



Town of West Newbury
Board of Selectmen
Monday, July 26, 2021
381 Main Street, Town Office Building
www.wnewbury.org

RECEIVED
TOWN CLERK
WEST NEWBURY, MA
2021 OCT 19 AM 11:58

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: 835 3362 6605

Passcode: 609014

Or from computer, tablet, or smartphone:

<https://us06web.zoom.us/j/83533626605?pwd=dWJrWGdHbzOzWStHb3RGUUpUNTlVGZz09>

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
- ❖ Kayleigh Delibac, August Kowski (Regarding C(a))
- ❖ DPW Director Amaral
- ❖ Police Chief Durand
- ❖ Steve Spanger
- ❖ Jim Blatchford
- ❖ Kurt Umholtz, Lisa Forbush-Umholtz

- ❖ Sheri Chandler, Middle Street resident
- ❖ Ellen Alden
- ❖ Jen Wright, Mike Morris
- ❖ Richard and Cathy Withington
- ❖ Ryan Goodwin, Mill Pond Committee

Announcements:

- State Budget funding authorization for safety audit of Rte. 113/Pipestave/Page School Intersection (See page 3 for information through 4 for information)
- Congratulatory well wishes to outgoing Town Clerk/Counsel Mike McCarron, Wednesday, July 28th, 4:00 to 6:00 p.m., Annex (See page 5 for information)
- Summer Concert Series: Thursdays, 6:30 to 8:00 p.m. at the Bandstand (rain or shine). More details on the Town website.
- Upcoming town-wide mailer from Assessors to residents regarding tax exemption programs. (See pages 6 through 13 for information)
- 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.
- Reminder to subscribe, e-mailed Town news/announcements <https://www.wnewbury.org/subscribe>

REGULAR AGENDA

A. Requests for Placement of Temporary Roadside Signs:

- a) Cultural Council (See Exhibit A, page 14 for information)
- b) West Newbury Youth League

Select Board Chair Parker stated that the Cultural Council, in the previous meeting, was allowing two two-week periods at their selection, together or separated, and also allowing for five locations where there are no plantings, Pipestave, Page School, Bachelor Street, strip of land between Farm Lane and the high school, Bridge/Church Street traffic island. Further discussion ensued on this topic.

Motion made by Select Board Member Reed to allow the Cultural Council to place temporary road signs for two two-week periods, as discussed. Seconded by Select Board Member Archibald.

Yes 3, No 0

With regard to the West Newbury Youth League requesting the same type of request as the Cultural Council.

Motion made by Select Board Member Reed to approve the Youth League's request to post signs at the five locations already mentioned, for the two two-week periods. Seconded by Select Board Member Archibald.

Yes 3, No 0

B. Proposed FY22 Committee Appointments/Reappointments:

Select Board Chair Parker updated on this topic. (See Exhibit B, pages 15 through 16 for information) Stated that requests for tonight are for Heather Karp for Cultural Council for a three-year position through June 30, 2024, Margaret "Peggy" Dunlap for the Historic District Commission for three years, through June 30, 2024, and Ryan Goodwin for the Personnel Advisory Committee for a one-year position through June 30, 2022.

Motion made by Select Board Member Archibald to approve the nominees stated. Seconded by Select Board Member Reed.

Yes 3, No 0

C. Requests for Special Events Permits:

- a) Request for Use of Dunn Property for wedding ceremony, August 28 (See Exhibit Ca, pages 17 through 23 for information)

Select Board Chair Parker stated that this is something new, hasn't been considered before, and sounds interesting, but we also have to consider the implications for the Town on a broader basis than this single event. Went over the details of the event. Stated that concerns are that they are hoping the fields will be mowed, which is not on the current Town mowing schedule, the DPW is already understaffed and has more than it can get done, and will eventually be mowed by J. R. Colby, but they can't assure that the field will have been mowed by that date. Kayleigh Delibac and August Kowski, who were the requesters of the permit, answered questions from Select Board Members regarding this topic regarding mowing and traffic. DPW Director Amaral also offered information on this topic regarding mowing.

Town Manager Jennings offered his views on traffic and the possibility of future events being requested and ramifications of that regarding exposure to the Town. Select Board Chair Parker explained to the applicants that if this is allowed, a detail officer would have to be hired at a 4-hour minimum at time and a half for a weekend day. Ms. Delibac stated that they can also get liability coverage, and Town Counsel McCarron stated that the Town would have to be listed as an additional insured, but that the police detail would be more of a public safety issue and that the Select Board has the right to require a detail, as well. He also added that perhaps regarding parking, should be limited to the field side of the road so that people don't cross the road. Police Chief Durand also offered his opinion on this topic. Further discussion ensued on this topic.

Motion made by Select Board Member Reed to approve the special event permit based on parking and police detail arrangements as noted by Chief Durand. Seconded by Select Board Member Archibald.

Yes 3, No 0

- b) Essex County Greenbelt, fundraising cycling event, September 18 (See Exhibit Cb, pages 24 through 27 for information)

Select Board Chair Parker gave an overview of the route that would be taken, limited within West Newbury.

Motion made by Select Board Member Reed to approve the special event permit for Essex County Greenbelt on Saturday, September 18, 2021. Seconded by Select Board Member Archibald.

Yes 3, No 0

- c) Newburyport Half Marathon, October 24 (See Exhibit Cc, pages 28 through 33 for information)

Select Board Chair Parker provided details on this request. Select Board Member Reed inquired as to the temporary bathroom facilities, inquiring as to whether that's something that usually happens. The representative for the event stated that they usually have a stop there, further explained that 50-100 people do a relay, they do the transportation, as well, but they've always had at least one Port-A-Potty there. Select Board Archibald stated that they like to minimize the time that the Port-A-Potty is there, and the representative stated that they could have it removed the next day.

Motion made by Select Board Member Archibald to approve the event permit for the Newburyport Half Marathon on October 24th. Seconded by Select Board Member Reed.

Yes 3, No 0

- d) Newburyport Half Marathon, November 7 (See Exhibit Cd, pages 34 through 37 for information)

Discussion ensued regarding the route of this half marathon as opposed to the previous one. Select Board Member Archibald stated that the bridge that they intend to cross is getting uneven and the runners should be aware of that fact. Select Board Member Reed had questions regarding police detail for the event and questions were answered by Police Chief Durand.

Motion made by Select Board Member Archibald to approve the event permit for the Newburyport Half Marathon on November 7th. Seconded by Select Board Member Reed.

Yes 3, No 0

D. Request for One-Day Liquor License for Remembrance of Life in Town Annex, August 21, (Steve Spanger):

(See Exhibit D, page 38 for information) Discussion ensued about the box being checked off stating that the activity being for profit, and Steve Spanger stated that it's non-profit. Select Board Member Archibald inquired as to the number of people attending and Mr. Spanger stated that somewhere between 50 and 100, that they are currently trying to determine that, but

that they will have calling hours between 1:00 and 4:00 at the funeral home and people can also stop in between 4:00 to 6:00. Select Board Member Archibald stated that if it's 100, a police detail would be required. Further discussion ensued on this topic.

Motion made by Select Board Member Archibald to approve the request for a one-day liquor license on August 21st with the caveat that there has to be a police detail. Seconded by Select Board Member Reed.

Yes 3, No 0

E. Request for Appointment of Cameron Fountain as Reserve Police Officer:

Police Chief Durand stated that he would like to have Cameron Fountain appointed as a Reserve Officer for the Town and provided information regarding his qualifications. (See Exhibit E, page 39 for information)

Motion made by Select Board Member Archibald to appoint Cameron Fountain as a Reserve Officer in the West Newbury Police Department for a term ending 6/30/22. Seconded by Select Board Member Reed.

Yes 3, No 0

F. Request for Waiver of 15-Day Period for Appointment of Katelynn Chuilli as Reserve Dispatcher:

Police Chief Durand asked that a 15-day waiver take place and provided information regarding her qualifications. (See Exhibit F, page 40 for information)

Motion made by Select Board Member Archibald to approve Katelynn Chuilli as a Reserve Dispatcher, term ending 6/30/22. Seconded by Select Board Member Reed.

Yes 3, No 0

G. Request for Waiver of 15-Day Period for Appointment of Assistant Town Clerk:

Select Board Chair Parker updated on this topic. (See Exhibit G, pages 41 through 42 for information) Stated that the new Assistant Town Clerk would be coming in within the wage range of a Level Grade 5 within the approved budget.

Town Manager Jennings provided an update on the topic, stating that they received 12 applications for the Town Clerk position, invited 4 for interview, one candidate withdrew after being offered an interview, so interviewed 3. Christine Marshall is the candidate that he is going to recommend for appointment, providing information regarding her qualifications.

Motion made by Select Board Member Reed to change the grade level for the Assistant Town Clerk to Grade 5. Seconded by Select Board Member Archibald.

Yes 3, No 0

Motion made by Select Board Member Reed to waive the 15-day period for appointment of the Assistant Town Clerk. Seconded by Select Board Member Archibald.

Yes 3, No 0

H. Request for Waiver of 15-Day Period for Appointment of Town Clerk:

Select Board Chair Parker updated on this topic. (See Exhibit H, pages 43 through 45 for information) Stated that this appointment is to replace the current Town Clerk McCarron. Town Manager Jennings provided an update on the topic, stating that the same number of applicants responded, they invited 4 for interview and explained the process. Town Manager Jennings stated that he was pleased to present Jim Blatchford as the recommended candidate that he intends to appoint and provide information regarding his qualifications.

Jim Blatchford spoke to the Select Board, stating that he feels that he can really sink his teeth in here, he can learn what he doesn't know, and is looking forward to working with the team. Select Board Members had questions of Mr. Blatchford, which he provided responses to.

Motion made by Select Board Member Reed to waive the 15-day period for appointment of the Town Clerk. Seconded by Select Board Member Archibald.

Yes 3, No 0

I. Continued Discussion of Chapter 61A Right of First Refusal for Graf Property (Middle Street at Kimball Road):

Select Board Member Reed updated on this topic. (See Exhibit I, page 46 for information) Stated that two additional letters were received today. Select Board Chair Parker stated that it's a difficult decision for everybody. Stated that the property represents an iconic view with a startling number for the price tag and inquired as to how they can balance the aesthetics with the price tag.

Select Board Member Archibald stated that he can't see the Town putting up funds in whole from CPA or regular Town budgeting, but this would be something that future residents would gain benefit from, but that current residents might not see the benefit of spending money now on a scenic view. Stated that if the Town supported it, he could get behind bonding for the purchase which could be paid over 20 years and future residents would also bear part of the tax burden. Select Board Chair Parker stated that he has also been concerned with using \$1.1 million of CPA funds at one time but hadn't thought about the potential bonding. Further discussion ensued on this topic.

Kurt Umholtz inquired as to whether it could be bonded and paid for from CPA revenue to which Select Board Member Archibald stated that would be the idea. Select Board Chair Parker stated that we would be encumbering future payments into CPA, and if that becomes a habit, it will reduce the available CPA funds.

Select Board Member Reed stated that it's really not the value of that particular property, that it doesn't have trails or that it's not connected to other networks, it's clearly a valuable scenic resource, but that she just has a hard time with the price tag but doesn't see any way around it if the owners aren't willing to negotiate and the abutters aren't able to put together funds to

help with the purchase. With regards to the abutters and fundraising, Mr. Umholtz explained how this opportunity developed and their efforts of raising funds through Greenbelt, but that this didn't meet Greenbelt's objectives, but could participate meaningfully with having the opportunity to preserve vistas, because if you don't preserve them, you have nothing to preserve in this category.

Town Counsel McCarron stated that you also have to consider that this is only half of the apple, that if you want to preserve the view there, you would have to also purchase the back property, also another \$1 million, so it's now multi-millions of dollars in the future since it would be somewhat foolhardy to purchase the front part and leave the back 9 acres to be developed, which it could be.

Select Board Member Reed stated that at the last meeting, someone had said that there was a conservation restriction on it, and it's not actually a conservation restriction, but there is a deed restriction, but it's only a 20-year deed restriction. It was inquired if the owners of that property were to commit to a longer term, perhaps a conservation restriction as part of this, would that move the needle. Select Board Chair Parker stated that he feels that it would since his personal opinion is that it's a conservation restriction, if it times out at 20, 30, or 40 years, it still times out, and if our goal is to preserve something, ought to be preserving it as close to perpetuity as we can get. Select Board Member Reed stated if they were willing to work with Greenbelt to establish a conservation restriction on the property, that would make a difference, even though not sure how would pay for it.

Sheri Chandler, Middle Street resident, stated that she did send a letter, but wanted to attend to show her support. She stated that future generations could pay for it since it would increase their property values, and that in addition to that, there are a limited number of scenic vistas left in West Newbury, that this location is well traveled and loved, that it's used by many runners, and that it preserves the character of West Newbury and makes a statement regarding what the Town is willing to preserve. Ellen Alden stated that there is a trail system that runs through that property and feels that it's important and that the Town's property has always been scenic views.

Town Counsel McCarron stated that the deed to the current owner states that the property would be kept in 61A for at least 5 years and can't be subdivided for 20 years, but that doesn't mean it couldn't be developed, someone could theoretically build an open space development there and there would be a subdivision.

Jen Wright, owner of the back lot, stated that she appreciates the Select Board having this conversation, that they have done much research with the neighbors about offering up a trail system, and if the Select Board has a desire to continue this conversation to talk about creating long-term restrictions on the property, they would be happy to have discussions, since they would also like to see it preserved and remain open space.

Select Board Chair Parker stated that he feels it's worth having more conversation regarding this, that they have 120 days, the clock started ticking on June 15th, so only 40 days into it now. He also stated that would have to figure out how to fund it with certain funding, which changes the discussion, but a decision doesn't have to be made tonight. Town Manager Jenings stated that the Select Board has the authority to set a Special Town Meeting for this purpose.

Richard and Cathy Withington stated that this seems like a good idea and stated that they understand the concerns about the perpetuity costs, stated that he's in favor of using CPA money where it's appropriate, and inquired whether there are other ongoing CPA projects. Select Board Chair Parker stated that although they can't offer a lot of detail at this point in time, there is at least one other significant piece of property mentioned on the front page of the Daily News this morning, that perhaps could be something that CPA funds would be used for, but that he doesn't know much about the opportunity at this time because he just learned about it, but also offered that the nature of land acquisitions using CPA funds seems to be that you may have identified 50 parcels but you never know which parcel will become available, and when it does become available, you frequently don't have a lot of time to deliberate and figure out how you're going to raise the money, so have to be careful about how we deplete the pool of readily available funds, with Mr. Withington offering that he is in favor of this acquisition.

Select Board Chair Parker stated that it would make sense to talk further, and Select Board Member Archibald stated that more information is good. Select Board Member Reed inquired as to whether the conversations with the landlord would be in executive or open session, and Town Counsel McCarron stated that if there is a quorum of the Board to meet with the owner, it would have to be in open session because the purpose for executive session is a meeting to discuss strategy with regard to the acquisition of land, not for the location of the land. Obviously, one member of the Board could have discussions and then strategize with the Board as to acquisition of real estate, but if a quorum meets with the owner, it will have to be in open meeting.

With regards to having a meeting with the owner, Select Board Member Reed offered her time, advised Ms. Wright that she'll reach out regarding a time to meet. Ms. Wright introduced her husband, Mike Morris, who stated that before they bought the property, they wanted to preserve the lower field, and that his dad owned a property in Newbury, who worked out a situation with Greenbelt and the State of Massachusetts to establish the Morris Reservation, explaining the layout of the land and trails and would like to see this happen for this land, as well.

Lisa Forbush-Umholtz stated that she could reach out to Greenbelt again and Select Board Member Reed suggested starting with the owners, then the Town, then reach out to Greenbelt. Ms. Forbush-Umholtz stated that there's also potential for trails on the property. Select Board Chair Parker stated that perhaps if the Town were to acquire the land, they might be able to locate a duplex for affordable housing in a location where it doesn't impact or only has a small impact on the view, which would serve a need that the Town has for affordable housing.

J. Discussion of Animal Bylaw and Enforcement Thereof:

Select Board Chair Parker updated on this topic. (See Exhibit J, pages 47 through 54 for information) Stated this comes up following an incident a few weeks ago at Pipestave down by Mill Pond where somebody with two dogs that should have been under their control but were not harassed a group of high school cross country runners and bit one of them significantly enough that they had to go to the ER and now having a rabies regimen of shots since they were unable to locate the owner of the dog, inquiring as to what can be done to prevent that type of incident of happening again in the future or to minimize the possibility.

Ryan Goodwin from the Mill Pond Committee stated that these incidents happen occasionally where dogs are actually chasing people, but this one is a little more serious with high school runners out there and being chased by dogs. So, prior to the last committee meeting, spoke with Town Manager Jennings to understand the Town Bylaws and how they differed from the Mill Pond Management Plan, which also has rules for animal control.

Goodwin also stated that there are hundreds of people who utilize Mill Pond on a regular basis, and some people are not abiding by the rules, but there are hundreds of examples of people doing the right thing. He also stated that the current Town Bylaw which states, "on a leash or under immediate control" is difficult to enforce because it means different things to different people, so how could the bylaw be enforced. Suggestions at the last meeting were to provide a better knowledge base, install better signage, and secondly to increase the land area where dogs are on leash, perhaps in the parking lot where there are an increased number of dogs, which could mitigate the risk. He further stated that they certainly don't want one incident to lead to punishment for everyone.

Select Board Member Archibald questioned whether for people using Mill Pond and Moulton Street reservoir, do we have professional dog walkers coming here because other towns don't allow it? Goodwin replied that he feels that most people are probably from the area and utilizing the recreational area to walk their dogs. Town Counsel McCarron stated that the bylaw was amended to state that anyone who has four or more dogs must be on a leash. Select Board Member Reed stated that the one comment that she has heard from people is that yes, you only hear about the bad incidents, but some numbers of residents don't go to Mill Pond because they don't like dogs or are afraid of them and don't want to be in that environment. Select Board Member Reed suggested perhaps designating one trail as no dogs allowed in order for residents to enjoy the area without concern.

Town Counsel McCarron stated that per the Management Plan, animals are supposed to be leashed in the parking lot. Further discussion ensued on enlarging the parking lot area to minimize interactions, how to make people aware and how this could be enforced. Suggestion that clarifying the bylaw and working on the education piece regarding what immediate control means. All Board members felt that something needs to be done, but that it will probably have to be done over time with marginal gains with Goodwin suggesting that could be accomplished through education and signage without taking away from the freedom that the area provides.

Select Board Member Reed stated that she feels that the Town should enforce what's on the books right now and inquired whether the visibility of the Animal Control Officer could be increased with regards to the current contract. Town Manager Jennings stated that they could but that he would have to check the schedule of the Animal Control Officer and his responsibilities to Newburyport as well as here. Further discussion ensued regarding what would be the best days and times that this increased presence would have the most impact.

K. Proposed MOA with Merrimac for Joint Posting/Hiring of Conservation Agent:

Select Board Chair Parker updated on this topic. (See Exhibit K, page 55 for information) Stated that this has now become a futile effort. Town Manager Jennings stated that he spoke with Carol from Merrimac today regarding an updated proposal, and stated that it's gotten a little bit messy, so he told her that he didn't have anything for them to vote tonight.

He further stated that now, the question is how we move forward without further compromising other pressing things that need to be done in Town. Stated that the position has been posted, that he has not received any applicants, but that the posting will remain up in hopes of receiving applications.

Further discussion ensued on what has been going on and what might happen in the future, with questions regarding having one person for both towns, pay rate, and how Merrimac would like to pay. Select Board Chair Parker stated that it probably won't work based on how Merrimac's vision for this position is different and Select Board Member Archibald suggested posting a 25-hour position for the Town, but Town Manager Jennings stated that he feels we should wait to see if somebody might apply since there are many other more pressing issues that he has to deal with at this time. Further discussion also ensued regarding timing and the order of how and when things should be done.

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

(See Exhibit L, page 56 for information)

Motion made by Select Board Member Archibald to continue the policy as is until a further date. Seconded by Select Board Chair Parker.

Yes 3, No 0

M. Review of Proposed Revisions to Signs on Town Property Policy:

(See Exhibit M, pages 57 through 59 for information) (This item deferred to 8/27/21)

N. Review of Proposed Town Mailbox Policy:

Town Manager Jennings updated on this topic. (See Exhibit N, pages 60 through 65 for information) Stated that the policy in the packet had been adopted in the previous town he worked in. Discussion ensued regarding the \$85 reimbursement proposal. DPW Director Amaral stated that he came up with that price based on the pricing for a metal mailbox and explained how he came up with that price. Discussion also ensued regarding the current MGL statutory language. Further discussion ensued regarding relocating the mailboxes that are continually damaged and how this could be communicated to the public. Town Counsel McCarron added that the Assessor has a welcome packet given to new residents and it could be put in there. Discussion ensued further with town members offering comments regarding this topic, further stating that the USPS offers suggestions for mailbox placement for the benefit of their drivers.

Motion made by Select Board Member Reed to adopt the mailbox policy for the Town of West Newbury as proposed on 7/24/2021. Seconded by Select Board Member Archibald.

Select Board Member Archibald added that would be voting no because he feels that \$85 is too much.

Yes 2, No 1 (Archibald)

O. Review of Proposed Revisions to Policy for Request for Review of an Issue by Town Counsel:

Select Board Member Archibald inquired of Town Counsel McCarron regarding whether he gets random questions from random departments. (See Exhibit O, pages 66 through 69 for information) Town Counsel McCarron stated that it's a mix, gets people coming in to ask questions and discuss a matter, and sometimes it's a little difficult in the sense that citizens call him to ask questions since he is Town Counsel and what is the Town's position on this, to which he has to say if it's like a zoning issue, have to talk to the Building Inspector, who will ask me and I'd give him the advice, not the citizen, and further explained how he handles questions that he gets. Further discussion was held regarding how this should run through the Town Manager's office and/or the Select Board for approval.

(This item deferred to 8/27/21 for further discussion)

P. Review of Proposed Revisions to Select Board Policies:

(See Exhibit P, pages 70 through 88 for information) (This item deferred to 8/27/21)

Q. Review of Date for Fall Special Town Meeting Warrant Article Submittal and Expected Warrant Closure Date; Preview of Any Known/Potential Warrant Articles:

Select Board Chair Parker updated this topic. (See Exhibit Q, pages 89 through 90 for information)

Motion made by Select Board Chair Parker to set September 1st as a deadline for warrant article to be submitted for the upcoming Fall Special Town Meeting. Seconded by Select Board Member Archibald.

Yes 3, No 0

R. Letter from MVPC re Potential Designation of Rep to Metropolitan Planning Organization (MPO):

(See Exhibit R, pages 91 through 92 for information) (This item deferred to 8/27/21)

S. Discussion of Trail Upkeep on Open Space Developments:

(See Exhibit S, page 93 for information) (This item deferred to 8/27/21)

T. Discussion of PIE Rivers Grant for Low Impact Development Bylaw Review:

(See Exhibit T, page 93 for information) (This item deferred to 8/27/21)

U. Timing to Conduct Board Appointed Staff and Town Manager Evaluations:

(See Exhibit U, page 93 for information) (This item deferred to 8/27/21)

V. Meeting Minutes: 5/24/21, 6/14/21:

(See Exhibit V, pages 94 through 112 for information) (This item deferred to 8/27/21)

TOWN MANAGER UPDATES

W. Receipt of Grant Funded ADA Audit of Municipal Facilities:

(See Exhibit W, page 113 for information) (This item deferred to 8/27/21)

X. Update on Stormwater Bylaw Review Process:

Town Manager Jennings updated on this topic. (See Exhibit X, pages 114 through 124 for information) Stated that Town Planner Leah Zambernardi is preparing comments for the Planning Board to review for the stormwater bylaw to work, and that he is trying to get some input so we can be in a position to propose something and have a public hearing, as well.

Y. Middle Street Bridge, Submittal of ENF, Update on Newburyport MOU, Review of Potential Repair Options:

Town Manager Jennings updated on this topic. (See Exhibit Y, pages 125 through 152 for information) Stated that this has been circulated to various boards and knows that the Board of Health and Conservation are planning to put it on their agenda. Stated that working with DPW Director Amaral, he has provided a binder with the report, and is also working on identifying improvements that can be built into the work plan for future studying proposals, but there is still much to be done. Further discussion ensued on this topic regarding engineering, problems, budget, design costs, further funding, etc. Amaral stated we need documentation of Newburyport's action, as well.

Town Manager Jennings stated that with the Board's agreement, he will draft up a letter to the Newburyport City Council to request that it be added to their agenda in the near term, reminding them of the September 17th date, and should be an agreement that whatever action is taken or not taken should be in open session and not just have this wither away. Select Board Chair Parker stated he would like it to be before the MOU expires.

Z. Update on Investigation of Potential Establishment of Affordable Housing Trust:

(This item deferred to 8/27/21)

AA. Report on Reduction of FY22 Essex Retirement Assessment:

(See Exhibit AA, pages 153 through 154 for information) (This item deferred to 8/27/21)

BB. Update on Paving Bid Process and Timeline:

DPW Director Amaral updated on this topic. Stated that bids will be available for contractors to take and review as of July 29th, due back by August 20, 2021. Stated that looking at Crane Neck (2 sections, Main to Georgetown Road), the Town Hall parking lot (drainage structures). Stewart Street (major cracking), Whetstone Street. Stated that the price is pretty high but has come down a bit from where they were in the spring, but still high, estimated \$85/ton but now

looking at around \$97/ton. Further discussion and questions on this topic were asked and answered regarding how often these sections of roads are chosen to be repaired or replaced.

CC. Update on Bid Process for Soldiers & Sailors Memorial Building Rehabilitation:

Town Manager Jennings updated on this topic. (See Exhibit CC, pages 155 through 157 for information) Stated that there were a couple of prospective vendors who showed up, and it was pushed back a week since an addendum was issued and he also provided further information on this bid process and the course that it will take.

DD. Notice from Tree Warden re Removal of High Hazard Trees at 1910 Building:

DPW Director Amaral updated on this project. (See Exhibit DD, pages 158 through 164 for information) Stated that there are trees that are dying, two already dead. Stated that Fred Chanania of the Tree Committee will help pick the new trees, perhaps 8" caliper. Further discussion ensued on this topic with questions regarding pricing, etc.

EE. Update on Request for Potential Guardrail on Farm Lane:

Town Manager Jennings updated on this topic. (See Exhibit EE, pages 165 through 167 for information) Stated has been in touch with the Superintendent a couple of times regarding trees, stated that they were taken out by National Grid in order to provide power to the school, and further discussion ensued regarding hazard that remains in the area of the piece of property where the trees were removed. DPW Director Amaral stated that the addition of retaining walls increased the hazard and discussion ensued regarding this topic.

FF. Report on Reduction of FY22 Essex Retirement Assessment:

(This item deferred to 8/27/21)

GG. Updates Regarding Active and Pending Town Manager and DPW Projects:

.(See Exhibit GG, pages 168 through 171 for information) (This item deferred to 8/27/21)

HH. Follow-up Meeting Assignments and Placing Items for Future Agendas:

(This item deferred to 8/27/21)

Motion was made by Select Board Chair Parker to adjourn the meeting with the intention to complete tonight's agenda when reconvene to a place and time certain at the same space, room, on Wednesday, July 28, 2021 at 6:30 p.m., and the remaining items on the agenda, which are Items M, O, P, R, S, T, U, V, Z, AA, FF, GG, and HH. Seconded by Select Board Member Archibald.

Yes 3, No 0

Respectfully submitted,

Susan M. Lobie, Certified Electronic Transcriptionist
Office Solutions Plus, 15 Marion Road, Salem, MA 01970