

## CITY COUNCIL MEETING MINUTES - VERSION 1

March 31, 2014

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held for Barbara Merritt and Boston Firefighters Michael Kennedy and Ed Walsh. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Giunta, Herzog, Kinsey, Tontar, Vogel, Cameron, Connell, Cronin, Eigerman and O'Brien. 10 present, 1 absent (Heartquist).

### **1. LATE FILES – Communications #10 and #11, Appointment #14, Map DCOD, Map DOD**

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

### **2. PUBLIC COMMENT**

1) Jerry Mullins	7 Parsons Street	Ordinance
2) David Tierney	13 Ashland Street	Parking Ashland St.
3) Jennie Donahue	18 Cherry Street	NCOD Member
4) Nick Erokhin	3 Ashland Street	Parking Ashland St.
5) Rob Germinara	2 Ashland Street	Parking Ashland St.
6) Kevin Hunt	Veterans Office	Barbara Merritt

### **3. MAYOR'S COMMENT**

**The Mayor provided an update.**

## **CONSENT AGENDA**

### **4. APPROVAL OF MINUTES**

March 17, 2014

(Approved)

### **5. TRANSFERS**

1. Free Cash \$40,300 to Veterans Benefits \$40,300 (B&F)

### **6. COMMUNICATIONS**

1. Letter from Newburyport Preservation Trust (Planning & Development)  
2. Port Tavern Outdoor Seating Renewal (Approve)  
3. Seacoast Taxi Vehicles for Hire Application Renewal (Approve)  
*subject to vehicle inspections (Police Dept.)*

#### **Removed individual taxi driver licenses.**

4. Intermunicipal Agreement for Veteran's Services (General Government)  
5. Moveable Sign Grand Trunk (License & Permits)  
6. Mayor Capital Improvement Program (full report on file in the City Clerk's office) (Budget & Finance)

### **7. APPOINTMENTS-First Reading**

#### **Appointment**

- |                   |                             |  |
|-------------------|-----------------------------|--|
| 1. Matthew Simons | 62 Munroe St., Haverhill    | Sergeant, Newburyport Police Department          |
| 2. Charles Eaton  | 20 Main St., S. Hampton, NH | Sergeant, Newburyport Police Department          |
| 3. Daniel J. Koen | 16 Boyd Drive               | Community Preservation Act Com. February 1, 2017 |

#### **Removed by Councillor Cronin.**

- |                         |                 |                        |                |
|-------------------------|-----------------|------------------------|----------------|
| 4. Richard A. Eaton     | 4 Horton Street | Newburyport Trust Fund | March 1, 2017  |
| 5. Susanne F. Gallagher | 3 Garnet Street | Board of Registrars    | March 31, 2017 |

#### **Re-Appointment**

- |                 |                |                                      |                  |
|-----------------|----------------|--------------------------------------|------------------|
| 6. Judy Tymon   | 39 Lime Street | Newburyport Affordable Housing Trust | April 1, 2016    |
| 7. Duncan LaBay | 4 Ferry Road   | Zoning Board of Appeals              | February 1, 2015 |

## **END OF CONSENT AGENDA**

**Motion to approve the Consent Agenda as amended by Councillor Cameron, seconded by Councillor Herzog. So voted.**

## REGULAR AGENDA

### 8. COMMUNICATIONS

7. TABLED Letter regarding Water & Sewer payment plans

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

8. TABLED Response Water & Sewer payment plans

**Motion to remove by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to receive and file by Councillor Cronin, seconded by Councillor Cameron. So voted.**

9. Letter Planning Director re proposed Zoning Amendments

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

12. LATE FILE Anchor Stone Deck Pizza Outdoor Seating Renewal

**Motion to approve by Councillor Kinsey, seconded by Councillor Connell. So voted.**

13. LATE FILE Mayor's Update

**Motion to receive and file by Councillor Cronin, seconded by Councillor Cameron. So voted.**

### 9. APPOINTMENTS-Confirmatory

#### Appointment

6. William K. Todd                      8 Foster Court                      Alternate Historical Commission                      March 1, 2017

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

### 10. APPOINTMENTS-First Reading

#### Appointment

3. Daniel J. Koen                      16 Boyd Drive                      Community Preservation Act Com                      February 1, 2017

**Motion to waive the rules and approve in one reading by Councillor Cronin, seconded by Councillor Cameron. So voted.**

13. Crispin Miller                      1 Parker Ridge Way West                      Tree Commission                      March 31, 2017

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

### 11. APPOINTMENTS-Second Reading

#### Appointment

8. Peter J. Finnegan                      3 Noble Street                      Special Police Officer

9. Christopher Michael Carey                      25 Temple St                      Commission on Disabilities                      March 31, 2017

#### Re-Appointment

10. Jane Healey                      38 Winter Street                      Community Preservation Committee                      March 1, 2017

11. Linda Smiley                      7 Atwood Street                      Community Preservation Act Committee                      April 1, 2017

12. Dr. Robin Blair                      18 Market Street                      Board of Health

**Motion to approve second reading collectively by Councillor Cronin, seconded by Councillor Cameron. So voted.**

### 12. ORDERS

14. Preservation Restriction Congregation Ahavas Achim

**Motion to approve by Councillor Cameron, seconded by Councillor Connell. So voted.**

### 13. ORDINANCES

1. Amend Ord.13-136 Stop Intersections add Pond St. and Green St.

**Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Giunta. So voted**

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

**Motion to refer to Public Safety by Councillor Cameron, seconded by Councillor Tontar. So voted.**

3. LATE FILE Map DCOD

**Motion to refer to Planning & Development by Councillor Cameron, seconded by Councillor Eigerman. So voted.**

4. LATE FILE Map DOD

**Motion to refer to Planning & Development by Councillor Cameron, seconded by Councillor Eigerman. So voted.**

## **14. COMMITTEE ITEMS**

### **Budget & Finance**

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

1. Mayor Gen Fd Free Cash \$409,676.48 to Sidewalk repairs \$105,562.48; Hazard Tree Removal \$9000; Storage Area Network Device \$20,150; Color Copier/Scanner \$4800; Mowers \$7500; Landscape Trailers \$9500; Oil Pump System \$15,000; City Hall Carpet Replacement \$18,196; Defibrillators \$9800; Emma Andrews Ramp \$10,755; Library Roof Repairs \$1500; Twin fire engines \$115,000; Bus. & Ind. Park Signage \$11,810; Brown School Re-use Feasibility Study \$40,000; Parks Equip. Repair/upgrade \$17,525; Atkinson Common Improvements \$13,578 \*03/17/2014

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

2. Mayor letter regarding Order for Revolving Fund Expenses \*03/17/2014
3. Order Amend Revolving Fund expenses \*03/17/2014
4. Order Community Preservation Committee \$356,765.98 balance to open space \*03/17/2014

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

5. Order Authorizing Acquisition of property on Curzon Mill Rd (P&D) \*03/17/2014

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

### **General Government**

#### **Joint Education**

***Councillor Kinsey gave an update on the school budget.***

### **License & Permits**

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

1. Movable Sign Application Newburyport Brewing Company \*02/10/2014
2. Newburyport Lions Club Eyeglass Box \*02/24/2014
3. Block Party Cherry Hill Soccer Field Parking Lot, May 31, 2014 \*03/17/2014
4. Amend Ch.6.5, Article III Plastic Bags (NCS & COW) \*03/17/2014

### **Neighborhoods and City Services**

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

1. Amend Ch.6.5, Article III Plastic Bags (L&P, COW) \*03/17/2014

### **Planning & Development**

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

1. Off-Street Parking Regulations – Zoning (and Committee of the Whole-COW) \*01/27/2014

**Motion to waive the rules and allow to be removed by Councillor Cameron, seconded by Councillor Cronin. So voted. Motion to receive and file by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.**

2. Interim Demolition Control Overlay District – Zoning (COW) \*02/24/2014

**Motion to remove ordinance and map by Councillor Cameron, seconded by Councillor Connell. So voted.**

**Motion to approve with map 1<sup>st</sup> reading and order published by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Heartquist). So voted**

3. Interim Downtown Overlay District – (IDOD) (COW) \*01/27/2014

**Motion to remove with map by Councillor Cameron, seconded by Councillor Connell. So voted. Motion to approve with map by Councillor Cameron, seconded by Councillor Connell. Motion to amend to exclude from E the two properties and the buildings thereon #2 and #6 Prince Place by Councillor O'Brien, seconded by Councillor Cameron. So voted. Motion to approve 1<sup>st</sup> reading as amended with map and order published by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Heartquist). So voted**

4. Order Authorizing Acquisition of property on Curzon Mill Rd (B&F) \*03/17/2014

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

## **Public Safety**

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

1. Storey Avenue Sign De-Clutter letter request

\*03/17/2014

**Motion to remove by Councillor Cronin, seconded by Councillor Giunta. So voted. Motion to receive and file by Councillor Cronin, seconded by Councillor Giunta. So voted.**

2. Amend Ch.4, Article II, Div. 4, Subdiv A 4-72 Definitions add paddleboards

\*03/17/2014

**Motion to remove by Councillor Cronin, seconded by Councillor Giunta. Motion to approve 1<sup>st</sup> reading and order published by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.**

3. Amend Ch.4, Article II, Div. 4, Subdiv B 4-80 Windsurfing add paddleboards

\*03/17/2014

**Motion to remove by Councillor Cronin, seconded by Councillor Cameron. Motion to approve 1<sup>st</sup> reading and order published by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.**

4. Amend Ch.13 Sec. 13-179.1

\*03/17/2014

**Motion to remove by Councillor Cronin, seconded by Councillor Herzog. So voted. Motion to approve 1<sup>st</sup> reading and order published by Councillor Cronin, seconded by Councillor Herzog. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.**

## **Public Utilities Committee**

## **Rules Committee**

## **15. GOOD OF THE ORDER**

**Councillor Eigerman thanked Senator O'Connor Ives and Councillor Cronin and everyone for their work on the Planning & Zoning ordinances.**

## **16. ADJOURNMENT**

**Motion to adjourn at 8:46pm by Councillor Tontar, seconded by Councillor Kinsey. So voted.**