

CITY COUNCIL MEETING MINUTES - VERSION 1

September 30, 2013

7:15 PM

Public Hearing:

Application for New Flammable & Combustible Liquids License Emari Realty II LLC

At 7:16pm President O'Brien called the hearing to order. The City Clerk read the roll, 10 present, 1 absent (Hutcheson). The City Clerk read the notice of public hearing. President O'Brien asked for those in favor. Steve Bradbury spoke. President O'Brien asked for those against. No one spoke. President O'Brien closed the hearing at 7:19pm.

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

7:30PM

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held for Francis Bradbury who passed away on October 2, 2013; Francis was the brother of Robert Bradbury, an employee of the Newburyport Sewer Department. 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, Jones, Sullivan, and O'Brien. 10 present, 1 absent (Hutcheson).

1. LATE FILES – Communication #3 Boy Scouts of America, Order #5 Emergency Management

Motion to waive the rules and allow by Councillor Jones, seconded by Councillor Derrivan. So voted.

2. PUBLIC COMMENT –

- | | | |
|------------------|----------------|-------------------|
| 1. Bruce Menin | 83 Lime Street | Brown School Park |
| 2. Lisa Bleicken | 8 Horton St. | Brown School Park |
| 3. Byron Lane | 18 Merrill St. | Brown School Park |

CONSENT AGENDA

3. APPROVAL OF MINUTES

Sept. 9, 2013

(Approved)

END OF CONSENT AGENDA

Motion to approve the Consent Agenda by Councillor Derrivan, seconded by Councillor Cronin. So voted.

REGULAR AGENDA

4. COMMUNICATIONS

1. Letter requesting use of Bullnose Oct. 6, 2013 for public forum

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

2. Letter requesting use of Dog Park at Cashman Park Oct. 6, 2013

Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. So voted.

3. LATE FILE Boy Scouts of America Yankee Clipper Council Pack 21 Market Square 3 weekends

Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. So voted.

5. APPOINTMENTS - Second Reading

- | | | Appointment | |
|----------------------|----------------------------|------------------------|----------------|
| 1. Paul D. Bertrand | 1 Moseley Place | Newburyport Trust Fund | Sept. 30, 2016 |
| 2. Malcolm Carnwath | 22 Strong Street | Historical Commission | Sept. 30, 2015 |
| 3. Craig S. Goodrich | 3 Del-Logan Dr., Salisbury | Special Police Officer | |
| 4. Alan M. Maguire | 15 Lincoln Ave. | Special Police Officer | |

Re-Appointment

- | | | | |
|---------------------|------------------------------|-----------|-----------------|
| 5. Julie Languirand | 13 Cushing Street, Salisbury | Treasurer | August 30, 2016 |
|---------------------|------------------------------|-----------|-----------------|

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

6. ORDERS

1. Brown School Playground

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

2. Plum Island Water and Sewer

Motion to approve by Councillor Sullivan, seconded by Councillor Derrivan. Roll call vote, 5 yes, 3 no (Heartquist, Cameron, Connell), 2 present (Earls, Herzog), 1 absent (Hutcheson). Motion failed.

3. 115 Water St. Easement Conveyance

Motion to approve by Councillor Herzog, seconded by Councillor Earls. Roll call vote, 9 yes, 1 recused (Connell), 1 absent (Hutcheson).

4. Supplemental Budget #1 FY14

Motion to approve Zoning Review (\$60,000) and Sidewalk Repair (\$60,000) and to refer the other items to Budget & Finance by Councillor Jones, seconded by Councillor Cameron. Motion to amend by approving Bartlett Mall Signage (\$2,500) in addition by Councillor Cronin, seconded by Councillor Jones. Roll call vote on motion as amended, 10 yes, 1 absent (Hutcheson). So voted.

5. LATE FILE Fire based provision of EMS services

Motion to approve by Councillor Sullivan, seconded by Councillor Derrivan. Roll call vote, 10 yes, 1 absent (Hutcheson).

7. ORDINANCES

1. 2nd Reading Amend ORD Sec. 2-30 Performance of duties of mayor upon absence, disability

Motion to approve 2nd reading by Councillor Sullivan, seconded by Councillor Jones. Roll call vote, 10 yes, 1 absent (Hutcheson).

2. 2nd Reading Amend ORD Sec. 2-62 Residency requirement

Motion to approve 2nd reading by Councillor Connell, seconded by Councillor Herzog. Roll call vote, 10 yes, 1 absent (Hutcheson).

3. 2nd Reading Amend ORD Sec. 2-126 Salary of elected officials

Motion to approve 2nd reading by Councillor Sullivan, seconded by Councillor Derrivan. Roll call vote, 9 yes, 1 present (Sullivan), 1 absent (Hutcheson).

4. TABLED Amend ORD Sec. 2-29 Special Meetings

Motion to remove from the table by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve 1st reading and order published by Councillor Sullivan, seconded by Councillor Derrivan. Roll call vote, 10 yes, 1 absent (Hutcheson).

5. TABLED Amend ORD Sec. 2-128 Departmental records to be kept; employee records

Motion to remove from the table by Councillor Sullivan, seconded by Councillor Derrivan. Motion to approve 1st reading and order published by Councillor Derrivan, seconded by Councillor Cameron. Roll call vote, 9 yes, 1 no, (Jones), 1 absent (Hutcheson).

6. TABLED Amend ORD Sec. 5-42 Term of office

Motion to remove from the table by Councillor Cronin, seconded by Councillor Herzog. Motion to receive and file by Councillor Cronin, seconded by Councillor Sullivan. Roll call vote, 10 yes, 1 absent (Hutcheson).

7. TABLED Amend ORD Sec. 2-273 Removal for cause

Motion to remove from the table by Councillor Cronin, seconded by Councillor Sullivan. Motion to receive and file by Councillor Sullivan, seconded by Councillor Cronin. Roll call vote, 9 yes, 1 no (Jones), 1 absent (Hutcheson).

8. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Amend ORD Sec. 2-392 Interest on Water and Sewer Bills

**05/28/2013*

Motion to remove by Councillor Cameron, seconded by Councillor Herzog. Motion to approve 1st reading and order published by Councillor Cameron, seconded by Councillor Herzog. Roll call vote, 9 yes, 1 no (O'Brien), 1 absent (Hutcheson). So voted.

2. Mayor correspondence Administrative Assistant Negotiations Tentative Agreement

**09/09/2013*

Motion to remove by Councillor Cameron, seconded by Councillor Herzog. Motion to approve by Councillor Cameron, seconded by Councillor Herzog. Roll call vote, 9 yes, 1 no (Derrivan), 1 absent (Hutcheson). So voted.

3. FY 2013 Year end Budget Expenditure Report *09/09/2013

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

4. Mayor Gen. Admin. Compensated Abs. \$390,810 to RSV Compensated Abs. \$390,810 *09/09/2013

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

General Government

In Committee:

1. Intermunicipal Agreement for Animal Control Services (COW) *08/12/2013

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

2. Creating new Regional Veteran's Services' District (COW) *08/12/2013

3. Create ORD Ch.2 Ar.III Div. 1 Sec. 64 Biannual report to be made (COW) *09/09/2013

Motion to remove by Councillor Sullivan, seconded by Councillor Derrivan. Motion to approve 1st reading and order published as amended by Councillor Jones, seconded by Councillor Derrivan. Roll call vote, 10 yes, 1 absent (Hutcheson). So voted.

Public Safety

In Committee:

1. Amend Ord. 13-180 Parking Resident Harris St. *01/30/2012

2. Parking, Russell Terrace, No Parking, 50 feet from Storey Ave *08/27/2012

3. ORD Ch. 2 Sec.358 Fingerprint Criminal History Checks *09/24/2012

4. Letter regarding speeding traffic on Turkey Hill Road *04/29/2013

5. The Grog letter requesting Loading Zone and No Parking signs *08/12/2013

Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to receive and file by Councillor Cronin, seconded by Councillor Earls. So voted.

6. LOCO Sports ½ Marathon November 3, 2013 *09/09/2013

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

7. Spooky Rail Trail Halloween Kids Fun Race Oct. 27, 2013 *09/09/2013

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

8. Amend ORD Ch 13 Sec. 13-171 Service Areas 153-155 State Street *09/09/2013

9. Amend ORD Ch 13 Sec. 13-180 Resident Parking Add 184 State St and south on westerly side *09/09/2013

9. GOOD OF THE ORDER

10. ADJOURNMENT

Motion to adjourn at 8:54pm by Councillor Derrivan, seconded by Councillor Jones. So voted.