

AGENDA-CITY COUNCIL MEETING – JULY 13, 2009

Version 1

**CITY COUNCIL MEETING
7:30 PM**

- 1. OPENING PRAYER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS** Block Party, 54th Street, 8/1/09
- 5. PUBLIC COMMENT**

CONSENT AGENDA

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

**APPROVAL OF MINUTES
June 29, 2009**

(Approve)

- 6. TRANSFERS**
 None

- 7. COMMUNICATIONS**

1. Block Party, Payson St, 8/15/09
2. Bd of Registrars Report to Council on Charter Petition

(Approve)
(R&F)

- 8. APPOINTMENTS**

MAYOR'S APPOINTMENTS
 None

END OF CONSENT AGENDA

REGULAR AGENDA

9. APPOINTMENTS

SECOND READING

1. Margaret W. Mays 1 ½ Hancock Street Moseley Woods Commission 10/1/2009

10. TABLED ITEM

Health, Shared Services Agreement, G.L. c. 40, sec 4A

11. ORDERS

1. Regional Health Services Revolving Fund
2. Charter Question Order

12. ORDINANCES

1. Water Street – No Parking
2. Amendment to Sec 10-8

13. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Resolution – Brown Square Utilities *2/23/2009
2. City Clerk – CC Salaries to Administration (2000) *5/26/2009
3. City Clerk –Purchase of Vehicle to Administration (900) *5/26/2009
4. City Clerk – Prking Tkt Process to Administration (900) *5/26/2009
5. Fee Increase for Gas, Electrical and Plumbing *6/29/2009
6. CPA Recommended Projects Order *6/29/2009
(Committee of the Whole)

Joint Education

In Committee

General Government

In Committee

1. Residential Handicapped Parking Spaces *1/12/2009
2. City Council Committees *12/29/2008
3. Harborwalk Ordinance *6/29/2009

License & Permits

In Committee:

1. Roca's Moveable Sign Request *12/29/2008
2. Pralines Moveable Sign request *12/29/2008
3. Historic Places Signage, CEB submission *3/9/2009
4. Oregano's letter regarding visible barrier with plan *6/08/2009
5. Outdoor Seating – Port Tavern *6/29/2009

Neighborhoods & City Services

In Committee:

Planning & Development

In Committee:

- | | |
|--|-------------|
| 1. Harbor – Water Sheet Ordinance (*5/26/2009) | *12/29/2008 |
| 2. Park Rules and Regulation | *12/29/2008 |
| 3. Demolition Delay Amendment | *12/29/200 |
| 4. Councillor Earls Ltr re: Wind Turbine Ordinance | *2/23/2009 |
| 5. Moveable Sign Ordinance – Amendment | *5/26/2009 |
| 6. CPA Recommended Projects Order | *6/29/2009 |
- (Committee of the Whole)

Public Safety

In Committee:

- | | |
|---|-------------|
| 1. Middle St Parking – Sec 13-175 | *12/29/2008 |
| 2. Residential Handicapped Parking Spaces | *1/12/2009 |
| 3. Parker Street Ordinance | *4/27/2009 |
| 4. Harborwalk Ordinance | *6/29/2009 |

Public Utilities Committee

In Committee:

- | | |
|--|------------|
| 1. Resolution – Brown Square Utilities | *2/23/2009 |
|--|------------|

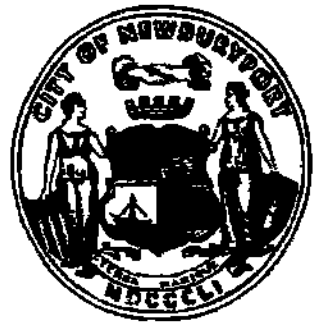
Rules Committee

In Committee:

Adhoc Committee

1. Independent Counsel-Crow Lane Landfill

14. ADJOURNMENT



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

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

DATE OF REQUEST: 7/6/09

CONTACT INFORMATION

FIRST AND LAST NAME: Lynne Murray

MAILING ADDRESS: 8 54th St. Newburyport, MA

PHONE NUMBER: 978-462-4240

E-MAIL ADDRESS: sndipte@aol.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: 8/1/09

DESIRED STREET CLOSING LOCATION: 54th Street
Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: 54th Street

DESIRED STREET CLOSING TIME: 4:00 PM - 10:00 PM
Block Parties should run no later than 10:00 p.m.

REGULATIONS

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

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

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

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

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

Applicant Signature Lynne M. Murray Date 7/6/09

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

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

LT. M. M.
St. J. - SC. Chief
Allen Frost
Rich B...

City use only:

Approved R. B. J. M. -Denied _____ Date 7/8/09

CONSENT AGENDA - BEGINNING

**MINUTES
CITY COUNCIL MEETING – JUNE 29, 2009
7:30 PM**

Council President Shanley called the meeting to order asking for a moment of silence followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered “present”: Cameron, Connell, Derrivan, Earls, Holaday, Hutcheson, Ives, Jones, McCavitt, O’Brien and Shanley.

LATE FILE ITEMS

Lime Street Stop Sign Ordinance

Councillor Earls motioned to suspend the Rules to allow consideration at this meeting seconded by Councillor Jones. So voted on a unanimous voice vote.

PUBLIC COMMENT

Harbor Walk Ordinance

Jerry Mullins, Dick Monahan, Robert Cronin and Richard Daly.

Outdoor Seating – Port Tavern

Dermot Bolger

Fruit Street Local Historic District

Maurice Southworth

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.

APPROVAL OF MINUTES

June 8, 2009

(Approve)

TRANSFER

- | | |
|--|------------------|
| 1. Assessor Rsv for Appr to Office (500) | (Approve) |
| 2. Library Sal Staff to Sal Librarian (5151.19) | (Approve) |
| 3. Planning Admin Asst to Director (105.78) | (Approve) |
| 4. Health Recycling to Solid Waste (7,300) | (Approve) |
| 5. Treasurer Retirement to Payroll (2,840) | (Approve) |
| 6. Auditor Unemployment Claims to Mun Ins (4,252) | (Approve) |
| 7. Police Heat to Licensing Warranties ((1800) | (Approve) |
| 8. Police Dispatch OT to Dispatch Night (440) | (Approve) |
| 9. Police Sal Dispatch Holidays to Police Night (1050) | (Approve) |
| 10. Police Sal Reserves to Police OT/Custodian Sal /Clerical Sal (10,123) | (Approve) |
| 11. Police Evaluations to Sal of Admin (191.58) | (Approve) |
| 12. Police Officers Holidays to Admin (1068.88) | (Approve) |
| 13. Police Dispatch Holidays to Admin Asst (776.39) | (Approve) |

- | | |
|---|-----------|
| 14. DPS Water Supplies to Fin Audit (360) | (Approve) |
| 15. NDPS Sewer Police Details to Sewer Legal (5000) | (Approve) |
| 16. NDPS Sewer Dues (470) to Fin Audit (270) / Fuel (200) | (Approve) |
| 17. Mayor Ins City to P-T Support Ins (5,000) | (Approve) |
| 18. Mayor Ins School to P-T Support Ins (5,000) | (Approve) |

COMMUNICATIONS

- | | |
|----------------------------------|----------------|
| 1. Outdoor Seating – Port Tavern | (Refer to L&P) |
| 2. Block Party Spring Street | (Approve) |

APPOINTMENTS

MAYOR’S APPOINTMENTS

FIRST READING

1. Margaret W. Mays 1 ½ Hancock St. Moseley Woods Comm 10/1/2009

Councillor Holaday moved to approve the Consent Agenda seconded by Councillor O’Brien. So voted on a voice vote 10 yes, 1 no (Jones).

END OF CONSENT AGENDA

REGULAR AGENDA

ORDERS

June 29, 2009

THAT the City Council of the City of Newburyport approves the attached schedule of fees for the Building Department, Electrical, Plumbing, Gas, Miscellaneous.

Fee Schedule Attached

Councillor Donna D. Holaday

In City Council June 29, 2009:

Councillor Holaday moved to refer to Budget & Finance seconded by Councillor O’Brien. So voted on a unanimous voice vote.

June 29, 2009

THAT the City Council of the City of Newburyport having reviewed the Community Preservation Committee recommended projects for FY 2010 through the Budget & Finance Committee therefore at this time recommend the following projects to be funded:

Community Preservation Committee

Summary of Recommendations for FY10 Funding

| # | Project Title | Applicant | Rec Amt | Category |
|----|---|--|-----------|-----------------------------|
| 1 | Community Housing Reserve Fund | Office of Planning and Development | \$50,000 | Housing |
| 2 | Housing Rehabilitation Program | Office of Planning and Development | \$100,000 | Housing |
| 3 | Historic Brown Square Renovation Project | Office of Planning and Development | \$50,000 | Historic |
| 4 | Clipper City Rail Trail Project | Office of Planning and Development | \$50,000 | Recreation Open Space |
| 5 | Open Space Reserve Fund | Open Space Committee | \$75,000 | Space |
| 6 | Old Hill Burying Ground Restoration | City Improvement Society | \$10,000 | Historic |
| 7 | Oak Hill Cemetery | Proprietors of Oak Hill Cemetery | \$10,000 | Historic |
| 8 | St Anna's Chapel Roof Restoration Project | St. Paul's Church | \$32,500 | Historic |
| 9 | Newburyport Masonic Building Restoration | Masonic Temple Association, Inc. | \$12,500 | Historic |
| 10 | City Hall Bond Payment | City of Newburyport | \$219,188 | Historic Open Space |
| 11 | Open Space Bond Payment | City of Newburyport Community Preservation Committee | \$144,819 | Space |
| 12 | CPC Administrative Expenses | Committee | \$12,000 | Admin |

Total Recommended Funding \$766,007

Councillor Kathleen O'Connor Ives

In City Council June 29, 2009:

Councillor Holaday moved to refer to Budget & Finance and Committee of the Whole seconded by Councillor Cameron.

Councillor Jones motioned to amend to refer also to Planning & Development. So voted on a unanimous voice vote.

Motion to refer as amended approved on a unanimous voice vote.

ORDINANCES

June 29, 2009

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED BOATS, DOCKS AND WATERWAYS

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

CHAPTER 4: BOATS, DOCKS, AND WATERWAYS

Article II: Harbor

Division 4: Use Regulations

Subdivision A: Generally **Section 4-72: Definitions**

“Harborwalk” shall mean that portion of public recreational walkway along the Merrimack River which has its westerly terminus at Cashman Park and has an easterly terminus at the property of the existing Michael's Harborside Restaurant, including the Route 1 underpass and its waterfront intersection with the Clipper City Rail Trail.

Subdivision D: Special Use Areas **Section 4-100B. Harborwalk area**

a) *Generally.*

(1) The general policy of the municipal Harborwalk shall be that the property is intended primarily for strolling, bicycling and sight-seeing by the general public.

b) *Specific use regulations.*

(1) The Harborwalk shall be available to the general public from dawn to dusk; night-time use is prohibited; trespass on private marina and residential property is prohibited.

(2) No persons shall fish, swim, or dive from the Harborwalk; no persons shall cause fishing gear to interfere with the safety or enjoyment of the general public.

(3) The above prohibitions shall be posted in plain view along the Harborwalk.

(4) No trash shall be placed or stored on or about the Harborwalk except in containers provided.

(5) Unauthorized motorized vehicular use and unauthorized solicitation is prohibited.

(6) No persons shall apply graffiti or any other defacement to the Harborwalk.

(7) The general public will not be charged any fees for use of the Harborwalk.

(8) All vessels operating near the Harborwalk will do so at headway speed.

(9) No vessel shall be secured to the Harborwalk.

(10) Violations of this section shall be punished by a fine of \$100 per person per incident, as well as confiscation of illegally used fishing gear.

Councillor James G. Shanley

In City Council June 29, 2009:

Councillor Holaday motioned to refer to General Government seconded by Councillor O'Brien.

Councillor Holaday motioned to amend by also referring to Public Safety seconded by Councillor O'Brien. So voted on a unanimous voice vote.

Motion to refer as amended passed on a unanimous voice vote.

MAY 26, 2009

A ORDINANCE ENTITLED AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED LOCAL HISTORIC DISTRICT

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

Sec. 16-2. Definitions.

Amend the definitions as follows:

Abutter. Any property located directly adjoining or facing the applicant's property.

Section 16-7. Procedure for Review of Applications

Amend paragraph (d) as follows:

- (7.4) If the commission determines that such application involves any exterior architectural feature subject to review under this chapter, it shall hold a public hearing on the application, except as may otherwise be provided in this chapter. The commission shall hold such a public hearing within forty-five (45) days from the date of the filing of the application. At least fourteen (14) days before said public hearing, public notice shall be given by posting in a conspicuous place in City Hall. Such notice shall identify the time, place and purpose of the public hearing. Concurrently, a copy of said public notice shall be mailed to the applicant, to the owners of all abutting properties, of all properties within the DISTRICT, and of other properties deemed by the commission to be materially affected thereby, all as they appear on the most recent applicable tax list, to the Planning Board, to any person filing a written request for notice of hearings, such request to be renewed yearly in December, and to such other persons as the commission shall deem entitled to notice.

Councillor Edward C. Cameron

In City Council May 26, 2009:

Councillor Cameron motioned to remove from Committee seconded by Councillor Ives. So voted on a unanimous voice vote.

Councillor Cameron motioned to approve, noting that it had been approved 3/0 in Committee, seconded by Councillor O'Brien.

Motion to approve first reading and order published passed on a voice vote 9 yes, 2 no (O'Brien, Jones).

In City Council June 29, 2009:

Councillor Earls motioned to approve second and final reading seconded by Councillor Cameron. Motion approved on a voice vote, 9 yes, 2 no (O'Brien, Jones).

June 29, 2009

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TRAFFIC AND MOTOR VEHICLES

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

Chapter 13 Traffic and Motor Vehicles
Article IV Specific Street Schedule
Division 4 Stop Intersections

Section 13 – 136 Designated

The following street is designated as a stop intersection and vehicles traveling thereon shall come to a complete stop before entering such intersection.

Street

Lime Street

Stop Intersection

Northeasterly and Southwesterly bound at the intersection of Milk and Lime Streets.

Councillor Gregory D. Earls

In City Council June 29, 2009:

Councillor Earls moved to refer to Public Safety seconded by Councillor Derrivan.

So voted on a unanimous voice vote.

COMMITTEE REPORTS

Budget & Finance

Planning - Wetland Protection Fund to Conservation Adm. Salary \$4,936.00

Councillor Holaday motioned to remove from Committee seconded by Councillor Cameron. So voted on a unanimous voice vote.

Councillor Holaday moved to approve seconded by Councillor Cameron so voted on a unanimous voice vote.

Department of Public Services – Labor to Overtime \$10,000.00

Councillor Holaday motioned to remove from Committee seconded by Councillor Cameron. So voted on a unanimous voice vote.

Councillor Holaday moved to approve seconded by Councillor Cameron. So voted on a unanimous voice vote.

D P S – Water Free Cash to Water Tests \$5,000.00

Councillor Holaday motioned to remove from Committee seconded by Councillor Cameron. So voted on a unanimous voice vote.

Councillor Holaday moved to approve seconded by Councillor Cameron. So voted on a unanimous voice vote.

D P S – Public Property Division (DPW) \$457,538.27

Free Cash to Labor, Materials, Stabilization Fund, Street Lights

Councillor Holaday motioned to remove from Committee seconded by Councillor Cameron. So voted on a unanimous voice vote.

Councillor Earls motioned to reduce the Vehicle Stabilization Account by \$150,000.00 seconded by Councillor Jones. So voted on a unanimous voice vote.

Councillor Holaday moved to approve as amended \$307,538.27 seconded by Councillor Connell. So voted on a voice vote 1 no (Jones).

GENERAL GOVERNMENT

May 26, 2009

THAT the City Council of the City of Newburyport hereby authorizes the Director of Public Health, pursuant to M.G.L. Chapter 40, Section 4A, to enter into a Mutual Aid Agreement (MOU) with the Public Health Agencies in Emergency Preparedness Region 3A.

The Purpose of this Agreement is to provide for mutual aid and assistance between the municipalities entering into the Agreement when the resources normally available to a municipality are not sufficient to cope with a situation which requires public health action. The health and well being of a community will best be protected through the concerted efforts of multiple public health agencies providing assistance to one another. The promotion and coordination of this assistance through the Agreement is desirable for the effective and efficient provision of mutual aid and assistance.

Councillor Donna D. Holaday
Chair Budget & Finance Committee

In City Council May 26, 2009:

Councillor Holaday motioned to approve seconded by Councillor Cameron. Motions withdrawn

Councillor Holaday motioned to refer to General Government and Committee of the Whole seconded by Councillor Ives. So voted on a unanimous voice vote.

In City Council June 29, 2009:

Councillor Holaday motioned to remove from Committee seconded by Councillor Cameron. So voted on a unanimous voice vote.

Councillor Holaday moved to approve seconded by Councillor Cameron. So voted on a unanimous voice vote.

May 26, 2009

THAT the City Council of the City of Newburyport hereby authorizes the Mayor and Director of Public Health, pursuant to M.G.L. Chapter 40, Section 4A, to enter into a Shared Services Agreement for public health services, with the Town of Amesbury and Town of Salisbury

The Purpose of this Agreement is to provide for Shared Health Services between the municipalities entering into the Agreement. This Agreement is to provide for the effective and efficient administration of services to provide a cost savings for municipalities participating.

Councilor Donna D. Holaday
Chair Budget & Finance Committee

In City Council May 26, 2009:

Councillor Holaday motioned to refer to General Government and Committee of the Whole seconded by Councillor Earls. So voted on a voice vote.

In City Council June 29, 2009:

Councillor Holaday motioned to remove from Committees seconded by Councillor Derrivan. So voted on a unanimous voice vote.

Councillor Holaday moved to approve seconded by Councillor Connell.

Councillor Earls motioned to table seconded by Councillor Holaday. Motion to table passed on a roll call vote 8 yes, 3 no (Connell, Jones, McCavitt).

Neighborhoods & City Services

Councillor Cameron announced that there will be a meeting on July 9th to discuss the *Wind Turbine Ordinance*.

Public Safety

Yankee Homecoming Request for Use of City Property

Councillor Derrivan motioned to remove from Committee seconded by Councillor O'Brien. So voted on a unanimous voice vote.

Councillor Derrivan motioned to approve seconded by Councillor O'Brien. So voted on a unanimous voice vote.

ADJOURNMENT

There being no further business to come before the City Council, Councillor Cameron motioned to adjourn seconded by Councillor Jones. Meeting adjourned at 8:28 pm.

Attest: _____
Richard B. Jones, City Clerk

COMMUNICATIONS



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

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

DATE OF REQUEST: 6/22/09

CONTACT INFORMATION

FIRST AND LAST NAME: Barry N. Connell

MAILING ADDRESS: 36 Woodland St.

PHONE NUMBER: 978-462-7462

E-MAIL ADDRESS: enviro.com@comcast.net

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: 8/15/09

DESIRED STREET CLOSING LOCATION: Payson - Woodland to Chapel.

Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Payson St.

DESIRED STREET CLOSING TIME: 6:00 - 10:00

Block Parties should run no later than 10:00 p.m.

REGULATIONS

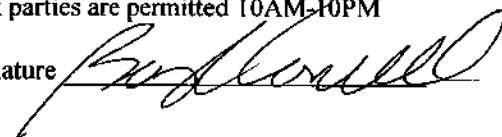
By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

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

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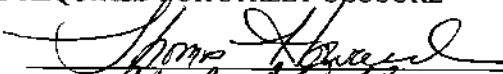

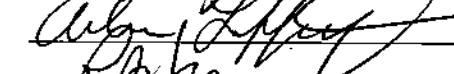
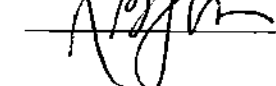
It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

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


Applicant Signature  Date 6/22/09

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

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

City use only:

Approved  -Denied _____ Date 4/25/09



CITY OF NEWBURYPORT RECEIVED
MASSACHUSETTS
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT CITY HALL
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
TEL: 978-465-4407 • FAX: 978-462-7936

2009 JUL -7 A 9:32

July 7, 2009 (Date of Filing With the City Clerk)

President James G. Shanley and Members
Of the Newburyport City Council
60 Pleasant Street
City Hall
Newburyport, MA 01950

Re: Report to City Council on the Certifying of Charter Question signatures

Dear President and Members of the Council,

Please be advised that the Board of Registrars has certified the requisite fifteen (15%) percent of the registered voter's signatures to place charter commission and charter question on the November 3, 2009 election ballot.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "John N. Pritchard".

John N. Pritchard

A handwritten signature in cursive script, appearing to read "Mary E. Zinck".

Mary E. Zinck

A handwritten signature in cursive script, appearing to read "Brian O. Sullivan".

Brian O. Sullivan

A handwritten signature in cursive script, appearing to read "Richard B. Jones".

Richard B. Jones

Newburyport Board of Registrars

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

**APPOINTMENTS
SECOND READING**

MAYOR'S APPONTMENTS

JULY 13, 2009

SECOND READING

1. Margaret W. Mays 1 ½ Hancock Street Moseley Woods Comm. 10/01/2009

In City Council June 29, 2009:

Councillor Holaday motioned to approve as part of the Consent Agenda seconded by Councillor O'Brien. So voted on a unanimous voice vote.

ORDERS

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

July 13, 2009

THAT the Newburyport City Council approves the establishment of the Regional Health Services Revolving Fund relative to shared services between the City of Newburyport and the Towns of Amesbury and Salisbury, in accordance with MGL Chapter 44, Section 53E ½.

THAT the source of funds shall be assessments to said communities for health services provided in accordance with the inter-municipal agreement, and in compliance with MGL Chapter 40, Section 4A.

THAT said funds shall be used to provide services, materials, supplies, and equipment required to deliver health services to communities.

THAT funds from the Regional Health Services Revolving Fund be spent by the Newburyport Director of Public Health under the direction of the Mayor of Newburyport. Said fund is not to exceed \$100,000.00 for FY2010.

Councillor Donna D. Holaday
Budget & Finance Committee Chair.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

July 13, 2009

THAT the City Council of the City of Newburyport hereby orders the following question be placed on the ballot for the November 3, 2009 election:

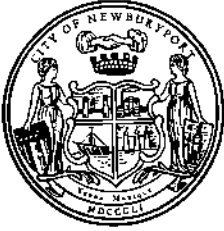
“Shall a commission be elected to frame a charter for the City of Newburyport?”

And hereby further orders that a charter commission shall be nominated and elected pursuant to M.G.L. 43B et al.

Councillor Edward C. Cameron

ORDINANCE

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

July 13, 2009

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

Division 6 Stopping, Standing and Parking

§ 13-168 Parking Restricted on Certain Streets

No person shall park any vehicle on the following street as indicated below:

Street

Water Street

Restriction

South Side from Federal Street to Independent Street

Councillor Lawrence V. McCavitt

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

July 13, 2009

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED
MISCELLANEOUS OFFENSES.**

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

Chapter 10 Miscellaneous Offenses

Section 10-8 Use or consumption of alcoholic beverages upon public ways, etc.

Amend by adding the following at the end of the first sentence:

provided however this section shall not apply in the event the City Council, pursuant to Section 12-1, has approved outdoor seating including an area demarcated by the placement of unfixed barricades and the local license commission has approved the consumption of alcohol for said area.

Councillor Kathleen O'Connor Ives