

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS

May 31, 2016

7:10 PM

Pole Hearing

Low Street and Storey Avenue

Opened at 7:10pm by President O'Brien, all councillors present. Motion to table the matter until June 13, 2016 by Councillor Zeid, seconded by Councillor Cronin. Contact at National Grid is John Butler. Hearing closed at 7:20pm.

7:15 PM

Hearing on FY 17 Budget

Opened at 7:20pm by President O'Brien, all councillors present. None spoke in favor, none opposed. Motion to adjourn by Councillor Tontar, seconded by Councillor Cameron at 7:21pm.

7:30PM

The City Council President, Thomas O'Brien, called the meeting to order at 7:36pm. A moment of silence was held for Mary Reilly, followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Zeid, Cameron, Connell, Cronin, Devlin, Earls, Eigerman, Giunta, Tontar, Vogel, O'Brien. 11 present, 0 absent.

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS Mayor's Update, COMM059_05_31_16

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

5. PUBLIC COMMENT

- | | | |
|----------------------|-------------------|-----------------------------|
| 1. Tom Kolterjahn | 64 Federal Street | Zoning ordinance amendments |
| 2. Stephanie Niketic | 93 High Street | Zoning amendments |
| 3. Rita Mihalek | 27 Charter Street | Zoning ordinance amendments |
| 4. Sarah T. Spalding | 280 High Street | Library Board appointee |
| 5. Don Little | 6 Cottage Court | CPC appointee |
| 6. Rob Germinara | 2 Ashland Street | Zoning amendments |

6. MAYOR'S COMMENT

The mayor gave an update pursuant to her written communication, and also read a proclamation on gun violence awareness.

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

May 9, 2016

(Approve)

8. TRANSFERS

- **TRAN014_05_31_16** General Fund \$10,000.00 to CCN Ordinance Recodification (B&F)
\$2,500.00, CCN Legal Ads \$1,500.00, and BDR Elections \$6,000.00
- **TRAN015_05_31_16** Fire Fuel/Oil \$10,000.00 to Fire Maintenance \$10,000.00 (B&F)
- **TRAN016_05_31_16** General Fund \$63,000.00 to Fire/Fuel Oil \$10,000.00, Fire Educational Materials \$2,000.00, and Fire Overtime \$75,000 (B&F)

9. COMMUNICATIONS

- **COMM055_05_31_16** Exchange Club Request to Advertise Field of Honor Program (L&P)
- **COMM056_05_31_16** Oregon Application for Outdoor Seating (L&P)
Motion to remove from Consent Agenda by Councillor Vogel, seconded by Councillor Earls. So voted.
- **COMM058_05_31_16** Bed Race Event Application (PS)
- **COMM059_05_31_16 LATE FILE** Letter RE: Sign Committee (L&P)
- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit (PU)

10. APPOINTMENTS

**First Reading
APPOINTMENTS**

- **APPT036_05_31_16** Sarah T. Spalding 280 High Street, Nbpt Library Board

CONFIRMATORY APPOINTMENTS

- **APPT037_05_31_16** Joseph Brown 6 Cutting Drive, Nbpt Waterfront Trust
- **APPT038_05_31_16** Wilbur Shenk 1 Beck Street, Nbpt Waterfront Trust
- **APPT039_05_31_16** George H. Ellison, Jr. 2A Noble Street, Nbpt Waterfront Trust
- **APPT040_05_31_16** Steven D. Hines 54 Ferry Road, Nbpt Waterfront Trust
- **APPT041_05_31_16** Scott W. Sutherland 3 Savory Street, Nbpt Waterfront Trust

RE-APPOINTMENTS

- **APPT042_05_31_16** Paul Healy 8 N Street, Nbpt Comm Preservation
- **APPT043_05_31_16** Paul Healy 8 N Street, Nbpt Conservation Comm
- **APPT044_05_31_16** Paul Hogg 4 Coltin Drive, Nbpt Harbormaster
- **APPT045_05_31_16** Donald F. Little 6 Cottage Court, Nbpt Comm Preservation
- **APPT046_05_31_16** Daniel R. May 5 Lucey Drive, Nbpt Harbor Comm
- **APPT047_05_31_16** Maurice Southworth 12 Fruit Street Fruit St Local
- **APPT048_05_31_16** David B. Vine 47 Marlboro Street, Nbpt Conservation Comm
- **APPT049_05_31_16** Daniel P. Warchol 47 Plummer Avenue, Nbpt Conservation Comm
- **APPT050_05_31_16** Sarah M. White 349 High Street, Nbpt Historical Comm

END OF CONSENT AGENDA

REGULAR AGENDA

Motion to approve the Consent Agenda by Councillor Cameron, seconded by Councillor Giunta. So voted.

11. MAYOR'S UPDATE

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

12. COMMUNICATIONS

- **COMM057EP_05_31_16** Emergency Preamble for Anchor Stone Deck Pizza and Oregano Outdoor Seating
President O'Brien allowed COMM057_05_31_16 and COMM056_05_31_16 to be considered jointly; COMM057EP_05_31_16 was amended to include COMM056_05_31_16. Roll call vote, 10 Y, 1 Present.
- **COMM057_05_31_16** Anchor Stone Deck Pizza and Oregano Application for Outdoor Seating
Motion to approve COMM057_05_31_16 and COMM056_05_31_16 collectively, according to amended emergency preamble, by Councillor Earls, seconded by Councillor Vogel. Roll call vote, 11 yes.

13. APPOINTMENTS

Second Reading APPOINTMENTS

- **APPT034_05_09_16** Peter Binette 255 Main Street, Ames, MA Building Comm
Motion to approve by Councillor Cameron, seconded by Councillor Cronin. Roll call vote, 10 yes, 1 Absent.
- **APPT035_05_09_16** Byron M. Getchell 14 Milk Street, Nbpt, MA Tree Comm
Motion to approve by Councillor Cameron, seconded by Councillor Zeid. Roll call vote, 11 yes.

14. ORDERS

- **ORDR037_05_31_16** Military Plate Space in Green St lot
Motion to refer to Budget & Finance by Councillor Giunta, seconded by Councillor Zeid. So voted.
- **ORDR038_05_31_16** Intermunicipal Agreement for Shared Animal Control Services
Motion to refer to License & Permits by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 7 yes, 4 no. Motion passed.
- **ORDR039_05_31_16** Increase Hourly Parking Rate to \$1.50
Motion to refer to Budget & Finance by Councillor Cronin, seconded by Councillor Giunta. So voted.
- **ORDR040_05_31_16** Whittier Regional Stabilization Fund
Motion to refer to Budget & Finance by Councillor Giunta, seconded by Councillor Tontar. So voted.
- **ORDR041_05_31_16** Taking on 1 Pasture Road – Sewer Lift Station
Motion to refer to Planning & Development by Councillor Cameron, seconded by Councillor Connell. So voted.
- **ORDR042_05_31_16** F&S Construction – New Licensed Contractor

Motion to refer to Public Utilities by Councillor Eigerman, seconded by Councillor Zeid. So voted.

- **ORDR043_05_31_16** Free Parking During Christmas Season

Motion to refer to Budget & Finance by Councillor Giunta, seconded by Councillor Zeid. So voted.

15. ORDINANCES

- **ODNC010_05_31_16** Amend Outdoor Seating

Motion to refer to License & Permits by Councillor Vogel, seconded by Councillor Tontar. So voted

- **ODNC011_05_31_16** Amend Transient Vendors for Cashman

Motion to refer to License & Permits, COTW by Councillor Eigerman, seconded by Councillor Cameron. So voted.

- **ODNC012_05_31_16** Amend Sign Ordinance Chapter 12.3 et al

Motion to refer to License & Permits by Councillor Vogel, seconded by Councillor Tontar, withdrawn. Motion to refer to Public Utilities by Councillor Eigerman, seconded by Councillor Vogel. So voted.

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR009_02_08_16** Increase fees for Fire Dept.

- **ORDR010_02_08_16** Increase fines Parking Violations

- **COMM034_03_29_16** CIP Submission FY 2016

Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.

- **ORDR002_01_25_16** Accept gift of \$25,000 repairing Brown's Wharf Culvert (COTW)

- **TRAN011_05_09_16** Solid Waste Fee \$8,700.00 to Chipper \$8,700

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

- **TRAN012_05_09_16** Free Cash \$6,400.00 to HWY Maint Bldg \$6,400

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

- **TRAN013_05_09_16** Multiple Accounts \$482,349.00 to Fuller Field & Track Project \$482,349.00 (COTW)

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

- **COMM052_05_09_16** FY2017 Proposed Budget (COTW)

General Government

In Committee:

Joint Education

License & Permits

In Committee:

- **COMM010_01_25_16** - Licensing Commission Acoustic & Amplified Entertainment
- **ODNC004_01_25_16** – Chapter 3 Animals Dogs Nuisance
Motion to remove by Councillor Vogel, seconded by Councillor Zeid. Motion to approve by Councillor Vogel, seconded by Councillor Zeid. Roll call vote, 10 yes, 1 no.
- **COMM049_05_09_16** Atomic Coffee Co. Application for Outdoor Seating

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (COTW)
- **COMM032_03_29_16** Councillor Cronin - Garage Impact Abutters Group Recs
Motion to remove by Councillor Connell, seconded by Councillor Zeid. Motion to receive and file by Councillor Connell, seconded by Councillor Zeid. So voted.
- **COMM033_03_29_16** Councillor Zeid - Garage Impact Abutters Group Recs
Motion to remove by Councillor Connell, seconded by Councillor Zeid. Motion to receive and file by Councillor Connell, seconded by Councillor Zeid. So voted.
- **ORDR031_04_25_16** Tree Order on Replanting
Motion to remove by Councillor Connell, seconded by Councillor Zeid. Motion to amend, to add the phrase “subject to appropriation” to the final line by Councillor Zeid, seconded by Councillor Connell. So voted. Motion to approve as amended by Councillor Connell, seconded by Councillor Zeid. So voted.
- **ORDR032_04_25_16** Veterans at Brown Square
Motion to remove by Councillor Connell, seconded by Councillor Zeid. Motion to approve by Councillor Connell, seconded by Councillor Zeid. So voted.
- **ODNC009_04_25_16** CDT renamed to Human Rights Committee
Motion to remove by Councillor Connell, seconded by Councillor Cameron. Motion to approve by Councillor Connell, seconded by Councillor Cameron. So voted.
- **ORDR035_05_09_16** Rename Portion of Atwood Park to Garrison Gardens
Motion to remove by Councillor Connell, seconded by Councillor Zeid. Motion to approve by Councillor Connell, seconded by Councillor Zeid. So voted.

Planning & Development

In Committee:

- **COMM005_01_11_16** Letter to Council RE: Economic Development Concept for Business Park
- **COMM020_02_08_16** Memo re: hiring process for Building Commissioner
- **ORDR025_04_11_16** Gloria Braunhardt Little River Bike Trail
- **ODNC007_04_11_16** Zoning – To Improve Record Keeping and Coordination (COTW)
Motion to remove by Councillor Cameron, seconded by Councillor Giunta. Motion to approve by Councillor Cameron, seconded by Councillor Zeid. Motion to amend by Councillor Zeid, seconded by Councillor Cronin, withdrawn. Motion to amend Section X-D, Paragraph 2, Line 2 by Councillor Zeid, seconded by Councillor Cronin. Motion to approve as amended by Councillor Cameron, seconded by Councillor Zeid.
- **ODNC008_04_11_16** Zoning – Repair City-Owned Sidewalks (COTW)
- **ORDR033_04_25_16** Multi-Hazard Mitigation Plan

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

Public Safety

In Committee:

- **ORDR011_02_29_16** - Parking – Section 13-168, Winter Hours Restrictions, Certain Streets
- **ORDR023_04_11_16** Parking Restrictions, Simmons Drive
- **ORDR024_04_11_16** Parking Restrictions, Golden Drive
- **COMM046_04_25_16** Dates for Yankee Homecoming
Motion to remove by Councillor Cronin, seconded by Councillor Cameron. Motion to approve by Councillor Cronin, seconded by Councillor Cameron. So voted.
- **COMM048_04_25_16** Yankee Homecoming Race Application
Motion to remove by Councillor Cronin, seconded by Councillor Cameron. Motion to approve by Councillor Cronin, seconded by Councillor Connell. So voted.
- **COMM050_05_09_16** Coast to the Cure Bike Ride Sept 10, 2016
- **COMM051_05_09_16** Pan-Merrimack Challenge Jun 18, 2016
Motion to remove by Councillor Cronin, seconded by Councillor Tontar. Motion to approve by Councillor Cronin, seconded by Councillor Giunta. So voted.

Public Utilities

In Committee

- **ORDR027_04_11_16** Licensed Contractor Robell, Inc.

Rules Committee

16. GOOD OF THE ORDER

Councillor Zeid announced a Public Safety forum at Pita Hall on June 14th at 6:30pm. Councillor Tontar announced a Ward 4 meeting at the Senior Center on June 15th at 7pm, a concert on July 2nd for the Parks Conservancy, and Budget Workshops on June 2nd, June 7th, and June 9th.

17. ADJOURNMENT

Motion to adjourn by Councillor Tontar, seconded by Councillor Cameron. So voted. 9:47pm.