CITY COUNCIL MEETING AGENDA - VERSION 1

April 28, 2014
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** (Approve)
   April 15, 2014

8. **TRANSFERS**
   1. Free Cash $200,000 to NHS Stadium Renovation Project $200,000 (B&F)

9. **COMMUNICATIONS**
   1. Newburyport Elementary PTO Kitchen Tour event table July 26, 2014 (PS)
   2. Annual Audit FY2013 Financial Statements (R&F)

10. **APPOINTMENTS-First Reading**

			Appointment	
1.	Ethan R. Manning	31 Howard Street	Finance Director	February 1, 2017
2.	Kimberly Turner	27 High Street	Parks Commission	May 1, 2019
3.	Leslie Eckholdt	36 Warren Street	Newburyport Redevelopment Authority	May 1, 2019
			Re-Appointment	
4.	Jeffrey R. Tomlinson	21 Hill Street	Highland Cemetery Commission	February 1, 2017
5.	Robert Dow	185 Storey Ave.	Harbor Commission	May 1, 2017
6.	Douglas A. Muir	10 Hancock Street	Conservation Commission	May 1, 2017
7.	Madeline Nash	19 Arlington St.	Affordable Housing Trust	February 1, 2016
8.	Ellen Hanick	9 Hallisey Drive	Bartlett Mall Commision	May 31, 2017

END OF CONSENT AGENDA

REGULAR AGENDA

11. **TRANSFERS**
    2. Free Cash $75,000 to Sidewalk Repairs $75,000

12. **COMMUNICATIONS**
    3. LATE FILE Mayor's Update

13. **APPOINTMENTS-Confirmatory**

9.	Duncan LaBay	4 Ferry Road	Zoning Board of Appeals	February 1, 2019

14. **APPOINTMENTS-Second Reading**

			Appointment	
10.	Arthur M. Levine	43B Kent Street	Disabilities Commission	April 30, 2017
11.	Ronald S. Ziemba	58 Lime St. Unit 1	Cultural Council	April 30, 2017
12.	Thomas P. Cappelluzzo	5 Sunset Dr., Newbury	Special Police Officer	
13.	Libby McGee	260 Water Street	Associate Member Zoning Board	April 30, 2019

15. ORDERS

1. Community Preservation Committee Appropriations
2. Utility Contractor JJ O'Brien & Sons, Inc.

16. ORDINANCES

1. 2nd Reading Amend ORD Sec. 4-72 Definitions Paddleboards
2. 2nd Reading Amend ORD Sec. 4-80 Paddleboards
3. 2nd Reading Amend ORD Sec. 13-179.1 Temporary Handicap Parking
4. Amend ORD Sec. 3-26-d Table of Designated Off Leash Areas
5. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas
6. Amend ORD Sec. 13-136 Stop Intersections Russell Terrace Ext
7. 2nd Reading Amend Amend Ord.13-136 Stop Intersections add Pond St. and Green St. (*pending publication*)
8. 2nd Reading Amend Ord.13-180 Resident Parking Ashland St. (*pending publication*)

17. 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. Mayor Capital Improvement Program **03/31/2014*
4. Amend Ord. Ch. 7 Sec. 7-4 Add Annual Master Box Connection Fee (PS) **04/15/2014*

General Government

Joint Education

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company **02/10/2014*
2. Newburyport Lions Club Eyeglass Box **02/24/2014*
3. Block Party Cherry Hill Soccer Field Parking Lot, May 31, 2014 **03/17/2014*
4. Amend Ch.6.5, Article III Plastic Bags (NCS & COW) **03/17/2014*

Neighborhoods and City Services

In Committee

1. Amend Ch.6.5, Article III Plastic Bags (L&P, COW) **03/17/2014*

Planning & Development

In Committee:

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

Public Safety

In Committee:

1. Amend Ord.13-136 Designated Stop Intersections Storey Ave **04/15/2014*
2. Amend Ord. Ch. 7 Sec. 7-4 Add Annual Master Box Connection Fee (B&F) **04/15/2014*

Public Utilities Committee

Rules Committee

18. GOOD OF THE ORDER

19. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES - VERSION 1
April 15, 2014

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held for George Collins. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Giunta, Heartquist, Herzog, Tontar, Vogel, Cameron, Connell, Cronin, Eigerman and O'Brien. 10 present, 1 absent (Kinsey).

1. LATE FILES – Order #2
Motion to waive the rules and allow late files by Councillor Cameron, seconded by Councillor Connell. So voted.

2. PUBLIC COMMENT

1) Ron Ziemba	58 Lime St. #1	Cultural Council
2) Nick Erokhin	3 Ashland St.	Parking Ashland St.
3) David Tierney	13 Ashland Street	Parking Ashland St.
4) Jeff Clotley	2 Boardman Street	Collins St. Driveway
5) Rob Germinara	2 Ashland Street	Parking Ashland St.
6) Libby McGee	260 Water Street	ZBA Appointment

3. MAYOR'S COMMENT
The Mayor provided an update.

CONSENT AGENDA

4. APPROVAL OF MINUTES (Approved)
March 31, 2014

5. TRANSFERS
1. Gen'l Fund Free Cash $5000 to City Clerk Ordinance Recodification $5000 (Approve)
2. Gen'l Fund Free Cash $8000 to YTH Transport Van $8000 (Approve)

Removed by Councillor Herzog.

6. COMMUNICATIONS
1. Retirement Board Meeting regarding COLA on May 29, 2014 (R&F)
2. Oregano Outdoor Seating Renewal (Approve)
3. Middle Street Foods Outdoor Seating Application (L&P)

Changed to approve.

4. Port Taxi Vehicles for Hire Application Renewal (Approve)
subject to vehicle inspections (Police Dept.)
5. Brine Outdoor Seating Renewal (Approve)
6. Ceia Outdoor Seating Renewal (Approve)

Removed 5 & 6 together by Councillor Cronin.

7. Letter to DOT from Councillor Cronin re: Storey Ave. Signage Clutter (R&F)

8. APPOINTMENTS-First Reading

		Appointment	
1. Arthur M. Levine	43B Kent Street	Disabilities Commission	April 30, 2017
2. Ronald S. Ziemba	58 Lime St. Unit 1	Cultural Council	April 30, 2017
3. Thomas P. Cappelluzzo	5 Sunset Dr., Newbury	Special Police Officer	
4. Libby McGee	260 Water Street	Associate Member Zoning Board	April 30, 2019

END OF CONSENT AGENDA

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

REGULAR AGENDA

8. TRANSFER
   3. Gen'l Fund Free Cash $8000 to YTH Transport Van $8000

Motion to refer to Budget & Finance by Councillor Herzog, seconded by Councillor Heartquist. Roll call, 10 no, 1 absent (Kinsey). Motion failed. Motion to approve by Councillor Cameron, seconded by Councillor Tontar. Roll call vote, 9 yes, 1 prensent (Herzog), 1 absent (Kinsey). So voted.

9. COMMUNICATIONS
   5. Brine Outdoor Seating Renewal
   6. Ceia Outdoor Seating Renewal

Motion to approve 5 & 6 collectively subject to insurance by Councillor Cronin, seconded by Councillor Vogel. So voted.

   8. Late File - Mayor's Update

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

11. APPOINTMENTS-Second Reading

			Appointment	
5.	Matthew Simons	62 Munroe St., Haverhill	Sergeant, Newburyport Police Department	
6.	Charles Eaton	20 Main St., S. Hampton, NH	Sergeant, Newburyport Police Department	
7.	Richard A. Eaton	4 Horton Street	Newburyport Trust Fund	March 1, 2017
8.	Susanne F. Gallagher	3 Garnet Street	Board of Registrars	March 31, 2017
9.	Crispin S. Miller	1 Parker Ridge Way West	Tree Commission	November 1, 2017
			Re-Appointment	
10.	Judy Tymon	39 Lime Street	Newburyport Affordable Housing Trust	April 1, 2016
11.	Duncan LaBay	4 Ferry Road	Zoning Board of Appeals	February 1, 2015

Motion to approve second reading collectively by Councillor Cameron, seconded by Councillor Herzog. Roll call, 10 yes, 1 absent (Kinsey). So voted.

12. ORDERS
   1. Kelley School – Surplus Property

Motion to approve by Councillor Cameron, seconded by Councillor Giunta. Motion withdrawn. Motion to refer to Planning & Development by Councillor Cameron, seconded by Councillor Cronin. Roll call vote, 10 yes, 1 absent (Kinsey). So voted.

   2. Late File – Collins Street

Motion to refer to Planning & Development by Councillor Tontar, seconded by Councillor Herzog. So voted.

13. ORDINANCES
   1. 2nd Reading Interim Demolition Control Overlay District – Zoning

Motion to approve 2nd reading by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Kinsey). So voted.

   2. 2nd Reading Interim Downtown Overlay District – (IDOD)

Motion to approve 2nd reading by Councillor Connell, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (Kinsey). So voted.

   3. Amend ORD 13-136 Designated Stop Intersection Add Storey Ave

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

   4. ORD Ch. 7 Sec. 7-4 Add Annual Master Box Connection Fee

Motion to refer to Public Safety and Budget & Finance by Councillor Cameron, seconded by Councillor Cronin. 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. Free Cash $40,300 to Veterans Benefits $40,300 **03/31/2014*

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

4. Mayor Capital Improvement Program **03/31/2014*

General Government

In Committee:

1. Intermunicipal Agreement for Veteran's Services **03/31/2014*

Motion to remove by Councillor Vogel, seconded by Councillor Herzog. So voted. Motion to approve by Councillor Vogel, seconded by Councillor Herzog. Roll call vote, 10yes, 1 absent (Kinsey). So voted.

Joint Education

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company **02/10/2014*
2. Newburyport Lions Club Eyeglass Box **02/24/2014*
3. Block Party Cherry Hill Soccer Field Parking Lot, May 31, 2014 **03/17/2014*
4. Amend Ch.6.5, Article III Plastic Bags (NCS & COW) **03/17/2014*
5. Moveable Sign Grand Trunk **03/31/2014*

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

Neighborhoods and City Services

In Committee

1. Amend Ch.6.5, Article III Plastic Bags (L&P, COW) **03/17/2014*

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust **03/31/2014*

Public Safety

In Committee:

1. Amend Ord.13-136 Stop Intersections add Pond St. and Green St. **03/31/2014*

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 (Kinsey). So voted.

2. Amend Ord.13-180 Resident Parking Ashland St **03/31/2014*

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

Public Utilities Committee

Rules Committee

12. GOOD OF THE ORDER

Councillor Connell stated that the meeting on plastic bags has been moved to the first of May.

Councillor O'Brien requested that the Councillors notify him of late file items on the agenda or other significant changes.

13. ADJOURNMENT

Motion to adjourn by Councillor Cameron, seconded by Councillor Tontar at 8:38pm.

TRANSFERS

Transfer #1
April 28, 2014

City of Newburyport
FY 2014
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 APR 22 P 2:42

Department: Mayor's Office
Submitted by: Donna D. Holaday **Date Submitted:** 4/22/2014

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	$ 1,661,677.98
Account Number:	01-35900	Trans In:	$ -
Amount:	$200,000.00	Trans Out:	$ 830,431.02

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	NHS STADIUM RENOVATION PROJECT	YTD Bal:	$ 10,957.19
Account Number:	3012-49700	Trans In:	$ -
Amount:	$200,000.00	Trans Out:	$ -

Why are Funds Required: *To fund major repairs and renovations to the Newburyport High School World War Memorial Stadium. Other funding sources include $1.5mm in Community Preservation Fund borrowing, pending City Council approval, as well as donations, including a $500,000 donation to pay for the turf field, pending City Council acceptance of the gift.*

Donna D. Holaday, Mayor — Donna D Holaday — Date: 4/22/14
William B. Squillace, Auditor — — Date: 4/22/14
City Council Approval: (Stamp)

COMMUNICATIONS

Communication #1
April 28, 2014

Newburyport KITCHEN TOUR

Dear City Councilors,

April 18, 2014

I'm writing on behalf of the **Newburyport Elementary PTO** to **request permission to set up an event table in** Market Square on **Saturday, July 26th** for a few hours to promote and sell tickets to the **Newburyport Kitchen Tour** taking place that day. The event runs from 11-4pm , so a table from 9am – 3pm would be helpful. We can provide the table.

Ideally the table would be located in Market Square or at the foot of Inn St (near Eat Cake).

We ask for your support, knowing this will give exposure and participation to help continue our event's success, and directly benefit our Newburyport public schools.

Thanks for your consideration.

Regards,

Dorene Olsen
and the 2014 Kitchen Tour Committee

P:978.387.8028

CITY OF NEWBURYPORT
CITY AUDITOR'S OFFICE

CITY AUDITOR'S OFFICE

NEWBURYPORT CITY HALL

60 PLEASANT STREET

NEWBURYPORT, MA 01950

TEL: 978.465.4404

FAX: 978.462-3257

TO: MAYOR DONNA D. HOLADAY
PRESIDENT THOMAS O'BRIEN AND MEMBERS OF THE NEWBURYPORT CITY COUNCIL

FROM: WILLIAM B. SQUILLACE, FINANCE DIRECTOR
ETHAN R. MANNING, ASSISTANT AUDITOR

DATE: APRIL 22, 2014

RE: ANNUAL AUDIT OF THE CITY'S FY 2013 FINANCIAL STATEMENTS

The certified public accounting firm of Melanson, Heath & Company has completed the annual audit of the City's FY 2013 financial statements. This audit must be performed by an independent CPA firm and is required by bond rating agencies, financial institutions, and various state and federal government entities. A copy of the audit is on file in the City Clerk's Office for your review.

The audit was conducted in accordance with auditing standards generally accepted in the United States and standards applicable to financial audits contained in the publication, *Government Auditing Standards*, issued by the Comptroller General of the United States. These standards require that the audit be performed to obtain a reasonable assurance that the City's financial statements are free of material misstatements. In addition, the audit assesses the accounting principles used and significant estimates made by City management.

The audit indicates that the City's Financial Statements and Schedule of Expenditures of Federal Awards, as required by OMB Circular A-133, are presented fairly, in all material respects, and are in conformity with accounting principles generally accepted in the United States of America.

The audit also includes a management report that contains recommendations for strengthening internal controls and operating efficiency. This is the first audit in recorded history that no new audit findings or recommendations for improvements were noted for FY2013 operations. This is a major accomplishment for the City and an indication that current financial management practices are working effectively.

However, while there were no recommendations made for the current fiscal year, Melanson, Heath & Company did provide a follow-up on prior year recommendations, the most notable being an improvement to the cash reconciliation process, which continues to be a material weakness for the City. The outside auditors recommend that the

Treasurer's office reconcile all bank accounts to the cashbook and general ledger in a timely manner, which can be summarized in a one-page report to be signed off by the City Auditor and Treasurer. To help correct this weakness, the City purchased a new electronic cashbook during FY2013 and is continuing to implement the new system in FY2014.

In addition to addressing the cash reconciliation process, the outside auditors have made further recommendations carried over from the prior year audit, which are not listed as material weaknesses, but suggestions for improving overall financial operations within the City. Many of these are currently being implemented and are detailed in the full management report available in the City Clerk's Office.

As you may be aware, the City established a Financial Policies and Procedures manual and continues to adapt the document to address many of the recommendations contained in the report. A notable recommendation from prior year audits, which is no longer contained in the management report, is the inclusion of the Newburyport Contributory Retirement System. Effective as of the FY2013 audit, the Retirement System is now part of the City's annual audit, which, for the first time, allowed Melanson, Heath & Company to issue an unqualified, or "clean," opinion.

Please feel free to contact us if you have any questions. A copy of the full audit report is on file in the City Clerk's Office.

APPOINTMENTS

Appointment #1
April 28, 2014

CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
2014 APR 22 P 2:37

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: April 22, 2014

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as Finance Director. This term will commence effective July 7, 2014 and expire on February 1, 2017.

Ethan R. Manning
31 Howard Street
Newburyport, MA 01950

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

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: April 22, 2014

Subject: Finance Director and City Auditor Appointment

As you know, our long-time City Auditor and current Finance Director, Bill Squillace, has given notice of his impending retirement this coming July. Knowing that this change was going to take place, we have been able to implement a succession plan over the past few years. When Ethan Manning was hired as the Business Manager in October 2011, his exceptional abilities quickly became apparent. He was instrumental in developing our new budget document format including the Capital Improvement Program and continues to take the lead on assembling this document on an annual basis. The fact that we have received the Distinguished Budget Presentation Award from the Government Finance Officers Association for the past two fiscal years is a testament to the level of quality in Ethan's work.

With Ethan taking over the Assistant City Auditor position last fall, we knew that it was an opportunity for him to learn more about the daily operations of that office. He has worked under the direct tutelage of Mr. Squillace for the past seven months, helping with the City's annual recap submission to DOR and participating in the annual audit process. As a key member of my Finance Team from the start, Ethan took responsibility for drafting the City's Financial Policies and Objectives Manual, one of the key factors in our recent bond rating upgrade. He has been incredibly proactive in his training regimen, completing his second year in the Massachusetts Municipal Auditors' and Accountants' Association's certification program to become a certified governmental accountant.

Ethan's appointment to this position needs to take place well in advance of Bill's actual retirement date so that the City can post, interview, and fill the Assistant City Auditor position in a timely manner to ensure a smooth transition for the Finance Department and the City Auditor's Office. I can attest to Ethan's diligence and competence and have the utmost confidence in his ability to take the City's financial management to the next level.

I appreciate your consideration in this very important matter.

ETHAN R. MANNING

31 Howard Street, Newburyport, MA 01950 • (617) 620-2510 • ermanning@gmail.com

April 22, 2014

Honorable Mayor Donna Holaday
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

Dear Mayor Holaday:

I am pleased to express interest in serving as the City of Newburyport's next Finance Director / City Auditor. Working alongside Bill Squillace, I have gained a solid grasp of Newburyport finances and what it takes to effectively manage the City's Finance Department. Bill has been a valuable asset to the City and it is my strong desire to pick up where he leaves off and continue to progress the sound financial management practices that have been put in place over the years.

As a resident, taxpayer and public servant, I closely understand many of the challenges and opportunities that lie ahead for Newburyport, most of which have strong financial considerations. Whether it is repairing our public ways, exploring the reuse of city properties, creating new parking facilities or continuing to improve our schools, it is my intent to help the City navigate these difficult fiscal matters to collectively make the right choices for the long-term benefit of our community. These decisions do not only impact our general ledger, they impact my family, my neighbors, my friends and all of us who are so fortunate to call Newburyport home.

Since joining the City, much has been accomplished in the financial realm. Such major accomplishments include: creating a fully transparent online budget document, developing the five-year capital investments plan, crafting the first-ever financial policy manual for the City, beginning to tackle other post-employment benefits (OPEB) and receiving a credit rating upgrade from AA to AA+.

Though these accomplishments are critical and help to solidify our financial base, there is more work to be done. My prior experience with Bain Capital in the private sector, combined with a public sector role has provided an opportunity to objectively analyze scenarios and present creative solutions. While my initial objective will be to ensure a seamless transition as Mr. Squillace departs, other goals include:

- Implementing a City-wide electronic procurement process to ensure adherence to M.G.L. Ch. 30B procurement laws.

- Streamlining the accounts payables process to allow for a more efficient and less paper intensive process, utilizing the MUNIS financial software.

- Exploring potential ways to mitigate the impact of increased health care and pension costs on the annual operating budget.
- Analyzing the City's fee structure to ensure competitive pricing and cost recovery.
- Increasing collaboration with the schools on all fiscal matters, including the annual budget process, creating greater consistency between the City Finance Department and Central Office.
- Building upon the Capital Improvement Program and City financial polices to develop resilient long-range financial plans, which address potential imbalances that may arise in the future.
- Performing internal audits to ensure that strong financial controls are in place throughout City operations.
- Continuing to evolve the Finance Department, as outlined in the revised City Charter, creating clear processes and strong relationships between the Assessor's Office, Treasurer/Collector's Office and Auditor's Office.
- Obtaining an AAA credit rating.

These goals will not be accomplished overnight, but it is my hope that we can work together to make these a reality in coming months and years ahead.

Sincerely,

Ethan R. Manning

ETHAN R. MANNING

31 Howard Street, Newburyport, MA 01950 • (617) 620-2510 • ermanning@gmail.com

PROFESSIONAL EXPERIENCE

CITY OF NEWBURYPORT, Newburyport, MA **Oct. 2011 – Present**

ASSISTANT CITY AUDITOR, Finance Department (9/13-Present)

- Maintaining the City's general ledger, including a balance sheet with assets of over $230mm.
- Preparing, balancing and monitoring a $65mm operating budget.
- Created the five-year capital improvements plan for the City in FY2012, which was first incorporated into the FY2013 budget, becoming a Charter requirement in January 2014.
- Leading the renewal process for Newburyport's Comcast License, expiring in October 2015.
- Implemented recommendations from the annual audit, such as the creation of an irrevocable trust fund for other post-employment benefits (OPEB).
- Developed the Financial Policies and Objectives manual for the City, receiving recognition from Standard & Poor's credit rating agency during their upgrade of the City's long-term debt rating.
- Strengthening internal controls to eliminate fraud and protect the City's accounting system.
- Ensuring compliance with federal and state laws, including Mass. General Law, Generally Accepted Accounting Principles (GAAP) and Uniform Municipal Accounting Standards.
- Supervising the accounts payable staff to ensure timely and accurate payment of bills.
- Advising and assisting the Treasurer/Collector with cash and debt management strategies.

BUSINESS MANAGER, Department of Public Services (10/11-9/13)

- Created and maintained operating and capital budgets of over $13mm annually.
- Developed a fully transparent online budget document for the City of Newburyport, receiving the *Distinguished Budget Presentation Award* by the Governmental Finance Officers Association (GFOA) in the City's first submission to the awards program.
- Supervised a staff of administrative assistants, including oversight of the meter reading program.
- Implemented quarterly billing cycles allowing for high flows to be identified sooner, easier budgeting for residents and businesses and improved cash flow for the City.
- Optimized meter reading routes to allow readings to be taken faster and more frequently.
- Forecasted and analyzed water/sewer revenues and costs to ensure long-term stability of rates.
- Streamlined payment processing time from 4 to 1 business days by implementing the use of a lockbox and online billing, reducing annual postage costs by over $5,000 per annum.
- Created the Home Rule Petition, approved in July 2013, allowing the City of Newburyport to impose liens on delinquent properties in the Town of Newbury (Ch. 48, Acts of 2013).
- Managed the rollout of the net metering credit (NMC) program with True North Energy and put in place a process for managing Solar Renewable Energy Credits generated at City facilities.
- Overhauled the City's cell phone program, by going out to market and ultimately changing providers, keeping costs stable, while increasing service quality and offerings.

BAIN CAPITAL, Boston, MA & London, United Kingdom **June 2006-Oct. 2011**

ANALYST, Sankaty Advisors, LLC (11/09-10/11)

- Monitored fundamental drivers of value and performance on a continuous basis.
- Analyzed and benchmarked performance and portfolio construction of 9 multi-strategy fixed income funds and 10 collateralized loan obligation vehicles, totaling over $8.4bn in assets.
- Communicated with portfolio management team on trading decisions and macro fund positioning.
- Maintained complex Excel-based models using inputs from corporate balance sheets, income statements and associated market/economic data.
- Supervised and mentored junior portfolio analysts, including an administrative assistant.
- Performed ad hoc analysis to test market theses and reinforce strategic portfolio decisions.
- Led the effort in developing a complex database to monitor and report Sankaty's defaults and recoveries track record, going back to the firm's inception in 1999.
- Implemented a quarterly process for reviewing the performance of Sankaty industry VPs for use by senior management, including the Chief Investment Officer and the compensation team.

LONDON OPERATIONS AND TRADING ASSOCIATE, Sankaty Advisors, Ltd. (10/07-11/09)

- Successfully launched a trading operations desk in the London office, transitioning it to permanent staff, prior to returning to the United States.
- Supported all aspects of European primary and secondary loan trading and settlements following loan market standards, personally closing over 600 trades in two years.
- Interacted closely with external parties, including sell-side brokers, counterparties, agents and trustees, regarding trade settlements and cash requirements.
- Liaised with our Boston office on all areas of finance and operations, including loan/bond/CDS settlement, treasury management, pricing, swaps, portfolio administration, audit and compliance.
- Managed and developed relationships with various London operations contacts through participation in LMA activities and networking events hosted by local asset managers and banks.
- Reviewed legal documentation, including transfer certificates, accession deeds, trade confirms and pricing letters to ensure compliance with internal policies and procedures.
- Educated analysts and staff on operational procedures and understanding of complex investments, such as leveraged loans, distressed debt, mezzanine and structured products.

SENIOR PORTFOLIO OPERATIONS ASSOCIATE, Sankaty Advisors, LLC (6/06-9/07)

- Reconciled market value and cash flow portfolios daily with custodians and prime brokers to ensure complete accuracy in cash movement.
- Reported positions regularly to senior management, including the creation of a summarized exceptions report to constantly analyze trends and progress.
- Collaborated with the accounting team and auditors by providing detailed support on the firm's historical holdings, account transaction details and agent bank confirmations.
- Researched complex holdings with a wide variety of internal and external contacts, such as counterparties, borrowers, agent banks, trustees and attorneys.
- Managed and responded to inquiries on portfolio positions from all parts of the firm, including Managing Directors, Analysts and Traders in a timely, accurate and thorough manner.

LIBERTY MUTUAL INSURANCE GROUP, Dover, NH **May 2004-Aug. 2005**
SUMMER ANALYST, Corporate Treasury (5/05-8/05) Commercial Markets (5/04-8/04)

EDUCATION

BENTLEY UNIVERSITY, Waltham, MA
Bachelor of Science, Finance, *Magna Cum Laude*
GPA 3.76/4.0 Minors in Government and Management
Honors: Bentley Honor Society, Beta Gamma Sigma Honor Society, Student Body President (Elected)

ADVANCED TRAINING

- Uniform Municipal Accounting System (UMAS) Course
- Education Training Program for Municipal Accountants and Auditors (Part 2)
- How to Prepare Massachusetts' Balance Sheet and GASB Financial Statements
- Education Training Program for Municipal Accountants and Auditors (Part 1)

PROFESSIONAL AFFILIATIONS

- Candidate for Certified Governmental Accountant (March 2015)
- Governmental Finance Officers Association (GFOA)
  - *Selected to serve on the GFOA's Budget Review Panel in 2013*
- Massachusetts Municipal Auditors' & Accountants' Association (MMAAA)
- Eastern Massachusetts Municipal Auditors' & Accountants' Association (EMMAAA)

INFORMATION TECHNOLOGY SKILLS

Munis Software (Advanced User), Microsoft Office Suite (Advanced Microsoft Excel), Bloomberg, Reuters, Capital IQ, First Call, Quickbooks, Peachtree, Massachusetts Department of Local Services (DLS) Gateway, Adobe Applications, HTML, Visual Basic

City of Newburyport
Finance Director
Job Description

Position Purpose:

The purpose of this position is to coordinate, supervise, and direct the financial management and administrative services of the City which include statutory duties for the Office of the Treasurer/Collector, the Assessor's Office and the Auditor's Office. The Finance Director is responsible for ensuring that all financial transactions of the city are made in accordance with applicable Federal, State, and Local Laws, bylaws, and regulations; that financial resources are adequately safeguarded; and that resources are used as effectively as possible. The Finance Director, in Newburyport, currently serves as the City Auditor as well. The Finance Director executes financial policies, develops revenue projections, and formulates the annual budget including the capital improvement plan. The Finance Director creates and maintains the City's Financial Policy Manual. He or she oversees the completion of the annual Tax Recap Sheet as well as the process necessary to ensure certification of free cash. As the day-to-day manager of the City's financial activities, the Finance Director ensures that the other finance departments effectively carry out their respective responsibilities and that all other financial services and tasks are accomplished with accuracy and quality. The Finance Director chairs the Finance Team meetings and remains fully informed about the status of accounts, cash flow, and debt. He or she ensures the completion of regular reconciliations of cash and receivables and implementation of other financial controls. He or she makes sure that the reporting requirements of the Department of Revenue are fulfilled on a timely basis. The Finance Director ensures that strong financial controls are in place throughout City operations. The Finance Director is responsible for maintaining and improving upon the efficiency and effectiveness of all areas under his/her direction and control.

Supervision:

Supervision Scope: The Finance Director works in accordance with the Massachusetts General Laws and develops municipal financial policies and objectives. The Finance Director performs highly responsible work, requiring the exercise of considerable judgment in the planning, direction, and control of the financial and fiscal operations of the City of Newburyport.

Supervision Received: The Finance Director works under the policy direction of the Mayor and works closely with members of City Council.

Supervision Given: The Finance Director directly supervises the Assistant Auditor, the Treasurer/Collector and the City Assessor. He or she has indirect supervisory responsibility for all employees of the Finance Department.

Job Environment:

The Finance Director's work is performed under typical office conditions. This position is required to frequently work outside of business hours. In addition, the Finance Director may be required to work on weekends and may be contacted at any time to respond to important situations and emergencies. This position requires the operation of office computers, printer, calculator, telephone, copier, facsimile machine, and all other standard office equipment.

The Finance Director maintains contact with other organizations, particularly State and Federal organizations, attorney, auditors and the general public, He or she has access to City-wide confidential information, including personnel records, litigation matters, criminal investigations, collective bargaining negotiations and bid documents (exclusive of medical records).

Errors in administrative decisions could result in lower standards of service, have legal repercussions, and result in inadequate project and operational funding.

Essential Functions:

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.)

Financial Management and Oversight

- Plans, controls, and directs all aspects of the Finance Department including activities of the Office of the Treasurer/Collector Department, Assessor's Office, City Auditor's Office and procurement activities throughout the City.
- Develops and recommends departmental policies, projects, and procedures; confers with Department Heads concerning on-going and future projects.
- Supervises all annual and special audits or reviews auditing functions including such audits or reviews provided by independent auditors.
- Monitors, throughout the fiscal year, the expenditure of all funds by City Departments, offices, and agencies, including periodic reporting to such departments, offices, and agencies on the status of accounts with recommendations concerning fiscal and financial policies to be implemented by such departments, offices, and agencies.
- Establishes systems to ensure that all invoices, expenditures, and payments are made in accordance with approved budgets and applicable laws.
- Advises the Mayor and City Council on technical aspects of financial and fiscal operations.
- Plans, controls, and directs Department personnel including training, staffing, and evaluation of employees.
- Monitors personnel and collective bargaining rates of pay.
- Represents the Department at a variety of different meetings both within and outside the City.
- As the Finance Director is currently also the City Auditor, duties shall include serving as the ex-officio member of the Newburyport Retirement Board.

Financial Planning and Budget Direction

- Establishes control and works with the Mayor's Office and Budget and Finance Committee of the City Council to complete the annual Budgeting and Financial Planning Process.
- Oversees the development and implementation of the City's annual operating budget and capital improvement plan.
- Oversees the development of a financial plan including proposed operational and capital improvement budgets for the ensuing fiscal year.
- Provides the Mayor with periodic reports on the status of the budget and annual revenue projections, with recommendations for corrective actions if necessary.
- Oversees the preparation of the Department's Operating and Capital budgets, which includes the budgets of the Office of the Treasurer/Collector, Assessor's Office and City Auditor's Office.
- Prepares and maintains long term strategic forecasts to include revenue expectations, analysis of future implications of operating budget programs, and community needs for capital budget programs for infrastructure expansion and replenishments.

Financial Reporting and Analysis

- Directs and oversees the accounting function including those duties set forth in Massachusetts General Laws, Chapter 41§ 50 – 61, inclusive.
- Maintains all accounting records and other financial statements and related correspondence.
- Reviews the maintenance of assessments for all property in the City and the issuance of property tax and motor vehicle excise tax.
- Coordinates and directly administers the collection, custody, investment, and disbursement of all City funds.
- Responsible for the processing and recording of all department payrolls.
- Prepares and distributes a variety of recurrent and special reports, to comply with State and Federal program mandates.

Risk Management

- Maintains full and complete inventory of all City property and equipment.
- Develops and maintains effective working relationships with Municipal, County, state, and Federal officials and agencies to ensure compliance with all laws and regulations affecting the City's financial operations.
- Administers the City property, casualty, and liability insurance programs.

Purchasing and Procurement

- Coordinates for all City offices, the purchase, lease, or disposal of all goods and supplies.
- Establishes, plans, and directs the City's centralized purchasing function. This function shall operate within the parameters of §103 M.G.L. Chapter 41. A designated procurement officer,

under the direction of the Finance Director, will be responsible for the procurement of all supplies, material, and equipment for offices and agencies of the City.

Minimum Required Qualifications:

Thorough knowledge of the principles, practices and techniques of municipal financial management and all the applicable Massachusetts General Laws. Proficiency in the use of computer systems and using financial software packages for the billing and collection of revenues. Excellent oral, written, and communication skills.

Education, Training, and Experience:
Bachelor's degree in finance, business administration, accounting or related field. Five to eight years of progressively responsible experience in a financial or accounting environment. MUNIS experience preferred. Ideal candidate will show progress towards obtaining Certified Governmental Accountant status.

Knowledge, Ability and Skill:

Knowledge: Thorough knowledge of governmental/municipal fund accounting theory, principles, and practices including: Generally Accepted Accounting principles (GAAP), Uniform Municipal Accounting System (UMAS), Governmental Accounting and Financial Reporting Standards, Governmental Accounting Standards Board Pronouncements (GASB). Through knowledge of auditing theory and practices including Generally Accepted Auditing Standards (GAAS). Thorough knowledge of Massachusetts General Laws relating to municipal finance and taxation. Through knowledge of internal control procedures, bookkeeping, and accounting procedures and systems. Extensive expertise in computer hardware and software applications related to municipal finance. Working knowledge of generally accepted practices related to treasury management including debt, cash, investment and tax title administration, payroll and employee benefits processing, universal assessing practices, procurement and property management, and tax collection practices. Familiarity with investment and banking regulations. Knowledge of collection rules and regulations. Extensive knowledge of budgetary practices and functions. Knowledge of legal control over municipal finance in the Commonwealth.

Ability: Interact objectively and professionally with the public, state and local officials and co-workers. Ability to lead and direct Department Heads. Ability to analyze and interpret financial data and to clearly communicate findings to decision-makers. Ability to establish relationships with City officials and governmental representatives. Ability to communicate effectively in written and oral form before public groups and elected officials. Ability to manage several projects at one time. Ability to develop City-wide plans, policies, and procedures relative to the City's fiscal and financial operations. Ability to maintain confidential information.

Skill: Excellent verbal and written communication skills; aptitude for working with people and maintaining effective working relationships with various groups; aptitude for working with paperwork and details; skill in using the above mentioned office equipment; skills in with dealing with public; skill in

utilizing personal computers, word processing, and databases. Superior skills with spreadsheet applications. Sensitivity to public communications. Skills in planning and delegation.

Errors and Omissions:

Errors in judgment could result in legal ramifications and have severe financial repercussions.

Physical and Mental Requirements:

The work is primarily of an intellectual nature but requires a variety of physical capabilities. While performing the duties of this job, the employee is frequently required to sit, stand, walk, use hands, and talk or hear; occasionally required to kneel, handle objects; and reach with hands and arms. The position involves often moving from a sitting position to standing position for counter work. The employee must occasionally lift and/or move up to 10 pounds and rarely has to lift and/or move up to 25 pounds. Specific vision abilities required by this job include close and distance vision. This position requires the ability to operate a keyboard and calculator at efficient speed. The employee must be able to hear normal sounds, distinguish sound as voice patterns and communicate through human speech using American English.

(This job description does not constitute an employment agreement between the employer and employee. It is used as a guide for personnel actions and is subject to change by employer as the needs of the employer and requirements of the job change.)

Appointment #2
April 28, 2014

CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 APR 22 P 3:50

60 PLEASANT STREET - P.O. BOX 55
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: April 22, 2014

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Parks Commission. This term will expire on May 1, 2019.

Kimberly Turner
27 High Street
Newburyport, MA 01950

kdturner design

27 high st. newburyport, ma 01950 ph: 781.632.6004 kdt@kdturnerdesign.com

April 9, 2014

Mayor Donna Holaday
City of Newburyport
60 Pleasant St.
Newburyport, MA 01950

Re: Serving on the Parks Commission

Dear Mayor Holaday,

Bob Uhlig reached out to me last week to ask me to consider filling a current vacancy on the Newburyport Parks Commission. I am writing to express my interest in filling that vacancy. I am a landscape architect, a resident of Newburyport, and have extensive experience in the public process, as my resume will attest. I am the current consultant to the Weston Planning Board, where I review applications for the Town under Site Plan Review. I also have been involved in numerous public open space projects in and around Boston in my 15 years in practice. I am active in this community and passionate about contributing to it. I believe my skill set to be complimentary to the Commission.

I very much look forward to hearing from you. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

Kimberly Turner, ASLA

KIMBERLY DUFFY TURNER, ASLA

27 HIGH ST. NEWBURYPORT, MA 01950
781.632.6004
KDT@KDTURNERDESIGN.COM

REGISTRATION

Commonwealth of Massachusetts, license #1382
State of Maine, license #3585

EDUCATION

University of Massachusetts, Amherst, MA
Master of Landscape Architecture, 2001

University of Maine, Orono, ME
B.S. Landscape Horticulture, Magna Cum Laude, 1997

EXPERIENCE

KDTurner Design, Newton & Newburyport, MA
Founding Principal, 2009-present

- Residential and commercial landscape design, programming, permitting, cost estimation, and construction administration
- Public and urban landscape design, programming, and community workshops for sustainable 'urban wilds' projects

Weston Planning Board, Weston, MA
Landscape Architectural Consultant, 2011-present

- Site plan review of projects constructed under the RGFA and Scenic Road provision to the Zoning By-law

Ryan Associates, Waltham, MA
Senior Associate, 2001-2009

- Residential, institutional and commercial landscape programming, design, master planning, permitting, cost estimation and construction administration
- Project management and lead design for all aspects of projects from schematics through construction documentation

Mohr & Seredin Landscape Architects, Inc. Portland, ME
Designer and Draftsperson, 1995-1998

- Residential, municipal and commercial landscape design, plant selection, cost estimation, permitting and presentations

TFH Architects, Portland, ME
Draftsperson, summer 1995

- Residential and commercial architectural drafting and presentations

Publications

Botany for Designers, WW Norton Publishing Co., 2011

Research Design Connections, Spring 2004 v3(2), "*Childhood Memories May Play a Positive Role in Restorative Garden Design for Alzheimer Care Facilities*"

Childhood memories of landscapes as a restorative tool in designing gardens for Alzheimer patients, 2001, copyrighted thesis

Honors & Presentations

American Society of Landscape Architects Honor Award, 2001

Speaker, Environmental Design Research Association symposium, Edinburgh, Scotland 2001, "*Childhood Memories of Landscapes as a Restorative Tool in Designing Gardens for Alzheimer Patients*"

Nomination, University of Massachusetts campus-wide Distinguished Teaching Award, 2000

Teaching Experience

Newburyport Continuing Education, Newburyport, MA
Faculty, spring 2011
- Gardener's Boot Camp

Brookline Continuing Education, Brookline, MA
Faculty, spring 2010-present
- Garden Design: A perfect plant palette, seminar
- Designing Your Landscape

Boston Architectural College, Boston, MA
Faculty, fall 2006 to spring 2007
- Intro to Landscape Architecture with Pat Loheed, instruction to first year BLA students in seminar format
- Botany for Designers, created curriculum and taught course to architecture, landscape architecture and interior design students

University of Maine, Orono, ME
Guest Speaker, spring 2002-spring 2006
- Senior design studio with Bill Mitchell

University of Massachusetts, Amherst, MA
Teaching Assistant, fall 1999 & 2000
- Plant identification and laboratory instruction

Professional Service

Steering Committee Member 'Friends of the Brown School Playground', 2013

Our Secret Garden children's outdoor play space, 2013

Newburyport Parks Volunteer, 2011-2012

Appointment #3
April 28, 2014

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

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
2014 APR 22 P 3:56

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: April 22, 2014

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Newburyport Redevelopment Authority. This term will expire on May 1, 2019.

Leslie Eckholdt
36 Warren Street
Newburyport, MA 01950

March 26, 2014

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

RE: Candidate for NRA Board

Dear Mayor Holaday,

I would like to be considered as a candidate for the NRA Board. My reasons for offering my services are several. First of all, when I ran for the Ward 3 City Council position, I heard an overwhelming number of voters express their desire to see the NRA property become a public park with unencumbered views of the waterfront. Voters want to see this property transferred to public ownership from the NRA. Voters may accept a visitors' center and public bathrooms if they do not interfere with important site lines and views. I agree with these goals and would like to help accomplish them.

Also, many voters are tired of the dirt lots - especially on the west lot - and there should be a goal of addressing these concerns.

I might be a suitable NRA board member because I have experience soliciting voters' views and am interested in listening to others. Since the election, I have continued to follow this issue closely and I know that there are many considerations to be dealt with before we can create the public waterfront park we all want. This Is an exciting project on which to work and if I can be of service, I would be most interested.

Thank you for your consideration of my application for the NRA board position.

Sincerely,

Leslie Eckholdt

Leslie Eckholdt
36 Warren St.
Newburyport, MA 01950

Leslie H. Eckholdt
36 Warren St.
Newburyport, MA
978-465-6066
leckholdt@comcast. net

Work Experience

1963 - 1965 Administrative assistant & librarian, Boston University, Boston, MA
1965 - 1969 Academic advisor, University of MN, Mpls., MN
1969 - 1971 College counselor, Metropolitan State University, Mpls., MN
1971 - 1977 Reference librarian, American Community School, Beirut, Lebanon and Haverhill Public Library, Haverhill, MA

1979 - 1988 Mortgage lending officer, consumer lending officer, branch manager, Home Savings & Loan, First Federal Savings & Loan, Norwest Bank (Wells Fargo Bank), Mpls., MN
1989 - 1994 Broker's assistant and stock broker, Smith Barney Securities, Prudential Securities, Mpls., MN

1995 - 2000 Retirement plans department manager, Colonial Mutual Funds, Boston, MA
2000- 2007 Retirement plans specialist, MetLife Inc., Boston, MA
2007 - Retired

Education and Background

Brown University, BA degree 1963
Art history major, studied with Professor William H. Jordy, a leading American architectural historian.

University of MN, College of Education MA degree1969
College counseling program.

Series 7, 63, 65 and CFA Level 1

Extracurricular interests: Historic architecture and preservation, current events, politics and history, travel, gardening, art & art history. Founding member of Roof Overhead.

Appointment #4
April 28, 2014

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

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 APR 15 A 10:58

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: April 15, 2014

Subject: Re-appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Highland Cemetery Commission. This term will expire on February 1, 2017.

Jeffrey R. Tomlinson
21 Hill Street
Newburyport, MA 01950

Appointment #5
April 28, 2014

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

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 APR 14 P 1:00

Donna D. Holaday

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: April 14, 2014

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a full time member of the Harbor Commission. This term will expire on May 1, 2017.

Robert Dow
185 Storey Avenue
Newburyport, MA 01950

Appointment #6
April 28, 2014

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

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 APR 14 P 1:00

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: April 14, 2014

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Conservation Commission. This term will expire on May 1, 2017.

Douglas A. Muir
10 Hancock Street
Newburyport, MA 01950

Appointment #7
April 28, 2014

CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 APR -9 P 3:35

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: April 10, 2014

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Affordable Housing Trust. This term will expire on February 1, 2016.

Madeline Nash
19 Arlington Street
Newburyport, MA 01950

Appointment #8
April 28, 2014

CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

2014 APR 16 P 1:19

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: April 16, 2014

Subject: Re-appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Bartlett Mall Commission. This term will expire on May 31, 2017.

Ellen Hanick
9 Hallisey Drive
Newburyport, MA 01950

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

TRANSFERS

Transfer #2
April 28, 2014

City of Newburyport
FY 2014
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 APR 22 P 2:42

Department: Mayor's Office
Submitted by: Donna D. Holaday
Date Submitted: 4/22/2014

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	$ 1,661,677.98
Account Number:	01-35900	Trans In:	$ -
Amount:	$75,000.00	Trans Out:	$ 830,431.02

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	SIDEWALK REPAIRS	YTD Bal:	$ 105,562.48
Account Number:	3002-49700	Trans In:	$ -
Amount:	$75,000.00	Trans Out:	$ -

Why are Funds Required: *On March 31, 2014, the City Council approved a transfer of $105,562.48 to fund city sidewalk repairs, bringing the total FY14 funding for sidewalks to $240,562.48, representing fifty percent of the prior year's meal tax receipts. This transfer request replenishes the original FY14 sidewalk appropriation of $75,000, bringing the current year funding for sidewalk repairs to $315,562.48.*

Donna D. Holaday, Mayor — Donna D. Holaday — Date: 4/22/14
William B. Squillace, Auditor — Date: 4/22/14
City Council Approval: (Stamp)

APPOINTMENTS

Appointment #9
April 28, 2014

CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
2014 APR 10 P 4:21

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Subject: Reappointment

Date: April 11, 2014

I hereby reappoint, subject to your confirmation, the following named individual as a member of the Zoning Board of Appeals meaning and intending to replace the appointment dated March 18, 2014. This term will expire on February 1, 2019.

Duncan LaBay
4 Ferry Road
Newburyport, MA 01950

APPOINTMENTS
SECOND READING

MAYOR'S APPOINTMENTS
April 28, 2014
SECOND READING

1.	Arthur M. Levine	43B Kent Street	Disabilities Commission	April 30, 2017
2.	Ronald S. Ziemba	58 Lime St. Unit 1	Cultural Council	April 30, 2017
3.	Thomas P. Cappelluzzo	5 Sunset Dr., Newbury	Special Police Officer	
4.	Libby McGee	260 Water Street	Associate Member Zoning Board	April 30, 2019

In City Council April 15, 2014
Motion to approve the Consent Agenda as amended by Councillor Cameron, seconded by Councillor Herzog. So voted.

ORDERS

Order #1
April 28, 2014

CITY OF NEWBURYPORT

IN CITY COUNCIL

April 28, 2014

ORDERED:

THAT the City Council, based upon the recommendation of the Community Preservation Committee, $1,634,000 is appropriated for the following purposes: $1,500,000 is appropriated to pay for the World War Memorial Stadium Multi-Purpose Field Project and $134,000 is appropriated to pay for the Cherry Hill Parcel B Soccer Field Improvement Project; and that, to meet this appropriation, the Treasurer, with approval of the Mayor, is authorized to borrow said sum and to issue bonds or notes of the City therefor in the aggregate principal amount of up to $1,634,000 and pursuant to Chapter 44B, Section 11, of the Massachusetts General Laws, as amended and supplemented, or pursuant to any other enabling authority.

Councillor Charles F. Tontar

MEMO

To: Newburyport City Council

From: Michael Dissette, Vice Chair, for the Community Preservation Committee

Subject: RECOMMENDATIONS: World War Memorial Stadium and Cherry Hill Parcel B Field Improvement Projects

Date: April 22, 2014

At the April 10, 2014 meeting of the Community Preservation Committee (CPC), the CPC voted to recommend that the City Council appropriate via authorization bonding, serviced by Community Preservation Act funds in the following amounts, for the following projects:

- Project No. 1: World War Memorial Stadium Multi-Purpose Field Project, $1.5 million; and
- Project No. 2: Cherry Hill Parcel B Field Improvement, $134,000.

Please see the attached for project recommendations and summaries for both projects, which include recommended conditions for approval.

The application files for both projects are available for review in the Planning Office.

On behalf of the CPC, I encourage you to take timely and favorable action on these recommendations. Thank you for your consideration.

PROJECT NO. 1
WORLD WAR MEMORIAL STADIUM
MULTI-PURPOSE FIELD PROJECT

Recommendation
The CPC recommends the City Council authorize a bond in the amount of $1.5 million serviced by Community Preservation Act funds for the World War Memorial Stadium Multi-purpose Field Project with the following conditions:

- The City shall bear the cost from its general funds of the initial, fiscal year 2015 bond payment, which will be approximately $30,000. The CPA-generated revenues shall be used to service all subsequent bond payments beginning in fiscal year 2016 and terminating in fiscal year 2031. Said bond to be amortized over a period of no less than 15 years; and
- CPA funding may be used for all project costs with the exception of the purchase and installation of the synthetic turf field "carpet" surface.

The CPA category is Recreation.

Project Summary
The replacement and expansion of the existing World War Memorial Stadium playing field is considered a "keystone" project in a broader long-term plan to improve and expand the availability of playing fields throughout the City. The existing field, while currently functional, has insufficient grass coverage and no crown due to overuse, a limited capacity to absorb more use, and is too narrow to properly accommodate a broad range of sports and age groups.

A new wider multi-purpose synthetic turf field at the centrally-located High School will allow a much more intensive use by a number of Newburyport sports teams and leagues, and potentially allow the City to periodically rest the other natural grass fields so they do not become overly stressed. The new facility will also, depending on availability, be a revenue generator for the City as it may be rented out to outsider user groups. This revenue generation has the potential to fund future maintenance of the facility. The expansion of the playing field is made possible by the demolition of the south stands, which have been closed for many years due to their condition. It has been determined that they are not necessary to accommodate present day attendance. The project will incorporate elements that respect and commemorate the history of the Stadium.

PROJECT NO. 2
CHERRY HILL PARCEL B SOCCER FIELD IMPROVEMENT

Recommendation
The CPC recommends the City Council authorize a bond in the amount of $134,000 serviced by Community Preservation Act funds for the redesign and improvement of "Parcel B" at the Cherry Hill Soccer Park. The CPC offers this recommendation with the following condition:

- NYSA shall bear the cost of the initial, fiscal year 2015 bond payment, which is approximately $2,500. The CPA-generated revenues shall be used to service all subsequent bond payments beginning in fiscal year 2016 and terminating in fiscal year 2031.

The CPA category is Recreation.

Project Summary
Due to the significant growth of its league, NYSA has been using an open space area (Parcel 'B') adjacent to the existing soccer field (Parcel 'C') at Cherry Hill NYSA Soccer Park as a practice field. Currently, Parcel 'B' is being used as both a parking lot and a practice field; its surface is uneven and marred with tire tracks. The turf is a combination of crabgrass, grass and weeds where a player could easily be injured. The area is not suitable for use as a practice field, nor as a parking lot. The re-design will address the parking issues and transform the open space area into another high quality soccer field to primarily accommodate future growth of the Newburyport Youth Soccer Association (NYSA). While the field's use will be primarily focused on youth soccer, it will continue to be available for other activities including Special Olympics and High School soccer.

The NYSA and the Newburyport Parks Commission have initiated a private/public collaboration to re-design Cherry Hill NYSA Park. Along with other fundraising efforts, CPA funding will support the design, construction, management and oversight during construction and maintenance following construction. Field use will not be exclusive to NYSA, but the organization will have first priority given their substantial commitment. The two groups envision a proposed license agreement similar in terms and conditions to the current license agreement between the City of Newburyport and NYSA for the current field at Cherry Hill NYSA Park on Daniel Lucy Way.

The funding and commencement of this project at this time, concurrent with the Stadium project, is considered an integral part of the sequencing and scheduling of both projects so as to minimize the impact on field users during construction.

Order #2
April 28, 2014

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

April 28, 2014

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

J.J. O'Brien & Sons, Inc.
PO BOX 540585
5 Fern Street
Waltham, MA 02454

Paperwork on file in the City Clerk's office.

Councillor Ari B. Herzog
Public Utilities Chairperson

ORDINANCES

CITY OF NEWBURYPORT

IN CITY COUNCIL

March 17, 2014

ORDERED:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED BOATS, DOCKS AND WATERWAYS

Chapter 4	**Boats, Docks and Waterways**
Article II	**Harbor**
Division 4	**Use Regulations**
Subdivision A	**Generally**

Section 4-72 Definitions

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ADD:

Stand-up Paddleboard shall mean a surfboard like device used while standing and propelled with a paddle or oar.

Councillor Robert J Cronin

In City Council March 17, 2014
Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Giunta. So voted.

In City Council March 31, 2014
Motion to remove by Councillor Cronin, seconded by Councillor Giunta. Motion to approve 1st reading and order published by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

2nd Read ORD #2
April 28, 2014

CITY OF NEWBURYPORT

IN CITY COUNCIL

March 17, 2014

ORDERED:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED BOATS, DOCKS AND WATERWAYS

Chapter 4	Boats, Docks and Waterways
Article II	Harbor
Division 4	Use Regulations
Subdivision B	Operation of Vessels in Newburyport Harbor

Section 4-80 Windsurfing and Waterskiing

Delete:

(a) Windsurfers and waterskiers are not to operate in the navigable channel of the river or in mooring areas from the Ice Breaker to west of Carr Island.

Insert a new (a):

(a) Windsurfers, Waterskiers and Stand-up Paddleboards are not to operate in the navigable channel of the river or in mooring areas from the Ice Breaker to west of Carr Island.

Add:

(d) All Stand-up Paddleboard users shall wear a USCG approved Personal Floatation Device (PFD) of Type I, II, III or Type V

Councillor Robert J. Cronin

In City Council March 17, 2014
Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Giunta. So voted.

In City Council March 31, 2014
Motion to remove by Councillor Cronin, seconded by Councillor Cameron. Motion to approve 1st reading and order published by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist).

2nd Read ORD #3
April 28, 2014

CITY OF NEWBURYPORT

IN CITY COUNCIL

MARCH 17, 2014

ORDERED:

AN ORDINANCE TO ESTABLISH THE DESIGNATION OF TEMPORARY HANDICAPPED PARKING SPACES

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

General Ordinance Amendment:

CHAPTER 13 TRAFFIC AND MOTOR VEHICLES

Insert a new subsection to Chapter 13 Article 4 section of the Code of the City of Newburyport, Massachusetts with the following text:

Section 13-179.1

(a) **Short Title:** This ordinance may be cited as the "Temporary Handicapped Parking Permit".

(b) **Purpose and Intent:**
Notwithstanding the restrictions promulgated in City Ordinance 13-179 the City of Newburyport adopts the s "Temporary Handicapped Parking Ordinance"

1. From time to time citizens in the City of Newburyport suffer injury or other acute health episode of such magnitude that their quality of life, mobility and reasonable access to their homes is adversely effected;
2. And that this lack of mobility is of a sudden onset and temporary in nature;
3. And that the condition of these residents will improve sufficiently that a disabled veteran or handicapped registration plate or placard normally issued by the Commonwealth of Massachusetts is not a timely or suitable response to their condition;
4. And that the City of Newburyport in many cases is laid out in such a manner that certain residents do not have off street parking;
5. And that the acute nature of the health problem is such that immediate action is warranted;
6. And that this ordinance is limited to the designation and use of a handicapped parking space as near as practicable to the resident's home for the express reason of aiding in their mobility during their recovery process

Therefore let it be ordained that:
The City Clerk may issue a temporary handicapped space specific parking permit not to exceed forty-five (45) days.

The City Clerk may, from time to time, in the sole judgment of that office permit a temporary handicapped parking space for the use of a resident at their home when:

(c) **Limitations:**

1. The resident must demonstrate to the City Clerk that their health issue prevents the use of regular on-street parking insomuch as it would limit the ability of the resident from reasonable access to their home and their mobility is restricted for such necessities such as food shopping, pharmacy or medical visits;
2. And that he resident demonstrates they have no reasonable off-street parking available;
3. And that the hardship is for a limited duration and they would not be eligible for special registration plates;
4. And that the location of the space will be at their residence;
5. And that the vehicle for which the permit is requested is registered at that address.
6. Nothing in this section shall restrict vehicle bearing a valid disabled veteran or handicapped license plate or placard from using the designated space.

(d) **Findings of the City Clerk**

1. The City Clerk may on examining the circumstances declare a temporary handicapped parking space be made available as near as practicable to the residential address;
2. And that he resident will be provided with a special placard for that specific parking space;
3. And that parking space will be marked with signage for a period of forty-five (45) days.
4. The resident is restricted to using only that assigned space at their residence and is forbidden from using other designated handicap spaces.
5. The resident is not exempt and must follow and adhere to any snow emergency parking bans or other parking bans that may be called by the City of Newburyport from time to time.

(e) **Enforcement**

1. This section shall be enforced in the same manner as all handicapped parking spaces.

Councillor Robert J. Cronin
Public Safety Chair

In City Council March 17, 2014
Motion to waive the rules and allow late files by Councillor Cameron, seconded by Councillor Herzog. So voted. Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Cameron. So voted.

In City Council March 31, 2014
Motion to remove by Councillor Cronin, seconded by Councillor Herzog. So voted. Motion to approve 1st reading and order published by Councillor Cronin, seconded by Councillor Herzog. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

April 28, 2014

AN ORDINANCE TO AMEND SUBSECTION 3-26(D) PERTAINING TO ANIMALS

Be it ordained by the Newburyport City Council:

Chapter 3	Animals
Article 2	Dogs
Section 3-26	Leash Required
Subsection d	Table of Designated Off Leash Areas

Add:

(d) Notwithstanding the provisions of subsection (a), for the seven (7) months following the effective date of this subsection, dogs are allowed off leash at Cashman Park, Moseley Woods, and March's Hill, subject to the exclusions and restrictions, off leash hours, and seasonal restrictions set forth in the following Table of Designated Off Leash Areas and subject to the Rules set forth in subsection (e), respectively, below.

Table of Designated Off Leash Areas

Designated off leash area	Exclusions and restrictions	Off leash hours	Seasonal restrictions
Cashman Park	Excluding: playground, basketball court, tennis court, baseball field, soccer field & walkways	7:30 a.m. - 9:00 a.m. and 4:00 p.m. - 7:00 p.m.	Year round
Moseley Woods	Excluding: playground, pavilion & picnic areas	Dawn - Dusk	Year round
March's Hill	Excluding: basketball court	Dawn – Dusk	No off leash dogs allowed at times when children are sledding

Councillor Ari B. Herzog
Councillor Meghan C. Kinsey

Ordinance #5
April 28, 2014

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED: APRIL 28, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED LICENSES, PERMITS AND BUSINESS REGULATIONS

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

Chapter 9	**Licenses, Permits and Business Regulations**
Article VII	**Transient Vendors, Hawkers and Peddlers**
Division 1	**Transient Vendors**
Section 9-114	**Restricted Areas**

DELETE:

Sec. 9-114. Restricted areas.

Approved transient vendors may operate only on Inn Street, pursuant to license commission regulations. This provision does not apply to licensees holding a valid license on December 31, 2010.

ADD

Sec. 9-114. Restricted areas.

Three approved transient vendors may operate only on Inn Street, and one approved transient vendor may operate in Cashman Park pursuant to license commission regulations.

Councillor Robert J. Cronin

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED: APRIL 28, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

General Ordinance Amendment:

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

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

ADD:

Russell Terrace Extension	On the southerly side at the intersection of Russell Terrace.

Councillor Larry G. Giunta

2nd Read ORD #7
April 28, 2014

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED: MARCH 31, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

General Ordinance Amendment:

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

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

ADD:

Pond Street:	Westbound traffic at the corner Greenleaf Street
Green Street	Northbound traffic at the corner of Merrimac Street

Councillor Robert J. Cronin
Public Safety Chair

In City Council March 31, 2014
Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Giunta. So voted.

In City Council April 15, 2014
Motion to remove ordinance by Councillor Cronin, seconded Councillor Cameron. So voted. Motion to approve and order published by Councillor Cronin seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Kinsey). So voted.

2nd Read ORD #8
April 28, 2014

CITY OF NEWBURYPORT

IN CITY COUNCIL

March 31, 2014

ORDERED:

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

Delete from (g) (2)

Ashland Street – Beginning at the lower corner of Ashland Court and proceeding northerly on the westerly side of Ashland Street to a point 6 feet north of the property line between 2 Ashland Street and 345 Merrimac Street.

Beginning at the lower corner of Ashland Court and proceeding northerly on the easterly side of Ashland Street to Merrimac Street.

Add the following streets or portions thereof to the resident only parking zone as defined in subsection (a)(3):

Ashland Street – Beginning at the lower corner of Ashland Court and proceeding northerly on the westerly side of Ashland Street to a point 6 feet north of the property line between 2 Ashland Street and 345 Merrimac Street.

Beginning at the lower corner of Ashland Court and proceeding northerly on the easterly side of Ashland Street to Merrimac Street.

"Resident only parking zones shall mean a residential district where curbside parking on public highways is restricted to vehicles of residents that properly display a parking permit authorized by this section." Section 13-180 (a) (3)

Councillor Charles F. Tontar

In City Council March 31, 2014
Motion to refer to Public Safety by Councillor Cameron, seconded by Councillor Tontar. So voted

COMMITTEE ITEMS

Budget & Finance

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

April 8, 2014

AN ORDINANCE TO ADD AN ORDINANCE ENTITLED ANNUAL MASTER BOX CONNECTION FEE

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

Chapter 7: FIRE PREVENTION AND PROTECTION
Article 1: IN GENERAL
Section 7-4: ANNUAL MASTER BOX CONNECTION FEE

Each fire alarm user shall, on or before July 1 of each year, remit to the City Treasurer/Collector a connection fee of three hundred dollars ($300.00) for each master box connection to the municipal fire alarm system.

Councillor Edward C. Cameron

Refer
To PS + PF
EC
CT
SV

Fire Alarm Monitoring Fee Survey
Feb-14

Department	Hook-up fee	Annual Fee
Devens	$250.00	$300.00
Gloucester	$0.00	$250.00
Haverhill	$25.00	$250.00
Lawrence	$200.00	$275.00
Methuen	detail x hrs	$250.00
Middleton	detail x hrs	$150.00
North Reading	detail x hrs	$300.00
Portsmouth	detail x hrs	$280.00
Salisbury	$0.00	$200.00
Swampscott	$50.00	$300.00
Tewksbury	$25.00	$0.00
Wakefield	$0.00	$225.00

PLANNING & DEVELOPMENT

Order #1
April 15, 2014

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED: April 15, 2014

THAT pursuant to General Laws Chapter 40, Sections 15 and 15A the City Council of the City of Newburyport hereby designate the former Kelley School *(formally closed by the School Committee by vote of April 23, 2007, and now operating as the Newburyport Youth Services facility)* as surplus property, no longer needed by the City for such purposes or for other public purposes *(based upon the anticipated relocation of Newburyport Youth Services to the Brown School)*, and further *(consistent with the April 7, 2014 vote of the School Committee)* that the Council hereby transfers the care, custody, management and control of said building and the land upon which it stands *(151 High Street, Assessors Map 35 Lot 161)* to the Mayor for the purposes of further conveyance, on such terms and conditions, and for such consideration, as the Mayor deems appropriate, provided that a condition of the sale or lease of said property shall be a duly recorded Preservation Restriction for the protection of the historic facades of said building, and further that the proceeds from sale or lease of the property be used, at the discretion of the Mayor, for either supplementing the School Department budget or for the purposes of funding capital improvements required at the Brown School necessary for the conversion of this facility to function *(in part)* as the Newburyport Youth Services facility. It is acknowledged herein that any further disposition *(lease or sale)* of the Brown School will be subject to transfer and approvals by both the School Committee and City Council, pending relocation of students and faculty to the new Bresnahan School.

Councilor Ed Cameron
Councilor Meghan Kinsey

ORDER #2 LATE FILE
APRIL 15, 2014

CITY OF NEWBURYPORT

IN CITY COUNCIL

Date: April 15, 2014

ORDERED:

THAT pursuant to General Laws Chapter 82, Sections 21 and 32A the City Council of the City of Newburyport hereby abandon and discontinue permanently the vacant land between 24 and 28 Collins Street which is portion of Collins Street, a public way as shown on a plan, a copy of which is on file with the City Clerk and Office of Planning & Development, entitled "_____ (insert map title) _____," prepared by __(insert name of surveyor or engineer)_____ and dated __(insert month/day)__, 2014. Said portion of Collins Street hereby abandoned and discontinued is bounded and described, according to said plan, as follows:

[insert text description of metes & bounds, or reference labeled and bounded portion of Collins Street]

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

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

Councillor Charles Tontar

Public Safety

CITY OF NEWBURYPORT

IN CITY COUNCIL

APRIL 15, 2014

ORDERED:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

General Ordinance Amendment:

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

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

ADD:

Storey Avenue	Westbound traffic at 56 feet from entrance to Rte. 113; said sign to be opposite Virginia Lane

Councillor Larry G. Giunta

refer to
PS
LG
PC
SV