

CITY COUNCIL MEETING AGENDA - VERSION 1

September 8, 2014

Electrical Box Hearings

7:15 PM

(1) 13 Pond Street (Nat. Grid) TABLED

7:30 PM

(Sound Check)

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

CONSENT AGENDA

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

7. APPROVAL OF MINUTES

August 25, 2014

(Approve)

8. TRANSFERS

1. Mayor's Office Budget Conting \$122,724 to Firefighter Sal \$110,493, to Dep Chief Sal \$12,231 (B&F)
2. Mayor's Office EMT Stipends \$25,000 to Firefighter Sal \$24,000, to Dep Chief Sal \$1,000 (B&F)

9. COMMUNICATIONS

1. Block Party Otis from Garden Street, Sept. 27, 2014 (Approve)
2. Society of St. Vincent de Paul Walk for the Poor Sept. 20, 2014 (Approve)
3. NRA letter to Council re: meeting date (Gen Gov)

10. APPOINTMENTS-First Reading

APPOINTMENTS

- | | | | |
|---------------------|----------------------------|--|--------------|
| 1. Robert Padellaro | 17 56 th Street | Asst Harbor Master & Spec Police Officer | Dec. 1, 2017 |
|---------------------|----------------------------|--|--------------|

RE-APPOINTMENTS

- | | | | |
|------------------|--------------------------------------|------------------------------|--------------|
| 2. Craig G. Holt | 33 Carter Street | Licensing Board | June 1, 2020 |
| 3. Lance Thokle | 1885 SE Erwin Rd, Port St. Lucie, FL | Asst Harbor Master & Spec PO | Dec. 1, 2017 |

END OF CONSENT AGENDA

REGULAR AGENDA

11. APPOINTMENTS – Confirmatory – Address correction

- | | | | |
|------------------|-----------------|-----------------------|----------------|
| 4. Stephen Dodge | 18 Union Street | Historical Commission | August 1, 2017 |
|------------------|-----------------|-----------------------|----------------|

4. COMMUNICATIONS

5. LATE FILE Mayor's Update

13. ORDERS - None

14. ORDINANCES

1. Second Reading Sec 6.5 Thin Film Plastic Bag Ordinance
2. Amend ORD 13-179 Handicapped Parking 26 Essex St
3. Amend ORD Sec 13-168 Parking restricted Olive Street (PENDING PUBLICATION)

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor letter regarding Order for Revolving Fund Expenses *03/17/2014
2. Order Amend Revolving Fund expenses *03/17/2014
3. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
4. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
5. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014
6. Human Resources Dependent Audit *06/30/2014
7. Firefighters Local 827 FY2014 Successor Collective Bargaining Agreement *08/25/2014
8. Supplemental Budget FY 2015 #1 *08/25/2014

General Government

In Committee:

1. Mayor's Update *06/09/2014

Joint Education

In Committee:

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

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Amend Ch.6.5, Article III Plastic Bags (NCS & COTW) *03/17/2014
3. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas *04/28/2014
4. Letter regarding transient vendor licensing *06/30/2014
5. Conor McManamy request to sell reusable bags in Market Square *08/11/2014
6. Yankee Clipper Boy Scouts Pack 21 Popcorn Fundraiser Market Square Oct. 4, 8, Nov. 1, 2014 *08/11/2014

Neighborhoods and City Services

In Committee

1. Market Basket Letter re: plastic bags *05/12/2014

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014

Public Safety

In Committee:

1. Green Stride ½ Marathon Oct 26, 2014 *06/30/2014
2. Ch 13, Sec 13-168 Parking Franklin St *08/25/2014

Public Utilities Committee

In Committee:

1. Letter from Daniel Eyink, MD regarding water fluoridation *05/27/2014
2. Energy Advisory Committee letter regarding lights on private property *06/30/2014

Rules Committee

16. GOOD OF THE ORDER

17. ADJOURNMENT

**PUBLIC HEARING
APPLICATION AND NOTICE**

Questions contact – Lien Gauthier, 617.438.9069
44 River St, Beverly, Massachusetts 01915
RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

PETITION FOR ELECTRICAL BOX LOCATION 13 A 11:50

To City Council
Of Newburyport, MA

NATIONAL GRID requests permission to locate above ground electrical box, including the necessary sustaining and protecting fixtures, along and across the following public way:

Street name - 13 Pond St

Location approximately as shown on plan attached

Concrete base of electrical box: 3'4"x 2'8 1/4"x6" (above ground), 12" (below ground)

Electrical box: 36"x50"x17"

(also known as SCADA box on design)

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – 13 Pond St, Newburyport, MA

No.# August 11, 2014

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID
BY Lien Gauthier
Construction Supervisor

Lien Gauthier
617-438-9069

Questions contact –Lien Gauthier, 617.438.9069

ORDER FOR ELECTRICAL BOX LOCATION

In the City of Newburyport, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain electrical box to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the #th day of month, year.

All construction under this order shall be in accordance with the following conditions:

No.# Dated: August 11, 2014. Filed with this order

There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the electrical box above referred to may be erected thereon under this order:

Street Name - 13 Pond St

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City/Town of Newburyport, Massachusetts held on the day of 20 .

City/Town Clerk.
Massachusetts

20 .

Received and entered in the records of location orders of the City/Town of Newburyport
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
at a public hearing was held on the petition of

NATIONAL GRID

for permission to erect the electrical box described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....

City Council of Newburyport, Massachusetts

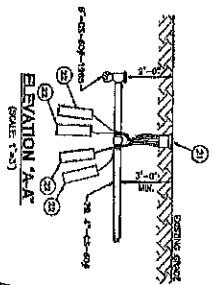
CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the _____ of the City of _____ Massachusetts, on the _____ day of _____ 20____, and recorded with the records of location orders of the said City, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

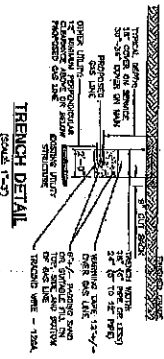
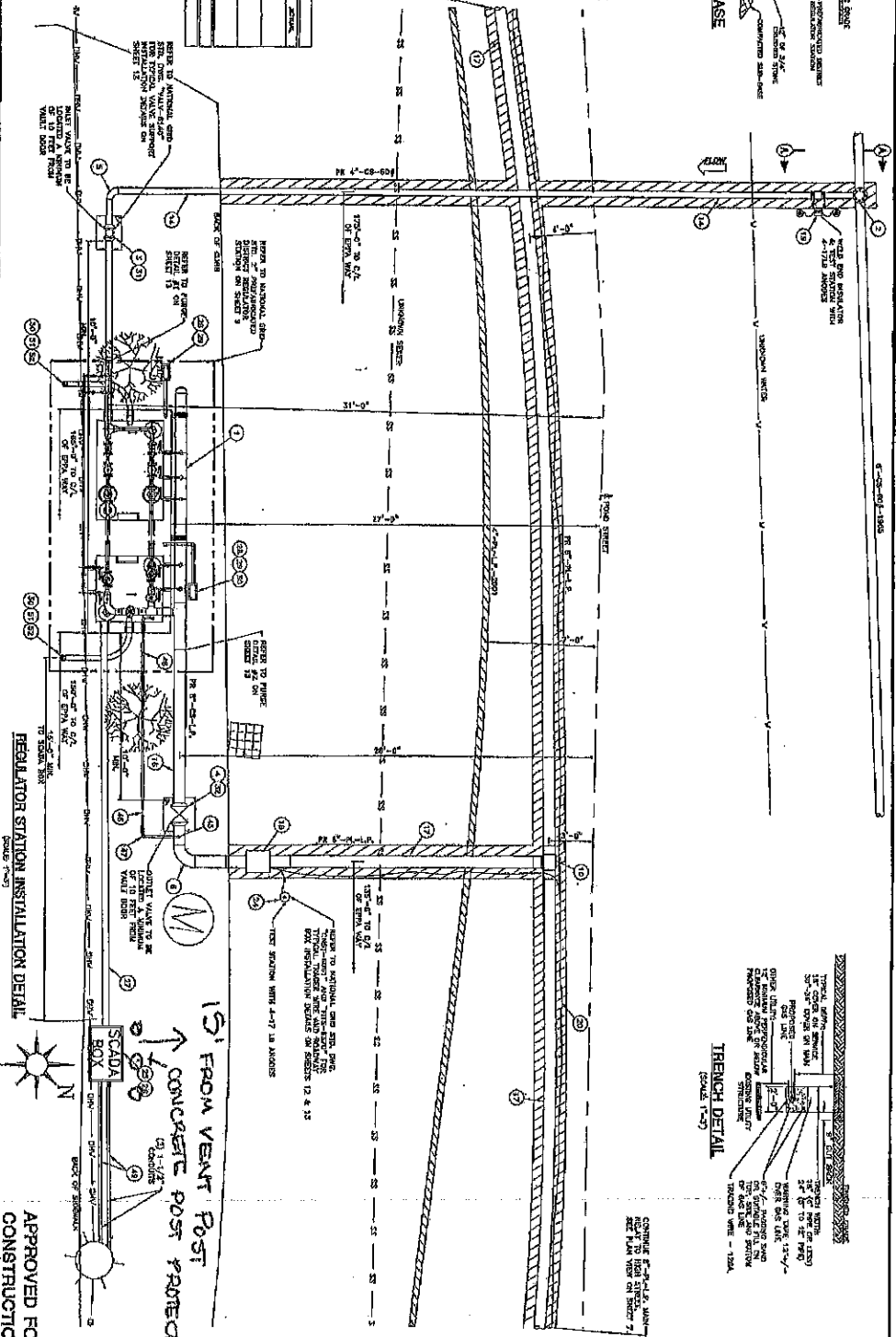
Attest:

City/Town Clerk

PROFILE OF COMPACTED SUB-BASE
(K90416, N175)



TOTAL MOTOR OILS QUANTITIES		
	ESTIMATED	ACTUAL
TOTAL PETROLEUM PRODUCTS USED THIS YEAR		
437 PPG, 12357 GAL. QUINCY STEEL, 40-4	237	
64-4		
57 PPG, 13127 GAL. QUINCY STEEL, 40-4	147	
64-4		
57 PPG, 12 204, 12000 GAL. QUINCY, 200 125	167	
64-4		
TOTAL, PETROLEUM PRODUCTS, THIS YEAR	551	
TOTAL, PETROLEUM PRODUCTS, THIS YEAR	551	
TOTAL, PETROLEUM PRODUCTS, THIS YEAR	551	



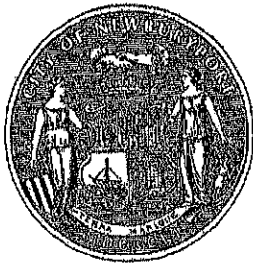
FRENCH DETAIL
(Scale 1"=3')

15' FROM VENT POST
↑ CONCRETE POST PROTECTION

REGULATOR STATION INSTALLATION DETAIL
(SCALE 1"=5')

APPROVED FOR
CONSTRUCTION

[illegible]



City of Newburyport

OFFICE OF THE ASSESSOR

City Hall
60 Pleasant Street
Newburyport, MA 01950
978-465-4413 / Fx 978-462-8495

Date: August 13, 2014

To: Richard Jones, City Clerk

From: Newburyport Board of Assessors

Re: 13 Pond Street -- Map: 35 Lot: 64

To be granted a location for and permission to erect & maintain poles & wires, together with such sustaining & protecting fixtures as it may find necessary.

Also for permission to lay & maintain underground laterals, cables & wires in the above or intersecting public ways for the purpose of making connections with such poles & buildings as each of said petitioners may desire for distributing purposes.

The following are the abutters of the above described location:

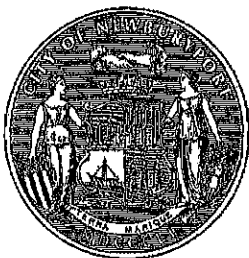
Board of Assessors

BY CERTIFYING THAT THE PERSONS LISTED IN THE FOREGOING LIST OF ABUTTERS ARE THE OWNERS OF RECORD OF THE FOREGOING PROPERTIES AS OF JANUARY 1ST, 2014, THE CITY ASSESSOR IS NOT CERTIFYING THAT THE PERSONS SO LISTED ARE THE PERSONS WHO ARE REQUIRED TO RECEIVE NOTIFICATION UNDER APPLICABLE LAW.

35/ 39/ / /
NEWBURYPORT MANAGER LLC TRS
13.5 POND ST NOMINEE TRUST
C/O NEW ENGLAND DEVELOPMENT
ONE WELLS AVE
NEWTON, MA 02459

35/ 63/ / /
SPENCER KEVIN C
SPENCER DIANE R T/E
11 POND ST
NEWBURYPORT, MA 01950

35/ 64/ / /
DAVIS KEVIN C
LEAH
13 POND ST
NEWBURYPORT, MA 01950



CITY OF NEWBURYPORT

MASSACHUSETTS

CITY CLERK'S OFFICE

NEWBURYPORT CITY HALL

60 PLEASANT STREET • P.O. BOX 550

NEWBURYPORT, MA 01950

TEL: 978-465-4407 • FAX: 978-462-7936

RICHARD B. JONES

CITY CLERK

Aug. 13, 2014

Dear Property Owner:

Notice is hereby given that a Public Hearing will be held on the petition of National Grid to install a concrete base Electrical box: 3'4"x2'8 1/4"x6" (above ground), 12" (below ground) electrical box: 36"x50"x17" at 13 Pond Street.

Said meeting will be held on Monday, August 25, 2014 at 7:30 PM in the City Council Chamber, City Hall, 60 Pleasant St., Newburyport, MA. At that time, all interested parties will have an opportunity to be heard.

A copy of the plan is enclosed.

Sincerely,

A handwritten signature in cursive script, reading "Tricia E. Barker".

Tricia E. Barker

Assistant City Clerk

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES - VERSION 1

August 25, 2014

Electrical Box Hearings

7:15 PM

(1) Washington & Kent Streets (Nat. Grid)

At 7:15 pm President O'Brien opened the public hearing. The City Clerk called the roll, 11 present. The City Clerk read the notice of public hearing. Lien Gauthier of National Grid spoke in favor. There were no public comments. Motion to approve by Councillor Herzog, seconded by Councillor Cameron. Roll call vote, 11 yes. The hearing was closed at 7:20pm.

(2) 13 Pond Street (Nat. Grid)

At 7:20 pm President O'Brien opened the public hearing. The City Clerk called the roll, 11 present. The City Clerk read the notice of public hearing. Lien Gauthier of National Grid spoke in favor. Kevin Spencer of 11 Pond Street and Kevin Davis of 13 Pond Street spoke against. Motion to table by Councillor Cronin, seconded by Councillor Tontar. Roll call vote, 11 yes. The hearing was closed at 7:28pm.

CITY COUNCIL MEETING 7:30PM

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held for Mary E. Vaughan who recently passed away, mother of Water Department employee, Kathe Talkington. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Tontar, Vogel, O'Brien. 11 present.

LATE FILES – Communication #5 Mayor's Update and Communication #6 Cushing Park Block Party. **Motion to waive the rules and allow late files by Councillor Cameron, seconded by Councillor Kinsey. So voted.**

PUBLIC COMMENT

Pam Armstrong	5 Buck Street	Cushing Park Potluck
Martha McManamy	210 High Street	Plastic Bag Ban
Lyndi Lanphear	347 High Street	Plastic Bag Ban
Bill Harris	56 Lime Street	Steve Hines appointment
Elizabeth Marcus	10 Barton Street	Plastic Bag Ban
Conrad Willeman	10 Barton Street	Plastic Bag Ban
Joe DiBiase	15 Frances Drive	Plastic Bag Ban
Leslie Eckholdt	36 Warren St.	Plastic Bag Ban
Lon Hachmeister	281 High Rd, Newbury	Steve Hines appointment
Michael Sales	6 Fruit St.	Plastic Bag Ban
Juliet Walker	13 Eagle St.	Plastic Bag Ban
Amber Hewett	8 Munroe St.	Plastic Bag Ban
Sheila Taintor	10 Dexter St.	Plastic Bag Ban
Rick Taintor	10 Dexter St.	Plastic Bag Ordinance
Molly Ettenborough	35 Toppans Lane	Plastic Bag Ordinance

MAYOR'S COMMENT – None

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

August 11, 2014

(Approve)

2. **TRANSFERS - none**

(Approve)

3. **COMMUNICATIONS**

1. Block Party Payson Street, 9/30/2014

(Approve)

2. Ltr to Governor Patrick from Council re: Crow Lane/ Environmental Bonds monies

(R&F)

3. Firefighters Local 827 FY2014 Successor Collective Bargaining Agreement

(B&F)

4. Ltr to BOH from City Council on banning synthetic marijuana products

(NCS)

Removed by Councillor Cronin.

4. **APPOINTMENTS- First Reading - None**

END OF CONSENT AGENDA

Motion to approve the consent agenda as amended by Councillor Cameron, seconded by Councillor Connell. So voted.

REGULAR AGENDA

11. **COMMUNICATIONS**

4. Ltr to BOH from City Council on banning synthetic marijuana products

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

5. LATE FILE Mayor's Update

Motion to R&F Councillor Cameron, seconded by Councillor Herzog. So voted.

6. LATE FILE Neighborhood BBQ party at Cushing Park

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

12. **APPOINTMENTS Second Reading**

		Appointment	
1. Sheila A. Mullins	7 Parsons Street	Trust Fund Commission	August 1, 2017
2. Douglas Locy	17 Alberta Avenue	Planning Board	August 1, 2019
3. Steven D. Hines	54 Ferry Road	Waterfront Trust Commission	Dec. 31, 2018 August 1, 2019

Re-Appointment

4. Richard J. O'Brien	41 Olive Street	Trust Fund Commission	April 1, 2017
5. Stephen Dodge	57 Milk Street	Historical Commission	August 1, 2017

Motion to approve 2nd reading by Councillor Herzog as amended, seconded by Councillor Cronin. Roll call vote 11 yes. So voted

13. **ORDERS**

1. Car Free Day Resolution

Motion to approve by Councillor Herzog, seconded by Councillor Heartquist. 10 yes, 1 no (O'Brien). So voted.

2. Supplemental Budget FY 2015 #1

Motion to refer to Budget & Finance by Councillor Cameron, seconded by Councillor Tontar. So voted.

14. **ORDINANCES**

1. Second Reading Amend ORD Zoning Section XXVIII, Demolition control overlay district

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

2. Second Reading Amend Zoning ORD Medical Marijuana Treatment Center

Motion to approve second reading by Councillor Eigerman, seconded by Councillor Herzog. Roll call vote, 10 yes, 1 recused (Cronin). So voted.

3. Ch 13, Sec 13-168. Parking Franklin St, Delete

Motion to refer to Public Safety by Councillor Vogel, seconded by Councillor Heartquist. So voted.

15. **COMMITTEE ITEMS**

Budget & Finance

In Committee:

1. Mayor letter regarding Order for Revolving Fund Expenses

*03/17/2014

2. Order Amend Revolving Fund expenses *03/17/2014
3. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
4. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
5. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014
6. Human Resources Dependent Audit *06/30/2014

General Government

In Committee:

1. Mayor's Update *06/09/2014

Joint Education

In Committee:

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

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Amend Ch.6.5, Article III Plastic Bags (NCS & COTW) *03/17/2014
3. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas *04/28/2014
4. Letter regarding transient vendor licensing *06/30/2014
5. Conor McManamy request to sell reusable bags in Market Square *08/11/2014
6. Yankee Clipper Boy Scouts Pack 21 Popcorn Fundraiser Market Square Oct. 4, 8, Nov. 1, 2014 *08/11/2014

Neighborhoods and City Services

In Committee

1. Amend Ch.6.5, Article III Plastic Bags (L&P, COTW) *03/17/2014*04/28/2014

Motion to remove from committee by Councillor Connell, seconded by Councillor Cameron. So voted.

Motion to approve 1st reading and order printed with the following amendments in Section 6.5-47(d) (3) by replacing the language "Five-hundred dollars (\$500)" with "Three-hundred dollars (\$300)"; and deleting Section 6.5-47(f). Roll call vote, 6 yes, 5 no (Giunta, Herzog, Kinsey, Cronin, O'Brien). Motion passed.

2. Market Basket Letter re: plastic bags *05/12/2014

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. Abandon portion of Russell Terrace Ext. *08/11/2014

Motion to remove 2, 3, 4 and 5 by Councillor Cameron, seconded by Councillor Herzog. So voted. Motion to approve by Councillor Cameron, seconded by Councillor Eigerman. Roll call vote, 11 yes. So voted.

3. Accept grant of drainage easements from Springwell Investments, LLC *08/11/2014

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

4. Accept deed from Springwell Investments, LLC for fee *08/11/2014

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

5. Order of Layout Morin Road and Richardson's Path *08/11/2014

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

Public Safety

In Committee:

1. 4th annual 5k run/walk for Ovarian Cancer Sept. 28, 2014 *06/30/2014

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

2. Green Stride ½ Marathon October 26, 2014 *06/30/2014

3. River Run ½ Marathon and 5k, May 31, 2015 *06/30/2014

Motion to remove by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to approve with the following stipulations; start no earlier than 9:30am, no amplification before 9:00am, must have access to Riverside Café, coordinate with the Harbor Master by Councillor Cronin, seconded by Councillor Cameron. So voted.

4. 2nd Annual Pumpkin Patch request Jeanne Geiger Crisis Center *07/14/2014

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

5. Neurofibromatosis Northeast Coast to the Cure bike Ride Sept. 6, 2014 *08/11/2014

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

6. Amend ORD Sec 13-168 Parking restricted Olive Street *08/11/2014

Motion to remove by Councillor Cronin, seconded by Councillor Herzog. So voted. Motion to amend to change Northerly to Southerly by councillor Cameron, seconded by Councillor Eigerman. 10 yes, 1 no (O'Brien). So voted. Motion to approve as amended by Councillor Cronin, seconded by Councillor Herzog. Roll call vote, 11 yes. Motion passed.

7. Intermunicipal Harbormaster Services Agreement *08/11/2014

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

Public Utilities Committee

In Committee:

1. Stormwater Permitting Status Update *05/12/2014

Motion to remove by Councillor Herzog, seconded by Councillor Heartquist. Motion to receive and file by Councillor Herzog, seconded by Councillor Heartquist. So voted.

2. Letter from Daniel Eyink, MD regarding water fluoridation *05/27/2014

3. Energy Advisory Committee letter regarding lights on private property *06/30/2014

Rules Committee

16. GOOD OF THE ORDER

17. ADJOURNMENT

Councillor Cronin moved to adjourn, seconded by Councilor Herzog at 9:08 pm, so voted.

TRANSFERS



Transfer #1
Sept. 8, 2014

City of Newburyport
FY 2015
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 SEP -2 P 3:32

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

Date Submitted: 9/8/2014

Transfer From:

Account Name	Budget Contingency	YTD Bal:	\$ 136,056.26
Account Number:	01129007-57805	Trans In:	\$ -
Amount:	\$122,724.00	Trans Out:	\$ -
Why are Funds Available:	<i>The FY2015 budget included an appropriation in the Budget Contingency line item to fund salary increases that were negotiated as part of the collective bargaining agreement for the Firefighters Local 827 union.</i>		

Transfer To:

Account Name	Firefighter Salaries	YTD Bal:	\$ 1,568,096.28
Account Number:	01220001-51142	Trans In:	\$ -
Amount:	\$110,493.00	Trans Out:	\$ -
Why are Funds Required:	<i>The Firefighter Salaries line item was budgeted for FY2015 based on salaries in place prior to the completion of the most recent collective bargaining agreement for the Firefighters Local 827 union.</i>		

Transfer To:

Account Name	Deputy Chief Salary	YTD Bal:	\$ 76,035.55
Account Number:	01220001-51102	Trans In:	\$ -
Amount:	\$12,231.00	Trans Out:	\$ -
Why are Funds Required:	<i>The Deputy Chief Salary line item was budgeted for FY2015 based on the salary in place prior to the completion of the most recent collective bargaining agreement for the Firefighters Local 827 union.</i>		

Donna D. Holaday, Mayor
Ethan R. Manning, Auditor
City Council Approval: (Stamp)

Donna D. Holaday
Ethan R. Manning

Date: 9/2/14
Date: 9/2/14



Transfer #2
Sept. 8, 2014

City of Newburyport
FY 2015
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 SEP -2 P 3: 32

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

Date Submitted: 9/8/2014

Transfer From:

Account Name	EMT Stipends	YTD Bal:	\$ 25,000.00
Account Number:	01220001-51413	Trans In:	\$ -
Amount:	\$25,000.00	Trans Out:	\$ -
Why are Funds Available:	<i>EMT stipends are now part of the annual salary per the new collective bargaining agreement between the City and the Firefighters Local 827 union.</i>		

Transfer To:

Account Name	Firefighter Salaries	YTD Bal:	\$ 1,568,096.28
Account Number:	01220001-51142	Trans In:	\$ -
Amount:	\$24,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>The Firefighter Salaries line item was budgeted for FY2015 based on salaries in place prior to the completion of the most recent collective bargaining agreement for the Firefighters Local 827 union. The EMT stipend is now part of the base salary per the new agreement.</i>		

Transfer To:

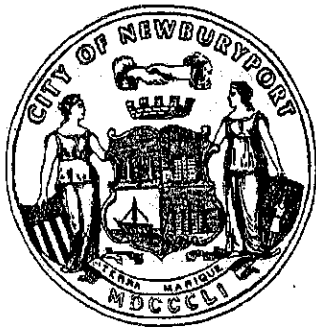
Account Name	Deputy Chief Salary	YTD Bal:	\$ 76,035.55
Account Number:	01220001-51102	Trans In:	\$ -
Amount:	\$1,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>The Deputy Chief Salary line item was budgeted for FY2015 based on the salary in place prior to the completion of the most recent collective bargaining agreement for the Firefighters Local 827 union. The EMT stipend is now part of the base salary per the new agreement.</i>		

Donna D. Holaday, Mayor
Ethan R. Manning, Auditor
City Council Approval: (Stamp)

Donna D. Holaday
Ethan R. Manning

Date: 9/2/14
Date: 9/2/14

COMMUNICATIONS



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 AUG 22 A 8:32



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: Sept 27 2014 - Aug 20 2014

CONTACT INFORMATION

FIRST AND LAST NAME: Lisa Sanchez
MAILING ADDRESS: 10 Otis Place
PHONE NUMBER: (508) 451-8974
E-MAIL ADDRESS: chachasanchez@aol.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: Sept 27 2014

DESIRED STREET CLOSING LOCATION: Otis 1/2 half way where it meets Garden
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Otis from Garden

DESIRED STREET CLOSING TIME: 4:00 PM to 10:00 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

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL

4 Green Street

FIRE CHIEF

Greenleaf Street

DEPUTY DIRECTOR

1 Perry Way

CITY CLERK

60 Pleasant St.

City use only:

Approved

-Denied

Date



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

The Society of St. Vincent de Paul
Immaculate Conception Parish

42 Green Street
Newburyport, MA 01950
Tel # 978-518-0728

June 24, 2014

City Council
City Hall
Newburyport, MA 01950

Council President:

We are seeking permission to hold a "Walk for the Poor" on Saturday, September 20, 2014. The walk is sponsored by the local Society of St. Vincent de Paul that helps anyone in the local area who finds themselves in immediate financial need. We supply help such as: food cards, gas cards, assistance with rent & utility bills, finding shelter for suddenly homeless people. There are many people in our area that are in desperate need of assistance. We do our best to help those who seek our assistance. We raise money through events such as this and private donations. The need is great and the resources are few. The walk will begin at 9:00 am and end about 11:00 am. There should be no more than 200 walkers probably less.

The route is 4K or 2.5 miles as follows:

Start in IC parking lot; up Court St.; turn right on High St., to Broad St.; take right on Broad down to Merrimac ; take right on Merrimac St. to State St.; up State; take right on High St; then turn right on Green St. to Washington St.; take Left on Washington St.; back to IC parking lot.

Thank you for your consideration in this matter.

Jan Kolman,
Walk Coordinator

Contact person: Jan Kolman, Walk Coordinator
Home 978-462-3339, cell 978-270-5128
E-Mail jmknana@verizon.net

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Sept. 1, 2014

2014 SEP - 3 A 10: 42

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

Dear President O'Brien,

Once again I'd like to thank the Newburyport City Council for their swift appointment of two new members to the Newburyport Redevelopment Authority. Leslie Eckholdt and Bob Uhlig already have proved to be invaluable.

With close to a full complement (we're still awaiting the Governor's confirmation of our fifth member,) the NRA is beginning to delve deeply into the multiple issues surrounding the 4.2-acre lots.

Over the next few months, we'll be discussing crucial issues such as increasing public use of these important properties and identifying potential sources of revenue necessary to complete work on the waterfront.

We sincerely hope the City Council and Mayor Donna Holaday will help us craft this final vision.

In that spirit, I would like to restate the Redevelopment Authority's desire to meet with the City Council and Mayor Holaday as soon as possible. I'll follow up with City Clerk Richard Jones to see if we can schedule such a meeting.

Thanks for your attention.

Warm Regards,

Tom Salemi

Chairman,
Newburyport Redevelopment Authority

APPOINTMENTS



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. Box 550

NEWBURYPORT, MA 01950

978-465-4413 PHONE

978-465-4402 FAX

Appointment #1
Sept. 8, 2014

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CITY CLERK'S OFFICE
NEWBURYPORT, MA

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CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 AUG 27 P 2:30

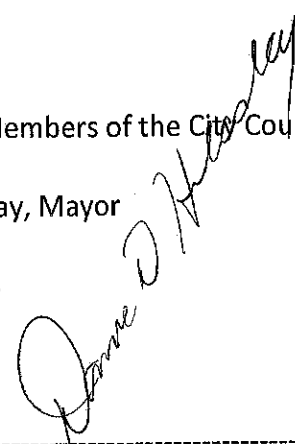
2014 AUG 27 P 2:30

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: August 26, 2014

Subject: Appointment



I hereby appoint, subject to your approval, the following named individual as an Assistant Harbor Master and Special Police Officer. This term will expire on December 1, 2017.

Robert Padellaro
17 56th Street
Newburyport, MA 01950

Robert Padellaro

#17-56th St

Newburyport, 01950

978-518-5267

rpadellaro@gmail.com

WORK EXPERIENCE

CITY OF NEWBURYPORT

Assistant Harbormaster June 2013 - Present

Patrol the waters of Newburyport. Educate boaters on safety. First Responder in the case of an emergency

I was hired in 2013 as a lot attendant to collect fees for parking and assist boaters with launching and hauling their vessels at the public boat ramp.

STARBOARD GALLEY RESTAURANT

Barback June 2011 - September 2014

I was hired as a busboy in 2011. After returning in the summer of 2012 I was promoted to prep cook and fry cook. After retiring in the summer of 2013 I was promoted to bar back where I assisted the bartender.

EDUCATION

Newburyport High School

High School Diploma, Jun 2013

Northern Essex Community College

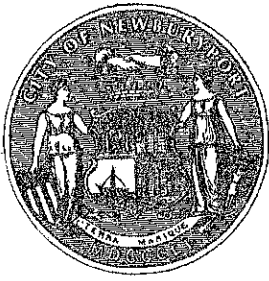
Criminal Justice Candidate, May 2015

ADDITIONAL SKILLS

In September of 2013 I was accepted into the North East Regional Police Institute (NERPI), a 242 hour Police academy. In June of 2014 I graduated second in the class of 40 officers. During the NERPI program, I was taught criminal law, constitutional law, first responder, defensive tactics, and motor vehicle law. Currently I am a certified reserve police officer in the state of Massachusetts .

In January of 2014, I became a member of the Massachusetts Harbormaster Association. The MHA offers the Harbormaster Training Program. I have completed six of the mandatory twelve programs offered by the MHA.

In June of 2014 I enrolled in a 24 hour Standardized Field Sobriety Test, SFST, class at Rowley Police Department. The SFST program offered covered Operation under the influence of alcohol and drugs. I was instructed on how to properly administer the four standardized tests approved by the state.



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

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

978-465-4413 PHONE

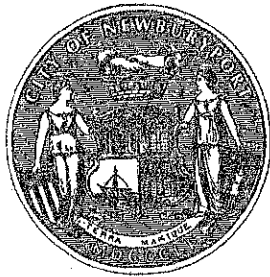
978-465-4402 FAX

Re-Appointment #2
Sept. 8, 2014

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: August 26, 2014
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Licensing Board. This term will expire on June 1, 2020.

Craig G. Holt
33 Carter Street
Newburyport, MA 01950



CITY OF NEWBURYPORT

OFFICE OF THE MAYOR

DONNA D. HOLADAY, Mayor

60 PLEASANT STREET - P.O. Box 5597

NEWBURYPORT, MA 01856

978-465-4413 PHONE

978-465-4402 FAX

Re-Appointment #3
Sept. 8, 2014

RECEIVED
CITY'S OFFICE
NEWBURYPORT, MA
AUG 27 P 2:30

To: President and Members of the City Council

From: Donna D. Holaday, Mayor

Date: August 26, 2014

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as an Assistant Harbor Master and Special Police Officer. This term will expire on December 1, 2017.

Lance Thokle
1886 Southeast Erwin Road
Port St. Lucie, FL 34952

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

APPOINTMENTS



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

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

2014 SEP - 3 P 2:33

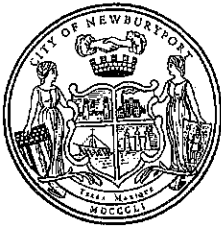
To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: September 3, 2014
Subject: **Confirmatory Address Correction**

I hereby re-appoint, subject to your approval, the following
named individual as a member of the Historical Commission.
This term will expire on August 1, 2017.

Stephen Dodge
18 Union Street
Newburyport, MA 01950

ORDINANCE

CITY OF NEWBURYPORT



IN CITY COUNCIL

August 5, 2014

ORDERED:
AN ORDINANCE TO REGULATE THE RETAIL DISTRIBUTION OF THIN-FILM, PLASTIC BAGS WITH INTEGRAL HANDLES

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

General Ordinance Amendment:

CHAPTER 6.5: ENVIRONMENT

Insert a new Article III to Chapter 6.5 of the Code of the City of Newburyport, Massachusetts, with the following text:

ARTICLE III: PLASTIC BAGS

Section 6.5-43. Short Title

This Article may be cited as the "Thin-film Plastic Bags Ordinance."

Section 6.5-44. Purposes and Intent

The purposes of this Article are: to regulate the retail distribution of thin-film plastic bags with integral handles in the City of Newburyport; to encourage the use of reusable or biodegradable bags; and to encourage retail establishments to offer reusable bags.

Section 6.5-45. Definitions

- (a) "Thin-film plastic bag with integral handles" shall mean a bag with integral handles made of a non-biodegradable plastic that is 3.0 mils (3/1000th of an inch) in thickness or less.
- (b) "Biodegradable bag" shall mean a bag that both: (I) contains no polymers derived from fossil fuels; and (II) will decompose in a natural setting at a rate comparable to other biodegradable materials such as paper, leaves, and food waste.
- (c) "Reusable bag" shall mean a bag that is specifically designed and intended for multiple uses and is made of (I) plastic with a thickness greater than 3.0 mils, or (II) fabric or (III) other durable materials.
- (d) "Retail establishment" shall mean an establishment engaged in any "Business" or "Marine" uses regulated under Section V (Use Regulations) of Appendix A (Zoning Ordinance) of the Code of the City of Newburyport, Massachusetts.

Section 6.5-46. Limitations

- (a) *Regulated Activities.* No thin-film, plastic bag with integral handles shall be sold or otherwise distributed at or by any retail establishment within the City of Newburyport.
- (b) *Alternative Activities.* Retail establishments, at their sole election, may sell or otherwise distribute biodegradable bags and/or reusable bags within the City of Newburyport.

Section 6.5-47. Enforcement

(a) *Regulations.* Consistent with this Article, the city shall promulgate regulations to enforce and otherwise implement the provisions of this Article ninety (90) days from the date that the mayor approves this Article or it otherwise comes into force.

(b) *Noncriminal Disposition.* If the city determines that a violation of this Article has occurred at or by a retail establishment, such retail establishment shall be penalized by a noncriminal disposition as provided in Section 21D of Article 40 of the Massachusetts General Laws, and adopted by the City as a general ordinance as Subsection 1-17 of Chapter 1 of the Code of Ordinances of the City of Newburyport, in the amounts set forth in Section 6.5-47 (d) of this Article.

(c) *Warning.* Upon the first violation of this Article at or by a retail establishment, the city shall provide such retail establishment written notice that such first violation has occurred and issue a warning that any subsequent violations within a twelve (12) month period shall require the imposition of monetary penalty. No monetary penalty shall be imposed for this first violation.

(d) *Subsequent Violations.* Upon subsequent violations of this Article at or by a retail establishment within twelve (12) months after a first violation, the city shall impose and provide the retail establishment written notice of the accrual of a monetary penalty. Such monetary penalty shall not exceed the following amounts:

- (1) One-hundred dollars (\$100) for the second violation;
- (2) Two-hundred dollars (\$200) for the third violation; and
- (3) Three-hundred dollars (\$300) for the fourth and each subsequent violation.

(e) *Late Payment.* If payment of any monetary penalty is not received on or before the date when due, then the city shall impose an additional penalty as provided by the regulations promulgated pursuant to this Article.

Section 6.5-48. Effective Date

To facilitate compliance by retail establishments, enforcement of this Article shall be suspended until date that is one-hundred and eighty (180) days from the date that the mayor approves this Article or it otherwise comes into force. During such period of suspension, the city shall direct an effort to educate retail establishments about this Article.

Section 6.5-49. Severability

The City Council intends that each separate provision of this Article shall be deemed independent of all other provision herein. The City Council further intends that if a court of competent jurisdiction declares that any provision of this Article is invalid, then the remaining provisions of this Article shall remain valid and enforceable of this Article.

Sponsors: Councillor Barry N. Connell
Councillor Edward C. Cameron
Councillor Robert J. Cronin
Councillor Jared J. Eigerman
Councillor Ari B. Herzog
Councillor Charles F. Tontar
Councillor Bruce L. Vogel

In City Council March 17, 2014

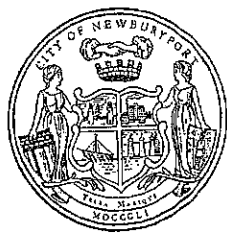
Motion to refer to Neighborhoods & City Services and License & Permits by Councillor Connell, seconded by Councillor Heartquist. Motion withdrawn. Motion to refer to NCS and License & Permits and Committee of the Whole by Councillor Connell, seconded by Councillor Heartquist. So voted.

In City Council Aug. 25, 2014

Motion to remove from committee by Councillor Connell, seconded by Councillor Cameron. So voted.

Motion to approve 1st reading and order printed with the following amendments in Section 6.5-47(d) (3) by replacing the language "Five-hundred dollars (\$500)" with "Three-hundred dollars (\$300)"; and deleting Section 6.5-47(f). Roll call vote, 6 yes, 5 no (Giunta, Herzog, Kinsey, Cronin, O'Brien). Motion passed.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 8, 2014

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

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

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

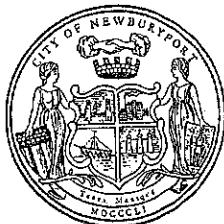
DELETE:

Essex Street

One (1) space at 26 Essex Street

Councillor Jared J. Eigerman

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

August 11, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

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

Amend:

No person shall park any vehicle on the following streets or portions of streets as indicated below:

Street	Extent
Olive Street	On the easterly side from Merrimac Street running southerly for a distance of 40 feet.

Councillor Robert J. Cronin

In City Council August 11, 2014

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

In City Council August 25, 2014

Motion to remove by Councillor Cronin, seconded by Councillor Herzog. So voted. Motion to amend to change Northerly to Southerly by Councillor Cameron, seconded by Councillor Eigerman. 10 yes, 1 no (O'Brien). So voted. Motion to approve as amended by Councillor Cronin, seconded by Councillor Herzog. Roll call vote, 11 yes. Motion passed.

COMMITTEE ITEMS

BUDGET AND FINANCE COMMITTEE ITEMS



CITY OF NEWBURYPORT, MASSACHUSETT
Donna D. Holaday, Mayor

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF NEWBURYPORT, MA

2614 AUG 18 P 2:57

To: Council President and Members of the City Council

From: Peter Lombardi, Director of Policy and Administration

Date: August 18, 2014

Re: FY 2014 Successor Collective Bargaining Agreement

The following is a summary of the agreement that has been reached in principle for FY14-FY16 with the Newburyport Firefighters union - International Association of Firefighters, Local 827. The City has agreed to the terms contained herein subject to appropriation by the City Council. The Local 827 voted to ratify the terms of this agreement on July 10, 2014.

Overall, the Firefighters will see a 5.5% COLA increase over the three fiscal years of the contract, with retro pay back to July 1, 2013. The major concession on their part is related to sick leave and sick leave buyback. On this front, they have agreed to 3 less sick days a year and a reduction in sick leave buyback for new employees from a max of 150 to 140 days. Limiting these costs in future fiscal years is essential to the long-term sustainability of the City's operating budget and has accordingly been a priority area in recent contract negotiations across the board with the various collective bargaining units.

Through this most recent contract negotiation, we have also sought to create a foundation on which to build a transition to Fire-based EMS. To this end, we have added a stipended EMS Coordinator position that will have significant tracking, reporting, and training responsibilities. We have eliminated the annual stipend for EMT certification and have included a one-time increase of 3.5% to the base salary of firefighters who have this training, a solid majority of the Department. We will also be offering in-house EMT training through Cataldo/Atlantic Ambulance for all existing employees who do not currently have this certification (approximately 10 employees). We are now requiring all new employees to be EMT certified within a year of employment with the City and all employees, both existing and new, to at minimum maintain the level of EMT certification they have.

The cumulative 4.0% Cost of Living Adjustment (2.0% in FY14 & 2.0% in FY15) and other wage considerations that have been agreed to in this contract have been accounted for in the FY15 Annual Budget under the Mayor's Office Budget Contingency. The related transfer request is required to shift the available funding to the pertinent Fire Department personnel line item. However, it should be noted that a transfer from Free Cash may be required to fund the Police Patrolmen's contract (the only other expired contract that is currently being negotiated) at the close of FY15 due to some changes in when the COLA increases were applied for this agreement (1.5% increase was shifted out to FY16).

As always, we have also tried to standardize language and benefits across all contracts in an effort to be equitable and consistent. For this contract, changes were made to bereavement leave, health insurance, personal leave, and private details to address these discrepancies. We also clarified some important terms and conditions of employment regarding the Deputy Chief that had never been included in previous contracts.

Finally, a priority for the Chief has been ensuring proper management and oversight of firefighters located at Station 2. Recognizing the significant cost of adding 4 new Lieutenants at this location, the union has agreed that the senior firefighter on duty will take on additional supervisory responsibility and will receive a modest shift differential.

Here are the details of the changes that have been agreed to by both parties:

1. ARTICLE 3, SECTION I (Employee Information) (Page 2): Delete Section 1 and replace with the following sentence: "The City shall provide one (1) hard copy and one (1) electronic copy of the collective bargaining agreement to the Union within thirty (30) days after the commencement of the agreement or the effective date of this agreement, whichever is later. The Union shall be responsible for distributing copies of the agreement to the members of the bargaining unit."
2. ARTICLE 4, SECTION III (Response Complement) (Page 3): Change wording in Example #3 to hire Lieutenant on OT if Chief and Deputy are both on vacation, sick, training, or unable to respond within a reasonable time. For the purposes of this section, "a reasonable time" shall be defined as sixty (60) minutes.
3. ARTICLE 4, SECTION IV (Infectious/Communicable Disease) (Page 4): Add the following: "The City shall replace all uniforms and work clothing that have been damaged, destroyed, or contaminated to the point where they are no longer suitable when such damage, destruction, or contamination is a direct result of the employee coming into contact with a person who has an infectious/communicable disease in the line of duty. Every effort shall be made by the employee to clean and disinfect his/her uniform and work clothing following the incident. The Chief or his/her designee shall determine when uniforms and work clothing are in need of replacement under these circumstances."
4. ARTICLE 4, SECTION IV (Infectious/Communicable Disease) (Page 4): In subsection entitled "EXPOSURE TO INFECTIOUS/COMMUNICABLE DISEASE," delete the third sentence and replace with the following: "The City reserves the right to require an employee to be tested to ensure that he/she can safely perform the essential functions of his/her position according to the provisions of MGL Chapter 111 Section F."
5. ARTICLE 5, SECTION I (Time off -- Union Business) (Page 5): Change negotiation team from 3 to 4 and allow up to 6 delegates to attend bi-annual conference without taking vacation/personal time.
6. ARTICLE 6, SECTION II (Discipline) (Page 5): Add the following:
"All employees shall be given a twelve (12) month probationary period. After completion of the probationary period, no employee shall be disciplined or discharged except for just cause. The Union shall be notified of all disciplinary actions, including discharge, within 24 hours."

7. ARTICLE 7, SECTION I (Substitutions) (Page 6): Remove Section 1 and replace with the following:

"Any employee shall be granted a special leave of duty, without loss of pay, benefits, or seniority, for any tour of duty on which the employee is able to secure another employee to work in his/her place provided that no swapping will result in overtime to the City. The shift officer must be informed at the time of the request what the reason is for the shift swap, and whether it is for a full or partial tour."

8. ARTICLE 12, SECTION I (Sick Leave) (Page 9): Amend the entire Sick Leave Buyback paragraph to read as follows:

"Effective July 1, 2014:

- a. Employees shall be credited with one and a quarter ($1 \frac{1}{4}$) days of sick leave per month with unlimited accrual of sick leave days.
- b. Existing employees shall be eligible to buyback 50% of their accrued sick time upon retirement up to a maximum of one hundred and fifty (150) days.
- c. Employees hired after July 1, 2014 shall be eligible to receive a maximum of one hundred and forty (140) days of sick leave buyback based on 50% payment for accrued sick time.
- d. Sick leave shall be granted for sickness or injury (off the job) and for absences because of quarantine in the family. Sick leave shall be granted for illness in the employee's household if such illness requires the presence of the employee at home.
- e. Notwithstanding Sections b, c, and d of this Article, upon the death of an employee, the beneficiary of said employee shall receive payment on one hundred percent (100%) of the employee's accumulated sick leave credits at the time of death.
- f. This section is not applicable to employees who resign, quit, or are discharged for just cause.
- g. An employee who wishes to retire in the next fiscal year shall provide written notice to the Mayor and Department Head by December 1 of the fiscal year prior to the fiscal year that he/she intends to retire, and shall specify a tentative date. An employee who gives the required notice in a timely fashion shall receive the sick leave buyback in the next pay period after the date of retirement. If the employee fails to give requisite notice by December 1, the City will have no obligation to make the buyback payment until the first full payroll period of the fiscal year for which the City has had the requisite notice and opportunity to budget for the necessary funds."

9. ARTICLE 12, SECTION II (Bereavement Leave) (Page 10): Delete the existing paragraph and replace with the following:

"In the event of a death in the immediate family, the member shall be granted two 24 hour tours, not to exceed 48 hours total without loss of pay. Immediate family shall be defined as spouse, child, step-child, mother, father, step-mother, step-father, brother, sister, mother-in-

law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, grandparents, and grandchildren.

In the event of a death of an aunt or uncle, employees will be entitled to one 24 hour tour without loss of pay. Additional time off may be allowed at the discretion of the Chief.

In addition to the death of an immediate family member, a member of the bargaining unit may request the use of bereavement time for a non-family member by submitting a written request to the Chief for approval."

10. ARTICLE 12, SECTION IVB (Release of Records / Accumulation of Time) (Page 10): Allow members out on 111F to carryover all unused vacation and personal time
11. ARTICLE 14, SECTION I (Life and Medical Insurance) (Page 11): Remove Section 1 and replace with the following: "The current health insurance benefits are in accordance with the agreement negotiated by the City and the Public Employee Committee (PEC Agreement) pursuant to MGL Ch. 32B Section 19. The parties agree that any changes in the Health Insurance benefits for bargaining unit member shall be negotiated under MGL Ch. 32B."
12. ARTICLE 15, SECTION 1 (Grievance Procedure) (Page 12): Add the following as the last sentence in Section 2: "Any request for an extension of time made by the City shall be submitted to the Union in writing within 10 days."
13. ARTICLE 15, SECTION I (Grievance Procedure) (Page 12): In Step One, replace "three (3) days" with "five (5) days". In Step Two, replace "five (5) days" with "ten (10) days".
14. ARTICLE 16, SECTION I (Paid Details) (Page 12): Delete the existing paragraph and replace with the following:

"The hourly outside detail rate shall be computed at one and one-half (1 ½) times the hourly rate of a Lieutenant with a Bachelor's Degree. The hourly outside detail rate for weekend and holidays, which shall be defined as any detail worked from Friday (6:00 pm) through Monday (8:00 am), or Tuesday (8:00 am) on weeks with a Monday holiday, shall be computed at one and one-half (1 ½) times the hourly rate of a Lieutenant with a Bachelor's Degree, plus an additional ten (\$10.00) dollars per hour. Firefighters will be hired for a minimum of four (4) hours or a minimum of eight (8) hours if the actual time worked exceeds four (4) hours. A rate of time and one half the hourly rate of a Lieutenant with a Bachelor's Degree shall be paid for all details that exceed eight (8) hours. These rates shall take effect the date of the signing of this 2013-2016 Agreement.

The City shall establish up to a 10% administrative fee per hour per officer for the cost of administering details, under c. 44, Section 53C. The City shall make disbursements to firefighters on a bi-weekly basis regardless of whether or not the City has received payments for said details prior to the subsequent pay period.

On cancellation of a detail where a man has been hired, notification must be made at least two (2) hours prior to starting time. Failure to do so will result in the officer being paid for a four (4) hour minimum."

15. ARTICLE 21, SECTION II (Compensation) (Page 15): Replace with the following: "Said amounts are to be paid over and above firefighters' biweekly salary. Adjustments in percentages shall be effected on a biannual basis (July 1 and January 1), pending submission of proof of academic record to date from an accredited college or university. Education Incentive compensation paid to employees shall be included as regular compensation for deduction purposes toward retirement."

16. ARTICLE 21, SECTION IV (Education Incentive) (Page 15): Replace with the following:
"Employees shall receive annual compensation in addition to the annual base salary for completing coursework towards an Associate Degree in Fire Science from an accredited college or university according to the following schedule:

10 credits	2% of annual base salary
25 credits	4% of annual base salary
40 credits	6% of annual base salary
Associates Degree	15% of annual base salary

Employees completing coursework from an accredited college or university beyond the requirements of an Associate Degree in Fire Science shall receive annual compensation in addition to the annual base salary according to the following schedule:

90 credits	17.5% of annual base salary
Bachelor's Degree	20% of annual base salary
Master's Degree	22.5% of annual base salary

For the purposes of this advanced degree compensation schedule, eligible coursework shall include: Fire Science, Business Management/Administration, Public Administration, Fire Engineering, Information Technology, Paramedicine (EMS), Criminal Justice, Emergency Management, and Nursing."

17. ARTICLE 21, SECTION III (Schooling) (Page 15): Replace with the following: "Fire department employees shall be eligible for up to \$200.00 annually to help defray the cost of materials relative to schooling and firefighting, promotional exams, and EMT recertification. Payments shall be made on a reimbursement basis upon submission of receipts to the Fire Chief."

18. ARTICLE 21, SECTION IV (EMT Stipends) (Page 16): Amend Section in its entirety to read as follows: "Effective July 1, 2014, all firefighters who possess and maintain a valid state of Massachusetts Emergency Medical Technician (EMT) certification will receive an increase of 3.5% to their annual base salary. FY14 will be the last fiscal year in which stipends (\$1,000) will be paid to members of the bargaining unit who meet this criterion. Current members of the bargaining unit who have their EMT certification and choose not to maintain their certification at the highest level that they have attained while in the employ of the City will forfeit the 3.5% increase in their base salary effective immediately after the expiration of their certification. In FY15, the City will provide a one-time, in-house training program for all members of the bargaining unit who do not currently possess said EMT certification. This state EMT certification course will be provided at no cost to the members.

Effective July 1, 2014, all new members of the bargaining unit will be required to possess and maintain a valid state of Massachusetts Emergency Medical Technician certificate within twelve (12) months of employment with the City. Said new members shall also be required to

maintain their EMT certification at the highest level that they have attained while in the employ of the City. Any new member who fails to comply with these EMT certification requirements will be subject to discipline, including, but not limited to, termination."

19. Add ARTICLE 21, SECTION VI (EMS Coordinator Stipend) (Page 16): Effective upon the execution of this 2013-2016 agreement, a new position of EMS Coordinator will be created. A full job description will be provided in advance of this new position being posted. Once posted, ample notice will be given before applications are due. The position will be filled by the senior most qualified applicant at the discretion of the Chief in consultation with the Mayor's Office. The City will provide a 5% stipend above the selected individual's base salary as compensation for this added responsibility.
 20. ARTICLE 26, SECTION I (Duration of Agreement) (Page 20): Modify dates to reflect the new term of the agreement (July 1, 2013 to June 30, 2016).
 21. APPENDIX A (Wages) (Page 21): FY14 2.0%; FY15 2.0%; FY16 1.5%
 22. ARTICLE 9, SECTION III (Paid Holiday and Personal) (Page 8): Change personal days from three (3) shifts of time off to four (4).
 23. ARTICLE 10, SECTION I (Wages and Differentials) (Page 8): Add the following: "Effective upon the execution of this 2013-2016 agreement, the senior firefighter at Station 2 will receive a 3% differential above their base salary rate for the shift in which they serve in this supervisory capacity."
-
24. ARTICLE 6, SECTION V (Working Out of Grade) (Page 6): Add the following: "This provision shall apply to the Deputy Chief provided that such assignment is for a period of at least fourteen (14) consecutive calendar days."
 25. ARTICLE 19, SECTION I (Hours) (Page 14): Add the following to the end of the section:
"The Deputy Chief is an administrative position and will, therefore, follow an administrative schedule. His/her hours shall be Monday through Friday 8AM to 4PM.

With the exception of out of grade pay as defined in Article 6, Section V, the Deputy Chief's salary provided herein shall constitute the entire compensation attributable to the performance of the duties and responsibilities of the position. This position is expected to be on call and available to direct and assist in the City's response to fire related and other emergency situations which require service outside of the normal workday. This position is also expected to meet certain deadlines in the performance of his/her duties and to appear before boards, commissions and the City Council outside the normal workday as needed.

Effective July 1, 2014, the Deputy Chief shall receive a one-time increase of three thousand nine hundred dollars (\$3,900.00) to his base salary in addition to the COLA increases agreed to herein by the bargaining unit. This position will no longer be eligible for overtime pay for any reason or out of grade pay (unless the Chief is out of the City for fourteen consecutive days). A separate

salary schedule shall be included in this and all future collective bargaining agreements that establishes the Deputy Chief position's pay rate for the duration of the contract.

It is recognized that the Deputy Chief may occasionally be required to devote significant time outside the normal work schedule to the business of the City, and to that end, he/she shall be allowed to take reasonable compensatory time off upon notification and approval of the Fire Chief.

In accordance with this collective bargaining agreement, the Deputy Chief shall continue to receive all other rights and benefits afforded to him under this agreement."

CITY OF NEWBURYPORT



IN CITY COUNCIL

DATE: August 25, 2014

ORDERED:

THAT the City Council of the City of Newburyport approves the Mayor's Supplemental Budget Request #1 FY2015 in the amount of \$31,490.00.

UMass Collins Center Consulting

Cost: \$15,000.00

Budget Visualization Website

Cost: \$3,000.00

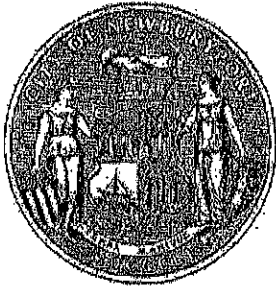
Additional Hours for Fire and Police Department Executive Assistants

Cost: \$9,882.00

Payroll & Benefits Coordinator Position

Cost: \$3,608.00

Councillor Charles F. Tontar



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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 AUG 19 P 3:50

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: August 25, 2014
Subject: Supplemental Budget Request

Based on updated FY2015 revenue estimates, the City has \$33,981.07 in additional funding available for the current fiscal year. These funds are available due to overall healthy FY2014 actual results, which allowed the City make slight revisions to our FY2015 revenue estimates. Accordingly, I am submitting the following items as a Supplemental Budget Request.

- UMass Collins Center Consulting
Cost: \$15,000.00
Rationale: Provides the City with consulting services for Fire-based Emergency Medical Services (EMS), combined Police and Fire Dispatch and implementation of analytical tools for performance management.
- Budget Visualization Website
Cost: \$3,000.00
Rationale: Establishes a budget visualization tool for the City that provides the public with open access to viewing relevant financial data, such as historical and current revenues, expenditures and fund balances.
- Additional Hours for Fire and Police Department Executive Assistants
Cost: \$9,882.00
Rationale: Increases the hours for the executive assistants of the Fire and Police Departments from 35 to 40 hours per week.

- Payroll & Benefits Coordinator Position

Cost: \$3,608.00

Rationale: Allows for the City's Payroll Coordinator function to be moved and upgraded from the Treasurer/Collector's Office to the Human Resources Department as a Payroll and Benefits Coordinator. The upgraded position will continue to be responsible for the City's payroll and will assist the new Human Resources Director in administering employee benefits for the City and Schools.

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
JUN 19 P 3:50

The Supplemental Budget Request totals \$31,490.00, which I anticipate to be the only additional funding request for FY2015, until Free Cash is certified later this fall. I look forward to discussing these funding needs in further detail when this request has been referred to the Budget and Finance Committee for their review.

LICENSE & PERMITS

Dear Newburyport City Council

July 10th, 2014

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
JUL 15 P 1:18

I am a 17 year old high school kid in Newburyport doing a reusable bag environmental project. I am selling reusable bags as a nonprofit venture to benefit Sierra Club. After selecting a bag type, raising money to buy the bags, and designing a personalized image to promote Newburyport's efforts towards sustainability, we are now ready to sell the bags cheaply all over town to businesses and residents alike (at \$2 each). The bags being sold at close to cost, we will donate any profits we make to the Sierra Club of Massachusetts.

I would like to be able to set up a table in Market Square to sell the bags. Ideally, I would be there selling the bags part-time on up to 20 days this summer. Please let me know what the next steps are to get permission to continue this project.

Thank you,

Conor McManamy
Better Bags for Newburyport
betterbagsforbpt@gmail.com



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2014 JUL 15 P 1:18

thomasobrien11@aol.com

Communication #7
Aug. 11, 2014

Dear Mr. O'Brien and members of the City Council,

I am representing Yankee Clipper Council's Boy Scouts of America Pack 21 as their Popcorn Fundraising Chair. The Popcorn Fundraiser is the only fundraiser we have and it supports our annual operating budget. Please see attached Parent Information Sheet for more information as to the benefits of our fundraising and methods of selling.

RECEIVED
CITY CLERK'S OFFICE
NEWPORT, MA
2014 JUL 25 A 11:30

We are requesting use of space at Market Square to set up a couple of tables for what we call a "Show and Sell". With six dens in Pack 21, we would like to allow two dens per day and requesting a total of three days from 9am-3pm:

Saturday, October 4, 2014

Saturday, October 18, 2014

Saturday, November 1, 2014

Having a Show and Sell that each Den in our Pack can participate in, is a great way for our Scouts to learn how to interact with adults while also representing scouting in our community. Will you support scouting by allowing us the space we are requesting?

We appreciate your consideration! Please contact Jennifer Casco, Pack 21 Popcorn 'Kernel' at 978-761-9199 or email: jenn100@hotmail.com if further clarification is necessary. You can also call the Cub Master, Mr. Tim Conway at 978-807-0744 with questions as well.

Sincerely,

Jennifer Casco
Pack 21, Popcorn Kernel
Yankee Clipper Council Boy Scouts of America

PUBLIC SAFETY

Communication #6
June 30, 2014

June 16th, 2014

Eli Bailin
55 Prospect St.
Amesbury, MA 01913

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2014 JUN 17 A 10:14

Dear Office of the Newburyport City Clerk and Council,

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

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

Sincerely,

Eli Bailin

GREEN Stride Newburyport Half Marathon

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

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

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

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

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

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

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

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

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

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

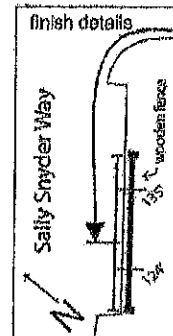
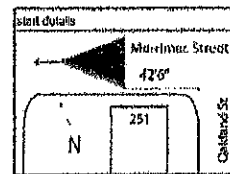
Mile 10 is on Hale St 16'2" E of UP#11.

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

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

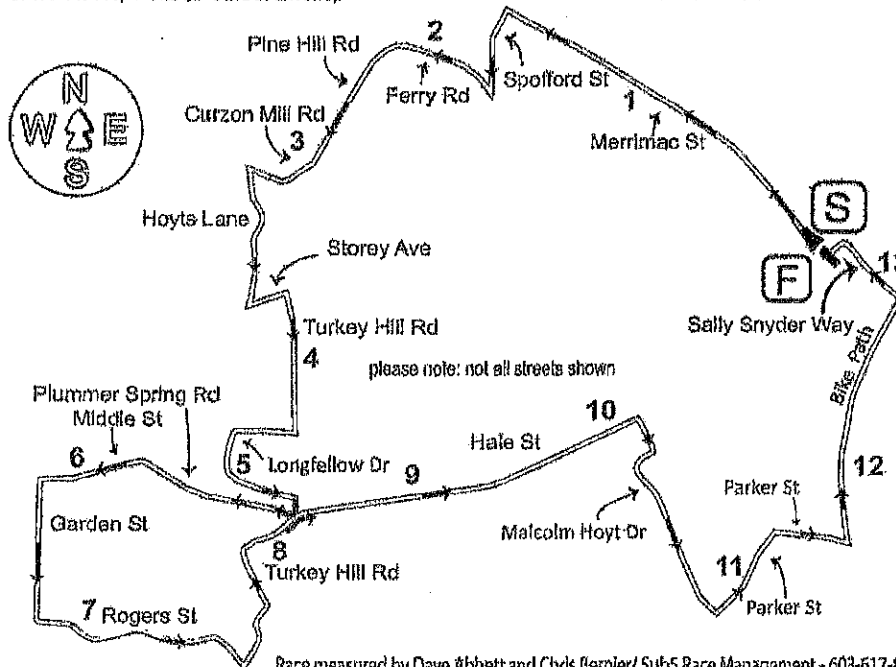
Mile 13 is on Sally Snyder Way 55'2" NE of S edge of parking lot and 55' SE of N edge of parking lot.

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



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

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



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



Road Running Technical Council USA Track & Field Measurement Certificate

recognized by



Name of the course Green Stride Newburyport Half Marathon Distance 21.0975 km

Location (state) MA (city) Newburyport

Type of course: road race ☒ calibration ☐ track ☐ Configuration: loop

Type of surface: paved 100 % dirt 0 % gravel 0 % grass 0 % track 0 %

Elevation (feet above sea level) Start 20 Finish 3 Highest 102 Lowest 3

Straight line distance between start & finish 0.15 mi. Drop 0.25 m/km Separation 1.14 %

Measured by (name, address, phone & e-mail) Dave Abbett, 29 Ledgeview Dr.,

Newburyport, MA 02450, phone: 603-617-8509, email: dave.abbett@gmail.com

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

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

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

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

Replaces: _____ (if applicable)

Certification code: MA12038JK

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

Be It Officially Noted That

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

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

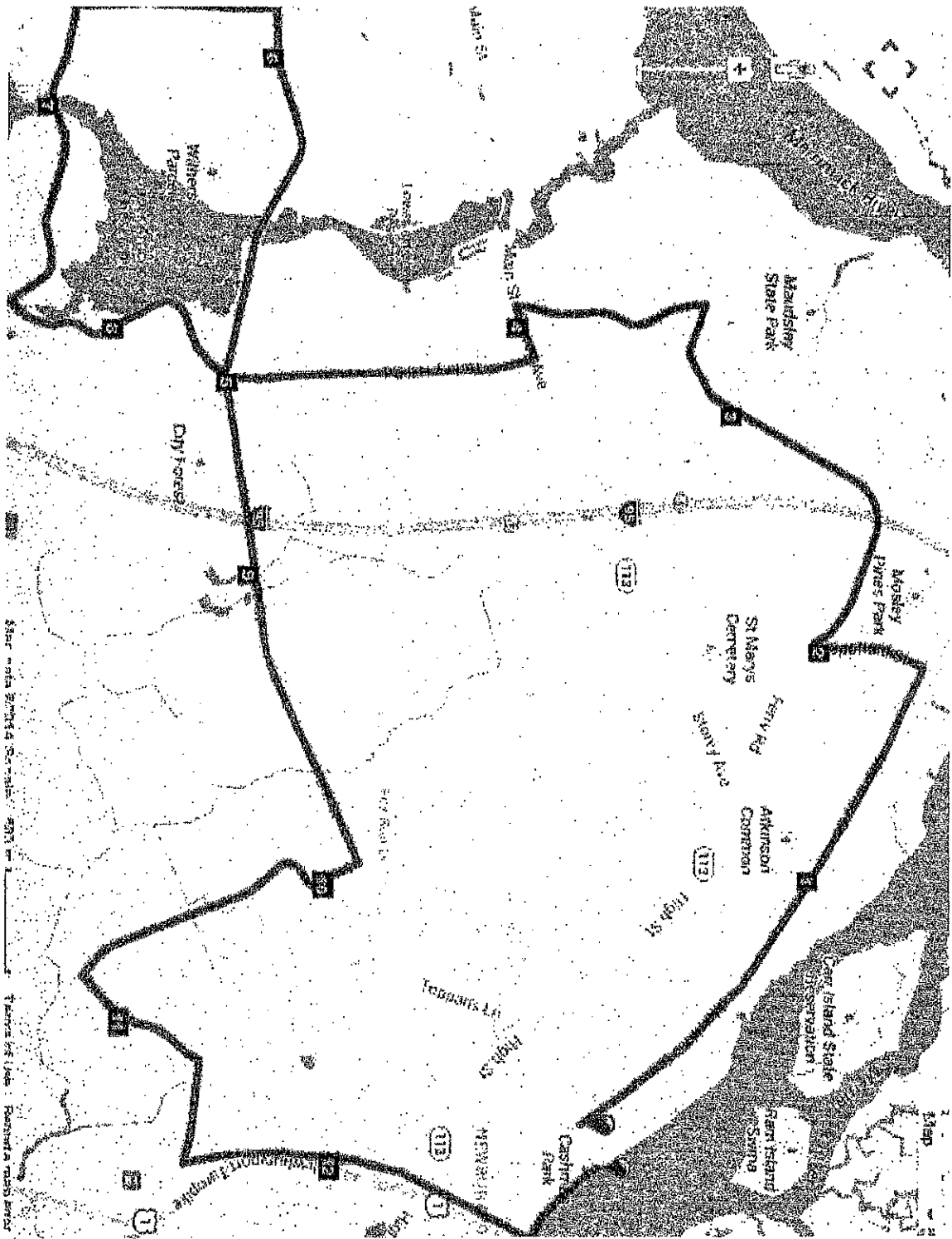
This certification expires on December 31 in the year 2022

AS NATIONALLY CERTIFIED BY:

Justin Kuo

Date: Oct 18, 2012

Justin Kuo • USATF/RRTC National Certifier • 39 Oakland Road, Brookline, MA 02445-6700
Phone: 617-731-9889 • Fax: 617-939-0992 • Email: jkuo@usatfne.org



CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

August 20, 2014

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

No person shall park any vehicle on the following streets or portions of streets as indicated below:

DELETE:

Street

Franklin Street

Extent

No parking Westerly side only of Franklin Street from the property line between 10 Franklin Street and 6 Franklin Street and running in a northerly direction to Water Street.

Councillor Charles F. Tontar
Councillor Bruce L. Vogel

In City Council August 25, 2014

Motion to refer to Public Safety by Councillor Vogel, seconded by Councillor Heartquist. So voted.