

Amesbury Municipal Council Minutes
Tuesday, February 12, 2008
7:00PM Town Hall Auditorium

Call to Order 7:00PM

Roll Call: Stephen J. Dunford, Anne R. Ferguson, Robert Gilday, Robert W. Lavoie, Joseph W. McMilleon, Allen R. Neale, Mary A. Chatigny, Roger S. Benson

Pledge of Allegiance – Councilor McMilleon

Act on Minutes – January 29, 2008

Councilor Neale motioned to accept, Councilor McMilleon second – Voted Unanimous

Public Comment

Jane Snow, Fern Ave. – Ms. Snow voiced her concerns about overspending the legal budget, increasing the salary for a new DPW Director and union contracts. She asked President Benson to share with the public the topics and concerns that are discussed when he meets with the Mayor. Ms. Snow is against taking citizens off the Finance Committee.

James Thivierge, 106 Friend Street – Mr. Thivierge would like to see citizens remain on the Finance Committee. He objects to any increase or transfer to the legal budget.

Alison Lindstrom, 10 Wells Ave. – Ms. Lindstrom questions the request for \$28,000,000 for the water plant. She states when she was a councilor she was told it could be done for 12 – 14 million. She disagrees with some of the council rule changes and asks about the status of the eminent domain bill that she filed.

J. Michael Greaney, 50 Orchard St. – Mr. Greaney would like to know how much the attorney working on the Farfard deal has been paid. He also questions why the request for the water plant is now \$28 million. He would like a complete list of the vehicles being purchased for the water department and DPW.

Council Response to Public Comment

Councilor Dunford states he will be looking at the issue of the Water Treatment plant and find out what the change has become.

Councilor Benson states he will be happy to keep both the Council and the public updated on his meetings with the Mayor.

Mayoral Appointments

2008-008 Susan Deily-Swearingen – Master Plan Implementation & Oversight – unexpired term to expire 6/30/09

Councilor Lavoie moved to approve 2008-008 as submitted

Councilor Neale second

Voted – Unanimous

Second Readings

2008-007 An Ordinance to amend the sixth session Municipal Council Rules and Procedures – Councilors Dunford, Lavoie and Sherwood sponsor cont.

Councilor Lavoie states there is one change that is not on the marked up draft and that would be Rule 6I Debate. Second paragraph, second line the word “no” is changed to “a”.

Councilor Lavoie read Councilor Sherwood’s letter into the record (attached).

Councilor Lavoie motioned that 2008-007 be approved as submitted with the minor exception in Rule 6 I that seconds will be required and that change would be effected by changing the word “no” to be the word “a”.

Councilor Dunford second

Councilor Lavoie states he is in favor of the council as a whole to serve on the Finance Committee. At the Finance meetings they will see to finance related matters and the regular council meetings will be dedicated to the traditional meeting agenda to accomplish all the other business.

Councilor Dunford is not in favor of people serving on the Finance Committee who have not been voted in.

Councilor Chatigny would like to see some clarity on the sub committee formats. Who would serve, for what issues and exactly when would the council be seeking their advice.

Councilor Neale states that as a resident on the Finance Committee he had input only to those councilors who served on the committee. The reports from the committee became just the recommendation of the Finance Committee. The rest of the councilors did not benefit from the discussions therefore when it came time to vote the council meeting became a repeat of the finance committee meeting. He believes the council of the whole on the finance committee is a superior mode of operation.

President Benson 100% supports the finance committee being the council of a whole. He believes if a motion can’t get a second it shouldn’t be discussed. He does not believe it is a violation of the open meeting law. He would like to change the name from Finance Committee to Sub Committee on Appropriations at a later date. Tonight he would like to see the format of the Audit Committee changed to three councilors and no residents.

Councilor McMilleon agrees with the name change for the Finance Committee and the council as a whole serving. He believes there is plenty of opportunity for public input at both the finance meeting and the regular council meeting.

Councilor Chatigny amends the motion to change the Rules and Procedures to reflect the composition of the Audit and Oversight Committee to be three council members.

Councilor Lavoie motioned that 2008-007 be approved as submitted with two amendments. The minor exception in Rule 6 I that seconds will be required and that change would be effected by changing the word “no” to be the work “a” and the make up of the audit committee to be three councilors.

Councilor Dunford second
Roll Call Vote – Unanimous

Public Hearing

2008-003 An Order to request the Municipal Council authorize to overspend the Snow & Ice budget for FY2008 – Mayor Kezer sponsor cont.

Kendra Amaral, Chief of Staff – Information packet (attached).

Councilor Lavoie motions to close the public hearing and adopt 2008-003.

Councilor McMilleon second
Roll Call Vote – Unanimous

New Business

2008-009 Amend Zoning Map 78, Lot 10 (49 Macy St.) from R20 to C – Mayor Kezer sponsor
Councilor Lavoie motioned to send 2008-009 to the Ordinance Committee, Planning Board and schedule a public hearing.

Councilor Dunford second
Voted – Unanimous

2008-010 Accept a \$5,400 donation from the Newburyport Five Cent Savings Charitable Foundation – Mayor Kezer sponsor

Councilor Lavoie motioned to send 2008-010 to the Finance Committee and schedule a public hearing.

Councilor Chatigny second
Voted – Unanimous

2008-012 Appropriate \$5,076,000 for Water System Improvements – Mayor Kezer sponsor

Councilor Chatigny motions to send 2008-012 to the Finance Committee for a public hearing.

Councilor Neale second
Voted – Unanimous

2008-011 Appropriate \$22,500,000 to upgrade Water Treatment Plant – Mayor Kezer sponsor

Councilor Ferguson motions to send 2008-011 to the Finance Committee for a public hearing.

Councilor Neale second
Voted – Unanimous

2008-013 Transfer \$40,000 from Reserve for Unforeseen to Legal Services – Mayor Kezer sponsor

Councilor Lavoie motions to send 2008-013 to the Finance Committee for a public hearing.

Councilor Chatigny second
Voted – Unanimous

2008-014 Transfer \$25,000 from Insurance to Veterans – Mayor Kezer sponsor
Councilor Chatigny motions to send 2008-014 to the Finance Committee for a public hearing.
Councilor Neale second
Voted – Unanimous

Councilor Lavoie motions that the Council Presidents committee appointments for 2008 filed with the Town Clerk on February 12th be approved. Councilor McMilleon second Voted – Unanimous

Councilor Dunford motion to adjourn, Councilor McMilleon second – Voted Unanimous 8:02PM

Respectfully Submitted
Assistant Town Clerk