

CITY COUNCIL MEETING MINUTES

REMOTE –

Phone Dial-In Instructions:

Link to join Webinar

<https://zoom.us/j/97335451669>

Dial: (312) 626-6799 Webinar ID: 973 3545 1669

Meeting Recording:

https://us02web.zoom.us/rec/share/3tR4IJ3L_VpJaZHXxRz1C5N5L4DbT6a8hCQZqPoMmUhh1Nokg-KhsdOpVzVSrMEe

Password: 3F^6\$!5j

APRIL 27, 2020

The City Council President, Jared Eigerman, called the meeting to order at 7:30pm. A moment of silence was held for Rosaria Ciaramitaro Giacalone, mother of Health Director Frank Giacalone, and George Edward Dodge member of the NRA and spouse to Sandra Dodge, past employee of the Assessor's Dept. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Devlin, Khan, Lane, McCauley, Connell, Shand, Tontar, Vogel, Wallace, Zeid, Eigerman. 11 present using Zoom as a platform.

7:30PM

(Sound Check)

1. MOMENT OF SILENCE

2. CALL TO ORDER

3. LATE FILE ITEMS - ODNC057_04_27_2020 Moratorium on Dog License Fines; COMM240_04_27_2020 Memo re: SOI Submission Info

Motion to waive the rules, to allow late files, by Councillor Zeid, seconded by Councillor Khan. So voted.

4. PUBLIC COMMENT

5. MAYOR'S COMMENT

The Mayor gave a verbal 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.

6. APPROVAL OF MINUTES

- April 8, 2020 (Approve)
- April 13, 2020 (Approve)

7. COMMUNICATIONS

- COMM239_04_27_2020 Whittier Tech Approved Budget 2020-2021 (B&F)
- APPL013_04_27_2020 Chocolate Tour Central Cong. Church 5/16/2020 (PS)
- APPT166_04_13_2020 Resume of Robert Cook, Water/Sewer Commission (PU)

8. TRANSFERS

- TRAN074_04_27_2020 Free Cash 125K to Dump Truck Lease (B&F)
- TRAN075_04_27_2020 Bud Cont. \$104K to Fire SAL \$84K, Dep Ch SAL \$3,5K, Cloth \$16,5K (B&F)

9. FIRST READING APPOINTMENTS

- APPT167_04_27_2020 Madeline Nash 19 Arlington St Afford Housing Trust 5/1/2023
- APPT168_04_27_2020 Barry J. McBride 5 Pine St, Salisbury Asst Wiring Inspector 5/15/2021
- APPT169_04_27_2020 Cynthia Muir 10 Hancock St Council on Aging 5/31/2025
- APPT170_04_27_2020 Robert Dow 185 Storey Ave Harbor Comm 5/1/2023
- APPT171_04_27_2020 James Knapp 24 Cutting Dr Harbor Comm 5/1/2023

To be Referred to License & Permit

- APPT172_04_27_2020 Craig G. Holt 33 Carter St Licensing Board 6/1/2026

To be Referred to Planning & Development

- APPT173_04_27_2020 Stephen G. DeLisle 195 High St ZBA 5/31/2021

ALL ITEMS NOTED BELOW ARE REMOVED FROM THEIR RESPECTIVE COMMITTEES WITH THE MOTION TO APPROVE THE CONSENT AGENDA:

Budget & Finance

- TRAN072_03_09_2020 Receipts Reserved for Appr Fuel \$22.5K, Water Ret. Earn. \$7,725, Sewer Ret. Earn. \$7,725 to Tank Upgrades \$37,950
- ORDR172_03_09_2020 Brislin Scholarship Gift Acceptance \$4,793.86
- TRAN073_04_13_2020 Essex NS Tech \$4,772, Hwy Streetlights \$5,228 to Elections \$10,000

Education

- ORDR175_03_09_2020 Newburyport High School Statement of Interest - Roof and Science Labs

Neighborhoods & City Services

- COMM194_10_15_19 Ltr from Newburyport Livable Streets
- ODNC050_02_24_2020 Curb Cuts and Notice of Work Involving Sidewalks

END OF CONSENT AGENDA

REGULAR AGENDA

Motion to approve the Consent Agenda by Councillor Zeid, seconded by Councillor Vogel. So voted.

10. MAYOR'S UPDATE

11. COMMUNICATIONS

- COMM240_04_27_2020 LATE FILE Memo re: SOI Submission Info
Motion to refer to Education by Councillor Khan, seconded by Councillor Connell. So voted.

12. SECOND READING APPOINTMENTS

- APPT162_04_13_2020 Lauren Healey 6 Plum Island Tpke Open Space Comm 4/1/2023
- APPT164_04_13_2020 Matt Ellsworth 38 Plummer Ave Parks Comm (Atkinson) 5/1/2025

Motion to approve Second Reading appointments collectively by Councillor Zeid, seconded by Councillor Tontar. Roll call vote, 11 yes. Motion passed.

13. ORDERS

- ORDR178_04_27_2020 Acts of 1987
Motion to refer to Education and Budget & Finance by Councillor Zeid, seconded by Councillor Devlin. Roll call vote, 8 yes, 3 no (Connell, Tontar, Vogel). Motion passed.

- ORDR179_04_27_2020 Remote Participation Policy
Motion to approve by Councillor Zeid, seconded by Councillor Khan. Motion to table and waive Rule 7 by Councillor Zeid, seconded by Councillor Khan. So voted. Motion to remove from table by Councillor Zeid, seconded by Councillor Khan. So voted. Motion to approve by Councillor Zeid, seconded by Councillor Khan. Roll call vote, 11 yes. Motion passed.

14. ORDINANCES

- ODNC057_04_27_2020 LATE FILE Moratorium on Dog License Fines
Motion to refer to Public Safety by Councillor Khan, seconded by Councillor Tontar. So voted.

15. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

Budget & Finance

In Committee:

- ORDR132_07_15_19 CPC FY2020 Recommended Appropriations (COTW)
Project No. 9 held in committee.
- ORDR136_08_19_19 Fuller Track Phase II Loan Order
- COMM189_09_09_19 CPC Revised Recommendation for FY2020 Appropriations
- TRAN070_03_09_2020 Free Cash \$25K to LIB Maint-Equipment \$25K
- **TRAN072 03 09 2020 Receipts Reserved for Appr Fuel \$22.5K, Water Ret. Earn. \$7,725, Sewer Ret. Earn. \$7,725 to Tank Upgrades \$37,950**
Motion to approve by Councillor Tontar, seconded by Councillor Khan. So voted.
- COMM232_03_09_2020 Annual Audit of the City's FY2019 Financial Statements
- **ORDR172 03 09 2020 Brislin Scholarship Gift Acceptance \$4,793.86**
Motion to approve by Councillor Tontar, seconded by Councillor Khan. So voted.
- ORDR173_03_09_2020 Acceptance of MGL Chapter 40, Section 5B (fourth paragraph)
- ORDR174_03_09_2020 Plum Island Beach Fee Dedication
- ODNC053_03_09_2020 Establishment of Plum Island Beach Stabilization Fund
- COMM236_03_30_2020 DLS Bulletin 2020-01 Emergency Expenditures and Borrowing
- COMM238_04_13_2020 FY2021-FY2025 Capital Improvement Program Submission
- **TRAN073 04 13 2020 Essex NS Tech \$4,772, Hwy Streetlights \$5,228 to Elections \$10,000**
Motion to approve by Councillor Tontar, seconded by Councillor Khan. So voted.

Education

In Committee:

- **ORDR175 03 09 2020 Newburyport High School Statement of Interest - Roof and Science Labs**
Motion to approve by Councillor Khan, seconded by Councillor McCauley. Roll call vote, 11 yes.
Motion passed.
- COMM235_03_30_2020 Ltr re: SC Apptmnt of Brett Murphy to Whittier Vo-Tech Cmte

General Government

In Committee:

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License & Permits

In Committee:

- ODNC047_1_27_20 General Ordinance - Short Term Rental Units Rules
- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance
- COMM230_03_09_2020 Yearly Report, Section 16A of the Liquor Control Act

Neighborhoods & City Services

In Committee:

- **COMM194 10 15 19 Ltr from Newburyport Livable Streets**
Motion to receive and file (comm vote 3-0) by Councillor Connell, seconded by Councillor McCauley. So voted.
- COMM197_10_28_19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)
- **ODNC050 02 24 2020 Curb Cuts and Notice of Work Involving Sidewalks**
Motion to approve by Councillor Connell, seconded by Councillor Wallace. Withdrawn. Motion to Strike the remainder of the second sentence in Sec. 12-5 beginning with 'and shall in no case...' by Councillor Zeid, seconded by Councillor Khan. Withdrawn. Motion to refer to Neighborhood & City Services by Councillor Zeid, seconded by Councillor Tontar. So voted.
- COMM233_03_09_2020 Ltr re: MVRTA State Street Bus Stop Shelter
- COMM234_03_30_2020 Ltr from Newburyport Livable Streets March 11, 2020

Planning & Development

In Committee:

- COMM214_01_13_2020 Ltr from Central Cong Church re: CPA Funding, Historic Pres
- COMM215_01_13_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046_1_27_20 Zoning Amendment - Short Term Rental Units Definition
- ODNC048_02_10_2020 Newburyport Historical Commission
- ODNC051_02_24_2020 Fences in Downtown Overlay District
- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance
- ODNC054_03_09_2020 Enforcement of the State Building Code
- APPT161_03_30_2020 Rick Taintor 10 Dexter St Planning Board 4/15/2025
- APPT163_04_13_2020 Glenn Richards 6 Kent St Historical Comm 5/1/2023

Public Safety

In Committee:

- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
- COMM221_01_27_2020 Letter re: Sign at 43 Pine Hill Road
- COMM227_02_10_2020 Update and Request from Waste Stream Task Force
- APPL004_03_09_2020 Footsteps for Food - 4/14/2020
- APPL005_03_09_2020 Cultural Survival Bazaar - 7/18-19 2020
- APPL006_03_09_2020 Spring Invitation Night - 5/1/2020
- APPL007_03_09_2020 Newburyport Spring Festival - 5/24-25 2020
- APPL008_03_09_2020 Newburyport Car Show - 8/20/2020
- APPL009_03_09_2020 Newburyport Fall Harvest Festival - 10/11-12 2020
- APPL010_03_09_2020 Witches' Night Out - 10/23/2020
- APPL011_03_09_2020 Downtown Trick or Treat - 10/30/2020
- APPL012_03_09_2020 Invitation Nights - 12/4, 12/11, 12/18 2020
- ODNC055_03_09_2020 Recycling and Yard Waste Disposal by City
- COMM237_03_30_2020 21-23 Walnut St Public Safety Concern
- APPT165_04_13_2020 Dr. Robin Blair 18 Market St Board of Health 4/30/2023

Public Utilities

In Committee:

- APPT156_03_09_2020 John Tomasz 38 Storeybrooke Dr Water/Sewer Comm 3/31/2023
- APPT166_04_13_2020 Robert A. Cook 19 Everette Dr Water/Sewer Comm 3/1/2023

Rules

In Committee:

- COMM220_01_27_2020 Proposed City Council Rule 9F
- ORDR170_02_24_2020 Amendment Council Rules 2020 (COTW)
- ORDR171_02_24_2020 Amendment to Rule 17B (COTW)

16. GOOD OF THE ORDER

Councillor Khan stated there would be an Education Cmte meeting on May 4, at 5:30 pm

Councillor Zeid commented that there would be possible changes to the Remote Policy to include hybrid meetings wherein the meeting would be physical and remote

Councillor Tontar thanked the residents for social distancing

Councillor Connell complimented the staff at the Anna Jaques Hospital

Councillor Eigerman reminded Councillors to submit their committee meeting minutes even though there were recordings of the Zoom meetings.

17. ADJOURNMENT

Motion to adjourn by Councillor Tontar, seconded by Councillor Khan. So voted. 9:31pm.