

**CITY COUNCIL MEETING MINUTES**  
**CITY COUNCIL CHAMBERS**  
**August 8, 2016**

**7:30PM**

The City Council President, Thomas O'Brien, called the meeting to order at 7:30pm. The Pledge of Allegiance was recited. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Cronin, Devlin, Earls, Eigerman, Giunta, Tontar, Vogel, Zeid, Cameron, Connell, O'Brien. All present.

**(Sound Check)**

**1. MOMENT OF SILENCE**

**2. PLEDGE OF ALLEGIANCE**

**3. CALL TO ORDER**

**4. LATE FILE ITEMS Mayor's update, APPT062\_08\_08\_16, COMM083\_08\_08\_16, cover letter for Maureen Pomeroy, version 2 of agenda**

Motion to waive the rules, to accept late files, by Councillor Zeid, seconded by Councillor Cameron. So voted.

**5. PUBLIC COMMENT**

1. Norman Hansen	12 Carleton Drive	CPC Award
2. Ted Epstein	46 Warren Street	Licenses
3. Ann Ormond	38R Merrimac Street	Chamber Events
4. Joe Lamb	14 Russia Street	Planning Board
5. Sheila Mullins	7 Parsons Street	Sidewalks

**6. MAYOR'S COMMENT**

The mayor gave an update pursuant to her written communication.

**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**

July 11, 2016

(Approve)

**8. TRANSFERS**

- **TRAN023\_08\_8\_16** Solid Waste Fee (40,000) to HHWaste (20,000) and Chipper (20,000) (B&F)
- **TRAN024\_08\_8\_16** Parks, Maintenance (10,000) to P-T Emp (10,000) (B&F)

**9. COMMUNICATIONS**

- **COMM077\_08\_08\_16** Communications re: Seacoast Taxi (L&P)
- **COMM080\_08\_08\_16** Special Event App Old Nbpt Day at Mall (PS)
- **COMM081\_08\_08\_16** Marquand Lane Letter re: Tow Truck (PS, NCS)
- **COMM082\_08\_08\_16** Atria Gratitude Day (L&P)

**10. APPOINTMENTS**

- **APPT057\_08\_08\_16** Kim Kudym 44 Hale St Tree Comm (alt) 5/1/2018
- **APPT058\_08\_08\_16** Joe Lamb 14 Russia St Planning Board 8/31/2021
- **APPT059\_08\_08\_16** Paul C. O'Brien 483B Merrimac St CPC 5/1/2019
- **APPT060\_08\_08\_16** Maureen Louise Pomeroy 62 Boardman St ZBA 8/1/2021
- **APPT061\_08\_08\_16** Richard Puopolo 169 Apache Wy Asst Harbormaster 8/1/2019

## END OF CONSENT AGENDA REGULAR AGENDA

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Cameron. So voted.

### 11. MAYOR'S UPDATE

Motion to receive and file by Councillor O'Brien, seconded by Councillor Cameron. So voted.

### 12. COMMUNICATIONS

- **COMM078EP\_08\_08\_16** Outdoor Seating, Loretta's - Emergency Preamble  
Motion to approve by Councillor Cameron, seconded by Councillor Giunta. 10 yes, 1 present. Motion passed.
- **COMM078\_08\_08\_16** Outdoor Seating, Loretta's Pleasant St  
Motion to approve by Councillor Zeid, seconded by Councillor Cameron. So voted.
- **COMM079EP\_08\_08\_16** Outdoor Seating, Commune/Caffe Di LLC - Emergency Preamble  
Motion to approve by Councillor Cameron, seconded by Councillor Earls. 10 yes, 1 present. Motion passed.
- **COMM079\_08\_08\_16** Outdoor Seating, Commune/Caffe Di LLC  
Motion to approve by Councillor Cameron, seconded by Councillor Earls. So voted.
- **COMM083\_08\_08\_16 LATE FILE** Grand Tasting Celebration  
Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Zeid. So voted.

### 13. APPOINTMENTS

#### First Reading

- **APPT062\_08\_08\_16** Julie Languirand 13 Cushing St, Slsbry Treasurer 8/30/19  
**LATE FILE**

#### Second Reading

Motion to approve second reading appointments collectively by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion passed.

- **APPT055\_07\_11\_16** Patricia A. Moore Newburyport CPO N/A
- **APPT056\_07\_11\_16** MJ Verde 18 Spring St, Nbpt Planning Brd 8/1/21

### 14. ORDERS

- **ORDR058\_08\_08\_16** CPC Recommendations For FY17  
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Vogel. So voted.
- **ORDR059\_08\_08\_16** \$615,000 Plum Island Sewer Valve Pit Monitoring System Capital Project  
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Vogel. So voted.
- **ORDR060\_08\_08\_16** \$835,000 is Appropriated to Various Drainage Projects  
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted.

- **ORDR061\_08\_08\_16** Spending Limit for Medicare/Medicaid Revolving Fund from \$15,000 to \$25,000  
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **ORDR062\_08\_08\_16** \$60,000 Appropriated for New Harbormaster Facility  
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Vogel. So voted.
- **ORDR063\_08\_08\_16** ACO Contract with W Newbury & Nbpt Extension to June 30, 2017  
Motion to refer to License & Permits by Councillor Vogel, seconded by Councillor Cameron. So voted.
- **ORDR064\_08\_08\_16** List of Crosswalks - add walk on Merrimac St near Caldwell Ct and Kent at Merrimac  
Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Vogel. So voted.
- **ORDR065\_08\_08\_16** Licensed Contractor Guaranteed Builders  
Motion to refer to Public Utilities by Councillor Eigerman, seconded by Councillor Zeid. So voted.
- **ORDR066\_08\_08\_16** Licensed Contractor Masterson Construction  
Motion to refer to Public Utilities by Councillor Eigerman, seconded by Councillor Zeid. So voted.

## 15. ORDINANCES

- **ODNC014\_08\_08\_16** Zoning Amend Sidewalks/Trees Sec XI-K et al  
Motion to refer to Planning & Development by Councillor Giunta, seconded by Councillor Connell. So voted.

## 16. COMMITTEE ITEMS

### Budget & Finance

#### *In Committee:*

- **ORDR009\_02\_08\_16** Increase Fees for Fire Dept.
- **ORDR010\_02\_08\_16** Increase Fines Parking Violations
- **ORDR002\_01\_25\_16** Accept Gift of \$25,000 Repairing Brown's Wharf Culvert (COTW)
- **ORDR039\_05\_31\_16** Increase Hourly Parking Rate to \$1.50

### General Government

#### *In Committee:*

- **COMM063\_06\_13\_16** Letter from Abutters of the I-95 Project

### Joint Education

### License & Permits

#### *In Committee:*

- **COMM010\_01\_25\_16** Licensing Commission Acoustic & Amplified Entertainment
- **COMM059\_05\_31\_16** Letter re: Sign Committee
- **ODNC011\_05\_31\_16** Amend Transient Vendors for Cashman (COTW)
- **COMM070\_07\_11\_16** When Pigs Fly, Table Request, 1 Merrimac St  
Motion to remove from License & Permits by Councillor Vogel, seconded by Councillor Zeid. Motion to receive and file by Councillor Vogel, seconded by Councillor Zeid. So voted.
- **COMM072\_07\_11\_16** Marlboro St Block Party Aug 27, 2016  
Motion to remove from License & Permits by Councillor Vogel, seconded by Councillor Cameron. Motion to approve by Councillor Vogel, seconded by Councillor Cameron. So voted.
- **COMM073\_07\_11\_16** Pool Table App, Wolfe Tavern, 10 Center St

Motion to remove from License & Permits by Councillor Vogel, seconded by Councillor Cameron.  
Motion to approve by Councillor Vogel, seconded by Councillor Cameron. Councillor Eigerman  
recused himself. So voted.

- **COMM075\_07\_11\_16** 54<sup>th</sup> Street Block Party, Aug 13, 2016  
Motion to remove from License & Permits by Councillor Vogel, seconded by Councillor Earls. Motion  
to approve by Councillor Vogel, seconded by Councillor Earls. So voted.
- **ODNC013\_07\_11\_16** Amend Outdoor Seating (Two Year Renewals)

## **Neighborhoods and City Services**

### *In Committee:*

- **ODNC001\_01\_11\_16** Amend Ch11 Parks and Recreation (COTW)
- **ORDR048\_06\_13\_16** Sidewalk Order

## **Planning & Development**

### *In Committee:*

- **COMM020\_02\_08\_16** Memo re: Hiring Process for Building Commissioner
- **ORDR055\_06\_27\_16** Order re: Surplus Property – WWTP
- **COMM076\_07\_11\_16** **LATE FILE** Boyd Drive Petition

## **Public Safety**

### *In Committee:*

- **ORDR011\_02\_29\_16** Parking – Section 13-168, Winter Hours Restrictions, Certain Streets
- **COMM062\_06\_13\_16** Newburyport Half Marathon
- **COMM063\_06\_13\_16** Letter from Abutters of the I-95 Project
- **COMM071\_07\_11\_16** Geiger Walk Against Violence Oct. 2, 2016  
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Cameron.  
Motion to approve by Councillor Cronin, seconded by Councillor Cameron. So voted.
- **COMM074\_07\_11\_16** Pan Mass Challenge Kids Race, Sept 18, 2016  
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Giunta. Motion  
to approve by Councillor Cronin, seconded by Councillor Giunta. So voted.
- **ORDR057\_06\_27\_16** Resident Parking Program, Orange St  
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Cameron.  
Motion to approve by Councillor Cronin, seconded by Councillor Tontar. So voted.

## **Public Utilities**

### *In Committee:*

- **COMM060\_05\_31\_16** Mobilitie, LLC Highway Access Permit
- **ODNC012\_05\_31\_16** Amend Sign Ordinance Chapter 12.3 et al

## **Rules Committee**

### *In Committee:*

## **17. GOOD OF THE ORDER**

Councillor Zeid announced a meeting at Pita Hall on Plum Island to discuss erosion.

## **18. EXECUTIVE SESSION**

Motion to begin the executive session to discuss pending litigation by Councillor Vogel, seconded by Councillor Cameron. So voted. President O'Brien stated the Council would not return to regular session. 8:27pm.

**19. ADJOURNMENT**

Motion to adjourn by Councillor Tontar, seconded by Councillor Vogel. So voted. 9:05pm.