

**CITY COUNCIL MEETING MINUTES**  
**January 30, 2012**

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held for Ruth Nolan. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Connell, Cronin, Derrivan, Herzog, Ives, Jones, Sullivan, Cameron and O'Brien. 10 present, 1 absent (Heartquist).

**1. PUBLIC COMMENT –**

1. Mary Harbaugh	28 Strong St.	Storey Ave. Rezoning
2. Jack VanLoan	4 F Street	Seabrook Relicensing
3. Jerry Mullins	7 Parsons St.	Rezoning & Lot width ordinance
4. Bruce Skub	14 Olive St.	Seabrook Relicensing
5. Carolyn Johnson	46 Munroe	Seabrook Relicensing
6. Sam Barly	5 Eagle St.	Seabrook Relicensing
7. Elizabeth Marcus	10 Barton St.	Seabrook Relicensing
8. Ann Ormond	38 R Merrimac	Chamber of Commerce Festivals
9. Pete Falconi	6 Federal St.	Downtown events
10. Joanna Hammond	58 Pearl St. Amesbury	Seabrook Relicensing
11. Tom Salemi	29 Oakland St.	NRA
12. Ann Jaroncyk	6 Woodman Way	Storey Ave Rezoning
13. Diana Kerry	33 Temple St.	NRA
14. Lucian Parkin	Rogers Rd	
15. Deb Massa	4 Turkey Hill Rd.	Storey Ave. Rezoning
16. Walt Mott	4 Turkey Hill Rd.	Storey Ave. Rezoning & Seabrook
17. Yvonne McQuilkin	39 Purchase St.	Seabrook Relicensing

**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.

**2. APPROVAL OF MINUTES**

January 9, 2012 (Approve)

**3. TRANSFERS**

1. Health Dept. Solid Waste Fee \$5,000 to Household Hazardous \$5000 (Approve)
2. Police Dept. Officer Salary \$4,228.60 to Retirement Acct \$4,228.60 (Approve)
3. Police Dept. General Fund- Free Cash \$44,109. to Equip. Maint. \$44,109. (Approve)

**Removed by Councillor Herzog.**

4. Mayor/Veterans Free Cash \$38,000 to Veteran's Benefits \$38,000 (Approve)

**Removed by Councillor Herzog.**

**4. COMMUNICATIONS**

1. American Diabetes Assoc. May 20, 2012 North Shore Tour de Cure (PS)

**Removed by Councillor Earls.**

2. Inn Street Montessori Scholarship Auction use of Inn Street Mall March 31, 2012 (PS)
3. Newburyport Elem. PTO 8<sup>th</sup> Annual Spring Fever 5K & Family Fun Run May 6, 2012 (PS)
4. Newburyport Labor Day Festival request for 3 day downtown event Sept. 1-3, 2012 (PS)
5. Second Hand Motor Vehicles App. Renewal City Auto Wholesale (Approve)

- |  |           |
|--|-----------|
| 6. Second Hand Motor Vehicles App. Renewal Chanard Limousine Sales, Inc. | (Approve) |
| 7. Second Hand Motor Vehicles App. Renewal Plum Autoworks, Inc.          | (Approve) |
| 8. Taxi Cab Renewal Application Seacoast Taxi                            | (L&P)     |
| 9. Winner's Circle Running Club annual High Street Mile August 5, 2012   | (PS)      |
| 10. Green Stride Half Marathon October 21, 2012                          | (PS)      |
| 11. Greater Newburyport Chamber of Commerce schedule of festivals 2012   | (PS)      |
| 12. Mid- Year Budget Report-Fiscal Year 2012                             | (R&F)     |

## 7. APPOINTMENTS – First Reading

### Appointments

- |               |                   |                                     |               |
|---------------|-------------------|-------------------------------------|---------------|
| 1. Tom Salemi | 29 Oakland Street | Newburyport Redevelopment Authority | Jan. 14, 2017 |
|---------------|-------------------|-------------------------------------|---------------|

### END OF CONSENT AGENDA

**Motion to approve the Consent Agenda as amended by Councillor Jones, seconded by Councillor Cameron. 10 yes, 1 absent (Heartquist), so voted.**

### REGULAR AGENDA

## 8. TRANSFERS

- |  |           |
|--|-----------|
| 3. Police Dept. General Fund- Free Cash \$44,109. to Equip. Maint. \$44,109. | (Approve) |
|--|-----------|

**Motion to approve by Councillor Herzog, seconded by Councillor Cameron. 10 yes, 1 absent (Heartquist), so voted.**

- |   |           |
|---|-----------|
| 4. Mayor/Veterans Free Cash \$38,000 to Veteran's Benefits \$38,000 | (Approve) |
|---|-----------|

**Motion to approve by Councillor Jones, seconded by Councillor Cameron. 9 yes, 1 present (Herzog), 1 absent (Heartquist), so voted.**

## 9. COMMUNICATIONS

13. Animal Control Share Services Agreement

**Motion to approve by Councillor O'Connor Ives, seconded by Councillor Derrivan. 10 yes, 1 absent (Heartquist), so voted.**

1. American Diabetes Assoc. May 20, 2012 North Shore Tour de Cure

**Motion to refer to Public Safety by Councillor Earls, seconded by Councillor Derrivan. 10 yes, 1 absent (Heartquist), so voted.**

## 11. APPOINTMENTS – Second Reading

### Appointments

- |                     |                              |                                       |               |
|---------------------|------------------------------|---------------------------------------|---------------|
| 2. Donna Conway     | 27 Marlboro St.              | Andrews Library Community Ctr Com     | Oct. 13, 2013 |
| 3. Kristian Zoeller | 115 Timber Swamp Rd, Hampton | Asst Harbormaster & Spec. Police Off. | Dec. 31, 2014 |

**Motion to approve second reading by Councillor Jones, seconded by Councillor Cameron. 10 yes, 1 absent (Heartquist), so voted.**

### Re-Appointments

- |                        |                              |                                       |               |
|------------------------|------------------------------|---------------------------------------|---------------|
| 4. Daniel Raycroft     | 11 Cushing St., Amesbury     | Assessor                              | Jan. 1, 2015  |
| 5. Gary Calderwood     | 3 Howard Street              | Building Inspector                    | Jan. 15, 2015 |
| 6. Andrew R. Port      | 12 Central Pl, Saugus        | Director Planning & Development       | Jan. 31, 2014 |
| 7. David Zinck         | 6 Laurel Road                | Electrical Inspector                  | Jan. 31, 2013 |
| 8. Enrico Caruso       | 34 Russet Hill Rd, Haverhill | Asst Harbormaster & Spec. Police Off. | Dec. 31, 2014 |
| 9. Francis F. Chaisson | 300 Merrimac Street          | Asst Harbormaster & Spec. Police Off. | Dec. 31, 2014 |

10. Joseph Grande	52 Linwood Ave., Methuen	Asst Harbormaster & Spec. Police Off.	Dec. 31, 2014
11. James Maranto	167 Harper Ridge Rd, E. Hampstead	Asst Harbormaster & Spec. Police Off	Dec. 31, 2014
12. Philip Stern	271 Merrimac Street	Asst Harbormaster & Spec. Police Off	Dec. 31, 2014
13. David Willey	13 Devonshire Crossing, Lowell	Asst harbormaster & Spec. Police Off	Dec. 31, 2014

**Motion to approve second reading by Councillor Jones, seconded by Councillor Derrivan. 10 yes, 1 absent (Heartquist), so voted.**

## **10. ORDERS**

1. Resolution on Seabrook Station Relicensing

**Motion to approve as amended by Councillor Connell, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.**

## **11. ORDINANCES**

1. TABLED - Second Reading - Amend Ord.13-180 Parking Resident Fruit Street

**Motion to remove from the table by Councillor Earls, seconded by Councillor Derrivan. 10 yes, 1 absent (Heartquist). Motion to approve by Councillor Earls, seconded by Councillor Jones. 10 no, 1 absent (Heartquist). Motion failed.**

2. Amend Ord. 13-180 Parking Resident Harris St.

**Motion to move to Public Safety by Councillor Earls, seconded by Councillor Derrivan. 10 yes, 1 absent (Heartquist). So voted.**

3. Amend Ord. 13-180 Parking Resident Middle St.

**Motion to move to Public Safety by Councillor Earls, seconded by Councillor Derrivan. 10 yes, 1 absent (Heartquist). So voted.**

## **COMMITTEE ITEMS**

### **Budget & Finance**

#### ***In Committee:***

1. Mayor/Police Gen Fd Free Cash \$17,640.90 to Police-Salary Officers \$13,890.90, to Police-Clothing Allowance \$3,750.00 \*01/09/2012
2. Mayor/Health Green Initiatives Rev Appr \$64,109 to Police-Equip Maint \$44,109, to Health-Sal. Energy/Recycle Coordin. \$20,000 \*01/09/2012

**Motion to remove Health-Sal Energy/Recycle Coordin portion only by Councillor Cameron, seconded by Councillor Herzog. Motion to approve as amended by Councillor Cameron, seconded by Councillor Derrivan. 10 yes, 1 absent (Heartquist). So voted.**

3. Mayor Gen Fd Free Cash \$10,000 to NBPT Tree Committee Fund \$10,000 \*01/09/2012
4. Police Dept. Salary Officers \$1,260 to Police-Capital Improvements MIS \$1,260 \*01/09/2012

**Motion to remove by Councillor Cameron, seconded by Councillor Derrivan. Motion to approve by Councillor Cameron, seconded by Councillor Jones. 10 yes, 1 absent (Heartquist). So voted.**

5. Mayor/School Gen Fd Free Cash \$25,000 to Sch. Rev Curric/Staff Devel. \$25,000 \*01/09/2012

### **General Government**

#### ***In Committee***

### **Joint Education**

#### ***In Committee:***

1. Mayor/School Gen Fd Free Cash \$25,000 to Sch Rev Curric/Staff Devel. \$25,000 \*01/09/2012

### **License & Permits**

***In Committee:***

1. Taxi Cab Renewal Application Port Taxi \*01/09/2012

**Neighborhoods & City Services**

***In Committee:***

1. Newburyport Tree Ordinance \*07/22/2010

**Planning & Development**

***In Committee:***

1. Newburyport Tree Ordinance \*07/22/2010

2. Zoning Ord – Sec II Definitions/Sec VI Dimensional Contr \*06/28/2010

**Motion to remove by Councillor Connell, seconded by Councillor Derrivan. Motion to approve by Councillor Connell, seconded by Councillor Derrivan. Roll call vote, 9 yes, 1 no (Jones), 1 absent (Heartquist). So voted.**

3. Amend Ord Zoning Sec. II Definitions/Sec VI Dimensional Contr \*10/17/2011

**Motion to remove by Councillor Connell, seconded by Councillor Derrivan. Motion to approve by Councillor Connell, seconded by Councillor Derrivan. Roll call vote, 9 yes, 1 no (Jones), 1 absent (Heartquist). So voted.**

4. Amend Ord Zoning Map B1 Zone Storey Ave \*11/28/2011

5. Amend Ord. 6.5 Environment Article II Wetlands – Wetlands Protection \*11/28/2011

**Public Safety**

***In Committee:***

1. Amend Ord. 10-9 Miscellaneous offenses – use or consumption of marijuana \*11/28/2011

2. Amend Ord 13-180A Paid Parking Permits \*01/09/2012

**Public Utilities Committee**

***In Committee:***

1. Street Lighting Recommendation \*09/21/2011

2. Drain Layer/Utility Contractor Application for Dube Plus & Dirt Pro, LLC \*11/14/2011

**Rules Committee**

***In Committee:***

**15. GOOD OF THE ORDER**

**16. ADJOURNMENT**

**Motion to adjourn by Councillor Derrivan, seconded by Councillor Jones. 10 yes, 1 absent (Heartquist), so voted.**