

Amesbury Municipal Council Meeting
Tuesday, November 27, 2007 7:00PM
Town Hall Auditorium

Call to Order 7:02 PM

Pledge of Allegiance – Councilor Lindstrom

Roll Call: Michelle Thone, Roger Benson, Thomas Iacobucci, Ann Connolly King, Robert Lavoie, Alison Lindstrom, Donna McClure, Mario Pinierio

Christopher Lawrence absent

Public Comment

James Thivierge, 106 Friend Street – Mr. Thivierge would like to see an audit by the Department of Revenue into the water & sewer rate increase.

Councilor Lindstrom agrees with Mr. Thivierge and would like to see an investigation into the water & sewer rate increase.

Second Readings

Public Hearings

2007-112 An Order to increase the exemption amount of qualified applicants – Mayor Kezer sponsor cont.

Councilor Thone read 2007-112 into the record.

Mary Chatigny, 164 Elm Street – Ms. Chatigny asks the council to listen to the voters and the Mayor and start to dismantle the split tax. She was disheartened to hear the recommendation of the Finance Committee to continue with the split tax, feeling that it was the only viable solution to the tax situation.

James Thivierge, 106 Friend St. – Mr. Thivierge is in favor of a single rate if expenditures can be reduced and receipts increased.

Curtis Wollitz, 91 South Hampton Rd. and Chamber of Commerce – Mr. Wollitz, speaking on behalf of the Chamber of Commerce states the Chamber is opposed to a split tax rate of any kind. He states there is already 8 to 10 empty store fronts downtown with another one leaving in January. Businesses help support and fund many organizations and projects through out the town.

Matt Einson, 64 Fern Ave. – Mr. Einson passed out an analysis he prepared attached. He feels by going to 1.1 split it would be a good opportunity for the council to serve both the commercial/industrial and the residents.

Jonathan Sherwood, 39 Whittier Street – Mr. Sherwood feels that in terms of the success of the community the best service that could be done for the residential taxpayer is to expand the commercial/industrial tax base. He does not support 120 split.

Jim Chandler, 417 Main Street – Mr. Chandler thanks the council for having the courage to split the tax rate last year. He believes CIP assessments have not kept pace with inflation because they rarely sell.

Allen Neale, 4 Ashley Dr. – Mr. Neale states a new evaluation has been made and residential assessments are going down 6% relative to last year and commercial assessments are going up 13%

so any inequity perceived has been reduced. He urges the council to set a rate of 1.0 and start the healing process in the town.

Marc Deschenes, 1 Highland St. – Mr. Deschenes does not want to return to a single rate. He would support keeping a 1.15 split.

Mayor Kezer – Mayor Kezers' statement to the council attached.

Mike Greaney, 50 Orchard Street – Mr. Greaney does not believe the split tax is hurting the commercial business or keeping people out from developing. The Newburyport Five Bank is spending a lot of money putting in a new bank on Friend Street. The Barking Dog opened another establishment. He states for the last 7 years he has received large increases in his residential taxes and does not believe the commercial has seen the same increases. He feels the split tax rate is the only relief home owners have had for years.

Claude Gonthier, 112 Kimball Rd. – Mr. Gonthier does not believe the argument that the commercial/industrial is getting a free ride. He believes the commercial/industrial is valued close to the market based on a recent sales transaction. He urges the council to not make the same mistake they made last year to split the tax rate. He believes those who sought re-election lost because of their wrong headed decision to bully the industry in the town of Amesbury.

Councilor Thone warns Mr. Gonthier to talk respectfully, tells him he is done and asks for him to leave the room.

Recess 7:55PM

Councilor Thone read the Rules of Decorum Rule 15D

Councilor Lavoie motions shall the decision of the chair stand as the judgment of the council.
Voted – 5 Yes, 3 No Benson, King, Lavoie

Len Johnson, 488 Main Street – Mr. Johnson states that when he was on the council he never heard an argument that would persuade him to vote for a split tax rate and his view on that has not changed.

Councilor Thone closed the public hearing on 2007-113

2007-115 An Order to appropriate \$182,000 from Free Cash for the Department of Public Works equipment – Mayor Kezer sponsor cont.
Councilor Thone read 2007-115 and opened and closed the public hearing.

Second Readings

2007-112 An Order to increase the exemption amount of qualified applicants – Mayor Kezer sponsor cont.
Councilor Thone read 2007-112 into the record

Councilor McClure read the recommendation of the Finance Committee to increase the exemption amount as qualified under the provisions.

Councilor Iacobucci moves the recommendation of the Finance Committee on 2007-112.

Roll Call Vote – Unanimous

2007-113 An Order to hold the annual Classification Hearing – Mayor Kezer sponsor cont.
Councilor Thone reads 2007-113 into the record.

Councilor McClure read the recommendation of the Finance Committee.

(1) Councilor Thone moved to send 2007-113 to the Municipal Council with the recommendation that the majority of the finance committee agreed on a split tax rate but could not agree what the rate should be. Voted 5Yes, 1-No, Neale

(2) The Town does not have any properties classified as open space – no vote was taken

(3) Mr. Neale moved the recommendation of the Board of Assessors to not recommend the residential exemption – Voted Unanimous

(4) Mr. Neale moved the recommendation of the Board of Assessors to not recommend the commercial exemption – Voted Unanimous

Councilor McClure motions to set the residential factor rate at 96.7886, tax factor 120.

Councilor Lavoie believes that would be a serious mistake as was the effort to split the rate last year. He states the appropriate thing to do at this time is to correct that mistake and reduce the factor to 1.10. He believes the outcome of the last election indicates the current feelings, needs and desires of the electorate of Amesbury and they are not in the direction of increasing the mistake made last year.

Councilor Benson agrees with Councilor Lavoie, it was a mistake to split the rate and it is time to start rolling it back. He can not believe the council is considering going to 120 they are blatantly going against what their constituents want. The public is clearly against it. He begs the council to do the right thing.

Councilor Pinierio is in favor of 125 but will agree with 120. He does not believe the will of the people was represented in the last election with only 30% coming out to vote. He believes the homeowners have been carrying the tax burden for 20 years.

Councilor King states you can not compare Amesbury to other communities that have a split tax rate such as Methuen and Swampscott because they have big box retailers such as Marshalls, Home Depot and Lowes, big national retailers who can support the large split rate. She states out of 350 communities in the state only 106 use the split tax and if it was truly to be used to provide equity in communities then the majority of the communities would be using it. The 106 communities that have a split rate are large cities. Councilor King would like to see the council roll back the split to 110. She also states that the majority of the Finance Committee was the leadership of the Amesbury Taxpayers Association, a very small group going with blinders, straight ahead to get their own needs met. She believes the election proved there is not a silent majority in Amesbury who support the majority of the council and what they have done over the last two years.

Councilor Lindstrom states in Haverhill the values are higher than they are in Amesbury. The tax rate on business is \$18.09 and the residential is \$10.09. Haverhill was just awarded one of the top 10 cities to do business in and Amesbury was 31. In Amesbury there is a low/moderate residential

income bracket of 39% of that 72% are seniors on fixed income. It will be the next council to make changes in the spending to lower all taxes.

2007-113

Section 1: Selection of a Residential Factor

Councilor McClure motions to set the residential rate at 96.7886 or 1.20

Roll Call Vote: 5 Yes (Thone, Iacobucci, Lindstrom, McClure, Pinierio) 3 No (Benson, King, Lavoie)

Section 2: An Open Space Discount

At this time, our community does not have any properties classified as such.

Section 3: Residential Exemption

Councilor McClure moves the Board of Assessors recommendation to not adopt.

Roll Call Vote – 8 Yes (Thone, Benson, Iacobucci, King, Lavoie, Lindstrom, McClure, Pinierio)

Section 4: Commercial Exemption

Councilor McClure moves the Board of Assessors recommendation to not adopt

Roll Call Vote – 8 Yes (Thone, Benson, Iacobucci, King, Lavoie, Lindstrom, McClure, Pinierio)

2007-115 An Order to appropriate \$182,000 from Free Cash for the Department of Public Works equipment – Mayor Kezer sponsor cont.

Councilor McClure read the recommendation of the Finance Committee to recommend the Municipal Council adopt 2007-115 as submitted.

Councilor Lavoie moved the council adopt the recommendation of the Finance Committee to appropriate \$182,000 from free cash for the Department of Public Works equipment.

Roll Call Vote – 8 Yes (Thone, Benson, Iacobucci, King, Lavoie, Lindstrom, McClure, Pinierio)

Accept late file 2007-118 A Resolution to Request the Mayor Order Fairness in Billing Relative to New Water Rates Beginning November 1, 2007 and ending May 1, 2008

Voted – 6 Yes (Thone, Iacobucci, Lavoie, Lindstrom, McClure, Pinierio), 2 No (King, Benson)

Councilor Thone read 2007-118 into the record.

Councilor Benson moves to continue 2007-118 to the December 11th meeting and have Councilor Lindstrom gather some information on the financial impact.

Voted – Unanimous

Allen Neale, Bailey Pond Ad Hoc Committee – Mr. Neale has a concern about issuing a final report before the negotiations with Farfard. He feels the taxpayers are due good negotiations and a good report that can be issued with out trying to be sensitive to the negotiation. He states all but one of the council elect has agreed to adopt the committee and take the report from the committee at a more convenient time. He asks the council to reconsider asking for the report now. He is strongly in favor of writing the report and does not want to be hampered in what he says.

Councilor Thone asks if the documents, conversations or interviews held are public records. Mr. Neale states all of it is public record.

Councilor Iacobucci states he has many unanswered questions he will be handing over to the Town Clerk. He is not sure who will be answering them but anyone can review them. He is also handing over to the Town Clerk all the documents he has.

Councilor Benson appreciates the work the committee has done and feels that at this point to issue the report would put the negotiations in jeopardy.

Councilor King states that at least 4 ethic complaints surrounding Bailey Pond have been filed and all have been found without merit. She is concerned about a report going out with opinions on it and the effect that the opinions will have on negotiations and the reputations of the leaders in the community.

Councilor McClure thanks the members of the ad hoc committee and urges the residents of District 1 to come to the clerk's office and review the documents. She hopes the Mayor can put together a new purchase and sale with Farfard and go forward in a better place.

Councilor Lavoie believes the Amesbury taxpayers deserve a decent negotiation with Farfard and the report. He would like one of the first propositions by the new council to be a motion to reconstitute the exact same committee so they can finish the report at an appropriate time when the negotiations are completed.

Councilor Benson adjourn 8:40PM
Respectfully Submitted
Assistant Town Clerk