

## **CITY COUNCIL MEETING MINUTES - VERSION 2**

**January 27, 2014**

**7:30PM**

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held for Robert MacDonald, retired City firefighter. 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 – Communications #5, and #6 and Franklin St Ordinance Scrivener's Error**

**Motion to waive the rules and allow late files by Councillor Cameron, seconded by Councillor Herzog. So voted.**

### **2. PUBLIC COMMENT**

- |                    |                            |                          |
|--------------------|----------------------------|--------------------------|
| 1) David McFarlane | 20 57 <sup>th</sup> Street | Water Sewer PI           |
| 2) Kristen Farrell | 28 Spofford Street         | NCOD Appointment         |
| 3) Jenne Donahue   | 18 Cherry Street           | Commission on Disability |
| 4) Josh Kusteler   | 15 Cutting Drive           | Appointment              |

### **3. MAYOR'S COMMENT**

**The Mayor gave an update to the Council based upon Communication #6.**

## **CONSENT AGENDA**

### **4. APPROVAL OF MINUTES**

January 13, 2014

(Approved)

### **5. COMMUNICATIONS**

- |  |                    |
|--|--------------------|
| 1. Second Hand Motor Vehicle License Renewal – Plum Autoworks, Inc.    | (Approved)         |
| 2. One Fund 2.6 mi Charity Road Race – Winner's Circle, April 13, 2014 | (Public Safety)    |
| 3. 3 <sup>rd</sup> Annual Pan Mass Challenge Kids Ride, June 22, 2014  | (Public Safety)    |
| 4. Mid-Year Budget Report  | (Budget & Finance) |

### **6. APPOINTMENTS-First Reading**

- |                                      |                  | <b>Appointment</b>               |               |
|--------------------------------------|------------------|----------------------------------|---------------|
| 1. Leslie Eckholdt                   | 36 Warren Street | Fruit St. Local Hist. Dist. Com. | March 1, 2017 |
| <b>Removed by Councillor Herzog.</b> |                  |                                  |               |

- |                       |                      | <b>Re-Appointment</b>           |                  |
|-----------------------|----------------------|---------------------------------|------------------|
| 2. David Zinck        | 6 Laurel Road        | Electrical Inspector            | January 31, 2015 |
| 3. Anthony J. Furnari | 10 Olsen Rd, Peabody | Director, Dept. Public Services | February 1, 2017 |
| 4. James McCarthy     | 17 Russia Street     | Planning Board                  | January 31, 2019 |

## **END OF CONSENT AGENDA**

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

## **REGULAR AGENDA**

### **7. ORDERS**

3. Gift from Rotary Club for Roundabout

**Motion to take out of order by Councillor Cameron, seconded by Councillor Connell. Motion to receive and file by Councillor Tontar, seconded by Councillor Cameron. So voted.**

### **8. PRESENTATION ON WATER AND SEWER TREATMENT PLANTS**

**Pieter Hartford gave a presentation on the water and sewer treatment plants.**

## **9. COMMUNICATIONS-LATE FILES**

5. Transfer of Development Rights Report

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

6. Mayor's Update

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

## **10. APPOINTMENTS – First Reading**

1. Leslie Eckholdt      36 Warren Street      Fruit St. Local Hist. Dist. Com.      March 1, 2017

**Motion to R & F by Councillor Herzog, seconded by Councillor Cameron. So voted.**

## **11. APPOINTMENTS-Second Reading**

### **Appointment**

- |    |                    |                      |                               |                  |
|----|--------------------|----------------------|-------------------------------|------------------|
| 5. | Josh Kasteler      | 15 Cutting Drive     | Moseley Woods Commission      | January 31, 2017 |
| 6. | Barry J. McBride   | 5 Pine St, Salisbury | Ass't Wiring Inspector        | January 31, 2015 |
| 7. | Daniel J. Koen     | 16 Boyd Drive        | Newburyport Housing Authority | January 1, 2019  |
| 8. | Kristen M. Farrell | 28 Spofford Street   | Disabilities Commission       | January 31, 2017 |
| 9. | Mark E. Bilodeau   | 63 High Street       | Historical Commission         | May 1, 2017      |

**Motion to approve collectively by Councillor Cameron, seconded by Councillor Tontar. So voted.**

### **Re-Appointment**

10. Andrew R. Port      12 Central Place, Saugus      Director Planning & Dev.      January 31, 2017

**Motion to approve by Councillor Cameron, seconded by Councillor Tontar. So voted.**

## **12. CITY COUNCIL APPOINTMENT-Second Reading**

### **Re-Appointment**

11. Richard B. Jones      283 High Street      City Clerk      January 31, 2017

**Motion to approve by Councillor Cameron, seconded by Councillor Tontar. So voted.**

## **13. ORDERS**

1. Tree Commission Revolving Fund

**Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.**

2. Gift from Ken Jackman re: bollards

**Motion to approve by Councillor Cronin, seconded by Councillor Herzog. So voted.**

## **14. ORDINANCES**

1. Franklin Street – Parking

**Motion to refer to Public Safety by Councillor Heartquist, seconded by Councillor Herzog. So voted.**

2. Fair Street, Resident Parking

**Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Herzog. So voted.**

3. Interim Demolition Control Overlay District – Zoning

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

4. Off-Street Parking Regulations – Zoning

**Motion to refer to Planning & Development and Committee of the Whole (COW), and Traffic Advisory Committee by Councillor Herzog, seconded by Councillor Kinsey. So voted.**

5. Interim Downtown Overlay District – (IDOD)

**Motion to refer to Planning & Development and Committee of the Whole (COW) by Councillor Herzog, seconded by Councillor Connell. So voted.**

## **15. COMMITTEE ITEMS**

### **Budget & Finance**

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

1. Mayor Gen Fd Free Cash \$25,000 to OPEB Trust Fund \$25,000 \*01/13/2014

**Motion to remove by Councillor Tontar, seconded by Councillor Connell. Motion to approve by Councillor Tontar, seconded by Councillor Vogel. 10 yes, 1 no (Herzog). So voted.**

2. Mayor Gen Fd Free Cash \$9,775 to Mayor Grant Writer \$9,775 \*01/13/2014

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

**3. Creation of Trust Fund for Other Post-Employment Benefit Liabilities (OPEB)** \*01/13/2014  
**Motion to remove by Councillor Tontar, seconded by Councillor Vogel. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.**

**License & Permits :**

***In Committee:***

1. Second Hand Motor Vehicle License Renewal – LCA Motors \*01/13/2014  
**Motion to remove by Councillor Herzog, seconded by Councillor Connell. Motion to approve by Councillor Herzog, seconded by Councillor Connell. So voted.**
2. Second Hand Motor Vehicle License Renewal – Chanard Limousine Sales, Inc \*01/13/2014

**Planning & Development**

***Councillor Cameron stated that there is a meeting on 1/28/14 at 7:00pm in the City Hall Auditorium regarding the Waterfront.***

**Public Safety**

***In Committee:***

1. Annual Amer. Diabetes Assoc. Tour de Cure May 18, 2014 \*01/13/2014
  2. Amend Ord. 13-180 Parking Resident Fair St \*01/13/2014
  3. Annual Rotary Club Annual Frigid Fiver 5 Miler Road Race Feb. 2, 2014 \*01/13/2014
- Motion to remove by Councillor Cronin, seconded by Councillor Connell. The route was clarified. Motion to approve by Councillor Cronin, seconded by Councillor Herzog. So voted.**

**Rules Committee:**

***In Committee:***

1. City Council Rule 8a \*01/13/2014

**16. GOOD OF THE ORDER**

**Councillor Herzog stated that he will host a meeting on Comcast internet competition.**

**Councillor Kinsey challenged the Council to join in an exercise movement class with Mrs. Doyle's 1<sup>st</sup> grade class at the Bresnahan school 1/30 at 8:45am.**

**17. EXECUTIVE SESSION**

**The Mayor updated the Council before going into Executive Session. She expressed concern about the corrosion of the pipes, then talked about the test pits that have been dug. The Mayor called District Attorney Blodgett and met with him. She also presented the case to Inspector General after nine months and 58,000 pieces of documentation were put together by various departments in the City. She then met with CDM Smith, hired Attorneys Rubin & Rudman and is pleased with them. Needed to get clarity on certain issues and have been working with Mass Materials Research lab which is doing fabulous work. We had a Main break around Hurricane Sandy time. Met with Attorney General who has accepted the case. The case is now proceeding as both a civil matter and criminal matter. 18,000 bolts could be faulty. CDM Smith are changing out metals with PVC. DEP is now involved. 147 hydrants may need to be repaired. No flushing being done.**

**Motion to go into Executive Session at 9:07 by Councillor Cameron, seconded by Councillor Herzog. Roll call vote, 11 yes. So voted.**

**Motion to come out of Executive Session at 9:46 pm by Councillor Cameron, seconded by Councillor Herzog. Roll call vote, 11 yes. So voted.**

**18. ADJOURNMENT**

**Motion to adjourn at 9:46pm by Councillor Cameron, seconded by Councillor Herzog. So voted.**