



## Town of West Newbury Board of Selectmen

Monday, January 22, 2018 @ 6pm  
381 Main Street, Town Office Building  
[www.wnewbury.org](http://www.wnewbury.org)

### Selectmen's Open Session Minutes

Chairman Archibald called the meeting to order at 6pm. In attendance were Selectmen David Archibald, Chairman, Glenn A. Kemper and Joseph H. Anderson, Jr. Also, in attendance were Town Counsel Michael McCarron, and Executive Administrator Mary Winglass.

**Selectman Kemper moved to go into Executive Session under MGL Chapter 30A §21(a) 1: To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. MGL Chapter 30A §21(a) 3: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. MGL Chapter 30A §21(a) 2: To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel and the Selectmen's Executive Session Minutes dated January 8, 2018. Second by Selectman Anderson with a unanimous roll call vote: Archibald – aye, Anderson – aye, Kemper – aye.**

Chairman Archibald called the open session back to order at 7:30pm and announced that this meeting is being broadcasted on local cable TV and recorded for rebroadcast on the local cable channels and on the internet.

### Regular Business

#### A. Lodging House Application: 15 Norino Drive

Attorney Lisa Mead and Reini Hodgson were present to discuss the lodging house application for 15 Norino Drive. Attorney Mead stated that the property meets all the requirement of G.L. c 140 §23 meets all the regulations for a new lodging house application. Attorney Mead added that the application is complete with house rules which she will make available to the Board.

Selectman Kemper addressed the septic in that it predates the Title V Sanitary Septic Systems therefore needs clarification. Mr. Kemper also questioned the number of rooms to allow for parking on-site for lodgers as well as the owners.

Selectman Kemper questioned if the lodgers were able to use the kitchen versus a bread and breakfast. Mrs. Hodgson responded that lodgers were able to use the kitchen only breakfast would be served. Mrs. Hodgson added that at this time they have one permanent tenant who is now living in the second unit but it is only temporary for the owner's plan on living in that space.

Mrs. Hodgson was asked if at any point in 2017 did they have four or more lodgers at the property and addressed a situation when the police were called to the property and was told by the person answering the door that they rented the property for a graduation party. Mrs. Hodgson responded in the negative.

Selectman Kemper requested for all the information detailed in the first application in 2017 that was denied by the Selectmen gathered and put into the record.

A discussion went on as to whether this is a bed and breakfast and whether the owners would be present every time the property was rented, several parties noted. A clearer definition of a bed and breakfast was needed.

Resident Jane Ward questioned an insurance requirement and the length of the cul-de-sac puts this as a non-conforming use. The Selectmen addressed the insurance is not a requirement under the lodging house regulations.

Resident Jean Lambert addressed a bed and breakfast versus allowing lodgers the use of the kitchen and requested a distinction.

Resident Phyliss Unger dropped off a letter from her husband.

Resident Joseph Clocker questioned the lodging house regulations and how it complies with the zoning.

A question came up with the number of lodgers stated in the letter from Attorney Mead, is it 10 or 12 including the owners? Attorney Mead responded that it would be a total allowed use of 8 lodgers with the owners occupying the second unit for a total of 10.

Selectman Kemper requested to take this application under advisement and to have in writing the number of lodgers on the premises, parking for lodgers and the owners, to obtain definition on a bed and breakfast and clarification on a Title V Septic as stated in the application. In addition, to have a copy of the house rules and in writing that the owners will be on premises and a copy of the guest register. This application will be reviewed again on February 5<sup>th</sup> at 7pm, any questions or concerns from residents are to be put in writing to the Selectmen.

Steven Comley of We the People requested to speak and was informed that as he was not on the agenda.

#### B. Update from Bicentennial Committee

The Bicentennial Committee asked to be placed on the next Selectmen's agenda due to time constraints.

#### C. Proposed Amendment to the Police Department Regulations

Police Chief Reed sent a proposal for the Board of Selectmen to approve minor updates to the Police Department rules and regulations manual as follows;

Page 42 Table of Organization: correct the number of officers currently with the department.

Page 57 Juvenile Officer: The new school resource officer (SRO) is replacing the old juvenile officer position. Attached is the SRO description.

**Chairman Archibald moved to approve the updates to the Police Department rules and regulations. Second by Selectman Kemper with a unanimous vote.**

#### D. Proposal from John Beaucher: Zoning Map Amendment

Present were Attorney Tim Houten, owner John Beaucher and Steve Wiehe, Engineer from Weston Sampson and Stephen Velonis, Real Estate Agent.

The Board received a proposal from property owner John Beaucher to amend the zoning map to designate approximately 20 acres of land at 28 Coffin Street as a large-scale ground-mounted solar photovoltaic installation, in accordance with zoning bylaw section 5.G.

**Selectman Kemper moved to pass this proposal to the Planning Board for a public hearing and recommendation under West Newbury Bylaw Section 5.G. A 2/3 vote is required at the Annual Town Meeting, applicant will draft the wording of the article within the next two weeks. Second by Selectman Anderson with a unanimous vote.**

E. Board of Fire Engineers: 2018 Assistance to Firefighters Grant

Michael Dwyer, a member of the Board of Fire Engineers, was present to request permission to apply for the 2018 FEMA Assistance to Firefighters Grant to replace the town's Tanker (Ford L-8000/Farrar). This vehicle was purchased in 1984 and was refurbished in 2000. This grant requires a 15% cost match, if approved the Board of Fire Engineers would be requesting a special article for the cost match.

**Selectman Kemper moved to allow the Fire Department to apply for the 2018 Assistance to Firefighters Grant to replace the pumper and to support an article of no more than 15% of the cost. Second by Selectman Anderson with a unanimous vote.**

F. Update on the Page School Reconstruction

Chairman Archibald gave an update on the Page School reconstruction:

- ServPro could be done with the clean up today.
- Dry wall and insulation that needed removal are all done.
- Preliminary electrical work has been done and approved by the electrical inspector. More electrical work is still to be done.
- Dry wall installer is coming Thursday.
- Plumbing in bathroom needs considerable work still.
- No additional mold has been discovered. State environmental air quality, Mike Feeney, Department of Public Health, Director of Indoor Air Quality visited last week and found no problems. He will revisit the school when construction is complete and before any students return. He is also willing to meet with the parents before school opens if anyone feels this is necessary.

G. Recycling questions to Health Department

Chairman Archibald will speak with the Board of Health on the tipping fees, has the amount increased, tonnage or percentage and whether there are any other options.

H. FY 2019 draft budget from Treasurer/Collector

Projected revenues will exceed projected expenses even including a 5% school budget increase per Mr. Gould.

I. Selectmen's Meeting minutes dated January 8, 2018

**Selectman Kemper moved to accept the minutes. Second by Selectman Anderson. Kemper asked to have a copy of the minutes as part of the packet. Motion passed 3-0-0.**

Selectman Kemper asked Town Counsel McCarron about releasing minutes prior to them being accepted. McCarron responded that per the open meeting law they are to be released in draft format. Kemper requested for any minutes released prior to be accepted to make sure they are marked draft and could be incorrect.

J. Payroll and Invoice Warrants

**Selectman Kemper moved to accept the payroll and invoice warrants. Second by Anderson. The Board questioned a payment from the Planning Board and requested to make sure it is paid appropriately from the escrow account held by the Planning Board and for each project to have its own accounting. Unanimous with the exception as stated.**

K. Follow up meeting assignments

Research questions on the lodging house application  
Recycling  
Prepare dollar amount for a 1% wage increase  
Recalculate the proposed police contract figures

L. Placing items for future agendas

Drakes Landing plans approved by the Planning Board  
Bicentennial Committee  
Office remodel  
Responsibilities and timing of change to offices  
Finance Committee appointment  
New Treasurer – the process of reconciling cash and receivables  
Town purchase of street lights/LED  
Wellfield  
Review past articles and what has been completed  
Communication – social media policies  
Page School update

**Selectman Anderson moved to adjourn at 9:23pm. Second by Selectman Kemper with a unanimous vote.**

Respectfully Submitted,

Mary Winglass, Executive Administrator