



TOWN OF WEST NEWBURY

James RW Blatchford
Town Clerk

381 Main Street
West Newbury, MA 01985
978-363-1100 ext. 110
Townclerk@wnewbury.org

May 16, 2023

Mr. Angus Jennings, Town Manager
Town of West Newbury
381 Main Street
West Newbury, MA 01985

Dear Mr. Jennings,

The following is a report of items voted at the Annual Town Meeting which convened on April 24, 2023 and adjourned the same date, together with other votes affecting the finances of the Town.

Pursuant to the Warrant issued by the Select Board on April 7, 2023, which was posted on April 10, 2023 according to law by Constable Brian Richard, who made proper return of his doings thereon, the Annual Town Meeting was to be held on April 24, 2023 at the Town Annex, 379 Main Street, West Newbury, MA. The meeting was called to order at 7:32 P.M. by the Town Clerk James RW Blatchford, upon report of a quorum of 90 or more registered voters. 280 voters were in attendance.

ELECTION OF TEMPORARY MODERATOR

With the elected Town Moderator Kathleen C. Swallow absent, the Town Clerk presided over the election of a Temporary Town Moderator for this Town Meeting.

Select Board Chair David Archibald nominated Michael P. McCarron as Temporary Town Moderator.

The motion was seconded from the floor by a member of Town Meeting.

Hearing no other nominations, the Town Clerk closed nominations.

There was a motion that was properly seconded from the floor of Town Meeting that the Chair of the Select Board cast the sole ballot for Michael McCarron as Temporary Town Moderator.

With there being no discussion, the Town Clerk called for a vote, and declared that the Motion carried.

The Chair of the Select Board David Archibald cast the sole ballot for Temporary Town Moderator. After having reviewed and counted the ballot cast, the Town Clerk

declared Michael McCarron had been elected Temporary Town Moderator. The Town Clerk administered the Oath of Office and swore in the Town Moderator.

The Town Moderator asked the Town Clerk to read the return of service. The Moderator introduced Town Officials and reviewed Town Meeting procedures. There were no objections to non-resident Town Officials who were in attendance addressing the meeting, if necessary.

ARTICLE 1.

The was no action taken on this Article.

ARTICLE 2.

The Citizen of the Year Award was presented to Richard Thurlow for his years of dedication to the citizens and Town of West Newbury.

Select Board members Wendy Reed and Richard Parker also thanked David Archibald for his many years of dedication as a member of the Select Board with his current term ending next week.

Select Board member Wendy Reed gave a report regarding the Wage and Classification study that the Town conducted and the use of the previously approved funding for adjustments to Town employees' salaries.

Energy and Sustainability Committee member Camden Holland gave a report on the Town's progress and standing with regards to grants, the 2050 net zero goals, and road map for future energy usage of the Town.

Climate Change Resiliency Committee member Elisa Grammer gave a report on the vulnerabilities currently in Town, the projects and grants the committee is currently working on.

Library Board of Trustees Chair Fred Chanania thanked the community for its ongoing support of the G.A.R. Library here in West Newbury. Mr. Chanania also spoke about programming and items available at the library and the 5-year strategic plan for the library that is being implemented.

Tree Committee Chair Fred Chanania announced the Arbor Day clean up happening in the coming weekend, the Tree Trail at Mill Pond, and the recertification of West Newbury as a Tree City.

This Article was left open to allow for any other reports to be presented later in the meeting by any Board, Commission, or Committee.

RECESS

At 8:00 PM, the Moderator recessed the Annual Town Meeting to open the Spring Special Town Meeting. The Annual Town Meeting was re-opened at 8:50 PM following the dissolution of the Spring Special Town Meeting. The record of the Spring Special Town Meeting follows the record of the Annual Town Meeting. The reconvened Annual Town Meeting continued with discussion under Article 3 of the Annual Town Meeting warrant.

ARTICLE 3.

The Finance Committee unanimously recommended approval of this Article.

Select Board member Richard Parker moved that the Town vote to transfer the sum of \$200,000 from the School Stabilization Fund to pay a portion of the Town share of debt service associated with the building of the new Middle/High School.

The motion was seconded by Select Board Chair David Archibald.

The Moderator noted that passage requires a 2/3 vote. With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 4.

The Finance Committee unanimously recommended approval of this Article.

Select Board member Wendy Reed moved that the Town vote to raise and appropriate the amounts of money set forth in the printed report of the Finance Committee for the FY2024 omnibus budget, as amended hereby, for the several purposes therein itemized, each numbered item being considered as a separate appropriation, and that the same be expended only for such purposes.

The motion was seconded from the floor by a member of Town Meeting.

The only hold was placed on the budget was on Line Item 40. Select Board member Richard Parker moved to amend Line Item 40 Transfers – Stabilizations to add the number “negative \$200,000” to the line “Transfers In – From School Stabilization”.

The motion was seconded by Select Board Chair David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

Select Board member Richard Parker moved to adopt the Line-Item Budget as amended.

The motion was seconded by Select Board Chair David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried.

ARTICLE 5.

The Finance Committee unanimously recommended approval of this Article.

Select Board Chair David Archibald moved that that the Town vote to instruct the Board of Water Commissioners to:

a. Designate a member to participate in a negotiating team consisting of one Board of Water Commissioners member, one Select Board member, and the Town Manager. This team will negotiate a draft agreement with the City of Newburyport addressing water related rights, to be presented for approval by the Board of Water Commissioners and Select Board no later than December 31, 2023, and;

b. Participate in the creation of a long-range, comprehensive financial plan for the Water Department produced by the Town Manager's office in its capacity as the Town's Chief Financial Officer, to be completed by December 31, 2023.

The motion was seconded by Select Board member Richard Parker.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 6.

The Finance Committee recommended approval of this Article 5-0-0.

Water Commission Chair Robert Janes moved that the Town vote to appropriate in anticipation of Water Department revenues the sum of \$1,060,171, of which \$318,848 is for salaries and wages, which include \$1,700 for Water Commissioners' Stipends; \$52,191 for insurances; \$445,027 for expenses; \$167,913 for debt services; \$20,000 for extraordinary and unforeseen expenses; and \$56,192 for indirect costs.

The motion was seconded by Select Board Chair David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried.

ARTICLE 7.

The Finance Committee recommended approval of this Article 5-0-0.

Water Commission Chair Robert Janes moved that the Town vote to appropriate the sum of \$2,700,000 to pay the estimated costs of replacing water mains on or near Church Street and Prospect Street, including the payment of costs incidental or related thereto; and to meet this appropriation, authorize the Treasurer, with the approval of the

Select Board, to borrow said sum under and pursuant to M.G.L. c. 44, §7 and/or §8, and pursuant to any other enabling authority, including borrowing all or a portion of such funds from the Massachusetts Clean Water Trust pursuant to M.G.L. c. 29C, and to issue bonds or notes of the Town therefor, with the payment of such borrowing costs payable from the Water Enterprise Fund; and to authorize the Select Board to execute any such documents and/or agreements necessary to effectuate the purposes of this vote, and to take any other action necessary or convenient to carry out such project. Any borrowing pursuant to this vote will be a general obligation of the Town, payable from any and all revenues, however, it is the intent that the future debt service payments due on such borrowing be appropriated and paid, in the first instance, from the Water Enterprise Account.

The motion was seconded by Select Board Chair David Archibald.

The Moderator noted that passage requires a 2/3 vote. With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 8.

The Finance Committee unanimously recommended approval of this Article.

Board of Health Chair Robert Janes moved that the Town vote to transfer the sum of \$10,364 from the Septic Loan Revolving Account for the repayment of debt service.

The motion was seconded by Select Board Chair David Archibald.

The Town Manager noted that this will be the second to last payment of the Septic Loan Revolving Account.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 9.

The Finance Committee did not recommend approval of this Article 1-5-0.

Select Board Chair David Archibald moved that the Town transfer from Free Cash the sum of \$67,514 to the Pension Liability Stabilization Fund.

The motion was seconded by Select Board member Wendy Reed.

Select Board Chair Archibald reiterated how this is a “best practice”, recommended by the Massachusetts Department of Revenue.

Finance Committee member Robert Phillips discussed the Finance Committee’s recommendation regarding this Article and why they felt it should be paused this year

and further recommended a review of the current policy for the Pension Liability Stabilization Fund and its use.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion failed.

ARTICLE 10.

The Finance Committee unanimously recommended approval of this Article.

Select Board member Richard Parker moved that the Town vote to transfer from Free Cash the sum of \$6,868 into the Other Post-Employment Benefits (OPEB) Stabilization Fund.

The motion was seconded by Select Board Chair David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 11.

The Finance Committee unanimously recommended approval of this Article.

Cable Advisory Committee member Kelly Scott moved that the Town vote to authorize expenditures from the PEG Access and Cable Related Fund, pursuant to Chapter 44, Section 53F¾ of the Massachusetts General Laws, an amount not to exceed \$90,000 in Fiscal Year 2024 by the Cable Advisory Committee for the payment of program-related wages, expenses, and equipment and such other purposes as permitted by the statute.

The motion was seconded by Select Board Chair David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried.

ARTICLE 12.

The Finance Committee unanimously recommended approval of this Article.

Select Board Chair David Archibald moved that the Town vote, pursuant to MGL Chapter 44, Section 53E½, to set expenditure limits for each revolving fund in Section XL of the Town Bylaws as printed in Article 12 of the 2023 Annual Town Meeting Warrant dated April 7, 2023.

The motion was seconded by Select Board member Richard Parker.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 13.

The Finance Committee unanimously recommended approval of this Article.

Select Board member Richard Parker moved that the Town vote to allocate, appropriate and reserve from the Community Preservation Fund annual revenues the amounts printed in Article 13 of the Annual Town Meeting Warrant dated April 7, 2023.

The motion was seconded by Select Board Chair David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 14.

The Finance Committee unanimously recommended approval of this Article.

Select Board member Wendy Reed moved that the Town vote to appropriate and transfer from Community Preservation Act funds, pursuant to G.L. c. 44B, the sum of \$705,000, with \$142,178 from the Open Space and Recreation Fund Balance and \$562,822 from the Undesignated Fund Balance, in conformity with the applications submitted, for the purpose of acquiring for open space, conservation and passive recreation purposes, certain parcels of land containing a total of 32 acres, more or less, which parcels are located on Poor House Lane, shown on Assessors' Map R14 as Parcels 30 and 30F, and also shown as Lots 2A and 2B on a plan entitled "Definitive Plan, Poor House Lane", dated January 7, 1983, prepared by Cammett and Kutensky Engineering, Inc., recorded with the Southern Essex District Registry of Deeds in Plan Book 177, Plan 37, and costs incidental or related thereto, and to authorize the Select Board to acquire said land by purchase, gift and/or eminent domain on such terms as the Select Board deems appropriate, which land shall be held under the care, custody and control of the Conservation Commission for the foregoing purposes pursuant to G.L. c. 40, §8C; and further to authorize the Select Board, the Conservation Commission, and/or their designee to apply for, accept and expend funds from the Commonwealth of Massachusetts or 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 the Commonwealth under G.L. c. 132A, §11 (the so-called LAND Grants), and/or any other 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, and to enter into any and all agreements and execute any and all documents necessary or convenient to effectuate the foregoing; provided, however, that the funds appropriated by this vote shall not be expended unless the Town receives grants, gifts or other contributions of no less than \$355,000.00 for this purpose, with all such funds credited to the Community Preservation Act fund; and, further, to authorize the Select Board to convey a conservation restriction on said land to Essex County

Greenbelt Association or any other qualified organization in accordance with G.L. c. 184 §§31-33, as required by G.L. c. 44B, §12(a).

The motion was seconded by Select Board Chair David Archibald.

Open Space Committee member John Dodge gave a report on the Open Space Committee's favorable recommendation of this Article.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried.

ARTICLE 15.

The Finance Committee unanimously recommended approval of this Article.

Select Board member Wendy Reed moved that the Town vote to transfer from the Community Housing Fund Balance of the Community Preservation Acts funds the sum of \$172,178, in conformity with the applications submitted to the Community Preservation Committee.

The motion was seconded by Select Board Chair David Archibald.

The Affordable Housing Trust member Deborah Hamilton delivered a report on the Affordable Housing Trust's Plan for the Town of West Newbury.

The Moderator noted that passage requires a 2/3 vote. With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 16.

The Finance Committee unanimously recommended approval of this Article.

Select Board Chair David Archibald moved that the Town vote to transfer from the Stabilization Fund the sum of \$172,000 for all costs and expenses pertaining to the replacement of a sidewalk snow-clearing vehicle for use by the Facilities Division of the Department of Public Works, and to dispose of the existing vehicle in accordance with Town policy for disposition of surplus property, with any remaining funds to be closed out to the Stabilization Fund at the close of Fiscal Year 2025.

The motion was seconded by Select Board member Richard Parker.

The Moderator noted that passage requires a 2/3 vote. With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried with more than 2/3 in favor.

ARTICLE 17.

The Finance Committee recommended approval of this Article 5-0-0.

Select Board member Richard Parker moved that the Town vote to transfer from the Stabilization Fund the sum of \$117,000 for all costs and expenses pertaining to the replacement of a Fire Pick-up Truck, including all safety equipment for use by the Fire Department, and to dispose of the existing vehicle in accordance with Town policy for disposition of surplus property, with any remaining funds to be closed out to the Stabilization Fund at the close of Fiscal Year 2025.

The motion was seconded by Select Board Chair David Archibald.

The Moderator noted that passage requires a 2/3 vote. With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 18.

The Finance Committee unanimously recommended approval of this Article.

Select Board member Richard Parker moved that the Town vote to transfer from Free Cash the sum of \$59,500 to fund the planning and design efforts to improve pedestrian, cycling and equestrian safety on Route 113 (Main Street), including but not limited to the Page/Pipestave/Route 113 intersection and crosswalk, with any remaining funds to be closed out to the general account fund balance at the close of Fiscal Year 2025.

The motion was seconded by Select Board Chair David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried.

ARTICLE 19.

The Finance Committee unanimously recommended approval of this Article.

Park and Recreation Commissioner Brad Buschur moved that the Town vote to transfer from Free Cash the sum of \$15,000 to fund the restoration of Field 6 at Pipestave Hill, with any remaining funds to be closed out to the general account fund balance at the close of Fiscal Year 2024.

The motion was seconded by Select Board Chair David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 20.

The Finance Committee unanimously recommended approval of this Article.

Select Board member Richard Parker moved that the Town vote to transfer from Free Cash the sum of \$8,300 to fund the purchase of Security Cameras at the Page School, with any remaining funds to be closed out to the general account fund balance at the close of Fiscal Year 2024.

The motion was seconded by Select Board Chair David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 21.

The Finance Committee unanimously recommended approval of this Article.

Historical Commission member Elisa Grammer moved that the Town vote to transfer from Free Cash the sum of \$4,150 to fund the maintenance, clean up, and repair of the Town-owned cemeteries, with any remaining funds to be closed out to the general account fund balance at the close of Fiscal Year 2024.

The motion was seconded by Select Board Chair David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 22.

The Finance Committee unanimously recommended approval of this Article.

Planning Board member Ray Cook moved that the Town amend Section 5G (Large-Scale Ground-Mounted Solar Photovoltaic Installations Overlay District) of the West Newbury Zoning By-law for the purpose of replacing the existing Overlay District with locational criteria for the installation of Large-Scale Ground-Mounted Solar Photovoltaic Installations, and other minor amendments to dimensional requirements, design standards and environmental standards, and by eliminating the Large-Scale Ground-Mounted Solar Photovoltaic Installations Overlay District from Section 3.A.1, and by revising Section 3.B.1 to note map revision date, and by adding Section 4.C.3 (Large-Scale Ground-Mounted Solar Photovoltaic Installations), subject to and consistent with the requirements of Section 5.G, as on file and available for viewing in the Town Clerk's Office, 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 Zoning By-law, as necessary.

The motion was seconded by Select Board Chair David Archibald.

Planning Board member Ray Cook discussed the article and explained the difference between the current Allowed Use and where the new area will cover.

The Moderator noted that passage requires a 2/3 vote. With there being no further discussion, the Town Moderator called for a vote, and declared that the Motion carried with more than 2/3 in favor.

ARTICLE 23.

Finance Committee made no recommendation for this Article.

Planning Board Chair Ann Bardeen moved that the Town vote to amend and recodify the West Newbury Zoning By-law as printed in Article 23 of the Annual Town Meeting Warrant dated April 7, 2023, and as available for review in the Town Clerk's office, and further, to authorize the Town Clerk to make any non-substantive, ministerial changes to numbering and formatting, so as to ensure consistency, as necessary.

The motion was seconded by Select Board Chair David Archibald.

Planning Board Chair Bardeen explained the need for the recodification of West Newbury's Zoning Bylaws.

Richard Baker asked for an explanation of the difference between the current Zoning Bylaws and this Article's effect on them.

Building Inspector Sam Joslin explained why the current Zoning Bylaws layout can be confusing to some and allow loopholes or exceptions. The recodification will allow for a more straightforward interpretation.

The Moderator noted that passage requires a 2/3 vote. With there being no further discussion, the Town Moderator called for a vote, and declared that the Motion carried with more than 2/3 in favor.

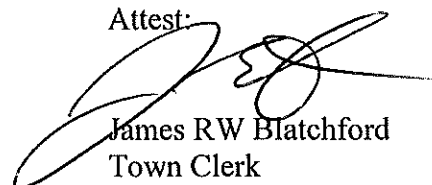
ADJOURNMENT

There was a motion that was properly seconded from the floor of Town Meeting that the Town dissolve the 2023 Annual Town Meeting.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried.

Town Meeting adjourned at 10:00 PM.

Attest:



James RW Blatchford
Town Clerk

cc: Town Accountant (2)
Town Treasurer
Select Board
Finance Committee
Board of Health
Planning Board
Park and Recreation Commission
Water Commission
DPW Director
Police Chief
Chief Fire Engineer
Building Inspector
Conservation Agent
Cable Advisory Committee
Community Preservation Committee
Historical Commission
Open Space Committee

TOWN MEETINGS: IMPACTS ON TOWN ACCOUNTS

Balances Report	1/1/2023	Estimated							Unreserved: Available for Appropriation									
		Town Stabilization	Pension Stabilization	School Stabilization	Town Free Cash	Water Stabilization	Water Retained Earnings	CPC Comm Housing	CPC Historical	CPC Open Space	CPC Undesig	CPC Reserve						
April 2023 Annual Town Meeting	Art #																	
Transfer from School Stabilization	3			(200,000)														
Omnibus Budget	4	600,000																
OPEB Stabilization Fund	10				(6,868)													
CPA FY24 Estimated Receipts	13																	
CPA: Land acquisition off Archelaus Hill / Poorhouse Lane	14																	
CPA: Transfer funds to Affordable Housing Trust	15																	
Replace DPW Sidewalk Plow	16	(172,000)																
Replace Fire Pickup Truck	17	(117,000)																
Route 113 corridor planning/design for ped/bike/equestrian safety improvements	18				(59,500)													
Restoration of Pipestave Field 6	19				(15,000)													
Page School security cameras	20				(8,300)													
Maintenance/cleanup of Town-owned cemeteries	21				(4,150)													
Estimated Balances after ATM		2,266,369	348,618	591,685	1,425,625	406,905	477,479	60,904	362,159	60,904	2,024,027	395,873						