

Amesbury Municipal Council Minutes
Tuesday, May 13, 2008
Town Hall Auditorium

Call to Order 7:00PM

Pledge of Allegiance – Councilor Chatigny

Roll Call: Robert Lavoie, Allen R. Neale, Jonathan Sherwood, Mary Chatigny, Anne Ferguson, Robert Gilday, Roger Benson

Stephen Dunford absent, Joseph McMilleon arriving late 7:10PM

Act on Minutes – Councilor Lavoie motioned to accept, Councilor Neale second – Voted Unanimous

Public Comment

Michael Greaney, 50 Orchard Street – Mr. Greaney made a request of the Mayor or the Council to provide a list of all purchased and leased vehicles in all the departments for 2007 and 2008 and the costs associated with them.

Jane Snow, Fern Avenue – Ms. Snow is waiting for information on Bailey Pond. She would like the council to write a letter of support for the Eminent Domain legislation. She does not believe the senior tax relief bill has ever been implemented and would like to start as soon as possible.

Alison Lindstrom, 10 Wells Ave. – Ms. Lindstrom states Amesbury has the highest taxes and lowest values in the area. She would like to see the senior tax relief implemented and the bio-diesel committee look into making bio-diesel for the town. She asked the council to submit a letter of support for the Eminent Domain legislation.

James Thivierge, Friend Street – Mr. Thivierge believes it is time to put in place the Energy Resource Committee. He has filed a bill with Transportation and Public Safety to suspend the gas tax Memorial Day thru Labor Day, stagger work hours and voluntary use of helmets in cars with insurance credits attached. He also proposed to Congressman Tierney to eliminate the federal income tax on the poverty level up to \$30,000.

Council Response to Public Comment

Councilor Gilday gave a report on Bailey Pond stating that there were some flaws in the original request for proposals and the purchase and sales agreement with Farfard Real Estate Corp. There were errors made on both sides. The current administration is making progress in addressing these issues in hopes of a new purchase and sales agreement with Farfard. Farfard has made some concessions and negotiations are continuing. At this time there is no timetable on completion partially due to the slow housing market and the economy. Councilor Gilday will update the council and public as new information becomes available.

Councilor Neale states the town did receive communications from Farfard and he believes they are willing to negotiate the issue. The negotiations are on going and he can not get into the specifics at this point.

Mayoral Appointments

2008-034 Appointment – Kristin LaRue, Veterans' Services Agent
President Benson read 2008-034 into the record.

Councilor Sherwood motioned to accept the appointment OF Kristin LaRue, Councilor Neale second
Voted – Unanimous

2008-035 Appointment – Robert Desmarais, Public Works Director
President Benson read 2008-035 into the record.

Councilor Chatigny motioned to accept the appointment of Robert Desmarais as the Public Works
Director, Councilor Lavoie second

Councilor Lavoie states this is a great appointment, Mr. Desmarais has done great work for the town
and he looks forward to him serving in this new capacity.

Voted – Unanimous

Second Readings

2008-024 An Order to increase the Mayor's salary to \$90,000 effective 1/1/10 – Councilor Lavoie
sponsor cont.
President Benson read 2008-024 into the record.

Councilor Neale read the recommendation of the finance committee to increase the salary to
\$80,000. Councilor Neale provided a list of salaries in towns that have Amesbury's population base
and an operation budget between 40 and 50 million dollars. He found out Amesbury was the lowest
paying community. He feels that after looking over the figures the \$80,000 recommendation from the
Finance Committee was very conservative.

Councilor Chatigny has an issue with comparing a Mayoral salary to a Town Manager/Chief Financial
Officer. Town Managers are appointed and the Mayor is elected. She also looked at a cost of living
raise for each year since the last increase in the Mayor's salary in 2001, similar to what the union and
nonunion received and that brought it up to approximately \$73,000. She is not opposed to the raise
she is opposed to the methodology used to calculate one. She feels that anyone can be Mayor if
you're elected. It's not like going on a job interview where you're being compared with other people
with like skills and education.

Councilor Sherwood feels the responsibilities of the Mayor and the Chief Financial Officer is very
separate and unique to the position. The Chief Administrator or Mayor, whether it is hired or elected,
oversees personnel and develops budgets. The CFO does not develop budgets, hire, fire or plan.
They are very separate rolls.

Councilor Neale states many of the towns on his list not only have an administrator but a CFO. He
feels it would be inappropriate to add the CFO's pay to the Mayor's pay and solely compare that to an
Administrators pay to get the same bundled services that those two persons provide. He chose in this
list the person who is in control of the budget. He feels when a person is runs for office he/she is
applying for a job and the voter takes a look at the whole person and makes an informed decision. He

does not believe there is a giant leap between the professionalism between being elected or appointed. Councilor Chatigny believes voters do look at the candidates and choose the best but, you don't always have candidates that have the best professional backgrounds come forth because anybody can run for elected office. Councilor Sherwood believes that while you can't control who would come forth to run for Mayor a higher salary is potentially productive and a very straight forward legitimate carrot to attract people who are qualified. Councilor Neale concurs with Councilor Sherwood.

Councilor Lavoie believes you have to decide what the Mayor's job is worth. He/she is a CEO of a municipal corporation responsible for the health, wealth and safety for 16,000 thousand people 24/7. He believes a lower salary does keep away people who are very qualified because they are not willing to sacrifice a significant pay cut. As to the reference "people know what they are getting into when they run"; that is absolutely true. This pay raise won't change the current Mayor's salary.

President Benson states he has heard people say that the Mayor is a figure head but that is not true in our form of government. In Amesbury the Mayor is comparable to a Town Manager he/she is running the community day in and day out with labor negotiations, firing and hiring etc. He supports the salary increase.

Councilor Lavoie motioned the council adopt the recommendation of the Finance Committee which was to raise the salary of the Mayor commencing January 1, 2010 to \$80,000. Councilor Neale second.

Roll Call Vote – Yes 7 (Lavoie, McMilleon, Neale, Sherwood, Ferguson, Gilday, Benson)
No 1 (Chatigny)

2008-025 An Order to increase the Councilor's salary to \$5,000 and Council President to \$5,500 effective 1/1/10 – Councilor Lavoie sponsor cont.
President Benson read 2008-025 into the record.

Councilor Neale read the recommendation of the Finance Committee to amend 2008-025 to read \$3,000 for Councilors and \$4,000 for the Council President.

Councilor Chatigny does not agree with the salary increase. Other committees and boards put in the same amount of hours serving with no pay. She believes people should be serving out of the goodness of their heart as civic citizens.

Councilor Sherwood does not think the increased pay would make serving on the council an attraction. It would have to be a much more significant increase. He does not feel the council increase is necessary in the same way as the Mayors increase.

Councilor Lavoie states that \$1,200 for the council is the very lowest in the state. He believes you have to ask what being a councilor is worth, how much sacrifice you can expect councilors to endure and what is the fair thing to do. He does not believe there is a high level of interest to run because some seats go unopposed. The current salary was agreed upon in 1996 as a fair figure so he thinks some increase in warranted.

Councilor Ferguson feels much honored to serve and did not know about the stipend when she ran. She has paid out of pocket to attend events and she will support 2008-025.

Councilor Neale did not realize how many days he would have to take off from work to serve as a councilor before he ran. He feels he has already eclipsed his pay as it currently stands. He doesn't believe the community expects the councilors to give up pay from their regular jobs to serve. Comparable salaries in similar towns is four and five thousand although he is not advocating for that amount. He would hate to see someone elected to the council find it a hardship to perform a service to Amesbury.

Councilor McMilleon believes it is an issue of fairness under the current framework it costs people to serve on the council. No one on the current council will benefit from the increase in salary. He agrees with Councilor Neale that there are individuals who can not afford to take days off in order to participate in deliberations of the council.

President Benson supports the increase in salary. He finds it frustrating when he looks at the time he has taken time off from work along with the expenses it has personally cost him to serve and then get slapped around for going to a conference that benefits the community.

Councilor Lavoie states under the Charter it take a 5/4th's vote of the council to pass. With only 8 councilors in attendance tonight it would take only one person to defeat the bill.

Councilor Lavoie motions that the council salary be \$2,000 and the President's salary be \$3,000. Motion dies for lack of a second.

Councilor Ferguson motions to accept 2008-025 for Councilor's salary to be increased to \$3,000 and Council President to be increased to \$4,000 effective January 1, 2010, Councilor Lavoie second.

Councilor Neale suggests holding off on the vote until all nine councilors are present.

Councilor Ferguson withdrew her motion.

Councilor McMilleon motions to table 2008-025 until the next meeting of the Municipal Council.
Councilor Neal second
Voted – Unanimous

First Readings

2008-031 An Order that the Municipal Council vote to accept a \$7,130.00 grant from the Newburyport Five Cents Savings Charitable Foundation – Mayor Kezer sponsor
President Benson read 2008-031 into the record.

Councilor Sherwood motioned to refer 2008-031 to the Finance Committee. Councilor Neale second
Voted – Unanimous

2008-032 A Request that the Municipal Council vote to surplus municipal vehicles – Mayor Kezer sponsor
President Benson read 2008-0332 into the record.

Councilor Ferguson motioned to refer 2008-032 to the Finance Committee, Councilor Neale second.
Voted – Unanimous

2008-033 A Resolution to authorize the Mayor to sign the Authorization and Agreement to begin the codification of Amesbury's Ordinances – President Benson sponsor

Councilor Lavoie read 2008-033 into the record and motioned the Council adopt 2008-033 as written, Councilor Ferguson second.

Voted – Unanimous

2008-036 Transfer \$20,000 from Youth to Youth Services – Mayor Kezer sponsor

President Benson read 2008-036 into the record.

Councilor Ferguson motioned to refer 2008-036 to the Finance Committee, Councilor Neale second.

Voted – Unanimous

2008-037 Transfer \$89,000 from Ambulance Fund to Fire Dept. – Mayor Kezer sponsor

President Benson read 2008-037 into the record.

Councilor Ferguson motioned to refer 2008-037 to the Finance Committee, Councilor Neale second.

Voted – Unanimous

2008-038 Transfer \$315,000 from Free Cash to Snow and Ice – Mayor Kezer sponsor

President Benson read 2008-038 into the record.

Councilor McMilleon motioned to refer 2008-038 to the Finance Committee, Councilor Neale second.

Voted – Unanimous

2008-039 Transfer \$169,300 between General Dept Funds – Mayor Kezer sponsor

President Benson read 2008-039 into the record.

Councilor Ferguson motioned to refer 2008-039 to the Finance Committee, Councilor Neale second.

Voted – Unanimous

2008-040 Transfer \$200,000 from Free Cash to Stabilization Fund – Mayor Kezer sponsor

President Benson read 2008-040 into the record.

Councilor Lavoie motioned to refer 2008-040 to the Finance Committee, Councilor Neale second.

Voted – Unanimous

Late File

2008-042 An Order to accept a \$49,700.00 grant from Executive Office of Public Safety – Mayor Kezer sponsor

Councilor Sherwood motioned to accept 2008-042 as a late file, Councilor McMilleon second

Voted – Unanimous

Councilor Ferguson motioned to refer 2008-042 to the Finance Committee, Councilor McMilleon second.

Voted – Unanimous

2008-001 FY09 Operating Budget

Councilor Lavoie motioned to accept 2008-001 as a late file, Councilor Ferguson second.

Voted Unanimous

Councilor Neale motioned to refer 2008-001 to the Finance Committee, Councilor Lavoie second.

Voted – Unanimous

Communications

a. President/Vice President Communications

b. Communication from Elected Officials, Boards and Commissions

2008-041 Resignation of Jeannine Bailey, member of the Board of Library Trustees

President Benson read 2008-041 into the record.

Councilor Lavoie declared the seat vacant and post a notice in the paper, applications to be returned by May 30, 2008 and schedule a joint meeting with the Board of Library Trustees for June 10, 2008 and send a letter of appreciations, Councilor Ferguson second.

Voted – Unanimous

c. Council Communications, Announcements and Committee Reports

Councilor Lavoie moved to refer the Fy08 Audit to the Audit Committee for review and report back to the Council, Councilor Gilday second

Voted – Unanimous

Motion to adjourn Councilor McMilleon, Councilor Gilday second

Voted – Unanimous 8:23PM