

Municipal Council Minutes
October 13, 2009
7:00PM Town Hall Auditorium

Call to Order 7:04PM by Councilor Dunford

Pledge of Allegiance – Councilor Ferguson

Roll Call: Stephen Dunford, Anne Ferguson, Robert Gilday, Joseph McMilleon, Allen Neale, Jonathan Sherwood, Mary Chatigny.
Robert Lavoie to arrive late.
Roger Benson absent.

Licenses and Permits

2009-101 Newburyport Crab Cake Co., 13 North Martin Rd. – Common Victualler
No one attended to represent the Newburyport Crab Cake Co.
Councilor McMilleon continued 2009-101 to the November Council meeting, Councilor Ferguson second. Voted - Unanimous

Public Comment

Jane Snow, 44 Fern Ave. – Regional Health Agreement

Council Response to Public Comment

None
Councilor Lavoie arrived 7:10PM

Mayoral Appointments

2009-098 Michael Basque – Amesbury liaison to the State Ethics Commission
Councilor Ferguson motioned to approve 2009-098, Councilor McMilleon second.
Voted - Unanimous

2009-099 Carol Smith – Amesbury Council on Aging unexpired term to expire 6/30/11
Carol Smith did not attend the meeting.
Councilor Sherwood motioned to table 2009-099 to the November 10th Council Meeting, Councilor Dunford second. – Voted – Unanimous

Second Readings

2009-086 Order to approve a transfer of \$89,000 from Ambulance Receipts to Fire Dept
Summary: This transfer request is to purchase and replace the present Auto Pulse/12 Lead Cardiac Monitors required in maintaining our Paramedic service.
Fin Com 9/29/09 approve as submitted
Councilor Neale read the recommendation of the Finance Committee to approve as submitted. He stated there are more than adequate funds in the Ambulance fund to meet all of the obligations through out the year.
Councilor Ferguson motioned to approve 2009-086 as submitted, Councilor McMilleon second.
Roll Call Vote - Unanimous

2009-092 Accept a \$2,500 grant from the MA Board of Library Commissioners, with a \$500 city match – Mayor Kezer sponsor
Summary: The \$2,500 grant from the MA Board of Library Commissioners is for the Amesbury Library Services & Technology Act Preservation Survey Program to fund institutional preservation surveys in

order to stimulate the analysis of collections in libraries having local, state, regional or national significance. The match funds will come from the Friends of the Library or trust fund allocations. Fin Com 9/29/09 approve as submitted, Bd Library Trustees 9/9/09 approve as submitted

Councilor Neale read the recommendation of the Finance Committee and the Board of Library Trustees to approve as submitted.

Councilor Dunford motioned to accept 2009-092, Councilor McMilleon second.

Roll Call Vote – Unanimous

2009-097 Appropriate \$850 to Dept. 610 Library in order to maintain the minimum appropriation requirement – Mayor Kezer sponsor

Summary: This appropriation to the FY2010 Library Budget is required in order to maintain the Library's minimum appropriation requirement as set by the Commonwealth of Massachusetts

Fin Com 9/29/09 approve as submitted

Councilor Neale read the recommendation of the Finance Committee to approve stating the Library would lose its state funding without it.

Councilor McMilleon motioned to approve 2009-097, Councilor Dunford second.

Roll Call Vote – Unanimous

2009-094 A three year inter-municipal agreement with Salisbury for health inspection, animal control and public health nurse services – Mayor Kezer sponsor

Summary: This authorization will allow the Mayor to share resources with Salisbury in order to provide both communities with health inspections, animal control services, and public health nurse services at a lower cost than supplying these services separately.

Fin Com 9/29/09 approve as submitted, Ord Comm 9/22/09 approve with refinements

Councilor Neale read the recommendation of the Finance Committee to approve, 8 in favor, 1 opposed (McMilleon).

Councilor Gilday read the recommendation of the Ordinance Committee to approve with two refinements; in 4.4.3.1 change "a qualified" to "the same qualified" and in section 3.6.1 in line 2 after "animals impounded" add "and other animal control matters".

Councilor Lavoie motioned, Mr. Graham seconded and it was voted Unanimous

Discussion continued regarding the cost, coverage and expenses of the Health Agent, Secretary, Nurse and Animal Control Officer.

Councilor Sherwood motioned to approve 2009-094, Councilor McMilleon second.

Roll Call Vote – 8 Yes, Unanimous

Recess 8:35PM

Public Hearings

2009-083 A Request that the Municipal Council vote to place on the November 3, 2009 ballot revisions to the Amesbury Home Rule Charter – Mayor Kezer sponsor cont.

Summary: Revisions to the Amesbury Home Rule Charter as recommended by the Amesbury Charter Commission, which include revisions by the Mayor

Councilor Neale motioned to table until the November 10th meeting, Councilor McMilleon second.
Voted - Unanimous

2009-085 Request to accept a transfer of property located at 76 Macy Street from Mass Highway – Mayor Kezer sponsor cont.

Summary: The parcel is necessary for storm water control resulting from the proposed Mass Highway Route 110 widening project. It is located on the northerly side of Route 110 between Dunkin Donuts and Route 495. The area adjacent to Route 110 will be excavated for storm water management and will be owned by Mass Highway. The remainder of the property will be donated to the city for the purpose of establishing conservation land, allowing the project to meet DEP wetland riverfront regulations

Councilor Neale motioned to table 2009-085 until the November 10th meeting, Councilor Gilday second.

Voted - Unanimous

First Readings

2009-100 A Resolution to authorize the Superintendent of Schools to submit a Statement of Interest for Amesbury Elementary - Mayor Kezer sponsor

Summary: The purpose of this resolution is to authorize the Superintendent of Schools to file a Statement of Interest with the MSBA regarding Amesbury Elementary. The purpose of this is to alert MSBA of deficiencies in Amesbury Elementary as it relates to the building. The SOI is an application for funding and in no way commits the MSBA to accept/approve an application. It also does not commit the city to filing an application for funding with the MSBA.

Councilor Neale read 2009-100 into the record:

Having convened in an open meeting on Tuesday October 13, 2009, the Municipal Council of Amesbury in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated October 13, 2009 for the Amesbury Elementary School located at 20 South Hampton Road, Amesbury, Massachusetts, which describes and explains the following deficiencies and the priority category(s) for which Amesbury may be invited to apply to the Massachusetts School Building Authority in the future.

The following priorities have been included in the Statement of Interest:

2. **Elimination of Existing Severe Crowding;** currently there are six additional portable classrooms. The main school building has no additional capacity.
4. **Prevention of severe overcrowding expected to result from increased enrollments.**
7. **Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.** The original building was built in 1968. The structure has had no major renovations since it was built. Many of the classrooms are undersized as compared to recommended standards currently. Six portable classrooms are attached to the school and are nearing the end of their useful life as a temporary solution. The electrical, HVAC and plumbing infrastructures are all original offering very little energy efficiency.

And hereby further specifically acknowledges that by submitting this Statement of Interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of

an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits Amesbury to filing an application for funding with the Massachusetts School Building Authority.

Superintendent Jack stated this does not cost or commit Amesbury to anything at this point. It is only to alert the MSBA that we have some deficiencies and overcrowding at the elementary school and puts us on a list to have our needs analyzed.

Councilor Jonathan Sherwood moved to authorize the Superintendent to submit the Statement of Interest dated October 13, 2009 for the Amesbury Elementary School to the Massachusetts School Building Authority as submitted. Councilor Joseph McMilleon seconded.

Voted – 8-Yes, Dunford, Ferguson, Gilday, McMilleon, Neale, Sherwood, Chatigny, Lavoie

Councilor Lavoie called for a moment of silence in memory of Aurore Roy.

11. Correspondence

a. President/Vice President Communications

b. Communication from Elected Officials, Boards and Commissions

2009-102 November 3, 2009 Election Warrant

Councilor Neale read 2009-102 into the record.

Councilor Ferguson motioned to approve 2009-102 as read, Councilor Dunford second.

Voted – Unanimous

Councilor McMilleon asked that the Mayor give an update on the anticipated additional local aide cuts at the October 27th Finance Committee meeting.

c. Council Communications, Announcements and Committee Reports

Councilor Ferguson reported for the Amesbury High School Building Committee. She stated the project is pretty much completed. Because of fines collected from the Alexander Group it was voted to replace the track.

Councilor Dunford motioned to adjourn, Councilor Neale second.

Adjourn 9:15PM

Respectfully submitted,

Assistant Town Clerk