

Amesbury Municipal Council Minutes
Tuesday, April 10, 2007
7:00 PM Town Hall Auditorium

Councilor Thone called the meeting to order at 7:10 p.m.

Roll Call – Councilor Iacobucci, Councilor King, Councilor Lavoie, Councilor Lindstrom, Councilor McClure, Councilor Pinierio, Councilor Benson, Councilor Thone present. Councilor Lawrence absent.

Accept Minutes – January 3, 2007

Councilor Benson moved to approve as submitted. Councilor Pinierio seconded. Voted Unanimous

Public Comment - Councilor Thone reminded anyone who wants to speak to fill out a speaker request form. **James Thivierge** asked the Municipal Council to support a bill he had refilled at the State level regarding municipal bonds. He stated he would give copies to the Ordinance and Finance Committees for their review. **Stephen Dunford** spoke about an article in the paper that a resident bought the Mayor websites and referred to that as cyber squatting. He also stated the resident sent a letter to the National Guard saying the Thatcher Kezer is not fit to be a Lieutenant Colonel in the Air Force after twenty-seven years of honorable service. He asked Councilor King to propose a resolution having the Council condemn such behavior saying this behavior is not behavior that we want from the citizens of Amesbury. He also asked Councilor Benson to speak with Representative Costello and Senator Baddour about enacting legislation making it a misdemeanor to basically do identity theft on the internet.

Kate Broughton thanked Mr. Dunford. She stated that cyber squatting is the equivalent of identity theft and stated it has to be taken seriously. She stated her reason for speaking was the absence of President Lawrence and she hoped he was using his absence to think about stepping down. She stated if Councilor Lawrence steps down the person chosen to replace him should be from those on the Council elected not appointed.

Elaine Schimming read, as an informed resident, a statement of support for the municipal council. (a copy was not provided to the clerk's office.) She asked the Councilor, especially Councilor Thone to continue to stand up for the silent majority, the people who pay most of the taxes.

Hank Totzke stated he was sorry the Daily News and or Mayor Kezer consider him as adversarial he is just seeking the truth. He read a statement regarding Mayor Kezer's 61A program, the recall of Michelle Thone and his purchasing the names of Mayor Kezer's websites. (a copy of his prepared statement was not provided to the clerk's office.)

Council Response to Public Comment – Councilor Thone asked if there was response to public comment.

Councilor Lindstrom stated she had a statement she would like to read. (Attached - On File in Clerk's Office)

Councilor Benson stated that before they get into a battle of procedure about what can and can't be said there should be some clarification of the rule if it is going to be enforced. He stated he didn't agree with what Councilor Lindstrom said but agreed she had a right to say it.

Councilor King stated she disagreed that as being a response to public comment. She stated that Mr. Dunford a resident in her District asked whose public comment Councilor Lindstrom was responding to.

Councilor Lindstrom stated she was responding to Hank Totzke and Elaine Schimming.

Councilor King stated she finds it inappropriate for a Councilor to use their seat to put forth comments that aren't directly brought up at public comment and would ask that the Councilors use the podium if they are presenting their own views to do it as a resident of the community and not as a municipal councilor.

Councilor Lindstrom stated she did not voice her opinion as a resident although it could fit into that, she voiced it as a councilor.

Licenses and Permits – President Thone asked if there was an applicant present.

2007-032 Common Victualler – Mad River Tavern, 37 Main St.

S. J. Torres stated he was going to be partnering up with Gordon Briedenbach at Scandia and opening the restaurant with upscale comfort food, acoustic guitar and two bar top video machines. Councilor Pinierio asked if the Liquor license would remain the same or if it would change hands. Mr. Torres stated that it would be changed and they have applied and are in the process of completing that. Iacobucci moved to approve 2007-032 Common Victualler License for Mad River Tavern, LLC. Councilor Pinierio seconded. Voted - Unanimous

2007-033 Automatic Amusement – Mad River Tavern, 37 Main St.

Councilor McClure moved to approve 2007-033. Councilor Pinierio seconded. Voted - Unanimous

2007-34 Dine, Dance Entertainment – Mad River Tavern, 37 Main St.

Councilor Pinierio moved to accept 2007-034. Councilor Benson seconded. Voted - Unanimous

2007-035 Junk Dealer – Marianthi Chicklis, 15 Friend St.

Marianthi Chicklis stated she has furnishings from the Beachcomber that she wants to sell at the new Art Gallery on 15 Friend Street.

Councilor Benson moved for approval as submitted. Councilor Lindstrom seconded. **Voted -Unanimous**

Mayoral Appointments – Councilor Thone read bill 2007-036 into the record.

2007-036 Re-appoint: Robert E. Gaudet, Registrars of Voters, 3 yr term, 4/1/07-3/31/10 ~ James W. Humphries, Constable, 3 yr. term, 4/1/07-3/31/10

Councilor Lavoie moved 2007-036 relative to the appointment of Mr. Gaudet and Mr. Humphries is approved as recommended by the Mayor. Councilor Benson seconded. Voted – Unanimous.

Councilor Iacobucci moved to take 2007-044 out of order and accept as a late file. Seconded by Councilor Benson. Vote – Unanimous

Councilor Thone read **2007-044** to appoint Mark Sydlowski to the position of Lakes & Waterways Commission for a term to expire 6/30/10 into the record.

Councilor Iacobucci moved for approval the appointment of Mark Sydlowski to the position of Lakes & Waterways Commission. Seconded by Councilor Benson. Vote – Unanimous

Second Readings – Councilor Thone read 2007-031 into the record.

2007-031 An Order to Amend Rule 20 – Electronic Messaging Policy of Amesbury Municipal Council 5th Session Rules – Councilor Lavoie sponsor cont.

Councilor Lavoie read the recommendation of the Ordinance Committee to discharge it back to the Council and approve with amendments. He stated he passed around the report of the Ordinance Committee. He stated his purpose of this bill is to make Article 44 of the Town Bylaws and the Council Rules consistent and clean up the wording.

Councilor Benson stated the existing rule was amended so that it read “The Town Clerk shall be copied on all electronic correspondence that relates to business of the Town of Amesbury that is received or created by Municipal Council members.” He asked that “that relates to business of the Town of Amesbury” be left in the rule.

Councilor Lavoie moved to approve 2207-31 as submitted with the additional insert “dealing with Town business” in the third line after the word committee so that the last paragraph would read “Upon the sending of an electronic messaging by any councilor or any member of a council committee to any other councilor or any other member of a council committee dealing with town business, the sender shall simultaneously electronically copy the town clerk on said electronic messaging and the town clerk shall print and retain such correspondence in accordance with applicable laws and regulations.” Councilor Pinierio seconded.

Councilor Benson asked if this was changing the email policy so that it only discussions between councilors will be public record, rather than as it is now where it includes constituent discussions as well.

Councilor King requested that the Clerk invite someone from the District Attorney's Office to address the Open Meeting Law as well as a representative from the office that deals with Public Records.

Councilor Thone asked Councilor King to bring that up under communications and they would discuss it at length at that time.

Councilor McClure stated she agrees with Councilor King and thinks that the Council should get someone from the District Attorney's office to make sure this bill complies with the current open meeting law. She stated she won't be supporting this bill tonight but would like to see someone come up and have that discussion with the Council.

Councilor Iacobucci stated a motion and second is before the Council and he would like to propose an amendment to insert at the end of materials essentially the first large paragraph "The town clerk shall be copied on all electronic correspondence received or created by council members dealing with Town business who shall print and retain correspondence in accordance with applicable laws and regulations."

Councilor Benson seconded the amendment.

Councilor King stated she will not be voting in support of this measure until a representative addresses the issues in the community.

Councilor Lavoie stated he thought he was pretty precise in the language on the sending of any electronic messaging. There is a grammatical error or ambiguity in the current rule as it's not clear who shall print, the council members or the town clerk. He stated his intent is that the Town Clerk is cc'd on all correspondence that members are sending to each other about town business or to committee members. He stated he thinks that's understood how it should work but he doesn't think it is a universal practice.

Councilor Iacobucci suggested the amendment could be withdrawn if the second paragraph of Councilor Lavoie's motion is amended.

Councilor Thone asked if Councilor Lavoie would consider that.

Councilor Lavoie stated if he re-framed the amendment it would be constructive.

Councilor Iacobucci withdrew his amendment. Councilor Benson approved.

Councilor Lavoie stated if no one on the Council objects, he would withdraw his motion and reframe it. He moved that 2007-031 be adopted as submitted with the two language changes appearing in the last paragraph so that it will now say "Upon the sending or receiving of any electronic messaging by any councilor or any member of a council committee to any other councilor or any other member of a council committee dealing with town business, the sender shall simultaneously electronically copy the town clerk on said electronic messaging and the town clerk shall print and retain such correspondence in accordance with applicable laws and regulations." Councilor Pinierio seconded.

Councilor Lindstrom stated she just got a little confused because in her head she thought of receiving an email and responding and then receiving back the answer; when she receives back the answer does she have to

forward that to the clerk along with the first one and the second one being sent out by the person who sent her the thing she received.

Councilor Lavoie moved to withdraw the motion and moved to return 2007-031 back to ordinance for further review. Councilor Benson seconded. Vote – 7-Yes, 1-No, Lavoie

Public Hearings – Councilor Thone stated she was going to simultaneously open all of the public hearings on all of the following items. She read each item into the record and declared the public hearings open.

2006-105 An Ordinance to Accept Ch 184 Sec 52 of the Act of 2004 and Amend 98-204 – Councilor Lindstrom sponsor

2007-016 An Order to Accept Nancy Drive – Mayor Kezer sponsor

2007-018A To Appropriate \$185,000 to cover the Police FY07 Budget – Mayor Kezer sponsor cont.

2007-023 An Order to overspend the FY07 Snow & Ice Budget – Mayor Kezer sponsor

2007-024 An Order to appropriate \$7,418.85 to repair Harbormaster boat – Mayor Kezer sponsor

Susan Grant stated that when she and her neighbors moved into the area they were told when Nancy Drive was accepted it would be called Woodwell Circle. Most of their information stated Nancy Drive a.k.a. Woodwell Circle. Some of the neighbors even got their mail to Woodwell Circle. The neighbors have signed a petition and are asking that it be accepted as Woodwell Circle instead of Nancy Drive.

Councilor Lavoie stated he has the petition that Ms. Grant mentioned.

Councilor Thone asked if Ms. Grant attended the Planning Board meeting when they discussed this.

Ms. Grant stated she has attended many meetings and has talked with a lot of people in the Town Hall.

Councilor Pinierio asked if the Post Office recognizes it as Nancy Drive or Woodwell Circle.

Ms. Grant stated they were delivering at either.

Councilor Benson stated he could see why the Chair would open all of the public hearings at the same time, but he thinks it will be very confusing to hold them all at the same time. He stated he would like it on the record that he doesn't think that all of the public hearings should be held at the same time because he finds it very confusing to be asking questions and answering questions about different bills all at once. He said he thinks each item should be taken up individually.

Councilor King said she would like to echo that and a resident requested the same when she went out for water. She stated if it's difficult for the Council with all the paperwork in front of them she would imagine it would be even more confusing for the community and the people watching on television.

Councilor Thone stated she would consider that.

Councilor Lindstrom asked Councilor Lavoie if changing the name made any difference to the deeds and all the other real estate part of it.

Councilor Lavoie stated this issue was brought to his attention by Ms. Grant before coming to the meeting. He went back through the papers and there are references to a.k.a. Woodwell Circle. The Planning Board approved the subdivision as Nancy Drive seven or eight years ago and that's how the bill was introduced and that's how Ordinance treated. He said he can not speak for Planning and Finance. He stated there seems to be two parts of this; one is the street acceptance part and then secondly, what its ultimate name can be. There is a process for a

street name to be changed and he feels they should be treated as two separate issues. He said he would volunteer to work with the residents in the right process to change the name.

Ms. Grant stated she did not think it had to go through a process because it was Nancy Drive a.k.a. Woodwell Circle and all the residents were asking was to choose one of the names that it already has.

Councilor Thone stated the Council would discuss it more at length and asked if there was anyone else who wanted to talk on Nancy Drive or any other public hearings.

Karen Solstad, a member of the Planning Board stated when the Planning Board recommended that the approval of the street be sent to the Municipal Council and the Mayor for approval because the developer had finally met all of the requirements of the Planning Board, their understanding all along was that it was Nancy Drive also known as Woodwell Circle and that Woodwell Circle is the name that people want to use. When the Planning Board put it forward they put it forward as Nancy Drive a.k.a. Woodwell Circle. It was the understanding of the Planning Board that it would be known as Woodwell Circle.

Councilor Thone asked if there was anyone else who would like to speak on the public hearings and then closed the public hearing.

Councilor Iacobucci stated he just wanted to be clear that the public hearings were going to be closed on all of the matters.

Councilor Thone stated she was going to close the public hearing on **2006-105** An Ordinance to Accept Ch 184 Sec 52 of the Act of 2002 and Amend 98-204; **2007-016** An Order to Accept Nancy Drive; **2007-018A** To Appropriate \$185,000 to cover the Police FY07 Budget; **2007-023** An Order to overspend the FY07 Snow & Ice Budget; **2007-024** An Order to appropriate \$7,418.85 to repair Harbormaster boat.

Councilor Benson stated he would like to see the Council take a vote on this. He stated opening the public hearings all at once and closing them all at once would be fine but he would like to see the public speak on each issue separately because it is confusing for people.

Councilor Benson moved not to close all the public hearings now and hold them all separately.

Councilor Lindstrom questioned whether 2006-105 public hearing should be closed at all because she was going to recommend returning it to ordinance.

Councilor Thone stated the public hearing was opened on all of these items, nobody objected. She closed the public hearings on all of these items.

Councilor King seconded Councilor Benson's motion to take up each individual item as a public hearing. Voted – 6-Yes, 2-No, McClure, Thone.

Councilor Thone opened the public hearing on **2006-105** an Ordinance to accept Ch 184, Section 52 of Acts of 2002 and amend 98-204, Councilor Lindstrom sponsor.

Councilor Lindstrom stated she would like to send this back to ordinance because she received an amended version from the Mayor's office and it doesn't incorporate what was done in ordinance so it needs to be revisited.

Councilor Iacobucci stated there may be somebody in the audience that would like to speak on this before acting on the motion.

Mr. Johannessen stated he was confused whether the public hearing was going to be closed, opened or continued for this item.

Councilor Lindstrom moved to continue the public hearing on 2006-105 to a later date to be determined after it has gone to Ordinance for further clarification. Councilor Pinierio seconded. Voted -7 Yes. (Benson out of room)

Councilor Thone opened the public hearing on **2007-016** an order to accept Nancy Drive as a Public Way and closed the public comment after no further public comment.

Councilor Pinierio stated his concern if it is approved as Woodwell Circle and the question of what it says on the deeds.

Councilor Lavoie stated the Planning Board memo reads, At a meeting held by the Planning Board on Monday, April 2, 2007, the Planning Board voted as follows: Motion to recommend to the Municipal Council to accept Nancy Drive a.k.a. Woodwell Circle as a public way, seconded and voted in favor. He said that street will be known as Nancy Drive a.k.a. Woodwell Circle in the same way that we are the municipality known as the Town of Amesbury. He asked Karen Solstad if the Fire Department and 911 is all set with any concerns with such a name.

Karen Solstad they approved it as Nancy Drive a.k.a. Woodwell Circle because they did not think it was within their purview to name the street. It was within their purview to recommend acceptance because they had met all the requirements for street acceptance.

Chief Michael Cronin stated the 911 records will cross reference an a.k.a. until a final street is settled upon and they are already in their system.

Councilor Iacobucci stated he just drafted a measure that he will submit to the Council later on under first readings as a late file. It is stated: Be it enacted by the Municipal Council and the authority the same as follows; the public way named as Nancy Drive a.k.a. Woodwell Circle will be hereafter re-named Woodwell Circle. Said change will be recorded with the Board of Assessors, Post Office, Registry of Deeds, Public Safety Agencies, etc. He stated if the Council votes tonight to accept Nancy Drive a.k.a. Woodwell Circle and then come back under the process to rename the street, give it a first reading tonight and at the second reading it can be done in a clear distinct action.

Councilor Benson stated he agreed with Councilor Iacobucci that is the cleanest way to do it.

Councilor Roger Benson moved for approval of 2007-016 Nancy Drive a/k/a Woodwell Circle as submitted. Councilor Lavoie seconded. Roll Call Vote – Unanimous

Councilor Thone opened the public hearing on **2007-018A** to Appropriate \$185,000 to cover the Police FY07 Budget – Mayor Kezer sponsor cont.

Councilor Benson stated he would recuse as he has a direct financial conflict.

Councilor Pinierio stated he has filed a disclosure with the Town Clerk and he will be voting on this measure.

Councilor McClure gave the recommendation of the finance committee on 2007-018A to discharge back to the Council with no recommendation.

Councilor Lavoie moved that 2007-018A being an order that the Municipal Council vote to appropriate the sum of \$185,000 for FY 2007 Police Department Budget to cover expenditures through the balance of FY 2007 be adopted as submitted. Councilor King seconded.

Councilor Lavoie requested under Rule 6N Division of the Question to divide the question into Expenses (Part II) from (Part 1) Salary & Personal Services. Voted unanimous

Councilor Benson stated he would vote on Part I and Recuse on Expenses (Part II) as he has a direct financial conflict in Expenses under Vehicle Repair.

Councilor King gave a history of the budget process and the finance committee recommendations for the FY07 budget. She stated the Mayor and Chief Cronin had made it known to the finance committee and the Council that the calculations of the finance committee were wrong. She asked the Chief what he would have cut and what the outcome would have been if he had done that.

Chief Cronin stated the lay off scenario would have been eight regular police officers which would have cost about \$225,000 to \$250,000 in lay off costs, unemployment costs, paying off compensation for vacation and things like that. He said in addition to the loss of services and loss of coverage to the town it didn't really make a lot of sense financially to do that. The expectation was they would come back to the finance committee and the Council with that calculation that was off. He stated he included that in the document that he sent to the Mayor and the Council at that time. He stated he reduced a lot of the additional coverage downtown, the patrol of the river walk to maintain a steady operation with the patrol force; unfortunately, house breaks went up and there were some incidents downtown. He stated he was in contact with the Mayor's office through out this process and they addressed the incidents that required attention of the Police Department with the understanding that money could be saved in the second and third quarter which traditionally are the lower expenditures. He stated they did save some in the third quarter but there is a very little portion of the budget in which he has control over. He can control overtime if he is properly staffed however, when someone resigns a new person has to be trained and in the interim overtime has to be paid to cover the shift. He stated there was a three percent interest in the 2007 budget which the finance committee recognized and did calculate to that point; unfortunately it was done in error.

Councilor King asked what the consequences would be if the majority of the Council does not fund the personnel.

Chief Cronin stated at this point the Town is in the position that they will spend until they reach the end of the money and ask Mr. Basque what the situation is regarding how the balance will be covered. He stated that in previous years he has seen other departments go in for end of year transfers. He also stated the Police Department is the department that typically comes in balanced or under budget every year and this is very rare for them.

Mr. Basque stated if the Council does not vote the money, the Mayor and Chief will have to sit down and decide what they are going to do with man power, if they are going to attempt to lay officers off because the reality is there would probably not be a balanced budget if there is no vote in favor of this between now and the end of the fiscal year. He stated the Mayor and Chief would make a determination as to how they want to handle man power, fully realizing you can't close the police station. Once they make a determination on manning levels then the Town would continue to make the payroll until the funding runs out in the Police budget then they would have to make a determination whether they will be allowed to overspend their budget or

not. One option would be to say no at which point the town would be in violation of some federal labor standards. Someone would make the town go to court and order the town to pay the payroll which would make the town over expend the budget which would go on next year's recap. He stated, obviously, they are not going to shut down the police station.

Chief Cronin was asked if he could live with \$100,000. He stated if got a hundred thousand he would work as best he could to make it work. He said he could not guarantee what would happen tomorrow but a hundred is better than nothing.

Councilor Benson stated he believes the Council needs to restore the money and he would be voting in favor.

Councilor Iacobucci stated he did not want to see any department deficit spend and have to be in a situation of fixing it. He said he would support spending the money tonight. He does not want to give the Chief \$140,000 and have the Chief think everything is gravy but he would recommend giving him \$120,000. He said he would concur with Councilor Lavoie to urge the Mayor to take the other twenty thousand and spend it on a management audit of the police department.

Councilor Benson stated he agrees with Councilors Lavoie and Iacobucci on the study. He said he thinks it did wonders on their understanding in the Fire Department. For years he has been hearing we have a police department that's way over funded and is too large and it would be nice to put that to rest once and for all or to prove it true once and for all.

Councilor Iacobucci moved to amend 2007-018A Personal Services to appropriate \$120,000.

Councilor Benson seconded. Roll Call Vote – 6-Yes, Iacobucci, King, Lavoie, Lindstrom, Pinierio, Benson 2-No, Thone, McClure

Main Motion (Part 1) as amended to appropriate \$120,000 for Personal Services. Roll Call Vote – 6-Yes, 2-No, Thone, McClure

Councilor Lavoie moved Part II – Expenses be funded at the requested amount of \$44,850.00. Councilor King second. Roll Call Vote – 6-Yes, King, Lavoie, Thone, Pinierio, McClure, Iacobucci, 1-No, Lindstrom, 1-Recuse, Benson

Councilor Thone called a two minute break. Councilor Thone called the meeting back to order at 9:55. She asked for a motion to accept new business after 10:00p.m.

Councilor Benson moved to suspend rules to take up new business after 10:00p.m. Councilor Pinierio seconded. Voted - Unanimous

Councilor Thone opened the public hearing on **2007-023 An Order to overspend the FY07 Snow & Ice Budget – Mayor Kezer** sponsor and read it into the record. She asked if anyone would like to speak and hearing none closed the public hearing.

Councilor Benson moved for approval of 2007-023 as submitted. Councilor Lavoie seconded.

Councilor Pinierio asked Brian Gilbert, DPW Director, if there was any money left in the snow budget and if not what is the deficit.

Mr. Gilbert stated at the end of December there was \$111,500 left out of \$128,000. That went to preparation,

fixing the equipment and getting it ready for the winter. There were also three sanding events in December. In January there was about \$97,000 and between January and February it dropped to about \$43,000 and between February and March it dropped to a negative \$76,000 and this last five to six inch storm cost about \$9,000 which is a deficit of \$83,000. There were 39 inches of snow, fifteen events they had either sand and salt or plow and that's not including the two pick ups that they had done in the center of town or the equipment breakdowns. Last year there was 50 ½ inches and sixteen events and they spent \$277,000. He explained the average over the last five years is \$235,000 a year and that's what it takes to deal with the winters in New England.

ROLL CALL VOTE – 8-YES, Iacobucci, King, Lavoie, Lindstrom, McClure, Pinierio, Benson Thone,

Councilor Thone opened the public hearing on 2007-024 An Order to appropriate \$7,418.85 to repair Harbormaster boat – Mayor Kezer sponsor and asked if anyone in the public would like to speak on this item. She closed the public hearing after no response from the public.

Councilor McClure stated the finance committee recommended unanimous approval.

Councilor Iacobucci asked Mr. Basque how much money comes out of the fund every year and how is it spent?

Mr. Basque stated it was the first time any has been taken out since 2001.

Councilor Iacobucci asked then why does this require the Council to vote on it. When the fund was created it stipulates in the legislation that the money is under control of the Lakes & Waterways. He stated he didn't want the Council to approve something he is not sure they have the authority to do.

Mr. Basque stated in his opinion Lakes and Waterways doesn't have the authority to simply expend those funds. The request for the expenditure came from the Harbormaster to the Mayor. The Mayor decided to request the funds from this Harbor management fund and he had notified the Council that he wouldn't just do that and would request the Council authorize the expenditure. He stated unless Mr. Iacobucci had something that he was not aware of that would say they can spend it directly from there..

Councilor Iacobucci stated that he distributed a fax from Senator Baddour's office a copy of Chapter 81 of the Acts of 1996 which is when the Town of Amesbury was authorized to establish a Municipal Waterways improvement maintenance fund. He read it into the record. It stated it should be administered by the Waterways Commission.

Mr. Basque stated it could be administered by them but the appropriating authority still comes through here.

Councilor Iacobucci also stated that \$35,000 seems awful low if one half of the excise tax on boats is supposed to go to that.

Mr. Basque stated he would have to look and see about that.

Councilor Thone asked if this bill was referred to Lakes & Waterways.

Mrs. Kitchin stated a letter was requested from the Lakes & Waterways which has not been received to date.

Councilor Thone stated she thought it should be tabled until they received information from Lakes & Waterways.

Councilor Benson asked if delaying this would cause problems.

Mr. Basque stated he did not think it was going to be a problem.

Councilor Benson moved to refer to Lakes and Waterways and table it until they hear back. Councilor Lindstrom seconded. Voted Unanimous.

Councilor Benson moved to accept 2007-045 and 2007-046 as late files. Councilor Pinierio seconded. Voted Unanimous

Councilor Thone read into the record **2007-038** An Ordinance to Amend Articles Two and Three of the town Bylaws – Councilor Iacobucci Sponsor

Councilor Iacobucci moved to refer 2007-038 to the Ordinance Committee. Councilor Benson seconded. Voted Unanimous

Councilor Thone read into the record **2007-039** An Ordinance to Provide Public Services or to Establish conditions for Elizabeth St. Ext – Councilor Iacobucci sponsor
Councilor Iacobucci explained there was an amended version passed out tonight by request of the citizen petitioners and he would like that bill to be the one the Council refers to committee.

Councilor Iacobucci moved to refer 2007-039 to the Ordinance Committee, Finance Committee and Planning Board and to Planning Office. Councilor Benson seconded. Voted Unanimous

Councilor Thone read into the record 2007-040 An Ordinance to Amend the 5th Session Council Rules & Procedures – Councilor Iacobucci sponsor

Councilor Benson moved to refer 2007-040 to the Ordinance Committee. Councilor McClure seconded. Voted Unanimous

Councilor Thone read into the record 2007-041 An Ordinance that the Municipal Council Accept Art 17, Sec 9 – Cemeteries Ordinance – Mayor Kezer sponsor

Councilor Pinierio moved to refer to the Ordinance Committee. Councilor Lindstrom seconded. Voted Unanimous

Councilor Thone read into the record **2007-045** An Ordinance to Amend Rule 5E – Order of Business of the 5th Session Council Rules & Procedures – Councilor Iacobucci

Councilor Benson moved to refer 2007-045 to the Ordinance Committee. Councilor Lindstrom seconded. Voted Unanimous

Councilor Thone read into the record **2007-046** Change name of Nancy Drive to Woodwell Circle – Councilor Iacobucci

Councilor Iacobucci moved to refer it to Ordinance. Councilor Benson seconded. Voted Unanimous

Councilor Lavoie stated that Councilor Pinierio was appointed o Finance Committee and in his email Council President Lawrence said that he would bring it before the Council for approval.

Councilor Thone stated he made the appointment. She said she would leave it up to the Council if they want to vote on that.

Councilor Benson moved to approve Councilor Pinierio's appointment to the finance committee.

Councilor Lindstrom seconded. Voted unanimous

2007-037 Request to Approve the 2007 Election Calendar

Councilor Benson moved for approval of 2007-037 as submitted. Councilor Pinierio seconded.
Voted Unanimous

Councilor Thone recused herself from the next two agenda items and asked Councilor Iacobucci to chair the remainder of the meeting.

Councilor Lavoie asked Councilor Thone if they could discuss his bill regarding the salary increases for the Mayor and the Council before she left. He said the bill is bottled up in Finance Committee and he asked if there would be any appetite to have a workshop on it.

Councilor Iacobucci stated with all the rule changes that he has proposed it wouldn't hurt to have a workshop in addition to the salary ordinance.

Councilor King stated she supports that but would like to stop amending bylaws until the Council addresses the issue. She stated Councilor Lavoie had stated he had the intent on putting forth some type of resolution to start a bylaw committee.

Councilor Lavoie moved to recommend to the Council President that he schedule a workshop for the next Tuesday session which would be on the 24th for the purposes of considering the salary order that he put in, the rules that are pending and the Bylaw comments that Councilor King mentioned and the Council budget.

Councilor Thone stated she thought that was a lot to deal with at once.

Councilor Benson seconded.

Councilor Iacobucci suggested that it be at a different place with a round table so that the Council could all be facing each other and have a true workshop.

Councilor King asked about getting representatives from DOR, Public Records and the Open Meeting Law. She asked that the Town Clerk contact them for availability and see when they could come. She stated she thinks other committees need to be invited as well because this is a town-wide issue.

Voted Unanimous

Councilor Thone and Councilor McClure left at 10:40 p.m.

Councilor Iacobucci read **2007-042** Special Election Warrant – District 1 Recall - May 21, 2007 into the record.

Councilor Benson moved for approval. Councilor Lavoie seconded. Voted 6 - Yes

2007-043 Request to Approve the Special Recall Election Calendar for May 21, 2007 for District 1 Recall

Councilor Benson moved for approval. Councilor Pinierio seconded. Voted 6-Yes.

Councilor King informed the Council and the public that the High School building committee would be sponsoring an open house of the new wing of the high school on April 29, 2007 from 1:00 p.m. to 3:00 p.m. and everyone is invited.

Councilor Lavoie moved to adjourn at **10:50 p.m.**
Respectfully submitted,
Bonnijo Kitchin, Town Clerk