

CITY COUNCIL MEETING MINUTES - VERSION 2

April 13, 2015

Council Meeting

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held for Judy Cox, a long time teacher at the Davenport School and Immaculate Conception School, and Ann Page, wife of former Fire Chief Warren O. Page, mother of former Fire Lt. Rick Page and mother of several teachers in the Newburyport system. 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, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Tontar, Vogel and O'Brien. 11 Present.

1. **LATE FILES** – Transfer #6, Communications #9, #10, 11, 12; Appointment #16; Orders #5,6,7; Budget & Finance Committee items

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

2. MAYOR'S UPDATE

The Mayor gave an update.

3. PUBLIC COMMENT

- | | | |
|-------------------|---------------------|--------------------------------------|
| 1. Sheila Mullins | 7 Parsons Street | Colby Farm |
| 2. Joe Teixeira | 44 Hale Street | Open Space Parcels |
| 3. John Green | 12 Finnegan Way | Commission for Diversity & Tolerance |
| 4. Daryl Colden | 50 Tyng Street | Board of Health |
| 5. Patty Myers | 14 Sylvester Street | Colby Farm |
| 6. Rob Germinara | 2 Ashland Street | Communication #9 |

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.

4. APPROVAL OF MINUTES

March 30, 2015

(Approved)

5. TRANSFERS

1. Mayor Gen'l Fd Free Cash to Multiple Capital Projects \$358,289 (B&F)
2. Mayor Gen'l Fd Free Cash to Harbormaster Facility Project \$18,000 (B&F)

Removed by Councillor Heartquist.

3. Youth Services REV Recreation Services to YTH Brown School Maint. \$1,875 (Removed)

Removed by Councillor Heartquist.

4. DPS Sewer Rtd Earnings \$346,798 to SWR Overtime \$85,776, SWR Line Maint \$191,022, SWR Temp Housing \$70,000 (B&F)

6. COMMUNICATIONS

1. Spring Fever 5K Road Race May 3, 2015 (Removed)

Removed by Councillor Eigerman.

2. Outdoor Seating Renewal Atomic Cafe (Approved)
3. Outdoor Seating Renewal Purple Onion (Approved)
4. Outdoor Seating Renewal Agave Restaurant (Approved)
5. Letter regarding past due real estate taxes (L&P)

Removed by Councillor Eigerman.

6. Support a Spot Program (Approved)

7. APPOINTMENTS – First Reading

APPOINTMENTS

1. Dr. Daryl Colden	50 Tyng St.	Board of Health	January 1, 2018
2. John A Green	12 Finnegan Way	Commission for Diversity and Tolerance	May 1, 2018

RE-APPOINTMENTS

3. Cynthia Muir	10 Hancock St.	Council on Aging	May 31, 2020
4. Ed Taylor	25 Bromfield St., B	Tree Commission, Alternate	May 1, 2018
5. Mary Zinck	6 Laurel Road	Board of Registrars	March 31, 2018

END OF CONSENT AGENDA

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

REGULAR AGENDA

8. TRANSFERS

2. Mayor Gen'l Fd Free Cash to Harbormaster Facility Project \$18,000

Motion to refer to Budget & Finance by Councillor Herzog, seconded by Councillor Cameron. 10 yes, 1 no (Herzog). So voted.

3. Youth Services REV Recreation Services to YTH Brown School Maint. \$1,875

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

5. Mayor Gen'l Fd Free Cash to Colby Farm Land Acquisition \$275,000

Motion to approve by Councillor Giunta, seconded by Councillor Connell. So voted.

6. LATE FILE Police Dept. Salary of Officers to Purchase of Cruisers \$16,654.87

Motion to refer to Budget & Finance by Councillor Cameron, seconded by Councillor Kinsey. So voted.

9. COMMUNICATIONS

1. Spring Fever 5K Road Race May 3, 2015

Motion to approve by Councillor Eigerman, seconded by Councillor Giunta. So voted.

5. Letter regarding past due real estate taxes

Motion to receive and file by Councillor Eigerman, seconded by Councillor Heartquist. Motion withdrawn.

Motion to refer to License & Permits by Councillor Eigerman, seconded by Councillor Cameron. So voted.

7. Revised Election Calendar

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

8. FY2015-FY2019 Capital Improvement Program

Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted.

9. LATE FILE – Mayor's Communication

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

10. LATE FILE – Enpro Letter re: 77 Parker St. – P&S Agreement

Motion to refer to License & Permits by Councillor Eigerman, seconded by Councillor Connell. So voted.

11. LATE FILE – Michael Leukins Letter of Resignation

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

12. LATE FILE – Letter re: 1 Kent Street – P&S Agreement

Motion to refer to License & Permits by Councillor Cronin, seconded by Councillor Kinsey. So voted.

10. APPOINTMENTS - Second Reading

APPOINTMENTS

6. Elizabeth Horne	13 Moseley Place	Commission for Diversity & Tolerance	May 1, 2018
7. James Brugger	4 Savoy St.	Planning Board	May 1, 2020
8. Andrew Shapiro	20 Eagle St.	Planning Board	April 1, 2020
9. Donna Harrington	20 Beacon Ave.	Highland Cemetery Commission	February 1, 2018
10. Karen K. Johnson	120 High St.	Bartlet Mall Commission	February 1, 2018
11. Richard Goulet	19 Kent St.	ZBA Alternate to Full member	June 30, 2016

RE-APPOINTMENTS

12. Joseph C. Teixeira	44 Hale St.	Conservation Commission	March 1, 2018
13. Michael Disette	44 Jefferson St.	Community Pres. Act Com.	March 1, 2018
14. Stephen B. Sawyer	15 Collins St.	Parks Commission	April 1, 2018
15. Kevin Hunt	14 Tenth St.	Veterans Agent	April 1, 2016

Motion to approve by Councillor Cameron, seconded by Councillor Kinsey. Roll call vote, 11 yes. So voted.

11. LATE FILE APPOINTMENTS – First Reading

APPOINTMENTS

16. Jason Kohan 23 Georges Way, Newton, NH Police Sergeant

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

12. ORDERS

1. Snow Removal Plan

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

2. Cushing Park

Motion to refer to Neighborhoods & City Services by Councillor Cronin, seconded by Councillor Connell. So voted.

3. Accept Oleo Woods land

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

4. Accept Woodman Way land

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

5. World War Memorial Stadium Multi-Purpose Field project appropriation Loan Order

Motion to refer to Budget & Finance and order published by Councillor Tontar, seconded by Councillor Kinsey. Roll call vote, 11 yes. So voted.

6. Late File Colby Farm Acquisition of Property

Motion to approve by Councillor Giunta, seconded by Councillor Connell. So voted.

7. Late File Appropriate \$100,000 from Open Space Reserves for purchase of Lot 1, 183 Low Street

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

5 Minute Break – 8:29pm

13. ORDINANCES – None

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 Gen'l Fd Free Cash to Veterans Benefits \$17,000 *03/30/2015

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

9. Mayor Gen'l Fd Free Cash to YTH Access Accom. \$5,000, to YTH Brown School \$25,000 *03/30/2015

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

10. Harbormaster Rate Increase *03/30/2015

General Government

In Committee:

1. Home Rule Petition Inter-municipal Agreement for Veterans Services (COTW) *03/30/2015
Motion to remove by Councillor Vogel, seconded by Councillor Connell. So voted. Motion to approve by Councillor Vogel, seconded by Councillor Connell. Roll call vote, 11 yes. So voted.

Joint Education

Councillor Kinsey gave an update.

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. Taxi License Renewal Harold Congdon Port Taxi, Inc. *01/12/2015
5. Taxi Cab Company Renewal Seacoast Taxi *03/09/2015

Neighborhoods and City Services

In Committee:

1. Amend ORD Part 2 Article III Ch. 3-31 Feeding or baiting of wild birds *01/12/2015

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. First Refusal to Purchase Lot 8 Low Street *01/12/2015
3. Amend ORD Zoning Map Sec. III-C "Back Bay Area Zoning Map Change" *01/12/2015
4. Amend Zoning ORD Appendix A Sec. XXIX Smart Growth District (SGOD) *01/29/2015

Public Safety

In Committee:

1. Letter for use of Brown Square June 7, 2015 *02/12/2015
2. Letter from Yankee Homecoming 2015 General Chair *02/23/2015
3. Letter from Chamber of Commerce on 2015 use of streets *02/23/2015
4. 4th Annual Pan Mass Challenge Greater Newburyport Kids Ride June 28, 2015 *03/09/2015
5. Coastal Trails Coalition Slow Bike Race July 29, 2015 *03/30/2015

Public Utilities Committee

In Committee:

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

Rules Committee

Councillor Cronin suggested that the number of late files leads to confusion and would strongly urge late files to be minimized in the future.

15. GOOD OF THE ORDER

Councillor Tontar reported that a commemoration of the 150th anniversary of the end of the Civil War between the Confederate and Union armies was held at Atkinson Common on Sunday, April 12, 2015

Councillor Herzog thanked the members of the Commission on Diversity and Tolerance for their community forum, and congratulated Nock Middle School student Linsey Smith on winning an award.

16. ADJOURNMENT

Councillor Cameron moved to adjourn, seconded by Councilor Kinsey, at 8:39pm. So voted.