

CITY COUNCIL MEETING MINUTES - VERSION 1

April 27, 2015

Council Meeting

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held for Drew Zabriskie, son of former Mayor Zabriskie, and Carol Lyons a former school teacher. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Connell, Cronin, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Tontar, Vogel and O'Brien. 10 present, 1 absent (Cameron).

1. LATE FILES – None

2. PUBLIC COMMENT

- | | | |
|--------------------|------------------|---------------------------|
| 1. Constance Maass | 4 Smith Street | Commissioner Bartlet Mall |
| 2. Steve Bradbury | 24 Howard Street | Stadium |

3. MAYOR'S UPDATE

The Mayor gave an update.

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

April 13, 2015

(Approved)

5. TRANSFERS

1. School Dept School Expenses to School Lunch Program \$25,000 (B&F)

6. COMMUNICATIONS

- | | |
|---|------------|
| 1. AFSCME Negotiations – Tentative Agreement | (B&F) |
| 2. London Livery request for valet parking at 38 State Street | (PS) |
| 3. Outdoor Seating Renewal Anchor Stone Deck Pizza | (Approved) |
| 4. Annual Audit FY2014 Financial Statements – copy on file in City Clerk's office | (B&F) |

7. APPOINTMENTS – First Reading

APPOINTMENTS

- | | | | |
|--------------------|----------------|-------------------------|------------------|
| 1. Constance Maass | 4 Smith Street | Bartlet Mall Commission | February 1, 2018 |
|--------------------|----------------|-------------------------|------------------|

END OF CONSENT AGENDA

Motion to approve the consent agenda by Councillor Tontar, seconded by Councillor Connell. So voted.

REGULAR AGENDA

8. EXECUTIVE SESSION

Motion to go into Executive Session at 7:50pm by Councillor Tontar, seconded by Councillor Giunta. Roll call vote, 9 yes, 1no (Herzog), 1 absent (Cameron). So voted.

Councillor O'Brien stated the meeting would resume after executive session.

Motion to come out of Executive Session at 8:42pm by Councillor Tontar, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (Cameron).

9. COMMUNICATIONS

5. Letter re: Service master charges for PI Water & Sewer claims

Motion to receive and file by Councillor Vogel, seconded by Councillor Giunta. So voted.

6. Temple Street sidewalk repair

Motion to refer to N&CS by Councillor Eigerman, seconded by Councillor Connell. So voted.

7. LATE FILE – Mayor’s Communication

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

10. APPOINTMENTS - Second Reading

APPOINTMENTS

- | | | | | |
|----|------------------|-----------------|--|-----------------|
| 2. | Dr. Daryl Colden | 50 Tyng St. | Board of Health | January 1, 2018 |
| 3. | John A Green | 12 Finnegan Way | Commission for Diversity and Tolerance | May 1, 2018 |

Motion to approve 2 and 3 collectively by Councillor Herzog, seconded by Councillor Vogel. Roll call vote, 10 yes, 1 absent (Cameron). So voted

RE-APPOINTMENTS

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

APPOINTMENTS

- | | | | |
|----|-------------|----------------------------|-----------------------------|
| 7. | Jason Kohan | 23 Georges Way, Newton, NH | Sergeant, Police Department |
|----|-------------|----------------------------|-----------------------------|

Motion to approve 4 through 7 collectively by Councillor Herzog, seconded by Councillor Vogel. Roll call vote, 10 yes, 1 absent (Cameron). So voted.

11. ORDERS – None

12. ORDINANCES – None

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. | 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. | Harbormaster Rate Increase | *03/30/2015 |
| 9. | Mayor Gen'l Fd Free Cash to Multiple Capital Projects \$358,289 | *04/13/2015 |

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

Motion to approve \$15,000 City Hall Men’s Bathroom Renovation by Councillor Tontar, seconded by Councillor Cronin. Roll call vote, 10 yes, 1 absent (Cameron). So voted.

Motion to approve \$70,000 1.5 ton F550 by Councillor Tontar, seconded by Councillor Herzog. Roll call vote, 10 yes, 1 absent (Cameron). So voted.

Motion to approve \$50,000 Tree Brush Chipper by Councillor Tontar, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (Cameron). So voted.

Motion to approve \$40,000 ¾ ton Pick-up with Plow by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 10 yes, 1 absent (Cameron). So voted.

Motion to approve \$67,000 Street Sweeper by Councillor Tontar, seconded by Councillor Herzog. Roll call vote, 10 yes, 1 absent (Cameron). So voted.

Motion to approve \$25,239 Remote Antenna Repair by Councillor Tontar, seconded by Councillor Herzog. Roll call vote, 10 yes, 1 absent (Cameron). So voted.

Motion to approve \$48,500 20 computers, 2 multi-function PSF, 4 HP Procurve Switches by Councillor Tontar, seconded by Councillor Kinsey. Roll call vote, 9 yes, 1 no (O’Brien), 1 absent (Cameron). So voted.

Motion to approve \$16,425 VOIP Phone System by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 6 yes, 4 no (Cronin, Eigerman, Herzog, O'Brien), 1 absent (Cameron). Motion passed.

Motion to approve \$10,580 Nock/Molin Field Design by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 10 yes, 1 absent (Cameron). So voted.

Motion to approve \$10,000 Cashman Park Right Field Netting by Councillor Tontar, seconded by Councillor Giunta. Roll call vote, 8 yes, 2 no (Cronin, O'Brien), 1 absent (Cameron). So voted.

Motion to approve \$5,625 Brown School Gym Handicapped Ramp by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 9 yes, 1 no (Herzog), 1 absent (Cameron). So voted.

10. DPS Sewer Rtd Earnings \$346,798 to SWR Overtime \$85,776, SWR Line Maint \$191,022, SWR Temp Housing \$70,000 *04/13/2015

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

11. Mayor Gen'l Fd Free Cash to Harbormaster Facility Project \$18,000 *04/13/2015

Motion to remove by Councillor Tontar, seconded by Councillor Kinsey. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Kinsey. Roll call vote, 10 no, 1 absent (Cameron). Motion failed.

12. Police Dept. Salary of Officers to Purchase of Cruisers \$16,654.87 *04/13/2015

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

13. World War Memorial Stadium Multi-Purpose Field project appropriation Loan Order *04/13/2015

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

14. FY2015-FY2019 Capital Improvement Program *04/13/2015

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. Taxi License Renewal Harold Congdon Port Taxi, Inc. *01/12/2015

5. Taxi Cab Company Renewal Seacoast Taxi *03/09/2015

6. Letter regarding past due real estate taxes *04/13/2015

7. Enpro Letter re: 77 Parker St. – P&S Agreement *04/13/2015

8. Letter re: 1 Kent Street – P&S Agreement *04/13/2015

Motion to remove items 6, 7 and 8 collectively by Councillor Heartquist, seconded by Councillor Herzog. So voted. Motion to receive and file by Councillor Heartquist, seconded by Councillor Herzog. So voted.

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

2. Cushing Park *04/13/2015

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

5. Accept Oleo Woods land *04/13/2015

6. Accept Woodman Way land *04/13/2015

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
6. Snow Removal Plan *04/13/2015

Motion to remove by Councillor Cronin, seconded by Councillor Giunta. So voted. Motion to approve by Councillor Cronin, seconded by Councillor Tontar. Roll call vote, 9 yes, 1 no (Connell), 1 absent (Cameron). So voted.

Public Utilities Committee

In Committee:

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

Rules Committee

14. GOOD OF THE ORDER

Councillor Eigerman gave condolences to the Lyons family for his first grade teacher, Mrs. Lyons.

Councillor Kinsey reminded everyone of the School Committee meeting on the budget on Tuesday April 28th at 6:30pm.

Councillor Tontar thanked the Fire Department for their professionalism in responding to a call at his home.

Clerk Jones said he wished Peter Lombardi well in his new assignment in Wenham and said Peter has been the consummate professional to work with.

15. ADJOURNMENT

Councillor Kinsey moved to adjourn, seconded by Councilor Herzog at 9:56 pm. So voted.