



**Town of West Newbury  
Board of Selectmen  
Monday, March 25, 2019 @ 7:00 pm**  
381 Main Street, Town Office Building  
[www.wnewbury.org](http://www.wnewbury.org)  
**Minutes of Meeting**

RECEIVED  
TOWN CLERK  
WEST NEWBURY, MA  
2020 APR -1 AM 9:10

**Open Session:** 7pm in the First Floor Hearing Room

The meeting was called to order at 7:27 p.m. by Chairman Glenn Kemper

**Announcements:**

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet.
- Congratulations to Pentucket High School Girls Basketball Team – State D2 Champions!
- Budget Information on the town's official website <https://www.wnewbury.org/budget-information>
- Public Forums on the Pentucket School Building Project on Saturday, March 30th @ 1pm and April 9th @ 6pm at the West Newbury Town Offices, First Floor Hearing Room.
- West Newbury Fire Company Pancake Breakfast, Sunday March 31<sup>st</sup> at the Central Fire Station. Cost is Free, donations welcome!
- West Newbury Gardening Club is sponsoring "Growing West Newbury" symposium on Sunday, March 31<sup>st</sup> at the Town Hall from 1pm to 5pm as part of the West Newbury Bicentennial celebration
- Council on Aging Community Shred Day, Saturday April 6<sup>th</sup>, 9:30am-1:30pm, Bandstand parking lot
- Candidates Night, Wednesday, April 24th, 7:30pm in the First Floor Hearing Room
- Earth Day Roadside Cleanup, Saturday, April 27<sup>th</sup> and Sunday, April 28<sup>th</sup>, Trash bags and gloves available at the Town Offices and Food Mart
- Spring Annual Town Meeting, Monday April 29<sup>th</sup>, 7pm at the Pentucket High School Auditorium

**Regular Business**

A. Board of Selectmen recommendations on proposed FY20 Budget

The proposed FY '20 Budget is contained in the Agenda Packets. Town Manager Angus Jennings Gave a summary review.

Selectman Archibald had several questions. DPW budget was up \$10,000.00 under the Highway. Sidewalk and Trees account. Wayne Amaral DPW Director explained that tree removal prices have increased. Catch basin cleaning is up 30% to 40% and he is required to dispose of the debris and can no longer store the material on site. MS4 requires them to be cleaned and the Town uses the Merrimack Valley Planning Commission contract. Pavement markings have also increased in price from \$9,000.00 to \$13,500.00. Selectman Archibald questioned why the current budget is only 26% expended. Wayne explained that the largest contracts take place in the spring (catch basins, street sweeping and pavement markings). The board unanimously agreed to reduce this budget to its current funding level of \$140,000.00.

Mill Pond – there is work to be done. Parking area, benches, and gates. There is a punch list of work to be done. Water Quality testing would be done by reengaging an environmental consultant. The Finance Committee recommends \$2,100.00, Revolving Fund balance is approximately \$5,300.00 and the current year budget has a balance of approximately \$4,450.00. The Board unanimously agreed upon a budget of \$2,100.00.

Police Cruiser. Jeffrey Durand, Interim Police Chief reported that a 2019 Model Explorer would cost \$30,447.00 and a 2020 model would cost \$34,257.00 for the cruiser only. Angus reported that the Revolving Fund is lower with a balance of approximately \$5,000.00. The Finance Committee was asked by the Board to change their vote as better information on cost is now available. The board unanimously supports \$40,000.00 for the police cruiser.

Selectman Archibald questioned the 5% increase in the overtime account. Jeffrey Durand stated that there are two officers in the Police Academy. One will complete training in Mid-April and the other will complete training by the end of August. After discussion the Board unanimously agreed to fund this line item at the FY 19 level of \$55,487.00 and reduce the request by \$2,847.00

Under the Town Manager Legislation pay rates modification of the Board of Selectmen. Finance Committee recommends 4 or 5 to receive increases in addition to Cost of Living. Selectman Kemper states 2 positions.

**B. Proposed terms for FY20 Animal Control Officer (ACO) contract with Newburyport**

FY '20 Animal Control Officer Negotiations with Newburyport. The cost is significantly higher. If we continue to provide a vehicle West Newbury pays the insurance. The oldest Ford Explorer (cruiser) is being considered for the vehicle. If not agreed to this contract would need to be renegotiated. There are also fit up Costs as follows: \$1,800.00 to outfit it, \$2,400.00 repairs, \$2,500.00 trade in, and \$600.00 cage. Selectman Anderson and Selectman Kemper agreed to provide the vehicle. This is a one-time cost and will last for several years and there would be long term savings. In Addition there is savings by having a non West Newbury employee providing this service. The contract for the Animal Control Officer is \$24,050.00 for the next year. 30% of the time of the ACO is in West Newbury. There is response and follow-up calls involved. Michael McCarron, Town Counsel/Procurement Officer also stated that the ACO provides Barn Inspection service. The Board was asked whether the vehicle should be included in the Memorandum of Understanding. Selectman Anderson and Selectman Kemper answered in the affirmative. Selectman Kemper added that the contract with Newburyport is positive. He has had no complaints from residents.

**C. Meeting with Finance Committee, Moderator, Town Counsel, and Town Manager to review the Annual and Special Town Meeting Warrants and any other Town Meeting related business**

**Special Town Meeting**

Draft copy of Articles contained in the Agenda Packets.

**Article 2.**

**Finance Committee 4-0-1 Abstention**

**Motion was made by Selectman Glenn Kemper, seconded by Selectman David Archibald to support and approve.**

**Yes 3, No 0.**



**Article 3.**

**All Community Preservation Articles approved by the Community Preservation Committee.**

**Finance Committee 5-0 in favor.**

**Motion was made by Selectman Glenn Kemper, seconded by Selectman Archibald to approve.**

**Yes 3, No 0.**

**Article 4.**

**Finance Committee 4-1-0 in favor.**

**Motion was made by Selectman Kemper, seconded by Selectman Anderson to approve.**

**Yes 3, No 0.**

**Article 5.**

**Finance Committee 5-0-0.**

**Motion was made by Selectman Kemper, seconded by Selectman Anderson to approve and support.**

**Yes 3, No 0.**

**Article 6.**

**Finance Committee 2-3-0 opposed.**

**Finance Committee sets a budgetary process. West Newbury pays up front and there is a low rate of remuneration. Selectman Anderson discussed the Memorandum of Understanding and starting off with a lower percentage. Angus Jennings, Town Manager stated that all he could locate was an unsigned agreement and no one has found a signed agreement. A cost basis agreement was suggested. The Town has been paid. Forbes Durey from the Finance Committee stated that the estimated cost is north of \$100,000.00 when the cost of the cruiser and benefits are factored in. In addition, the prior School Resource Officer had a lower pay rate than the current officer. There is currently nothing in force on the rate of reimbursement. Richard Parker offered an estimate as follows: 180 school days per year, 250 typical work days per year. 6 hours of an 8 hour shift equals \$54,000.00 as the officer does other work for the town when not at the school. Michael McCarron, Town Counsel/Procurement Officer suggested the Board may want to ask the Finance Committee to rethink their vote.**

**Selectman Glenn Kemper made a motion to approve, seconded by Selectman Anderson.**

**Yes 3, No 0.**

**The Board also requested that the School Resource Officer and Memorandum of Understanding and rate of Reimbursement be spelled out.**

**To be funded by Free Cash.**

**Article 7.**

**Finance Committee 6-0 in favor.**

**Selectman Kemper made a motion to approve, seconded by Selectman Anderson.**

**Yes 3, No 0.**

**To be funded by Free Cash.**

**Article 8.**

**Finance Committee 4-2-0**

**There are no final numbers yet as the items are out to bid.**

**Motion was made by Selectman Anderson, seconded by Selectman Kemper to approve.**

**Yes 3, No 0.**

**To be funded by Free Cash.**

**Article 9.**

**Finance Committee 5-1-0.**

**Motion was made by Selectman Archibald, seconded by Selectman Anderson to approve.**

**Yes 3, No 0.**

**To be funded by Free Cash.**

**This is an unfunded mandate. This must be done and is not reimbursed.**

**The Dam may be downgraded after it is looked at. Inspection is done once per year.**

**Annual Town Meeting**

**Draft copies of Articles contained in the Agenda Packets.**

**Articles 1-4 were read**

**Article 5.**

**No Instructions.**

**Article 6.**

**Finance Committee 6-0-0.**

**Selectman Archibald made the motion, seconded by Selectman Anderson to approve.**

**Yes 3, No 0.**

**Article 7.**

**Finance Committee 5-0-1**

**Selectman Anderson asked the Moderator a question.**

**K. C. Swallow, Town Moderator stated as long as the action is not complete to amend the motion versus the vote. The proper action was to amend the motion.**

**Finance Committee 5-0.**

**Selectman Anderson made the motion to approve which was seconded by Selectman Archibald.**

**Yes 3, No 0.**

**Article 8.**

**Finance Committee 5-1-0.**

**Motion was made by Selectman Anderson to approve, seconded by Selectman Anderson.**

**Yes 3, No 0.**

**Article 9.**

**Finance Committee 5-0-0**

**Motion was made by Selectman Anderson to approve, seconded by Selectman Archibald.**

**Yes 3, No 0.**

**Article 10.**

**Finance Committee 5-0-0.**

**Motion was made by Selectman Anderson to approve, seconded by Selectman Archibald.**

**Yes 3, No 0.**

**Angus stated that funding is now both in the budget and Warrant. The Article will be kept and removed from the budget if this passes at Town Meeting.**

**Article 11.**

**Finance Committee 5-0-0.**

**Motion was made by Selectman Anderson, seconded by Selectman Archibald to approve.**

**Yes 3, No 0.**

**To be funded with Free Cash.**

**Article 12.**

**Finance Committee 6-0-0.**

**Motion was made by Selectman Archibald, seconded by Selectman Anderson to approve.**

**Yes 3, No 0.**

**Article 13.**

**Finance Committee 5-0-0.**

**Discussion took place regarding the dollar amount of this article. Town Moderator KC Swallow stated that the Board should set the amount of this Article at \$90,000.00 with details provided. The actual amount when determined could be lower.**

**Selectman Anderson made a motion, seconded by Selectman Archibald to approve for an amount of up to \$90.00.00.**

**Yes 3, No 0.**

**Article 14.**

**Finance Committee 5-0-0.**

**Motion was made by Selectman Anderson, seconded by Selectman Archibald to approve.**

**Yes 3, No 0.**

**Article 15.**

**Finance Committee 6-0. Sunset date of FY '21.**

**Motion was made by Selectman Archibald, seconded by Selectman Anderson to approve.**

**Yes 3, No 0.**

**To be funded by Stabilization.**

**Article 16.**

**Finance Committee 4-2-0. Sunset date of FY '20.**

**Motion was made by Selectman Archibald, seconded by Selectman Anderson to approve.**

**Yes 3, No 0.**

**To be funded by Stabilization.**

**Discussion took place regarding replacing or keeping for plowing the 2008 truck.**

**Article 17.**

**Finance Committee 0-6-0 opposed. Sunset date FY '20.**

**Low mileage, rating CIC. Trade in of old truck would not decrease the numbers of contractors needed.**

**Selectman Archibald made the motion to approve, seconded by Selectman Kemper.**

**Yes 2, No 1 (Anderson)**

**To be funded by Stabilization.**

**Article 18.**

**Finance Committee 6-0-0. Sunset Date FY '21.**

**Motion was made by Selectman Anderson, seconded by Selectman Archibald to approve.**

**Yes 3, No 0.**

**Article 19.**

**Finance Committee 6-0.**

**Motion was made by Selectman Anderson, seconded by Selectman Archibald to approve.**

**Yes 3, No 0.**

**Article 20.**

**Finance Committee 5-0.**

**Motion was made by Selectman Anderson, seconded by Selectman Archibald to approve.**

**Yes 3, No 0.**



**Article 21.**

**Finance Committee 5-0-0.**

**Motion was made by Selectman Archibald, seconded by Selectman Kemper to approve.**

**Yes 3, No 0.**

**Article 22.**

**Finance Committee 6-0-0.**

**Motion was made by Selectman Anderson, seconded by Selectman Kemper to approve.**

**Yes 3, No 0.**

**Article 23.**

**Finance Committee 6-0-0.**

**Motion was made by Selectman Anderson, seconded by Selectman Archibald to approve.**

**Yes 3, No 0.**

**Article 24.**

**Finance Committee 5-0-0.**

**Motion was made by Selectman Archibald, seconded by Selectman Kemper to approve.**

**Yes 3, No 0.**

**Article 25.**

**Finance Committee 5-0-0.**

**Motion was made by Selectman Kemper, seconded by Selectman Anderson to approve.**

**Yes 3, No 0.**

**Article 26.**

**Finance Committee 5-0-0.**

**Motion was made by Selectman Archibald, seconded by Selectman Kemper to approve.**

**Yes 3, No 0.**



**Article 27.**

**Finance Committee 6-0-0.**

**Motion was made by Selectman Archibald, seconded by Selectman Kemper to approve.**

**Yes 2, No 0, Abstain 1 (Kemper).**

**Article 28.**

**Finance Committee 6-0-0.**

**Motion was made by Selectman Anderson, seconded by Selectman Kemper to approve.**

**Yes 0, No 3. Opposed.**

**Article 29.**

**Finance Committee 5-0-0.**

**Motion was made by Selectman Archibald, seconded by Selectman Kemper to approve.**

**Yes 3, No 0.**

**Article 30.**

**Finance Committee 3-3-0 Split Vote.**

**Motion was made by Selectman Kemper to approve, seconded by Selectman Anderson.**

**Yes 1, No 2 (Anderson, Archibald). No change to the order.**

**Discussion then took place with the Town Moderator regarding the order of the two meetings and rules regarding the same.**

**D. Request for Street Opening Permit for 44 Garden Street, Tim Collins**

**Motion was made by Selectman Anderson to approve the permit, seconded by Selectman Kemper.**

**Yes 3, No 0.**

**Town Manager Updates**

**E. Snow/ice overage authorization for FY19**

**Informational. Memorandum from Angus Jennings, Town Manager and copy of Massachusetts General Law contained in the Agenda Packets. In prior years this would be an action taken by the Board of Selectmen. This practice is now changed. Angus wishes to notify the Board of this action.**

- F. Follow up meeting assignments
- G. Placing items for future agendas

**Motion was made by Selectman Kemper, seconded by Selectman Anderson to adjourn the meeting at 9:32 p.m.**

**Yes 3, No 0.**

Respectfully submitted, Mary DiPinto

*Approved by Board of Selectmen 2-0-1 (Parker abstained) on 3-30-2020*