



Town of West Newbury
Board of Selectmen
Monday, May 10, 2021
381 Main Street, Town Office Building
www.wnewbury.org

RECEIVED
TOWN CLERK
WEST NEWBURY, MA
2021 JUL 13 AM 11:09

Minutes of Meeting

Open Session: 7:07 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: (646) 558-8656

Access Code: 971-2042-3801

Passcode: 426687

Or from computer, tablet, or smartphone:

<https://zoom.us/j/97120423801?pwd=S0cvam91aGNPQWEraXVDODhoWjIHUT09>

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 7:07 p.m. by Chairman David Archibald.

Participation at the Meeting:

- ❖ Select Board Members: David Archibald, Richard Parker and Wendy Reed
- ❖ Town Manager, Angus Jennings
- ❖ Town Clerk/Counsel & Procurement Officer, Michael McCarron
- ❖ Assistant to Town Manager and Finance Department, Jennifer Walsh
- ❖ Stephanie Frontiera
- ❖ Jen Solis
- ❖ Residents (210)

Announcements:

- Annual Plant Sale, West Newbury Garden Club, Saturday, May 15, 2021, 8:30-11:30 a.m., Training Field (See page 2 for information)
- Annual & Special Town Meetings, Saturday, May 22, 2021, 10:00 a.m., Bandstand at Cammett Park
- Updates Regarding Lower Merrimack Valley Regional Collaborative COVID-19 Vaccination Clinics, Updates Available on Town website (See pages 3 through 15 for information)
- Reminder to subscribe for e-mailed Town news/announcements at <https://www.wnewbury.org/subscribe>

REGULAR AGENDA

A. Select Board Reorganization and Election of Officers, Including Designee to School Building Committee:

Motion made by Chairman Archibald to put Item A back until later in the meeting. Seconded.

Yes 3, No 0

Chairman Archibald updated on this topic. (See Exhibit A, page 16 for information) Discussion ensued regarding a Vice Chair and also duties of Clerk.

Motion made by Chairman Archibald to nominate Rick Parker as Chairperson for new Board. Seconded by Selectwoman Reed.

Yes 2, No 0 (Parker abstained)

Motion made by Selectman Parker to nominate David Archibald as Vice Chair for new Board. Seconded by Selectwoman Reed.

Yes 2, No 0 (Archibald abstained)

Motion made by Selectman Parker to nominate Wendy Reed as Clerk. Seconded by Chairman Archibald.

Yes 2, No 0 (Reed abstained)

Motion made by Selectman Parker to nominate Wendy Reed to the School Building Committee. Seconded by Chairman Archibald.

Yes 2, No 0 (Reed abstained)

Motion made by Selectwoman Reed to nominate Rick Parker to the Capital Improvement Committee effective 7/1/21 through 6/30/22. Seconded by Chairman Archibald.

Yes 2, No 0 (Parker abstained)

Motion made by Selectman Parker to nominate Wendy Reed to the CPC, effective 7/1/21 through 6/30/22. Seconded by Chairman Archibald.

Yes 2, No 0 (Reed abstained)

Motion made by Selectman Parker to nominate David Archibald to Investment Policy Committee, effective 7/1/21 through 6/30/22. Seconded by Selectwoman Reed.

Yes 2, No 0 (Archibald abstained)

B. Request for Appointment of Dennis Lucey to ZBA:

(See Exhibit B, pages 17 through 18 for information) Dennis Lucey offered information regarding his qualifications, however he wasn't able to be heard on the Zoom conference.

Motion made by Selectman Parker to appoint Dennis Lucey to the Zoning Board of Appeals through 6/30/21. Seconded by Selectwoman Reed.

Yes 3, No 0

C. Request to Establish Rain Date of Sunday, May 16th for Annual Plant Sale, West Newbury Garden Club:

Chairman Archibald updated on this topic. (See Exhibit C, page 19 for information) Selectman Parker stated that this year, it's going to have a unique area focused on locally grown native plants, and West Newbury Wild and Native is working with the Garden Club on that.

Motion made by Selectman Parker that authorize Sunday, May 16th as a rain date for the Garden Club Plant Sale. Seconded by Selectwoman Reed.

Yes 3, No 0

D. Request for Special Event Permits, Myopia Hunt Club Events on May 11, May 22, and June 1:

Chairman Archibald updated on this topic. (See Exhibit D, pages 20 through 31 for information) Stated that all events have been signed off by the Police Department. Further discussion was had with Selectman Parker inquiring about the route. Mike Ricci stated they are always welcome to come through his property.

Motion made by Selectman Parker to approve the three Myopia Hunt dates of May 11, May 22, and June 1. Seconded by Selectwoman Reed.

Yes 3, No 0

E. Request for Special Event Permit, Yukon Sports, LLC, Half Marathon on June 13:

Chairman Archibald updated on this topic. (See Exhibit E, pages 32 through 36 for information) Chairman Archibald stated this is in accordance with new guidelines from the Governor where road races are now an approved activity. Chairman Archibald inquired as to Port-A-Potties, and Rich Morrell stated no Port-A-Potties or aid stations on the course due to COVID. Further discussion and questioning ensued on this topic.

Motion made by Selectman Parker to approve the holding of the half marathon on June 13th by Yukon Sports. Seconded by Selectwoman Reed.

Yes 3, No 0

F. Request to Install Temporary Signage Along Specified Town Roadways in May and June to Promote Opportunities to Sign Up Elementary School Music Ensembles, Pentucket Music Boosters:

Chairman Archibald updated on this topic. (See Exhibit F, pages 37 through 40 for information) Town Manager Jennings stated that the request came in from Kevin Berube. Chairman Archibald stated have a pretty strong history of not allowing signs on the training field or in front of the 1910 Building and don't want to imply a municipal connection, but that the other four areas would be okay. Further discussion ensued on this topic.

Motion made by Selectman Parker to approve posting of signs for the Pentucket Music Boosters to June 20th at four locations listed only. Seconded by Selectwoman Reed.

Yes 3, No 0

G. Referral of Cortland Lane Street Acceptance to Town Meeting Pursuant to M.G.L. Ch. 82, Sec. 21-24:

Town Manager Jennings updated on this topic. (See Exhibit G, pages 41 through 45 for information) Stated the proposed street acceptance is included on the proposed Town Meeting warrant, but in order to follow the statutory steps, the Selectboard would need to approve the motion in front of them to be placed on file with the Town Clerk at least eight days prior to the Town Meeting. Motion was shown on Zoom conference for all to see and read by Chairman Archibald. Pat Ronan, who lives at Lot 10, requested that the Order be approved as noted. Questions were asked and further discussion ensued on this topic.

Motion made by Selectman Parker to approve the Order, as read. Seconded by Selectwoman Reed.

Yes 3, No 0

H. Discussion of Town Trash and Recycling Pickup for Ocean Meadow Development:

Chairman Archibald updated on this topic. (See Exhibit H, pages 46 through 60 for information) Stated this item has been brought forward recently. Stated does not appear to be anything on the Planning Board's documents of the setting up of the Ocean Meadow Development, any mention of whether trash pickup would be carried out by the Town. Board of Health will not make a decision but stated can be done. Town Counsel McCarron stated that the Town has the power to provide this service and in many other communities, the Selectboard is the one that makes the decision whether or not to do so. Reviewed different towns and some do and some don't. Further questions and discussion ensued.

Steve DePietro, Chairman of the Homeowners Association provided input, stating currently have a private contractor, 56 units in the association and each individual unit owner puts out their trash, 2-3 units per building, no centralized trash pickup place. Further discussion ensued regarding the trash trucks being able to traverse the turns, and Selectman Parker suggested having Mello look at the streets for problems but seems like service should be provided.

As to additional cost, Town Manager Jennings stated the estimated cost impact of \$4,000 to \$5,000 wouldn't affect the hauling contract because assumed some growth in the Town. Spoke to Blake twice and found out that the homeowners would have to provide the certificate of insurance indemnifying Mello. Further discussion ensued on this topic as well as on the topic of composting.

Chairman Archibald made a motion to approve this contingent on financial impact and Mello verification that the roadways work, but motion was withdrawn since Selectman Parker suggested to wait to hear back and can be confident that they have the extra carts, etc. and would prefer to wait until next meeting. Further discussion ensued with Steve DePietro providing additional information on this topic regarding reimbursement or abatement and exemptions.

Selectwoman Reed inquired as to what this would mean for other Homeowner's Associations in Town. Rich Miller stated that many townships stated there were 37-45 other towns that have made similar changes. Further discussion ensued on this topic.

Town Manager Jennings stated will put on the next agenda in two weeks and he will provide everyone login information.

I. Proposed Allowance of Annex for COA Programs, with Adoption of Updated COVID-19 Protocols:

Town Manager Jennings updated on this topic. (See Exhibit I, pages 61 through 67 for information) Council on Aging Director Theresa Woodbury looking to reactivate some suspended programs due to COVID, such as yoga outdoors, limiting to 10, masking and distancing, but wants to use annex as rain date. Stated as long as can be cleaned after each and limiting classes, shouldn't be a problem, but wanted to have a discussion. Theresa stated limiting all activities outside to 10 participants to keep social distancing, and if moved inside max would be 10 plus the instructor. Stated offering yoga, Zumba, tai chi, art class, quilting class. Not looking for lunches, etc. Further discussion ensued on this topic. Annie Sterling stated have people interested in celebration of life events, etc., reserved dates, some events with 75-100

people and not sure when would be open to that size of event due to COVID limits. Further discussion ensued about this topic as well as use of bathrooms and kitchen facilities, etc.

Motion made by Selectman Parker to open up the Annex to a group size of a maximum of 11 participants, no more than one event per day and one event over the weekend, with COA having first pick, masks and distancing required, keep one bathroom open and no kitchen use, effective 5/24. Seconded by Selectwoman Reed.

Yes 3, No 0

J. Middle Street Bridge:

Town Manager Jennings updated this topic. (See Exhibit J, pages 68 through 73 for information) Not much new information but corresponding with Newburyport regarding change in price tag and also updated on what had been approved at previous meetings and wanted to get everyone's thoughts. Selectman Parker discussed repair of existing bridge, so will ask the engineer to look at it or maybe get another firm to do so. Chairman Archibald felt should go ahead with getting the project permitted, looking into potential federal funds, setting money aside into stabilization wouldn't be mandated to spend on the bridge. Further discussion ensued on this topic and the fact that Newburyport may not support it. Town Manager Jennings will get some scope and budget estimate, etc.

K. Review Town Meeting Motions and Logistical Planning (Including Posting Notice of Current Committee Openings); Discussion of Warrant Articles:

Chairman Archibald updated on this topic. (See Exhibit K, pages 74 through 75 for information) Feels that one person making motions is quicker and speeds things up. Town Counsel McCarron stated on Special Article 13, noted typos to be changed and discussion ensued about any changes to be made. Included a new draft with all the quantum of motions for the vote, basically all majority votes except for anything from capitalization stabilization fund, which would require 2/3, both in Special and Annual, and that Special Town Meeting Article 7, requires a 9/10 vote. Further discussion ensued on this topic and Town Counsel McCarron went over several Articles with questions to be answered regarding Water Commission rates, etc. Also stated with regard to the vote for Cortland Lane, so long as no appropriation, only a majority vote is necessary to grant the Board the power of eminent domain.

Question was asked regarding how it would work if there was rain on the Town Meeting date and Town Counsel McCarron explained how that would work.

L. Review of Draft FY22 Harbormaster Services MOU with Salisbury:

Chairman Archibald updated this topic. (See Exhibit L, pages 76 through 83 for information) Town Manager Jennings stated the price is good for the services provided and for a 3-year term, and further discussion was held on this topic.

TOWN MANAGER UPDATES

M. Approved Affordable Housing Consultant and Scope of Services:

Update by Town Manager Jennings. (See Exhibit M, pages 84 through 109 for information)
Issued an RFQ for Housing Consultant, received a couple of high-quality proposals, known entities by reputation, good proposals. Notified Lynne Sweet of LDS Consulting Group going to engage her firm. Good to have a vendor set up if get notice that one of the action units is being put up for sale since have a finite amount of time to respond. Further discussion ensued on this.

N. Library Transition to Limited Hours Open to the Public:

Update by Town Manager Jennings. (See Exhibit N pages 110 through 112 for information)
Stated new hours a good step towards normalization.

O. Update on Selection Process, Page School Playground Designer/Contractor:

Update by Town Manager Jennings. (See Exhibit O pages 113 through 114 for information)
Selection process, have received three proposals, interviews will take place on televised meetings on May 19th. Principal and parents' group will be there. Selected vendor will do presentation on their designs and represent at another televised meeting.

P. Updates on Other Active Projects/Initiatives:

Update by Town Manager Jennings. (See Exhibit P pages 115 through 120 for information)
Spoke with Town Counsel McCarron and Selectwoman Reed to give her a snapshot of things going forward in the next 6-8 weeks. Further questions and discussion ensued regarding ongoing projects, need for additional committees, etc.

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

(No discussion on this topic)

Motion was made by Selectman Parker to adjourn the meeting at 9:48 p.m. Seconded by Chairman Archibald.

Respectfully submitted,

Susan M. Lobie, Certified Electronic Transcriptionist
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Approved 3-0 by Select Board on July 12, 2021