

City Council Minutes
Tuesday, February 11, 2014
City Hall Auditorium
7:00 p.m.

Meeting was called order at 7:00 p.m.

Pledge of Allegiance was led by Councilor Kelcourse

Members present: Councilor Kelcourse, Councilor Lavoie, Councilor McClure, Councilor Moavenzadeh, Councilor Sherwood, Councilor, Sickorez, Councilor Ferguson and President McMilleon

Councilor Ferguson moved to accept minutes of December 10, 2013 and January 7, 2014. Councilor McClure seconded and it was voted Unanimous.

The consensus of the Council was to take the Planning Board joint meeting out of order and do it first as they have their own meeting to conduct tonight.

2014-010 Fill Vacancy on Planning Board at joint public hearing
Applicants: a.) Robert W. LaPlante; b.) David Haraske

Councilor McMilleon asked the Planning Board Chair to open his meeting and take his roll call.
In attendance: Griff Dalton, Lars Johannssen, Karen Solstad, David Frick, Ted Semesnyei and Scott Mandeville

Councilor McMilleon asked Mr. Robert LaPlante to the podium.

Mr. LaPlante of 60 Merrimac Street stated that he has been a full time resident since 2006 and he and his wife have both been involved in several community activities including; Friends of the Library, and working in the Library Book Shop. He stated that in 2008 he was appointed to the Cultural Council and has served as Treasurer for the last 6 years and his term is about to end so is looking for something else to do to serve the community and he heard about the Planning Board. He feels his experience and education suits the position in Planning (copy attached)

Councilor Ferguson stated that she feels one important thing is attendance at meetings because for the people applying for permits it is important that it is done timely and she wanted to be sure that each applicant is aware of what the time requirement is.

Mr. Dalton stated that one thing they deal with now is that most of the easy land has been developed and a lot of the meetings can get contentious between the neighborhood groups and developers and they need someone who can be objective with both parties.

Mr. LaPlante stated that his experience shows he has no problems following all the rules.

David Haraske, 8 Moody St stated that he has lived in Amesbury for 10 years. He stated that his background is in the private sector and feels his experience could prove beneficial to the Planning Board. He said that he has worked about 7 years in single family and multi-family construction and is a

licensed contractor in the state of Massachusetts. He stated that because this position is an elected office you have to be very conscious of the voters that you serve. First and foremost you want to make sure you uphold the integrity of the Zoning and zoning bylaws of the town. Also you want to make certain that you don't make it unduly burdensome on the applicants. He also stated that he is aware that it is a time consuming job and is ready to commit to the time.

Mr. Dalton asked how he would deal with time frame concerns and applications that don't meet expectations and projects that need to be re-engineered and working with contractors if applications are not complete.

Mr. Haraske stated that if they are not ready they should be sent away to come back when it is complete with the Planning Board's expectations.

Mr. Semesnyei asked if he had any Amesbury background.

Mr. Haraske stated that the only other volunteer work was with an Adhoc committee 4 years ago.

Ms. Solstad asked as a licensed contractor where he has done work.

Mr. Haraske stated he has done one project here in Amesbury and couple in Newburyport and has done a bunch in Weston and Newton and around the Boston area.

Councilor Ferguson nominated Robert LaPlante for the vacancy on the Planning Board. Councilor Lavoie seconded.

Councilor Lavoie nominated David Haraske and Councilor Kelcourse seconded.

Clerk Kitchin took a roll call vote:

LaPlante: (8) Councilor Kelcourse, Councilor Lavoie, Councilor Sherwood, Councilor Ferguson, Councilor McMilleon, Mr. Semesnyei, Ms. Solstad and Mr. Johannessen.

Haraske: (6) Councilor McClure, Councilor Moavenzadeh, Councilor Sickorez, Mr. Dalton, Mr. Frick and Mr. Mandeville.

Mr. LaPlante is the new member of the Planning Board.

Councilor McMilleon closed the joint meeting.

Clerk Kitchin took 5 minutes to swear Mr. LaPlante in so that he could attend the Planning Board meeting that they were having this evening.

Mayoral Appointments –

2014-031 Historical Commission-John E. Donnell, 14 Cabot Court, Amesbury, MA

Mr. Donnell stated that he and his wife are 9 year residents in the city and has two kids in the public schools. Wants to learn more about Amesbury and help preserve and perpetuate it. He reviewed his application and experience.

Councilor Sherwood moved to accept 2014-031 to appoint Mr. John E. Donnell to the Amesbury Historical Commission for a term to expire on June 30, 2016. Councilor Kelcourse seconded and it was voted Unanimous.

2014-032 Cultural Council-Cynthia Taibbi, 114 Elm Street, Amesbury, MA

Ms. Taibbi was not present at the meeting.

Councilor Ferguson moved to table this to the next meeting. Councilor Kelcourse seconded and it was voted Unanimous.

Licenses & Permits –

2014-012 Common Victualler – Savio Soares, Events by BH, LLC, 14 Cedar St.

Ms. Soares stated that she will be working from Kitchen Local for her catering business.

Councilor Ferguson moved to accept with the usual stipulations. Councilor McClure seconded and it was voted Unanimous.

2014-013 Common Victualler – Kim Marrama, K & L Catering, 14 Cedar St.

Ms. Marrama stated that she will also be working from Kitchen Local for her catering business selling Italian food which she hopes to sell at Farmers Markets and hopefully some local stores.

Councilor Kelcourse moved to approve with the usual stipulations. Councilor Ferguson seconded and it was voted Unanimous.

2014-014 General Business – Jennifer Avola, JMA Financial Consulting, LLC, 127 Haverhill Rd.

Ms. Avola stated that she has a background in accounting and financial planning and hopes to do part time tax services from her home.

Councilor Sherwood moved to approve with the usual stipulations. Councilor McClure seconded and it was voted Unanimous.

2014-015 Junk Dealers – AnnMarie Mahoney, Annie's Attic, 77 Macy St. #3B

Ms. Mahoney stated that she would like to open a multi dealer shop.

Councilor Ferguson moved to approve with the usual stipulations, Councilor McClure seconded and it was voted Unanimous.

2014-016 General Business – Chantel Carpenter, Port City Clean Sweep, 164 Whitehall Rd.

Councilor Lavoie moved to table. Councilor McClure seconded and it was voted Unanimous.

2014-017 General Business – Stacy Denning, Xtreme Pressure Washing, 62 Haverhill Rd.

Michael Michaud is the Manager of Xtreme Pressure Washing which is a mobile pressure washing business and would like to operate out of 62 Haverhill Rd which is currently known as Felco Car Wash and we are looking to have an office and storage space there.

Councilor Ferguson moved to approve with the usual stipulations. Councilor McClure seconded and it was voted Unanimous.

2014-018 General Business – Stuart Farnham and Matt Knight, Charged Productions, 11 Elizabeth St.

Mr. Farnham and Mr. Knight stated that they were born out of Amesbury High School and are looking to make school dances more affordable and weddings and things like that. They said they would focus on lighting, sound, video projection and that kind of stuff. They would be just having an office at this address for booking appointments.

Councilor Ferguson moved to approve with the usual stipulations. Councilor McClure seconded and it was voted Unanimous.

2014-019 Common Victualler – Elena Tomov, Tomov, Inc. dba Tiny Foodies, 14 Cedar St.

Ms. Tomov stated that she will produce, sell and deliver food for toddlers which will be full of nutritional value and organic materials and will be operating out of Kitchen Local.

Councilor Sherwood moved to approve with the usual stipulations; Councilor McClure seconded and it was voted Unanimous.

2014-020 General Business – Mihai Serban, Appliance Doctor, 41 Dublin St.

Councilor Sherwood moved to table. Councilor Kelcourse seconded and it was voted Unanimous.

2014-021 General Business – Scott A. MacIntire, Electrical Contracting, 36 Madison St.

Councilor Kelcourse moved to table. Councilor McClure seconded and it was voted Unanimous.

2014-022 Auto Class II – Renewal, Najib Daaboul, Smart Mart Auto, 41 Hillside Ave.

Councilor Ferguson moved to approve with the usual stipulations. Councilor Kelcourse seconded and it was voted unanimous.

2014-023 General Business – Seth Locher Plumbing and Heating, 13 California St.

This was withdrawn by the applicant.

2014-024 Common Victualler – Gina DiGiovanni, Bees Knees Granola Co., 14 Cedar St.

Ms. DiGiovanni stated that she will be operating out of Kitchen Local and will be selling granola directly to customers, farmers markets and stores.

Councilor Sherwood moved to approve with the usual stipulations. Councilor McClure seconded and it was voted Unanimous.

2014-025 Common Victualler – (change of hours of operation) – Sean Toomey, Crave, 32 Elm St.

Mr. Toomey stated that he would like to open at 7am 7 days a week now. Want to do coffee, cappuccino, egg sandwiches; kind of like a European Bistro.

Councilor Lavoie moved to approve with the usual stipulations. Councilor Kelcourse seconded and it was voted Unanimous.

Public Comment

Kelly Gabriano stated she is not in District 2 and is in favor of Ms. Bartley to fill the vacant seat of District 2.

Matt Sherrill stated that he is in District 2 and is in favor of Mr. Shute to fill the vacant seat of District 2.

Rosemary Werner stated she does not reside in District 2 and is in favor of Ms. Bartley to fill the vacant seat of District 2.

Jim Thivierge stated he is not in District 2 and is in favor of Ms. Bartley to fill the vacant seat of District 2.

Jane Snow stated that she wishes the Council will fix the sound system and she does not live in District 2 but she is in favor of Ms. Bartley to fill the vacant seat of District 2.

Melissa LaChance stated that there is a new initiative they are doing through the Chamber. They will be doing tours throughout the business community and are inviting the City Council and Congressman Tierney, Senator O'Connor Ives and Representative Costello and Mayor Gray to tour the business and see what they are doing. E-mails will go out tomorrow for the first tour and they will be on the third Wednesday of each month.

Robert Gonthier stated he does live in District 2 and supports Ms. Bartley to fill the vacant seat of District 2.

Claude Gonthier stated that he lives in District 5 and is in favor of Ms. Bartley to fill the vacant seat of District 2.

Councilor McMilleon closed the Public Comment portion of the meeting and asked for Council feedback.

Council Response to Public Comment

Councilor Ferguson stated that she just wanted to clarify for the record that Mary Louise Bartley was not *on* the ballot and she did not get signatures, she was a write-in campaign. The rules for a write-in campaign are that they need to get 30% of the total votes cast in the district they are in. Just to clarify, 30% of those votes would have been 207 votes.

Councilor Lavoie stated that as far as the microphones go, the council did their job. They voted the money for the budget and it is an administrative function at this point. As someone who has been elected 4 times, anyone who gets their name out there as a write-in or gets their name on the ballot the regular way, gets a lot of credit. It takes a lot of courage. When the time comes to vote on the vacancy he stated he will vote on the merits for who he thinks can best serve Amesbury going forward.

Councilor McClure stated that she feels the will of the people have spoken. She appreciates that they have two great candidates but one of them did all the work.

2014-011 Fill Vacancy on City Council at public hearing

Applicants: a) Mary Louise Bartley, 35 Congress St. b) Kevin Shute, 125 Elm St.

Mary Louise Bartley stated that she has roots in Amesbury and when she saw the vacancy in the paper she decided to put herself out there to try to do some work to help make things better. She reviewed her education and her experience.

Councilor Sherwood asked if she felt that the changes that have been made over the years in Amesbury have us headed in a good direction or if we need to see a turn around.

Ms. Bartley stated that there are some positive and negative changes. One thing that needs to be paid close attention to is the tax burden on the citizens of Amesbury. Perhaps find ways to cut spending. She stated that she has no allegiance to anyone in town and has no preconceived ideas.

Councilor Ferguson stated that she appreciated the time and energy that each of the candidates have put in and thanked them. She asked Ms. Bartley what improvements she finds are not beneficial to the town.

Ms. Bartley stated that she would have to give some thought to that.

Councilor Ferguson asked what she would like to accomplish as a Councilor in District 2.

Ms. Bartley stated that she would hope that she would represent the citizens and hope that they would help to tell me what to bring to the council. She stated that she does not have a project at this time.

Councilor Lavoie asked if she has any specific items of spending cuts she would like to see happen.

Ms. Bartley stated that at this time she did not, because it was a quick decision to run for the council she has not spent a lot of time thinking about what might be done to improve things as far as taxation.

Councilor Lavoie asked what she had done in her three week campaign.

Ms. Bartley stated that she knocked on doors, made phone calls and passed out flyers and anything we could in that short period of time. She stated that she comes with a clean slate and will work that way.

Councilor Sherwood stated that the biggest budget is the Schools which is over half of our budget and he wondered Ms. Bartley's opinion if we are making a good investment in them.

Ms. Bartley stated that the only information she had was what she had seen in the paper. She does not have a lot of knowledge about the schools. She has heard that there are a lot of special education children that pushes the cost of education higher and she feels that could have been covered more in the paper to inform the public.

Councilor Lavoie asked if she was in favor of a split tax rate.

Ms. Bartley stated she is not in favor of a split tax rate because she feels it will deter business from coming into town.

Councilor Kelcourse asked if she was going to be able to put the amount of time in that will be required to commit to.

Ms. Bartley stated that she would be able to.

Kevin Shute of 125 Elm Street reviewed his roots in Amesbury and commented that he thought he would be able to contribute to help with the town's progression in the right direction.

Councilor Sickorez asked what he considered the right direction.

Mr. Shute stated that as a kid he was told to stay away from the Millyard and stay away from downtown and the opportunities now a days for the children, families and visitors to enjoy the downtown is going in the right direction.

Councilor McClure asked why he didn't go for it when Councilor Scorzoni first announced that he would not be running.

Mr. Shute stated that looking back it was probably a mistake not getting out there, he toyed with it for a while. He stated that he works in town now and has a lot more time available that he can actually put in the effort for this position that is needed.

Councilor McClure asked how he felt about a split tax rate and if he had any comments on Amesbury's tax rate.

Mr. Shute stated that before he could comment on a split rate he would have to do some research regarding both sides in order to have an opinion on that. As far as Amesbury's tax rate, it is high and is

vs. our assessed value and neighboring towns have a lower tax rate and a higher assessed value they are relatively close to the same taxes. He stated that channel 5 did a comparison a few years ago and Newburyport and Amesbury were comparative. He stated that everyone wants to save money but it is also what we get here. We get a lot of great services for what we pay.

Councilor Kelcourse asked if he was going to be able to put in the amount of time that he will be required to commit away from his family.

Mr. Shute stated that when he filled out the application he was not aware of how much time he would be able to commit to but now that he is working in town he feels that he will be able to commit to the time.

Councilor Lavoie asked if he had an opinion of the school system and that they consume over 50% of the town's budget.

Mr. Shute stated that he wished he had been a part of the new facilities construction. You have to look at everything and see where it can be trimmed yet meet their needs.

Councilor Lavoie asked if he had any opinion of any services or cuts that stand out to him.

Mr. Shute stated that nothing stands out without doing research.

Councilor Sherwood asked what he saw as the primary role of the Council and what could he bring to the table to add.

Mr. Shute stated that seeing a lot of the changes that the town has made over the years he feels he can bring a unique perspective on where it came from, where it has gone and where it can hopefully go further. As far as the Council he stated he does not know the in depths of it, he is learning more and more of it. That is why he is putting his foot in to help the young people in the community too.

Councilor Ferguson stated that both candidates are both very qualified. What do you hope to accomplish as a district councilor?

Mr. Shute stated that he would like to see Amesbury keep moving forward for his kids to enjoy as he did as a child.

Councilor McMilleon asked what his top two or three issues were that he would like to work on.

Mr. Shute stated that at this time he does not have an issue, he wants to get in there and figure out the issues and do what is best for the town. He stated that he would love to see more revenue come into the town and that we are going into a green community.

Councilor McMilleon asked why he didn't run against Councilor Scorzoni before he was out of the race or put in an effort to run a write in campaign.

Mr. Shute stated that is was a thought that he did not know the process and it is a learning curve on his part. When Councilor Scorzoni decided he was not running it was at a time that he was changing into a new role with work and determining what his schedule was going to work out to be.

Councilor McMilleon stated that he feels he should have some kind of agenda that made him come forward to apply, what would that agenda be and how do you feel about the taxes.

Mr. Shute stated that is you have to label something as an agenda item that would be to come in and to keep the downtown lively as it is now. As far as taxes, we are all concerned but it needs to be looked at across the board; I enjoy what I get for what I pay for. We have a great Fire Service, ALS support, a great Police Department that when I walk through town I feel safe and we have a great school system, I am a product of it and I am doing okay.

Councilor Sherwood nominated Kevin Shute, Councilor Kelcourse seconded.

Councilor McClure nominated Mary Louise Bartley, Councilor Ferguson seconded. Each Councilor had a chance to make brief comments regarding the process and the candidate that they will most likely support.

Roll Call Vote was taken:

Councilor Kelcourse – Mary Louise Bartley, Councilor Lavoie- Kevin Shute, Councilor McClure- Mary Louise Bartley, Councilor Moavenzadeh-Mary Louise Bartley, Councilor Sherwood-Kevin Shute, Councilor Sickorez-Mary Louise Bartley, Councilor Ferguson-Kevin Shute, Councilor McMilleon-Mary Louise Bartley

(5) Mary Louise Bartley – (3) Kevin Shute

New District Two Councilor is Mary Louise Bartley

A 5 minute break was taken for Clerk Kitchen to swear in Ms. Bartley and she then joined the rest of the Council at the table to finish out the meeting.

2014-033 Mass Development - 22 Water Street Market Analysis Report and Presentation

Tania Hartford of Mass. Development and Lawrence Cranor of RKG Associates gave a presentation on the Market Assessment for the Lower Millyard. (A copy of the presentation is attached)

William Scott, Deputy Community Economic Development Director explained what the Lower Millyard Task Force's role will entail to come back to the Council and ask for them the act on a disposition process. This presentation was a preliminary review of where the project stands before we come back with a recommendation from the Task Force.

Councilor Ferguson introduced the Lower Millyard Taskforce who were present to support the presentation. They are Richard Ross, Tom Borrasso, Barbara Laurent, Paul LaRosa, Paul Gagliardi, and Keith Radner as well as Councilor Sherwood and Councilor Lavoie

Councilor McMilleon asked the Council if they could convene a Rules and Procedures meeting to review the Council Rules. A date of March 4, 2014 at 6pm at City Hall was set. They discussed licensing at Council meetings and setting up a licensing committee to take that over. City Clerk Kitchin will post that meeting and agenda.

Councilor McMilleon stated that he had spoken with Ms. Farrell and Ms. Robinson about doing an overview workshop on the School Budget. A date of March 5, 2014 at 6:00 pm at City Hall was to be scheduled.

Councilor McMilleon asked for an update of the Fire Station Bond which he would like at the Finance Committee Meeting on February 25, 2014 with Chief Brickett, Mike Basque, and Peter Hartford for an update. City Clerk Kitchin was to send a letter to the Chief, Mr. Basque and Mr. Hartford to invite them and add it to the Finance Committee agenda.

Councilor McMilleon stated that Mr. Basque would be coming in at the March Finance Committee to give an overview of the procedure of the budget.

Councilor Kelcourse reminded everyone that on March 14, 2014 in Newburyport there will be the annual St. Patrick's Day Roast.

Councilor Ferguson announced that as of February 10, 2014 Amesbury is officially a Green Community.

Public Hearings

2014-006 An Order to accept a grant in the amount of \$64,306 from the Tufts Health Plan Foundation, Inc. - Mayor Gray sponsor

Summary: The Friends of the Amesbury Council on Aging was awarded the Tufts grant to support the Amesbury Caregivers Essential (ACE) program. The Grant will allow the ACE program to continue its caregiver support services to both Amesbury resident and residents of the Northern Merrimack Valley, in collaboration with neighboring communities. There is no local match required for this grant.

Councilor McMilleon opened and closed the public hearing.

Councilor McClure read the Finance Committee recommendation.

Councilor Ferguson moved to accept the Grant from Tufts Health Plan Foundation, Inc in the amount of \$64,306 for the purpose of continuing the ACE program. Councilor Kelcourse seconded. Roll Call Vote: 9-Yes, Kelcourse, Lavoie, McClure, Moavenzadeh, Sherwood, Sickorez, Ferguson, Bartley, McMilleon

First Readings

2014-026 An Order to Grant an Easement to National Grid – Mayor Gray Sponsor

Summary: This order authorizes the Mayor to grant an easement to National Grid for the purpose of installing and maintaining a new electric service to the Amesbury Fire Station located at 17 School St.

Councilor Lavoie moved to refer this to the Finance and the Ordinance Committees for a recommendation and set a public hearing at the March 11, 2014 City Council meeting. Councilor Kelcourse seconded and it was voted Unanimous.

2014-027 An Order to acquire property interests relative to Route 150 road improvement project and to appropriate funds to acquire said property interests. – Mayor Gray Sponsor

Summary: In order to accomplish the Route 150 road improvements, the City Council shall appropriate funds and vote to acquire the necessary property interests by eminent domain, or otherwise, and shall authorize the Mayor to award compensation to acquire the necessary property interests to construct the road improvements and to execute an Order of Taking to acquire said property interests

Councilor Sherwood moved to send this to the Finance Committee, Ordinance Committee and the Planning Board and to schedule a public hearing at the March 11, 2014 City Council meeting. Councilor McClure seconded and it was voted Unanimous.

2014-028 An Order to vote Intent to Alter the layout of Hillside Avenue and Sparhawk St. – Mayor Gray Sponsor

Summary: In connection with the Route 150 Improvements, the City Council shall vote its intent to alter the layout of Hillside Avenue and Sparhawk Street.

Councilor Sherwood moved to refer to Finance Committee, Ordinance Committee and Planning Board and schedule a public hearing at the March 11, 2014 City Council Committee. Councilor McClure seconded and it was voted Unanimous.

2014-029 An Order to Alter the Layout of Hillside Avenue and Sparhawk Street. – Mayor Gray Sponsor

Summary: In connection with the Route 150 Improvements, the City Council shall vote to alter the layout of Hillside Avenue and Sparhawk Street.

Councilor Ferguson moved to refer to the Finance Committee the Ordinance Committee and the Planning Board and to schedule a public hearing for the March 11, 2014 City Council meeting. Councilor Sickorez seconded and it was voted Unanimous.

2014-030 An Order that the Amesbury City Council accept funds of \$200,000 from Massachusetts Development Finance Agency concerning the project located at 25, 27, and 31 Water Street (known as Heritage Park) for additional site assessment and remediation work recommended by the LSP. – Mayor Gray Sponsor

Summary: Additional site assessment and remediation work has been recommended by the LSP for the Heritage Park Project as further described in the LSP's Proposal Addendum #2 dated October 1, 2013, and Proposal Addenda #3, 4, and 5 dated December 11, 2013 and the city has requested and Mass Development has agreed to provide additional funds up to \$200,000 for the project remediation of the project for a total site assessment and remediation recoverable grant of \$289,613.00.

Councilor Sherwood moved to refer to the Finance Committee and schedule a public hearing at the March 11, 2014 City Council meeting. Councilor Ferguson seconded and it was voted Unanimous.

Councilor Sherwood moved to adjourn at 10:26 p.m. Councilor Kelcourse seconded and it was voted Unanimous.

Respectfully submitted,

Sharon Dunning
Assistant City Clerk

February 11, 2014