

**CITY COUNCIL MEETING AGENDA - VERSION 1**  
**CITY COUNCIL CHAMBERS**  
**FEBRUARY 26, 2018**

**7:30PM**

**(Sound Check)**

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS Mayor's Update**
- 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**  
February 12, 2018 (Approve)
- 8. TRANSFERS**
  - NONE
- 9. COMMUNICATIONS**
  - **COMM014\_02\_26\_18** FY2018 Mid-Year Report Summary & Supplemental Information (B&F)
  - **COMM015\_02\_26\_18** Ltr re: City of Newburyport Charter Amendments (R&F)
- 10. APPOINTMENTS**
  - **APPT008\_02\_26\_18** Richard Traister, M. D. 325 Merrimac St Disabilities Comm 3/31/21

**END OF CONSENT AGENDA**  
**REGULAR AGENDA**

**11. MAYOR'S UPDATE**

**12. APPOINTMENTS**

- **APPT006\_02\_12\_18** Keith Hogan **Second Reading** 3 Bartlett Dr Trust Fund Comm 3/1/21
- **APPT007\_02\_12\_18** Sean Bradley **Re-Appointments** 31 Wildwood Dr Waterfront Trust 12/31/23

**13. ORDERS**

- **ORDR012\_02\_26\_18** Intermunicipal Agreement Animal Control Extension through 6/30/2019

**14. ORDINANCES**

- NONE

## 15. COMMITTEE ITEMS

### Budget & Finance

#### *In Committee:*

- **COMM004\_01\_29\_18** FY2018 Mid-Year Budget Report
- **ORDR006\_01\_29\_18** Adjustments to Income and Int Rate for 41A Deferral
- **ORDR007\_01\_29\_18** 41C Amendment
- **COMM012\_01\_29\_18 LATE FILE** Memo re: MGL Chapter 59, Section 5
- **TRAN002\_02\_12\_18** Essex North Shore Tech \$9K to Elections \$5K, Legal Ads \$1K, Ordinance Recodification \$3K
- **TRAN003\_02\_12\_18** RSV APP – DPW Gas \$50K to DPS Highway – Fuel/Oil \$50K
- **TRAN004\_02\_12\_18** Essex North Shore Tech \$6.5K to HS Addition Feasibility \$6.5K **(JE)**

### General Government

#### *In Committee:*

- **ODNC019\_12\_11\_17** Recommended Additions to Chapter 2, Article III, Division 6, Section 2-125a
- **ODNC007\_02\_12\_18** Amendment to Division 7 – City Solicitor

### Joint Education

#### *In Committee:*

- **TRAN004\_02\_12\_18** Essex North Shore Tech \$6.5K to HS Addition Feasibility \$6.5K **(B&F)**

### License & Permits

#### *In Committee:*

- 

### Neighborhoods and City Services

#### *In Committee:*

- **ODNC001\_01\_11\_16** Amend Ch11 Parks and Recreation **(COTW)**
- **ORDR048\_06\_13\_16** Sidewalk Order
- **COMM111\_10\_10\_17** Petition for Road Repairs and Repaving – Squires Glen

### Planning & Development

#### *In Committee:*

- **ODNC017\_10\_30\_17** Zoning Amendment – No Use Variances **(COTW)**
- **COMM122\_11\_27\_17** Mobilitie Application/ Small Cell Utility Petition (re-file) **(PU)**
- **ODNC001\_01\_08\_18** Medical Marijuana Zoning Map
- **ORDR008\_01\_29\_18** Mobilitie Grant of Location **(PU)**
- **ODNC003\_01\_29\_18** Zoning - Amendment to Table of Use Regulations
- **ODNC004\_01\_29\_18** Amendment to Zoning Map
- **ODNC008\_02\_12\_18** Disposition of G. W. Brown School

### Public Safety

#### *In Committee:*

- **ODNC002\_01\_29\_18** Noise Division to Chapter 8-Refered 2/12/18

### Public Utilities

#### *In Committee:*

- **COMM122\_11\_27\_17** Mobilitie Application/ Small Cell Utility Petition (re-file) **(P&D)**

- **ORDR008\_01\_29\_18** Mobilitie Grant of Location **(P&D)**

**Rules Committee**

*In Committee:*

- **ORDR010\_02\_12\_18** Proposed Redraft of 2018 City Council Rules
- **ODNC006\_02\_12\_18** Amendment to Administration of the City Council

**16. GOOD OF THE ORDER**

**17. EXECUTIVE SESSION – Small Cell Utility Petition**

**18. ADJOURNMENT**

## CONSENT AGENDA

**CITY COUNCIL MEETING MINUTES**  
**CITY COUNCIL CHAMBERS**  
**FEBRUARY 12, 2018**

**7:30PM**

The City Council President, Barry Connell, called the meeting to order at 7:30pm, followed by the Pledge of Allegiance. +The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Giunta, Khan, OBrien, Shand, Vogel, Zeid, Devlin, Earls, Eigerman, Connell. 10 present, 1 absent (Tontar).

**(Sound Check)**

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS Mayor's Update**
- 5. PUBLIC COMMENT**

1. Jane Snow	9 Coffin St	Order 11, Attorney for ZBA
2. Linda Lambert	58 Merrimac St	Attorney for ZBA
3. Stephanie Niketic	93 High St	City Solicitor
4. Jeanette Isabella	1 Lime St	Order 11, Ordinance 7
5. Jeanne Deffley	6 Woodman Way	Order 11
6. Laurel Allgrove	22 Beacon Ave	Order 11
7. Pam Ketchum	15 Washington St	Order 11

**6. MAYOR'S COMMENT**

The mayor gave an update pursuant to her written communication.

**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**

January 24, 2018 Retreat (Approve)  
January 29, 2018 (Approve)

**8. TRANSFERS**

- **TRAN002\_02\_12\_18** Essex North Shore Tech \$9K to Elections \$5K, Legal Ads \$1K, Ordinance Recodification \$3K (B&F)
- **TRAN003\_02\_12\_18** RSV APP – DPW Gas \$50K to DPS Highway – Fuel/Oil \$50K (B&F)
- **TRAN004\_02\_12\_18** Essex North Shore Tech \$6.5K to HS Addition Feasibility \$6.5K (B&F, JE)

**9. COMMUNICATIONS**

- **COMM013\_02\_12\_18** FY18 Mid-Year Report Summary & Supplemental Info (R&F)

**10. APPOINTMENTS**

- **APPT006\_02\_12\_18** Keith Hogan 3 Bartlett Dr Trust Fund Comm 3/1/21

**Re-Appointments**

- **APPT007\_02\_12\_18** Sean Bradley 31 Wildwood Dr Waterfront Trust 12/31/23

**END OF CONSENT AGENDA  
REGULAR AGENDA**

Motion to approve the Consent Agenda as amended by Councillor Zeid, second by Councillor Khan. So voted.

**11. MAYOR'S UPDATE**

Motion to receive and file by Councillor Vogel, seconded by Councillor Zeid. So voted.

**12. APPOINTMENTS**

**Second Reading**

- |                    |               |                 |                             |          |
|--------------------|---------------|-----------------|-----------------------------|----------|
| • APPT002_01_29_18 | Mark A. Rosen | 20 Fair St      | Community Preservation Comm | 2/1/21   |
| • APPT003_01_29_18 | John A. Green | 12 Finnegan Way | Council on Aging            | 5/31/23  |
| • APPT004_01_29_18 | Bette Jacques | 5 Dawes St      | Licensing Board             | 6/1/24   |
| • APPT005_01_29_18 | Donna Conway  | 27 Marlboro St  | Emma Andrews Comm           | 10/30/19 |

Motion to approve Second Reading Appointments by Councillor Zeid, seconded by Councillor OBrien. Roll call vote, 10 yes, 1 absent (Tontar). Motion passed.

**13. ORDERS**

- **ORDR010\_02\_12\_18** Proposed Redraft of 2018 City Council Rules  
Motion to refer to Rules by Councillor Eigerman, seconded by Councillor OBrien. So voted.
- **ORDR011\_02\_12\_18** Amendment to Council Rule 11a  
Motion to refer to Rules by Councillor Vogel, seconded by Councillor Connell. Withdrawn. Motion to receive and file by Councillor Zeid, seconded by Councillor OBrien. So voted (2 no, Vogel and Connell).

**14. ORDINANCES**

- **ODNC018\_10\_30\_17** Zoning Amendment – Zoning Map R3 to R2 Expanded 10/30/2017 (**2<sup>nd</sup> reading**)  
Motion to approve second reading by Councillor Earls, seconded by Councillor Giunta. Roll call vote, 9 yes, 1 absent (Tontar), 1 recused (Eigerman). Motion passed.
- **ODNC006\_02\_12\_18** Amendment to Administration of the City Council  
Motion to refer to Rules by Councillor Eigerman, seconded by Councillor OBrien. So voted.
- **ODNC007\_02\_12\_18** Amendment to Division 7 – City Solicitor  
Motion to refer to Rules by Councillor Zeid, seconded by Councillor OBrien. Withdrawn. Motion to refer to General Government by Councillor Zeid, seconded by Councillor OBrien. So voted.
- **ODNC008\_02\_12\_18** Disposition of G. W. Brown School  
Motion to refer to Planning & Development by Councillor Eigerman, seconded by Councillor OBrien. So voted.

**15. COMMITTEE ITEMS**

**Budget & Finance**

*In Committee:*

- **COMM004\_01\_29\_18** FY2018 Mid-Year Budget Report
- **ORDR006\_01\_29\_18** Adjustments to Income and Int Rate for 41A Deferral
- **ORDR007\_01\_29\_18** 41C Amendment
- **COMM012\_01\_29\_18** LATE FILE Memo re: MGL Chapter 59, Section 5

**General Government**

*In Committee:*

- **ODNC019\_12\_11\_17** Recommended Additions to Chapter 2, Article III, Division 6, Section 2-125a

**Joint Education**

Councillor Giunta discussed roof repairs and the budget. Next meeting to be held on March 4<sup>th</sup>, 5:30pm at the Senior Center.

*In Committee:*

- 

**License & Permits**

*In Committee:*

- **COMM005\_01\_29\_18** Class II Vehicle License – RL Currie Corp.  
Motion to remove from License & Permit by Councillor Earls, seconded by Councillor Vogel. So voted.  
Motion to approve by Councillor Earls, seconded by Councillor Vogel. So voted.
- **COMM006\_01\_29\_18** Class II Vehicle License – Sunoco  
Motion to remove from License & Permit by Councillor Earls, seconded by Councillor Zeid. So voted.  
Motion to approve by Councillor Earls, seconded by Councillor Zeid. So voted.
- **COMM009\_01\_29\_18** Port Taxi – Application by Harold Congdon for 2018  
Motion to remove from License & Permit by Councillor Earls, seconded by Councillor OBrien. So voted. Motion to approve by Councillor Earls, seconded by Councillor Zeid. So voted.
- **COMM011\_01\_29\_18** Seacoast Taxi – Application by Richard Hewlett for 2018  
Motion to remove from License & Permit by Councillor Earls, seconded by Councillor Zeid. So voted.  
Motion to approve by Councillor Earls, seconded by Councillor Zeid. So voted.

**Neighborhoods and City Services**

*In Committee:*

- **ODNC001\_01\_11\_16** Amend Ch11 Parks and Recreation (COTW)
- **ORDR048\_06\_13\_16** Sidewalk Order
- **COMM111\_10\_10\_17** Petition for Road Repairs and Repaving – Squires Glen
- **ODNC002\_01\_29\_18** Noise Division to Chapter 8  
Motion to remove from Neighborhood & City Services by Councillor OBrien, seconded by Councillor Eigerman. Motion to refer to Public Safety by Councillor OBrien, seconded by Councillor Eigerman.

**Planning & Development**

*In Committee:*

- **ODNC017\_10\_30\_17** Zoning Amendment – No Use Variances (COTW)
- **COMM122\_11\_27\_17** Mobilitie Application/ Small Cell Utility Petition (re-file) (PU)
- **ODNC001\_01\_08\_18** Medical Marijuana Zoning Map
- **ORDR008\_01\_29\_18** Mobilitie Grant of Location (PU)
- **ORDR009\_01\_29\_18** 115 Water Street Disposition  
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 10 yes, 1 absent (Tontar). Motion passed.
- **ODNC\_003\_01\_29\_18** Zoning - Amendment to Table of Use Regulations
- **ODNC\_004\_01\_29\_18** Amendment to Zoning Map

**Public Safety**

*In Committee:*

- **COMM127\_12\_11\_17** LATE FILE Snow & Ice Plan 2017-2018  
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Giunta. So voted.  
Motion to receive and file by Councillor Devlin, seconded by Councillor Giunta. So voted. (Comm vote 3-0).
- **ORDR004\_01\_08\_18** No Parking Fair St – at Essex

Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Giunta. So voted.  
Motion to amend, from 15' to 20', by Councillor Eigerman, seconded by Councillor Giunta. So voted.  
Motion to approve as amended by Councillor Devlin, seconded by Councillor Zeid. So voted.

- **ORDR005\_01\_08\_18** No Parking Fruit St – Driveway  
Motion to remove from Public Safety by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Devlin, seconded by Councillor Giunta. So voted. (Comm vote 3-0).
- **COMM008\_01\_29\_18** Chocolate Tour, Central Congregational Church – 5/19/2018  
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Zeid. So voted.  
Motion to receive and file by Councillor Devlin, seconded by Councillor Giunta. Withdrawn. Motion to approve by Councillor Earls, seconded by Councillor Giunta. So voted.

## **Public Utilities**

### *In Committee:*

- **COMM122\_11\_27\_17** Mobilitie Application/Small Cell Utility Petition (re-file) **(P&D)**
- **ORDR008\_01\_29\_18** Mobilitie Grant of Location **(P&D)**

## **Rules Committee**

### *In Committee:*

## **16. GOOD OF THE ORDER**

Councillor Earls requested that the proposal to build over the NHS gymnasium be included on the upcoming Joint Education meeting agenda. Councillor Vogel shared information about the Link House St. Patrick's Day Luncheon to be held on March 16, 2018.

## **17. ADJOURNMENT**

Motion to adjourn by Councillor Zeid, seconded by Councillor OBrien. So voted. 9:04pm.



# COMMUNICATIONS

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

*RF*

## FY2018 Mid-Year Report Summary & Supplemental Information

Submitted by Ethan Manning, Finance Director/City Auditor  
February 6, 2018

2018 FEB -6 AM 11:01

### Summary

#### Expenditures:

- Mid-year expenditures were at 53.2% of budget for the General Fund, 51.9% for the Water Ent. Fund, 44.3% for the Sewer Ent. Fund, 59.1% for the Harbormaster Ent. Fund.
- We anticipate the potential for transfers in the following line items by year-end:

Line Item	Potential Transfer	Reason
CCN Legal Ads	\$2,500	Higher volume of activity
CCN Ordinance Recod.	\$3,000	Higher volume of activity
BDR Elections & Reg.	\$5,000	Police details/ census work
OPD Office Supplies	\$750	Supplies damaged by water leak
LGL City Solicitor	\$10,000	Variable
POL Accreditation Allowance	\$15,000	New contracts
FIR Maint-Bldgs & Grounds	\$10,000	Aging buildings
HWY Purchase Fuel/Oil	\$50,000	From RRFA Fuel Fund
SNW Snow & Ice	\$250,000	Variable
YTH Brown School Expenses	\$5,000	Building maintenance & oil costs
<b>Total</b>	<b>\$351,250</b>	

#### Revenue:

- Mid-year revenue was at 52.9% of the FY18 estimate for the General Fund, 60.0% for the Water Ent. Fund, 59.0% for the Sewer Ent. Fund and 52.2% for the Harbormaster Ent. Fund.
- Tax collections during the first half were higher as a percentage of estimated revenue (54.1% compared to 50.6% last year) due to the changes to the State and Local Income Tax deduction that take effect in 2018.
- Motor Vehicle Excise Tax collections are down -7.7% year-over-year due to fewer vehicle purchases compared to this time last year.
- Room Occupancy Excise Tax collections are down -2.2% YoY, while Meals Excise Tax collections are up +8.6% compared to this time last year.
- Licenses & Permits revenue is down -20.3% due to the issuance of fewer building permits during the first half of the year compared to FY17; nonetheless, we have still collected 78.3% of the \$700,000 FY18 estimate.
- Investment Income was up due to higher cash balances and improved returns.
- All three enterprise funds are down slightly compared to this time last year; however, collections are all above 50% of estimate and, therefore, we would expect these funds to meet or exceed estimates by the end of the fiscal year.

Supplemental Information

1. Total Longevity Payments

Department	FY2018 Actual
Auditor's Office	3,526.54
Treasurer's Office	3,438.18
Police Dept.	45,593.52
Fire Dept.	111,786.49
Building Dept.	2,442.43
DPS-Highway	11,172.55
Council on Aging	3,650.50
Library	5,655.15
DPS-Water	11,433.92
DPS-Sewer	5,880.61
<b>Total</b>	<b>204,579.89</b>

2. Current Free Cash / Retained Earnings Balances

	Free Cash	Water	Sewer	Harbormaster
7/1/17 Balance	\$2,493,539.00	\$1,769,560.00	\$1,131,128.00	\$536,265.00
FY18 Tax Rate	\$373,762.00			
High School Roof	\$20,000.00			
Rail Trail Phase 2	\$35,000.00			
Roadwork	\$300,000.00			
Parks Tractor	\$47,322.10			
Tree Maint.	\$14,950.00			
<b>Current Balance</b>	<b>\$1,702,504.90</b>	<b>\$1,769,560.00</b>	<b>\$1,131,128.00</b>	<b>\$536,265.00</b>

3. Clarification on specific line items:

- **01129001-51167 GEN Temporary Help City Hall:** Actual YTD is \$1,903.00 (54.4%); a payroll entry for \$5,667.91 was charged to that line item erroneously.
- **01210001-51513 POL Inn Street Initiative:** This line item was created in FY2012 at a time when there when the Inn Street area was experiencing some criminal activity in order to allow for a greater police presence. During that fiscal year, the City Council also appropriated \$106,000 for the Inn Street Lighting and Brick Turret Restoration Project, which combined with the other more recent improvements to Inn Street, have significantly reduced the amount of criminal activity there. Presently, this line item is used to fund downtown patrols and overtime.

- **01220002-52411 FIR Computer Expense:** This line item covers all computer related expenses for the Fire Department, including software licenses, equipment and toner. The same dispatch software is procured for Fire and Police with each department paying their share of the license.
- **01292001-51405 ANC Overtime:** The Animal Control Officer also serves as a Parking Enforcement Officer, which occasionally causes his weekly hours to go into Overtime (any time worked over 40 hours).
- **01519002-53424 SUS Household Hazardous Waste:** Average spending during the first half is \$20,219 over the past five years, so FY18 is up about 26%. There is a greater volume of material being disposed of (e.g. chemicals, electronics) and the price to dispose of chemicals has increased substantially.
- **01541002-54200 COA Utilities:** Line item is comprised of approximately 73% electricity (\$14,600), 17% internet services (\$3,400) and 10% gas charges (\$2,000).
- **01542007-57843 YTH Brown School Expenses:** See below

VENDOR	ELECTRIC	GAS (HOT WATER)	OIL (HEAT)	BUILDING MAINT.	Grand Total
AMESBURY INDUSTRIAL SUPPLY CO INC				\$81	\$81
ATLANTIC COAST FENCE CO INC				\$3,143	\$3,143
B & R GLASS CO LLC				\$280	\$280
BB ALARM SYSTEMS INC				\$252	\$252
DENNIS K BURKE INC			\$21,033		\$21,033
KELLYS TRUE VALUE				\$16	\$16
NATIONAL GRID	\$6,199	\$573			\$6,773
ROBERT B BALDINI				\$3,441	\$3,441
ROCKINGHAM ELEC SUPPLY CO INC				\$100	\$100
<b>Grand Total</b>	<b>\$6,199</b>	<b>\$573</b>	<b>\$21,033</b>	<b>\$4,170</b>	<b>\$35,118</b>

- **01630002-52420 PRK Maint-Parks:** We will provide a detailed breakdown of the costs to maintain the Inn Street Fountain during the FY19 budget workshops.

4. **Revolving Fund Update (Attachment A)**

5. **School Budget Mid-Year Report (Attachment B)**

6. **FY2018 Mid-Year Revenue Summary w/ Updated Harbormaster Revenue (Attachment C)**

**CITY OF NEWBURYPORT  
REVOLVING FUNDS**

FY2018 YEAR-TO-DATE ACTIVITY  
(AS OF FEBRUARY 5, 2018)

<u>Account Name</u>	<u>Fund Code</u>	<u>Beginning Balance</u>	<u>YTD Revenue</u>	<u>YTD Expended</u>	<u>Transfers Out</u>	<u>Current Balance</u>	<u>FY18 Spending Limit</u>
Engineering Services	2801	\$69,615	\$57,725	(\$85,561)		\$41,779	\$90,000
Council on Aging	2802	\$43,536	\$21,284	(\$21,492)		\$43,328	\$35,000
Recreational Services	2803	\$251,343	\$42,875	(\$284,817)		\$9,400	\$370,000
Historical Commission	2804	\$7,922	\$150	(\$150)		\$7,922	\$2,500
Electrical Inspector	2806	\$51,295	\$37,306	(\$31,523)		\$57,078	\$95,000
Plumbing Inspector	2807	\$21,433	\$18,930	(\$32,647)		\$7,716	\$65,000
Gas Inspector	2808	\$16,611	\$14,558	(\$18,097)		\$13,073	\$40,000
Disabilities Commission	2809	\$12,312	\$2,990	\$0		\$15,302	\$3,000
Emma Andrews Library	2810	\$28,557	\$10,500	(\$6,878)		\$32,179	\$30,000
M-School Drop-in Center	2811	\$71,853	\$46,342	(\$95)		\$118,100	\$45,000
Transient Vendors	2812	\$29,882	\$12,230	(\$5,040)		\$37,072	\$20,000
Planning & Zoning	2813	\$39,231	\$32,189	(\$20,907)		\$50,513	\$70,000
Animal Control	2817	\$12,489	\$1,085	\$0		\$13,574	\$6,000
Tree Commission	2818	\$8,097	\$2,809	(\$5,113)		\$5,792	\$10,000
Medicare/Medicaid	2835	\$35,083	\$5,078	(\$12,458)		\$27,703	\$25,000
Veterans Services	2836	\$1,552	\$0	\$0		\$1,552	\$2,000
Downtown Paid Parking	2839	\$951,855	\$533,080	(\$325,152)		\$1,159,784	\$650,000
City Hall Maintenance	2840	\$4,398	\$100	(\$1,200)		\$3,299	\$5,000
Senior Comm. Ctr. Maint.	2841	\$9,471	\$16,603	\$4,650		\$30,724	\$15,000
Parks Maint.	2842	\$2	\$11,715	(\$11,457)		\$259	\$15,000
<b>Total Revolving Funds</b>		<b><u>\$1,666,537</u></b>	<b><u>\$867,550</u></b>	<b><u>(\$857,938)</u></b>	<b><u>\$0</u></b>	<b><u>\$1,676,149</u></b>	<b><u>\$1,593,500</u></b>

## Finance Sub-Committee

Wednesday, January 17, 2018

### **FY18 2<sup>nd</sup> Quarter Expense Report**

- *Current spending is @ 73.6%; this would include encumbrances for operation of plant, Sped Tuition/transportation/legal and lease/licensing agreements*
  - System-Wide @86.3%
  - Bresnahan @77.2%
  - Molin @46.4%
  - Middle @79.5%
  - High @75.9%
  
- *Molin School is under the average, teachers will be processing their second purchasing request at the end of January*
- *High School; waiting on transfers in Athletics*
- *System-Wide;*
  - *Special Education Tuition, \$100,000 in encumbrances will be moved to Circuit Breaker*
  - *Curriculum; Supplies and Materials @9%, this is for K-2 science supplies which will be ordered in the spring after the pilot is completed*
  - *School Committee/Superintendent Search; no funds budgeted*



**City of Newburyport**  
**FY2018 Mid-Year Revenue Summary**

Revised 1/31/2018

CATEGORY	FY 2017 Mid-Year Revenue				FY 2018 Mid-Year Revenue				FY17 vs. FY18 +/-		
	ESTIMATE	6MO ACTUAL	REMAINING	% COLL	ESTIMATE	6MO ACTUAL	REMAINING	% COLL	\$	%	
<b>Tax Revenue</b>											
Real Estate Tax	52,342,090	26,522,344	25,819,746	50.7%	54,348,166	29,420,922	24,927,244	54.1%	2,898,578	10.9%	↑
Personal Property Tax	682,417	316,593	365,824	46.4%	663,951	354,350	309,600	53.4%	37,757	11.9%	↑
<b>Total Tax Revenue</b>	<b>53,024,507</b>	<b>26,838,938</b>	<b>26,185,569</b>	<b>50.6%</b>	<b>55,012,117</b>	<b>29,775,273</b>	<b>25,236,844</b>	<b>54.1%</b>	<b>2,936,335</b>	<b>10.9%</b>	<b>↑</b>
<b>Local Receipts</b>											
Motor Vehicle Excise (1)	2,350,000	390,122	1,959,878	16.6%	2,450,000	360,175	2,089,825	14.7%	(29,946)	-7.7%	↓
Room Occupancy Excise	115,000	156,354	(41,354)	136.0%	220,000	152,952	67,048	69.5%	(3,402)	-2.2%	↓
Meals Excise	485,000	333,065	151,935	68.7%	525,000	361,605	163,395	68.9%	28,540	8.6%	↑
Other Excise (2)	100,000	0	100,000	0.0%	100,000	0	100,000	0.0%	0	0.0%	↔
Pen & Int on Tax & Exc	320,000	154,406	165,594	48.3%	290,000	169,576	120,424	58.5%	15,170	9.8%	↑
Payments in Lieu of Taxes	(3) 60,000	13,851	46,149	23.1%	60,000	0	60,000	0.0%	(13,851)	-100.0%	↓
Fees (4)	370,000	208,894	161,106	56.5%	340,000	234,903	105,097	69.1%	26,009	12.5%	↑
Other Dept. Revenue (5)	55,000	36,267	18,733	65.9%	55,000	30,260	24,740	55.0%	(6,006)	-16.6%	↓
Licenses and Permits	690,000	687,587	2,413	99.7%	700,000	548,310	151,690	78.3%	(139,277)	-20.3%	↓
Fines & Forfeits	10,000	7,013	2,988	70.1%	10,000	5,620	4,380	56.2%	(1,393)	-19.9%	↓
Investment Income	45,000	19,003	25,997	42.2%	45,000	60,541	(15,541)	134.5%	41,537	218.6%	↑
Medicaid Reimbursement	85,000	33,014	51,986	38.8%	100,000	14,526	85,474	14.5%	(18,487)	-56.0%	↓
Miscellaneous Recurring (6)	138,000	74,052	63,948	53.7%	138,000	30,506	107,494	22.1%	(43,546)	-58.8%	↓
Miscellaneous Non-Recurring	0	10,562	(10,562)	100.0%	0	46,328	(46,328)	100.0%	35,765	338.6%	↑
<b>Total Local Receipts</b>	<b>4,823,000</b>	<b>2,124,190</b>	<b>2,698,810</b>	<b>44.0%</b>	<b>5,033,000</b>	<b>2,015,303</b>	<b>3,017,697</b>	<b>40.0%</b>	<b>(108,887)</b>	<b>-5.1%</b>	<b>↓</b>
<i>Local Receipts Excluding MV Excise</i>	<i>2,473,000</i>	<i>1,734,069</i>	<i>738,931</i>	<i>70.1%</i>	<i>2,583,000</i>	<i>1,655,127</i>	<i>927,873</i>	<i>64.1%</i>	<i>(78,941)</i>	<i>-4.6%</i>	<i>↓</i>
<b>Net State Aid</b>	<b>4,242,990</b>	<b>2,795,786</b>	<b>1,447,204</b>	<b>65.9%</b>	<b>4,265,776</b>	<b>2,240,298</b>	<b>2,025,478</b>	<b>52.5%</b>	<b>(555,488)</b>	<b>-19.9%</b>	<b>↓</b>
<b>Total General Fund Revenue</b>	<b>62,090,497</b>	<b>31,758,914</b>	<b>30,331,583</b>	<b>51.1%</b>	<b>64,310,893</b>	<b>34,030,874</b>	<b>30,280,019</b>	<b>52.9%</b>	<b>2,271,960</b>	<b>7.2%</b>	<b>↑</b>
<b>Enterprise Funds</b>											
Water Fund Revenue	5,143,412	3,281,228	1,862,184	63.8%	5,107,870	3,063,440	2,044,430	60.0%	(217,788)	-6.6%	↓
Sewer Fund Revenue	6,384,591	3,989,813	2,394,777	62.5%	6,385,654	3,766,859	2,618,795	59.0%	(222,954)	-5.6%	↓
Harbormaster Fund Revenue	430,714	247,885	182,829	57.6%	467,830	244,095	223,735	52.2%	(3,790)	-1.5%	↓
<b>Total Budgetary Funds</b>	<b>74,049,214</b>	<b>39,277,840</b>	<b>34,771,374</b>	<b>53.0%</b>	<b>76,272,247</b>	<b>41,105,268</b>	<b>35,166,979</b>	<b>53.9%</b>	<b>1,827,428</b>	<b>4.7%</b>	<b>↑</b>

(1) Motor vehicle excise tax bills mailed out by end of February.

(2) Urban redevelopment excise tax (MGL Ch. 121A); distributed by state at year-end.

(3) Payments in lieu of taxes paid in March; category includes any roll back taxes as well.

(4) Municipal liens, off duty fees, registry fees, tax title, fire alarm box fees.

(5) Copies/recordings, zoning/ordinances, business certificates.

(6) Police incident/accident, cell tower lease payments, Animal Control (\$22K), Veterans' Services (\$89K), FWS refuge revenue sharing.

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2018 FEB 16 AM 11:51

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

### City of Newburyport Charter Amendments

February 14, 2018

Dear President Connell, and honorable City Council members;

The City of Newburyport Charter of 2011; failed to have specific provisions and procedures regarding the Office of Mayor Term limits and the Recall of Mayor from Office.

1. Term Limits of the Office of Mayor was not specified or included in Article 3, section 1. Only Term "duration" of the Office was specified in Section 3-1 (B).
2. Mayor Recall from Office is not specified or not provided for by the Charter. However, Mayor Removal from Office is referred to under Section 3-10: "Vacancy in the Office of Mayor"; (A) Special Election. Nevertheless, NO rules or procedures were mentioned on how and why is the Removal "recall" of the Mayor from Office.

Several Cities and Municipalities across USA and the Commonwealth have recalled elected Officials including Mayors and Councilors. For yearly details of these Municipalities and Cities please review the following link.

[https://ballotpedia.org/Mayoral\\_recalls](https://ballotpedia.org/Mayoral_recalls)

The City Charter clearly allows amendments under Section 9-1 or during the Periodic Review of the Charter before the 1<sup>st</sup> day of July, 2019; under section 9-6.

I am kindly asking that the honorable City Council would consider such amendments.

Respectfully submitted,



Hazem Mahmoud, M.D., Ph. D.

Professor of Pediatric Hematology Oncology

52A Ferry Road, Newburyport, MA 01950



## **SECTION 2-11: FILLING OF VACANCIES**

If a vacancy occurs at any time in the office of a councilor elected by and from the voters at large, such vacancy shall be filled forthwith by a majority vote of all the remaining members of the city council for the remainder of the unexpired term. If a vacancy occurs, before the last 6 months of the term, in the office of a councilor elected by and from the voters of a ward, the city council shall forthwith order an election to fill such vacancy for the remainder of the unexpired term. If a vacancy occurs in the last 6 months of the term of said office, such vacancy shall be filled forthwith by a voter of the ward as elected by a majority vote of all the remaining members of the city council for the remainder of the unexpired term.

## **ARTICLE 3**

### **EXECUTIVE BRANCH**

#### **SECTION 3-1: MAYOR: QUALIFICATIONS; TERM OF OFFICE;**

#### **COMPENSATION; PROHIBITIONS**

*(a) Mayor, Qualifications* - The chief executive officer of the city shall be a mayor, elected by and from the voters of the city at large or, in the case of a vacancy, as provided in section 3-10. Any voter shall be eligible to hold the office of mayor. The mayor shall devote full time to the office and shall not hold any other elective public office.

*(b) Term of Office* - The term of office of the mayor shall be 4 years beginning on the first Monday in the January succeeding his election, except when said first Monday falls on a legal holiday, in which event the term shall begin on the following day and continue until his successor has been qualified.

*(c) Compensation* - The city council shall, by ordinance, establish an annual salary for the mayor. No ordinance increasing or reducing the salary of the mayor shall be effective unless it shall have been adopted by a 2/3 vote of the full city council. No increase or reduction in such salary shall take effect

### **SECTION 3-9: DELEGATION OF AUTHORITY BY MAYOR**

The mayor may authorize any subordinate officer or employee of the city to exercise any power or perform any function or any duty which is assigned by this charter, or otherwise, to the mayor, and the mayor may rescind or revoke any such authorizations previously made, but all acts performed under any such delegation of authority during a period of authorization shall be and remain the acts of the mayor. Nothing in this section shall be construed to authorize a mayor to delegate his power of appointment to city office or employment or the power to sign or return measures approved by the city council.

### **SECTION 3-10: VACANCY IN OFFICE OF MAYOR**

(a) *Special Election* - If a vacancy in the office of mayor occurs during the first 3 years of the term for which the mayor is elected, whether by reason of death, resignation, **removal from office**, incapacity, or otherwise, the city council shall immediately, in the manner provided in section 7-1, order a special election to be held within 90 days following the date the vacancy is created, to fill the vacancy for the balance of the then unexpired term. If a regular city election is to be held within 120 days following the date the vacancy is created, a special election need not be held and the position shall be filled by vote at such regular election.

(b) *President of City Council To Serve As Mayor* - If a vacancy in the office of mayor occurs in fourth year of the term for which the mayor is elected, whether by reason of death, resignation, **removal from office**, or otherwise, the city council president shall serve as mayor. If, however, the city council president is unable or unwilling to serve as mayor, the city council shall then elect by majority vote one of its remaining members to serve as mayor. Upon the qualification of any member of the city council as mayor, under this section, a vacancy shall exist in that seat on the city council which shall be filled in the manner provided in section 2-11. A city councilor serving as

**ARTICLE 9**  
**GENERAL PROVISIONS**

**SECTION 9-1: CHARTER CHANGES**

This charter may be replaced, revised or amended in accordance with any procedure made available under the state constitution, or by statutes enacted in accordance with the state constitution.

**SECTION 9-2: SEVERABILITY**

The provisions of this charter are severable. If any provision of this charter is held invalid the other provisions shall not be affected by this holding. If the application of this charter, or any of its provisions, to any person or circumstance is held invalid, the application of the charter and its provisions to other persons and circumstances shall not be affected thereby.

**SECTION 9-3: SPECIFIC PROVISION TO PREVAIL**

To the extent that any specific provision of this charter shall conflict with any provision expressed in general terms, the specific provision shall prevail.

**SECTION 9-4: RULES AND REGULATIONS**

A copy of all rules and regulations adopted by any city agency shall be placed on file in the office of the city clerk no later than their effective date and shall be available for review by any person who requests such information at any reasonable time. Unless an emergency exists as determined by the mayor, no rule or regulation adopted by any city agency shall become effective until at least 5 days following the date it is so filed.

**SECTION 9-5: PERIODIC REVIEW OF ORDINANCES**

Not later than the first day of July, at 5 year intervals, in each year ending in a 5 or in a zero, beginning in 2015, the mayor and city council shall provide for a review to be made of the ordinances of the city for the purpose of preparing a proposed revision or recodification of them, without substantive change. This review shall be made by a special committee to consist of 9 members, 4 of whom shall be appointed by the city council president and 5

of whom shall be appointed by the mayor. At least 2 of the persons appointed by the city council president shall be members of the city council. All members of said committee shall be voters of the city. The appointing authority shall fill any vacancies within 14 days. The special committee shall file its report with the city clerk not later than the first day of May in the year following the year in which the committee is appointed. The recommendations of the special committee shall appear on the city council agenda for action before the fifteenth day of June in that year and if not so scheduled by the city clerk, the matter shall come before the city council for action at its next meeting held following the fifteenth day of June, and no other business shall be in order until the report has been acted upon, by roll call vote. The review of city ordinances shall be under the supervision of the city solicitor. Copies of the revision, recodification or republication shall be made available to the public at a cost not to exceed the actual cost of the reproduction. In each year between these reenactments, an annual supplement shall be published which shall contain all ordinances and amendments to ordinances adopted in the preceding year.

#### **SECTION 9-6: PERIODIC REVIEW OF CHARTER**

**Not later than the first day of July, at 10 year intervals, in each year ending in a 9, the mayor and city council shall provide for a review to be made of the city charter. This review shall be made by a special committee to consist of 9 members, 4 of whom shall be appointed by the city council president and 5 of whom shall be appointed by the mayor. At least 2 of the persons appointed by the city council president shall be members of the city council.**

All members of the committee shall be voters of the city. The appointing authority shall fill any vacancies within 14 days. The special committee shall file its report with the city clerk, not later than the first day of May in the year following the year in which the committee is appointed. The recommendations of the special committee shall appear on the city council's

**APPOINTMENTS  
FIRST READING**



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

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2018 FEB 15 AM 10:56

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

To: President and Members of the City Council  
From: Donna D. Holaday, Mayor  
Date: February 14, 2018  
Subject: Re-Appointment

-----  
I hereby re-appoint, subject to your approval, the following named individual as a member of the Disabilities Commission. This term will expire on March 31, 2021.

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

**END OF CONSENT AGENDA  
BEGINNING OF REGULAR AGENDA**

**APPOINTMENTS  
SECOND READING**



## SECOND READING APPOINTMENTS

- APPT006\_02\_12\_18 Keith Hogan 3 Bartlett Dr Trust Fund Comm 3/1/21
- APPT007\_02\_12\_18 Sean Bradley 31 Wildwood Dr Waterfront Trust 12/31/23

### Re-Appointments

Motion to approve the Consent Agenda as amended by Councillor Zeid, second by Councillor Khan. So voted.

# ORDERS

CITY OF NEWBURYPORT



---

IN CITY COUNCIL

ORDERED:

February 26, 2018

**THAT** the City Council of the City of Newburyport approves the extension through June 30, 2019 of the attached Intermunicipal Agreement between the Town of West Newbury and the City of Newburyport for Shared Animal Control Services.

---

Councillor Tontar  
Chairman, Budget & Finance

JUN 27 11:11 AM '16

CITY OF NEWBURYPORT AND  
TOWN OF WEST NEWBURY  
INTERMUNICIPAL AGREEMENT FOR THE ADMINISTRATION OF SHARED  
ANIMAL CONTROL SERVICES

**Article 1. Purpose**

This agreement is entered into, pursuant to Massachusetts General Laws Chapter 40, Section 4A, by and between the City of Newburyport, as authorized by its City Council and approved by its Mayor, and the Town of West Newbury, as authorized by its Board of Selectmen.

WHEREAS, the City of Newburyport and the Town of West Newbury are each obligated to provide animal control services to their residents; and

WHEREAS, the City of Newburyport and the Town of West Newbury have determined that their residents can more efficiently and effectively be served with such services through a joint undertaking between the communities; and,

WHEREAS, the City of Newburyport and the Town of West Newbury have determined to join together to establish and administer a program of shared Animal Control Services.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree as follows:

**Article 2. Definitions**

**Participating Governmental Units:** the City of Newburyport and the Town of West Newbury.

**Animal Control Services:** Any and all services as required of an Animal Control Officer under applicable Massachusetts Laws and regulations, including but not limited to MGL Chapter 140, Section 151 *et seq.* and MGL Chapter 129, Section 15 *et seq.*

**Article 3. Term**

This Agreement shall take effect on the 1<sup>st</sup> day of July 2016, for a one year term that may be extended by up to two additional one year terms commencing on July 1, 2017 and July 1, 2018. Any such extension term shall be subject to approval by the City of Newburyport, as authorized by its City Council and approved by its Mayor, and the Town of West Newbury, as authorized by its Board of Selectmen. The Participating Governmental Units shall give each other notice of whether or not they wish to extend this initial one year term at least ninety days prior to the annual Town Meeting of the Town of West Newbury but no later than ninety days prior to June 1<sup>st</sup> of the then-current term, unless another date is mutually agreed upon in writing. Should the

parties fail to extend this Agreement by written addendum hereto, the agreement shall terminate upon the last day of the then-current term.

#### **Article 4. Lead City**

The City of Newburyport shall act as the "lead city" for the Participating Governmental Units, by employing the necessary officers and providing the necessary equipment, vehicles and kennel to perform said Animal Control Services. Said officers shall be considered employees of the City of Newburyport and be accorded all applicable benefits enjoyed by other Newburyport municipal employees as they are or shall be established. Each such officer must be a Massachusetts certified Animal Control Officer (excepting that new employees may acquire such certification within two years of the commencement of employment). Said certification must be maintained during the term of this Agreement. The office where such officers shall be primarily located will be in Newburyport.

#### **Article 5. Funding Contribution**

During the Fiscal Year 2017 (July 1, 2016 – June 30, 2017), the Town of West Newbury shall pay the City of Newburyport for animal control services a total sum of \$20,000.00 to be paid in four equal quarterly payments of \$5,000.00 on or before August 1, November 1, February 1, and May 1. This payment shall include all applicable expenses incurred by the City of Newburyport in providing Animal Control Services on behalf of the Participating Governmental Units, including, but not limited to, salaries, group health insurance, workers' compensation insurance, and all other applicable benefits. Nothing herein shall prevent the parties from mutually agreeing in writing to change the funding contribution during the initial term or any extended term of this agreement, subject to available appropriation.

#### **Article 6 Financial Safeguards**

Under the provisions of M.G.L. Chapter 40, §4A, the City of Newburyport Director of Public Health shall provide to the Town of West Newbury periodic financial statements that shall include: accurate and comprehensive records of the services performed under this agreement; the costs incurred; and the reimbursements and contributions received. Such reports shall be compiled and distributed by the Health Director on a quarterly basis. In addition, all bills and payrolls submitted for work done under this regional agreement shall be plainly marked to indicate that the work was done under the authority of this agreement.

The accounting records of the Newburyport Animal Control Services, working under the direction of the Newburyport Director of Public Health, shall be subject to the City's annual audit process and shall be subject to periodic audit by the Newburyport City Auditor as is current practice.

**I. OPERATIONS:**

- a. The Animal Shelter Facility shall be accessible to the citizens of each Participating Governmental Unit for the retrieval of impounded animals during normal business hours, Monday through Friday 8AM to 4PM by appointment. Weekend hours will be provided by appointment only. Notice shall be posted conspicuously and in a readily accessible format in the main municipal building of both Participating Governmental Units which states the hours of operation and an emergency telephone number for use by residents to retrieve their pets. Such information shall also be made available on each respective Participating Governmental Unit website. The animal shelter shall be able to accept impounded animals 24 hours a day, 365 days a year.
- b. Newburyport will provide daily supervision, food, water and humane care to animals boarded at the shelter.
- c. All Animal Control Officers will log in each time they enter the Animal Shelter Facility. The sign-in sheets will be submitted monthly to the Director of Public Health.
- d. The Animal Shelter Facility is to be solely used for the impounding of animals and to be used by Animal Control Officers only. There shall be no entry of other persons in the shelter without the consent of the City of Newburyport Director of Public Health.
- e. Newburyport will be responsible for the Animal Shelter Facility cleaning/sanitizing supplies, maintenance, heat, water, electric and other utility costs incurred in connection with the operation of the Facility.
- f. Newburyport will be responsible to keep the Animal Shelter Facility and associated kennels maintained, clean, and sanitary on a daily basis. Excreta and food waste shall be removed from primary enclosures daily and from under enclosures as often as necessary to prevent an excessive accumulation of feces and food waste, to prevent soiling of the animals contained in the enclosures, and to reduce disease, hazards, insects, pests, and odors. The condition of the kennels and quality of care is to be of a high caliber and performed to the standards established by the City of Newburyport Director of Public Health.

#### **Article 7 Hours of Services and Service Requirements**

The City of Newburyport shall provide Animal Control Services under this Agreement on an as-needed basis, seven days a week, twenty four hours a day. Animal Control Services shall be provided on an equal basis between the communities.

#### **Article 8 Vehicle Usage**

The Town of West Newbury shall provide a 2005 Ford Van. This vehicle shall be made available for the use of the Animal Control Officers. Collision and liability insurance for this vehicle shall continue to be paid by the Town of West Newbury. The City of Newburyport shall be responsible for the maintenance and upkeep of West Newbury's vehicle.

#### **Article 9 Fines**

Any fines, exempting boarding fees, collected will be collected on behalf of and returned to the Participating Governmental Unit from within the municipal boundaries of which the animal was taken, or in the case of an animal not taken, returned to the Participating Governmental Unit in which the animal resides or is kept.

#### **Article 10 Indemnification**

In the event that any claims, demands, suits, causes of action, costs, and expenses arise with respect to the services provided pursuant to this 'agreement, and to the extent permitted by Massachusetts General Laws chapter 258 and other applicable law, a Participating Governmental Unit shall indemnify, defend and hold harmless the other participating Government Unit from and against any such claims, demands, suits, causes of actions, costs and expends, including reasonable attorneys' fees and legal costs, but only to the extent that they arise from or relate to the negligent acts or omissions of the first Participating Governmental Unit, or its agents, servants, or employees, By entering into this Agreement, neither of the parties have waived any governmental immunity or limitation of liability or damages which may be extended to them by operation of law. This Agreement is by and between the municipalities which have executed it and each states that this is intended for their mutual benefit alone and is not intended to confer any express or implied benefits on any other person. This Agreement is not intended to confer third party beneficiary status on any person.

#### **Article 11 Operation of Animal Shelter Facilities**

The City of Newburyport shall maintain and operate an Animal Shelter Facility under the following terms and conditions.

- g. Boarding facilities shall include a sheltered kennel unit with cages and/or runs that protect the animals from precipitation, and extreme hot (100°F or greater) and cold (45°F or less) conditions. Except in emergency situations, as determined by the Newburyport Animal Control Officer, no more than one adult animal shall be kept per cage.
- h. Newburyport will be responsible for ensuring that an ill or injured animal is treated promptly by the respective Participating Governmental Unit's contracted licensed veterinarian, depending on the nature and/or seriousness of the illness or injury, and that any prescribed medication is promptly obtained and administered.

**II. FEES:**

- a. Owners who reclaim animal(s) shall make payment to the City of Newburyport prior to reclaiming their animal(s) for all boarding fees (\$35.00 per day for each animal) and all other fees related to shelter services provided per day per animal.
- b. Newburyport shall provide invoices, collect monies and keep records of all required fees received from owners. Invoices provided to owners who are retrieving their animal shall include the date that the animal was delivered to the shelter, the per day shelter rate, the number of days that the animal was sheltered, medical bills as applicable, and total fee due and collected.
- c. Each Participating Governmental Unit shall be responsible for the direct costs to care for the animals which originate from said community, including but not limited to flea treatments and any veterinary costs. For the purposes of this agreement, "veterinary costs" shall include rabies vaccinations, health evaluation, treatment of minor curable diseases and euthanasia.
- d. Each Participating Governmental Unit shall pay any additional costs associated with the transport and removal of animals from their community if an animal is not claimed or is injured.
- e. Newburyport may add a surcharge of up to ten (10) percent (not to exceed \$25.00) to medical bills to cover certain incidental costs relating to



transportation of an animal to a veterinarian's office, telephone expenses incurred in connection with medical treatment, and any special care involved. Bills must support all medical charges and receipts bearing the name of the veterinarian or firm from whom they were obtained.

- f. Fees for animals that are unclaimed by the owner at the end of the maximum seven (7) day holding period shall be paid by the Participating Governmental Unit where the animal originated.
- g. All fees and receipts from boarding and all other services related to the shelter shall be submitted monthly to the City of Newburyport Health Department.

**III. RECORD KEEPING:** Each Participating Governmental Unit's Animal Control Officers shall maintain an impound record on each animal delivered to the Animal Shelter Facility. The impound record will be prepared and filled out by the appropriate Animal Control Officer and delivered to the Facility with the animal.

Upon discharge, one (1) copy of the animal's completed record shall be provided to the person claiming the animal and one (1) copy of each discharged animal's record shall be provided to Newburyport. If the agreement is terminated, all impound records shall be transmitted to the appropriate town.

**IV. DISCHARGE:**

- a. Claimed animals: Each Participating Governmental Unit will require the person claiming the animal to show identification (preferably a driver's license). In the case of a dog, a certificate of license is required of all dogs six (6) months of age or older for release.

In the event of non-licensure of a dog, the owner or person claiming the dog will be required to show proof of licensure prior to release by the Animal Control Officer. The Animal Control Officer will not be responsible for ensuring licensure of the dog.

In addition, the Animal Control Officer will provide the person claiming the animal with a full disclosure of any medical treatment rendered by a veterinarian and/or the Animal Shelter Facility and by whom it was rendered

and a complete identification of any prescription or non-prescription medicine(s) administered to the animal while in custody. Finally, the Animal Shelter Facility must obtain the signature and the driver's license number of the person to whom the animal is released on the Impound Record.

- b. Unclaimed animals: Unless requested by the Newburyport Director of Public Health or West Newbury Police Chief to retain the animal for a longer period (2 to 4 additional days), animals will be picked up on or immediately following the seventh (7th) day of confinement by the Animal Control Officer. The written notice to extend shelter services from the Newburyport Director of Public Health or West Newbury Police Chief must accompany the reports to the city or town. The shelter may place such animals as are deemed suitable up for adoption in accordance with MGL Chapter 140, section 136A.

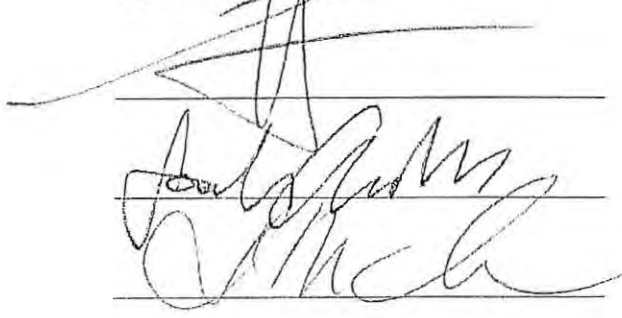
#### **Article 12 Dangerous or Nuisance Dogs**

In accordance with M.G.L. Ch. 140 Sec. 157, complaints regarding dogs must be filed with the hearing authority in the city or town in which the dog is owned or kept. For the purposes of this IMA, the hearing authority for the City of Newburyport and for the Town of West Newbury shall be the Mayor and the Board of Selectmen respectively. Both hearing authorities will consult with the relevant animal control officer(s) in their review and resolution of these complaints.

#### **Article 13 Miscellaneous**

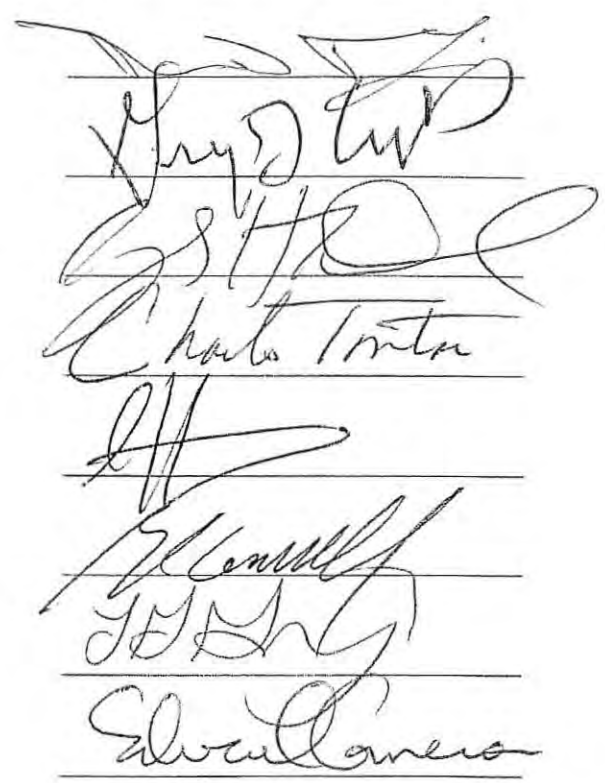
- a. This agreement may be amended in writing by vote of both of the Participating Governmental Units. Should additional municipalities seek to join this program of shared Animal Control Services, the terms agreed to herein, including apportionment of expenses, for such additional municipalities shall be negotiated and approved by both of the Participating Governmental Units.
- b. This agreement represents the entire understanding of the parties with respect to its subject matter.
- c. This agreement shall be governed by the laws of the Commonwealth of Massachusetts.
- d. If any of the provisions of this agreement is declared to be illegal, unenforceable, or void, then both parties shall be relieved of all obligations under such provision, provided, however, that the remainder of the Agreement shall be enforced.

TOWN OF WEST NEWBURY  
By Board of Selectmen



Dated: 5/16/16

CITY OF NEWBURYPORT  
By City Council



Dated: 8/10/16

## COMMITTEE ITEMS

## **BUDGET & FINANCE COMMITTEE**

1. **COMM004\_01\_29\_18** FY2018 Mid-Year Budget Report
2. **ORDR006\_01\_29\_18** Adjustments to Income and Int Rate for 41A Deferral
3. **COMM012\_01\_29\_18** Zeid Senior Tax Credit Table
4. **TRAN002\_02\_12\_18** Essex North Shore Tech \$9K to Elections \$5K, Legal Ads \$1K, Ordinance Recodification \$3K
5. **TRAN003\_02\_12\_18** RSV APP - DPW Gas \$50K to DPS Highway - Fuel/Oil \$50K



CITY OF NEWBURYPORT  
FINANCE DEPARTMENT

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2018 JAN 23 PM 3: 22

DONNA D. HOLADAY  
MAYOR

ETHAN R. MANNING  
FINANCE DIRECTOR/CITY AUDITOR

To: Mayor Donna D. Holaday  
President and Members of the Newburyport City Council

From: Ethan R. Manning, Finance Director/City Auditor

Date: January 23, 2018

Subject: FY2018 Mid-Year Budget Report

Attached is the FY2018 Mid-Year Budget Report that includes a summary of budget expenditures for the period of July 1, 2017 through December 31, 2017. The report covers expenditures within the General Fund and the Water, Sewer, and Harbormaster Enterprise Funds. Also included is an update on the City's revenue collections.

The City budget is approved by the City Council in budget categories. These categories include: Personnel Services, Purchase of Services, Supplies, Other Charges and Expenses, Capital Outlay and Debt Service. This format is recommended by the Massachusetts Department of Revenue and is in accordance with the best practices recognized by the Government Finance Officers Association (GFOA). Once the annual budget is approved by the City Council, spending, in each budget category, cannot exceed the total appropriation for that category unless additional funding is provided through a budget transfer or supplemental budget appropriation.

### **FY2018 Mid-Year Expenditures**

Mid-year expenditures within the General Fund and Enterprise Funds were made within the budgetary appropriations approved by the City Council and are on target for this point in the fiscal year. Typically, however, expenditure levels are not exactly 50% at mid-year as major expenditures occur during various times of the year depending on the department or cost center.

On the following page is a summary of the mid-year expenditures by fund, which is broken out in greater detail in the reports that follow.

	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% OF BUDGET
001 GENERAL FUND	64,138,927	34,098,369	30,040,558	53.2%
060 WATER ENTERPRISE FUND	5,107,870	2,651,843	2,456,027	51.9%
061 SEWER ENTERPRISE FUND	7,060,654	3,126,641	3,934,013	44.3%
6520 HARBORMASTER ENTERPRISE FUND	467,830	276,498	191,332	59.1%
<b>TOTAL BUDGETARY FUNDS</b>	<b>76,775,281</b>	<b>40,153,352</b>	<b>36,621,929</b>	<b>52.3%</b>

While most department/cost centers show expenses below or near 50% of appropriations, those that were higher than 60% included:

- **General Administration (70.6%)**: A large component of this cost center is municipal insurance premiums, which are paid at the start of the fiscal year.
- **Information Technology (68.2%)**: Licenses, including the license for the City's MUNIS financial software, are paid in July, resulting in higher expenditures in the first half.
- **Human Resources (63.4%)**: Payment for workers compensation insurance is made at the start of the fiscal year.
- **Board of Registrar's (94.1%)**: Elections work during the first half of the fiscal year largely expended this cost center.
- **Conservation Commission (91.7%)**: Funding for minute takers is drawn first from the General Fund budget and then from the Wetlands Protection Fund.
- **Planning Board (91.7%)**: Funding for minute takers is drawn first from the General Fund budget and then from the revolving fund.
- **Zoning Board (97.2%)**: Funding for minute takers is drawn first from the General Fund budget and then from the revolving fund.
- **Essex North Shore Technical School (76.5%)**: Tuition and transportation is paid in the first half of the fiscal year.
- **Whittier Tech Assessment (85.0%)**: The assessment for the Whittier Technical Regional Vocational High School is paid throughout the year, with the majority of the assessment paid during the first half of the fiscal year.
- **Snow & Ice (71.2%)**: Due to the variability of snow and ice conditions.
- **Historical Commission (66.7%)**: Funding for minute takers is drawn first from the General Fund budget and then from the revolving fund.
- **Ordinary Debt Service (81.5%)**: Annual debt service payments typically include two interest payments and one principal payment. The principal payment is typically due in July or October, resulting in higher expenditures during the first half of the fiscal year.
- **Retirement Board (100.0%)**: The City's appropriation to the Newburyport Retirement System is paid on July 1<sup>st</sup>.

Additional funding may be required in some accounts, such as snow and ice and overtime, due to the unpredictability of those line items. In accordance with state law, the City is allowed to exceed the budgetary appropriation for snow and ice removal as it is a matter of

public safety. However, any deficit must be removed prior to year-end through the use of reserves or other available funds. If the deficit is not removed prior to year-end, then the shortage must be made-up in the next fiscal year's tax rate. In past years, Free Cash has been the primary source of funding to cover snow and ice deficits.

**FY2018 Mid-Year Revenue**

Total revenue for the budgetary funds is currently on target at 54% of estimates. The General Fund shows 53% of revenue collected and the Water and Sewer Enterprise Funds are currently exceeding 50% of their revenue estimates for FY2018. However, collections for the Harbormaster Enterprise Fund are trending below estimates at 45%. We will continue to monitor collections into the second half of the fiscal year. Below is a summary of the mid-year revenue by fund, which is broken out in greater detail in the reports that follow.

	ESTIMATE	ACTUAL	REMAINING	% COLL.
001 GENERAL FUND	64,310,893	34,030,874	30,280,019	52.9%
060 WATER ENTERPRISE FUND	5,107,870	3,063,440	2,044,430	60.0%
061 SEWER ENTERPRISE FUND	6,385,654	3,766,859	2,618,795	59.0%
6520 HARBORMASTER ENTERPRISE FUND	467,830	212,598	255,232	45.4%
<b>TOTAL BUDGETARY FUNDS</b>	<b>76,272,247</b>	<b>41,073,771</b>	<b>35,198,477</b>	<b>53.9%</b>

A full copy of this report is available under the Financial Reports Center, located at: <http://www.cityofnewburyport.com/finance-department/pages/financial-reports-center>

Please feel free to contact me if you have any questions.





## City of Newburyport FY2018 Mid-Year Expenditure Summary

	ORIGINAL APPROP.	TRANSFERS/ ADJUST.	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% USED
<b>001 GENERAL FUND</b>						
111 CITY COUNCIL	\$67,444	\$0	\$67,444	\$36,027	\$31,417	53.4%
121 MAYOR'S DEPARTMENT	\$287,230	\$0	\$287,230	\$158,468	\$128,762	55.2%
129 GENERAL ADMINISTRATION	\$430,009	-\$76,212	\$353,797	\$249,724	\$104,073	70.6%
135 AUDITOR'S DEPARTMENT	\$321,417	\$0	\$321,417	\$180,896	\$140,520	56.3%
141 ASSESSORS DEPARTMENT	\$222,307	\$0	\$222,307	\$123,054	\$99,253	55.4%
145 TREASURER'S DEPARTMENT	\$296,266	\$0	\$296,266	\$157,657	\$139,609	52.9%
151 INFO TECHNOLOGY DEPT	\$308,813	\$0	\$308,813	\$210,718	\$98,095	68.2%
152 HUMAN RESOURCES	\$291,732	\$0	\$291,732	\$184,843	\$106,888	63.4%
161 CITY CLERK'S DEPARTMENT	\$252,997	\$0	\$252,997	\$135,758	\$117,240	53.7%
163 BOARD OF REGISTRARS	\$44,165	\$0	\$44,165	\$41,542	\$2,623	94.1%
165 LICENSE COMMISSION	\$6,340	\$0	\$6,340	\$3,670	\$2,670	57.9%
171 CONSERVATION COMMISSION	\$1,800	\$0	\$1,800	\$1,650	\$150	91.7%
175 PLANNING BOARD	\$1,800	\$0	\$1,800	\$1,650	\$150	91.7%
176 ZONING BOARD	\$1,800	\$0	\$1,800	\$1,750	\$50	97.2%
182 PLANNING & DEVELOPMENT	\$319,798	\$0	\$319,798	\$164,306	\$155,492	51.4%
191 LEGAL DEPARTMENT	\$70,000	\$0	\$70,000	\$26,405	\$43,595	37.7%
210 POLICE DEPARTMENT	\$3,588,935	\$76,212	\$3,665,147	\$1,992,796	\$1,672,352	54.4%
220 FIRE DEPARTMENT	\$3,644,887	\$0	\$3,644,887	\$2,005,368	\$1,639,519	55.0%
241 BUILDING DEPARTMENT	\$178,038	\$0	\$178,038	\$92,614	\$85,424	52.0%
291 EMERGENCY MANAGEMENT	\$29,100	\$0	\$29,100	\$11,974	\$17,126	41.1%
292 ANIMAL CONTROL	\$65,327	\$0	\$65,327	\$33,885	\$31,442	51.9%
293 PARKING CLERK DEPARTMENT	\$48,153	\$0	\$48,153	\$26,207	\$21,945	54.4%
300 SCHOOL DEPARTMENT	\$28,651,701	\$0	\$28,651,701	\$12,959,813	\$15,691,888	45.2%
398 ESSEX NORTH SHORE TECH SCHOOL	\$73,000	\$0	\$73,000	\$55,818	\$17,182	76.5%
399 WHITTIER VO TECH SCHOOL	\$568,149	\$0	\$568,149	\$482,926	\$85,223	85.0%
421 PUBLIC SERVICES DEPARTMENT	\$2,841,055	\$78,223	\$2,919,278	\$1,370,094	\$1,549,184	46.9%
423 SNOW & ICE	\$200,000	\$0	\$200,000	\$142,494	\$57,506	71.2%
510 HEALTH DEPARTMENT	\$218,045	\$0	\$218,045	\$118,671	\$99,374	54.4%
519 SUSTAINABILITY	\$1,221,369	\$40,000	\$1,261,369	\$598,224	\$663,145	47.4%
541 COUNCIL ON AGING	\$303,633	\$0	\$303,633	\$160,990	\$142,644	53.0%
542 YOUTH SERVICES	\$279,604	\$0	\$279,604	\$157,848	\$121,756	56.5%
543 VETERANS' DEPARTMENT	\$305,761	\$0	\$305,761	\$151,984	\$153,776	49.7%
610 LIBRARY DEPARTMENT	\$1,352,886	\$0	\$1,352,886	\$762,085	\$590,801	56.3%
630 PARKS COMMISSION	\$206,367	\$0	\$206,367	\$103,670	\$102,697	50.2%
691 HISTORICAL COMMISSION	\$1,800	\$0	\$1,800	\$1,200	\$600	66.7%
710 DEBT EXCLUSION	\$3,166,609	\$0	\$3,166,609	\$1,338,226	\$1,828,384	42.3%
720 ORDINARY DEBT SERVICE	\$820,282	\$0	\$820,282	\$668,314	\$151,967	81.5%
911 RETIREMENT BOARD	\$3,924,742	\$0	\$3,924,742	\$3,924,203	\$539	100.0%
914 INSURANCE GROUP	\$9,404,704	\$0	\$9,404,704	\$5,259,369	\$4,145,335	55.9%
921 COMMISSION ON DISABILITY	\$2,640	\$0	\$2,640	\$1,478	\$1,162	56.0%
<b>01 GENERAL FUND Total</b>	<b>\$64,020,704</b>	<b>\$118,223</b>	<b>\$64,138,927</b>	<b>\$34,098,369</b>	<b>\$30,041,558</b>	<b>53.2%</b>
<b>60 WATER ENTERPRISE FUND Total</b>	<b>\$5,107,870</b>	<b>\$0</b>	<b>\$5,107,870</b>	<b>\$2,651,843</b>	<b>\$2,456,027</b>	<b>51.9%</b>
<b>61 SEWER ENTERPRISE FUND Total</b>	<b>\$7,060,654</b>	<b>\$0</b>	<b>\$7,060,654</b>	<b>\$3,126,641</b>	<b>\$3,934,013</b>	<b>44.3%</b>
<b>520 HARBORMASTER ENTERPRISE FUND Total</b>	<b>\$467,830</b>	<b>\$0</b>	<b>\$467,830</b>	<b>\$276,498</b>	<b>\$191,332</b>	<b>59.1%</b>
<b>rand Total</b>	<b>\$76,657,058</b>	<b>\$118,223</b>	<b>\$76,775,281</b>	<b>\$40,153,352</b>	<b>\$36,622,929</b>	<b>52.3%</b>



## City of Newburyport FY2018 Mid-Year Expenditure Summary

	ORIGINAL APPROP.	TRANSFERS/ ADJUST.	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% USED
<b>001 GENERAL FUND</b>						
<b>111 CITY COUNCIL</b>						
001 PERSONNEL SERVICES	\$60,944	\$0	\$60,944	\$30,655	\$30,289	50.3%
002 PURCHASE OF SERVICES	\$6,500	\$0	\$6,500	\$5,372	\$1,128	82.6%
<b>111 CITY COUNCIL Total</b>	<b>\$67,444</b>	<b>\$0</b>	<b>\$67,444</b>	<b>\$36,027</b>	<b>\$31,417</b>	<b>53.4%</b>
<b>121 MAYOR'S DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$232,230	\$0	\$232,230	\$124,599	\$107,630	53.7%
002 PURCHASE OF SERVICES	\$40,000	\$0	\$40,000	\$21,538	\$18,462	53.8%
007 OTHER CHARGES & EXPENSES	\$15,000	\$0	\$15,000	\$12,330	\$2,670	82.2%
<b>121 MAYOR'S DEPARTMENT Total</b>	<b>\$287,230</b>	<b>\$0</b>	<b>\$287,230</b>	<b>\$158,468</b>	<b>\$128,762</b>	<b>55.2%</b>
<b>129 GENERAL ADMINISTRATION</b>						
001 PERSONNEL SERVICES	\$13,500	\$0	\$13,500	\$7,541	\$5,959	55.9%
002 PURCHASE OF SERVICES	\$150,500	\$0	\$150,500	\$65,426	\$85,074	43.5%
004 SUPPLIES	\$9,000	\$0	\$9,000	\$6,415	\$2,585	71.3%
007 OTHER CHARGES & EXPENSES	\$257,009	-\$76,212	\$180,797	\$170,342	\$10,455	94.2%
<b>129 GENERAL ADMINISTRATION Total</b>	<b>\$430,009</b>	<b>-\$76,212</b>	<b>\$353,797</b>	<b>\$249,724</b>	<b>\$104,073</b>	<b>70.6%</b>
<b>135 AUDITOR'S DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$272,927	\$0	\$272,927	\$148,588	\$124,338	54.4%
002 PURCHASE OF SERVICES	\$46,500	\$0	\$46,500	\$31,118	\$15,383	66.9%
004 SUPPLIES	\$1,500	\$0	\$1,500	\$736	\$764	49.0%
007 OTHER CHARGES & EXPENSES	\$490	\$0	\$490	\$455	\$35	92.9%
<b>135 AUDITOR'S DEPARTMENT Total</b>	<b>\$321,417</b>	<b>\$0</b>	<b>\$321,417</b>	<b>\$180,896</b>	<b>\$140,520</b>	<b>56.3%</b>
<b>141 ASSESSORS DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$202,562	\$0	\$202,562	\$108,783	\$93,779	53.7%
002 PURCHASE OF SERVICES	\$15,720	\$0	\$15,720	\$12,570	\$3,150	80.0%
004 SUPPLIES	\$3,325	\$0	\$3,325	\$1,221	\$2,104	36.7%
007 OTHER CHARGES & EXPENSES	\$700	\$0	\$700	\$480	\$220	68.6%
<b>141 ASSESSORS DEPARTMENT Total</b>	<b>\$222,307</b>	<b>\$0</b>	<b>\$222,307</b>	<b>\$123,054</b>	<b>\$99,253</b>	<b>55.4%</b>
<b>145 TREASURER'S DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$251,916	\$0	\$251,916	\$136,721	\$115,195	54.3%
002 PURCHASE OF SERVICES	\$38,700	\$0	\$38,700	\$18,011	\$21,689	44.0%
004 SUPPLIES	\$3,800	\$0	\$3,800	\$1,274	\$2,526	33.5%
007 OTHER CHARGES & EXPENSES	\$1,850	\$0	\$1,850	\$1,650	\$200	89.2%
<b>145 TREASURER'S DEPARTMENT Total</b>	<b>\$296,266</b>	<b>\$0</b>	<b>\$296,266</b>	<b>\$157,657</b>	<b>\$139,609</b>	<b>52.9%</b>
<b>151 INFO TECHNOLOGY DEPT</b>						
001 PERSONNEL SERVICES	\$92,928	\$0	\$92,928	\$46,464	\$46,464	50.0%
002 PURCHASE OF SERVICES	\$213,885	\$0	\$213,885	\$163,138	\$50,747	76.3%
004 SUPPLIES	\$2,000	\$0	\$2,000	\$1,116	\$884	55.8%
<b>151 INFO TECHNOLOGY DEPT Total</b>	<b>\$308,813</b>	<b>\$0</b>	<b>\$308,813</b>	<b>\$210,718</b>	<b>\$98,095</b>	<b>68.2%</b>



## City of Newburyport FY2018 Mid-Year Expenditure Summary

	ORIGINAL APPROP.	TRANSFERS/ ADJUST.	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% USED
<b>152 HUMAN RESOURCES</b>						
001 PERSONNEL SERVICES	\$146,369	\$0	\$146,369	\$78,814	\$67,555	53.8%
002 PURCHASE OF SERVICES	\$143,663	\$0	\$143,663	\$104,741	\$38,922	72.9%
004 SUPPLIES	\$1,500	\$0	\$1,500	\$1,088	\$412	72.6%
007 OTHER CHARGES & EXPENSES	\$200	\$0	\$200	\$200	\$0	100.0%
<b>152 HUMAN RESOURCES Total</b>	<b>\$291,732</b>	<b>\$0</b>	<b>\$291,732</b>	<b>\$184,843</b>	<b>\$106,888</b>	<b>63.4%</b>
<b>161 CITY CLERK'S DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$240,897	\$0	\$240,897	\$129,260	\$111,637	53.7%
002 PURCHASE OF SERVICES	\$12,100	\$0	\$12,100	\$6,498	\$5,602	53.7%
<b>161 CITY CLERK'S DEPARTMENT Total</b>	<b>\$252,997</b>	<b>\$0</b>	<b>\$252,997</b>	<b>\$135,758</b>	<b>\$117,240</b>	<b>53.7%</b>
<b>163 BOARD OF REGISTRARS</b>						
001 PERSONNEL SERVICES	\$4,165	\$0	\$4,165	\$2,207	\$1,958	53.0%
007 OTHER CHARGES & EXPENSES	\$40,000	\$0	\$40,000	\$39,335	\$665	98.3%
<b>163 BOARD OF REGISTRARS Total</b>	<b>\$44,165</b>	<b>\$0</b>	<b>\$44,165</b>	<b>\$41,542</b>	<b>\$2,623</b>	<b>94.1%</b>
<b>165 LICENSE COMMISSION</b>						
001 PERSONNEL SERVICES	\$5,340	\$0	\$5,340	\$3,115	\$2,225	58.3%
007 OTHER CHARGES & EXPENSES	\$1,000	\$0	\$1,000	\$555	\$445	55.5%
<b>165 LICENSE COMMISSION Total</b>	<b>\$6,340</b>	<b>\$0</b>	<b>\$6,340</b>	<b>\$3,670</b>	<b>\$2,670</b>	<b>57.9%</b>
<b>171 CONSERVATION COMMISSION</b>						
001 PERSONNEL SERVICES	\$1,800	\$0	\$1,800	\$1,650	\$150	91.7%
<b>171 CONSERVATION COMMISSION Total</b>	<b>\$1,800</b>	<b>\$0</b>	<b>\$1,800</b>	<b>\$1,650</b>	<b>\$150</b>	<b>91.7%</b>
<b>175 PLANNING BOARD</b>						
001 PERSONNEL SERVICES	\$1,800	\$0	\$1,800	\$1,650	\$150	91.7%
<b>175 PLANNING BOARD Total</b>	<b>\$1,800</b>	<b>\$0</b>	<b>\$1,800</b>	<b>\$1,650</b>	<b>\$150</b>	<b>91.7%</b>
<b>176 ZONING BOARD</b>						
001 PERSONNEL SERVICES	\$1,800	\$0	\$1,800	\$1,750	\$50	97.2%
<b>176 ZONING BOARD Total</b>	<b>\$1,800</b>	<b>\$0</b>	<b>\$1,800</b>	<b>\$1,750</b>	<b>\$50</b>	<b>97.2%</b>
<b>182 PLANNING &amp; DEVELOPMENT</b>						
001 PERSONNEL SERVICES	\$303,248	\$0	\$303,248	\$160,864	\$142,384	53.0%
002 PURCHASE OF SERVICES	\$12,000	\$0	\$12,000	\$0	\$12,000	0.0%
004 SUPPLIES	\$4,550	\$0	\$4,550	\$3,442	\$1,108	75.6%
<b>182 PLANNING &amp; DEVELOPMENT Total</b>	<b>\$319,798</b>	<b>\$0</b>	<b>\$319,798</b>	<b>\$164,306</b>	<b>\$155,492</b>	<b>51.4%</b>
<b>191 LEGAL DEPARTMENT</b>						
002 PURCHASE OF SERVICES	\$70,000	\$0	\$70,000	\$26,405	\$43,595	37.7%
<b>191 LEGAL DEPARTMENT Total</b>	<b>\$70,000</b>	<b>\$0</b>	<b>\$70,000</b>	<b>\$26,405</b>	<b>\$43,595</b>	<b>37.7%</b>
<b>210 POLICE DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$3,256,523	\$76,212	\$3,332,735	\$1,840,751	\$1,491,985	55.2%
002 PURCHASE OF SERVICES	\$167,062	\$0	\$167,062	\$78,495	\$88,567	47.0%



## City of Newburyport FY2018 Mid-Year Expenditure Summary

	ORIGINAL APPROP.	TRANSFERS/ ADJUST.	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% USED
004 SUPPLIES	\$89,600	\$0	\$89,600	\$28,621	\$60,979	31.9%
007 OTHER CHARGES & EXPENSES	\$14,750	\$0	\$14,750	\$11,030	\$3,720	74.8%
008 CAPITAL OUTLAY	\$61,000	\$0	\$61,000	\$33,899	\$27,101	55.6%
<b>210 POLICE DEPARTMENT Total</b>	<b>\$3,588,935</b>	<b>\$76,212</b>	<b>\$3,665,147</b>	<b>\$1,992,796</b>	<b>\$1,672,352</b>	<b>54.4%</b>
<b>220 FIRE DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$3,411,437	\$0	\$3,411,437	\$1,895,033	\$1,516,404	55.5%
002 PURCHASE OF SERVICES	\$171,500	\$0	\$171,500	\$76,183	\$95,317	44.4%
004 SUPPLIES	\$56,500	\$0	\$56,500	\$31,452	\$25,048	55.7%
007 OTHER CHARGES & EXPENSES	\$5,450	\$0	\$5,450	\$2,700	\$2,750	49.5%
<b>220 FIRE DEPARTMENT Total</b>	<b>\$3,644,887</b>	<b>\$0</b>	<b>\$3,644,887</b>	<b>\$2,005,368</b>	<b>\$1,639,519</b>	<b>55.0%</b>
<b>241 BUILDING DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$177,038	\$0	\$177,038	\$92,550	\$84,488	52.3%
002 PURCHASE OF SERVICES	\$1,000	\$0	\$1,000	\$64	\$936	6.4%
<b>241 BUILDING DEPARTMENT Total</b>	<b>\$178,038</b>	<b>\$0</b>	<b>\$178,038</b>	<b>\$92,614</b>	<b>\$85,424</b>	<b>52.0%</b>
<b>291 EMERGENCY MANAGEMENT</b>						
001 PERSONNEL SERVICES	\$14,000	\$0	\$14,000	\$8,923	\$5,077	63.7%
002 PURCHASE OF SERVICES	\$12,000	\$0	\$12,000	\$2,431	\$9,569	20.3%
004 SUPPLIES	\$1,100	\$0	\$1,100	\$621	\$479	56.4%
007 OTHER CHARGES & EXPENSES	\$2,000	\$0	\$2,000	\$0	\$2,000	0.0%
<b>291 EMERGENCY MANAGEMENT Total</b>	<b>\$29,100</b>	<b>\$0</b>	<b>\$29,100</b>	<b>\$11,974</b>	<b>\$17,126</b>	<b>41.1%</b>
<b>292 ANIMAL CONTROL</b>						
001 PERSONNEL SERVICES	\$54,897	\$0	\$54,897	\$30,667	\$24,230	55.9%
002 PURCHASE OF SERVICES	\$7,840	\$0	\$7,840	\$2,103	\$5,737	26.8%
004 SUPPLIES	\$2,290	\$0	\$2,290	\$814	\$1,476	35.6%
007 OTHER CHARGES & EXPENSES	\$300	\$0	\$300	\$300	\$0	100.0%
<b>292 ANIMAL CONTROL Total</b>	<b>\$65,327</b>	<b>\$0</b>	<b>\$65,327</b>	<b>\$33,885</b>	<b>\$31,442</b>	<b>51.9%</b>
<b>293 PARKING CLERK DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$48,153	\$0	\$48,153	\$26,207	\$21,945	54.4%
<b>293 PARKING CLERK DEPARTMENT Total</b>	<b>\$48,153</b>	<b>\$0</b>	<b>\$48,153</b>	<b>\$26,207</b>	<b>\$21,945</b>	<b>54.4%</b>
<b>300 SCHOOL DEPARTMENT</b>						
002 PURCHASE OF SERVICES	\$28,651,701	\$0	\$28,651,701	\$12,959,813	\$15,691,888	45.2%
<b>300 SCHOOL DEPARTMENT Total</b>	<b>\$28,651,701</b>	<b>\$0</b>	<b>\$28,651,701</b>	<b>\$12,959,813</b>	<b>\$15,691,888</b>	<b>45.2%</b>
<b>398 ESSEX NORTH SHORE TECH SCHOOL</b>						
002 PURCHASE OF SERVICES	\$73,000	\$0	\$73,000	\$55,818	\$17,182	76.5%
<b>398 ESSEX NORTH SHORE TECH SCHOOL Total</b>	<b>\$73,000</b>	<b>\$0</b>	<b>\$73,000</b>	<b>\$55,818</b>	<b>\$17,182</b>	<b>76.5%</b>
<b>399 WHITTIER VO TECH SCHOOL</b>						
002 PURCHASE OF SERVICES	\$568,149	\$0	\$568,149	\$482,926	\$85,223	85.0%
<b>399 WHITTIER VO TECH SCHOOL Total</b>	<b>\$568,149</b>	<b>\$0</b>	<b>\$568,149</b>	<b>\$482,926</b>	<b>\$85,223</b>	<b>85.0%</b>



## City of Newburyport FY2018 Mid-Year Expenditure Summary

	ORIGINAL APPROP.	TRANSFERS/ ADJUST.	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% USED
<b>421 PUBLIC SERVICES DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$1,806,956	\$0	\$1,806,956	\$925,595	\$881,360	51.2%
002 PURCHASE OF SERVICES	\$482,337	\$78,223	\$560,560	\$268,271	\$292,289	47.9%
004 SUPPLIES	\$258,475	\$0	\$258,475	\$168,323	\$90,152	65.1%
008 CAPITAL OUTLAY	\$293,287	\$0	\$293,287	\$7,904	\$285,383	2.7%
<b>421 PUBLIC SERVICES DEPARTMENT Total</b>	<b>\$2,841,055</b>	<b>\$78,223</b>	<b>\$2,919,278</b>	<b>\$1,370,094</b>	<b>\$1,549,184</b>	<b>46.9%</b>
<b>423 SNOW &amp; ICE</b>						
001 PERSONNEL SERVICES	\$100,000	\$0	\$100,000	\$39,166	\$60,834	39.2%
002 PURCHASE OF SERVICES	\$100,000	\$0	\$100,000	\$103,328	-\$3,328	103.3%
<b>423 SNOW &amp; ICE Total</b>	<b>\$200,000</b>	<b>\$0</b>	<b>\$200,000</b>	<b>\$142,494</b>	<b>\$57,506</b>	<b>71.2%</b>
<b>510 HEALTH DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$174,181	\$0	\$174,181	\$102,824	\$71,358	59.0%
002 PURCHASE OF SERVICES	\$38,364	\$0	\$38,364	\$13,592	\$24,772	35.4%
004 SUPPLIES	\$4,500	\$0	\$4,500	\$1,786	\$2,714	39.7%
007 OTHER CHARGES & EXPENSES	\$1,000	\$0	\$1,000	\$470	\$530	47.0%
<b>510 HEALTH DEPARTMENT Total</b>	<b>\$218,045</b>	<b>\$0</b>	<b>\$218,045</b>	<b>\$118,671</b>	<b>\$99,374</b>	<b>54.4%</b>
<b>519 SUSTAINABILITY</b>						
001 PERSONNEL SERVICES	\$94,869	\$0	\$94,869	\$56,566	\$38,303	59.6%
002 PURCHASE OF SERVICES	\$1,125,500	\$40,000	\$1,165,500	\$540,970	\$624,530	46.4%
004 SUPPLIES	\$1,000	\$0	\$1,000	\$688	\$312	68.8%
<b>519 SUSTAINABILITY Total</b>	<b>\$1,221,369</b>	<b>\$40,000</b>	<b>\$1,261,369</b>	<b>\$598,224</b>	<b>\$663,145</b>	<b>47.4%</b>
<b>541 COUNCIL ON AGING</b>						
001 PERSONNEL SERVICES	\$266,133	\$0	\$266,133	\$141,476	\$124,657	53.2%
002 PURCHASE OF SERVICES	\$24,500	\$0	\$24,500	\$13,585	\$10,915	55.4%
004 SUPPLIES	\$13,000	\$0	\$13,000	\$5,928	\$7,072	45.6%
<b>541 COUNCIL ON AGING Total</b>	<b>\$303,633</b>	<b>\$0</b>	<b>\$303,633</b>	<b>\$160,990</b>	<b>\$142,644</b>	<b>53.0%</b>
<b>542 YOUTH SERVICES</b>						
001 PERSONNEL SERVICES	\$169,643	\$0	\$169,643	\$90,962	\$78,682	53.6%
002 PURCHASE OF SERVICES	\$24,300	\$0	\$24,300	\$14,028	\$10,273	57.7%
007 OTHER CHARGES & EXPENSES	\$85,661	\$0	\$85,661	\$52,859	\$32,802	61.7%
<b>542 YOUTH SERVICES Total</b>	<b>\$279,604</b>	<b>\$0</b>	<b>\$279,604</b>	<b>\$157,848</b>	<b>\$121,756</b>	<b>56.5%</b>
<b>543 VETERANS' DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$126,621	\$0	\$126,621	\$68,314	\$58,307	54.0%
002 PURCHASE OF SERVICES	\$5,720	\$0	\$5,720	\$1,049	\$4,671	18.3%
007 OTHER CHARGES & EXPENSES	\$173,420	\$0	\$173,420	\$82,621	\$90,799	47.6%
<b>543 VETERANS' DEPARTMENT Total</b>	<b>\$305,761</b>	<b>\$0</b>	<b>\$305,761</b>	<b>\$151,984</b>	<b>\$153,776</b>	<b>49.7%</b>
<b>610 LIBRARY DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$1,010,311	\$0	\$1,010,311	\$539,073	\$471,237	53.4%
002 PURCHASE OF SERVICES	\$342,575	\$0	\$342,575	\$223,012	\$119,563	65.1%
<b>610 LIBRARY DEPARTMENT Total</b>	<b>\$1,352,886</b>	<b>\$0</b>	<b>\$1,352,886</b>	<b>\$762,085</b>	<b>\$590,801</b>	<b>56.3%</b>



**City of Newburyport**  
**FY2018 Mid-Year Expenditure Summary**

	ORIGINAL APPROP.	TRANSFERS/ ADJUST.	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% USED
<b>630 PARKS COMMISSION</b>						
001 PERSONNEL SERVICES	\$160,967	\$0	\$160,967	\$82,635	\$78,333	51.3%
002 PURCHASE OF SERVICES	\$40,400	\$0	\$40,400	\$16,749	\$23,651	41.5%
004 SUPPLIES	\$5,000	\$0	\$5,000	\$4,287	\$713	85.7%
<b>630 PARKS COMMISSION Total</b>	<b>\$206,367</b>	<b>\$0</b>	<b>\$206,367</b>	<b>\$103,670</b>	<b>\$102,697</b>	<b>50.2%</b>
<b>691 HISTORICAL COMMISSION</b>						
001 PERSONNEL SERVICES	\$1,800	\$0	\$1,800	\$1,200	\$600	66.7%
<b>691 HISTORICAL COMMISSION Total</b>	<b>\$1,800</b>	<b>\$0</b>	<b>\$1,800</b>	<b>\$1,200</b>	<b>\$600</b>	<b>66.7%</b>
<b>710 DEBT EXCLUSION</b>						
009 DEBT SERVICE	\$3,166,609	\$0	\$3,166,609	\$1,338,226	\$1,828,384	42.3%
<b>710 DEBT EXCLUSION Total</b>	<b>\$3,166,609</b>	<b>\$0</b>	<b>\$3,166,609</b>	<b>\$1,338,226</b>	<b>\$1,828,384</b>	<b>42.3%</b>
<b>720 ORDINARY DEBT SERVICE</b>						
009 DEBT SERVICE	\$820,282	\$0	\$820,282	\$668,314	\$151,967	81.5%
<b>720 ORDINARY DEBT SERVICE Total</b>	<b>\$820,282</b>	<b>\$0</b>	<b>\$820,282</b>	<b>\$668,314</b>	<b>\$151,967</b>	<b>81.5%</b>
<b>911 RETIREMENT BOARD</b>						
001 PERSONNEL SERVICES	\$3,924,742	\$0	\$3,924,742	\$3,924,203	\$539	100.0%
<b>911 RETIREMENT BOARD Total</b>	<b>\$3,924,742</b>	<b>\$0</b>	<b>\$3,924,742</b>	<b>\$3,924,203</b>	<b>\$539</b>	<b>100.0%</b>
<b>914 INSURANCE GROUP</b>						
001 PERSONNEL SERVICES	\$9,404,704	\$0	\$9,404,704	\$5,259,369	\$4,145,335	55.9%
<b>914 INSURANCE GROUP Total</b>	<b>\$9,404,704</b>	<b>\$0</b>	<b>\$9,404,704</b>	<b>\$5,259,369</b>	<b>\$4,145,335</b>	<b>55.9%</b>
<b>921 COMMISSION ON DISABILITY</b>						
001 PERSONNEL SERVICES	\$2,640	\$0	\$2,640	\$1,478	\$1,162	56.0%
<b>921 COMMISSION ON DISABILITY Total</b>	<b>\$2,640</b>	<b>\$0</b>	<b>\$2,640</b>	<b>\$1,478</b>	<b>\$1,162</b>	<b>56.0%</b>
<b>01 GENERAL FUND Total</b>	<b>\$64,020,704</b>	<b>\$118,223</b>	<b>\$64,138,927</b>	<b>\$34,098,369</b>	<b>\$30,041,558</b>	<b>53.2%</b>



**City of Newburyport  
FY2018 Mid-Year Expenditure Summary**

	ORIGINAL APPROP.	TRANSFERS/ ADJUST.	REVISED BUDGET	YTD EXPENDED	REMAINING BUDGET	% USED
<b>060 WATER ENTERPRISE FUND</b>						
<b>450 WATER DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$2,094,011	\$0	\$2,094,011	\$1,223,401	\$870,610	58.4%
002 PURCHASE OF SERVICES	\$887,251	\$0	\$887,251	\$354,178	\$533,073	39.9%
004 SUPPLIES	\$186,147	\$0	\$186,147	\$76,138	\$110,008	40.9%
007 OTHER CHARGES & EXPENSES	\$93,724	\$0	\$93,724	\$75,721	\$18,004	80.8%
008 CAPITAL OUTLAY	\$161,000	\$0	\$161,000	\$44,728	\$116,273	27.8%
009 DEBT SERVICE	\$1,685,738	\$0	\$1,685,738	\$877,678	\$808,060	52.1%
<b>450 WATER DEPARTMENT Total</b>	<b>\$5,107,870</b>	<b>\$0</b>	<b>\$5,107,870</b>	<b>\$2,651,843</b>	<b>\$2,456,027</b>	<b>51.9%</b>
<b>060 WATER ENTERPRISE FUND Total</b>	<b>\$5,107,870</b>	<b>\$0</b>	<b>\$5,107,870</b>	<b>\$2,651,843</b>	<b>\$2,456,027</b>	<b>51.9%</b>
<b>061 SEWER ENTERPRISE FUND</b>						
<b>440 SEWER DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$2,227,056	\$0	\$2,227,056	\$1,306,008	\$921,049	58.6%
002 PURCHASE OF SERVICES	\$1,326,920	\$0	\$1,326,920	\$459,710	\$867,210	34.6%
004 SUPPLIES	\$315,978	\$0	\$315,978	\$123,690	\$192,288	39.1%
007 OTHER CHARGES & EXPENSES	\$79,375	\$0	\$79,375	\$64,678	\$14,697	81.5%
008 CAPITAL OUTLAY	\$275,000	\$0	\$275,000	\$66,402	\$208,598	24.1%
009 DEBT SERVICE	\$2,836,325	\$0	\$2,836,325	\$1,106,154	\$1,730,171	39.0%
<b>440 SEWER DEPARTMENT Total</b>	<b>\$7,060,654</b>	<b>\$0</b>	<b>\$7,060,654</b>	<b>\$3,126,641</b>	<b>\$3,934,013</b>	<b>44.3%</b>
<b>061 SEWER ENTERPRISE FUND Total</b>	<b>\$7,060,654</b>	<b>\$0</b>	<b>\$7,060,654</b>	<b>\$3,126,641</b>	<b>\$3,934,013</b>	<b>44.3%</b>
<b>6520 HARBORMASTER ENTERPRISE FUND</b>						
<b>295 HARBORMASTER DEPARTMENT</b>						
001 PERSONNEL SERVICES	\$268,039	\$0	\$268,039	\$173,637	\$94,402	64.8%
002 PURCHASE OF SERVICES	\$50,050	\$0	\$50,050	\$14,082	\$35,968	28.1%
004 SUPPLIES	\$18,700	\$0	\$18,700	\$9,483	\$9,217	50.7%
007 OTHER CHARGES & EXPENSES	\$11,000	\$0	\$11,000	\$7,378	\$3,622	67.1%
008 CAPITAL OUTLAY	\$50,000	\$0	\$50,000	\$15,144	\$34,856	30.3%
009 DEBT SERVICE	\$70,041	\$0	\$70,041	\$56,774	\$13,267	81.1%
<b>295 HARBORMASTER DEPARTMENT Total</b>	<b>\$467,830</b>	<b>\$0</b>	<b>\$467,830</b>	<b>\$276,498</b>	<b>\$191,332</b>	<b>59.1%</b>
<b>6520 HARBORMASTER ENTERPRISE FUND Total</b>	<b>\$467,830</b>	<b>\$0</b>	<b>\$467,830</b>	<b>\$276,498</b>	<b>\$191,332</b>	<b>59.1%</b>
<b>Grand Total</b>	<b>\$76,657,058</b>	<b>\$118,223</b>	<b>\$76,775,281</b>	<b>\$40,153,352</b>	<b>\$36,622,929</b>	<b>52.3%</b>



**City of Newburyport**  
**FY2018 Mid-Year Revenue Summary**

CATEGORY	FY 2017 Mid-Year Revenue				FY 2018 Mid-Year Revenue				FY17 vs. FY18 +/-		
	ESTIMATE	6MO ACTUAL	REMAINING	% COLL	ESTIMATE	6MO ACTUAL	REMAINING	% COLL	\$	%	
<b>Tax Revenue</b>											
Real Estate Tax	52,342,090	26,522,344	25,819,746	50.7%	54,348,166	29,420,922	24,927,244	54.1%	2,898,578	10.9%	↑
Personal Property Tax	682,417	316,593	365,824	46.4%	663,951	354,350	309,600	53.4%	37,757	11.9%	↑
<b>Total Tax Revenue</b>	<b>53,024,507</b>	<b>26,838,938</b>	<b>26,185,569</b>	<b>50.6%</b>	<b>55,012,117</b>	<b>29,775,273</b>	<b>25,236,844</b>	<b>54.1%</b>	<b>2,936,335</b>	<b>10.9%</b>	<b>↑</b>
<b>Local Receipts</b>											
Motor Vehicle Excise (1)	2,350,000	390,122	1,959,878	16.6%	2,450,000	360,175	2,089,825	14.7%	(29,946)	-7.7%	↓
Room Occupancy Excise	115,000	156,354	(41,354)	136.0%	220,000	152,952	67,048	69.5%	(3,402)	-2.2%	↓
Meals Excise	485,000	333,065	151,935	68.7%	525,000	361,605	163,395	68.9%	28,540	8.6%	↑
Other Excise (2)	100,000	0	100,000	0.0%	100,000	0	100,000	0.0%	0	0.0%	↔
Pen & Int on Tax & Exc	320,000	154,406	165,594	48.3%	290,000	169,576	120,424	58.5%	15,170	9.8%	↑
Payments in Lieu of Taxes (3)	60,000	13,851	46,149	23.1%	60,000	0	60,000	0.0%	(13,851)	-100.0%	↓
Fees (4)	370,000	208,894	161,106	56.5%	340,000	234,903	105,097	69.1%	26,009	12.5%	↑
Other Dept. Revenue (5)	55,000	36,267	18,733	65.9%	55,000	30,260	24,740	55.0%	(6,006)	-16.6%	↓
Licenses and Permits	690,000	687,587	2,413	99.7%	700,000	548,310	151,690	78.3%	(139,277)	-20.3%	↓
Fines & Forfeits	10,000	7,013	2,988	70.1%	10,000	5,620	4,380	56.2%	(1,393)	-19.9%	↓
Investment Income	45,000	19,003	25,997	42.2%	45,000	60,541	(15,541)	134.5%	41,537	218.6%	↑
Medicaid Reimbursement	85,000	33,014	51,986	38.8%	100,000	14,526	85,474	14.5%	(18,487)	-56.0%	↓
Miscellaneous Recurring (6)	138,000	74,052	63,948	53.7%	138,000	30,506	107,494	22.1%	(43,546)	-58.8%	↓
Miscellaneous Non-Recurring	0	10,562	(10,562)	100.0%	0	46,328	(46,328)	100.0%	35,765	338.6%	↑
<b>Total Local Receipts</b>	<b>4,823,000</b>	<b>2,124,190</b>	<b>2,698,810</b>	<b>44.0%</b>	<b>5,033,000</b>	<b>2,015,303</b>	<b>3,017,697</b>	<b>40.0%</b>	<b>(108,887)</b>	<b>-5.1%</b>	<b>↓</b>
<i>Local Receipts Excluding MV Excise</i>	<i>2,473,000</i>	<i>1,734,069</i>	<i>738,931</i>	<i>70.1%</i>	<i>2,583,000</i>	<i>1,655,127</i>	<i>927,873</i>	<i>64.1%</i>	<i>(78,941)</i>	<i>-4.6%</i>	<i>↓</i>
<b>Net State Aid</b>	<b>4,242,990</b>	<b>2,795,786</b>	<b>1,447,204</b>	<b>65.9%</b>	<b>4,265,776</b>	<b>2,240,298</b>	<b>2,025,478</b>	<b>52.5%</b>	<b>(555,488)</b>	<b>-19.9%</b>	<b>↓</b>
<b>Total General Fund Revenue</b>	<b>62,090,497</b>	<b>31,758,914</b>	<b>30,331,583</b>	<b>51.1%</b>	<b>64,310,893</b>	<b>34,030,874</b>	<b>30,280,019</b>	<b>52.9%</b>	<b>2,271,960</b>	<b>7.2%</b>	<b>↑</b>
<b>Enterprise Funds</b>											
Water Fund Revenue	5,143,412	3,281,228	1,862,184	63.8%	5,107,870	3,063,440	2,044,430	60.0%	(217,788)	-6.6%	↓
Sewer Fund Revenue	6,384,591	3,989,813	2,394,777	62.5%	6,385,654	3,766,859	2,618,795	59.0%	(222,954)	-5.6%	↓
Harbormaster Fund Revenue	430,714	247,885	182,829	57.6%	467,830	212,598	255,232	45.4%	(35,287)	-14.2%	↓
<b>Total Budgetary Funds</b>	<b>74,049,214</b>	<b>39,277,840</b>	<b>34,771,374</b>	<b>53.0%</b>	<b>76,272,247</b>	<b>41,073,771</b>	<b>35,198,477</b>	<b>53.9%</b>	<b>1,795,931</b>	<b>4.6%</b>	<b>↑</b>

- (1) Motor vehicle excise tax bills mailed out by end of February.
- (2) Urban redevelopment excise tax (MGL Ch. 121A); distributed by state at year-end.
- (3) Payments in lieu of taxes paid in March; category includes any roll back taxes as well.
- (4) Municipal liens, off duty fees, registry fees, tax title, fire alarm box fees.
- (5) Copies/recordings, zoning/ordinances, business certificates.
- (6) Police incident/accident, cell tower lease payments, Animal Control (\$22K), Veterans' Services (\$89K), FWS refuge revenue sharing.



## CITY OF NEWBURYPORT



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IN CITY COUNCIL

ORDERED:

January 29, 2018

THAT, the City of Newburyport increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes under G.L. c. 59 § 5, Clause 41A from \$40,000 to 100% of the amount established annually by the Commissioner of Revenue as the income limit for single seniors who are not heads of households to qualify for the "circuit breaker" state income tax credit for the preceding state tax year, with such increase to be effective for deferrals granted for taxes assessed for any fiscal year beginning on or after July 1, 2018.

FURTHER THAT, the City of Newburyport reduce the rate of interest that accrues on property taxes deferred by eligible seniors under G.L. c. 59, § 5, Clause 41A from 8% to 4%, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2018.

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Councillor Afroz Khan

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Councillor Sharif I. Zeid

January 29<sup>th</sup>, 2018 - City Council President and Members of the City Council,

The State gives municipalities several options to offer tax relief to residents. There are myriad of different options and I thought it would serve a great purpose to summarize the different clauses. This communication represents *my* best understanding of the options:

MGL Chapter 59 § 5	Clause 41A	Clause 41C	Clause 41 C ½	Clause 41 D
<b>Basic premise</b>	Allows municipality to offer a deferral to a taxpayer at a defined interest rate	Allows a municipality to offer an exemption based on certain eligibility criteria	Allows a municipality to offer an exemption based on certain eligibility criteria	Allows the eligibility criteria for Clause 41C to grow with inflation and cost of living
<b>Adopted by the City of Newburyport</b>	Yes	Yes	Proposed*	Yes
<b>Method of adoption or revocation</b>	Vote of the City Council + Mayoral Approval	Vote of the City Council + Mayoral Approval	Upon being placed on ballot by City Council + Mayor, must be approved by voters. Home rule petition needed to do it via special election (no petition needed if done in regular municipal election).  Can't be revoked for 3 years	Vote of the City Council + Mayoral Approval
<b>Statewide Adoption</b>	125 out of 351 municipalities	330 out of 351 Municipalities	2 out of 351 municipalities	Unable to find
<b>Eligibility Criteria (In Newburyport)</b>	<ul style="list-style-type: none"> <li>• Must own and occupy the property exemption is being requested for</li> <li>• Domiciled in MA for 10 or more consecutive years prior to application</li> <li>• Owned/Occupied any MA property as domicile for any 5 or more years</li> </ul>			
<b>Nota Bene: Primary domicile does <u>not</u> count towards asset limit</b>	<ul style="list-style-type: none"> <li>• 65 years of age or older</li> <li>• 40,000 of gross receipts ("Income") or less*</li> </ul>	<ul style="list-style-type: none"> <li>• 65 years of age or older</li> <li>• Income Limit: Single: \$30,107 Married: \$45,161</li> <li>• Asset Limit: Single: \$51,138 Married: \$70,314</li> </ul>	<ul style="list-style-type: none"> <li>• 70 years of age or older**</li> <li>• Income Limit (Household**): Single: \$57,000 Head of Household: \$72,000 Married: \$86,000 (tied to State Senior Circuit Breaker)</li> <li>• Asset Limit: None***</li> <li>** Administration recommendation</li> <li>*** State Statute does not allow for asset limit. Can do custom but no state reimbursement (see below).</li> </ul>	<ul style="list-style-type: none"> <li>• N/A – dovetails with 41C</li> </ul>
<b>Taxpayer exemption/deferral Calculation</b>	<ul style="list-style-type: none"> <li>• Deferral of property taxes at an interest rate of 8%*</li> </ul>	<ul style="list-style-type: none"> <li>• \$500 exemption from property taxes*</li> </ul>	<ul style="list-style-type: none"> <li>• 5-20% of the average residential value in the City</li> </ul>	<ul style="list-style-type: none"> <li>• N/A –dovetails with 41C</li> </ul>

January, 2018 | Memo: Re Senior Property Tax Affordability Options / Prepared by Sharif i Zeid – Ward 1 City Councillor

MGL Chapter 59 § 5	Clause 41A	Clause 41C	Clause 41 C ½	Clause 41 D
	(changes to 16% after death). • Enforced by lien.		(currently ~\$483k) • Percentage set by City Council + Mayor	
"5 C1/2" doubles exemption amount above?	No	Yes, but property owner cannot pay less in property taxes in current fiscal year than previous fiscal year.		N/A –dovetails with 41C
State Reimbursement	No	Yes, \$500 per approved application (max 116k)	Yes, \$500 per approved application (max 116k) as long as you adopt the Statute as written	N/A –dovetails with 41C
Impact to City Budget <i>assuming all else equal</i>	Reduction in total net taxes ("Total Revenue") in years of deferral. Catch-up when lien is called. Irrespective of Tax Levy.	Reduction in total net taxes ("Total Revenue") taken in by way of "Reserve for Abatement", irrespective of tax levy.		
Clause co-existence	With all other clauses	With 41A and 4D	With 41A	With 41A and 41C
Notes	*ORDR006 would change the deferral interest rate to 4% (16% unchangeable MGL Ch. 60 Sec. 62) and \$40,000 to 100% of State's Circuit Breaker (\$57,000 Single, \$72,000 Head of House Hold, \$86,000 Joint as of 2017)	* ORDR007 would change the exemption to \$1,000, which is maximum permissible under the Statute.	*ORDR061 requests a home rule petition from the state legislature allowing for a special election	None

Other notes:

- Most Clauses have "options" that can be exercised by the Municipality while still staying within the bounds of the Clause (not custom, per se). For example, the minimum age can be set to 65 for 41c rather than the default 70. The items are how they are adopted/proposed today in Newburyport
- There is a clause 41B that I have not studied in-depth but it appears to be something of an older version of 41C
- There is a Bill (House No. 4001) that has been filed at the State House that attempts to possibly create a new program that allows for means testing

Best,



Sharif I. Zeid  
Ward 1 City Councillor



# City of Newburyport

## FY 2018

### BUDGET TRANSFER REQUEST

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

FEB -6 PM 3:26

*bof*

**Department:** City Clerk  
**Submitted by:** Richard B. Jones, City Clerk      **Date Submitted:** 2/12/2018

**Transfer From:**

Account Name	<u>Essex North Shore Tech School</u>	YTD Bal:	<u>\$ 17,182.00</u>
Account Number:	<u>01398002-53202</u>	Category:	<u>                    </u>
Amount:	<u>\$9,000.00</u>	Trans I/O:	<u>                    </u>
Why are Funds Available:	<u>Three students were budgeted for FY2018, however only two attended leaving a balance in the account.</u>		

**Transfer To:**

Account Name	<u>BDR Elections &amp; Registrations</u>	YTD Bal:	<u>\$ -</u>
Account Number:	<u>01163007-57808</u>	Category:	<u>\$ -</u>
Amount:	<u>\$5,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Required:	<u>To cover remaining election and census expenses through the remainder of the fiscal year.</u>		

**Transfer To:**

Account Name	<u>CCN Legal Ads</u>	YTD Bal:	<u>\$ 62.67</u>
Account Number:	<u>01111002-53001</u>	Category:	<u>\$ -</u>
Amount:	<u>\$1,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Required:	<u>Due to a higher volume of legal ads this fiscal year.</u>		

**Transfer To:**

Account Name	<u>CCN Ordinance Recodification</u>	YTD Bal:	<u>\$ (62.67)</u>
Account Number:	<u>01111002-53002</u>	Category:	<u>\$ -</u>
Amount:	<u>\$3,000.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Required:	<u>Due to a higher volume of ordinances requiring recodification.</u>		

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

*Donna D. Holaday*  
*Ethan R. Manning*

Date: 2/6/18  
 Date: 2/6/18



# City of Newburyport

## FY 2018

### BUDGET TRANSFER REQUEST

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

BPF

FEB -6 PM 3:17

**Department:** DPS - HIGHWAY

**Submitted by:** Anthony Furnari, Director

**Date Submitted:** 2/12/2018

**Transfer From:**

Account Name	<u>RSV APP - DPW GAS</u>	YTD Bal:	<u>\$ 105,891.97</u>
Account Number:	<u>2722-59600</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$50,000.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Available:	<u>This is the standard method of funding the DPS fuel and oil account. As City departments pay for gasoline, the funds are deposited into this reserve for appropriation account and then transferred into the fuel and oil expenditure account within the Highway budget to purchase more fuel.</u>		

**Transfer To:**

Account Name	<u>DPS Highway-Fuel and Oil</u>	YTD Bal:	<u>\$ 1,902.77</u>
Account Number:	<u>01421004-54801</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$50,000.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Required:	<u>Funds are required by buy gasoline and oil that is used by City vehicles.</u>		

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

*Donna D Holaday*  
*Ethan R Manning*

Date: 2/6/18  
Date: 2/6/18

## **PUBLIC UTILITIES COMMITTEE**

- **COMM122\_11\_27\_17** Mobilitie Application/ Small Cell Utility Petition (re-file)

**Richard Jones**

---

**From:** Eric Kallio <EKallio@mobilitie.com>  
**Sent:** Tuesday, November 21, 2017 12:18 PM  
**To:** Richard Jones  
**Subject:** Mobilitie/Small Cell Utility Petition for Grant of Location, Intersection of Storey Avenue and Noble Street, Newburyport, MA (BS90XSD32C)  
**Attachments:** BS90XSD32C Cover Letter to Utility Petition.docx; BS90XSD32C Utility Petition and Order.docx; BS90XSD32C\_CONSTDWGS\_20171106\_A.pdf; NGRID Letter of Authorization.pdf

Good Afternoon Richard B. Jones, City Clerk, Newburyport, Massachusetts:

Attached to this email is a Utility Petition application for Mobilitie’s small cell attachment to an existing wood utility pole. The location is the intersection of Storey Avenue and Noble Street. Attached are the following supporting documents.

- Cover Letter to Utility Petition
- Utility Petition and Order
- Construction Drawings
- National Grid Letter of Authorization giving permission to Mobilitie to attach to the existing utility pole

Please confirm the date that the City Council will be able to hear this petition and I will be happy to appear in front of this Council. My contact information is listed on the attached documents should any of the councilors have any questions or need additional information as part of their review.

Sincerely,

**Eric Kallio** | NRE Permitting Manager  
**Mobile- 978-808-8258**  
[ekallio@mobilitie.com](mailto:ekallio@mobilitie.com)



Warning: This e-mail message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail (including any attachments) immediately. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail (including any attachments) immediately. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail (including any attachments) immediately.



November 21, 2017

City Council Office  
City Hall  
60 Pleasant Street  
Newburyport, MA 01950

RE: Utility Petition Application to Attach Small Cell Backhaul Equipment to Existing Utility Pole

Applicant: Mobilitie LLC ("Mobilitie")  
Location: Storey Avenue and Noble Street, Newburyport, MA (Candidate B590XSD32C)  
Authority: Newburyport City Council

Dear Chair Thomas F. O'Brien, President, Ward 6 Councilor, Richard B. Jones, City Clerk and members of the City Council:

The purpose of this correspondence is to file Mobilitie's enclosed application for a utility petition and order to attach small cell backhaul equipment to an existing utility pole that is located at the Storey Avenue and Noble Street intersection and is owned by National Grid.

### **APPLICANT INFORMATION**

For over 11 years, Mobilitie has deployed a variety of signal strengthening services across the nation. Mobilitie is the nation's largest privately held wireless infrastructure company. In Massachusetts, Mobilitie is registered as a Competitive Local Exchange Carrier ("CLEC"), which is regulated by the Department of Telecommunications and Cable. As provided in this registration, Mobilitie may provide transport, backhaul, broadband, voice, data as well as other infrastructure used by carriers, emergency responders, public safety agencies, backhaul providers and other companies.

Mobilitie is currently in the process of rolling out a Hybrid Transport Network (HTN) to more effectively deploy low cost, high-bandwidth connectivity throughout urban, suburban and rural communities. This HTN will provide backhaul connectivity solutions for customers. Mobilitie will provide a method to connect devices back to a core network (i.e. existing locations), through these small cell locations, where data is processed and routed. Due to the increased demand for data in certain areas, existing locations require enhanced support to provide customers with more reliable service. Small cells are the future for communities that seek non-obtrusive and concealed ways to increase coverage and capacity for its residents. Small cell deployment is essential for the Internet of Things and 5G. The addition of small cells to existing wireless networks will help responders more accurately located wireless 911 calls leading to significant E911 readiness and first responder improvements.

Our primary customer is Sprint. Mobilitie's network, however, can support a variety of technologies and services that require connectivity to the internet, including but not limited to, driverless and connected vehicles (commercial, personal and agricultural), remote weather stations and other mobile service providers. Mobilitie's



small cell sites involve the installation of a small, low-powered transmit/receive antenna that communicates with wireless devices, a wireless backhaul antenna that connects the facility to the carrier's core network and compact radio equipment mounted on either new or existing utility light poles. This proposed Sprint small cell location will add capacity to the existing wireless network in Newburyport and is designed to blend with existing infrastructure.

## PROJECT NARRATIVE

Mobilitie's equipment, including its antennas and supporting MMS boxes, have been designed to avoid aesthetic impact on residents and compliment the overall community. Mobilitie has developed a host of structures to accommodate various community and local situations that include attachments to basic wooden telephone poles as well as stealth designed street light structures. As a company, Mobilitie is committed to meeting municipal design standards, while making sure residents have the highest quality connectivity to wireless communication. The site is designed and intended to provide additional data capacity and denser coverage in the city to satisfy the growing data service needs.

Summary of key points for the proposed installation:

<u>Location:</u>	Intersection of Storey Avenue and Noble Street
<u>Height of Existing Pole:</u>	31'
<u>Height of Existing Pole w/Proposed Equipment:</u>	34'
<u>Ownership:</u>	National Grid

## CLOSING REMARKS

In summary, the attached small cell backhaul equipment is necessary to support and enhance the existing Sprint locations in Newburyport to provide reliable data coverage for customers now and in the future. The need is driven by the exponential increase for wireless data services by Sprint customers in the proposed area.

To provide high quality service to consumers and support this demand as well as expected future demand with 5G, Mobilitie request that the City Council grant the utility petition and order for this installation and any conditions as deemed necessary to allow this proposed installation in the City of Newburyport.

Thank you for your consideration in this matter. If the Select Board should have any questions regarding this petition, please do not hesitate to contact me directly at 978-808-8258 or by email at [EKallio@mobilitie.com](mailto:EKallio@mobilitie.com).

Truly Yours,

Eric Kallio  
Permitting Manager, New England  
62A West Street  
Swanzey, NH 03446

# nationalgrid

40 Sylvan Road  
Waltham MA 02451

September 7, 2017

**Attention: State and Municipal Permitting Authorities**

**RE: Evidence of Pole Attachment Agreement and Consent to File for Permits  
Granted to Mobilitie**

To Whom It May Concern:

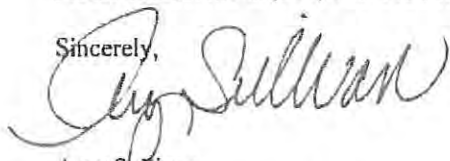
The undersigned jointly owns and controls certain utility poles in public rights-of-way and on private property throughout the geographic areas where it operates.

Please be advised that the undersigned has entered into a Pole Attachment Agreement ("Agreement") authorizing Mobilitie ("Applicant") to install, attach, maintain, repair, upgrade and use wireless communications equipment and appurtenances on certain utility poles pursuant to the terms and conditions of the Agreement.

Permission is hereby granted to Applicant, or its agents, to make application for any Land Use, Access, Building, Electrical or Regulatory Permit(s) required to effectuate the initial installation, on-going maintenance and upgrades or replacements of said equipment.

Please contact me at (978) 725-1130 if you have any questions.

Sincerely,



Amy Sullivan  
Third Party Attachment Analyst

# nationalgrid

40 Sylvan Road  
Waltham MA 02451

September 7, 2017

Attention: State and Municipal Permitting Authorities

RE: Evidence of Pole Attachment Agreement and Consent to File for Permits  
Granted to Mobilltie

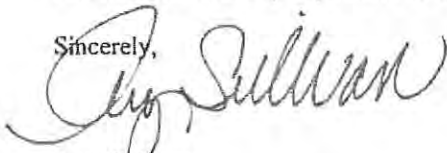
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Please contact me at (978) 725-1130 if you have any questions.

Sincerely,




Amy Sullivan  
Third Party Attachment Analyst

SITE ID-CANDIDATE LETTER/CASCADE ID-CANDIDATE LETTER:  
 9MAB001238C/BS90XSD32C

LATITUDE/LONGITUDE:  
 42.820658/-70.907972

CROSS STREET:  
 STOREY AVE & NOBLE ST  
 CITY, STATE, ZIP:  
 NEWBURYPORT, MA 01950

 IF YOU DIG IN ANY STATE  
 DIAL 811 FOR THE LOCAL  
 "ONE CALL CENTER" -  
 IT'S THE LAW


THE STATES OTHER AGENCIES FOR THE CONTRACTOR  
 COMPANIES THAT TRUCK AND OR OTHER VEHICLES NOT FROM  
 ONE THIS STATE, THE CONTRACTOR/ENGINEER ASSUMES THE  
 RESPONSIBILITY FOR THE OPERATIONS SHOWN AND SHALL BE  
 THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL THE VEHICLES  
 WITHIN THE MAPS OF THE WORK. ALL LOADS MUST BE THE IT  
 APPROVED BY THE AUTHORITY OF THE ROAD.  
 RESPONSIBILITY OF THE CONTRACTOR.

NOTE:  
 GENERAL CONTRACTOR IS REQUIRED TO CROSS CHECK COORDINATES, EXHIBIT PHOTO, AERIAL  
 PHOTO AND SITE PLAN TO ENSURE PROPER POLE LOCATION PRIOR TO BREAKING GROUND.  
 CONCERNS OR QUESTIONS SHOULD BE IMMEDIATELY DIRECTED TO ASSIGNED MOBILITE CM.

mobilitie

PROJECT NO: 9MAB001238C  
 DRAWN BY: MC  
 CHECKED BY: JLB

DATE: 11/20/17 FOR CLIENT REVIEW

Stephen A. Gray  


IT IS A VIOLATION OF THE LAW FOR ANY  
 PERSON UNLESS THEY ARE WITHIN THE  
 SCOPE OF A LICENSED PROFESSIONAL  
 ENGINEER, TO SIGN THIS DOCUMENT.

BS90XSD32C  
 NEWBURYPORT, MA 01950  
 EXISTING 31'-0" WOOD POLE

SHEET TITLE  
 TITLE SHEET

SHEET NUMBER  
 T-1

GENERAL NOTES

THE FACILITY IS UNINHABITED AND NOT FOR HUMAN HABITATION. A  
 TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE  
 MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT  
 DISTURBANCE OF EFFECT ON DRAINAGE, NO SANITARY SEWER  
 SERVICE, POTABLE WATER OR TRASH DISPOSAL, IS REQUIRED AND  
 NO COMMERCIAL SIGNAGE IS (N).

SITE INFORMATION

SITE ID:	9MAB001238C
CASCADE ID:	BS90XSD32C
LATITUDE:	42.820658
LONGITUDE:	-70.907972
CROSS STREET:	STOREY AVE & NOBLE ST
CITY, STATE, ZIP:	NEWBURYPORT, MA 01950
COUNTY:	ESSEX COUNTY
JURISDICTION:	NEWBURYPORT CITY
PROPERTY OWNER:	PUBLIC RIGHT-OF-WAY
APPLICANT:	MOBILITE, LLC 120 S RIVERSIDE PLAZA, SUITE 1000 CHICAGO, IL 60608 PHONE: (312) 636-5400

ENGINEER

KMB DESIGN GROUP, LLC  
 1000 ROUTE 24, SUITE 209  
 WALL, MA 02719  
 FOR QUESTIONS EMAIL: DESIGNTEAM@KMBDG.COM  
 TEL: (732) 263-5823 FAX: (732) 210-1580 WWW: KMBDG.COM

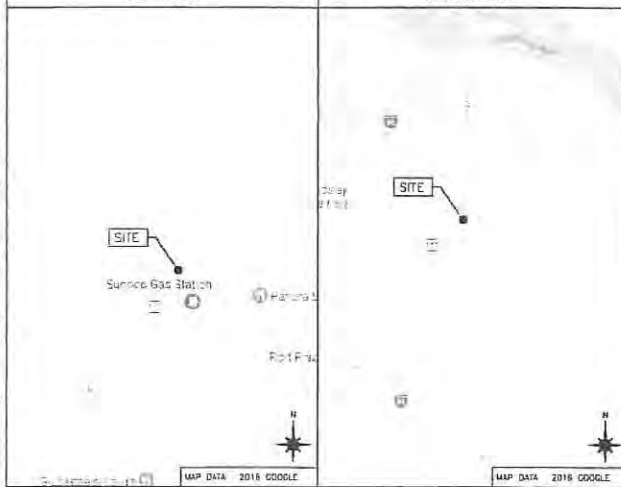
DO NOT SCALE DRAWINGS

CONTRACTORS SHALL VERIFY ALL PLANS, (E) DIMENSIONS & FIELD  
 CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE  
 ARCHITECT/ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE  
 PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

LOCATION MAPS

VICINITY MAP

REGIONAL MAP



PROJECT DESCRIPTION

END USER PROPOSES TO INSTALL EQUIPMENT ON AN EXISTING  
 WOOD LIGHT POLE WITHIN AN EXISTING RIGHT-OF-WAY.  
 THE SCOPE WILL CONSIST OF THE FOLLOWING:  
 - INSTALL PROPOSED BACKHAUL TRANSPORT EQUIPMENT ON AN  
 EXISTING WOOD LIGHT POLE

CODES

3008 INTERNATIONAL BUILDING CODE  
 NATIONAL ELECTRICAL SAFETY CODE  
 IAW/ISA-222-G-2 OR LATEST EDITION  
 LOCAL BUILDING/PLANNING CODE

DRAWING INDEX

SHEET NO:	TITLE SHEET
T-1	TITLE SHEET
SP-1	EXHIBIT PHOTO & SITE PLAN
EV-2	ELEVATIONS
EV-1	ELEVATIONS
PL-1	PLUMBING & RISER DIAGRAM
EQ-1	EQUIPMENT DETAILS
EQ-2	EQUIPMENT DETAILS
E-1	ELECTRICAL DETAILS
G-1	GROUNDING DETAILS
TC-1	VEHICULAR TRAFFIC CONTROL PLAN
TC-2	PEDESTRIAN TRAFFIC CONTROL PLAN
GN-1	GENERAL NOTES
GN-2	GENERAL NOTES
GN-3	GENERAL NOTES



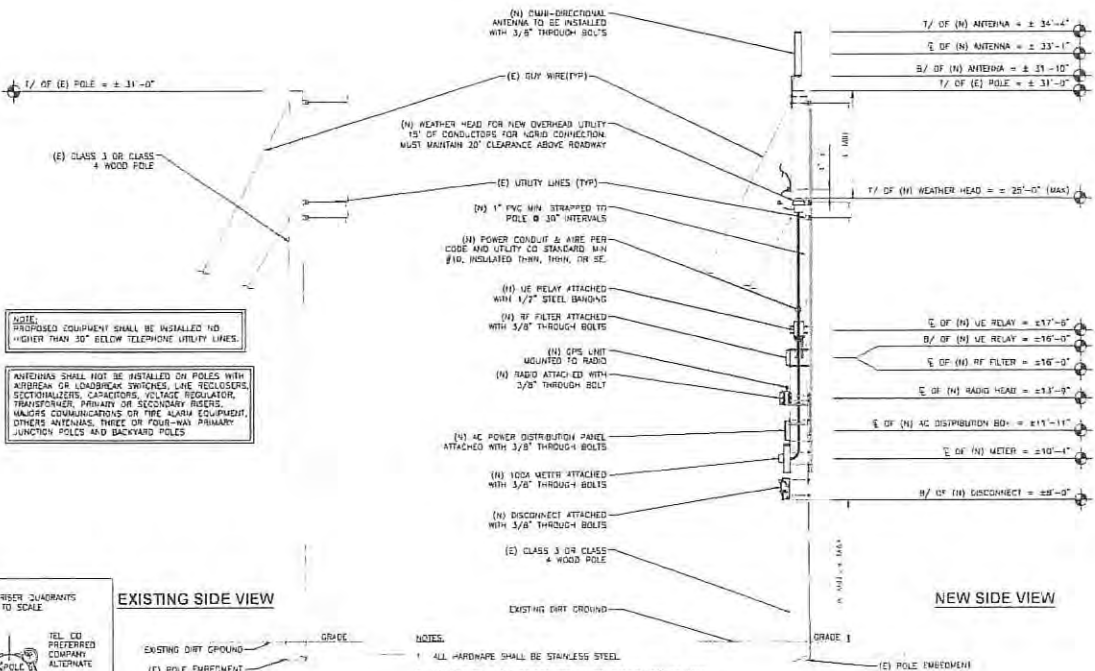
MAP DATA 2018 COOGL

MAP DATA 2018 COOGL



mobilitie

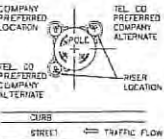
NOTE:  
ALL (N) EQUIPMENT INSTALLATIONS SHALL  
COMPLY WITH NATIONAL GRID REQUIREMENTS



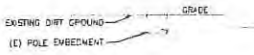
NOTE:  
PROPOSED EQUIPMENT SHALL BE INSTALLED NO HIGHER THAN 30" BELOW TELEPHONE UTILITY LINES.

ANTENNAS SHALL NOT BE INSTALLED ON POLES WITH AIRBREAK OR LOADBREAK SWITCHES, LINE RECLOSERS, DISTINGUISHERS, CAPACITORS, VOLTAGE REGULATORS, TRANSFORMERS, PRIMARY OR SECONDARY RISERS, MAINTENANCE COMMUNICATIONS OR FIRE ALARM EQUIPMENT, OTHERS ANTENNAS, THREE OR FOUR-WAY PRIMARY JUNCTION POLES AND BACKWARD POLES

PREFERRED RISER QUADRANTS NOT TO SCALE



EXISTING SIDE VIEW



NOTES:

1. ALL HARDWARE SHALL BE STAINLESS STEEL
2. ALL CABLES SHALL BE SECURED TO POLE EVERY 36" OR LESS
3. LIGHTNING PODS SHALL BE INCLUDED AS REQUIRED

NOTE:  
REFER TO STRUCTURAL ANALYSIS REPORT BIDDING/ISSUE (SEPARATE DOCUMENT) FOR ADDITIONAL STRUCTURAL INFORMATION.

NEW SIDE VIEW

(E) POLE ELEVATIONS

SCALE: 1" = 5'

PROJECT NO: UNBIDDING

DRAWN BY: BC

CHECKED BY: SJR

DATE: 11/28/07

FOR DESIGN REVIEW

11/28/07

BS0038232C

NEWBURGFORT, IMA 01859

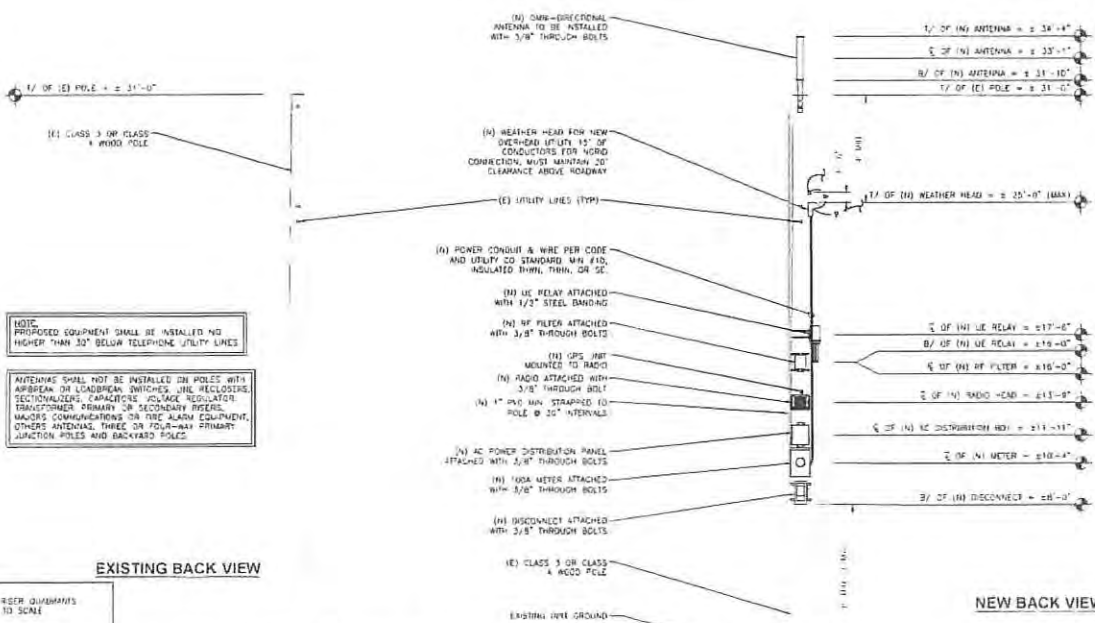
EXISTING 31'-0" WOOD POLE

SHEET TITLE  
POLE ELEVATIONS

SHEET NUMBER  
EV-1

mobilitie

NOTE:  
ALL (H) EQUIPMENT INSTALLATIONS SHALL  
COMPLY WITH NATIONAL GRID REQUIREMENTS

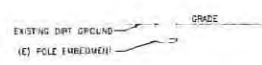
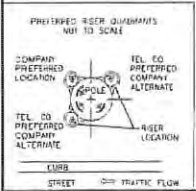


NOTE:  
PROPOSED EQUIPMENT SHALL BE INSTALLED NO  
HIGHER THAN 32' BELOW TELEPHONE UTILITY LINES

ANTENNAS SHALL NOT BE INSTALLED ON POLES WITH  
APBREAK OR LOADBREAK SWITCHES, LINE RECLOSERS,  
SECTIONALIZERS, CAPACITIVE VOLTAGE REGULATOR,  
TRANSFORMERS PRIMARY OR SECONDARY WIRES,  
MACHINE COMPARTMENTS OR FIRE ALARM EQUIPMENT,  
OTHER ANTENNAS, THREE OR FOUR-WAY STRAIN  
JUNCTION POLES AND BACKYARD POLES

EXISTING BACK VIEW

NEW BACK VIEW



- NOTES:
- 1 ALL HARDWARE SHALL BE STAINLESS STEEL
  - 2 ALL CABLES SHALL BE SECURED TO POLE EVERY 18" OR LESS
  - 3 LIGHTNING RODS SHALL BE INCLUDED AS REQUIRED

NOTE:  
REFER TO STRUCTURAL ANALYSIS REPORT  
BESKINDIC (SEPARATE DOCUMENT) FOR  
ADDITIONAL STRUCTURAL INFORMATION

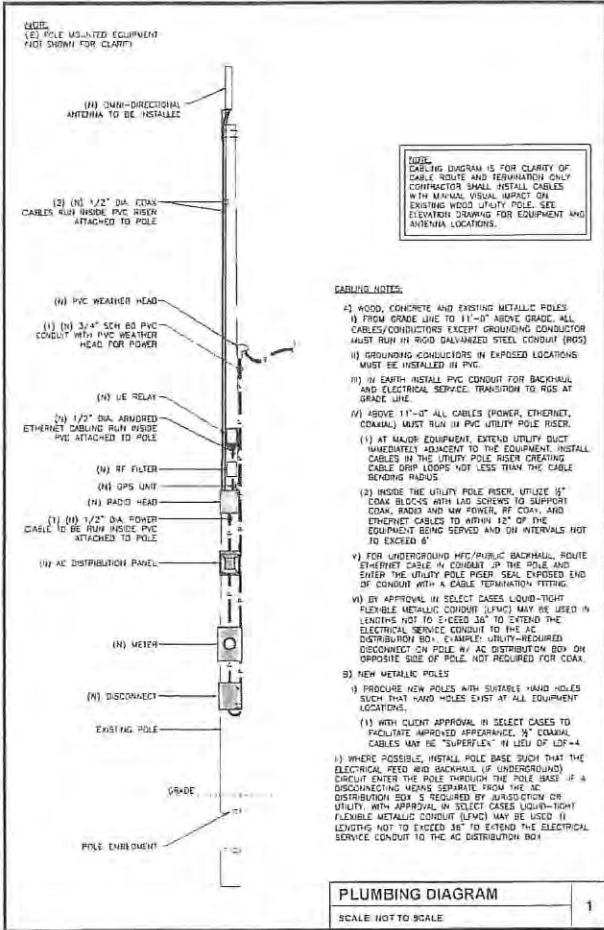
(E) POLE ELEVATIONS  
SCALE 1" = 5'

PROJECT NO	886020210
DRAWN BY	RC
CHECKED BY	SJB
DATE	08 JAN 2014



IT IS A VIOLATION OF THE LICENSED PROFESSIONAL ENGINEER ACT TO SEAL OR SIGN ANY DRAWING OR SPECIFICATION WHICH IS NOT THE PROPERTY OF A LICENSED PROFESSIONAL ENGINEER OR WITH HIS ASSISTANCE

DESIGN NO	886020210
PROJECT NO	NEWBURYPORT, MA DIBSD
EXISTING 21-02 WOOD POLE	
SHEET TITLE	POLE ELEVATIONS
SHEET NUMBER	EV-2

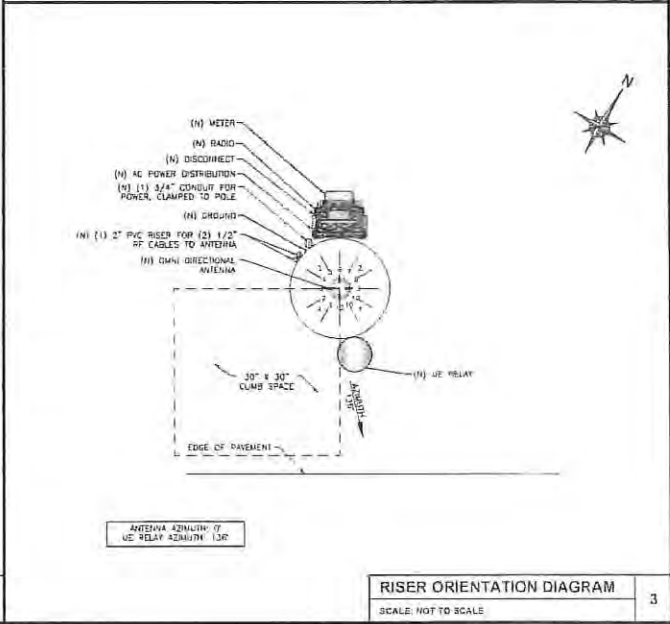


**BILL OF MATERIALS**

QTY.	DESCRIPTION	MANUFACTURER	MODEL NUMBER	AZ MUTH	CABLE	DIMENSIONS (LxWxD)	WEIGHT
1	ANTENNA	ALPHA WIRELESS	AW3477-5	0°	18'-0" x 30.7" x 4.3" DIAMETER	7 LBS	
1	US RELAY	MOXA/DEMTEK	FRHC/413763A	120°	3.5" x 24.62" x 7.01" DIAMETER	5.5 LBS	
1	GPS	NOVA	FAWD/172932A	-	3.1" x 2.1" DIAMETER	0.3 LBS	
1	RADIO	NOVA	FWHR/341 -RP	-	2.5" x 9.7" x 12.9" x 8.3"	27.3 LBS	
1	RF REJECT FILTER	GPS	FRHM19633-FC	-	12.6" x 4.0" x 2.5"	5.7 LBS	
1	AC DISTRIBUTION PANEL	RAICAP	RSTAC-1112-P-10	-	1" x 9.25" x 8.5" x 3.81"	14 LBS	
1	WEMA TYPE-3R DISCONNECT	SIEMENS	GF222NF (EXAMPLE)	-	1" x 15.45" x 8.77" x 5.95"	14 LBS	
1	METER SOCKET	VALBANK	UMSD1-KL-373 (EXAMPLE)	-	120°-0" x 19" x 13" x 4.84"	21 LBS	

RFDS REVISION TYPE: FINAL  
 RFDS REVISION NUMBER: 4.4  
 RFDS REVISION TIME/STAMP: 2017-11-02

**BILL OF MATERIALS**  
 SCALE: NOT TO SCALE



**mobilitie**

PROJECT NO: MAB03232C  
 DRAWN BY: AC  
 CHECKED BY: SJB

DATE: 11-08-17  
 FILE REF: NEW

I, JEFFREY A. S. J., LICENSE NO. 11547, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF MASSACHUSETTS, HEREBY CERTIFY THAT I HAVE PREPARED THIS DRAWING.

B509KSD32C  
 NEWBURYPORT, MA 01950  
 EXISTING 31'-0" WOOD POLE  
 PLUMBING & RISER DIAGRAM  
 SHEET TITLE  
 SHEET NUMBER  
 PL-1



<p>MANUFACTURER ALPHA WIRELESS MODEL AW3477-S HEIGHT 10.7 IN WIDTH 4.7 IN DEPTH 1.5 IN WEIGHT 4.2 LBS</p> <p><b>ALPHA WIRELESS</b></p> <p>SCALE: 1/8" = 1'-0"</p>	<p>MANUFACTURER NOKIA MODEL 4777A HEIGHT 10.7 IN WIDTH 4.7 IN DEPTH 1.5 IN WEIGHT 4.2 LBS</p> <p><b>NOKIA</b></p> <p>SCALE: 1/8" = 1'-0"</p>	<p>MANUFACTURER RFS MODEL FIMM1963S-1C HEIGHT 10.7 IN WIDTH 4.7 IN DEPTH 1.5 IN WEIGHT 4.2 LBS</p> <p><b>RFS</b></p> <p>SCALE: 1/8" = 1'-0"</p>	<p>MANUFACTURER RAYCAP MODEL RSTAC-3112-P-120 HEIGHT 10.7 IN WIDTH 4.7 IN DEPTH 1.5 IN WEIGHT 4.2 LBS</p> <p><b>Raycap</b></p> <p>SCALE: 1/8" = 1'-0"</p>	<p><b>mobilitie</b></p> <p>PROJECT NO: 888007312 DRAWN BY: RC CHECKED BY: JLS</p>
<p>MANUFACTURER NOKIA MODEL FWHR B41 HP HEIGHT 10.7 IN WIDTH 4.7 IN DEPTH 1.5 IN WEIGHT 4.2 LBS</p> <p><b>NOKIA</b></p> <p>SCALE: 1/8" = 1'-0"</p>	<p>NOT USED</p> <p>SCALE: 1/8" = 1'-0"</p>	<p>NOT USED</p> <p>SCALE: 1/8" = 1'-0"</p>	<p>MANUFACTURER SIEMENS MODEL NEMA TYPE-3R DISCONNECT HEIGHT 10.7 IN WIDTH 4.7 IN DEPTH 1.5 IN WEIGHT 4.2 LBS</p> <p><b>SIEMENS</b></p> <p>SCALE: 1/8" = 1'-0"</p>	<p>100%</p> <p><i>[Signature]</i></p> <p>IT IS A VIOLATION OF THE LAW FOR ANY PERSON, WITHOUT THE WRITTEN CONSENT OF A LICENSED PROFESSIONAL ENGINEER, TO REPRODUCE THIS DRAWING.</p>
<p>MANUFACTURER NOKIA MODEL FWHR B41 HP HEIGHT 10.7 IN WIDTH 4.7 IN DEPTH 1.5 IN WEIGHT 4.2 LBS</p> <p><b>NOKIA</b></p> <p>SCALE: 1/8" = 1'-0"</p>	<p>NOT USED</p> <p>SCALE: 1/8" = 1'-0"</p>	<p>MANUFACTURER NOKIA MODEL FWHR B41 HP HEIGHT 10.7 IN WIDTH 4.7 IN DEPTH 1.5 IN WEIGHT 4.2 LBS</p> <p><b>NOKIA</b></p> <p>SCALE: 1/8" = 1'-0"</p>	<p>MANUFACTURER MILBANK MODEL METER SOCKET HEIGHT 10.7 IN WIDTH 4.7 IN DEPTH 1.5 IN WEIGHT 4.2 LBS</p> <p><b>MILBANK</b></p> <p>SCALE: 1/8" = 1'-0"</p>	<p>888007312 NEWBURYPORT, MA 01859 EXISTING 31'-0" WOOD POLE</p> <p>SHEET TITLE EQUIPMENT DETAILS</p> <p>SHEET NUMBER EQ-1</p>

**SITE ID-CANDIDATE LETTER/CASCADE ID-CANDIDATE LETTER:  
9MAB001425B/BS90XSF27B**

**LATITUDE/LONGITUDE:  
42.815290/-70.891645**

**CROSS STREET:  
TILTON ST & RAWSON AVE  
CITY, STATE, ZIP:  
NEWBURYPORT, MA 01950**



IF YOU DIG IN ANY STATE  
DIAL 811 FOR THE LOCAL  
"ONE CALL CENTER" -  
IT'S THE LAW

THE UTILITIES SHOWN HEREIN ARE FOR THE CONTRACTOR'S  
CONSIDERANCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN  
ON THESE PLANS. THE ENGINEER/CONTRACTOR ASSUMES NO  
RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE  
THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL THE UTILITIES  
WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO THE (C)  
UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE  
RESPONSIBILITY OF THE CONTRACTOR.

NOTE:  
GENERAL CONTRACTOR IS REQUIRED TO CROSS CHECK COORDINATES, EXHIBIT PHOTO, AERIAL  
PHOTO AND SITE PLAN TO ENSURE PROPER POLE LOCATION PRIOR TO BREAKING GROUND.  
CONCERNS OR QUESTIONS SHOULD BE IMMEDIATELY DIRECTED TO ASSIGNED MOBILITE CM.

**GENERAL NOTES**

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A  
TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE  
MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT  
DISTURBANCE OF EFFECT ON DRAINAGE; NO SANITARY SEWER  
SERVICE, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED AND  
NO COMMERCIAL SIGNAGE IS (N).

**SITE INFORMATION**

SITE ID:	9MAB001425B
CASCADE ID:	BS90XSF27B
LATITUDE:	42.815290
LONGITUDE:	-70.891645
CROSS STREET:	TILTON ST & RAWSON AVE
CITY, STATE, ZIP:	NEWBURYPORT, MA 01950
COUNTY:	ESSEX COUNTY
JURISDICTION:	NEWBURYPORT CITY
PROPERTY OWNER:	PUBLIC RIGHT-OF-WAY
APPLICANT:	MOBILITE, LLC 120 S RIVERSIDE PLAZA, SUITE 1800 CHICAGO, IL 60606 PHONE: (312) 638-5400

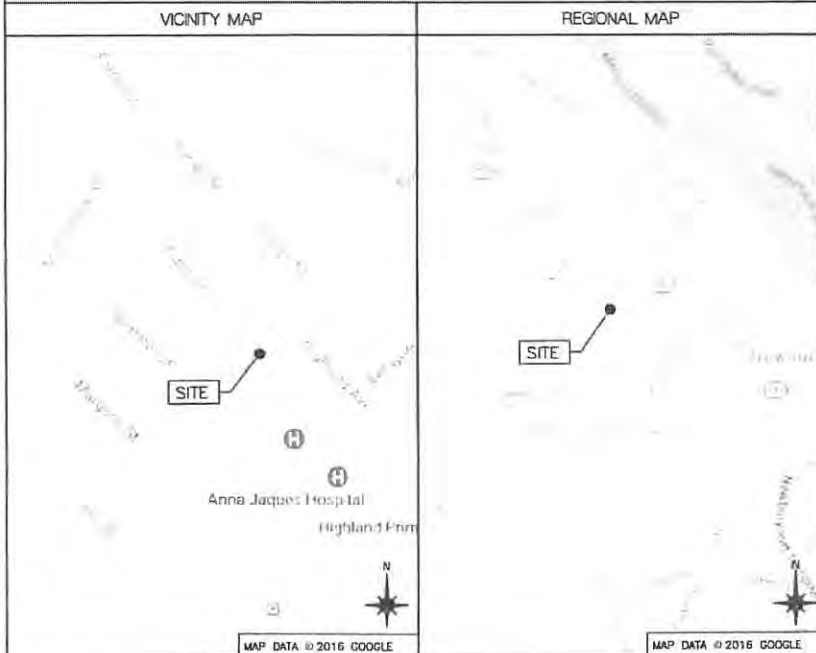
**ENGINEER**

KMB DESIGN GROUP, LLC  
1800 ROUTE 34, SUITE 209  
WALL, NJ 07719  
FOR QUESTIONS EMAIL: DESIGNTEAM@KMBDGC.COM  
TEL: (732) 280-5623 FAX: (732) 280-3960 www.kmbdgc.com

**DO NOT SCALE DRAWINGS**

CONTRACTORS SHALL VERIFY ALL PLANS, (E) DIMENSIONS & FIELD  
CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE  
ARCHITECT/ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE  
PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

**LOCATION MAPS**



**PROJECT DESCRIPTION**

END USER PROPOSES TO INSTALL EQUIPMENT ON AN EXISTING  
WOOD LIGHT POLE WITHIN AN EXISTING RIGHT-OF-WAY.  
THE SCOPE WILL CONSIST OF THE FOLLOWING:  
- INSTALL PROPOSED BACKHAUL TRANSPORT EQUIPMENT ON AN  
EXISTING WOOD LIGHT POLE

**CODES**

2009 INTERNATIONAL BUILDING CODE  
NATIONAL ELECTRICAL SAFETY CODE  
IA/EA-222-G-2 OR LATEST EDITION  
LOCAL BUILDING/PLANNING CODE

**DRAWING INDEX**

SHEET NO:	SHEET TITLE
T-1	TITLE SHEET
SP-1	EXHIBIT PHOTO & SITE PLAN
EV-2	ELEVATIONS
EV-1	ELEVATIONS
PL-1	PLUMBING & RISER DIAGRAM
EQ-1	EQUIPMENT DETAILS
EQ-2	EQUIPMENT DETAILS
E-1	ELECTRICAL DETAILS
G-1	GROUNDING DETAILS
TC-1	VEHICULAR TRAFFIC CONTROL PLAN
TC-2	PEDESTRIAN TRAFFIC CONTROL PLAN
GN-1	GENERAL NOTES
GN-2	GENERAL NOTES
GN-3	GENERAL NOTES

**mobilitie**

PROJECT NO: 9MAB001425B  
DRAWN BY: RC  
CHECKED BY: SJB

DATE: 11-06-17 FOR CLIENT REVIEW

DESIGNED BY: Stephen A. Bray



IT IS A VIOLATION OF THE LAW FOR ANY  
PERSON UNLESS THEY ARE ACTING UNDER THE  
DIRECTION OF A LICENSED PROFESSIONAL  
ENGINEER, TO ALTER THIS DOCUMENT.



BS90XSF27B  
NEWBURYPORT, MA 01950  
EXISTING 40'-0" WOOD POLE

SHEET TITLE  
TITLE SHEET

SHEET NUMBER  
T-1

NOTE:  
EXHIBIT PHOTO IS FOR  
REFERENCE USE ONLY  
AND SHOULD NOT BE  
USED FOR  
CONSTRUCTION  
PURPOSES.



EXISTING WOOD  
LIGHT POLE

EXHIBIT PHOTO

SCALE: NOT TO SCALE

1

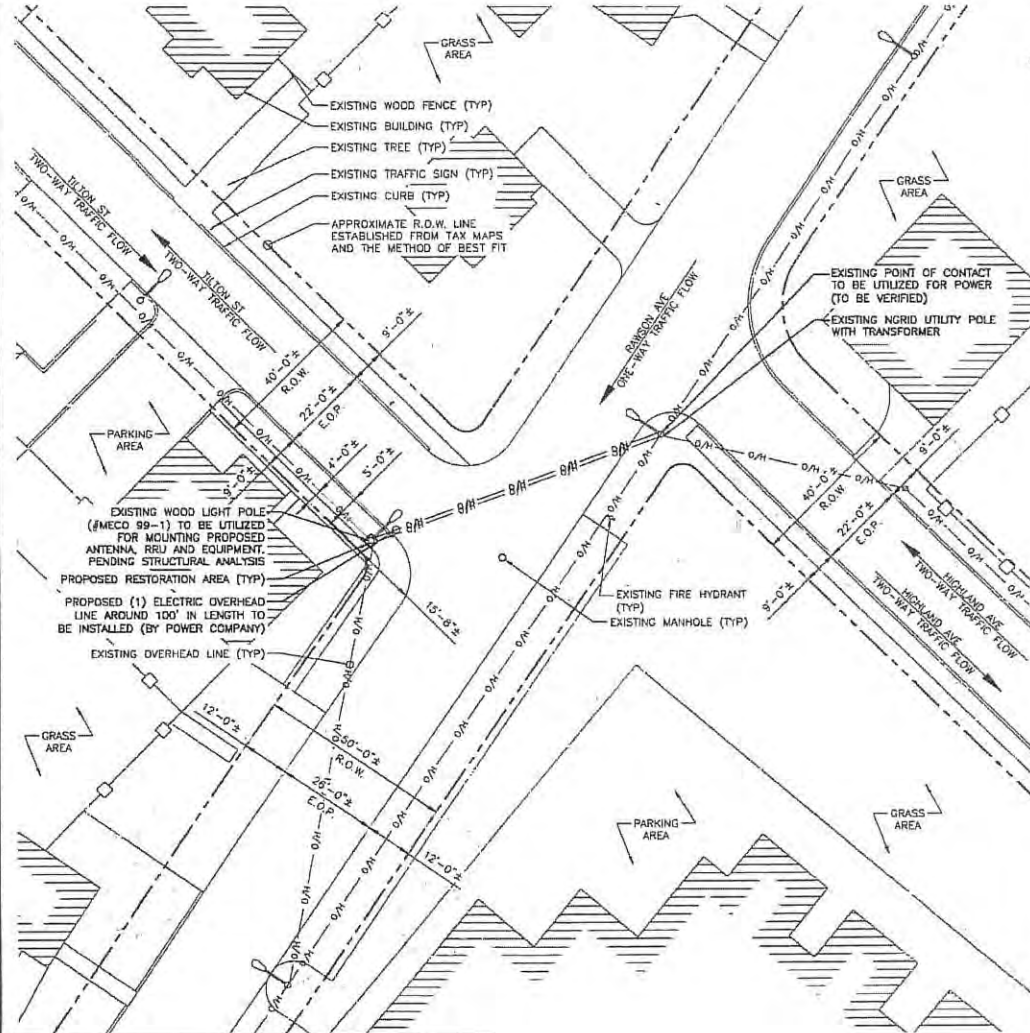


SITE LOCATION

AERIAL SITE LOCATION

SCALE: NOT TO SCALE

2



NOTE:  
1. ALL DAMAGED AREAS SHALL BE RESTORED TO EQUAL OR BETTER CONDITION.  
2. THIS SITE PLAN WAS GENERATED WITHOUT THE USE OF A SURVEY. PROPERTY LINES, RIGHT-OF-WAYS, POWER & TELCO UTILITY POINT CONNECTIONS/ROUTES AND EASEMENTS SHOWN ON THESE PLANS ARE ESTIMATED. ALL ITEMS AND DIMENSIONS SHOULD BE VERIFIED IN THE FIELD.  
3. GENERAL CONTRACTORS ARE REQUIRED TO CROSS CHECK COORDINATES, AERIAL PHOTO AND SITE PLAN TO ENSURE PROPER POLE LOCATION PRIOR TO BREAKING GROUND. CONCERNS OR QUESTIONS SHOULD BE IMMEDIATELY DIRECTED TO THE ASSIGNED MOBILITE CM.



ENLARGED SITE PLAN

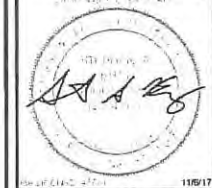
SCALE: 1" = 30'-0" (1" = 15'-0" ON 24"x36" SHEET)

3

**mobilitie**

PROJECT NO: 8MAD004258  
DRAWN BY: RC  
CHECKED BY: SJB

MR DESIGN GROUP LLC  
Stephen A. Bray



IT IS A VIOLATION OF THE LAW FOR ANY PERSON UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER TO ALTER THIS DOCUMENT.

B590XS27B  
NEWBURYPORT, MA 01660  
EXISTING 40'-0" WOOD POLE

SHEET TITLE  
EXHIBIT PHOTO & SITE PLAN

SHEET NUMBER  
SP-1

## **RULES COMMITTEE**

- **ORDR010\_02\_12\_18** Proposed Redraft of 2018 City Council Rules
- **ODNC006\_02\_12\_18** Amendment to Administration of the City Council

**NEWBURYPORT CITY COUNCIL RULES (2018)****PURPOSE**

Pursuant to the City of Newburyport Home Rule Charter (Charter), except as otherwise provided by the General Laws of the Commonwealth of Massachusetts (General Laws) or by the Charter, the legislative powers of the City Council of the City of Newburyport (Council) may be exercised in a manner determined by it. The purpose of these rules of the Council (Rules) is to establish in writing the manner in which the Council shall exercise its legislative powers.

**ORGANIZATION**

**Rule 1.** No later than December 31 after each regular municipal election, the City Clerk (Clerk) shall provide written notice to each member of the Council for the coming two-year legislative session of the date, time, and place of the first meeting of the Council in the next calendar year, to be known as the Inaugural Meeting.

**Rule 1A.** At the Inaugural Meeting, the Council shall, by majority vote of all its 11 members, notwithstanding any vacancies (Full Council), elect a President from within its membership. The City Clerk (Clerk) shall preside at the Inaugural Meeting until such time as a President is elected. The Full Council shall vote to set the date of its next regular meeting before it may vote to adjourn the Inaugural Meeting.

**Rule 1B.** No later than at its next meeting after the Inaugural Meeting, the Council shall, by majority vote of the Full Council, adopt its Rules for such calendar year.

**Rule 1C.** No later than at its next meeting after the Inaugural Meeting, the Council shall, by majority vote of the Full Council, adopt a schedule of regular meetings of the Council for the remainder of such calendar year.

**Rule 1D.** In the second year of each two-year legislative session, no Inaugural Meeting shall occur. Instead, at its first meeting of such calendar year, the Council shall, by majority vote of the Full Council: (1) elect a President from within its membership; (2) adopt its Rules for such calendar year; and (3) adopt a schedule of regular meetings of the Council for the remainder of such calendar year.

## **MEETINGS**

**Rule 2.** Council meetings shall be held in the Council Chamber of City Hall unless the President, or a majority of the Full Council, determine by any means reasonable and practicable, and give written notice to all members, that such meeting will be held in an alternate location.

**Rule 2A.** Except in the months of July and August, regular meetings of the Council shall be held on the second and last Monday of each month, except when adjournment is ordered by the Council. For the months of July and August, combined, the Full Council may schedule a total of three (3) regular meetings, each to occur on any Monday.

**Rule 2B.** Special meetings of the Council shall be held at the call of the President, or any six (6) or more members, for any lawful purpose, by causing a notice of such special meeting to be

delivered in hand or to the place of business or residence of each member. This notice shall, except in an emergency of which the President shall be the sole judge, be delivered at least forty-eight (48) hours in advance of the time set, and shall specify the purpose or purposes for which the special meeting is to be held. The Clerk shall cause a copy of each such notice to be posted immediately, including on the City's Website, in accordance with applicable laws.

**Rule 2C.** If any meeting of the Council is in session at 11:00 pm, said meeting shall be adjourned until 7:30 pm of the following evening, unless another date and time is voted by a majority of the Full Council.

#### **HOLIDAYS**

**Rule 3.** Except as otherwise provided in the Charter, whenever the day set by these Rules for any meeting of the Council, regular or special, shall fall upon a holiday, then such meeting shall be canceled or postponed to a date certain by majority vote of the Full Council.

#### **PRESIDING OFFICER**

**Rule 4.** The President, if present, shall preside at all meetings. In the absence of the President, the senior-most member in terms of consecutive, uninterrupted service on the Council shall serve during the absence of the President. If more than one member has served the same length of time, the Council shall elect a President Pro Tem by majority vote from the most senior Councillors in terms of consecutive, uninterrupted service on the Council.

## **DUTIES AND POWERS OF THE PRESIDING OFFICER**

**Rule 5.** The presiding officer shall: preserve decorum and order; speak to points of order in preference to other members; decide all questions of order, subject to appeal to a super-majority of the Full Council; declare all votes, or permit the Clerk to do so; and perform any other duties consistent with the office that may be provided by charter, ordinance, or by other vote of the Council.

**Rule 5A.** If any member doubts a vote as declared, the presiding officer, without further debate on the question, shall require that a count be taken by roll call of the membership.

**Rule 5B.** During any meeting, whether regular or special, the presiding officer may, at any time, call for a five-minute recess.

## **RELINQUISHING THE CHAIR**

**Rule 6.** When the presiding officer desires to relinquish the Chair, he or she may call upon any Councillor to take the Chair, but such call to the Chair shall not continue beyond the will of the presiding officer so relinquishing the Chair, or beyond an adjournment of the Council, except as hereafter provided. If the presiding officer wishes to express an opinion on the any subject under debate, he or she shall relinquish the Chair as above provided, and shall not resume the Chair until he or she is through speaking, and all points of order arising therefrom have been decided by the Councillor presiding in his or her place. Notwithstanding the foregoing, the presiding officer may, however, state facts and give opinions upon questions of order without relinquishing the Chair.



## **COMMITTEES AND COMMITTEE BUSINESS**

**Rule 7.** The President shall appoint all members to all City Council Committees, both standing and ad hoc, designate the Chair of each such Committee, who shall serve as its presiding officer, and fill any vacancies thereon as they arise. Likewise, the President may establish, dissolve, and/or reconfigure ad hoc Committees in his or her discretion, provided that such ad hoc Committees shall be re-established each two-year legislative session. Ad hoc committees may include members other than members of the Council for purposes of deliberation, but they may not vote. Except as otherwise provided in Rule 12, the Council shall, by a majority vote, refer each matter newly introduced through the Council agenda (Agenda) to a single Committee, either standing or ad hoc, for review at a public meeting of such Committee, before such matter may be acted upon again by the Council. Notwithstanding the foregoing, a Councillor may make all parliamentary motions, including a motion to receive and file the newly introduced matter.

**Rule 7A.** Pursuant to the Newburyport Code (Code), there shall be eight (8) standing committees of the Council, as follows, each to consisting of three (3) members of the Council, and concerned with the matters specified for it in the Code:

- Committee on Budget & Finance
- Committee on Education
- Committee on General Government
- Committee on Licenses & Permits
- Committee on Neighborhoods & City Service
- Committee on Planning & Development

- Committee on Public Safety
- Committee on Public Utilities

**Rule 7B.** Except as provided expressly otherwise in these Rules, a matter shall not be referred to more than one Committee, either separately or jointly, nor may a matter be referred to the Full Council sitting as the Committee-of-the-Whole except by super-majority vote.

**Rule 7C.** Committees may meet at any time, in open and/or executive session, at any place within the City of Newburyport, subject to the Massachusetts General Laws, the City Charter, and the Newburyport Code.

**Rule 7D.** Committees shall meet and review each matter referred to them by the Council no later than fifteen (15) calendar days after such referral.

**Rule 7E.** Committee meetings shall be cancelled when scheduled during any time when a declared snow emergency is in effect.

**Rule 7F.** During a meeting of the Council, the Chair of a Committee, whether regular or ad hoc, may remove any matter from such Committee to bring it to the floor for discussion by the Council, upon making a motion to do so, receiving a second from any other Councillor, regardless of Committee membership, and upon affirmative vote of the Full Council. Once such matter is before the Council (on the floor), any Councillor may then make a motion regarding such matter to approve it, not approve it, or refer it back to the original or to another Committee, and all parliamentary rules, including motions to amend, to table, and so on, shall be available, subject to these Rules.

**Rule 7G.** In the event that either: (a) the Committee has failed to meet and review a matter within the required 15 days under Rule 7D; or (b) the Chair of a Committee has failed to remove any matter from such Committee after (6) weeks of its original referral to such Committee, such matter may be removed from such Committee to bring it to the floor for discussion by the Council, provided that a petition signed by no fewer than two Councillors has been filed with the City Clerk – with copies to both the President and the relevant Committee Chair -- in accordance with Rule 16.

**Rule 7H.** Any matter that remains in Committee at the end of the Council's two-year legislative session shall die, unless a majority of the Full Council votes at its last meeting of such session to carry such item into the succeeding session. Any item that remains on the table at the end of the Council's two-year legislative shall die, and may not be carried on.

**Rule 7I.** For any Committee item relating to the disposition of any real property, including, without limitation, purchase or sale, an appraisal of the fair market value of said real property, performed by a duly licensed professional based upon the requirements and guidelines of the current Uniform Standards of Professional Appraisal Practice (USPAP), shall be presented to the Council no fewer than seven (7) calendar days before such Committee item can be brought to the floor. The appraisal must be dated within twelve (12) calendar months of the date the relevant item is removed from Committee. The appraisal may be presented in Executive Session and/or may otherwise remain confidential in accordance with the City's Charter, and applicable law.

**Rule 7J.** Any Measure to authorize the issuance of a bond in an amount over \$500,000 shall be removed from the committee to which it is first referred until the greater of thirty (30) calendar days or one (1) regular meeting of the City Council has elapsed since such referral.

### **SUFFICIENCY OF VOTE**

**Rule 8.** The affirmative vote of a majority of the members present shall be sufficient to adjourn any meeting of the Council or its Committees.

**Rule 8A.** Except as expressly provided in these Rules, the affirmative vote of a majority or super-majority, as may be required by law, of the Full Council, rather than of the quorum present, shall be required to adopt any ordinance, order, or other vote or proceeding adopted, or which might be adopted (Measure). Consistent with the Charter, Measures include, without limitation, all transfers, expenditures, and acceptance of funds, which shall be effected by an order of the Full Council.

### **MANNER OF VOTING**

**Rule 9.** The Council and each of its Committees, standing and ad hoc, shall vote at a duly noticed public meeting, unless otherwise permitted under the Open Meeting Law.

**Rule 9A.** A vote to confirm Mayoral Appointments on a second reading shall be by roll call of the Full Council.

**Rule 9B.** Approval of any ordinance shall require two (2) readings and two (2) roll-call votes to be held at separate City Council meetings, while approval of any other Measure requires one (1)

reading and one (1) vote, which, except in the case of bond order, may be by voice vote. Amendments to any motion to approve, not approve, or to refer back Committee may be recorded by voice vote, including such parliamentary motions in regard to an ordinance. Following its passage on first reading, such ordinance shall be timely posted to the City's Website, as defined in the Charter, in a manner prescribed by the City Clerk. Notwithstanding the foregoing, pursuant to the Charter, votes regarding Mayoral Appointments shall be treated specially under Rule 20.

**Rule 9C.** At the Inaugural Meeting, the Clerk shall begin the order of roll-call voting throughout such meeting with that Councillor whose last name is first in alphabetical order. At each successive meeting that requires a roll call vote or votes, the Clerk shall begin roll calls throughout such meeting with the Councillor whose last name follows the previous Councillor in alphabetical order until the last meeting of the two-year legislative session. Notwithstanding the foregoing, the Clerk shall, for all votes at all meetings, call the President to vote last.

**Rule 9D.** In the event that a member of the Council or one of its Committees wishes to have his or her vote recorded differently after announcement of the results of a roll call vote by the Clerk or presiding officer, the member must receive unanimous consent from every other present member of the Council or the Committee, as the case may be.

**Rule 9E.** A motion to table or postpone indefinitely once seconded is not debatable, but clarifying points of information shall be allowed for the purpose of understanding the effects of such proposed tabling or indefinite postponement.

## GAINING THE FLOOR

**Rule 10.** All Councillors, when desiring to speak on a matter, shall raise their hands and respectfully address the President, and wait until recognized by the presiding officer.

**Rule 10A.** Once recognized by the President, the Councillor shall stand to speak on the matter. A Councillor shall remain standing while speaking, and shall sit down to indicate to the President the conclusion of the Councillor's speech.

**Rule 10B.** No Councillor shall speak a second time on any motion until each Councillor has the opportunity to speak once, however the President may permit a Councillor to speak out of turn to respond to questions directed to him or her by another Councillor.

**Rule 10C.** In speaking, members shall at all times confine themselves to the motion in order, shall use parliamentary language and appropriate demeanor, and shall strive to refer to all other members by their ward or as an At-Large Councillor, or as the Chair or a member of a particular Committee, etc., rather than by their first or last names.

**Rule 10D.** No member shall leave a Council or Committee meeting while it is in session to seek or accept counsel, nor may such member while away from such meeting exchange information pertaining to an item on the meeting agenda, nor to conduct any other city business.

**Rule 10E.** The Council President and Committee Chairs, as the case may be, shall have the responsibility and discretion for recognizing speakers other than Council or Committee members. Any member of the Council or a Committee may request of the presiding officer

recognition of a speaker other than a member, but the presiding officer's determination whether to grant such recognition shall not be appealed.

### **SPONSORSHIP OF MATTERS**

**Rule 11.** With the sole exception of a Mayoral Appointment, as described in Rule 20, no Measure or other matter beside a Communication, of any kind, shall be placed on the Agenda by any City official or other person, including, without limitation, the Mayor, nor may it be acted upon by the Council, unless it is sponsored by a member of the Council. Each such matter carried over from a previous, two-year legislative session must be sponsored by a current member of the Council.

**Rule 12.** Except in the case of an Emergency Measure, as regulated under the Charter, the Council shall not pass or otherwise adopt any Measure until it has first been reviewed at a public meeting of a Committee in accordance with Rule 7.

**Rule 12A.** Failure of by any person, including, without limitation, an applicant or a city official, to meet a deadline, specified by law, regulation, or rule shall not constitute an Emergency. For example, and without limitation, the Council shall not approve a license or permit, or otherwise authorize, any person to use public property for a road race or other event by Emergency Measure solely because such event is scheduled to occur before the Council's next meeting.

**Rule 12B.** Pursuant to the Charter, no Measure making a grant, renewal, or extension, whatever its kind or nature, or a franchise or special privilege, shall be passed as an emergency measure,

and, except as provided by the laws of the Commonwealth, no such grant, renewal, or extension shall be made otherwise than by ordinance.

**Rule 12C.** Pursuant to the Charter, an Emergency Measure shall become effective immediately upon its adoption without signature by the Mayor, or at such later time as the emergency measure expressly provides.

**Rule 12D.** In the event that a sponsor of any Measure or other matter is not present physically or telephonically at a meeting of the Council when the Clerk reads such Measure or other matter, then the Council shall not consider such Measure or other matter, unless all sponsors of such measure have presented a written statement requesting the Council to proceed in the absence of such sponsor.

#### **WITHDRAWING ITEMS FROM THE AGENDA**

**Rule 13.** After a Measure or other matter is reached on the Agenda and read aloud by the Clerk, it shall be deemed to be in possession of the Council, and shall be disposed of in some matter by vote. At any time prior to a Measure or other matter being brought before the Council through such reading, it may be withdrawn provided all sponsors so notify the President or the Clerk.

#### **RECONSIDERATION**

**Rule 14.** Notwithstanding Rule 9D, after a vote has been taken on a Measure or other matter, it shall be in order for any member voting with the prevailing side to move reconsideration thereof at the same meeting at which the vote was taken, and such motion shall be disposed of accordingly. Alternatively, such member may file with the Clerk, not later than noon of the next



business day following such meeting, written notice of a motion to reconsider such vote. After receiving such written notification from a member, the Clerk shall place the motion for reconsideration on the Agenda for the next regular meeting of the Council, and the Clerk shall forthwith, either verbally or in writing, notify the Full Council of such filing.

### **DUTIES OF THE CLERK**

**Rule 15.** The Clerk shall attend and keep all records of all meetings of the Council, shall record the names of the members present, shall record the vote of members on roll calls, and shall have the care and custody of the City records, and all documents, plans, and papers pertaining to the business of the Council. The Clerk shall also, at the request of a member, assist in the drafting of items to be presented at the meetings of the Council. The Clerk shall cause notice to be made to each Councillor of each meeting of the Council, regular and special, and of Committee meetings, and shall also post notice on the City Website at least 48 hours prior to commencement.

### **DEADLINE FOR AGENDA ITEMS**

**Rule 16.** Printed materials regarding any matter, including, without limitation, the full text of Measures, to be considered by the Council at its next regular meeting shall be presented in complete form to the Clerk not later than 4:00 pm on Tuesday preceding such regular meeting. Pursuant to this rule, Committee Chairs shall submit to the Clerk the text of any Measures they intend to remove from Committee put into the possession of the full Council. Except as otherwise provided under Rule 18A, papers presented after that time shall be considered Late-Filed Items, which shall not be taken up without a suspension of these Rules, which requires a super-majority vote of the Council. The provisions of this Rule 16 apply to all persons, and in all

cases, without exception, including to all members and other City officials, such as the Mayor and Department heads, as well as the public.

### **AGENDA AND PACKET**

**Rule 17.** For each meeting of the Council, the Clerk in consultation with the President shall compile the Agenda of all matters to come before the Council at such meeting, in accordance with the order of business listed below, and shall make available to the public such Agenda and all supporting documents (together, Packet) to be considered by the Council by 5:00 pm of the fifth (5<sup>th</sup>) calendar day prior to such meeting; provided, however, that in the case of a special meeting the Agenda shall be made available as otherwise provided by law and these Rules, and no Packet shall be required. The Clerk shall cause a printed copy of the Packet to be delivered to each Councillor by their individually preferred means, and to be posted on the City Website at least 48 hours prior to commencement.

Items that are to be added to the Agenda as Late-Filed Items must be submitted for approval to be placed on the Agenda immediately following the Call to Order.

The order of business for the Agenda shall be as follows:

1. Moment of Silence
2. Pledge of Allegiance
3. Call to Order
4. Late-Filed Items
5. Public Comment
6. **Proclamations**

7. Mayors Comment
8. Consent Agenda
  - a) Approval of Minutes
  - b) Communications (including Applications)
  - c) Orders (including Transfers/Appropriation Orders) and Resolutions
  - d) First Reading of Mayoral Appointments
9. Second Reading of Mayor's Appointments
10. Communications
11. Orders (including Transfers/Appropriation Orders) and Resolutions
12. Ordinances
13. Committee Reports (including all Measures for the Council to consider)
14. Good of the Order
15. Adjournment

**Rule 17A.** The Consent Agenda shall be reserved for routine and non-controversial matters that may be considered apart from the rest of the Agenda and approved collectively and without debate. The President has the sole discretion to place matters on the Consent Agenda, but retention thereon is subject to the unanimous consent of the members present when the Council reaches the Consent Agenda during its meeting. The Clerk shall read matters on the Consent Agenda by title only. At any time before the Council acts upon the Consent Agenda, any member of the Council may cause any matter or matters listed upon the Consent Agenda to be removed and then placed into the appropriate portion of the regular Agenda, either by providing written notice to the President and/or the Clerk, or, alternatively, by rising and so requesting by

motion. The Council shall then, without debate permitted, vote collectively on all matters remaining on the Consent Agenda, by simple majority of the Full Council. Such vote may be conducted by voice vote at the discretion of the presiding officer.

### **PUBLIC COMMENT**

**Rule 18.** There shall be designated a Public Comment time during each meeting of the City Council. The procedure for this comment time is listed below:

1. Individuals who wish to speak before the Council, whether on their own behalf or on behalf of a group, must sign in on the door of the Council Chamber prior to the start of the Public Comment segment of the meeting. Each speaker must provide his or her name and the address where he or she resides permanently (i.e. legal domicile), and indicate which Agenda item he or she will be speaking on. The President will advise attendees of their right to speak and responsibility to sign-up.
2. Two minutes allotted to each speaker.
3. One opportunity per individual to speak.
4. Comment must be related to an Agenda item.
5. Speakers who are attorneys shall disclose the identity of all clients whose interests are materially affected by the Agenda item upon which they speak.

**Rule 18A.** There shall be designated a Mayor's Comment time during each regular meeting of the City Council. The procedure for this comment time is listed below:

1. To address the Council during the Mayor's Comment period, the Mayor may provide notice to the President at any time prior to the Call to Order.

2. The Mayor will be allowed to speak for a total of five (5) minutes.
3. The Mayor will be offered reserved seating on the front bench of the Council Chambers.
4. Notwithstanding the normal deadline for written materials to be submitted to the City Clerk under Rule 16, the Mayor may submit a written report to the Full City Council not later than twenty-four (24) hours before delivering the Mayor's Comment, and such report shall not be deemed a Late-Filed item.
5. Nothing in this rule prohibits the Mayor from speaking otherwise in compliance with the Charter and these Rules.

### **PRESENTATIONS**

**Rule 19.** To be included on the Council Agenda, presentations by individuals or groups must be sponsored by a Councillor in writing pursuant to Rule 16, and approved by the President, in which case such presentation shall be placed in the Communications segment of the Agenda, for a period not longer than twenty (20) minutes.

### **MAYORAL APPOINTMENTS**

**Rule 20.** Mayoral Appointments do not require sponsorship by a member of the Council, but shall require two (2) readings and two (2) votes by the Council, the second such vote by roll call. For its first reading, each such appointment, including reappointments, shall be accompanied by submittal to the Clerk of the appointee's resume in accordance with Rule 16. The first reading shall be placed in the Consent segment of the Council's Agenda for referral to the Council's next meeting, sitting as the Committee of the Whole.

**Rule 20A.** As with any Consent Agenda item, a single member of the Council may move such item to the regular Agenda. As provided in the Charter, the Council may elect to refer any proposed Mayoral Appointment to a standing or ad hoc Committee, which shall review such appointment and may make a recommendation to the Full Council not fewer than seven (7) nor more than 45 days after such referral. Such Committee may require any person whose name has been referred to it to appear before such Committee, or before the Full Council, to give any information relevant to the appointment that the Committee of the Full Council may require. Notwithstanding the optional referral of proposed appointments provided for in this Rule 20A, appointments and reappointments of the following officers shall always be referred through the Consent Agenda to the standing committee with oversight over such board or commission:

- Members of the Board of Health and Health Director;
- Building Inspector;
- City Auditor/Director of Finance;
- City Librarian;
- ~~City Solicitor;~~
- City Treasurer;
- Director of the Department of Public Services;
- Members of the Conservation Commission and Conservation Agent;
- Habormaster;
- Members of the License Commission;
- Members of the Newburyport Redevelopment Authority board;
- Members of the Newburyport Waterfront Trust board;

- Members of the Planning Board, Planning Director, and Zoning Administrator;
- Members of the Water and Sewer Commission; and
- Members of the Zoning Board of Appeal.

### **MID-YEAR BUDGET REVIEW**

**Rule 21.** Each calendar year, the Committee on Budget & Finance shall schedule and hold a public meeting to conduct a Mid-Year Budget Review as soon as practical after six (6) months of actual expenditures are available in written form, but no later than February 15. The Chair of the Committee shall cause both the City Auditor and the City Treasurer to attend, pursuant to the Charter, and shall invite all members of the Council, as well. Pursuant to the Charter, the Chair shall ask the City Auditor to distribute to the Full Council documentation in support of the Mid-Year Budget Review no less than one (1) week before such meeting, including a year-to-date actual budget summary. Further pursuant to the Charter, any member of the Council may request that a Department Head be present at the Mid-Year Budget Review meeting, by making a request through the Chair of the Committee of Budget & Finance.

### **ELECTRONIC COMMUNICATION DEVICES**

**Rule 22.** The audible use of mobile phones, radios, and other electronic communication devices by any person, including members of the Council, but excepting on-duty public safety officers, is strictly prohibited within the Council Chamber while the Council is in session, and all such devices shall be turned off or otherwise made to be silent.

**Rule 22A.** Members of the Council may read from or otherwise obtain information from a computer, tablet, or other electronic device within the Council Chamber while the Council is in session, such as by conducting computer searches online.

**Rule 22B.** Except as otherwise permitted under the Open Meeting Law, no member of the Council shall, at any time while the Council is in session, be permitted to communicate with other people, either located within or without the Chamber, using such any electronic device, whether verbally or otherwise, audibly or inaudibly.

### **PARLIAMENTARY PRACTICE**

**Rule 23.** In all matters of parliamentary practice not provided for in these rules, the Council shall use Robert's Rules of Order as a guide.

### **RECUSAL**

**Rule 24.** Upon his or her recusal regarding a matter, a member of the Council or a Committee shall leave the room where the meeting is being conducted, and such member shall not be counted as part of the quorum on that matter. Notwithstanding the foregoing, a recused member may, if permitted under applicable law, remain in the room solely if he and she wishes to give testimony on the matter.

**Rule 24A.** If the matter is to be addressed in open session, then the recusal shall be made orally and shall be included as part of the official public record. The recused member may obtain and review any records of such public discussions and/or action by the Council or Committee on the matter.



**Rule 24B.** If the matter is to be addressed in executive session, then the recusal must be made orally during the open session before the Council or Committee goes into such executive session and shall be included as part of the official public record. A member so recused shall not knowingly obtain or review a recording, minutes, or any other non-public information regarding such matter, other than the fact of his or her own recusal.

#### **AMENDING THE RULES**

**Rule 25.** Any amendment of these Rules shall require successful passage of an order by the Full Council, by simple majority, as provided in these Rules.

#### **SUSPENDING THE RULES**

**Rule 26.** Except as otherwise, expressly provided in these Rules, a motion to suspend the rules shall require a two-thirds super-majority vote of the Full Council.

**As amended at Cmte. on Rules  
February 20, 2018**

**Date:** February 12, 2018

**ORDERED:**

**AN ORDINANCE TO AMEND THE NEWBURYPORT CODE OF ORDINANCES  
REGARDING ADMINISTRATION OF THE CITY COUNCIL**

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

**THAT** the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended by amending existing Sections 2-28 and 2-29 of Article II. – City Council of Chapter 2 – Administration, to read as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

**Sec. 2-28. - When regular meetings are held.**

Except in the months of July and August, rRegular meetings of the city council shall be held on the second and last Monday of each month, except when adjournment is ordered by the city council. For the months of July and August, combined, the Council shall schedule a total of three (3) regular meetings, each to occur on any Monday.

**Sec. 2-29. - Special meetings.**

(a) Special meetings of the city council shall be held at the call of the president or at the call of any six (6) or more members, for any purpose, by causing a notice of the meeting to be delivered in hand or to the place of business or residence of each member of the city council. This notice shall, except in an emergency of which the president shall be the sole judge, be delivered at least forty-eight (48) ~~weekday~~ hours in advance of the time set and shall specify the purpose or purposes for which the meeting is to be held. A copy of each such notice shall immediately be posted in accordance with applicable laws.

(b) The mayor may at any time call special meetings of the city council, for any purpose, by causing a notice of the meeting to be delivered in hand or to the place of business or residence of each member of the city council. This notice shall, except in an emergency of which the mayor shall be the sole judge, be delivered at least forty-eight (48) ~~weekday~~ hours in advance of the time set and shall specify the

purpose or purposes for which the meeting is to be held. A copy of each such notice shall immediately be posted in accordance with applicable laws.

**AND FURTHER THAT** the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended by amending existing Sections 2-32 through 2-37.2 of Article II. – City Council of Chapter 2 – Administration, to read as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

**Sec. 2-31. - Committees designated; membership.**

There shall be eight (8) standing committees of the city council: committee on budget & finance; committee on education; committee on general government; committee on licenses & permits; committee on neighborhoods & city service; committee on planning & development; committee on public safety; and committee on public utilities. Each such standing committee shall consist of three (3) members of the city council. The president of the city council shall serve on the committee on general government, as its chair, and the mayor may serve as a fourth, ex officio, non-voting member of such committee.~~There shall be seven (7) committees of the city council. There shall be a committee on public safety, a committee on neighborhoods and city service, a committee on licenses and permits, a committee on budget and finance, a committee on planning and development and a committee on education, each to consist of three (3) members of the city council, and a committee on general government to consist of the mayor, president of the city council and one (1) councillor.~~

**Sec. 2-32. - Responsibilities of committee on general government.**

The committee on general government shall be concerned with supervision of city properties whose custody has not been assigned to a specific municipal department, and the following municipal departments: city clerk; city solicitor; registrars of voters, information technology; and human resources. The committee shall have charge of and supervision over city hall.

**Sec. 2-33. - Responsibilities of committee on public safety.**

The committee on public safety shall be concerned with all the activities in the police ~~and~~, fire, and health departments, the harbor commission and harbormaster, the animal control officer, the parking clerk, and public parking and traffic needs and regulations.

**Sec. 2-34. – Responsibilities of committee on neighborhoods and city service.**

The committee on neighborhoods and city service shall be concerned with all the activities: in the department of public services with the exceptions of public parking and traffic, and of water and sewer services, public works department and including.

without limitation, municipal lighting, street sweeping, and city cemeteries; and regarding youth services, the public library, the veterans agent, the parks commission and department, and the council on aging.

**Sec. 2-35. - Responsibilities of committee on licenses and permits.**

The committee on licenses and permits shall evaluate and make recommendations on all applications for licenses and permits that come under the jurisdiction of the city council.

**Sec. 2-36. - Responsibilities of the committee on planning and development.**

The committee on planning and development shall be concerned with all the activities and jurisdictions of the office of planning and development and its director; the affordable housing trust; conservation commission and its conservation agent; the planning board; the zoning board of appeals; the historical commission and any local historic district commissions; and the commission on disabilities.

**Sec. 2-37. – Responsibilities of the committee on education.**

The committee on education shall be concerned with the proper use of school properties, and the activities and policies of the school committee and act as liaison between the school committee and the city council on issues of education and school finances.

**Sec. 2-37.1. - Responsibilities of committee on budget and finance.**

The committee on budget and finance shall be concerned with all issues of city finances including issues relating to city revenues and the city budget, including, without limitation, all the activities and jurisdictions of the city auditor, city treasurer, tax assessor, and tax collector.

**Sec. 2-37.2. - Responsibilities of committee on public utilities.**

The committee on public utilities shall be concerned with all issues including activities and policies of the ~~board of water commissioners,~~ water and sewer commission, and requests from public utilities.

~~Notwithstanding the previous sentence, section 2-39, Approval of certain bills, does not apply to the board of water commissioners or sewer commission.~~

AND FURTHER THAT the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended by deleting in their entirety existing Sections 2-39, and 2-41 through 2-43 of Article II. – City Council of Chapter 2 – Administration.

~~**Sec. 2-39. Approval of certain bills.**~~

~~All bills of a department over which any of the committees of the city council may have control, or supervision, shall be approved by the committee before payment.~~

~~**Sec. 2-41. Clerk of committees—Appointment; term of officew.**~~

~~The city council shall annually, in the month of January, select a competent person to serve as clerk of committees. The clerk shall hold office for the term of one (1) year from the first day of February next succeeding the appointment and until his successor is appointed and qualified.~~

~~**Sec. 2-42. Same—Compensation.**~~

~~The clerk of committees shall receive for services such compensation as the city council shall annually or from time to time determine.~~

~~**Sec. 2-43. Same—Duties.**~~

~~The clerk of committees shall act as clerk of all committees of the city council.~~

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Councillor Jared J. Eigerman