

CITY COUNCIL MEETING MINUTES - VERSION 1

April 28, 2014

Council President O'Brien called the meeting to order at 7:35 pm. A moment of silence was held for John Geersink, husband of Bonnie Sontag, member of the Planning Board. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Kinsey, Tontar, Vogel, Cameron, Connell, Cronin, Eigerman, Giunta, Heartquist, Herzog and O'Brien. 11 present.

1. LATE FILES – Communications #3, #4 and #5, Ordinance #9

Motion to waive the rules and allow late files by Councillor Cameron, seconded by Councillor Tontar. 10 yes, 1 no, (O'Brien). So voted.

2. PUBLIC COMMENT

1) Mary Anne Clancy	4 Iona Avenue	Stadium - CPC
2) Charlie Cullen	66 Storey Ave. (Provident Bank)	Stadium CPC
3) Caleb Stutt	7 Dove Street	Stadium - CPC
4) Kim Turner	27 High Street	Parks Commission
5) Art Levine	43 B Kent Street	Disability Commission
6) Ann Stott	7 Dove Street	Stadium - CPC

3. MAYOR'S COMMENT

The Mayor provided an update.

CONSENT AGENDA

4. APPROVAL OF MINUTES

April 15, 2014

(Approve)

5. TRANSFERS

1. Free Cash \$200,000 to NHS Stadium Renovation Project \$200,000

(B&F)

Council President O'Brien changed to approved. Removed by Councillor Tontar.

6. COMMUNICATIONS

1. Newburyport Elementary PTO Kitchen Tour event table July 26, 2014

(PS)

Removed by Councillor Cronin.

2. Annual Audit FY2013 Financial Statements

(R&F)

7. APPOINTMENTS-First Reading

		Appointment	
1.	Ethan R. Manning 31 Howard Street	Finance Director	February 1, 2017
2.	Kimberly Turner 27 High Street	Parks Commission	May 1, 2019
3.	Leslie Eckholdt 36 Warren Street	Newburyport Redevelopment Authority	May 1, 2019

Removed by Councillor Vogel.

		Re-Appointment	
4.	Jeffrey R. Tomlinson 21 Hill Street	Highland Cemetery Commission	February 1, 2017
5.	Robert Dow 185 Storey Ave.	Harbor Commission	May 1, 2017
6.	Douglas A. Muir 10 Hancock Street	Conservation Commission	May 1, 2017
7.	Madeline Nash 19 Arlington St.	Affordable Housing Trust	February 1, 2016
8.	Ellen Hanick 9 Hallisey Drive	Bartlett Mall Commission	May 31, 2017

END OF CONSENT AGENDA

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

REGULAR AGENDA

8. TRANSFER

1. Free Cash \$200,000 to NHS Stadium Renovation Project \$200,000

After discussion, Councillor Connell made a motion to approve, seconded by Councillor Cameron. So voted.

2. Free Cash \$75,000 to Sidewalk Repairs \$75,000

Motion to refer to Budget & Finance by Councillor Herzog, seconded by Councillor Heartquist. Roll call vote, 9 no, 2 yes (Kinsey, Herzog). Motion failed. Motion to approve by Councillor Connell, seconded by Councillor Tontar. Roll call vote, 11 yes. So voted.

9. COMMUNICATIONS

1. Newburyport Elementary PTO Kitchen Tour event table July 26, 2014

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

3. Late File - Mayor's Update

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

4. Letter regarding Kelley School Building

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

5. Letter regarding street closure May 3, 2014

Motion to approve by Councillor Herzog, seconded by Councillor Vogel. Roll call vote, 6 yes, 5 no (Cameron, Cronin, Eigerman, Tontar, O'Brien). Motion passed.

10. APPOINTMENTS-First Reading

3. Leslie Eckholdt 36 Warren Street Newburyport Redevelopment Authority May 1, 2019

Motion to waive the rules and refer to General Government and Committee of the Whole by Councillor Vogel, seconded by Councillor Herzog. Roll call vote, 8 yes, 3 no (Cameron, Connell, O'Brien). Motion passed.

11. APPOINTMENTS-Confirmatory

9. Duncan LaBay 4 Ferry Road Zoning Board of Appeals February 1, 2019

Clarifying end date of appointment.

12. APPOINTMENTS-Second Reading

		Appointment	
10. Arthur M. Levine	43B Kent Street	Disabilities Commission	April 30, 2017
11. Ronald S. Ziemba	58 Lime St. Unit 1	Cultural Council	April 30, 2017
12. Thomas P. Cappelluzzo	5 Sunset Dr., Newbury	Special Police Officer	
13. Libby McGee	260 Water Street	Associate Member Zoning Board	April 30, 2019

Motion to approve second reading collectively by Councillor Cameron, seconded by Councillor Herzog. Roll call vote, 11 yes. So voted.

13. ORDERS

1. Community Preservation Committee Appropriations

Motion to approve as amended and order published by Councillor Cameron, seconded by Councillor Kinsey. Roll call vote, 10 yes, 1 recused, (Eigerman). Motion passed.

2. Utility Contractor JJ O'Brien & Sons, Inc.

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

14. ORDINANCES

1. 2nd Reading Amend ORD Sec. 4-72 Definitions Paddleboards

Motion to approve 2nd reading by Councillor Cronin, seconded by Councillor Tontar. Roll call vote, 11 yes. So voted.

2. 2nd Reading Amend ORD Sec. 4-80 Paddleboards

Motion to approve 2nd reading by Councillor Cronin, seconded by Councillor Tontar. Roll call vote, 11 yes. So voted.

3. 2nd Reading Amend ORD Sec. 13-179.1 Temporary Handicap Parking

Motion to approve 2nd reading by Councillor Cronin, seconded by Councillor Tontar. Roll call vote, 11 yes. So voted.

4. Amend ORD Sec. 3-26-d Table of Designated Off Leash Areas

Motion to refer to Neighborhoods and City Services by Councillor Herzog, seconded by Councillor Kinsey. 10 yes, 1 no (O'Brien). So voted.

5. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas

Motion to refer to License and Permits by Councillor Cronin, seconded by Councillor Heartquist. So voted.

6. Amend ORD Sec. 13-136 Stop Intersections Russell Terrace Ext

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

7. 2nd Reading Amend Ord.13-136 Stop Intersections add Pond St. and Green St. (*pending publication*)

Motion to approve by Councillor Cronin, seconded by Councillor Tontar. Roll call vote, 11 yes. Motion withdrawn because the order had not been published. Motion vacated by Councillor Connell, seconded by Councillor Tontar. Motion passed unanimously.

8. 2nd Reading Amend Ord.13-180 Resident Parking Ashland St. (*pending publication*)

9. Late File - Amend ORD Sec. 3-26 subsection e, Rules for Designated Off Leash Areas

Motion to refer to Neighborhoods and City Services by Councillor Herzog, seconded by Councillor Kinsey. So voted.

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor letter regarding Order for Revolving Fund Expenses *03/17/2014
2. Order Amend Revolving Fund expenses *03/17/2014
3. Mayor Capital Improvement Program *03/31/2014
4. Amend Ord. Ch. 7 Sec. 7-4 Add Annual Master Box Connection Fee (PS) *04/15/2014

Motion to remove by Councillor Tontar, seconded by Councillor Vogel. So voted. Motion to approve 1st reading and order published by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion approved.

General Government

Joint Education

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. Letter from Newburyport Preservation Trust *03/31/2014
2. Order Kelley School – Surplus Property *04/15/2014
3. Order Collins Street *04/15/2014

Public Safety

In Committee:

1. Amend Ord.13-136 Designated Stop Intersections Storey Ave *04/15/2014

Motion to remove by Councillor Giunta, seconded by Councillor Connell. So voted. Motion to approve 1st reading and order published by Councillor Giunta, seconded by Councillor Connell. Roll call vote, 11 yes. Motion approved.

2. Amend Ord. Ch. 7 Sec. 7-4 Add Annual Master Box Connection Fee (B&F) *04/15/2014

Motion to remove by Councillor Tontar, seconded by Councillor Vogel. So voted. Motion to approve 1st reading and order published by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion approved.

Public Utilities Committee

Rules Committee

16. GOOD OF THE ORDER

Councillor Heartquist stated that there is a FEMA map meeting at the Newbury Round School on Tuesday 4/29/2014 from 5pm to 8pm.

Councillor Herzog thanked Vicki Hendrickson and Jen Entwistle for a wonderful job with the Literary Festival.

Council President O'Brien said Happy Birthday to Councillor Cameron's daughter Anna, age 11.

Councillor Tontar mentioned that there will be a public hearing on May 8, 2014 regarding the Capital Improvement Program.

Councillor Giunta mentioned that one can get on the landfill email list by signing up on the City website.

Councillor Kinsey complimented MaryAnn Clancy for all her years of hard work on the stadium project.

17. ADJOURNMENT

Councillor Cronin moved to adjourn, seconded by Councillor Cameron to the resounding unanimity of the Council at 8:38pm.