



Town of West Newbury Board of Selectmen

Tuesday, November 13, 2018 @ 6pm
381 Main Street, Town Office Building
www.wnewbury.org

Open Session Meeting Minutes

Chairman Kemper called the meeting to order at 6:03pm. Selectmen in attendance were Glenn A. Kemper, Chairman, Joseph H. Anderson Jr., and David W. Archibald.

Others in attendance were Town Manager Angus Jennings and Town Counsel Michael McCarron.

Chairman Kemper moved to go into Executive Session under 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; Executive Session Minutes dated October 15, 2018. Second by Selectman Anderson with a unanimous roll call vote: Anderson – aye, Archibald – aye, Kemper – aye.

Chairman Kemper called the open session back to order at 7:15pm and read the following announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet.
- Council on Aging and Board of Assessors hosting an information session November 14th at 12pm and November 5th at 5:30pm
- Rural Policy Advisory Committee Listening Session, Nov. 14th from 6-8pm at the Newbury Town Offices, 12 Kent Way, Newbury, MA
- Town Offices will be closed on November 22nd and November 23rd for the Thanksgiving holiday
- Holiday Tree Lighting, Thursday, November 29th starting at 6:30 on the Training Field
- Marine Corp. Toys for Tots: New, unused, unwrapped toys may be dropped off at the Public Safety Complex at 401 Main Street starting November 1st through December 3rd

Regular Business

A. Requests for appointment to Cultural Council: Susan Dougherty, and Dot Cavanaugh

Susan Dougherty and Dot Cavanaugh were present to answer any questions from the Selectmen. Selectman Anderson asked for confirmation that the candidates have not exceed the two consecutive three-year appointments. Susan Dougherty past membership dates (not all are included) are 2009-2012; 2013-2016. Dot Cavanaugh past membership dates (not all are included) are 2011-2014 and 2015-2018. Town Counsel confirmed that the word “consecutive” in this statute would allow both candidates to be appointed tonight.

Selectman Anderson moved to appoint Susan Dougherty and Dot Cavanaugh to the Cultural Council for three-years through June 30, 2021. Second by Chairman Kemper with a unanimous vote.

Documentation: Application for Appointment from Susan Dougherty and Dot Cavanaugh

B. Jon Shikes, Pack 26 Cubmaster Re: Use of town facilities more than six times per year

Mr. Shikes, Cubmaster was present to request the use of town facilities more than six times per year for the Scouts, West Newbury's Pack 26. The pack has seen an increase of 25% of new scouts over the last year therefore holding the meetings in a larger area is much more desirable.

Selectman Anderson moved, subject to availability, to approve the use of the Annex or the Town Hall with no need to come back in for approval unless there is a drastic change to the membership. Second by Chairman Kemper with a unanimous vote.

Documentation: Email from Mr. Jon Shikes, Cubmaster dated November 7, 2018

C. Public Hearing with Board of Assessors: FY2019 Tax Classification Hearing

Chairman Kemper opened the public hearing, second by Selectman Archibald with a unanimous vote.

Chief Assessor Meredith Stone and member of the Board of Assessors Richard Baker were in attendance and explained the new growth evaluations has been approved and the Board of Assessors are recommending a single tax rate. It has been the practice in town to approve a single tax rate as residential property makes up 97% of the town. The Board discussed that setting a commercial tax rate would be inconsequential as an offset to residential property therefore not recommended.

Selectman Archibald questioned if the town has any properties filing a personal property tax. Chief Assessor Stone responded that predominantly the Town of West Newbury are not secondary homes and she could put out a survey but most residents return the sales questionnaires and respond that it is their domicile.

The Board of Assessors and Chief Assessor recommend the tax levy of \$13,789,329.16 which would put the tax rate at \$14.57, an increase of \$.01 over last year. Property values increased therefore tax bills did as well which was clarified by Chairman Kemper. Single family home assessments increased by more than \$30,000 with an average tax bills increase of \$450.00. Every year assessors must make interim adjustments to be at 100% fair market value, certified by Mass. Department of Revenue.

Selectman Archibald motioned to adopt the single tax rate, not adopt the open space discount, not to adopt the residential exemption and not to adopt the small commercial exemption. Second by Selectman Anderson with a unanimous vote.

Chairman Kemper motioned to close the public hearing. Second by Selectman Archibald with a unanimous vote.

Documentation: Memo from Town Manager dated November 9, 2018 and informational packet from Chief Assessor Meredith Stone

D. Discussion of CPA surcharge and opportunity to discontinue – *request of Tom Atwood*

Resident Tom Atwood was present and discussed the Community Preservation Act and the opportunity to reduce or discontinue this tax. Discussion took place on the history of CPA funds voted in 2006 with votes put forth to change the percentage at town meeting in the past and the vote was close and this year would be beneficial due to the anticipated large turnout due to the school vote. Mr. Atwood is disappointed the majority of funding has gone to the Page School and is time to revisit the Community Preservation Act to either eliminate or reduce the 3% tax. Mr. Atwood requested support from the Board of a citizen's petition for the spring town meeting regarding the CPA tax.

Selectman Anderson responded that he feels that Mr. Atwood made some very valid points with the votes very close on either side. Selectman Archibald discussed the matching funds and how this has decreased over time with many more towns approving CPA locally.

Bill Bachrach, Park and Recreation Commission and Chairman to the Community Preservation Committee added to the discussion and handed out an accounting of the CPA funds with an approximate \$2.2 million balance with 63.6% for the Page School, 21% for historic preservation, 2.4 for Open Space, 2.2% for Park and Recreation and 10.8% for Community Housing. Mr. Bachrach discussed the need for a long-term plan for the CPA funds with two things of concern; for residents to know where CPA funds come from and is there a better use of these funds.

Chairman Kemper added this is not new, these concerns have existed for some time and agreed to educating the residents. Town Clerk Michael McCarron added that the Secretary of the State suggested a process for changing CPA funds, there should be a Town Meeting vote and then an election. The problem is that in order to put a ballot question at Town Meeting it must be done at least 35 days prior to town election. This is the Secretary of State's interpretation and would only be clarified if challenged.

Town Manager Angus Jennings added that the Community Preservation Committee plan is to be updated yearly, is currently being addressed by the committee and allows input on the plan.

Brad Beaudoin offered a way to better explain where CPC funds are coming from when articles are voted upon, funded by CPA, the wording of the article in his opinion was not clear as it references CPA revenues and recommends referencing it as a 3% real estate surcharge. Therefore, an uninformed citizen would be aware of this surcharge and how it is being used and more clearly explains where the funds are coming from.

Documentation: Email from Tom Atwood dated October 23, 2018 and CPC information from Bill Bachrach

E. Historical Commission, request for authorization to submit grant re: Survey & Planning Matching Grants

Mr. Robert Janes was present to discuss an application to the Massachusetts Historic Commission for a second round of historic inventory 50% matching grant application and requesting approval to proceed. Funding for this project is \$25,000 of which \$12,500 will be coming from CPA funds. Town Manager Jennings added that Jeff Clewley helped considerably with the paperwork for this grant on it's first round and is no longer on the commission and asked who is leading the charge on the paperwork. Mr. Janes responded that would be him and the paperwork has already been completed; Mr. Jennings referred to the close out of the grant and accounting reported to the State. Mr. Janes responded that he will do the best to complete this task.

Selectman Archibald questioned what work is to be done. Mr. Janes responded the first inventory completed was for Main Street and a few other roads amounting to about 1/3 of the properties with approximately a total of 300 homes that fall under the category of 100+ years old. This second round will address another 1/3 of the town's historic properties.

Selectman Anderson moved to approve the Historic Commission request for a historic site agreement. Second by Chairman Kemper with a unanimous vote.

Documentation: Memo from Bob Janes dated November 7, 2018

F. Discussion of FY'20 budget and capital planning priorities with members of the Finance Committee and Capital Improvements Committee

Present were members of the Finance Committee and the Chair of the Capital Improvements Committee

Selectman Anderson started the discussion with the Selectmen's budget message and calendar and tonight is a listening and discussion from all parties. Town Manager Jennings asked for clarity on how the change to the form of government from a Finance Director to Town Manager can be expected to affect departments/committees and commissions and the process for the budget calendar. Jennings added that with budgets submitted to the Town Manager and preparing an overall budget to the Finance Committee, it is important to define the calendar to match that sequence. Jennings requested clarification on budget preparation and the role of the Finance Committee and Board of Selectmen relative to what was done last year.

Selectman Anderson stated that the only change is that instead of the Finance Director preparing the budget it will now be done by the Town Manager vetting the budget with some discussions with the Board of Selectmen. To then hold a joint meeting with the Finance Committee to approve the budget.

Selectman Archibald discussed the budget message to give direction to departments and Town Manager regarding budget limitations. The Board discussed having the Town Manager come up with a proposed budget calendar for the Selectmen to review at a future meeting.

Town Manager Jennings discussed his process by meeting with department heads and vetting the budget and bring to the Finance Committee the Town Manager's budget which may or may not be what was proposed by the department head.

Forbes Durey, member of the Finance Committee requested a more staged budget, less likely to shift as happened last year. Town Manager Jennings responded that his plan is to give the Finance Committee his final numbers with no change's forthcoming. Selectman Anderson recapped that what the Town Manager gives to the Finance Committee will be more flushed out therefore later than in the past would work well.

Tom Atwood asked for guidance to standardize the process for Board members would be helpful, i.e. Board of Assessors, Conservation Commission and whether Boards need to individually vote on their budget.

The budget message and calendar will be discussed and finalized at the next meeting. Selectman Anderson asked to include future budget projections and reducing free cash.

The Capital Improvements Plan was discussed and Town Manager Jennings has met with the Chair of the Capital Improvements and department heads to better understand the need of the town and his work from here forward is to mesh all this information into a good, clear format.

Next steps: Town Manager Jennings will prepare a budget calendar to be reviewed and discussed by the board at their next meeting. The board will work on preparing a budget message and bring to the table thoughts from each board member. Forbes Durey asked for expenditures to be more inline with the budget, not to exceed the 2.5% and to work toward fully funding the stabilization accounts for targeted usage to include funding source.

Documentation: Memo and reports from Town Manager Jennings dated November 9, 2018

G. Discussion of composition and activities of the Personnel Committee

Town Manager explained that the Personnel Committee has an important role under the Personnel Bylaw and the legislation requires that he oversees the personnel policies. The committee has not met for a number of years and he is looking to reinvigorate the committee to work on a few items. Currently there are three members appointed to the committee with one-member position filled by a Selectman Representative. Jennings respectfully suggests that the Selectman Representative be replaced by a non-selectman representative for a couple of reasons.

Chairman Kemper stated that by removing a member of the Selectmen from the committee would then allow for the committee to submit their findings and recommendations to the board. Jennings added that the committee is responsible for addressing labor law and having a committee independent of the organization is helpful. Secondly the appeal process is through the Selectmen therefore having independence from the Personnel Committee is important to allow validity through the process. The board had no issue with removing the selectman representative on the committee and the town will advertise for openings on the committee.

Documentation: Memo from Town Manager Jennings dated November 9, 2018 and Personnel Bylaw

H. Acceptance of Meeting minutes dated October 15, 2018

Selectman Anderson moved to approve the minutes dated October 15, 2018. Second by Chairman Kemper with a unanimous vote.

Documentation: October 15, 2018 draft meeting minutes

Town Manager Updates

- I. Discussion of existing town finance policies, Community Compact recommendations and forecasting tool

Town Manager Jennings recommends taking the existing town finance policies and use that as a vehicle to add the community compact recommendations with a goal of arriving at a set of financial policies under one cover that is internally cohesive. Finance Committee member Brad Beaudoin is onboard with moving forward with the Town Manager's recommendation. Finance Committee member Forbes Durey questioned why we would use outdated policies when the town has recommended up-to-date policies.

Selectman Anderson agreed with Forbes and to use the community compact policies as a baseline and merge the town policies. The board has gone through the policies and made mark-ups and they are ready to go and Selectman Anderson recommends putting the policies side-by-side and get it done.

Selectman Kemper discussed the deadlines facing the Town Manager and how and what are we to get it all done in the time allowed before town meeting.

Discussion took place on how to get the community compact policies ready for town meeting approval. The board has made adjustments but that does not merge the current town policies therefore missing that step. The new chart of accounts is a large step that needs to happen now according to Town Manager Jennings and is time consuming.

Chairman Kemper responded that the board set out what they want to accomplish and we need the Town Manager to give us a timeline on what we want to accomplish for he is on the frontlines.

Town Manager Jennings discussed his top priorities as the chart of accounts for the FY'20 budget and to integrate the new software but in order to do that it is going to take a lot of time now. Asking departments to put together the budget in that format we need to be ready to implement. Maximum efficiency of the Finance Department is priority number two.

The board discussed having a meeting in December to review policies and Chairman Kemper asked the Finance Committee if they know of policies that can be done now then to let them know.

Documentation: Memo from Town Manager Jennings dated November 9, 2018

- J. Proposed review and evaluation of Town Offices' layout, administrative needs and staffing

Town Manager Jennings addressed his proposal and is looking for the board's blessing on the town office layout, administrative needs and staffing changes with the Finance and Selectmen's Office. Selectman Anderson feels that this needs more discussion on this topic.

Town Manager Jennings outlined his goal with this proposal is to give boards/committees/commissions a dedicated staff member to handle support and communications. Goals set out by the board in June is to review employee job descriptions as to what works, what does not and how it can be improved. How to maximize time and productivity and this is in response to that directive. Administrative capacity is enormously important to an organization and Jennings stated that he has a good sense of what is going on with researching what is set out in his memo.

Selectman Archibald motioned to support what is driven in the Town Manager's memo. Second by Chairman Kemper. Selectman Anderson added that he is aware that some staff is not carrying out what was set out to them earlier this year which has created an issue. Selectman Archibald added that one of the Town Manager's charges is to figure out what works and what does not work and we are not here all the time. **Vote: Chairman Kemper – aye, Selectman Archibald – aye, Selectman Anderson – no; 2-1-0.**

Documentation: Memo from Town Manager Jennings dated November 9, 2018

K. Project updates:

- a. Recent meeting with PSRD Superintendent, Business Mgr. and representatives from Groveland and Merrimac regarding the Pentucket Regional School District Regional Agreement

Town Manager Jennings discussed the focus on a contingency planning in the event a facility was to become unavailable from a structural failure or system failure. By directive of the School Committee, the Superintendent is pushing this forward and they are early in the process and each town will be involved with policy discussion.

Documentation: Memo from Town Manager Jennings dated November 9, 2018 and PRSD Regional Agreement

- b. Middle Street Bridge, update on design process and anticipated timeline

Town Manager Jennings stated the current status is the conceptual designs are due in early January and plan to hold a public hearing and a mailing to all that are interested. Bi-weekly conferences are taking place and the new DPW Director will be brought on board and fully appraised.

Documentation: Memo from Town Manager Jennings date November 9, 2018

- c. Bids received for water building, and next steps

Town Manager Jennings gave a next step on the bids received for the chemical building. The bids came in at double of the estimated cost so the Water Commissioners have set the direction for the engineer to retool the project to get it down to the available budget. It is likely they will bring to Town Meeting a request for additional funding for the chemical building project. The bid went out today for the water tank so that is a wait and see.

No documentation

- d. Page School Generator, project update

Town Manager Jennings reported the project is due to be complete this month and is on budget.

Documentation: Memo from Town Manager Jennings date November 9, 2018

- e. OSHA trainings and work toward compliance by effective date of Feb. 1, 2019

Town Manager Jennings gave an update on OSHA training and work toward compliance.

Documentation: Memo from Town Manager Jennings date November 9, 2018

- f. Update on meetings with Mill Pond Committee and Conservation Commission regarding process for amending Mill Pond Management Plan and Pipestave/Mill Pond Conservation Restriction boundary

Town Manager updated the Board on the plan which has gone out to all departments for input and recommendations. The board agreed to wait until all recommendations are in before meeting further on the plan.

Chairman Kemper asked the Town Manager and Town Counsel to look into see if the town can reverse a conservation restriction.

Documentation: Memo from Town Manager Jennings date November 9, 2018 and email correspondence from Dave Rimmer, Greenbelt

- g. Overall project management framework

Town Manager Jennings discussed there are issues that need additional discussion.

Documentation: Memo from Town Manager Jennings date September 27, 2018

L. Follow up meeting assignments

- Budget message and calendar
- Financial Policy review in December on an off week

M. Placing items for future agendas

- Planning Board resignation from John Sarkis. Planning Board was unable to attend tonight and will need to vote by quorum to fill that position.
- School building assessment to agree on a strategy
- Formally invite members to the black-tie event held by the Bicentennial Committee
- Update from the River Access and Harbor Committees
- Discussion of traffic safety from Tom Atwood

Chairman Kemper motioned to adjourn at 9:35pm. Second by Selectman Anderson with a unanimous vote.

Respectfully Submitted,

Mary Winglass, Executive Administrator