

**CITY COUNCIL “HYBRID”**

**MEETING AGENDA**

**May 31, 2022**

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**CIP Hearing 6:45 pm**

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**City Council Meeting 7:00 pm**

**LOCATION: City Council Chambers, City Hall**

**60 Pleasant Street, Newburyport**

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Zoom details for Hearing and Council Meeting:

<https://us02web.zoom.us/j/81299990548>

Or One tap mobile:

US: +19292056099,81299990548#

Or Telephone US: +1 929 205 6099

Webinar ID: 812 9999 0548

**1. MOMENT OF SILENCE**

**2. PLEDGE OF ALLEGIANCE**

**3. CALL TO ORDER**

**4. LATE FILE**

- COMM00415\_05\_31\_2022 Global Efforts Related to Potential Residential Use of Property 5/22 Update
- APPT00326\_05\_31\_2022 Bonnie Sontag 10 Upland Rd. Planning Board 6/30/2027
- APPT00327\_05\_31\_2022 Patricia Peknik 4 Dove St. ZBA 6/30/2023
- ORDR00362\_05\_31\_2022 Friends of COA Gift Acceptance \$15,700
- COMM416\_05\_31\_2022 Ltr. Mark Harrington re: Drag Queen/NYS

**5. PUBLIC COMMENT**

**6. MAYOR'S COMMENT**

**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, 2022

(Approve)

**8. COMMUNICATIONS**

- APPL00078\_05\_31\_2022 Block Party 14 Dove St. Saturday, August 6th 5:30pm -10pm (PS)
- APPL00079\_05\_31\_2022 Newburyport Lions Bed Race August 4th 5pm-8pm (PS)
- APPL00080\_05\_31\_2022 Movable Sign for Smitten at State St. & Threadneedle Alley (PS)
- APPL00081\_05\_31\_2022 Block Party 31 Howard St. Friday June 17th 12pm-9pm (PS)
- APPL00082\_05\_31\_2022 Ride to end ALZ Saturday, June 4<sup>th</sup> 8am-11am (PS)
- COMM00410\_05\_31\_2022 Ltr. Lawrence Cavalieri Coffin St. Ext (GG)
- COMM00411\_05\_31\_2022 Waterfront Trust Ltr re: July 4-5th Event property use (PS)
- COMM00412\_05\_31\_2022 Ltr Ann Jaronyk re: Traffic Safety (PS)
- COMM00413\_05\_31\_2022 Ltr. Bob Keller re: Speed Limits (PS)
- COMM00414\_05\_31\_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street (PS)

**9. TRANSFERS**

- TRAN00128\_05\_31\_2022 Library Staff Salary \$25,955 to Library Heat/Electricity \$6,000 (B&F)  
and Library Maint. Expense \$18,535 and Library Admin Expense \$1,420
- TRAN00129\_05\_31\_2022 Mayor's Office Multiple See Attached \$3,021,480.56 to (B&F)  
Multiple See Attached \$3,021,480.56

**10. APPOINTMENTS**

- APPT00322\_05\_31\_2022 Richard B. Jones 283 High St. City Clerk 06/30/2025 (GG)  
*\*Re-appointment*
- APPT00323\_05\_31\_2022 George Sass 37 Jefferson St. Asst Harbormaster/Shellfish Constable/ (PS)  
*\*Re-appointment* Special Police Officer 5/31/2025
- APPT00324\_05\_31\_2022 Justin Dutcher 7 Morin Rd. St. Asst Harbormaster/Shellfish Constable/ (PS)  
*\*Re-appointment* Special Police Officer 5/31/2025
- APPT00325\_05\_31\_2022 Marilyn Cohodas 66 Washington St. Tree Commission 6/30/2025

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

**BUDGET & FINANCE**

- ORDR00338\_04\_11\_2022 Capital Improvement Program FY2023-2027 (COTW)
- TRAN00125\_05\_09\_2022 Health Ins. Stabilization Fund \$60K to INS Health Ins. Premiums \$60K
- TRAN00126\_05\_09\_2022 SUS Solid Waste \$50,000 to LGL City Solicitor \$50,000
- TRAN00127\_05\_09\_2022 Gen. Fund Free Cash \$222,166.68 to  
Snow & Ice-Labor \$29,559.88 and Snow & Ice-Expenses \$192,606.80
- ORDR00349\_05\_09\_2022 FY22 Revolving Fund Spending Limit Increase (COTW)
- ORDR00351\_05\_09\_2022 Loan Order \$750,000 Bulkhead Project (COTW)
- ORDR00354\_05\_09\_2022 FY23 CPC Recommendations (COTW) (PARTIAL only the \$216K for  
Bartlett Mall Design)
- ODNC00110\_05\_09\_2022 Updating Departmental Revolving Funds

**PUBLIC SAFETY**

- APPL00074\_05\_09\_2022 12th Annual GNOCA 5K Sunday, Sept. 25<sup>th</sup> 10am-1pm
- APPL00075\_05\_09\_2022 Hoedl-Bilinski Dinner Sat. Oct. 8th 6-9pm (Tent on 69th St 10/7-10/9)
- APPL00076\_05\_09\_2022 High St. Mile Sunday, Aug. 7th (YHC) 9-10am
- APPL00077\_05\_09\_2022 Pride in the Port Saturday, June 11th 12-8pm Market St/Bullnose-Inn Street
- ORDR00357\_05\_09\_2022 USACE Merrimack River Dredging Noise Waiver
- APPT00319\_05\_09\_2022 Jeevan Kowalski Asst. Harbormaster/Shellfish Constable/  
*\*Re-appointment* Special Police Officer 5/31/2025
- APPT00320\_05\_09\_2022 Brian Cutler Asst Harbormaster/Shellfish Constable/  
*\*Re-appointment* Special Police Officer 5/31/2025

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**9. MAYOR'S UPDATE**

## 10. FIRST READING APPOINTMENTS

- APPT00326\_05\_31\_2022 **Late File** Bonnie Sontag 10 Upland Rd. Planning Board 6/30/2027  
*\*Re-appointment*
- APPT00327\_05\_31\_2022 **Late File** Patricia Peknik 4 Dove St. ZBA 6/30/2023

## 11. COMMUNICATIONS

- COMM00415\_05\_31\_2022 **Late File** Global Efforts Related to Potential Residential Use of Property 5/22 Update
- COMM00416\_05\_31\_2022 **Late File** Ltr. Mark Harrington re: Drag Queen/NYS
- COMM00417\_05\_31\_2022 **Late File** Ltr. Jane Snow re: Coffin St.

## 12. TRANSFERS

## 13. SECOND READING APPOINTMENTS

## 14. ORDERS

- ORDR00358\_05\_31\_2022 Acceptance of Stables - Colby Farm Lane Lot 3
- ORDR00359\_05\_31\_2022 Gift Acceptance FONT \$9,000
- ORDR00360\_05\_31\_2022 Authorizing City Clerk Contract 2022
- ORDR00361\_05\_31\_2022 Free Cash Transfer & Grant Acceptance – LWCF Grant for Bartlet Mall
- ORDR00362\_05\_31\_2022 **Late File** Friends of COA Gift Acceptance \$15,700

## 15. ORDINANCES

- ODNC00105\_02\_14\_2022 **2<sup>nd</sup> Reading** Zoning Amendment Business Park Uses (COTW)
- ODNC00112\_05\_31\_2022 Amendment Brown Sq Way No Parking
- ODNC00113\_05\_31\_2022 Amendment Brown Sq Way Drop Off Zone
- ODNC00114\_05\_31\_2022 Amended Liberty St Resident Parking

## 16. COMMITTEE ITEMS

### Ad Hoc Committee on Economic Development

*In Committee:*

### Ad Hoc Committee on Market Landing Park and COTW

*In Committee:*

### Budget & Finance

*In Committee:*

- ORDR00338 04 11 2022 Capital Improvement Program FY2023-2027 (COTW)
- TRAN00125 05 09 2022 Health Ins. Stabilization Fund \$60K to INS Health Ins. Premiums \$60K
- TRAN00126 05 09 2022 SUS Solid Waste \$50,000 to LGL City Solicitor \$50,000
- TRAN00127 05 09 2022 Gen. Fund Free Cash \$222,166.68 to Snow & Ice-Labor \$29,559.88 and Snow & Ice-Expenses \$192,606.80
- ORDR00349 05 09 2022 FY22 Revolving Fund Spending Limit Increase (COTW)
- ORDR00351 05 09 2022 Loan Order \$750,000 Bulkhead Project (COTW)
- ORDR00354 05 09 2022 FY23 CPC Recommendations (COTW) (PARTIAL only the \$216K for Bartlett Mall Design)
- ODNC00110 05 09 2022 Updating Departmental Revolving Funds
- ORDR00336\_03\_28\_2022 ARPA Amesbury 250K
- ORDR00355\_05\_09\_2022 Loan Order \$2,574,000 Bartlet Mall Improvements Project
- ORDR00356\_05\_09\_2022 Loan Order \$3,000,000 Market Landing Park Expansion Project
- ORDR00350\_05\_09\_2022 FY2023 Budget Order (COTW)

## Education

### *In Committee:*

## General Government

### *In Committee:*

- COMM00402\_04\_11\_2022 12 Cushing Ave Paper St. Inquiry
- COMM00405\_04\_11\_2022 Mayor's Strategic Plan (COTW)

## License & Permits

### *In Committee:*

- ODNC047\_01\_27\_2020 General Ordinance - Short Term Rental Units Rules
- COMM00385\_01\_31\_2022 STRU Fire Sprinkler Systems
- COMM00388\_01\_31\_2022 UPDATED STRU Fire Sprinkler Systems

## Neighborhoods & City Services

### *In Committee:*

- COMM299\_02\_08\_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC00103\_01\_10\_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00406\_04\_11\_2022 Pioneer League Letter re: Pickleball

## Planning & Development

### *In Committee:*

- ODNC046\_01\_27\_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- COMM00398\_03\_28\_2022 Memo DHCD MBTA Housing Choice Briefing (COTW)
- APPT00316\_04\_25\_2022 Stephen Moore 10 N. Atkinson St. Conservation Comm. 5/1/2025
- APPT00317\_04\_25\_2022 Lynn Schow 75 High St. ZBA 5/15/2023
- APPT00321\_05\_09\_2022 Charles Aloviseti 60 Bromfield St Conservation Comm. 6/1/2025
- ODNC00111\_05\_09\_2022 Amendment Net Zero Energy Public Projects

## Public Safety

### *In Committee:*

- **APPL00074 05 09 2022 12th Annual GNOCA 5K Sunday, Sept. 25<sup>th</sup> 10am-1pm**
- **APPL00075 05 09 2022 Hoedl-Bilinski Dinner Sat. Oct. 8th 6-9pm (Tent on 69th St 10/7-10/9)**
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\*Re-appointment Special Police Officer 5/31/2025**
- **APPT00320 05 09 2022 Brian Cutler Asst Harbormaster/Shellfish Constable/  
\*Re-appointment Special Police Officer 5/31/2025**
- COMM00396\_03\_14\_2022 Ltr. Stephen Comley
- COMM00390\_02\_28\_2022 Gregory Caplan Ltr-Low St./Bright Horizons access to Fuller Field

## Public Utilities

### *In Committee:*

- APPT00314\_04\_25\_2022 Daniel A. Simon 11 Jackson St. Water/Sewer Comm. 4/30/2024
- ORDR00352\_05\_09\_2022 Licensed Contractor Robert Pike Construction, Inc.
- ORDR00353\_05\_09\_2022 Licensed Contractor Commonwealth and Consulting Co., Inc.

**Rules**

*In Committee:*

- ORDR239\_02\_8\_2021 Council Rule 7 and 10B

**17. GOOD OF THE ORDER**

**18. ADJOURNMENT**

**19. EXECUTIVE SESSION**

(1) Pursuant to G.L. c. 30A, s 21 et Exemption #6 of the Open Meeting Law this discussion will relate to the purchase, exchange, lease of value of real property if the chair declared that an open meeting may have a detrimental effect on the negotiating position of the public body. Discussion on Releasing Attorney Client Privilege and the Legal Opinion by KP Law on Short Term Rentals.

(2) Pursuant to G.L.c.30A, s.21 et al Exemption #6 of the Open Meeting Law this discussion will relate to the purchase, exchange, lease of value of real property if the chair declared that an open meeting may have a detrimental effect on the negotiating position of the public body and any draft minutes related thereto. The locus is Coffin Street.