CITY COUNCIL MEETING
AGENDA - VERSION 1
August 29, 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**
   August 8, 2011 (Approve)

7. **COMMUNICATIONS**
   1. Chamber of Commerce Great Pumpkin Lighting & Stroll, Oct. 22, 2011 (PS)
   2. Knights of Columbus annual Tootsie Roll Fundraiser, Oct. 8, 2011 (Approve)
   3. Block Party Atkinson Street Sept. 10, 2011 (Approve)
   4. 2nd Annual Newbury Elementary School Scavenger Hunt, October 1, 2011 (Approve)
   5. FY2011 Year End Budget Report (R&F)

8. **APPOINTMENTS**

Appointment

1. Richard Sharp	11 Lincoln Street	Licensing Board	June 1, 2017
2. Stephen Dodge	57 Milk Street	Historical Commission	August 1, 2014

END OF CONSENT AGENDA

REGULAR AGENDA

9. **APPOINTMENTS – 2nd Reading**

Appointment

3. Edward L. Ramsdell	32 Kent Street	Local Historic District Study Committee

10. **ORDINANCES**
    1. Amend Ord.13-180 Parking Resident Harris Street from Green to State Sts

2. Amend Ord.13-180 Parking Resident Fruit Street
3. Amend Ord. 3-26 Animals, Dogs leash required
4. Amend Ord.13-182 Traffic and Motor Vehicles
5. 2nd reading Amend Ch.13 Sec. 13-31 Traffic and Motor Vehicles Admin. Reserved
6. 2nd reading Amend Ch.13 Sec. 13-26 Traffic and Motor Veh. Admin. Enforcement
7. 2nd reading Amend Ord 13-180 Parking Resident Fair St between Middle & Temple
8. 2nd reading Amend Ord 12-10 Streets, Sidewalks and Other Public Places – Cameras
9. 2nd reading Amend Ord 13-179 Handicapped Parking Otis Place

11. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor Green Initiatives REV APPR ($20,000) to Mayor-CHMM **11/29/2010*
2. Order Community Preservation Fund appropriations **07/11/2011*
3. CPC reallocation Custom House Maritime Museum **08/08/2011*

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 Baliot 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. 8-90 Solid Waste Recycling Collection **05/31/2011*
4. Draft Ordinance for the Friends of the Highland Cemetery Commission **08/08/2011*

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. Letter for Essex St. Inn Visitor Parking **07/11/2011*
6. Intermunicipal Agreement Newburyport and Newbury **07/11/2011*
7. Order Community Preservation Fund appropriations **07/11/2011*
8. CPC reallocation Custom House Maritime Museum **08/08/2011*

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*
4. Amend Ord 13-121 One-Way Streets Griffin Court **07/25/2011*

Public Utilities Committee

In Committee:

1. Letter regarding Pole at 114 High Street **05/31/2011*
2. Underground Storage Tank Replacement 76 Storey Ave. **08/08/2011*

Rules Committee

In Committee:

12. GOOD OF THE ORDER

13. ADJOURNMENT

CONSENT AGENDA

CITY COUNCIL MEETING
Minutes – August 8, 2011

Council President O'Brien called the meeting to order at 7:34 pm and asked for a moment of silence for the 30 who died in the helicopter in Afghanistan and for all those who gave their lives for our freedom. 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, Ives, Jones and O'Brien. All present.

LATE FILE ITEMS

Transfer #3

Motion to waive the rules and accept the late file item by Councillor Jones, seconded by Councillor Herzog. 11 yes, so voted.

PUBLIC COMMENT –

1. Dan Berry	76 Storey Avenue	Storage
2. Kim Kudym	44 Hale Street	Off leash Ordinance
3. Molly Ettenborough	Recycling Coordinator	Solid Waste Ordinance

CONSENT AGENDA

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

1. APPROVAL OF MINUTES

July 25, 2011 (Approved)

2. TRANSFERS

1. Health Dept. Rsv App-Solid Waste Fee $27,500 to Chipper Service $20,000, to Household Hazardous Waste $7,500 (B&F)

Removed from Consent Agenda by Councillor Cameron.

2. Police Department Officer Salary $1,500 to Evaluations $1,500 (Approved)

3. COMMUNICATIONS

1. Neurofibromatosis Northeast Coast to the Cure bike ride Sept. 10, 2011 (PS)

Removed from Consent Agenda by Councillor Herzog.

2. Underground Storage Tank Replacement 76 Storey Ave. (PU)

3. Jeanne Geiger Crisis Ctr 20th Annual Walk Against Violence & 5K Oct. 16, 2011 (Approved)

4. Harbormaster letter regarding new docks (R&F)

5. Draft Ordinance for the Friends of the Highland Cemetery Commission (N&CS)

4. APPOINTMENTS

Appointment

1. Edward L. Ramsdell 32 Kent Street Local Historic District Study Committee

END OF CONSENT AGENDA

Motion to approve Consent Agenda as amended by Councillor Earls, seconded by Councillor Jones. 11 yes, so voted.

REGULAR AGENDA

5. TRANSFER

1. Health Dept. Rsv App-Solid Waste Fee $27,500 to Chipper Service $20,000, to Household Hazardous Waste $7,500

Motion to approve by Councillor Jones, seconded by Councillor Cameron. 11 yes, so voted.

3. Mayor Cap. Improvement Stabilization Fd $417,832 to IT Computer Expense $417,832

Motion to approve by Councillor Jones, seconded by Councillor Hutcheson. 11 yes, so voted.

6. COMMUNICATIONS

1. Neurofibromatosis Northeast Coast to the Cure bike ride Sept. 10, 2011

Motion to approve by Councillor Herzog, seconded by Councillor Heartquist. Motion for friendly amendment to notify police, mark with chalk and remove signs at end of event by Councillor Cronin, seconded by Councillor Herzog. 10 yes, 1 no (Ives).

7. APPOINTMENTS – 2nd Reading

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

Motion to approve by Councillor Cameron, seconded by Councillor Jones. 11 yes, so voted.

8. ORDER

1. Downtown marker for former Mayor Byron Matthews

Motion to approve as revised by Councillor Connell, seconded by Councillor Cameron. 11 yes, so voted.

2. Youth Services receipt of donations

Motion to approve by Councillor Herzog, seconded by Councillor Connell. 11 yes, so voted.

3. CPC reallocation Custom House Maritime Museum

Motion to refer to Planning & Development committee by Councillor Connell, seconded by Councillor Hutcheson. Motion to refer to Budget & Finance committee by Councillor Herzog, seconded by Councillor Connell. 11 yes, so voted.

9. ORDINANCES

1. 2nd Reading Amend Ord. Ch.8 Sec. 8-83 Solid Waste Regulations

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

2. 2nd Reading Amend Ord. Ch.3 Sec. 3-26 Animals Dogs Leash Required

Motion to approve by Councillor Herzog, seconded by Councillor Cameron. Roll call vote, 7 yes, 4 no (Connell, Derrivan, Jones, O'Brien). So voted.

3. 2nd Reading Amend Ord.13-180 Parking Resident Green, Pleasant, Washington Sts

Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote, 11 yes. So voted.

10. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor Green Initiatives REV APPR ($20,000) to Mayor-CHMM **11/29/2010*
2. Mayor Cap. Improve Stab Fd toGen Admin-Phone System ($140,914.74) **03/14/2011*

Motion to remove #2 and #5 concurrently by Councillor Cameron, seconded by Councillor Herzog. Motion to receive and file by Councillor Cameron, seconded by Councillor Herzog. Roll call vote, 11 yes. So voted.

3. Health-Reg Hlth Serv Rev Fd $10,142.05 to Mayor City Hall Rev Fd $10,142.05 **7/11/2011*

Motion to remove by Councillor Cameron, seconded by Councillor Herzog. Motion to approve by Councillor Cameron, seconded by Councillor Herzog. Roll call vote, 11 yes. So voted.

4. Order Community Preservation Fund appropriations **07/11/2011*
5. Order IT Plan Bond **07/11/2011*

Motion to remove #2 and #5 concurrently by Councillor Cameron, seconded by Councillor Herzog. Motion to receive and file by Councillor Cameron, seconded by Councillor Herzog. Roll call vote, 11 yes. 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*

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. 8-90 Solid Waste Recycling Collection **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. Letter to designate Matthews Court at Inn Street Mall **05/31/2011*
6. Letter for Essex St. Inn Visitor Parking **07/11/2011*
7. Intermunicipal Agreement Newburyport and Newbury **07/11/2011*
8. Order Community Preservation Fund appropriations **07/11/2011*

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*
4. Amend Ch.13 Sec. 13-31 Traffic and Motor Vehicles Admin. Reserved **06/13/2011*

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote, 11 yes. So voted.

5. Amend Ch.13 Sec. 13-26 Traffic and Motor Veh. Admin. Enforcement **06/13/2011*

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote, 11 yes. So voted.

6. Amend Ord 13-180 Parking Resident Fair St between Middle & Temple **07/25/2011*

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to amend to Water Street and approve by Councillor Earls, seconded by Councillor Jones. Roll call vote, 11 yes. So voted.

7. Amend Ord 12-10 Streets, Sidewalks and Other Public Places – Cameras **07/25/2011*

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Connell. Roll call vote, 11 yes. So voted.

8. Amend Ord 13-121 One-Way Streets Griffin Court **07/25/2011*
9. Amend Ord 13-179 Handicapped Parking Otis Place **07/25/2011*

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. Roll call, 11 yes. So voted.

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

Councillor Herzog thanked the many Yankee Homecoming volunteers for a job well done. Councillor Jones gave an update on the School Building Committee work.

15. ADJOURNMENT

Motion to adjourn at 8:43pm by Councillor Derrivan, seconded by Councillor Cameron.

COMMUNICATIONS

Communication #1
August 29, 2011

2011 AUG -4 P 6:51

August 4, 2011

Mr. Richard B. Jones
City Clerk
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

Dear Clerk Jones:

The Greater Newburyport Chamber of Commerce & Industry on behalf of our downtown chamber members kindly requests the use of Market Square and State Street for a new, free, family friendly event this coming October 22, 2011.

Newburyport's Great Pumpkin Lighting and Stroll
Saturday, October 22, 2011 from 6 – 9 PM

This new event, an idea that a local retailer Kevin Riley from Partridge in a Bear Tree has been thinking of for Newburyport is finally coming to fruition this year. A small planning group has been meeting and here are some of the details on the event.

We will be inviting local residents to join us in Market Square at approximately 6:00 PM. We are asking families to bring a carved pumpkin which will be illuminated and placed along the steps of Market Square facing east. Sunset that evening is at 5:58 PM but we are hopefu that we will light the pumpkins at approximately 6:30 PM. After that there will be entertainment and light refreshments in Market Square. We are encouraging business owners to also display pumpkins in their place of business so that partcipants can stroll and enjoy the varous pumpkins. At the end of the evening all residents and businesses will be asked to take home their pumpkins so they are not left in Market Square.

Areas Requested:

- Use of Market Square, and sidewalks on both sides of lower State Street up to MIiddle Street.

- I would like to dicsuss the idea of closing off State Street at the bottom near Partridge in a Bear Tree for a short time while the actual lighting is happening, which would enable attendees to stand on the Street. This would necessitate police assistance for a short period of time.

Thank you in advance for your consideration.

Sincerely,

Ann Ormond
President

cc: Mayor Donna D. Holaday
Members of the Newburyport City Council
Councilor Robert Cronin, Chair, Public Safety Committee

Communication #2
August 29, 2011

Knights of Columbus

Newburyport Council No. 231
P. O. Box 1028
Newburyport, MA 01950

CLERK'S OFFICE
NEWBURYPORT, MA

2011 AUG 16 A 9:56

August 7, 2011

Mr, Thomas O'Brien, President
Newburyport City Council
City Hall
60 Pleasant St.
Newburyport, MA 01950

Dear Sir,

The Knights of Columbus Council 231 of Newburyport respectfully requests permission to conduct its annual Tootsie Roll fund raiser ("Tootsie Roll Drive") on Saturday, October 8th, 2011 at the intersection of State Street and High Street from 8:00 a.m. to 2:00 p.m. In case of inclement weather, the Knights of Columbus also requests permission to conduct this fund raiser on the following weekend, October 15th, as an alternative date.

The Knights of Columbus has held the Tootsie Roll Drive at this intersection for many years and the location is critical for its success. The funds raised are directed to help children with physical and mental challenges.

If you have any questions or there is a problem with the requested dates, please contact me at 978-462-3652. The Knights of Columbus would like to thank you and the other members of the City Council in advance for your continued support of this worthwhile event.

Sincerely,

Frank D. Ventura
Deputy Grand Knight

Communication #3
August 29, 2011

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2011 AUG 12 A 11:0

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: 8/3/11

CONTACT INFORMATION

FIRST AND LAST NAME: Judith Grohe

MAILING ADDRESS: 14 Strong St

PHONE NUMBER: 978 463 7680

E-MAIL ADDRESS: JGC Grohe @ aol.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: 9/10/11

DESIRED STREET CLOSING LOCATION: Between Strong St and Boardman St
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Atkinson St

DESIRED STREET CLOSING TIME: 5-9 PM
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 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 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 _____ Date 8/3/11

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL _____
4 Green Street

FIRE CHIEF Dep SHO 8/8/11
Greenleaf Street

DEPUTY DIRECTOR 8/11/11
1 Perry Way

CITY CLERK _____
60 Pleasant St.

City use only:

Approved_____ -Denied_____ Date_____

Communication #4
August 29, 2011

2011 AUG 18 A 11:53

Newbury Elementary School PTA
63 Hanover Street
Newbury, MA 01951-1130
(978) 465-5353

16 August 2011

To President of City Council and City Council members,

On behalf of the Newbury Elementary School PTA, I am requesting permission to use the City of Newburyport's downtown streets and shops for our 2nd Annual Scavenger Hunt scheduled for Saturday, October 1, 2011 from 5.30 to 11pm. The hunt itself will take place from 6 to 9pm. During this event, participants will be looking for history facts, landmarks, and particular items that participating stores will provide (people may need to purchase some things but not to exceed $1.00). No vehicles will be needed as this hunt will be completed by foot only as all participating shops are within walking distance. There are no physical challenges during this event as well. We have reserved Nicholson Hall as our start and finish hub.

If you have any questions or need more information, please contact me at 978.857.8622

Thank you,

Alexa Strauch

Alexa Strauch

Co-chair for Scavenger Hunt Event and PTA parent

Communication #5
August 29, 2011

2011 AUG 23 P 3:56

City of Newburyport

Donna D. Holaday
Mayor

FISCAL YEAR 2011
YEAR - END
BUDGET REPORT

JULY 1, 2010 - JUNE 30, 2011

CITY OF NEWBURYPORT

City Auditor's Office

Donna D. Holaday
Mayor

TO: Mayor Donna D. Holaday
City Council President Thomas F. O'Brien and Members of the Newburyport City Council

FROM: William B. Squillace, City Auditor

DATE: August 23, 2011

SUBJECT: FY 2011Year-End Budget Report

Attached is the FY 2011 Year-End Budget Report Summary. The report includes revenues and expenditures for the General Fund, as well as the Water, Sewer, and Harbormaster Enterprise Funds. Also included are: Revolving Funds, Reserve for Appropriation Funds, Reserve Funds, and the Community Preservation Fund. A full report will be provided to the B& F Committee, and will be on file in the City Clerk's office. An electronic version will also be available to you via email.

EXPENDITURES

General Fund budget expenditures and encumbrances totaled $48,288,988.39 or 99.4% of budget appropriations. This resulted in a $304,130.19 budget surplus at year-end. Please refer to the attached report for a breakdown of budget expenditures by department.

Expenditures and encumbrances for the Water Enterprise Fund totaled $4,626,392.52 or 89.1% of appropriations; Sewer Enterprise Fund totaled $4,941,669.25 or 90.7% of appropriations; and expenditures for the Harbormaster Enterprise Fund totaled $373,803.07 or 87.9% of appropriations.

REVENUES

Because of continuing concerns over the economy, a conservative approach to revenue estimates was again applied in FY 2011. However, revenues were above target in most all categories due to signs of economic recovery and new revenue sources such as paid parking and the meals tax. General Fund revenues exceeded estimates by $524,704, and revenues in the Water, Sewer, and Harbormaster's Enterprise Funds also exceeded estimates. See the Revenues Section of this report for more details on FY 2011 revenues, and the Special Revenues section for details on Revolving Funds, Reserve for Appropriation Funds, and the Community Preservation Fund.

DEPARTMENT EXPENDITURE SUMMARIES

FUND GENERAL FUND	ORIGINAL APPROP	TRANFRS ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMB	AVAILABLE BUDGET	PCT USED
111 CITY COUNCIL	$ 64,600.00	$ -	$ 64,600.00	$ 64,600.10	$ -	$ (0.10)	100
121 MAYOR'S DEPARTMENT	$ 208,647.00	$ 33,125.00	$ 241,771.64	$ 239,135.77	$ -	$ 2,635.87	98.9
129 GENERAL ADMINISTRATION	$ 249,771.00	$ 22,971.00	$ 272,741.94	$ 253,665.99	$ 15,674.56	$ 3,401.39	98.8
135 AUDITOR'S DEPARTMENT	$ 383,401.00	$ 5,043.00	$ 388,444.93	$ 387,009.98	$ -	$ 1,434.95	99.6
141 ASSESSORS DEPARTMENT	$ 197,846.00	$ 4,218.00	$ 202,064.13	$ 201,236.61	$ -	$ 827.52	99.6
145 TREASURER'S DEPARTMENT	$ 515,359.00	$ (42,139.00)	$ 473,220.22	$ 438,608.82	$ 3,100.00	$ 31,511.40	93.3
151 INFO TECHNOLOGY DEPT	$ 141,225.00	$ 1,362.00	$ 142,587.15	$ 142,326.87	$ -	$ 260.28	99.8
161 CITY CLERK'S DEPARTMENT	$ 187,071.00	$ 9,722.00	$ 196,793.39	$ 193,514.21	$ -	$ 3,279.18	98.3
163 BOARD OF REGISTRARS	$ 34,597.00	$ 2,488.00	$ 37,084.98	$ 37,084.74	$ -	$ 0.24	100
165 LICENSE COMMISSION	$ 6,340.00	$ -	$ 6,340.00	$ 4,906.15	$ -	$ 1,433.85	77.4
171 CONSERVATION COMMISSION	$ 3,600.00	$ -	$ 3,600.00	$ 3,600.00	$ -	$ -	100
182 PLANNING & DEVELOPMENT	$ 281,675.00	$ 10,323.00	$ 291,997.46	$ 291,966.80	$ -	$ 30.66	100
191 LEGAL DEPARTMENT	$ 100,000.00	$ -	$ 100,000.00	$ 97,192.11	$ 2,807.89	$ -	100
210 POLICE DEPARTMENT	$ 2,992,549.00	$ 73,561.00	$ 3,066,109.73	$ 3,027,090.48	$ 16,450.95	$ 22,568.30	99.3
220 FIRE DEPARTMENT	$ 3,043,691.00	$ 111,291.00	$ 3,154,981.74	$ 3,139,503.04	$ 9,207.99	$ 6,270.71	99.8
241 BUILDING DEPARTMENT	$ 131,770.00	$ 2,413.00	$ 134,182.51	$ 134,098.34	$ -	$ 84.17	99.9

GENERAL FUND	APPROP	ADJSTMTS	BUDGET	EXPENDED		BUDGET	USED
291 EMERGENCY MANAGEMENT	$ 27,500.00	$ 1,300.00	$ 28,800.00	$ 26,009.20	$ -	$ 2,790.80	90.3
292 ANIMAL CONTROL	$ 37,885.00	$ (5,417.00)	$ 32,467.51	$ 26,963.91	$ -	$ 5,503.60	83
293 PARKING CLERK DEPARTMENT	$ 69,008.00	$ (4,292.00)	$ 64,716.06	$ 63,748.93	$ -	$ 967.13	98.5
300 SCHOOL DEPARTMENT	$ 21,600,865.00	$ -	$ 21,600,865.00	$ 21,013,233.78	$ 587,631.22	$ -	100
399 WHITTIER VO TECH SCHOOL	$ 408,196.00	$ 44,438.00	$ 452,634.00	$ 452,634.00	$ -	$ -	100
421 PUBLIC SERVICES DEPARTMEN'	$ 1,566,992.00	$ 210,206.00	$ 1,777,198.21	$ 1,587,561.00	$ 47,749.79	$ 141,887.42	92
423 SNOW & ICE	$ 170,000.00	$ 268,260.00	$ 438,259.90	$ 438,259.90	$ -	$ -	100
510 HEALTH DEPARTMENT	$ 1,335,919.00	$ 5,070.00	$ 1,340,988.33	$ 1,256,726.61	$ 79,271.02	$ 4,990.70	99.6
541 COUNCIL ON AGING	$ 194,323.00	$ 1,935.00	$ 196,258.23	$ 192,917.71	$ -	$ 3,340.52	98.3
542 YOUTH SERVICES	$ 138,812.00	$ 51,395.00	$ 190,207.15	$ 183,640.69	$ 1,972.51	$ 4,593.95	97.6
543 VETERANS' DEPARTMENT	$ 108,273.00	$ 97,590.00	$ 205,863.29	$ 198,264.48	$ -	$ 7,598.81	96.3
610 LIBRARY DEPARTMENT	$ 1,221,344.00	$ 13,886.00	$ 1,235,230.75	$ 1,234,220.83	$ -	$ 1,009.92	99.9
630 PARKS COMMISSION	$ 73,070.00	$ 904.00	$ 73,974.00	$ 72,212.38	$ 1,605.37	$ 156.25	99.8
710 DEBT EXCLUSION	$ 1,015,006.00	$ -	$ 1,015,006.00	$ 1,015,005.47	$ -	$ 0.53	100
720 ORDINARY DEBT SERVICE	$ 1,164,287.00	$ -	$ 1,164,287.00	$ 1,164,286.29	$ -	$ 0.71	100
911 RETIREMENT BOARD	$ 3,206,462.00	$ -	$ 3,206,462.00	$ 3,206,462.00	$ -	$ -	100
912 WORKERS' COMPENSATION	$ 53,272.00	$ (30,287.00)	$ 22,985.29	$ 20,669.25	$ -	$ 2,316.04	89.9
913 UNEMPLOYMENT CLAIMS	$ 25,000.00	$ 10,000.00	$ 35,000.00	$ 32,822.99	$ 2,177.01	$ -	100

GENERAL FUND	APPROP	ADJSTMTS	BUDGET	EXPENDED		BUDGET	USED
914 INSURANCE GROUP	$ 6,761,369.00	$ (126,673.00)	$ 6,634,696.04	$ 6,532,870.43	$ 46,590.22	$ 55,235.39	99.2
942 STABILIZATION OUTLAY	$ 5,000.00	$ -	$ 5,000.00	$ 5,000.00	$ -	$ -	100
990 INTERFUND TRANSFERS OUT	$ -	$ 95,700.00	$ 95,700.00	$ 95,700.00	$ -	$ -	100
TOTAL GENERAL FUND	**$ 47,724,727.00**	**$ 868,392.00**	**$ 48,593,118.58**	**$ 47,474,749.86**	**$ 814,238.53**	**$ 304,130.19**	**99.4**

ENTERPRISE FUNDS

WATER FUND	**$ 4,406,763.00**	**$ 787,125.00**	**$ 5,193,887.83**	**$ 4,565,043.70**	**$ 61,348.82**	**$ 567,495.31**	**89.1**
SEWER FUND	**$ 5,745,817.00**	**$ (295,825.00)**	**$ 5,449,992.16**	**$ 4,440,636.08**	**$ 501,033.17**	**$ 508,322.91**	**90.7**
HARBORMASTER FUND	**$ 304,254.00**	**$ 121,205.00**	**$ 425,459.00**	**$ 252,634.21**	**$ 121,168.86**	**$ 51,655.93**	**87.9**

BUDGET REVENUE COLLECTIONS

FY2011 YEAR- END REPORT

GENERAL FUND	ESTIMATED RECEIPTS	ACTUAL RECEIPTS	PCT COLLECTED	NOTES
Property Taxes	$ 40,242,405.78	$ 40,208,168.38	100%	On target.
Property Tax-Subtotal	**$ 40,242,405.78**	**$ 40,208,168.38**	**100%**	On target.
Local Receipts				
Motor Vehicle Excise	$ 2,038,000.00	$ 2,120,747.76	104%	Above target
Other Excise (1)	$ 113,000.00	$ 193,363.82	171%	Above target.
Penalties & Interest on Taxes & Excises	$ 366,000.00	$ 428,380.07	117%	Above target.
Payment in Lieu of Taxes	$ 60,000.00	$ 43,316.78	72%	Below target.
Fees (2)	$ 41,000.00	$ 51,558.30	126%	Above target.
Other Departmental Revenue (3)	$ 62,000.00	$ 65,182.47	105%	Above target.
Licenses and Permits	$ 548,000.00	$ 700,428.56	128%	Above target.
Fines and Forfeits (4)	$ 93,000.00	$ 81,836.05	88%	Below target.
Investment Income	$ 96,000.00	$ 72,106.77	75%	Below target.
Miscellaneous Revenues- Recurring (5)	$ 253,000.00	$ 305,684.22	121%	Above target.
Miscellaneous Revenues -Non Recurring (6	$ -	$ 17,063.19	> 100%	Above target.
Local Receipts - Subtotal	**$ 3,670,000.00**	**$ 4,079,667.99**	**111%**	Above target.
State Aid (net of offsets and charges)				
Cherry Sheet	$ 3,454,400.00	$ 3,603,673.43	104%	Above target.
State Aid - Subtotal	**$ 3,454,400.00**	**$ 3,603,673.43**	**104%**	Above target
TOTAL REVENUES - GENERAL FUND	**$ 47,366,805.78**	**$ 47,891,509.80**	**101%**	Above target

ENTERPRISE FUNDS	ESTIMATED ANNUAL RECEIPTS	ACTUAL RECEIPTS JULY - JUNE	PCT	NOTE
Water Department	**$ 4,420,462.28**	**$ 4,942,685.95**	**112%**	Above target.
Sewer Department	**$ 5,189,038.26**	**$ 5,534,049.90**	**107%**	Above target.
Harbormaster	**$ 304,254.00**	**$ 339,171.70**	**111%**	Above target.

NOTES:

1 - Room Occupancy and Meals Tax.

2 - Off duty fees, municipal liens, registry fees.

3 - Copies, recordings, zoning / ordinances, business certificates, passports.

4 - Parking, court fines, police fines.

5 - Medical assistance, medicaid D, urban redevelopment, police incident /accident reports, cell tower rent, constable fees.

6 - FEMA reimbursements, CDBG health insurance reimbursement, non- exempt bond premiums, sale of City property, leases.

FY 2011 YEAR -END BUDGET REPORT
SPECIAL REVENUE FUNDS

REVOLVING FUNDS	BEG. BALANCE	RECEIPTS	EXPENDITURES	END BALANCE
ENGINEERING SERVICES	$ 42,478.15	$ 48,385.00	$ 44,568.69	$ 46,294.46
COUNCIL ON AGING	$ 14,549.94	$ 34,173.82	$ 29,103.99	$ 19,619.77
RECREATION SERVICES	$ 57,492.79	$ 172,257.87	$ 161,012.89	$ 68,737.77
HISTORICAL COMMISSION	$ 3,367.08	$ 1,500.00	$ 750.00	$ 4,117.08
GIS	$ 73.95	$ -	$ -	$ 73.95
ELECTRICAL /WIRE INSPECTIONS	$ 16,335.86	$ 69,728.00	$ 51,693.95	$ 34,369.91
PLUMBING INSPECTIONS	$ 9,344.64	$ 36,973.75	$ 33,541.66	$ 12,776.73
GAS INSPECTIONS	$ 5,807.26	$ 27,625.00	$ 15,359.72	$ 18,072.54
DISABILITIES COMMISSION	$ 4,093.22	$ 1,500.00	$ 2,208.30	$ 3,384.92
SOUTH END BRANCH LIBRARY	$ 15,793.13	$ 1,000.00	$ 8,554.69	$ 8,238.44
MIDDLE SCHOOL DROP IN CENTER	$ 25,109.25	$ 31,092.30	$ 40,012.68	$ 16,188.87
TEMPORARY VENDOR PERMITS	$ 8,382.79	$ 15,090.00	$ 6,537.72	$ 16,935.07
PLANNING AND ZONING	$ 22,774.96	$ 28,119.30	$ 30,102.71	$ 20,791.55
ANIMAL CONTROL	$ 6,044.41	$ 3,390.00	$ 150.00	$ 9,284.41
VETERANS	$ 2,865.42	$ 61.00	$ 518.40	$ 2,408.02
CONSERVATION COMM	$ -	$ 500.00	$ -	$ 500.00
DOWNTOWN PAID PARKING	$ -	$ 91,520.20	$ 18,928.80	$ 72,591.40
CITY HALL REVOLVING	$ -	$ 10,534.00	$ 413.60	$ 10,120.40
TOTAL	**$ 253,827.75**	**$ 578,838.73**	**$ 451,886.92**	**$ 380,779.56**

RESERVE FOR APPROPRIATION FUNDS				
CEMETERY RECEIPTS	$ 9,448.62	$ 3,350.00	$-	$ 12,798.62
DPW GASOLINE	$ 146,957.91	$ 130,761.21	$ 159,000.00	$ 118,719.12
ASSESSOR SERVICE FEES	$ 369.50	$ 581.50	$ 741.00	$ 210.00
WETLANDS PROTECTION	$ 7,306.60	$ 14,725.00	$ 10,869.93	$ 11,161.67
AUDITORIUM FEES	$ 9,879.00	$ 655.00	$ 10,534.00	$ -
INSURANCE CLAIMS	$ 42,882.78	$ 46,282.28	$ 62,002.65	$ 27,162.41
LIBRARY	$ 63,914.25	$ 24,377.32	$ 43,322.35	$ 44,969.22
SOLID WASTE FEES	$ 125,859.26	$ 91,774.34	$ 40,419.80	$ 177,213.80
TOTAL	**$ 406,617.92**	**$ 312,506.65**	**$ 326,889.73**	**$ 392,234.84**

COMMUNITY PRESERVATION FUND	**$ 1,765,405.47**	**$ 785,610.14**	**$ 1,880,881.72**	**$ 670,133.89**

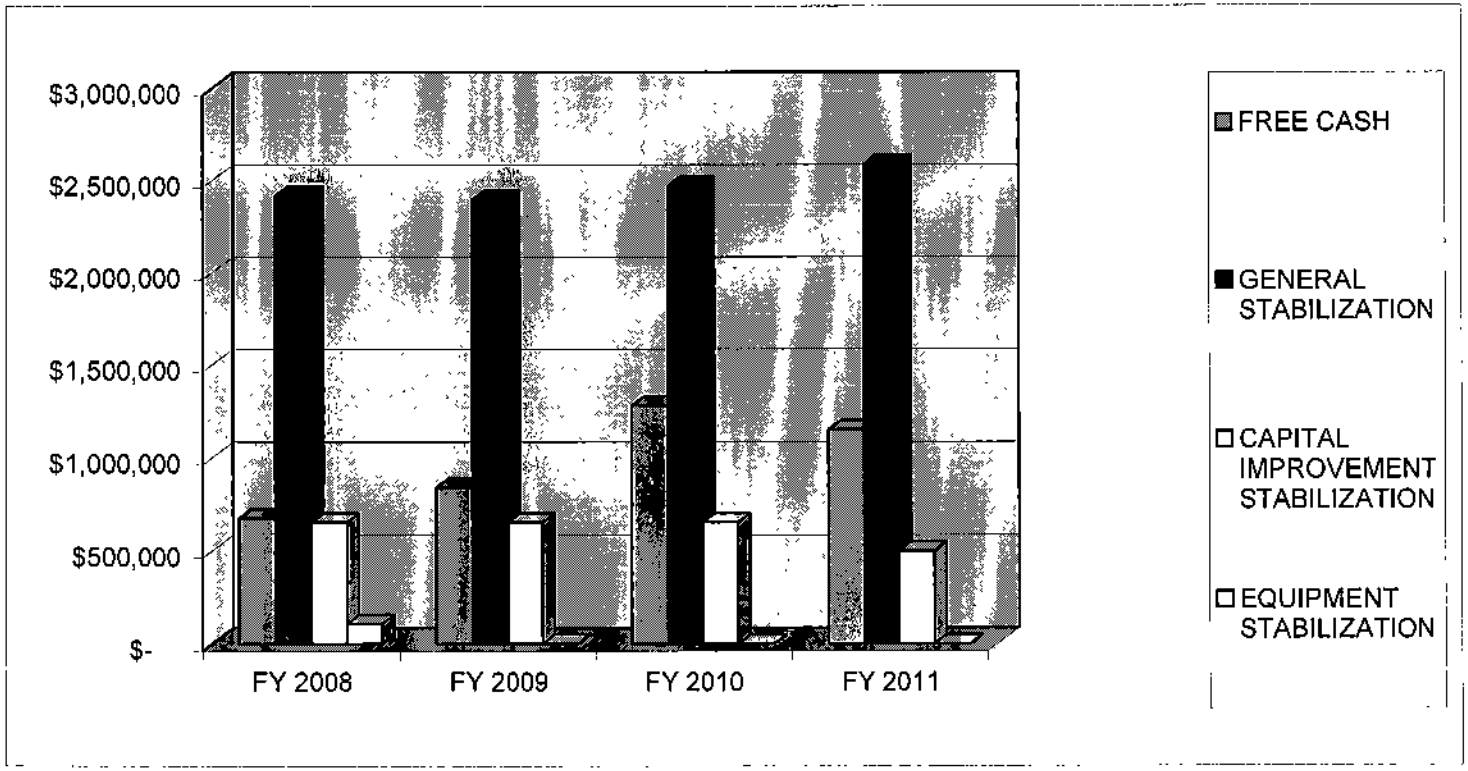
CITY OF NEWBURYPORT

FREE CASH AND GENERAL STABILIZATION FUNDS

GENERAL FUND FY 2008 - FY 2012

(AS OF JULY 1)

FUND	FY 2008	FY 2009	FY 2010	FY 2011
FREE CASH	$ 677,042	$ 842,678	$ 1,281,624.00	$ 1,153,069.00
GENERAL STABILIZATION	$ 2,421,038	$ 2,398,717	$ 2,472,616.09	$ 2,588,920.17
CAPITAL IMPROVEMENT STABILIZATION	$ 654,758	$ 654,758	$ 654,758.00	$ 499,758.45
EQUIPMENT STABILIZATION	$ 110,000	$ 3,342	$ 747.00	$ 747.00



APPOINTMENTS

Appointment #1
August 29, 2011

CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. BOX 550

NEWBURYPORT, MA 01950

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

23 P 3:10

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: August 23, 2011

Subject: Appointment

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

Richard Sharp
11 Lincoln Street
Newburyport, MA 01950

RICHARD SHARP

11 lincoln Street

Newburyport MA 01950

978 376 2524

rp_sharp@yahoo.com

PROFILE

Retired after 30 year career in technical enterprises. Management skills across a broad band of disciplines. Responsibilities included P&L management, international assignments, staff positions, management of service delivery organizations, start ups, and sales/marketing.

EXPERIENCE

Retired - 1993- 2011 CASA volunteer, Spaulding School adjunct BOD, Vielie Foundation BOD

1992-1993 Bio Sepra - Director Customer Service

1919-1992 Digital Equipment Corp - Director of Customer Services

1961-1979 Tekronix Inc., Ratheon Corp, NV Phillps, EPL, Page Engineers

EDUCATION

Heald's Engineering College, SanFrancisco, Calif —Assoc EE 1961.

Boston University, AMA, U. of Maryland, continuing education focused on business management-1979-1992

SKILLS

Effective in achieving complex objectives across multiple constituencies.

REFERRALS

Tim Barberich, Retired 508 572 0882

Bruce Thompson, Financial Advisor 800 524 1924

Mike Corrigan, Retired 978 658 4121

Appointment #2
August 29, 2011

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

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA
2011 AUG 23 A 10:53

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: August 23, 2011

Subject: Appointment

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

Stephen Dodge
57 Milk Street
Newburyport, MA 01950

Stephen Dodge

57 Milk Street Newburyport, MA 01950 • 978-270-8943 • sdonice@hotmail.com

Construction Superintendent

30 years experience in commercial construction with positions from foreman to superintendent

Key Skills

- Ability to communicate both written and orally
- Oversee construction and demolition projects
- Subcontractor and crew supervision
- Working knowledge of all trades
- Can be very hands on

PROFESSIONAL EXPERIENCE

Self-Employed **2003-Present**

- Complete home renovations, small additions, custom kitchens and baths, custom tile work, garden design and structures

Gilbane Co., Providence, RI **2000-2003**

Project Superintendent

Managed building projects for Verizon $500K-$20M

- Elevator upgrades
- Colocation spaces
- Facade replacement

Fidelity Investments project, Summer Street, Boston $2M-$10M

- Tenant fit up
- Complete floor renovations
- Computer lab

TLT Construction, Lynnfield, MA **1995-2000**

Superintendent

Involved in many public school and government buildings in MA $5M-$20M

- Construction/demolition, new ground up to renovation of existing structures

Gourdeau Construction, South Hamilton, MA **1982-1995**

Foreman/Superintendent

Part of many new construction and renovation projects ranging from banks, retail space, education facilities (dormitories, libraries, athletic complexes) and large private residences $550K-$15M

EDUCATION AND CERTIFICATIONS

- Newburyport High School 1977
- Colby College 1977-1979
- Northeastern University 1980-1982
- Licensed LTD-ULPGI (Propane)
- MA CS License #93338
- MA HIC License #149637
- Cert. Lead Renovator R-I-18499-10-20507

July 31, 2011

Dear Mayor Holaday,

I am interested in becoming a member of the Newburyport Historical Commission and would appreciate your support in this regard. Please find my attached formal resume.

I am a lifelong resident of Newburyport. My children have been educated here and have grown up in the community. I have owned two homes in the south end, restoring both of them to period.

My interest in the history of Newburyport and the preservation of its buildings is far reaching. I have been a member of the Historical Society for years and had the pleasure of sharing my gardens from each of my homes in 1992 and 2008 during the annual Garden Tour.

In closing, I would like to pass on that I grew up during the redevelopment of Newburyport. My father served as chair of the NRA at one time and I got to know many of the involved parties. My appointment to the Historical Commission would mean that I could be a part of the continued preservation of Newburyport, a city I love.

Best Regards,

Stephen Dodge

Stephen Dodge
57 Milk Street
Newburyport, MA 01950
978-270-8943
sdonice@hotmail.com

Hist

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

APPOINTMENTS
SECOND READING

Second Reading
Appointment #3
August 29, 2011

MAYOR'S APPOINTMENTS
AUGUST 29, 2010
SECOND READING

Appointment

1. Edward L. Ramsdell 32 Kent Street Local Historic District Study Committee

In City Council August 8, 2011
Motion to approve Consent Agenda as amended by Councillor Earls, seconded by Councillor Jones. 11 yes, so voted.

ORDINANCES

Ordinance #1
August 29, 2011

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

Date:
August 29, 2011

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

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

Add:

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

Harris Street between Green Street and State Street

Councillor Gregory D. Earls

Ordinance #2
August 29, 2011

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

Date:
August 29, 2011

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

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

Add:

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

Fruit Street, full length of street

Councillor Gregory D. Earls

Ordinance #3
August 29, 2011

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED: Date: August 29, 2011

AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED ANIMALS

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

Chapter 3	Animals
Article 2	Dogs
Section 3-26	Leash required
Subsection (d)	

Delete first paragraph.

Add:

Notwithstanding the provisions of subsection (a), to expire December 31, 2012, dogs are allowed off leash at Cashman Park, Moseley Woods, and March's Hill, subject to the exclusions and restrictions, off leash hours, and seasonal restrictions set forth in the following Table of Designated Off Leash Areas and subject to the Rules set forth in subsection (e), respectively, below.

Councillor Ari B. Herzog

Ordinance #4
August 29, 2011

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED:

Date:
August 29, 2011

AN ORDER TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES, CHAPTER 13 OF THE NEWBURYPORT CODE OF ORDINANCE.

Chapter 13 Traffic and Motor Vehicles

Add the following new Section 13-182 entitled: Hotel/Inn and Bed and Breakfast Accommodations, as follows:

Preamble: Where the city has imposed a maximum number of hour(s) parking limit on residential streets bordering commercial zones then the owners of a Hotel/Inn or Bed and Breakfast may apply for Overnight Accommodation Permits hereunder to be used solely by guest to the Hotel/Inn or Bed and Breakfast.

a. Definitions. As used in this section:
    1. Hotel/Inn- A building or part of a building containing rooming units without individual cooking facilities for transient occupancy and having a common entrance or entranced and including an inn, motel and motor inn.
    2. Bed and Breakfast – An owner occupied building containing no more than five (5) rooming units, not including living quarters for the owner occupants, without individual cooking facilities for transient occupancy and having a common entrance or entrances. Common cooking facilities may be included providing that service is limited to those who are owners of the building and those rooming in the building.
    3. Overnight Accommodation Permits – A permit issued by the Parking Clerk pursuant to this Ordinance for the purpose of allowing guests at Hotel/Inns or Bed and Breakfast establishments to park on certain hour restricted streets for longer than the restriction.

b. Issuance of Overnight Accommodation Permits:

1. The Owner of an Hotel/Inn or Bed and Breakfast may apply for Overnight Accommodation Permit(s) by completing and signing an application designed to provide the following information:
    i. Name and address of person making the application.
    ii. Name and address of the Hotel/Inn or Bed and Breakfast establishment.
    iii. Number of rooms for rent in the establishment.
    iv. Number of parking spaces located on site.
    v. Number of parking spaces leased or let from location other than site of establishment.
    vi. Number of employees per shift.
    vii. Number and location of employee parking spaces, if any.

2. No Overnight Accommodation Permit shall be issued to an establishment which has sufficient and exclusive access to unrestricted off-street parking spaces within 500 feet of the main door of the establishment.
3. Whenever the Parking Clerk or its designee shall find that the Applicant qualifies under the provisions of this section for an Overnight Accommodation Permit, the Parking Clerk shall issue to the Applicant one permit for each room for which the Applicant does not have a space either on site or within 500 feet of the main entrance as noted herein. The Parking Clerk may require the Applicant to provide evidence that the Applicant has exhausted all reasonable alternatives to requesting an Overnight Accommodation Permit prior to granting permits hereunder.
4. The Overnight Accommodation Permit shall contain the following information:
    i. Name of Establishment
    ii. Permit Number for the Establishment
    iii. Expiration date of the permit which shall be December 31st of the year in which it was issued.
    iv. Parking Zone for which the permit is issued.
    v. Number of hang tags issued under the permit.

5. No Overnight Accommodation Permit shall be used or transferred to any employee or other non-guest at the establishment. In the event the Parking Clerk determines that this provision has been violated, then the Parking Clerk may revoke all of the permits issued to the establishment.

c. Renewal and Transfer of permits.
    1. Upon submission of evidence to the Parking Clerk that the holder of the permit(s) is still qualified hereunder for an Overnight

Accommodation Permit, the holder of a valid permit(s) for the previous year shall be entitled to a new Overnight Accommodation Permit(s) for the current year.

d. Use of the Overnight Accommodation Permit.

1. A parking permit issued hereunder shall not guarantee or reserve a parking space nor shall it excuse the observance of any traffic or parking regulation other than the time limit on parking.
2. It shall be a violation of this section to use a permit in any parking zone other than the one for which the permit was issued.
3. It shall be a violation of this section to obstruct access to driveways of residences in the parking zone.
4. This permit does not excuse the holder(s) thereof to move all vehicles from the public streets during a declared snow emergency.
5. Display of a hang tag which includes the permit number and which is approved by the Parking Clerk shall be placed on the rearview mirror such that the permit number can be seen from the exterior of the vehicle through the windshield.
6. The Permit Holder may have replacement hang tags as necessary in order to accommodate loss or theft but may not have any more in use than as permitted on the Overnight Accommodation Permit.

e. Designation of residential parking permit zones.
In addition to the Zones as set forth in Section 13-181 hereof the following shall also be designated as parking zones:

1. Zone 2 shall also include the following streets between Summer and Green and including Summer and Green:
Titcomb, Washington, Market, Pleasant, Court

Councillor Gregory D. Earls

Ordinance #5
Second Reading
August 29, 2011

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED: **Date:**

May 31, 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 2	Administration
Section 13-31	Reserved

ADD Sec 13 - 31 by inserting the following:

Placement and enforcement of temporary parking restriction signage

The Mayor, the Parking Clerk or the City Marshal or any designee may place temporary parking restriction signage as required for the safety of public on public ways or public areas as deemed necessary. Temporary signage shall be considered enforceable under the current parking schedule as set by City Council. Temporary signage shall clearly state the restriction imposed and be embossed with "per order of the City of Newburyport". City Council shall be notified of all temporary restrictions for review at the next regularly scheduled City Council meeting

Councillor Robert J. Cronin

In City Council June 13, 2011
Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Jones. 10 yes, 1 absent (Derrivan). So voted.

In City Council August 8, 2011
Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote, 11 yes. So voted.

Ordinance #6
Second Reading
August 29, 2011

CITY OF NEWBURYPORT

IN CITY COUNCIL

ORDERED: **Date:**

May 31, 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 2	Administration
Section 13-26	Enforcement

ADD:

Additionally, it shall be the duty of parking enforcement officers designated by the parking clerk to enforce any parking regulations provided herein.

Councillor Robert J. Cronin

In City Council June 13, 2011
Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Jones. 10 yes, 1 absent (Derrivan). So voted.

In City Council August 8, 2011
Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. 11 yes, so voted.

Ordinance #7
Second Reading
August 29, 2011

CITY OF NEWBURYPORT

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 Water St. and Temple St.

Councillor Gregory D. Earls

In City Council July 25, 2011
Motion to refer to Public Safety by Councillor Earls, seconded by Councillor Derrivan. 10 yes, 1 absent (Connell). So voted.

In City Council August 8, 2011
Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to amend to Water Street and approve by Councillor Earls, seconded by Councillor Jones. Roll call vote, 11 yes. So voted.

Ordinance #8
Second Reading
August 29, 2011

CITY OF NEWBURYPORT

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 July 25, 2011
Motion to refer to Public Safety by Councillor Cameron, seconded by Councillor Ives. 10 yes, 1 absent (Connell). So voted.

In City Council August 8, 2011
Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Connell. Roll call vote, 11 yes. So voted.

Ordinance #9
Second Reading
August 29, 2011

CITY OF NEWBURYPORT

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

In City Council July 25, 2011
Motion to refer to Public Safety by Councillor Earls, seconded by Councillor Hutcheson. 10 yes, 1 absent (Connell). So voted.

In City Council August 8, 2011
Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. Roll call vote, 11 yes. So voted.