

# CITY COUNCIL MEETING MINUTES - VERSION 1

May 12, 2014

Council President O'Brien called the meeting to order at 7:35 pm. A moment of silence was held for a fallen police officer in Brentwood, NH from a shooting and fire. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Tontar, Vogel, Cameron, Connell, Cronin, Eigerman, Giunta, Heartquist, Herzog, Kinsey and O'Brien. 11 present.

**1. LATE FILES** – Mayor's Communication #11, Communication #12, Appointments #12-16, Order #3 & #4  
**Motion to waive the rules and allow late files by Councillor Herzog, seconded by Councillor Cameron. 10 yes, 1 no (Cronin). So voted.**

## **2. PUBLIC COMMENT**

1) Lisa Valcich	City Hall Bus Mgr	Water & Sewer Commission Appts
2) Doug Locy	State Curbcut Mandate	Transfer #2
3) Leslie Eckholdt	36 Warren	NRA Appointment
4) Bill Squillace	Finance Director	Ethan Manning
5) Rob Germinara	2 Ashland Street	Ashland St Resident Parking

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

**The Mayor provided a brief slide presentation and the FY2015 Budget submitted to the Council.**

## **CONSENT AGENDA**

### **1. APPROVAL OF MINUTES**

April 28, 2014

(Approve)

### **2. TRANSFERS**

1. Auditor Ins. Claims \$1,155.70 to WTR Equip Maint. \$1,155.70

(Approve)

### **9. COMMUNICATIONS**

1. Letter from Jessica Reines re: traffic Gypsy Lane
2. Intermunicipal Agreement Animal Control Services
3. Roadway and Sidewalk Update

(PS)  
(Gen Gov't)  
(R&F)

**Removed by Councillor Cronin.**

4. Stormwater Permitting Status Update
5. All Women & 1 Lucky Guy ½ Marathon Sept. 14, 2014
6. Youth Services Grant Summary application
7. Block Party 24 Hancock St. (partial street closure) May 24, 2014
8. Block Party Eagle Street June 21, 2014
9. Pension Investments
10. Market Basket Letter re: plastic bags

(PU)  
(PS)  
(R&F)  
(Approve)  
(Approve)  
(R&F)  
(NCS)

### **10. APPOINTMENTS-First Reading**

		<b>Appointment</b>	
1. Robert Uhlig	10 Ocean Street	Newburyport Redevelopment Authority	March 1, 2017

**Removed by Councillor Vogel.**

		<b>Re-Appointment</b>	
2. Andrew Casson	240 Merrimac Street	Harbor Commission	March 31, 2017
3. James Knapp	24 Cutting Drive	Harbor Commission	May 1, 2017

## **END OF CONSENT AGENDA**

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

## **REGULAR AGENDA**

### **11. TRANSFERS**

2. Free Cash \$255,170.80 to Multiple-detail attached \$255,170.80

**Motion to refer to B&F by Councillor Herzog, seconded by Councillor Cameron. So voted.**

3. Free Cash \$238,241.30 to Snow & Ice Labor \$29,132.60, to Snow & Ice Expenses \$209,108.70

**Motion to refer to B&F by Councillor Cameron, seconded by Councillor Connell. 10 yes, 1 no (O'Brien). So voted.**

4. Insurance 32-B \$471,078.18 to School Expenses \$250,000, to Fire Overtime \$100,000, to DPS Streetlights \$120,000, to Retirement Appropriation \$1,078.18

**Motion to refer to B&F by Councillor Herzog, seconded by Councillor Camerson. So voted.**

**5. Solid Waste Fee \$21,580.87 to Health Dept. Sal/Energy/Recycling Coord \$21,580.87**

**Motion to refer to B&F by Councillor Cronin, seconded by Councillor Connell. 10 yes, 1 no (O'Brien). So voted.**

## **12. COMMUNICATIONS**

**3. Roadway and Sidewalk Update**

**Motion to table by Councillor Cronin, seconded by Councillor Heartquist. Motion withdrawn. Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Herzog. So voted.**

**11. LATE FILE Mayor's Update & FY2015 Budget**

**Motion to refer to B&F by Councillor Cameron, seconded by Councillor Cronin. So voted.**

**12. LATE FILE Letter re: Collins Street**

**Motion to refer to P&D by Councillor Cameron, seconded by Councillor Cronin. So voted.**

## **11. APPOINTMENTS-First Reading**

### **Appointment**

**1. Robert Uhlig                      10 Ocean Street                      Newburyport Redevelopment Authority                      March 1, 2017**

**Motion to receive and file and refer to P&D and COTW by Councillor Vogel, seconded by Councillor \_\_\_\_\_. Roll call vote, 8 yes, 3 no (Connell, Herzog, O'Brien). Motion passed.**

**4. Ethan R. Manning                      31 Howard Street                      City Auditor                      February 1, 2017**

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

**Roll call vote, 11 yes. Motion passed.**

## **4. APPOINTMENTS-Second Reading**

### **Appointment**

**5. Ethan R. Manning                      31 Howard Street                      Finance Director                      February 1, 2017**

**Motion to approve 2<sup>nd</sup> reading by Councillor Herzog, seconded by Councillor Tontar. Roll call vote, 11 yes. Motion passed.**

**6. Kimberly Turner                      27 High Street                      Parks Commission                      May 1, 2019**

**Motion to approve 2<sup>nd</sup> reading by Councillor Herzog, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion passed.**

### **Re-Appointment**

**7. Jeffrey R. Tomlinson                      21 Hill Street                      Highland Cemetery Commission                      February 1, 2017**

**8. Robert Dow                      185 Storey Ave.                      Harbor Commission                      May 1, 2017**

**9. Douglas A. Muir                      10 Hancock Street                      Conservation Commission                      May 1, 2017**

**10. Madeline Nash                      19 Arlington St.                      Affordable Housing Trust                      February 1, 2016**

**11. Ellen Hanick                      9 Hallisey Drive                      Bartlett Mall Commission                      May 31, 2017**

**Motion to approve 2<sup>nd</sup> reading of re-appointments #7-11 by Councillor Connell, seconded by Councillor Tontar. Roll call 11 yes. Motion passed.**

## **12. APPOINTMENTS-First Reading**

### **Appointment**

**4. Robert A. Cook                      19 Everett Drive                      Water/Sewer Commission                      May 1, 2016**

**5. David Hanlon                      68 Warren Street                      Water/Sewer Commission                      May 1, 2017**

**6. Roger E. Jones                      37 Storeybrooke Dr.                      Water/Sewer Commission                      May 1, 2015**

**7. Edmund L. Kelley                      24 Dorothy Luce Dr.                      Water/Sewer Commission                      May 1, 2017**

**8. John Tomasz                      38 Storeybrooke Dr.                      Water/Sewer Commission                      May 1, 2016**

**Motion to approve Appointments #12-16 in one reading and waive the rules by Councillor Connell, seconded by Councillor Tontar. Roll call vote, 11 yes. Motion passed.**

## **5. ORDERS**

**1. Revised Collins Street surplus Property Order**

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

**2. FY2015 Budget Order**

**Motion to refer to Budget & Finance by Councillor Cronin, seconded by Councillor Herzog. So voted.**

**3. LATE FILE Order Home Rule Petition – supplementing education budget**

**Motion to refer to Joint Education and Budget & Finance by Councillor Heartquist, seconded by Councillor Kinsey.**

**Motion to amend by adding refer to COTW by Councillor Connell, seconded by Councillor Kinsey. 10 yes, 1 no (O'Brien). So voted.**

4. LATE FILE Bond Order CPC appropriation \$1,634,000

Motion to approve second reading by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 recused (Eigerman). Motion passed.

## 6. ORDINANCES

1. 2<sup>nd</sup> Reading Amend Amend Ord.13-136 Stop Intersections add Pond St. and Green St.

Motion to approve second reading by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 11 yes. Motion passed.

2. 2<sup>nd</sup> Reading Amend Ord.13-180 Resident Parking Ashland St.

Motion to approve second reading by Councillor Tontar, seconded by Councillor Cronin. Roll call vote, 11 yes. Motion passed.

3. 2<sup>nd</sup> Reading Amend Ord. Ch. 7 Sec. 7-4 Add Annual Master Box Connection Fee (PS)

Motion to approve second reading by Councillor Cameron, seconded by Councillor Tontar. Roll call vote, 11 yes. Motion passed.

4. 2<sup>nd</sup> Reading Amend Ord.13-136 Designated Stop Intersections Storey Ave

Motion to approve second reading by Councillor Giunta, seconded by Councillor Tontar. Roll call vote, 11 yes. Motion passed.

5. Amend ORD Ch. 2 Section 2-45 City Council Salary

Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Connell. Roll call vote, 7 yes, 4 no (Vogel, Cameron, Heartquist, Herzog). Motion passed.

6. Amend ORD Ch. 2 Section 2-61A School Committee Salary

Motion to refer to Budget & Finance by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 7 yes, 4 no (Vogel, Cameron, Heartquist, Herzog). Motion passed.

## 13. 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

Motion to remove by Councillor Tontar, seconded by Councillor Herzog. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Withdrawn. Motion to adopt by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion approved.

### General Government

#### *In Committee:*

1. Appointment: Leslie Eckholdt, 36 Warren St, Newburyport Redevel. Authority, May 1, 2019 \*04/28/2014

Motion to remove by Councillor Vogel, seconded by Councillor Connell. Motion to waive the rules and approve in one reading by Councillor Vogel, seconded by Councillor Connell. Roll call vote, 11 yes. Motion passed.

### 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

Motion to remove by Councillor Heartquist, seconded by Councillor Herzog. So voted. Motion to approve location outside of library toward Harris Street by Councillor Heartquist, seconded by Councillor Connell. So voted.

3. Block Party Cherry Hill Soccer Field Parking Lot, May 31, 2014 \*03/17/2014

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

4. Amend Ch.6.5, Article III Plastic Bags (NCS & COW) \*03/17/2014
5. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas \*04/28/2014

### Neighborhoods and City Services

#### *In Committee:*

1. Amend Ch.6.5, Article III Plastic Bags (L&P, COW) \*03/17/2014
2. Amend ORD Sec. 3-26-d Table of Designated Off Leash Areas \*04/28/2014

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

\*04/28/2014

**Planning & Development**

***In Committee:***

1. Letter from Newburyport Preservation Trust
2. Order Kelley School – Surplus Property
3. Order Collins Street

\*03/31/2014

\*04/15/2014

\*04/15/2014

**Public Safety**

***In Committee:***

1. Amend Ord.13-136 Designated Stop Intersections Russell Terrace Ext

\*04/28/2014

**Motion to remove by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to approve 1<sup>st</sup> reading and order published by Councillor Giunta, seconded by Councillor Cronin. Roll call vote, 11 yes. Motion approved.**

**Public Utilities Committee**

**Rules Committee**

**14. GOOD OF THE ORDER**

Councillor Connell stated that there would be a meeting on Thursday regarding plastic bags in the Council Chambers.

Councillor Cronin stated that there would be a Parks Commission meeting on Thursday at 7pm .

**15. ADJOURNMENT**

**Councillor Cameron moved to adjourn, seconded by Councillor Herzog at 9:10pm.**