

Municipal Council Meeting Minutes  
Tuesday, June 10, 2008  
7:00PM Town Hall Auditorium

Call to Order 7:00PM

Pledge of Allegiance – Councilor McMilleon

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

Act on Minutes – May 13, 2008 Councilor McMilleon motioned to accept, Councilor Ferguson second  
Voted Unanimous

**Public Comment**

Stephen Dunford, 27 Woodman Way – Mr. Dunford along with Councilor Chatigny and Councilor Ferguson will be putting forth a bill for an alternate energy initiative. He is hoping to significantly cut the energy costs for the town by looking at wind turbines, hydro electric, geo thermal and solar panels etc.

**Council Response to Public Comment**

None at this time.

**2008-041** Joint meeting with Board of Library Trustees  
Councilor Dunford recused himself from the vote.

Sydney Bailey-Gould opened the Board of Library Trustee's meeting. Roll Call: Christine Johnson, Laura Buckley, Mary Dunford, Johanna Kimball, Susan Zielinski, Sydney Bailey-Gould

Councilor Lavoie asked the two applicants, Nan Fitzgerald and David Oxtan to introduce themselves.

Councilor Sherwood asked both applicants if they had administrative or business experience. Nan Fitzgerald stated she is currently managing several products and the freelance writers for Ebsco Publishing. David Oxtan stated he once owned his own business for 10 years and at Governor's Academy where he works, he is a representative to the trustees.

Councilor Ferguson thanked both candidates for applying for the position stating they are both extremely well qualified.

Christine Johnson nominated David Oxtan, Mary Dunford second.  
Councilor Ferguson nominated Nan Fitzgerald, Johanna Kimball second.

David Oxtan - 9 Yes  
Nan Fitzgerald – 3 Yes

David Oxtan is named to fill the vacancy.  
Councilor Lavoie declared the joint meeting closed.

**License and Permits**

**2008-046** Common Victualler – Circle K Massachusetts, 24 Rocky Hill Road  
Councilor Lavoie read 2008-046 into the record. Mr. Peter Burrell was present to represent Circle K.

Councilor Neale motioned to approve 2008-046 subject to the usual conditions that all necessary permits and approvals are obtained and that the fire inspection is completed, Councilor Dunford second. Voted Unanimous

**2008-049** Common Victualler – Scratch Baker, 5 Perkins Street

Councilor Lavoie read 2008-049 into the record. Ms. Christina Verette attended the meeting to represent Scratch Baker. She bakes cookies and brownies exclusively for the Screening Room in Newburyport.

Councilor Sherwood motioned that 2008-049 is approved subject to the usual conditions that all town approvals and permits have been granted, Councilor Neale second.

Voted – Unanimous

**Mayoral Appointments**

**2008-044** Appointment of David Lovering – Zoning Board of Appeals unexpired term to expire 6/30/12

Mr. Lovering states he has served on the Conservation Commission for two years and had actually wanted to be on the ZBA initially because it is more in line with his work.

Councilor Neale motioned to approve the appointment of David Lovering to the Zoning Board of Appeals for an unexpired term, Councilor Dunford second.

Voted – Unanimous

**2008-047** Appointment of John Maneikis – Parks & Recreation Commission – move from full time member to an Associate member.

Councilor Ferguson motions that 2008-047 be approved as submitted by the Mayor, Councilor Neale second.

Voted – Unanimous

**2008-045** 2008 Re-appointments various boards and committees

Councilor Ferguson read the appointments into the record (attached).

Councilor Ferguson motioned to accept the 2008-045 re-appointments, Councilor McMilleon second.

Voted – Unanimous

**Second Readings**

**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.

Councilor Lavoie read 2008-025 into the record and suggested it be tabled until the next council meeting due to Councilor Chatigny and President Benson being absent.

Councilor Sherwood motioned to table 2008-025 until the July meeting, Councilor Dunford second.

Voted – Unanimous

**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 cont.

Councilor Lavoie read 2008-031 into the record.

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

Councilor Neale moved the recommendation of the Finance Committee, Councilor McMilleon second.

Roll Call Vote – Unanimous

**2008-032** A Request that the Municipal Council vote to surplus municipal vehicles – Mayor Kezer sponsor cont.

Councilor Lavoie read 2008-032 into the record.

Councilor Neale read the recommendation of the Finance Committee to approve 2008-032 as submitted.

Councilor Sherwood moved to accept the recommendation of the Finance Committee on 2008-032, Councilor McMilleon second.

Roll Call Vote – Unanimous

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

Councilor Neale read the recommendation of the Finance Committee for approval as submitted.

Councilor Ferguson motioned to adopt the recommendation of the Finance Committee to accept 2008-036, Councilor Neale second.

Roll Call Vote – Unanimous

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

Councilor Neale read the recommendation of the Finance Committee to approve 2008-037 as submitted.

Councilor Ferguson motioned to adopt the recommendation of the Finance Committee to accept 2008-037, Councilor McMilleon second.

Roll Call Vote – Unanimous

**2008-038** Transfer \$315,000 from Free Cash to Snow and ice – Mayor Kezer sponsor cont.

Councilor Neale read the recommendation of the Finance Committee for approval as submitted.

Councilor Ferguson motioned to adopt the recommendation of the Finance Committee on 2008-038 for acceptance, Councilor Gilday second.

Councilor McMilleon asked for the balance of free cash after this transfer. Mike Basque stated it started at \$596,000, after the snow and Ice transfer it will be \$281,000 and a further transfer to the Stabilization Fund for \$200,000 will leave a balance of \$81,000.

Roll Call Vote – Unanimous

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

Councilor Ferguson read 2008-039 into the record.

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

Councilor Ferguson motioned to adopt the Finance Committee recommendation for approval of 2008-039, Councilor Neale second.

Roll Call Vote – Unanimous

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

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

Councilor Dunford moved to recommend the transfer of \$200,000 from free cash to the stabilization fund, Councilor Ferguson second.

Councilor Dunford asked Mr. Basque what the balance of the stabilization was; Mr. Basque replied \$631,000 with this transfer. Councilor Lavoie asked if there is a preferred balance as to the percentage of the budget. Mr. Basque states he is working with the new Finance Advisory group and

believes the goal is going to be around 2-5% of the budget. Councilor Sherwood asks what the procedure is to expend stabilization funds. Mr. Basque states the Mayor would have to submit an order and the council would have to approve by a two thirds vote. Councilor Neale asked if this is keeping with the bonding companies wishes. Mr. Basque replies absolutely.

Roll Call Vote – Unanimous

**2008-042** An Order to accept a \$49,700 grant from Executive Office of Public Safety – Mayor Kezer sponsor cont.

Councilor Neale read the recommendation of the Finance Committee to approve as submitted. Councilor Ferguson motioned to adopt the recommendation of the Finance Committee for passage of 2008-042, Councilor McMilleon second.

Roll Call Vote – Unanimous

### **First Readings**

**2008-043** An Order to accept a \$50.00 donation to the Fire Department S.A.F.E Program – Mayor Kezer sponsor

Councilor Neale motioned to refer 2008-043 to the June 18, 2008 council meeting, Councilor Ferguson second.

Voted – Unanimous

### **Late Files**

**2008-048** Amend Amesbury Zoning Map – Mayor Kezer sponsor

**2008-050** Adopt Wetlands Protection Ordinance – Mayor Kezer sponsor

Councilor Neale motioned to accept 2008-048 & 2008-050 as late files, Councilor McMilleon second

Voted – Unanimous

**2008-048** Amend Amesbury Zoning Map – Mayor Kezer sponsor

Councilor Sherwood motioned to refer 2008-048 to the Planning Board, Ordinance Committee and Master Plan Committee and schedule a public hearing at the June 18, 2008 council meeting, Councilor McMilleon second.

Voted – Unanimous

**2008-050** Adopt Wetlands Protection Ordinance – Mayor Kezer sponsor

Councilor Dunford motioned to refer 2008-050 to Planning Board, Conservation Commission, Ordinance Committee and Master Plan and schedule a public hearing at the 6/18/08 council meeting, Councilor Neale second.

Voted – Unanimous

### **Correspondence**

None at this time.

Councilor Neale motioned to adjourn, Councilor Dunford second.

8:00PM

Respectfully Submitted,  
Assistant Town Clerk