



Town of West Newbury  
Board of Selectmen  
Monday, October 19, 2020  
381 Main Street, Town Office Building  
[www.wnewbury.org](http://www.wnewbury.org)

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### **Minutes of Meeting**

**Open Session:** 7:12 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](http://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: (646) 558-8656

Access Code: 913-7806-0209

Or from computer, tablet, or smartphone:

<https://zoom.us/j/91378060209?pwd=dUs4ejJlODJCVEExUdUJlNXJHYlZnZz09>

*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 7:12 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
- ❖ Wayne Amaral
- ❖ Jen Solis
- ❖ Carol Decker
- ❖ Paulo Sathler, National Grid Engineer

**Announcements:**

- West Newbury Hydrant Flushing Underway (See pages 3-4 for Information)
- Call for volunteers: seeking members for Finance Committee, ZBA (Associate Member), etc.
- Reminder to subscribe for e-mailed Town news/announcements at <https://www.wnewbury.org/subscribe>

**REGULAR AGENDA**

**A. Public Hearing: National Grid petition to relocate utility pole #7-1 on Farm Lane (WRN #30170407):**

**Motion made by Chairman Archibald to go into a public hearing at 7:15 p.m., related to telephone pole relocation on Farm Lane. Seconded by Selectman Parker.**

**Yes 3, No 0**

DPW Director Wayne Amaral updated the BOS on this. (See Exhibit A, pages 5 through 17 for information) He stated that it's to save a bunch of trees that were originally proposed to be removed, non-hazard and high-hazard trees. Putting a new utility pole on the same side of the street as the other 12 poles to eliminate removing trees and all power on one side of the street. Stays until Verizon moves their equipment off the pole then will be removed by National Grid.

Paulo Sathler, National Grid Engineer stated that he would be happy to answer questions, but wanted to echo what Wayne said, not going to relocate that pole, but will add an additional pole on the other side and all power stays on the school side, avoiding cutting unnecessary trees on Farm Lane.

Selectman Kemper inquired as to whether there has to be a public hearing since it's not moving a pole but putting a new pole in. Town Clerk McCarron stated that it's to install the new pole, 7-1. Nothing to do with bylaw about scenic trees so not running afoul of the Scenic Roads Bylaw or the Public Shade Tree law.

**Motion made by Chairman Archibald to approve the petition of Massachusetts Electric, d/b/a National Grid, to install a pole, wire, and fixtures. Seconded by Selectman Kemper.**

**Yes 3, No 0**

**Motion made by Selectman Kemper to close the public hearing at 7:21 p.m. Seconded by Selectman Parker.**

**Yes 3, No 0**

**B. Special Event Permit requests for Myopia Hunt Club events on October 24, November 10, and November 17, 2020:**

Chairman Archibald commented that there have been these events held since the COVID emergency and have been signed off by the police and fire. (See Exhibit B, pages 18 through 26 for information) Stated that the numbers of people involved are low, so doesn't have an issue. Town Manager Jennings stated there have been no problems that have come to his or the Chief's attention in the last six months. Selectman Kemper just wanted to make sure that they comply with all Board of Health rules and regulations associated with the COVID-19 epidemic.

**Motion made by Chairman Archibald to approve the three Myopia Hunt Club special event permit requests for October 24<sup>th</sup>, November 10<sup>th</sup>, and November 17<sup>th</sup>. Seconded by Selectman Parker.**

**Yes 3, No 0**

**C. COVID-19 Safety Protocols for Halloween and Trick or Treating on Saturday, October 31<sup>st</sup>:**

Chairman Archibald explained that this is something that is usually the prerogative of the Police Chief when Halloween takes place. (See Exhibit C, page 27 for information) Also stated that in terms of safety protocols, would be under the purview of the Board of Health. Selectman Parker agreed that it should be the call of the Board of Health.

Chairman Archibald suggested that residents don't have to participate. Selectman Kemper suggested having earlier, i.e. 4:00 to 6:00, where it's a little bit lighter and safety protocols can be observed. Said has had overwhelming response from the public to proceed with it but under the strict guidelines that are set forth in the packet. Everyone decided to keep it the same time as usual, 5:00 to 7:00.

**Motion made by Selectman Kemper to have Halloween, but they're concerned, so make available on the website the Halloween With COVID (page 27) Tips for Safe and Healthy Halloween for Residents, and strongly suggest that they adhere to the guidelines.**

**Per Chairman Archibald, no vote needed.**

**D. Discussion of Schedule for Mowing of Town-owned Fields (Wayne Amaral, DPW Director):**

Chairman Archibald stated that they want to get the information out with what's happening with this. (See Exhibit D, pages 28 through 34 for information) DPW Director Amaral stated that Open Space reached out to ask about mowing later in the season or skipping sections of mowing to every other year to encourage wildlife activities to blossom. Stated that Carol Decker was one of the main Committee members who reached out.

He expressed to Open Space that they're willing to try something as long as nobody complains that it looks like it's ugly or unmaintained and has done it on a couple of spaces in Town. Stated that neighbors in Indian Hill weren't informed and they were confused, but once a meeting was held, worked out better. Thinks that it should be revisited every year to see if there's things that could be done different, but at a good point right now.

Carol Decker stated that the Open Space Committee started looking at the mowing regimen and how they're managing what used to be hay fields, but now should be looking at them as pollinator fields since there's a group of native bees, butterflies, wasps, and many other species that are in serious decline because of habitat loss, pesticides, neonicotinoids. States that all crops are pollinated by these insects. Honeybees are not native, but are managed, so looking at all native pollinators and by saving some fields by mowing every year, can allow some native asters, goldenrods, all wildflowers to blossom. Explained that grants are available and can look into removing non-native species of plants to make use of some fields that are meadows.

Selectman Kemper explained that with regards to this discussion, taxpayer's money has been used to buy areas to be able to be used for passive recreation, but if not mowed, can't walk dogs, etc. in order to save fields for butterflies, etc. and should be in the equation since it's taxpayer dollars being used to buy these areas.

Chairman Archibald inquired as to the timeframe of mowing before seedlings take over. DPW Director Amaral stated how it was handled this year but also stated that one year can be skipped, then have to mow that section the following year. Selectman Parker inquired as to how to communicate this to all who would want a voice. Suggestions were also made to post a flyer at the site explaining what is happening and perhaps with a QR code to direct them to the Town website. Town Manager Jennings suggested that it be penciled in for next spring so that a broader outreach can be done.

Carol Decker inquired as to how the Committee should proceed with an idea that they feel could benefit the Town? Chairman Archibald suggested bringing it to the BOS and/or Town Manager, and also agreed and stated that committees should not act independently.

**E. Approve Warrant for 2020 State Election to be held on Tuesday, November 3, 2020:**

(See Exhibit E, pages 35 through 37 for information)

**Motion made by Chairman Archibald to approve the warrant for the 2020 state election as described on pages 35 through 37 of the booklet. Seconded by Selectman Parker.**

**Yes 3, No 0**

**F. Designation of Building Inspector Sam Joslin as Community Floodplain Administrator:**

Chairman Archibald explained that this is a plus for the Town. (See Exhibit F, page 38 for information) Also explained that it allows him to sign off on documents related to floodplain insurance and FEMA issues. Has necessary training for this. Doesn't cost the Town any more money.

**Motion made by Selectman Kemper to designate Building Inspector Sam Joslin as the Community Floodplain Administrator. Seconded by Chairman Archibald.**

**Yes 3, No 0**

**G. Request for Authorization to Waive 15-Day Notice and Confirmation Process and to Authorize the Town Manager to Appoint the Treasurer/Collector Position:**

Town Manager Jennings updated regarding this. (See Exhibit G, page 39 for information) With regards to whether this appointment is imminent, he stated that it's not, but getting candidates and he will be going forward with interviews, and when the time comes to make an offer, not to have to wait for next meeting. Request is to acknowledge a specialized position, which is in great demand in the Commonwealth to find professionals with these qualifications, so if someone is found, it's good to provide an offer.

Selectman Kemper requested that an explanation be given. Town Manager Jennings stated that Susan Yeames, who has been with the Town for about 8 year as the Collector, initially as the Deputy Treasurer, and in July of 2018, became the Treasurer and Collector, indicated her retirement as of the end of the calendar year. Both are bonded positions, statutory functions and totally integral to the financial operations of the Town. Posted for a week and a half, but already gotten a good number of resumes come in. Under the Town Manager legislation, this position is under his appointing authority, but without the Board's waiver, would require that any appointment not become effective until 15 days after the BOS is notified.

**Motion made by Chairman Archibald to waive the 15-Day Notice and Confirmation Process to authorize the Town Manager to appoint the Treasurer/Collector if he finds a suitable candidate in order to not have to wait for the next BOS meeting. Seconded by Selectman Parker.**

**Yes 3, No 0**

**H. Meeting Minutes: September 8, 2020, September 21, 2020, October 5, 2020:**

(See Exhibit H, pages 40 through 65 for information)

With regards to the 9/8 minutes, names should be Kathy Feehery and Joe Heyman. On page 47 of the packet, page 8 of the minutes, with regards to the sunset date on Fire Rescue Vehicle, thinks got rolled together and should be separate.

**Motion made by Selectman Kemper to approve the September 8, 2020 minutes with the above corrections. Seconded by Selectman Parker.**

**Yes 3, No 0**

With regards to 9/21 minutes, on page 53 of the packet, should be No, 0." Page 51, Selectman Parker didn't make the comment, but Town Manager Jennings stated it was Selectman Kemper. October 5, 2020 minutes have no corrections.

**Motion made by Selectman Kemper to approve the September 21, 2020 with corrections mentioned, and October 5, 2020 as in the packet. Seconded by Selectman Parker.**

**Yes 3, No 0**

## **TOWN MANAGER UPDATES**

### **I. Update on Work with Auditor on FY20 Audit:**

Town Manager Jennings gave an update on this topic. (See Exhibit I, pages 66 through 67 for information) Stated that auditors began in the office today. Once the books are formally closed with the auditor, will submit to DOR for year-end close-out and certification of free cash. Will also schedule a presentation at a future BOS meeting for presentation of audit findings and management recommendations.

### **J. Notice of Revisions to Treasurer/Collector Job Description:**

Town Manager Jennings also gave an update on this topic. (See Exhibit J, pages 68 through 71 for information) Stated that he has included, in line with past practice, the Board had set policy direction early in his time on the amendment of personnel job descriptions, that if he makes changes to job descriptions, he would bring them forward to the BOS meeting to share as an informational item. Red-lined copy of the Treasurer/Collector job description with housekeeping revisions included in the packet.

### **K. Project Updates: Soldiers & Sailors Memorial Building:**

Town Manager Jennings also gave an update on this topic. (See Exhibit K, pages 72 through 86 for information) Town Counsel sent a proposed form of contract on 10/9 to the architect. Currently under review between the Town Clerk and the architect. Earlier today, got a suggestion from Selectman Parker to make sure that the energy efficiency is fully taken into account. Not sure whether it has implications for the design work or not, but it's good that it's raised now, because if it does have any fee implications, certainly want to know now and not later to take advantage of the best available retrofits as well as if there's grants or incentives out there. Once there is an executed contract, the BOS will be the first to know.

### **L. Project Updates: Water Capital Projects (Brake Hill Water Tank; Wellfield Chemical Treatment Building):**

Town Manager Jennings also gave an update on this topic. (See Exhibit L, pages 72 through 86 for information) Both projects are on schedule and on budget. Overseeing the vendors in the field. Both projects expected to be complete by the end of this calendar year. His office has been working with insurance to get the projects added to our policy. Risk Manager was out on site about a week and a half ago exploring both sites to make sure they will both be added to insurance timing.

### **M. Project Updates: Middle/High School Construction:**

Town Manager Jennings also gave an update on this topic. (See Exhibit M, pages 72 through 86 for information) Included the slide deck from last Tuesday's School Building Committee meeting in packet. Everything is on schedule and on budget. Some of the bids are coming in a little lower, some a little bit higher, but on balance, the project continues to be on budget.

#### **N. Project Updates: Page School Fire Alarm Improvements:**

Town Manager Jennings also gave an update on this topic. Stated that Johnson Controls was awarded the contract. Original quote was done based on broader numbers. Since the funding was approved, got to a higher level of design. Meetings were held on site by Wayne with the contractor, walked through it in detail, worked with the Page administration and the Children's Castle both on location, how loud. In the process of final design engineering, ordering equipment in the next week or so, hoping to start mid to late November. It's a 12-16-week project, working 4:00 p.m. to 12:00 shifts, so won't interfere. Work should be done February of 2021. \$300,000 project, so a major improvement to the Town's facilities.

DPW Director Amaral stated that now there are separate alarms, so if there's a fire in the castle, the school doesn't know. This was driven by the Chief to know what's going on in each building and each building will have a separate alarm. Public safety part of that was the driving factor on it. Not sure what the insurance part of it is.

#### **O. Project Updates: Electric Vehicle Charging Stations"**

Town Manager Jennings also gave an update on this topic. Signed a vendor contract. Got an extension from National Grid. Grant had originally provided that work be complete by October 30<sup>th</sup>. Now have until November 30<sup>th</sup>. Since the allocation of funds for the 5-year warranty was approved at Town Meeting, agreement was signed. All paperwork is in place. Will be a pole relocation that's needed, and Wayne is working with National Grid to coordinate that. Estimated completion date of late fall with a goal of November 30<sup>th</sup>.

Received another Green Community Program grant earlier this year to upgrade the HVAC system in the Town offices. Kick-off call scheduled for mid-November, but won't start that in earnest until some of the other major projects are complete, but have had an initial call with the Department of Energy Resources and will talk with the vendor in a couple weeks to get everyone thinking the same way in terms of schedule. Expect to be under contract over the winter to begin the work next calendar year, hopefully after the winter so don't risk messing with the heating while relying on it.

#### **P. Update on Replacement of Animal Control Officer (ACO) Vehicle:**

Town Manager Jennings also gave an update on this topic. Going to take 2-3 months to get the new vehicle delivered because of delays with supply. In the meantime, working to extend the rental vehicle and working with a cost split with Newburyport. Signed the order to approve the purchase but going to take 2-3 months for the dealer to get the vehicle and deliver it with all the painting and fit-up needed to be the Animal Control vehicle.

With regards to the rental vehicle, Selectman Kemper inquired that since the replacement is going to take longer, is there an obligation to pay for the rental of more than a month? Town Manager Jennings stated that their policy was a maximum of \$1,500 or 30 days. As it turned out, rental rate is right about \$50/day, so ended up being that they would cover it for a month. Newburyport had offered to pay the \$1,000 deductible. Has gone back to them to say what about the additional rental costs since it's our obligation under the agreement to provide a vehicle but was beyond our control that the vehicle was brought out of service. In correspondence with the Finance Officer and looking to minimize or eliminate any Town costs for this.

## **Q. Follow-Up Meeting Assignments and Placing Items for Future Agendas:**

Selectman Parker suggested that with regard to facilities use, can be taken up at the next regularly scheduled meeting. There was some interest, or a question posed about availability or when would there be availability for smallish groups to use Town facilities. Town Manager Jennings stated that the Board of Health will be talking about that at their next meeting.

Selectman Kemper inquired about talking about re-opening Town Hall, Library. Stated may have to be opened with restrictions, etc. Chairman Archibald asked if people are commenting about the way that Town Hall is at the moment. Town Manager Jennings stated that he hasn't heard anything.

Town Manager Jennings stated that there's discussion in the region about looking at potential regional purchasing of health insurance and whether that could be a cost savings. Going to a meeting later in the week in Salisbury with other towns in the region to talk about how that might work and whether it would be something want to consider. Will report back to the BOS at the next meeting on how that goes and whether it's something to look at.

With regards to the hazard mitigation plan, unfortunate timing but has to be dealt with, only good for five years. Will run out about mid-2021. Another thing that's being talked about in the region is potential regional update to the Hazard Mitigation Plan. Required to have a Hazard Mitigation Plan to be eligible for post-disaster assistance from FEMA, so important to keep the plan current and not something that have any capacity locally to do ourselves. There is a grant that MBPC is looking to apply for and deadline to apply isn't until January but were looking for an initial statement of interest. Difficult with time constraints to look at another grant, but it is a mandate and something that's going to have to be done. Expressed the Town's potential interest and will include in a future agenda to get into a more detailed discussion of what that's about.

**Motion was made by Selectman Kemper to adjourn the meeting at 8:45 p.m. Seconded by Chairman Archibald.**

**Yes 3, No 0**

Respectfully submitted,

Susan M. Lobie, Certified Electronic Transcriptionist  
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*Approved by Board of Selectmen 3-0 on 11/30/2020*