

Municipal Council Minutes
Tuesday, February 10, 2009
7:00 PM Town Hall Auditorium

Call to Order 7:00PM

Pledge of Allegiance – Councilor Dunford

Roll Call: Robert Lavoie, Joseph McMilleon, Allen Neale, Jonathan Sherwood, Mary Chatigny, Stephen Dunford, Robert Gilday, Roger Benson

Act on Minutes – November 18, 2008, December 9, 2008

Councilor Lavoie motioned to accept the minutes of 11/18/2008 and 12/9/2008 as submitted, Councilor Neale second.

Voted - Unanimous

Public Comment

Alison Lindstrom, 10 Wells Ave. – Ms. Lindstrom read a statement regarding the state of the city.

James Thivierge, 106 Friend Street – Mr. Thivierge spoke regarding the recap sheet and free cash.

Jane Snow, 44 Fern Ave. – Ms. Snow feels that because of the severity of the economy and the likelihood of layoffs 90% of the town's cell phones should be turned in. She also feels union contracts should be renegotiated and extra benefits like clothing allowances should be cut and take home vehicles. She also requests the salary increases for the council, Mayor and Mayor's Aide to be rescinded.

Mayor Kezer gave an update on the current assessment of the financial situation for FY09 and his plan to address the anticipated revenue reductions and cost escalations – copy of memo attached.

2009-012 - Joint Meeting with Planning Board (no applicants – continued)

Councilor McMilleon asked Mayor Kezer if the Governor is going to increase the veteran's benefits for FY10. Mayor Kezer believes he is because he has made veteran benefits a priority. Councilor McMilleon stated that although the Governor did not cut Chapter 70 funds the schools will be required to make up some of the \$801,000 gap. Mayor Kezer agreed.

Councilor Chatigny asked if any consideration had been given to the way salaries are structured within the contracts specifically longevity and if it is possible to not fund those items in the future. She also suggested a possible reduction in salaries across the board and getting the unions to agree to join the GIC. Mayor Kezer stated a reduction in salaries would have to be put to a vote by the unions. As part of the notification process of layoffs the unions have the opportunity to propose such ideas and bring them forward to their members for a vote. Instead of making small symbolic temporary cuts he has decided to take a long term approach of restructuring the way business is done. In regards to the insurance he stated it is dictated by chapter 32B. He has tried to get the unions to agree to a new plan design and was not able to get the votes. He is also trying to get the legislature to make changes to state law that gives Mayors and Managers the powers to control health care plans without having to go to collective bargaining.

Councilor Sherwood points out that the Governor did propose some possible local revenue options that may be put in place but he feels they are dubious at best and disappointing. It's just an

opportunity to tax the residents more with an increased meals and lodging tax and holding Chapter 70 harmless put the communities in the position to cut school funds. He sees every community around the country facing this dire situation. He asked Mayor Kezer to further explain the \$105,000 in miscellaneous expenses. Mayor Kezer said it is made up of increased litigation with development projects,

Councilor McMilleon does not feel layoffs will be prevented if all unions agree to a salary freeze in FY10. Mayor Kezer agrees; the dollar short fall far exceeds the dollars associated with any pay raises.

Councilor Dunford states the State has mandated the schools have certain programs all of which are a drain on the budget and the towns have to comply. He is against the 1% increase in the meals and lodging tax because he feels the money will be collected by the State and they will spend it how they want to. He doesn't think it's fair for the Governor to expect the Mayors to solve all these problems; many of which he believes the State has caused.

Councilor Chatigny would like to see items like longevity start to disappear in future negotiations. Over time it will save the town money. She feels the whole concept is very archaic; nobody is more valuable after 10 years than they were at 9 years, 364 days. It is time to do away with something that was good in the 50's and 60's and has now brought us to a point where we can't sustain it.

2009-012 Joint Meeting with Planning Board (no applicants – continued)
Councilor Sherwood motioned to continue 2009-012 to the next meeting, Councilor Dunford second. Voted Unanimous

Councilor Comment to Public Comment

Councilor Lavoie responded to Mr. Thivierge comment that there was a negative \$125,000 on the recap sheet. He stated it was because the budget was adjusted by that exact amount. The Mayor requested to reduce the budget by \$125,000 to bring it back into balance based on the certification of the tax situation.

Licenses and Permits

2009-002 Common Victualler License - GK&K Pushcarts & Concessions
Mr. Glen Vatrano representing GK&K Pushcarts & Concessions states this is a renewal of last years license. He will be operating a cart in Market Square.
Councilor Sherwood motioned to accept 2009-002 with the usual stipulations, Councilor Neale second.
Voted - Unanimous

Mayoral Appointments

2009-019 Appoint Kathryn Lawler – Conservation Commission unexpired term to expire 6/30/10

Kathryn Lawler states she is a biology student and amateur naturalist with a deep concern for conservation.

Councilor Neale motioned to accept 2009-019 as submitted, Councilor Dunford second.
Voted – Unanimous

Late File

2009-023 Appoint Jack Tremblay – Conservation Commission unexpired term to expire 6/30/10
Councilor Lavoie motioned to accept late file 2009-023, Councilor McMilleon second.

Voted – Unanimous

Mr. Tremblay is a registered landscape architect. He has appeared before Conservation Commissions in other towns and is fascinated by the process and appreciates its value to the community. He would like to help the town out with his experience.

Councilor Lavoie motioned to accept 2009-023 to be approved as submitted, Councilor McMilleon second.

Voted - Unanimous

Second Readings

2008-105 A Request that the municipal Council vote to declare as surplus a municipal vehicle belonging to the Department of Public Works – Mayor Kezer sponsor cont.

President Benson read 2008-105 into the record.

Councilor Neale read the recommendation of the Finance Committee to accept as submitted.

Councilor Neale moved the motion of the Finance Committee to accept as submitted, Councilor Chatigny second.

Voted - Unanimous

2009-004 Order to accept a \$5,000 Grant from Office of Public Safety & Security for APD - Mayor Kezer sponsor cont.

President Benson read 2009-004 into the record.

Councilor Neale read the recommendation of the Finance Committee to accept as submitted.

Councilor Neale moved the motion of the Finance Committee to accept 2009-004, Councilor Dunford second.

Roll Call Vote - Unanimous

2009-005 Request to declare 1989 Chevrolet V3500 Dump Truck belonging to the DPW surplus – Mayor Kezer sponsor cont.

President Benson read 2009-005 into the record.

Councilor Neal read the recommendation of the Finance Committee to accept 2009-005 as submitted.

Councilor Neale moved the motion of the Finance Committee to accept 2009-005, Councilor Chatigny second.

Voted - Unanimous

2009-007 Order to accept a \$7,792.00 grant from the Executive Office of Public Safety for AFD – Mayor Kezer sponsor cont.

President Benson read 2009-007 into the record.

Councilor Neale read the recommendation of the Finance Committee to accept 2009-007 as submitted.

Councilor Neale moved the motion of the Finance Committee to accept 2009-007, Councilor McMilleon second.

Roll Call Vote - Unanimous

2009-008 Order to accept a \$4,464.62 grant from Executive Office of Public Safety for the S.A.F.E Program – Mayor Kezer sponsor cont.

President Benson read 2009-008 into the record.

Councilor Neale read the recommendation of the Finance Department to accept 2009-008 as submitted.

Councilor Neale moved the motion of the Finance Committee to accept 2009-008 as submitted, Councilor McMilleon second.

Roll Call Vote - Unanimous

2009-014 Order to overspend the FY2009 Snow & Ice budget – Mayor Kezer sponsor cont.

President Benson read 2009-014 into the record.

Councilor Neale read the recommendation of the Finance Committee to accept 2009-014 as submitted.

Councilor Sherwood suggests that during the budget process the town should consider taking a different approach and expand the line item. Given the fact that there will be some difficult budget ahead the town will not have to come up with so much money mid year.

Councilor Lavoie cautioned that if the line item is appropriately budgeted and you don't overspend you won't be eligible for emergency funds that may come along.

Councilor Sherwood motioned to accept the Finance Committee recommendation to approve 2009-014, Councilor Neale second.

Roll Call Vote - Unanimous

Public Hearings

2008-061 A Request to accept Riverfront Drive and Cabot Court for Ownership by the Public as a Public Way – Mayor Kezer sponsor cont.

President Benson read 2008-061 into the record and opened the public hearing.

Councilor Neale moved to continue 2008-061 to the March council meeting, Councilor Dunford second.

Voted - Unanimous

2008-106 Amend Zoning By-Law to create a priority development overlay district - Mayor Kezer sponsor cont.

President Benson read 2008-106 into the record and opened the public hearing.

Councilor Neale motioned to continue 2008-106 to the March meeting, Councilor Lavoie second.

Voted - Unanimous

First Readings

2009-020 Accept \$11,400 grant from Executive Office of Public Safety for traffic enforcement – Mayor Kezer sponsor

Councilor Neale motioned to refer 2009-020 to the Finance Committee, Councilor McMilleon second.

Voted - Unanimous

2009-021 A Resolution of support for Amesbury's CDBG grant application – Councilor Sherwood sponsor

Councilor Sherwood states the Community Development Block Grant is Federal money that is coming through the state. Amesbury is competing for these funds on a state wide basis and this

resolution would be the Municipal Councils' support for the annual application. The funds will be used to complete some street and sidewalk work in the Aubin Street/Naysons Court neighborhood and some housing rehabilitation work.

Joseph Fahey, Director of Community and Economic Development – Mr. Fahey states the grant total is \$900,000 of that approximately \$455,000 will be going to public facilities and infrastructure. Paving and sidewalk work will also be done on Boardman, Gale, Fruit, and Clark Street Area. Approximately 8 housing rehab units will also be done. He stated support from the council is critical to let the state know there is community support for the projects.

Councilor Neale moved to adopt 2009-021 as submitted, Councilor McMilleon second.
Voted – Unanimous

Late File

2009-022 Request the Municipal Council to vote to accept Riverview Heights for ownership by the public as a public way – Councilor Gilday sponsor

Councilor Gilday motioned to refer 2009-022 to the Ordinance Committee and the Planning Board, Councilor Neale second.
Voted - Unanimous

Councilor Dunford motioned to adjourn, Councilor McMilleon second.
8:30PM

Respectfully Submitted,
Assistant Town Clerk