

CITY COUNCIL MEETING MINUTES
March 14, 2011

Council President O'Brien called the meeting to order at 7:36 pm and asked for a moment of silence for Walter Lesynski, Tom O'Hearn and Jean MacDonald, followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Heartquist, Herzog, Hutcheson, Ives and Jones and O'Brien. Two Absent: Councillors Derrivan and Earls.

LATE FILE ITEMS – Transfer #1, Communication #5 & #6

Motion to waive the rules to accept the Late File items by Councillor Jones, seconded by Councillor Connell. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

PUBLIC COMMENT –

1. Shari Wilkinson, 30 Federal Street, Wine Sales at Farmer's Market
2. Peter Oldak, MD, South Hampton, NH, Wine Sales at Farmer's Market
3. William R. Harris, 56 Lime Street, Catherine Russell –Waterfront Trust
4. Ann Ormond, Greater Newburyport Chamber of Commerce, Alcohol Sales on Sunday

CONSENT AGENDA

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

1. APPROVAL OF MINUTES

February 28, 2011

(Approved)

2. COMMUNICATIONS

1. Merrimack Valley Planning Commission City of Newburyport assessment (R&F)
2. Letter from Newburyport Farmers Market Sunday Pour Hours (L&P)
3. Letter re: Yankee Homecoming July 31 – August 7, 2011 (PS)
4. Letter from Agave re: serving alcoholic beverages weekend mornings (L&P)

3. APPOINTMENTS

Appointments

1. Jane Healey 38 Winter Street Community Preservation Committee March 1, 2014

Motion to accept the Consent Agenda by Councillor Jones, seconded by Councillor Herzog. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

END OF CONSENT AGENDA

REGULAR AGENDA

4. TRANSFERS

1. Mayor Cap. Improve Stab Fund to Gen Admin-Phone System (\$140,914.74)

Motion to refer to Budget and Finance by Councillor Cameron, seconded by Councillor Jones.

So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

5. COMMUNICATIONS

5. **LATE FILE** Letter to MBTA from Council train service problems

Motion to Receive & File and the Clerk to send by Councillor Connell, seconded by Councillor Hutcheson.

Motion for friendly amendment to approve and send on behalf of the City Council with all Council signatures and to send to appropriate parties by Councillor Jones, seconded by Councillor Herzog.

Motion for friendly amendment to change Transit to Transportation and sending copies to Sen. Baddour and Rep. Costello by Councillor Herzog, seconded by Councillor Cronin. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

6. **LATE FILE** Mayor's letter on Information Technology Upgrade

Motion to Receive & File by Councillor Jones, seconded by Councillor Cameron. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

6. APPOINTMENTS

REAPPOINTMENTS - Second Reading

- | | | | |
|-----------------------|--------------------------------|-------------------------|------------|
| 2. Joseph Cutrone | 21 Elmira Avenue | Asst Inspector of Wires | 02/01/2012 |
| 3. Edward L. Ramsdell | 32 Kent Street | ZBA | 02/01/2016 |
| 4. William Squillace | 7 1/2 Williams Ct., Gloucester | City Auditor | 02/28/2014 |

Motion to approve collectively by Councillor Jones, seconded by Councillor Cameron. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

APPOINTMENTS - Second Reading

- | | | | |
|-----------------------|------------------------|------------------|------------|
| 5. Anthony J. Furnari | 10 Olsen Road, Peabody | Director, DPS | 02/01/2014 |
| 6. Catherine Russell | 31 Federal Street | Waterfront Trust | 02/01/2016 |
| 7. Stephen B. Sawyer | 15 Collins Street | Parks Commission | 04/20/2015 |

Motion to approve collectively by Councillor Jones, seconded by Councillor Cameron. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

7. ORDERS

1. Placement of Planet Aid Clothing Donation Box *Tabled 02/28/2011*

Motion to remove from table by Councilor Jones by Councillor Connell. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

Motion to table by Councillor Jones, seconded by Councillor Herzog. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

2. Resolution Willie Lincoln Day change to August *Tabled 02/28/2011*

Motion to remove from table by Councillor Hutcheson, seconded by Councillor Jones. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

Motion to approve by Councillor Hutcheson, seconded by Councillor Jones. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

3. Resolution Earth Hour March 26, 2011 from 8:30pm to 9:30pm

Motion to approve by Councillor Cameron, seconded by Councillor Herzog. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

8. ORDINANCES

1. Amend an Ordinance entitled Traffic & Motor Vehicles Sec.13-180 Add (g)(1B)

Motion to refer to Public Safety by Councillor Herzog, seconded by Councillor O'Connor Ives. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

9. COMMITTEE ITEMS

Budget & Finance

General Government

Joint Education

Update by Councillor Hutcheson. School tours will be scheduled.

License & Permits

Neighborhoods & City Services

Councillor Herzog stated that the committee will have a meeting on March 21st at 6:30pm for proposed off leash dogs further discussion and updates from Koppelman and Paige and the Health Director.

Planning & Development

Public Safety

In Committee:

1. 16th Annual MRFRS Strut for Strays May 22, 2011 at the Bartlett Mall *02/28/2011

Motion to remove by Councillor Cronin, seconded by Councillor Jones. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

Motion to approve by Councillor Cronin, seconded by Councillor Connell. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

2. Chamber of Commerce Festivals (Spring, Fall, Oktoberfest) Request *02/28/2011

Motion to remove by Councillor Cronin, seconded by Councillor Jones. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

Motion to approve by Councillor Cronin, seconded by Councillor Jones. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).

3. Amend Ordinance entitled Traffic & Motor Vehicles Sec.13-137 *02/28/2011

Motion to remove by Councillor Cronin, seconded by Councillor Jones. So voted on a roll call vote, 8 yes, 1 no (Connell), 2 absent (Derrivan, Earls).

Motion to approve by Councillor Cronin, seconded by Councillor Jones. So voted on a roll call vote, 8 yes, 1 no (Connell), 2 absent (Derrivan, Earls).

4. Amend Ordinance entitled Traffic & Motor Vehicles Sec.13-176.2

**02/28/2011*

Motion to approve by Councillor Cronin, seconded by Councillor Jones. So voted on a roll call vote, 9 yes, 2 absent (Derrivan, Earls).

Public Utilities Committee

Rules Committee

10. GOOD OF THE ORDER

11. ADJOURNMENT

At 8:29pm

Motion to adjourn by Councillor Cameron, seconded by Councillor Jones. So voted on a unanimous voice vote, 2 absent (Derrivan, Earls).