

West Newbury Conservation Commission Meeting Minutes

Meeting date & place: 7:30 pm, June 2, 2021, Remote Participation via Zoom.

Members Present: Via remote participation Chair Dawne Fusco, Margaret Hawkins, Tom Atwood (arrived midway), and Judith Mizner participating remotely. Members of the public, Town officials (Town Manager Angus Jennings; Select Board Members Wendy Reed and Rick Parker), and Merrimac Conservation Commission Chair Bob Prokop were also present.

At the outset, Ms. Mizner read the following statement: “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 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the West Newbury Conservation Commission will be conducted via remote participation to the greatest extent possible.”

Conservation Agent Job Description

Mr. Jennings provided an overview, noting that the personnel policy is silent about procedures to amend a job description, so the appointing authority (here, the Commission) can do so. Ms. Mizner said that the draft job description she circulated incorporated the prior Conservation Agent description used when Bert Comins had been hired, and added the previously agreed-upon language addressing the responsibilities of the Land Agent component of the position.

Revisions were suggested: Ms. Reed noted that the intent was to have the Conservation Agent meet once a month with the Open Space Committee (OSC) to coordinate and understand priorities (with a Commission member also serving as OSC liaison); Mr. Jennings noted that OSHA requirements control chain saw use, so the job description should be revised accordingly; Mr. Parker noted that the Climate Change Resiliency Committee has been working to have paid intern(s) work on managing invasive plants, ideally under Conservation Agent supervision. Accordingly, the draft job description was revised to

- Remove discussion of chainsaw work and revise the penultimate bullet to require an ability to lift and carry 50 lbs and to operate hand tools for trail maintenance
- Add the requirement to attend monthly OSC meetings
- Oversee volunteers and seasonal interns for projects as directed by Commission

By unanimous roll call vote (Mr. Atwood not yet in attendance), the Commission approved the Agent job description as revised.

Mr. Prokop noted that Merrimac has just voted to revitalize an Open Space Committee and has fewer trails than West Newbury.

Potential Intermunicipal Agreement Re Conservation Agent Position

Commission members and Mr. Jennings indicated an interest in working jointly with Merrimac to hire a shared Conservation Agent. This would create a full time job with benefits, making it easier to hire and retain a good candidate.

Mr. Prokop described the work of Jay Smith, Merrimac’s current part time Agent (who had also worked for

West Newbury and currently serving as the Town's interim Conservation Agent until the end of June). The Merrimac commission meets once monthly at the end of the month. Mr. Smith

- Does preliminary field work, with subsequent site visits by Commission members
- Handles initial inquiries from the public
- Prepares agendas, circulates plans, and does related administrative work including legal notices
- Patrols the town and identifies enforcement issues

Mr. Prokop described his extensive background in wetland science and stated that Mr. Smith (who has taken some of Mr. Prokop's courses) often consults with Mr. Prokop about issues. Merrimac has a wetlands bylaw with an enforcement mechanism (which Chair Fusco strongly endorses). Mr. Prokop stressed that a candidate should be able to go into the field and demonstrate knowledge about wetland plants and soils, although a new person would have a learning curve, making it advantage if Mr. Smith could assist with some training.

Mr. Prokop indicated that he understands that Mr. Smith intends to retire from the Merrimac position at the end of August, but has not yet submitted formal notice. This presents a logistical problem concerning efforts to find and hire a replacement without such formal notice.

Mr. Jennings described the concept of an intermunicipal agreement that would hammer out details about funding, benefits, pay levels, supervisory authority, and so forth. With permission from Merrimac's finance director (who supports this join Agent concept), Mr. Jennings has been in contact with Merrimac's town counsel (who has also done some work for West Newbury) about drafting an intermunicipal agreement.

It was generally agreed that

- *The job description will be revised to say the position would serve "West Newbury/Merrimac"*
- *Ms. Mizner will circulate the revised job description and share it with Mr. Prokop, who in turn will request input from Merrimac commissioners as soon as possible*
- *Beginning in July, West Newbury will need interim conservation agent coverage, and thus may need to act separately for that purpose*
- *Mr. Jennings will work with Merrimac and its town counsel to develop a draft intermunicipal agreement as soon as possible for circulation among commission members and officers in both towns*
- *Mr. Prokop will again ask Mr. Smith for formal notice of his retirement.*

Next meeting

The next Commission meeting will take place on June 7, 2021.

Adjournment

The Commission adjourned at 8:29 pm.

Meeting Documents

Presentations and records associated with each matter identified, as included in the Conservation Agent's files.

Respectfully submitted