



**Town of West Newbury**  
**Select Board and Finance Committee Joint Meeting**  
Monday, October 16, 2023 @ 6:00pm  
381 Main Street, Town Office Building  
[www.wnewbury.org](http://www.wnewbury.org)  
**Meeting Minutes**

**Open Session:** Chairwoman Reed opened the session at 6:03pm.

**Participation at the Meeting:**

- Rick Parker, Wendy Reed, Chris Wile- Select Board
- Ross Capolupo, Dan Innes, Ann O'Sullivan, Rob Phillips, Jim Sperelakis- Finance Committee
- Jack Duggan, Bob Janes- Board of Water Commissioners
- Angus Jennings- Town Manager
- Jim Blatchford- Town Clerk
- K.C. Swallow- Town Moderator
- Jenny Walsh- Town Accountant
- Christine Marshall- CoA Director
- Dianne Faulkner- CoA representative
- Tim Zessin- K.P. Law representative
- Mark Marlowe- Water Superintendent
- Butch Hills, DPW
- John Butler- Representative from National Grid
- Representatives from Gienapp Architects

**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.
- Fall Special Town Meeting to take place on Monday, Oct. 23, 2023 at 7pm in the Annex
- Lunch & Learn at the SAGE Center- Q&A with Town Manager and Town Clerk regarding Special Town Meeting articles-Thursday, Oct. 19<sup>th</sup> from 11:30-1:00pm. Please RSVP to [coa@wnewbmy.org](mailto:coa@wnewbmy.org)
- Public workshop re MVP/River Road project, and Route 113 corridor planning- Thursday, Nov. 9<sup>th</sup> details TBA
- Public workshop re MBTA Communities initiative - Wednesday, Nov. 15<sup>th</sup> details TBA
- Call for volunteers! FY24 positions on Boards/Commissions/Committees. See [www.wnewbury.org/volunteer](http://www.wnewbury.org/volunteer)
- Reminder to subscribe for emailed Town agendas/news/announcements at [www.wnewbury.org/subscribe](http://www.wnewbury.org/subscribe)

**Regular Business**

**A. Joint Session with Town Moderator, Finance Committee, Town Clerk, Town Counsel, Town Manager, to review Fall Special Town Meeting and draft Motions**

**See Exhibit A, p. 4-12.** The Select Board and Finance Committee, joined by other Town government personnel and Town Counsel and Town Moderator, established who would make Motions at Town Meeting for each Article, and hammered down final details in each.

On Article 1, the Moderator clarified if there were any Committees, Commissions, or Boards that wished to speak under Article 1. The Town Clerk relayed that a number of BCCs wished to speak.

On Article 2, it was determined that the Board of Water Commissioners would make the Motion.

On Article 3, it was determined that the Select Board would make the Motion.

On Article 4, it was determined that the Select Board would make the Motion. Swallow stated she felt that motions could not be amended from a previous Town Meeting within the language of an Article. While the content of Article 4 was fine, she felt, the usage of the word "amend" within it was problematic to her as it implied that they were modifying actions taken at a previous, now closed, Meeting. The raising of funds through an Article at STM was easy enough, in her view, by simply requesting to appropriate funds in it, but a decrease in funding posed a greater problem due to the need to include historical context. Phillips asked Town Counsel to weigh in on the debate. Zessin said that the phrasing in the Article was fine- the difference between "appropriate" or "amend" was immaterial in this context. Parker offered his own suggestion on how to phrase appropriations, focusing on the "net amount". Finally, it was determined within the Article the word "increase" would be replaced by the word "adjust".

On Article 5, it was determined that the Select Board would make the Motion.

On Article 6, it was determined that the Select Board would make the Motion.

On Article 7, it was determined that the Board of Assessors would make the Motion.

On Article 8, it was determined that the Select Board would make the Motion.

On Article 9, it was determined that the Select Board would make the Motion.

On Article 10, it was determined that the Select Board would make the Motion.

On Article 11, it was determined that the Open Space Committee would make the Motion.

On Article 12, it was determined that the Open Space Committee would make the Motion.

On Article 13, it was determined that the Select Board would make the Motion, and a 9/10ths vote would be required for passage.

On Article 14, it was determined that the Open Space Committee would make the Motion. Reed asked if the entire Article needed to be read or if the Motion could be read referring to the Article, and a solution to waive the reading of the Article was proposed, meaning that the sequence of events would be thus: a Motion would be made to waive the reading of the Article, the Finance Committee would provide their recommendation, then the Motion on the Article itself was to be made. It was found that the sunset date needed to be added to the Motion.

On Article 15, it was determined that the Planning Board would make the Motion, and a 2/3rds vote would be required

*Select Board Open Session Meeting October 16, 2023.*

*Minutes approved November 6, 2023.*

*Posted Agenda on October 12, 2023 at the Town's Offices and the Town's Official Website [www.wnewbury.org](http://www.wnewbury.org)*

would be required for passage.

On Article 16, it was determined that the Select Board would make the Motion.

On Article 17, it was determined that the Planning Board would make the Motion, and a 2/3rds would be required for passage.

On Article 18, it was determined that the Select Board would make the Motion.

On Article 19, it was determined that the Select Board would make the Motion.

On Article 20, it was determined that the Select Board would make the Motion.

On Article 21, it was determined that the Select Board would make the Motion.

On Article 22, it was determined that the CoA would make the Motion.

On Article 23, it was determined that the CoA would make the Motion.

On Article 24, it was determined that the Select Board would make the Motion.

After the discussion concluded, **Jim Sperelakis motioned to adjourn the Finance Committee portion of the meeting. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). The Finance Committee meeting adjourned at 6:57pm.** The Select Board-only portion of the meeting continued with the reading of the Announcements.

**B. Request for appointment of Zip Corning to Cultural Council**

**See Exhibit B, p. 13. Parker motioned to appoint Corning to the Council for a 2-year term. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

**C. Select Board review of Committees' charge / function: Council on Aging**

**See Exhibit C, p. 14-17.** Christine Marshall and Dianne Faulkner spoke to the Board about CoA priorities (for the next five years) beginning with “increased staffing”. The request referred to staffing the reception area in the foyer of the Town Office building presently equipped with a desk. Marshall hoped to have a part-time worker there and/or a senior tax work-off individual. Marshall and Faulkner also spoke to the request for an “electric vehicle” to provide medical or small errands rides. The van previously used by the Council was previously declared surplus, but it would be oversized for the Council’s needs today. Reed lauded the work of the Council on Aging, and confirmed some of the other priorities, including the CoA revolving fund, and a permanent pickleball setup in West Newbury. Based on feedback provided to the Board about areas the Town could support the CoA, Reed asked what “improved communication” meant. Faulkner responded that she felt CoA was not as engaged in the community as she would like it to be, relative to other Towns and Cities nearby. Jennings lauded the Center and Council’s work over the past year, and asked what methods there might be to engage non-seniors with the Council on Aging/SAGE Center newsletter. **No motion was made at this time.**

**D. Request for utility pole petition approval -John Butler, National Grid**

**See Exhibit D, p. 18-36.** Butler spoke to the Board about the pole work to be done at 290 Middle St including the trimming of trees and removal of others and installation of a quartet of new poles. The Planning Board and the DPW had all already approved the work. Parker asked if National Grid was pursuing underground utility lines. Butler said that most lines were underground. **Parker motioned to approve the installation of the four new poles per the plan. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

**E. Presentation regarding Page School Conditions Assessment Study, incl. next steps - Gienapp Architects**

**See Exhibit E, p. 37-38.** The Board watched a presentation from Gienapp Architects. The Architects informed them that the building was in overall good condition. They provided statistics on enrollment and square footage, as well as on renovations/construction of the elementary school’s sections. The Gienapp representative warned that renovations to the school would trigger substantial modifications to be up to code. They also highlighted limited insulation across Page. Water damage is present across the stone and brickwork across but there is limited leakage from the roof. The Town has an RFQ for a mason to address these issues. Gypsum-concrete used in building the school poses a problem due to its warping and vibration transfer, but the Architects assessed the building as structurally sound. The electrical systems were reported as good, but a minimal number of outlets means they are overloaded, and they additionally recommended increased site lighting and replaced PA speakers/phones. The firm also expressed concern about Page’s wiring, urging an assessment of it to ensure its safety. HVAC is a mixed bag, with limited insulation and no central air conditioning, reported the Architects. Insufficient water pressure and failing water heaters presented concern to the analysts, as did the status of the piping to the water fountains. The fire pump system shows “wear and tear” and needs maintenance and cleaning of some of its fixtures. The presentation concluded with a color-coded matrix reflecting the conditions of various aspects of the building’s structure and systems in each portion of the elementary school/Children’s Castle. Gienapp Architects provided a list of the assorted timelines and scenarios the Town has depending on what options they choose for the future of Page School (such as minor or major renovations, demolition and new construction, additions to the existing structure, sale of the property, etc.) Concluding the discussion, Jennings relayed that planned HVAC work at Page School’s administrative offices was most likely going to be more expensive than envisioned. Parker also brought up the need to approach any future plans with an eye toward net zero emissions. Overall there would be a need to invest in the building, but Wile found the financial figures encouraging. **No motion was made at this time.**

**F. Consideration of updated draft MOU with Board of Water Commissioners for use of ARPA funds**

**See Exhibit F, p. 39-56.** The Board and Jennings discussed the confusion with Tata & Howard’s billing, which continued to introduce new costs, including sums for work that had apparently previously been done- namely \$9,000 in additional engineering costs. The Board was being asked by Tata & Howard to approve the revised Memorandum to incorporate these new costs, raising concern. The group debated using ARPA funds for these costs. Duggan spoke about the strong need for future oversight of contracting language and the progression of projects, but he felt that the original pursuit of these aims was well-intentioned. Reed suggested the Town get the firm’s bid documents to double check Tata & Howard’s intentions. Phillips asked about next steps in the process, and Jennings explained them. **Wile motioned to endorse the modified MOU. The motion was properly seconded. The motion unanimously passed.**

(3 Yes, 0 No, 0 Abstain).

**G. Public Hearing to consider proposed amendments to Personnel Policy**

See Exhibit G, p. 57-112. No comments were received on the amendments. The Clerk and Board clarified that paternity leave, as mentioned in the policy, should be amended to “parental leave”. **Wile motioned to approve the amendments to the Policy. The motion was properly seconded.** Jennings said that all Town employees would be asked to acknowledge receipt of the updated Policy given the scale of the changes. Parker brought to the group’s attention Section 5.1.1, asking for clarification on his understanding of the vacation-accrual language. Jennings felt that the language could use clarification as well. **The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

**H. Review of previously-proposed revisions to PRSD Regional Agreement, in preparation for upcoming regional meeting among PRSD Select Boards and Finance Committees to be held on Nov. 7<sup>th</sup>**

See Exhibit H, p. 113-127. Jennings provided the members of the Board a memo on the Town’s recommendations to be put forward at the upcoming regional meeting. Parker asked about wording on p. 115 of the Select Board Packet which said “The Budget shall be comprised of two parts, operating costs and debt service, each as defined herein” and then pointed out later it starts in reverse as “debt service and capital costs”, which he found odd and unclear. Rob Phillips said he felt that the two sentences incorporated three different expenditures (versus two, with different names for one of them). **No motion was made at this time.**

**I. Preview of upcoming meetings re proposed Whittier Tech school building project, incl. special meeting with West Newbury Select Board on Nov. 13 and Whittier Tech public forum at Annex on Dec. 6<sup>th</sup>**

See Exhibit I, p. 128-133. Jennings told the Board that there would be a joint meeting with concerned parties on the Whittier School Building Project, followed by a December 6<sup>th</sup> public forum on the Project hosted by Whittier. The school was hosting meetings across the Whittier School District. Wile asked for official numbers on how many West Newbury pupils attended WVTRHS. **No motion was made at this time.**

**J. Notice of application for culvert grant for River Road culverts; request for authorization to accept grant, if awarded**

See Exhibit J, p. 134. Jennings explained to the Board he felt the Grant would help with River Road culvert repairs, since it seemed to be a good match for the MVP project, and because the Commonwealth would be overseeing the study and therefore reduce workload on Town staff. The Grant could dovetail nicely with the MVP award the Town recently received to address similar issues on River Road. **Wile motioned to provide authorization to accept the Grant. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

**K. Update regarding Coffin Street culverts; discussion of whether to propose ARPA funding for engineering/permitting costs (with anticipated proposal for construction funds at Spring Town Meeting)**

See Exhibit K, p. 135-140. The Town Manager briefly mentioned where things stood with regard to the funding of the engineering and permitting costs for the culvert replacements. **No motion was made at this time.**

**L. Review employee requests for carry-over of unused FY23 vacation time until December 31, 2023**

See Exhibit L, p. 141. Wile motioned to accept the carry-over as referenced. **The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

**M. Proposed new Select Board policy: criteria for use of Town Facebook, email notifications, etc. for communications and publicity**

See Exhibit M, p. 142. This Item was tabled for a future meeting (with action taken taking into account on how the GAR Library sets their policy on the issue).

**N. Update regarding other potential new/amended Select Board and Personnel policies currently in draft form, or at earlier stages of research**

See Exhibit N, p. 143. Reed and Jennings agreed on the need to establish certain aspects of the Policy before others because of their importance (such as remote work regulations). Jennings stressed the importance of developing a thoughtful series of policies, tethered to checks and balances- particularly with regard to procurement and management of contracts. The emphasis going forward would be on purchasing going through staff to limit conflicts of interest and get tighter control of the process. **No motion was made at this time.**

**O. Select Board liaison updates regarding recent or near-term Board/ Commission/ Committee activities**

Wile and Parker updated the Board on their activities reaching out to BCCs. **No motion was made at this time.**

**P. Town Manager recommendations re draft Select Board/Town Manager Goals/ Priorities for FY24**

Jennings said he wants to keep the Board focused on both baseline activities AND illuminating new or major projects, without bogging down the meetings or the Packet saying he wants to “communicate baseline stuff” better- bringing attention to these matters just as much as larger, or more urgent, goals and priorities. **No motion was made at this time.**

**Q. Meeting minutes: Sept. 18, 2023; Sept. 27, 2023; Oct. 2, 2023**

See Exhibit Q, p. 144-152. Wile motioned to approve the September 18<sup>th</sup> Minutes as amended. **The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).** Wile motioned to approve the September 27<sup>th</sup> Minutes as amended. **The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).** Wile motioned to approve the October 2<sup>nd</sup> Minutes. **The motion was properly seconded.**

**The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

**Town Manager Updates**

**R. Notice of receipt of Community Compact grant for budget/capital software**

See Exhibit R, p. 153. Jennings notified the Board that the ClearGov software would be obtained, since the Town received the Community Compact grant. **No motion was made at this time.**

**S. Planning for public workshops to be held on Nov. 9<sup>th</sup> and on Nov. 15<sup>th</sup>**

Jennings told the Board about the plan for a Town projects-oriented workshops in November to provide further information to the public on municipal initiatives, to field questions, and solicit feedback as needed. Jennings envisioned posters and exhibits to help illustrate things. The meetings would focus on the Rte. 113 safety improvements, the MVP Grant and River Road, and the MBTA Communities Act. **No motion was made at this time.**

**T. Bartlett Tree report re Ash Tree status/recommendations for follow-up treatments**

See Exhibit T, p. 154. Phillips and Parker discussed the content of the report from Bartlett. Jennings raised the question of whether inoculation of threatened trees should be rolled into the Town Operating Budget, or if it would remain a special expense and not a baseline service of the Town. Phillips said the Tier 1, 2, 3 metric would be helpful in determining the areas of investment/effort in the treatment program. Reed pointed out that the removal of the dead or dying ash trees should be considered. **No motion was made at this time.**

**U. Update regarding recent removal of invasive water chestnuts at Mill Pond**

See Exhibit U, p. 166-174. The quantity of the chestnuts was far greater than assumed, but a good number had been removed. Parker said he had planned to return to the Pond with waders to complete the removal. **No motion was made at this time.**

**V. MassDOT comments regarding Pipestave/Page 25% design plans**

See Exhibit V, p. 175. Jennings said that a planning meeting was upcoming to get prepared for the November 9<sup>th</sup> and 15<sup>th</sup> forums. **No motions were made at this time.**

**W. Update re recent Artichoke Dam meeting in Newburyport**

See Exhibit W, p. 176-186. Jennings recapped the prior meeting he had attended with Michelle Greene the Conservation Agent, and Mark Marlowe of the Water Department. **No motion was made at this time.**

**X. Update re MDOT installation of new overhead sign on Bridge St approaching Rocks Village Bridge**

See Exhibit X, p. 187-188. As part of the ongoing process, Jennings said information continued to flow in at a frenetic pace from the Commonwealth and local residents. Reed said that if the process was not past the point of no return, that the installation of the new sign should be evaluated. Reed confirmed Jennings would update them on the status of the sign installation. Butch Hills spoke to the Board about some of the measurements of the project, and on correspondence he had received from the DOT. The room also discussed the issue of the fence on the public right of way blocking the installation, and who was responsible for its removal, as well as the potential impact of the sign on the homeowner's views and property abutting the site which Parker felt would be minimal. **No motion was made at this time.**

**Y. Updates on other ongoing/active projects/initiatives**

See Exhibit Y, p. 189-201. Jennings brought the Board's attention to the revised flood maps, largely focused on the area by Pentucket Regional High School. **No motion was made at this time.**

**Z. Follow up meeting assignment; placing items for future agendas**

Among Items suggested for future Agendas by Wile and Parker was that the Finance Committee be requested by the Board to do an analysis of the Free Cash versus Stabilization Fund, as well as an update on the Long Hill Orchard site walk. Additionally, securing funding for the Middle Street Bridge was floated. **No motion was made at this time.**

**Wile motioned to adjourn into Executive Session. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). The Open Session adjourned at 10:32pm.**

**To access a video recording of the meeting, use the link below:**

<https://www.youtube.com/watch?v=I4hQNVm4quI>