



**Town of West Newbury**  
**Select Board**  
**Monday, January 9, 2023 @ 7:00pm**  
381 Main Street, Town Office Building  
[www.wnewbury.org](http://www.wnewbury.org)  
**Open Session Meeting Minutes**

**Open Session:** Open session was called to order at 7:14pm by Chairperson Archibald

**Participation at the Meeting:**

David Archibald, Richard Parker, and Wendy Reed; *Select Board Members*  
Angus Jennings, *Town Manager*  
James Blatchford, *Town Clerk*  
Deb Hamilton, *Vice Chairperson of the Essex County Trail Association*  
Carol Lloyd, *Essex County Trail Association*  
Sue Brown, *Town Planner*  
Vanessa Johnson-Hall, *Greenbelt Director of the Land Conservation Division*

**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; See agenda for details; <https://www.youtube.com/watch?v=Z9JM-Vr4emU>
- Select Board to vote to close warrant for Spring Annual and Special Town Meetings on Monday, February 6<sup>th</sup>
- Town awarded \$32,000 Green Communities Action Grant for improvement to HVAC controls in SAGE Center and Town Annex!
- SAGE Center Lunch & Learn, Thursday, January 12<sup>th</sup> from 11:30am-1pm: Merrimack Valley public transportation options. Suggested donation: \$5
- SAGE Center News: Jan/Feb 2023. Many upcoming events incl. Games & Puzzles, luncheons, exercise & yoga classes, wellness checks (Jan 10 and Feb 14), Coffee & Conversation, Veterans' Agent hours, Sen. Tarr hours etc. Full details in current newsletter and available on Town website [www.wnewbury.org/senior-center/newsletters](http://www.wnewbury.org/senior-center/newsletters)
- Call for volunteers! Open positions on Boards/Commissions/Committees. See [www.wnewbury.org/volunteer](http://www.wnewbury.org/volunteer)
- Reminder to subscribe for emailed Town agendas/news/announcements at [www.wnewbury.org/subscribe](http://www.wnewbury.org/subscribe)
- West Newbury's Bond rating was upgraded to the highest rating of AAA by Moody's

**Regular Business**

**A. Request for one-day liquor license, Northeast Equine Rescue League: Sat., Jan 14<sup>th</sup>, Town Annex**

This item was passed over with no action as the application had been withdrawn (see exhibit A page 15 for details).

**B. Request for Special Event Permit: Canicross "Tails for the Trails" 5K event, Sat., March 25<sup>th</sup> from 8am-1pm, Pipestave/Mill Pond/Dunn property**

Deb Hamilton, Board Member and Vice Chairperson of the Essex County Trail Association, appeared before the Select Board in person for this request (see exhibit B pages 16-23 for details). Hamilton described the Canicross event as an opportunity for community members complete a trail run similar to the cross country route, with a dog attached to the run with a harness and bungee cord. As this would be a new event for the community, Hamilton anticipated no more that 50 people to attend/participate, portable toilets would be present on the grounds, and stated there would be low impact on the trails that would be used. Carol Lloyd appeared before the Select Board remotely and the planned trail route of the event would avoid the wooded paths and remain on the grass and gravel areas. Jennings, Hamilton, and Lloyd discussed the acknowledgement forms and waivers that would be completed at the time of registration to ensure the Town would not be held liable if an injury was to occur. **Reed made a motion to approve the request for use of facilities for the ECTA Canicross event on March 25, 2023. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

**C. Proposed MBTA Communities Interim Compliance Action Plan – Sue Brown, Town Planner**

Archibald gave a brief overview of the legislation requirements for MBTA Communities and stated that West Newbury would be required to submit housing district plan that could accommodate the construction of 87 units. Archibald stated that the plan would need to be brought before Town Meeting and submitted to the Commonwealth, and that failure to submit a plan would result in the town losing eligibility for state grant funding. Sue Brown, Town Planner, appeared before the Select Board remotely and stated the interim compliance action plan was the next step for the town to take to remain in compliance (see exhibit C pages 24-37 for details). Brown stated the plan would not obligate the Town to take action on the plan set forth, but it would act as a sign of good faith of the steps the Town was anticipated to take. Brown discussed the state online questionnaire and stated the draft action plan was due by January 31, 2023. Brown stated the Planning Board had reviewed the draft and had accepted it as written, and was seeking endorsement from the Select

Board before submission to the state. Brown informed the Select Board the Town would need to be in full compliance by December 2025. The objective was to propose the housing district plan at the 2024 Annual Town Meeting where in the event it did not pass, the Town could make necessary changes in time for the 2025 Annual Town Meeting. It was stated that a simple majority would be needed to approve the plan at Town Meeting. The Select Board, Jennings, and Brown discussed the importance of robust public engagement and broad community support in order to get the plan right. Brown stated the consultant would be relied on heavily to create a community engagement plan. Discussion continued surrounding the consequences that would affect everyone in Town if they did not stay in compliance and the need to inform the voters as much as possible. **Parker made a motion to endorse the plan as presented and authorize the Town Manager to sign and submit. Reed seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

**D. Review/endorsement of proposal to CPC, with Greenbelt, for funding to support “Sawmill Brook Conservation Project” including acquisition of property on Poorhouse Lane (Map R14, Lots 30 and 30F)**

Archibald briefly reviewed that the Sawmill Brook Conservation Project involved the possible acquisition of approximately 32 acres of land, for conservation, that bordered Mill Pond off of Poorhouse Lane (see exhibit D pages 38-54 for details). Vanessa Johnson-Hall, Greenbelt Director of the Land Conservation Division, appeared before the Select Board in person and stated the proposed land acquisition would connect Mill Pond acreage to the conservation land set aside from the Deer Run development on the western side. Johnson-Hall stated that Greenbelt would work with the Town to apply for the state grants and that due to the competitive nature of the grant, Greenbelt had advised the town to authorize up to \$350,000 of CPA funds to be used towards the acquisition. The remaining portion of \$750,000 would be fundraised by Greenbelt private fundraising and state grant funds. It was stated the Conservation Commission had voted in support and agreed to maintain care, custody, and control of the land after acquisition and that CPC was scheduled to review the application at the January 19<sup>th</sup> meeting. **Reed made a motion to support the application for Sawmill Brook Conservation Project. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

**E. Review of updated draft Wage/Classification study; consideration of Board endorsement of final report**

Jennings stated the Wage Study had been completed and all non-union positions had been placed on a Classification/grade schedule with established wage ranges comparable to neighboring communities of the Commonwealth (see exhibit E pages 55-79 for details). Jennings requested Select Board endorsement of the completed report as it contained the salary survey and staffing structure of different communities. **Parker made a motion to accept the wage/classification compensation study. Reed seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

**F. Correspondence to Towns of Groveland, Merrimac and to Pentucket Regional School District (PRSD) Administration with suggested amendments to PRSD Regional Agreement**

Jennings stated responses had not yet been received from the other towns concerning the suggested amendments to the PRSD Agreement (see exhibit F pages 80-93 for details). Archibald stated it would take some time for each of the boards to receive and review the document. Archibald explained that the suggested amendments had been sent to Merrimac and Groveland in an effort for each town to be able to vote at their respective Annual Town Meetings if the towns were in agreeance. Jennings stated that Merrimac and Groveland Town Warrants closed in March and a placeholder could remain on the warrant until they received responses. Archibald stated if a consensus could not be reached in time for the Annual Town Meeting this item would need to wait until the 2024 Annual Town Meeting. **No motion was made at this time.**

**G. Preview of January 24<sup>th</sup> 6pm School Committee meeting regarding FY24 budgeting**

Archibald stated a tri-town meeting with the School Committee, Select Boards, and Finance Committees of the three Pentucket communities regarding the FY24 budget would take place January 24, 2023 (see exhibit G pages 94-95 for details). Jennings stated the Governor’s budget would not be known at the time of the meeting, but known costs in budgeting would be discussed at that time. Parker suggested the boards of the Pentucket community draft letters to the Governor’s Office highlighting the impact that less school funding would have on the quality of education delivered. The Select Board members agreed and Archibald volunteered to draft the letter from the West Newbury Select Board. **No motion was made at this time.**

**H. Request for consent for KP Law to represent Whittier Tech, and for determination that no conflict of interest arises from dual representation of Whittier Tech and the Town of West Newbury**

The Select Board discussed the correspondence received from KP Law that disclosed Whittier Regional Vocational Technical High School’s intention of retaining the firm as Special Counsel (see exhibit H pages 96-99 for details). The Select Board reviewed that a number of neighboring communities who had a student population attend the school were also represented by KP Law. After further discussion, the Select Board agreed conflicts of interest were not foreseen if KP Law represented the School District as Special Counsel. **Parker made a motion to sign the letter with the determination that the Town consents to KP Law**

representing Whittier School District as well as West Newbury. Reed seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).

**I. Review proposed updates to Select Board meeting schedule**

The Select Board reviewed the upcoming Select Board meeting dates and discussed known items that would be addressed across the next few meetings (see exhibit I page 100-101 for details). It was decided not to modify the meeting schedule at that time. **No motion was made at this time.**

**J. Meeting minutes: November 21, 2022; December 5, 2022; December 12, 2022**

See exhibit J pages 102-108 for details). **Parker made a motion to accept the meeting minutes for November 21, 2022, December 5, 2022, and December 12, 2022. Reed seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

**Town Manager Updates**

**K. FY24 budget and capital planning calendar and packet**

Reed asked, referring to the *Salary and Wage Worksheet* section under the Town Manager Budget Guidelines, if staff rate increases would wait until the implementation of performance evaluations (see exhibit K pages 109-119 for details). Jennings stated the belief that it would and explained that the language used within the FY24 Budget Policy Direction was the same language included in the past. Jennings emphasized that article request forms were the expectation for all proposed article this year. The Select Board discussed attending upcoming Finance Committee meetings. Jennings stated the meetings would take place every Wednesday from February 15<sup>th</sup>- March 22<sup>nd</sup> at 6pm. **No motion was made at this time.**

**L. Updates re active/pending projects**

Jennings this topic was informational to apprise the Select Board of the status of projects within the Town (see exhibit L pages 120-135 for details). The Select Board and Jennings discussed the Middle Street Bridge 401 verification and the need to seek renewals for previously issued permits as they were set to expire in April. Archibald suggested contacting the state to request an extension of the grant through the next year. Jennings discussed the need for tangible documents from the City of Newburyport in the form of a intermunicipal agreement and documented funding in the FY24 Capital Program for the Middle Street Bridge Project. Jennings stated those items would be helpful in the extension of the grant. Parker suggested enlisting help from the newly appointed State Representatives for West Newbury and Newburyport.

The Select Board and Jennings discussed the traffic safety law signed by Governor Baker that would improve the ability of the Town to request changes with speed limits and the addition of crosswalks on state roads. Archibald stated a petition to the Department of Transportation would be needed but the Town's ability to pursue changes would be increased. The Select Board discussed specific streets within the town where a reduced speed limit could increase the safety of community members. **No motion was made at this time.**

**M. Follow-up from ratings review by Moody's**

Jennings stated that Moody's had upgraded the town's bond rating from Aa2 to AAA, the highest rating, and the town now held the highest rating in both Standard & Poor's and Moody's (see exhibit M pages 136-140 for details). **No motion was made at this time.**

**N. Follow up meeting assignment; placing items for future agendas**

**Archibald made a motion to adjourn. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain). Open session adjourned at 9:13pm.**