

**CITY COUNCIL MEETING MINUTES - VERSION 1**  
**CITY COUNCIL CHAMBERS**

**March 14, 2016**

**7:30PM**

The City Council President, Thomas O'Brien, called the meeting to order at 7:40 pm. A moment of silence was held. This was followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Connell, Cronin, Cameron, Devlin, Earls, Eigerman, Giunta, O'Brien, Tontar, Vogel and Zeid. 11 present, 0 absent.

**(Sound Check)**

**1. MOMENT OF SILENCE** - Eric Page Mitchell, Gretchen Friede, and Michael Taranda.

**2. PLEDGE OF ALLEGIANCE**

**3. CALL TO ORDER**

**4. LATE FILE ITEMS-**

a) Mayor's Update. Motion to accept as Late File Mayor's Update and Bridge Naming Resolution ORDR017\_03\_14\_16, by Councillor Cameron, seconded by Councillor Tontar. So voted.

b) Garage Planning and Design Costs, Emergency Preamble (Councillor Cronin) ORDR018\_03-14-16. Motion to waive the rules, to accept Late File by Councillor Cronin, seconded by Councillor Devlin. Roll call vote: 7 Yes, 4 No (Tontar, Vogel, Cameron, Connell). Motion failed.

**5. PUBLIC COMMENT**

|                        |                            |                       |
|------------------------|----------------------------|-----------------------|
| 1. Jerry Lischke       | 187 High St                | Garage                |
| 2. Everett Chandler    | 34 Winter St               | ZBA Reappts. & Garage |
| 3. Mark Griffin        | 4 Otis Place               | ZBA Reappts. & Garage |
| 4. Al Sanchez          | 18 Reilly Ave.             | Garage                |
| 5. Sharon Boyle        | 20 Cutting Dr              | Garage                |
| 6. Ted Epstein         | 39 Bromfield St.           | Garage                |
| 7. Jeanne Deffley      | 6 Woodman Way              | Garage                |
| 8. Mark Bailey         | 38 R Merrimac St           | Garage                |
| 9. Michael Sales       | 6 Fruit St                 | Garage                |
| 10. Hugh Martinez      | 13 Tremont St              | ZBA Reappointments    |
| 11. Mary Krajci        | 232 High St                | Garage                |
| 12. Carol Beuparlant   | 3 Belcher                  | Garage                |
| 13. Tom Salemi         | 16 Tyng                    | Garage                |
| 14. Mel Nagler         | 3 Market St                | Garage                |
| 15. Linda Harding      | 13 Tremont # 2             | ZBA Reappointments    |
| 16. Ted Waldron        | 14 Oak St                  | Garage                |
| 17. Marian Levy        | 323 Merrimac St            | Garage                |
| 18. Andrew Simpson     | 1-1/2 Greenleaf St         | Garage                |
| 19. David McFarland    | 20 57 <sup>th</sup> Street | Garage                |
| 20. Pam Ketchum        | 15 Washington St           | Garage                |
| 21. Yvonne Chabrier    | 34 Warren St               | Garage                |
| 22. Roberta Lenes      | 104 Pleasant St            | Garage                |
| 23. Chris Ferraiolo    | 102 Pleasant St            | Garage                |
| 24. Alice Santarlaschi | 39 Forrester St            | Garage                |
| 25. Bill Harris        | 56 Lime St                 | Garage                |
| 26. Mary Haslinger     | 299 High St                | Garage                |
| 27. Christine Miller   | 12- 1/2 Market St          | Garage                |
| 28. Krista Yablin      | 76 Moseley Ave             | Garage                |
| 29. Jeanette Isabella  | 1 Lime St                  | Garage                |
| 30. Ginny Eramo        | 28 R Toppans Lane          | Garage                |

**6. MAYOR'S COMMENT**

The Mayor submitted 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.

## 7. APPROVAL OF MINUTES

February 29, 2016

(Approved)

## 8. TRANSFERS

None

## 9. COMMUNICATIONS

- **COMM027\_03\_14\_16** Annual Report FY 2015 (R & F)
- **COMM028\_03\_14\_16** Purple Onion Outdoor Seating (L&P)
- **COMM029\_03\_14\_16** Ride to End Alzheimer's (PS)

## 10. APPOINTMENTS – First Reading

- **APPT023\_03\_14\_16** Matthew W.Simons 62 Munroe St, Haverhill Lieutenant – Nbpt Police
- **APPT024\_03\_14\_16** Sheila J. Trieff 11 Shandell Drive CDT March 1, 2019
- **APPT025\_03\_14\_16** Cheryl Amey 24 Milk Street NHA March 31, 2021

### END OF CONSENT AGENDA

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

### REGULAR AGENDA

## 11. COMMUNICATIONS

- **LATE FILE COMM030\_03\_14\_16** Mayor's Update

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

- **COMM031\_03\_14\_16** Ltr to Councillor Vogel from H. Rowe re: IT Systems

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

## 12. APPOINTMENTS

### Second Reading APPOINTMENTS

- **APPT017\_02\_29\_16** – Johnny Walker (Capt), 64A Boardman St, Asst Harb/ Constable March 1, 2018
- **APPT018\_02\_29\_16** – Derek A Seehagen, 17 Sawyer St, Merrimac Asst Harb/ Constable March 1, 2018
- **Re-Appointments**
- **APPT019\_02\_29\_16** – Edmund R McGrath, 28 Olive St, Historical Comm March 31, 2018
- **APPT020\_02\_29\_16** – Malcolm Carnwath, 22 Strong St, Historical Comm Sept 30, 2019
- **APPT021\_02\_29\_16** – Charles Carroll, 25 Hill St, Council on Aging May 1, 2021
- **APPT022\_02\_29\_16** – Richard A Eaton, 4 Horton Terrace, Council on Aging May 31, 2021

Motion to approve 2<sup>nd</sup> reading of appointments collectively by Councillor Cameron, seconded by Councillor Zeid. Roll call vote, 11 yes.

## 13. ORDERS

- **ORDR012\_03\_14\_16** Emergency Preamble – Resolution Relation to Loan Order  
Motion to approve by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 10 Yes, 1 No (O'Brien)
- **ORDR013\_03\_14\_16** Resolution Relating to Loan Order  
Motion to approve by Councillor Cronin, seconded by Councillor Zeid. Roll call vote, 11 Yes. So voted.
- **ORDR014\_03\_14\_16** Electricity Access Fee  
Motion to refer to Budget and Finance Committee by Councillor Cronin, seconded by Councillor Tontar. So voted.

- **ORDR015\_03\_14\_16** Bus Stop – Water and Charles Street  
Motion to refer to **Public Safety Committee** by **Councillor Zeid**, seconded by **Councillor Cameron**.  
So voted.
- **ORDR016\_03\_14\_16** Street Contractor – D&M Civil, Inc.
- Motion to refer to **Public Utilities Committee** by **Councillor Eigerman**, seconded by **Councillor Zeid**.  
So voted
- **ORDR017\_03\_14\_16** Late file Bridge Naming  
Motion to refer to **General Government** by **Councillor Zeid**, seconded by **Councillor Giunta**.  
Motion withdrawn. Motion to table to next meeting (March 29, 2016) by **Councillor Cameron**,  
seconded by **Councillor Zeid**

#### 14. ORDINANCES

- **ODNC002\_01\_25\_16** – Chapter 4 Fines for dogs on Plum Island (2<sup>nd</sup> Reading)  
Motion to approve 2<sup>nd</sup> reading by **Councillor Tontar**, seconded by **Councillor Vogel**.  
Roll call vote, 7 Yes, 4 No (**Giunta, Zeid, Cronin, O'Brien**). So voted.
- **ODNC003\_01\_25\_16** – Chapter 3 Animals Dogs Kennel fees Sec. 3-27 (c) (2<sup>nd</sup> Reading)  
Motion to approve 2<sup>nd</sup> reading by **Councillor Vogel** seconded by **Councillor Tontar**.  
Roll call vote, 11 Yes. So voted.
- **ODNC006\_03\_14\_16** - Sec. 5-113 Sheet Metal Permits  
Motion to refer to **Budget and Finance Committee** by **Councillor Cronin**, seconded by **Councillor Tontar**. So voted

#### 15. COMMITTEE ITEMS

##### Budget & Finance

##### *In Committee:*

- **ORDR002\_01\_11\_16** - Loan Order intermodal transit parking facility \$630,300  
Motion to Remove by **Councillor Tontar** seconded by **Councillor Vogel**, So voted.  
Motion to Approve with Certain Amendments by **Councillor Tontar**, seconded by **Councillor Vogel**.  
The Clerk read the Order with Amendments into the Record.  
Motion to Amend the Order from Scheme 1A to Scheme 1 by **Councillor Eigerman**, seconded by **Councillor Cameron**. Discussion followed. Roll Call 9Y, 2N (BC, TO).  
Motion to Approve as Amended on the floor. Roll Call 10Yes, 1No. (TO).
- **ORDR002\_01\_25\_16** – Accept gift of \$25,000 repairing Brown's Wharf Culvert
- **ORDR009\_02\_08\_16** – Increase fees for Fire Dept.
- **ORDR010\_02\_08\_16** – Increase fines Parking Violations
- **TRAN004\_02\_29\_16** – DPS Gas (90,000) to DPS Fuel & Oil (90,000)
- **COMM026\_03\_14\_16** – Parking Information (2010 Study, etc)

A five minute recess was taken at 10:10pm

##### General Government

##### *In Committee:*

- **APPT010\_02\_08\_16** – Robert Ciampitti, Jr., 552 Merrimac St., Zoning Board of Appeals Feb 1, 2021
- **APPT004\_01\_25\_16** -Edward L. Ramsdell 32 Kent St., Newburyport, Zoning Board Feb 1, 2021  
Motion to remove from **General Gov & Planning & Dev. Committee** Collectively by **Councillor Vogel**, seconded by **Councillor Cameron**. **Councillor Earls** recused himself.  
Motion to approve by **Councillor Vogel**, seconded by **Councillor Cameron**. Roll call vote 9 Yes, 2 No (**Eigerman, Tontar**). So voted.

##### Joint Education

**Councillor Giunta** gave an update on introducing middle school students to **Whittier Technical School**.

##### License & Permits

##### *In Committee:*

- **COMM010\_01\_25\_16** - Licensing Commission Acoustic & Amplified Entertainment

- **ODNC004\_01\_25\_16** – Chapter 3 Animals Dogs Nuisance

## **Neighborhoods and City Services**

### ***In Committee:***

- **ODNC001\_01\_11\_16** Amend Ch11 Parks and Recreation (COTW)

## **Planning & Development**

### ***In Committee:***

- **COMM005\_01\_11\_16** Letter to Council regarding Economic Development Concept for Business Park
- **ODNC001\_01\_25\_16** – Zoning Amend Smart Growth District (COTW)
- **COMM020\_02\_08\_16** – Memo re: hiring process for Building Commissioner
- **APPT010\_02\_08\_16** – Robert Ciampitti, Jr., 552 Merrimac St., Zoning Board of Appeals Feb 1, 2021
- **APPT004\_01\_25\_16** -Edward L. Ramsdell 32 Kent St., Newburyport, Zoning Board Feb 1, 2021
- **ODNC005\_02\_08\_16** – Zoning Amend App. A, Sec. III-C Zoning Map, dated Feb. 8, 2016

## **Public Safety**

### ***In Committee:***

- **COMM024\_02\_29\_16** Chamber Ltr re: Use of Streets for Festival/Events
- **COMM023\_02\_29\_16** Hines Soldiers Assistance Fund Race, June 6, 2016
- **COMM022\_02\_29\_16** Petition by Merchants for Surveillance
- **ORDR011\_02\_29\_16** - Parking – Section 13-168, Winter Hours Restrictions, Certain Streets

## **Public Utilities Committee**

## **Rules Committee**

## **16. GOOD OF THE ORDER**

- a) Councillor Earls recommended people go see Newburyport High School's theatrical production, "Anything Goes".
- b) Councillor O'Brien thanked the Bresnahan School's Third Grade Dribbling Team who performed at the TD Garden in Boston recently.
- c) Councillor O'Brien also thanked Heather Rowe and congratulated her on her recent acceptance of a new position at the Massachusetts Attorney General's office.

## **17. ADJOURNMENT Motion to Adjourn at 10:35 pm by Councillor Cameron, seconded by Councillor Zeid.**