CITY COUNCIL MEETING
AGENDA - VERSION 1
October 31, 2011
7:30 PM

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

CONSENT AGENDA

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

6. **APPROVAL OF MINUTES**
   October 17, 2011 (Approve)

7. **TRANSFERS**
   1. DPS Highway Rsv App Gasoline $90,000 to DPS Highway Fuel & Oil $90,000 (B&F)
   2. Mayor Free Cash $133,700 to DPS Capital – Trackless Tractor $133,700 (B&F)

8. **COMMUNICATIONS**
   1. Letter re: street closing for Mayor's 2nd Annual Health Fair Nov. 19th (Approve)
   2. Retirement Board Expense Budget C/Y 2012 (R&F)
   3. Urban Forest Management Information (R&F)

9. **APPOINTMENTS**

Appointment

1. Gary Robinson	12 Hill Street	Highland Cemetery	Feb. 3, 2012
2. Jeffrey Briggs	17 Dalton Street	Highland Cemetery	Feb. 3, 2013
3. Karen Kelly-Alger	27 Hill Street	Highland Cemetery	Feb. 3, 2013
4. Patricia Spaulding	5 Bricher Street	Highland Cemetery	Feb. 3, 2014
5. Susan R. Brown	33 Fair Street	Diversity & Tolerance Comm	Oct. 1, 2014
6. Jeffrey R. Tomlinson	21 Hill Street	Highland Cemetery	Feb. 3, 2014
7. Jennie Donahue	18 Cherry Street	Disabilities Commission	Oct. 1, 2014

Re-Appointment

8. Benedetto Orlando	104 North Ave, Apt. 2 Haverhill	Ass't Harbormaster	Oct. 25, 2014

END OF CONSENT AGENDA

REGULAR AGENDA

10. **APPOINTMENTS – Second Reading**

9. Walt Thompson	100 State Street, Unit 2	Bartlett Mall Commission	October 1, 2014
10. John P. Gavin	14 Marquand Lane	Police Officer	
11. Charles T. Ferlauto	4 Park Street	Police Officer	
12. Gregory F. Whitney	23 Low Street, Newbury	Police Officer	
13. Roger E. Jones	37 Storeybrooke Drive	Water Commission	October 1, 2016
14. Anne Spraker	35 Lime Street	Cultural Council	October 1, 2014

11. ORDINANCES

1. Second Reading - Sec. 13-171.1 Traffic and Motor veh. pick up and drop off, 35 Summer St
2. Second Reading - Amend Ord.13-180 Parking Resident Fruit Street
3. Second Reading - Section 13-176.1 Traffic and Motor Vehicles, High and Ashland
4. Second Reading - Section 13-168 Salem Street, No Parking

12. COMMITTEE ITEMS

Budget & Finance
In Committee:

1. Mayor Green Initiatives REV APPR ($20,000) to Mayor-CHMM	**11/29/2010*
2. CPA Allocation to Moseley to Maudslay Trail Con. Project	**09/12/2011*
3. Street Lighting Recommendation	**09/21/2011*
4. Parks Commission-Quail Run to Park Maintenance $2,900, to Atkinson Common $2,000, to Rail Trail $3,000, to Other Supplies $12,100	**09/26/2011*
5. Supplemental recommendation CPC Allocation	**10/17/2011*
6. Mayor/Health Green Initiatives Rev Fd to Animal Control ($3,700)	**10/17/2011*
7. Mayor Budget Contingence to Planning Tech Stipend ($3,822)	**10/17/2011*
7. Order Wastewater Treatment Facility Mod. Project financing	**10/17/2011*

General Government
In Committee

1. Campaign Finance Reports-Municipal Forms posting on City Website	**05/09/2011*
2. Union Contract posting on City Website	**05/09/2011*
3. Section 13 - 180 Add/Delete Streets By Order	**09/12/2011*
4. Ltr re H1972 "An Act Regulating Election Primaries"	**10/17/2011*

Joint Education
In Committee:

License & Permits
In Committee:

1. Cars Port Taxi rate increase request	**05/31/2011*
2. Outdoor Seating Application – Expansion Agave	**10/17/2011*

Neighborhoods & City Services
In Committee:

1. Newburyport Tree Ordinance	**07/22/2010*

Planning & Development
In Committee:

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

8. Supplemental recommendation CPC Allocation	**10/17/2011*
9. Amend Ord Zoning Map B1 Zone Storey Ave	**10/17/2011*
10. Amend Ord Zoning Sec. IV delete subsection V-C.1 "Smart growth ord"	**10/17/2011*
11. Amend Ord Zoning Sec. V-D, Sec V-E	**10/17/2011*
12. Amend Ord Zoning Sec. IX, Sec. XXI	**10/17/2011*
13. Amend Ord Zoning Sec. VIII Signs	**10/17/2011*
14. Amend Ord Zoning Sec. VI Dimensional Controls	**10/17/2011*
15. Amend Ord Zoning Sec. II Definitions	**10/17/2011*

Public Safety
In Committee:

1. Residential Handicap Parking Ordinance	**01/11/2010*
2. Amend Sec. 13-86 Water St. (25mph) State to Federal	**05/09/2011*
4. Amend Ord 13-121 One-Way Streets Griffin Court	**07/25/2011*
5. Amend Ord.13-180 Parking Resident Harris Street from Green to State Sts	**08/29/2011*
6. Amend Ord.13-182 Traffic and Motor Vehicles	**08/29/2011*
8. Section 13-182 entitled: Hotel/Inn and Bed and Breakfast Accommodations	**09/12/2011*

Public Utilities Committee
In Committee:

1. Letter regarding Pole at 114 High Street	**05/31/2011*
2. Mayor's letter regarding True North Solar for renewable energy contract	**08/29/2011*
3. Ltr re Undergd Fuel Storage, Apache Oil, 75 Storey Ave, Biodiesel	**09/12/2011*
4. Street Lighting Recommendation	**09/21/2011*
5. True North Net Metering Sales Agreement	**10/17/2011*
6. Order Wastewater Treatment Facility Mod. Project financing	**10/17/2011*

Rules Committee
In Committee:

13. GOOD OF THE ORDER

14. ADJOURNMENT

LATE FILE ITEMS

CONSENT AGENDA

CITY COUNCIL MEETING
Minutes – October 17, 2011
7:30 PM

Council President O'Brien called the meeting to order at 7:34 pm and had a moment of silence followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Derrivan, Earls, Heartquist, Herzog, Hutcheson, Ives, Jones and O'Brien. All present.

LATE FILE ITEMS

Communication #6, Communication #7, Appointment #6

Motion to waive the rules and allow the late file items by Councillor Cameron, seconded by Councillor Connell. So voted on a unanimous voice vote.

PUBLIC COMMENT

1. Scott Mitchell 285 Dockham Shore, Gilford ReZone

CONSENT AGENDA

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

1. **APPROVAL OF MINUTES**
   September 21, 2011 (Approve)
   September 26, 2011 (Approve)

2. **TRANSFERS**
   1. Mayor/Health Green Initiatives Rev Fd to Animal Control ($3,700) (Approve)

Removed by Councillor Ives.

   2. Mayor Budget Contingence to Planning Tech Stipend ($3,822) (Approve)

Removed by Councillor Herzog.

   3. City Auditor Rsv Appr Ins Claims to Police Maint of Vehicles ($1,000) (Approve)

3. **COMMUNICATIONS**
   1. Ltr re H1972 "An Act Regulating Election Primaries" (General Gov)
   2. Supplemental recommendation CPC Allocation (P&D, B&F)
   3. Block Party Application October 29, 2011 Eagle Street (Approve)
   4. Outdoor Seating Application – Expansion Agave (L & P)
   5. Audio Visual Equipment upgrade City Council Chambers (R&F)

4. **APPOINTMENTS**

1. Walt Thompson	100 State Street, Unit 2	Bartlett Mall Commission	October 1, 2014
2. John P. Gavin	14 Marquand Lane	Police Officer	
3. Charles T. Ferlauto	4 Park Street	Police Officer	
4. Gregory F. Whitney	23 Low Street, Newbury	Police Officer	
5. Roger E. Jones	37 Storeybrooke Drive	Water Commission	October 1, 2016

Motion to approve Consent Agenda as amended by Councillor Jones, seconded by Councillor Cameron. So voted on a unanimous voice vote.

END OF CONSENT AGENDA

REGULAR AGENDA

5. TRANSFERS

1. Mayor/Health Green Initiatives Rev Fd to Animal Control ($3,700) (Approve)

Motion to refer to Budget & Finance by Councillor Ives, seconded by Councillor Jones. So voted on a unanimous voice vote.

2. Mayor Budget Contingence to Planning Tech Stipend ($3,822) (Approve)

Motion to refer to Budget & Finance by Councillor Herzog, seconded by Councillor Connell. So voted on a unanimous voice vote.

6. LATE FILE COMMUNICATIONS

6. Block Party Hill Street and Greenleaf Street October 29, 2011 2pm to 10pm

Motion to approve by Councillor Connell, seconded by Councillor Jones. So voted on a unanimous voice vote.

7. True North Net Metering Sales Agreement

Motion to refer to Public Utilities by Councillor Connell, seconded by Councillor Ives So voted on a unanimous voice vote.

7. APPOINTMENTS – Second reading

1. Dylan McCloy	17 Wildwood Drive	Youth Commission	May 31, 2014
2. Justin Dutcher	45A Washington St.	Harbor Commission	Sept. 1, 2013

Motion to approve second reading of 1 and 2 together by Councillor Herzog, seconded by Councillor Derrivan. So voted on a unanimous voice vote.

6. LATE FILE Anne Spraker	35 Lime Street	Cultural Council	October 1, 2014

Motion to approve by Councillor Jones, seconded by Councillor Herzog. So voted on a unanimous voice vote.

8. ORDERS

1. Order amend Waterfront Trust appointment dates

Motion to approve by Councillor Earls, seconded by Councillor Jones. So voted on a unanimous voice vote.

2. Order Renewal of Book Drop at Cushing Park

Motion to approve by Councillor Earls, seconded by Councillor Jones. So voted on a unanimous voice vote.

3. Order accepting Ch 73 sec.4 Acts of 1986 property tax exemption

Motion to approve by Councillor Jones, seconded by Councillor Connell. So voted on a unanimous voice vote.

4. Order Wastewater Treatment Facility Mod. Project financing

Motion to refer to Public Utilities and Budget & Finance by Councillor Ives, seconded by Councillor Connell. So voted on a unanimous voice vote.

5. Order Clipper Heritage Trail Special Revenue Fund

Motion to approve by Councillor Cameron, seconded by Councillor Jones. So voted on a unanimous voice vote.

6. Resolution Coffin Street

Removed by Councillor Connell.

9. ORDINANCES

1. Amend Ord Zoning Map B1 Zone Storey Ave

Motion to refer to Planning & Development by Councillor Ives, seconded by Councillor Jones. So voted on a unanimous voice vote.

2. Amend Ord Zoning Sec. IV delete subsection V-C.1 "Smart growth ordinance"

Motion to refer to Planning & Development by Councillor Jones, seconded by Councillor Derrivan. So voted on a unanimous voice vote.

3. Amend Ord Zoning Sec. V-D, Sec V-E

Motion to refer to Planning & Development by Councillor Jones, seconded by Councillor Derrivan. So voted on a unanimous voice vote.

4. Amend Ord Zoning Sec. IX, Sec. XXI

Motion to refer to Planning & Development by Councillor Jones, seconded by Councillor Derrivan. So voted on a unanimous voice vote.

5. Amend Ord Zoning Sec. VIII Signs

Motion to refer to Planning & Development by Councillor Jones, seconded by Councillor Derrivan. So voted on a unanimous voice vote.

6. Amend Ord Zoning Sec. VI Dimensional Controls

Motion to refer to Planning & Development by Councillor Connell, seconded by Councillor Jones. So voted on a unanimous voice vote.

7. Amend Ord Zoning Sec. II Definitions

Motion to refer to Planning & Development by Councillor Connell, seconded by Councillor Jones. So voted on a unanimous voice vote.

8. Second Reading -Amend Ord. 3-26 Animals, Dogs leash required

Motion to approve second reading by Councillor Herzog, seconded by Councillor Heartquist. Roll call vote, 8 yes, 2 no (Derrivan, O'Brien), 1 present (Cronin). So voted.

9. LATE FILE – Sec. 13-171.1 Traffic and Motor vehicles, pick up and drop off, 35 Summer Street

Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Jones. So voted. Motion to remove by Councillor Cronin, seconded by Councillor Jones. So voted. Motion to waive the rules and allow first reading and order published by Councillor Cronin, seconded by Councillor Jones. Roll call vote, 11 yes. So voted.

10. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor Green Initiatives REV APPR ($20,000) to Mayor-CHMM **11/29/2010*
2. CPA Allocation to Moseley to Maudslay Trail Con. Project **09/12/2011*
3. Police Sal Officers to Retirement Acct (41,940.93) Brunault and Rice **09/12/2011*

Motion to remove by Councillor Cameron, seconded by Councillor Derrivan. Motion to approve by Councillor Cameron, seconded by Councillor Cameron. So voted on a unanimous voice vote.

4. Street Lighting Recommendation **09/21/2011*
5. Parks Commission-Quail Run to Park Maintenance $2,900, to Atkinson Common $2,000, to Rail Trail $3,000, to Other Supplies $12,100 **09/26/2011*

General Government

In Committee

1. Campaign Finance Reports-Municipal Forms posting on City Website **05/09/2011*
2. Union Contract posting on City Website **05/09/2011*
3. Section 13 - 180 Add/Delete Streets By Order **09/12/2011*

Joint Education

Councillor Hutcheson reported that Newburyport High School was ranked #16 by Boston Magazine.

In Committee:

License & Permits
In Committee:
1. Cars Port Taxi rate increase request **05/31/2011*

Neighborhoods & City Services
In Committee:
1. Newburyport Tree Ordinance **07/22/2010*

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

Public Safety
In Committee:
1. Residential Handicap Parking Ordinance **01/11/2010*
2. Amend Sec. 13-86 Water St. (25mph) State to Federal **05/09/2011*
Motion to remove by Councillor Cronin, seconded by Councillor Jones. Motion to receive and file by Councillor Cronin, seconded by Councillor Derrivan. So voted on a unanimous voice vote.
3. St. Paul's Church request to restrict parking on Summer Street entrance **05/31/2011*
Motion to remove by Councillor Cronin, seconded by Councillor Jones. Motion to receive and file by Councillor Cronin, seconded by Councillor Jones. So voted.
4. Amend Ord.13-121 One-Way Streets Griffin Court **07/25/2011*
5. Amend Ord.13-180 Parking Resident Harris Street from Green to State Sts **08/29/2011*
6. Amend Ord.13-180 Parking Resident Fruit Street **08/29/2011*
Motion to remove by Councillor Cronin, seconded by Councillor Jones. Motion to approve first reading and order published by Councillor Cronin, seconded by Councillor Jones. Roll call vote, 11 yes. So voted.
7. Amend Ord.13-182 Traffic and Motor Vehicles **08/29/2011*
8. Section 13-176.1 Traffic and Motor Vehicles, High and Ashland **09/12/2011*
Motion to remove by Councillor Cronin, seconded by Councillor Cameron. 11 yes. Motion to approve first reading and order published by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 11 yes. So voted.
9. Section 13-168 Salem Street, No Parking **09/12/2011*
Motion to remove by Councillor Cronin, seconded by Councillor Connell. Motion to approve first reading and order published by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote, 11 yes. So voted.
10. Section 13-182 entitled: Hotel/Inn and Bed and Breakfast Accommodations **09/12/2011*

Public Utilities Committee
Councillor Ives reported that there will be a meeting on Nov. 10th at 7pm to discuss Net Metering.

In Committee:
1. Letter regarding Pole at 114 High Street **05/31/2011*

2. Mayor's letter regarding True North Solar for renewable energy contract *08/29/2011*
3. Ltr re Undergd Fuel Storage, Apache Oil, 75 Storey Ave, Biodiesel *09/12/2011*
4. Street Lighting Recommendation *09/21/2011*

Rules Committee
In Committee:

11. GOOD OF THE ORDER

Councillor Cameron stated that their would be a Budget and Finance and Committee of the Whole meeting on Street Lighting on October 24, 2011.

Motion to change the meeting scheduled for Oct. 31 to Nov. 1 by Councillor Hutcheson, seconded by Councillor Heartquist. Roll call vote, 4 yes (Connell, Heartquist, Herzog, Hutcheson), 7 no. Motion failed.

12. EXECUTIVE SESSION

Motion to go into executive session at 8:30pm for purpose of possible litigation by Councillor Cameron, seconded by Councillor Jones. Roll call vote, 11 yes. Note will not be coming out to regular session.

Motion to come out of executive session by Councillor Herzog, seconded by Councillor Derrivan. Roll call vote, 11 yes.

13. ADJOURNMENT

TRANSFERS

Transfer #1
October 31, 2011

City of Newburyport
FY 2012
BUDGET TRANSFER REQUEST

Department: DPS Highway

Submitted by: Anthony J. Furnari, Director **Date Submitted:** 10/24/2011

Transfer From:

Account Name	RSV APP Gasoline	YTD Bal:	$ 189,851.71
Account Number:	2722-49900	Trans In:	$ -
Amount:	$90,000.00	Trans Out	$ -

Why are Funds Available:

Funds are deposited into this special revenue account by city departments who purchase gasoline at the DPS gas pumps. Expenditures can not be made directly from this "special revenue" account and therefore must be transferred to the DPS Highway Fuel and Oil Budget Account in order to purchase more fuel / oil.

Transfer To:

Account Name	DPS Highway-Fuel and Oil	YTD Bal:	$ 11,242.67
Account Number:	01421004-54801	Trans In:	$ -
Amount:	$90,000.00	Trans Out	$ -

Why are Funds Required: *Funds are required to buy gasoline and oil that is used by city vehicles.*

Transfer To:

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

Why are Funds Required:

Transfer To:

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

Why are Funds Required:

Donna D. Holaday, Mayor — Donna D Holaday — Date: 10/25/11

William B. Squillace, Auditor — Date: 10/25/11

City Council Approval: (Stamp)

Transfer #2
October 31, 2011

City of Newburyport
FY 2012
BUDGET TRANSFER REQUEST

Department: Mayor / DPS Highway

Submitted by: Mayor Holaday **Date Submitted:** 10/25/2001

Transfer From:

Account Name	Free Cash	YTD Bal:	$ 1,791,088.00
Account Number:	01-35900	Trans In:	$ -
Amount:	$133,700.00	Trans Out:	$ -

Why are Funds Available: *Free Cash is available for any municipal purpose with the approval of the Mayor and a majority vote of the City Council.*

Transfer To:

Account Name	DPS Capital - Trackless Tractor	YTD Bal:	$ -
Account Number:	01421008- 58940	Trans In:	$ -
Amount:	$133,700.00	Trans Out:	$ -

Why are Funds Required: *This tractor is included in the Capital Improvement Program which will be forwarded to you next month. It will be used to remove snow from the sidewalks, and therefore the approval process must begin now in order to have it available for snow season (see attached).*

Transfer To:

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

Why are Funds Required:

Transfer To:

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

Why are Funds Required:

Donna D. Holaday, Mayor — Donna D. Holaday — Date: 10/25/11

William B. Squillace, Auditor — William B. Squillace — Date: 10/25/11

City Council Approval: (Stamp)

PROJECT DETAIL SHEET

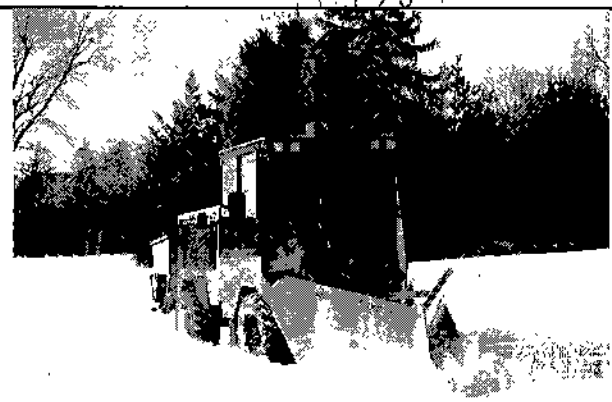
Project Title: **Purchase of Trackless Series MT6 Municipal Tractor**

Department: **DPS - Highway**

Description and Justification:

The Trackless is an all purpose machine that can be used during both the summer and the winter. During the summer months, DPS will use the Trackless to mow the parks, cemeteries and any other open fields. With a mowing deck of 132 inches, the Trackless will give the DPS the ability to mow these areas quicker and as a result more frequently.

In the winter, the Trackless will be used to clean sidewalks for schools and in the downtown. Currently, the DPS does not have a piece of equipment that specializes in widening roads after significant snow fall. This piece of equipment will give the DPS the ability to quickly widen roads using the Trackless' specialized attachment which was designed to do this type of work.



RECOMMENDED FINANCING

	Source of Funds	Total Six -Year Cost	Estimated Expenditures by Fiscal Year					
			FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
A. Feasibility Study								
B. Design								
C. Land Acquisition								
D. Construction								
E. Furnishings/Equipment								
F. Departmental Equipment	6	133700	133700					
G. Contingency								
H. Other								
TOTAL		**$133,700**	**$133,700**					

Source of Funds Legend

(1) Operating Revenues
(2) Municipal GO Bonds
(3) State Aid
(4) Capital Stabilization Fund
(5) Harbormaster Retained Earnings
(6) Free Cash / Other
(7) Sewer Enterprise Fund Retained Earnings
(8) Water Enterprise Fund Retained Earnings

COMMUNICATIONS

Communication #1
October 31, 2011

CITY OF NEWBURYPORT

2011 OCT 20 A 11:13

OFFICE OF THE MAYOR

DONNA D. HOLADAY
MAYOR

NEWBURYPORT CITY HALL

60 PLEASANT STREET

NEWBURYPORT, MA 01950

TEL: 978.465.4413

FAX: 978.465.4402

To: President O'Brien and City Councillors

From: Donna D. Holaday, Mayor

Date: October 20, 2011

Subject: Wellness Fair

On November 19th my office, in conjunction with the Health Department will host the 2nd Annual Wellness Fair at Brown's Square and City Hall beginning at 10:00 a.m. and ending at 2:00 p.m. Vendors from the Newburyport area, surrounding communities and Boston have been invited to participate. The objective of this fair is to promote best health practices while learning the proper techniques to acquire optimum health. Additionally, we will be offering a flu clinic to be held in the Council Chamber for Newburyport residents.

City Hall Auditorium will house tables for blood pressure screening, eye sight/hearing testing, fitness professionals, chiropractors, nutritional advice, as well as information on the youth coalition, Geiger Crisis Center to name just a few. Outside City Hall it is anticipated that attendees will have the opportunity to participate in demonstrations by the Newburyport Fire Department Children's Safety House (Stop, Drop and Roll), the American Red Cross ERV, American Medical Response, the Essex County Sheriff's Department, the Lion's Club Eye Mobile, as well as others. We respectfully request the closing of a portion of Pleasant Street, from the corner of Pleasant Street and Green to the corner of Pleasant and Titcomb between 8:00 a.m. until 3:00 p.m. on the 19th of November. The Director of the Department of Public Services has agreed to barricade both ends of the street and approval from the Fire Chief and City Marshal has been obtained for the fair.

Thank you for your consideration.

Communication #2
October 31, 2011

Newburyport Retirement System
60 Pleasant Street, City Hall
Newburyport, MA 01950

Board Members
Paula Fowler, Elected Member
Alexander Kravchuk, Board Appointee
Vincent Malgeri, Mayor Appointee
Franklin Spaulding, Chairman
William Squillace, City Auditor

Telephone
(978) 465-6619
Fax
(978) 462-4042

To: President & Members of the City Council

From: Newburyport Retirement Board

Re: Retirement Board Expense Budget C/Y 2012

Section 36 of Chapter 306 of the Acts of 1996 states that the Retirement Board shall file with the legislative body of the governmental unit an annual budget (and any supplemental budgets) covering the operating expenses of the Retirement Board.

We are filing this budget with you for informational purposes only. No action need be taken by you, as these expenses will be funded from the investment income of the Retirement System.

Sincerely,

Laurie J. Burton
Director

Administrative Budget for the Newburyport Retirement Board

January 1, 2012 - December 31, 2012

Administrative Expenses/City re-imbursements	8,934.51
Board Stipends	19,500.00
Contracts & Computer Program	17,456.40
Fiduciary Insurance	3,569.98
Furniture & Equipment	350.00
Legal	3,500.00
Conferences/Travel	6,000.00
Staff salaries/Clerks	93,608.39
Training	2,500.00
Total	155,419.28

Franklin Spaulding, Chairman, Elected

Paula Fowler, Elected Member

Alexander Kravchuk, Board Appointee

Vincent Malgeri, Mayor Appointee

William Squillace, Ex-Officio

Estimated to be paid in 2012
Investment Management fees: $360,000
Pensions & Annuities $4,918,388.28

October 6, 2011

Harmony sought between trees, power lines

By Dyke Hendrickson
Staff Writer

NEWBURYPORT — Power lines and trees don't make for a good mix, and a new plan will see to it that both get their own space along the city's streets.

Newburyport will receive a $15,000 grant to plant trees throughout designated parts of the city. The work will involve transplanting young trees along major streets and in municipal cemeteries. The money comes from National Grid, which has created a "releafing" program.

Officials of National Grid say the intent of the program is to transplant young trees from the "wrong" locations (under overhead wires) to sites that are the "right" locations, sectors that are not near utility lines.

Forestry volunteers in Newburyport will help implement the transplanting.

Edward M. Lambert, commissioner of the Department of Conservation and Recreation, made the presentation yesterday to Mayor Donna Holaday.

"Newburyport submitted a well-researched proposal," Lambert said. "The trees that are planted will provide shade cover in the future in areas that are best suited for trees."

Holaday said, "Newburyport is a city that values its trees and landscaping. This grant will be helpful."

Several students from the River Valley Charter School attended in recognition of the fact the school has been planting trees in the city for close to seven years.

State Rep. Mike Costello, D-Newburyport, said, "This is a beautiful city, and programs like this will help it to maintain its attractive appearance.

"Over the last two decades Newburyport has reinvigorated our tree-planting program, and this grant will help foster the continued growth."

The award was part of $80,470 in state urban forestry grants.

Other communities or nonprofit organizations that received grants include the city of Beverly, the town of Rutland, the Worcester Tree Initiative in Partnership with the Worcester Youth Center and the Boston Natural Areas Network.

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www.eaglerockfinancial.net

Related Photos

Mayor Donna Holaday, center, accepts a facsimile of a check for $15,000 from National Grid that will be used to support tree and forestry projects in Newburyport. From left are Tom Brace of River Valley Charter School in Newburyport; Eric Seaborn, urban forester for the state Department of Conservation and Recreation; Rep. Mike Costello, D-Newburyport; Edward Lambert, commissioner of the state Department of Conservation and Recreation; Cameron Dunn and Fedja Celebic, River Valley Charter School students; tree planting volunteer Jeffrey Escher of Newburyport; James MacArthur, senior arborist for National Grid and Jeanne Schultz, executive director of River Valley Charter School.

Dyke Hendrickson/Staff photo

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MANAGING THE URBAN FOREST
FOR MASSACHUSETTS MUNICIPALITIES

A White Paper by Jeff Esche

Public trees are a fixture of city life, required, on an almost subconscious level, by most citizens. Planting trees is a reflexive civic activity and is too often the first activity of only two city activities, the second activity being cutting them down when they become hazardous or cleaning them up when they fall on their own.

City trees are city assets, as are buildings and police cars. All return benefits to the city, all have acquisition. Maintenance and disposal costs. For trees in Newburyport these costs are not identified and as a result the asset is ignored, acquisition is haphazard, no maintenance is provided and the asset, after decades of providing ecological benefits, is scrapped, at the cities' expense, with no recovery.

Historically, this present practice of city tree management in Newburyport is a severe step backwards from the practices of the past 3000 years in which communities managed their forests as sustainable working assets.

Settlers in Massachusetts applied the laws and customs of the English practice, including that of community property including commons, rights-of-way, and natural resources, such as deer and trees with a system of responsibility invested in Wardens. Massachusetts, indeed, founded the first Tree Warden Association in 1913, a time when scientific study of trees and forests were relatively new. The old wardens worked from "handed down" knowledge and "hands on" experience of their forests, wild or urban.

However, the growing urban infrastructure, new challenges from imported pests and pathogens, including Dutch Elm Disease and now the Asian Longhorn Beetle, raised the challenge level for wardens. The 20th century marked the rise of large scale challenges in forestry and the entry of higher levels of government into the fray, but the community tree warden continued to be the "front line" of Urban Forestry - until Proposition 2 ½ .

The old wardens are gone, municipalities feel they cannot afford qualified Wardens and today designated Wardens, often operating without working knowledge of the urban forest are reactively engaged in removing the aging assets.

However, larger government units both demand and support urban forest management. These agencies consider the community Tree Warden still to be the 'front line" in the urban forest.

Following are excerpts and Web links describing the requirements and the support roles of various agencies and organizations engaged in shaping and supporting municipalities in managing the urban forest.

Massachusetts General Laws, Part I, Title VII, Chapt 41, Section 106

Section 106 (excerpt)
In any city or in a town which exceeds ten thousand inhabitants and which provides by vote, by-law or by ordinance that the tree warden shall be appointed, such appointment shall be made by the mayor, with the approval of the city council or by the board of selectmen. In such city or town, the tree warden shall exercise the duties of tree warden and of insect pest control. Such tree warden shall be qualified by training and experience in the field of arboriculture* and licensed with the department of food and agriculture in accordance with the provisions of section ten of Chapter 132 B. The term of such appointment shall be for three years."
http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter41/Section106

Professional requirements
http://maps.massgis.state.ma.us/dcr/forestry/glossary.html#PROSTAF_YN
Pesticide Requirements
http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleXIX/Chapter132B/Section10

Massachusetts General Laws, Part I, Title XIX, Chapt 132, Section 16

Section 16. Any city or town, which has a public shade tree inventory, not more than five years old, a public shade tree management plan approved by the state forester, and is in compliance with all requirements of law as well as any rules and regulations of the chief superintendent pertaining thereto, may apply to the bureau of shade tree management and pest control, for partial reimbursement of total expenditures made during the calendar year for the care, control and management of their public shade trees. Compensable activities include, but are not limited to, the planting, pruning, and removal of public shade trees.

http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleXIX/Chapter132/Section16

USDA Forest Service Urban & Community Forestry Program
Performance Parameters
- Urban Forest Management Plan
- Professional Staff
- Ordinances
- Advocacy/Advisory Organization

http://maps.massgis.state.ma.us/dcr/forestry/glossary_table1.html

There are resources available to support the urban forest effort, including the USDA supported
Massachusetts Department of Conservation and Recreation

" Massachusetts Urban and Community Forestry Program assists communities and nonprofit groups in protecting, growing, and managing community trees and forest ecosystems, with the ultimate aim of improving the environment and enhancing livability of all of Massachusetts' communities. We provide grants, technical assistance, training, and recognition awards to communities of all sizes throughout Massachusetts. The program also provides guidance on urban forestry policy issues at the state level."

http://maps.massgis.state.ma.us/dcr/forestry/glossary.html - ST_ASST_YN

http://www.mass.gov/dcr/stewardship/forestry/urban/index.htm

DCR – Urban Forestry awards grants
http://www.mass.gov/dcr/stewardship/forestry/urban/urbanGrants.htm

This link shows Massachusetts municipalities and their performances
http://maps.massgis.state.ma.us/dcr/forestry/forestry23.html

For a quick comparison check out Newburyport[1] against Lexington and Winthrop

Other Resources
MA Tree Warden Association *"provides an informed and unified vision for the preservation, protection and enhancement of our urban forests. Included in this vision is the advocacy of properly trained professional municipal tree wardens and foresters, the allocation of adequate fiscal resources necessary to properly manage the urban forests and the development of partnerships at all levels to ensure a healthy environment"*
http://www.masstreewardens.org/

Massachusetts Arborist Association – Arbor Day of Service
http://www.massarbor.org/sections/arbor_day.php

SUMMARY

Newburyport's' urban forest can be transformed from a neglected and sometimes hazardous condition into a valued city asset, producing measurable ecological benefits, asset recovery income and substantial state assistance by coming into proactive urban forest asset management compliance with the USDA Forest Service Urban & Community Forest Program Parameter by achieving the missing 2 parameter items

TO DO Inventory and Management Plans
TO DO Professional Staff
DONE Ordinance/Policies
DONE Advocacy/Advisory organization(s)

INVENTORY MANAGEMENT SYSTEM

1. Determines Asset value Exhibit *Inventory Summary*

2. Manages Asset condition
   a. Disease and pest vectors
   b. Tree physical conditions
      1. Using tree age to predict decline
      2. Using inspection to manage hazard factors
      3. Proactive Maintenance

3.Revenue possibilities

a. Illegal removal – Triple damages (based on Last Inventory Value)
http://www.malegislature.gov/Laws/GeneralLaws/PartIII/TitleIII/Chapter242/Section7

b. Requested removals – replacement costs *(Attached Buck St Evaluation)*

c. "Harvesting" depleted assets *(NYT article Silver Maple at Rocklers photo)*

Hazard tree Information

http://www.na.fs.fed.us/spfo/pubs/uf/utrmm/index.htm

http://www.umass.edu/urbantree/publications/hazardarticle.pdf

Proposed Tree Ordinance concerns

a. Private Property issues
1. Public reaction
2. Enforcement and administration burdens

b. Tree Commission vs. Committee
1. Volunteers performing functions that by statute belong to Warden
2. Volunteers not responsible or liable for errors
E.g. Right of Way case tree falling on car
3. Seeking enforcement powers as deputies
4. Seeking management and allocation of funds

Good Intentions poor execution

a. Inappropriate plantings
Under wires
Spaces too small 17 Ashland *photo of 17 Ashland Tulip Tree in Brooklyn Botanical*
Sidewalk locations too small *17 Ashland*
Too close to infrastructure per Ordinance *17 Ashland overhead wires*
Species not approved or in Ordinance or inappropriate for location
Tulip Trees – *Sheer size 17 Ashland, Purchase and Broomfield*
Maples – Girdling roots

b.Poor Financial Operations
Late payments to purveyors
No budgeting

c. Poor public relations little or no publicity/ public

d. Inappropriate and ineffective committee member to public relations.
Comments from property owners, landscape contractors, police officers

APPOINTMENTS

Appointment #1
October 31, 2011

City of Newburyport

Office of the Mayor

Donna D. Holaday, Mayor
60 Pleasant Street - P.O. Box 550
Newburyport, MA 01950
(978) 465-4413 (978) 465-4402 (Fax)

2011 OCT 24 P 1:14

Donna D. Holaday

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: October 24, 2011

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Highland Cemetery Commission. This term will expire on February 3, 2012.

Gary Robinson
12 Hill Street
Newburyport, MA 01950

Resume of Gary Robinson

Address

12 Hill Street, Newburyport

Born

April 6, 1956 in Newburyport

Family

Married to Christine Robinson. Three children: Imogene, Garth and Rose.

Education

Graduate of Newburyport public schools. BFA from Massachusetts College of Art.

Occupation

Illustrator

Regarding Highland Cemetery

My interest in the cemetery stems from my interests in gardening and landscaping, local history, and the preservation of open space. I am also an abutter to the cemetery.

Appointment #2
October 31, 2011

CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. BOX 550

NEWBURYPORT, MA 01950

(978) 465-4413 (978) 465-4402 (FAX)

24 P 1:14

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: October 24, 2011

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Highland Cemetery Commission. This term will expire on February 3, 2013.

Jeffrey Briggs
17 Dalton Street
Newburyport, MA 01950

BRIGGS
D • E • S • I • G • N

17 DALTON STREET, NEWBURYPORT, MASSACHUSETTS 01950
PHONE: (978) 465-5593
EMAIL: JEFFREY@BRIGGSSCULPTURE.COM • LINDLEY@BRIGGSSCULPTURE.COM

October 18, 2011

To whom it may concern,

My wife and I have lived at 17 Dalton Street in sight of the cemetery since 1973. The constant deterioration of the gravestones in the cemetery has been a concern of mine for over 30 years. I commend the city for its present maintenance program for the cemetery as compared to the 70s. At that time, about a quarter of the cemetery was covered with bushes and the grass was never mowed. On occasion it was set on fire to burn the grass and bushes down a little. This burning destroyed many of the decorative plants left by previous generations around their family gravestones. All the color variations of the lilac bush were there at that time as well as additional species of trees.

My hope is with the installation of this supervisory committee that resources can be found to address the neglected maintenance of the cemetery.

I look forward to becoming a member of the committee and I believe I will bring a practical perspective to its' deliberations.

Sincerely,

Jeffrey Briggs

Jeffrey Briggs

Jeffery Allen Briggs

17 Dalton Street
Newburyport, MA 01950
Phone: 978 465-5593
www.briggssculpture.com

Education

1970	DIPLOMA IN PAINTING – School of the Museum of Fine Arts, Boston, MA
1970	B.S. IN EDUCATION – Tufts University, Boston, MA

Professional Competitions/Shows

2009-10	New England Sculptors at the State Transportation Building, Boston, MA
2006	Expressions in Life; Past and Present, Provincetown,MA
2004	Sculpture 2004, Sheraton Ferncroft Resort, Danvers, MA
2003	Sculpture 2003, Sheraton Ferncroft Resort, Danvers, MA
2003	Sculpture Show, Maureen Reardon, Portsmouth, NH
2002–06	Invited New England Sculptors, Ogunquit Art Association, Ogunquit, ME
1989	Recent Work, Wendy Engel Gallery, East Hampton, NY
1985	Contemporary Wood, Signature Gallery, Hyannis, MA
1982	ACE National Juried Show, Newport, RI
1979	Second Annual American Wood Show, Maker's Gallery, New York, NY
1979–83	American Craftsmen, Verbena Gallery, New York, NY
1978	American Woodcarvers, New York, NY
1978	American Woodcarvers, Worcester, MA
1973–83	ACE National Juried Show, Rhinebeck, NY

Commissions

2002	"Carriages to Automobiles" Bas Relief – Amesbury Cultural Council, Amesbury, MA
2001	Three Bas Reliefs – The Medford MA School System, HMFH Architects, Boston, MA
2001	Carved Bed and Armoire – Robin Notrica, Port Washington, NY
2000	Carved Bed – Jody and Lisa Ryan, St. Simon's Island, GA
1999	Portrait Sculpture of Ed Molin, former Mayor of Newburyport, Commissioned by The Newburyport Public Library
1999	Three Bas Reliefs – Jumbo Jet, Space Shuttle and World Wide Web for The Boston Early Learning Center, HMFH Architects, Boston, MA
1995	Two Indian Head Reliefs – The Groton MA High School, Northern Design Precast, Loudon, NH
1987	Pegasus Mirror – Freedlander Financial, Richmond, VA
1987	Carved Bed – Cynthia Zucker, New York, NY
1979	Figurative Wall Mirrors – Verbena Gallery, New York, NY
1978	Beelzebub Sculpture – River Valley Crafts, Amherst, MA

Work Experience

1989–04 Owned and operated Briggs Design – A sculptural design business
1970–88 Owned and operated Briggs Bugs and Butterflies - A wood sculpture business
1986–88 Designer-Prototype Maker for Microwood Inc., Ivyland, PA
1988 Designer and Sculptor for Swan Sculpture crowning the 100 year old fountain in The Bartlett Mall, Commissioned by the City of Newburyport, MA
1989 Designer and Sculptor for 50 foot float executed to commemorate the 200th Anniversary of the U.S. Coast Guard, Commissioned by the Newburyport Five Cents Savings Bank, Newburyport, MA
1987–01 Designer and Sculptor for Fabricon Inc., NYC

Major Contract Projects under Fabricon:

- Caryatid, a 9 $^{1}/_{2}$' Art Nouveau style lady for Bonwit Teller, Boston, MA
- Bulldog sculptures, 2' high for Warburton's Bakery, Boston, MA
- Chinese sugar jars, ginger jars and plates, all 6' high for Bloomingdales, NYC
- Carousel inspired Wall Sculpture, 20' high for Merry-Go-Round Store at The Empire State Building, NYC
- Decorative Wall Panels, 8' wide for Limited Express, NYC
- Ceiling Restoration for The Plaza Hotel, NYC
- Principle Designer and Sculptor for Grand Carousels currently operating in Singapore, Finland, Saudi Arabia, Bolivia and throughout the USA
- Baroque mirror, 20' high and 3 picture frames, 10' wide for the lobby of The Boardwalk Hotel in Disney World, Orlando, FL
- Marquee and Model of Times Square Theater District, McDonald's, NYC
- Animated Talking Tree Sculpture, McDonald's, Baltimore, MD

1991–00 Designer/Product Development for Opus, Inc., Bellingham, MA
1993–96 Designer/Product Development for Talus, Inc., Portland ME

Publications

2000 *Builder/Architect*, June
1998 *Florida Design*, Volume 8, Number 4
1990 *East Hamption Star*, August
1984 *Yankee Magazine*, January
1983 *Fine Woodworking Design Book III*
1982 *Popoular Mechanics*, February
1982 *The Craft Report*, December
1982 *Woodworking – The New Wave*, Donna Meilach; Crown Publishers
1979 *Fine Woodworking Design Book II*
1979 *Interior Design*, June and December
1978 *The Mirror Book*, J & L Newman; Crown Publishers
1978 *Fine Woodworking*, Spring and Fall
1976 *Fine Woodworking*, Spring and Fall

Community Involvement

1990–04 Served on the Board of Directors for the Firehouse Center for the Arts
2000–04 Served on the Mayor's Rail Trail Advisory Committee

Appointment #3
October 31, 2011

City of Newburyport

Office of the Mayor

Donna D. Holaday, Mayor

60 Pleasant Street - P.O. Box 550

Newburyport, MA 01950

(978) 465-4413 (978) 465-4402 (Fax)

2011 OCT 24 P 1:14

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: October 24, 2011

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Highland Cemetery Commission. This term will expire on February 3, 2013.

Karen Kelly-Alger
27 Hill Street
Newburyport, MA 01950

Karen Kelly-Alger
27 Hill Street
Newburyport, MA 01950

I am retired. My Interest in the Highland is because it is a gem of a place that needs some help. It is important to Newburyport and to the neighborhood. It is not only fun to beautify our City's resources, but to me it is a resident's duty to contribute.

Appointment #4
October 31, 2011

City of Newburyport

Office of the Mayor

Donna D. Holaday, Mayor

60 Pleasant Street - P.O. Box 550

Newburyport, MA 01950

(978) 465-4413 (978) 465-4402 (Fax)

2011 OCT 24 P 1:14

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: October 24, 2011

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Highland Cemetery Commission. This term will expire on February 3, 2014.

Patricia M. Spaulding
5 Bricher Street
Newburyport, MA 01950

Patricia M. Spalding
5 Bricher Street
Newburyport, MA 01950
(978)465-1120
spalken@comcast.net

October 6, 2011

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

Dear Mayor Holaday:

I am writing this letter to respectfully request your consideration for appointment to the Highland Cemetery Commission. I have enclosed a copy of my resume and would be more than happy to furnish references at your request.

This is a wonderful opportunity to serve to protect and enhance a special part of our Back Bay neighborhood. I would be honored to serve.

Thank you for your consideration.

Sincerely,

Patty Spalding

Patricia M. Spalding

5 Bricher Street
Newburyport, MA 01950

spalken@comcast.net
(978)465-1120

SUMMARY

Secretary/Bookkeeper experienced in performing all aspects of secretarial and office administration duties; including full-charge bookkeeping. Strengths include proficiency in typing, 10-key, and data management; as well as being highly organized, detail oriented, and having a willingness to gain knowledge in new capacities as they arise. Honest and trustworthy, with understanding of confidentiality requirements and being devoted to the success of the organization. Beyond accomplishments in employment endeavors, my experience includes developing, writing, and implementing a parent volunteer program at our public middle school and leadership efforts in transforming an unused school courtyard into an outdoor learning classroom.

SKILLS

Microsoft Word
Microsoft Outlook
Microsoft Windows
Microsoft Excel

Microsoft Publisher
QuickBooks Pro
Microsoft Access
Time slips

Keystone SRM
Kronos Timekeeping

PROFESSIONAL EXPERIENCE

Accounts Payable Clerk / Administrative Assistant (Full-time) Jan. 31, 2011 – Present
Alden Merrell, Division of H.J. Heinz Company, L.P.

- Accounts payable duties include submittals to and interaction with corporate office, outstanding invoice resolution with vendors, and all affiliated records management; including maintaining master vendor lists and files
- Key user of purchasing system; creating administrative purchase orders as well as assisting and making corrections to purchase orders for facility departmental requestors
- Daily review of temporary staffing timekeeping; including submittal of daily and weekly reports and reconciliation of invoices submitted
- Distribution of weekly payroll vouchers and checks for permanent employees for all factory departments
- Preparation of daily production labor reports and weekly labor tracking for controller
- Responsible for verifying retail store cash and making bank deposits
- Preparer of and posting of month end journal entries and inventory data entry with strong interaction with facility controller
- Developed master control for vendor insurance requirements and evaluator of certificates for compliance
- Developed control for lease contracts and service agreements and assistance to department supervisors in execution of contracts
- Participation in bi-weekly telephone and web conferencing regarding purchasing system
- Perform general secretarial duties of oral and written communications, copying, filing, supply procurement, routing phones, mail distribution, and other as required

EXPERIENCE (continued)

Secretary/Bookkeeper/Office Manager (Part-time, concurrent) Jan. 1, 1989 – May 28, 2010
Spalding Electric, Inc.

- Developed and maintain cost/pricing database
- Perform internal bookkeeping for the office: receivables, payables, invoicing, payroll, payroll tax returns, reconciliations and reports
- Perform general secretarial duties of oral and written communications, copying, filing, supply procurement, and other as required

Secretary/Bookkeeper (Part-time) May, 2005 – May 28, 2010
First Republic Corp. of America

- Performed general secretarial duties of front office reception, oral and written communications, mail distribution, copying, filing, faxing, supply procurement, and other duties as required
- Assisted with building management issues, including responsibility for programming operations of an electronic security key pass system and data backup
- Set up and maintained color-coded filing system for all records for two commercial real estate properties
- Developed and implemented a written work order program to schedule and track job requests
- Processed invoices through to headquarters and prepared associated accounting reports

Secretary/Bookkeeper/Office Manager Sept., 1997 – Sept., 2004
Port Engineering Associates, Inc. & Mar., 1985 – Apr., 1990

- Performed general secretarial duties of front office reception, oral and written communications, copying, mail distribution, filing, faxing, supply procurement, operation of blueprint machines, and other duties as required
- Reconciled accounting records to assist in company un-merger
- Developed and maintained databases for the organization of client and field survey information
- Responsible for office operations relative to interoffice policies and procedures, employee benefits, purchasing and decision making regarding insurance plans
- Performed internal bookkeeping for the office: timekeeping, billing, invoicing, receivables, payables, payroll, payroll tax returns, reconciliations and reports

Data Entry Clerk Feb., 91 – Nov., 93
Adataco. (Ambrosi Donahue & Co.)

- Data Entry – check processing and payroll entry work at home office

Secretary/Bookkeeper Sept., 1979 – Mar., 1985
Ambrosi Donahue & Co., CPA

- Performed secretarial duties of front office reception, answering multi-line telephone system, preparation and review of written communications, mail distribution, filing, dictation, copying, supply procurement, and other duties as required
- Data Entry – check processing, payroll, and tax return entry for firm's clientele
- Performed internal bookkeeping for the office: accounts receivable and payable, timekeeping, reimbursements, reconciliations, invoicing, payroll, payroll tax returns, and report preparation
- Assistance in writing computer programs specifically designed for accounting systems

EDUCATION

High School Diploma, Newburyport High School, Newburyport, MA

- Majoring in accounting and business

ORGANIZATIONS & COMMUNITY VOLUNTEER EXPERIENCE

- Member, Benevolent Protective Order of Elks #909, 2008-Present
- Member & Founder, Back Bay Route One Neighborhood Association, 2005-Present
- Instrumental in developing and implementing the VOICES Volunteer Program at the Rupert A. Nock Middle School; as well as the Parent Giving Program and Parent PTO List Serve, 2005-2008
- Member & Secretary, City of Newburyport Bartlet Mall Commission, 2005-2007
- Co-chair, 2005 Winter Carnival at the Bartlet Mall; Volunteer, subsequent years
- Member, Rupert A. Nock Middle School Council, 2005-2007
- Fundraising Lead, Treasurer, Construction Lead & Co-Coordinator, Rupert A. Nock Middle School Courtyard Project, 2005-2007
- City Sweep Captain, 2005
- Volunteer, Kelley Elementary School Habitat and Butterfly Garden Projects, 2003-2004
- Treasurer, Kelley Elementary School PTO, 2002-2003
- Instrumental in rebuilding the City of Newburyport - Frog Pond Playground, Bartlet Mall - fundraising & construction coordination responsibilities, 2002

AWARDS

Citation – Commonwealth of Massachusetts, House of Representatives, October 21, 2007
"For efforts in spearheading the Nock Courtyard transformation project and dedicated efforts as treasurer, fundraiser, and construction forewoman."

Appointment #5
October 31, 2011

CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. BOX 550

NEWBURYPORT, MA 01950

(978) 465-4413 (978) 465-4402 (FAX)

11 OCT 24 P 1:14

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: October 24, 2011

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Diversity & Tolerance Commission. This term will expire on October 1, 2014.

Susan R. Brown
33 Fair Street
Newburyport, MA 01950

Susan R. Brown
33 Fair Street
Newburyport, MA 01950
978.465.9403
srbrown1@verizon.net

23 October 2011

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

Dear Mayor Holaday,

After an interview with Donna Scott and attendance at a Commission meeting, I am writing to request being appointed to the Newburyport Commission on Diversity and Tolerance. I have enclosed my resume, as requested.

Donna said you want to know why I'm interested in the appointment. I have for most of my adult life been engaged in work, both paid and not, that addresses these issues, including Head Start with Native Americans as a recent college graduate, investigating employment discrimination for the State of Vermont in the 1970s, and most recently, a Rotary International Peace and Conflict Resolution Fellowship in Bangkok. Since returning from Thailand, I have been looking for more involvement locally and the notice in the paper regarding vacancies on the Commission seemed to be a good fit.

Thank you for your consideration.

Yours,

Susan R. Brown

SUSAN R. BROWN

33 Fair Street
Newburyport, Massachusetts 01950
(978) 465-9403
Fax: (978) 465-5605
srbrown1@verizon.net (USA)
srbarb33@gmail.com (international)

ARBITRATOR

Independent practitioner of labor-management arbitration in public and private sectors. Since 1980.

Rosters: American Arbitration Association
Federal Mediation and Conciliation Service
National Mediation Board
New York City Office of Collective Bargaining
State panels in New Hampshire and Massachusetts

Permanent Umpire: American Airlines/Association of Professional Flight Attendants, 2001-06
York County, Maine/Service Employees International Union, 2003-present

Permanent Panels: AT&T/Communication Workers of America
Miami Air International/Association of Flight Attendants
WGBH/NABET-Communications Workers of America
United Parcel Service/International Brotherhood of Teamsters
American Eagle/Air Line Pilots Association
State of Connecticut/AFSCME, Council 4
US Airways/International Association of Machinists
US Airways/Air Line Pilots Association
US Airways/Communications Workers of America
Spirit Airlines/Association of Flight Attendants
American Airlines/Transport Workers Union

Pro-bono Archdale Roslindale Coalition/Boston Water and Sewer Commission and Massachusetts Water Resources Authority claims under settlement agreement, 2006
NAACP/Boston Housing Authority discrimination claims, 1989-1990
Fee Arbitration Board, Massachusetts Bar Association, 1985-1993
Massachusetts Lemon Law Arbitration Program, 1985-1990

MEDIATOR

Independent practitioner in the areas of labor-management disputes (grievance and interest), employment disputes (specializing in discrimination, harassment, and wrongful termination complaints), organizational disputes (e.g., internal working agreements, division of assets), contract disputes, and negotiated rule-making. Since 1980.

Rosters: Public Employment panels in four New England states.
Mediation Research & Education Project, Northwestern University, through 2009
Merrill Lynch Discrimination Claims Resolution Panel, through 1999
Massachusetts Commission Against Discrimination, through 1998
Suffolk County (MA) Superior Court, 1989-1995

Middlesex County (MA) Multidoor Courthouse, 1990-1994
VT Department of Education, Special Education panel, 1988-1990

CONSULTANT/EDUCATOR

Provide services in long-range planning, meeting facilitation, collaborative problem-solving

Train groups in effective meeting skills, conflict resolution techniques, arbitration theory and practice

Professional Memberships

National Academy of Arbitrators
Chair, Membership Committee – 2004-2006
Board of Governors - 1998-2001
Chair, New England Region - 1992 to 1995
Labor and Employment Research Association (formerly Industrial Relations Research Association)
Association for Conflict Resolution (formerly Society of Professionals in Dispute Resolution)
Boston Labor Guild

Publications

"Job Assignments" in *The Common Law of the Workplace: The Views of Arbitrators,* Second Edition, St. Antoine, T.J., ed., BNA (Washington D.C., 2005)
"Pre-Hearing Procedures: We Make the Process What It Is", *Arbitration 1996: At the Crossroads,* 49 NAA 94
"Job Bids, Promotions and Transfers" in *Labor and Employment Arbitration, Second Edition,* Bornstein, Gosline and Greenbaum, eds., Matthew Bender (New York, 1997)
"Abenaki, Local Officials Find New Ways to Communicate", *Consensus*, No. 17, January 1993
"'Reg Neg' Resolves Disability Access to Marine Facilities", *Consensus*, No. 16, October 1992
"Meetings, Part II: Who Does What? (with Nancy E. Peace), *Condo Management*, October 1989
"New Technology: How Does It Affect the Workplace?", *Arbitration Journal*, Vol. 44, No. 3, Sept. 1989
"Meetings: The Heartbeat of Condominium Living" (with Nancy E. Peace), *Condo Management*, August 1989
"Expanding the Pie: Resource Allocation at 'Sunny Acres' (with Nancy E. Peace), *Condo Management*, June 1989
"Noisy Neighbors, Sticky Children: The Acrimonious World of Condos" (with Nancy E. Peace), *Condo Management*, March 1989
Help! A Guide to Government Regulations and Affirmative Action for Small Employers, Vermont Attorney General's Office (Montpelier Vermont, 1977)

Lectures, a representative sample

Contract Interpretation: A Guide for Practitioners – Massachusetts Municipal Personnel Association Labor Relations Conference, November 2000

Lectures, continued

A Cognitive Look at Decision-Making – National Academy of Arbitrators mid-year meeting, October, 2000
Promotions: Contractual Rights and Obligations – University of Rhode Island Labor Relations Conference, October 2000
Sex, Drugs and Rock 'n Roll: Off-duty Misconduct – Boston Bar Association Public Sector Conference, May 2000
Sexual Harassment – Labor Arbitration Institute, October 1999
A Union's Toughest Cases to Present and to Win– Labor Arbitration Institute, September 1997
Subcontracting, Downsizing and Privatizing – Utility Workers of America Conference, November 1995
The Americans with Disabilities Act: Implications for Collective Bargaining – American Arbitration Association Summer Conference, July 1992
The Impact of Technology in the Work Place – Society of Federal Labor Relations Professionals Symposium, February 1989

Awards

Cushing-Gavin Award for Excellence in Labor-Management Relations, 1999

Prior Employment

Hearing Officer (Special Education), Vermont Department of Education, 1980-1985, part-time
Hearing Officer (Unemployment Compensation, Employer Tax Liability), Vermont Department of Employment and Training, 1980-1983, part-time
Civil Rights Specialist, Vermont Attorney General's Office, 1975-1980, full-time

Education and Training

Peace and Conflict Resolution Professional Certificate, Rotary International Peace Center Fellow, Chulalongkorn University, Bangkok, Thailand, 2011
Advanced Mediation Training (24 hours), Society of Professionals in Dispute Resolution, 1996
Mediation training (40 hours), Massachusetts Association of Mediation Programs, 1988
Seminar on Negotiation and Dispute Resolution, Program on Negotiation, Harvard University, 1985
Arbitration internships with Marcia Greenbaum and William J. Fallon, 1982-1988
M.A., Mills College, Oakland, California, 1972
B.A., Antioch College, Yellow Springs, Ohio, 1966

Community Service

Arbitration Council Foundation of Cambodia. Arbitrator training, 2011. Member, labor/management/neutral team consulting with Cambodian labor arbitrators and advocates both in Cambodia and the United States, 2007 - 2010.

FMCS Credentialing Focus Group. Member of a group of professional mediators providing input and feedback as FMCS developed credential standards for listing non-agency mediators. 2000-01.

Commission on Conciliation, Mediation and Arbitration, South Africa. Member of *pro bono* training team from the National Academy of Arbitrators for a new government agency adjudicating unjust dismissals country-wide. Sponsored by the CCMA, the United Nations International Labor Organization, and the U.S. State Department. 1998 and 2000.

Greater Newburyport/Bura Alliance. Sister City organization with a village in Kenya, 1995 to present. President, 1998. Chaired workshop: *The status of women in Kenya and the United States*, U.S./Africa Sister Cities Conference, Nairobi, Kenya, 1999. Co-chaired international conference, *Women's Leadership Development,* Essex, Massachusetts, funded by the U.S. State Department, 2000.

Fallon Fellowship. With three other arbitrators, sponsored interns in memory of Arbitrator William Fallon, 1994-1998.

Massachusetts Community Mediation Program. Served as a mediation coach for a training program for community mediators in the areas of small claims, family and adjudicated youth, 1991.

Conflict Intervention Team, MA Attorney General's Office/Massachusetts Association of Mediation Programs and Practitioners. Provided neutral interventions in high schools after violent events. Protocols and Training Committees. 1992-1995.

Antioch University McGregor School for Adult and Experiential Learning. Conflict Resolution Master of Arts Program Advisory Committee, 1992.

Spring Lake Ranch, Cuttingsville, VT, a private psychiatric facility. Member of the Corporation, 1979-1995; Trustee of the Corporation, 1990-1992; Chair, Long Range Planning Committee, 1989-1990.

Boston College Law School. Negotiation Competition Judge, 1987-1991.

Antioch College. Alumni Association Board of Directors, 1986-1991. Chair, Admissions Committee, 1990.

Washington County (VT) Youth Service Bureau. Board of Directors, 1977-1979.

Rutland (VT) Women's Health Center. Personnel Committee, 1972-1974.

Appointment #6
October 31, 2011

City of Newburyport

Office of the Mayor

Donna D. Holaday, Mayor

60 Pleasant Street - P.O. Box 550
Newburyport, MA 01950
(978) 465-4413 (978) 465-4402 (Fax)

2011 OCT 24 P 1:14

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: October 24, 2011

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Highland Cemetery Commission. This term will expire on February 3, 2014.

Jeffrey R. Tomlinson
21 Hill Street
Newburyport, MA 01950

JEFFREY R. TOMLINSON

jrt@tomlinsonandhatch.com

Offices		Home
11 Chestnut Street	55 Pleasant Street	21 Hill Street
Andover, MA 01810	Newburyport, MA 01950	Newburyport, MA 01950
978-475-6881	978-697-7509 (cell)	978-465-1132

EMPLOYMENT

TOMLINSON & HATCH, LLC ATTORNEYS AT LAW — ANDOVER & NEWBURYPORT, MA
ATTORNEY: January 2001 to Present
PARALEGAL: December 1993 to January 2001

DOCUMENT RESEARCH, LLC — ANDOVER & NEWBURYPORT, MA
Founder and CEO — 1997 to Present

EDUCATION

NEW ENGLAND SCHOOL OF LAW — BOSTON, MA
Juris Doctor, *Magna Cum Laude* — May 2000

LESLEY COLLEGE — CAMBRIDGE, MA
Master of Science in Management: Arts Administration — May 1990

TUFTS UNIVERSITY — MEDFORD, MA
Bachelor of Fine Arts — May, 1983

SCHOOL OF THE MUSEUM OF FINE ARTS — BOSTON, MA
In Association with Tufts University Degree Program — January 1978 – May 1983

COMMUNITY BOARDS

Newburyport Education Foundation — 2004 through 2009
Newburyport Education Business Collaboration — April 2011 to Present

HIGHLAND CEMETERY

We live across the street from the Highland Cemetery. It's a place of natural beauty and serenity. I feel both a desire and a responsibility to improve it for future generations.

PLEASE NOTE: I WOULD BE PLEASED TO PROVIDE THE NAMES AND CONTACT INFORMATION FOR PERSONAL AND PROFESSIONAL REFERENCES UPON REQUEST.

Appointment #7
October 31, 2011

City of Newburyport

Office of the Mayor

Donna D. Holaday, Mayor

60 Pleasant Street - P.O. Box 550

Newburyport, MA 01950

(978) 465-4413 (978) 465-4402 (Fax)

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: October 25, 2011

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Disabilities Commission. This term will expire on October 1, 2014.

Jennie Donahue
18 Cherry Street
Newburyport, MA 01950

Thursday, October 20, 2011

Dear Mayor Holaday,

My name is Jennie Donahue, and I am affected by a vision disability. I am very interested in becoming a member of The City of Newburyport Disabilities Commission.
I attended their recent meeting and they requested that I join, and I am more then happy to contribute to the community in this way.

As a legally blind resident of Newburyport, I feel that I would bring a uniquely informed perspective to this commission, and am eager to be part of it.

I was diagnosed with an eye disease called retinitis pigmentosa, or RP, that has diminished my peripheral vision and my night vision, . My vision disability creates many challenges for me as a mother, and as a pedestrian on the street. I am aided by the use of a cane in public spaces.

I grew up in Newburyport and spent my childhood exploring the city. I have a profound respect and interest in the city's extensive history. I feel that knowledge, combined with my own experiences as a person with a disability, could be beneficial in helping to solve the accessibility issues facing our city.

My employer, Hallie Baker of Turtle Alley Chocolates can give a business and personal reference; she can be reached at 978-281-4000
Other references can be requested from the following business associates,
David Bateman, CPA from Marblehead 617-846-7832,
Karen Epstein, proprietor of Digital Imaging (printing company) in Salem 978-744-8868.
A personal reference may be requested from Susan Ebacher, a family friend, 978-463-0159.

Please let me know if I can provide any further information.
I thank you for you time and consideration.

Kind regards,
Mrs. Jennie Donahue
18 Cherry Street
Newburyport, MA 01950
978-465-2576
508-725-8476
Jenniedonahue78@gmail.com

Jennie L Donahue

18 Cherry Street Newburyport MA 01950
Cellular 978-465-2576 Home and Fax 508-725-8476
Sjenniedonahue78@gmail.com

Employment Experience

Store Manager
May 2002 - Present
Turtle Alley Chocolates
Salem, MA

- Employee management (interviews, hiring and training), product inventory and ordering, marketing, merchandising, store promotion, choosing monthly donation recipients, shift scheduling, holiday product preparations, holiday store decorating, overseeing day to day operations, communicating with venders, cashiering and sales, use of food scale, cash register, credit card machine, telephone and fax machine, keeping store in compliance of health codes and more
- Joined B.N.I. Red Rock chapter on behalf of Turtle Alley, was a member from December 2007 until December 2010, on the leadership team as Education Coordinator for one term and Event coordinator for one term.
- Was the 2011 recipient of an award from The Carroll Center For The Blind and The Massachusetts Commission For The Blind recognizing blind and visually impaired persons who have exhibited excellence in the workplace.

Previous jobs include various food service positions, Barista, Retail, and Cashier,.

Education

Newburyport Schools grades one through ten.
Northern Essex Community College Haverhill MA
1995

- General Equivalency Diploma

Interests

History, Reading, and Travel.

References

References are available upon request.

Appointment #8
October 31, 2011

CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. BOX 550

NEWBURYPORT, MA 01950

(978) 465-4413 (978) 465-4402 (FAX)

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: October 25, 2011

Re: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as Assistant Harbormaster. This term will expire on October 25, 2014.

Benedetto Orlando
104 North Avenue
Apt. 2
Haverhill, MA 01830

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

APPOINTMENTS
SECOND READING

MAYOR'S APPOINTMENTS
OCTOBER 31, 2011
SECOND READING

APPOINTMENTS

9. Walt Thompson	100 State Street, Unit 2	Bartlett Mall Commission	Oct. 1, 2014
10. John P. Gavin	14 Marquand Lane	Police Officer	
11. Charles T. Ferlauto	4 Park Street	Police Officer	
12. Gregory F. Whitney	23 Low Street, Newbury	Police Officer	
13. Roger E. Jones	37 Storeybrooke Drive	Water Commission	Oct. 1, 2016

In City Council October 17, 2011
Motion to approve Consent Agenda as amended by Councillor Jones, seconded by Councillor Cameron. So voted on a unanimous voice vote.

14. Anne Spraker	35 Lime Street	Cultural Council	Oct. 1, 2014

In City Council October 17, 2011
Motion to approve by Councillor Jones, seconded by Councillor Herzog. So voted on a unanimous voice vote.

ORDINANCES

Second Reading
Ordinance #1
October 31, 2011

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

Date:

October 17, 2011

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED MOTOR VEHICLES

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

Chapter 13	Traffic and Motor Vehicles
Article 14	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Sec. 13-171.1	Pick up and drop off areas

Add:

Sec. 13-171.2

A designated area consisting of one parking space on the East side of Summer Street at the entrance to St. Paul's Episcopal church, 35 Summer Street for the express purpose of allowing vehicles to stop temporarily for pick-up and drop-off of persons. There is a twenty-five dollar ($25.00) fine for violation of this section.

Councillor Robert J. Cronin

In City Council October 17, 2011

Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Jones. 11 yes. Motion to remove from committee by Councillor Cronin, seconded by Councillor Jones. 11 yes. Motion to waive the rules and order first reading and order published as amended by Councillor Cronin, seconded by Councillor Jones. Roll call vote, 11 yes. So voted.

Second Reading
Ordinance #2
October 31, 2011

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

Date:

August 29, 2011

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

Add:

(g) (2) by adding the following streets or portions thereof to Zone 2

Fruit Street, full length of street

Councillor Gregory D. Earls

In City Council August 29, 2011
Motion to refer to Public Safety by Councillor Earls, seconded by Councillor Cronin. Roll call vote, 11 yes. So voted.

In City Council October 17, 2011
Motion to remove from committee by Councillor Cronin, seconded by Councillor Jones. Motion to approve and order published by Councillor Cronin, seconded by Councillor Jones. Roll call vote, 11 yes. So voted.

Second Reading
Ordinance #3
October 31, 2011

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED: **Date:**

September 12, 2011

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 IV Specific Street Schedules
Division 6 Stopping, Standing, and Parking
Section 13-176.1 Same—Thirty Minutes

ADD:

Street	**Extent**
High Street	Northerly side from Ashland Street for a distance northwesterly of approximately 135 feet between the hours of 8:00 a.m. and 6:00 p.m. except for Sundays and Holidays.

Councillor Edward C. Cameron

Councillor Thomas F. O'Brien

In City Council September 12, 2011
Motion to refer to Public Safety by Councillor Cameron, seconded by Councillor Ives. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

In City Council October 17, 2011
Motion to remove from committee by Councillor Cronin, seconded by Councillor Cameron. 11 yes.
Motion to approve first reading and order published by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 11 yes. So voted.

Second Reading
Ordinance #4
October 31, 2011

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED: Date:

September 12, 2011

AN ORDINANCE ENTITLED 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 IV	Specific Street Schedules
Division 6	Stopping, Standing and Parking
§ 13-168	Parking Restricted on Certain Streets

No person shall park a vehicle on the following described street or parts thereof:

Street	***Extent***
Salem Street	Westerly side of Salem Street from the entrance to the James Steam Mill running in a southerly direction toward Purchase Street for a distance of twenty feet.

Councillor Allison Heartquist

In City Council September 12, 2011
Motion to refer to Public Safety by Councillor Jones, seconded by Councillor Heartquist. 9 yes, 2 absent (Derrivan, Hutcheson). So voted.

In City Council October 17, 2011
Motion to remove from committee by Councillor Cronin, seconded by Councillor Connell. Motion to approve first reading and order published by Councillor Cronin, seconded Councillor Derrivan. Roll call vote, 11 yes. So voted.