



Town of West Newbury
Board of Selectmen
Monday, June 8, 2020
381 Main Street, Town Office Building
www.wnewbury.org

RECEIVED
TOWN CLERK
WEST NEWBURY, MA
2020 JUL -7 PM 2:32

Minutes of Meeting

Open Session: 7:00 p.m. by remote participation (see below)

Addendum to Meeting Notice regarding Remote Participation

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 23, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the West Newbury Board of Selectmen will be conducted via remote participation to the greatest extent possible.

Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town of West Newbury website, at www.wnewbury.org. For this meeting, members of the public who wish to listen to the meeting may do so in the following manner:

GoToMeeting

Phone: (872) 240-3212

Access Code: 767-572-605

Or, from computer, tablet or smartphone: <https://global.gotomeeting.com/join/417365965>

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Town of West Newbury website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as practicable after the meeting.

The meeting was called to order at 7:04 p.m. by Chairman David Archibald.

Participation at the Meeting:

- ❖ Board of Selectmen: David Archibald, Richard Parker and Glenn Kemper
- ❖ Town Manager, Angus Jennings
- ❖ Town Clerk/Counsel & Procurement Officer, Michael McCarron
- ❖ Assistant to Town Manager and Finance Department, Jennifer Walsh
- ❖ Moderator KC Swallow
- ❖ Rose Vetere
- ❖ Jen Solis
- ❖ Don Doak

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Meeting also accessible by remote participation.
- Thanks to Town Clerk Michael McCarron for running a great municipal election under difficult circumstances. There was quite a good turnout and should be commended.
- Congratulations to all participants, winners and losers, and it was great to have such an active election in such a difficult situation.
- Town Clerk Michael McCarron stated that he expects everyone to come in to be sworn in, even incumbents. The process is to call and make an appointment, you'll be met at the door, maintain social distance, be sworn in and get materials. Just bring a mask and a pen. Already had a number who have been sworn in, including Mr. Archibald.
- Thursday, June 11, 2020 at 2:00 p.m., there is a Merrimack Valley Planning Council training on 40B and housing production plans. Very timely for the Town. Details are on the Town website.
- Selectman Richard Parker gave an update on the Merrimack Valley Listening Session for the MVP process scheduled for Thursday, June 11th. There's also a ZBA meeting scheduled for the night with significant overlap. Due to the significant overlap, the Listening Session needed to be rescheduled due to the interest in both the Listening Session and the ZBA meeting. As a result, the Listening Session will be rescheduled in the next few days since there is plenty of leeway for completing the MVP process.
- Town Manager Angus Jennings confirmed that the Zoning Board of Appeals public hearing is at 6:00 p.m. on Thursday.
- Chairman David Archibald confirmed that if you want to keep up with things in the Town, go to WestNewbury.org and subscribe so that you get announcements via e-mail.
- Chairman David Archibald made the following comments, speaking for himself and not the Board or Town:
 - ❖ Over the past few months, Town employees have been working effectively under quite adverse conditions, at the same time handling additional unforeseen duties in less than ideal conditions, such as the 40B proposal. Wants to send out kudos to all employees for the work they've done this spring.
 - ❖ And as these less than ideal conditions persist, he'd ask that the Boards, Commissions, and Commissions not to ask the Town to take on new initiatives to expand the workload that they have already at this time to let staff catch up on what's going on (i.e. new school construction)
 - ❖ Regarding recent police protests and global interconnectedness, try to treat everyone with respect and make our small corner a little better of a place than we found it.
 - ❖ Comment by Selectman Glenn Kemper – "Well said."

- Regarding item discussed in Executive Session, to be added to the end of the agenda regarding signing a Memorandum of Understanding on the funding and the project of the Middle Street Bridge with the City of Newburyport. Will be done at the end of the regularly scheduled agenda. Wasn't on the agenda but it is highly timely and wants to get it done tonight.
- Chairman David Archibald added that Essex County Greenbelt, who holds a conservation restriction on the land, stated that the town may restrict public access as they see fit, whenever they believe it is warranted, and approval from Essex County Greenbelt is not required.

Motion was made by Glenn Kemper to add this item to the agenda at the end of the discussion. Second by Richard Parker.

Yes 3, No 0

REGULAR AGENDA

A. Reconsideration of proposed FY21 Library personnel budget:

Library trustees requested to table the request for a new staff person for FY21, but now with the uncertainty of how the library is going to work this year, at least for the fall, they have asked that that additional person no longer be added, at least at the moment.

Library Director Corinn Flaherty had no comment but wanted to let everyone know that she is here via telephone.

Chairman David Archibald stated that the Selectmen did support this, but thanked her for understanding due to the times that we have and that it can be pushed off to a later date and he appreciates her forward thinking under the circumstances.

Chairman David Archibald asked Town Manager Angus Jennings that since this is in the budget if a motion had to be made. Town Manager Angus Jennings stated that the Finance Committee's initial recommendation constitutes the initial motion at Town Meeting and the Finance Committee's recommended budget had not included this, so the initial motion will not change, but at the Town Meeting, there may be a difference between the Fin Com number and the selected number and they might be asked about that.

Chairman David Archibald stated that they could put a hold on it and also designate one of the Selectmen to put a hold on it so it will move in one direction, and they will give a brief understanding that under the circumstances, the Board of Library Trustees voted not to have this position but would like to address this next fiscal year.

Selectman Richard Parker stated that as far as putting the hold on is concerned, they had talked about the line item budget being introduced as a whole, and he doesn't recall where that ended up going, but in the interest of time, they had talked about possibly introducing the line item budget as a whole, so they would need to insert that specifically, even though it wasn't itemized in conversation.

(Previously Item J) Chairman David Archibald asked if they could take Item J out of order since Library Director Corinn Flaherty was in attendance to conduct a further discussion on where we stand regarding reopening of the library, and everyone agreed to take it out of order.

Town Manager Angus Jennings stated that an e-mail was received from Library Director Corinn Flaherty with a proposed plan to allow for curbside pickup for customers of the library beginning next week. This plan would be taken up by the Library Board of Trustees at their meeting on June 9th meeting, so this was put in front of the Board for suggestions before it goes to the Library Board for their endorsement next week.

Town Manager Angus Jennings wanted to know if Corinn would elaborate on the intent before Board discussions got underway. Library Director Corinn Flaherty had no comment but stated that she would answer any questions during the discussion.

Selectman Glenn Kemper stated that this is awesome, but before the meeting, he suggests that she talk to the Board of Health before the meeting, asking for his recommendations for public safety to incorporate into the recommendation before the vote and Library Director Corinn Flaherty stated that she would be happy to do that and will send it to him tomorrow and ask him for his feedback.

Town Manager Angus Jennings stated that there is a posted Board of Health meeting tomorrow at 4:30 and he is sure that they have a lot on their agenda and not sure if they would be able to get into this in detail at that meeting, but wanted to make her aware.

Selectman Glenn Kemper just wanted her to discuss with the Town's Health Agent to see if he could make some good recommendations and perhaps she could have an informal conversation with Paul to see if there are any problems with the health aspect of it and see if he has any recommendations to make it better and safer for the people to bring back to the Library Board for a vote, and Library Director Corinn Flaherty agreed that she could do that.

B. Review and sign Special Town Meeting warrant with citizen petition article to provide supplemental funding regarding Coffin Street/Main Street 40B proposal; schedule date/time for Special Town Meeting:

Chairman David Archibald stated that the Board has no discretion in this and have to vote to accept the special warrant item as it has the required number of certified signatures, so that's not subject to dispute and wants to talk about time and place, etc.

Spoke with everyone and Saturday, June 22nd after the regular annual Town Meeting and the regular Special Town Meeting, they would close that out and start the new Special Town Meeting at 2:00 at the baseball fields behind the bandstand, provided the regular Town Meeting would be finished by 12:00-12:15.

Selectman Glenn Kemper asked why not just do it all at the same time rather than have people leave and come back. Chairman David Archibald stated that there may be two populations of people and have always not wanted to have special interest items in the beginning of the meeting and then people leave. Wants to prevent a lot of extraneous people from moving through the

entrances and exits. Glenn stated that they're asking to check people in two separate times, so why not schedule it at the same time and then take it up at the end.

Selectman Glenn Kemper asked Town Clerk Mike McCarron about this and he stated that if it is posted all at the same time, the moderator has the determination as to when she wishes to hold each meeting.

Moderator KC Swallow stated that the reason that she suggested to post the Special Town Meeting for 2:00 is that it is a special interest group, that they have been sitting outdoors for at least two hours, at which time it becomes high sun time. There are probably going to be people interested in one but not both since it's a different clientele who are interested in each of those meetings. She doesn't want to end up with bottlenecks at the egress, so the idea is to open the Annual Town Meeting and Special Town Meeting, adjourn, then break for lunch, and then at 2:00, start the second Special Town Meeting. If people have to sit straight through, it will be a burden on people and some people will try to leave unmasked.

Selectman Glenn Kemper stated that nobody should be allowed to attend without a mask but in principle, he understands that, but he doesn't think that the people who signed the petition, maybe 60-70% of the people care about the other aspects around town, and with the signs around town, you're going to get everybody there and bringing people in and out would be the hardest part. Getting people seated was easy, but getting people in, seated, proper space, was the hardest part, so doing that twice would be hard, but he could agree with that.

Moderator KC Swallow also wanted to mention that the State Legislature just passed a recent motion that Selectmen can reduce the quorum for the Annual Town Meeting since it may be more difficult for people to go to the Town Meeting, making it difficult to get a quorum so the Board of Selectmen has the authority to reduce the quorum to 10% of the normal quorum (nine people), but that it doesn't have to be reduced. She has no estimate about how many people may be coming to Town Meeting.

Selectman Glenn Kemper stated that another meeting will be held on 40B before June 22nd at which they would have a discussion about quorum and then take a formal vote on June 22nd.

Chairman David Archibald asked Don Doak about what he expects to be the attendance. Mr. Doak stated that he thinks that there will be at least 250-300 people in attendance and believes that this should be placed as one of the highest items of importance and that he is concerned about the 2:00 p.m. start, which is at the height of the sun, so he would like it taken up sooner.

Moderator KC Swallow commented that It's her call as to what order things are taken up, and that she would not take it up before the Annual Town Meeting and the first Special Town Meeting since those are critical to the running of the Town. She would prefer to have the break because she's guessing that some number of people will want to leave after the first Special Town Meeting and have to have an orderly egress to avoid bottlenecks, and since it will be hot, and without the break, people that are only there for the 40B meeting will have been sitting there for over two hours. So, if the decision of the Board is to post that meeting at 10:00, the order she will take them up in is open the Annual Town Meeting, then she will put the meeting through the Town budget before she recesses for the Special Town Meeting because the line item budget is the most important part of this meeting at this point.

With regards to how she is going to address the line item budget, she feels that time could be saved, she would propose to advise everyone that they should familiarize themselves with the entire warrant before the meeting, including the line item budget, and when they get to the line item budget, she will read less detail in the budget and then would take up "holds." The motion on the floor is from the Finance Committee to accept their recommendations and anything that doesn't have a hold put on it are considered passed and a discussion would ensue on the holds.

Selectman Glenn Kemper stated that he thinks it's a great idea, and then asked KC, what about posting everything for 10:00 a.m. then she could make a game time decision if she feels that the Annual Town Meeting and Special Town Meeting is running too long and say when she would like to recess, but at least have the ability to continue if everything is going fast and smooth. He stated that the last time that the Town had a 40B project in front of them, they had to move the meeting to the high school, and he sees this as a town-wide issue.

Moderator KC Swallow stated that she does have that discretion if she makes that game time decision, and if she feels that people have been sitting there too long and are showing signs of distress due to weather, but if people have been sitting there and their item hasn't been discussed, they may be unhappy with a recess until 2:00. Selectman Glenn Kemper feels that maybe they're overthinking everything, but he would say to post everything early and try to get through it quickly.

Chairman David Archibald suggested that perhaps getting people there at 9:30 since the later it goes, the hotter it gets, and Moderator KC Swallow says it can't be changed now since the warrant says 10:00. Selectman Glenn Kemper suggested that they post the whole thing and make people aware that they could take a break or might not but let them sit there since everybody else is going to sit there. And he also feels that the 40B issue is a town-wide issue that people will want to stay for.

Don Doak requested permission to ask a question of the Town Council. Question to Town Clerk Mike McCarron that the warrant says that the Special Meeting shall take place within 45 days of the Annual Town Meeting, but what option is there legally for it to happen on another day? Town Clerk Mike McCarron stated that it has to be held within 45 days from his certification of the signatures, so the Board of Selectmen has the discretion to call the Special Town Meeting at any time as long as it's within 45 days. The Board sets the time and date for the petitioned Special Meeting.

Don Doak also had another topic concerning the fact that this petition was drawn up before other things took place regarding 53G accounts, peer review, payment by developer, so as that has come to light, it would appear that there is opportunity for motion to reduce the dollar amount, so he wanted to bring that potential motion to the Selectmen.

Chairman David Archibald stated that KC would make the determination on that, but as it's written now and any proposed changes would still be notifying the Town of the intent and it wouldn't disqualifying the warrant article. Selectman Glenn Kemper stated that not at all, as long as the amount would go down. Don Doak stated that his goal was that they put through a number to Fin Com and Board of Selectmen before the Special Town Meeting. Selectman Glenn Kemper stated that that would help with the discussion if they had something that everyone had agreed upon. Chairman David Archibald stated that he thinks that the article will pass overwhelmingly if they came up with a broadly agreed number, and discussion would go quickly.

Don Doak stated that the goal would be to do that, and in addition, there is one other area that he would like to have stricken upon motion, which would be "peer review" and change it to "professional services." Moderator KC Swallow stated that there are two different issues, the first one being that a motion does not have to be made to reduce the amount since the warrant article is not voted upon. The warrant article warns the town of the business before it. They vote on a motion made under that article and that motion can be for any amount as long as it's not more than the amount in the article. After she reads the article, you can make a motion under that article for any amount he wants as long as it's under \$250,000.

With regards to the wording, that's her call, and if the motion doesn't exactly mirror the language of the article, then she makes a decision about what is said when the motion is made is in the spirit of what was in the article, and if she decides that it is, it's a legitimate motion and she has already decided that it is in the spirit of what he has put into the article, so the change will not cause problems. Once she reads the article as written, a motion should be made as to what is really wanted, including the amount and language, and both should be acceptable.

Don Doak asked regarding whether it would be better if he made the motion or the Board of Selectmen, and Moderator KC Swallow stated that at prior meetings, it had been decided that for health and social distancing purposes, they would like one designated Selectman to make all motions. Motions should be submitted writing to the Selectman who will read the motions. And they will not discourage people from having discussion or debate. Selectman Glenn Kemper stated that if you're nervous about the motion, Town Clerk Mike McCarron can vet the motion with KC.

Don Doak stated that his goal was to have a dollar amount that the Board of Selectmen and Fin Com feel good about, and he'll draft a motion and send it to Town Clerk, Mike McCarron, Board of Selectmen, Fin Com, and KC. Selectman Glenn Kemper suggested that he put a sunset clause in the motion. Chairman David Archibald stated that this is not a good financial year and revenues are down and don't want to encumber money sitting around and not used for some time, which is not a good recommendation either.

Selectman Glenn Kemper asked if there could be a sub-committee, working group to get a good number. Don Doak stated that he would be happy to meet with a sub-committee as a good amount of the numbers have already been vetted out so the numbers are not random, but as 53G came forward, it allowed them to reduce the \$250,000.

Selectman Richard Parker stated that he is still confused about timing. He would like to float an idea, what if Special Town Meeting two was scheduled at 11:00 or 10:30, and people could coordinate via cell phones would give the possibility of flowing right into it. Moderator KC Swallow stated that it doesn't matter from that perspective when it says it opens. She is going to do the Annual Town Meeting and the first Special Town Meeting first. She stated that many towns have cut their warrants to bare bones since people are uncomfortable going to a Town Meeting, and everyone working on this is doing everything possible to keep things streamlined and safe.

She stated that whatever you do with the timing, she will not take up the Special Town Meeting two before the Annual Town Meeting and Special Town Meeting one, and that by the time they get through those, it will definitely be mid-day or sooner, but people tend to be cooperative and they'll get it done, and she has been encouraged by other towns' successes.

She feels that there are a number people interested in the 40B project as well as the Annual Town Meeting, so they may be willing to start at 10:00, go through the whole process and then take up the Second Town Meeting immediately after, and if that's what they want, that's fine, but it's going to require patience on everyone's part. She feels it might be a good idea to take a break, or adjourn later, say 4:00. She also doesn't feel there's a problem with a quorum but hopes the idea of lowering the amount will be discussed since these things have to get done in a timely fashion.

Town Clerk Mike McCarron stated that the Board of Selectmen has to make a decision tonight as the warrant has to be posed Friday.

Motion was made by Selectman Richard Parker to schedule the second Special Town Meeting for noon. Second by Selectman Glenn Kemper.

Selectman Glenn Kemper stated that the discussion being that KC could decide to have a recess or go ahead. KC Swallow states that if she determines that a recess is needed, she will say that, but is concerned about the mass exodus. Selectman Richard Parker states that he agrees that she should make the decision as to what makes the most sense to her at the time, but he's just hoping that they breeze right through and that door is left open.

Chairman David Archibald agrees that if the dollar figures somewhat agreed, that will limit the amount of time on this issue. Selectman Glenn Kemper agrees that if everything is defined before the meeting, he doesn't think anybody is going to vote no since they're just asking the Town to spend a little bit more money to get more information and have a better understanding of how 40B is going to affect the Town.

Chairman David Archibald stated that the only problem with the motion is that if a lot of people show up at 11:55, it will create chaos, and Selectman Glenn Kemper suggested starting everything at the same time. Chairman David Archibald stated that with the school, they said they wouldn't take it out of order, then they did due to the overflow into the cafeteria, but there's no promise that would happen.

Chairman David Archibald made an amendment to Selectman Richard Parker's motion that all three Town Meetings start at 10:00. Second by Selectman Glenn Kemper. Agreed to by Selectman Richard Parker.

Moderator KC Swallow makes a comment that there are 300+ signatures on this motion, and since there are so many signatures, everyone thinks that their motion should come first. If all three are posted at the same time, she can't open three meetings at once. People are used to the process we've gone through for years that we open the Annual, do an amount of things, recess, open the Special, and that's the way it's been done. She's changing it this year because of no reports, so the line item budget will be done first.

The only person that can change the order of articles without a vote is her, but she's concerned that people who come who have not been to Town Meeting before and don't understand what it is will get disgruntled because their thing didn't come first after they asked for it to be first. Chairman David Archibald and Selectman Glenn Kemper said they don't disagree, but Glenn suggested that they put on their website how it's going to happen and if people get disgruntled, there will be bouncers and they'll be asked to leave and Chairman David Archibald said he thinks it would be worse if people arrive halfway through. Selectman Glenn Kemper stated that

if they educate everyone in advance, they can't worry about the ones and twos, they have to worry about the masses, and he likes to have the ability to start it all at the beginning and KC determining game day how it's going to work, and all of this can be put on the website beforehand.

**Motion on the floor by Chairman David Archibald is to have meetings start at 10:00.
Seconded by Selectman Glenn Kemper.**

Yes 3, No 0

C. Updates regarding Coffin Street/Main Street 40B housing proposal, including discussion of draft Board of Selectmen due to MassHousing on Tuesday, June 16th:

Town Manager Angus Jennings advised that the deadline on the Board of Selectmen's comments on the MassHousing are due to Mass Housing Tuesday, June 16th, and because of the volume of comments received and the ones that have recently come in and the Board of Health is scheduled to take up the item at their meeting tomorrow afternoon, he would recommend that the Board of Selectmen schedule an extra meeting on Monday, June 15th, allowing time to review all of the comments that have come in since May 14th and review the draft comment letter.

Chairman David Archibald stated that the quality of the comments from the town was very helpful for his layman's position. Selectman Glenn Kemper asked if that would give them enough time to have it organized for the 16th. Town Manager Angus Jennings stated that yes, it would, as long as the draft in the packet is in the ballpark of what the Board is looking for, so that's where it's important for him to get the draft to them by the end of day on Wednesday so that suggestions could be sent to him by later this week so that the closer we can get to have something in front of the Board by next Monday that's in a form close to what they would vote, and any revisions could be made Monday or Tuesday and still make the deadline.

Town Manager Angus Jennings stated that the Board could address items fairly succinctly and reference an attached document that elaborates in more detail, but a huge amount of detail is already documented.

Town Manager Angus Jennings also had two related updates, to make everyone aware that the site walk video from the May 15th site walk was posted earlier today on the Town's website and to the Town UTube channel, which took some time to produce.

Also, they did have a call with Mike Buzby from MassHousing, which Selectman Richard Parker and Town Clerk Mike McCarron participated in, and a brief synopsis is that most of the items that were introduced for discussion, MassHousing said that those were items that would be addressed in the local permitting process and they wouldn't get drawn into commenting on any of that. They did take note of our comments about the large project threshold, and they understand that that would be featured prominently in the comment letter.

Town Manager Angus Jennings asked that it be confirmed that there will be a meeting on Monday, June 15th.

Motion was made by Selectman Glenn Kemper to hold a meeting on Monday, June 15th at 4:00. Second by Selectman Richard Parker.

Yes 3, No 0

D. Discussion of Special and Annual Town Meeting scheduled for Saturday, June 27, 2020, including health/safety considerations resulting from COVID-19 and discussion of potential reordering of Articles and/or recommendations to pass over one or more articles.

Article 1 – Hear and act upon reports of officers and committees.

Motion was made by Chairman David Archibald that all reports of committees should be videotaped or written and posted on the Town website, that we simply cannot have those at this particular Town Meeting. Selectman Richard Parker thinks it's a great idea.

Chairman David Archibald stated that someone that doesn't want to write it up can simply do a video presentation on their phone and it can be sent in that way. Selectman Glenn Kemper stated that if they have a question with that, they can contact him or Adam and they can help them with that to make sure it gets on the Town's website or UTube.

Motion seconded by Selectman Glenn Kemper.

Yes 3, No 0

Article 2 - Special Town Meeting re large CPC spending on the Page School playground.

Chairman David Archibald is not sure how he feels about this, it's a lot of money and he wonders if it's going to engender a lot of discussion at the meeting, which we don't want. In addition, he knows that playgrounds have been opened in Phase 2, but it's unlikely that the playground is going to be usable this year anyway. He wants to know if it's something that could be put off and he could be persuaded either way on this one.

Selectman Glenn Kemper stated that his view is that he agrees with everything said, but he would take the opposite approach and say that this is the time to do it because we may get better pricing now, that the school is not occupied, so it would be easier to implement, and that the need is there, the funding is in place, and the CPC money doesn't affect capital, operating budget and thinks this is the best time to do it because the school is not there. And his own opinion is that he doesn't think the school is coming back in the fall, so even if there is some time lapse this will be done in a more efficient manner because no kids will be there.

Chairman David Archibald asked Town Manager Angus Jennings if he knows when they could start if the money was voted. Town Manager Angus Jennings stated that they had put a timeline in the CPC application and other than the fact that we're now going to be a full two months after the Annual Town Meeting date, he thinks that timeline would still stand, and his recollection is that a certain amount of time after the vote to engage a contractor, even though we're part of a consortium and the vendor is on a pre-approved bid list, made a commitment to engage multiple vendors to make sure get the best pricing, 4 to 6 weeks, there's some amount of lead time, so once a contractor is selected and the design is based on a certain manufacturer, so once the decision is made, it can take 6 weeks before the materials are ordered, assembled and delivered. But he thinks with the original Town Meeting date of late April, he thinks it's possible but wouldn't say probable that it could have been constructed by Labor Day, but with the extended

timeline, getting it done this calendar year is certainly possible and likely, but not until mid to late fall taking into account the lead time and those aspects.

Selectman Glenn Kemper is for keeping it on, and Selectman Richard Parker thinks we should keep it on for a host of reasons, including comments by Glenn and Angus.

Article 3 – Town Building Repairs, \$49,000.

Chairman David Archibald stated that most people believe that this was deemed an essential item and wouldn't want to get rid of that and Selectman Richard Parker agreed. Town Manager Angus Jennings stated that he would suggest that only those shaded in grey on the list were the only ones that the Board should be discussed because everything else has already been discussed.

Article 7 – Electric vehicle charging

Selectman Glenn Kemper thinks this should be kept on because it's a valid program, not sure how much it's going to be used moving forward, but if they don't, they'll lose their grants, so for \$8,000, it's important to keep this on so that we're getting the grants and then moving forward. Chairman David Archibald agrees, and Selectman Richard Parker stated that yes, they would give up \$80,000 to \$90,000 in grants.

Article 14 – Annual Town Meeting – \$85,000 Debt on Car Post Borrowing

Chairman David Archibald stated that he doesn't see any reason not to pay it. Town Manager Angus Jennings agrees that we should go forward but wanted to make the Board aware that he does not expect that we would need any more appropriation in FY2021 for the reason that the full debt service would come due one year after the bonds are issued, and because the bonds are not going to be issued until the end of FY2020, the earliest that the first full year that the debt would come due would be early 2022, FY2022.

So, for that reason, you could get by with a lower appropriation, but he doesn't see a reason to do that for a couple of reasons. One is that that \$85,000 is going to be a very insistent number for the next 20-plus years, so why change it, and secondly, the appropriation will allow us to absorb costs such as if the Board decides to do a bond anticipation note, and in fact likely would, and that would definitely have some soft costs and definitely would have some debt service within six months, so he would recommend staying the course. Selectman Glenn Kemper agrees, as does Richard Parker, who agrees that it wouldn't make sense to do it for a smaller amount and should just keep it consistent rather than trying to explain some other number.

Article 18 – Updating Police Radios for \$19,000

Chairman David Archibald's feeling is if they need them updated, then it should be done. Selectman Glenn Kemper stated that it was presented to him as a safety issue, so definitely. Selectman Richard Parker also agrees.

Article 19 – New Rescue Suits for Fire Department Water Rescue and Article 20 – Power Fans for Blowing Smoke Off

Chairman David Archibald stated that he is in favor of both of these items. Both Selectmen Glenn Kemper and Selectman Richard Parker agree.

Article 21 – Gold Star tax abatement

Chairman David Archibald stated that he is strongly in favor of keeping that on. Selectman Glenn Kemper agrees. Selectman Richard Parker agrees but states that his only question is if we actually know if there's anybody in West Newbury that will qualify and take advantage of this. Town Manager Angus Jennings stated that no, we don't. Selectman Glenn Kemper and Chairman David Archibald stated that if someone needs it, we should have it available. Selectman Richard Parker said that he expects it to be no longer than a 5-minute discussion.

Article 22 – Dog Waste

Selectman Glenn Kemper stated that if the discussion could be kept to 5 minutes, it can be kept on. Stated that he's all for it because dogs are a big issue. Chairman David Archibald stated that people go bananas about anything related to dogs and that he would support bringing it back. Selectman Richard Parker said he's all for bringing it back but he's not sure that this is the right meeting. Chairman David Archibald stated that as much as it pains him, he'll let it go.

Article 24 – Zoning Bylaw Amendments

Selectman Glenn Kemper stated that it's always a huge discussion and Chairman David Archibald stated that perhaps they should let it ride. Selectman Richard Parker said he sees it differently and thought that anything that was controversial has been removed so it was more of just clarifications at this point. Selectman Glenn Kemper suggested to push it off to the fall when it can really be discussed.

**Motion was made by Chairman David Archibald to take no action on this Article.
Seconded by Selectman Glenn Kemper.**

Yes 2, No 1

E. Review of Proposed Draft “one twelfth” FY21 budget if annual budget not approved by June 30th

Town Manager Angus Jennings stated that he would like to see it taken up next week since it's still being worked on. All were in agreement that it be passed over.

F. Consideration of adding warranty costs for Electric Vehicle Stations to proposed FY21 operating budget

Selectman Richard Parker said that it was really an oversight at the outset that they didn't take the issue of warranty as seriously as they should have. Stated that he talked with people in charge of installation and maintenance of EV charging stations in Newburyport, Amesbury, and Melrose, and the gist from all of them is that they should have a maintenance plan because they're subject to damage because people are connecting them to their cars in a parking garage and they're in a public space, so there are things that can happen and if you don't have a maintenance plan, you end up paying for them directly. And based on the experiences of the

other three communities, the maintenance plans pay for themselves easily or would have if they had taken them seriously at the outset.

There were various options of maintenance plans available and in the end, what he concluded in looking at the different options, it seems the best option would to go with a 5-year plan paid on a yearly basis as opposed to the other two options. The original option proposed was a 2-year plan, he looked a 5-year plan at \$1,000 per year per location, saving a couple hundred dollars if paid up front. He thinks it's something that should be done because otherwise we're going to get bit.

Chairman David Archibald stated that he generally doesn't like warranty plans and always prefers to roll the dice. Long-term, he's in favor of putting them in, but nearer term, we have no idea what utilization we'll see. Selectman Glenn Kemper stated 1%, he thinks. And Selectman Richard Parker stated that it's the fastest growing segment of autos sold and they're going to become common and it wasn't until he had talked to three people and gotten the same story that he became convinced that we'd be foolish not to.

Chairman David Archibald asked if they're not getting enough usage initially, do you think they'll have problems. Selectman Glenn Kemper stated only if someone runs into it, and he agrees with Selectman Archibald that he personally doesn't get these things, but since he's a Selectman, he's going to go with Selectman Richard Parker's recommendation on this. Selectman Richard Parker stated that in this case and because of the feedback he got from people who have experience in this area, that it seemed clear that they should go ahead with the warranty plan.

Chairman David Archibald asked which plan he would pick. Selectman Richard Parker said that he picked the 5-year plan because the cost of the internet convertibility and the plan that allows you to do everything with the station.

Chairman David Archibald asked if the Town is able to enter into a 5-year contract. Town Manager Angus Jennings stated that they cannot bind the Town into a 5-year plan, so if the Board recommends adding the funds to the operating budget, it's a clean way to do it. Town Clerk Michael McCarron stated that it's supposed to be three years without a vote, but a vote of the Town Meeting would allow it, so if it was a budget item referring to this, approval for five years, it would be okay. If the Town Meeting is voting this money for this purpose, then you can have up to a 5-year contract.

Motion was made by Selectman Richard Parker that we purchase the 5-year committed assurance plan for the EV charging stations at a total cost of \$5,990. Seconded by Selectman Glenn Kemper. This is \$1,198 per year per station, two sites, the 1910 Building and the Page School, with two plugs in each site.

Yes 3, No 0

Town Manager Angus Jennings stated that he wanted to make everyone aware that what was just voted is a proposed increase in the operating budget, that when the DPW town expenses line comes up in the budget for review, that will require a hold and an amended motion to add the \$2,400 to that line item.

G. Consideration to extend FY20 Board/Commission/Committee appointment terms through June 30, 2020

Chairman David Archibald thinks it's a no-brainer and would recommend that be done, as do the other two Selectmen. Town Manager Angus Jennings suggested that we extend all committee appointments that normally zero out at June 15th be extended to June 30th.

Selectman Glenn Kemper stated, "So moved." Second by Selectman Richard Parker.

Selectman Richard Parker asked how we ended up at June 15th, and Selectman Glenn Kemper stated that everywhere it's been June 15th and there is no reason that it can't be changed. He also stated that we have all these committees that keep reappointing them and thinks we should take a hard look at them and maybe not reappoint them if they aren't useful or haven't met, and also that we should start looking at the charges of these committees, that we should appoint the charges, not them back to us, and see if we don't need to have a committee any longer and look at the charge to have a good understanding of whether it's needed any longer.

Chairman David Archibald stated that he agrees with all of that and that's one of the reasons they were swamped with stuff, but thinks they should have something where the Chairman of committees come together with the Board of Selectman, Town Manager Angus Jennings, and have a big picture. Stated that Rob Phillips made a comment about the fact that committees work in their own insulate little area and have no idea about the big picture of what's going on in the Town and instead of helping the Town, they're slowing down other areas.

Selectman Glenn Kemper stated that he just wanted to bring it up but that his motion still stands that they extend all appointments until June 30th.

Chairman David Archibald advised that two people are leaving, one from the Fin Com so anybody who thinks they might be interested in joining Fin Com, since it's not going to be disbanded, we need to populate the Fin Com.

Selectman Glenn Kemper stated that before the vote is taken if they could at a later time talk about the committees and what should be done in the fall and everyone agreed, so he asked Town Manager Angus Jennings to put this on in September, October, or earlier when there's enough time to have it there as a B item to have a discussion. Chairman David Archibald agreed not to forget, and Town Manager Angus Jennings agreed.

Yes 3, No 0

H. Approval for stipends for election workers for June 3, 2020 election

Everyone is in favor, but question by Selectman Richard Parker was whether it was added up right. The numbers total \$1,250.

Motion made by Selectman Glenn Kemper to approve the stipends. Seconded by Richard Parker.

Yes 3, No 0

I. Discussion of existing Board/Commission/Committee structure; Board of Selectmen policy objectives for FY21; and preliminary discussion of potential revisions to B/C/B structure and/or changes

Town Manager Angus Jennings stated that this is the same as G and has already been talked about.

J. Updates on planning underway for reopening of Town buildings and facilities, including library

(See discussion at page 4)

Town Manager Angus Jennings stated that there is no updated draft, so still a work in progress. Selectman Glenn Kemper suggested that we keep the status quo until there is information to revisit this issue. Town Manager Angus Jennings suggested that if something comes up that need a Board vote, he would put it on the agenda; if not, it can be noted that it is being worked on because some of it falls to the Board of Health.

ADDED ITEM NOT ON AGENDA:

Chairman David Archibald stated that a motion was made in Executive Session to discuss the Memorandum of Understanding between the Town and the City of Newburyport related to rebuilding the Middle Street Bridge, and that is not in the packet.

Selectman Glenn Kemper made a motion that we accept the Carr Memorandum of Understanding with the City of Newburyport that we have and that we would sign that and send it to them by the end of the week. Seconded by Selectman Richard Parker.

Yes 3, No 0

K. Annual reorganization of Board of Selectmen

Chairman David Archibald stated that after the Town election, the Board of Selectmen reorganizes, so he would take any motions on the floor.

Selectman Richard Parker stated that he has been happy with the way Chairman David Archibald has run things for the last year and he would nominate Chairman David Archibald for a second year. Seconded by Selectman Glenn Kemper. Chairman David Archibald stated that he is willing to do it.

Yes 2, No 0 (Chairman David Archibald abstain)

L. Meeting Minutes: May 14, 2020

Chairman David Archibald made a motion to approve the minutes of May 14, 2020. Seconded by Selectman Richard Parker.

Yes 2, No 0 (Selectman Glenn Kemper abstain)

NEW BUSINESS

- Selectman Richard Parker addressed the difficulties that we're seeing as a country right now. He stated that he has the utmost respect and confidence for the integrity of our Police Department, but he was asked if he knows the policy regarding use of force in West Newbury. Selectman Glenn Kemper stated that use of force has a bigger thing, every time somebody is taken into custody there's a use of force and the best thing to do is at the next meeting, have the Chief of Police explain it. Chairman David Archibald stated that the Chief describe what kind of training the West Newbury Police receive regarding use of force and what the protocols are for use of force.

Town Clerk Michael McCarron stated that under the Strong Chief Act, there are rules and regulation that the Chief proposes for all police actions and there's a whole manual on police procedures in West Newbury, and those procedures are approved by the Board of Selectmen, so the Board of Selectman has a role in determining the procedures for the police within the Town.

Selectman Glenn Kemper that he thinks it's very timely and we should ask the Chief to come in and explain that. Use of force goes from verbal to physical to things that are horrible that are happening in the country, so it would be good for the Police Chief to explain the protocols and procedures already in place, and it should be an informative thing for us to understand rather than a cross-examination and trying to tell them how to run the Department.

Selectman Glenn Kemper makes a motion to allot a half an hour to bring the Chief in at the next meeting and ask questions about the use of force and the protocols or rules and regulations that are behind that. Seconded by Selectman Richard Parker.

Yes 3, No 0

- Archibald just wanted to give the news that MassDOT rejected the Bridge Street speed limit reduction request.

Motion was made by Selectman Glenn Kemper, seconded by Selectman Richard Parker to adjourn the meeting at 9:24 p.m.

Yes 3, No 0

Respectfully submitted,

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Approved by Board of Selectmen 3-0 on July 6, 2020