

CITY COUNCIL MEETING
Minutes - July 11, 2011

POLE HEARING – 3 New Street

Opened at 7:15 PM

Meeting opened with a roll call 8 present 3 absent (Earls, Ives, Jones)

President O'Brien asked for those to speak in favor.

Daniel Desmarais from National Grid spoke regarding the New Street pole conduit.

Michael Switzer, resident of 3 New Street spoke in favor.

President O'Brien asked for those to speak against.

Motion to approve by Councillor Cameron, seconded by Councillor Derrivan

On a roll call vote 8 yes 3 absent (Earls, Ives, Jones)

Councillor O'Brien closed hearing at 7:26 PM

Council President O'Brien called the meeting to order at 7:30 pm and asked for a moment of silence and acknowledged Councillor Herzog's news of being a first-time uncle. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Derrivan, Earls, Heartquist, Herzog, Hutcheson, Jones and O'Brien. Councillor Ives absent.

LATE FILE ITEMS

Transfer #14, Communication #5

Motion to suspend the rules to allow late file items by Councillor Jones, seconded by Councillor Derrivan. 10 yes, 0 no, 1 absent (Ives). So voted.

PUBLIC COMMENT –

1. Laurel Allgrove, 22 Beacon Ave., cameras
2. Kelcey Buck, 53rd Street, Newbury ConCom
3. Dr. Hemani, 55th Street, Newbury ConCom
4. Eric Metzdorf, 55th Street, Newbury ConCom
5. Lisa Mead, 13 Purchase Street, Essex Street
6. Tony Furnari, DPS Director, Bond Authorization
7. Ron Barret, 18 Hutchins, Beach Dug
8. Joe Teixeira, 44 Hale Street, Conservation Commission
9. Mary Casey, 58 Bromfield Street, Conservation Commission
10. Doug Muir, 10 Hancock Street, Conservation Commission
11. Michael Switzer, 3 New Street, Pole Relocation
12. Mark Kavanaugh, IT Director, IT Bond

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

June 27, 2011

(Approved)

2. COMMUNICATIONS

1. Block Party Request, Dove Street, August 6, 2011

(Approved)

2. Letter for Essex St. Inn Visitor Parking

(P&D)

Motion to remove from the Consent Agenda by Councillor Earls.

3. Letter for Waterside "Community Gam" on August 14, 2011

(R&F)

4. Intermunicipal Agreement Newburyport and Newbury

(B&F)

Motion to remove from the Consent Agenda by Councillor Heartquist.

3. APPOINTMENTS

Re-Appointment

1. Margaret Welch 82 Curzon Mill Rd Community Preservation Act Com April 1, 2014

Motion to approve the Consent Agenda as amended by Councillor Jones, seconded by Councillor Derrivan. 10 yes, 0 no, 1 absent (Ives). So voted.

END OF CONSENT AGENDA

REGULAR AGENDA

4. TRANSFERS

1. Police Dept. Officer OT \$5,281.98 to Admin Asst \$65.52, to Clerical \$66.04, to Custodian \$60.09, to Court \$2,232.10, to Maint. Bldg \$183.90, to Off Supplies \$136.50

Motion to approve by Councillor Cameron, seconded by Councillor Jones. 10 yes, 1 absent (Ives). So voted.

2. Fire Dept. Injured on Duty \$2,927.93 to Deputy Salary \$419.00, Firefighter Holiday \$508.47, Firefighter Overtime \$2,000.00

Motion to approve by Councillor Hutcheson, seconded by Councillor Cameron. 9 yes, 1 no (Jones), 1 absent (Ives). So voted.

3. Fire Dept. Fire Alarm \$1,000.00 to Firefighter OT \$1,000.00

Motion to approve by Councillor Cameron, seconded by Councillor Connell. 10 yes, 1 absent (Ives). So voted.

4. Fire Dept. Ed Expenses \$1,500.00 to Firefighter OT \$1,500.00

Motion to approve by Councillor Cameron, seconded by Councillor Hutcheson. 9 yes, 1 no (Jones), 1 absent (Ives). So voted.

5. Fire Dept. Computer Exp \$1,000.00 to Firefighter OT \$1,000.00

Motion to approve by Councillor Cameron, seconded by Councillor Hutcheson. 9 yes, 1 no (Jones), 1 absent (Ives). So voted.

6. Fire Dept. Veh. Maintenance \$1,000.00 to Firefighter OT \$1,000.00

Motion to approve by Councillor Cameron, seconded by Councillor Hutcheson. 9 yes, 1 no (Jones), 1 absent (Ives). So voted.

7. Health-Sal. Dog Control Off. \$6,300.00 to Fire Dept. Firefighter OT \$6,300

Motion to approve by Councillor Cameron, seconded by Councillor Hutcheson. 10 yes, 1 absent (Ives). So voted.

8. Health-Reg Health Serv. Rev. Fd \$10,142.05 to Mayor City Hall Rev Fd \$10,142.05

Motion to approve by Councillor Cameron, seconded by Councillor Heartquist. Withdrawn. Motion to refer to Budget & Finance by Councillor Earls, seconded by Councillor Cameron. 10 yes, 1 absent (Ives). So voted.

9. Mayor Treasure Staff Sal. \$6,736.18 to Grant Writer \$250.00, Ch.32B PT support \$6,468.20, Bd of Registrars Elect/Reg \$17.98

Motion to approve by Councillor Cameron, seconded by Councillor Connell. 8 yes, 2 no (Cronin, Jones), 1 absent (Ives). So voted.

10. DPS-Sewer Div West End Easement \$159,690.12 to Sewer CIP West End Easement \$159,690.12

Motion to approve by Councillor Connell, seconded by Councillor Jones. 10 yes, 1 absent (Ives). So voted.

11. DPS-Sewer Operations Mgr \$2,459.52 to Sewer City Engineer \$2,459.52

Motion to approve by Councillor Derrivan, seconded by Councillor Connell. 9 yes, 1 no (Jones), 1 absent (Ives). So voted.

12. DPS Highway Div Sidewalks \$74,495 to Maint/Repair Roads & Sidewalks \$74,495

Motion to approve by Councillor Earls, seconded by Councillor Jones. 10 yes, 1 absent (Ives). So voted.

13. Veterans/Police/Fire Veterans Bens \$7169.34 to Police Sal Officers \$5,250, to Fire Dispatcher Salary \$1,919.34

Motion to refer to Budget & Finance by Councillor Earls, seconded by Councillor Jones. Withdrawn.

Motion to approve by Councillor Herzog, seconded by Councillor Derrivan. 6 yes, 4 no (Cronin, Earls, Hutcheson, Jones), 1 absent (Ives). So voted.

14. Veterans/Police Veterans Bens \$2,537.83 to Police Officers Pd Holiday \$2,537.83

Motion to approve by Councillor Herzog, seconded by Councillor Derrivan. 9 yes, 1 no (Cronin), 1 absent (Ives). So voted.

5. COMMUNICATIONS

2. Letter for Essex St. Inn Visitor Parking

Motion to refer to Planning & Development and Public Safety by Councillor Earls, seconded by Councillor Heartquist. 10 yes, 0 no, 1 absent (Ives). So voted.

4. Intermunicipal Agreement Newburyport and Newbury

Motion to approve by Councillor Heartquist, seconded by Councillor Derrivan. Withdrawn. Motion to refer to Planning & Development by Councillor Heartquist, seconded by Councillor Earls. 10 yes, 0 no, 1 absent (Ives). So voted.

5. LATE FILE - Block Party Request, Bricher & Hill Streets at Cherry Street, July 23, 2011

Motion to approve by Councillor Derrivan, seconded by Councillor Connell. 9 yes, 3 no (Cronin, Hutcheson, Jones), 1 absent (Ives). So voted.

6. APPOINTMENTS – 2nd Reading

Re-Appointment

2. Thomas T. Lyons	8 Oak Street	Council on Aging	May 31, 2016
3. Kevin Hunt	14 Tenth Street	Director of Veteran's Services	April 30, 2012
4. David Zinck	6 Laurel Road	Electrical Inspector	January 1, 2012
5. Douglas A. Muir	10 Hancock Street	Conservation Commission	May 1, 2014
6. Robert Dow	185 Storey Ave.	Harbor Commission	May 1, 2014
7. James Knapp	129 Merrimac St.#10	Harbor Commission	May 1, 2014
8. Jane Donovan	6 Orange Street	Commission on Disability	March 1, 2014
9. Paul Dahn	343 High Street	Planning Board	June 1, 2016

Motion to approve collectively 2-9 by Councillor Jones, seconded by Councillor Herzog. 10 yes, 0 no, 1 absent (Ives). So voted.

Appointment

10. Brian Brunault	83 Gardner St., W. Newbury	Special Police Officer	
11. Edward Rice	39 Unicorn Circle	Special Police Officer	
12. Laurie F. Christiansen	33 Purchase Street	Trust Fund Commission	June 1, 2014
13. Richard O'Leary	552 High St., Hampton, NH	Ass't Harbor Master	June 15, 2014
14. Richard Cummings	7 Jewett St., Georgetown	Ass't Harbor Master	June 15, 2014
15. James D. O'Brien	8 67 th Street	Conservation Commission	June 1, 2014

Motion to approve collectively 10-15 by Councillor Jones, seconded by Councillor Herzog. 10 yes, 1 absent (Ives). So voted.

7. ORDERS

1. Order Community Preservation Fund appropriations

Motion to refer to Budget & Finance and Planning & Development by Councillor Connell, seconded by Councillor Herzog. 10 yes, 1 absent (Ives). So voted.

2. Order IT Plan Bond

Motion to refer to Budget & Finance by Councillor Cronin, seconded by Councillor Jones. 10 yes, 1 absent (Ives). So voted.

3. Order Bresnahan School Bond rev.

Motion to approve by Councillor Jones, seconded by Councillor Cronin. 10 yes, 1 absent (Ives). So voted.

4. Order Nock Molin School Bond rev.

Motion to approve by Councillor Connell, seconded by Councillor Herzog. 10 yes, 1 absent (Ives). So voted.

8. ORDINANCES

1. Amend Ordinance 13-180 Parking Resident Green, Pleasant, Washington Streets

Motion to refer to Public Safety by Councillor Connell, seconded by Councillor Derrivan. 10 yes, 1 absent (Ives). So voted.

9. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor Green Initiatives REV APPR (\$20,000) to Mayor-CHMM *11/29/2010
2. Mayor Cap. Improve Stab Fd to Gen Admin-Phone System (\$140,914.74) *03/14/2011
3. Mayor Worker's Comp \$14,450.95 to Police-Commun. Equip \$14,450.95 *06/27/2011
4. Mayor Budget Contingency \$2,000 to Police-Communications Equip \$2,000 *06/27/2011

Motion to remove 3 and 4 by Councillor Cameron, seconded by Councillor Herzog. Motion to approve 3 and 4 by Councillor Cameron, seconded by Councillor Hutcheson. 10 yes, 0 no, 1 absent (Ives). So voted.

General Government

In Committee

1. Atmospheric Pollution Ordinance *02/08/2010
2. Proposed Special Act Water & Sewer Commission *01/10/2011
3. Proposed Charter on Ballot for November 8, 2011 Municipal Election *05/09/2011
4. Campaign Finance Reports-Municipal Forms posting on City Website *05/09/2011
5. Union Contract posting on City Website *05/09/2011

Joint Education

In Committee:

License & Permits

In Committee:

1. Cars Port Taxi rate increase request (5/31/2011)

Neighborhoods & City Services

In Committee:

1. Newburyport Tree Ordinance *07/22/2010
2. Delete Ordinance entitled Traffic & Motor Vehicles Sec.13-30 *02/28/2011
3. Amend Ch.8 Sec. 8-83 Solid Waste Regulations *05/31/2011
4. Amend Ch.8 Sec. 8-90 Solid Waste Recycling Collection *05/31/2011
5. Amend Ch.3 Sec. 3-26 Animals Dogs Leash Required *05/31/2011
6. Amend Ch.3 Sec. 3-28 Animals Dogs Nuisances *05/31/2011
7. Amend Ch.3 Sec. 3-30 Animals Dogs Certain Dogs to be Muzzled *05/31/2011

Planning & Development

In Committee:

1. Residential Handicap Parking Ordinance *01/11/2010
2. Atmospheric Pollution Ordinance *02/08/2010
3. Green Communities Order *03/29/2010
4. Zoning Ord – Sec II Definitions/Sec VI Dimensional Contr *06/28/2010
5. Newburyport Tree Ordinance *07/22/2010
6. Letter to designate Matthews Court at Inn Street Mall *05/31/2011

Public Safety

In Committee:

1. Residential Handicap Parking Ordinance *01/11/2010
2. Amend Sec. 13-86 Water St. (25mph) State to Federal *05/09/2011
3. St. Paul's Church request to restrict parking on Summer Street entrance *05/31/2011

Public Utilities Committee

In Committee:

1. Letter regarding Pole at 114 High Street *5/31/2011

Rules Committee

In Committee:

14. GOOD OF THE ORDER

Councillor Connell complimented the Harbormaster.

15. ADJOURNMENT

Motion to adjourn by Councillor Derrivan, seconded by Councillor Cameron. 10 yes, 0 no, 1 absent (Ives). So voted. 9:40pm