

Amesbury Municipal Council Meeting
Tuesday, October 12, 2010
Town Hall Auditorium

Call to Order 7:00PM

Pledge of Allegiance – Councilor Ferguson

Roll Call: Anne Ferguson, Joseph McMilleon, Allen Neale, Mary Chatigny, Stephen Dunford, Robert Gilday, James Kelcourse, Derek Kimball, Robert Lavoie

Act on minutes – September 21, 2010

Councilor Ferguson motioned to accept as submitted, Councilor Kimball second – Voted Unanimous

President Lavoie asked for 2010-089 to be tabled until after the Board of Health meets.

2010-089 25 year Mutual Aid Agreement for assistance with public health needs – Mayor Kezer sponsor cont.

Summary: The Mutual Aid agreement provides for aid and assistance between communities for public health needs when existing resources are not sufficient to cope with a situation or emergency that concerns public health.

Councilor Dunford motioned to table, Councilor McMilleon second – Voted Unanimous

Mayoral Appointments

2010-090 Sandra Jutras – Health Care Trust Com. – term to expire 6/30/13

Councilor Neale motioned to accept 2010-093, Councilor Kelcourse second – Voted Unanimous

2010-091 Michael Basque – Chief Financial Officer – term 10/1/10 – 9/30/13

Councilor Kelcourse motioned to accept 2010-091, Councilor McMilleon second – Voted Unanimous

Licenses & Permits – none at this time

Public Comment

James Thivierge, 106 Friend Street – Mr. Thivierge spoke on the issues of borrowing, the new annual report and the canceled August municipal council meeting.

Claude Gonthier, 112 Kimball Road – Mr. Gonthier urged the residents in town to get out and vote.

Mario Pinierio, Gardner Street – Mr. Pinierio spoke in reference to bill 2010-092. He does not feel it is fair to Drew's Tire to have to shut down in order to fix the bridge; there should be a way to avoid it.

Council Response to Public Comment

President Lavoie addressed Mr. Pinero's concern for the Drew's stating because of the complex nature of the work to be done it was unavoidable. Councilor Gilday stated Drew's Tire would not be shut down; just one bay. Councilor Kimball stated the R street bridge is very important to keep traffic flowing and to the future development of the lower mill yard.

Councilor Ferguson stated she received a letter from a resident who wants a resolution against Question 3 on the ballot for the November 2nd election.

Public Hearings & Second Readings

2010-085 To Accept a \$6,500 grant from The Provident Community Foundation to Amesbury Youth Recreation Program – Mayor Kezer sponsor cont.

Summary: The Provident Community Foundation has donated \$6,500 for the scholarship programs for Amesbury Youth Summer Program.

President Lavoie read 2010-085 into the record.

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

President Lavoie opened the public hearing.

Mario Pinierio, Gardner Street – Mr. Pinierio thanked the Provident Bank for their contributions to the community.

President Lavoie closed the public hearing.

Councilor Ferguson motioned to accept 2010-085, Councilor Gilday second.

Roll Call Vote – 9 Yes (Ferguson, McMilleon, Neale, Chatigny, Dunford, Gilday, Kelcourse, Kimball, Lavoie)

2010-086 Appropriate \$200,000 for the Water St. Parking Garage – Mayor Kezer sponsor cont.

Summary: This order will provide the funding for the engineering and permitting of the repairs and expansion of the Water Street parking garage.

President Lavoie read 2010-086 into the record.

Councilor Neale read the recommendation of the Finance Committee for approval 7 Yes, 1 Abstain (Kelcourse)

President Lavoie opened the public hearing.

Mayor Kezer stated the importance of developing the lower mill yard to create new revenue for the town. Repairing and expanding the parking garage is essential to the development of the lower mill yard. This appropriation would pay for a study to determine the cost of repairs, expansion and the number of spaces it could create.

Rick Bartley, South Hampton, NH – Mr. Bartley has a business in the lower mill yard and is in favor of the repairs and expansion of the parking garage.

John Manchester, 66 Fern Ave. – Mr. Manchester owns a commercial building in the lower mill yard and is in favor of the repair and expansion of the parking garage.

Mike Greaney, 50 Orchard St. – Mr. Greaney would like to see the repairs done to the parking garage however; would like to see the expansion put on hold.

Curtis Wollitz, 91 South Hampton Rd. – Mr. Wollitz, speaking on behalf of the Amesbury Chamber of Commerce and the Industrial Foundation, states they are in favor of the repair and expansion of the parking garage.

Matthew Sherrill, 156 Elm Street – Mr. Sherrill speaking on behalf of Gould Insurance stated he encourages his employees to park at the garage. There is not enough room at the garage for all the employees working downtown to park at the garage. He is in favor of the repair and expansion of the garage.

Charles Cullen, 16 Fairway Drive – Mr. Cullen supports the repair and expansion of the parking garage.

President Lavoie closed the public hearing.

Councilor Ferguson motioned to accept 2010-086; Ordered: that \$200,000 is appropriated for the planning, engineering and permitting of the expansion, remodeling, and reconstruction of and the making extraordinary repairs to the parking garage located on Water Street; and that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$200,000 under G.L. c.44, §7 or any other enabling authority; and that the Mayor is authorized to take any other action necessary to carry out this project. Councilor Neale seconded.

Discussion continued with the councilor's all agreeing the parking garage needs to be fixed however; they do not all agree with expansion at this time.

Roll Call Vote – 9 Yes, Unanimous

2010-087 Appropriate \$2,400,000 for Capital Expenditures to Public Safety Buildings –Mayor Kezer sponsor cont.

Summary: This order will provide the additional funding required for the completion of repairs to the public safety buildings.

President Lavoie read 2010-087 into the record.

Councilor Neale read the recommendation of the Finance Committee for approval 6 Yes, 2 Opposed (Kimball, Kelcourse)

President Lavoie opened the public hearing.

Mayor Kezer gave a brief history of the scheduled and unanticipated repairs and maintenance of the public safety buildings. He also discussed the ADA requirements triggered because of the extent of the rehabilitation. He stated two plans were looked at and they found that a second floor expansion was the least expensive.

Curtis Wollitz, 91 South Hampton Rd. – Mr. Wollitz stated that in the past the town has not maintained the buildings and he believes it now time that they do. He is in favor of 2010-087.

Claude Gonthier, 112 Kimball Rd. – Mr. Gonthier supports 2010-087.

Mike Greaney, Orchard St. – Mr. Greaney wants to see conceptual plans for the fire station before an appropriation is voted for.

Robert Desmarais, DPW Director stated the duration of the project will approx. 1 year to 15 months. He expects to get the construction drawings in the spring when he goes out to bid.

Chief Brickett stated he has been working with FEMA and MEMA for reimbursement of storm related damage to the Fire Station which was denied because it is an insured building. They will reimburse the town \$3,200 a month for the trailer rentals.

President Lavoie closed the public hearing.

Councilor Neale moved 2010-087 - Appropriate \$2,400,000 for Capital Expenditures to Public Safety Buildings

Be it Ordered by the Municipal Council of the Town of Amesbury assembled, and by the authority of the same as follows:

Ordered: that \$2,400,000 is appropriated for the remodeling, reconstructing and making extraordinary repairs to public safety buildings, including original equipment and related site improvements and that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$2,400,000 under G.L. c.44, §7 or any other enabling authority; and that the Mayor is authorized to take any other action necessary to carry out this project., Councilor Chatigny second.

Discussion continued with full support to repair the fire station. Councilor's Kimball and Kelcourse support the project but questioned the costs and funding at this time.

Roll Call Vote – 7 Yes, 2 No (Kimball, Kelcourse)

2010-088 Appropriate \$400,000 for a Snow Dump and DPW Facility – Mayor Kezer sponsor cont.

Summary: This order will provide the funding for the engineering, permitting and site improvements for a snow dump and the study and preliminary engineering of a Department of Public Works facility.

President Lavoie read 2010-088 into the record.

Councilor Dunford motioned to separate bill 2010-088 into two bills.

2010-088A – Snow Dump \$120,000, 2010-088 B DPW facility \$280,000

Councilor McMilleon second – Voted Unanimous

2010-088A – Snow Dump \$120,000

President Lavoie opened the public hearing.

Mayor Kezer stated the snow dump is currently, temporarily located at the former truck stop. This location has to be moved because of two reasons; it disturbs the residents living close to it and the town hopes to surplus and sell off the truck stop property. The site identified for the new snow dump is by the former land fill.

Robert Desmarais, Director of Public Works stated the construction costs for the snow dump should be approx. \$103,900 and \$20,000 for permitting, engineering and surveying. Mayor Kezer explained the 25 year lease agreement worked out with Waste Management.

Discussion continued on the value of the land where the former truck stop was and the potential new growth.

Curtis Wollitz, South Hampton Rd. – Mr. Wollitz is in favor of moving the current snow dump to allow for development at the former truck stop.

Claude Gonthier, 112 Kimball Rd. – Mr. Gonthier wants bill 2010-088A to be sent back to the Finance Committee for more review and information.

Brian Reiss, 4 Woodridge Lane – Mr. Reiss urged the councilors on behalf of his neighbors and himself to move the snow dump.

Ed Leary, 8 Woodridge Lane – Mr. Leary is in favor of moving the snow dump.

Kathryn Jaibur, 7 Woodridge Lane – Ms. Jaibur is in favor of moving the snow dump.

Charles Stanley, 5 Woodridge Lane – Mr. Stanley is in favor of moving the snow dump.

Greg Beadle, 7 Woodridge Lane – Mr. Beadle is in favor of moving the snow dump.

President Lavoie closed the public hearing.

Councilor Neale believes the agreement with Waste Management is a good value for the town.

Recess 10:25 – 10:30

Mike Basque stated a vote tonight does not provide the town with the funds; other requirements will have to be met first such as the lease. The lease will then have to come back to the council for approval and then the town will be able to borrow the funds. The vote tonight will allow the permitting process to move forward.

Councilor Neale motioned to accept 2010-88A. Ordered: that \$120,000 is appropriated for the engineering, permitting, and site improvements for the construction of a snow dump and that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$120,000 under G.L. c.44, §7 or any other enabling authority; and that the Mayor is authorized to take any other action necessary to carry out this project. Councilor Dunford second.

All of the councilor's agree with moving the snow dump. They believe it is a good move and a good value for the town.

Roll Call Vote – 9 Yes (Ferguson, McMilleon, Neale, Chatigny, Dunford, Gilday, Kelcourse, Kimball, Lavoie)

2010-088B - DPW facility \$280,000

Councilor Dunford motioned to table 2010-088B to the November 9th Council meeting, Councilor McMilleon second – Voted Unanimous

First Readings

2010-092 An Order to request the Municipal Council to vote to amend Bill No. 2009-042, The R Street Bridge Takings and Alterations of Layouts. – Mayor Kezer sponsor

Summary: This action will increase the compensation for William F. Drew and Beverly A. Drew from \$27,340 to \$47,172

Councilor Neale motioned to send 2010-092 to the Finance Committee for a public hearing, Councilor McMilleon second – Voted - Unanimous

2010-093 Accept certain roads and easements within Pond Hill Subdivision for ownership by the public as public ways said roads being Spindletree Rd., Lancewood Dr., Tallowood Ln., Chapman Way and Whitewood Cir. – Mayor Kezer sponsor

Summary: Initiates the procedure for acceptance of the public ways listed above.

Councilor Neale motioned to send 2010-093 to the Finance Committee for a public hearing, Ordinance Committee and the Planning Board, Councilor Gilday second.

2010-094 Accept certain roads and easements within Woodsom Meadows subdivision for ownership by the public as a public way said road being Woodsom Drive – Mayor Kezer

Summary: To accept Woodsom Meadows as a public way.

Councilor Neale motioned to send 2010-094 to the Finance Committee for a public hearing, Ordinance Committee and the Planning Board, Councilor Dunford second.

Correspondence

- a. President/Vice President Communications
- b. Communication from Elected Officials, Boards and Commissions

2010-095 State Election Warrant – November 2, 2010

President Lavoie motioned to accept, Councilor Neale second – Voted Unanimous

- c. Council Communications, Announcements and Committee Reports

Adjourn 11:06PM

Councilor McMilleon motioned to adjourn, Councilor Dunford second. Voted Unanimous

A complete auto version of this meeting can be found on the website.

Respectfully Submitted,
Assistant Town Clerk