



Town of West Newbury
Select Board
Monday, May 22, 2023 @ 5:30pm
381 Main Street, Town Office Building
www.wnewbury.org
Meeting Minutes

Open Session: Chairwoman Reed called the session to order at 7:09pm.

Participation at the Meeting:

- Rick Parker, Wendy Reed, Chris Wile- Select Board
- Angus Jennings- Town Manager
- Jim Blatchford- Town Clerk
- Michael Dwyer- Fire and Police Chief
- Michelle Greene- Conservation Agent, via Zoom
- Caroline Matterson- Representative from NEER, via Zoom
- Roger Mast- Alzheimer's Association Ride to End ALZ representative, via Zoom
- Unidentified- ALS Therapy Development Institute representative, via Zoom

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; instructions below
- Memorial Day Parade - Monday, May 29th at 10:30am, followed by ceremony outside G.A.R. Memorial Library
- Call for volunteers! FY24 positions on Boards/Commissions/Committees. See www.wnewbmy.org/volunteer
- Reminder to subscribe for emailed Town agendas/news/announcements at www.wnewbmy.org/subscribe

Regular Business:

A. Request for one-day liquor license - Spring Family Festival at 52 Ash Street, June 10th from 11am-3pm, New England Equine Rescue, North

(See Exhibit A, p. 3-5). A representative from the Rescue explained the components of the event and stated that it went smoothly last year (about 1,000 attendees), and said that in prior years, liquor had been fully separated from the rest of the event-goers for safety and security. She clarified what remained in the approval process and what had been taken care of (insurance and other associated costs). There were no apparent issues regarding parking or public safety on-site and signage would be installed on-street to manage traffic. **Parker motioned to approve the license for the Spring Family Festival pending an insurance certificate. Wile seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

B. Requests for Special Event Permits

Item Bb was discussed prior to Item Ba during Agenda Item B.

a) Charity Bike Ride raising funds for ALS research-June 25th at 8:30am to noon-ALS Therapy Development Institute (cont'd from May 9 Select Board mtg)

(See Exhibit Ba, p. 6-13). The holdover from the prior Board meeting was to determine whether any special permits were needed for use of Route 113 (it being a state road). The Board confirmed the route and Chief Dwyer asked for an updated map. No extra measures would need to be taken with regard to 113. Signage for the route would be put in place, according to the organizer. **Parker motioned to approve the permit. Wile seconded. The motion unanimously passed. (3 Yes, 0 No, Abstain).**

b) Ride to End Alzheimer's - June 3rd -Alzheimer's Disease & Related Disorders Assn., Inc.

(See Exhibit Bb, p. 14-23). The representative from the organization behind the bike ride opened by stating that he had a list of locations where he hoped to have police presence if the police had the resources to meet those needs, with a predicted ride time through Town of 8am to 11am of 130 people. Chief Dwyer stated that school graduation would be concurrent with the race, which would potentially

strain resources. In future he suggested he'd like to coordinate with the organization to plan the time of the race. Parker commented that portions of the route IDed as being in West Newbury but were in other communities, and it was determined that the locations had to be clarified through the permitting process. Mast stated that signs informing the community of the race would be put out (Blatchford suggested this should be done a week before). **Parker motioned to approve the Charity Bike Ride permit. Wile seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

C. Preparation for Celebration of Life for Dot Cavanaugh

(See Exhibit C, p. 24-25). Town Manager Jennings gave the Board the proposed dates for the CoL as provided by Christine Marshall of Council on Aging, with timing predicted to maximize attendance and not interfere with evening activities at Town Offices. He stated he would keep the Select Board apprised of the plans for the CoL. **No motion was made at this time.**

D. Acknowledgement of receipt of Short-Term Rental Application; overview of related Bylaw

(See Exhibit D, p. 26-30). Jennings said that very few applications were received of this type, and thus felt the need to preface the receipt of the application (and later voting on it in a future meeting) with an explanation of the Bylaw. The Bylaw was designed to manage local short-term rentals (such as usage of a property for AirBnBs). Jennings found that the Bylaw did not provide objective criteria to base the Board's approval or disapproval off of. Wile found that the Bylaw did not provide any basis for what someone could raise a "complaint" about with regard to a short-term rental. With respect to a section of the application, he further raised concerns that guests would have access to a property owner owned outbuilding, versus an owner-occupied residential property, per the language of the law. Reed suggested that an analysis of the Bylaw would be warranted before issuing approvals for the permit. Jennings said that he would see if the Building Inspector should investigate the matter. He further mentioned that amending the Bylaw had been discussed before. Discussion continued on whether the change in the Bylaw could be undertaken at Fall Town Meeting, potentially. Wile stated that he thought the Bylaw should in future be evolved to regulate and encourage the development of short-term rentals in West Newbury. Discussion ranged from what potential fees should be, what ownership/residency issues might be raised, and how it might potentially interact with Federal and state laws. The group agreed to wait on hearing the application until June 26th and to contact abutters of the property in question to attend the meeting. **The Item was tabled for a future meeting.**

E. Request for authorization to prepare and submit Notice of Intent to Conservation Commission for permitting of proposed installation of beaver pond leveler at 33 Main Street

(See Exhibit E, p. 27-32). Jennings felt that this Notice of Intent filing was the best course of action, with other elements being determined with input from the Conservation Commission and wildlife experts. Jennings said that meetings with Health and Conservation Agents gave him a robust understanding of the water levels and other issues regarding the beaver pond. Wile asked what would happen with the beavers once they were displaced. Greene stated that the leveler would hopefully prevent flooding and road damage while not displacing the animals and this would be the ideal solution to the problem. **Parker motioned to approve the NOI submission. Wile seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

Item J was taken out of order at this time. See Item J below.

F. Follow-up discussion from Select Board attendance at Board of Water Commissioners mtg on May 15th incl. designation of Select Board representative for discussions of potential IMA with Newburyport

(See Exhibit F, p. 33). Reed prefaced the Item by saying it resulted from the need for greater cooperation between Water and Select Boards on financial matters and above-mentioned discussions with Newburyport. **Wile motioned to approve this plan and be the Select Board Representative in the IMA discussions. Reed seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).** On the secondary portion of the joint discussion- an outline on financial planning developed together, the Board stated that it was of great important to get the ball rolling. Jennings emphasized the importance of cross-community collaboration, and touched on things that had come up in conversation with individuals in Newburyport. He believed a letter from the Select Board to authorize the Select Board Chair to work with outside counsel would speed up the process. **No motion was made at this time.**

G. Request for authorization to pursue LAND grant for "Sawmill Brook" property; proposed designation of

Town Manager as project manager

(See Exhibit G, p. 34-36). Initially, Reed raised concerned about the large amount of time the Conservation Agent would need to devote to the application. Main issues with the acquisition involved establishing a land management plan and developing parking and enhancing accessibility. The Item would appoint the Town Manager the point person on the application and project development. **Wile motioned to authorize the pursuit and the designation of the Manager as project manager. Park seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

H. Request for authorization to pursue MassWorks grant (Middle Street Bridge); update re Bridge costs and potential funding sources

(See Exhibit H, p. 37-51). The Town Manager discussed the extension request and its details regarding where the Town stood in the permitting process for the Bridge, among other areas. He stated that a meeting had taken place with DPW representatives and the Town Planner to analyze the ongoing process, admitting the timeline to get materials in on time (June 2nd) would be tight, and further admitted apprehension about funding for the project, with the Town of West Newbury needing to produce 6,000,000 dollars to cover expenses of the construction. **Parker motioned to provide authorization to pursue the grant. Reed seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).** After the vote Jennings suggested sending correspondence to Newburyport and being present at their relevant meetings to articulate the Town's needs.

I. Update regarding use of WRAP funds; potential to contract for installation of new guardrail along westerly edge of Farm Lane (adjacent to Middle/High School)

(See Exhibit I, p. 52-54). Jennings updated the Board on the project. It would be a "definite improvement for public safety" he believed, but it was not clear what the level of planning/specification needed to install the guardrail would be- a survey of the site would give the contractor eventually selected to install it a better idea of the Farm Lane needs. He also stated that with projects underway and upcoming, WRAP funding would be fully utilized, so the Town would pay for the project out of other sources. Further talk confirmed the material costs of the job (\$38-\$39/ft. of guardrail). Wile asked what had existed along the site prior to the construction of the new High School. Parker said that there was no fence or guardrail on the road's edge in the past. Wile was perplexed why the need for a guardrail wasn't looked into at the beginning of the construction process, which has increased the need for the barriers in the first place- the Select Board and Town Manager stated that the school had no interest in assisting with the planning for a guardrail. As the discussion concluded, the Board briefly reviewed regulations pertaining to the project, and what hazards/considerations might be identified (footpaths, telephone poles). **Parker motioned to approve the use of WRAP and/or DPW funds to put up the barrier along Farm Lane. Wile seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

J. Potential to authorize MOA with Commonwealth to receive "Safe Passage for Bicyclists" signs

(See Exhibit J, p. 55-64). The Board and Chief Dwyer confirmed the regulations governing the signage, and expressed their enthusiasm for mounting them in strategic locations from a list to be submitted. Jennings explained where funding for the signage would be drawn from. Parker and Jennings were unsure when the date-of-delivery of the signs would be, and assumed that with a June 1st due date that they would not be in hand until the next Fiscal Year. **Parker motioned to submit to enter into the MOA to receive the "Safe Passage for Bicyclists" signs. Reed seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

K. Committee "charges" and process/objectives for FY24 appointments/reappointments

(See Exhibit K, p. 65-115). Jennings queried the Board on his assessment that reappointees should be required to attend in-person reappointments, and Reed and Parker agreed that in-person meetings to lock down the charges was a valuable idea as well. Reed pointed out that many of the BCCs were redundant and unnecessary, and could be reasonably dissolved- further she asserted that there were overlapping functions of numerous BCCs. Parker and Wile pointed out that it would also help assuage feelings of competition among BCCs by streamlining or combining the Town's BCC structures. The Board discussed the best approach to handle meeting with the Boards, Committees, and Commissions (joint meetings between similar BCCs was determined to be the best approach), utilizing a standard questionnaire. **No motion was made at this time.**

L. Confirmation of Select Board member roles in Memorial Day ceremony

(See Exhibit L, p. 52). The Board refreshed themselves on and assigned their roles for the ceremony. **No motion was made at this time.**

M. Meeting minutes: May 9, 2023

(See Exhibit M, p. 117-120). **Wile motioned to approve the minutes. Parker seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

N. Town Manager Updates

O. Update/next steps re DPW Director search process

(See Exhibit O, p. 121-123). Jennings told the Board that 2nd round interviews for the candidates were underway, and that Town Manager had hiring authority with respect to this position. Rick Parker had been assigned to sit in on the interviews. A hiring date of early July had been selected. **No motion was made at this time.**

P. Fiscal Year-End procedures

Jennings said that department heads had been good and responsive with end-of-year obligations. **No motion was made at this time.**

Q. Updates on other ongoing/active projects/initiatives

No motion was made at this time.

R. Follow up meeting assignment; placing items for future agendas

The Board talked about the potential rollout of a Town charter and new Comprehensive Plan (last updated in 1999), but the understanding was that this would be a future project when other large-scale projects were wrapped up. **No motion was made at this time**

Parker motioned to adjourn the session. Wile seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). The session adjourned at 9:35pm.

To view a recording of this meeting, use the link below:

https://www.youtube.com/watch?v=6_AEcSCyJug