

**WEST NEWBURY FINANCE COMMITTEE**  
**Meeting Minutes**

Date, Time, Location: Tues, Sep 13, 2022, 6:00 PM, 1910 Bldg.

REC'D W. NEWBURY CLERK  
'22 SEP 30 AM 7:49

Attendees (& initials): Rob Phillips (RP), Chris Wile (CW), Walter Burmeister (WB), Dan Innis (DI), Ross Capolupo (RC), Angus Jennings (AJ), Stephanie Frontiera (SF)

Absent: Jim Sperelakis (JS)

Guests/Participants Brad Buschur (Commissioner, Parks & Rec)  
Rick Parker (Select Board) Jim Blatchford (Town Clerk)

1. Call to Order 6:00 PM

2. Public Comment None

3. Approval of Minutes

- Clarified procedure for posting minutes: send to Town Clerk and he will post directly to website. CC Stephanie Fronteira, Angus Jennings, and Town Clerk. Use "draft" watermark if applicable, to avoid any confusion.

Meeting of August 30, 2022 On Hold

Meeting of September 7, 2022

- Review and approve sunset dates:
  - o CAM Software is 6/30/24
  - o CPC 6/30/24
  - o CPC Cemetery 6/30/24
  - o MVP 6/30/25
  - o Safe Routes to School 6/30/23

**Motion to Approve: DI 2<sup>nd</sup>; CW Approved 5-0**

4. Review and discuss budgets and articles for fall Special Town Meeting to be held on October 24, 2022:

- CW went to select board meeting last night, they asked a lot of questions – CW ask AJ if any value in holding future meetings together with Select Board to bring third parties in once for questions and background info. Selectmen said it is a possibility. Under FinCom bylaw, select board is responsible for sending annual budget to the committee. Otherwise no requirements for Chris' suggestion.

Article 2: Board of Registrars / Elections

- Chris recuses himself as his wife worked at the early voting for the elections.
- Jim Blatchford, Town Clerk walk us through this:
- 3 weeks early voting, 5 days each. Legislature added another week of early voting plus weekends. Thinks he overstaffed for early voting, will cut down going forward.
- Increasing late days as they were very successful.
- All expenses are reimbursable by state, just not sure when reimbursements will come in.
- He has what he needs for fall elections, will fall short in May elections.
- Article 2 has been re-written to separate from Recreation.
- Plus \$2,100 coming from FCF.
- Walter write rationale
- Sunset date 6/30/23
- **Motion to approve RC, Second RP, Approved 4-0-1**

Article: Public Outreach for Wetlands Bylaw has been voted to remove by Select Board

Article 9 is out – Select board voted to keep in warrant but did not approve 1-2, then this morning it was withdrawn.

#### Article 6: Invasive Species

- AJ Started as pilot program, went very well, the idea was to do it again next year.
- They need funds now so they can advertise next year, by May meeting they will have missed the boat.
- Some debate about mapping only or if they should get into eradication.
- Public education component.
- They want to buy a couple more loppers and an Extractigator which removes small trees. iPads are already bought, don't need to buy again.
- About \$1,756 carrying over from first internship, that sunsets FY23 and would be available in case \$8,000 is not enough.
- FYI if it became an annual thing, it would eventually be built into town budget, but want to do another summer and see how it goes.
- Sunset 6/30/24
- WB Does Writeup
- **RP Motion to Approve, WB Second, Approved 5-0**

#### Article 2.2: Parks and Rec Department

- Select Board voted last night to approve 3-0.
- Brad Buschur is here, Commissioner from Parks and Rec
- Requested amount is \$15,000
- Increased costs with portajohns has crowded out most of the budget (handicap accessible more expensive, covid cleaning requirements much higher and more costly)
- Bachelor asset owned directly by Parks and Rec commission
- P&R does not have staff members, they have \$2,700 part time budget
- Looking at these fields for full sale renovation
- They decided not to take it for a vote to continue planning and strategizing
- They spent all of the revolving funds they had to maintain 4 diamonds, he estimated \$16k
- 3 diamonds at Bachelor and one at Babe Ruth field
- Startup expenses and two services per diamond. Did not include Page School because it is softball and Town does not have softball. Town does lease diamonds to private group called park city to recoup some expenses. \$6k in user fees, \$5/Hour per field to in-town groups and Pentucket groups, others \$15/Hour. Pentucket Regional High School uses it and does not get charged.
- Some are for profit organizations (\$15/hour).
- Fee structure based on Newburyport Parks and Rec study
- Groveland charges \$20-40 if you use lights to recoup electricity expenses.
- Rip City Softball uses the fields, AAU
- Ideally startup would be done in November because in the spring, fields are soggy and wet, etc.
- Bulk of maintenance is currently covered by DPW – P&R mainly handles portajohns. Mowing, trash collection, basic nuts and bolts of Bachelor and Pipestave aren't in their accounts.
- AJ the expense budget doesn't show a true cost for this reason because it's buried in DPW.
- RP – going forward he wants a lot more detail because it's going to be a recurring expense going forward.
- Brad Buschur- Only other annual expense not shown is recommended fertilization regime. Irrigation expenses is another item, replacing heads, winterization, etc. These things need to be answered.
- P&R is part of town but has independent statutory authority.
- AJ suggested budget amendment, Board recommended last night that it be funded from Free Cash for this year.
- Bachelor diamonds used by WN Youth League, plus one other who used for 20 hours total.
- WN Youth League plays 80 games (8 teams), and then River Rivals tournament.
- They generated about \$2,000 in user fees.
- If we want to generate real revenue, need lights and artificial turf.
- RP Does Writeup, Sunset Date 6/30/23
- **RP Motion to Approve, WB Second, Approved 5-0 unanimous**

### Article 3: Transfer To Reduce Taxes

- Selectmen voted last night 2-0-1 to transfer \$250,000 to reduce taxes
- AJ certified free cash as of 6/30/22 is \$2,128,806
- Stephanie Fronteira gets Free Cash certified very early in the year, reflects tremendous organization to get DOR Free Cash certified this early in year. We can't appropriate until its certified so its big milestone.
- No transfer in FY21 as it wasn't certified yet, but there was significant amount in overlay account so assessors declared that surplus and TM appropriated that for FY21 \$220,000
- Town has transferred on avg \$213k per year last 6 years FY17-22
- Select Board voted \$250k as a ceiling to transfer up to that amount if new info becomes available prior to town meeting, can't go above published warrant.
- Chris asked what is the right amount for a town to have in free cash.
- DOR recommends 5% gross annual budget of \$18mm, \$900k is healthy balance. Do you want more or less, depends on community – it is continuing conversation with board.
- Town is supposed to be conservative when projecting non-tax revenues – DOR guidelines recommends 90% of some average. DOR very cautious about overly sunny projections, not raising enough, and at end of year closing out in deficit. Therefore it is not surprising when revenues come in over projections in any given year. Also some expense accounts are routinely underspent, such as Fire, or even something like FinCom reserves that go back to Town.
- Rick Parker – one reason cited for Town achieving AAA was our liquidity and having substantial FC.
- RP – this is balance sheet account, he wants to know not only how healthy, but how healthy is stabilization fund. Anything else going on, on balance sheet.
- Pension and School are targeted, you don't touch
- Those aside, there is \$6-7mm in other accounts that could be used as FC?
- Last night, Dave Archibault said this is taxpayers money.
- CW thinks economy headed for downturn, little extra money not a bad thing.
- DI – average certified free cash balances roughly double state recommendations – why is that the case? AJ has couple thoughts. Before he and Wayne got here, TM booklets, many capital projects paid directly from FC. When he started, he asked why funding from FC and not stabilization – he thinks some expediency using FC versus stabilization which requires TM transfer. Also, to expend out of FC is simple majority whereas stabilization is 2/3. AJ is much more methodical about putting into stabilization and funding out of it.
- AJ second thing about what to use it for – there are ideas other than 100-200k projects.. Say for example a land acquisition where you don't want to go through CPA. No other way to pay other than FC. There are examples once every 20 years where you want to have an amount of unencumbered and no strings that would otherwise be attached to CPA.
- At meeting last night, Rick Parker moved up to \$250k, and Dave Archibault supported it. CW concern is that what is the plan for FC and stabilization? Would like some rationale for \$4mm and how it gets used.
- AJ clarify we are combining the two, and capital stabilization has a plan, but acknowledges there is a lot of money.
- Rick Parker say that stabilization account is healthy but below recommendation by DOR.
- AJ stated that DOR recommends stabilization 15% of gross annual operation budget, est. \$2.7m. YE balance \$1.955mm. That balance is trending consistently up, getting healthier every year. AJ thinks 15% that was voted in back in '18 needs some thought, we have a lot less infrastructure than typical communities. 15% feels too high for stabilization, thinks needs to be looked at.
- RP – for the next budget cycle, will there be this analysis where the stabilization should be?
- AJ – going to continue to working towards it. Full time finance director could find it out in a few weeks. But they are doing the best they can, things go incrementally with the resources they have.
- Rick Parker – Town has finite bandwidth to support projects that come from stabilization.

- AJ – 3 biggest ingredients in estimating tax rate are: operating budget, current year assessed values, new growth. A fourth factor is non tax revenues. Not all numbers are known so they aren't official, but AJ hearing that assessments will go up 17% on average. AJ's model is showing drop in tax rate but increase in tax bill.
  - Under \$250k transfer, est. tax rate of 11.48 and est. increase in tax bill of 3.5%
  - No transfer, the est. tax rate is 11.67% down from 13.01% and est. increase in tax bill of 5.3%
- WB said why such a big difference, \$250k is small part of the whole – thinks its 90% of the total operating budget
- AJ 50% percentile home is little over \$600k, increase without transfer \$415, with transfer \$280 per year.
- CW would personally rather see the money sit in town accounts versus getting \$135 back.
- RP is in favor transfer because he thinks 5% is not good increase for the town.
- RP Doing Writeup
- **RP makes a motion, Second Walter, Approved 4-1**

#### Article Green Communities

- AJ Still pending, not ready for tonight.

#### Article 16: West Newbury Zoning Bylaw

- CW – generally related to Soldiers and Sailors building, so some possibility of putting something there.
- AJ town had appropriated funding and borrowing authorization to restore town owned building
- Portion of upfront money to engage architects fully engineered and permitted, went out to bid summer of 2021, low bid came in \$2.2mm, well above what was available in 2019 appropriation.
- Select board had big meeting that October dedicated to this building, what are we going to do now. Voters approved Town to put the building up for sale or lease pending a historic preservation restriction (permanent)
- Part of process last winter working with architect, would there be feasible use with private entity. Currently in Res C district, does not allow office, architect thinks no one will bid do to a house, none of other uses allow for feasible private reuse.
- Her advice if office was allowed, no guarantee but would create a path for some 3<sup>rd</sup> party to make it economically feasible to take control of building and restore it to productive current use. Challenge became zoning doesn't allow office, zoning only path to viable use, referred to Planning Board to alternative zoning approaches, they sketched out 3 different ways. Meeting with AJ, former town planner, Wendy Reed, Ray Cook (planning board), reviewed 3 potential paths which resulted in this plan – broaden allowable uses in residential district by special permit based on findings built into bylaw.
- In any Res C district they could petition the planning board for special permit to use their property as office space for principle use.
- Selectman voted 3-0 to approve last night.
- CW – needs to be better method to allow nonconforming use than re-zoning entire district. Thinks very dangerous going forward. Can't imagine who could afford to pull this off. Pump septic, limited parking, signage? This is a stretch, broaden all zoning in C district.
- RP – what are alternatives? Would much rather see something drawn specifically for this property such as spot zoning.
- AJ sketched out 3 approaches, that was purpose of meeting with Ray and Wendy, this is one that emerged from boards. The other two, 1) would be standalone zoning district just to cover S&S building, something people could contest, if there is defensible public purpose, almost airtight against spot zoning claim. Clumsy to create 8000 SF parcel, looks weird, but it would work. 2) was to broaden allowable uses in residence district. 3) take advantage of language in current zoning bylaw, if property owner petitions zoning board, and they find that it is generally compatible with that district, and they issue finding that its OK, they can petition for special permit even if its nonconforming.

- CW – ZBA has other less impactful options, so many unforeseen perils.
  - RP – very concerned with unintended consequences and what could happen throughout rest of district.
  - RP – emphasizes that [notwithstanding concerns], preserving that building is of utmost importance to the Town.
  - AJ – regarding third option, Select Board is Owner of Building and ZBA is appointed by them, he had concern about Select Board using its own appointed board to get special finding. Second concern is additional work for permitting?
  - His thinking has changed because Town Attorney pointed out that this is nonconforming lot and structure, hasn't been in active use for 2 years so no grandfathering protection. You need to go to ZBA regardless, so the permitting risk is there anyway.
  - RP – the first option more appealing to developers because it avoids special permitting.
  - AJ – neighbors have not been favorable to this being used as office
  - RP Doing The Writeup
  - **CW Motion, Second DI, Disapproved 0-5 Unanimous**
5. Communications.
- CW has to write the introduction to the booklet, if anyone has something we wanted included, anything we should be included, send it to CW and he will incorporate.
6. Schedule of future meeting dates.
- September 13, 22, & 29<sup>th</sup>.
  - NEW - Monday, October 17, dry run for town meeting
  - October 24<sup>th</sup>- STM.
  - November 1- meeting to review last years budget
7. Adjournment
- Motion to Adjourn, Approved 5-0.