



**Town of West Newbury
Board of Selectmen**

Monday, September 17, 2018 @ 7:00 pm
381 Main Street, Town Office Building
www.wnewbury.org

RECEIVED
TOWN CLERK
WEST NEWBURY, MA
2018 SEP 13 PM 4:20

AGENDA

Open Session: 7pm in the First Floor Hearing Room

Announcements: This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet.

- Fall Town Meeting, Monday, October 22, 2018 @ 7pm in the Town Annex
- Presentation of Accreditation Certificate to West Newbury Police Department on Wednesday, October 24, 2018 in Dover, MA (time and specific location TBA)
- Invitation to Public Forum seeking input for the Open Space and Recreation Plan, Wednesday September 19th at 7pm, Second Floor Meeting Room at the Town Offices

Regular Business

- A. Request for appointment of two Police Reserve Officers
- B. Request for Appointment of Terence Hartford to the Harbor Committee
- C. Personnel Policy: Vote of ratification of changes considered in public hearing on May 14, 2018
- D. Update on the Pentucket Building Committee and pending submittal of Preferred Schematic Report (PSR) to Massachusetts School Building Authority
- E. Review of draft Town Meeting Warrant for October 22nd Special Town Meeting
- F. Special Event Permit for Myopia Hunt
- G. Selectmen's Meeting minutes dated August 6, 2018 and September 4, 2018

Town Manager Updates

- H. Follow up meeting assignments
- I. Placing items for future agendas

Posted Agenda on 9/13/2018 at the Town Offices and the Town's Official Website www.wnewbury.org

Invitation to Public Forum Seeking Input for the Open Space and Recreation Plan

Sept. 19, 2018 * 7 p.m.
Second Floor Meeting Room at Town Offices

The Open Space Committee cordially invites all town boards, committees, department heads and citizens to attend a forum on Wednesday, Sept. 19, at 7 p.m. in the Second Floor Meeting Room of Town Offices.

The Open Space and Trails Committee is seeking public input into Community Needs, Goals and Objectives to be incorporated into the town's 2018 Open Space and Recreation Plan. The state Department of Conservation and Recreation requires every city and town in Massachusetts to update its plan every 5-7 years. The document is intended to act as a guide for local decision makers concerning issues of conservation and recreation. A current plan also is a requirement of eligibility for grants the town may seek for state funding of, among other things, water resource protection, land conservation, trail development, park improvements, and recreation projects.

We look forward to seeing you!



WEST NEWBURY POLICE DEPARTMENT

401 Main Street, West Newbury, MA 01985

Phone 978-363-1213

Fax 978-363-1114

Art Reed, Police Chief
areed@westnewburysafety.org

To: Town Manager Angus Jennings

From: Chief Art Reed 

Date: September 12, 2018

Re: Reserve Officers appointment approval

RECEIVED

SEP 12 2018

TOWN MANAGER
TOWN OF WEST NEWBURY

I have attached a copy of each candidates' appointment to include their resume and the Town's preliminary application. I am requesting your review of the information at your first opportunity. Below I have included a brief synopsis below on each of the two.

A full background was conducted on each of the candidates which included the following:

- * Criminal check * Motor vehicle check * Pre-employment questionnaire
- *Credit history *Citizenship verification *Military *Education verification
- * Great Bay entrance exam *Related training * Current employment * Reference checks
- * Psychologist interview

Candidate 1: Matthew Dushame

Dushame is currently a resident of Methuen, Ma and has been since 2003. He attended and graduated from Northern Essex Community College with a degree in Criminal Justice.

Currently Matt is in the United States Army Reserve 94th Military Police Company and has been with them since 2013.

He has graduated from the 15th Ma Law Enforcement Training Academy where he received his certification. He graduated with a 95% average.

Dushame has not worked in the capacity of a police officer since receiving his Reserve training. He will have to go through the departments Field Training Program which will consist of at least 400 hours prior to being released to work on his own. Depending on many factors it could be up to a year before he will be allowed to be on his own.

Candidate 2: John Rippa

Rippat is a resident of Billerica, Ma and has been living there for the last 21 years. He attended Billerica Memorial High School where he graduated in 2011. Currently John is enrolled in Southern New Hampshire University working towards a criminal justice degree.

John just graduated from the Ma Law Enforcement Training Academy where he received his certification.

John Currently is employed in a family business.

John has not worked in the capacity of a police officer since receiving his reserve training. He will have to go through the departments Field Training Program which will consist of at least 400 hours prior to being released to work on his own. Depending on many factors, it could be up to a year before he will be allowed to be on his own.

MATTHEW DUSHAME

| Methuen, MA |

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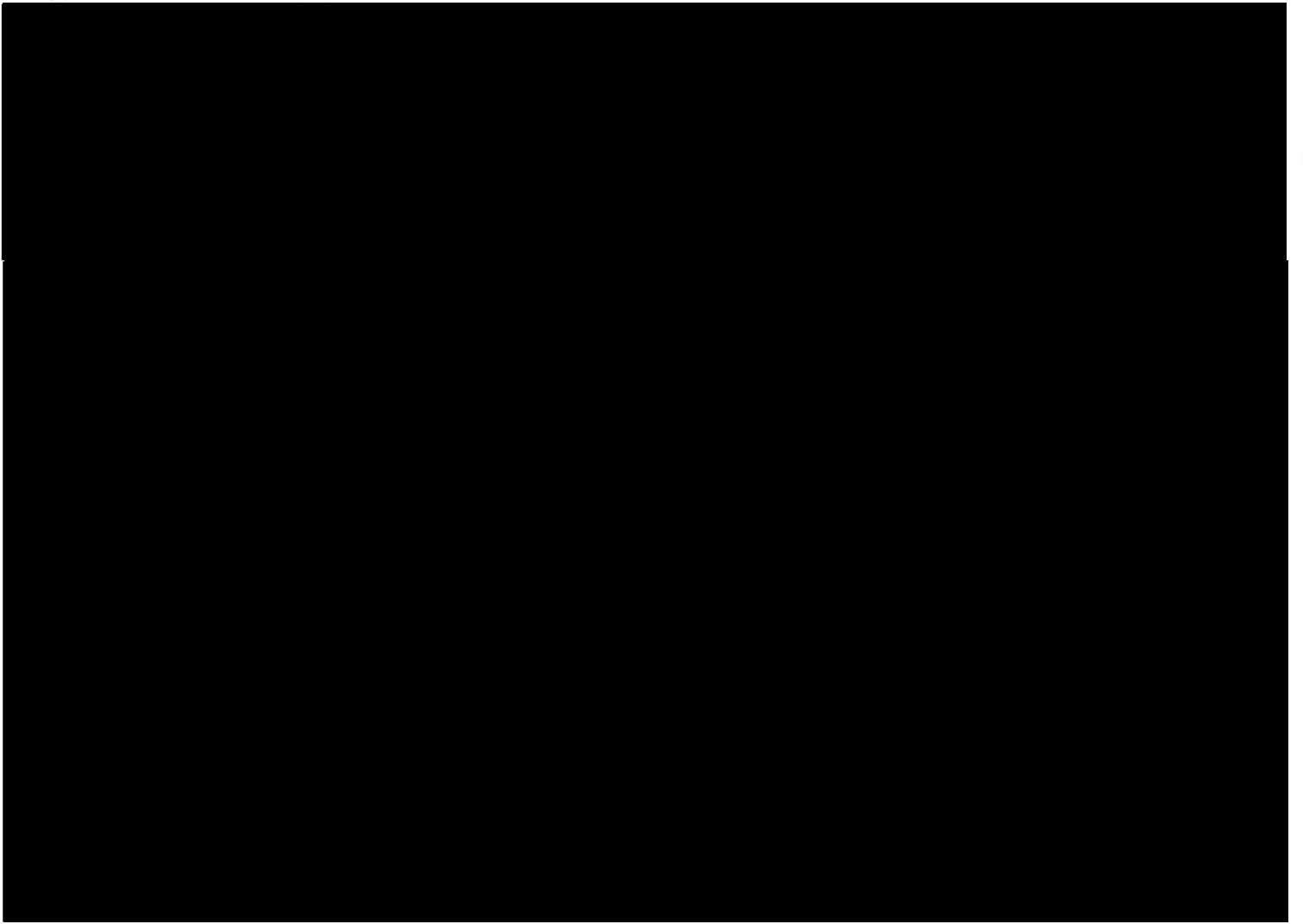
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John Ripa III

Billerica, MA, 01821

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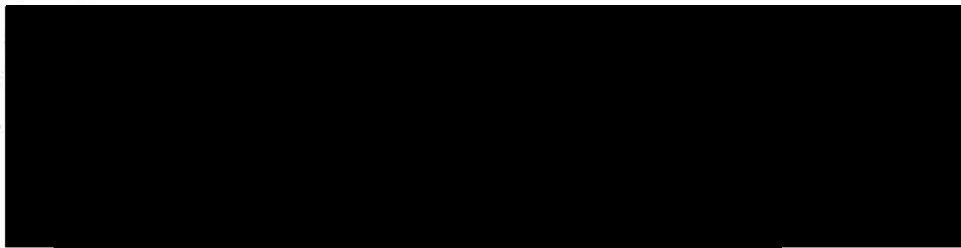
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SEP 11 2018

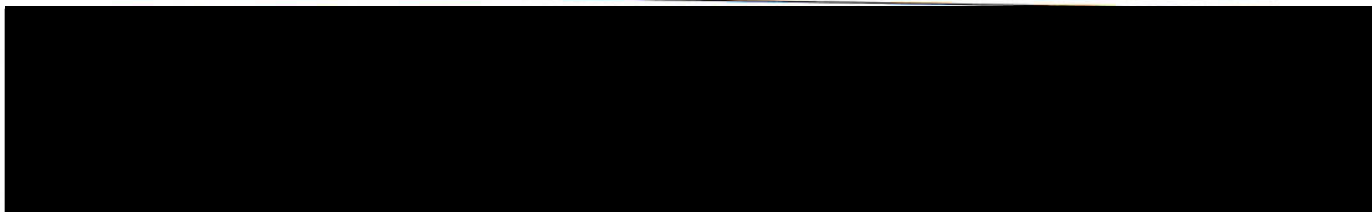
BOARD OF SELECTMEN
TOWN OF WEST NEWBURY



TOWN OF WEST NEWBURY
APPLICATION FOR APPOINTMENT

The Town appreciates your interest in serving. Please complete this form and return to: Board of Selectmen, 381 Main Street, West Newbury, MA 01985 or e-mail to: selectmen@wnewbury.org
For additional information please call 978-363-1100, ext. 115.

Name: TERRY HARTFORD



Board(s) or committee(s) you are interested in volunteering on:

HARBOR COMMITTEE

Current or past committees served on: WEST NEWBURY YOUTH LEAD TRAINER

PRESIDENT WEST NEWBURY YOUTH SOCCER, FIREHOUSE ATHLETIC COMPLEX

Relevant skills, expertise and education: TOWN RESIDENT 16 YRS. FISH MANAGER,

BOAT, DOCK, MAKING OWNER IN RIVER NEARBY S-B-DIVISION,

BACHELOR OF SCIENCE, CIVIL ENGINEERING, TUFTS UNIVERSITY

All board or committee vacancies will be filled by citizens deemed most qualified to serve in a particular capacity. I also understand that in the event that I am appointed to a position, my activities will be governed by the Massachusetts Conflict of Interest Law, Open Meeting Law, Public Records Law, the Bylaws of The Town of West Newbury and all other applicable federal, state and local laws or regulations.

Signature: *Terry Hartford*

Date: 9/11/18



Town of West Newbury
381 Main Street
West Newbury, Massachusetts 01985

Angus Jennings, Town Manager
978-363-1100, Ext. 111 Fax 978-363-1826
townmanager@wnewbury.org

TO: Board of Selectmen
FROM: Angus Jennings, Town Manager
DATE: September 14, 2018
RE: Vote to ratify changes to Personnel Policy

Please find attached the posting for the public hearing held this past spring for changes to the Personnel Policy, which was posted at the time for the required 10 days.

Mary Winglass provided the following timeline regarding the updates considered and acted upon last spring:

3/5/18 – Selectmen approved the MCAD Pregnancy Fairness Act
Selectman Anderson motioned to approve the MCAD Pregnancy Fairness Act. Second by
Selectman Kemper and it carried 3-0-0.

4/2/18 – Selectmen approved the social media policy and to amend the Personnel Policy
Selectman Anderson motioned to approve the Social Media Policy Draft dated March 5, 2018.
Seconded by Selectman Kemper, and it carried 3-0-0.
Selectman Anderson motioned to amend the personnel policy to post the Pregnancy Fairness Act
and the revision to the Computer and Email Policy. Seconded by Selectman Kemper, and it
carried 3-0-0.

5/14/18 – Selectmen held a public hearing but no motion was made to amend the Personnel
policy. Therefore, although the two revised policies were properly voted, the record does not
show that a vote was taken, following a public hearing, to add these policies to the Personnel
Policy.

The Personnel Bylaw states: “Any new, amended or revised policies shall become effective upon
approval by a unanimous vote of the Board of Selectmen, unless a specific effective date is provided
by the Board.” Therefore, the amendments are brought forward for Board vote to formally add to the
Personnel Policy those changes previously considered in public hearing.

Public Hearing Notice

Amendment to the Personnel Policy

Monday, May 14, 2018 @ 7pm

Town Offices, 381 Main Street

First Floor Hearing Room

On April 2, 2018, the Board of Selectmen proposed an amendment to the Personnel Policy. Any proposed new, amended or revised policies shall be posted for a period of at least ten days after being proposed by the Board of Selectmen, during which time comments, information and questions regarding any proposed policy may be provided to the Board of Selectmen. A public hearing shall be held following the ten-day posting period.

A public hearing will be held by the Board of Selectmen on the proposed amendments to the Town of West Newbury Personnel Policy as follows:

1. Appendix E, Town of West Newbury's Email and Internet Use Policy. Attached is the proposed amendment, please contact the Selectmen's Office with any questions.
2. NEW Appendix F, MCAD Guidance PREGNANT WORKERS FAIRNESS ACT issued by the Massachusetts Commission against discrimination on 1/23/2018

All interested parties are encouraged to attend.

APPENDIX E

Town of West Newbury's E-mail, ~~and~~ Internet ~~and~~ Social Media Use Policy

The Town of West Newbury recognizes the importance of modern technology and access to the Town's information. This is another attempt to provide our citizens the best and most efficient services possible. Therefore, the Town has provided many of its employees with e-mail as well as access to the Internet. Some of its employees also engage in social media (Facebook, Twitter and similar services) on behalf of the Town All information technology provided by the Town to its employees or used by its employees on behalf of the Town, including, but not limited to, Internet access, ~~and~~ e-mail and social media, is, and remains at all times, the property of the Town of West Newbury. Accordingly, the Town has the right to review any and all activity, including, but not limited to, all data and information accessed, created, sent, displayed, stored, downloaded and/or printed through the e-mail, ~~and~~ Internet and/or social media services provided by the Town or conducted in the name of the Town.

While the Town encourages its employees to utilize these information technology tools, employee use of the Town's e-mail, ~~and~~ the Internet and social media is restricted to the business purposes of the Town. All employees are responsible for their own actions with respect to their use of the Town's e-mail, ~~and~~ the Internet and social media. Employees may not use another employee's password or computer to create, send or retrieve e-mail messages, or to access Internet sites, unless express permission is granted. Under no circumstance are the Town's e-mail, ~~and Internet~~ Internet and social media systems to be used for any purposes prohibited by state, local or federal law. Employees are advised that copyright laws apply to information accessed over the e-mail system ~~and~~ the Internet and social media. Any improper use of the Town's e-mail ~~and~~ Internet and social media systems, at any time, including, but not limited to, accessing, creating, sending, displaying storing, downloading and/or printing sexually explicit or otherwise potentially offensive materials, will not be tolerated and will subject the employee to discipline, up to and including, termination. Employees' use of social media shall also conform to all social media policies enacted by the Board of Selectmen.

Employee use of the Town's e-mail ~~and~~ Internet and social media systems is not private. All e-mail messages and Internet sites visited by Town employees are automatically stored on the Town's computer back-up systems as well as any social media services conducted on Town's equipment. Further, employees should be aware that even when a message is deleted, it may exist on a backup tape. The Town of West Newbury reserves the right to retrieve, save, monitor and review all web sites visited by an employee and all information and/or data accessed, created, sent, displayed, stored, downloaded and/or printed through the employee's access to the Internet, at any time, with or without advance notice or prior consent. Such access may occur during or after working hours by any supervisor, manager, or other personnel designated by the Town of West Newbury.

Further, employees are reminded that information accessed and/or distributed over the e-mail system ~~and~~ the Internet or social media may be considered a public record pursuant to M.G.L. c.66.

An employee's use of the Town's e-mail system and/or access to the Internet through the Town's system and /or use of social media on behalf of the Town constitutes his/her agreement to comply with the Town's E-mail ~~and~~ Internet Use and Social Media Use Policy as well as his/her consent to the Town's recording and monitoring of the employee's use of the e-mail ~~and~~ Internet and social media systems. Employees are subject to all rules and regulations promulgated by the Town of West Newbury's Board of Selectmen ~~and Technology Committee~~. This policy may be altered or amended at the discretion of the Town at any time. Employees will be notified of any change in the policy.

Revised: September 30, 2009

Revised April 2018

APPENDIX F
MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

MCAD Guidance
PREGNANT WORKERS FAIRNESS ACT
Issued 1/23/2018

The Pregnant Workers Fairness Act (“the Act”) amends the current statute prohibiting discrimination in employment, G.L. c. 151B, §4, enforced by the Massachusetts Commission Against Discrimination (MCAD). The Act, effective on April 1, 2018, expressly prohibits employment discrimination on the basis of pregnancy and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child. It also describes employers’ obligations to employees that are pregnant or lactating and the protections these employees are entitled to receive. Generally, employers may not treat employees or job applicants less favorably than other employees based on pregnancy or pregnancy-related conditions and have an obligation to accommodate pregnant workers.

Under the Act:

- Upon request for an accommodation, the employer has an obligation to communicate with the employee in order to determine a reasonable accommodation for the pregnancy or pregnancy-related condition. This is called an “interactive process,” and it must be done in good faith. A reasonable accommodation is a modification or adjustment that allows the employee or job applicant to perform the essential functions of the job while pregnant or experiencing a pregnancy-related condition, without undue hardship to the employer.
- An employer must accommodate conditions related to pregnancy, including post-pregnancy conditions such as the need to express breast milk for a nursing child, unless doing so would pose an undue hardship on the employer. “Undue hardship” means that providing the accommodation would cause the employer significant difficulty or expense.
- An employer cannot require a pregnant employee to accept a particular accommodation, or to begin disability or parental leave if another reasonable accommodation would enable the employee to perform the essential functions of the job without undue hardship to the employer.
- An employer cannot refuse to hire a pregnant job applicant or applicant with a pregnancy-related condition, because of the pregnancy or the pregnancy-related condition, if an applicant is capable of performing the essential functions of the position with a reasonable accommodation.
- An employer cannot deny an employment opportunity or take adverse action against an employee because of the employee’s request for or use of a reasonable accommodation for a pregnancy or pregnancy-related condition.
- An employer cannot require medical documentation about the need for an accommodation if the accommodation requested is for: (i) more frequent restroom, food or water breaks; (ii) seating; (iii) limits on lifting no more than 20 pounds; and (iv) private, non-bathroom space for expressing breast milk. An employer, may, however, request medical documentation for other accommodations.
- Employers must provide written notice to employees of the right to be free from discrimination due to pregnancy or a condition related to pregnancy, including the right to reasonable accommodations for conditions related to pregnancy, in a handbook, pamphlet, or other means of notice no later than April 1, 2018.

- Employers must also provide written notice of employees' rights under the Act: (1) to new employees at or prior to the start of employment; and (2) to an employee who notifies the employer of a pregnancy or a pregnancy-related condition, no more than 10 days after such notification.

The foregoing is a synopsis of the requirements under the Act, and both employees and employers are encouraged to read the full text of the law available on the General Court's website here:

<https://malegislature.gov/Laws/SessionLaws/Acts/2017/Chapter54>.

If you believe you have been discriminated against on the basis of pregnancy or a pregnancy-related condition, you may file a formal complaint with the MCAD. You may also have the right to file a complaint with the Equal Employment Opportunity Commission if the conduct violates the Pregnancy Discrimination Act, which amended Title VII of the Civil Rights Act of 1964. Both agencies require the formal complaint to be filed within 300 days of the discriminatory act.

Boston Headquarters: One Ashburton Place, Room 601, Boston, MA 02108 | (617) 994-6000

Springfield: 436 Dwight Street, Room 220, Springfield, MA 01103 | (413) 739-2145

Worcester: 484 Main Street, Room 320, Worcester, MA 01608 | (508) 453-9630

New Bedford: 128 Union Street, Suite 206 New Bedford, MA 02740 | (774) 510-5801

www.mass.gov/mcad/



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

978-363-1100, Ext. 111 Fax 978-363-1826

townmanager@wnewbury.org

TO: Board of Selectmen
 FROM: Angus Jennings, Town Manager
 DATE: September 14, 2018
 RE: Pentucket School Building Committee

Chairman Kemper and I both attended this past Tuesday's joint meeting of the School Committee and the High School Building Committee. Both Committees voted unanimously, among the members present, to authorize submittal of the Preferred Schematic Report (PSR) to the Massachusetts School Building Authority. The favored design was N3.3f, as previously presented to the Board, which is new construction of a 7th to 12th grade school with an open courtyard layout. Other items discussed at the meeting included:

- The size and configuration of the proposed gym in the combined school, which will be larger than the current high school gym, but smaller than the combined square footage of the two high school gyms and the current middle school gym. The new gym would seat up to about 1,000 spectators, and the space will also be divisible with curtains into two full size basketball courts or four separate teaching spaces to facilitate simultaneous use by different classes. The gym, its layout, and how it could be programmed can be expected to be continued areas of focus for the School Building Committee.
- There was a question about whether there would be separate or combined administration of the middle and high school. The current assumption is that there will be separate administrations, but this will ultimately be up to the School Committee.
- There was a detailed update of the procurement process, now underway, to retain a Construction Manager CM At Risk. A CM selection sub-committee will be ranking the five proposals received – all from qualified vendors – per methodology set out in Mass. General Law. The sub-committee will probably interview all 5 firms, and will bring a vendor recommendation to the School Building Committee for vote. It is expected that the CM will be selected in mid to late October.

The meeting also included an interactive “visual preference” exercise for those in attendance to provide input on design and layout. This type of exercise will continue to take place as the design process moves forward. Looking ahead to next spring's votes, it will be important to expand efforts to engage more members of all three communities in this process.

Apart from Tuesday's meeting, I met last week with Superintendent Bartholomew and we will be working with leadership in the other two towns this fall to revisit the Pentucket Regional School District Regional Agreement and the Regional Finance Advisory Committee. Chairman Kemper has also been part of related discussions.

**TOWN OF WEST NEWBURY
COMMONWEALTH OF MASSACHUSETTS
WARRANT - SPECIAL TOWN MEETING – MONDAY, OCTOBER 22, 2018**

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 at the **Town Annex, 379 Main Street**, at 7:00 p.m. on Monday, **October 22, 2018** 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.

APPROPRIATIONS

ARTICLE 2. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$30,000 to fund the installation of additional monitoring devices and additional frequency of testing for the post-closure of the Steele Landfill. *By request of the Board of Health*

ARTICLE 3. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$50,000 to fund additional costs for disposal of recycled materials. *By request of the Board of Health*

ARTICLE 4. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$4,000 to fund architectural and/or engineering services to review proposed or potential Annex designs, offer recommendations regarding feasibility and cost, and/or prepare visual representations. *By request of the Community Center Committee*

ARTICLE 5. To see if the town will vote to transfer from the Community Preservation Act Funds, Open Space and Recreation Reserve, the sum of \$51,500 for Engineering Services and related expenses to prepare a Conceptual Master Plan for Pipestave Hill Active Recreational Area Expansion to include the Dunn Property. *By request of the Parks and Recreation Commission and the Community Preservation Committee*

ARTICLE 6. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$2,500 to fund temporary office support in the Town Manager/Selectmen Office. *By request of the Board of Selectmen*

BY-LAWS - OTHERS

ARTICLE 7. To see if the Town will vote to amend Section 5.G. Large-Scale Ground-Mounted Solar Photovoltaic Overlay District of the West Newbury Zoning Bylaw as follows:

1. By establishing parameters for the size and scale of Large-Scale Ground-Mounted Solar Photovoltaic Installations (LGSPI) utilizing minimum and maximum surface area requirements;
2. By distinguishing commercial LGSPI from Municipal LGSPI;
3. By requiring a special permit for LGSPI projects within an established LGSPI Overlay District where the underlying Zoning District is Residence-A, -B, or -C, or Business;
4. By adding new submission requirements for Site Plan Review Applications regarding utility company notification, operation & maintenance, landscaping plan and visualizations;
5. By increasing setbacks, as measured from the LGSPI to the Overlay District Boundary, from 50 feet to 150-feet for PV Arrays and from 40 feet to 150 feet for appurtenant structures;
6. By reducing the maximum height of Appurtenant Structures from 35-feet to 15-feet.
7. By adding new Design Standards for LGSPI including siting criteria and landscaping & screening;
8. By allowing that the Planning Board hire consultants to assist in project review at the expense of Applicants;
9. By establishing new provisions for abandonment and decommissioning;
10. By establishing new requirements for Applicant's to provide financial surety.

By request of the Planning Board

ARTICLE 8. To see if the Town will vote to amend Section 6.B.8 Open Space Preservation Development (OSPD) of the West Newbury Zoning Bylaw as follows:

To amend the OSPD Bylaw for the purpose of clarifying the following provisions:

1. Basic Maximum Number (S. 6.B.8.iii)
2. Modification of Dimensional Requirements (S.6.B.9)
3. Contiguity of Open Space (S.6.B.10.a.ii)
4. Buffer Areas (S.6.B.11.b.iii.)
5. Density bonuses and Affordable Housing Units (S.6.B.13.d)

To amend Section S.6.B.11.b.iv of the Open Space Preservation Development Bylaw to increase the distance between residential buildings in the development by adding the following provision:

1. Minimum distance between residential buildings of 20-feet (S.6.B.11.b.iv.)

By request of the Planning Board

ARTICLE 9. To see if the Town will vote to accept the provisions of Massachusetts General Law Ch. 32B, § 20 to establish a GASB-compliant OPEB Trust Fund. *By request of the Board of Selectmen*

ARTICLE 10. To see if the Town will vote to accept the provisions of Massachusetts General Law Ch. 203C to adopt the Massachusetts Prudent Investment Act to make available

the options required to meet the investment goals of the OPEB trust. *By request of the Board of Selectmen*

ARTICLE 11. To see if the Town will vote to accept the provisions of Massachusetts General Law Ch. 32B, §20 to designate a trustee or board of trustees which shall have the general supervision of the management, investment and reinvestment of the OPEB Fund. *By request of the Board of Selectmen*

ARTICLE 12. To see if the Town will vote to accept the provisions of Massachusetts General Law Ch. 200A, §9A to establish procedures for the disposition of abandoned funds. *By request of the Board of Selectmen*

ARTICLE 13. To see if the Town will vote to accept the provisions of Massachusetts General Law Ch. 60, §62A to authorize the establishment of payment agreements for properties in tax title. *By request of the Board of Selectmen*

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.

LOCATIONS TO POST WARRANT:

Town Hall
1910 Town Office Building
G.A.R. Memorial Library
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 ____ day of October 2018.

BOARD OF SELECTMEN:

Glenn A. Kemper, Chairman
David W. Archibald
Joseph H. Anderson, Jr.

A true copy, Attested: Michael P. McCarron, Town Clerk

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.

Brian Richardson, Constable

Date of Posting: October ____, 2018

DRAFT

Special Event Application

Organization or Group Myopia Hunt

Person Making Reservation Cindy Foote

Mailing Address [redacted] WN

Phone [redacted] e-mail [redacted]

Event Date: Sept 25 '18 Start Time 7:30 End

Time 10:30

Reason for Event fox hunt (drag scent)

Number of attendees 15-20

Check Appropriate Block:

Resident Non-resident

Fund Raising Group Non-Profit Commercial Other

Submit your application (with all maps, diagrams and attachments as required).

Provide a Schedule of Events along with a Sketch Plan which addresses:

1. The location of the event on the property start @ Pipestave parking lot

2. For road or walk race, a detailed map of the route digital

3. Features and attractions N/A

4. Participant circulation N/A

5. Proposed parking including how you will handle overflow parking N/A

6. Any proposed road closures NO

7. Location of trash receptacles and dumpsters _____

_____ n/A _____

8. Location of temporary toilet facilities _____

_____ n/A _____

9. Accessible routes for the disabled or mobility impaired _____

_____ n/A _____

10. Locations, size and number of any tents, trailers or temporary structures

approx 10 horse trailers

11. Location, size, and description of any signage or banners

_____ n/A _____

12. If food will be served or sold at the event, you must contact the West Newbury Board of Health to discuss Food and Beverage regulations before you submit your application. If required, your food permit must be submitted before final approval of the Special Event.

_____ n/A _____

13. If Police Details and/or Firefighters/EMTs will be required, contact the West Newbury Police Department and West Newbury Fire Department to secure services. Only Police Officers may direct traffic on town streets. Evidence that Police and/or Fire Personnel have been secured must be presented before the approval of the final Special Event Permit.

_____ Nyppia to provide crosser _____

14. Provide a Certificate of Insurance to the Town Manager's Office no later than ten (10) business days before the event. Final Special Event Permits will not be issued without submission of a Certificate of Insurance _____

_____ on file _____

Name: Myppia Hunt Event: fox hunt

I/we agree and hold harmless and/or indemnify the said Town of West Newbury against any and all claims or liabilities for personal injury or property damage arising out of use of said property.

Cynthia A. Fote 09/13/18
Individual/Authorized Signature for Group Date

Chief of Police's Signature: _____ Date: _____
Requests and comments:

Fire Chief's Signature: _____ Date: _____

Requests and comments:

Approval granted if signed here by Board of Selectmen: _____ Date: _____

Requests and comments:

September 25, 2018 PIPESTAVE/RIVERBEND RIDE MYOPIA

Tuesday 7:30-10:30 a.m.

Approximately 10 horse trailers to park in parking lot at Pipestave rings.

Approximately 15 horses with riders and 12 hounds in a pack to cross over Rte 113 to solar field at 8:15.

Proceed through trails to # 43 Coffin St.(8:30) continue left to driveway at #28 Coffin St.

Proceed through trails to driveway at #36 Coffin St.(9:00) take left onto Coffin Street and continue down to River Road. Proceed to end of River Road into Trail along Merrimack River.

Be back to solar field at approximately 9:30 and cross Rte 113 back into Pipestave.

This is an estimated schedule. Route and times could change due to accidents or trees down.

Cindy foote

[REDACTED]

[REDACTED]

Comments from Chief Reed

The organization must provide a crossing steward(s) when crossing Route 103 from one side of the road to the other when riders, horses and dogs are crossing when going out and then when returning. Steward must wear OSHA green traffic vest. Stewart must stand out in the road to be visible to traffic in order to give proper advance warning to stopping traffic.

Organization must provide crossing stewards wearing green traffic vests when riders, horses and dogs cross Coffin Street from addresses 28, 36 and 43. Organization also must position a steward at 36 Coffin Street and at the intersection of Coffin and River Street when riders, horses and dogs are traveling in the direction of the river to advise any vehicle traffic there are riders in the road.

If the organization would rather hire two detail officers they can but would need to contact the department at least 4 days prior to the event for scheduling purposes.

Merrimack River

River Rd

36 Coffin St, West
Newbury, MA 01985

43 Coffin St, West
Newbury, MA 01985

28 Coffin St, West
Newbury, MA 01985

Dr John C Page
School

The Children's
Castle

Baileys Ln

Long Hill
Orchard

Gar Memorial
Library

Learning Tree

Main St

Mill Pond

Crossing
@ 9:15

turn
@ 9:30

parking



**Town of West Newbury
Board of Selectmen**

Monday, August 6, 2018 @ 6pm
381 Main Street, Town Office Building
www.wnewbury.org

Open Meeting Minutes

Chairman Kemper opened the meeting at 6:04pm. Selectmen in attendance were Chairman Glenn A. Kemper, David W. Archibald and Joseph H. Anderson, Jr. Others present were Town Manager Angus Jennings, Town Counsel Michael McCarron and Executive Administrator Mary Winglass.

Chairman Kemper moved to go into Executive Session under MGL Chapter 30A §21(a) 7: To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements (Consultation with Town Counsel); MGL Chapter 30A §21(a) 6: To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body and to review Executive Session Minutes dated March 19, 2018, March 26, 2018, April 2, 2018, April 9, 2018 and April 17, 2018. Second by Selectman Anderson with a unanimous roll call vote: Kemper – aye, Archibald – aye, Anderson – aye.

Chairman Kemper called the open session back to order at 7pm.

The Board made 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.
- Senator Tarr and Representative Mirra was instrumental with the approval of \$25,000 to the Town of West Newbury to be expended for the bicentennial celebration in 2019.
- Tomorrow is National Night Out at the Pentucket Regional High School
- Pentucket Building Committee and School Committee is meeting tomorrow at 6:30pm
- State Primary is September 4, 2018, polls are open 7am to 8pm, 379 Main Street (Annex next to the Town Offices)
- Absentee ballots are available at the Town Clerk's Office
- Last day to register to vote is Wednesday, August 15th at the Town Clerk's Office

Regular Business

- A. Police Department: Letter of Recognition to Officer Richard Parenteau and Dispatcher Kelsey Grenham

Police Chief Reed recognized Dispatcher Kelsey Grenham and Officer Richard Parenteau for their professionalism and hard work in the Center.

Documentation: Letters of Recognition from Chief of Police Art Reed

- B. Appointments/Reappointments
a. Planning Board: Appointment of Associate Member

The Planning Board recommended Kim Monahan for the one-year appointment as an Associate Member. Ms. Monahan was present and discussed her interest in the position.

Selectman Anderson moved to appoint Kim Monahan as an Associate Member of the Planning Board with a term to expire on June 30, 2018. Second by Chairman Kemper with a unanimous vote, 3-0-0.

Documentation: Memo from Planning Board and Applications for Appointment from Kim Monahan and Jennifer Reardon

b. Jessica Knezek: Request for Appointment to the Finance Committee

Jessica Knezek was present to discuss her application and answered questions from the Board of Selectmen.

Selectman Anderson motioned to appoint Jessica Knezek as a member of the Finance Committee with a term expiration of June 30, 2021. Second by Selectman Archibald with a unanimous vote, 3-0-0.

Documentation: Application for Appointment from Kim Knezek

c. S. Paul Knezek: Request for Appointment to the Historical Commission

Paul Knezek was present to discuss his application to the Historical Commission.

Selectman Anderson moved to appoint S. Paul Knezek as a member of the Historical Commission with a term expiration of June 30, 2020. Second by Archibald with a unanimous vote, 3-0-0.

Documentation: Application for Appointment from Paul Knezek

d. Kathleen & Stephen Swallow: Reappointment to the Bicentennial Committee

Selectman Anderson moved to reappoint Kathleen and Stephen Swallow to the Bicentennial Committee with a term expiration of June 30, 2019. Second by Kemper with a unanimous vote 3-0-0.

Documentation: Applications for Appointment from Kathleen and Stephen Swallow

C. Apple Harvest Road Race

Michelle Card, West Newbury PTO was present to discuss the annual Apple Harvest Road Race.

Selectman Anderson moved to approve of the special event application for the Apple Harvest Road Race to be held on October 13, 2018. Second by Archibald with a unanimous vote, 3-0-0.

A discussion took place on a one-day liquor license for the pasta dinner the night before the race at the Annex. The Board gave the final date of Wednesday, September 26th at noontime to submit the application and insurance requirements.

Documentation: Special Event Permit for the Apple Harvest Road Race and Use of Facilities for Pasta Dinner at the Annex.

D. Town Clerk: Warrant for 2018 State Primary

Selectman Anderson motioned to approve the signing of the Warrant for the 2018 State Primary. Second by Kemper with a unanimous vote, 3-0-0.

Documentation: Six originals of the Warrant for 2018 State Primary

E. Clarify policy/procedure on disposition of items of low value

Discussion took place on the adoption of a written policy of the disposition of surplus supplies. Town Manager Jennings will prepare a draft for the Board's consideration.

Documentation: Memo from Town Manager and Police Chief Reed

F. Update on enforcement options and staff responsibilities: Short Term Rental Bylaw

Discussion took place on designating Town Officials to carry out the enforcement duties of the Short-Term Rental Bylaw. TM designate town officials to carry out enforcement, on record. TM as the primary and the secondary as the Building Inspector.

Selectman Anderson moved to appoint the Town Manager as the primary and the Building Inspector as the secondary enforcement agent for the short-term rental bylaw. Second by Archibald with unanimous vote, 3-0-0.

The website will be updated to reflect an email address for enforcement purposes to send a message to the Town Manager.

Documentation: Memo from Town Manager

G. Proposed amendments to Policy on Rental of Town Facilities and Form

The Board reviewed a proposed amended policy and form for the rental of town facilities. Discussion took place on defining nonprofit organizations and the waiver of fees. The Board agreed that any nonprofit organization requesting to use town facilities in excess of six time per year would need approval for the waiver of fees by the Board of Selectmen.

Selectman Anderson moved to approve the revised policy, form and fee schedule for the Rental of Town Facilities and as amended by the Board of Selectmen. Second by Kemper with a unanimous vote, 3-0-0.

Documentation: Memo from Town Manager with amended policy and form

H. Proposed amendments to Special Event Permit Guidelines

Discussion took place on proposed amendments to the special event permit guidelines which basically did not change the intent but clarified the application for permit.

Selectman Anderson moved to approve the recommendations of the Town Manager with a change to submitting the application from 90 days before the event to 60 days before the event. Second by Kemper, motioned passed with 2-0-1 with Selectman Archibald opposed due to the change to 60 days.

Documentation: Memo from Town Manager with amended permit

I. Proposed amendments to prior Board policies to remove inconsistencies and clarify protocols with regard to the Town Manager special legislation

Discussion took place on proposed amendments by the Town Manager to several Selectmen policies.

Selectman Anderson moved to approve the policy recommendations from the Town Managers with the exception of the edits discussed tonight and those to be tabled. Second by Chairman Kemper with a unanimous vote.

The policies will be posted on the town's website.

Documentation: Memo from Town Manager with proposed amendments to previously adopted Board of Selectmen policies

J. FY'19 Selectmen's goals

Review of proposed goals for FY'19. The Board articulated the goals and the Town Manager works with the staff on realistic guidelines.

Documentation: Draft goals from Selectman Anderson and Selectman Archibald

K. Board review and approval of draft calendar for Fall 2018 Special Town Meeting

Selectman Anderson moved to approve the calendar for the Fall 2018 Special Town Meeting with amendment to September 4th. Second by Chairman Kemper with a unanimous vote.

Documentation: Memo from Town Manager of draft calendar

L. Selectmen's Meeting minutes dated June 11, 2018

Selectman Anderson moved to approve the Selectmen's Meeting minutes dated June 11, 2018 as written. Second by Chairman Kemper with a unanimous vote.

Documentation: Draft minutes

Town Manager Reports

1. Update on Middle Street Bridge meetings with Newburyport Mayor and staff

Town Manager Jennings updated the Board and the public on his contact with Newburyport obtaining a small bridge grant for the hiring of an engineer to design and to outline cost options.

Documentation: Memo from Town Manager on update

2. Recommended venue for public presentation of consultant report on Town Center Shared Septic Study

No date has been set yet for a public presentation and report.

Documentation: Memo from Town Manager dated August 3, 2018

3. Clarify authority for administrative oversight of personnel, including signing timesheets, approving vacation requests, performance evaluations, approval of vacation carry-forwards and extensions, etc.

Town Manager Jennings will bring his written recommendation to the Board at a future meeting.

Documentation: Memo from Town Manager dated August 3, 2018

4. Discussion of communication protocols between Board and staff between meetings, including Board expectations regarding notification of routine public safety activities between meetings

Discussion took place on protocol with notifications and expectations from the Board.

Selectman Anderson moved to a trial and promise to put this back on the agenda October 29th to revisit this item. Second by Archibald with a unanimous vote.

Documentation: Memo from Town Manager dated August 3, 2018

5. Report on FY'18 financial closeout

Town Manager Jennings updated the Board on the progress and timeline of the FY'18 year-end reports and audit.

Documentation: Memo from Town Manager dated August 3, 2018

Follow up meeting assignments
Placing items for future agendas

- DSL meeting on Monday with the Finance Committee to implement and approve policy.

Chairman Kemper motioned to adjourn at 9:54pm. Second by Selectman Archibald with a unanimous vote.

Respectfully Submitted,

Mary Winglass, Executive Administrator



Town of West Newbury Board of Selectmen

Tuesday, September 4, 2018 @ 6pm
381 Main Street, Town Office Building
www.wnewbury.org

Open Session Meeting Minutes

Chairman Kemper called the meeting to order at 6:07pm. Selectmen in attendance were Glenn A. Kemper, Chairman, David W. Archibald and Joseph H. Anderson, Jr.

Others in attendance were Town Manager Angus Jennings, Town Counsel Michael McCarron and Executive Administrator Mary Winglass.

Chairman Kemper motioned to go into Executive Session under 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; 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; Executive Session Minutes dated August 20, 2018. Second by Selectman Anderson with a unanimous roll call vote: Kemper – aye, Archibald – aye, Anderson – aye.

Chairman Kemper called the open session back to order at 7:04pm and announced that this meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Today is the State Primary Day and the polls being open until 8pm in the Annex.

Selectman Anderson announced that the town is have a retirement party for Gary Bill on September 13, 2018 from 6pm to 8pm at the Town Hall (across from the library) 491 Main Street, West Newbury.

Regular Business

- Senator Bruce Tarr and Representative Leonard Mirra: Funding for Bicentennial Celebrations

Representative Leonard Mirra and Senator Bruce Tarr were present to award the Town of West Newbury \$25,000 for the Bicentennial Celebration in 2019. The Board thanked Rep. Mira and Senator Tarr for their efforts in obtaining the funding and discussed the Town of West Newbury sign on the Newburyport side of town has the wrong year and asked for assistance in having this corrected.

Senator Tarr discussed funding for regionalized transportation, special education circuit breaker and the small bridge program. Town Manager Angus Jennings will send a list of West Newbury's capital project to Senator Tarr and Rep. Mirra for future funding opportunities.

- Update from the Bicentennial Committee

Present were KC and Stephen Swallow of the Bicentennial Committee whom gave a report on planned events and logo done by a local artist for the Bicentennial. A "Save the Dates" notice will be mailed and sent out to all social media avenues.

Documentation: Memo from Town Manager dated August 20, 2018 and schedule of planned events from the Bicentennial Committee

- Request for Street Opening Permit: 10A Norino Drive

Selectman Anderson moved to approve the Street Opening Permit for 10A Norino Drive with the provisions as outlined. Second by Selectman Archibald with a unanimous vote.

Documentation: Street Opening Permit

- Request for one day liquor license for Gary Bill retirement party on Sept. 13 from 6-8pm

Selectman Anderson moved to approve a one-day liquor license to Angus Jennings for Gary Bill's retirement party on September 13th from 6-8pm. Second by Selectman Archibald with a unanimous vote.

Documentation: One-day liquor license

- Review of the Town of Salisbury Intermunicipal Harbormaster Agreement – *cont'd from Aug. 20*

Discussion took place on the proposed \$2,000 increase and the harbormaster activity over the last year. The Board instructed the Town Manager to revise the contract to show payment is for services rendered versus monthly payments.

Selectman Anderson moved to approve the intermunicipal agreement with the Town of Salisbury through the period of July 1, 2019 with the stipulation that payment is for services rendered. Second by Chairman Kemper with a unanimous vote.

Documentation: Memo from Town Manager dated August 31, 2018, reports from Raymond Pike, Harbormaster and Intermunicipal Agreement for the Administration of Shared Services

- Review of relocation of current public safety sign – *cont'd from Aug. 20*

The Board agreed with the proposed location of the public safety sign but will leave it up to the Police Chief and Town Manager.

Documentation: Map showing proposed location to relocate existing sign

- Update on Pipestave Committee & Parks and Recreation proposals to Community Preservation Committee

Chairman of the Community Preservation Committee Bill Bachrach gave an overview of the committee's last meeting to include two applications received for funding and the reason for denying one and approving the other. Resident John McGrath gave a history of the Pipestave property, the intended use and due to the increased use, the option of better management practices.

Tom Flaherty, Chair of the Parks and Recreation Commission spoke on the proposal for funding an engineering plan and that at no time was anyone competing. One proposal was for parking and the other is for an engineer plan for the future use of the property.

Resident Wendy Willis had some housekeeping questions and will contact Bill Bachrach and Tom Flaherty to gain more information.

Documentation: Memo from Town Manager dated August 31, 2018 Re: Update on CPC recommendations of proposed Pipestave/Dunn articles and Overview of CPC meeting from Bill Bachrach

- Review of proposed and potential warrant articles for Fall Town Meeting

Discussion took place on the articles received per the deadline date of September 4, 2018. The Board reviewed a memo summarizing the articles received and others for consideration by the Board of Selectmen. Some department heads were in attendance to speak on behalf of their articles.

Discussion took place on the first review of the articles; funding source will be reviewed at a future meeting.

Selectman Anderson moved to close the Fall Town Meeting Warrant with the articles as discussed tonight. Second by Selectman Archibald with a unanimous vote.

Documentation: Memo from Town Manager dated August 31, 2018 and article request forms received from departments with backup documentation

- Selectmen's Meeting minutes dated August 20, 2018

Selectman Anderson moved to approve the Selectmen's Meeting minutes dated August 20, 2018 as written. Second by Chairman Kemper with a unanimous vote.

Documentation: Draft minutes dated August 20, 2018

Town Manager Updates

- Process for appointment and management authority for DPW Director

Discussion took place regarding the review of appointment and management authority for the DPW Director.

Selectman Anderson moved to delegate the Selectmen's authority to the Town Manager to hire, fire and manage the DPW Director position. No second and further discussion took place.

Selectman Anderson moved to delegate the Selectmen's authority to the Town Manager to manage the DPW Director position. Second by Chairman Kemper with a unanimous vote.

Documentation: Memo from Town Manager dated August 31, 2018

- Review of FY'19 Salary Range Schedule

Selectman Anderson motioned to approve the FY'19 Salary Range Schedule. Second by Chairman Kemper and passed with a 2-0-1 vote with Selectman Archibald abstaining.

Documentation: Memo from Town Manager dated August 31, 2018 and proposed salary range schedule.

- Review method to accrue vacation and sick time for qualified part time employees

Selectman Anderson motioned to accept the Town Managers recommended method for tracking accrual of vacation time for qualified part-time employees and method for tracking accrual of sick time for qualified part-time employees. Second by Chairman Kemper with a unanimous vote.

Documentation: Memo from Town Manager Re: Accrual of vacation and sick time

- Follow up meeting assignments
- 1. Town Manager will contact the two towns per the Pentucket Regional Agreement to start again a Finance Advisory Committee.

- Placing items for future agendas
- 1. Review of policies and forecasting tools; set a time with the Finance Committee late October or 1st meeting in November.
- 2. Mill Pond Management Agreement
- 3. Personnel Policy Ratification

Chairman Kemper moved to adjourn the meeting at 9:43pm. Second by Selectman Anderson with a unanimous vote.

Respectfully Submitted,

Mary Winglass, Executive Administrator