

Amesbury Municipal Council Minutes
Tuesday, November 9, 2010
7:00PM Town Hall Auditorium

Call to Order 7:03PM

Pledge of Allegiance – Councilor McMilleon

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

Mayoral Appointments

2010-103 Mary-Lee Ford – Council on Aging unexpired term to expire 6/30/13

Councilor Chatigny motioned to approve 2010-093, Councilor Dunford second – Voted Unanimous

Licenses & Permits

2010-095 Amesbury House of Pizza, 242 Main St. – Common Victualler License

Brooke Burdick attended stating she would like to re-open the Amesbury House of Pizza.

President Lavoie noted that she needs to apply and receive all the necessary permits before a license can be released.

Councilor Kelcourse motioned to approve per the usual stipulations, Councilor Neale second

Voted - Unanimous

2010-096 Felco Car Wash LLC, 62 Haverhill Rd. – General Business License

Maurice Michaud represented Felco Car Wash

Councilor Kelcourse motioned to accept 2010-096, Councilor Kimball second – Voted Unanimous

2010-097 Felco Mini Mart LLC, 60 Haverhill Rd. – General Business License

Maurice Michaud represented Felco Mini Mart.

Hours of operation should read 5am – 2am not 5am – 2pm.

Jeff Chaisson, 64 Haverhill Rd., - Mr. Chaisson wanted to know if the plans were going to be the exact specification that were approved and is concerned about the hours of operation. President Lavoie replied that if they do not follow or try to change the plans and hours of operation that were approved the license can come back before the Municipal Council and be revoked.

Councilor Kimball motioned to accept 2010-097, Councilor Dunford second. Voted – Unanimous

2010-098 Felco Enterprise, 60 Haverhill Rd. – Storage License

Councilor Gilday motioned to approve per the usual stipulations, Councilor Neale second.

Voted Unanimous

2010-099 Verizon Pole Hearing – Haverhill Rd

President Lavoie read 2010-099 into the record and opened the public hearing.

Joseph Gleason, Verizon New England Inc. – Mr. Gleason stated Verizon would like to install one stub pole to maintain the integrity of the pole line 132' easterly of Spindle Tree Road.

President Lavoie read a memorandum from DPW approving the pole location.

Kathy Scholtz, 124 Haverhill Rd. – Ms. Scholtz does not want the pole in her front yard. She would like to know the exact location of the pole. Joseph Gleason explained the exact location to her.

Councilor Neale motioned to accept 2010-099, Councilor Gilday second. Voted - Unanimous

Public Comment

James Thivierge, 106 Friend Street – Mr. Thivierge spoke regarding bond issues, the annual report and federal grants.

Public Hearings & Second Readings

Councilor Neale moved to take 2010-094 out of order, Councilor Kelcourse second.

Voted -Unanimous

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 Gilday read the recommendation of the Ordinance Committee to approve.

Councilor Neale read the recommendation of the Finance Committee to approve.

Nipun Jain read the recommendation of the Planning Board to accept Woodsom Drive and the necessary easements and authorized the Mayor to take the necessary actions to accept the street as a public way.

President Lavoie opened the public hearing and closed it.

Councilor Neale moved the recommendations of the Ordinance and Finance Committees, Councilor Kelcourse second. – Roll Call Vote – 9 Yes (McMilleon, Neale, Chatigny, Dunford, Ferguson, Gilday, Kelcourse, Kimball, Lavoie)

2010-088B Appropriate \$280,000 for a DPW Facility – Mayor Kezer sponsor cont.

Summary: This order will provide the funding for the study and preliminary engineering of a Department of Public Works facility.

President Lavoie read 2010-088B into the record and opened the public hearing.

Mayor Kezer read a memo into the record (attached).

Discussion continued with the councilors regarding the need to move the DPW garage from the current location, where the new location should be, needs assessment and the cost.

Councilor McMilleon questioned why the Study Phase went up from \$30,000 to \$50,000, Robert Desmarais explained it's because of the addition of a geotechnical assessment and conceptual designs and layouts. Councilor McMilleon questioned the need for a needs assessment when one was done three years ago; Mr. Desmarais explained that the department has changed significantly since the study.

Claude Gonthier, 112 Kimball Road – Mr. Gonthier asked questions about the size of the Hunt Road site. He suggested the funding be by appropriation rather than bonding to start with.

Mike Greaney, 50 Orchard Street – Mr. Greaney favors the truck stop over Hunt Road for the new DPW building. He would like to know how many departments will be relocated to the new building.

Greg Bartley, South Hampton, NH – Mr. Bartley as Chair of the Economic Development Committee of the Chamber of Commerce he supports moving the DPW garage now to encourage development in the lower mill yard.

Christopher York, 13 Warren Ave. – Mr. York does not feel there has been enough planning to move and build a new DPW building. He feels the town has a history of poor planning on projects.

President Lavoie closed the public hearing.

President Lavoie read a motion into the record. Ordered: that \$250,000 is appropriated for the study and preliminary engineering of a Department of Public Works facility and that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$250,000 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; provided, however, that only \$50,000 of this appropriation may be spent for feasibility study purposes and until the feasibility study is presented to the municipal council and approved by the municipal council no more than \$50,000 of this appropriation may be spent.

Councilor Neale moved the motion read by President Lavoie, Councilor Kelcourse second.

Discussion continued between the councilor's regarding their support for the bill, their concerns and comments.

Roll Call Vote – Unanimous (9 Members present)

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.

President Lavoie read 2010-089 into the record and opened the public hearing. He read a memo from the Board of Health stating their full support

Councilor Gilday read the recommendation of the Ordinance Committee to accept subject to the approval of the Board of Health.

Councilor Neale read the recommendation of the Finance Committee to accept.

President Lavoie closed the public hearing.

Councilor Ferguson motioned to approve 2010-089 as recommended by the Finance Committee and the Ordinance Committee, Councilor Kimball second.

Roll Call Vote – Unanimous (9 members present)

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 \$41,172

President Lavoie read 2010-092 into the record and opened the public hearing.
Councilor Neale read the recommendation of the Finance Committee to approve.

Mayor Kezer stated the new dollar amount is the result of negotiations with the Town with the Drew's.

President Lavoie closed the public hearing.

Councilor Dunford motioned to accept 2010-092, Councilor Chatigny second.
Roll Call Vote – Unanimous (9 members present)

First Readings

2010-100 An Order to hold the Annual Classification Hearing – Mayor Kezer sponsor

Summary: On an annual basis, the Municipal Council must vote on the issue of selecting a residential factor which will determine the percentage of the burden to be borne by each class of property.

Councilor Dunford move to send 2010-100 to the Finance Committee and schedule a public hearing at the December 14, 2010 Municipal Council meeting, Councilor Neale second.
Voted - Unanimous

2010-101 An Order to increase the exemption amount of qualified applicants – Mayor Kezer sponsor

Summary: On an annual basis, the Municipal Council must vote to decide if the Town of Amesbury Shall increase the exemption amount of qualified applicants under the provisions of M.G.L.

Councilor Neale motioned to send 2010-101 to the Finance Committee and schedule a public hearing at the December 14, 2010 Municipal Council meeting, Councilor Kimball second.
Voted - Unanimous

2010-102 An Order to provide for the accounting treatment of the proceeds from the sale of surplus property – Councilor's Kelcourse, Kimball, Neale and President Lavoie

Summary: This order will be determinative with respect to the use of proceeds from the sale of surplus property, requiring such proceeds to be placed into a reserve account for the pay down of Long Term Bond Debt.

Councilor Neale moved to send 2010-102 to the Finance Committee, Ordinance Committee and to Town Council for their review. Also to set a public hearing for the December 14, 2010 council meeting, Councilor McMilleon seconded.
Voted - Unanimous

Correspondence

- a. President/Vice President Communications
- b. Communication from Elected Officials, Boards and Commissions
- c. Council Communications, Announcements and Committee Reports

Councilor Gilday motioned to adjourn, Councilor Neale second
Voted - Unanimous
Adjourn 9:35PM

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

Respectfully Submitted,
Assistant Town Clerk