

CITY COUNCIL MEETING MINUTES - VERSION 1

November 26, 2012

7:15 PM

TAX CLASSIFICATION HEARING

The Tax Classification hearing was opened at 7:18pm. The City Clerk called the roll. The following Councillors were present: Cameron, Connell, Cronin, Derrivan, Earls, Heartquist, Herzog, Ives, Jones, Sullivan and O'Brien. 11 present.

The City Clerk read the public notice. City Assessor Daniel Raycroft presented on the classification factor. The hearing was closed at 7:26pm.

CITY COUNCIL MEETING

7:30 PM

Council President O'Brien called the meeting to order at 7:34 pm. A moment of silence was held for the 182nd Engineer Company of the National Guard's safe homecoming. 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, Ives, Jones, Sullivan and O'Brien. 11 present.

1. LATE FILES – Communications #6, #7

Motion to waive the rules and allow the late files by Councillor Jones, seconded by Councillor Cameron. So voted.

2. PUBLIC COMMENT

1. Marion Levy	323 Merrimac St.	LHD
2. Leon Friedman	Reservation Terrace	LHD
3. Lyndi Lamphear	347 High St.	LHD
4. Dick Hordon	338 Merrimac St.	LHD
5. Jerry Mullins	7 Parsons St.	LHD
6. David Chatfield	67 Federal St.	LHD
7. Jared Eigerman	83 High St.	LHD
8. Rene Bernard	45 Merrimac St.	LHD
9. Stephanie Nikera	93 High St.	LHD
10. Scott Eaton	63 State St.	Tax Rate
11. Rita Mihalek	27 Charter St.	LHD
12. Bill Harris	56 Lime St.	LHD
13. Bob Loiselle	65 Federal St.	LHD
14. Laurie Evans-Daly	126 Merrimac St.	LHD
15. Leslie Eckholdt	36 Warren St.	LHD
16. Blair Kershaw	Next Step Living	Invitation Night

CONSENT AGENDA

3. APPROVAL OF MINUTES

November 13, 2012

(Approved)

4. TRANSFERS

1. Police Dept. Ins. Rvs Appr \$785.84 to Police Maint. Of Vehicles \$785.84

(Approved)

5. COMMUNICATIONS

1. Mass Development Finance Agency re River Valley Charter School Found. Revenue Bond (R&F)
2. NHS Baseball Alumni Assoc. re loss of baseball field (Jt Ed)

Removed by Councillor Jones.

3. Newburyport Retirement Board Expense Budget C/Y 2013

(R&F)

4. Greater Newburyport Chamber of Commerce & Industry letter supporting single tax rate (R&F)
5. Next Step Living Inc. booth during Invitation Nights (Public Safety)

Removed by Councillor Cronin.

6. APPOINTMENTS

First Reading

- | | | | |
|-----------------------|------------------|-------------------|------------------|
| 1. Paul J. Harrington | 251B High Street | Tree Commission | November 1, 2013 |
| 2. Daniel R. May | 5 Lucey Drive | Harbor Commission | November 1, 2015 |

END OF CONSENT AGENDA

Motion to approve the Consent Agenda as amended by Councillor Jones, seconded by Councillor Derrivan. 11 yes. So voted.

REGULAR AGENDA

7. TRANSFERS

2. Mayor General Fund Free Cash \$308,330.00 to Fund Balance - Budget Res. \$308,330.00

Motion to approve by Councillor Jones, seconded by Councillor Cronin. Roll call vote, 9 yes, 2 no (Jones, Cronin). So voted.

8. COMMUNICATIONS

2. NHS Baseball Alumni Assoc. re loss of baseball field

Motion to receive and file by Councillor Jones, seconded by Councillor O'Connor Ives. Motion to amend to refer to Joint Education by Councillor Earls, seconded by Councillor Jones. 11 yes, so voted.

5. Next Step Living Inc. booth during Invitation Nights

Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. 11 yes, so voted.

6. Late File – Dir. Of Planning letter re: LHD

Motion to Receive and File by Councillor Jones, seconded by Councillor Earls. 11 yes, so voted.

7. Late File – Letter of resignation Councillor O'Connor Ives.

Motion to Receive and File by Councillor Cameron, seconded by Councillor Connell.

9. APPOINTMENTS-Second Reading

Second Reading

- | | | | |
|-----------------------|-------------------------|-----------------|------------------|
| 3. Paul M. Bevilacqua | 126 Merrimac St., #3 | Tree Commission | November 1, 2014 |
| 4. David Dylewski | 334R Merrimac St. | Tree Commission | November 1, 2013 |
| 5. Hugh Kelleher | 12 Atwood St. | Tree Commission | November 1, 2015 |
| 6. Sheila Taintor | 10 Dexter St. | Tree Commission | November 1, 2013 |
| 7. Ed Taylor | 25 Bromfield St. Side B | Tree Commission | November 1, 2014 |

Motion to approve the second reading collectively by Councillor Jones, seconded by Councillor Derrivan. 11 yes. So voted.

10. ORDERS

1. Tabled - Order Establishing HR and Finance Department

Motion to remove from the table by Councillor Jones, seconded by Councillor Earls. So voted. Motion to table by Councillor Jones, seconded by Councillor Earls. 11 yes. So voted.

2. Supplemental Budget #3

Motion to remove from Budget & Finance by Councillor Cameron, seconded by Councillor Herzog. So voted.

Motion to approve by Councillor Cameron, seconded by Councillor Herzog. 10 yes, 1 no (Jones). So voted.

3. Residential Factor Order

Motion to approve by Councillor Cameron, seconded by Councillor Connell. 11 yes, so voted.

4. Tax Rate Order

Motion to approve by Councillor Cameron, seconded by Councillor Connell. 8 yes, 3 no (Jones, Cronin, Herzog). So voted.

5. Acceptance of Gayden W. Morrill Trust donations

Motion to approve by Councillor Cameron, seconded by Councillor Connell. 11 yes, so voted.

6. MassDOT Easement/Taking Whittier Bridge Project
Motion to refer to General Government by Councillor Derrivan, seconded by Councillor Jones. 11 yes, so voted.

11. ORDINANCES

1. Revising Demolition Delay

Motion to refer to Planning & Development by Councillor Sullivan, seconded by Councillor Herzog. Amended to add Committee of the Whole by Councillor Cronin, seconded by Councillor Jones. Councillor O'Connor Ives stated that the district referred to should not be tied to Ch. 16 and asked for a second meeting in December. 9 yes, 2 no (Cameron, O'Connor Ives). So voted.

2. Downtown Historic District/Demolition Control District

Motion to refer to Planning & Development and Committee of the Whole with the condition of a second meeting in December by Councillor O'Connor Ives, seconded by Councillor Cameron. Discussion followed. Roll call vote, 10 yes, 1 no (O'Brien). So voted.

12. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. DPS-Sewer I/I Reduction Prog. \$100,000 to CIP-Plum Island Alarm Syst \$100,000 *09/10/2012

2. Parks- Quail Run \$22,604 to Park Maintenance \$22,604 *11/13/2012

Motion to remove by Councillor Cameron, seconded by Councillor Herzog. So voted. Motion to approve by Councillor Cameron, seconded by Councillor Herzog. 11 yes. So voted.

3. Mayor-General Fd Free Cash \$54,468.77 to Fire-Retirement Exp. \$41,916.02 and Library-Retirement Exp. \$12,552.75 *11/13/2012

Motion to remove by Councillor Cameron, seconded by Councillor Herzog. So voted. Motion to approve by Councillor Cameron, seconded by Councillor Herzog. 11 yes. So voted.

4. Supplemental Budget #3 FY2013 *11/13/2012

General Government

In Committee:

1. Campaign Finance Reports – Municipal Forms website posting *05/14/2012

2. Remote Participation Order *07/23/2012

Joint Education

In Committee:

1. Letter regarding World War II Memorial Stadium *10/23/2012

License & Permits

In Committee:

1. Renewal of Second Hand Motor Vehicles License – R.L. Currie Corp. *11/13/2012

2. Salvation Army Christmas Stocking (Boot Drive) Dec. 22, 2012 *11/13/2012

3. Placement of Privately Contracted Dumpsters on Public Ways *11/13/2012

Neighborhoods & City Services

In Committee:

1. Amend Ord. 3-27 Animals, dogs, Licensing of dogs and kennels *06/25/2012

Planning & Development

In Committee:

1. Communication regarding Zoning Changes on Storey Avenue *05/29/2012

2. Order Cushing Park land transfer to Mayor for Municipal Parking *06/25/2012

3. ORD Ch. 16 Sec.5 Local Historic District *09/24/2012

Motion to remove from committee by Councillor Sullivan, seconded by Councillor Jones. Discussion followed regarding who could remove an item from committee. The Clerk ruled any member of the Council could. Councillor Cameron raised the issue that it was not in the Council packet. Motion to waive the rules to allow to

come out of committee without a copy in the Council meeting packet by Councillor Jones, seconded by Councillor Derrivan. Roll call vote, 7 yes, 4 no (Cameron, Connell, Earls, Herzog). Motion failed.

- 4. ORD Ch. 5 Article X Building Demolition *09/24/2012
- 5. Request for Discontinuance of Westerly Side of Harnch's Way *11/13/2012

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. Amend an ordinance to designate Belcher St as a stop intersection *10/23/2012
- 8. Fuel's Half Marathon request Sunday May 19, 2013 *11/13/2012

Public Utilities Committee

In Committee:

Rules Committee

In Committee:

13. GOOD OF THE ORDER

Councillor Earls stated now is the time to schedule the December meeting. Motion to schedule the second December City Council meeting on Thursday, Dec. 27, 2012 at 7:30pm by Councillor Derrivan, seconded by Councillor Herzog. 9 yes, 2 no (Heartquist, O'Brien).

Discussion on scheduling the Planning and Development and Committee of the Whole meeting regarding the LHD for Thursday, Dec. 6, 2012 at 7pm in the City Council Chambers.

14. ADJOURNMENT

Motion to adjourn at 9:43 pm by Councillor Derrivan, seconded by Councillor Cameron.