

CITY COUNCIL MEETING MINUTES - VERSION 2

January 12, 2015

HEARING 7:00PM Barker Street

Council President O'Brien called the meeting to order at 7:10 pm. The City Clerk called the roll. The following Councillors answered present: Cameron, Connell, Cronin, Giunta, Heartquist, Herzog, Kinsey, Vogel and O'Brien. 9 present, 2 absent (Eigerman, Tontar). Mark Griffin, esquire, represented the property owner. Paul Morin of 21 Harbor Street spoke in favor. Ward 1 Councillor Heartquist explained the Order dated January 12, 2015 at the Councillors' desks. Hearing closed at 7:20 pm.

Motion to approve by Councillor Heartquist, seconded by Councillor Cameron. Roll call vote, 9 yes, 2 absent (Eigerman, Tontar). So voted

7:30PM

The City Clerk called the meeting to order at 7:30 pm. The election of the Council President then took place as the City Clerk called the roll and each Councillor stated the name of their choice. The vote was 9 for Councillor Thomas F. O'Brien. Council President O'Brien thanked the Councillors and stated that this is his 18th year on the Council, and 10th year as Council President. A moment of silence was held for Councillor Cameron's mother-in-law, Lois Massey. 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, Giunta, Heartquist, Herzog, Kinsey, Vogel and O'Brien. 9 Present, 2 absent (Eigerman, Tontar).

1. CALL TO ORDER

a. Committee Assignments

Council President O'Brien announced that the committee assignments will remain the same unless any Councillor would like a change.

b. City Council Meeting Schedule 2015

Motion to change the September meeting from Monday the 14th to Tuesday the 15th and approve by Councillor Herzog, seconded by Councillor Cameron. So voted.

c. City Council Rules 2015

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

2. LATE FILES –Order #3, Ordinance #6

Motion to waive the rules and allow late files by Councillor Cronin, seconded by Councillor Kinsey. So voted.

3. PUBLIC COMMENT

a.	Dr. Dan Eynck	High Street	Fluoride
b.	Chris Morton	Beck Street	Fluoride
c.	Linda Begdoniff	Lime Street	Fluoride
d.	Susan Sloane	Park Circle	Fluoride
e.	Jim Zanfagna	Beck Street	Fluoride
f.	Bill Patenaude	Methuen	Fluoride
g.	Chris Martel	Amesbury	Fluoride
h.	Andrew Teichner	Boxford	Fluoride
i.	David McFarlane	Newburyport	Fluoride
j.	Patty Myers	Sylvester St	Colby Farm
k.	George Ellison	2A Noble St	Waterfront Trust
l.	Dr. Sam Merabi	7 Brown Sq	Fluoridation
m.	Amelia McMullen	8 Graham Ave, Newbury	Fluoridation
n.	Leslie Echholdt	36 Warren St	Colby Farm
o.	Robert Dandero	26 Clipper Way	Fluoride
p.	Tony Mazzagla	218 Northern Blvd	Fluoride

4. MAYOR'S COMMENT – None

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.

5. APPROVAL OF MINUTES

December 8, 2014

(Approved)

6. TRANSFERS

1. EMR Gen. Exp. To EMR Deputy Coordinator \$701.86

(Approved)

7. COMMUNICATIONS

1. DEP Notice of Application Harbormaster and Visiting Boater Facility (R&F)
2. Second Hand Motor Vehicle License Renewal GNFD dba Newburyport Sunoco (L&P)
3. Correspondence Unnamed Way off Spofford Street (P&D)
4. First Refusal to Purchase Lot 8 Low Street (P&D)

Removed by Councillor Giunta.

5. Taxi License Renewal Harold Congdon Port Taxi, Inc. (L&P)
6. Second Hand Motor Vehicle License Renewal LCA Motors (L&P)
7. Second Hand Motor Vehicle License Renewal Plum Autoworks, Inc. (L&P)
8. Jeanne Geiger Crisis Ctr. 3rd annual Billion Rising Flashmob Feb. 12, 2015 ~~(L&P)~~(Approved)

Changed to approve by Councillor Cronin.

8. APPOINTMENTS – First Reading

APPOINTMENTS

1. Marian Leighton Levy 323 Merrimac St. Fruit Street Local Historic Dist. December 1, 2017

RE-APPOINTMENTS

2. James D. O'Brien 8 67th Street. Conservation Commission June 1, 2017

END OF CONSENT AGENDA

Motion to approve the consent agenda as amended by Councillor Cameron, seconded by Councillor Giunta. So voted.

REGULAR AGENDA

9. INTRODUCTION OF 1ST ESSEX REPRESENTATIVE JAMES KELCOURSE

Representative Kelcourse addressed the Council. Upon leaving the Chamber, Representative Kelcourse thanked both the left and right side of the room.

10. COMMUNICATIONS

5. First Refusal to Purchase Lot 8 Low Street (P&D)

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

9. LATE FILE Mayor's Update – None

11. APPOINTMENTS Second Reading –

APPOINTMENTS

3. Shawn Flaherty 3 Summit Place Diversity & Tolerance Commission Dec. 1, 2017

RE-APPOINTMENTS

5. Enrico Caruso 34 Russett Hill Road, Haverhill Asst Harbormaster & Spec PO Dec. 31, 2017
6. Francis F. Chaisson 300 Merrimac Street Asst Harbormaster & Spec PO Dec. 31, 2017
7. Michael Chaisson 46 Lake Attitash Rd, Amesbury Asst Harbormaster & Spec PO Dec. 31, 2017
8. Joseph Grande 52 Linwood Ave., Methuen Asst Harbormaster & Spec PO Dec. 31, 2017
9. Adam R. Hayden 76 Longfellow Drive Asst Harbormaster & Spec PO Dec. 31, 2017
10. James Maranto 167 Harper Ridge Rd, E. Hampstead, NH Asst Harbormaster & Spec PO Dec. 31, 2017
11. Benedetto Orlando 104 N. Ave, Apt. 2, Haverhill Asst Harbormaster & Spec PO Dec. 31, 2017
12. Philip Stern 271 Merrimac St, Apt. 2 Asst Harbormaster & Spec PO Dec. 31, 2017
13. David Willey 13 Devonshire Crossing, Lowell Asst Harbormaster & Spec PO Dec. 31, 2017
14. Kristian Zoeller 115 Timber Swamp Rd, Hampton, NH Asst Harbormaster & Spec PO Dec. 31, 2017

APPOINTMENTS

4. George H. Ellison, Jr. 2A Noble Street Waterfront Trust Dec. 1, 2019

RE-APPOINTMENTS

16. Daniel Raycroft 1 Brown Ave, Amesbury Assesor January 1, 2018

Motion to approve second readings collectively by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 9 yes, 2 absent. So voted.

12. ORDERS

1. TABLED - Discontinuance Harnch's Way

Motion to remove from the Table by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to Table by Councillor Cronin, seconded by Councillor Vogel. So voted.

2. Add referendum question regarding Flouride to Nov. 3, 2015

Pulled by Sponsor

3. LATE FILE Home Rule Petition Fluoride in Water

Motion to refer to Public Utility by Councillor Herzog, seconded by Councillor Kinsey. Roll call vote(3 No EC,TO,BC)

13. ORDINANCES

1. 2nd READ Amend ORD 13- 179 Handicap Space Emma Andrews Library

Motion to approve second reading by Councillor Heartquist, seconded by Councillor Herzog. Roll call vote, 9 yes, 2 absent (Eigerman, Tontar). So voted.

2. 2nd READ Amend ORD 13-168 Parking Restricted Court Street

Motion to approve second reading by Councillor Cronin, seconded by Councillor Heartquist. Roll call vote, 9 yes, 2 absent (Eigerman, Tontar). So voted.

3. Revised ORD Amend Zoning Ordinance Section III-C Back Bay

Motion to waive the rules and join to matter in committee and to approve first reading and order published by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 9 yes, 2 absent (Eigerman, Tontar). So voted.

4. Amend ORD 13-136 Stop Intersections Beacon Avenue

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

5. Amend ORD Part 2 Article III Ch. 3-31 Feeding or baiting wild birds

Motion to refer to Neighborhoods and City Services by Councillor Cronin, seconded by Councillor Connell. 8 yes, 1 no (O'Brien). So voted.

6. LATE FILE Amend ORD Zoning Map Sec. III-C "Back Bay Area Zoning Map Change"

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

14. 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. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
4. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
5. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014
6. Human Resources Dependent Audit *06/30/2014
7. Letter from Hope Church regarding Master Box fee *11/10/2014
8. Mayor Free Cash \$21,865.43 to Essex North Shore Tech School *12/08/2014

Motion to remove by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Heartquist, seconded by Councillor Cameron. 8 yes, 1 no (Herzog). So voted.

9. Newburyport Retirement Board Expense Budget C/Y 2015 *12/08/2014

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.

General Government

Joint Education

In Committee:

1. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas *04/28/2014
3. Letter regarding transient vendor licensing *06/30/2014
4. Renewal of Second Hand Motor Vehicles Sales License RL Currie Corp. *12/08/2014

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

Neighborhoods and City Services

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. Amend ORD Zoning Change, R3 Zone to R2 Zone - Back Bay Neighborhood *09/29/2014

Moved jointly with Ordinance #3.

3. Order Proposed vote of Discontinuance of Barker St. *10/14/2014

Motion to receive and file by Councillor Cameron, seconded by Councillor Herzog. So voted. Motion to approve order as dated January 12, 2014 by Councillor Heartquist, seconded by Councillor Cameron. So voted.

Public Safety

In Committee:

1. Amend ORD 13-174 State Street Resident Parking *11/10/2014
2. Flag Day 5K June 13, 2015 Soldiers Assistance Fund *11/24/2014

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

3. Letter from Parks Commission close Greenleaf St. January 31, 2015 Winter Carnival *12/08/2014

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

4. Amend ORD 13-184 Handicapped Parking Regulations *12/08/2014

Motion to remove by Councillor Cronin, seconded by Councillor, seconded by Councillor Herzog. So voted. Motion to approve 1st reading and order published by Councillor Cronin, seconded by Councillor Herzog. Roll call vote, 9 yes, 2 absent (Eigerman, Tontar). So voted.

Public Utilities Committee

In Committee:

1. Letter from Daniel Eyink, MD regarding water fluoridation *05/27/2014

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

2. Water and Sewer Commissions adjustment of sewer bill charges re second meters *11/24/2014

Rules Committee

15. GOOD OF THE ORDER

Councillor Connell has asked the Director of the Retirement Office to come in front of the City Council at the next regular Council meeting.

Councillor Giunta announced that there is an abutters meeting at the Bresnahan school on Tuesday Jan. 13, 2015 at 6:30pm in the media room.

16. ADJOURNMENT

Councillor Cameron moved to adjourn, seconded by Councilor Kinsey at 8:55 pm. So voted.