

CITY COUNCIL MEETING MINUTES - VERSION 1

March 26, 2013

Pole Hearing – 7:15 pm

Pole Hearing – 113-115 State Street, National Grid, install a rectifier pole

At 7:15pm President O'Brien called the hearing to order. The City Clerk read the roll, 10 present, 1 absent (Derrivan). The City Clerk read the notice of public hearing for the rectifier pole at 113-115 State Street. President O'Brien asked for those in favor. Matthew Raymond spoke for National Grid. President O'Brien asked for those against. Councillor Earls stated that the existing rectifier pole on State St. is an eyesore. Councillor Herzog read from the letter by Sharon and Gene Wintner of 115 State Street. Councillor Hutcheson questioned whether it has to be there. Councillor Jones referred to it as obtrusive. Councillor Connell stated the process was not followed correctly. President O'Brien closed the hearing at 7:35pm. **Motion to approve by Councillor Connell, seconded by Councillor Cronin. Roll call vote, 10 N, 1 absent (Derrivan). Motion failed.**

Motion to remove rectifier pole forthwith by Councillor Cronin, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Derrivan). So voted.

Council Meeting 7:30 PM

Council President O'Brien called the meeting to order at 7:42 pm. A moment of silence was held. 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, Earls, Heartquist, Herzog, Hutcheson, Jones, Sullivan and O'Brien. 10 present, 1 absent (Derrivan).

1. LATE FILES – There were no late files. Also submitted for Councillors were two items: an additional sponsorship line for the Demolition Delay Ordinance adding Richard E. Sullivan, Jr. as co-sponsor, and an additional submission for clarification for the transfer request for the union contracts from Peter Lombardi.

2. PUBLIC COMMENT

1. Leslie Eckholdt	36 Warren Street	Demo Delay
2. Linda Smiley	7 Atwood Street	Demo Delay
3. Riley Bleau	13A Christie	Youth Bill of Rights
4. Mary Eaton	3 Foster Court	Demo Delay
5. Christian Coy	9 Briss Avenue	Youth Bill of Rights
6. Andrea Egmont	Youth Services	Youth Bill of Rights

CONSENT AGENDA

3. APPROVAL OF MINUTES

March 12, 2013

(Approve)

4. TRANSFERS

1. Mayor Gen'l Fd Free Cash \$3,122.19 to Youth Svcs Kelley School Exp \$3,122.19 (Approve)

5. COMMUNICATIONS

1. Letter from Environment Mass. re letter to Gov. Deval Patrick (Public Utilities)

Removed by Councillor Herzog.

2. Neurofibromatosis Northeast Annual Coast To Cure Sept. 7, 2013 (Public Safety)

3. Andiamo Restaurant Outdoor Seating Application (License & Permits)

4. Retirement Board meeting April 24, 2013 for COLA increase for retirees (Receive & File)

5. Pan-Merrimack Challenge use of City streets June 15, 2013 (Public Safety)

6. Oregano Outdoor Seating Application Renewal (License & Permits)

Removed by Councillor Earls.

7. Open Space & Recreation Plan Update – Final Plan (Receive & File)

Removed by Councillor Herzog.

END OF CONSENT AGENDA

Motion to approve the Consent Agenda as amended by Councillor Earls, seconded by Councillor Herzog. 10 yes, 1 absent (Derrivan). So voted.

REGULAR AGENDA

6. TRANSFERS

2. Tabled- Green Initiatives Fd \$117,861.47 to Green Initiatives \$117, 861.47 purchase lights

Motion to approve by Councillor Herzog, seconded by Councillor Earls. Roll call vote, 10 yes, 1 absent (Derrivan). So voted.

3. Free Cash Transfer Request to Fund Union Contracts

Motion to take each transfer individually by Councillor Herzog, seconded by Councillor Cameron. Roll call vote, 9 yes, 1 no (Cameron), 1 absent (Derrivan). So voted.

a. AFSCME \$66,337.34 from General Fund, Water and Sewer

Motion to approve by Councillor Connell, seconded by Councillor Cameron. Roll call vote, 8 yes, 2 no (Herzog, Sullivan), 1 absent (Derrivan). So voted.

b. Teamster's Dept. Heads \$20,121.08 from General Fund, Water, Sewer and Harbormaster

Motion to approve by Councillor Cameron, seconded by Councillor Cronin. Roll call vote, 7 yes, 3 no (Herzog, Jones, Sullivan), 1 absent (Derrivan). So voted.

c. Teamster's Admin. Assistants \$9,320.96 from General Fund, Water and Sewer

Motion to approve by Councillor Connell, seconded by Councillor Hutcheson. Roll call vote, 6 yes, 3 no (Herzog, Jones, Sullivan), 1 present (O'Brien), 1 absent (Derrivan). So voted.

d. Police Superiors \$5,466.73 from General Fund

Motion to approve by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 8 yes, 2 no (Jones, Sullivan), 1 absent (Derrivan). So voted.

e. Firefighters \$19,687.55 from General Fund

Motion to approve by Councillor Cameron, seconded by Councillor Cronin. Roll call vote, 8 yes, 2 no (Jones, Sullivan), 1 absent (Derrivan). So voted.

f. Non-union \$9,429.71 from General Fund, Water and Sewer

Motion to approve by Councillor Cameron, seconded by Councillor Cronin. Roll call vote, 8 yes, 2 no (Jones, Sullivan), 1 absent (Derrivan). So voted.

7. COMMUNICATIONS

1. Letter from Environment Mass. re letter to Gov. Deval Patrick

Motion to receive and file by Councillor Herzog, seconded by Councillor Jones. So voted.

6. Oregon Outdoor Seating Application Renewal

Motion to approve by Councillor Earls, seconded by Councillor Jones. So voted.

7. Open Space & Recreation Plan Update – Final Plan

Motion to refer to Planning & Development by Councillor Herzog, seconded by Councillor Jones. So voted.

8. APPOINTMENTS - Second Reading

Appointment

1. William Squillace 23 Forest St, Rockport, MA Finance Director March 1, 2016

Motion to approve by Councillor Earls, seconded by Councillor Jones. Roll call vote, 10 yes, 1 absent (Derrivan). So voted.

2. Jennifer Lamarre 185 High Street Human Resources Director March 1, 2016

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

3. Cynthia M. Zabriskie 87 Lime Street Community Preservation Act Com. April 1, 2015

Motion to approve by Councillor Earls, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Derrivan). So voted.

Confirmatory Appointment

- | | | | |
|------------------------|---------------|------------------|---------------|
| 4. Joseph Brown | 6 Cutting Dr. | Waterfront Trust | Dec. 31, 2017 |
| 5. Scott W. Sutherland | 3 Savory St. | Waterfront Trust | Dec. 31, 2016 |

Motion to approve the Confirmatory Appointments collectively by Councillor Cronin, seconded by Councillor Jones. 10 yes, 1 absent (Derrivan). So voted.

9. ORDERS

1. Resolution Newburyport Youth Council Youth Bill of Rights

Motion to approve by Councillor Herzog, seconded by Councillor Cameron. Councillor Earls enthusiastically voiced support of this resolution as did several other Councillors. Roll call vote, 10 yes, 1 absent (Derrivan). So voted.

10. ORDINANCES

1. 2013 Demolition Delay

Motion to refer to Planning & Development by Councillor Cronin, seconded by Councillor Jones. 10 yes, 1 absent (Derrivan). So voted.

11. COMMITTEE ITEMS

Public Safety

In Committee:

- | | |
|---|-------------|
| 1. Amend Ord. 10-9 Miscellaneous offenses – use or consumption of marijuana | *11/28/2011 |
| 2. Amend Ord. 13-180 Parking Resident Harris St. | *01/30/2012 |
| 3. Community Giving Tree of Boxford donation box | *04/30/2012 |
| 4. Order Yankee Homecoming Parade | *06/25/2012 |
| 5. Parking, Russell Terrace, No Parking, 50 feet from Storey Ave | *08/27/2012 |
| 6. ORD Ch. 2 Sec.358 Fingerprint Criminal History Checks | *09/24/2012 |
| 7. Central Congregational Church Chocolate Tour May 4, 2013 | *02/25/2013 |

Motion to remove by Councillor Cronin, seconded by Councillor Jones. Motion to approve by Councillor Cronin, seconded by Councillor Jones. So voted.

Public Utilities

In Committee:

1. Letter regarding Transfer Request for Streetlight Acquisition *03/12/2013

Motion to remove by Councillor Herzog, seconded by Councillor Jones. Motion to receive and file by Councillor Herzog, seconded by Councillor Jones. So voted.

12. GOOD OF THE ORDER

13. ADJOURNMENT

Motion to adjourn at 9:00pm by Councillor Earls, seconded by Councillor Cameron. So voted.