

CITY COUNCIL MEETING AGENDA - VERSION 1

May 14, 2012

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

April 30, 2012

(Approve)

7. TRANSFERS

1. Fire – Retirement Expense \$4,555.00 to Assistance to Firefighters Grant \$4,555.00 (Approve)
2. Police Dept. Officer Salary \$30,739.78 to Retirement Acct \$24,671.78, to Mayor's Training Acct \$6,068.00 (Budget & Finance)
3. Mayor/Library Free Cash \$22,000 to Library Building Maintenance \$22,000 (Budget & Finance)

8. COMMUNICATIONS

1. Whittier Regional Vocational Tech HS Committee 2012-13 Budget (R&F)
2. Agave Restaurant Renewal of Outdoor Seating for food and alcohol (Approve)
3. American Red Cross Annual Chocolate Tour May 19, 2012 1-5pm (Approve)
4. Tetra Tech Notice of License Application Whittier Bridge (R&F)
5. Purple Onion Amended Outdoor Seating for food – expanded area (License & Permits)

9. APPOINTMENTS – First Reading

Appointments

- | | | | |
|----------------------|--------------------|--------------------------|----------------|
| 1. Joseph H. Devlin | 3 Dexter Lane | License Commission | June 1, 2018 |
| 2. Karen Popken | 49 Boardman Street | Parks Commission | April 30, 2017 |
| 3. Alexander Pittman | 4 Norman Avenue | Bartlett Mall Commission | June 1, 2015 |
| 4. Cindy Zabriskie | 87 Lime Street | Planning Board | June 1, 2017 |

Re-Appointments

- | | | | |
|-----------------------|--------------------|------------------|----------------|
| 5. George Lawler, Jr. | 22 Woodland Street | Water Commission | April 30, 2017 |
|-----------------------|--------------------|------------------|----------------|

END OF CONSENT AGENDA

REGULAR AGENDA

10. APPOINTMENTS – Second Reading

Appointments

- | | | | |
|-----------------------|----------------------|------------------------------------|---------------|
| 1. Howard A. Snyder | 26B Strong Street | Zoning Board of Appeals | April 1, 2016 |
| 2. Kimberly Logue | 50 Park Circle | Newburyport Housing Authority | May 1, 2017 |
| 3. William H. Steeves | 4 Chain Bridge Drive | Sergeant, Newburyport Police Dept. | |

Re-Appointments

- | | | | |
|---------------------|------------------|---|---------------|
| 4. Patricia Dorfman | 16A Toppans Lane | Newburyport Redevelopment Authority | March 1, 2017 |
| 5. Martha True | 24 Cherry Street | Council on Aging | May 31, 2017 |
| 6. Bonnie Sontag | 10 Upland Road | Fruit Street Local Hist. District Comm. | May 31, 2015 |
| 7. Bonnie Sontag | 10 Upland Road | Planning Board | May 31, 2017 |
| 8. Linda Smiley | 7 Atwood Street | Historical Commission | May 1, 2015 |

11. ORDER

1. Campaign Finance Reports – Municipal Forms website posting
2. Resolution Ballot Questions June 5, 2012 Special Election
3. Easements for Harborwalk/Clipper City Rail Trail from National Grid and Newbury

12. ORDINANCE

1. Amend Ord. 9-61, 63, 67 Junk Dealers and Collectors

13. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor/Harbormaster Capital Outlay \$2750 to Harbormaster Salary \$2750 *03/12/2012
2. Mayor/Youth Svcs Free Cash \$24,000 to Gen Admin Maint/Repair City Hall \$24,000 *03/12/2012

General Government

In Committee

Joint Education

In Committee:

License & Permits

In Committee:

1. Outdoor Seating Application for food for Ceia Kitchen & Bar *04/30/2012

Neighborhoods & City Services

In Committee:

1. Newburyport Tree Ordinance *07/22/2010

Planning & Development

In Committee:

1. Newburyport Tree Ordinance *07/22/2010
2. Amend Ord. 6.5 Environment Article II Wetlands – Wetlands Protection *11/28/2011
3. Amend Ord. Sec. III-C Zoning Map Storey Avenue Re-Zoning *02/13/2012
4. Plum Island Lighthouse Lease *04/09/2012
5. Amend Zoning Ordinance Section XII-B , FEMA Maps *04/30/2012

Public Safety

In Committee:

1. Amend Ord. 10-9 Miscellaneous offenses – use or consumption of marijuana *11/28/2011
2. Nbpt Labor Day Festival request for 3 day downtown event Sept. 1-3, 2012 *01/30/2012
3. Amend Ord. 13-180 Parking Resident Harris St. *01/30/2012
4. Nbpt Firefighters Annual Fill the Boot for Muscular Dystrophy Aug. 2, 3, 4, 2012 *04/30/2012
5. Community Giving Tree of Boxford donation box *04/30/2012

Public Utilities Committee

In Committee:

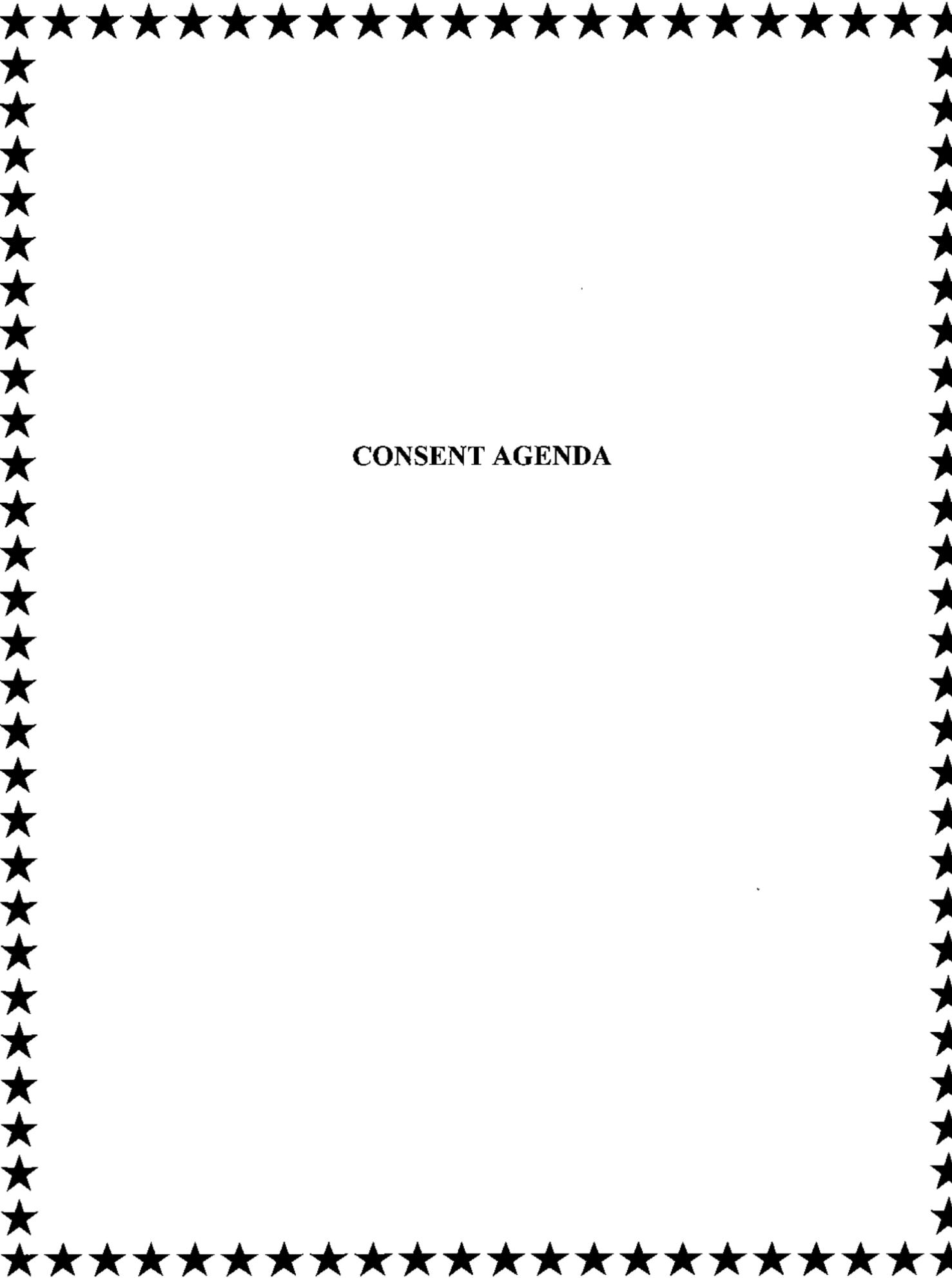
1. Street Lighting Recommendation *09/21/2011

Rules Committee

In Committee:

14. GOOD OF THE ORDER

15. ADJOURNMENT



CONSENT AGENDA

CITY COUNCIL MEETING MINUTES

April 30, 2012

Acting Council President Earls called the meeting to order at 7:30 pm. The Council welcomed back Councillor Connell. A moment of silence was held with wishes for a speedy recovery for Councillor O'Brien. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Jones, Sullivan, Cameron, Connell, Cronin, Derrivan, Heartquist, Herzog, Earls. 9 present, 2 absent (Ives, O'Brien).

1. **LATE FILES** – Communication #8 and #9, Appointment #12, Ordinance #1

2. **PUBLIC COMMENT**

- | | | |
|------------------|-----------------|---|
| 1) James Shanley | 15 Olive Street | Patty Dorfman Appointment to Waterfront Trust |
| 2) Andrew Port | Planning Dept. | FEMA |

CONSENT AGENDA

3. **APPROVAL OF MINUTES**

April 30, 2012

(Approve)

4. **TRANSFERS**

- | | |
|--|--------------------|
| 1. Treasurer/Collector Payroll Expense \$5,000 to Tax Title Expense \$5,000 | (Approve) |
| 2. Treasurer/Collector Copy Machine \$1,500 to Tax Bills \$1,000, to Other Exp. \$500 | (Approve) |
| 3. Mayor Free Cash \$9,193.50 to Gen. Admin. Postage \$1,500, Gen. Admin. Maint./Repair Building \$4,913.50, Mayor Misc. \$2,780 | (Budget & Finance) |

Removed by Councillor Cameron.

5. **COMMUNICATIONS**

- | | |
|---|------|
| 1. MRFRS Annual Strut for Strays May 20, 2012 | (PS) |
|---|------|

Removed by Councillor Cronin.

- | | |
|---|------|
| 2. Jeanne Geiger Crisis Ctr. 21 st Annual Walk Against Violence Sept. 30, 2012 | (PS) |
|---|------|

Removed by Councillor Cronin.

- | | |
|---|-----------|
| 3. Block Party 44 Warren Street June 16, 2012 | (Approve) |
| 4. Nbpt Firefighters Annual Fill the Boot for Muscular Dystrophy Aug. 2, 3, 4, 2012 | (PS) |
| 5. Outdoor Seating Application for food for Ceia Kitchen & Bar | (L&P) |
| 6. Annual Audit of the City Financials FY2011 (full text available in clerk's office) | (R&F) |
| 7. Community Giving Tree of Boxford donation box | (PS) |

6. **APPOINTMENTS – First Reading**

Appointments

- | | | | |
|---------------------|-------------------|-------------------------------|---------------|
| 1. Howard A. Snyder | 26B Strong Street | Zoning Board of Appeals | April 1, 2016 |
| 2. Kimberly Logue | 50 Park Circle | Newburyport Housing Authority | May 1, 2017 |

Re-Appointments

- | | | | |
|---------------------|------------------|---|---------------|
| 3. Patricia Dorfman | 16A Toppans Lane | Newburyport Redevelopment Authority | March 1, 2017 |
| 4. Martha True | 24 Cherry Street | Council on Aging | May 31, 2017 |
| 5. Bonnie Sontag | 10 Upland Road | Fruit Street Local Hist. District Comm. | May 31, 2015 |
| 6. Bonnie Sontag | 10 Upland Road | Planning Board | May 31, 2017 |
| 7. Linda Smiley | 7 Atwood Street | Historical Commission | May 1, 2015 |

END OF CONSENT AGENDA

Motion to approve the Consent Agenda as amended by Councillor Jones, seconded by Councillor Cameron. 9yes, 2 absent (Ives, O'Brien). So voted.

REGULAR AGENDA

7. TRANSFERS

3. Mayor Free Cash \$9,193.50 to Gen. Admin. Postage \$1,500, Gen. Admin. Maint./Repair Building \$4,913.50, Mayor Misc. \$2,780

Motion to approve by Councillor Cameron, seconded by Councillor Connell. 9 yes, 2 absent (Ives, O'Brien). So voted.

8. COMMUNICATION

1. MRFRS Annual Strut for Strays May 20, 2012

Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. So voted.

2. Jeanne Geiger Crisis Ctr. 21st Annual Walk Against Violence Sept. 30, 2012

Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. So voted.

8. LATE FILE – Port Pride table set up in Market Square May 4 & May 11

Motion to approve by Councillor Cameron, seconded by Councillor Jones. So voted.

9. LATE FILE –Block Party Application Monroe St. – Merrimack St. June 15, 2012

Motion to approve by Councillor Cameron, seconded by Councillor Jones. So voted.

9. APPOINTMENTS – Second Reading

Re-Appointments

8. Michael Dissette	44 Jefferson Street	Open Space Committee	No term
9. Michael Dissette	44 Jefferson Street	Community Preservation Act Com.	March 1, 2015
10. Robert Ciampitti, Jr.	552 Merrimack Street	Zoning Board of Appeals	Feb. 1, 2016
11. Kevin D. Hunt	14 Tenth Street	Director of Veteran's Service	April 1, 2013

Motion to approve collectively by Councillor Derrivan, seconded by Councillor Jones. Roll call vote, 9 yes, 2 absent (Ives, O'Brien).

12. LATE FILE -William H. Steeves 4 Chain Bridge Drive Sergeant, Newburyport Police Dept.

Motion to receive and file first reading by Councillor Jones, seconded by Councillor Derrivan. So voted.

Mayor Donna Holaday was escorted in to the Council Chambers by Council Cronin and Councillor Derrivan.

10. ORDER

1. Proclamation for Public Service Recognition week read by Mayor Holaday

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

11. ORDINANCES

1. LATE FILE – Amend Zoning Ordinance Section XII-B , FEMA Maps

Motion to refer to Planning & Development and Planning Board by Councillor Jones, seconded by Councillor Connell. Roll call vote, 9 yes, 2 absent (Ives, O'Brien).

12. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor/Harbormaster Capital Outlay \$2750 to Harbormaster Salary \$2750	*03/12/2012
2. Mayor/Youth Svcs Free Cash \$24,000 to Gen Admin Maint/Repair City Hall \$24,000	*03/12/2012
3. DPS-Sewer Retained Earnings \$16,000 to Police Details \$7,000, to Fuel/Oil \$9,000	*04/09/2012

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

General Government

In Committee

Joint Education

In Committee:

*01/09/2012

License & Permits

In Committee:

1. Movable Sign application Port City Sandwiches *03/12/2012

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve in front of business, by Councillor Cronin, seconded by Councillor Derrivan. So voted.

2. Movable Sign application Black Cow Tap & Grill for Merrimack Street *04/09/2012

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve subject to locating on the right side as you enter the lot, on the "step out", by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote, 6 yes, 3 no (Connell, Herzog, Jones), 2 absent (Ives, O'Brien).

Neighborhoods & City Services

In Committee:

1. Newburyport Tree Ordinance *07/22/2010

Planning & Development

In Committee:

1. Newburyport Tree Ordinance *07/22/2010

2. Amend Ord. 6.5 Environment Article II Wetlands – Wetlands Protection *11/28/2011

3. Amend Ord. Sec. III-C Zoning Map Storey Avenue Re-Zoning *02/13/2012

4. Conservation Restriction Oleo Woods Open Space Residential Subdivision *03/12/2012

Motion to remove by Councillor Connell, seconded by Councillor Derrivan. Motion to approve by Councillor Connell, seconded by Councillor Derrivan. Roll call vote, 9 yes, 2 absent (Ives, O'Brien).

5. Plum Island Lighthouse Lease *04/09/2012

Public Safety

In Committee:

1. Amend Ord. 10-9 Miscellaneous offenses – use or consumption of marijuana *11/28/2011

2. Nbpt Labor Day Festival request for 3 day downtown event Sept. 1-3, 2012 *01/30/2012

3. Amend Ord. 13-180 Parking Resident Harris St. *01/30/2012

4. Yankee Homecoming 2012 July 29th – August 5th *03/27/2012

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

5. PMC Kids Ride June 24, 2012 *03/27/2012

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

Public Utilities Committee

In Committee:

1. Street Lighting Recommendation *09/21/2011

Rules Committee

In Committee:

13. GOOD OF THE ORDER

14. ADJOURNMENT

Motion to adjourn at 8:12pm by Councillor Cameron, seconded by Councillor Herzog. So voted.

TRANSFERS



City of Newburyport
FY 2012
BUDGET TRANSFER REQUEST

Transfer #1
May 14, 2012

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 MAY -8 P 1:48

Department: FIRE

Submitted by: Chief Cutter

Date Submitted: 5/8/2012

Transfer From:

Account Name	Fire - Retirement Expense	YTD Bal:	\$	57,403.59
Account Number:	01220001-51901	Trans In:	\$	-
Amount:	\$4,555.00	Trans Out:	\$	-
Why are Funds Available:	<i>Anticipated retirements will not occur in FY 2012 as planned.</i>			

Transfer To:

Account Name	Assistance to Firefighters Grant	YTD Bal:	\$	-
Account Number:	250402-53000	Trans In:	\$	-
Amount:	\$4,555.00	Trans Out:	\$	-
Why are Funds Required:	<i>Funds are required to complete the 5% City match which is a requirement of the this federal grant which totals \$86,545. The grant will be used to purchase thermal imaging cameras, four gas detectors, PASS alarms, and flashlights.</i>			

Transfer To:

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

Transfer To:

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

Donna D. Holaday, Mayor
William B. Squillace, Auditor

Donna D. Holaday

Date: 5/6/12
Date:



STEPHEN J. CUTTER
FIRE CHIEF

CITY OF NEWBURYPORT
FIRE DEPARTMENT

0 Greenleaf Street, Newburyport, MA 01950
(978) 465-4427 FAX (978) 463-9177



To: Mayor Holaday

From: Stephen Cutter
Fire Chief

Date: May 2, 2012

Re: Assistance to Firefighters Grant Match

The Newburyport Fire Department was awarded a federal grant through FEMA and DHS Assistance to Firefighter Grant Program. The total project award is \$91,100.00. The Federal share is 95 percent or \$86,545.00 of the approved amount and the city cost is 5 percent or \$4,555.00.

This annual grant process is highly competitive. The Newburyport Fire Department has been very successful in obtaining these grants to assist in purchasing capital items for the department. In the past the grants received have purchased the 4x4 Forestry firefighting vehicle, emergency generators for each station, reflective highway safety vests, new Self-Contained Breathing Apparatus (SCBA's) and new portable radios for our personnel.

This grant is for the purchase of safety related equipment. This equipment includes the purchase of Thermal Imaging Cameras and four gas detectors for each of the apparatus. Also it includes the purchase of Personal Alert Safety Devices (PASS Alarms) and high intensity flashlights for each firefighter to wear on their protective gear.

The department is in the process of getting pricing and evaluating different brands of equipment for the above purchase.

Before the department can purchase this equipment and receive the Federal share of the grant the city must place into the grant account the city share of the grant.

I have attached a transfer request for \$4,555.00 for this purpose.

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

Thank you for assistance with this matter.

Stephen Cutter
Fire Chief



City of Newburyport
FY 2012
BUDGET TRANSFER REQUEST

Transfer #2
May 14, 2012

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 MAY -8 P 1:48

Department: POLICE DEPARTMENT

Submitted by: Thomas Howard, Marshal

Date Submitted: 5/3/2012

Transfer From:

Account Name	Officer Salary	YTD Bal:	\$	322,874.22
Account Number:	01210001-51142	Trans In:	\$	36,100.00
Amount:	\$30,739.78	Trans Out:	\$	53,569.53
Why are funds available:	<i>The funds are available due to the retirements of 3 officers and as a result, funds are left over in this account.</i>			

Transfer To:

Account Name	Retirement Account	YTD Bal:	\$	-
Account Number:	01210001-61510	Trans In:	\$	46,169.53
Amount:	\$24,671.78	Trans Out:	\$	-
Why are funds required:	<i>This amount is needed to cover a buy-out for a retiring police officer.</i>			

Transfer To:

Account Name	Mayor's Training account	YTD Bal:	\$	14,058.84
Account Number:	01129002-53004	Trans In:	\$	9,400.00
Amount:	\$6,068.00	Trans Out:	\$	-
Why are funds required:	<i>This money is needed to cover training classes. Dispatchers are being trained in a quality assurance certification class which is mandated by the State and will be reimbursed to the City. In addition, a newly promoted Sgt. and two officers, will be attending a leadership training class.</i>			

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

Donna D. Holaday

Date: 5/10/12
Date:



City of Newburyport
FY 2012
BUDGET TRANSFER REQUEST

Transfer #3
May 14, 2012

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 MAY -8 P 1:49

Department: Library

Submitted by: Mayor Holaday / Cynthia Diminture

Date Submitted: 5/8/2012

Transfer From:

Account Name	Free Cash	YTD Bal:	\$ 784,377.07
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$22,000.00	Trans Out:	\$ 1,006,710.93
Why are Funds Available:	<i>Funds are available for any purpose with the approval of the Mayor and a majority vote of the City Council.</i>		

Transfer To:

Account Name	Library - Building Maintenance .	YTD Bal:	\$ 149.41
Account Number:	01610002-52401	Trans In:	\$ -
Amount:	\$22,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>Funds are required to purchase new carpeting for the upstairs of the main library building. The existing carpeting is in poor condition and needs to be replaced.</i>		

Transfer To:

Account Name		YTD Bal:	
Account Number:		Trans In:	
Amount:		Trans Out:	
Why are Funds Required:	<i>of the City computer system (see attached).</i>		

Transfer To:

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

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

Donna D. Holaday

Date: 5/6/12
Date:

COMMUNICATIONS



William P. DeRosa
Superintendent

Kevin Mahoney
Business Manager

April 27, 2012

Ms. Julie Languirand, Treasurer
City of Newburyport
City Hall - 50 Pleasant Street
Newburyport, MA 01950

Dear Ms. Languirand:

On April 11, 2012, the Whittier Regional Vocational Technical High School Committee voted to adopt a final **2012 - 2013 Gross Budget** in the amount of **\$ 19,257,601.00**, which consists of \$ 16,269,465.00 for the Minimum Contribution as defined under the Ed Reform formula; \$ 883,732.00 for Other Assessments, Transportation & Community Education; \$ 2,104,404.00 for Other Educational Assessment. The estimated receipts for the school year are \$ 7,987,885.00, resulting in a **Total Approved Assessment for 2012 - 2013 at \$ 11,269,716.00**.

This is to certify that the **2012 - 2013** net assessment for the **City of Newburyport** is **\$ 275,985.00**. The payment schedule for your community will be as follows:

25% - August 1, 2012	\$ 68,996.00
25% - November 1, 2012	68,996.00
35% - February 1, 2013	96,595.00
15% - April 1, 2013	41,398.00
	\$ 275,985.00

Attached to this correspondence is a copy of the **APPROVED 2012 - 2013 Budget**. If you have any questions, please do not hesitate to call our Business Manager, Mr. Mahoney at (978) 373-4101 ext. 269.

Sincerely,

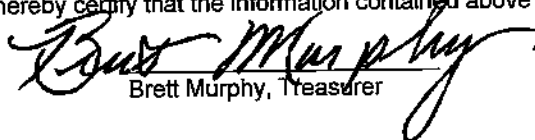

Brett Murphy, Treasurer

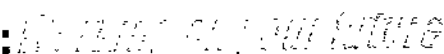
BM/klc

cc: Mayor Holaday, City Council, City Clerk, City Auditor, Chmn. Board of Assessors, F.Nelson Burns, Whittier Representative.

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

April 27, 2012


Brett Murphy, Treasurer

Whittier Tech: 

Communication #1
May 14, 2012

Whittier Regional Vocational Technical High School

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 MAY - 1 A 8:34

15 Amesbury Line Road
Haverhill, MA 01830-1898
978-373-4101
Fax: 978-372-5331
www.whittier.mec.edu

WHITTIER REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL

TOTAL ASSESSMENTS FOR FY 2013

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Required Net School Spending	16,269,465
Other Assessments, Transportation & Community Education	883,732
Long Term Debt Assessment	-
Capital Assessment	-
Other Educational Assessment	<u>2,104,404</u>
Gross Budget	19,257,601
Less Revenues To Be Applied:	
Chapter 70 Aid	7,539,478
Transportation	433,407
E & D Transfer to Reduce Assessments	-
Investment Earnings	<u>15,000</u>
	<u>7,987,885</u>

Total Assessments						11,269,716
	<u>Minimum</u> <u>Contribution</u>	<u>Other</u> <u>Assessments</u>	<u>Long Term</u> <u>Debt</u> <u>Assessments</u>	<u>Capital</u> <u>Assessments</u>	<u>Other</u> <u>Educational</u> <u>Assessments</u>	<u>Total</u> <u>Assessments</u>
Amesbury	675,023	27,968	-	-	135,199	838,190
Georgetown	249,497	10,944	-	-	52,904	313,345
Groveland	575,976	26,752	-	-	129,321	732,049
Haverhill	5,404,938	301,970	-	-	1,459,760	7,166,668
Ipswich	230,392	7,296	-	-	35,269	272,957
Merrimac	454,703	22,699	-	-	109,727	587,129
Newbury	92,569	2,837	-	-	13,716	109,122
Newburyport	233,420	7,296	-	-	35,269	275,985
Rowley	134,432	4,864	-	-	23,513	162,809
Salisbury	557,777	18,240	-	-	88,173	664,190
West Newbury	121,260	4,459	-	-	21,553	147,272
TOTALS	8,729,987	435,325	-	-	2,104,404	11,269,716

WHITTIER REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL

REQUIRED NET SCHOOL SPENDING

FOR FY 2013

Required Net School Spending	16,269,465
Less Chapter 70 Aid	<u>7,539,478</u>
Net Minimum Contribution	<u><u>8,729,987</u></u>
Member Municipalities	
Amesbury	675,023
Georgetown	249,497
Groveland	575,976
Haverhill	5,404,938
Ipswich	230,392
Merrimac	454,703
Newbury	92,569
Newburyport	233,420
Rowley	134,432
Salisbury	557,777
West Newbury	121,260
TOTALS	<u><u>8,729,987</u></u>

WHITTIER REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL

OTHER ASSESSMENTS

FY2013

Transportation	871,732
Community Services	<u>12,000</u>
Total	883,732
Less Revenue to Be Applied:	
Transportation	433,407
Investment Earnings	<u>15,000</u>
	448,407
Net Assessment	<u><u>435,325</u></u>

<u>MEMBER MUNICIPALITIES</u>	<u>FY12 PUPILS / % OF CONTRIB. FOR COMPARISON ONLY</u>		<u>PUPILS 10/01/11</u>	<u>PERCENT OF CONTRIBUTION</u>	<u>AMOUNT</u>
	<u>PUPILS 10/01/10</u>	<u>PERCENT OF CONTRIBUTION</u>			
Amesbury	67	6.34%	69	6.42%	27,968
Georgetown	27	2.55%	27	2.51%	10,944
Groveland	56	5.30%	66	6.15%	26,752
Haverhill	731	69.16%	745	69.37%	301,970
Ipswich	18	1.70%	18	1.68%	7,296
Merrimac	51	4.82%	56	5.21%	22,699
Newbury	8	0.76%	7	0.65%	2,837
Newburyport	21	1.99%	18	1.68%	7,296
Rowley	17	1.61%	12	1.12%	4,864
Salisbury	49	4.64%	45	4.19%	18,240
West Newbury	12	1.14%	11	1.02%	4,459
TOTALS	1057	100.00%	1074	100.00%	435,325

WHITTIER REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL

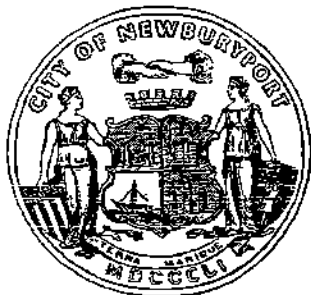
OTHER EDUCATIONAL ASSESSMENTS

FY 2013

Total Other Educational Costs	2,104,404
Less: E & D Transfer to Reduce Assessments	-
Total Assessments	<u>2,104,404</u>

MEMBER MUNICIPALITIES	<u>FY12 PUPILS / % OF CONTRIB.</u> <u>FOR COMPARISON ONLY</u>		<u>PUPILS</u> <u>10/1/11</u>	<u>PERCENT OF</u> <u>CONTRIBUTION</u>	<u>AMOUNT</u>
	<u>PUPILS</u> <u>10/01/10</u>	<u>PERCENT OF</u> <u>CONTRIBUTION</u>			
Amesbury	67	6.34%	69	6.42%	135,199
Georgetown	27	2.55%	27	2.51%	52,904
Groveland	56	5.30%	66	6.15%	129,321
Haverhill	731	69.16%	745	69.37%	1,459,760
Ipswich	18	1.70%	18	1.68%	35,269
Merrimac	51	4.82%	56	5.21%	109,727
Newbury	8	0.76%	7	0.65%	13,716
Newburyport	21	1.99%	18	1.68%	35,269
Rowley	17	1.61%	12	1.12%	23,513
Salisbury	49	4.64%	45	4.19%	88,173
West Newbury	12	1.14%	11	1.02%	21,553
TOTALS	1057	100.00%	1074	100.00%	2,104,404

NEW FILING
RENEW



City of Newburyport RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Application

2012 APR 30 P 2:54

Food Establishment Outdoor Seating on Public Property

Date: April 30, 2012

Name of Business Owner: Dawn McCondliss

Name of Property Owner: Dawn McCondliss

Business Name: Agave Mexican Bistro

Business Address: 50 State Street

Number of Tables Requested: 6 Dimensions: 4 Feet Material: IRON

Number of Chairs Requested: 18 Dimensions: 33" high Material: IRON

☐ Applicant requests approval of outdoor seating for the sole purpose of food consumption.

☒ Applicant requests approval of outdoor seating for food and alcohol consumption.

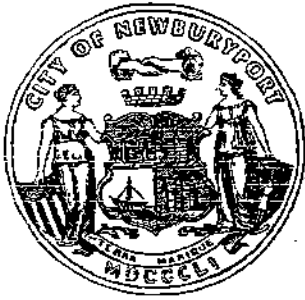
Application Requirements

Please submit the following documents with the completed application to:

City Clerk's Office
Newburyport City Hall
PO Box 550
60 Pleasant Street
Newburyport, MA 01950

1) Applicants must provide evidence of liability insurance to the City Clerk with minimum coverage in the amount of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period.

2) 8 1/2 x 11 sketch of outdoor seating detailing: a) measurements of tables and chairs
b) total width of sidewalk and c) distance between proposed seating and sidewalk



Application

Food Establishment Outdoor Seating on Public Property
(continued)

- 3) obstacles such as streetlights, signs, trees, benches, and garbage barrels.
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
 - a) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including the information and sketch used for the basis of the License Commission approval.
 - b) 8 ½ x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, DISCHARGE, and HOLD HARMLESS, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents, and servants from all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation associated with the undersigned's use of the public way as described herein.



Signature of Business Owner

D. JAY
10-7-11

22'-0" ±

17'-1"

50 STATE ST

46 STATE ST

Entrance

Window

42" Bench

42" Bench

30"

30"

30"

30"

30"

30"

17"

17"

17"

17"

17"

Break through
in fence
to pass if needed.

15'-1"

8'-0" ±

8'-0" ±

EDGE OF CURB

ADVANCE MEXICAN BISTRO



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
 10/6/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Elliot Whittier Insurance 3 Centennial Drive Peabody MA 01960	CONTACT NAME: Lin Schwarz PHONE (A/C No. Ext): (978) 977-4864 FAX (A/C No.): (978) 977-0850 E-MAIL ADDRESS: lschwarz@elliottwhittier.com														
INSURED Agave Restaurant, Inc. dba Agave Mexican Bistro 50 State Street Newburyport MA 01950	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A: Assurance Company of America</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Assurance Company of America		INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #														
INSURER A: Assurance Company of America															
INSURER B:															
INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES **CERTIFICATE NUMBER:** 11/12 MA GL **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDRESS	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY					EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		PP904806016	6/5/2011	6/5/2012	
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJ-JECT <input type="checkbox"/> LOC					
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Per accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE		PP904806016	6/5/2011	6/5/2012	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			WC STATUTORY LIMITS <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 City of Newburyport is an Additional Insured for General Liability as required by written contract with the Named Insured, but only in accordance with the policy terms, conditions and exclusions

CERTIFICATE HOLDER
CANCELLATION

City of Newburyport City Hall 60 Pleasant Street Newburyport, MA 01950	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Lin Schwarz/LIN <i>Lin Schwarz</i>
---	---

**Communication #3
May 14, 2012**



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
MAY -2 P 2:39

Eastern Massachusetts Region
Northeast Chapter
85 Lowell Street
Peabody, MA 01960
Tel (978) 922-2224
northeastmassredcross.org

May 2, 2012

Mr. Rich Jones
City Council
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

Dear Mr. Jones,

On behalf of the American Red Cross of Northeast Massachusetts, I would like to request permission to obtain permits relating to our upcoming **9th Annual Chocolate Tour of Newburyport** being held on Saturday, May 19, 2012 from 1 p.m. to 5 p.m.

We would like to be granted permission to place a table and a tent in front of the Unitarian Universalist Church Hall on Saturday, May 19th on Pleasant Street from 8 a.m. to 5 p.m. where we will be greeting registrants of the fundraiser. In addition, we would like to place three sandwich signs directly visitors to register at the Unitarian Universalist Church Hall on May 19th— one sign at Market Square, one at the Tannery, and one at Inn Street Common.

At the conclusion of the Chocolate Tour on May, 19, 2012, we plan to immediately remove all of the above mentioned items from each location by 6 p.m. on the 19th.

If you should have any questions, please contact your colleague Greg Earles as we have been in communication with him.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Frederica Doeringer".

Frederica Doeringer
Executive Director



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 MAY -2 P 1:43

Eastern Massachusetts Region
Northeast Chapter
85 Lowell Street
Peabody, MA 01960
Tel (978) 922-2224
northeastmassredcross.org

May 1, 2012

City Council of Newburyport
In City Council
Newburyport, MA 01950

Dear Sirs or Madams,

On behalf of the American Red Cross of Northeast Massachusetts, I would like to request permission to place three a-frame signs on Saturday, May 19, 2012 from 1pm to 5pm – one at Market Square, one at the Tannery and one at Inn Street's common area directing the locals and visitors to register at the Unitarian Universalist Hall. This request relates to our Annual Chocolate Tour of Newburyport fundraiser.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Frederica Doeringer".

Frederica Doeringer
Executive Director



TETRA TECH

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

LETTER OF TRANSMITTAL

2012 MAY -1 A 8:34

To: City of Newburyport
Office of the City Council
60 Pleasant Street
Newburyport, MA 01950

Date:	April 27, 2012
Project:	127-12501-10001
Re:	Whittier Bridge/I-95
Notice of License Application pursuant to M. G. L. Ch. 91	
Waterways License Application Number W12-3581	
MassDOT - Highway Division	

We Are Sending You:

- | | | |
|--|---------------------------------------|---|
| <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> Samples | <input type="checkbox"/> Specifications |
| <input type="checkbox"/> Shop drawings | <input type="checkbox"/> Prints | <input checked="" type="checkbox"/> Plans |
| <input type="checkbox"/> Copy of letter | <input type="checkbox"/> Change order | <input type="checkbox"/> Under Separate Cover |

Copies	Date	No.	Description
1	4/27/12		Whittier Bridge/I-95 Notice of License Application pursuant to M. G. L. Ch. 91
			Waterways License Application Number W12-3581
			MassDOT - Highway Division
1	4/5/12		Whittier Bridge and I-95 Widening Chapter 91 Plans

Items Are Transmitted As Checked Below:

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> For approval | <input type="checkbox"/> Approved as submitted | <input type="checkbox"/> Resubmit | <input type="checkbox"/> Copies for approval |
| <input checked="" type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> Submit | <input type="checkbox"/> Copies for distribution |
| <input type="checkbox"/> As requested | <input type="checkbox"/> Returned for correction | <input type="checkbox"/> Return | <input type="checkbox"/> Corrected prints |
| <input type="checkbox"/> For review | <input type="checkbox"/> For bids due | <input type="checkbox"/> Prints returned after loan to us | |
| <input type="checkbox"/> Other | | | |

Remarks:

Signed:

Edward T. Hutchinson

Type Name

CC:

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM

2017 MAY 1 A 8:35
Notice of License Application pursuant to M. G. L. Chapter 91A
Waterways License Application Number W12-3581
MassDOT - Highway Division

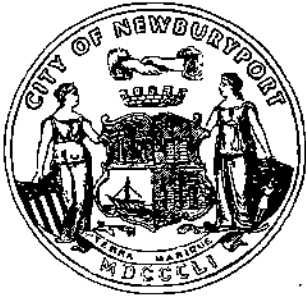
NOTIFICATION DATE: April 27, 2012

Public notice is hereby given of the application by the MassDOT - Highway Division to construct and maintain a new bridge structure as a replacement of the existing Interstate 95 Bridge, also known as the "John Greenleaf Whittier Memorial Bridge", which connects the City of Newburyport and Town of Amesbury over the water of the Merrimack River. The proposed use of the project is to replace the structurally deficient bridge and provide for improved vehicle traffic as well as a multi-use trail across a navigable waterbody and is a water dependent project.

The Department will consider all written comments on this Waterways application received by within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, must include no less than five citizens who are residents of the municipality in which the proposed project is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4) (c).

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (617) 292-5500. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below. Written comments must be addressed to: David Slagle, MassDEP-WRP, One Winter St., 5th fl., Boston, MA 02108.

Amended



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

City of Newburyport

2012 MAY -7 A 11:27

Application

Food Establishment Outdoor Seating on Public Property

Date: 5-5-12

Name of Business Owner: Nick Poulos

Name of Property Owner: Newburyport operating Holding

Business Name: Purple onion

Business Address: 42-44 Inn St Business Telephone: 978 465 9600

Number of Tables Requested: 8 Dimensions: 28" Material: metal

Number of Chairs Requested: 24 Dimensions: 18" Material: metal

☒ Applicant requests approval of outdoor seating for the sole purpose of food consumption. Expanded Seating to nearby tree as did previous owners

☐ Applicant requests approval of outdoor seating for food and alcohol consumption.

Application Requirements

Please submit the following documents with the completed application to:

City Clerk's Office
Newburyport City Hall
PO Box 550
60 Pleasant Street
Newburyport, MA 01950

- 1) Applicants must provide evidence of liability insurance to the City Clerk with minimum coverage in the amount of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period.
- 2) 8 1/2 x 11 sketch of outdoor seating detailing:
 - a) measurements of tables and chairs
 - b) total width of sidewalk and
 - c) distance between proposed seating and sidewalk



Application

Food Establishment Outdoor Seating on Public Property (continued)

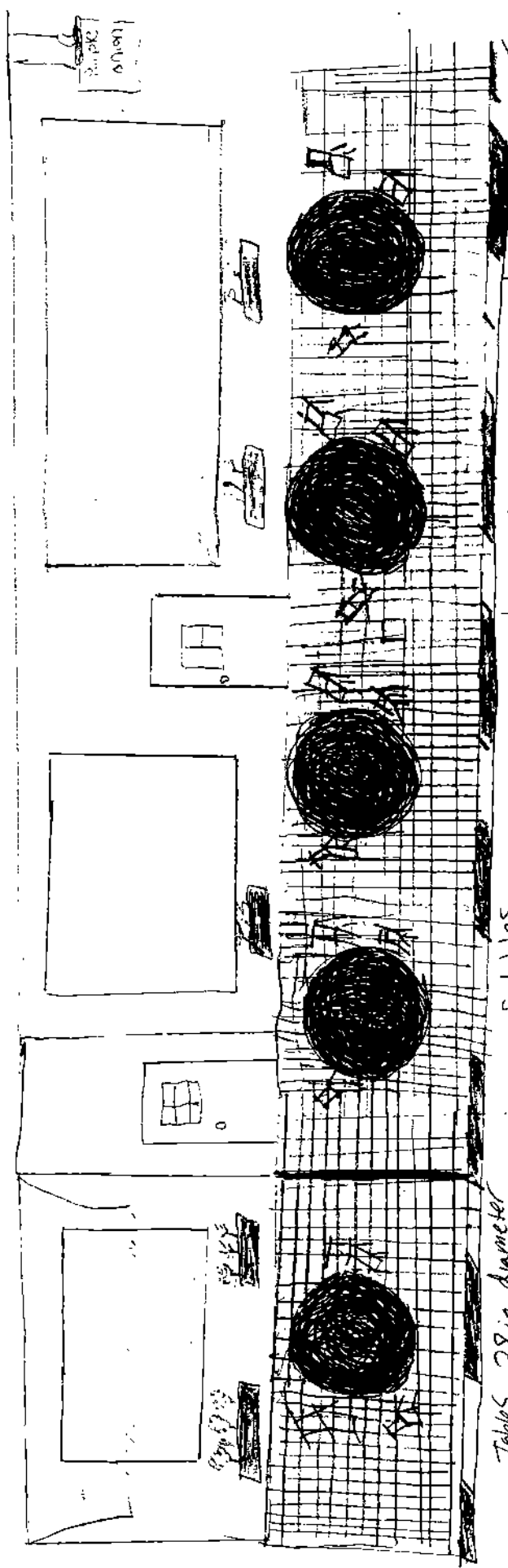
- 3) Obstacles such as streetlights, signs, trees, benches, and garbage barrels.
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
 - a) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including the information and sketch used for the basis of the License Commission approval.
 - b) 8 1/2 x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, DISCHARGE, and HOLD HARMLESS, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents, and servants from all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation associated with the undersigned's use of the public way as described herein.

Signature of Business Owner

Purple Onion Sketch



Tables 28 in diameter
Chairs 18 in wide

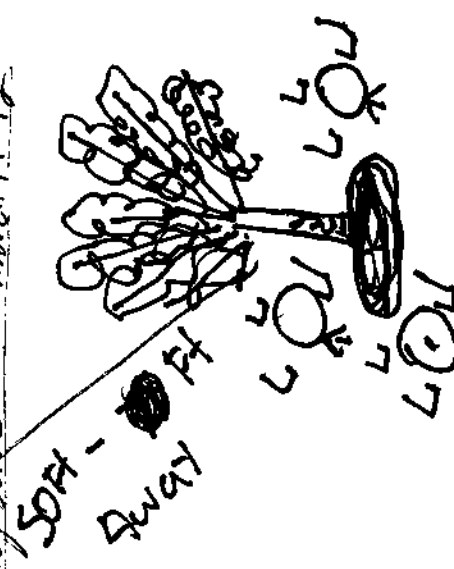
5 tables
3 chairs per table
15 chairs total

The Purple Onion

KHNP Management LLC

Nick Parley photos

March 19-12





CERTIFICATE OF LIABILITY INSURANCE

OP ID: AC

DATE (MM/DD/YYYY)

02/27/12

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Chase & Lunt LLC P O Box 590 47 State Street Newburyport, MA 01950 Michael J. Conlin		978-462-4434 978-465-6204	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS: PRODUCER CUSTOMER ID #: PURPL-3	FAX (A/C, No):
INSURED Purple Onion KHNP Management LLC dba 44 Inn Street Newburyport, MA 01950		INSURER(S) AFFORDING COVERAGE INSURER A: Zurich INSURER B: First Cardinal Corporation INSURER C: INSURER D: INSURER E: INSURER F:		

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			TBA	02/27/12	02/27/13	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 250,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> Business Owners						PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	ANY AUTO						BODILY INJURY (Per person) \$
	ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS						\$
	<input checked="" type="checkbox"/> NON-OWNED AUTOS						\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DEDUCTIBLE						\$
	RETENTION \$						\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			TBA	03/01/12	03/01/13	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT \$ 100,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 100,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Property			TBA	02/27/12	02/27/13	BUILDING 45,000 PROPERTY 35,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Restaurant - limited or no table service

CERTIFICATE HOLDER**CANCELLATION**

Illustration of Coverage

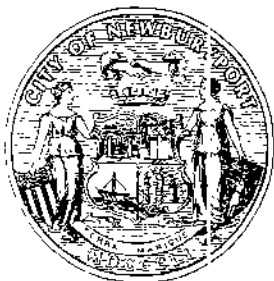
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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APPOINTMENTS

Appointment #1
May 14, 2012



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

2012 MAY -1 A 10:55

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 1, 2012

Subject: Appointment

I hereby appoint, subject to your approval, the following
named individual as a member of the License
Commission. This term will expire on June 1, 2018.

Joseph H. Devlin
3 Dexter Lane
Newburyport, MA 01950

DEMAKIS LAW OFFICES, P. C.

GREGORY C. DEMAKIS
THOMAS C. DEMAKIS

SANDOR RABKIN
JOSEPH H. DEVLIN*

*Also Admitted in N.H.

56 CENTRAL AVENUE
LYNN, MASSACHUSETTS 01901

TEL. (781) 595-3311

FAX (781) 592-4990

www.demakislaw.com

March 20, 2012

VIA FACSIMILE AND
EMAIL TRANSMISSION

To the Honorable Mayor of Newburyport
Mayor Donna D. Holaday
Office of the Mayor
60 Pleasant Street
Newburyport, MA 01950
Fax: 978-465-4402

Dear Madam Mayor:

As per our discussion on March 16, 2012, please accept this as my request to be appointed to the Licensing Board for the City of Newburyport. I have attached a summary of my work experience in the area of liquor licensing for your review.

As the attached summary shows, I have significant experience in liquor licensing across numerous communities, and I have been regularly before the local licensing authorities in communities throughout the Commonwealth, from Plymouth, Pembroke and Marshfield, to Dartmouth, New Bedford and Fall River, to Springfield, Greenfield and Pittsfield, and Lowell, Haverhill, and Newburyport. I think this depth of experience, both legal and practical, will be very helpful to the duties and responsibilities of Newburyport's Board, and I relish the opportunity to share my knowledge to the benefit of my home city.

Thank you for your time and consideration of this request. I can be reached at extension 105 if you have any questions or need any additional information.

Very truly yours,


Joseph H. Devlin

JOSEPH H. DEVLIN

3 Dexter Lane, Newburyport, MA 01950

Ph:(w) 781-595-3311

Fax: 781-592-4990

Cell: 617-894-3672

Education: Wheaton College (B.A., 1993); Boston University School of Law (J.D., 1998)

Bar

Admissions: New Hampshire and Massachusetts (1999); US District Court, District of New Hampshire (1999).

Practice

Areas: Liquor licensing, lottery and other licensing; real estate; business; estate planning.

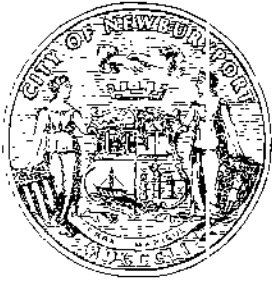
September 2003 - Demakis Law Offices, P.C., 56 Central Avenue, Lynn, MA 01950 to Present:

- Maintains a significant practice in municipal and state liquor license law, as well as other licensing matters, for hundreds of clients state-wide.
- Represents numerous national restaurant, hospitality and hotel entities and individual small business in over 110 communities across the Commonwealth in the areas of licensing and permitting, real estate and contracts.
- Coordinated and supervised multiple large, state-wide licensing transactions for national companies with multiple locations, including several of the state's largest chain restaurants, and countless individual liquor license and business transactions for independent business operators across the Commonwealth.
- Possesses in-depth, state-wide experience and relationships with local licensing authorities, boards of health, and inspectional services departments, and state agencies involved in the licensing process including the Massachusetts Division of Unemployment Assistance, Fair Share Contribution, Department of Revenue, and the Alcohol Beverage Control Commission.

Previous:

- Began his legal career in private practice in Boston in the areas of personal injury, immigration and criminal defense, representing many indigent criminal defendants as a bar advocate.
- Worked for the state of New Hampshire's Office of Alcohol and Drug Abuse and coordinated a multi-agency drug and alcohol enforcement and prevention initiative.
- Worked as a carpenter in the construction of several restaurants in Massachusetts.

Joe grew up in Kingston, New Hampshire, and has lived in Newburyport since August of 2004, currently at 3 Dexter Lane, with his wife, two boys and baby daughter. He majored in political science in college and has always had an interest in politics, particularly at the local level.



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

Appointment #2
May 14, 2012

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 MAY -1 P 3:47

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: May 1, 2012
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 April 30, 2017.

Karen Popken
49 Boardman Street
Newburyport, MA 01950

Karen Popken
49 Boardman Street
Newburyport, MA 01950
karenpopken@yahoo.com
978.223.5075

April 21, 2012

CC: Lise Reid, Robert Uhlig, Sean Harrington, Sean Perkins, Steve Sawyer

To Mayor Donna Holaday,

Newburyport's Public Parks are among city's most precious resources. Protecting and preserving them is a great responsibility as public parks play a vital role in the health of the community.

Living and working in Newburyport has cultivated a love and passion for the Clipper City. As a parent, I have spent many days pushing the swings at Ayers and Perkins, watching baseball practice at Woodman, enjoying ice cream at Inn Street, Sunday strolling at Frog Pond, hiking the trails of Moseley, and organizing classes of River Valley students to enjoy field days at Cashman Park.

I became active in this community as a member of the Dog Off Leash Task force. This experience inspired me to join the core of volunteers that work so tirelessly to ensure Newburyport's resources and community development. I worked with many individuals, both private and public, to enhance the lives of its citizens.

Stewardship and preservation of our parks is important to me. I am applying for a position on the Newburyport Parks Commission, as a steward, and as a means of giving back to a community that has helped form my life. I have relevant experience working on various committees, and I believe my background in education, together with a passion for Newburyport, make me an ideal candidate to serve the community in protecting its treasured parks. Enclosed is my resume. Please accept my petition to become a member of the Parks Commission.

Sincerely,

Karen Popken

Karen Popken
49 Boardman Street
Newburyport, MA 01950
(978) 223-5075
karenpopken@yahoo.com

- Education:** **Masters of Education**, Endicott College Beverly, MA
December 2003
Bachelor of Arts English/Elementary Education,
College of Mt. St. Vincent Bronx, NY cum laude, 1990
- Certification:** Commonwealth of Massachusetts Department of Education
License#323684. Elementary, 1-6 Professional. Middle School, 5-9, Initial.
Highly Qualified National Board Certified
New York State Teacher Certification N-6.
Montessori Early Childhood Age 2.9-6 Teaching Credential, Northeast
Montessori Institute.
Montessori Elementary Age 6-9 Teaching Credential, Seacoast Center for
Montessori Training.
Open Circle Training: Social Emotional Literacy, Wellesley Centers for
Women, at Wellesley College.
- Teaching Experience:**
- 2003- Present **River Valley Charter School, Newburyport, MA**
Head Teacher Multi-Age grades 1, 2, and 3
Cooperating Practitioner/Mentor for Student Teaching Practicum,
Salem State University, and Regis College.
Board of Trustees Faculty member Two Terms 2006-2008
Member NAEYC Accreditation Committee 2007 -2009
Curriculum Committee Member Aligned Montessori Curriculum to
match new Massachusetts Common Core
Student Study Team Member
Special Projects include: Established comprehensive *Restoration of the
Atlantic Salmon* program, Community Partnerships with Head Start
Programs and The U.S. Department of Fish and Wildlife Refuge, Creation
of Multi-Disciplinary Literacy, Science, History, and Ecology Theme and
standards Based Curriculum.
- 2002- 2003 **Newburyport Montessori School, Newburyport, MA**
Teacher Montessori Early Childhood Ages 2.9 to 6.
- 2001- 2002 **Cambridge Montessori School**
Intern Teacher Montessori Early Childhood Ages 2.9 to 6
- 1993-1995 **St. Bridget's School, Framingham, MA**
Language Arts Teacher
Grade 6 Reading, Composition, and Grammar
Grade 7 English, Reading, and Language Arts
Grade 8 Literature
Accreditation Team Member evaluated and revised middle school
language arts curriculum to meet state frameworks.

Drama Teacher Produced and directed plays

- 1990-1993 **Transfiguration School, Tarrytown New York**
Teacher Grade 6
Science Coordinator Organized science fairs, coordinated science equipment, mentored other teachers
- 1987 -1990 **New York City Public Schools #8, #24 and #81 Bronx, N Y**
Student Teacher
Grades: Kindergarten, 1, 2, and 4
- 1988- 1990 **Tutor Higher Education Opportunity Program (HEOP)**
College of Mount St. Vincent Bronx, NY

Educational Administrative Experience:

- 1995-1998 **Director of Programs and Services**
M.E.L.D. (Multi-Educational Learning and Development)
A Nonprofit organization serving children and their families
Programs included Full day OCCS licensed kindergarten, Grades 1 to 5
OCCS After School Program, After Hours Enrichment classes in
Stoneham public schools, Children and teens Summer Drama, and an
interactive Parent and Toddler Program. Stoneham, MA
Responsible for operations, finance, marketing, and development implementation
and evaluation for all M.E.L.D. Center programs and activities. Human resources
and staffing. Development and maintenance of operating and capital budget.
Production of public relations materials. Research and grant-writing for funding
programs. Generation of new program concepts. Establishment of good
communications between teachers and parents. Supervision of building facilities.
Conceived and implemented computer-based billing system. Curriculum
development and coordination of community events.
- Summer '92 & '93 **Assistant Director**
Town of Bedford Recreation Tots Program, Bedford, NY

Professional Speaking/ Workshop Presentation:

Montessori Schools of Massachusetts

- "Time Saving Tips and Record Keeping" January 21, 2006
"The Earth is Not Flat: Geography: Alive and in Your Hands" January 26, 2008
"Water, Water Everywhere" Hands on Science Experiments
Exploring Properties of Our Most Precious Resource: Water.
January 21, 2012 Dean College
Massachusetts Charter Public School Association's Best Practices
"Hands on Approach to Mathematics: It's Montessori" April 1, 2005
"The Earth is Not Flat: Geography: Alive and in Your Hands" March 30, 2007
American Montessori National Conference Chicago, IL
"Water, Water Everywhere" Hands on Science Experiments
Exploring Properties of Our Most Precious Resource: Water.
March 26th, 2011

References:

Dale Bishop, Ph.D.
Director, River Valley Charter School
Newburyport, MA

office 781.521.5433 dale.bishop@dsacma.org

home 781.639.5119 dabishop80@yahoo.com

Ann Mooney
Assistant Director, River Valley Charter School
Newburyport, MA

home 718.513.1892

cell 718.513.1892

email annmooney2@gmail.com

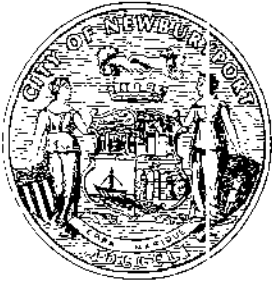
Lori McCrevan-Klucznik
Assistant Director, River Valley Charter School
Newburyport, MA

work 978.521.2616

cell 603.918.0786

email klucznik@hvmcps.org

Appointment #3
May 14, 2012



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

2012 MAY -3 P 4:38

Donna D. Holaday

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: May 3, 2012

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Bartlett Mall Commission. This term will expire on June 1, 2015.

Alexander C. Pittman
4 Norman Avenue
Newburyport, MA 01950

Alexander C. Pittman
4 Norman Avenue
Newburyport, MA 01950
(508)-451-2558 Cell

Monday, April 16, 2012

Mayor Donna D. Holaday
City of Newburyport
60 Pleasant Street, P. O. Box 550
Newburyport, MA 01950

Dear Mayor Holiday

Almost four years ago I moved with my wife (grew up in Medford) and son from New Jersey to our newly purchased home in Newburyport, Massachusetts in August 2007. We love this city and its location on the north shore.

I served on the Energy Advisory Committee when it was first formed for about a year and then had to leave due to personal demands. Now that my time has been freed up again I would like to serve on the Bartlett Mall Commission. I walk my dog in the morning with Walt and got to know of the need for committee members through him. Enclosed is a copy on my resume

I request that I be made a new member of the Commission so that I can continue to contribute to the community. Thank you for your consideration

Sincerely,

A handwritten signature in black ink that reads "Alexander C. Pittman". The signature is written in a cursive, flowing style.

Alexander C. Pittman

ALEXANDER C. PITTMAN

4 Norman Ave
Newburyport, Massachusetts 01950
508-451-2558 Cell

OBJECTIVE

Dynamic professional with 20 plus years of worker protection experience, with specific expertise and education in occupational health and safety, radiation protection, and 9 years of teaching experience, seeks a professional EHS position

EDUCATION AND TRAINING

MA in Occupational Health and Safety - New York University

MS in Radiation Science - Rutgers University, Nuclear Regulatory Commission Summer Fellowship Program at Brookhaven National Laboratory BS in

Physics (Math Minor) - Berry College

Work Experience – Classroom Teaching Experience

Marblehead High School – Mass (2009-2011)

College Prep Physics
Conceptual Physics
Biology
Astronomy
Robotics

Saugus High School – Mass (2007-2009)

College Prep Physics
Conceptual Physics
General Chemistry
Astronomy
Algebra I

Manville High School - NJ (2006-2007)

Honors Physics
Physics
Honors General Science
General Science
General Science (IEP's)

South Plainfield Board of Education - NJ (2002-2005)

AP Physics (Calculus based)
Academic Physics
Academic Chemistry
Science, Technology, and Society
Science Interactions

All-Tech Direct, Inc. (2000-2001)

Professional NASDAQ Stock Trader and Day trader

Con Edison (1981-2000)

Environment, Health and Safety Department

- * Provided EHS consultation services to two Plant EHS Managers in Manhattan
- * Provided worker training, consultation services, helped develop a prototype companywide computer program, EHS Inquiry System, used to answer inquiries at the corporate office
- * Performed noise control engineering at various sites within Con Edison's Service territory

Nuclear Engineering Department

- * Upgraded Indian Point Station's respiratory protection program
- * Performed system safety analyses for various plant modifications
- * Performed radiation dose calculations for Liquid and Gaseous Pathways for Indian Point's Semi-Annual Effluent Report to the Nuclear Regulatory Commission

Public Service Electric and Gas Company (1980-1981)

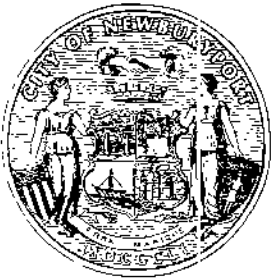
Nuclear Operations Department

- * Health Physicist in Nuclear Operations Department (Corporate Office in Newark, NJ) for Salem 1 & 2 Nuclear Power Plants

Brookhaven National Laboratory (1975-1979)

Safety and Environmental Protection Division

- * Managed Safety & Environmental Protection Representatives (7x 24 operation) assigned to BNL's 30 GeV Proton Accelerator Department



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

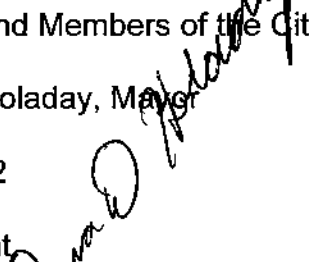
60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

Appointment #4
May 14, 2012

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 MAY -8 P 1:53

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: May 8, 2012
Subject: Appointment



I hereby appoint, subject to your approval, the following
named individual as a member of the Planning Board.
This term will expire on June 1, 2017.

Cindy Zabriskie
87 Lime Street
Newburyport, MA 01950

Cynthia M. Zabriskie
87 Lime Street
Newburyport, MA 01950
(978) 462-7187

I. EMPLOYMENT HISTORY

**March, 2008-
Present**

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
BUREAU OF HOUSING DEVELOPMENT AND CONSTRUCTION
ASSISTANT DIRECTOR, PROJECT DEVELOPMENT UNIT**

Responsibilities:

Directly oversee the professional activities of a group of Project Managers who manage the process of new development and preservation of existing public housing; Ensure that Project Managers implement projects consistent with their awarded scope and budget and in accordance with schedules based on the project's priority and complexity. Review project progress and intervene if necessary to resolve conflicts or move projects along; Assure that the Project Managers provide support and assistance when necessary to each of their local housing authorities in the execution of capital projects; Review and respond to time or politically-sensitive projects or documents requiring signature or recommendation; Assist in developing implementing new programs, policies and training project managers in same. Chair of the Unit's Emergency Funding Committee.

**December 2006-
March 2008**

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF COMMUNITY SERVICES
DIRECTOR, BUREAU OF RELOCATION**

Responsibilities:

Administered the Bureau of Relocation (BOR) established by Massachusetts General Laws Chapter 79A to assist residents and businesses who are displaced as a result of a real estate acquisition by a public or private entity using public funds. Duties include: Managing the Bureau of Relocation; providing interpretation of statute and regulations to local/state agency officials, legal counsel, consultants, property owners, displaced persons, and Department staff; review/approve requests to be designated as the "Relocation Assistance Agency" for a project; review Relocation Plans; review/approve relocation claim submissions over \$50,000; conduct site visits to ensure compliance with BOR policies and statutory and regulatory requirements; conduct relocation training and prepare technical materials to increase understanding and ensure compliance with c. 79A; and recommend and prepare new relocation guidelines, procedures and standards.

**July 2002-
December 2006**

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
BUREAU OF HOUSING DEVELOPMENT AND CONSTRUCTION - PROJECT
MANAGEMENT UNIT
PROJECT MANAGER**

Responsibilities:

Provided management and technical assistance in the planning and construction of new and/or modernization of existing state-funded housing developments for elderly, special needs and low-income persons, in accordance with governing Massachusetts laws and Department regulations for the same. Duties included: managing all phases of the residential renovation and new construction process; oversaw and coordinated with Architects, Engineers and Construction Specialists, Housing Authority Executive Directors and Modernization Coordinators and Senior Staff in the creation of development and capital improvement project programs or scopes, budgets and schedules; managed the design, bidding and contract award processes; and monitored construction and change order review and approval process.

**June 1998-
July 2002**

**O.R. COLAN ASSOCIATES, FT. LAUDERDALE, FL 33316
ACQUISITION/RELOCATION SPECIALIST
CLIENT: MANCHESTER NEW HAMPSHIRE AIRPORT**

Responsibilities:

Responsible for acquisition and relocation of approximately 80 homes and families required for expansion of Manchester New Hampshire Airport. Duties included: conducting property owner interviews/meetings to explain acquisition/relocation process in accordance with applicable State and Federal laws and regulations; presented offers and negotiated with owners and displaced persons; computed and prepared relocation payments and claims; coordinated closing dates and documents; contracted for appraisal and title services; collected rent and maintained rental properties purchased by the Airport; prepared vacant homes for demolition contractor.

**July 2001-
July 2002**

**O.R. COLAN ASSOCIATES, FT. LAUDERDALE, FL 33316
ACQUISITIONS/RELOCATION SPECIALIST
CLIENT: MASSACHUSETTS HIGHWAY DEPARTMENT**

Responsibilities:

Responsible for acquiring over 150 highway easements from several commercial and residential property owners in accordance with the Federal Uniform Acquisition/Relocation Act for Expansion of Route 1A and Route 3. Duties included: conducting property owner interviews/surveys; discuss takings and explain appraisal/acquisition process; computed and prepared acquisition documents for board vote action; prepared & presented offers to property owners; attended weekly project meeting with construction contractor.

**August 1993-
June 1998**

PARSONS, BRINCKERHOFF, MCQUADE & DOUGLAS, BOSTON, MA
SUPERVISOR, ACQUISITIONS UNIT/LAND MANAGEMENT DEPARTMENT
CLIENT: MASSACHUSETTS HIGHWAY DEPARTMENT
PROJECT: CENTRAL/ARTERY TED WILLIAMS TUNNEL PROJECT

Responsibilities:

Supervised a staff of acquisition specialists assigned to acquire real property, including buildings necessary for the construction of the Central Artery/Ted Williams Tunnel Project. Duties included: ensuring staff acquired real property interests in accordance with governing State and Federal Appraisal/Acquisition laws and procedures; ensured client deliverables were received on schedule; reviewed all correspondence/reports prepared by staff for accuracy and proper company format; conducted weekly staff meetings; represented manager of department at senior staff meetings; presented necessity of takings to property owners, Massachusetts Highway Department Real Estate Review Board; prepared acquisition documents for vote by Mass. Highway Department Board of Commissioners; conducted Request for Proposals meetings and contracted for appraisal and title services; prepared appraisal estimates; prepared/managed appraisal and title consultants; distributed and prioritized appraisal assignments to staff; recommended solutions to acquisition problems.

August 1985- COMMONWEALTH OF MASSACHUSETTS
August 1993 DIVISION OF CAPITAL ASSET MANAGEMENT

II. EDUCATION

NORTHEASTERN UNIVERSITY, BOSTON, MA
Business Administration Bachelor of Science Program, 1989-1991

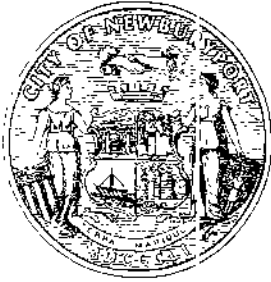
UNIVERSITY OF MASSACHUSETTS, BOSTON, MA
General Studies, 1985-1989

BRAINTREE HIGH SCHOOL
Diploma, June 1983

LICENSED SALESPERSON, MASSACHUSETTS REAL ESTATE BOARD

INTERNATIONAL RIGHT OF WAY ASSOCIATION
Successfully passed several land acquisition/relocation courses, (11/1993 – 6/2007)

NATIONAL HIGHWAY INSTITUTE
Training in Appraisal and Appraisal Review for Federal Highway Programs
Completed January, 1995



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

2012 APR 26 P 2:57

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: April 26, 2012

Subject: Re-Appointment

Donna D. Holaday

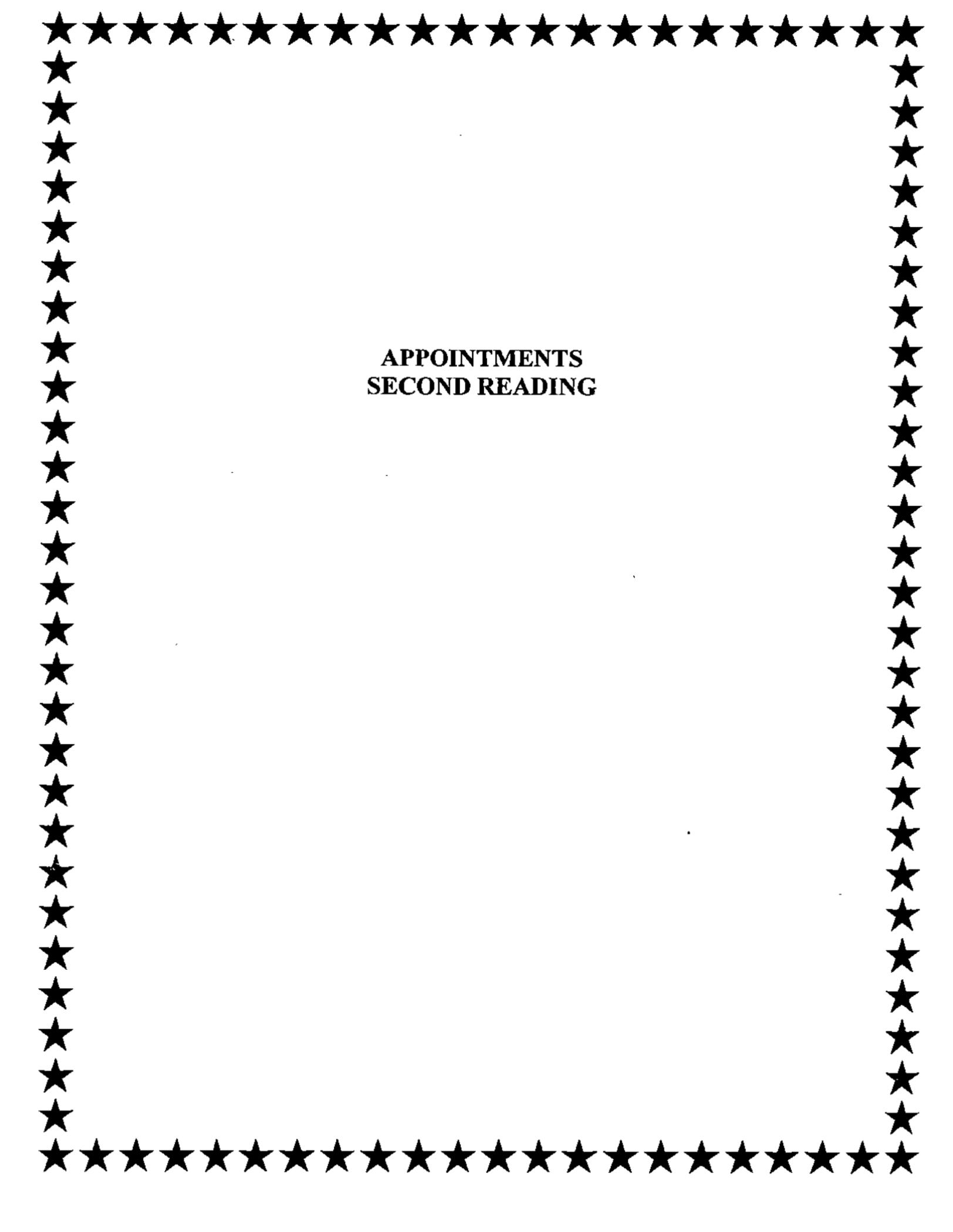
I hereby reappoint, subject to your approval, the following named individual as a member of the Water Commission. This term will expire on April 30, 2017.

George Lawler, Jr.
22 Woodland Street
Newburyport, MA 01950



END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA



**APPOINTMENTS
SECOND READING**

MAYOR'S APPOINTMENTS
May 14, 2012
SECOND READING

Appointments

- | | | | | |
|----|------------------|-------------------|-------------------------------|---------------|
| 1. | Howard A. Snyder | 26B Strong Street | Zoning Board of Appeals | April 1, 2016 |
| 2. | Kimberly Logue | 50 Park Circle | Newburyport Housing Authority | May 1, 2017 |

Re-Appointments

- | | | | | |
|----|------------------|------------------|-----------------------------------|---------------|
| 3. | Patricia Dorfman | 16A Toppans Lane | Newburyport Redevel. Authority | March 1, 2017 |
| 4. | Martha True | 24 Cherry Street | Council on Aging | May 31, 2017 |
| 5. | Bonnie Sontag | 10 Upland Road | Fruit St. Local Hist. Dist. Comm. | May 31, 2015 |
| 6. | Bonnie Sontag | 10 Upland Road | Planning Board | May 31, 2017 |
| 7. | Linda Smiley | 7 Atwood Street | Historical Commission | May 1, 2015 |

In City Council April 30, 2012

Motion to approve the Consent Agenda as amended by Councillor Jones, seconded by Councillor Cameron. 9yes, 2 absent (Ives, O'Brien). So voted.

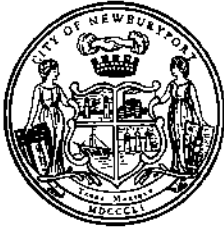
Appointments

- | | | | |
|----|--------------------|----------------------|------------------------------------|
| 8. | William H. Steeves | 4 Chain Bridge Drive | Sergeant, Newburyport Police Dept. |
|----|--------------------|----------------------|------------------------------------|

In City Council April 30, 2012

Motion to receive and file first reading by Councillor Jones, seconded by Councillor Derrivan. So voted.

ORDERS



CITY OF NEWBURYPORT

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2012 MAY -7 A 10:00

IN CITY COUNCIL

ORDERED:

Date: May 14, 2012

THAT the City Council hereby orders that the City of Newburyport shall post on its website in an accessible place the Campaign Finance Reports-Municipal Forms which are submitted by candidates for Mayor, City Council, and School Committee. The Reports to be posted shall include the current year and the previous three years.

Councillor Edward C. Cameron

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

RESOLUTION

Date: May 14, 2012

Whereas three ballot questions will be before the voters of Newburyport on June 5, 2012 regarding the following:

bonding to pay costs of designing, constructing, furnishing and commissioning a new Bresnahan Model School building which will be located at 333 High Street;

bonding issued in order to pay costs of designing, constructing, renovating and upgrading the Nock Middle/Molin Upper Elementary Schools located at 70 Low Street and

bonding to pay costs of designing, constructing, furnishing and commissioning a new Senior & Community Center at the site of the current Bresnahan Elementary School and

Whereas construction of a new kindergarden - 3rd grade Bresnahan School and renovation of the Nock Middle/Molin Upper Elementary Schools will address overcrowding, health and safety issues and result in future energy and maintaince cost savings and

Whereas approximately half of the cost for school construction and renovation will be reimbursed by the State of Massachusetts and

Whereas a new Senior Community Center will serve as a centralized space for senior programs presently scattered throughout the city and become a resource for greater senior participation in future programming and

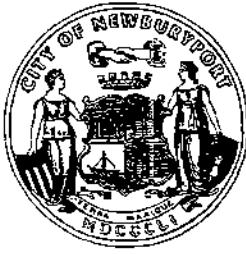
Whereas the new Senior Community Center will generate income from anchor tenants and provide additional community space for the use of residents city-wide and

Whereas the State of Massachusetts will assume the cost of demolishing the current Bresnahan Elementary School in preparation for the construction of a new Senior Community Center on the site

Therefore be it resolved that we members of the City Council undersigned herein favor the aforementioned investments in Newburyport's municipal infrastructure.

Councillor Thomas E. Jones

Councillor Kathleen O'Connor Ives



City of Newburyport

IN CITY COUNCIL

ORDERED:

Date: MAY 14 2012

THAT the City Council authorizes the Mayor to acquire and accept on behalf of the City such easements, long-term leases and/or other interests in land in the Town of Newbury from National Grid and the Town of Newbury as are necessary to provide for the construction and public use of the Harborwalk/Clipper City Rail Trail, the approximate location of such trail in Newbury being shown on a conceptual plan prepared by Stantec entitled: "Preliminary Path Alignment, Clipper City Rail Trail – Phase 2, City of Newburyport, MA, 03-27-12", and further authorizes the Mayor on behalf of the City to seek such approval of the General Court as may be necessary for said acquisition, as set forth below, provided that the General Court may make clerical and editorial changes of form only to the bill unless the Mayor approves amendments to the bill prior to enactment by the General Court, and to authorize the Mayor to approve such amendments which shall be within the public purposes of the petition.

AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO ACQUIRE INTERESTS IN LAND IN THE TOWN OF NEWBURY

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding section 16 of chapter 30B of the General Laws or any other general or special law to the contrary, the city of Newburyport may enter into a lease agreement with National Grid to provide for the public use of the inhabitants of Newburyport of the land located off Parker Street in the town of Newbury and shown as Parcels 5, 6 and 7 on a plan recorded with the Essex County Registry of Deeds, Southern District, in Plan Book 57, Plan 84. The term of the lease shall be for not more than 99 years and for such terms and conditions as the city of Newburyport and National Grid deem appropriate.

SECTION 2. Notwithstanding section 16 of chapter 30B of the General Laws or any other general or special law to the contrary, the city of Newburyport may acquire and hold for the public use of the inhabitants of Newburyport an interest in land on Parker Street in the town of Newbury described as Parcel 1 in a deed

recorded with the Essex County Registry of Deeds, Southern District, in Book 25956, Page 212, and may hold such land in common with the town of Newbury.

SECTION 3. This act shall take effect upon its passage.

Councillor Allison Heartquist

Approve: _____
Donna D. Holaday, Mayor

Attest: _____
Richard B. Jones, Clerk

Date: _____



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

DONNA D. HOLADAY
MAYOR

MEMORANDUM

TO: NEWBURYPORT CITY COUNCIL
FROM: GEORDIE VINING, SENIOR PROJECT MANAGER
SUBJECT: CLIPPER CITY RAIL TRAIL PHASE II PROJECT – AUTHORIZATION TO SECURE CORRIDOR IN NEWBURY
DATE: 5/8/12

In order to comply with state and federal requirements for funding the construction of the Clipper City Rail Trail Phase II, the City needs to secure a long-term lease on parcels owned by National Grid off of Parker Road in the Town of Newbury, as well as ensure the use of the adjacent parcel of land owned by the Town of Newbury for the Rail Trail. Due to the location of these parcels across the municipal boundary in Newbury, the City needs special legislation approved by the state legislature to authorize our securing a property interest in this part of the corridor. We respectfully request your authorization to seek this legislative approval and secure property interests that will be satisfactory to the state and federal transportation authorities.

The proposed City Council Order and draft legislation have been prepared by the City Solicitor. We have coordinated with Representative Costello's office on this matter, as well as the Chief Counsel of the House of Representatives, and MassDOT's Right-of-Way Compliance Administrator.

Phase II of the multi-use Clipper City Rail Trail will extend and build upon the very successful first phase of the Rail Trail, and will 1.5 miles travel along the waterfront and through the South End. Phase II will provide Newburyport with additional opportunities for recreation and transportation, physical activity, neighborhood sociability, and connections to parks, the downtown, and neighborhoods. The pathway will travel east from the central waterfront through the existing waterfront land uses, past the Coast Guard and the Newburyport Art Association, along the waterfront of the utility substation, and then along the shoreline with gorgeous views across the tidal flats to the mouth of the Merrimack River. Connecting with Joppa Park, the trail will turn inland and follow the old rail corridor through the South End, providing multiple neighborhood access points. Travelling through the High Street underpass and making a connection with March's Hill park, the pathway will then wind through the 10 acres of woodlands acquired from B&M Railroad to Parker Street in Newbury, largely avoiding the overhead utility lines. (A connection south from Parker Street across the Route 1 highway to the MBTA commuter rail station will need to wait until Phase III.) The contiguous pathway will have a diverse and interesting character, shifting between the busy waterfront, the South End residential neighborhood, and forestland.

Approximately 95% of the Phase II Rail Trail will be in Newburyport and about 5% will be in Newbury. The connectedness of such a trail to neighborhoods and the existing transportation network is key to its functionality, and Parker Street in Newbury is a commonsense trailhead on the southern end of the trail with

opportunities for on-street parking, as opposed to staying only on City property and dead-ending in the middle of the forest at the town line. The Town of Newbury has been consistently supportive of the City developing the Rail Trail and making the connection to Parker Street, as expressed by Town Meeting, the Select Board, and the Town Administrator.

(Please see the attached maps.)

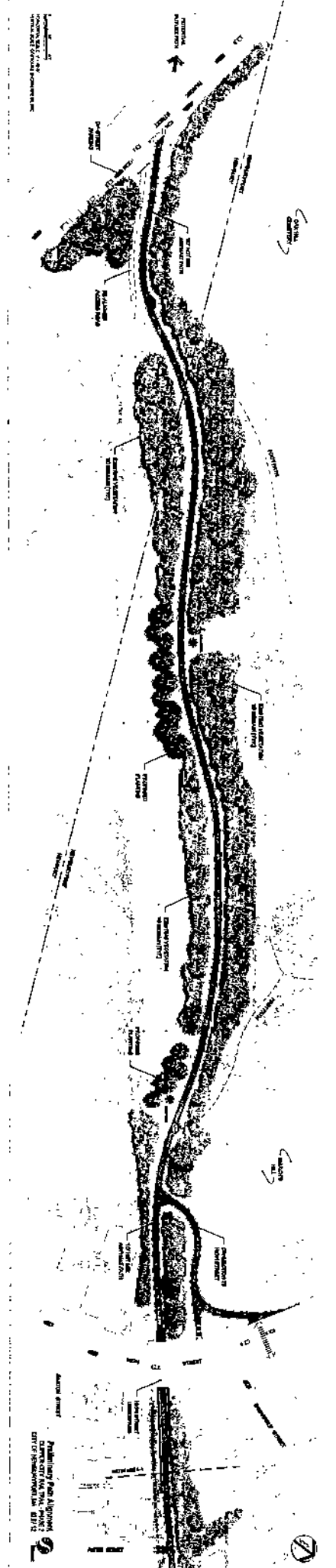
We are currently in the process of developing the preliminary design of Phase II of the Clipper City Rail Trail, and anticipate a public meeting at the end of June and a 25% plan submission in late summer or early fall. MassDOT and the Merrimack Valley Metropolitan Planning Organization have categorized the project as a statewide Transportation Enhancement priority, and are recommending construction funding for the trail in 2015. It is possible that construction funding could be made available earlier if we complete design, permitting, and all approvals in the next year and are "shovel-ready." Based on the legislative and electoral cycle, Representative Costello's office has recommended that we seek this special legislation now, or we will have to wait another year.

Thank you for your consideration.



Clipper City Rail Trail: Phase II





CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

May 14, 2012

THAT the City Council of the City of Newburyport approves the following Drain Layer / Utility Contractor application for the 2008 construction year:

Jamco Excavators, LLC
84 Exeter Road
South Hampton, NH 03827

Paperwork on file in the City Clerk's office.

Councillor Ari B. Herzog
Public Utilities Chairperson

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

May 14, 2012

THAT the City Council of the City of Newburyport approves the following Drain Layer / Utility Contractor application for the 2008 construction year:

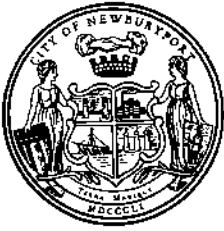
United Utility Corp.
109 Washington Street
Rochester, NH 03867

Paperwork on file in the City Clerk's office.

Councillor Ari B. Herzog
Public Utilities Chairperson

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date: May 14, 2012

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 V Junk Dealers and Collectors
Sec. 9-61, 63, 66

Sec. 9-61(a). - Definitions

Junk. Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris, waste or junked, dismantled or wrecked automobiles or parts thereof, iron, steel and other old scrap ferrous or nonferrous material as defined by MGL Chapter 140B Sec 1 as amended.

Old Metals. Any object constructed of or electroplated with gold, silver or platinum regardless of its form, weight or appearance.

Sec. 9-61(b). - Licenses conditional.

All licenses which shall be granted according to law to any persons to be keepers of shops for the purchase, sale or barter of junk, old metals or secondhand articles, or dealers therein, shall contain the conditions and restrictions set forth in this article. (*Code 1971, § 13-1*)

Sec. 9-62. - License fee.

Every person receiving a license issued pursuant to this article, at the time of receiving the same, shall pay the following fee therefor:

- (1) Junk dealer or collector. For each license to be a dealer in and collector of junk, old metals and secondhand articles, a sum of ten dollars (\$10.00).
- (2) Keeper of a secondhand shop. For each license to be keeper of a shop for the purchase, sale or barter of secondhand articles other than junk and old metals, the sum of not less than ten dollars (\$10.00).
- (3) Keeper of a junk and old metals shop. For each license to be a keeper of a shop for the purchase, sale or barter of junk and old metals, the sum of not less than ten dollars (\$10.00). (*Code 1971, § 13-2*)

Sec. 9-63. - Purchase records book to be kept; inspection of book.

(a) Every keeper of a shop licensed under this article shall keep a book in which shall be written at the time of every purchase of any article of junk, old metals or secondhand articles the following:

- (1) A description of the article or articles purchased including the weight and current market value.
- (2) The name, age and residence of the person from whom, and the day and hour when such purchase was made.

- (b) Such book shall at all times be open to the inspection of the mayor and city council of the city, and to any person by them respectively authorized to make such inspection. Every such shop keeper shall require a person from whom he or she makes a purchase to provide positive identification (positive identification shall mean any picture identification card by a governmental agency) to ensure the aforementioned information is accurate.
- (c) Every shopkeeper licensed pursuant to this article shall fill out and deliver to the Office of the City Marshall each week or more often if requested, a legible and true copy of all entries made the preceding week in the record required to be kept by this article. The form of such delivery shall be pre-arranged through each shop and the Office of the City Marshall. *(Code 1971, § 13-3)*

Sec. 9-64. - Name and occupation of licensee to be posted at place of business and on vehicles.

Every keeper of a shop licensed under this article shall put in some suitable and conspicuous place on his shop a sign having his name and occupation legibly inscribed thereon in large letters, and each licensed person using a team or other vehicle in his business shall have his name and the number of his license inscribed on the vehicle in like manner, and such shops and vehicles, and all articles of merchandise therein may be examined by the mayor and city council, or by any person by them respectively authorized to make such examination at all times. *(Code 1971, § 13-4)*

Sec. 9-65. - Purchase, receipt from minors.

No keeper of a shop licensed under this article shall, directly or indirectly, either purchase or receive by way of barter or exchange, any of the articles regulated by this article of any minor. *(Code 1971, § 13-6)*

Sec. 9-66. - When material may be sold.

No article purchased or received by a shop or a person licensed under this article shall be sold until a period of at least two (2) weeks from the date of its purchase or receipt shall have elapsed. *(Code 1971, § 13-7)*

Sec. 9-67. - Penalty

Any person who acts as a dealer in or keeper of a shop for the purchase, sale or barter of junk, old metals or second hand articles without a license, or in any other place or manner that is designated in his/her license or after notice such license has been revoked or violates any such rule, regulation or restriction of the article, shall forfeit \$200.00 for each said violation.

Councillor Richard E. Sullivan Jr.

COMMITTEE ITEMS



Communication #4
April 30, 2012

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Newburyport Firefighters Local 827
International Association of Firefighters

0 Greenleaf Street
Newburyport, MA 01950

2012 APR 18 A 10:33

To: Newburyport City Council

April 15, 2012

The Newburyport firefighters would like to ask permission to hold it's annual

Fill-The-Boot Drive for the Muscular Dystrophy Association during the 2012 Yankee Homecoming Celebration. The location will be Market Square on August 2,3 and 4. All proceeds collected go directly to MDA. Thank you for your continued support.

Firefighter Michael Kent

Michael J Kent
MDA Chairman

Contact Info: Newburyport Fire Dept : 978-465-4427

Michael Kent: 978-360-1361

April 30, 2012

Krist

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA16 Olive St. • Newburyport, MA 01950
Phone: 978-358-7718 • E-Mail: kristendonahue@yahoo.com

2012 APR 25 A 8:09

Date: 4/24/12

Newburyport City Council
City Hall
60 Pleasant St.
Newburyport, MA 01950

Dear City Council Members:

I am writing on behalf of the Community Giving Tree of Boxford to ask that you grant permission to the organization to park a small van at Cushing Park for two hours one Saturday a month for the purpose of collecting donations for families in need.

The Community Giving Tree provides low-income families in Essex County with basic necessities such as clothing, school supplies, baby equipment, and personal care items. Many Newburyport families already contribute to the Community Giving Tree, and the organization has offered to help local families donate by coming to us rather than having us individually drive to Boxford. With your permission, the collection van would be parked in the parking lot from 10-12 on the first Saturday of the month year round.

I appreciate your consideration.

Sincerely,



Kristen Donahue