

AGENDA-CITY COUNCIL MEETING –MAY 24, 2010

Version 1

**CITY COUNCIL MEETING
7:30 PM**

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

CONSENT AGENDA

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

APPROVAL OF MINUTES

May 10, 2010

(Approve)

6. **TRANSFERS**

1. Harbormaster Ret Earnings (7,999.10) to Retirement (B&F)
2. Mayor Salary, Director Policy (2,000) to Misc. Exp (Approve)
3. Fire Incident Cost Rec (5,700) to Salaries (B&F)

7. **COMMUNICATIONS**

1. Letter from Mayor on Paid Parking Update (R&F)
2. Boot Drive, Firefighters, Mkt Sq. July 29-31 (Approve)
3. Outdoor Seating, Port Tavern, State Street (new app) (L&P)

8. **APPOINTMENTS**

FIRST READING

APPOINTMENTS

1. Paul Dahn 343 High Street Planning Board 05/31/2015
-

END OF CONSENT AGENDA
REGULAR AGENDA

9. APPOINTMENT – CITY COUNCIL - 2ND READING
SECOND READING

RE-APPOINTMENTS

1.	Paul Healy	8 N Street	Conservation Comm	05/31/2013
2.	Mary Casey	58 Bromfield St.	Conservation Comm	05/31/2013
3.	Thomas Kolterjahn	64 Federal St.	Historical Comm	05/31/2013
4.	Maurice Southworth	12 Fruit St.	Fruit Street LHDSC	05/01/2013
5.	Thomas Bower	96 High St.	Fruit Street LHDSC	05/01/2013
6.	Margaret Welch	82 Curzon Mill Rd.	Historical Comm	05/31/2013

APPOINTMENTS

7.	Judith C. Grohe	14 Strong St.	Comm Pres Comm.	05/01/2013
8.	Donald F. Little	6 Cottage Ct.	Comm Pres Comm.	05/01/2013

At-Large Member

10. ORDINANCES

1. Alcoholic Beverages on Public Ways Ordinance - 2nd Reading
2. Bus Stop, State Street

11. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Room Occupancy Excise to 6% *1/11/2010
2. Local Meals Excise *1/11/2010
3. Hmaster Ret Earnings (\$44,750) to Additional Equip *4/12/2010
4. DPS Sewer Ret. Earnings (\$50,000.00) to Little River *4/26/2010
5. Police, Ins Claims to PO Overtime (17,810) *5/10/2010
6. DPS, Settlements to Sewer Drains *5/10/2010
7. Mayor's FY 2011 Budget *5/10/2010

Joint Education

In Committee

General Government

In Committee

1. Atmospheric Pollution Ordinance *2/8/2010

License & Permits

In Committee:

1. Epstein request for ramp, 27 State Street *3/29/2010
2. Port Tavern alcoholic beverages request *4/12/2010
3. Dolce Freddo Gelato, Mkt Sq, Outdoor Seating *5/10/2010

Neighborhoods & City Services

In Committee:

1. Street Lighting Recommendation *5/10/2010

Planning & Development

In Committee:

1. Residential Handicap Parking Ordinance *1/11/2010
2. Atmospheric Pollution Ordinance *2/8/2010
3. Proposed Smart Growth, LRVT request *3/15/2010
4. Green Communities Order *3/29/2010
5. Planning Board Report on Wind Energy *3/29/2010
6. Zoning Ord – Sec II Definitions/Sec VI Dimensional Controls
7. Expedited Permitting *4/26/2010
8. Stretch Energy Code *4/26/2010

Public Safety

In Committee:

1. Civil Service Home Rule Petition *1/11/2010
2. Residential Handicap Parking Ordinance *1/11/2010
3. Handicapped Parking – Riverside Park *1/25/2010
4. One Hour Parking – Deletion, Riverside *1/25/2010
5. Paid Parking, Riverside Park *1/25/2010
6. Municipal Parking Lots *2/8/2010
7. Stop Sign, Plant Street and Ferry Road *4/26/2010
8. Street Lighting Recommendation *5/10/2010

Public Utilities Committee

In Committee:

Rules Committee

In Committee:

13. **GOOD OF THE ORDER**

14. **ADJOURNMENT**

CONSENT AGENDA - BEGINNING

CITY COUNCIL MEETING – MAY 10, 2010

7:30 PM

Council President O'Brien called the meeting to order asking for a moment of Silence for Susanne F. Hutcheson, mother of Councillor Steven R. Hutcheson. The Pledge of Allegiance followed. He then instructed the City Clerk to call the roll. The following Councillors answered "present": Cameron, Connell, Cronin, Derrivan, Earls, Heartquist, Herzog, Hutcheson, Ives, Jones, O'Brien, 1 absent Hutcheson.

Council President O'Brien recused himself.

Councillor Earls assumed the Chair and called for Executive Session at 7:35pm.

Executive Session ended at 9:13pm.

Council President O'Brien returned to the Council Chamber.

LATE FILE ITEMS

None

PUBLIC COMMENT

Parking Garage

Bill Taplin, David Murphy, Michael Early, Jerry Mullins, Leslie Eckholdt (for Fran Sullivan), Esther Sayer, James Shanley (NRA), Mary Haslinger and Mary Harbaugh.

Newburyport Public Library Budget

Stephen Moore, Amantha Moore (Friends of the Library)

Community Preservation Committee Appointment

Donald F. Little

Zoning Board of Appeals Appointment

Nathaniel Coughlin

Street Lighting Recommendation

Michael Strauss (Energy Advisory Committee)

CONSENT AGENDA

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APPROVAL OF MINUTES

April 26, 2010

(Approve)

TRANSFERS

1. Clerk, Parking Fuel to Elections (1,000) **(Approve)**
2. Clerk, Ticket Process to Elections (1,000) **(Approve)**
3. DPS, Settlements to Sewer Drains (1,000) **(B&F)**

- 4. Police, Ins Claims to PO Overtime (17,810) (B&F)
 - 5. Police, PT Dispatch to OT (3,000) (Approve)
- Councillor Herzog removed Transfer #5 from the Consent Agenda.*

COMMUNICATIONS

- 6. Block Party Application, Warren Street, 6/19/10 (Approve)
 - 7. Dolce Freddo Gelato, Mkt Sq, Outdoor Seating (L&P)
 - 8. Shake Station, Unicorn St, Outdoor Seating (L&P)
- Councillor Earls changed Communication #5 to Approve. (Approve)*
- 9. Street Lighting Recommendation (PU, PS)
- Councillor Herzog changed Communication #4 from Public Utilities & Public Safety to Neighborhoods and City Services and Public Safety.*
- 10. Grant Writer Announcement from Mayor (R&F)
- Councillor Herzog removed Communication #5 from Committee.*

APPOINTMENTS

FIRST READING

RE-APPOINTMENTS

1.	Paul Healy	8 N Street	Conservation Commission	05/31/2013
2.	Mary Casey	58 Bromfield St.	Conservation Commission	05/31/2013
3.	Thomas Kolterjahn	64 Federal St.	Historical Commission	05/31/2013
4.	Maurice Southworth	12 Fruit St.	Fruit Street LHDSC	05/01/2013
5.	Thomas Bower	96 High St.	Fruit Street LHDSC	05/01/2013
6.	Margaret Welch	82 Curzon Mill	Historical Commission	05/31/2013

APPOINTMENTS

7.	Judith C. Grohe	14 Strong St.	Community Preservation Comm.	05/01/2013
8.	Donald F. Little	6 Cottage Ct.	Community Preservation Comm.	05/01/2013

At-Large Member

Councillor Cameron moved to approve the Consent Agenda as amended seconded by Councillor Earls. So voted on a voice vote, 9 yes, 1 no (Ives), 1 absent (Hutcheson).

END OF CONSENT AGENDA

REGULAR AGENDA

FY 2011 BUDGET PRESENTATION – MAYOR HOLADAY

Mayor Holaday is escorted into the Council Chamber by Councillors Heartquist and Herzog.

She presented her Budget Overview from 16 slides.

Councillor Cameron motioned to refer to Budget & Finance seconded by Councillor Heartquist. So voted on a unanimous roll call vote, 1 absent (Hutcheson).

TRANSFERS

5. Police, PT Dispatch to OT (\$3,000)

Councillor Herzog removed from the Consent Agenda.

Councillor Herzog motioned to approve seconded by Councillor Heartquist.

So voted on a voice vote, 9 yes, 1 no (Earls), 1 absent (Hutcheson).

6. Harbormaster to Plum Island Nourishment Project (\$15,000)

Councillor Heartquist motioned to approve seconded by Councillor Herzog.

So voted on a roll call vote 7 yes, 3 no (Cronin, Derrivan, Jones), 1 absent (Hutcheson).

COMMUNICATION

5. Grant Writer Announcement from Mayor

Councillor Herzog motioned to Receive & File seconded by Councillor Cameron.

So voted on a unanimous voice vote, 1 absent (Hutcheson).

MAYOR’S APPOINTMENTS – SECOND READING
RE-APPOINTMENTS

- 1. T. Bradley Duffin 2 Cutting Drive Harbor Commission 04/02/2013
- 2. Henry Coe 7 Guild Street Planning Board 05/31/2015

APPOINTMENTS

- 3. Nathaniel F. Coughlin 22 Bromfield St. Z BA 05/31/2013

In City Council April 26, 2010:

Councillor Jones moved to approve the Consent Agenda as amended seconded by Councillor Derrivan. So voted on a unanimous voice vote, 1 absent (Hutcheson).

In City Council May 10, 2010:

Councillor Jones moved to approve Appointments 1 and 2 collectively seconded by Councillor Derrivan. So voted on a unanimous voice vote, 1 absent (Hutcheson).

Councillor Cronin recused himself.

- 4. Paul Hogg 4 Coltin Drive Harbormaster
05/01/2013

In City Council April 26, 2010:

Councillor Earls moved to suspend the Rules and allow as a late file seconded by Councillor Jones. So voted.

Councillor Jones moved to approve first reading seconded by Councillor Earls. So voted.

Councillor Cronin returned to the Council Chamber.

In City Council May 10, 2010:

Councillor Earls motioned to approve seconded by Councillor Connell. So voted on a unanimous voice vote, 1 recused (Cronin), 1 absent (Hutcheson).

Councillor Cronin returned to the Council Chamber.

ORDERS

May 10, 2010

THAT the City Council of the City of Newburyport hereby designates the site known as the Titcomb Street site as the location for the parking garage.

Councillor Edward C. Cameron

In City Council May 10, 2010:

Councillor Cameron moved to approve seconded by Councillor Connell. So voted on a roll call vote 7 yes, 3 no (Cronin, Derrivan, Ives), 1 Absent (Hutcheson).

ORDINANCES

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE CITY OF NEWBURYPORT ZONING ORDINANCE

SECTION XXVI WIND ENERGY CONVERSION FACILITIES

XXVI-A PURPOSE AND INTENT

It is the express purpose of this ordinance to accommodate commercial distributed generation, wind energy conversion facilities (not residentially scaled facilities) in appropriate locations, while minimizing any adverse visual, safety and environmental impacts of the facilities. The ordinance enables the review of wind energy conversion facilities by the City's Zoning Board of Appeals in keeping with the City's existing ordinances. This ordinance is intended to be used in conjunction with other regulations adopted by the City, including historic district regulations, and other local ordinances designed to encourage appropriate land use, environmental protection, and provision of adequate infrastructure development in Newburyport.

Full text Available in the City Clerk's Office.

Councillor Edward C. Cameron
Councillor Barry N. Connell

In City Council April 26, 2010:

Councillor Connell motioned to remove from Committee seconded by Councillor Jones. So voted.

Councillor Connell motioned to approve and order published seconded by Councillor Jones. So voted on a roll call vote 9 yes, 1 no (Ives). 1 absent (Hutcheson).

In City Council May 10, 2010:

Councillor Connell moved to approve seconded by Councillor Cameron. So voted on a roll call vote, 9 yes, 1 no (Ives), 1 absent (Hutcheson).

COMMITTEE REPORTS
Budget & Finance

April 12, 2010

**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 has approved an application pursuant to Section 12-1 for 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

In City Council April 12, 2010:

Councillor Ives moved to refer to License & Permits and Public Safety, posting meetings as Committee of the Whole seconded by Councillor Jones. So voted on a unanimous voice vote.

In City Council May 10, 2010:

Councillor Earls removed from License & Permits.

Councillor Derrivan removed from Public Safety.

Councillor Earls moved to approve first reading and order published seconded by Councillor Ives. So voted on a roll call vote, 10 yes, 1 absent (Hutcheson).

GOOD OF THE ORDER

Councillor Heartquist reminded the Council of the Kites for a Cure fundraiser for cancer coming up May 22nd on Plum Island.

ADJOURNMENT

There being no further business to come before the City Council, Councillor Derrivan moved to adjourn seconded by Councillor Cameron. So voted on a unanimous voice vote, 1 absent (Hutcheson). Meeting adjourned at 10:57 pm.

Attest: _____
Richard B. Jones, City Clerk

TRANSFERS



City of Newburyport FY 2010 BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Department: Harbormaster

Submitted by: Ralph L Steele

Date Submitted: 5/6/2010

2010 MAY 18 P 1:33

Transfer From:

Account Name	<u>Harbormaster Retained Earnings</u>	YTD Bal:	<u>\$ 343,342.00</u>
Account Number:	<u>6520-35900</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$7,999.10</u>	Trans Out:	<u>\$ 40,740.00</u>
Why are Funds Available:	<u></u>		

Transfer To:

Account Name	<u>Retirement</u>	YTD Bal:	<u>\$ 18,331.00</u>
Account Number:	<u>652001-51901</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$7,999.10</u>	Trans Out:	<u>\$ -</u>
Why are Funds Required:	<u>This transfer is for vacation pay earned for FY2010 from 7/1/2009 to 5/1/10</u> <u>the vacation money for retirement was never put into a retirement account.</u>		

Transfer To:

Account Name	<u></u>	YTD Bal:	<u></u>
Account Number:	<u></u>	Trans In:	<u></u>
Amount:	<u></u>	Trans Out:	<u></u>
Why are Funds Required:	<u></u>		

Transfer To:

Account Name	<u></u>	YTD Bal:	<u></u>
Account Number:	<u></u>	Trans In:	<u></u>
Amount:	<u></u>	Trans Out:	<u></u>
Why are Funds Required:	<u></u>		

Donna D. Holaday, Mayor
William B. Squillace, Auditor
City Council Approval: (Stamp)

Donna D. Holaday
William B. Squillace

Date: 5/18/10
Date: 5/18/10



City of Newburyport

FY 2010

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2010 MAY 18 P 1:34

Department: Mayor
Submitted by: Mayor Donna D. Holaday Date Submitted: 5/18/2010

Transfer From:

Account Name: Salary - Director Policy/Admin YTD Bal: \$ 10,720.46
Account Number: 01121001-51120 Trans In: \$ -
Amount: \$2,000.00 Trans Out: \$ -
Why are Funds Available: A surplus is anticipated in this account at year end due to a reduction in hours.

Transfer To:

Account Name: Misc. Expense YTD Bal: \$ 1,051.56
Account Number: 01121007-57801 Trans In: \$ -
Amount: \$2,000.00 Trans Out: \$ -
Why are Funds Required: To cover expenses such as office supplies, legal ads, and a sprinkler system repair.

Transfer To:

Account Name: _____ YTD Bal: _____
Account Number: _____ Trans In: _____
Amount: _____ Trans Out: _____
Why are Funds Required: _____

Transfer To:

Account Name: _____ YTD Bal: _____
Account Number: _____ Trans In: _____
Amount: _____ Trans Out: _____
Why are Funds Required: _____

Donna D. Holaday, Mayor
William B. Squillace, Auditor
City Council Approval: (Stamp)

Donna D. Holaday
William B. Squillace

Date: 5/18/10
Date: 5/18/10



City of Newburyport

FY 2010

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

Department: FIRE DEPARTMENT

2010 MAY 18 P 1:33

Submitted by: Chief Cutter

Date Submitted: 5/18/2010

Transfer From:

Account Name	Incident Cost Recovery	YTD Bal:	\$	44,723.00
Account Number:	2988 49900	Trans In:	\$	-
Amount:	\$5,700.00	Trans Out:	\$	5,700.00
Why are Funds Available:	<i>This is money that was recovered from the cost associated with the gasoline tanker rollover.</i>			

Transfer To:

Account Name	Firefighter Salaries	YTD Bal:	\$	197,947.13
Account Number:	01220001-51142	Trans In:	\$	5,700.00
Amount:	\$5,700.00	Trans Out:	\$	-
Why are Funds Required:	<i>This is to replace money that was transferred to help cover expenses associated with the gasoline tanker rollover. Due to a retirement we did not need to replace the whole amount that was originally transferred from the Firefighter Salary Account.</i>			

Transfer To:

Account Name	_____	YTD Bal:	_____
Account Number:	_____	Trans In:	_____
Amount:	_____	Trans Out:	_____
Why are Funds Required:	_____		

Transfer To:

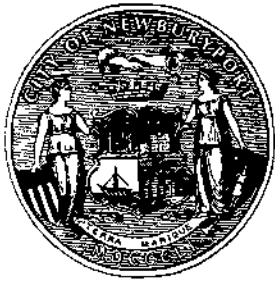
Account Name	_____	YTD Bal:	_____
Account Number:	_____	Trans In:	_____
Amount:	_____	Trans Out:	_____
Why are Funds Required:	_____		

Donna D. Holaday, Mayor
William B. Squillace, Auditor
City Council Approval: (Stamp)

Donna D. Holaday
William B. Squillace

Date: 5/18/10
Date: 5/18/10

COMMUNICATIONS



CITY OF NEWBURYPORT

Communication #1
May 24, 2010

OFFICE OF THE MAYOR

DONNA D. HOLADAY, MAYOR RECEIVED
60 PLEASANT STREET - P.O. BOX 550 CITY CLERK'S OFFICE
NEWBURYPORT, MA 01950 NEWBURYPORT, MA

(978) 465-4413 (978) 465-4402 (Fax)
2010 MAY 18 P 2:45

May 18, 2010

President and Members of the City Council
Newburyport City Council
City Hall
60 Pleasant Street
Newburyport, MA 01950

Re: RFP's and Paid Parking Initiative

Dear President and Members of the Council,

I would like to give you an update on our paid parking initiative.

At present, we have been working with our parking consultant on drafting two RFPs; one for Parking Processing and Collection Services which will modernize our parking violations issuance, processing and collection services and one for the new Pay & Display Parking Meters, associated equipment and replacement parts for installation in our parking lots. We anticipate issuing the RFPs within 30 days.

Also, I know there has been some further work accomplished on any necessary ordinance changes.

Next month I plan on bringing the paid parking plan with any necessary ordinance changes to you. This plan will provide more details regarding anticipated funding requests to the council. In the meantime, if you have any questions please let me know.

Sincerely,

Donna D. Holaday
Donna D. Holaday, Mayor

City Hall
60 Pleasant Street
Newburyport, MA 01950

DDH/jg



Communication #2
May 24, 2010

RECEIVED
CITY CLERK'S OFF
NEWBURYPORT, MA

2010 MAY 14 A 9 26

Newburyport Firefighters IAFF local 827
0 Greenleaf Street
Newburyport Massachusetts, 01950

May 7, 2010

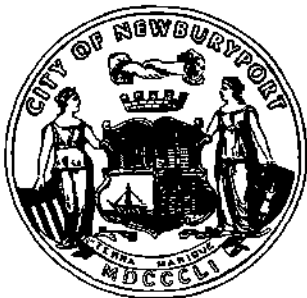
Newburyport City council,

The Newburyport Firefighters would like to request permission to hold our annual Fill-The-Boot Drive to benefit Muscular Dystrophy this summer in Market Square, July 29,30, and 31, from 10am to 4pm. All funds collected go directly to The Muscular Dystrophy Association and help families in our local area. The Newburyport firefighters would like to thank the City Council for their continued support.

Thank you,

Firefighter Michael Kent

MDA Chairman



REC
CITY CLERK'S OFFICE
NEWBURYPORT, MA

City of Newburyport

2010 MAY 18 A 9:30

Application

Food Establishment Outdoor Seating on Public Property

Date: 5/15/10

Name of Business Owner: Bolwyn Corp

Name of Property Owner: Stonehewen Development

Business Name: The Port Tavern

Business Address: 84 State St

Number of Tables Requested: 6 Dimensions: 2x2 Material: metal

Number of Chairs Requested: 18 Dimensions: 3^{ft}x2 Material: metal

Applicant requests approval of outdoor seating for the sole purpose of food consumption.

Applicant requests approval of outdoor seating for food *and* alcohol consumption.

Application Requirements

Please submit the following documents with the completed application to:

**City Clerk's Office
Newburyport City Hall
PO Box 550
60 Pleasant Street
Newburyport, MA 01950**

- 1) Applicants must provide evidence of liability insurance to the City Clerk with minimum coverage in the amount of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period. ✓
- 2) 8 ½ x 11 sketch of outdoor seating detailing:
a) measurements of tables and chairs
b) total width of sidewalk and c) distance between proposed seating and sidewalk ✓



Application

Food Establishment Outdoor Seating on Public Property
(continued)

- 3) obstacles such as streetlights, signs, trees, benches, and garbage barrels. ✓
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
 - a) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including the information and sketch used for the basis of the License Commission approval. ✓
 - b) 8 ½ x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

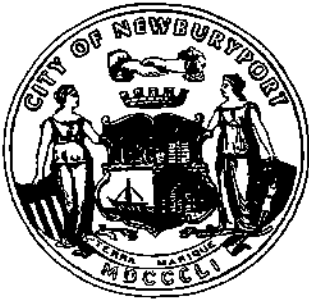
A completed application for outdoor seating for the service of food and alcohol will also include a written recommendation from the Newburyport Police Department. Upon the City Clerk's receipt of a completed application, the Clerk will request from the Newburyport Police Department a recommendation regarding the application.

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, DISCHARGE, and HOLD HARMLESS, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents, and servants from all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation associated with the undersigned's use of the public way as described herein.



Signature of Business Owner



City of Newburyport

Guidelines

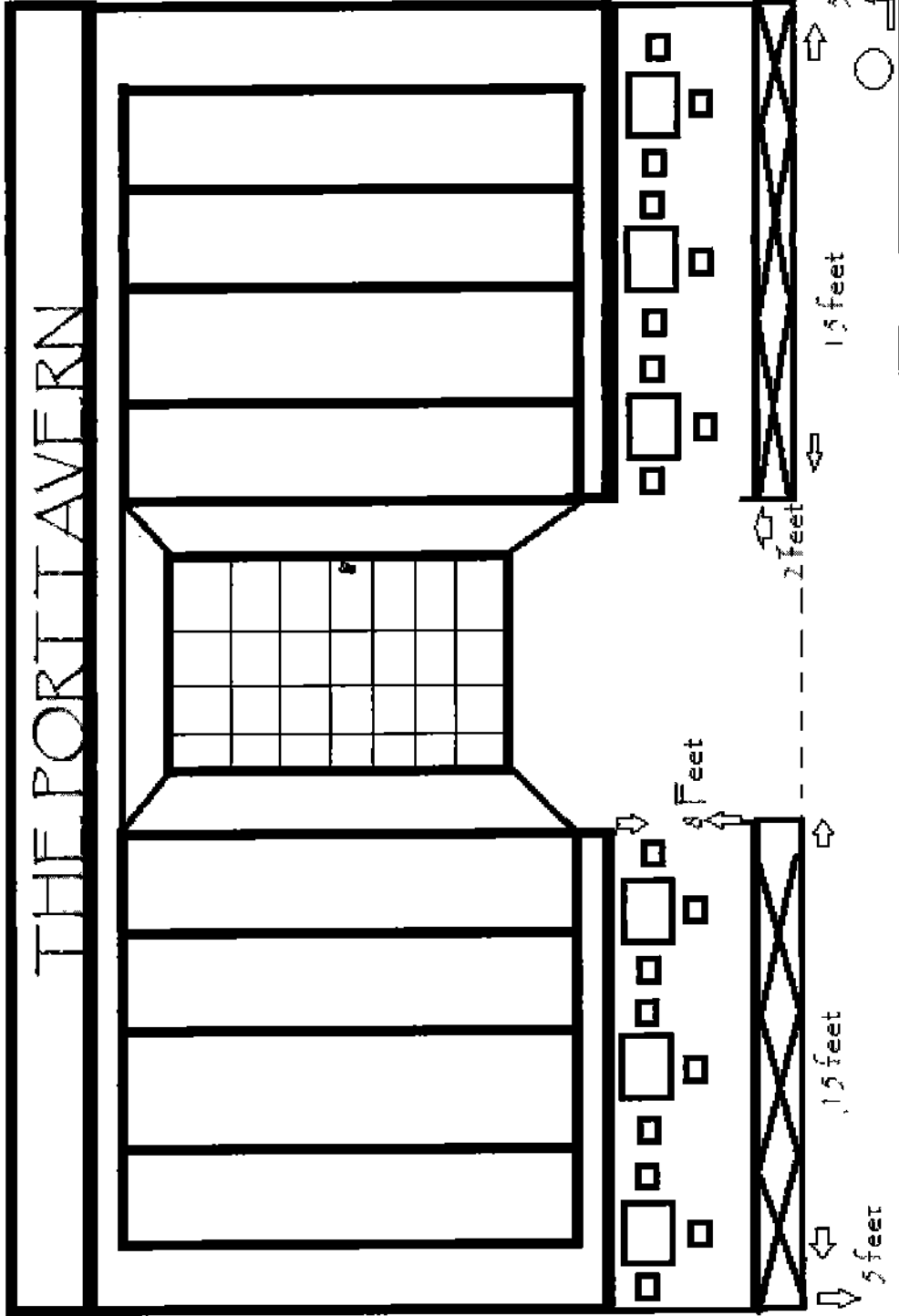
Food Establishment Outdoor Seating on Public

Property

- 1) A minimum of 5-feet of pedestrian clearance must be maintained on the sidewalk. Tables, chairs, and all enclosure materials used to create a demarcated area may not infringe upon this pedestrian clearance. Tables, chairs and enclosure materials must maintain a minimum of 5-feet of pedestrian clearance from streetlights, signs, trees, benches, garbage barrels, or other sidewalk obstacles.
- 2) Tables, chairs, and enclosure materials used to create a demarcated area cannot interfere with curb ramps, driveways, fire escape and/or doorway access.
- 3) Care, custody, and control of tables and chairs are the sole responsibility of the applicant.
- 4) All approved tables and chairs which are chained, roped, or otherwise tethered together at the end of business hours must be untethered during business hours.
- 5) Placement of tables and chairs on the public way must conform to all federal, state, and local laws and regulations.
- 6) Permission for outdoor seating on public property is revocable at the discretion of the City of Newburyport.
- 7) Applications are subject to review and approval of the City Council. If approved, permission is in effect until the end of the approval year. Applications for outdoor seating must be renewed on an annual basis.

THE PORT TAVERN

Tables 2x2x3h Metal
Chairs 3h x 2w Metal



Black Plastic Lattice
Fence (moveable)

trash

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/09/2010

PRODUCER (781)344-3200 FAX (781)344-1425
Malcolm & Parsons Ins. Agcy. Inc.
6 Freeman St.
P.O. Box 527
Stoughton, MA 02072

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED **Bolwyn Corp.**
DBA: The Port Tavern
84 State Street
Newburyport, MA 01950

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: State National Insurance Co.	
INSURER B: First Cardinal Corporation	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		GENERAL LIABILITY	RCB101338-10	02/10/2010	02/10/2011	EACH OCCURRENCE \$ 1,000,000
		<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJ. JECT <input type="checkbox"/> LOC				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESSUMBRELLA LIABILITY				EACH OCCURRENCE \$ AGGREGATE \$ DEDUCTIBLE \$ RETENTION \$
B		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes describe under SPECIAL PROVISIONS below	014005032077110	01/26/2010	01/01/2011	<input checked="" type="checkbox"/> WVC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A		OTHER Liquor Liability	RCB101338-10	02/10/2010	02/10/2011	\$1,000,000 per occurrence \$1,000,000 aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Neighborhood Tavern

Liability policies provide coverage for outdoor patio seating.

CERTIFICATE HOLDER

City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

CANCELLATION

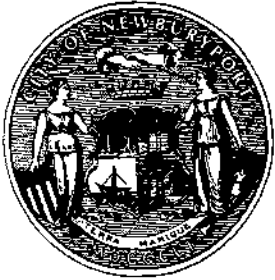
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL _____ DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

David Parsons

David Parsons

**APPOINTMENTS
FIRST READING**



Appointment #1
CITY OF NEWBURYPORT May 24, 2001

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

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2010 MAY 11 P 2:25

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: May 11, 2010

Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Planning Board. This term will expire on May 31, 2015.

Paul Dahn
343 High Street
Newburyport, MA 01950

Paul D. Dahn
343 High Street, Newburyport, MA 01950
Ph.: (978)869-6070 E-mail: pauldahn@comcast.net

EXPERIENCE

12/2002 - Current

Chain Bridge
Companies, LLC

Newburyport, MA

Owner

Commercial real estate development, sales and leasing within the Boston market. Projects range from office and retail to residential and industrial. Tenants include law and insurance firms, global freight forwarding companies and a senior citizen non-profit organization. Managing all aspects of development of each property including finance, construction and lease up or sale.

5/1999 - 11/2002

International Airport Centers

Boston, MA

Leasing & Development Manager

Responsible for successful development and marketing of a 400,000 square foot Class A office and industrial building located on the waterfront in South Boston. Negotiated over 8 million dollars in lease transactions with local and national tenants. Managed listing brokers and motivate cooperating brokers through broker events and personal relationships. Defined annual budget and leasing goals including TI estimates. Researched and maintained market data regarding comparable properties and transactions.

3/1998 - 5/1999

Kellway Intermodal &
Distribution Systems

Randolph, MA

Vice President, Air Freight Sales

Responsible for developing and maintaining 5 year business plan to help achieve 20% growth and increase margins. Manage terminal P & L to ensure divisional financial performance. Create lead generation through targeted campaigns and mass marketing initiatives. Within one year I secured over \$3 million of revenue from contracts in warehouse and transportation services that out performed all other services due to above average profit margins. Negotiate with CFO, CEO and other senior management within the industries of freight forwarding, Customs brokerage, Air freight carriers within the JFK and Logan market and some of New England's largest importers. Determine incentive based pricing, contract terms and all other aspects of multiple year transportation, terminal and third party distribution contracts including office and warehouse leases. Implemented and managed company wide sales force database. Developing new products and expanding present New England territory.

11/1996 - 12/1997

Shiva Inc.

Bedford, MA

Worldwide Logistics Manager

Managed \$2.5 million budget for worldwide brokerage and freight for Scotland and United States based manufacturing operations. Achieved a one time recovery of \$86,000 in United States Customs duties. Gained a favorable classification from U.S. Customs resulting in \$100,000 in annual savings. Selected carriers through RFP process. Implemented third party logistics solutions for Shiva's total landed cost pricing. Created a measured vendor program to obtain key metrics in evaluating service provider performance.

6/1992 - 11/1996

Fritz Companies/Polaroid Inc.

Needham, MA

Foreign Trade Zone Manager

Responsible for importation and management of twenty million dollars in foreign sourced chemicals and camera parts for use in instant print film and camera manufacturing. Refined divisional operations for utilization of Polaroid's FTZ status using existing "Foreign First" inventory management system. Activated Polaroid's subzone network through U.S. Customs in multiple ports. Created and managed the Foreign Trade Zone Program for Polaroid including procedures used for admitting, storing, manufacturing and exporting duty deferred FTZ status material. Conducted feasibility studies and assisted Fritz Companies in developing an FTZ business group.

EDUCATION

6/1992

Northeastern University

Boston, MA

Bachelor's Degree

Bachelor of Science, Logistics & Business Management 1992
President of Transportation Logistics Association

AFFILIATIONS

Chairman of the Building
Committee

Newburyport Custom House
Maritime Museum

Founding Member

Greater Newburyport
Benevolence Foundation



Chain Bridge Companies, LLC

March 24, 2010

Mr. Dan Bowie
Chairman
Newburyport Planning Board
60 Pleasant Street
Newburyport, MA 01950

Dear Mr. Bowie:

I'm writing to introduce myself as a candidate for a position on the Newburyport Planning Board. I was raised in Newburyport on Broad Street and as a result of witnessing the changes to our city over the past thirty five years I am passionate about the future of Newburyport. I moved back to Newburyport nine years ago and currently live on High Street with my wife and our four children.

At a time when we have a mayor who is assertively pursuing the improvement of our downtown and waterfront redevelopment areas such as the pending development of the Waterfront West and the NRA lots, it would be an exciting time to be a part of the city planning and development review process. As development moves forward, I feel it is important for the Planning Board to evaluate how these areas (both the buildings, streets and open spaces) will impact the local economy and services while also ensuring the long-term protection of Newburyport's rich architectural and maritime history.

Having seen the evolution of the waterfront (i.e. Captains Quarters to the Black Cow) from both a land- and water-based perspective, I think the residents of Newburyport have a duty to preserve maritime businesses and the city's historic features while encouraging public access to (and along) the waterfront. Context sensitive design for the new buildings and spaces along with physical connections to the waterfront parks, harbor walk and the central business district will only enhance what I believe are Newburyport's biggest assets - the waterfront and its unparalleled historic architecture.

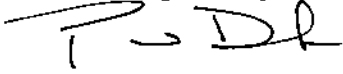
I've always felt it important to be involved in local government. I'm currently a member of the Newburyport Harbor Commission and Chairman of the Development Committee at the Custom House Maritime Museum. I'm also a founding member of the Newburyport Benevolence Foundation, a newly organized non-profit whose mission it is to further awareness of local charities and educate young residents about community service and the importance of giving back.

I noticed in the City's description of the Planning Board membership a preference for a realtor or developer. I have been both during my career and am currently a commercial real estate developer. I've run my own business for the last eight years by the name of Chain Bridge Companies, LLC located at 29 Water Street, Newburyport. My company develops commercial real estate and I have experience with waterfront development. It is from that context that I

would like to offer that experience, along with my enthusiasm and positive outlook for Newburyport, to the Planning Board and assist your efforts in any way possible.

I thank you in advance for your consideration of my interest to join your board. If you think my candidacy would be helpful to your search, please feel free to contact me at 978 869 6070 if you have any questions or comments.

Respectfully,

A handwritten signature in black ink, appearing to read 'P. Dahn', written over a horizontal line.

Paul Dahn

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

SECOND READING

RE-APPOINTMENTS

1.	Paul Healy	8 N Street	Conservation Commission	05/31/2013
2.	Mary Casey	58 Bromfield St.	Conservation Commission	05/31/2013
3.	Thomas Kolterjahn	64 Federal St.	Historical Commission	05/31/2013
4.	Maurice Southworth	12 Fruit St.	Fruit Street LHDSC	05/01/2013
5.	Thomas Bower	96 High St.	Fruit Street LHDSC	05/01/2013
6.	Margaret Welch	82 Curzon Mill Rd.	Historical Commission	05/31/2013

APPOINTMENTS

7.	Judith C. Grohe	14 Strong St.	Community Preservation Comm.	05/01/2013
8.	Donald F. Little	6 Cottage Ct.	Community Preservation Comm.	05/01/2013

At-Large Member

In City Council May 10, 2010:

Councillor Cameron moved to approve as part of the amended Consent Agenda seconded by Councillor Earls. So voted on a voice vote 9 yes, 1 no (Ives), 1 absent (Hutcheson).

ORDINANCES

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

April 12, 2010

**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 has approved an application pursuant to Section 12-1 for 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

In City Council April 12, 2010:

Councillor Ives moved to refer to License & Permits and Public Safety, posting meetings as Committee of the Whole seconded by Councillor Jones. So voted on a unanimous voice vote.

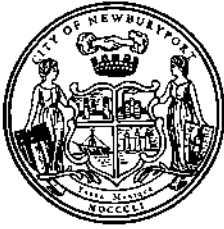
In City Council May 10, 2010:

Councillor Earls removed from License & Permits.

Councillor Derrivan removed from Public Safety.

Councillor Earls moved to approve first reading and order published seconded by Councillor Ives. So voted on a roll call vote, 10 yes, 1 absent (Hutcheson).

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

May 24, 2010

AN ORDINANCE ENTITLED 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
Division 6	Stopping, Standing and Parking
Section 13-169	Bus Stops: Parking Restricted

ADD:

(c) The following streets or portions of streets shall be designated as a bus stop:

Street

Extent

State Street

West side from Harris Street to the entrance of the parking lot at the corner of Harris and State Street.

Councillor Barry N. Connell