CITY COUNCIL MEETING AGENDA - VERSION 1 July 25, 2011 7:30 PM

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

CONSENT AGENDA

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

6. APPROVAL OF MINUTES

July 11, 2011

(Approve)

7. COMMUNICATIONS

3. Letter regarding European traffic/congestion trends (R&F)	3.	(Approve (R&F) (R&F)
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8. APPOINTMENTS

Appointment

1. Brian Brunault 83 Garden Street, W. Newbury Constable for Civil Business July 1, 2014

END OF CONSENT AGENDA

REGULAR AGENDA

9. APPOINTMENTS - 2nd Reading

Re-Appointment

2. Margaret Welch 82 Curzon Mill Rd Community Preservation Act Com April 1, 2014

10. ORDINANCES

- 1. Amend Ordinance 13-180 Parking Resident Fair Street
- 2. Amend Ordinance 12-10 Streets, Sidewalks and Other Public Places Cameras
- 3. Amend Ordinance 13-121 One-Way Streets Griffin Court
- 4. Amend Ordinance 13-179 Handicapped Parking Otis Place

11. **COMMITTEE ITEMS**

Budget & Finance

700	Committee	a =
376	Commune	2.

In Committee:	
1. Mayor Green Initiatives REV APPR (\$20,000) to Mayor-CHMM	*11/29/2010
2. Mayor Cap. Improve Stab Fd toGen Admin-Phone System (\$140,914.74)	*03/14/2011
3. Health-Reg Hlth Serv Rev Fd \$10,142.05 to Mayor City Hall Rev Fd \$10	.142.05 *7/11/2011
4. Order Community Preservation Fund appropriations	*07/11/2011
5. Order IT Plan Bond	*07/11/2011
General Government	
In Committee	
1. Atmospheric Pollution Ordinance	*02/08/2010
2. Proposed Special Act Water & Sewer Commission	*01/10/2011
3. Proposed Charter on Ballot for November 8, 2011 Municipal Election	*05/09/2011
4. Campaign Finance Reports-Municipal Forms posting on City Website	*05/09/2011
5. Union Contract posting on City Website	*05/09/2011
Joint Education	
In Committee:	
License & Permits	
In Committee:	
1. Cars Port Taxi rate increase request	*05/31/2011
Neighborhoods & City Services	
In Committee:	
1. Newburyport Tree Ordinance	*07/22/2010
2. Delete Ordinance entitled Traffic & Motor Vehicles Sec.13-30	*02/28/2011
3. Amend Ch.8 Sec. 8-83 Solid Waste Regulations	*05/31/2011
4. Amend Ch.8 Sec. 8-90 Solid Waste Recycling Collection	*05/31/2011
5. Amend Ch.3 Sec. 3-26 Animals Dogs Leash Required	*05/31/2011
6. Amend Ch.3 Sec. 3-28 Animals Dogs Nuisances	*05/31/2011
7. Amend Ch.3 Sec. 3-30 Animals Dogs Certain Dogs to be Muzzled	*05/31/2011
Planning & Development	
In Committee:	
Residential Handicap Parking Ordinance	*01/11/2010
2. Atmospheric Pollution Ordinance	*02/08/2010
3. Green Communities Order	*03/29/2010
 Zoning Ord – Sec II Definitions/Sec VI Dimensional Contr 	*06/28/2010
Newburyport Tree Ordinance	*07/22/2010
Letter to designate Matthews Court at Inn Street Mall	*05/31/2011
7. Letter for Essex St. Inn Visitor Parking	*07/11/2011
3. Intermunicipal Agreement Newburyport and Newbury	*07/11/2011
Order Community Preservation Fund appropriations	*07/11/2011
Public Safety	
In Committee:	
4 70 11 21 177 19 19 19 19 19 19 19 19 19 19 19 19 19	

CC Agenda 7-25-2011 Page 2 of 3

*01/11/2010 *05/09/2011

Residential Handicap Parking Ordinance
 Amend Sec. 13-86 Water St. (25mph) State to Federal

3. St. Paul's Church request to restrict parking on Summer Street entrance *05/31/2011
 4. Letter for Essex St. Inn Visitor Parking *07/11/2011
 5. Amend Ord 13-180 Parking Resident Green, Pleasant, Washington Streets *07/11/2011

Public Utilities Committee

In Committee:

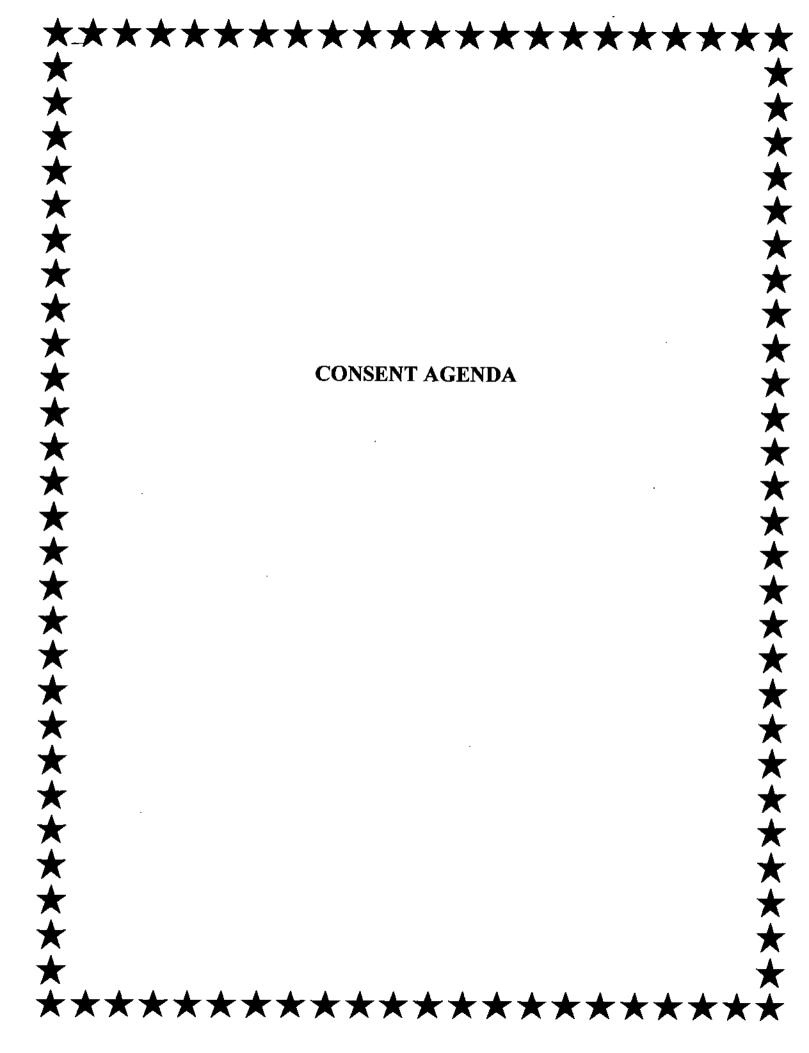
1. Letter regarding Pole at 114 High Street

*05/31/2011

Rules Committee
In Committee:

- 14. GOOD OF THE ORDER
- 15. ADJOURNMENT

CC Agenda 7-25-2011 Page 3 of 3



CITY COUNCIL MEETING Minutes - July 11, 2011

<u>POLE HEARING – 3 New Street</u>

Opened at 7:15 PM

Meeting opened with a roll call 8 present 3 absent (Earls, Ives, Jones)

President O'Brien asked for those to speak in favor.

Daniel Desmarais from National Grid spoke regarding the New Street pole conduit.

Michael Switzer, resident of 3 New Street spoke in favor.

President O'Brien asked for those to speak against.

Motion to approve by Councillor Cameron, seconded by Councillor Derrivan

On a roll call vote 8 yes 3 absent (Earls, Ives, Jones)

Councillor O'Brien closed hearing at 7:26 PM

Council President O'Brien called the meeting to order at 7:30 pm and asked for a moment of silence and acknowledged Councillor Herzog's news of being a first-time uncle. 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, Derrivan, Earls, Heartquist, Herzog, Hutcheson, Jones and O'Brien. Councillor Ives absent.

LATE FILE ITEMS

Transfer #14, Communication #5

Motion to suspend the rules to allow late file items by Councillor Jones, seconded by Councillor Derrivan. 10 yes, 0 no, 1 absent (Ives). So voted.

PUBLIC COMMENT -

- 1. Laurel Allgrove, 22 Beacon Ave., cameras
- 2. Kelcey Buck, 53rd Street, Newbury ConCom
- 3. Dr. Hemani, 55th Street, Newbury ConCom
- 4. Eric Metzdorf, 55th Street, Newbury ConCom
- 5. Lisa Mead, 13 Purchase Street, Essex Street
- 6. Tony Furnari, DPS Director, Bond Authorization
- 7. Ron Barret, 18 Hutchins, Beach Dug
- 8. Joe Teixeira, 44 Hale Street, Conservation Commission
- 9. Mary Casey, 58 Bromfield Street, Conservation Commission
- 10. Doug Muir, 10 Hancock Street, Conservation Commission
- 11. Michael Switzer, 3 New Street, Pole Relocation
- 12. Mark Kavanaugh, IT Director, IT Bond

CONSENT AGENDA

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1. APPROVAL OF MINUTES

June 27, 2011 (Approved)

2. COMMUNICATIONS

Block Party Request, Dove Street, August 6, 2011 (Approved)
 Letter for Essex St. Inn Visitor Parking (P&D)

Motion to remove from the Consent Agenda by Councillor Earls.

3. Letter for Waterside "Community Gam" on August 14, 2011 (R&F)
4. Intermunicipal Agreement Newburyport and Newbury (B&F)

Motion to remove from the Consent Agenda by Councillor Heartquist.

3. APPOINTMENTS

Re-Appointment

1. Margaret Welch 82 Curzon Mill Rd Community Preservation Act Com April 1, 2014

Motion to approve the Consent Agenda as amended by Councillor Jones, seconded by Councillor Derrivan. 10 yes, 0 no, 1 absent (Ives). So voted.

END OF CONSENT AGENDA

REGULAR AGENDA

4. TRANSFERS

1. Police Dept. Officer OT \$5,281.98 to Admin Asst \$65.52, to Clerical \$66.04, to Custodian \$60.09, to Court \$2,232.10, to Maint. Bldg \$183.90, to Off Supplies \$136.50

Motion to approve by Councillor Cameron, seconded by Councillor Jones. 10 yes, 1 absent (Ives). So voted.

2. Fire Dept. Injured on Duty \$2,927.93 to Deputy Salary \$419.00, Firefighter Holiday \$508.47, Firefighter Overtime \$2,000.00

Motion to approve by Councillor Hutcheson, seconded by Councillor Cameron. 9 yes, 1 no (Jones), 1 absent (Ives). So voted.

3. Fire Dept. Fire Alarm \$1,000.00 to Firefighter OT \$1,000.00

Motion to approve by Councillor Cameron, seconded by Councillor Connell. 10 yes, 1 absent (Ives). So voted.

4. Fire Dept. Ed Expenses \$1,500.00 to Firefighter OT \$1,500.00

Motion to approve by Councillor Cameron, seconded by Councillor Hutcheson. 9 yes, 1 no (Jones), 1 absent (Ives). So voted.

5. Fire Dept. Computer Exp \$1,000.00 to Firefighter OT \$1,000.00

Motion to approve by Councillor Cameron, seconded by Councillor Hutcheson. 9 yes, 1 no (Jones), 1 absent (Ives). So voted.

6. Fire Dept. Veh. Maintenance \$1,000.00 to Firefighter OT \$1,000.00

Motion to approve by Councillor Cameron, seconded by Councillor Hutcheson. 9 yes, 1 no (Jones), 1 absent (Ives). So voted.

7. Health-Sal. Dog Control Off. \$6,300.00 to Fire Dept. Firefighter OT \$6,300 Motion to approve by Councillor Cameron, seconded by Councillor Hutcheson. 10 yes, 1 absent (Ives).

So voted.

8. Health-Reg Health Serv. Rev. Fd \$10,142.05 to Mayor City Hall Rev Fd \$10,142.05

Motion to approve by Councillor Cameron, seconded by Councillor Heartquist. Withdrawn. Motion to refer to Budget & Finance by Councillor Earls, seconded by Councillor Cameron. 10 yes, 1 absent (Ives). So voted.

9. Mayor Treasure Staff Sal. \$6,736.18 to Grant Writer \$250.00, Ch.32B PT support \$6,468.20, Bd of Registrars Elect/Reg \$17.98

Motion to approve by Councillor Cameron, seconded by Councillor Connell. 8 yes, 2 no (Cronin, Jones), 1 absent (Ives). So voted.

10. DPS-Sewer Div West End Easement \$159,690.12 to Sewer CIP West End Easement \$159,690.12

Motion to approve by Councillor Connell, seconded by Councillor Jones. 10 yes, 1 absent (Ives). So voted.

11. DPS-Sewer Operations Mgr \$2,459.52 to Sewer City Engineer \$2,459.52

Motion to approve by Councillor Derrivan, seconded by Councillor Connell. 9 yes, 1 no (Jones), 1 absent (Ives). So voted.

12. DPS Highway Div Sidewalks \$74,495 to Maint/Repair Roads & Sidewalks \$74,495

Motion to approve by Councillor Earls, seconded by Councillor Jones. 10 yes, 1 absent (Ives). So voted.

13. Veterans/Police/Fire Veterans Bens \$7169.34 to Police Sal Officers \$5,250, to Fire Dispatcher Salary \$1,919.34

Motion to refer to Budget & Finance by Councillor Earls, seconded by Councillor Jones. Withdrawn. Motion to approve by Councillor Herzog, seconded by Councillor Derrivan. 6 yes, 4 no (Cronin, Earls, Hutcheson, Jones), 1 absent (Ives). So voted.

14. Veterans/Police Veterans Bens \$2,537.83 to Police Officers Pd Holiday \$2,537.83

Motion to approve by Councillor Herzog, seconded by Councillor Derrivan. 9 yes, 1 no (Cronin), 1 absent (Ives). So voted.

5. COMMUNICATIONS

2. Letter for Essex St. Inn Visitor Parking

Motion to refer to Planning & Development and Public Safety by Councillor Earls, seconded by Councillor Heartquist. 10 yes, 0 no, 1 absent (Ives). So voted.

4. Intermunicipal Agreement Newburyport and Newbury

Motion to approve by Councillor Heartquist, seconded by Councillor Derrivan. Withdrawn. Motion to refer to Planning & Development by Councillor Heartquist, seconded by Councillor Earls. 10 yes, 0 no, 1 absent (Ives). So voted.

5. LATE FILE - Block Party Request, Bricher & Hill Streets at Cherry Street, July 23, 2011 Motion to approve by Councillor Derrivan, seconded by Councillor Connell. 9 yes, 3 no (Cronin, Hutcheson, Jones), 1 absent (Ives). So voted.

6. APPOINTMENTS – 2nd Reading

	Re-Appointment				
2.	Thomas T. Lyons	8 Oak Street	Council on Aging	May 31, 2016	
3.	Kevin Hunt	14 Tenth Street	Director of Veteran's Services	April 30, 2012	
4.	David Zinck	6 Laurel Road	Electrical Inspector	January 1, 2012	
5.	Douglas A. Muir	10 Hancock Street	Conservation Commission	May 1, 2014	
6.	Robert Dow	185 Storey Ave.	Harbor Commission	May 1, 2014	
7.	James Knapp	129 Merrimac St.#10	Harbor Commission	May 1, 2014	
8.	Jane Donovan	6 Orange Street	Commission on Disability	March 1, 2014	
9.	Paul Dahn	343 High Street	Planning Board	June 1, 2016	

Motion to approve collectively 2-9 by Councillor Jones, seconded by Councillor Herzog. 10 yes, 0 no, 1 absent (Ives). So voted.

Appointment

10. Brian Brunault	83 Gardner St., W. Newbury Special I	Police Officer
11. Edward Rice	39 Unicorn Circle Special Police Officer	
12. Laurie F. Christiansen	33 Purchase Street Trust Fund Commission	June 1, 2014
13. Richard O'Leary	552 High St., Hampton, NH Ass't Harbor Ma	
14. Richard Cummings	7 Jewett St., Georgetown Ass't Harbor Ma	
15. James D. O'Brien	8 67 th Street Conservation Commissi	

Motion to approve collectively 10-15 by Councillor Jones, seconded by Councillor Herzog. 10 yes, 1 absent (Ives). So voted.

7. ORDERS

1. Order Community Preservation Fund appropriations

Motion to refer to Budget & Finance and Planning & Development by Councillor Connell, seconded by Councillor Herzog. 10 yes, 1 absent (Ives). So voted.

2. Order IT Plan Bond

Motion to refer to Budget & Finance by Councillor Cronin, seconded by Councillor Jones. 10 yes, 1 absent (Ives). So voted.

3. Order Bresnahan School Bond rev.

Motion to approve by Councillor Jones, seconded by Councillor Cronin. 10 yes, 1 absent (Ives). So voted.

4. Order Nock Molin School Bond rev.

Motion to approve by Councillor Connell, seconded by Councillor Herzog. 10 yes, 1 absent (Ives). So voted.

8. ORDINANCES

1. Amend Ordinance 13-180 Parking Resident Green, Pleasant, Washington Streets Motion to refer to Public Safety by Councillor Connell, seconded by Councillor Derrivan. 10 yes, 1 absent (Ives). So voted.

9. COMMITTEE ITEMS

Budget & Finance

In Committee:

1.	Mayor Green Initiatives REV APPR (\$20,000) to Mayor-CHMM	*11/29/2010
2.	Mayor Cap. Improve Stab Fd toGen Admin-Phone System (\$140,914.74)	*03/14/2011
	Mayor Worker's Comp \$14,450.95 to Police-Commun. Equip \$14,450.95	*06/27/2011

4. Mayor Budget Contingency \$2,000 to Police-Communications Equip \$2,000 *06/27/2011

Motion to remove 3 and 4 by Councillor Cameron, seconded by Councillor Herzog. Motion to approve 3 and 4 by Councillor Cameron, seconded by Councillor Hutcheson. 10 yes, 0 no, 1 absent (Ives). So voted.

General Government

In Committee

1.	Atmospheric Pollution Ordinance	*02/08/2010
2.	Proposed Special Act Water & Sewer Commission	*01/10/2011
3.	Proposed Charter on Ballot for November 8, 2011 Municipal Election	*05/09/2011
4.	Campaign Finance Reports-Municipal Forms posting on City Website	*05/09/2011
5.	Union Contract posting on City Website	*05/09/2011

CC Minutes 7-11-2011 Page 4 of 5

Joint Education

In Committee:

License & Permits

T	~	
m	t n	mmittee:
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Cars Port Taxi rate increase request	(5/31/2011)
1. Cars Port Taxi rate increase request	(5/31/2011

Neighborhoods & City Services

In Committee:

1. Newburyport Tree Ordinance	*07/22/2010
2. Delete Ordinance entitled Traffic & Motor Vehicles Sec.13-30	*02/28/2011
3. Amend Ch.8 Sec. 8-83 Solid Waste Regulations	*05/31/2011
4. Amend Ch.8 Sec. 8-90 Solid Waste Recycling Collection	*05/31/2011
5. Amend Ch.3 Sec. 3-26 Animals Dogs Leash Required	*05/31/2011
6. Amend Ch.3 Sec. 3-28 Animals Dogs Nuisances	*05/31/2011
7. Amend Ch.3 Sec. 3-30 Animals Dogs Certain Dogs to be Muzzled	*05/31/2011

Planning & Development

In Committee:

1.	Residential Handicap Parking Ordinance	*01/11/2010
2.	Atmospheric Pollution Ordinance	*02/08/2010
3.	Green Communities Order	*03/29/2010
4.	Zoning Ord - Sec II Definitions/Sec VI Dimensional Contr	*06/28/2010
5.	Newburyport Tree Ordinance	*07/22/2010
6.	Letter to designate Matthews Court at Inn Street Mall	*05/31/2011

Public Safety

In Committee:

1.	Residential Handicap Parking Ordinance	*01/11/2010
2.	Amend Sec. 13-86 Water St. (25mph) State to Federal	*05/09/2011
3.	St. Paul's Church request to restrict parking on Summer Street entrance	*05/31/2011

*5/31/2011

Public Utilities Committee

In Committee:

Rules Committee

In Committee:

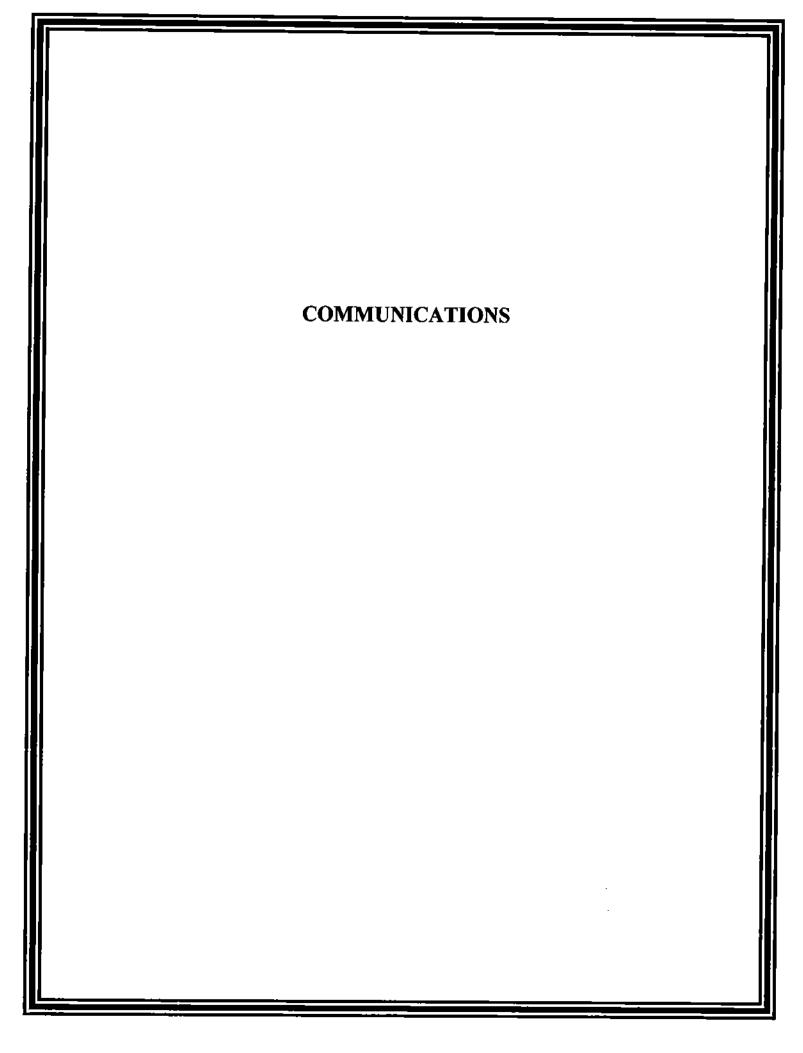
14. GOOD OF THE ORDER

Councillor Connell complimented the Harbormaster.

15. ADJOURNMENT

Motion to adjourn by Councillor Derrivan, seconded by Councillor Cameron. 10 yes, 0 no, 1 absent (Ives). So voted. 9:40pm

CC Minutes 7-11-2011 Page 5 of 5







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 Star 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 Coffice at (978)465-4407.

0	_
DATE OF REQUEST June 29, 2011]
-	
CONTACT INFORMATION	}
FIRST AND LAST NAME: Meredith D. Shenk	
MAILING ADDRESS: 1 Beck Sleet, Newburyport, M	A
PHONE NUMBER: 978-358-7027(4) - 440-251-1051	
E-MAIL ADDRESS: minishenk @ gmail.com	
BLOCK PARTY INFORMATION	
BLOCK PARTY DATE: Setueday, August 20,2011	
DESIRED STREET CLOSING LOCATION: Beck Street - between	h
Please indicate cross streets when requesting the closing of street sections Federal St	8
STREET TO BE BARRICADED: SAME AS A BOYE	hip St.
DESIRED STREET CLOSING TIME: 5:00 p.m - 10:00 p.m. Block Parties should run no later than 10:00 p.m.	

REGULATIONS

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

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

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs, No thoroughfures 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:

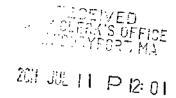
- 1. All residents living on the street or block for which the party is planned request the Block party, or have been contacted and do not object to the Block Party.
- 2. To be responsible for placement, maintenance and removal of barricades.
- 3. A block party permit does not allow the sale of alcohol 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 concerned 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. <u>Public safety personnel will monitor the party for strict adherence to this rule.</u>
- 6. To maintain adult supervision at all times during the party.
- Applicant(s) shall be responsible for the pick-up of trash and garbage within 2 hours of the end the party.
- 8. Streets may not be barricaded later than 10:00 P.M.
- 9. No residents of the area designated shall be prohibited from attending the party.
- 10. No such activity may be conducted within 500 feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution e
- 11. Only approved readily removable Barricades will be permitted such as, orange cones and sawhorses with a sign. No vehicles will permitted to be used as a Barricade.
- 12. Block parties are permitted 10AM-10PM ·

Applicant Signature	att D.	Date	129 2011
	henk		
APPROVAL SIGNATU CITY MARSHALL 4 Green Street	RES REQUIRED F		
FIRE CHIEF Greenleaf Street DEPUTY DIRECTOR 1 Perry Way CITY CLERK	alethan	Aduff Ca	<u> </u>
60 Pleasant St.			
City use only:	r		
Approved	Denied	Date	

Communication #2 July 25, 2011

July 10, 2011

To: Newburyport City Council



The past three years we have had very successful Boot Drives for the Alzheimer's Association MA/NH Chapter. The response has been very positive. We would like to request another opportunity to raise awareness and collect for the Alzheimer's Association.

What:

A Boot Drive with two to four people and appropriate signs and

identification

Where:

The intersection State Street and High Street

For:

Alzheimer's Association MA/NH Chapter

311 Arsenal St.

Watertown, MA 02472

Tax identification number - 042731194

Contact:

Angela Floro

Development Officer, Special Events Alzheimer's Association MA/NH Chapter

617-393-2047

Angela.Floro@alz.org

When:

Sat. Sept. 3, 2011

Thank you

Dale Granger-Eckert
Dale Eckert

89 Lime Street Newburyport, MA 01950 978-462-9979 dalesx2@comcast.net

Communication #3 July 25, 2011

LONDON LIVERY LLC

126 MERRIMAC ST. # 9

NEWBURYPORT. MA

28H JUL - 7 P 3:50

JUNE 29, 2011

Thomas O'Brian

City Council President

City Hall, Newburyport

Tom,

Attached is a very recent front- page article about recent traffic/congestion trends in Europe as they relate to various similar (and not so similar) trends in this country. I think this especially applies to recent discussions in Newburyport regarding the need (or not) for a parking garage as well as a recent proposal for a slower speed limit on Water St. Although not all of the European-inspired ideas may be applicable to Newburyport, I definitely think that our desire as a tourist-based community should be toward a less vehicle friendly environment and the encouragement of a pedestrian based model.

I would appreciate it if you would distribute a copy of this article and my note to the other city council members in the hopes that it may stimulate a much-needed debate on these issues. Thank you for your anticipated cooperation is this regard and should you have any questions with respect to this request, please feel free to contact me @ 978-462-4442.

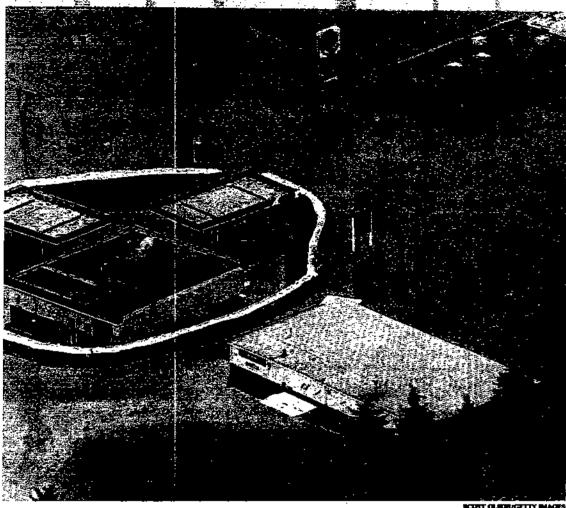
Sincerely,

Michael I. E

New House the party county of the party of the p

MONDAY, JUNE 27, 2011

\$2.00



SCUIT OLSUR/GETTY MACES

North Dakota City Is Swamped

ntury-old record, covering a quarter of Minot, N.D., Thousands have been forced from their homes have been buoyed in recent years, may have taken a heavy economic blow. Page A9.

'ork, Gay Marriage Faces Hurdles Stealth Survey

Albany Victory Offers a Model, but Politics Vary State to State

to overturn bans on same-sex marriage in Maine, where the Legislature approved a same-sex marriage law in 2009 that voters almost immediately turned back, and in Oregon.

Advocates hope, in the longer term, to win the legalization of eastern marriage in Delaure

tance for the same-sex-marriage movement, particularly after its defeat, with Proposition 8, three years ago in California.

New York is now the sixth and largest state in the country where gay couples will be able to wed legally; when the state's law goes into effect in late July, twice as many Americans will live in jurisdictions where same-sex marriage is permitted.

But beyond symbolism, gayrights advocates said that New York had provided them with a new political model.

"They've shown a way to actually set a hill through a Legisia-

To Test Access To Physicians

By ROBERT PEAR

WASHINGTON — Alarmed by a shortage of primary care doctors, Obama administration officlais are recruiting a team of mystery shoppers" to pose 28 patients, call doctors' offices and request appointments to see how difficult it is for people to get care when they need it.

The administration says the

ACROSS EUROPE REING DRIVERS SURBANPOLLEY

CITIES DISCOURAGE CARS

Closed Streets and Cuts in Parking Alter Transit Habits

By ELISABETH ROSENTHAL

ZURICH - While American cities are synchronizing green lights to improve traffic flow and offering apps to help drivers find parking many European cities are doing the opposite creating environments openly hostile to cars. The methods vary, but the mission is clear — to make car use expensive and just plain miserable enough to tilt divers in-ward more environmentally friendly modes of transportation.

Other from Vienna to Munich and Copenhagen have classed vast awaits of abreets to car trail fic. Buccelone and Paris have had car lanes exceled by popular binesharing programs. Drivers in London and Stockholm pay hefly congestion charges just for entering the heart of the city. And over the post two years, dozens of German cities have joined a national network of environ-mental zones where only cars with low carbon diexide enus-Sions may enter.

Likeminded cities welcome new diopping malls and apartment buildings but severely restrict the allowable mumber of parking spaces. On street park-ing is vanishing. In recent years, even turner car capitals like Mu-nich have evolved into "walkers" paradises, said Lee Schipper, a senior research engineer at Stanford Danversity who specializes in sostamable transpertation.

In the United States, there has been much more of a tendency to adapt cities to accommo date driving, said Peder Jensen, head of the Events and Them in the rest of S

B. VOID ON PUBLIC IN 198 York, hume of the perion's con mande and column capial ca the capaciton symbols mad

nd pay-rights advocates bedlimilier-tellar campuler that their to New York 188

Continued on Page Ald



Propose

ie parade in Manhattan on Sunday, Officer Alissa Hernandez of the her girlfriend at Hudson and Christopher Streets. Page A15.

many walk under any unack programmed Lists ab-grams that play programming many raths

Perferal officials predict that more than 50 million Americans will gam coverage under the hentin care law passed last year.
These havily around Americans
will need to seek out new prince. y care physicians, hunter ca ecarheting the already growing problem of a sharinge of physic cians in the United States, the

Continued on Page All

own, country, attach, next segment or communication Perfection un derpesses that core allow in to the dreet serves poly in tersections have been surfored. Operators in the city's ever expanding italia system can turn traffic indus pathers from no fluxy approach (orthocons to balt Armine) obselption, one of the

TACIT'S DOSSERS SQUARES, COTO: HE Continued on Page 88

Militants, Some With Links To Qaeda, Advance in Yemen

IN EDERET E WORTH

ADEN, Yesters — The ancient portetty of Adea is now virtually proported by roving gangs of <u> Islamest militia fighters — 2000e</u> finked to Al Qaeda - who have captured at least two towns. and looted benks and mileary depots in southern Yenen.

Yet the Yeneni government, still trosy fighting unstrued pro-testers by their starts, has done little to stop these jihadists Members of the military, the police and local milicials have fied their posts across much of southern yearen. The country's Americantrained counterterrorsum unit has not been deployed. It is no surprise that many Yemenis believe the president, Ali Abdullah

Saleh intended it all to happen.

Asked whether the jihadists could soon attack or even over-whelm this strategic coastal city of 800,000, Gen. Muhammad al-Somb - the one commander who has made my serious effort to fight them — said, "I cannot rule mything out." The governor of neighboring Abyan Province, Saleh al-Zawari, who fied almost a mouth ago after militants cap-tured the provincial capital, said the area would turn into anothe Talilan state like Afghanistan" if

something were not done soon.
Yemeni government, officials blame the charge shaos on the po-ficial crisis, which has kept Mr. Saleh's forces in Sana, the capital

Continued on Page A3

rai Park

omiest plays John Cullum. the Edwardian he Park, A re-PAGE CI



A Comic Atones

Tracy Morgan, widely rebuked for antigay comments in a comedy routine, is back on the circuit, chastened. PAGE CI

NEW YORK A15-16

Pilot Programs Draw Scrutiny

To further its policy goals, the Bloomberg administration has employed pilot programs to avoid review by the City PAGE A16 Council and other bodies.

A Lunch Is Seen as Evidence

How Dominique Strauss-Kahn behaved at a meal before his arrest could prove importent at his trial.

SPORTSMONDAY D1-7



A Yankee Tradition

Former Yankee greats, including, from left, Whitey Ford, Michey Rivers and Yogi Berra, attended Old-Timers' Day o Yankee Stadium before the Yankees defeated the Rockies, 6-4.

Advantage, Left-Handers

Pive of the 32 singles players left at Wimbledon are left-handed, a sign of how hard it is he right handers to pre-PAGE DI. pare la them.

The Times's tennis writers will follow a busy day of play on Monday. nytimos.com/straighteets

EDITORIAL, OP ED A18-19

Ross Douthat

PAGE AL9



Across Europe, Discouraging Univers rias Deci

From Page Al

now barned on many blocks. Where permitted, their speed is limited to a snall's pace so that crosswalks and crossing signs can be removed entirely, giving people on foot the right to cross anywhere they like at any time.

As he stood watching a few cars inch through a mass of bicycles and pedestriens, the city's chief traffic planner, Andy Fellmann, smiled, "Driving is a stopand-go experience," he said "That's what we like! Our goal is to reconquer public space for pedestrians, not to make it easy for

While some American citter, notably San Francisco, have made similar efforts, expanding bike paths and "pedestrianizing" parts of Market Street, they are still the exception in the United States, where it has been difficult to get people to imagine a life where cars are not entreached, Dr. Schipper seld.

Europe's cities generally have stronger incentives to act. Built for the ricest part before the advent of cats, their nerrow roads are poor at handling heavy traffe. Public transportation is generally better in Burope than in the United States, and gus often costs over \$8 gallon, contibuting to driving costs that are two to three times greater per fills than in the United States, Dr. Schipper said.

What is more, European Union countries cannot meet a commitment under the Kynto Theaty to reduce their carbon dloxide emissions unless they curb driving. The United States never rediffed that nect.

Globally, emissions from transportation continue a retendess rise, with half of them coming from personal cars. Yet an important impuise behind Europe's traffic reforms will be familiar to mayors from Los Angeles to Vienna; to make cities more layle and white themore mirror layless.



Pedestrians and trams are given priority treatment in Zurich. Tram operators can turn traffic lights is

portant Impulse behind Europe's traffic reforms will be familiar to from personal cars. Yet an inmayors from Los Angeles to Vienna: to make cities more inviting, with eleaner air and less unf-

port emissions, said that Europe was previously "on the sume iraectory as the United States, with ade, there had been "a conscious shift in thinking, and firm policy," ne said. And it is having an effect. search manager at the institute ment Pollcy in New York, which works with cities to reduce transmore people wanting to awn more cars." But in the past dec-Michael Kodransky, global refor Transportation and Develop-

households have increased from 40 to 45 percent in the last decership, Haus Von Malt, 52, who works in the insurance industry, sold his vehicle and now gets using a car-sharing service for Out of the city, Carless ade, and car owners use their vearound Zurkch by tram or bloycle After two decades of car ownnicles less, city statistics show.

with cafes that used to be two road closing has to be approved "There were big fights over whether to close this road or not got used to it," he said, alighting a riverside pedestrian sone lined from his bleycle on Linmatoned lands of gridlock. Each melor but now it is closed and people n a referendum.

Today 91 percent of the delegates to the Swiss Partiament



A view of Zarielis Limmatquai, a riverside pedestrian zone that used to be two lanes of gridlock.

ake the trans to work.

stressful," said Thomas Rickil, a meters per hour [about 12 to 18 There are all these zones where miles an hour!. which is rather there is grumbling. 70u can only drive 20 or 30 kiloconsultant, as he parked his Jag. uar in a lot at the edge of town

ing is not desirable for cities anyagree that a rise in car commut-Urben planners

Mr. Fellmann calculated that a person using a car took up 115 cubic meters (roughly 4,000 cubic teet) of urban space in Zurich

European cities also realized So it's not really fair to everyone while a pedestrian took three. lise if you take the car," he said.

they could not meet increasingly guidelines for fine-particulate air reign, Many American cities are strict World Fleakh Organization pollution if cars continued

ments, but that fact "Is just accepted here," said Mr. Kodransky of the New York-based transporhe Drin Clenu Air Act require **Edon institute.**

recent report "Europe's Parking rope is intentionally making it "Parking is everywhere in the United States, but it's disappear ing from the urban space in Europe," sald Mr. Kodransky, whose transportation is a crucial first rtep. One novel strategy in Euherder and more coatly to park U-Turn" surveys the shift.

Sihi City, a new Zurich mail, is Atlande Mail but has only half and as a result, 70 percent of visithree times the size of Brooklyn's the number of parking spaces ors get there by public transport Mr. Kodromatoy sobi

in Capenbagen, Mr. Jenso**u, at** Briv Ironment Agency, said that his office buildricycles and only one for a cer, to ing had more than 150 spaces for accommodate a disabled person. Enropeun

While many building codes in ng spaces in new buildings to cen codes conversely tend to aiong the light rail line in Denver to get in the car rather than take Europe cap the number of park devote their bottom eight floore to parking, making it "too easy" discourage car ownership, Amer stipuiste a minimum number New apartment complexes buil advantage of rall transit,

It often takes extrame meas

Hoomberg has enizing" a few

WHITE

AND II VE

Square, ş

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ried that the ch a drop in bush menn said, by

Store owners

has proved un traffic increase

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ares to get people out of their cars, and providing good public

pursuit of driving im With politic where cars we paradises.

Zarich's plent to shorten the destriens wah Seconda to cro reffic-taming and Sengthen

cities, I feel III reen lights fo losophy, said city official. ing to cross a used to the ld "We would

French E. Coli Episode Seems Isolated, Officials Say

By JAMES KANTER

est outbreak of a deadly sirdn of **restri**ct eales of bean sprouts, the BRUSSELS — The French aur **thorities** said Sunday that the latcoll in Europe appeared to be **officials discussed wider action to Solated, even as** European Unior suspected range of the outbreak.

pitalized Smulny, 866d Visimilpie Sover parionts permised bus

bean sprouts or other sprouted

uled to speak by telephone later on Sunday to discuss whether the evidence gathered in the French nnd Germon cases was sufficient So far the bloc has not Issued continentwide restrictions, but national experts were schedto restrict sales of sprouts.

"I expect the experts will be esting to d'a contrety a colori

fenugreek — "should only be enten if they have been cooked thorthroughout." the outbreak after a French official said that the sprouts used in the gazpacho were from seeds supplied by the company.

steaming-hot

terers should not serve raw bean the test motherity also warped sprouts or other sprouted seeds," of "the passibility that comme The Food Safety Authority of ireland warned that "consumers should not eat raw bean sprouls or other sprouted seeds, and caevent, which would indicate to us break was localized to a specific that something local in the Bordeaux area, or the way life prod net ling been fraudist and grown is responsible for the incline rother than our goods," the state "We note that the French out

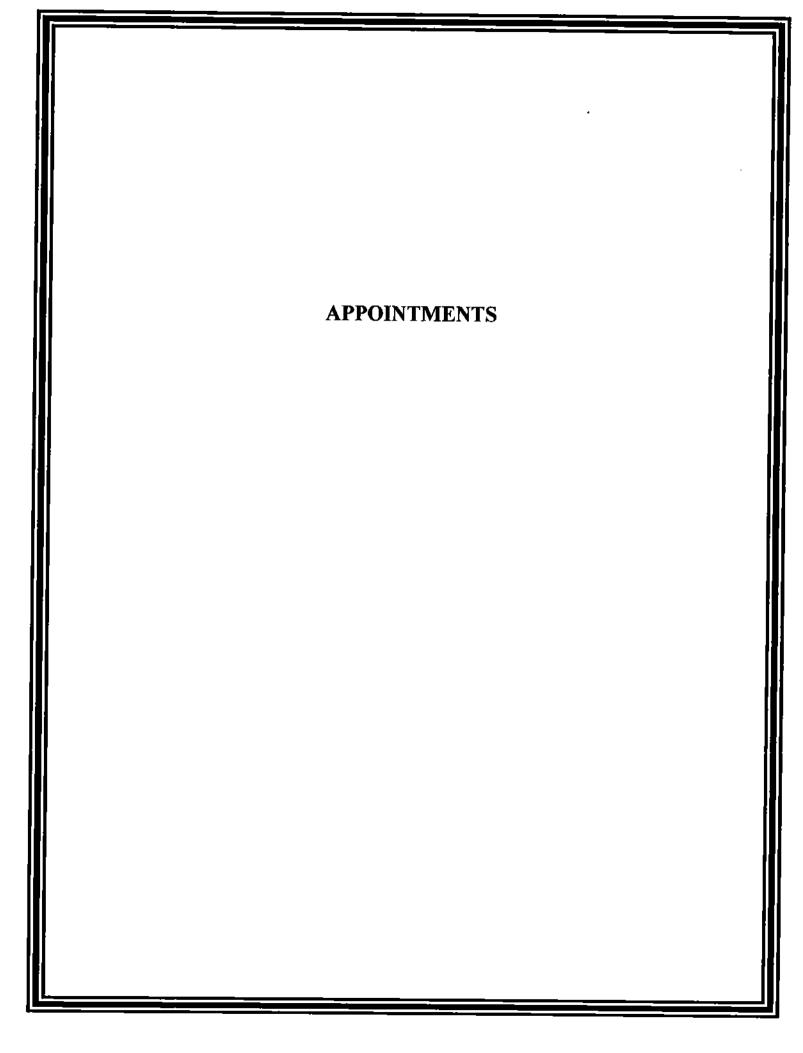
ONG KONG GRANI Order home delivery today. at a Price You can Afford FUSSOM STILL PACKAGIS The Million Dollar Look

CITY OF NEWBURYPORT APPROVED ELECTION CALENDAR

January 10, 2011

- 1. Friday, July 29, 2011 at 5:00 p.m.— Last day and hour to obtain nomination papers (MGL Ch53, Section 9A).
- 2. *Tuesday, August 2, 2011 at 5:00 p.m. Last day and hour to submit nomination papers to the Board of Registrars of Voters for certification of signatures (M.G.L. Ch.53 Section 7A).
- 3. Tuesday, August 16, 2011 at 5:00 p.m. Last day and hour to submit nomination papers certified by Board of Registrars to City Clerk (M.G.L. Ch. 53, Section 10).
- 4. Thursday, August 18, 2011 at 5:00 p.m. Last day and hour to file withdrawals of/or objections to nomination papers with the City Clerk. (M.G.L. Ch. 55B, Section 7).
- 5. Friday August 19, 2011 at 10:00 a.m. Drawing by lot, of positions on ballot for **Preliminary Election of September 13, 2011** in Council Chamber (M.G.L. Ch. 43, Section 44D).
- 6. Wednesday, August 24, 2011 at 8:00 p.m. Last day and hour to register voters for **Preliminary Election** (M.G.L. Ch. 51, Sections 26, 28).
- 7. Tuesday, September 13, 2011 Preliminary Election (if necessary) M.G.L. Ch. 54, Section 103P).
- 8. Monday, September 19, 2011 at 5:00 p.m. Last day and hour to file recount petition with City Clerk (M.G.L. Ch. 54, Section 135).
- 9. Wednesday, October 19, 2011 at 8:00 p.m. Last day and hour to register voters for Biennial Municipal Election (M.G.L. Ch. 51, Sections 26, 28).
- 10. Tuesday, October 25, 2011 Last day to post warrant (MGL Ch.54 Sec. 65)
 - 11. Tuesday, November 8, 2011 Biennial Municipal Election

 - *Board of Registrars need not certify more names than required plus 20%. Certified signatures of at least fifty (50) voters are the minimum necessary for placement on the preliminary ballot (M.G.L. Ch. 43, Section 44C).





Appointment #1 July 25, 2011

Office of the Mayor

Donna D. Holaday, Mayor 60 PLEASANT STREET - P.O. Box 550 - C. URYFORE HA

NEWBURYPORT, MA 01950

(978) 465-4402 (Fax) JUL 15 A 9 46 (978) 465-4413

To:

President and Members of

City Council

From:

Donna D. Holaday,

Date:

July 15, 2011

Subject:

Appointment

I hereby 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, 2014.

> **Brian Brunault** 83 Garden Street West Newbury, MA 01985

BRIAN BRUNAULT

83 Garden Street, West Newbury, MA 01985 (978) 423-2051 · <u>bdbmarine@corncast.net</u>

Offering 30 years of solid security, law enforcement and leadership experience

- Dedicated, proactive law enforcement professional, with extensive experience and training in motivating, coordinating and directing criminal investigations with federal, state and local agencies.
- Gained a strong positive thirty year reputation with diverse contacts in the law enforcement field and the community.
- Accountable for solving major crimes i.e. homicides, arsons, invasions, assaults, identity theft, scams, cyber-bullying and internet crimes.
- Specializing in crime scene investigations, automated fingerprint identification system, interviewing and interrogations, computer and financial fraud.
- Excellent communication, interpersonal, and presentation skills.
- Outstanding leader with a firm but fair attitude and a reputation for honesty, loyalty and integrity.
- Strong knowledge of police and security procedures including but not limited to:

Financial Crimes (FINCEN)
Advanced Criminal Law and Procedure
Major Crimes Investigations
Narcotics and Dangerous Drugs
Law Enforcement Diver, Search and Recovery
Cyber Crimes /On-Line Predators
Advance Surveillance and Media Technology
DNA swabbing
Customer Service
Managing Marginal Employees

Anti-Terrorism Training, State and Local Advanced Detective Training Homicide/Crime Scene Investigation Wireless Fraud Awareness and Prevention Search Warrant/Subpoenas Identity Theft/Credit Card Fraud Identifying/Recognizing Cultural Behavior Exploiting Children Civil Liability (Additional training on file)

PROFESSIONAL EXPERIENCE

Police Inspector – Assigned to the Criminal Investigation Bureau Newburyport Police Department

1998 – 2011

- 4 Green Street, Newburyport, MA 01950
 - Responsible for the investigation and prosecution of all major crimes such as: homicides, thefts, frauds, burglaries, check cases, aggravated assaults, internet crimes, financial crimes and other such felonies that require extensive investigations.
 - Served as the liaison officer between the Newburyport Police Department, all federal agencies, the
 United States Attorney's Office, the Massachusetts State Police, the Essex County District
 Attorney's Office, defense attorneys and all similar bureaus or units in other police departments and
 law enforcement agencies.
 - Coordinated and organized monthly detective and investigator meetings for federal, state and local agencies.
 - Maintained the integrity of the department's policies and procedures within the Criminal Investigation Bureau in the handling of investigations, suspects, witnesses, interviews, interrogations, crime scene control, care of prisoners, the preservation and presentation of evidence in the courtroom.

- Created, implemented and supervised officers for the patrol investigators training program.
- Designed and trained financial institutions for robbery suppressions and procedures.
- Designed training presentation for internet safety and cyber-bullying and presented to numerous public and private educational facilities.
- Designed and trained Newburyport officers in proper fingerprinting techniques.
- Designed proper procedures for sequential photo arrays for department policy.
- Appointed federal agent assigned to DEA to investigate a major narcotics organization.
- Assigned as police prosecutor to the district court.
- Assigned as criminal and civil motor vehicle hearings officer.

Acting Sergeant Newburyport Police Department	1997 – 1998
Police Officer Newburyport Police Department	1981 – 1997
Dispatcher and Police Reserve Newbury Police High Road, Newbury, MA 01951	1979 – 1980

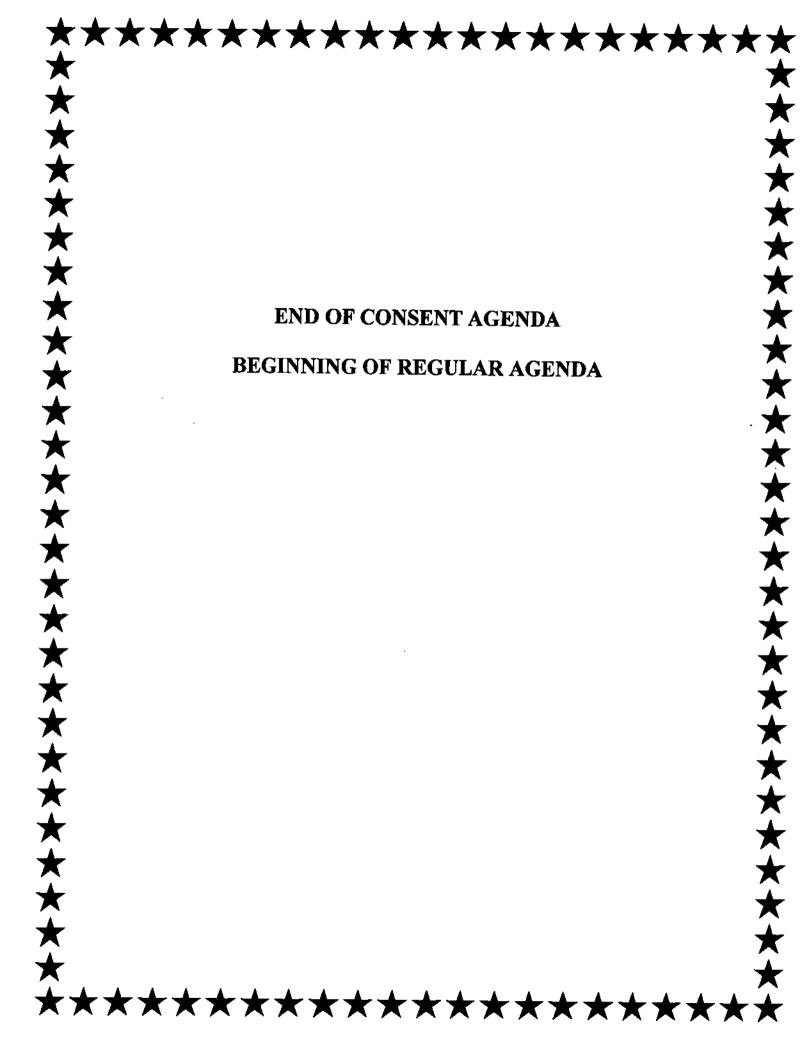
Dispatcher and Police Reserve Newbury Police High Road, Newbury, MA 01951	1979 – 1980
EDUCATION	
Master of Science, Criminal Justice Administration Western New England College Springfield, MA	2000
Bachelor of Science in Human Services/Criminal Justice New Hampshire College Hooksett, MA	1988
Associates in Criminal Justice Northern Essex Community College Haverhill, MA	1986
MILITARY	
Compant /Action December	4000 4004

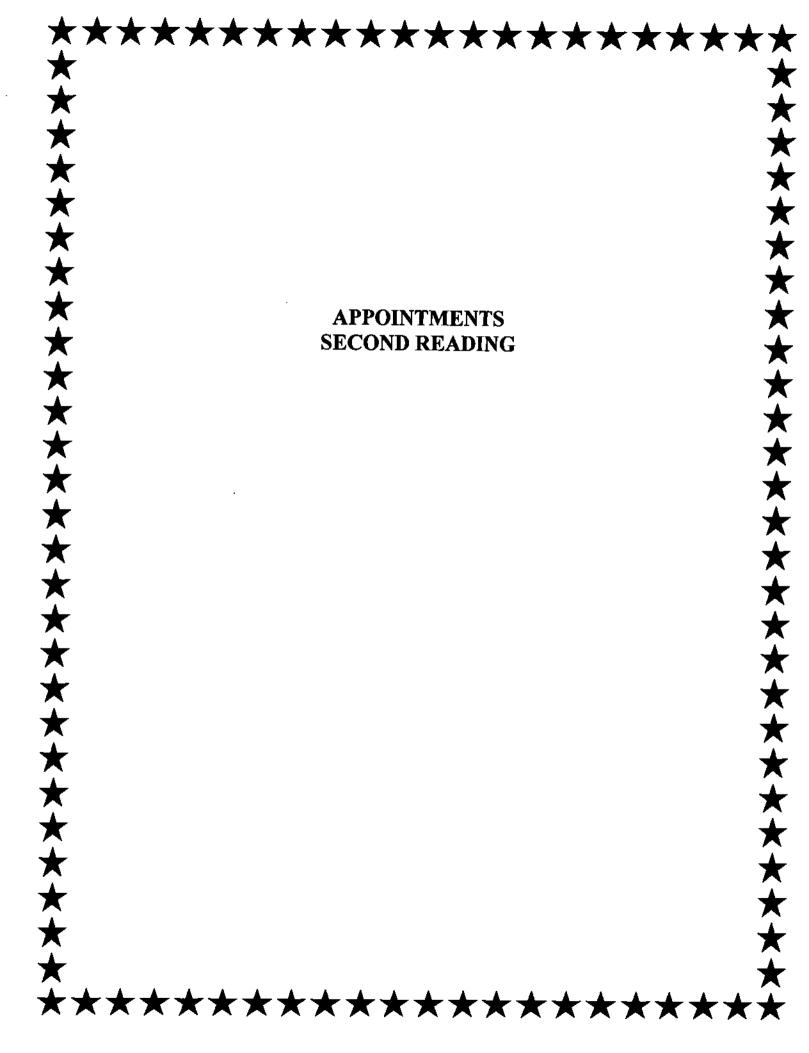
Sergeant /Active Reserve United States Marine Corps	1980 – 1981
Sergeant/Active Military Police/Engineer United States Marine Corps	1976 1979

ASSOCIATIONS

President International Brotherhood of Police Officers, local-431	1987, 1996, 2005
Vice President International Brotherhood of Police Officers, local-431	1986 – 1996

President 1987	Department Secretary – Newburyport	1985 – 2005
Newburyport Police Association Member New England Narcotic Enforcement Officers Association 1983 - 1997 National Technical Investigators Association 2009 - Massachusetts Internet Crimes against Children 2003 - ADDITIONAL PROFESSIONAL ACTIVITIES Licensed Private Investigator P-0005 Confidential Investigation Services, A Security Team Partner Company 2 Fruit Street, Byfield, MA 01922 AWARDS - RECOGNITIONS Recipient of the Greater Newburyport YWCA Community Champion Award Newburyport Police Unit Citation - Apprehension of a Stolen Ambulance Suspect Newburyport Police Unit Citation - Apprehension of a Shooting Suspect Newburyport Police Unit Citation - Apprehension of a Shooting Suspect Newburyport Police Commendation - Armed Bank Robbery City of Newburyport and Federal Bureau of Investigations Recognition - Burglary Suspect Newburyport Police Commendation - Drug Case Naval Investigative Services Commendation - Drug Investigation United States Attorney's Office and City of Newburyport Commendation - Drug Investigation United States Attorney's Office and City of Newburyport Commendation - Arson Investigation Liberty Mutual Insurance Commendation - Alcohol Beverage Commission City of Newburyport		1000 - 2000
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City of Newburyport		1987
		1986
Commendation – Rock Band Riot 1985 City of Brockton, MA		1985





Second Reading Appointments July 25, 2011

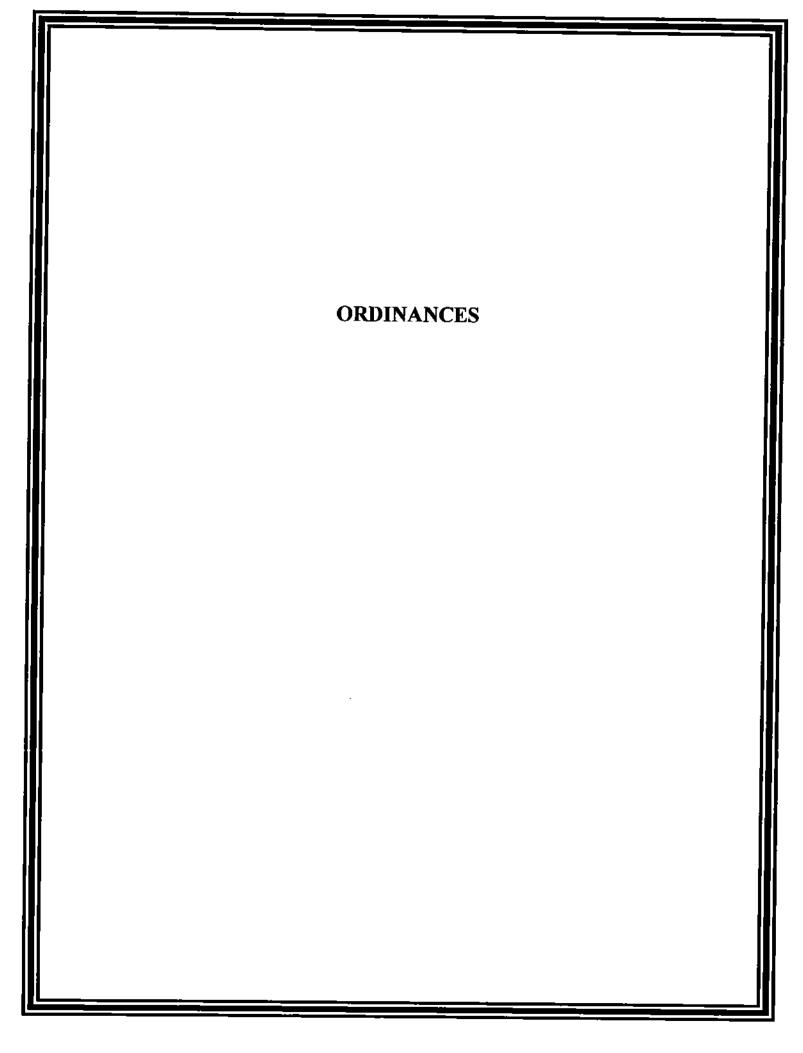
MAYOR'S APPOINTMENTS SECOND READING July 25, 2011

APPOINTMENTS - Second Reading

Re-Appointment

1. Margaret Welch 82 Curzon Mill Rd Community Preservation Act Com April 1, 2014

In City Council July 11, 2011 Motion to approve the Consent Agenda as amended by Councillor Jones, seconded by Councillor Derrivan. 10 yes, 0 no, 1 absent (Ives). So voted.





IN CITY COUNCIL

ORDERED:

Date:

July 25, 2011

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

Chapter 13

Traffic and Motor Vehicles

Article 4

Specific Street Schedules

Division 6

Stopping, Standing and Parking

Section 13-180

Resident Parking

Delete:

In Sec. 13-176 One Hour Parking

Fair Street between Charter and Temple

Add:

In Sec. 13-180 Resident Parking (g) (2) by adding the following streets or portions thereof to Zone 2

Fair Street between Middle and Temple

Councillor Gregory D. Earls



IN CITY COUNCIL

ORDERED:

Date:

July 25, 2011

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

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

Chapter 12 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

Article 1. In General

Add:

Section 12-10

No camera shall be permanently placed for the purposes of surveillance by any City department in any public place without permission of the mayor and city council.

Councillor Edward C. Cameron



IN CITY COUNCIL

ORDERED:

Date:

July 25, 2011

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

Chapter 13

Traffic and Motor Vehicles

Article IV

Specific Street Schedules

Division 3

One-Way Streets

§ 13-121

Established

The following are designated as one-way streets and vehicles traveling upon these streets of parts of streets shall move only in the direction indicated below:

Add:

Street

Extent

Griffen Court

Westerly bound from Warren Street to Carter Street

Councillor Robert J. Cronin



IN CITY COUNCIL

ORDERED:

Date:

July 25, 2011

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:

Otis Place

One (1) space in front of 21 Otis Place.

Councillor Gregory D. Earls