

**TOWN OF WEST NEWBURY
COMMONWEALTH OF MASSACHUSETTS
WARRANT – SPECIAL TOWN MEETING
MONDAY, OCTOBER 23, 2023 @ 7:00pm**

Essex, ss.

To any of the Constables of the Town of West Newbury:

In the name of the Commonwealth, you are hereby required to notify and warn all the inhabitants of the Town of West Newbury, who are qualified to vote in the elections and Town affairs, to meet indoors at the **Town Annex, 379 Main Street**, at 7:00 p.m. on Monday, **October 23, 2023** to act upon or take any other action relative to all of the following articles.

GENERAL GOVERNMENT MATTERS

ARTICLE 1. To hear and act upon the reports of Town officers and committees, or take any other action relative thereto. *By request of the Select Board.*

WATER ENTERPRISE FUND

ARTICLE 2. To see if the Town will vote to amend the Expenses line of the FY24 Water Department budget, as adopted under the Motion for Article 6 of the Annual Town Meeting on April 24, 2023, by reducing the approved amount (\$445,027.00) to \$375,027.00, or take any other action relative thereto. *By request of the Board of Water Commissioners.*

APPROPRIATIONS

ARTICLE 3. To see if the Town will vote to amend the following Line Items as set forth in the Fiscal Year 2024 Town Omnibus Budget adopted under the Motion for Article 4 of the Annual Town Meeting on April 24, 2023:

- 3 – Town Manager Technology Expenses; increase from \$70,032 to \$76,455
- 9 – Board of Registrars Salary & Wages; increase from \$6,800 to \$8,400
- 9 – Board of Registrars Expenses; increase from \$8,250 to \$10,170
- 25 – Board of Health Steele Landfill Monitoring; increase from \$36,315 to \$36,915

and vote to raise and appropriate a sum or sums of money as may be necessary to defray the expenses of the Town for Fiscal Year 2024, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 4. To see if the Town will vote to amend the following Line Items as set forth in the Fiscal Year 2024 Town Omnibus Budget adopted under the Motion for Article 4 of the Annual Town Meeting on April 24, 2023:

- 21 – Pentucket Regional School Assessment; decrease from \$7,871,758 to \$7,862,142
- 21 – Pentucket Capital Assessment; increase from \$1,123,070 to \$1,154,371
- 22 – Essex North Shore Ag & Tech School; increase from \$46,327 to \$94,110

and vote to raise and appropriate a sum or sums of money as may be necessary to defray the expenses of the Town for Fiscal Year 2024, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 5. To see if the Town will vote to transfer and/or appropriate from available funds the sum of \$67,514.00 to the Pension Liability Stabilization Fund, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 6. To see if the town will vote to transfer and/or appropriate from available funds the sum of \$50,000.00 to fund the costs associated with identification and evaluation of sites with potential to support development of public well fields, including all incidentals and related expenses, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 7. To see if the Town will vote to transfer from available funds the sum of \$20,000.00 for the purpose of engaging professional consultant relative to the FY25 assessing revaluation, including all incidental and related expenses, or take any other action relative thereto. *By request of the Board of Assessors.*

ARTICLE 8. To see if the Town will vote to transfer and/or appropriate from available funds the sum of \$10,000.00 to fund the purchase and installation of police/fire audio recording, playback and archiving equipment for use by Police, Fire and Dispatch personnel, including associated training, setup costs, and all incidental and related expenses, or take any other action relative thereto. *By request of the Police Chief.*

ARTICLE 9. To see if the Town will vote to transfer and/or appropriate from available funds the sum of \$7,400.00 to fund the purchase and installation of gas meters for use by Fire personnel and other first responders, including associated training and setup costs, and all incidental and related expenses, or take any other action relative thereto. *By request of the Fire Chief Engineer.*

ARTICLE 10. To see if the Town will vote to transfer and/or appropriate from available funds the sum of \$12,000.00 to fund the purchase and installation of a portable speed monitoring trailer and pedestrian safety signs, including associated training and setup costs, and all incidental and related expenses, or take any other action relative thereto. *By request of the Police Chief.*

ARTICLE 11. To see if the Town will vote to transfer and/or appropriate from available funds the sum of \$50,000.00 to fund the costs of conducting professional invasive species management on town-owned land, including all incidental and related expenses, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 12. To see if the Town will vote to transfer from available funds the sum of \$3,500.00 to fund the costs and expenses of operating an invasive species intern/steward program, which will identify, map, and remediate invasive species on public lands in the Town of West Newbury, including all incidental and related expenses, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 13. To see if the Town will vote to transfer from available funds the sum of \$2,430.00 to fund the payment of unpaid bills incurred from the previous fiscal year, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 14. To see if the Town will vote to transfer and/or appropriate from Community Preservation Act funds, in accordance with the provisions of G.L. c. 44B, the sum of \$175,000.00 for the purpose of acquiring a conservation restriction on a portion of the property located at 114 Ash Street, consisting of approximately 14 acres and being a portion of West Newbury Assessors Map 70 Lot 40, and costs incidental or related thereto, and; to authorize the Select Board and/or the Conservation Commission to acquire said conservation restriction purposes by purchase, gift, and/or eminent domain on such terms and conditions as the Select Board and/or the Conservation Commission deems appropriate, to authorize the Select Board, the Conservation Commission, and/or their designee to apply for, accept and expend funds from other public or private sources to defray all or a portion of the costs of acquisition, including, but not limited to, grants and/or reimbursements from any federal, state or other grants or reimbursement programs in any way connected with the scope of this article, including but not limited to funds contributed by Essex County Greenbelt Association, which, together, with the Town, will hold said conservation restriction; and, further, to authorize the Select Board, the Conservation Commission, and/or their designee to enter into any and all agreements and execute any and all documents necessary or convenient to effectuate the foregoing; or take any other action relative thereto. *By request of the Open Space Committee and the Community Preservation Committee.*

BY-LAWS - OTHERS

ARTICLE 15. To see if the Town will vote to amend the West Newbury Zoning By-law by deleting Section 7 (Conditions of Use) in its entirety and replacing it with a new Section 7 (including 7.1-7.9), (Nonconforming Uses and Structures), as on file and available for inspection with the Town Clerk; and further to authorize the Town Clerk to make any non-substantive, ministerial changes to numbering and formatting to ensure consistency with the remainder of the Zoning By-law, or take any action relative thereto. *By request of the Planning Board.*

ARTICLE 16. To see if the Town will vote to amend the West Newbury Town Bylaws by deleting Section XXXIX (Short Term Rentals) in its entirety, and further, to authorize the Town Clerk to make any non-substantive, ministerial changes to numbering and formatting, so as to ensure consistency with the rest of the Town Bylaws, as necessary, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 17. To see if the Town will vote to amend the West Newbury Zoning By-law by revising Section 2 (Definitions), and by adding a new Section 4.2.4 (Accessory Dwelling Units (ADU)), as on file and available for inspection with the Town Clerk; and further to authorize the Town Clerk's office to make any non-substantive, ministerial changes to numbering and formatting to ensure consistency with the remainder of the By-law, or take any other action relative thereto. *By request of the Planning Board.*

ARTICLE 18. To see if the Town will vote to repeal the Personnel Bylaw, adopted at the third session of the 1999 Annual Town Meeting, in its entirety, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 19. To see if the Town will vote to accept the provisions of Mass. Gen. Laws Ch. 59 Sec. 21A, authorizing the Town to pay additional compensation to the Assessor in an amount equal to ten percent of their regular compensation, but in no event greater than \$1,000.00 annually, upon attainment of a certificate by the International Association of Assessing Officers as a certified assessment evaluator or a certificate by the Association of Massachusetts Assessors as a certified Massachusetts assessor, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 20. To see if the Town will vote to accept the provisions of Mass. Gen. Laws Ch. 41 Sec. 19K, authorizing the Town to pay additional compensation to the Town Clerk in an amount equal to ten percent of their regular compensation, but in no event greater than \$1,000.00 annually, upon completion of the necessary courses of study and training, and attainment of a certificate by the Massachusetts Town Clerks' Association as a certified Massachusetts municipal clerk, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 21. To see if the Town will vote to accept the provisions of Mass. Gen. Laws Ch. 41 Sec. 108P, authorizing the Town to pay additional compensation to the Town Treasurer/Collector in an amount equal to ten percent of their regular compensation, but in no event greater than \$1,000.00 annually, upon completion of the necessary courses of study and training, and attainment of a certificate by the Massachusetts Collectors and Treasurers Association as a certified Massachusetts municipal collector or a certified Massachusetts municipal treasurer, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 22. To see if the Town will vote to amend Section XL of the Town Bylaws by adding Section 5.7.1 (Council on Aging Revolving Fund) in order to establish a revolving fund for revenues and expenses associated with Council on Aging programs, and further to authorize the Town Clerk's office to make any non-substantive, ministerial changes to numbering and formatting to ensure consistency with the remainder of the By-law, as follows:

5.7.1 Council on Aging Program Revolving Fund.

5.7.2 Department. There shall be a separate fund called the Council on Aging Program Revolving Fund.

5.7.3 Revenues. The town accountant shall establish the Council on Aging Program Revolving Fund as a separate account and credit to the fund all the monies received in connection with fees charged for programs, events, trips and transportation.

5.7.4 Purposes and Expenditures. During each fiscal year, the Town may incur liabilities against and spend monies from the Council on Aging Program Revolving Fund for the payment of expenses for programs, events, trips, transportation and related expenses.

5.7.5 Fiscal Years. The Council on Aging Program Revolving Fund shall operate for fiscal years that begin on or after July 1, 2023 and shall continue until such time as Town Meeting votes to eliminate the fund.

or take any action relative thereto.

By request of the Council on Aging.

ARTICLE 23. To see if the Town, in accordance with Massachusetts General Laws Chapter 44, Section 53E½, and Section XL of the By-laws of the Town of West Newbury, will fix the maximum amount that may be spent during the fiscal year beginning on July 1, 2023 for the following revolving funds established in town bylaws, as set forth below for certain departments, boards, committees, agencies or officers, with such expenditure limits to be applicable for each fiscal year until such time as Town Meeting votes, prior to July 1 for the ensuing fiscal year, to revise the same; or take any other action relative thereto:

▪ Section 5.7 Council on Aging Revolving Fund \$ 30,000.00

or take any action relative thereto.

By request of the Council on Aging.

ARTICLE 24. To see if the Town will vote to establish a special purpose stabilization fund pursuant to Mass. Gen. Laws Ch. 40, Sec. 5B, to be known as the Opioid Settlement Stabilization Fund, for the purpose of supplementing and strengthen resources for prevention, harm reduction, treatment, and recovery, in accordance with the purposes and subject to the requirements in the Massachusetts Abatement Terms; and, vote to accept the fourth paragraph of Mass. Gen. Laws Ch. 40, Sec. 5B, which allows the dedication, without further appropriation, of all receipts from settlements on behalf of the Town with persons and entities involved in the sale, distribution and manufacture of opioid products. *By request of the Select Board.*

You are hereby directed to serve this warrant by posting attested copies thereof at least 14 days before the date of the Special Town Meeting, as provided within the Town Bylaws.

LOCATIONS TO POST WARRANT:

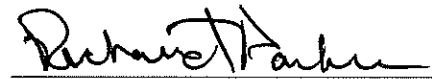
Town Hall
1910 Town Office Building
G.A.R. Memorial Library
Public Safety Building
Post Office
Laurel Grange

Hereof fail not to make due return of this warrant with your doings thereon at the time and place of holding said meeting.

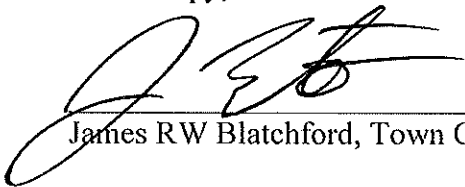
Given under our hands this 5th day of October, 2023.

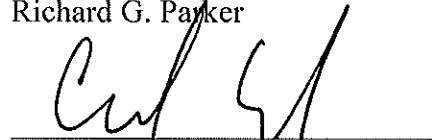
SELECT BOARD:


Wendy J. Reed, Chair



Richard G. Parker

A true copy, Attested:


James RW Blatchford, Town Clerk

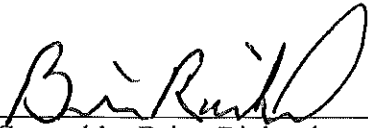

Christopher E. Wile

Pursuant to the above warrant to me directed, I hereby notify and warn all the inhabitants of the Town of West Newbury who are qualified to vote to meet at said time and place.



Constable, Brian Richard

10-6-2023
Date of Posting

Pursuant to the above warrant to me directed, I have notified and warned all the inhabitants of the Town of West Newbury who are qualified to vote to meet at said time and place.



Constable, Brian Richard



Date of Posting