

CITY COUNCIL MEETING AGENDA - VERSION 1

June 30, 2014

(Sound Check)

1. **MOMENT OF SILENCE**
2. **PLEDGE OF ALLEGIANCE**
3. **CALL TO ORDER**
4. **LATE FILE ITEMS**
5. **PUBLIC COMMENT**
6. **MAYOR'S COMMENT**

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

June 9, 2014

(Approve)

8. TRANSFERS

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

9. COMMUNICATIONS

1. Block Party Dove and Monroe to Merrimac (Approve)
2. Letter regarding transient vendor licensing (L&P)
3. Annual Nbpt Firefighter's Local 827 Fill The Boot Drive July 31-Aug 2 Market Square (Approve)
4. Police Superiors Negotiation Tentative Agreement (B&F)
5. 4th annual 5k run/walk for Ovarian Cancer Sept. 28, 2014 (PS)
6. Green Stride ½ Marathon October 26, 2014 (PS)
7. Energy Advisory Committee letter regarding lights on private property (PU)
8. River Run ½ Marathon and 5k, May 31, 2015 (PS)
9. Citizen's petition reconsideration Franklin Street "no parking" zone (PS)
10. Exchange Club Field of Honor Program table in Market Square July 19, August 23 & 30 (Approve)
11. Letter request use of streets and sidewalks during Yankee Homecoming (Approve)
12. Human Resources Dependent Audit (B&F)
13. Letter Health Department enforcement (President instructs Clerk to send copy to BOH) (L&P)

10. APPOINTMENTS-First Reading

- | | | Appointment | |
|----------------------|---------------------|-------------------------|---------------|
| 1. Rich Traister, MD | 325 Merrimac Street | Disabilities Commission | June 30, 2017 |

- | | | Re-Appointment | |
|-------------------|--------------------------|-------------------------------------|----------------|
| 2. Brian Brunault | 83 Garden St, W. Newbury | Constable for Civil Business | July 1, 2017 |
| 3. Daniel Scott | 4 Ferry Rd, Methuen | Harbor Master & Special Police Off. | April 15, 2017 |

END OF CONSENT AGENDA

REGULAR AGENDA

11. COMMUNICATIONS

14. LATE FILE Mayor's Update

12. ORDERS

1. Licensed Contractor Abbey 891 Management LLC dba Dolbier Property Services
2. Revolving Accounts FY2015
3. Acceptance of grant from National Grid \$23,743.04

13. ORDINANCES

1. Amend ORD Sec 13-174 State Street
2. Amend ORD Sec 12-97 Road Races
3. Amend ORD Sec 13-168 Parking restricted Fair Street
4. Amend ORD Sec 13-180 Sec. (g)(2) Zone 2 Add Fair Street
5. Amend ORD Sec 13-187 Speed Limits

14. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor letter regarding Order for Revolving Fund Expenses *03/17/2014
2. Order Amend Revolving Fund expenses *03/17/2014
3. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
4. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
5. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014
6. Mayor Gen Fd Free Cash \$35,000 to Anniversary Celebrations \$35,000 *06/09/2014
7. Police Dept Salary Officers \$21,000 to Purchase Cruisers \$15,000, to Maint Equipment \$6,000, to Misc Supplies \$4,800 *06/09/2014
8. DPS Sewer Retained Earnings \$400,000 to CIP Meter Replcmt Prg \$50,000, to West End Easement \$150,000, to CIP-Vacuum Truck Purch \$200,000 *06/09/2014
9. DPS Water Retained Earnings \$250,000 to CIP Meter Replcmt Prg \$50,000, to CIP Wtr Main Replacement \$200,000 *06/09/2014
10. DPS Water and Sewer CIP Water Tank Maint \$192,074.79, to CIP Network Expansion \$30,000, to Water Retained Earnings \$14,425.78, to Crow Lane Pump Station \$10,844.24, to SWR CIP Flood Study \$41,182.43, to SWR CIP Replace Generators \$63,101.76, to Sewer Retained Earnings \$91,371, to DPS Building Project \$443,000 *06/09/2014

General Government

In Committee:

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

Joint Education

In Committee:

1. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Amend Ch.6.5, Article III Plastic Bags (NCS & COTW) *03/17/2014
3. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas *04/28/2014
4. A Frame Sign Request on Inn Street near fountain for Pandora's Box *06/09/2014

Neighborhoods and City Services

In Committee

1. Amend Ch.6.5, Article III Plastic Bags (L&P, COTW) *03/17/2014
2. Amend ORD Sec. 3-26-d Table of Designated Off Leash Areas *04/28/2014
3. Amend ORD Sec. 3-26 subsection e, Rules for Designated Off Leash Areas *04/28/2014
4. Market Basket Letter re: plastic bags *05/12/2014

Planning & Development

In Committee:

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

Public Safety

In Committee:

1. Patriots for American Veterans Organization (PAVO) Walk for our Troops Oct.4, 2014 *05/27/2014
2. Amend ORD Ch.13 Section 13-179 Waterfront Trust Lot Handicapped Parking *05/27/2014
3. 3rd Annual Cruisin the 50's event, city streets, August 14, 2014 5pm to 8pm *06/09/2014
4. Jeanne Geiger Crisis Center Walk October *06/09/2014
5. Amend ORD Ch.13 Sec 13-179 Handicap Parking Lime St *06/09/2014

Public Utilities Committee

In Committee:

1. Stormwater Permitting Status Update *05/12/2014
2. Letter from Daniel Eyink, MD regarding water fluoridation *05/27/2014

Rules Committee

15. GOOD OF THE ORDER

16. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES - VERSION 1

June 9, 2014

6:30PM -- Collins Street Hearing

The public hearing was held at 6:30pm.

7:30PM -- Budget Hearing

Council President O'Brien called the meeting to order at 7:33 pm. The City Clerk called the roll. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Tontar, Vogel, and O'Brien. 11 present. The City Clerk read the public notice for the Budget Hearing. No public comment in favor nor against. Council President O'Brien closed the hearing.

CITY COUNCIL MEETING

Council President O'Brien called the meeting to order at 7:35 pm. A moment of silence was held for Richard Marks, husband of Library Circulation Manager Lynn Marks. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Tontar, Vogel, and O'Brien. 11 present.

1. LATE FILES – Mayor's Communication #4 and Communication #5

Motion to waive the rules and allow the late file by Councillor Cameron, seconded by Councillor Kinsey. 11 yes. So voted.

2. PUBLIC COMMENT

- | | | |
|-------------------|-------------------|-----------------------------|
| 1) Ginny Eramo | 28-R Toppans Lane | Skate Park Funding |
| 2) Norm Hansen | 12 Carleton Drive | Belleville Church |
| 3) Brian Callahan | 29 Warren Street | Skate Park Funding |
| 4) Kelly Majewski | 2 Harris Street | Jeanne Geiger Crisis Center |

MAYOR'S COMMENT

The Mayor provided a brief update on a number of matters outlined in her communication.

CONSENT AGENDA

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3. APPROVAL OF MINUTES

May 27, 2014

(Approved)

4. TRANSFERS

1. Mayor Gen Fd Free Cash \$35,000 to Anniversary Celebrations \$35,000 (B&F)
2. Mayor Ins 32-B \$18,520 to Kelley School Exp \$9,946, to Fac Maint Repair \$6,800, to Vehicle/Equipment Purchase \$1,774 (B&F)

Removed by Councillor Herzog.

3. Police Dept Salary Officers \$21,000 to Purchase Cruisers \$15,000, to Maint Equipment \$6,000, to Misc Supplies \$4,800 (B&F)
4. Emergency Mgmt Building Maintenance \$400, to EM Deputy Coordinator \$400 (B&F)

Removed by Councillor Herzog.

5. Assessors Res. Appr. Assr Svc Fee \$550 to Other Supplies \$550 (B&F)

Removed by Councillor Herzog.

6. DPS Sewer Retained Earnings \$400,000 to CIP Meter Replcmt Prg \$50,000, to West End Easement \$150,000, to CIP-Vacuum Truck Purch \$200,000 (B&F)
7. DPS Water Retained Earnings \$250,000 to CIP Meter Replcmt Prg \$50,000, to CIP Wtr Main Replacement \$200,000 (B&F)
8. DPS Water and Sewer CIP Water Tank Maint \$192,074.79, to CIP Network Expansion \$30,000, to Water Retained Earnings \$14,425.78, to Crow Lane Pump Station \$10,844.24, to SWR CIP Flood Study \$41,182.43, to SWR CIP Replace Generators \$63,101.76, to Sewer Retained Earnings \$91,371, to DPS Building Project \$443,000 (B&F)

5. COMMUNICATIONS

1. 3rd Annual Cruisin the 50's event, city streets, August 14, 2014 5pm to 8pm (Public Safety)
2. Block Party June 19, 2014 Tyng/Monroe St to Merrimac (Approve)
3. A Frame Sign Request on Inn Street near fountain for Pandora's Box (License & Permits)

END OF CONSENT AGENDA

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

REGULAR AGENDA

7. TRANSFERS

2. Mayor Ins 32-B \$18,520 to Kelley School Exp \$9,946, to Fac Maint Repair \$6,800, to Vehicle/Equipment Purchase \$1,774

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

4. Emergency Mgmt Building Maintenance \$400, to EM Deputy Coordinator \$400

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

5. Assessors Res. Appr. Assr Svc Fee \$550 to Other Supplies \$550

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

8. COMMUNICATIONS

11. LATE FILE Mayor's Update

Motion to receive and file by was made by Councillor Cameron and withdrawn. Motion to refer to General Government by Councillor Vogel, seconded by Councillor Giunta. So voted.

12. LATE FILE Jeanne Geiger Crisis Center Walk October

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

9. TABLED APPOINTMENTS-First Reading

TABLED Appointment

1. Robert Uhlig 10 Ocean Ave. Newburyport Redevelopment Authority

Motion to remove from the table by Councillor Cameron, seconded by Councillor Kinsey. 10 yes, 1 no (Vogel). So voted. Motion to postpone to July 14, 2014 by Councillor Vogel, seconded by Councillor Giunta. 5 yes (Cronin, Giunta, Herzog, Vogel, O'Brien) 6 no. Motion failed. Motion to approve by Councillor Cameron, seconded by Councillor Kinsey. Roll call vote, 7 yes, 4 no (Cronin, Giunta, Vogel, O'Brien). So voted.

10. APPOINTMENTS-Second Reading

- | | | | |
|---------------|----------------|---------------------------------|--------------|
| 2. Judy Avery | 54 Milk Street | Appointment
Cultural Council | June 1, 2017 |
|---------------|----------------|---------------------------------|--------------|

Re-Appointment

- | | | | |
|-------------------|------------------|--------------------------|-----------------|
| 3. Katie Guildner | 7 Broad Street#2 | Moseley Woods Commission | January 1, 2017 |
|-------------------|------------------|--------------------------|-----------------|

Councillor Herzog moved to approve collectively 3 & 4, seconded by Councillor Connell. Roll call vote, 11 yes.

11. ORDERS

1. TABLED Community Preservation Recommendations FY2014

Motion to remove from the table by Councillor Cameron, seconded by Councillor Herzog. So voted.

Motion to approve Councillor Cameron, seconded by Councillor Kinsey. Councillor Eigerman recused himself from all CPC votes and left the Chamber.

CPC #1 Open Space Reserves. Motion to approve by Councillor Cameron, seconded by Councillor Herzog. 10 yes, 1 recused (Eigerman). So voted.

CPC #2 YWCA Roof. Motion to approve by Councillor Cameron, seconded by Councillor Herzog. 10 yes, 1 recused (Eigerman). So voted.

CPC #3 Belleville Church Restoration. Motion to approve by Councillor Cameron, seconded by Councillor Herzog. 10 yes, 1 recused (Eigerman). So voted.

CPC #4 Clipper City Rail Trail. Motion to approve by Councillor Cameron, seconded by Councillor Kinsey. 10 yes, 1 recused (Eigerman). So voted.

**CPC #5 Down Payment Assistance. Motion to approve by Councillor Cameron, seconded by Councillor Herzog. 10 yes, 1 recused (Eigerman). So voted.
Councillor Cameron recused himself and left the Chamber.**

**CPC #6 Affordable Housing Trust. Motion to approve by Councillor Connell, seconded by Councillor Herzog. 9 yes, 2 recused (Cameron, Eigerman). So voted.
Councillor Cameron returned to the Chamber.**

CPC #7 Inn Street Fountain. Motion to approve by Councillor Kinsey, seconded by Councillor Herzog. 10 yes, 1 recused (Eigerman). So voted.

CPC #8 Green Street Trees. Motion to approve by Councillor Connell, seconded by Councillor Herzog. 10 yes, 1 recused (Eigerman). So voted.

CPC #9 FRS Steeple Restoration. Motion to approve by Councillor Herzog, seconded by Councillor Cameron. 10 yes, 1 recused (Eigerman). So voted.

**CPC #10 NHS Exterior Woodwork. Motion to approve by Councillor Connell, seconded by Councillor Cameron. 10 yes, 1 recused (Eigerman). So voted.
Councillor Tontar recused himself and left the Chamber.**

**CPC #11 Atkinson Common Tree Restoration. Motion to approve by Councillor Connell, seconded by Councillor Cameron. 9 yes, 2 recused (Eigerman, Tontar). So voted.
Councillor Tontar returned to the Chamber.**

CPC #12 City Hall Debt. Motion to approve by Councillor Cronin, seconded by Councillor Kinsey. 10 yes, 1 recused (Eigerman). So voted.

CPC #13 Open Space Debt. Motion to approve by Councillor Connell, seconded by Councillor Cameron. 10 yes, 1 recused (Eigerman). So voted.

**CPC #14 Administrative Costs. Motion to approve by Councillor Cameron, seconded by Councillor Kinsey. 10 yes, 1 recused (Eigerman). So voted.
Councillor Eigerman returned to the Chamber.**

2. Amended Order Collins Street

Motion to refer to Planning & Development by Councillor Cameron, seconded by Councillor Connell. So voted.

3. Amend Order Loan Appropriation for Bresnahan Project from Aug. 13, 2012

Motion to refer to General Government and Committee of the Whole by Councillor Giunta, seconded by Councillor Connell. So voted.

4. Resolution and Order for next special election ballot question approval new athletic and baseball fields bonds

Motion to refer to General Government and Committee of the Whole by Councillor Giunta, seconded by Councillor Kinsey. So voted.

12. ORDINANCES

1. 2nd Reading Amend ORD Sec. 13-136 Stop Intersections Russell Terrace Ext

Motion to approve second reading by Councillor Giunta, seconded by Councillor Cameron. Roll call vote, 11 yes. So voted.

2. Amend ORD Ch.13 Sec 13-179 Handicap Parking Lime St

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

13. EXECUTIVE SESSION

Motion to go into Executive Session by Councillor Cameron, seconded by Councillor Herzog at 8:02pm to discuss the reputation. Council President O'Brien announced that they would be reconvening in open session.

Motion to come out of Executive Session by Councillor Cameron, seconded by Councillor Herzog at 8:30pm.

14. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor letter regarding Order for Revolving Fund Expenses *03/17/2014
2. Order Amend Revolving Fund expenses *03/17/2014
3. FY2015 Budget Order *05/12/2014

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Councillor Tontar proceeded through the budget section by section.

Motion to reduce to \$56,547 line item 51150 from the Fire Department by Councillor Connell, seconded by Councillor Vogel. Roll call vote, 8 yes, 3 no (Herzog, Kinsey, Tontar). Motion passed.

Motion to reduce to \$52,173.62 line item 51150 from the Police Department by Councillor Connell, seconded by Councillor Vogel. 8 yes, 3 no (Herzog, Kinsey, Tontar). Motion passed.

Motion to reduce Grant Writing to \$14,100 line item 53006 from the Mayor's Office by Councillor Herzog, seconded by Councillor Cronin. 2 yes (Herzog, Vogel), 9 no. Motion failed.

Motion to reduce to \$64948.11 line item 51101 from the Human Resources Dept. by Councillor Cronin, seconded by Councillor Vogel. 1 yes (Cronin), 10 no. Motion failed.

Motion to approve the FY2015 Budget as amended in the amount of \$56,277,194.81 and \$25,148,813 as the School Department Budget with Water Enterprise Fund of \$4,887,816.55, Sewer Enterprise Fund of 6,247,876.62, and Harbormaster Enterprise Fund of \$357,683.80, by Councillor Cameron, seconded by Councillor Herzog. Roll call vote, 11 yes. Motion passed.

4. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
5. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
6. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014

General Government

Joint Education

Councillor Kinsey said that the High School girls lacrosse team won the semi-finals.

In Committee:

1. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Amend Ch.6.5, Article III Plastic Bags (NCS & COTW) *03/17/2014
3. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas *04/28/2014

Neighborhoods and City Services

In Committee

1. Amend Ch.6.5, Article III Plastic Bags (L&P, COTW) *03/17/2014
2. Amend ORD Sec. 3-26-d Table of Designated Off Leash Areas *04/28/2014

3. Amend ORD Sec. 3-26 subsection e, Rules for Designated Off Leash Areas *04/28/2014
4. Market Basket Letter re: plastic bags *05/12/2014

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. Order Collins Street *04/15/2014

Motion to refer revised order to Planning & Development by Councillor Cameron, seconded by Councillor Connell. Motion to remove from committee by Councillor Cameron, seconded by Councillor Connell. So voted. The committee voted 3-0 to approve. Motion to approve by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 11 yes. So voted.

3. Letter re: Collins Street *05/12/2014

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

4. Revised Collins Street surplus Property Order
5. Amend ORD Zoning Section XII-B, Medical Marijuana treatment center *05/27/2014
6. Amend ORD Zoning Section XII-B, Harbormaster Facility *05/27/2014
7. Amend ORD Zoning Section III, Floodplain Overlay District *05/27/2014
8. Amend ORD Zoning Section XXVII-E and F (downtown overlay district) *05/27/2014
9. Amend ORD Zoning Section XXVIII, Demolition control overlay district *05/27/2014

Public Safety

In Committee:

1. Roadway and Sidewalk Update *05/12/2014

Chairman Cronin gave a brief status update at which point he made a motion to receive and file, seconded by Councillor Connell. So voted.

2. Patriots for American Veterans Organization (PAVO) Walk for our Troops Oct.4, 2014 *05/27/2014
3. Amend ORD Ch.13 Section 13-179 Waterfront Trust Lot Handicapped Parking *05/27/2014

Public Utilities Committee

In Committee:

1. Stormwater Permitting Status Update *05/12/2014
2. Letter from Daniel Eyink, MD regarding water fluoridation *05/27/2014

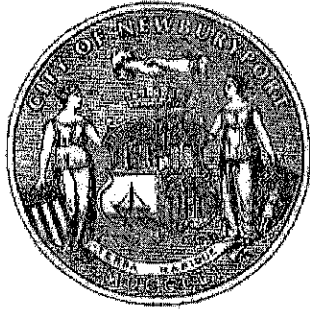
Rules Committee

15. GOOD OF THE ORDER

16. ADJOURNMENT

Councillor Cameron moved to adjourn, seconded by Councillor Kinsey at 10:02 pm. So Voted.

TRANSFERS



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 24 P 12:13

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

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

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

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

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

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



Transfer #1
June 30, 2014

City of Newburyport
FY 2014
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 24 P 12:13

Department: DPS - WATER

Submitted by: Anthony Furnari, Director

Date Submitted: 6/18/2014

Transfer From:

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

Transfer To:

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

Donna D Holaday, Mayor

William B. Squillace, Auditor

City Council Approval: (Stamp)

Donna D Holaday
William B. Squillace

Date:

6/23/14

Date:

6/23/14



City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

Transfer #2
June 30, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 24 P 12: 12

Department: Mayor's Office

Submitted by: Donna D. Holaday

Date Submitted: 6/24/2014

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 888,395.88
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$29,525.00	Trans Out:	\$ 1,603,713.12
Why are Funds Available:	<i>The Mass Dept. of Revenue certified Free Cash for FY2014 at \$2,492,109.</i>		
<i>These funds are available for any legal purpose with the approval of the Mayor and a majority vote of the City Council.</i>			

Transfer To:

Account Name	Roadwork & Paving	YTD Bal:	\$ 35,216.41
Account Number:	3005-49700	Trans In:	\$ -
Amount:	\$29,525.00	Trans Out:	\$ -
Why are Funds Required:	<i>The City's Roundabout was funded at \$1.0mm by the Commonwealth of Massachusetts' Small Bottleneck Bill. At the end of the project, there was a cost overrun of \$29,525 due to additional design work, legal fees and property takings that were required to finish the project.</i>		

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

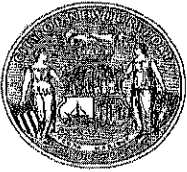
Donna D. Holaday
Ethan K. Manning

Date:

6/23/14

Date:

6/23/14



Transfer #3
June 30, 2014

City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 24 P 2:58

Department: Mayor's Office
Submitted by: Donna D. Holaday

Date Submitted: 6/24/2014

Transfer From:

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

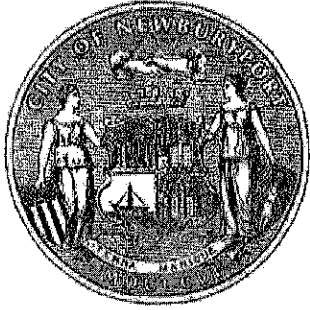
Transfer To:

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

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

Donna D. Holaday
William B. Squillace

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



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 24 P 12:12

To: President and Member of the City Council

From: Donna D. Holaday, Mayor

Date: June 17, 2014

Re: Water/Sewer Budget Reserve Transfers

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

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

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

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

Please see attached the requested transfers.

Thank you for your assistance.



Transfer #4
June 30, 2014

City of Newburyport
FY 2014
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 JUN 24 P 12:12

Department: DPS - WATER

Submitted by: Anthony Furnari, Director

Date Submitted: 6/24/2014

Transfer From:

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

Transfer To:

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

Donna D Holaday, Mayor

William B. Squillace, Auditor

City Council Approval: (Stamp)

Donna D Holaday
William B Squillace

Date:

6/23/14

Date:

6/23/14



Transfer #5
June 30, 2014

City of Newburyport
FY 2014
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 24 P 12: 12

Department: DPS - SEWER

Submitted by: Anthony Furnari, Director

Date Submitted: 6/24/2014

Transfer From:

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

Transfer To:

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

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

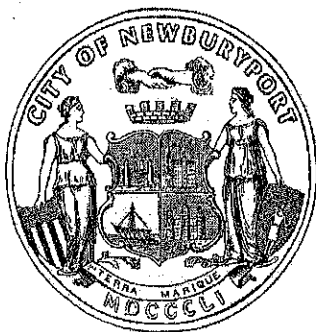
Donna D Holaday
William B Squillace

Date:

Date:

6/23/14
6/23/14

COMMUNICATIONS



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN -9 A 10:34



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

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

DATE OF REQUEST: June 9, 2014

CONTACT INFORMATION

FIRST AND LAST NAME: Melissa Duncan
MAILING ADDRESS: 14 Dove St. Newburyport 01950
PHONE NUMBER: 978. 499. 9736
E-MAIL ADDRESS: ljdenier@msn.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: ~~Sat~~ Sat. August 2, 2014
DESIRED STREET CLOSING LOCATION: Dove & Monroe to Dove & Merrimac
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Dove St.

DESIRED STREET CLOSING TIME: 5-10
Block Parties should run no later than 10:00 p.m.

AMPLIFIED MUSIC: ☒ YES ☐ NO

REGULATIONS

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

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

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

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

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

Applicant Signature Melissa Duncan

Date _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

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

LT. Mel [Signature]
[Signature]
[Signature] OK 9/24/2014

City use only:

Approved _____ -Denied _____ Date _____

June 4, 2014

Mr. Brad Duffin
Licensing Commission
c/o Newburyport City Hall
60 Pleasant Street
Newburyport, MA 01950

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN -9 A 11:21

Dear Mr. Duffin,

My wife and I moved to downtown Newburyport in 2012 from Kentucky because we enjoyed the charm of the Newburyport community and wanted to be a part of it. After living here a couple of years, we saw an opportunity to open a new retail store in downtown. On May 17th we opened New England Ice Lollies at 9 Liberty Street offering gourmet ice lollies, similar to popsicles, made from the freshest fruits and other ingredients right in our store. We have found our ice lollies to be a unique treat in the city.

During the short time we have been opened, to our ice lollies have received very positive feedback from our customers. We believe that by offering our ice lollies in town through our vending program, we can satisfy what I perceive to be a need in the community. Having lived here the last two years, I see a need for additional street vendors that offer high quality products for our visitors and townspeople to enjoy.

As I was preparing to open, I investigated getting a street vending licenses to compliment our store operations, but learned that there are only three licenses available, with each having been held by the same vendor for many years. We also noticed the vendors are not always present through the primary selling months, which can lead to confusion and disappointment from potential customers. We believe it is required that you be open for business on a consistent basis to build a vending customer base.

I am asking you to consider an increase in the number of street vending licenses available for vendors in the community. We would like to immediately apply for a license and, if approved, offer our products through our vending cart program. We would plan to be a fixture in the community and offer a wide variety of our ice lollies every day.

I appreciate your consideration to increasing the street vending licenses available. We would like to become further entrenched in the community with a street vending program.

Sincerely,



J. Michael Land
President
New England Ice Lollies

Cc:

Ms. Donna Holladay, Mayor, Newburyport, MA
Mr. Richard Jones, City Clerk, Newburyport, MA ✓
Mr. Robert Cronin, Councilor, Ward 3, Newburyport, MA



Communication #3
June 30, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Newburyport Firefighters Local 827
International Association of Firefighters

2014 JUN 10 A 9:28

0 Greenleaf Street
Newburyport, MA 01950

To: Newburyport City Council

June 9, 2014

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

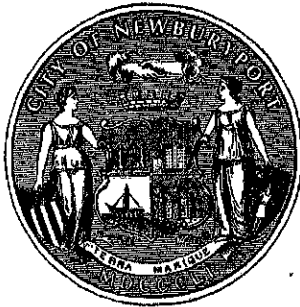
Fill-The-Boot Drive for the Muscular Dystrophy Association during the 2014 Yankee Homecoming Celebration. The location will be Market Square on Thur July 31, Fri Aug 1, and Sat Aug 2, All proceeds collected go directly to MDA. Thank you for your continued support.

Firefighter Michael Kent

MDA Chairman

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

Michael Kent: 978-360-1361



CITY OF NEWBURYPORT, MASSACHUSETTS
Donna D. Holaday, Mayor

Office of the Mayor
60 Pleasant Street
Newburyport, MA 01950
Phone: 978-465-4413 • Fax: 978-465-4402

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

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

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

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

Eliminate entirely and insert the following language:

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

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

Eliminate entirely.

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

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

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

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

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

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

Add the following new paragraphs to this section:

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

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

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

Eliminate existing language entirely and insert the following language:

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

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

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

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

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

Strike existing article in its entirety.

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

Remove reference to Article 10, Section 2.

10.) Add new Article 28: Uniforms

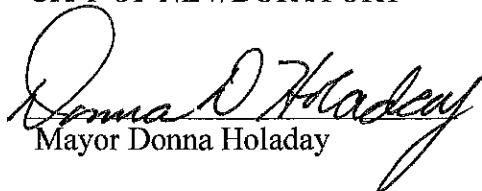
Insert new language as follows: "Long sleeve shirts are mandatory from November 1st until March 31st. The rest of the year, short sleeves or long sleeves are authorized for wear at the officer's discretion.

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

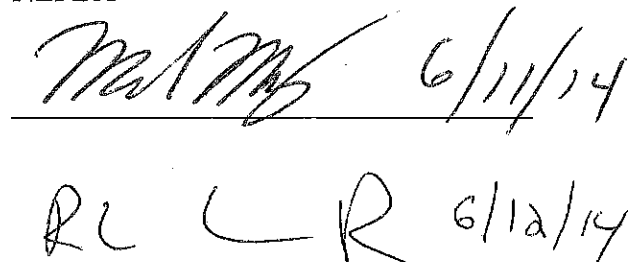
Black turtlenecks and Newburyport Police watch caps may be worn on details at the officer's discretion. On regular duty, they may be worn any time throughout the year when the local temperature is or is predicted to be less than 40 degrees."

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

CITY OF NEWBURYPORT


Mayor Donna Holaday

NEPBA

 6/11/14
RL L R 6/12/14



Communication #5
June 30, 2014

2014 JUN 16 A 11: 56

June 16, 2014

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

Dear Members of the Newburyport City Council,

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

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

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

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



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

From Animal Speak by Ted Andrews

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

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

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

Sincerely,

Amy Poor, Ova-Achieva 5K Director

amypoor@mac.com

206-999-0164

Communication #6
June 30, 2014

June 16th, 2014

Eli Bailin
55 Prospect St.
Amesbury, MA 01913

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 17 A 10:14

Dear Office of the Newburyport City Clerk and Council,

I am writing to request the approval for the 2014~~5~~ Newburyport Green Stride Half Marathon & Relay for October 26th at approximately 11:00am. Please see a map of the course that is attached. We will be using the same course from 2012 and 2013 as it worked well for the city police and local traffic. Also attached is a letter from Arthur Page Insurance confirming the details of the policy in which the city of Newburyport is named and insured. I appreciate your time and look forward to another successful event.

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

Sincerely,

Eli Bailin

GREEN Stride Newburyport Half Marathon

Newburyport, MA

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

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

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

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

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

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

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

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

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

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

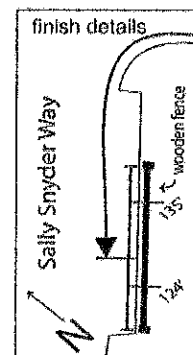
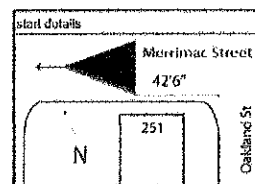
Mile 10 is on Hale St 16'2" E of UP#11.

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

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

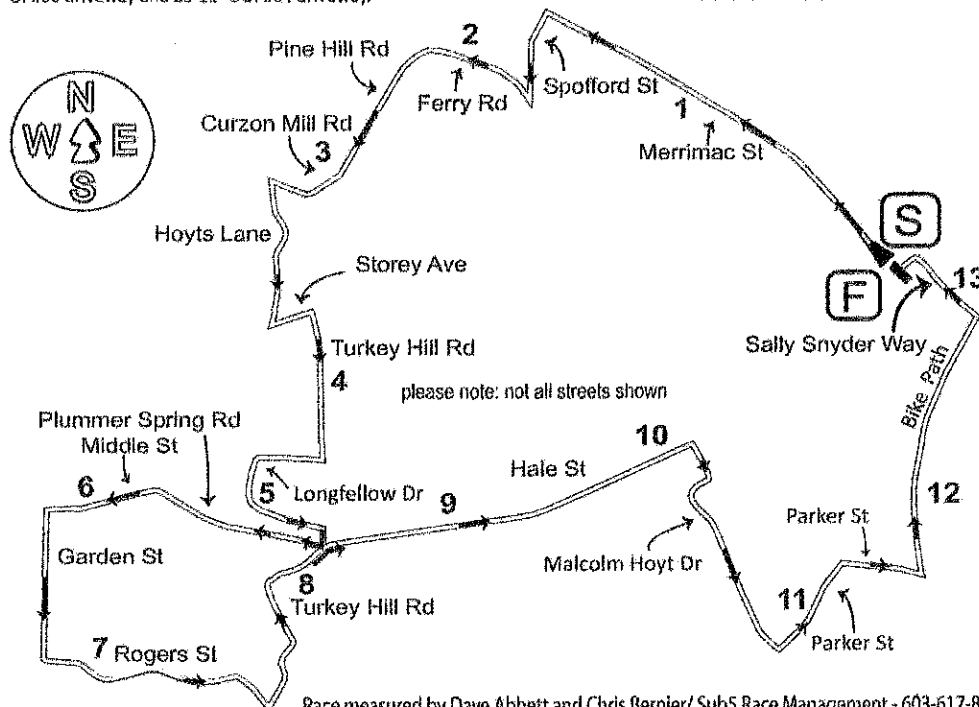
Mile 13 is on Sally Snyder Way 55'2" NE of S edge of parking lot and 55' SE of N edge of parking lot.

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



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

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



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



Road Running Technical Council
USA Track & Field

Measurement Certificate

recognized by



Name of the course Green Stride Newburyport Half Marathon Distance 21.0975 km
Location (state) MA (city) Newburyport
Type of course: road race ☒ calibration ☐ track ☐ Configuration: loop
Type of surface: paved 100 % dirt % gravel % grass % track %
Elevation (feet above sea level) Start 20 Finish 3 Highest 102 Lowest 3
Straight line distance between start & finish 0.15 mi. Drop 0.25 m/km Separation 1.14 %
Measured by (name, address, phone & e-mail) Dave Abbett, 29 Ledgerview Dr.,
Rockport, NH 02828, phone: 603-617-8509, email: dave.abbett@gmail.com

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

Measuring Methods: bicycle ☒ steel tape ☐ electronic distance meter ☐

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

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

Replaces: _____ (if applicable)

Certification code: MA12038JK

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

Be It Officially Noted That

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

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

This certification expires on December 31 in the year **2022**

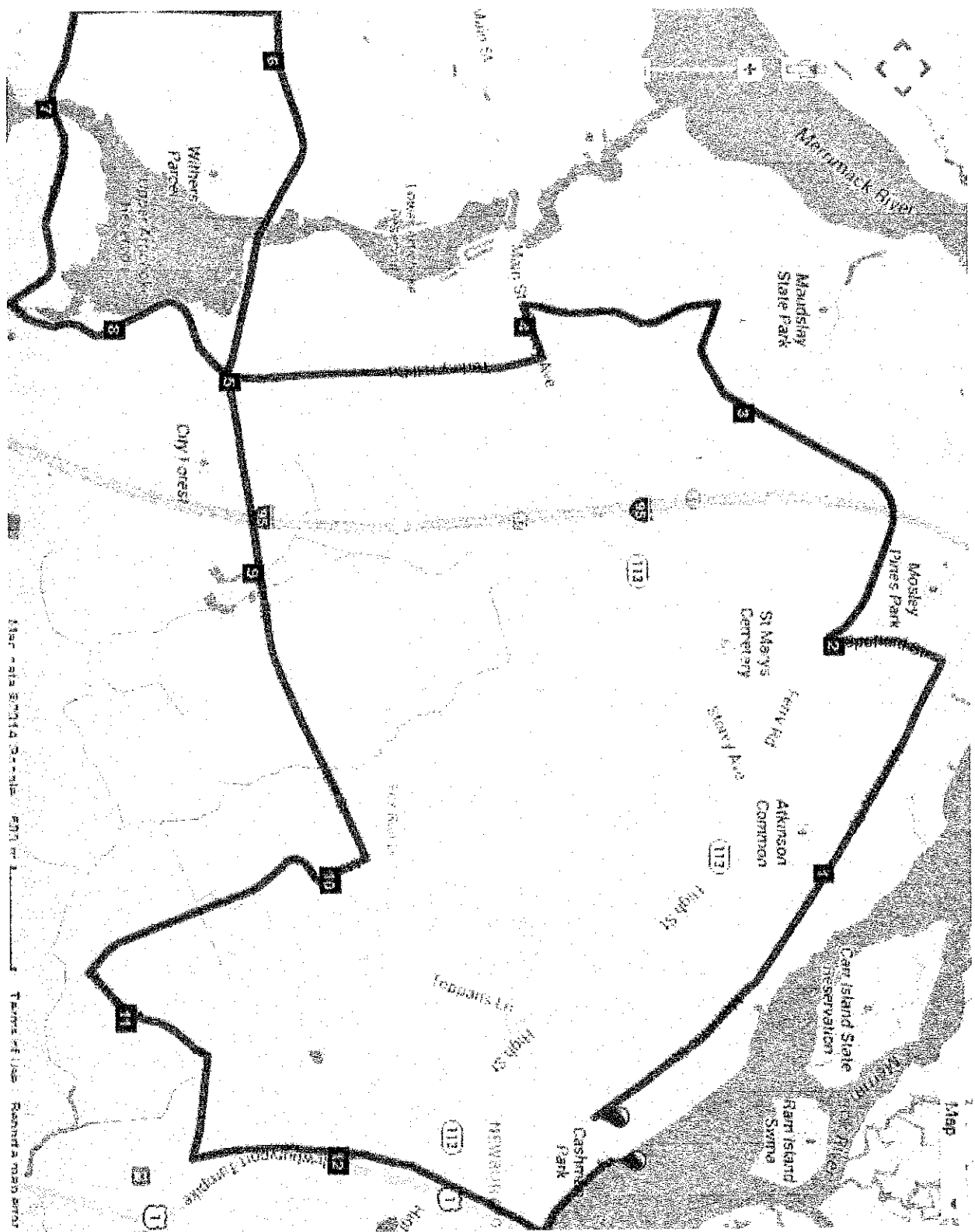
AS NATIONALLY CERTIFIED BY:

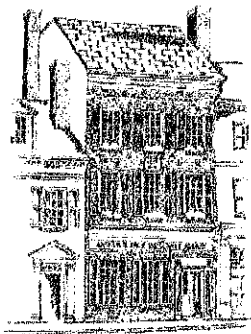


Date: Oct 18, 2012

Justin Kuo • USATF/RRTC National Certifier • 39 Oakland Road, Brookline, MA 02445-6700

Phone: 617-731-9889 • Fax: 617-939-0992 • Email: jkuo@usatfne.org





Arthur S. Page Insurance

57 State Street · PO Box 391
Newburyport MA 01950

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

www.ArthurPage.com

June 17, 2014

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

Dear City of Newburyport,

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

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

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

Sincerely,

Jacqueline Page
Jackie@arthurpage.com

Dear Councilor Herzog,

As you are aware, the Energy Advisory Committee, in surveying our street lights, has come up with a short list of lights that appear to be on private property for personal or business use, even though the city is paying for them. Below is a list of those lights along with their identifying information and nearest abutter. I have also attached a PowerPoint file which includes pictures of those lights. In addition, here is a Google map with a layer identifying each of the lights on a map of Newburyport:

<https://www.google.com/maps/@42.8141145,-70.862878,13z/data=!3m1!4b1!4m2!6m1!1szKR1ybK6GaQ.khW7MuihTqCo> and the list is below.

The energy advisory committee suggests these lights be shut off or payment be transferred to the private owners. I believe the process is for the Public Utilities subcommittee of the city council to hold a hearing on the matter. As chair of that committee, you would schedule it and make sure abutters are notified in a timely manner. I would be happy to attend and present what information I have. Thank you for your consideration.

Pole No Pole Suffix Light Sequ No Street Name Street Suffix N.Grid Route

No Wattage Nearest Abutter

0004 000 2 BARKER ST 268 50 18 Barker St

0002 000 2 BELCHER ST 269 50 3 Belcher St

0002 000 CHAISSON RD 358 0 8 Chaisson Rd behind bball hoop on Driveway

0001 000 2 CONSUMER S ST 232 100 Starboard Galley 55 Water St, and 59 Water St

0001 004 2 CONSUMER S ST 232 1,000 Starboard Galley 55 Water St, and 59 Water St

0001 001 2 ESSEX ST 85 50 Essex St Inn, 17 State St, Loretta's, and Brine

0001 000 2 IRIS ST 242 50 9 Iris St

0001 000 2 LORUM ST 316 50 1 Lorum St

0003 000 2 MENUT CIR 158 50 10 Menut in driveway ~50' off road

0078	002	2	WATER	ST	79	50	Audubon Building
0085	003	2	WATER	ST	79	50	19 Plum Island Turnpike, Scott Bachelder

-Mike

Michael T. Strauss Ph.D

HME

56 Federal St.

Newburyport, MA 01950

978-462-0102 (P)

508-462-0393 (F)

Proposal

Newburyport River Run ½ Marathon and 5k

Julie Bokar/Jeanne Carter

Fuel Training Studio

jj@fueltrainingstudio.com

75 Merrimac St.

Newburyport, MA 01950

Julie 617.694.5489

Jeanne 978.270.0020

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 20 A 9:40

Date: Sunday, May 31st, 2015

Race Time: 8 AM – 12 AM

Post Race Festivities 11-3pm including clean up

Site: Towle Building parking lot, left hand side

Beer Tent - 11 AM - 2 PM

10-15 Vendor Booths

13.1 Mile Route:

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

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

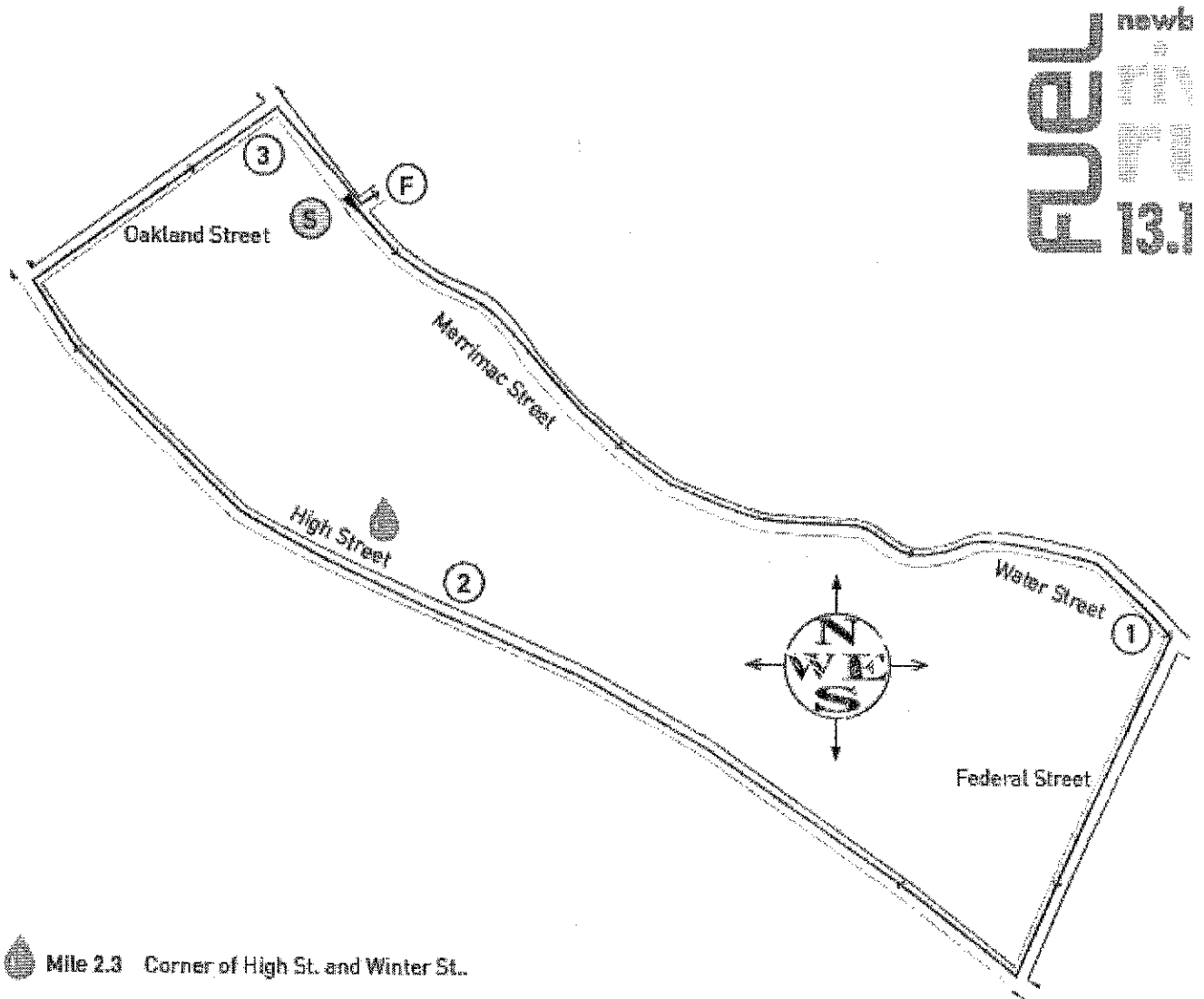
5 Mile Route:

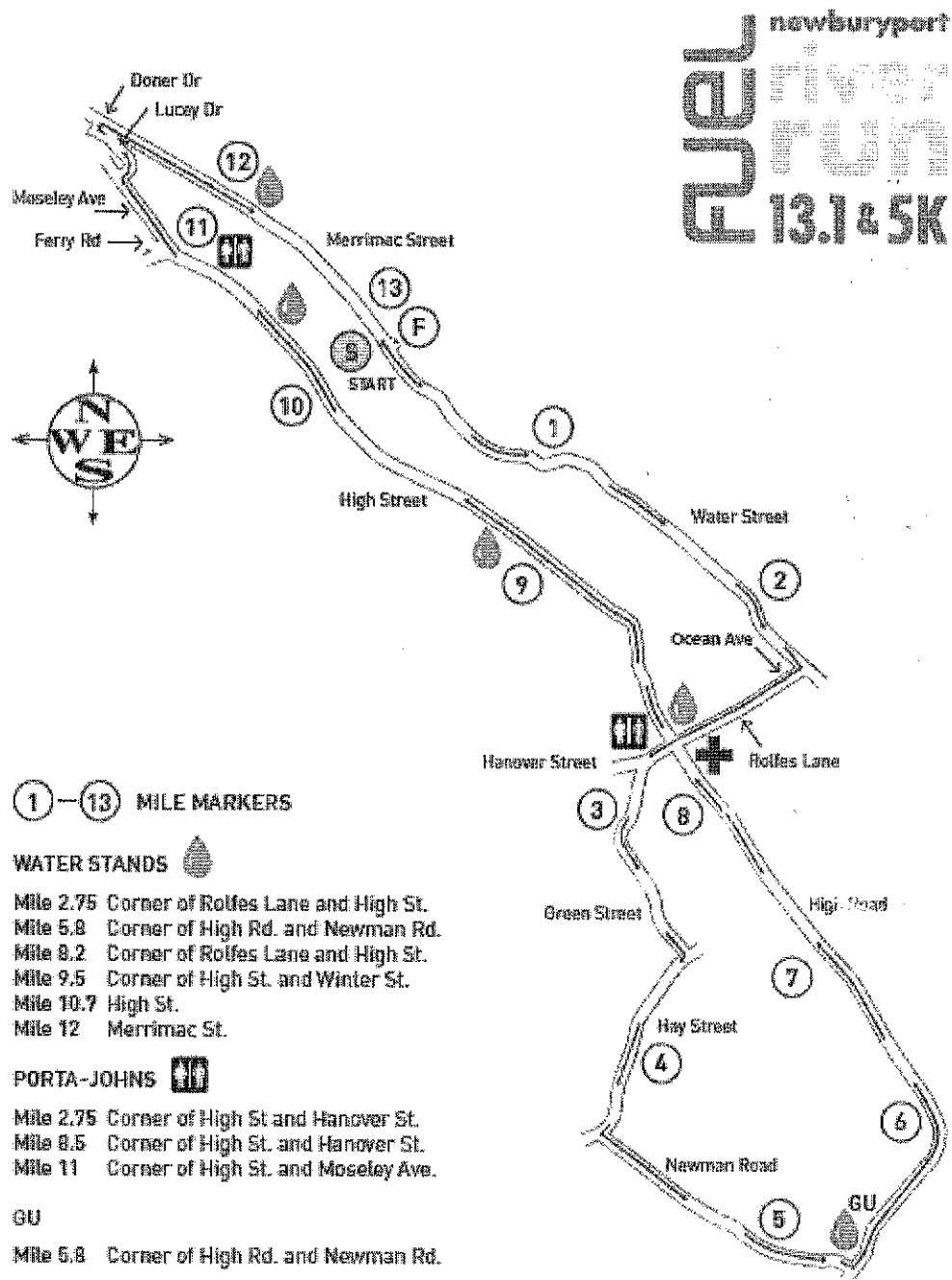
Race would begin in the same spot as the 13.1 route.

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

Lynn Varney

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





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

Hi Julie-

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

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

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

Lynn Kinsella Varney

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

RECEIVED
CITY CLERK'S OFF
NEWBURYPORT, MA

2014 JUN 20 A 11

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

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

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

✓ 1.)

Signature:

Name-(Please Print):

Address:

✓ 2.)

Signature:

Name-(Please Print):

Address:

✓ 3.)

Signature:

Name-(Please Print):

Address:

✓ 4.)

Signature:

Name-(Please Print):

Address:



The Exchange Club of Greater Newburyport
P.O. Box 31, Newburyport, MA 01950

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 23 P 12:15

President-Ben Iacono, Secretary-Stuart Deane, Treasurer-Mary Sortal, President Elect-Open

June 23, 2014

Richard B. Jones
City Clerk
Newburyport City Hall

Dear Mr. Jones,

On behalf of the Exchange Club of Greater Newburyport I would like to request permission to set up a 10x10 foot tent in Market Square. The purpose of the tent will be to advertize the upcoming 5th Annual Field of Honor Program taking place at the Bartlett Mall on September 4-12, 2014. In addition we will also be offering for sale the flags to be dedicated on September 7th.

The requested dates are as follows:

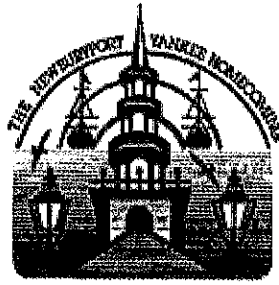
Saturday July 19th
Saturday August 23rd
Saturday August 30th

We expect to man the tent from 10 am – 3pm.

Respectfully,

Ben Iacono
Chairman, Field of Honor Flag Sales

978-337-6554



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 24 A 11:05

President O'Brien and Members of the City Council,

Our theme this year is Volunteer-You Make the Difference. This one statement optimizes everything that Yankee Homecoming and Newburyport stands for. It is with great pleasure that I have undertaken the duty of general chair for the eight day event. Together with city officials, civic organizations, and thousands of volunteers we have worked countless hours to plan another memorable event for all to enjoy.

Being a Newburyport native I have participated in and enjoyed this event all of my life. It has been equally important to have my children experience it as well as volunteer to make it what it is today. To be running it is a privilege and an honor. I humbly request the permission of the City Council for the use of the City Streets, sidewalks, and parks for the venue for this event.

I invite you all to take part in this year's many planned events and the celebration of Newburyport's 250th birthday. I would also like to thank the many city officials, departments, and especially the citizens that make this event so special to so many.

Sincerely

Michael Volpone
2014 Newburyport Yankee Homecoming
General Chairperson

**ENROLLMENT
AUDIT
SOLUTIONS**

**DEPENDENT AUDIT REPORT
CITY OF NEWBURYPORT**

September 9, 2013

**ENROLLMENT
AUDIT
SOLUTIONS**

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

September 9, 2013

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

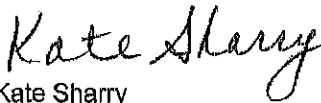
Dear Ms. Lamarre,

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

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

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

Sincerely,



Kate Sharry
President

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Executive Summary

Audit Results

Audit Procedures Report

Audit Findings and Conclusions

Appendix A – Reports and Charts

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

Appendix B – Letters and Forms

EXECUTIVE SUMMARY

Enrollment Audit Solutions (EAS) conducted the health plan dependent audit for the City of Newburyport (Newburyport) in accordance with the contract dated March 22, 2013 and based upon the subscriber and dependent eligibility listing as of April 1, 2013. The initial population consisted of family subscribers and dependents on health plans from Blue Cross/Blue Shield of Massachusetts. There were a total of 356 family subscribers and 832 dependents in the audit population.

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

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

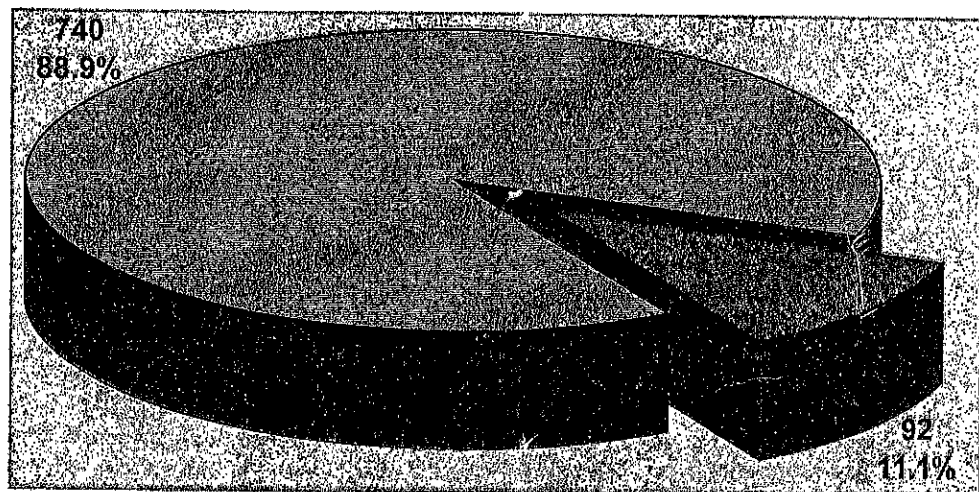
- Initial mailing to subscribers announcing the dependent audit
- Three separate mailings to subscribers requesting supporting documentation for their dependents
- Review of all submitted documentation from subscribers for adequacy under plan rules in support of dependent status
- Processing of all submitted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

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

AUDIT RESULTS

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

DEPENDENT AUDIT RESULTS



■ ELIGIBLE
■ INELIGIBLE



CITY OF NEWBURYPORT

CITY COUNCIL

June 24, 2014

NEWBURYPORT CITY HALL

60 PLEASANT STREET

P.O. BOX 550

NEWBURYPORT, MA 01950

Thomas F. O'Brien, President and Members

Newburyport City Council

City Hall

60 Pleasant Street

Newburyport, MA 01950

Re: Health Director, City of Newburyport

TEL: 978-465-4407

FAX: 978-462-7936

Dear President O'Brien and Members of the Council,

There have been numerous concerns, questions, complaints and frustrations expressed to me by members of the community in regard to the manner of enforcement and approach by the Director of Public Health, Robert Bracey.

As a result, I would like to request that the Council, through the use of Section 2-7 (a)&(b) of the Home Rule Charter, refer this matter to the License and Permits Committee in order that the aforementioned concerns, questions, complaints and frustrations can be discussed with the Director. The intent is to assist the Director in drafting an approach that presents Newburyport as a community welcoming to business.

For reference please see the following section of the Home Rule Charter:

Sec. 2-7. Access to information.

(a) In general. The city council may make investigations into the affairs of the city and into the conduct and performance of any city agency.

(b) City officers, members of city agencies, employees. The city council may require any city officer, member of a city agency or city employee to appear before it to give any information that the city council may require in relation to the municipal services, functions, powers, or duties which are within the scope of responsibility of that person and within the jurisdiction of the city council.

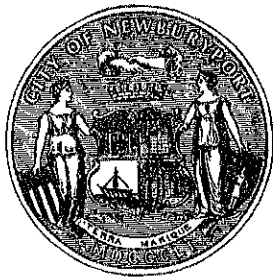
Respectfully,

Bruce L. Vogel

Councilor At Large

APPOINTMENTS

Appointment #1
June 30, 2014



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2014 JUN 16 A 9:55

Donna D. Holaday

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: June 16, 2014
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 June 30, 2017.

Rich Traister, M.D.
325 Merrimac Street
Newburyport, MA 01950

MAY 30, 2014

Dear Mayor Holaday,

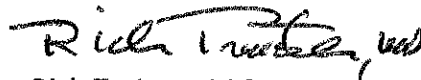
I am interested in serving as a volunteer board member for Newburyport Commission for the Disabled. I am a recently retired Family Physician having practiced medicine for 39 years- 34 years in Newburyport-Amesbury area. Although retired from active practice, I have maintained my academic position at Tufts University School of Medicine as an assistant clinical professor in the Department of Family Practice and teach medical residents on a part- time basis.

The challenges facing primary care are compelling , but none more so than those affecting the disabled, disenfranchised, and poverty stricken. Providing essential medical treatment to this under served population sensitized me to their special needs, lack of advocacy, and public bias. Throughout my career , my staff and I advocated relentlessly and were successful in optimizing care in all cases- despite the bureaucratic medical care system we confront daily.

My interest in the needs of the disabled began during college as part of a sociology project when I assisted Mr. Gene Kelleher in establishing the The Team Co-ordinating Agency in Haverhill, Mass. This non- profit organization continues to this day offering services and coordinating care. Early on in my medical career I served as a board member for the then newly established Essex County chapter of Alliance of the Mentally Ill.

My hope is to continue to assist the disabled population as a volunteer board member of the N.C.D. I will look forward to your reply. I have also included my Curriculum Vitae with this letter of intent. Thank you for you time.

Respectfully ,



Rich Traister, M.D.
325 Merrimac St.
Newburyport, Ma. 01950

Cell phone: (978) 606-8209

E-mail: rtraister@massmed.org

Cc: Ms. Jennie Donahue, Chairwomen Newburyport Commission For the Disabled

Richard G Traister, M.D.
325 Merrimack Street
Newburyport, MA 01950

Curriculum Vitae

EDUCATION

June 1971 University of New Hampshire, Durham, NH

September 1970 - June 1971 Honorable discharge United States Army

September 1971 --May 1975 Graduated Universidad Autonoma De Guadalajara

May 1975 -- May 1976 Fifth Pathway Hahnemann Hospital Philadelphia, PA

July 1976- July 1977 Medical Internship Framingham Union Hospital
Framingham, MA

July 1976- July 1977 Medical Residency at Framingham Union Hospital
Framingham, MA

July 1977 -- July 1980 Internal Medicine/Family Practice Residency
Hahnemann Hospital Philadelphia, PA

Harvard School of Medicine Harvard's MD acupuncture
Course certified

Experience

September 1980 Established Solo Primary Care Practice in Amesbury, MA

January 1997 Due to Amesbury Hospital closing practice moved to
Newburyport, MA to join the Anna Jacques Hospital

March 2006
practices

First practice in the Merrimack Valley out of 250

To start electronic medical records

Accreditations

July 1980

Board Certified Family Practice

July 1980

Board Eligible Internal Medicine

July 1996

Recertified Family Practice

September 1980

Staff privileges at Anna Jaques Hospital
Newburyport, MA to present

September 1981-May 1983

Medical Director Northern Essex Community College
Haverhill, MA

June 1984 – May 1987

Director of Medical Education Amesbury Hospital
Amesbury, MA

May 1986 – June 1988

Vice President Amesbury Hospital Staff
Amesbury, MA

May 1980 – 2003

Board of Directors Member for Alliance for Mentally Ill

May 1988 – June 1990

Medical Director YMCA “Kids –Stop”

May 1993 – June 1998

Medical Director Camp Bauercrest
Amesbury, MA

May 1997 – June 1998

Medical Director Seacoast Health Care Inc.
Adult Division

May 1994 – June 1999

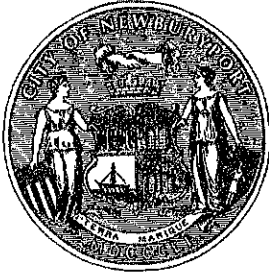
Medical Director Greenleaf Nursing Home

Salisbury, MA

May 1994 – present	Assistant Clinical Professor, Family Medicine and Community Health Tufts University School of Medicine
May 1994 – June 1998	Medical Director Women's Crisis Center Amesbury, MA
May 1995 – May 1996	Board of Directors for Center of Hope for Women Newburyport, MA
May 1995- present	Medical Advisor to Pettingal House (Shelter) and Board of Directors Salisbury, MA
May 1996 – present	Medical Director Chamber of Commerce Salisbury, MA
May 1997 – September 2006	Medical Director Kenoza Manor Nursing Home
May 1998- present	Medical Director Haverhill Crossing Assisted Living Center
July 2000- April 2013	Board of Directors Whittier IPA
July 2000	Board Member Utilization Committee
July 2001- April 2013 IPA	Board of Directors Pho-Anna Jaques Hospital/Whittier IPA
July 2001 – July 2005	Delegate Massachusetts Medical Society-Essex North Region
July 2003 – present	Tufts University School of Medicine- Appointment as Assistant Clinical Professor of Medicine in Family Practice And Community Health

Awards

June 1995	"White House" Presidential Citation " In recognition of Out standing and Invaluable Service to the Community"
June 1995	Certificate of Appreciation, Massachusetts Medicaid Program
June 1995 for	Commonwealth of Massachusetts, State Senate Citation " Your ongoing Compassionate and Generous Medical Service to the Amesbury, Salisbury, and Newburyport Communities"
June 1995 Representatives	Commonwealth of Massachusetts House of Citation in Recognition of "Your endless Contributions and Dedicated Efforts to the Citizens of Amesbury, Salisbury And Newburyport
June 1998	Community Service Award Presented by the Mayor of Newburyport and Women's Crisis Center in Appreciation For Voluntary Service given to the Community
January 2005 – April 2013	Officer of the Corporation of the Anna Jaques Hospital
2007, 2008, 2009, 2010, 2011	Blue Cross Blue Shield Best Practice Award
July 2012	Consumer Reports Merrimack Valley Best Practice Award



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

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

RECEIVED
CLERK'S OFFICE
JUN - 9 P 1:28
NEWBURYPORT, MA

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

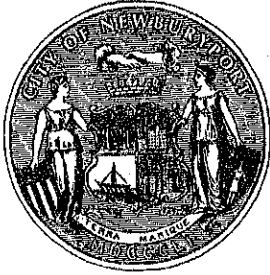
Date: June 9, 2014

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a Constable for the City of Newburyport for civil business. This term will expire on July 1, 2017.

Brian Brunault
83 Garden Street
West Newbury, MA 01985

Re-Appointment #3
June 30, 2014



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

60 PLEASANT STREET - P.O. BOX 550

NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

2014 JUN 16 A 9:55

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: June 16, 2014
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Harbor Master and Special Police Officer. This term will expire on April 15, 2017.

Daniel Scott
4 Ferry Road
Methuen, MA 01844

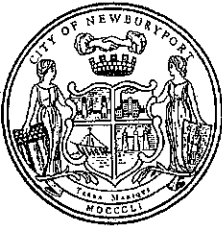


END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

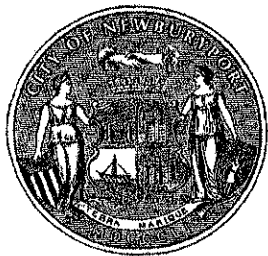
June 30, 2014

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

Abbey 891 Management LLC dba Dolbier Property Services
891 Whittier Highway
Moultonborough, NH 03254

Paperwork on file in the City Clerk's office.

Councillor Ari B. Herzog
Public Utilities Chairperson



CITY OF NEWBURYPORT

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN -5 A 8:02

DEPARTMENT
OF
PUBLIC SERVICES

June 4, 2014

ANTHONY J. FURNARI
DIRECTOR

To: Richard Jones, City Clerk

ANDREW M. LAFFERTY
DEPUTY DIRECTOR /
DIRECTOR OF OPERATIONS

Re: Licensed Contractor Application

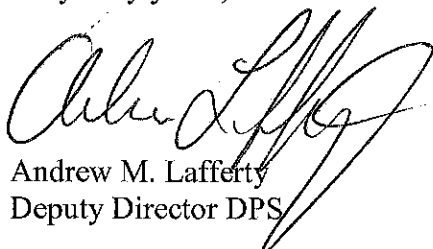
Enclosed is a copy of a new Licensed Contractor application with bond and references to be forwarded to the city council for approval 2014 for sidewalk construction only for the contractor listed below:

16A PERRY WAY
NEWBURYPORT, MA 01950
978-465-4464

Abbey 891 Management LLC dba Dolbier Property Services
891 Whittier Highway
Moultonborough, NH 03254

Thank you for your attention to this matter.

Very truly yours,



Andrew M. Lafferty
Deputy Director DPS

Cc: File



CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

June 30, 2014

THAT, the city establish revolving funds for certain city departments under M.G.L. Chapter 44, §53E 1/2 for the fiscal year beginning July 1, 2014, with the specific receipts credited to each fund, the purposes for which each fund may be spent and the maximum amount that may be spent from each fund for the fiscal year, as follows:

Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund	FY15 Spending Limit
Plumbing Inspector	Building Commissioner	Plumbing permit fees	Plumbing Inspector's salary and related expenses	\$60,000
Gas Inspector	Building Commissioner	Gas permit fees	Gas Inspector's salary and related expenses	\$50,000
Electrical Inspector	Building Commissioner	Electrical permit fees	Electrical Inspector's salary and related expenses	\$105,000
Disabilities Commission	ADA Coordinator	Handicapped parking fines	Assist the Commission on Disabilities in their efforts to advise, assist, research, coordinate, review and make policy recommendations, provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; and to coordinate activities of other local groups organized for similar purposes	\$25,000
Downtown Paid Parking	City Clerk/ Parking Clerk	Parking fees, violation fines and passes	Expenses include: a) all annual operational costs of the downtown paid parking program, including, without limitation, maintenance of the parking lots asphalt and gravel surfacing, lighting, landscaping, and snow removal, equipment, supplies and signage, and parking enforcement officers; b) monthly payments to the Newburyport Redevelopment Authority in an amount equal to its meter revenue from said East and West Lots; c) contractual payments to the Newburyport Waterfront Trust; d) annual capital reserve allocations towards cyclical replacement of revenue collection machines and re-surfacing of the asphalt parking lots; e) not less than \$50,000 per year towards the general stewardship, care, maintenance, and improvement of the downtown's public infrastructure, including but not limited to, sidewalks, curbing, stairways, lighting, trees and landscaping and entities; and f) other capital projects and general fund transfers, as determined by the Mayor and the City Council, based on the program's net income after the aforementioned expenditures have been satisfied	\$466,000
Council on Aging	Director of Council on Aging	Program fees	Senior citizen programs	\$30,000
Tree Commission	Newburyport Tree Warden	Fines, voluntary payments, fees, charges, contributions, donations, grants, insurance settlements, and other payments received from private individuals, businesses, government entities, and persons or business making payment to the City for damage caused to trees located on City property	Plant, maintain, protect, and preserve public trees throughout the City in order to: contribute to the distinct character of the City; improve air quality; create habitats for wildlife, including various rare and protected species; reduce noise; provide privacy; protect soil from erosion; provide glare and heat protection; provide an aesthetic appeal that enhances property values; provides natural privacy to neighbors; and promotes civic pride and enjoyment	\$50,000
Animal Control	Director of Public Health	Fees and donations associated with animal control and animal shelter activities	Offset City expenses associated with carrying out animal control and animal shelter operations	\$25,000

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 JUN 24 P 12:21

<u>Revolving Fund</u>	<u>Authorized to Spend</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY15 Spending Limit¹</u>
Transient Vendors	Director of Public Health	License fees	Maintain City streets, ways, parks, walkways and other public areas throughout the City, as well as, City expenses associated with carrying out holiday celebrations, special activities and other public events	\$35,000
Medicare/Medicaid	Director of Public Health	Reimbursements charged to the state or federal Medicare/Medicaid programs	Maintain emergency planning programs and allow response to emergencies, as well as, offset City expenses associated with carrying out Health Department activities	\$50,000
Historical Commission	Director of Planning & Development	Application fees	Administration of the Historical Commission operations, including office supplies and technical assistance	\$10,000
Planning & Zoning	Director of Planning & Development	Planning and zoning service and application fees	Planning and zoning related purposes including consultant's fees, legal expenses and other costs associated with project reviews and planning activities	\$40,000
Engineering Services	Director of Planning & Development	Charges to developers who have applications before the City in an amount equal to the cost of acquiring the professional service	Expenses associated with the engagement, by the City, of engineers, architects, and other professionals qualified to evaluate various aspects of development projects and to advise the City accordingly	\$100,000
City Hall Maintenance	Director of Public Services	Fees, charges and donations paid to the City for the use and rental of City Hall facilities by outside groups, organizations and individuals	Expenses associated with City Hall maintenance, repairs, renovations, upkeep and security	\$25,000
South End Branch	Director of Public Services	Income received from the rental of the apartment located on the second floor of the South End Branch Library, commonly known as the Emma Andrews Library	Expenses associated with building maintenance, repairs, renovations, upkeep and security	\$25,000
Veterans Benefits	Director of Veteran's Services	Sale of grave markers, donations, gifts and grants received from the general public, government entities, private corporations, and charitable foundations	Expenses associated with goods and services benefiting veterans residing in the City and their families	\$10,000
Recreational Services	Director of Youth Services	Program fees	Funds recreational services in the City including program supplies, materials and equipment, class instructor fees, fees for reservations and tickets related to trips and functions, and other costs related to the provisions of recreational services	\$300,000
IM-School Drop-in Center	Director of Youth Services	Donations, gifts and grants received from the general public, private corporations and charitable foundations	Expenses associated with the operation of the Drop-In Center, including staff salaries, equipment, materials, supplies and other costs related to the Drop-In Center programs and activities	\$100,000

Total Spending²

\$1,506,000

¹FY15 per department spending limit is \$466,178 (1% of FY14 levy of \$46,617,801)

²FY15 total spending limit is \$4,661,780 (10% of FY14 levy of \$46,617,801)

Councillor Charles F. Tontar
Chair, Budget & Finance Committee

**CITY OF NEWBURYPORT
REVOLVING FUNDS**

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

FY2014 YEAR-TO-DATE ACTIVITY
(AS OF JUNE 2, 2014)

2014 JUN 24 P 12:21

<u>Account Name</u>	<u>Fund Code</u>	<u>Beginning Balance</u>	<u>YTD Revenue</u>	<u>YTD Expended</u>	<u>Current Balance</u>
Plumbing Inspector	2807	32,655.19	43,040.00	30,964.97	44,730.22
Gas Inspector	2808	18,469.58	28,750.00	30,445.25	16,774.33
Electrical Inspector	2806	68,771.39	75,853.00	30,643.25	113,981.14
Council on Aging	2802	9,907.10	16,164.49	8,585.00	17,486.59
Tree Commission	2818	0.00	15,710.25	82.26	15,627.99
City Hall Maintenance	2840	890.00	700.00	0.00	1,590.00
South End Branch	2810	1,057.64	28,536.92	13,869.41	15,725.15
Animal Control	2817	10,967.94	2,050.00	2,407.67	10,610.27
Transient Vendors	2812	28,801.62	16,800.00	8,506.30	37,095.32
Medicare/Medicaid	2835	19,975.65	3,127.97	560.33	22,543.29
Downtown Paid Parking	2839	670,557.46	498,879.74	755,033.96	414,403.24
Historical Commission	2804	6,297.08	1,950.00	150.00	8,097.08
Planning & Zoning	2813	10,923.07	29,775.00	25,697.29	15,000.78
Engineering Services	2810	57,742.96	23,555.00	11,962.50	69,335.46
Disabilities Commission	2809	1,620.82	300.00	0.00	1,920.82
Veterans Benefits	2836	2,501.17	300.00	0.00	2,801.17
Recreational Services	2803	147,249.24	330,565.46	254,965.62	222,849.08
M-School Drop-in Center	2811	4,738.02	32,672.24	25,052.99	12,357.27

Total Revolving Funds

\$1,093,125.93

\$1,148,730.07

\$1,198,926.80

\$1,042,929.20

Order #3
June 30, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 24 P 12:12

June 30, 2014

THAT, the City Council of the City of Newburyport accepts with gratitude a grant in the amount of up to \$23,743.04 from National Grid, 40 Sylvan Road, Waltham, MA, for participation in National Grid's 2014 Community Initiative Program, which awards communities for improving their energy efficiency.

Councillor Charles F. Tontar

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 30, 2014

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

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

Chapter 12
Section 12-98

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

13-98 Purpose and intent

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

13-99 Definitions

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

13-100 Limitations

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

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

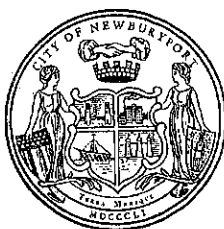
- (e) *"Road Closure"* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers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

13-101 Enforcement

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

Councillor Robert J Cronin
Public Safety Chair

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 30, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

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

Delete from the table:

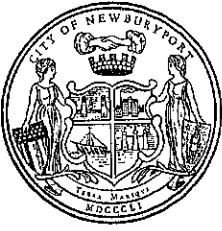
State	Westerly side from the intersection of Route 1 and State Street and continuing approximately 310 feet in a northerly direction from 8:00 a.m. to 4:00 p.m. Monday through Friday, excluding holidays.
-------	---

Add to the table:

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

Councillor Jared J. Eigerman

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 30, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

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

Add:

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

Councillor Jared J. Eigerman

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 30, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

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

Amend:

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

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

Councillor Jared J. Eigerinan

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 3, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES.

Chapter 13 Traffic and Motor Vehicles
Article IV Specific Street Schedules
Division 7 Speed Limits

Add:

Sec. 13-187. Thirty miles per hour.

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

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

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

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

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

Councillor Robert J. Cronin



MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

CITY OF NEWBURYPORT SPECIAL SPEED REGULATION # 7927

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

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

Hereby Adopted

by the City Council

of the City of Newburyport

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

LOW STREET - EASTBOUND

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

LOW STREET - WESTBOUND

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

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

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

Date of Passage:

CITY COUNCIL

Attest _____

CITY CLERK

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

SPECIAL SPEED REGULATION NO. 7927

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

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

REGISTRY OF MOTOR VEHICLES
DIVISION

HIGHWAY DIVISION

BY: _____
Registrar

BY: _____
State Traffic Engineer

DATE:

COMMITTEE ITEMS

Budget & Finance



City of Newburyport

FY 2014

Transfer #1
June 9, 2014

bat

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Department: Mayor

Submitted by: Mayor Holaday

Date Submitted: 6/3/2014 3:53

Transfer From:

Account Name	General Fund - Free Cash	YTD Bal:	\$ 888,395.88
Account Number:	01-35900	Trans In:	\$ -
Amount:	\$35,000.00	Trans Out:	\$ 1,603,713.12
Why are Funds Available:	<i>Surplus funds are available from the prior years financial activities and can be used for any legal purpose with the approval of the Mayor and a majority vote of the City Council.</i>		

Transfer To:

Account Name	Anniversary Celebrations	YTD Bal:	\$ -
Account Number:	2819-49700	Trans In:	\$ -
Amount:	\$35,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>Newburyport has been allotted \$35,000 from the State to help pay for the City's 250th Birthday celebration. These funds are included in the State budget, but will not be received until the start of the new fiscal year, however funds are needed now. Once State funds have been received, they will go back into Free Cash. This is a special account included in MGLs for this purpose.</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
City Council Approval: (Stamp)

Donna D. Holaday
William B. Squillace

Date: 6/3/14
Date: 6/3/14



Transfer #6
June 9, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 JUN -3 P 3:54

City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

Department: DPS - SEWER

Submitted by: Anthony Furnari, Director

Date Submitted: 6/3/2014

Transfer From:

Account Name	RETAINED EARNINGS	YTD Bal:	\$ 1,768,057.00
Account Number:	61-35900	Trans In:	\$ -
Amount:	\$400,000.00	Trans Out:	
Why are Funds Available:	Certified retained earnings balance from FY2013.		

Transfer To:

Account Name	CIP-METER REPLACEMENT PROG	YTD Bal:	\$ 183,812.00
Account Number:	3409-50000	Trans In:	\$ -
Amount:	\$50,000.00	Trans Out:	\$ -
Why are Funds Required:	The City conducted a system-wide meter replacement program in 2008 at a cost of over \$1 million. Given that meters have a life expectancy of 12-15 years, it is recommended that \$50,000 be funded each year from both the Water and Sewer Enterprise Funds until 2023.		

Transfer To:

Account Name	WEST END EASEMENT	YTD Bal:	\$ 196,207.62
Account Number:	3406-50000	Trans In:	\$ -
Amount:	\$150,000.00	Trans Out:	\$ -
Why are Funds Required:	This project is necessary so that in the event of a sewer line break or backup, DPS Sewer Division will be able to access the line and prevent sewer from entering the drinking water supply.		

Transfer To:

Account Name	CIP-VACUUM TRUCK PURCHASE	YTD Bal:	\$ 200,000.00
Account Number:	3412-50000	Trans In:	\$ -
Amount:	\$200,000.00	Trans Out:	\$ -
Why are Funds Required:	The Vactor truck, used to clean sewer lines, will be nearing the end of its useful life. Given the total replacement cost of \$400,000, it is recommended that a CIP account be created with \$200,000 from current year retained earnings and fund the balance out of next year's retained earnings.		

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

Donna D Holaday
Anthony Furnari

Date: 6/3/14
Date: 6/3/14



City of Newburyport
FY 2014
BUDGET TRANSFER REQUEST

Transfer #7
June 9, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN -3 P 3:54

Department: DPS - WATER

Submitted by: Anthony Furnari, Director

Date Submitted: 6/3/2014

Transfer From:

Account Name	RETAINED EARNINGS	YTD Bal:	\$ 1,609,481.00
Account Number:	60-35900	Trans In:	\$ -
Amount:	\$250,000.00	Trans Out:	
Why are Funds Available:	Certified retained earnings balance from FY2013.		

Transfer To:

Account Name	CIP - METER REPLACEMENT PROG	YTD Bal:	\$ 183,812.00
Account Number:	3409-50000	Trans In:	\$ -
Amount:	\$50,000.00	Trans Out:	\$ -
Why are Funds Required:	The City conducted a system-wide meter replacement program in 2008 at a cost of over \$1 million. Given that meters have a life expectancy of 12-15 years, it is recommended that \$50,000 be funded each year from both the Water and Sewer Enterprise Funds until 2023.		

Transfer To:

Account Name	CIP-WTR MAIN REPLACEMENT	YTD Bal:	\$ 192,811.01
Account Number:	3204-50000	Trans In:	\$ -
Amount:	\$200,000.00	Trans Out:	\$ -
Why are Funds Required:	Annual funding is needed to execute scheduled improvements to the City's aging water distribution infrastructure. In an effort to minimize the impact on the operating budget, funds have been designated each year to this capital account.		

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

Donna D Holaday
William B Squillace

Date: 6/3/14
Date: 6/3/14



City of Newburyport

FY 2014

BUDGET TRANSFER REQUEST

Transfer #8
June 9, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN -3 P 3:54

Department: DPS - WATER and SEWER

Submitted by: Anthony Furnari, Director

Date Submitted: 6/3/2014

Transfer From:

Account Name	CIP - Water Tank Maintenance	YTD Bal:	\$ 192,074.79
Account Number:	3402-59600	Trans In:	\$ -
Amount:	\$192,074.79	Trans Out:	
Why are Funds Available:	<i>Originally funded for \$477,000.00 in FY2013 for refurbishing and repainting and repainting Rawson Hill and March's Hill tanks. Projects came in under budget and are complete with balance of \$192,074.79 in account.</i>		

Transfer From:

Account Name	CIP Network Expansion	YTD Bal:	\$ 30,000.00
Account Number:	3410-59600	Trans In:	\$ -
Amount:	\$30,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>Capital Transfer approved in FY2012 for CIP Expansion for the DPS Administration Building. Request to move funds to overall DPS Building Project fund as networking costs are built into the project costs.</i>		

Transfer From:

Account Name	Water - Retained Earnings	YTD Bal:	\$ 1,609,481.00
Account Number:	60-59600	Trans In:	\$ -
Amount:	\$14,425.78	Trans Out:	\$ -
Why are Funds Required:	<i>Certified retained earnings balance from FY2013.</i>		

Transfer From:

Account Name	Crow Lane Pump Station	YTD Bal:	\$ 10,844.24
Account Number:	3203-59600	Trans In:	\$ -
Amount:	\$10,844.24	Trans Out:	\$ -
Why are Funds Required:	<i>Original Transfer completed in FY2011 for \$501,500.00. Project complete and transfer is requested to close account.</i>		

Transfer From:

Account Name	SWR CIP Flood Study	YTD Bal:	\$ 41,182.43
Account Number:	3404-59600	Trans In:	\$ -
Amount:	\$41,182.43	Trans Out:	\$ -
Why are Funds Required:	<i>Capital request and transfer approved in FY2011. Project was cancelled. A transfer is needed to close out the account.</i>		

(continued next page)

Transfer From:

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 JUN 3 PM 7:54

Account Name	SWR CIP Replace Generators	YTD Bal:	\$ 63,101.76
Account Number	3405-59600	Trans In:	\$ -
Amount:	\$63,101.76	Trans Out:	\$ -
Why are Funds Required:	Original capital approval and transfer occurred in FY2011 to replace existing generators. Project was overfunded and complete and request transfer to close out account.		

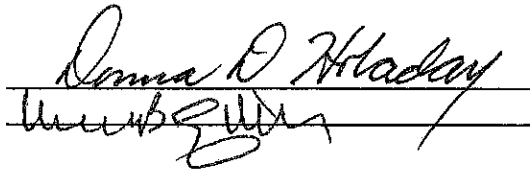
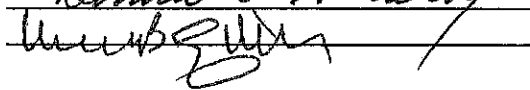
Transfer From:

Account Name	Sewer - Retained Earnings	YTD Bal:	\$ 1,768,057.00
Account Number:	61-59600	Trans In:	\$ -
Amount:	\$91,371.00	Trans Out:	\$ -
Why are Funds Required:	Certified retained earnings balance from FY2013.		

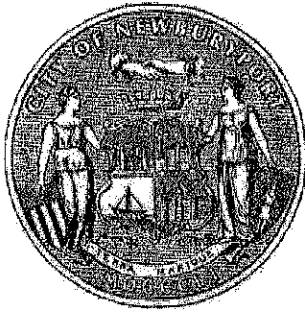
Transfer To:

Account Name	DPS Building Project	YTD Bal:	\$ 1,171,971.31
Account Number:	3403-49700	Trans In:	\$ -
Amount:	\$443,000.00	Trans Out:	\$ -
Why are Funds Required:	Original projected cost of DPS Building project was estimated at \$1.2M. Funds for this project were approved and transferred in FY2011, split 50/50 between Water and Sewer. Updated project costs due to conservation adjustments, CSS architect, and increase in prevailing wage estimates, the new cost is estimated at \$1.643M (50/50 split Water and Sewer).		

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

Date: 6/3/14
Date: 6/5/14



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY

60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN -3 P 3:54

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: June 2, 2014
Subject: FY14 Capital Transfer Request - DPS Administration Building

The Water and Sewer Business Office has reviewed all existing Water and Sewer Capital Accounts and identified five capital accounts whose projects are complete and currently have remaining balances, which may be transferred to close out the accounts. Simultaneously, the Water and Sewer Commissioners, DPS Director and Business Office have reviewed updated quotes relative to the DPS Administration Building. The original capital request for the DPS Building was approved in 2011 for \$1.2M and, based on delays in moving forward with this project, design changes based on CSS architect recommendations, and in conjunction with the Conservation Commission suggestions, and prevailing wage estimates, the project has an increased cost of \$443,000.00.

The five capital accounts that are finalized and have surplus funds total \$337,203.22. To minimize the impact on water and sewer retained earnings, it is our recommendation that these five accounts are closed and the balance transferred to the DPS Administration Building capital account. This will bridge the gap required for funding. If approved, an additional \$105,796 would need approval to be transferred from Retained Earnings (Water \$14,425 and Sewer \$91,371). Retained Earnings for the Water and Sewer Fund were certified by the Department of Revenue in the amount of \$1,768,057 for Sewer and for \$1,609,481 for Water.

I am asking that you consider transfer requests for the aforementioned amounts to fully fund the DPS Administration Building on Perry Way.

We expect to break ground on the new building in the September 2014 timeframe for completion by April 1, 2015.

Public Safety

Patriots for American Veterans Organization

May 13, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 MAY 13 P 1:33

The Office of Clerk of Council
City of Newburyport
60 Pleasant Street
Newburyport MA 01950

RE: Proposed PAVO Walk-the-Walk for our Troops Event - October 4, 2014

This letter is to request that PAVO – Patriots for American Veterans Organization be placed on the Newburyport City Council meeting agenda for May 27th 2014 for the purpose of gaining approval for a PAVO charity walk for our Troops event. This October 2014 event is a copy of a similar event previously approved by the Council and sponsored by PAVO this past April.


October 2014 Event Description


- Event: Walk-the-Walk for our Troops – walk at your own pace, approximately a 2 mile scenic walk along the waterfront and historic downtown Newburyport.
- Location: Starting and ending at the North End Boat Club, 1 Manson Ave, Newburyport MA
- Date: Saturday October 4th, 2014 with a Rain Date of Sunday October 5th, 2014
- Time: Registration from 9 to about 11AM at the Boat Club
- Entertainment: Live Music, Vendors, Raffles, Food at the Boat Club from approximately 1 to 4PM
- To Benefit: All proceeds from the event benefit our US Military Veterans.

We ask the Clerk of Council to place PAVO on the agenda from May 27th. Representatives from PAVO will attend to present and discuss the event.

Thank you for your attention in this matter.

Respectfully Submitted,


Frank Peluso
PAVO President
978.376.5149
ciscopatriotsrider@yahoo.com


Steve Ruszczyk
Event Chairman
617.447.6802
smruszczyk@gmail.com

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 27, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES.

Chapter 13 Traffic and Motor Vehicles
Article IV Specific Street Schedules
Division 6 Stopping, Standing and Parking
§ 13-179 Handicapped Parking

No person without a duly authorized handicapped vehicle registration or placard, as described in MGL, Chapter 90, § 2, shall park in the following described parking space as designated by signs and symbols:

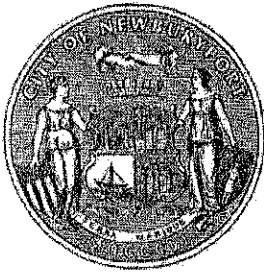
Add:

Waterfront Trust Lot

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

Councillor Robert J. Cronin

Refer PS
RC
PAI
SW



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

TO: **City Council & Council Planning & Development (P&D) Committee**

FROM: **Andrew R. Port, Director of Planning & Development**

CC: **Donna D. Holaday, Mayor**
Peter Lombardi, Director of Policy & Administration
Planning Board

DATE: **May 20, 2014**

RE: **Various Zoning Amendments submitted to the Council for 5/27/14 Regular Meeting**

On this day the Office of Planning & Development is filing several proposed zoning amendments with the City Council for the upcoming meeting on May 27, 2014. We anticipate that the Council will refer these items to the Council's Committee on Planning & Development and to the Planning Board for the required Joint Public Hearing on proposed zoning amendments. In accordance with the Newburyport Zoning Ordinance (NZO) both boards are expected to conduct a detailed review of the proposals and report back to the full City Council with a final recommendation (either together or separately). The Office of Planning & Development has drafted each of these proposals (in whole or in part) in coordination with members of the Council, whose sponsorship is noted in the Orders accordingly.

While a detailed discussion of these proposed zoning amendments will be provided at the required Public Hearing we have summarized herein the intent and scope of each for your convenience. If you have any questions or concerns regarding these amendments please contact me at your convenience.

Summary of the Proposed Zoning Amendments

1. Permitting for Medical Marijuana Treatment Centers

As the Council may recall we have until June 30, 2014 to codify permitting provisions for so-called Medical Marijuana Treatment Centers (MMTC), allowed at the state level by voter approval in 2012, and now subject to additional review and approval by the Massachusetts Department of Public Health (DPH).

Generally communities across the commonwealth have begun to restrict MMTC by restricting their placement to locations far from schools, churches, public parks and residential districts. In light of Newburyport's layout and development patterns we are recommending that MMTC be

allowed only within a subset area within and adjacent to the Newburyport Business and Industry Park. Attached is a series of maps illustrating the two areas we are recommending at this time.

If adopted, a so-called MMTC would only be allowed within these two “zones” and any such facility would require Special Permit Approval from the Zoning Board of Appeals, subject to further conditions on the use, building and site design. These two subset areas may reduce the likelihood of such a proposed facility within Newburyport, and will as a minimum ensure that such a facility (if proposed and approved) has the least possible impact on “sensitive” areas of the City. The proposed “overlay” zoning would provide a permitting process for this new use in accordance with state law while addressing community concerns about the location of these facilities (which will for all intents and purposes look like any other manufacturing facility (building) within the Park. All existing zoning provisions would remain in place. This zoning amendment will simply allow (by discretionary review) another possible use for certain properties within the MMTC overlay district.

2. Harbormaster Facility – Use & Dimensional Requirements

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

3. Minor Amendment to FEMA/FIRM Map References

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

4. Minor Amendments to Downtown Overlay District (DOD)

- A. Clarification that applications for signage within the DOD may be reviewed and approved through the Office of Planning & Development just like awnings, doors and windows. The current language is ambiguous and many businesses have become concerned that a Special Permit Hearing and weeks of delay are necessary for review of their signs. With the new change signage that meets the zoning ordinance requirements – including staff review and signoff – may be approved administratively. Anyone asking for relief from the sign standards would have to ask the ZBA for a Variance, just like any other proposed signage deviation.

- B. Allow the Office of Planning & Development and Planning Board to approve (on a case-by-case basis) the use of more durable sign foam or foam board (carved like wood and with a matte [non-gloss] finish) in lieu of wood signs which deteriorate more easily and require ongoing maintenance. In the first few weeks administering the DOD Ordinance we have seen this as a common (and reasonable) request for substitution, notwithstanding the Ordinance's prohibition on typical glossy "Plastic" signs.
- C. Adjust the 7-day requirement for the SPGA (Planning Board or ZBA) to hire consultants. The original 7-day requirement (from the date of application submission) unduly burdensome for the Boards and our Department. We have recommended that this new requirement be 7-days from the opening of a required Public Hearing on the subject application.

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

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

Recommendation

The Office of Planning & Development recommends that the City Council forward these zoning amendments to the Council's Committee on Planning & Development and to the Planning Board forthwith for the required Joint Public Hearing on proposed zoning amendments where a more detailed review and discussion will take place. Thank you in advance for your assistance.

On May 21, 2014, at 4:38 PM, "Carl Strube" <carl@wnbp.com> wrote:

Dear Rich, Ann Ormond asked me to send you a request for our 3rd Annual Cruisin the 50's Event. We would like to request permission to enable us to accommodate more classic car owners who want to participate in this great event. It has become the Premier Cruisin event of the summer in our area, according to the car owners who come each year.

If possible, in addition to the spots we use on State, Pleasant, Inn St and Unicorn Streets, we would request permission for the following spaces:

1. The 3 spaces in front of the Institution for Savings main office on the left side of State St.
2. Since buses will not be running up State street during our event, we'd like the two spaces that are now used as a bus stop at the corner of Harris and State St.
3. We'd like the Harris Street parking lot for the hours of our event. It would allow us to add an additional 25 cars.
4. We'd like to put 8 smaller cars on the park at Patrick Tracy Square, opposite Inn Street off Pleasant St.

That's it and we wont come back again next year for more. This would be great if they can be approved. I am happy to meet with the Council or anyone with any concerns.

Sincerely,

Carl Strube, General Manager

WNBP 106.1FM/1450AM-Newburyport, MA

WWSF 102.3FM/1220AM-Sanford, ME

Corporate Offices

6 Federal Street

Newburyport, MA 01950

978-462-1450

617-513-7278 (cell)

Our Stations are committed to a policy of non-discrimination in the advertising contracts that it enters into with its advertisers. Station will not enter into or carry out, in connection with any advertising contract it is a party to, any terms, conditions, or policies that commit the advertiser or Station to discriminate in the sale or placement of advertising, based on the race, gender, or programming format of a broadcasting station or its owners.

JEANNE GEIGER
CRISIS CENTER

WALK
AGAINST
DOMESTIC
VIOLENCE

Late File Communication #5
June 9, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN -5 A 11:19

June 5, 2014

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

Dear Mr. O'Brien and City Council Members,

On behalf of the Jeanne Geiger Crisis Center, I am writing to ask for City Council approval of our plans for the 23rd Annual Walk Against Domestic Violence, scheduled for Sunday, October 5th at Waterfront Park, situated directly behind the Firehouse Theater located at 1 Market Square, Newburyport, MA from 8:00 AM (registration) – noon.

October is Domestic Violence Awareness month and in order to truly create the level of awareness that we would like to achieve, we felt it important to move the walk back to Waterfront Park (where it was years ago) to increase its visibility.

Since seeking permission from the Council earlier this year, we have decided to make some changes to the event which will both enhance the event and create a better and smoother logistical situation for the City.

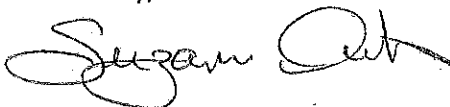
For your information, I have enclosed a copy of the proposed revised route. As in the past, we have an army of volunteers who are stationed along the route to direct walkers and we will have officers stationed at crossing points. If you have any questions, please call our Event Manager, Kelly Majewski, at 978-465-0999.

I hope you will look favorably upon this request, and please let us know if you have any questions.

Thank you for your immediate attention to this matter. We look forward to your earliest response so that we may publicize this exciting event.

Thank you for your consideration.

Sincerely,



Suzanne C. Dubus
Chief Executive Officer

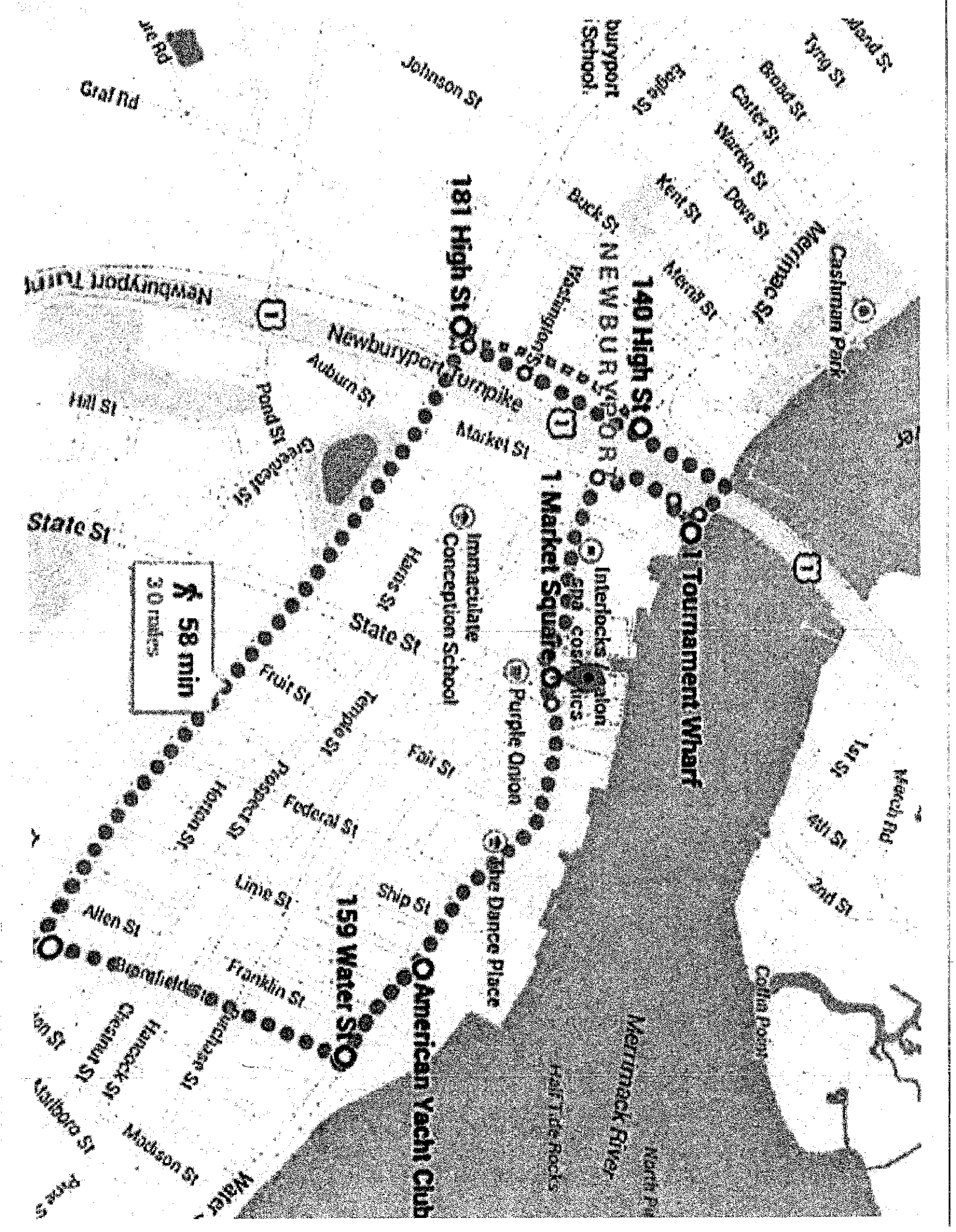
Cc: Richard B. Jones, City Clerk
enclosure

MLR PS
RC/BZ
DH

Two Harris Street
Newburyport, Massachusetts 01950
(978) 465-0999 • Fax (978) 465-7158
Administration & Education

24 Hour Hotline (978) 388-1888
www.jeannegeigercrisiscenter.org

Five Market Square, Suite 109
Amesbury, Massachusetts 01913
(978) 834-9710 • Fax (978) 834-0825
Client Services



Alford St

Tyng St

Broad St

Carter St

Warren St

Dove St

Kent St

15 RIVER

Merriam St

Cashman Park

181 High St

140 High St

NEWBURYPORT

Washington St

Buck St

Newburyport Turnpike

Market St

Auburn St

Greenleaf St

Pond St

Hill St

State St

58 min
3.0 miles

Fruit St

Temple St

Prospect St

Horton St

Allen St

Bromfield St

Franklin St

Quincy St

Hamock St

15 Water

15 Water

Immaculate Conception School

Interlocks location
SPR cosmetics

Purple Onion

The Dance Place

Ship St

159 Water St

American Yacht Club

Franklin St

Quincy St

Hamock St

15 Water

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March Rd

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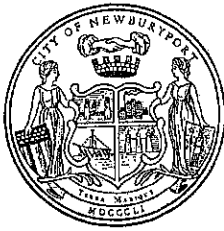
19th St

20th St

21st St

22nd St

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

June 3, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES.

Chapter 13 Traffic and Motor Vehicles
Article IV Specific Street Schedules
Division 6 Stopping, Standing and Parking
§ 13-179 Handicapped Parking

No person without a duly authorized handicapped vehicle registration or placard, as described in MGL, Chapter 90, § 2, shall park in the following described parking space as designated by signs and symbols:

ADD:

Lime Street

One (1) space at 70 Lime Street until June 30, 2016.

Councillor Jared J. Eigerman