

Amesbury Municipal Council Meeting
Tuesday, June 8, 2010
7:00PM Town Hall Auditorium

Call to order 7:02PM

Pledge of Allegiance – Councilor Kimball

Roll Call – Derek Kimball, Allen Neale, Mary Chatigny, Stephen Dunford, Anne Ferguson, Robert Gilday, Robert Lavoie

Joseph McMilleon excused absence, Councilor Kelcourse late.

Act on Minutes

April 27, 2010 – Councilor Neale motioned to accept, Councilor Ferguson second Voted Unanimous

May 11, 2010 – Councilor Neale motioned to accept, Councilor Ferguson second Voted Unanimous

Citation of Recognition – Ross Randall for achieving rank of Eagle Scout

Mayoral Appointments

2010-060 Appoint Eli Goodwin – Design Review term to expire 6/30/13

Eli Goodwin, 21 Greenwood Street

Councilor Kimball motioned to accept 2010-060, Councilor Ferguson second. Voted - Unanimous

2010-059 Appoint M. Lea Cabeen – Council on Aging unexpired term to expire 6/30/11

M. Lea Cabeen, 7 Mechanics Row

Councilor Kelcourse arrived late 7:08PM

Councilor Ferguson motioned to accept 2010-059, Councilor Kimball second. Voted – Unanimous

Licenses & Permits

2010-058 Pole Hearing – Kimball Road

Joseph Gleason, Right of Way Manager, Verizon – Mr. Gleason stated National Grid is upgrading their poles on Kimball Road. At 88 Kimball Road the property owners requested the new pole and push brace be located on the opposite side of their driveway.

Dayle Bell, 88 Kimball Road – Ms. Bell stated they have been asking National Grid Verizon to relocate the poles for years because they obstruct their view. She wants to know when the old poles will be removed.

Mr. Gleason is not able to give a date because Verizon is only one of many pole occupants. He stated Verizon is the last to come off the pole and he will contact the Engineer to see if he has an approximate date and let Ms. Bell know. Councilor Gilday stated he has connections and will try expediting the removal of the old poles. Mr. Gleason stated he will have a written response as to the removal of the poles tomorrow.

Councilor Neale read a letter from John & Gerd Adams, 89 Kimball Road. They want guarantees from Verizon that they will be accountable for any damages should they occur because they are the only abutters that utilize forced-air gas as a method of heating.

Councilor Neale moved for approval of 2010-058, pole #133/50, Councilor Dunford second.
Voted - Unanimous

Public Comment

James Thivierge, 106 Friend Street – Mr. Thivierge spoke regarding the budget.

Claude Gonthier, 107 Kimball Rd. – Mr. Gonthier read a statement regarding the charter changes relevant to section 8-5 Measures not Subject to Initiative and Referendum.

Council Response to Public Comment

No council response.

Public Hearings

2010-057 An Ordinance To Revise And Consolidate, Amend, Supplement And Codify The Bylaws And Ordinances Of The City Known as The Town Of Amesbury – President Lavoie, Councilor Dunford and Neale sponsor

Summary: This Ordinance is the result of a year's long project carried out by the above 3 Councilors acting as the Re-Codification Committee, working in close consultation with the Town Clerk, and the Town's consultant, General Code. The 1996 Charter called for a re-codification to be accomplished in the early history of Amesbury's new life as a City, but the same was not accomplished until the present time, when funds were appropriated to hire General Code as consultant, and to dedicate the time and effort needed to do the re-codification in a responsible and studied fashion. This Proposed Ordinance provides the official language in order to have Amesbury adopt the proposed Re-Codification of its previous Bylaws and previous ordinances.

President Lavoie opened the public hearing.

Councilor Kelcourse motioned to continue 2010-057 to the July 13th Council meeting, Councilor Neale second.

Voted - Unanimous

Second Readings

2010-048 An Ordinance to Authorize the Mayor to Enter into a Ten-Year Intergovernmental Contract for the Essex County Regional Emergency Communications Center – Mayor Kezer sponsor

Summary: Allow the Mayor to negotiate terms and enter into an intergovernmental agreement with the Essex County Sherriff's Department and Essex County municipalities to create a regional emergency dispatch program. The program is planned to be operational in 2012.

President Lavoie read 2010-048 into the record.

Councilor Neale read the recommendation of the Finance Committee to discharge 2010-048 as submitted with the following additional language "Said agreement to be substantially in the format attached hereto; this authorization being conditioned on (1) the initial per capita rate being \$16.26 and (2) there being a collective base population of 128,500 as set forth in the proposed Memorandum of Understanding.

President Lavoie read the recommendation of the Ordinance Committee to send 2010-048 back to the Municipal Council to open negotiations to enter into a ten-year intergovernmental contract.

Discussion continued with the Mayor's Chief of Staff Kendra Amaral regarding budgeting, staffing and hours of operation. Tom Dubas, Director of Emergency Operations for Lackawanna County, PA, the consultant hired by the Sheriffs Department, addressed the efficiencies and advantages gained by becoming a regional dispatch center. Lieutenant Ouellett gave an overview of the responsibilities and day to day operations of the civilian dispatchers.

In the draft agreement dated 12/15/09, Councilor Kelcourse feels the withdrawal clause in section 24 should be changed from a 2 year written notice to 12 months for more flexibility. Mayor Kezer stated the agreement is still being reviewed by all parties and will be for another year.

Councilor Neale motioned to adopt 2010-048 conditioned on the facts (1) the initial per capita rate being \$16.26 and (2) there being a collective base population of 128,500 as set forth in the proposed Memorandum of Understanding. Councilor Ferguson second.

Councilor Kelcourse recommended to further stipulate that paragraph number 24 be changed to reflect a 12 month notice provision rather than a 2 year notice provision. There was no show of support for this recommendation.

Roll Call Vote – 8 Yes (Kelcourse, Kimball, Neale, Chatigny, Dunford, Ferguson, Gilday, Lavoie)

2010-050 An Order to authorize the transfer of \$85,000 from the Ambulance Fund to the Fire Department – Mayor Kezer sponsor

Summary: Transfer \$85,000 from the Ambulance Fund to the Fire Department to fund the Agreement between the Town of Amesbury and the International Association of Firefighters, Local 1783, I.A.F.F., dated July 1, 2007 – June 30, 2011

President Lavoie read 2010-050 into the record.

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

Councilor Neale motioned to move the Finance Committee recommendation to adopt as submitted, Councilor Kimball second.

Roll Call Vote – 7 Yes (Kimball, Neale, Chatigny, Dunford, Ferguson, Gilday, Lavoie), 1 No (Kelcourse)

First Readings

2010-061 \$59,220 FEMA Grant for protective gear – Mayor Kezer sponsor

Councilor Neale motioned to refer 2010-061 to the Finance Committee for a public hearing, Councilor Kelcourse second. Voted - Unanimous

2010-062 Transfer between D.P.W. to Snow & Ice – Mayor Kezer sponsor

Councilor Neale motioned to refer 2010-062 to the Finance Committee for a public hearing, Councilor Kimball second. – Voted - Unanimous

2010-063 Transfer between General Department Funds – Mayor Kezer sponsor

Councilor Neale motioned to send 2010-063 to Finance Committee for a public hearing, Councilor Dunford second. – Voted - Unanimous

Correspondence

- a. President/Vice President Communications
Councilor Dunford changed his resignation to July 13, 2010.
- b. Communication from Elected Officials, Boards and Commissions

2010-064 May Grants Report

- c. Council Communications, Announcements and Committee Reports

Councilor Neale motioned to adjourn, Councilor Dunford second.

Adjourn 8:50PM

Respectfully Submitted,

Assistant Town Clerk