



**Town of West Newbury  
Select Board Meeting  
February 12, 2024 @ 6:00pm  
381 Main Street, Town Office Building  
www.wnewbury.org  
Meeting Minutes**

**Open Session:** Chairwoman Reed opened the session at 7:00pm.

**Participation at the Meeting:**

- Rick Parker, Wendy Reed, Chris Wile- Select Board
- Angus Jennings- Town Manager
- Jim Blatchford- Town Clerk
- Rob Phillips- Finance Committee representative
- Jenny Walsh- Town Accountant
- KC Swallow- Town Moderator
- Elisa Grammer- Climate Change Resiliency Committee representative

**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.
- Update: Select Board Open Session start times will vary, and may be 6pm or 7pm going forward, as needed.
- Nomination papers available for local office- contact the Town Clerk's Office! [townclerk@wnewbury.org](mailto:townclerk@wnewbury.org) or call or visit. Final day to obtain nomination papers: March 14, 2024
- Presidential Primary Tuesday, March 5, 2024- Last day to request vote by mail ballot February 27, 2024
- SAGE Center Lunch and Learn: Senior Tax Circuit Breaker Tax Relief- March 6<sup>th</sup> 11:30-1pm
- 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. Public Comment. Limited to 2 minutes per resident on any topic. Please note that the Board will not discuss or take action at this meeting.**  
There was no public comment.

- B. Consent Agenda**  
There were no Items on the Consent Agenda.

- C. Town Manager Updates**
- a. **Proposed articles for Spring Annual and Special Town Meeting now available on Town website**  
See Exhibit Ca, p. 4-8. Once things are finalized through the Article review process, a final sequence of Article numbers will be assigned.
  - b. **Capital articles submitted for review by Capital Improvements Committee; upcoming meeting date(s)**  
See Exhibit Cb, p. 9-17. Jennings recounted the first meeting for this cycle of the CIC, who walked through the Articles with all membership present. The Committee assigned members to do deeper dives on the relevant Articles assigned to them. Reed said that it made the most sense to send the CIC their questionnaire at the end of the CIC review process because of the many new members and the intensity of their work.
  - c. **Middle Street Bridge, work with Newburyport regarding potential additional grant funding**  
Another joint City-Town meeting was in the pipeline, reported Jennings, and an attempt to secure another Small Bridge Grant would also be ongoing (for half a million dollars). Newburyport would potentially be referring Middle Street Bridge matters to a subcommittee. If the matter was placed on the subcommittee's Agenda, the officials from the Town of West Newbury could come in person to advocate during a relevant meeting.
  - d. **EMA practice exercise/drill completed, with FEMA and local officials, on February 7<sup>th</sup>**  
See Exhibit Cd, p. 18-19. A routine practice drill took place on the 7<sup>th</sup> and went well reported Jennings, who participated.
  - e. **Upcoming swatting hoaxes/bomb threat training February 14<sup>th</sup>**  
See Exhibit Ce, p. 20. Jennings stated that several Town employees would attend this training to be better prepared for this increasing threat.
  - f. **Correspondence sent to Representative Ramos and Senator Tarr re FY25 State budget priorities**  
See Exhibit Cf, p. 21-23. The Middle Street Bridge project, IDed as the Town's priority project, was outlined in a letter to the politicians.
  - g. **Updates on other ongoing/active projects/initiatives**

**D. Department Updates/Discussion**

- a. **MVPC DPW/Stormwater updates – Christine Wallace, PE, Projects/Programs Manager**  
See Exhibit Da, p. 24-26. Christine Wallace had sent around a heads-up on stormwater culvert grants being offered through the federal government, but the Board decided that commenting on the process should take place post-Budget season. Jennings mentioned that through the work being done as part of the MVPC Grant, new ideas on expediting the process of culvert replacement and related work might come up- bringing about potentially faster permitting and changed regulations to assist Cities and Towns.
- b. **Town Meeting logistics – potential venue change to accommodate attendance; potential multi-night Town Meeting. Preliminary discussion to be followed by review with Town Moderator, FinCom etc. in the coming weeks. – Jim Blatchford, Town Clerk**  
The Clerk suggested that Page School would be a potentially appropriate new venue for the Meeting or possibly Pentucket RHS given that they were both available during on April 29 and offered more seating. The Board and

Clerk pondered whether two nights in a row or two nights a week apart would be best to accommodate the length of this particular meeting. Page was eventually settled on as the preference, as well as back-to-back meetings.

- c. **Pre-Construction meeting scheduled for Church and Prospect St water main project February 13 at 10am**  
See Exhibit Dc, p. 27. It was speculated that this inter-departmental meeting might be cancelled by snow.

**E. Board/Commission/Committee Updates/Discussion (and Select Board liaison updates):**

- a. **Review of Climate Change Resiliency Committee questionnaire**  
See Exhibit Ea, p. 28-30. Chris Wile thanked Elisa Grammer for her hard work for the Town. Reed queried Grammer about the response on the questionnaire which requested the Town put together the Town Report in a swifter fashion. In order to keep West Newbury's MVP status, Grammer explained, the Committee members had to develop an annual report of their own in Spring, and without the Town Report to provide data for inclusion, it was difficult. Having a holistic view of all Town activities is essential for their work. Grammer passed on the CCRC's thanks to the municipal program managers and other Departments for their support.
- b. **Select Board appointment process for Boards/Commissions/Committees**  
Reed reopened talk on the role the Select Board has in appointing applicants. Wile felt that hearing the BCC's opinions (to whom the applicant was applying) was valuable, as did Parker. Reed asked if in a joint meeting setting the Select Board should take lead stating she felt that deference to BCCs was the proper path.
- c. **Upcoming meeting of Board of Water Commissioners (Feb. 14 at 10am) re FY25 expenses and revenues**  
See Exhibit Ec, p. 31. Jennings made the Board aware of the meeting. He stated that the Board of Water Commissioners would be working toward a rate hearing some time in March and Phillips said that he expected this to be the last Board of Water Commissioners meeting before that hearing. Reed pointed out that the water rate study wasn't finalized which would potentially pose an issue.

**F. Action Items**

- a. **Presentation of proposed FY25 Budget – Angus Jennings, Town Manager**  
Jennings touched on some key elements/directions of the new Budget. Among these elements and directions were proposed staffing changes, a 2% COLA increase, an effort to limit average single-family tax increases to no more than 2.5%, a continued draw-down of School Stabilization Fund based on a multi-year strategy, and continued transparent, clear budget drafting processes. He requested the Board refer the draft Budget to the Finance Committee. Jennings additionally stated that other specific areas were being considered in the FY25 Budget:
- Personnel step increases
  - Expenditure of ARPA funds
  - A revised DPW budget
  - Legal cost offsets
  - Unsettled union contracts
  - Trail maintenance funding resources
  - Estimated regulatory mandates
  - Ongoing evaluation of fee structures
  - Ongoing evaluation of regionalizing certain services
  - The FY25 Capital Improvement Program
- The municipal budget is due to increase 5.6%, with big drivers including education, retirement funds, the DPW, the Police Department, and the Town Manager's operating budget. The Board discussed the increase in the tree removal budget, which reflected a greater emphasis on taking care of high-hazard trees on public ways. Jennings floated the inclusion of financing for office administrative support in Land and Building Services (and potential backups) which at present is sorely needed. The discussion continued, with Jennings going through each line item of the FY25 Budget. He highlighted some areas of interest, including a revised Pentucket Budget, a forthcoming Whittier Budget, and police cruiser expenses. The Select Board packet for this meeting provides in depth and exact indications of Budget line items discussed in this Agenda Item. The Town Manager provided data and rationale for transferring Free Cash to lessen the tax rate. At the end of his presentation, Jennings outlined next steps:
- Refer the Budget (if satisfactory) to the Finance Committee
  - Review proposed Warrant Articles
  - Town Manager works in tandem with Finance Committee to schedule reviews based on readiness
  - Town Manager, Town Counsel, Town Moderator, and Select Board meet to discuss
  - Deadline to post Warrant April 15, 2024
- b. **Referral of proposed FY25 budget to Finance Committee; review of upcoming schedule/process**  
See Exhibit Fb, p. 32-34. Parker motioned to refer the Budget as presented. The motion was properly seconded. The motion was unanimously passed. (3 Yes, 0 No, 0 Abstain).
- c. **Consider whether to direct preparation of ARPA funding requests for one or more proposed spending articles, in lieu of proposing for funding at Town Meeting**  
See Exhibit Fc, p. 35-39. Jennings suggested the Board look over funding requests for Town Meeting items and see if any could be paid for with federal ARPA funds which are set to expire December 2024. Wile wondered if there had been any progress on employing ARPA funds on water main replacements at Church and Prospect Streets to help reduce the project's cost- both Parker and Jennings said that no progress had been made. The Board discussed various aspects of the financial picture, including how the initial bid on the project being lower than expected, and how the use of the funds might impact bonding. The Board also wondered if saving the money for "in case of emergencies" throughout the upcoming FY. Reed suggested using the funds to pay for the new fire truck, and Parker wondered if any hoops had to be jumped through if the ARPA allocations shifted from project to project. Wile suggested holding onto the money for the Middle Street Bridge project and that a clearer picture of total funding would be forthcoming. Walsh expressed her concerns about using the funds on the Bridge: if the Town was chipping in more money on their own, it would possibly negatively impact West Newbury's ability to ask for reimbursement through an IMA.
- d. **Decide whether to seek participation in Commercial Building Pilot Program**  
See Exhibit Fd, p. 40-55. The Board looked over materials aggregated by Parker, and the sentiment was that pursuing the non-profit Pilot Program-focused would be a better fit for West Newbury than the commercial building program. Reed felt that she did not feel fully informed enough to want to get the Town involved and Jennings was queried as to whether there was enough staff bandwidth to execute the Program. Jennings felt that if the initiative

came up “at the right time” it would be feasible. Parker interpreted the Program as requiring the most work initially from the Town Planner. Yet to be fleshed out was the commitment on the part of the Town, logistically and financially, should the community receive a decarbonization roadmap as a result of the Program. Parker promised he would report back after examining things further. He also suggested setting a goal for the Town with regard to decarbonization. Parker told Wile and Reed that the Library was in the process of decarbonizing.

**e. Review of draft proposed changes to the Hunting and Animal Bylaws**

**See Exhibit Fe, p. 56-67.**

- The Hunting Bylaw would be edited to ban hunting on public land Town-wide and eliminate the Select Board’s present power to approve these activities on a case-by-case basis. Cases in recent memory had been denied by the Board due to safety concerns. Wile suggested including “bow-hunting” in the list of weapons prohibited in the Bylaw. Parker defended deer hunting as a means of controlling their population, but Wile raised concerns about the hunting of deer in close proximity to recreationists. Parker wondered if there was any location on public land that could be reserved for deer hunting. Swallow suggested that keeping things as-is would enable the Board to authorize hunting of vicious animals and provide flexibility. The current burden placed on the Board (denying the two requests to hunt in the last few years) was not great, she pointed out. Taking this into count, the Board considered adding an “emergency situation” clause but no decision was made. The Board discussed at what point someone would be “hunting”, and how the fine and fee schedule would be applied. The Board felt that if there was a loaded weapon present, that would constitute a \$200 violation. Jennings made the Board aware that in some cases, the potential purchase of conservation land, and indeed some parcels in Town, included hunting as a permissible use of the property- but he was careful to distinguish that while it was permissible it was not by right allowed unless the hunter put a request in to the Select Board.
- The Animal Bylaw would be revised to make it clear that a dog would need to be leashed and not just “under control” as the previous law said. The Board looked over the whole Bylaw and agreed on the language and the fine and fee schedule.

**f. Review/approve proposed Select Board policy regarding livery operations – *Jim Blatchford, Town Clerk***

**See Exhibit Ff, p. 68.** Blatchford created a procedural document on operating a livery service out of West Newbury in response to a resident request. The resident required Board signoff on a letter (as mandated by MassDOT) enabling him to operate his livery service out of/through Town. The Board looked over the Clerk’s text and finding no issues, **Wile motioned to approve the livery operation letter. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

**g. Select Board meeting minutes: November 20, 2023; January 29, 2024**

**See Exhibit Fg, p. 69-76. Reed motioned to approve the Minutes as amended. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

**G. General Discussion Items**

**a. Acknowledge receipt of draft consultant reports regarding River Road Resiliency Study; review of process/timeline for further consideration and timely provision of comments on draft reports**

**See Exhibit Ga, p. 77-82.** Jennings advised the Board that any report comments needed to be submitted prior to February 28<sup>th</sup>.

**b. Whittier Regional Technical High School updates**

**See Exhibit Gb, p. 83-92.** It was determined that the latest Whittier-run meeting was on, pending a snowstorm.

**H. Correspondence, including:**

**a. Correspondence received re Emery Lane/Curzon Mill Road Dam inspection**

**See Exhibit Ha, p. 93-103.** A resident living adjacent to the Dam straddling Emery Ln. and Curzon Mill Rd. dispatched correspondence to the Town Manager requesting assistance with demands placed on himself and his wife by the Commonwealth’s Office of Dam Safety, who insisted that the dam and much of the infrastructure around his property was theirs (which the owner contested was only partially true). In their discussion, the Board decided to forward the documents to the Office of Dam Safety and solicit their feedback on the matter to determine next steps.

**I. Future Agenda Items / Meeting follow-up assignments**

Parker wondered if the Grange could be a good pairing with an informal Ag. Committee to support a farmer’s market/farm stand. Reed said that there had been talk of the Grange being involved in a separate right-to-farm movement and activities.

Jennings said that a good future topic for a public meeting in May would be the property tax rate setting and interfacing with the Board of Assessors to ensure adequate support for them.

**Wile motioned to adjourn the Session. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). The Session adjourned at 9:04pm.**

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

<https://www.youtube.com/watch?v=Bez0x30g2Gw>