

CITY COUNCIL MEETING MINUTES v.1
CITY COUNCIL CHAMBERS
November 30, 2015

7:15 PM

HEARING National Grid Installation of Underground Facilities

Council President O'Brien called the meeting to order at 7:15 pm. He 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. The Clerk read the notice of hearing. President O'Brien opened up the public comment. Carlos from National Grid spoke in favor. The hearing was closed at 7:20pm.

Motion to approve by Councillor Cameron, seconded by Councillor Tontar. Unanimous roll call vote.

7:30 PM

Council President O'Brien called the meeting to order at 7:35 pm. A moment of silence was held. 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 – Communication #7 Mayor's Update, Emergency Preamble Order #11, Map, 3 transfers
Motion to waive the rules and accept the late file items by Councillor Vogel, seconded by Councillor Cameron. So voted.

2. PUBLIC COMMENT

- | | | |
|-------------------|-------------------|-----------------------------|
| 1. Tom Kolterjahn | 64 Federal Street | 8 Strong Street demolition |
| 2. Reginald Bacon | 21 Strong Street | 8 Strong Street demolition |
| 3. Kat Preftes | 6 H Street | CDI Ordinance change/update |

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

November 9, 2015

(Approved)

5. TRANSFERS

- | | |
|---|-------|
| 1. DPS Sewer Ret'd Earnings to Sewer Easement \$225, 000 | (B&F) |
| 2. DPS Water Ret'd Earnings to Meter Replacement \$225,000 | (B&F) |
| 3. Mayor Gen Fd Free Cash \$101,835.31 to Compensated Absences Rsv Fd \$91,835.31, to Assessment Ctr \$10,000 | (B&F) |
| 4. Mayor Budget Contingency To Multiple Salary Line Items \$22,190.48 (with Memo) with correction | (B&F) |
| 5. Police Dept. Reserve Approp Ins Claims to Purchase of Cruisers \$27,427 | (B&F) |

6. COMMUNICATIONS

- | | |
|--|-------|
| 1. Renewal of Second hand motor vehicle license RL Currie Corp | (L&P) |
| 2. Memo from Mayor re 8 Strong Street Demolition | (P&D) |

Removed by Councillor Cameron.

- | | |
|--|-------|
| 3. PERAC required Fiscal Year 2017 Appropriation | (R&F) |
| 4. Retirement Board Expense Budget C/Y 2015 | (R&F) |
| 5. Memo from Mayor to Council on 2016 Retirement Bd Budget | (R&F) |

Removed by Councillor Eigerman.

- | | |
|--|-------|
| 6. Memo re: Harbormaster project value engineering | (P&D) |
|--|-------|

7. APPOINTMENTS – First Reading

APPOINTMENTS

- | | | | |
|-------------------|-------------------|--------------------------------------|---------------|
| 1. Adam R. Hayden | 76 Longfellow Dr. | Asst HM/Shellfish Constable/Spec. PO | Dec. 31, 2017 |
|-------------------|-------------------|--------------------------------------|---------------|

2.	Joseph Grande	52 Linwood Ave, Methuen	Asst HM/Shellfish Constable/Spec. PO	Dec. 31, 2017
3.	Benedetto Orlando	104 North Ave #2, Haverhill	Asst HM/Shellfish Constable/Spec. PO	Dec. 31, 2017
4.	Robert Padellaro	17 56 th St.	Asst HM/Shellfish Constable/Spec. PO	Dec. 31, 2017
5.	Daniel Scott	4 Ferry Rd, Methuen	Asst HM/Shellfish Constable/Spec. PO	Dec. 31, 2017
6.	Philip Stern	271 Merrimac St. #2,	Asst HM/Shellfish Constable/Spec. PO	Dec. 31, 2017
7.	Lance Thokle	1886 SE Erwin Rd, Port St. Lucie, FL	Asst HM/Shellfish Constable/Spec. PO	Dec. 31, 2017
8.	David Willey	13 Devonshire Crossing, Lowell	Asst HM/Shellfish Constable/Spec. PO	Dec. 31, 2017
9.	Kristian Zoeller	115 Timber Swamp Rd, Hampton NH.	Asst HM/Shellfish Constable/Spec. PO	Dec. 31, 2017
10.	James Maranto	167 Harper Ridge Rd, EHampstead NH	Asst HM/Shellfish Constable/Spec. PO	Dec. 31, 2017
11.	Richard Cummings	7 Jewett St, Georgetown	Asst HM/Shellfish Constable/Spec. PO	Dec. 31, 2017
12.	Francis F. Chaisson	300 Merrimac St.	Asst HM/Shellfish Constable/Spec. PO	Dec. 31, 2017
13.	Michael Chaisson	46 Lake Attitash Rd, Amesbury	Asst HM/Shellfish Constable/Spec. PO	Dec. 31, 2017
14.	Enrico Caruso	34 Russett Hill Rd, Haverhill	Asst HM/Shellfish Constable/Spec. PO	Dec. 31, 2017

END OF CONSENT AGENDA

Motion to approve the Consent Agenda as amended by Councillor Herzog, seconded by Councillor Kinsey. So voted.

REGULAR AGENDA

8. COMMUNICATIONS

2. Memo from Mayor re 8 Strong Street demolition

Motion to refer to Planning & Development by Councillor Cameron, seconded by Councillor Connell. Motion to add Committee of the Whole by Councillor Cronin, seconded by Councillor Connell. So voted.

4. Memo from Mayor to Council on 2016 Retirement Bd Budget

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

7. LATE FILE – Mayor's Communication

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

9. APPOINTMENTS – 2nd Reading

APPOINTMENTS

15.	Peter M. Blaiwas	61 Pleasant St., #717	Commission on Diversity & Tolerance	Dec. 1, 2018
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RE-APPOINTMENTS

16.	Susan Chase	44 Oak Street	Emma Andrews Branch Library Commission	Oct. 30, 2016
17.	Elizabeth L. Watson	53 Warren St. # 314	Emma Andrews Branch Library Commission	Oct. 30, 2016
18.	Elizabeth Valeriani	29 Oak St.	Emma Andrews Branch Library Commission	Oct. 30, 2016
19.	Aine G. Ellrott	43 Purchase St.	Emma Andrews Branch Library Commission	Oct. 30, 2016
20.	Donna Conway	27 Marlboro St.	Emma Andrews Branch Library Commission	Oct. 30, 2016
21.	Stephen J. Moore	10 N. Atkinson St.	Conservation Commission	Dec. 1, 2018

Motion to approve by Councillor Cameron, seconded by Councillor Herzog. Roll call vote, 11 yes.

10. ORDERS

1. TABLED Order License Contractor Street Occupancy Northern Drill Services, Inc.

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

2. Order License Contractor Street Occupancy NE Boring Contractors w/ bond

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

3. Order Accepting Gift from Odd Fellows \$3,500 – smoke ejector fan

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

4. Order Accepting the Gift of a 1977 UTI 41' fire/rescue vessel

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

5. Order Authorizing Easement for Utility Purposes – Eastern Side of Custom House for Boater Facility

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

6. Order Parking Restricted On High Street at Kent

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

7. Order Senior Center Appropriation \$52,500
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted.
 8. Order on Crosswalks with list attached
Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Giunta. So voted.
 9. Order on Signs on Crow Lane Recycling Center
Motion to Table by Councillor Connell, seconded by Councillor Cameron. So voted.
 10. Order Accepting Gift from Morrill Foundation \$90,000
Motion to refer to Budget & Finance by Councillor Cronin, seconded by Councillor Cameron. So voted.
 11. Order Street light at 53 Curzon Mill Rd
Motion to approve Emergency Preamble by Councillor Cameron, seconded by Councillor Cronin. So voted.
Motion to approve by Councillor Herzog, seconded by Councillor Cameron. So voted.
 12. Order Accept Ch.41 sec. 108P
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted.
 13. Order Amending Municipal Fees and Fines
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Giunta. So voted.
- 11. ORDINANCES**
1. 2nd Reading Amend ORD Ch 9-158 Business prohibited between certain hours
Motion to approve 2nd reading by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 9 yes, 2 no (Giunta, Herzog). So voted.
 2. Ordinance Animal Control Fees Nuisance
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. 8 yes, 3 no (Connell, Cronin, Herzog). So voted.
 3. Ordinance Animal Control Fees Dog License Fees (Unspayed/Unneutered)
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. 8 yes, 3 no (Connell, Cronin, Herzog). So voted.
 4. Ordinance Animal Control Fees Dog Fines on Plum Island
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. 8 yes, 3 no (Connell, Cronin, Herzog). So voted.

12. COMMITTEE ITEMS

Budget & Finance

In Committee:

- | | |
|--|-------------|
| 1. Order Home Rule Petition- supplementing education budget (COTW) | *05/12/2014 |
| 2. Amend ORD Ch. 2 Section 2-45 City Council Salary | *05/12/2014 |
| 3. Amend ORD Ch. 2 Section 2-61A School Committee Salary | *05/12/2014 |
| 4. Letter from Hope Church regarding Master Box fee | *11/10/2014 |
| 5. Statement re: Human Resources Dependent Audit | *08/10/2015 |
| 6. Loan Order intermodal transit parking facility \$630,300 | *10/13/2015 |
| 7. Mayor memo regarding Material Weakness - Cash Reconciliation | *10/26/2015 |

General Government

In Committee:

- | | |
|---|-------------|
| 1. Letter re: Health Insurance Benefit | *05/11/2015 |
| 2. Changes to City Hall Rental Application and Rules of Use | *09/15/2015 |
| 3. Create Ch. 2-2.5 City Flag | *09/15/2015 |

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. Regulations | *08/10/2015 |
| 5. Phat Cabbie Transportation Taxi License Application | *11/09/2015 |

Neighborhoods and City Services

In Committee:

1. Amend Ch11 Parks and Recreation (COTW) *08/10/2015
2. Letter from Commission for Diversity and Tolerance *11/09/2015
3. Order on CDT Policy *11/16/2015

Motion to remove by Councillor Connell, seconded by Councillor Kinsey. So voted. Motion to amend by Councillor Eigerman, seconded by Councillor Connell. So voted. Motion to approve 1st reading and order published as amended by Councillor Connell, seconded by Councillor Kinsey. Roll call vote, 11 yes. So voted.

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 VIII-D Sign regulations *09/15/2015
5. Amend Zoning XI-I Glare *09/15/2015
6. Amend Ch. 2-116 Planning Board Established, membership, appointment *09/15/2015
7. Amend Ch. 2-119 Planning Board Members to serve without pay; powers and duties *09/15/2015
8. Zoning Amendment and DOD Map *11/16/2015

Public Safety

In Committee:

1. London Livery request for valet parking at 38 State Street *04/27/2015
2. Order regarding Signs *05/26/2015
3. Amend ORD Ch. 13 Article IV Div 6 Sec. 13-175 2 hr No. Atkinson *06/29/2015
4. Letter regarding condition of Dove Street *07/13/2015
5. Amend Ch. 3-2 Disposal of Animal Waste *09/15/2015
6. Amend Ch. 13-136 Designated Stop Intersections Fair & Liberty *09/15/2015

Motion to remove by Councillor Cronin, seconded by Councillor Tontar. So voted. Motion to approve by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 11 yes. So voted.

7. Amend Ch. 13-168 Parking Restricted on Certain Streets Independent St *09/15/2015

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

8. Amend Ch. 13-180 Resident Parking *09/15/2015
9. Amend Ch. 13-168 Parking Restricted on Pauline Street *09/15/2015
10. Amend ORD Ch. 13-181 Parking Lots Waterfront Trust Lot *09/28/2015
11. Amend ORD Ch. 13-181 Parking Lots Green Street Lot Police Vehicles *09/28/2015
12. Amend ORD Ch. 13-168 Parking restricted on certain streets (COTW) Harrison & Purchase *10/13/2015

Motion to remove by Councillor Tontar, seconded by Councillor Heartquist. So voted. Motion to approve by Councillor Cronin, seconded by Councillor Heartquist. Roll call vote, 11 yes. So voted.

13. Snow & Ice Plan 2015-16 *10/26/2015
14. Amend ORD Ch. 13-179 Handicapped Parking on Franklin Street *10/26/2015

Motion to remove by Councillor Cronin, seconded by Councillor Tontar. So voted. Motion to approve as amended by Councillor Tontar, seconded by Councillor Heartquist. Roll call vote, 11 yes. So voted.

15. Amend ORD Ch. 13 -171 Service Zone 153-155 State Street *10/26/2015

Public Utilities Committee

Rules Committee

13. GOOD OF THE ORDER

14. ADJOURNMENT

Motion to adjourn by Councillor Cameron, seconded by Councillor Tontar at 9:01 pm. So voted.