989.63</u>
Account Number:	<u>2755-49700</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$19,661.79</u>	Trans Out:	<u>\$ -</u>
Why are Funds Required:	<u>Special revenue fund to cover the costs of activities and expenses associated with Green Initiatives throughout the City. Initial funding came from a rebate received from the Nock solar energy project. Since the balance of \$19,661.79 was not used to purchase the street lights, it is requested that said amount be transferred back to the originating account.</u>		

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

Donna D. Holaday
William B. Squillace

Date: 6/24/14
Date: 6/24/14



Transfer #4
June 30, 2014

604

City of Newburyport FY 2014 BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 24 P 12:12

Department: DPS - WATER

Submitted by: Anthony Furnari, Director

Date Submitted: 6/24/2014

Transfer From:

Account Name	<u>RETAINED EARNINGS</u>	YTD Bal:	<u>\$ 1,609,481.00</u>
Account Number:	<u>60-35900</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$420,000.00</u>	Trans Out:	<u></u>
Why are Funds Available:	<u>In FY2014, the Department of Revenue Certified Water Enterprise Fund</u>		
	<u>Retained Earnings at \$1,609,481.00</u>		

Transfer To:

Account Name	<u>FY2015 Budget Reserve</u>	YTD Bal:	<u>-</u>
Account Number:	<u>60-32801</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$420,000.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Required:	<u>A transfer of \$420,000.00 is requested from Water Enterprise Fund</u>		
	<u>Retained Earnings to fund the FY2015 Water Enterprise Fund Budget. This appropriation will assist the</u>		
	<u>Water Commission in mitigating rate increases, which would be necessary to pass on to the ratepayers</u>		
	<u>to service the debt related to the capital improvements at the Water Treatment Plant.</u>		

Donna D Holaday, Mayor

Donna D Holaday

Date:

6/23/14

William B. Squillace, Auditor

William B. Squillace

Date:

6/23/14

City Council Approval: (Stamp)



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 24 P 12:12

To: President and Member of the City Council

From: Donna D. Holaday, Mayor 

Date: June 17, 2014

Re: Water/Sewer Budget Reserve Transfers

In March of 2009 and August of 2010, the City Council voted favorably to authorize the issuance of debt, which would allow the City to embark on two major rehabilitation projects impacting our sewer and water systems. Given the age and condition of the Wastewater Treatment Facility and the Water Treatment Plant, we knew the projects were not going to be easy, or inexpensive, but we did know that, in order to protect Newburyport's water and sewer system, the work had to be done and it had to be done right.

Four years later, both projects are complete. From a financial standpoint, May 22, 2013 marked an important milestone as the City closed on the final series of debt issuance related to the projects. Committed at \$6.36 million and \$13.61 million for water and sewer, respectively, funds were borrowed at a 2.00% interest rate with a twenty year repayment term. With these debt repayments, this memo comes at an important time as we finalize the FY2015 budget and the Water and Sewer Commissioners review rates for the coming year.

The FY2015 budgets for the Water and Sewer Enterprise Funds show a debt service of \$1,672,648 for Water and \$2,271,498 for Sewer. With these increased debt line items, I am extremely mindful of the impact that such increases would have, if passed on entirely to the ratepayers. As such, the purpose of the attached transfers is to mitigate the impact of rising debt service costs on ratepayers in the next fiscal year. I am proud of the work that the staff, alongside the Water and Sewer Commissions, has done, not only to manage the projects, but to ensure that careful long range planning is in place to alleviate the impact on the ratepayers.

For water, the Water Commission recommends a reserve fund balance of \$420,000.00 in retained earnings for the purpose of stabilizing the rates. For the typical household, the average water ratepayer will see an approximate increase of \$13, or 3% increase from current rates. For sewer, the Sewer Commission recommends a reserve fund balance of \$315,000.00 in retained earnings for the purpose of stabilizing the rates. For the typical household, the average sewer ratepayer will see an approximate increase of \$23, or 3.8% increase in rates.

Please see attached the requested transfers.

Thank you for your assistance.



City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

Transfer #5
June 30, 2014

btf

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 24 P 12:12

Department: DPS - SEWER

Submitted by: Anthony Furnari, Director

Date Submitted: 6/24/2014

Transfer From:

Account Name	<u>RETAINED EARNINGS</u>	YTD Bal:	<u>\$ 1,768,057.00</u>
Account Number:	<u>61-35900</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$315,000.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Available:	<u>In FY2014, the Department of Revenue Certified Sewer Enterprise Fund</u>		
<u>Retained Earnings at \$1,768,057.00</u>			

Transfer To:

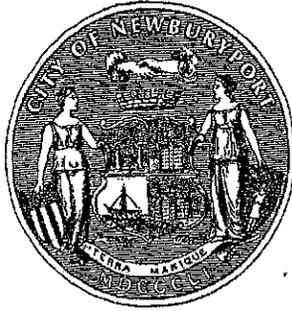
Account Name	<u>FY2015 Budget Reserve</u>	YTD Bal:	<u>-</u>
Account Number:	<u>61-32801</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$315,000.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Required:	<u>A transfer of \$315,000.00 is requested from Sewer Enterprise Fund</u>		
<u>Retained Earnings to fund the FY2015 Sewer Enterprise Fund Budget. This appropriation will assist the</u>			
<u>Sewer Commission in mitigating rate increases, which would be necessary to pass on to the ratepayers</u>			
<u>to service the debt related to the capital improvements at the Waste Water Treatment Plant.</u>			

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

Donna D Holaday
W B Squillace

Date: 6/23/14
Date: 6/23/14

BT



RECEIVED
CITY OF NEWBURYPORT, MASSACHUSETTS
MAYOR'S OFFICE
NEWBURYPORT, MA
Donna D. Holaday, Mayor

2014 JUN 11 10 53 AM
Office of the Mayor
60 Pleasant Street
Newburyport, MA 01950
Phone: 978-465-4413 • Fax: 978-465-4402

To: President and Members of the City Council
From: Peter Lombardi, Director of Policy and Administration
Date: June 11, 2014
Re: Police Superiors Negotiations – Tentative Agreement

The following is a summary of the agreement that has been reached in principle for FY15-FY17 with the Police Superiors bargaining unit, New England PBA Local 31. The City has agreed to the terms contained herein, subject to appropriation by the City Council. The Local 31 voted to ratify the terms of this agreement on June 11, 2014. The Mayor and representatives from the Local 31 have signed off on these terms (see bottom of page 3 of this document).

The wage changes, including the 1.5% Cost of Living Adjustment for FY15 and the slight increase in performance evaluation pay that have been agreed to in this contract, have been accounted for in the FY15 Annual Budget under the Mayor's Office Budget Contingency, so no additional funds are needed for the balance of FY15.

1.) Article 21, Section 8 (Page 20): Sick Leave Bank

Eliminate entirely and insert the following language:

"In extenuating circumstances, any employee may transfer sick time to another employee providing that the recipient has used the balance of their sick time. All such sick time transfer requests must be approved by the Mayor."

2.) Article 21, Section 3 (Page 18): Sick Leave

Eliminate entirely.

3.) Article 14 (Page 17): Clothing Allowance

Change the article to read: "Effective July 1, 2014, all police officers covered by this agreement shall be granted an annual clothing allowance of \$1500. 50% of this allowance (\$750) shall be paid in a lump sum on the second pay period in July. The remaining 50% (\$750) shall be paid by the City on a reimbursement basis upon submission of receipts for uniform purchases and/or dry cleaning."

4.) Article 12, Section 11 (Page 13): FBI National Academy

Add new section: "Existing Lieutenants will be encouraged and supported to enroll in the FBI National Academy. Participation in this program will be voluntary. Should multiple Lieutenants apply and be admitted, they shall stagger their attendance such that only one employee at a time will be enrolled. Participation during the summer months will not be permitted. Employees will be paid their standard base pay rate throughout their attendance at the Academy. The City will not be obligated to appoint an acting Lieutenant while the employee is attending the Academy. The City agrees to pay the travel costs associated with this training opportunity, including one round-trip plane ticket during the course of their enrollment. Newly appointed Lieutenants will be eligible to apply for this program and will be afforded the same financial support of the City should they be admitted into this program."

5.) Article 21, Section 5 (Page 19): Sick Leave

Change second paragraph to: "Employees will be allowed to accumulate up to 280 sick days during the course of their employment with the City. The City shall be obligated to buy back up to a maximum of 50% (140 max) of accumulated sick days from an employee at their then current daily pay rate."

Add the following new paragraphs to this section:

"Employees with ten (10) or more years of service shall be eligible to buy back fifty percent (50%) of their sick leave accrual, up to a maximum of twenty-five (25) days per year, with each such day valued at ninety percent (90%) of their then current daily rate; provided, however, that employees who exercise this option must retain at least fifty (50) sick leave days of their accrued credit. Any sick leave days bought back pursuant to this section shall be deducted from the sick leave balance available for buyback upon retirement or death. The maximum sick leave buyback for each employee's entire career working for the Newburyport Police Department shall be capped at 140 days. This buyback plan is voluntary.

An employee who wishes to exercise any buyback option in the next fiscal year shall provide written notice to the Mayor and Department Head by December 1 of the fiscal year prior. An employee who gives the required notice in a timely fashion shall receive this sick leave buyback in the first full pay period of the next fiscal year. If the employee fails to give requisite notice by December 1, the City will have no obligation to make the buyback payment until the first full payroll period of the fiscal year for which the City has had the requisite notice and opportunity to budget for the necessary funds."

6.) Article 12, Section 5 (Page 11): Miscellaneous Privileges

Eliminate existing language entirely and insert the following language:

"All employees will participate in an annual performance evaluation process. These performance evaluations will focus on goals and objectives. The City and Union will agree to a mutually acceptable format. Effective July 1, 2014, a one-time 1.8%

increase will be added to the employee's base salary in lieu of an evaluation stipend. FY14's performance evaluation stipend will be paid on the first pay period in July 2014 as has been past practice. The performance evaluation stipend will be eliminated starting in FY15."

7.) Article 14: Wages (Page 14) – adjust wages as follows:

July 1, 2014	1.5%
July 1, 2015	2.0%
July 1, 2016	2.0%

8.) Article 16 (Page 17): Temporary Duty in a High Rank

Strike existing article in its entirety.

9.) Article 12, Section 10 (Page 13): Miscellaneous Privileges

Remove reference to Article 10, Section 2.

10.) Add new Article 28: Uniforms

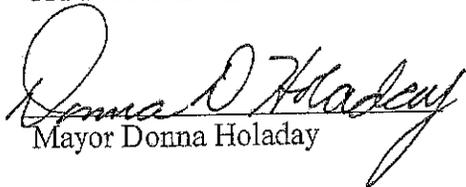
Insert new language as follows: "Long sleeve shirts are mandatory from November 1st until March 31st. The rest of the year, short sleeves or long sleeves are authorized for wear at the officer's discretion.

If during the mandatory long sleeve period there is unseasonably warm weather, the shift supervisor may authorize short sleeves shirts for that day. Unseasonably warm weather will be defined as local weather or predicted local weather above 60 degrees.

Black turtlenecks and Newburyport Police watch caps may be worn on details at the officer's discretion. On regular duty, they may be worn any time throughout the year when the local temperature is or is predicted to be less than 40 degrees."

This *tentative agreement* has been signed on this 11th day of June 2014, effective as of the 1st day of July 2014 upon approval of appropriation by the City Council.

CITY OF NEWBURYPORT


Mayor Donna Holaday

NEPBA

 6/11/14
 6/12/14

BoF



DEPENDENT AUDIT REPORT
CITY OF NEWBURYPORT

September 9, 2013

**ENROLLMENT
AUDIT
SOLUTIONS**

ENROLLMENT AUDIT SOLUTIONS, INC.
26 VALLEY ROAD, SUITE 3
P.O. BOX 938
BARRE, MA 01005
TELEPHONE: (877) 832-7656

September 9, 2013

Ms. Jennifer Lamarre
Human Resources Coordinator
Newburyport City Hall
60 Pleasant Street
Newburyport, MA 01950

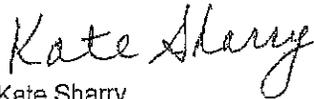
Dear Ms. Lamarre,

Thank you for providing us with the opportunity to conduct a dependent audit for the City of Newburyport. It was a pleasure to work with your staff. Without their cooperation and assistance, a successful audit would not have been possible. The cooperation we received from subscribers who were subject to the audit was also outstanding. An audit can be an intrusive process, and the subscribers should be applauded for their efforts.

Enclosed you will find a detailed report that summarizes our findings for the dependent audit performed for the City of Newburyport.

Please feel free to contact me with any questions you might have regarding the audit.

Sincerely,



Kate Sharry
President

TABLE OF CONTENTS

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Audit Procedures Report

Audit Findings and Conclusions

Appendix A – Reports and Charts

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- Eligibility Detail Table
- Eligibility By Dependent Type Detail Table
- Documents Received Table
- Phone Calls Received By Week Graph

Appendix B – Letters and Forms

EXECUTIVE SUMMARY

Enrollment Audit Solutions (EAS) conducted the health plan dependent audit for the City of Newburyport (Newburyport) in accordance with the contract dated March 22, 2013 and based upon the subscriber and dependent eligibility listing as of April 1, 2013. The initial population consisted of family subscribers and dependents on health plans from Blue Cross/Blue Shield of Massachusetts. There were a total of 366 family subscribers and 832 dependents in the audit population.

Through the dependent audit, it was found that the total eligible population of dependents was 740 or 88.9%.

This dependent audit is a program to identify the eligibility of all dependents on the plan based upon documentation submitted to EAS by subscribers. Procedures for the dependent audit consisted of the following:

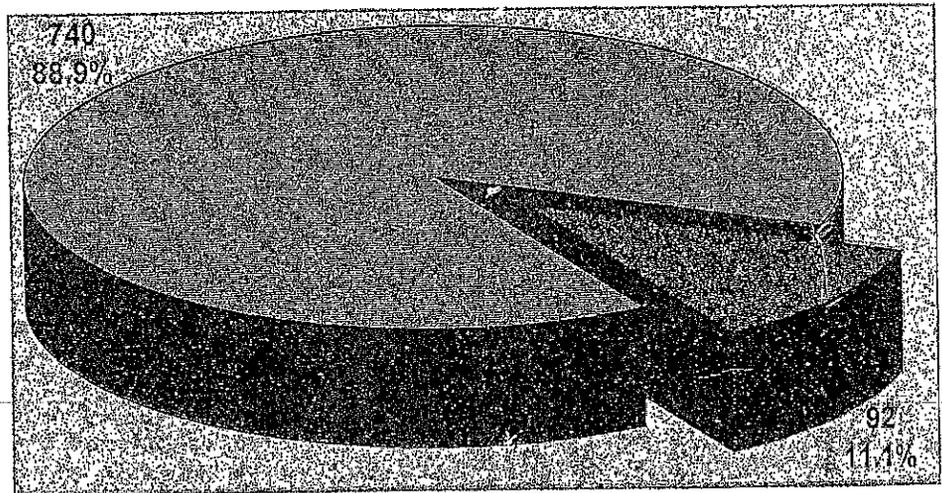
- Initial mailing to subscribers announcing the dependent audit
- Three separate mailings to subscribers requesting supporting documentation for their dependents
- Review of all submitted documentation from subscribers for adequacy under plan rules in support of dependent status
- Processing of all submitted documentation from subscribers into the dependent audit database
- Follow-up letters for all inadequate or incomplete documentation submitted by subscribers
- Periodic reporting of results to Newburyport personnel regarding audit progress
- Handling phone calls and emails from subscribers with questions
- Final compilation of results and reporting
- Audit results and documentation delivered to Newburyport

In conclusion, EAS would like to thank Newburyport for the opportunity to perform this dependent audit. This audit has provided for partial compliance with state law (c32B Section 26), and can be used as a guide to monitor the eligibility of future dependents enrolling on Newburyport's health insurance plans.

AUDIT RESULTS

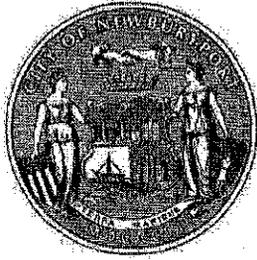
	#	%
ELIGIBLE DEPENDENTS	740	88.9%
INELIGIBLE DEPENDENTS	92	11.1%
TOTAL	832	100%

DEPENDENT AUDIT RESULTS



■ ELIGIBLE
■ INELIGIBLE

Planning & Development



CITY OF NEWBURYPORT
OFFICE OF PLANNING AND DEVELOPMENT
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400 • (978) 465-4452 (FAX)

TO: City Council / Planning & Development Committee
FROM: Andrew R. Port, Director of Planning & Development
CC: Planning Board
DATE: July 3, 2014
RE: Various Zoning Amendments currently in the Planning & Development Committee Docket

The Planning Board and City Council Planning & Development (P&D) Committee held a Joint Public Hearing regarding the above referenced zoning amendments on July 2, 2014. It is anticipated that the Council will take action on these proposed zoning amendments at the July 14, 2014 regular meeting.

In accordance with the procedures established in Massachusetts General Laws (M.G.L.) Chapter 40A §5 and Chapter 12 of the Newburyport Zoning Ordinance (NZO), the Planning Board offers this report with recommendations on the following proposed amendments to the NZO:

1. Permitting for Medical Marijuana Treatment Centers / Dispensaries

As the Council may recall we must codify permitting provisions for so-called Medical Marijuana Treatment Centers (MMTC) or Registered Marijuana Dispensaries (RMDs), allowed at the state level by voter approval in 2012, and now subject to additional review and approval by the Massachusetts Department of Public Health (DPH). An existing temporary moratorium on these uses expired on June 30, 2014. The purpose of the Moratorium was to give us time for the adoption of comprehensive regulations in light of new and developing regulations and policies for such uses across the Commonwealth.

Generally communities across the commonwealth have begun to restrict MMTCs and RMDs by restricting their placement to locations far from schools, churches, public parks and residential districts. In light of Newburyport's layout and development patterns, the Planning Board and City Council Planning & Development Committee recommend that Medical Marijuana Cultivation Centers (MMCC) ONLY be allowed within a small area of the Newburyport Business and Industry Park. Attached is a series of maps illustrating the overlay district area recommended at this time.

If adopted, a so-called MMCC would only be allowed within this "zone" and any such facility would require Special Permit Approval from the Zoning Board of Appeals, subject to further

conditions on the use, building and site design. Location of the proposed district ensures that such a facility (if proposed and approved) has the least possible impact on "sensitive" areas of the City. The proposed "overlay" zoning would provide a permitting process for this new use in accordance with state law while addressing community concerns about the location of these facilities (which will for all intents and purposes look like any other manufacturing facility (building) within the Park. All existing zoning provisions would remain in place. This zoning amendment will simply allow (by discretionary review) another possible use for certain properties within the overlay district.

Please note: The proposed Ordinance (as revised during Planning Board and Committee review) does NOT allow the establishment of so-called Medical Marijuana *Dispensaries* – only the establishment of *Cultivation* facilities, subject to Special Permit Review. The Ordinance, as revised, would prohibit the establishment of any so-called Medical Marijuana Dispensary within the City of Newburyport.

2. Harbormaster Facility – Use & Dimensional Requirements

As the Council is aware the Harbor Master, Harbor Commission and Office of Planning & Development have been working with an architectural firm to develop plans for the construction of a new Harbormaster Facility on the same site (approximately) as the existing shed building. The proposed zoning amendment would ensure that this necessary and desirable public facility will be allowed by-right on the central waterfront, and with minimal dimensional requirements (such as lot size and setbacks) necessary to avoid a Variance process for this important municipal project. Due to the small lot size of the subject property and lack of direct frontage on Water Street we have recommended a reduction in the baseline dimensional requirements.

3. Minor Amendment to FEMA/FIRM Map References

This proposed zoning amendment is a minor language amendment from the 2012 ordinance we recently adopted, to account for new 2014 Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA). There are no discernable differences in the flood hazard districts shown on these new maps compared to what FEMA made us adopt in 2012, so this is merely a "housekeeping" amendment.

Please note: The Office of Planning & Development recommends that the Council waive rules and adopt this proposed Zoning Amendment in ONE expedited reading on July 14 due to the July 16th federal deadline for adoption of the new FEMA flood maps by local communities, required for continued participation in the National Flood Insurance Program (NFIP). We recommend immediate adoption of the new maps because failure to adopt the new maps prior to the July 16 deadline could result in a loss of national insurance coverage for both public and private property.

4. Minor Amendments to Downtown Overlay District (DOD)

This proposed zoning amendment includes the following minor changes to the recently enacted Downtown Overlay District (DOD):

- A. Clarification that applications for signage within the DOD may be reviewed and approved through the Office of Planning & Development just like awnings, doors and windows. The current language is ambiguous and many businesses have become concerned that a Special Permit Hearing and weeks of delay are necessary for review of their signs. With the new change signage that meets the zoning ordinance requirements – including staff review and signoff – may be approved administratively. Anyone asking for relief from the sign standards would have to ask the ZBA for a Variance, just like any other proposed signage deviation.
- B. Allow the Office of Planning & Development and Planning Board to approve (on a case-by-case basis) the use of more durable sign foam or foam board (carved like wood and with a matte [non-gloss] finish) in lieu of wood signs which deteriorate more easily and require ongoing maintenance. In the first few weeks administering the DOD Ordinance we have seen this as a common (and reasonable) request for substitution, notwithstanding the Ordinance’s prohibition on typical glossy “Plastic” signs.
- C. Adjust the 7-day requirement for the SPGA (Planning Board or ZBA) to hire consultants. The original 7-day requirement (from the date of application submission) unduly burdensome for the Boards and our Department. We have recommended that this new requirement be 7-days from the opening of a required Public Hearing on the subject application.

5. Minor Amendments to Demolition Control Overlay District (DCOD)

This proposed zoning amendment includes the following minor changes to the recently enacted Demolition Control Overlay District (DCOD):

- A. Clarification that the only time in which the older “Demolition Delay” Ordinance applies within the boundaries of the DCOD is when someone is modifying a roofline, roof pitch or dormers, as this issue was left somewhat ambiguous in the original Ordinance.
- B. Adjust the 7-day requirement for the SPGA (Planning Board or ZBA) to hire consultants. The original 7-day requirement (from the date of application submission) unduly burdensome for the Boards and our Department. We have recommended that this new requirement be 7-days from the opening of a required Public Hearing on the subject application.

Conclusion

In summary, the Planning Board (along with the Planning & Development Committee) has recommended that the Council vote to adopt the proposed zoning changes (as amended in Committee). A copy of these "final" zoning amendments is included in the Council packet for your review. Thank you for the opportunity to comment on the proposed zoning amendments.

ORDERED:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEWBURYPORT

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

Zoning Ordinance Amendment:

THAT the Zoning Ordinance be amended pursuant to Section XII-B "Adoption and Amendment" as follows:

Section V-D: Table of Use Regulations

Add the following:

Use	NUM	CON	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Medical Marijuana Cultivation Center	217	NP	SP ^(h)	SP ^(b)	NP	NP	NP	NP						

(h) See Section V-G entitled "Medical Marijuana Treatment Centers" for additional requirements and restrictions.

Section V-E: List of Allowable Uses

Add the following:

Medical Marijuana Cultivation Center	217	See Section V-G for definition of use and requirements therefor.
---	------------	--

Section VI: Dimensional Controls

Table of Dimensional Requirements

Add the following:

Use	NUM	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
Medical Marijuana Cultivation Center	217	I-1	50,000	90	40	50	NA	50	50	50
		I-1B	50,000	90	40	50	NA	50	50	50

Section V: Use Regulations

Delete Section V-G, entitled "Temporary Moratorium on Medical Marijuana Treatment Centers" in its entirety and replace said Section with the following:

V-G: Medical Marijuana Cultivation Centers

A. Purpose

Pursuant to Chapter 40A of the Massachusetts General Laws, as well as under the home-rule powers of the city pursuant to Sections 1 and 6 of Article II of the Articles of Amendment of the Constitution of the Commonwealth of Massachusetts, as amended by Article LXXXIX of said Articles of Amendment, a Medical Marijuana Overlay District (MMOD) and a discretionary Medical Marijuana Cultivation Center (MMCC) special permit (MMCC-SP) are hereby established due to the unique potential secondary adverse impacts of so-called "Medical Marijuana Cultivation Centers" in the City of Newburyport. Additional regulations herein are adopted for the purposes of further regulating so-called MMTCs and RMDs, as defined herein, due to the unique potential secondary adverse impacts associated therewith.

The purpose of this section is to provide for the placement of MMCCs, in accordance with the Humanitarian Medical Use of Marijuana Act, G.L. c.94C, App. §1-1, et seq., in locations suitable for lawful medical marijuana facilities and to minimize adverse impacts of MMCC on adjacent properties, residential neighborhoods, schools, playgrounds and other locations where minors congregate by regulating the siting, design, placement, security, and removal of MMCC.

B. Definitions

Where not expressly defined in the Zoning Ordinance, terms used in this section (V-G) shall be interpreted as defined in the Humanitarian Medical Use of Marijuana Act, G.L. c.94C, App. §1-1, et seq. and the Department of Public Health Regulations promulgated thereunder, 105 CMR 725.001, et seq., and otherwise by their plain language.

"Medical Marijuana Cultivation Center" (MMCC): A not-for-profit entity and/or facility, as defined by Massachusetts law only, registered by the Massachusetts Department of Public Health (DPH) under 105 CMR 725.100, that acquires, cultivates, possesses, stores, manufactures, or processes (*including development of related products such as edible marijuana-infused products ("MIPs"), tinctures, aerosols, oils, or ointments*) marijuana, products containing marijuana, related supplies, or educational materials. Unless otherwise specified, MMCC refers to all site(s) of cultivation and preparation of marijuana.

MMCCs shall not be construed as including any so-called "Medical Marijuana Treatment Center" (MMTC) or "Registered Marijuana Dispensary" (RMD), as defined by Massachusetts law, registered by the Massachusetts Department of Public Health (DPH) under 105 CMR 725.100, that transfers, transports, sells, distributes, delivers, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Such MMTCs and RMDs are hereby prohibited in all zoning districts throughout the City.

C. Establishment

Medical Marijuana Overlay District: A Medical Marijuana Overlay District (MMOD) is hereby established as an overlay zoning district consisting of all such parcels of land depicted on the Newburyport zoning map within that portion of the I1 District South of Stanley Tucker Drive, North of Parker Street and West of Malcolm Hoyt Road.

Underlying Zoning: Within the MMOD, all the other provisions of the zoning ordinance, including, but not limited to, those specific to any underlying districts, shall remain in full force and effect except to the extent that the provisions of this section apply, in which case the requirements of the MMOD shall control.

Land within the MMOD may be used either for:

- i. A MMCC, in which case the requirements set forth in this section shall apply;
or
- ii. A use allowed in the underlying district, in which case the requirements of the underlying district shall apply.

If the provisions of the MMOD are silent on a zoning regulation, the requirements of the underlying district shall apply. To the extent that there is a conflict between other provisions of the zoning ordinance and the provisions of this section, then the provisions of this section shall control.

SPGA: Consistent with Subsection V-G(D), the zoning board of appeals shall serve as the special permit granting authority (SPGA) in administering this section.

D. Permitting Procedure and Criteria

Special Permit Required: Medical Marijuana Cultivation Centers may be permitted in the MMOD but only pursuant to a Special Permit hereunder. The zoning board of appeals shall act as the SPGA for purposes of this section, and it shall review and may deny, approve, or approve with conditions all applications hereunder in accordance with the procedures listed in Subsection X-H.8. The SPGA shall approve a MMCC-SP if the SPGA determines that the proposed use as described in the application meets all the requirements of this section and, in addition, the special permit criteria of Subsection X-H.7. Application for a special permit shall be submitted to the SPGA pursuant to the submission requirements, and procedures contained in Section X-H.7.

Documentation Required to Support an Application: To support a MMCC-SP application, the applicant shall provide as part of the application to the SPGA the following documentation:

1. A copy of its registration as a MMTC or RMD from the Massachusetts Department of Public Health ("DPH");
2. A letter from the owner of the property on which the proposed MMCC is to be located indicating approval of the proposed use and submission of the application to the SPGA.
3. A detailed floor plan of the premises of the proposed MMCC that identifies the square footage available and describes the functional areas of the MMCC, including but not limited to areas for any preparation of Marijuana Infused Products;

4. Detailed site plans that include the following information:
 - a. Compliance with the requirements for parking and loading spaces, for lot size, frontage, yards and heights and coverage of buildings, and all other provisions of this Ordinance;
 - b. Convenience and safety of vehicular and pedestrian movement on the site and for the location of driveway openings in relation to street traffic;
 - c. Convenience and safety of vehicular and pedestrian movement off the site, if vehicular and pedestrian traffic off-site can reasonably be expected to be substantially affected by on-site changes;
 - d. Adequacy as to the arrangement and the number of parking and loading spaces in relation to the proposed use of the premises (and anticipated number of visitors), including designated parking for employees and home delivery vehicle(s), as applicable;
 - e. Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping; and
 - f. Adequacy of water and electrical supply, surface and subsurface drainage and site lighting.
5. A description of the security measures, including employee security policies, approved by DPH for the proposed MMCC;
6. A copy of the emergency procedures approved by DPH for the proposed MMCC;
7. A copy of the policies and procedures for patient or personal caregiver home-delivery approved by DPH for the proposed MMCC;
8. A copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between MMCCs, MMTCs and/or RMDs approved by DPH;
9. A copy of proposed waste disposal procedures for the proposed MMCC;
10. A description of any waivers from DPH regulations issued for the MMCC.
11. A detailed description of the applicants proposed measures to advertise services available at the proposed MMCC including but not limited to the use of websites, local media and signage.
12. A Traffic Impact Analysis (Traffic Study) for the proposed use and site consistent with the requirements of Section XV-E(b)(4) of this Ordinance; and
13. Documentation regarding the projected use of public and private utilities and infrastructure for operation of the proposed facility, including, but not limited to:
 - a. Water
 - b. Wastewater
 - c. Electricity

These materials shall be in addition to those submission materials required in section X-H(7) "Special Permits."

Traffic & Impact Studies: To aid the SPGA in its review, the owner shall pay all costs for the SPGA to engage a properly licensed traffic engineer, consulting engineer or other professionals experienced in the review of traffic studies and/or community impact reports, deemed necessary in the opinion of the SPGA to ensure that the proposed MMCC will not unduly burden the City's water and wastewater systems or result in undue traffic congestion or safety concerns in the immediate vicinity of the proposed facility and/or site. The portions of this section (and its regulations, if any) requiring the payment of consultant fees are promulgated under the concurrent authority of Massachusetts General Laws Chapter 44, Section 53G.

Location: A MMCC may not be located within 1000 feet of the following:

- A. School, including a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university;
- B. Child Care Facility;
- C. Library
- D. Playground
- E. Public Park
- F. Youth center
- G. Public swimming pool or
- H. Similar facility in which minors commonly congregate.

The distance under this section shall be measured in a straight line from the nearest point of the property line of the protected uses identified above to the nearest point of the property line of the proposed MMCC.

Signage: All signage shall conform to the requirements of the Newburyport Zoning Ordinance. The SPGA may impose additional restrictions on signage as appropriate to mitigate any aesthetic impacts.

Departmental Review: The SPGA shall refer copies of the application to the Building Department, Fire Department, Police Department, Board of Health, and the Department of Public Works. These boards/departments shall review the application and shall submit their written recommendations to the SPGA. Failure to make recommendations within 45 days of referral of the application shall be deemed lack of opposition.

E. Decision and Conditions of Approval

Public Hearing and Decision: After notice and public hearing (in accordance with Section X-H(7) and consideration of application materials, consultant reviews, public comments, and the recommendations of other City boards and departments, the SPGA may act upon such a permit.

Required Findings: The SPGA may approve a MMCC-SP application only if it makes written findings based upon evidence in the record that the applicant has satisfied the requirements of this section and section X-H(7)(A).

Special Permit Conditions: The SPGA shall impose conditions upon the issuance of a MMCC-SP reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality, and significant environmental resources, preserve the character of the surrounding area and otherwise serve the purpose of this section. In addition to any specific conditions applicable to the applicant's MMCC, the SPGA shall include the following conditions in any special permit granted under this Section:

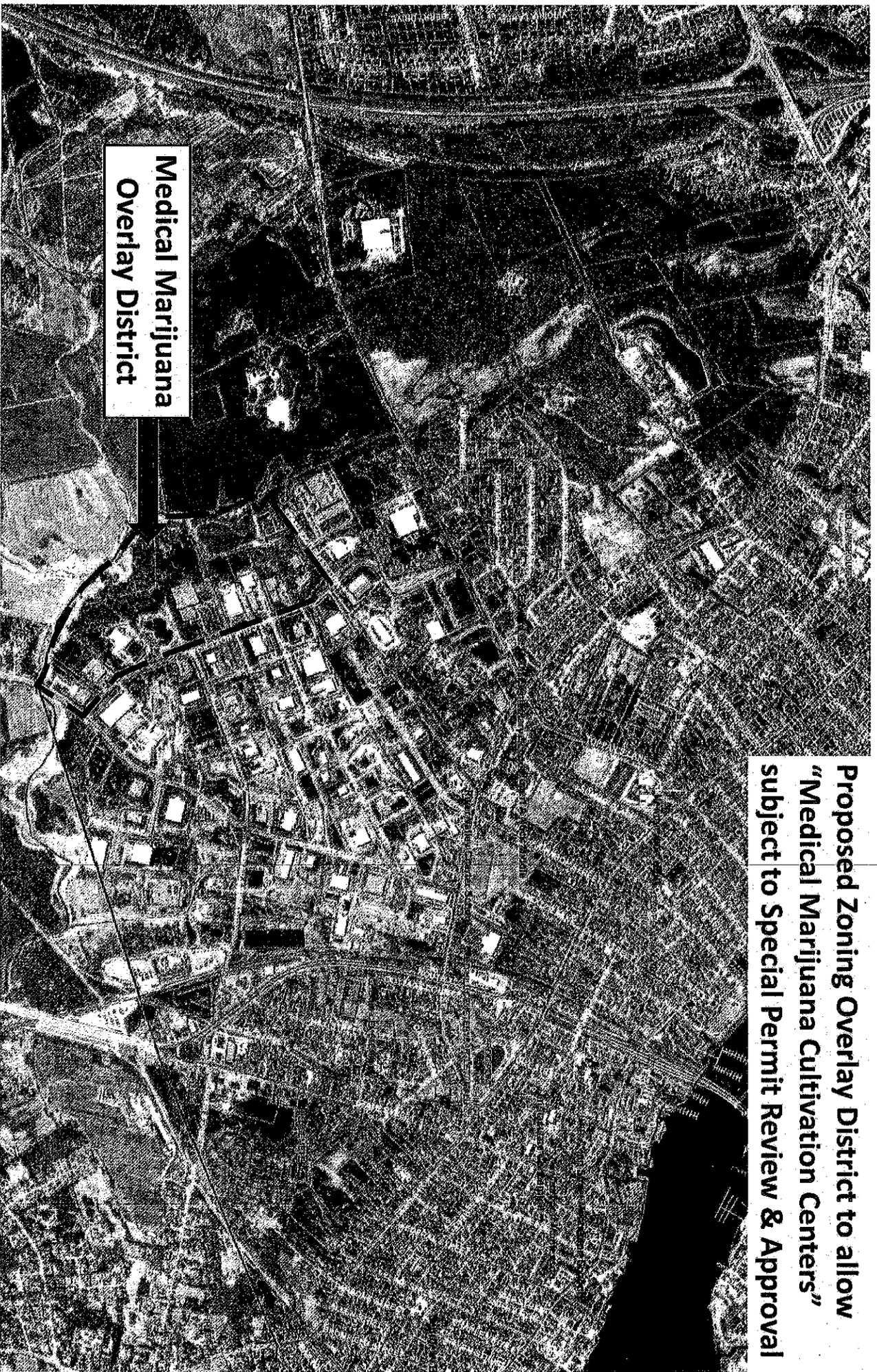
- i. Hours of Operation
- ii. The permit holder shall file a copy of any Incident Report required under 105 CMR 725.110(F) with the Building Inspector, Director of Planning and Development, Director of Public Health, Police and Fire Departments and the SPGA within 24 hours of creation by the MMCC. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.

- iii. The permit holder shall file a copy of any cease and desist order, quarantine order, suspension order, order limiting sales, notice of a hearing, or final action issued by DPH or the Division of Administrative Law Appeals, as applicable, regarding the MMCC with the Building Inspector, Director of Planning and Development, Director of Public Health and SPGA within 48 hours of receipt by the MMCC.
- iv. The permit holder shall provide to the Building Inspector, Director of Planning and Development, Director of Public Health, Fire Chief and Police Marshal, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
- v. The special permit authorizing the establishment of a MMCC shall be valid only for the specific registered entity to which the special permit was issued, and only for the site on which the MMCC has been authorized by special permit. If the registration for the MMCC has been revoked by the DPH or if the MMCC registration is to be transferred to another controlling entity, or is to be relocated to a different site within the MMOD, a new special permit shall be required.
- vi. An MMCC shall be located only in a permanent building and not within any mobile facility. All sales shall be conducted either within the building or by home deliveries to qualified clients pursuant to applicable state and local regulations.
- vii. The special permit shall lapse upon the expiration or termination of the applicant's registration by DPH.
- viii. The permit holder shall notify the Building Inspector, Director of Planning and Development, Director of Public Health, Fire Chief and Police Marshal and the SPGA in writing within 48 hours of the cessation of operation of the MMCC or the expiration or termination of the permit holder's registration with DPH.
- ix. The permit holder shall at all times comply with regulations regarding MMCCs promulgated by the Board of Health.
- x. The Police Department, Fire Department, Building Inspector and Director of Public Health shall have the right to inspect the subject premises to assure compliance with the special permit.
- xi. Prohibition Against Nuisances: No use or operation shall be allowed at any MMCC which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

F. Severability

The provisions of this section are severable. If any of its provisions, sections, subsections, paragraphs, sentences, or clauses, or the application thereof to any person, entity, establishment, or circumstances shall be held to be invalid or unconstitutional by any court of competent jurisdiction, then the remainder of this section shall continue to be in full force and effect.

Councillor Jared Eigerman



**Medical Marijuana
Overlay District**

**Proposed Zoning Overlay District to allow
"Medical Marijuana Cultivation Centers"
subject to Special Permit Review & Approval**



**Proposed Zoning Overlay District to allow
"Medical Marijuana Cultivation Centers"
subject to Special Permit Review & Approval**

**"All that portion of the
11 District South of
Stanley Tucker Drive,
North of Parker Street
and West of
Malcolm Hoyt Road"**

ORDERED:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEWBURYPORT

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

Zoning Ordinance Amendment:

THAT the Zoning Ordinance be amended pursuant to Section XII-B "Adoption and Amendment" by the addition of the following:

Section V-D: Table of Use Regulations

Use	NUM	CON	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Municipal Harbormaster Facility	713	NP	NP	NP	P	P								

Section V-E: List of Allowable Uses

Municipal Harbormaster Facility **713** A municipally owned and operated Harbormaster Facility, Building or Marine Dependent Use.

Section VI: Dimensional Controls

Table of Dimensional Requirements

Use	NUM	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
Municipal Harbormaster Facility	713	WMD	5,000	0	35	100	NA	0	0	0
		WMU	5,000	0	35	100	NA	0	0	0

Section VII-B: Parking requirements

7. Marine

Use	NUM	Parking Requirement
Municipal Harbormaster Facility	713	1 space per full-time employee

Councillor Barry N. Connell
 Councillor Robert J. Cronin
 Councillor Edward C. Cameron

May 19, 2014

ORDERED:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEWBURYPORT

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

Zoning Ordinance Amendment:

THAT the Zoning Ordinance of the City of Newburyport be amended pursuant to Section XII-B "Adoption and Amendment" as follows:

Section III: Establishment of Districts

III-B Description of Districts

Delete the Term and description of "Floodplain Overlay District" in its entirety, and replace said language with the following:

Floodplain Overlay District. This overlay district includes all Special Flood Hazard Areas (SFHA) within the City of Newburyport designated as Zone A, AE, AH, AO, V or VE on the Essex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP). The map panels of the Essex County FIRM that are wholly or partially within the City of Newburyport (Community Number 250097) are panel numbers 25009C0104F (104F), 25009C0108F (108F), 25009C0109F (109F), 25009C0116F (116F), 25009C0128F (128F), 25009C0129F (129F), and 25009C0133F (133F) dated July 3, 2012; and 25009C0117G (117G), 25009C0136G (136G), 25009C0137G (137G), and 25009C0141G (141G) dated July 16, 2014. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Essex County Flood Insurance Study (FIS) report dated July 16, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the City Clerk, Office of Planning and Development, and Building Department.

Councillor Edward C. Cameron

ORDERED:

AN ORDINANCE TO AMEND ARTICLE XXVIII (DEMOLITION CONTROL OVERLAY DISTRICT) OF THE ZONING ORDINANCE OF THE CITY OF NEWBURYPORT

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

THAT Sections XXVIII, XXVIII-C, and XXVIII-E of Article XXVIII of the Zoning Ordinance be amended pursuant to Section XII-B "Adoption and Amendment" as follows:

SECTION XXVIII: DEMOLITION CONTROL OVERLAY DISTRICT

Change the title of Section XXVIII from "DEMOLITION CONTROL OVERLAY DISTRICT" to "DEMOLITION CONTROL OVERLAY DISTRICT (DCOD)."

XXVIII-C Establishment.

Under Subsection XXVIII-C.3, entitled "No Demolition Delay," replace the text reading "The provisions of Article X of Section 5 of the Newburyport Code (building Demolition) shall not apply to any demolition subject to this section" with the following text: "The provisions of Article X of Chapter 5 of the Newburyport Code (Building Demolition) shall not apply to any demolition within the DCOD subject to review and approval by the SPGA under this section, but shall apply to new construction, demolition, or alteration involving roof lines, roof pitch, or dormers of historically significant building or structures as defined therein."

XXVIII-E Procedure and criteria.

Under Subsection XXVIII-E.4, entitled "Advisory Reports," replace the text reading "The SPGA shall engage such specialist no later than seven (7) calendar days after its having received a complete application." with the following text: "The SPGA shall engage such architect, engineer, or specialist no later than seven (7) calendar days after its having opened the required public hearing on the matter."

Councillor Jared J.

Eigerman

ORDERED:

AN ORDINANCE TO AMEND ARTICLE XVIII (DOWNTOWN OVERLAY DISTRICT) OF THE ZONING ORDINANCE OF THE CITY OF NEWBURYPORT

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

THAT Sections XXVII-E and XXVII-F of Article XXVII the Zoning Ordinance be amended pursuant to Section XII-B "Adoption and Amendment" as follows:

XXVII-E Exclusions.

Under Subsection XXVII-E.3, after the word "doors" insert the following text: ", signs,".

XXVII-F Procedure and criteria.

Under Subsection XXVII-F.4(b), in the second paragraph, entitled "**Advisory Reports**," replace the text reading "The SPGA shall engage such specialist no later than seven (7) calendar days after it has received a complete application." with the following text: "The SPGA shall engage such architect, engineer, or specialist no later than seven (7) calendar days after its having opened the required public hearing on the matter."

Under Subsection XXVII-F.4(d), entitled "**Employment of Outside Consultants**," replace the text reading "this section" with the following text: "this Subsection XXVII-F.4".

At the end of Subsection XXVII-F.5(a)(iii), insert the following text: "The portions of this Subsection XXVII-F.5 (and its regulations, if any) requiring the payment of consultant fees are promulgated under the concurrent authority of Massachusetts General Laws Chapter 44, Section 53G."

Under Subsection XXVII-F.5(d), entitled "**Staff-level Review**," after the word "doors" insert the following text: ", signs".

Under subsection XXVII-F.5(k), entitled "**Signs and Awnings**," after the word "prohibited" insert the following text: "(provided however, that the SPGA or the office of planning and development, as the case may be, may approve the use of carved high-density sign foam or foam board when the finished surface will have a matte [non-glossy] finish)."

At the end of Subsection XXVII-F.5(k), entitled "**Signs and Awnings**," insert the following text: "Installation of signage that does not comply with this section shall be

subject to a variance from the zoning board of appeals in accordance with Section X-H.6.”

Eigerman

Councillor Jared J.

Public Safety



Communication #5
June 30, 2014

PS

2014 JUN 16 A 11: 56

June 16, 2014

Members of the Newburyport City Council
60 Pleasant Street
Newburyport, MA
01950

Dear Members of the Newburyport City Council,

I am writing to ask for your permission to hold the 4th 5K run/walk (the actual name of the race will be determined later this month) in honor of Jackie Poor and Paula Holm in Newburyport, MA on Sunday September 28th, 2014 from 10:30 – 1pm. The event, was previously called the Jackie Poor Memorial Walk.

Our organization is the Greater Newburyport Ovarian Cancer Awareness, GNOCA. Deb Green and Elaine Carroll, both of Newburyport, are the founders. The 5K will begin and end at Michael's Harborside Restaurant and Bar located at 1 Tournament Wharf, Newburyport, MA.

~~We raise money for Ovations for the Cure, a non-profit organization, located in Natick, MA. Ovations for the Cure is devoted to directing attention to Ovarian Cancer. This year we are hoping to increase the number of participants by offering a timed 5K run. Joppa Flats Running Club will be providing timing and consultation services for us. The club has a strong background with 5K races and will help direct our attention to any issues that might arise and help the event go smoothly.~~

Ovarian Cancer is a particularly devastating cancer for Women. It has a 50% mortality rate because the symptoms often go unnoticed until it is in its later stages. GNOCA holds events from June through September, which is National Ovarian Cancer Awareness month.



Our hummingbird is a symbol for accomplishing that which seems impossible and discovering the miracle of joyful living from one's own life circumstances.

From Animal Speak by Ted Andrews

I have included the 5K route suggested by Joppa Flats Running Club. The 3.1 mile route begins and ends at Michael's Harborside Restaurant, who will also be providing the majority of parking. It then travels along Merrimac St. to Jefferson St., continues onto High St., then Kent. We then turn onto Washington and follow the Rail Trail and finish at Michael's Harborside. Please see the attached map.

Thank you so much for your support in previous years. My Mom, Jackie Poor truly would have loved what we have been able to do. I look forward to working with the council.

If you have any questions or concerns please feel free to contact me.

Sincerely,

Amy Poor, Ova-Achieva 5K Director

amypoor@mac.com

206-999-0164

RS

Communication #6
June 30, 2014

June 16th, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Eli Bailin
55 Prospect St.
Amesbury, MA 01913

2014 JUN 17 A 10:14

Dear Office of the Newburyport City Clerk and Council,

I am writing to request the approval for the 2014 Newburyport Green Stride Half Marathon & Relay for October 26th at approximately 11:00am. Please see a map of the course that is attached. We will be using the same course from 2012 and 2013 as it worked well for the city police and local traffic. Also attached is a letter from Arthur Page Insurance confirming the details of the policy in which the city of Newburyport is named and insured. I appreciate your time and look forward to another successful event.

The only difference this year from previous years is that the hosting location of the race will be at the Cashman Baseball/Softball Field. The Newburyport Parks and Rec Dept has already approved us to use this facility. But again, there have not been changes to the course.

Sincerely,

Eli Bailin

GREEN Stride Newburyport Half Marathon

Start is located on Merrimac Street heading NW. It is located 42'6" NW of a bisecting line of the NW edge of Oakland St. In front of 251 Merrimac St. It is marked in white painted "S" with arrow and 3 p-k nails.

Mile 1 is on Merrimac St at the end of Moulton Street. It is located 6'8" NW of a sewer cap and 48'4" SE of another sewer cap. All mile markers are painted white with mile marker and a race direction arrow.

Mile 2 is on Ferry Road heading W. It is 71' W of UP#29.

Mile 3 is on Curzon Mill Rd heading W. It is 21'11" W of a bisecting line at W edge of Daniel Lucy Way and 96'10" E of end of a large rock wall.

Mile 4 is on Turkey Hill Rd heading S, and 78'6" S of UP#8/6

Mile 5 is on Longfellow Drive heading S, in front of 64 Longfellow Dr, and 35'7" N of #66 driveway and 33'11" S of #64 driveway.

Mile 6 is on Plummer Spring Rd, 50' W of UP2/181.

Mile 7 is on Rogers St. It is at the S edge of driveway #10.

Mile 8 is on Turkey Hill Rd 115'1" S of UP#6.

Mile 9 is on Hale St on bridge going over Interstate 95. It is 59'5" E of W edge of bridge and 248'2" W of E edge of bridge.

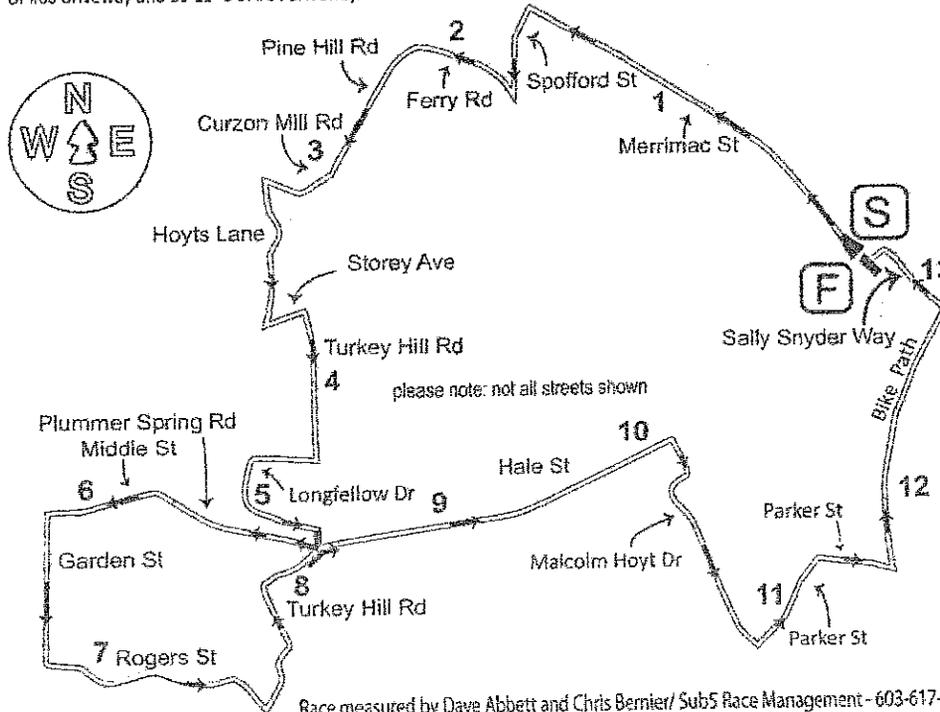
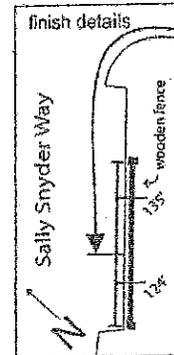
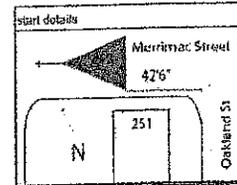
Mile 10 is on Hale St 16'2" E of UP#11.

Mile 11 is on Parker St 4'9" S of edge of road curb, It is just north of Malcolm Hoyt corner.

Mile 12 is on bike path with S entrance at Parker St. It is 1584' N of wooden pergola.

Mile 13 is on Sally Snyder Way 55'2" NE of S edge of parking lot and 55' SE of N edge of parking lot.

Finish is on Sally Snyder Way and on N side of Cashman Park 135' S of N end and 124' N of S end of sturdy wooden fence



PLEASE NOTE - the following streets are restricted to the right side of the road when following race direction: Spofford, Ferry, Pine Hill, Curzon Mill, Hoyts, Storey, Turkey Hill (between mile 4 and 5 only) and Hale. Left restricted roads include Merrimac, Rogers and Malcolm Hoyt. Race director to maintain integrity of the restrictions race day.

USATF Certification #MA12038
Effective 10/17/2012 - 12/31/2022
Drop 0.25 m/Km, Separation 1.14%

Race measured by Dave Abbett and Chris Bernier/ Sub5 Race Management - 603-617-8509 dave.abbett@gmail.com/Monday, October 8, 2012



Road Running Technical Council
USA Track & Field

Measurement Certificate

recognized by



Name of the course Green Stride Newburyport Half Marathon Distance 21.0975 km

Location (state) MA (city) Newburyport

Type of course: road race calibration track Configuration: loop

Type of surface: paved 100 % dirt % gravel % grass % track %

Elevation (feet above sea level) Start 20 Finish 3 Highest 102 Lowest 3

Straight line distance between start & finish 0.15 mi. Drop 0.25 m/km Separation 1.14 %

Measured by (name, address, phone & e-mail) Dave Abbett, 29 Ledgerview Dr.,

Rechester, NH 03228. phone: 603-617-8509. email: dave.abbett@gmail.com

Race contact (name, address & phone) Eli Bailin, 22 Prospect St, Amesbury MA 01913-1615;
phone: 978-270-2026

Measuring Methods: bicycle steel tape electronic distance meter

Number of measurements of entire course: 2 Date(s) when course measured: Oct 8, 2012

Race date: Oct 21, 2012 Course certification effective date: Oct 17, 2012

Replaces: _____ (if applicable) Certification code: MA12038JK

Notice to Race Director
Use this Certification Code in *all* public
announcements relating to your race.

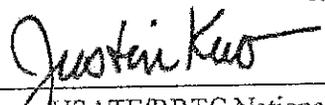
Be It Officially Noted That

Based on examination of data provided by the above named measurer, the course described above and in the map attached is hereby certified as reasonably accurate in measurement according to the standards adopted by the Road Running Technical Council. If *any* changes are made to the course, this certification becomes void, and the course must then be recertified.

Validation of Course — In the event a National Open Record is set on this course, or at the discretion of USA Track & Field, a validation remeasurement may be required to be performed by a member of the Road Running Technical Council. If such a remeasurement shows the course to be short, then all pending records will be rejected and the course certification will be cancelled.

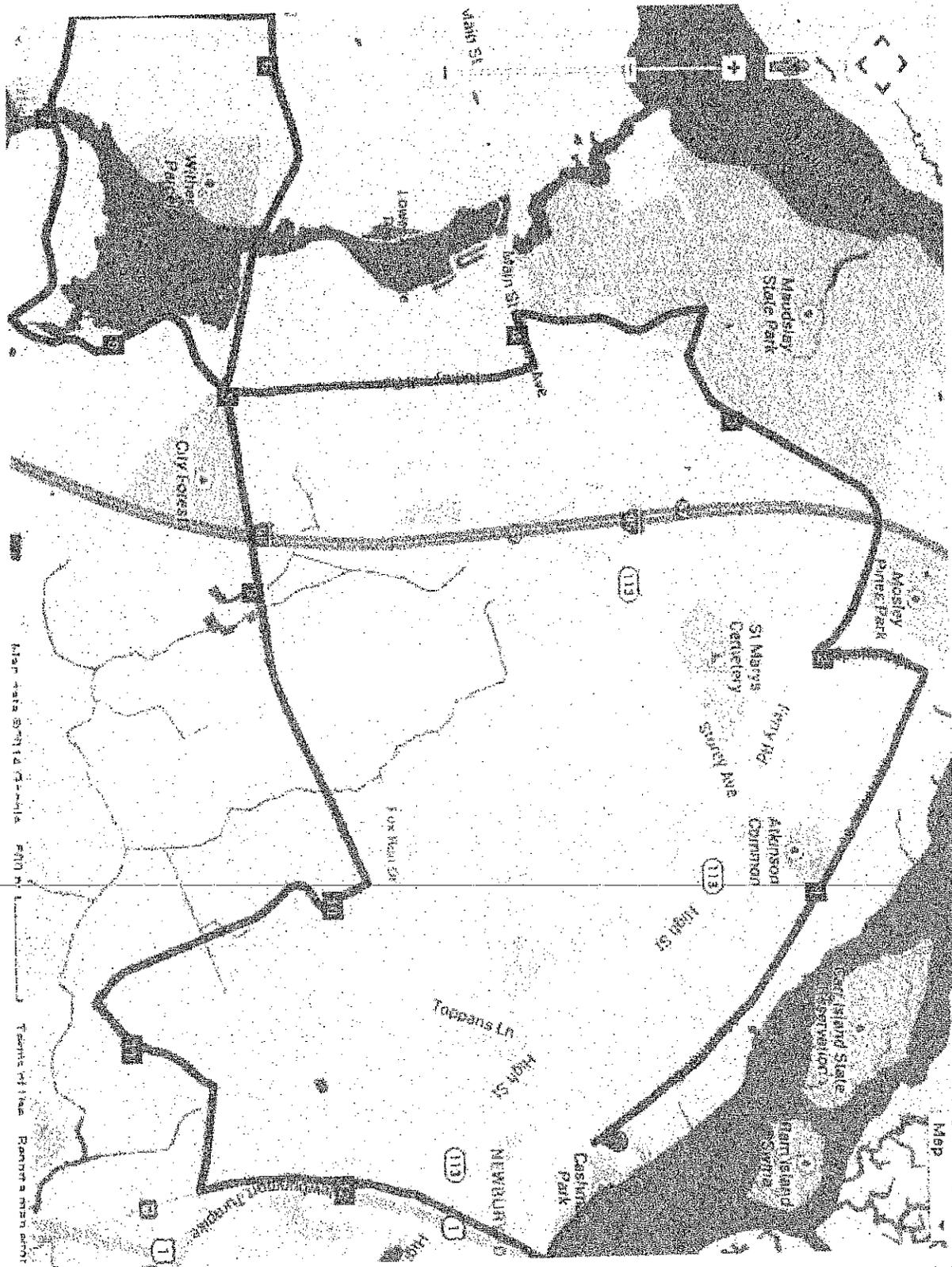
This certification expires on December 31 in the year 2022

AS NATIONALLY CERTIFIED BY:

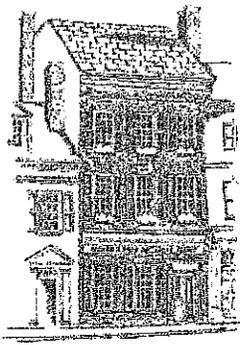


Date: Oct 18, 2012

Justin Kuo • USATF/RRTC National Certifier • 39 Oakland Road, Brookline, MA 02445-6700
Phone: 617-731-9889 • Fax: 617-939-0992 • Email: jkuo@usatfne.org



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Arthur S. Page Insurance

57 State Street · PO Box 391
Newburyport MA 01950

Phone (978) 465-5301 · Fax (978) 462-0890

www.ArthurPage.com

June 17, 2014

Green Stride Newburyport Half
Eli Bailan
55 Prospect St.
Amesbury, MA 01950

Dear City of Newburyport,

For the past three years Page Insurance has insured Eli Bailan and the Green Stride Newburyport Half Marathon. As part of this insurance we will name the City of Newburyport as additional Insured.

Where the date of the next race is potentially going to be October 26th 2014 it is too early to obtain insurance. When the race is within a month away we will work with Eli to obtain coverage for 1million to protect himself along with the City of Newburyport.

If you have any questions please feel free to contact me directly. I have added a copy of last year's coverage for your review.

Sincerely,

Jacqueline Page
Jackie@arthurpage.com

PS

Proposal
Newburyport River Run ½ Marathon and 5k
Julie Bokat/Jeanne Carter
Fuel Training Studio
jj@fueltrainingstudio.com
75 Merrimac St.
Newburyport, MA 01950
Julie 617.694.5489
Jeanne 978.270.0020

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 JUN 20 A 9:40

Date: Sunday, May 31st, 2015
Race Time: 8 AM – 12 AM
Post Race Festivities 11-3pm including clean up
Site: Towle Building parking lot, left hand side
Beer Tent - 11 AM -2 PM
10-15 Vendor Booths

13.1 Mile Route:

Race begins on Merrimac st. in front of the North End Boat Club.

1. Down Merrimac to Rolfe's Lane
2. Right on Rolfe's Lane over Route 1A
3. Continue on Hanover to Green Street
4. Take a right on Hay Street
5. Take a left on Newman Road
6. Left on Route 1A
7. High Street bear right on Moseley Avenue
8. Take a right on Lucy Dr.
9. Take a right on Doner Rd.
10. Take a left on Merrimac Street, back to the Towle Building

5 Mile Route:

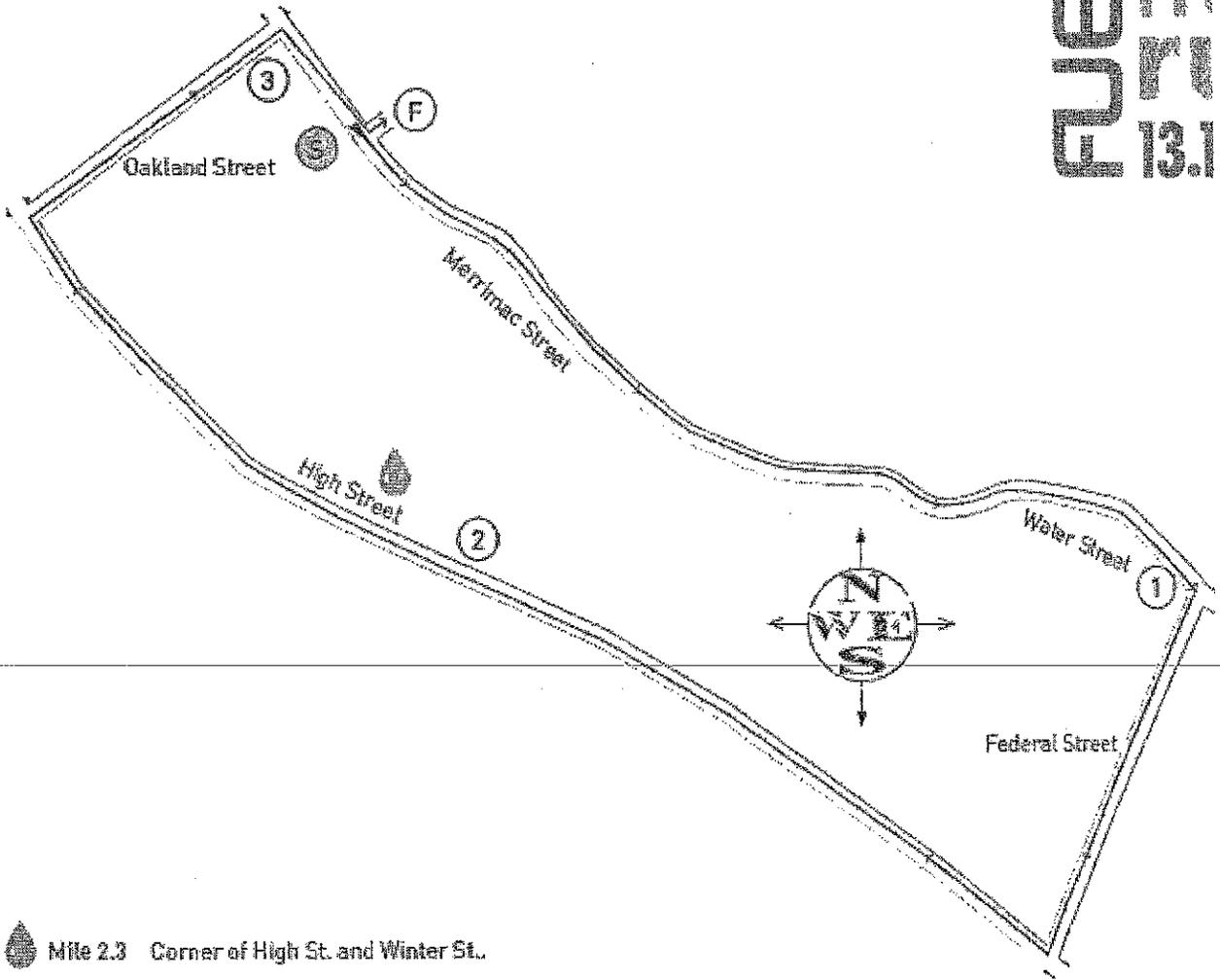
Race would begin in the same spot as the 13.1 route.

1. Down Merrimac to Federal St.
2. Right on Federal
3. Right on High St.
4. Right on Oakland St.
5. Ending at the entrance to the Towle Building.

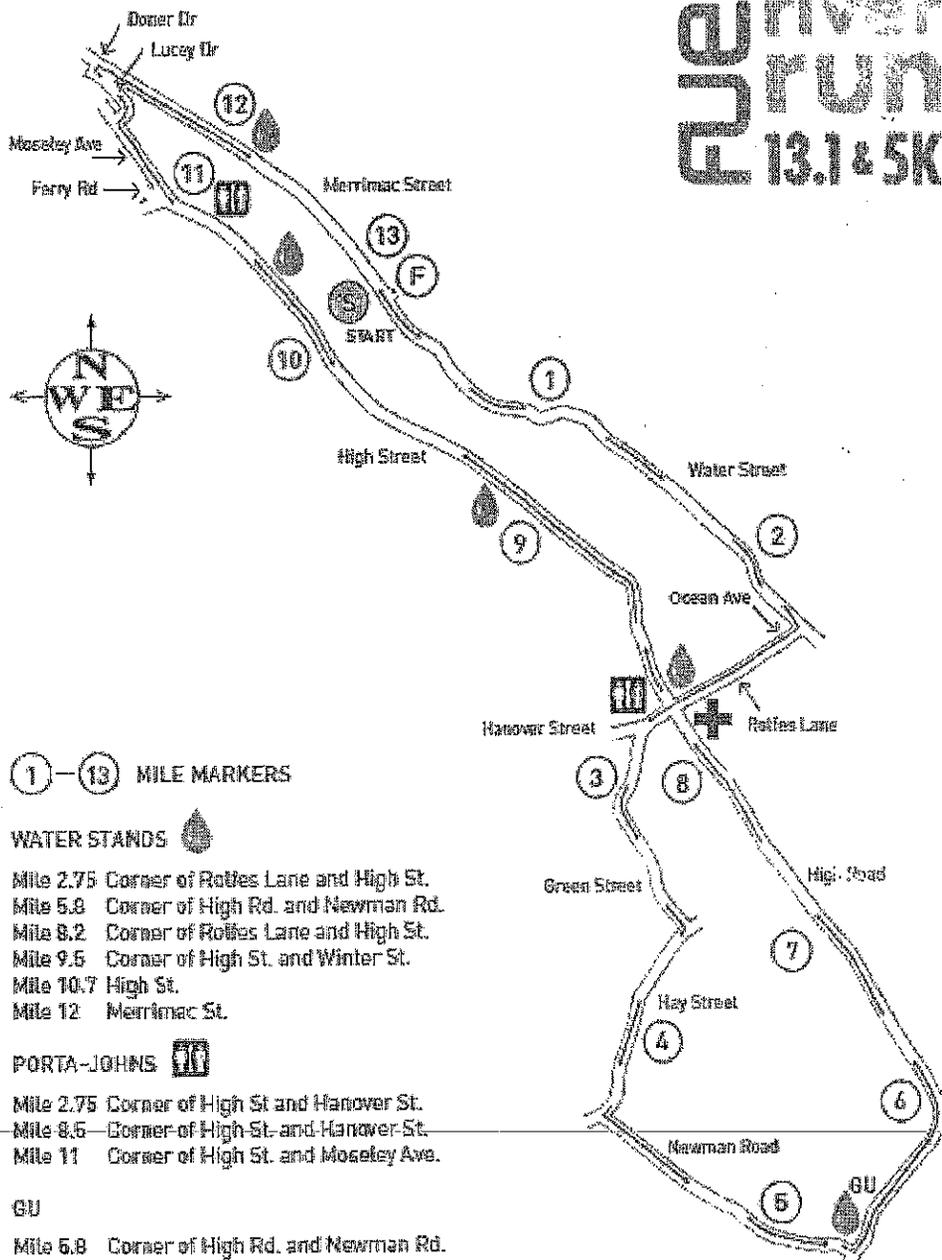
Lynn Varney

From: Fuel Training <jj@fueltrainingstudio.com>
Sent: Friday, June 20, 2014 9:42 AM
To: Lynn Varney
Subject: Re: One Day Liquor License application

newb
J
E
P
13.1



newburyport
river
run
13.1 & 5K



On Jun 20, 2014, at 9:25 AM, Lynn Varney wrote:

Hi Julie-

I received the outline, do you also have a physical diagram of the race? They usually request that.

The City Council meeting is Monday June 30th at 7:30pm in the City Council Chambers. You will be on that agenda.

Let me know if you have any other questions. Thanks.

Lynn Kinsella Varney

CITIZENS' PETITION FOR CITY COUNCIL RECONSIDERATION OF RE
FRANKLIN ST. "NO PARKING" ZONE DECISION

PS

RECEIVED
CITY CLERK'S OFF
NEWBURYPORT, MA

2014 JUN 20 A 11

128
04
Newburyport

We, the undersigned, concerned residents of Newburyport, Massachusetts, as well as local health care providers, business owners and including customers, clients and other concerned citizens, do hereby petition the Newburyport City Council to re-open and re-consider their recent decision to create a "No-Parking" zone on Franklin Street. Said "No-Parking" zone, exists currently on the west side of Franklin Street, beginning at the property line between 10 and 8 Franklin Street and running thenceforth northward to Water Street.

We respectfully submit this petition as the formal request for Newburyport, MA City Council re-consideration of this "No-Parking" zone decision. Said request for action includes: re-opening this decision as well as all necessary and related hearings, with the intent of vacating the "No Parking" zone decision, as above.

Filed and submitted by said undersigned concerned citizens of Newburyport, as well as others, this 20th day of June 2014.

✓ 1.) Signature: [Signature]
Name-(Please Print): DANIEL J. DEREN
Address: 154 Water St. - Apt. B
Newburyport, MA 01950-3038

✓ 2.) Signature: [Signature]
Name-(Please Print): Marilyn C. Deren
Address: 154B Water St. Newburyport MA 01950

✓ 3.) Signature: [Signature]
Name-(Please Print): Johanna Karst
Address: 1 1/2 Franklin St Newburyport, MA 01950

✓ 4.) Signature: [Signature]
Name-(Please Print): Lawrence E. Peel
Address: 6 Franklin ST NBPT MA 01950

(4)

Handwritten notes: "help to PS RC BV SV"

CITY OF NEWBURYPORT



IN CITY COUNCIL

June 30, 2014

ORDERED:

AN ORDINANCE TO REGULATE EVENTS CHARGING ENTRY FEES OR SOLICITING DONATIONS WHICH UTILIZE CITY STREETS AND SIDEWALKS

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

Chapter 12
Section 12-98

Streets, Sidewalks and other Public Places
ROAD RACES, WALKATHONS AND BICYCLE EVENTS

13-98 Purpose and intent

The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impact neighborhoods and traffic. To create a balance between conflicting interests, safeguard participants in these events, residents, visitors and the City of Newburyport, this ordinance will define and codify the procedure to insure the safety and enjoyment of all.

13-99 Definitions

- (a) "Road race", a competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.
- (b) "Walkathon", a competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.
- (c) "Bicycle Race", a competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.
- (d) "Multi-disciplined event", a competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

13-100 Limitations

- (a) "Procedure" All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place the application on the regular City Council agenda. Upon following the procedures of the Council, as deemed appropriated in the sole judgment of the Council, the application will be considered approved if the Council votes favorably by majority. The event will name one person responsible on the application and shall provide contact information to include name, address and telephone number.
- (b) "Exemptions" Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.
- (c) "Course map", All applications shall be accompanied by a course map showing the event route, water stops, refreshment stops, and so-called "porta-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by Police, Fire, Department of Public Services, Parks Commission and Harbormasters Departments prior to submission to the City Clerk.
- (d) "Electronic Amplifier" Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address

announcements or music before 8:00 A.M. except for Sundays when electronic amplifiers, loud speakers or bullhorns will be used for public address announcements or music before 9:00 AM.

- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.
- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than one million dollars (\$1,000,000.00).
- (g) *"Event termination"* If in the judgment of the City Marshal, Fire Chief or Department of Public Services (DPS) Director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the Harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.
- (h) *"Event and traffic Security"* The City Marshal, Fire Chief, DPS Director or in the case of a triathlon, the Harbormaster can require special duty personnel to oversee the safety and security of the event. All special duty assignments will be paid by the event organizers.
- (i) *"Clean-up"* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

13-101 Enforcement

- (a) *"Regulations"* Consistent with this ordinance, the city shall promulgate regulations to enforce and otherwise implement the provisions of this ordinance upon passage by the City Council. Any event previously approved by City Council shall be deemed permitted.
- (b) *"Warning"* In the circumstance that this ordinance is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the City Clerk and City Council and may be used as a factor in future application approvals and denials.
- (c) *"Noncriminal Disposition"* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in Subsection 1-17 of Chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in 13-101(d)
- (d) *"Violation"* The non-criminal violation shall be \$100.00 for the first offense and \$250.00 for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the City Clerk and City Council and shall be used as a factor in future application approvals and denials.

Councillor Robert J Cronin
Public Safety Chair

PS
JB
EC

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 30, 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:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-174	Parking limited—Generally

Delete from the table:

State	Westerly side from the intersection of Route 1 and State Street and continuing approximately 310 feet in a northerly direction from 8:00 a.m. to 4:00 p.m. Monday through Friday, excluding holidays.
-------	---

Add to the table:

State	For a period longer than four (4) hours between the hours of 6:00 a.m. to 7:00 p.m. during weekdays, excluding holidays, on either side from the intersection of Route 1 and State Street and continuing in a northerly direction approximately 1,250 feet.
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Councillor Jared J. Eigerman

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5-24
MOTION
TO
REFER
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CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 30, 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:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-168	Parking restricted on certain streets.

Add:

Fair Street	Parking for Salvation Army business only, between the hours of 8:00 a.m. and 6:00 p.m., weekdays, excepting holidays: Westerly side of Fair Street from northerly edge of driveway at 2 Fair Street to Water Street.
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Councillor Jared J. Eigerman

MOTION
TO
RECALL
BY
S

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 30, 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:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-180	Resident parking.

Amend:

Subsection (g)(2) *Zone 2*:

- (b) Fair Street, on the easterly side between Liberty Street and Water Street, and on the westerly side, between Liberty Street and southerly edge of driveway at 2 Fair Street

Councillor Jared J. Eigerman

*Robert
PS
RC/LG
SW*

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 7 Speed Limits

Add:

Sec. 13-187. Thirty miles per hour.

The speed limit shall be thirty (30) miles per hour on the following streets or portions thereof:

Low Street from Storey Avenue for a distance of .29 miles in both directions.

Sec. 13-188. Thirty-five miles per hour.

The speed limit shall be thirty-five (35) miles per hour on the following streets or portions thereof:

Low Street from Route 1 (Newburyport Turnpike) for a distance of 1.91 miles in both directions.

Councillor Robert J. Cronin



MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

CITY OF NEWBURYPORT
SPECIAL SPEED REGULATION # 7927

Highway Location: NEWBURYPORT
Authority In Control: CITY OF NEWBURYPORT
Name of Highways: LOW STREET

In accordance with M.G.L. c. 90, § 18, the following Special Speed Regulation is

Hereby Adopted

by the City Council

of the City of Newburyport

That the following speed limits are established at which motor vehicles may be operated in the areas described:

LOW STREET - EASTBOUND

Beginning at the junction of Route 113 (Storey Avenue), thence easterly on Low Street,
0.29 miles at 30 miles per hour
1.62 miles at 35 miles per hour ending at the junction of Route 1 (Newburyport
Turnpike); the total distance being 1.91 miles.

LOW STREET - WESTBOUND

Beginning at the junction of Route 1 (Newburyport Turnpike), thence westerly on Low
Street,
1.62 miles at 35 miles per hour
0.29 miles at 30 miles per hour ending at the junction of Route 113 (Storey
Avenue); the total distance being 1.91 miles.

Operation of a motor vehicle at a rate of speed in excess of these limits shall be prima facie evidence that such speed is greater than is reasonable and proper.

The provisions of this regulation shall not, however, abrogate M.G.L. c. 90, § 14

Date of Passage:

_____	_____
_____	_____

CITY COUNCIL

Attest _____
CITY CLERK

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

SPECIAL SPEED REGULATION NO. 7927

The Massachusetts Department of Transportation does hereby certify that this regulation is consistent with the public interest.

Standard signs must be erected at the beginning of each zone.

REGISTRY OF MOTOR VEHICLES
DIVISION

HIGHWAY DIVISION

BY: _____
Registrar

BY: _____
State Traffic Engineer

DATE:

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 30, 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:

Woodland Street

One (1) space at 4 Woodland Street until July 1, 2016.

Councillor Tontar

*RJS
07/26
AN*