

**CITY COUNCIL MEETING**

**MINUTES**

**January 9, 2023 7:00 pm  
City Council Chambers, City Hall  
60 Pleasant Street, Newburyport**

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**Executive Session**

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Zoom details for City 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. CALL TO ORDER**

7:00 pm City Clerk Richard B. Jones called the roll, the following City Councillors answered present: Vogel, Wallace, Wright, Zeid, Cameron, Donahue, Khan, Lane, McCauley, Preston, and Shand. 11 present.

**2. ELECTION OF THE CITY COUNCIL PRESIDENT**

Clerk Jones explained the process for the election and the vote was called. The following City Councillors cast a vote for Heather L. Shand as President on the first round: Vogel, Wallace, Wright, Zeid, Cameron, Donahue, Khan, Lane, McCauley, Preston, and Shand.

Heather L. Shand was unanimously voted in as City Council President. President Shand took her seat as President and continued the City Council meeting.

**3. MOMENT OF SILENCE**

Remembering Walter Smith, Jr. and Brian Cashman.

**4. PLEDGE OF ALLEGIANCE**

**5. LATE FILE**

- APPL00119\_01\_09\_2023      2nd Hand Motor Vehicle License LCA Motors      (L&P)
  - APPL00120\_01\_09\_2023      2nd Hand Motor Vehicle License Plum Autoworks      (L&P)
- Motion to waive the rules and accept the Late Files by Councillor Zeid, seconded by Councillor Lane. So voted.

**6. PUBLIC COMMENT**

Jessica Stone      8 Doyle Dr.  
Jane Snow      9Coffin St.

**7. 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.

**8. APPROVAL OF MINUTES**

- December 12, 2022      (Approve)

**9. COMMUNICATIONS**

- APPL00118\_01\_09\_2023      29<sup>th</sup> Annual Frigid Fiver 2/12/2023 11am-1pm      (L&P)
- Removed from the Consent Agenda at the request of Councillor Vogel.

**10. TRANSFERS**

- TRAN00145\_01\_09\_2023      Finance: General Fund-Free Cash \$10,741 to      (B&F)
- Essex North Shore Tech School \$10,741

- TRAN00146\_01\_09\_2023 DPS: Receipts Reserved for Appr. Fuel \$125,000 to (B&F)  
DPS Highway Fuel & Oil \$125,000

**11. APPOINTMENTS**

- APPT00361\_01\_09\_2023 Alice Sheridan 11 Beck St. Council on Aging 2/1/2028
  - APPT00362\_01\_09\_2023 Paul E. Bushey 1Dennett Dr. Council on Aging 2/1/2028
- APPT00361, APPT00362, and APPT 00366 Removed from the Consent Agenda at the request of Councillor Preston.

*\*Re-Appointment*

- \*APPT00363\_01\_09\_2023 Jennifer Blanchet 4 Island Ln., Newbury Zoning Admin. 12/31/23 (P&D)
  - APPT00364\_01\_09\_2023 Ben Harman 298 High St. Human Rights Comm. 1/30/2026
  - APPT00365\_01\_09\_2023 Shane Cough 70 High St. Human Rights Comm. 1/30/2026
  - APPT00366\_01\_09\_2023 Christopher Sawtelle 20 Summer St. Historical Commission 2/1/2026
- APPT00361, APPT00362, and APPT 00366 Removed from the Consent Agenda at the request of Councillor Preston.
- T00367\_01\_09\_2023 Lina Matta 7 Everett Dr. Board of Health 2/1/2026 (CS)

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

**COMMUNITY SERVICES**

- 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

**END OF CONSENT AGENDA**

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

**REGULAR AGENDA**

**9. MAYOR'S UPDATE**

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

**10. FIRST READING APPOINTMENTS**

- APPT00361\_01\_09\_2023 Alice Sheridan 11 Beck St. Council on Aging 2/1/2028
  - APPT00362\_01\_09\_2023 Paul E. Bushey 1Dennett Dr. Council on Aging 2/1/2028
- Motion to approve collectively on 1<sup>st</sup> reading APPT00361 and APPT00362 by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.
- APPT00366\_01\_09\_2023 Christopher Sawtelle 20 Summer St. Historical Commission 2/1/2026
- Motion to refer to Planning & Development by Councillor Zeid, seconded by Councillor Cameron. So voted.

**11. COMMUNICATIONS**

- APPL00118\_01\_09\_2023 29<sup>th</sup> Annual Frigid Fiver 2/12/2023 11am-1pm  
Motion to waive the rules, declare an emergency, and approve subject to confirming the necessary signatures were provided by Councillor Vogel, seconded by Councillor Preston. Roll call vote. 10 yes, 1 no (SZ). Motion passes.
- APPL00119\_01\_09\_2023 2nd Hand Motor Vehicle License LCA Motors
- APPL00120\_01\_09\_2023 2nd Hand Motor Vehicle License Plum Autoworks  
Motion to collectively refer APPL00119 and APPL00120 to Licenses & Permits by Councillor Zeid, seconded by Councillor Vogel. So voted.

- COMM00457\_01\_09\_2023 Ltr. Re: temporary appt. of Jamie Tuccolo as Dir. DPS  
Motion to receive and file by Councillor Zeid, seconded by Councillor Cameron. So voted.

## 12. TRANSFERS

## 13. SECOND READING APPOINTMENTS

- APPT0360\_12\_12\_2022 Jeffrey Mattheson 12 Hart Rd. Electrical Inspector 2/1/2024  
Motion to approve on 2<sup>nd</sup> reading by Councillor Zeid, seconded by Councillor Preston. Councillor Lane recused. Roll call vote. 10 yes, 1 recused (BL). Motion passes.

## 14. ORDERS

- ORDR00404\_01\_09\_2023 Pay Prior Year Bills
- ORDR00405\_01\_09\_2023 FoNT Gift Acceptance
- ORDR00406\_01\_09\_2023 SAGA Gift Acceptance
- ORDR00407\_01\_09\_2023 Goldy Sculpture Gift Acceptance
- ORDR00408\_01\_09\_2023 3 Cardinals in a Tree Sculpture Gift Acceptance
- ORDR00409\_01\_09\_2023 Cutter West End Fire Station Loan Order
- ORDR00410\_01\_09\_2023 Screening Cmte Fire Chief  
Motion to refer to Public Works & Safety by Councillor Zeid, seconded by Councillor Wright. So voted.
- ORDR00411\_01\_09\_2023 FY2023 COLA Increase
- ORDR00412\_01\_09\_2023 COLA Base Increase  
Motion to collectively refer ORDR00404, ORDR00405, ORDR00406, ORDR00407, ORDR00408, ORDR00409, ORDR00411, and ORDR00412 to Budget and Finance with note that ORDR00409 will also be simultaneously referred to COTW by Councillor Zeid, seconded by Councillor Preston. So voted.

## 15. ORDINANCES

- ODNC00125\_10\_11\_2022 2<sup>nd</sup> Reading Amend to Ch 5 Buildings  
Motion to approve on 2<sup>nd</sup> reading with correction of scrivener's error as noted by Councillor Wright sec. 5.66 paragraph 2 by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- ODNC00133\_01\_09\_2023 Amend to Ch 13-180 Inn Street  
Motion to refer to Public Works & Safety by Councillor McCauley, seconded by Councillor Donahue. So voted.
- ODNC00134\_01\_09\_2023 Amend to Municipal Fees Schedule Passport Photos  
Motion to refer to General Government by Councillor McCauley, seconded by Councillor Preston. So voted.

Council President Shand handed out Committee assignments as follows:

Budget & Finance: Councillor Zeid (Chair), Councillor Khan, Councillor Wright  
 Planning & Development: Councillor Cameron (Chair), Councillor Preston, Councillor Wright  
 Public Works & Safety: Councillor Wallace (Chair), Councillor Donahue, Councillor McCauley  
 Community Services: Councillor McCauley (Chair), Councillor Donahue, Councillor Preston  
 Licenses & Permits: Councillor Vogel (Chair), Councillor Khan, Councillor Lane  
 General Government: Councillor Shand (Chair), Councillor Vogel, Councillor Lane

## 16. COMMITTEE ITEMS

### Ad Hoc Committee on Adaptive Reuse of Brown School Property

*In Committee:*

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

*In Committee:*

- ORDR00389\_11\_01\_2022 Naming Rights Market Landing Park

## Budget & Finance

### *In Committee:*

- ORDR00336\_03\_28\_2022 ARPA Amesbury 250K (COTW)
- ODNC00129\_11\_01\_2022 Defining Conflict Rule for Dept. Heads (COTW)
- ODNC00130\_11\_01\_2022 Grants, Gifts, and Fees (COTW)
- ODNC00132\_11\_14\_2022 Mandated Reporting
- ORDR00388\_11\_01\_2022 NYS Facility Bond Order (COTW)
- COMM00443\_11\_01\_2022 59 Low St. FAQs (COTW)
- ORDR00400\_12\_12\_2022 Morrill Foundation Gift Acceptance
- ORDR00401\_12\_12\_2022 Karen Jones Cashman Multi-Sport Court Gift Acceptance
- ORDR00402\_12\_12\_2022 Belleville Improvement Society Gift Acceptance
- ORDR00403\_12\_12\_2022 Central Congregational Church Gift Acceptance

## General Government

### *In Committee:*

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

## License & Permits

### *In Committee:*

- ODNC047\_01\_27\_2020 General Ordinance - Short Term Rental Units Rules

## Community Services (*previously Neighborhood & City Services*)

### *In Committee:*

- **COMM299 02 08 2021 Phillips Dr. Neighborhood Committee Ltr**  
Motion to receive and file by Councillor Wallace, seconded by Councillor Preston. So voted.
- **ODNC00103 01 10 2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance**  
Motion to refer to Public Works & Safety by Councillor Wallace, seconded by Councillor Zeid. So voted.
- **COMM00406 04 11 2022 Pioneer League Letter re: Pickleball**  
Motion to receive and file by Councillor Wallace, seconded by Councillor Preston. So voted.

## Planning & Development

### *In Committee:*

- COMM00445\_11\_14\_2022 59 Low Street Plan (COTW)
- COMM00455\_12\_12\_2022 Net Zero report West End Fire Station

## Public Works & Safety (*previously Public Safety*)

### *In Committee:*

- COMM00412\_05\_31\_2022 Ltr Ann Jaronyk re: Traffic Safety
- COMM00414\_05\_31\_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street
- ORDR00398\_12\_12\_2022 Snow Emergency Parking Auburn St
- ORDR00399\_12\_12\_2022 Asphalt sidewalk waiver request package - West End Fire Station project
- COMM00456\_12\_12\_2022 Letters re: Curb Cut 4 Wilkinson Dr. & 34 Hale St.

## 17. GOOD OF THE ORDER

Councillor Lane extended his congratulations Rep. Dawne Shand.

Council President Shand discussed the new City Council email accounts that were being set up, the MMA Trade Show, and the City Council Retreat that was being planned.

## 18. EXECUTIVE SESSION: Pursuant to MGL c. 30A s. 21 there will be an executive session for the purpose of discussing strategy with respect to potential litigation involving roadways, buildings and land use including but not limited to Doyle Drive, Newburyport, MA.

Clerk Jones read the stated purpose of the Executive Session as follows: : Pursuant to MGL c. 30A s. 21 there will be an executive session for the purpose of discussing strategy with respect to potential litigation involving roadways, buildings and land use including but not limited to Doyle Drive, Newburyport, MA.  
Council President Shand declared that it would be detrimental to have these discussions in open session and stated that the City Council would not be coming out of the Executive Session to close the meeting.  
Roll call vote. 11 yes. Executive Session.

**19. ADJOURNMENT**