



**Town of West Newbury
Board of Selectmen
Monday, June 28, 2021
381 Main Street, Town Office Building
www.wnewbury.org**

RECEIVED
TOWN CLERK
WEST NEWBURY, MA

2021 SEP 14 PM 3:13

Minutes of Meeting

Open Session: 7:10 p.m. by in-person attendance or 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: 930 0314 2222

Passcode: 253106

Or from computer, tablet, or smartphone:

<https://us06web.zoom.us/j/93003142222?pwd=U1JoaCswVXMrQ281QndES3hDZ3U2dz09>

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 7:10 p.m. by Select Board Chair, Richard Parker.

Participation at the Meeting:

- ❖ Select Board Members: Richard Parker, David Archibald and Wendy Reed
- ❖ Town Manager, Angus Jennings
- ❖ Town Clerk/Counsel & Procurement Officer, Michael McCarron
- ❖ Board of Library Trustees: Fred Chanania, Tom Salvo, Marcia Sellos-Maura, Laura Collins
- ❖ Peter Frazier, Abby Jeffers, Hilltop Securities, Inc.
- ❖ Kurt Umholtz, Lisa Forbush-Umholtz, 150 Middle Street
- ❖ Ann O'Sullivan
- ❖ Brad Dore, Harbor Committee
- ❖ Jonathan Silverstein, Timothy Zessin and Robin Stein, KP Law

Announcements:

- West Newbury Community Bandstand summer concert series is starting next Thursday, July 1, with the schedule being shown on the Town website. Every Thursday at the Bandstand, 6:00 to 8:00, rain or shine, through August 19th.
- 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 (instructions above)
- Reminder to subscribe for e-mailed Town news/announcements at <https://www.wnewbury.org/subscribe>

REGULAR AGENDA

A. Report on Changes to Open Meeting Law Following the Recission of COVID-19 Emergency Declaration:

Town Counsel McCarron updated on this topic. Stated that on June 16th, in accordance with Chapter 20 of the Acts of 2021, the Governor signed a bill stating that a committee can conduct business as they used to do before, in person, since the in-person restrictions at Annual Meetings have been lifted, meaning that the meetings can be open to the public and that the public can attend. Alternatively, they also have extended the permission for Boards to meet remotely provided that sufficient telecommunication access is available for the public to hear the meetings. He also stated that a third possibility is that you can do a hybrid, having remote access but also allowing in-person people at the same time. (See Exhibit A, pages 5 through 8 for information)

Discussion ensued on how the Select Board should run their meetings, as well as other boards and committees. Town Manager Jennings discussed the work that is ongoing to set up the meeting room to be adapted to conduct hybrid meetings and once the cost involved is determined, it will be presented to the Select Board.

B. Joint Meeting with Board of Library Trustees Regarding Requested Appointment of Laura Collins:

Fred Chania spoke regarding this topic. (See Exhibit B, pages 9 through 10 for information) Stated that with the Library Board members as well as the Select Board members have a quorum for the Special Joint Meeting.

Mr. Chania also stated that the Trustees voted unanimously to recommend to the Board that Laura Collins be appointed for the remainder of the term that Wendy Reed vacated because she was elected as a Select Board Member, to which she understands that the tenure will last until the next election, at which time, and if she decides to run for election, she would run for the remainder of that term.

Laura Collins stated that she's lived in West Newbury since 2015. She has two small children who use the library a lot and is looking forward to potentially representing the perspective of a young parent of small children on the Board of Trustees and is really excited to serve the Town in this way.

Motion made by Select Board Member Wendy Reed to appoint Laura Collins for the open position on the Board of Library Trustees. Seconded by Select Member Archibald.

Select Board Members - Yes 3, No 0

Library Board of Trustees Members - Yes 3, No 0

Town Counsel McCarron advised that the term is to run through FY23, and next year there will be the regular 3-year terms and one 1-year term and Select Board Member Parker added that at the next election in 2022, would have to run for the remaining 1-year term for that position.

C. Report from Tree Committee:

Fred Chanania provided a report on this topic. (See Exhibit C, page 11 for information) Stated that an electronic and hard-copy community-wide survey was conducted to find out what the Town would like them to prioritize. Stated that there were in excess of 100 replies, and they are in the process of sorting through the replies and doing an analysis of what the information that they got means, will put that together over the summer and report to the Select Board as well as making the results public.

Secondly, he stated that Rita Wollmering came up with an idea to create a tree nursery that would gather seeds from West Newbury native trees, raise the seedlings, then distribute them to the Town residents for planting. Information will be forthcoming since it's in the very early stages of the experiment.

Finally, on Saturday, July 10th at 8:00 a.m., the Tree Committee is sponsoring a tree walk, meeting at the Mill Pond parking lot, everybody is invited. Suggests bringing a guidebook and binoculars. It will take an hour and a half, walking on well-traveled paths.

Select Board Member Reed inquired as to the status of the emerald ash borer, especially if considering developing seedlings and distributing them, asking if the committee is working on that issue or if he has any comments. Mr. Chanania stated that had a community-wide conference call last year in August with experts, and stated that basically, at this point, there is no easy way to apply broad-scale remediation or prevention measures that can be offered on a Town-wide basis.

Stated that the natural history of this particular pest is such that it is much more insidious and harder to detect in its early infestation stages such as that with a gypsy moth where you can use aerial sprays or can find egg masses to remove. Stated that this species is a significant problem that's going to result in a lot of die-back. Has calls into the state person in charge of forest health to speak with her about whether there's any news for municipalities as to what can be done on a municipal or broader basis, but right now, the only feasible thing is removing dead trees and injecting with broad spectrum insecticide, which is expensive. Stated that there is information on the website regarding this.

Select Board Chair Parker inquired as to the possible location of the tree nursery, and Mr. Chananian stated that that's one of the issues, and as of now, it's in Rita's backyard in flats, so going to be talking over the summertime about the logistics and will come back to the Board and advise what they're thinking about since small seedlings need a significant amount of attention early on, somebody has to do that, needs to figure out who.

D. Approve Sale of \$1.1M Bond Anticipation Notes (BANs) for Water Projects; Sign Borrowing Paperwork:

Town Manager Jennings updated on this topic. (See Exhibit D, pages 12 through 20 for information) Stated has provided the form of the motion. Stated that the Town has undertaken two major capital improvements to the water infrastructure, i.e. water tank and chemical building, approved by Town Meeting, went out to bid, both came in above budget, shortfall being around \$1.1 million. Went back to Town Meeting in April of 2019 and got voter approval to issue an additional \$1.1 million with the stated purpose of those two projects.

Advice of financial advisors at Hilltop have stated that \$1.1 million in the grand scheme of things isn't a lot of money to borrow, that there are some transaction costs up front with Bond Council as well as annual costs and impact on staff time, but they feel the Town's interests will be better served, especially if a second borrowing is coming down the road, to combine the amounts because with a larger amount, the costs will be similar and get more favorable interest rates. So, combining the borrowing of the Soldiers & Sailors Building of approximately \$1.25 million in authorized borrowing, and combining everything into around \$2.25 million would be better for long-term borrowing. Town Manager Jennings further explained how this would work.

Abby Jeffers from Hilltop stated that the Bond Anticipation Note issue received a net interest cost of .049, so less than half a percent, so to add the other projects together, it's one of the lowest interest rates. Last year, borrowing was at .729%, so a great and efficient way to aggregate multiple projects together, and it's more cost effective to enter the bond market rather than the note market because bonds have additional costs not associated with notes. And under Mass General Law, are allowed to issue Bond Anticipation Notes for up to 10 years, so still have plenty of time to reevaluate as more projects come down to the road to see how all of the projects can be worked together and make a more sufficient bond issue. Further questions and discussion ensued from Select Board Members.

Motion made by Select Board Chair Parker to approve the sale of a \$1.1 million Bond Anticipation Note for water projects, as discussed, and pursuant to the motion dated June 28, 2021. Seconded by Select Board Member Reed.

Town Manager Jennings asked that Hilltop summarize the results of the interest rate that was awarded, the other bids that were received, as well as the process that they went through in recommending Piper Sandler & Co. Mr. Frazier stated that what the Select Board is considering is perfectly okay to make a vote by reference. Want the Bond Council's form of vote in front of them entered into the minutes. Mr. Frazier further explained the course of how they came to the decision provided to the Select Board.

Yes 3, No 0

E. Discussion of Ch. 61A Right of First Refusal for Graf Property (Middle Street at Kimball Road):

Select Board Chair Parker updated on this topic. (See Exhibit E, pages 21 through 39 for information) Stated that the property is set up to be divided into three building lots. The Town has the right of first refusal because it's been in the Chapter 61A program. Stated that the sale price for the three lots is \$1.105 million. Knows that a number of abutters are present who would like to weigh in on this.

Kurt Umholtz, 150 Middle Street stated that when the potential for the property was offered, they took an interest in it. It's one of the reasons why they moved where they are now, which is adjacent to it, which is a picturesque area, and people come by from all over town since it's an iconic feature.

Stated it was on the Open Space Committee's list of desirable properties in their 2016 study. Looked into purchasing but ran up against the sticker price. Stated that there's a limited number of open fields that remain, that they've talked to Greenbelt as well as a number of Town Boards in terms of paying for it. Greenbelt said it doesn't fit the model, best case would be to raise money similar to Brown Spring Farm.

Town Manager Jennings stated that heard back from the Planning Board, the Open Space Committee, and the Board of Assessors, all responses are in the meeting packet. Select Board Member Reed stated that the Planning Board voted to not recommend exercising right of first refusal, the Board of Assessors declined to vote, and the Open Space Committee also voted to suggested to decline right of first refusal. Further discussion ensued on this topic between the Select Board and abutters present at the meeting, with abutters explaining the layout of the parcel, including unbuildable portions.

Lisa Forbush-Umholtz, 150 Middle Street stated that this is an opportunity that the Town has and provided her opinion regarding past areas that the Town has purchased and how other people in Town feel about the parcel, and the feeling of living in a rural community, and residents might not feel they should pay taxes that they now pay to live in this community.

Ann O'Sullivan stated that sometimes the Board needs to have a vision that's not realized yet, sometimes need to take a leap of faith that maybe something in the future will happen with this property and pieces will start to fall into place. Knows that money is a big issue and that the Open Space Committee isn't supporting it, so it's an uphill battle.

Mr. Umholtz further stated that if you look at the opportunity to do this, even if there are other places in town that fall into this category, if you don't do this one, you're saying that you're not going to do any of them, not the thing that you can do because that's the going rate, what attractive frontage costs in town are, and as a town are we giving up on this concept.

Select Board Chair Parker stated don't have to make a decision tonight. Town Manager Jennings asked Town Counsel McCarron to summarize the process and timeframe, to which he explained that the legislation extended the time to act under the right of first refusal during this COVID period, which ended, so the 120-day time clock begins ticking on June 15th.

Select Board Member Archibald stated that the Town has a lot of things that they'd like to do and there are other things that the Town needs to do, explaining that the Town needs water and possibility of purchasing a parcel of land for a well and low-income housing. Everyone stays in their lane, but we have to balance all lanes and these balances are not easy decision. Select Board Chair Parker stated that everything is a trade-off and losing this field is a trend to suburbanization. Mr. Umholtz stated that let's narrow the focus to trade-offs in the realm of the CPC, other possible uses of CPA funding. This topic will be continued to July 26th meeting.

F. Proposed FY22 Committee Appointments/Reappointments:

Town Manager Jennings updated on this topic. (See Exhibit F, pages 40 through 52 for information) Stated there was an error on the original submission, and for the following individuals, would recommend changing the date of appointment through 6/30/2024, as listed on page 40 of the packet. New submission will be come part of the record, document revised with red marker.

Motion made by Select Board Chair Parker to appoint and reappoint committee members to the Cable Advisory Committee, Climate Change Resiliency Committee, Council on Aging, Energy & Sustainability Committee, Finance Committee, Harbor Committee, Library Board of Trustees, Open Space Committee, River Access Committee, Tree Committee, Veteran's Grave Officer, and West Newbury rep to the Eastern District Veteran's Affairs. Seconded by Select Board Member Reed.

Yes 3, No 0

Select Board Chair Parker stated that as of July 1st, there will be one opening on the Finance Committee, and as of July 15th, there will be another opening on the Finance Committee, and one opening on the Conservation Commission, so if anybody would like to serve, submit your interest on the Town website to the Town Manager.

G. Review of Town Building Access Protocols/Whether Masking Will Continue to be Required in Common Areas:

Select Board Chair Parker updated on this topic. (See Exhibit G, pages 53 through 61 for information) Stated there was a survey sent out to Town staff, five responses, people who said that would be more comfortable if mask wearing continued, three responded they were okay with not wearing masks, four who said they were fine either way.

Select Board Member Reed stated that based on the feedback, should leave it as-is and cater to those most concerned, based on employee responses, and should err on the side of being conservative out of respect for the employees. Fred Chanania spoke on behalf of the Library Board, stating the issue came up at the last meeting, and seems to be a different sentiment in the library staff, who were willing to not have a mask requirement, and also was discussion about whether there should be special consideration for the Children's Room because of the issue of children not being vaccinated under a given age. They deferred action until they heard what the Select Board was going to do, and then at next meeting, will want to consider what to do with the library.

Select Board Member Archibald stated that he got thrown for a loop by reading what the WHO said about this topic, where in Israel, a lot of vaccinated people have gotten sick with the delta variant, but not as seriously, and he doesn't see a big issue with having people require masks in common spaces. Mr. Chania inquired as to whether this is only for Town offices and not the library, and he was informed that it was only Town offices.

Motion made by Select Board Chair Parker to keep the current protocols in place and revisit the topic on July 26th meeting. Seconded by Select Board Member Reed.

Yes 3, No 0

H. FY22 Personnel Reappointments:

Select Board Chair Parker updated on this topic. (See Exhibit H, pages 62 through 63 for information) Stated most people are Town employees with some exceptions, all listed in the packet, including emergency management personnel. Town Manager Jennings stated that at some point, emergency management personnel should be invited for a presentation regarding responsibilities of emergency management personnel in the Town.

Motion made by Select Board Member Archibald to approve all appointments and reappointments. Seconded by Select Board Chair Parker.

Yes 3, No 0

I. Discussion of Mooring Field Feasibility Study, Brad Dore, Harbor Committee:

Brad Dore, 17 River Road, Chairperson of the Harbor Committee provided information on this topic. (See Exhibit I, pages 64 through 90 for information) Started looking at what their responsibilities as the Harbor Committee were considering since there's a big swath of river that's within our community but, as a Town, don't have a lot of access, only a couple different access points, none are well developed.

With regards to being able to access the river, stated that if you own land abutting the river, you're allowed to install a mooring after going through the permitting process, but a number of moorings have started to pop up, so considering starting to put boundaries on that and make the process more formalized so it doesn't just happen. Looked at possible locations to access the river, funded an initial study, GZA looked at some potential layouts, looked at all options, some expensive, and finally decided on the smaller option on a Town parcel, and decided that the next step would be to do a bathymetric survey to make sure that the depths comport back to some of the data provided by the Army Corp of Engineers.

Asking today for the Town to fund the second phase, with the bathymetric study costing \$26,500, with an additional \$50,000 possible to develop O&M costs, which could be funded by mooring fees, and explained how they plan to move forward with their plan. Questions by Select Board members ensued regarding standards, who would be responsible for the mooring upkeep and maintenance, design, access points, restricting Town property from non-residents, with Mr. Dore providing answers, and finally stating that they're sticking with a very basic proposal to control and manage the growth of the moorings since they don't want to encourage informal access to the river.

Town Manager Jennings stated that if there is interest and if the goal is the fall, question is whether to pursue CPA funding. Select Board Chair Parker stated that if it's to be funded by CPC, there's a July 6 deadline for CPC proposals. Town Manager Jennings stated that the deadline was a preview concept and suggested that they start working on the application paperwork.

J. Review Proposal from KP Law to Provide General Counsel Services Effective July 30, 2021:

Town Counsel Jennings updated on this topic. (See Exhibit J, pages 91 through 99 for information) Stated that are joined viz Zoom by lead attorney, Timothy Zessin, Robin Stein, who would be the land use counsel, and Jonathan Silverstein, who is a management partner within the firm. With Town Counsel McCarron retiring at the end of July, they have invited a proposal from KP Law who has been providing services for the last couple of years, and now to provide general counsel services.

Select Board Chair Parker inquired what communities they represent and if they have competing interests. Jonathan Silverstein explained that while that does happen from time-to-time, more often than not, typically, business terms are agreed between two towns and they're engaged to memorialize the terms once they're agreed-upon, and that this has only happened 5 or 6 times in 26 years. He also stated that if there's a legal dispute, they don't feel they can represent either, or would refer them to other municipal attorneys. Also stated that they do very little private sector representation, the potential conflicts that arise out of representing private clients against municipalities is much more frequent, and they don't do that, which minimizes the risk.

Town Manager Jennings asked that since there are viewers from home who haven't worked with KP Law, if they would give an overview of their approach to this particular contract, especially moving from in-house counsel to contracted counsel, how would the level of service be replicated. Timothy Zessin stated has worked with Town Manager Jennings and the Select Board over the last several years on personnel and labor employment matters, further explaining that should an agreement be entered into, he would be serving as the lead attorney specializing in the same matters that he's been helping the Town in up to this point, general municipal matters, labor and employment, personnel, HR related matters, and Robin Stein would serve as the back-up, dealing with land use and real estate questions.

Further stated that the Town to this point has been fortunate to have in-house counsel in Attorney McCarron, and going to outside counsel will definitely be a change in the way that legal services are obtained and in the model of service delivery, but they pride themselves on their level of service and availability at all hours of the day, in addition to a host of 40 other attorneys that specialize in specific areas who would be available.

Discussion ensued with Select Board members asking questions and Mr. Zessin providing answers to questions such as size of communities that they work with, cost effectiveness of outside counsel versus in-house counsel and orders of magnitude. Mr. Silverstein added that something that helps with cost containment is the fact that they have in-house every area of municipal expertise so it limits the need for outside counsel and the Town gets the benefit of

that experience and using them as in-house counsel wouldn't increase costs much. Mr. Zessin added that within the last year and half have issued over a dozen COVID and pandemic related e-updates that is sent to all of their clients at no extra cost, which is a built-in benefit of the relationship and something that they pride themselves at being at the forefront of.

Select Board Member Reed inquired as to what part of the budget that this would pertain to and Town Manager Jennings explained the process of how this works and discussion ensued further on this topic.

Motion made by Select Board Chair Parker to appoint KP Law as to act as municipal counsel for West Newbury for the period beginning August 1, 2021 through the end of FY22 or June 30, 2022. Seconded by Select Board Member Reed.

Yes 3, No 0

K. Update on Potential Extension of Learning Tree Lease:

Wayne Amaral, DPW, updated on this topic. (See Exhibit K, pages 100 through 114 for information) Stated Kelly agreed didn't take care of the small amount of mowing in the play area and discussion ensued on this topic. Select Board Member Reed stated that she would like to revisit this in a year.

Motion made by Select Board Member Reed to extend the lease for one year with no increase in rent and DPW supplying its mowing equipment for the lessee to take care of the property. Seconded by Select Board Member Archibald.

Yes 1, No 2 (Parker and Archibald opposed)

Select Board Member Archibald stated that he doesn't want to deal with it again in a year. Further discussion ensued on this topic, with Town Manager Jennings stating that his suggestion would be one or two years, three years being too long, especially with investment into the building for painting, etc.

Motion made by Select Board Chair Parker to extend the lease for two years. Seconded by Select Board Member Archibald.

Yes 2, No 1 (Reed opposed)

L. Review of Construction Documents, Soldiers & Sailors Building:

Town Manager Jennings updated on this topic. (See Exhibit L, pages 115 through 117 for information) Architects are running about a week late, so don't have the construction documents in-hand yet, but as soon as he receives them, he will send them along. Still working towards the schedule, but in the meantime, one of the big items that still needs to be squared away is what exactly is Cottage Advisors going to do regarding the exterior work, and he also provided insight as to the history of the project and what the next steps going forward are going to be, and further questions and discussion ensued on this topic.

M. Review of Draft Middle Street Bridge Documents Prior to Submittal for MassDOT for Chapter 85 Review:

Town Manager Jennings updated on this topic. (See Exhibit M, pages 118 through 119 for information) Stated that might want to table this topic to the next meeting since there will be a presentation at the next meeting. Wayne Amaral provided an update as to what has been happening with regards to this project and discussion ensued on this topic with Town Manager Jennings providing a timeline of what the next steps are going to be.

N. Review of Proposal from BSC Group Regarding Evaluation of Potential to Repair (Rather than Replace) Middle Street Bridge:

Select Board Chair Parker updated on this topic. (See Exhibit N, pages 120 through 124 for information) Stated that he feels the amount is more significant than previously thought, but that they feel it necessary to do a very thorough review and also have a number of very good points in their proposal about things that would need to be verified, and the costs to do that work could be extrapolated. Select Board Member Reed asked if a use limitation should be a part of the analysis and Town Manager Jennings and Wayne Amaral provided answers to this question, explaining weight limits, volume of trucks, etc. Town Manager Jennings and Wayne Amaral also explained the contractor's rationale regarding the increased pricing and explanation for such and further discussion ensued on this topic. Select Board Chair Parker offered to sit in on a call with the contractor for discussion, as well as other Board members.

O. Correspondence from Planning Board Regarding Proposed Creation of an Affordable Housing Trust Fund:

Select Board Chair Parker updated on this topic. (See Exhibit O, pages 125 through 134 for information) Stated that the Planning Board feels that it's a good idea to move ahead with setting up an Affordable Housing Trust Fund, and stated that there are a lot of people who are interested in getting involved with this at some point when the Trust is set up, and decided at the last meeting to proceed with that, so what are the next steps.

Town Manager Jennings stated next step is to reach out to Lynn Sweet to set up a call to give her a much more of qualitative understanding and background of West Newbury with housing since she's only been working on the technical side of things, in order to be able to bring up the Trust in the Fall Town Meeting and explaining what the Trust can do in order to obtain Town support. Further discussion ensued on this topic.

P. Discussion of Proposed Policy Regarding Climate Road Map (Continued from 6/14):

Select Board Chair Parker updated on this topic. (See Exhibit P, pages 135 through 138 for information) Stated had sent Town Manager Jennings a document with proposed wording that was sent out to other boards and committees, receiving only two responses, one from Wayne Amaral and another from a member of Fin Com. The intent was not to tie people's arms behind their back but to begin to make a transition away from our use of fossil fuels, and his hope is that there was adequate objective wiggle room so that if there wasn't a good alternative, that just had to be demonstrated. Further discussion ensued on this topic such as what should be done with batteries and recycling of same.

Select Board Member Reed suggested establishing an advisory group to evaluate and find out what's viable and economically practical. Town Manager Jennings stated that perhaps a capital asset list could be circulated to figure out what items are being suggested to be replaced and what several departments that would be affected would respond and further discussion ensued on this topic with Wayne Amaral offering his insight on this topic.

Select Board Chair Parker also stated that perhaps MVPC could apply for and administer a DOER grant regarding greenhouse gas inventory, a \$3,000 grant, and would work with MCVP and their consultant, John Snow, to do an initial greenhouse gas inventory for the community. Stated it's two years to complete the grant, Town staff will be providing data from our excise tax listing of vehicles and information from the Assessing Department on number and size of residences in town. Would only need a Memorandum of Understanding from MVPC that they're applying for this for us. Select Board Member Archibald feels that we should see the application beforehand, but Select Board Member Parker stated that the deadline is July 9th.

Motion made by Select Board Chair Parker to authorize MVPC to apply for a DOER grant for development of greenhouse gas issue. Seconded by Select Board Member Reed.

Yes 2, No 0 (Archibald abstained)

Q. Review of Proposed Policy Regarding Use of Portable Electronic Signs:

DPW Director Amaral updated on this topic. (See Exhibit Q, pages 139 through 141 for information) Stated that the signs are very helpful, especially for COVID clinics, etc. Further discussion ensued on this topic, such as use of the signs for public safety issues and length of time that the sign is in use, including suggestions being made to the draft policy.

R. Proposed FY22 Holiday Recognition Dates, Including Discussion of Whether to Add New Federal Holiday, Juneteenth:

Town Manager Jennings updated on this topic. (See Exhibit R, pages 142 through 148 for information)

Motion made by Select Board Chair Parker to recognize Juneteenth in future years. Seconded by Select Board Member Reed.

Regarding Juneteenth, Select Board Member Archibald inquired as to how it's going to work, before, after, on the day, etc. and discussion ensued on this topic and Town Manager Jennings explained the process for making such a change as well as the ins and outs of problems created with the personnel policy.

(Motion withdrawn by Select Board Chair Parker to move vote to August meeting to allow for further research)

S. Discussion of Process/Timeline for Select Board Completion of Town Manager Evaluation:

Select Board Chair Parker updated on this topic. (See Exhibit S, pages 149 through 155 for information) Select Board Member Reed inquired as to whether this review should be from the last review to current or just FY21 since are behind in evaluations. Select Board Chair Parker stated that should be the most current year, which would narrow the scope a bit.

Select Board Member Reed also inquired as to whether just looking at the performance as Town Manager or in comparison to the previous Finance Director position, and how do you distinguish between the change in organization and what is being evaluated. Town Manager Jennings explained how the staffing hasn't changed since his hiring and that his job and daily workload involves much more than the previous position entailed. Further discussion ensued on this topic.

Select Board Member Archibald stated that in general, he doesn't see how you can determine members of the public who should be picked, that it's going to be anonymous and voluntary would create a setup to get negative responses and having no incentive for people to say positive things, whereas evaluations are done by a supervisor talking one-on-one with the person allowing for give and take, and this is anonymous, possibly having way too many people involved and the information is no good if you don't know where it's coming from.

Select Member Reed thinks it's a great avenue for positive feedback, and perhaps could do a Board evaluation then a 360-model next year. Further discussion ensued on this topic. It was decided to have the Board do an evaluation.

(The following was unforeseen at the time agenda was posted -supplemental packet material was provided to the Board)

Select Board Chair Parker inquired of Town Manager Jennings about an e-mail he had sent out earlier that day proposing a revision to the approved FY22 per-employee wage schedule. The increase above COLA for the Water Department Administrative Assistant was carried in the budget but due to an oversight was not included on the wage schedule previously approved. Discussion ensued on this topic.

Motion made by Select Board Chair Parker to revise the FY22 wage rate for the Water Administrative Assistant from \$25.73 an hour to \$26.76 an hour. Seconded by Select Board Member Archibald.

Yes 3, No 0

T. Discussion of Select Board Meeting Length and Frequency:

Select Board Chair Parker updated on this topic. (See Exhibit T, page 156 for information) Discussed a consent agenda, items which could be combined into one agenda item, one motion. Further discussion ensued on this topic, including reducing the amount of meetings in order to save time for Town Manager Jennings' office in putting together the agendas and packets for the meetings which is extremely involved and timely.

U. Discussion of Status of Town-Wide Comprehensive Plan:

Select Board Chair Parker updated on this topic. (See Exhibit U, page 157 for information) Stated people think it's something should proceed with at some point but it's not a simple process. Further discussion ensued on this topic.

V. Meeting Minutes: May 10, 2021, April 26, 2021:

(See Exhibit V, pages 158 through 176 for information)

Select Board Member Reed inquired as to possible typos in minutes. No vote until possible changes and corrections made.

TOWN MANAGER UPDATES

W. Update Regarding Joint Legal Representation to Work with Merrimac on MOU to Advertise for Shared Conservation Agent:

Town Manager Jennings updated on this topic. (See Exhibit W, pages 177 through 182 for information) Stated since the Board's vote two weeks ago to authorize joint legal representation with Merrimac on an MOU to shared Conservation Agent, last week the Merrimac Select Board voted the same motion, so the next step is to get an MOU in place, but doesn't yet have a draft. Further discussion ensued on this topic with Town Manager Jennings answering questions posed by the Select Board members regarding getting the job posted, etc.

X. Review of DPW Director Mowing Plan for Town Owned Natural Fields:

Select Board Chair Parker inquired to DPW Director Amaral regarding this topic. (See Exhibit X, pages 183 through 187 for information) Inquired as to invasive plants coming into the fields and perhaps a strategy could be implemented for different fields. DPW Director stated that he feels that they're close to having a workable schedule to handle all fields. Further discussion and questions ensued on this topic.

Y. Update on Filing for American Recovery Act Plan (ARPA) Funding:

Town Manager Jennings stated he's planning on filing something within the state within the next day and a half basically renewing our claim on the funds which owed West Newbury in the amount of \$493,408, explaining the process involved and answering questions of Select Board members.

Z. Acknowledge Submittal of Municipal Vulnerability Preparedness FY21 Annual Report:

(See Exhibit Z, pages 188 through 191 for information) (No discussion on this topic)

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

(No discussion on this topic)

Select Board Member Reed wanted to discuss topics that came up on the Select Board e-mail which she needs guidance on, mailbox damaged by a plow in 2018 and inquiry from people living on the other side of the parking lot where the senior live, have concerns about the band parking there, grounds not being maintained, dumpsters overflowing. Town Manager Jennings stated that it's his job to handle those things and would appreciate that being forwarded to him so that he could handle those things.

**Motion was made by Select Board Chair Parker to adjourn the meeting at 11:58 p.m.
Seconded by Select Board Member Archibald.**

Respectfully submitted,

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Approved as amended 3-0 by Select Board on 9-7-2021