

**CITY COUNCIL MEETING MINUTES - VERSION 1**  
**February 23, 2015**

**7:30PM**

Acting Council President Connell called the meeting to order at 7:30 pm. A moment of silence was held for Mike Stone, husband of Sue Stone, long time Newburyport school teacher. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Cronin, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Tontar, Vogel and Connell. 10 Present, 1 Absent (O'Brien).

**1. LATE FILES – Communication #3, and Order #2**

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

**2. MAYOR'S STATE OF THE CITY**

**The Mayor gave a slide presentation showing the various accomplishments in the City over the past year.**

**3. CITATION – SUSAN BELUK, MD- not presented**

**4. HEARTSAFE**

**Mike Kass from the Massachusetts Department of Public Health gave an award to the City to recognize the continued efforts of our community to improve the survival of any victim of sudden cardiac arrest through the health department's community CPR programs, our chain of survival evaluation and improvement plan, the acquisition of the new AED for City Hall, the dispatch of paramedics to all priority medical emergencies, the presence of AEDs on all city first responder vehicles, extensive training of our fire and police first responders, and the Fire Department's four new AEDs for the front line apparatus.**

**5. PUBLIC COMMENT**

- |                             |                             |  |
|-----------------------------|-----------------------------|--|
| 1. Lars Lundgren, MD        | Low Street                  | Fluoride                                     |
| 2. Jonathan March, MD       | Rt. 1 Newbury               | Fluoride                                     |
| 3. Madeleine Nathan         | 76 Hanover St., Newbury     | Fluoride                                     |
| 4. Beverly Heinze-Lacey     | 10 Horton St.               | Fluoride                                     |
| 5. James Lacey, PhD         | 10 Horton St.               | Fluoride                                     |
| 6. Barry Spiro              | Lafayette St.               | Fluoride                                     |
| 7. Brad Cannon              | 185 High St.                | Fluoride                                     |
| 8. Karen Tysver             | 5 Broadway, Rockport        | Fluoride                                     |
| 9. Mike Foley               | 376 Essex St., Gloucester   | Fluoride                                     |
| 10. JoAnne (can't decipher) | 12 Wharf, Rockport          | Fluoride                                     |
| 11. Ed Anderson             | 8 Norman Ave.               | High & Water St Bridges concrete degradation |
| 12. Chris Morton            | Beck St.                    | Fluoride                                     |
| 13. Linda Bogdonof          | Lime St.                    | Fluoride                                     |
| 14. Preston Curtis          | 21 Haskell St. Gloucester   | Fluoride                                     |
| 15. Susan Sloane            | Park Circle                 | Fluoride                                     |
| 16. Elizabeth Gullauod      | 9 Marquand Ln               | Fluoride                                     |
| 17. Sam Merabi              | 7 Brown Sq.                 | Fluoride                                     |
| 18. Dave Reczek             | One Inn St.                 | Fluoride                                     |
| 19. Joyce Adams             | 9 Harrison St.              | Fluoride                                     |
| 20. Sarah Greenlaw, DMD     | Cambridge                   | Fluoride                                     |
| 21. Dr. Lundregn            |                             | Fluoride                                     |
| 22. Dr. Mike Riccio         |                             | Fluoride                                     |
| 23. Cathy Riccio            |                             | Fluoride                                     |
| 24. Dr. Dave Reczek         |                             | Fluoride                                     |
| 25. Tracey Ritchie          | 47 River Rd, Gloucester     | Fluoride                                     |
| 26. Jennifer Fisher         | Rowley                      | Fluoride                                     |
| 27. Chris Martel            | 22 Greenwood St., Amesbury  | Fluoride                                     |
| 28. Vincent Zanfagna        | Beck St.                    | Fluoride                                     |
| 29. Bill Patenaude          | 10 Brentwood Rd, W. Newbury | Fluoride                                     |
| 30. Ann Ormond              | 19 Water St.                | Use of Streets                               |

31. Dan Eyink	58 High St.	Fluoride
32. Scott Foster	Newburyport	Fluoride
33. Amelia McMullen	Low St.	Fluoride
34. Andrew Teichner	Boxford	Fluoride
35. Elaine Carroll	18 Fair St.	Fluoride
36. David McFarlane	20 57 <sup>th</sup> St.	Fluoride
37. Scott Mortimer	59 Marlboro St.	Fluoride
38. Roz Clark		Fluoride
39. Robin Blair	Dexter St.	Fluoride

**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**

February 12, 2015

(Approved)

**7. TRANSFERS - None**

**8. COMMUNICATIONS**

- 1. Letter from Yankee Homecoming 2015 General Chair (PS)
- 2. Letter from Chamber of Commerce on 2015 use of streets (PS)

**Changed Riverfront Festival from 8/29/15 to 9/5/15.**

**9. APPOINTMENTS – First Reading**

**RE-APPOINTMENTS**

- 1. Susanne Marzi Cameron 17 Oakland St. Affordable Housing Trust January 1, 2017

**Removed by Councillor Cameron.**

**END OF CONSENT AGENDA**

**Motion to approve the consent agenda as amended by Councillor Cronin, seconded by Councillor Cameron. So voted.**

**REGULAR AGENDA**

**10. COMMUNICATIONS**

- 3. LATE FILE - letter for Chocolate Tour

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

**11. APPOINTMENTS – First Reading**

**RE-APPOINTMENTS**

- 1. Susanne Marzi Cameron 17 Oakland St. Affordable Housing Trust January 1, 2017

**Motion to waive the rules and approve 1<sup>st</sup> and 2<sup>nd</sup> readings in one by Councillor Cronin, seconded by Councillor Herzog. Roll call vote, 9 yes, 1 recused (Cameron), 1 absent (O’Brien). So voted.**

**12. APPOINTMENTS – Second Reading**

**RE-APPOINTMENTS**

- 2. Barry J. McBride 5 Pine Street, Salisbury Assistant Wiring Inspector January 31, 2016
- 3. Paul M. Bevilacqua 126 Merrimac St. #3 Tree Commission November 1, 2018

**Motion to approve 2<sup>nd</sup> reading collectively by Councillor Vogel, seconded by Councillor Heartquist. Roll call vote, 10 yes, 1 absent (O’Brien). So voted.**

**13. ORDERS**

- 1. TABLED - Discontinuance Harnch’s Way - pending ZBA decision

**Motion to remove from the Table by Councillor Cronin, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (O’Brien). So voted. Motion to table by Councillor Cameron, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (O’Brien). So voted.**

- 2. LATE FILE Inn Street

**Motion to waive the rules and approve by Councillor Eigerman, seconded by Councillor Herzog. Roll call vote, 10 yes, 1 absent (O’Brien). So voted.**

**14. ORDINANCES**

- 1. 2<sup>nd</sup> Reading - Amend ORD 13-136 Stop Intersections Beacon Ave.

**Motion to approve by Councillor Heartquist, seconded by Councillor Herzog. Roll call vote, 10 yes, 1 absent (O’Brien). So voted.**

**15. COMMITTEE ITEMS**

**Budget & Finance**

*In Committee:*

- 1. Mayor letter regarding Order for Revolving Fund Expenses \*03/17/2014
- 2. Order Amend Revolving Fund expenses \*03/17/2014
- 3. Order Home Rule Petition- supplementing education budget (COTW) \*05/12/2014
- 4. Amend ORD Ch. 2 Section 2-45 City Council Salary \*05/12/2014
- 5. Amend ORD Ch. 2 Section 2-61A School Committee Salary \*05/12/2014
- 6. Human Resources Dependent Audit \*06/30/2014
- 7. Letter from Hope Church regarding Master Box fee \*11/10/2014
- 8. School Dept. for school expenses to Lunch Program, \$25,000 \*02/12/2015

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

- 9. Tax Increment Financing Plan for UFP Technologies, Inc. \*02/12/2015

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Eigerman. Roll call vote, 10 yes, 1 absent (O’Brien). So voted.**

- 10. Mid-year Budget report \*02/12/2015

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

- 11. Snow Budget Deficit \*02/12/2015

**General Government**

**Joint Education**

*In Committee:*

- 1. Order Home Rule Petition- supplementing education budget (COTW) \*05/12/2014

**License & Permits**

*In Committee:*

- 1. Movable Sign Application Newburyport Brewing Company \*02/10/2014
- 2. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas \*04/28/2014
- 3. Letter regarding transient vendor licensing \*06/30/2014
- 5. Taxi License Renewal Harold Congdon Port Taxi, Inc. \*01/12/2015

**Neighborhoods and City Services**

*In Committee:*

- 1. Amend ORD Part 2 Article III Ch. 3-31 Feeding or baiting of wild birds \*01/12/2015

**Planning & Development**

*In Committee:*

- 1. Letter from Newburyport Preservation Trust \*03/31/2014
- 2. First Refusal to Purchase Lot 8 Low Street \*01/12/2015
- 3. Amend ORD Zoning Map Sec. III-C “Back Bay Area Zoning Map Change” \*01/12/2015

4. Amend Zoning ORD Appendix A Sec. XXIX Smart Growth District (SGOD) \*01/29/2015

### Public Safety

#### *In Committee:*

1. Amend ORD 13-174 State Street Resident Parking \*11/10/2014

**Motion to remove collectively #1 and #5 by Councillor Cronin, seconded by Councillor Giunta. So voted.**

**Motion to receive and file by Councillor Eigerman, seconded by Councillor Cronin. So voted.**

2. Amend ORD 13-174 Parking limited State Street 4 hour \*01/29/2015

**Motion to remove by Councillor Cronin, seconded by Councillor Eigerman. So voted. Motion to approve 1<sup>st</sup> reading and order published by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (O'Brien). So voted.**

3. Amend ORD 13-168 Parking restricted Norman Avenue \*01/29/2015

**Motion to remove by Councillor Cronin, seconded by Councillor Giunta. So voted. Motion to approve 1<sup>st</sup> reading and order published by Councillor Cronin, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (O'Brien). So voted.**

4. Amend ORD 13-168 Parking restricted Murphy Avenue \*01/29/2015

**Motion to remove by Councillor Cronin, seconded by Councillor Giunta. So voted. Motion to approve 1<sup>st</sup> reading and order published by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (O'Brien). So voted.**

5. Amend ORD 13-180 Resident Parking \*01/29/2015

**Motion to remove collectively #1 and #5 by Councillor Cronin, seconded by Councillor Giunta. So voted.**

**Motion to approve 1<sup>st</sup> reading with new sections A4 and J and order published by Councillor Eigerman, seconded by Councillor Cronin. Roll call vote, 10 yes, 1 absent (O'Brien). So voted.**

6. Letter for use of Brown Square June 7, 2015 \*02/12/2015

### Public Utilities Committee

#### *In Committee:*

1. Water and Sewer Commissions adjustment of sewer bill charges re second meters \*11/24/2014

2. Home Rule Petition Fluoride in Water \*01/12/2015

**Motion to remove by Councillor Herzog, seconded by Councillor Kinsey. So voted. Motion to approve by Councillor Herzog, seconded by Councillor Kinsey. Roll call vote, 3 yes (Herzog, Kinsey, Giunta), 7 no, 1 absent (O'Brien). Motion failed.**

3. Newburyport Public Schools letter re fluoride \*02/12/2015

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

### Rules Committee

## 16. GOOD OF THE ORDER

**Councillor Cameron thanked Councillor Heartquist for her hard work as the Ward 1 Councillor.**

**Councillor Heartquist quoted a Facebook post by Pam Armstrong, thanking the many City officials for the code red on PI, etc.**

**Councillor Giunta said thank you to the Red Cross and the Salvation Army for their help.**

**Councillor Connell said thank you to the City Council for a well-reasoned debate and congratulated the NHS boys indoor track team and coaches Foley and Hennigar for winning the State title.**

## 17. ADJOURNMENT

**Councillor Tontar moved to adjourn, seconded by Councilor Cronin at 10:45 pm. 10 yes, 1 absent (O'Brien). So voted.**