

SPECIAL TOWN MEETING—October 22, 2018

Pursuant to the Warrant issued by the Selectmen on October 1, 2018, which was posted on October 5, 2018 according to law by Constable Brian Richard, who made proper return of his doings thereon, the Special Town Meeting was held on October 22, 2018 at the Town Annex, 379 Main Street, West Newbury. The meeting was called to order at 7:12 PM by the Moderator, Kathleen C. Swallow, upon report by the Board of Registrars of a quorum of 90 or more registered voters. The Town Clerk read the return of service.

ARTICLE 1. To hear and act upon the reports of Town officers and committees.

Stephen Swallow, co-chair of the Bicentennial Committee gave a report on the upcoming celebrations planned for West Newbury's two hundred year birthday celebration. Mr. Swallow outlined the series of events planned for 2019 and congratulated Representative Lenny Mirra on securing \$25,000.00 in state funds to help with the events.

Robert Janes of the Historical Commission gave a report on the historic inventory that was recently completed.

Thomas Atwood of the Board of Assessors informed the meeting of the availability of property tax abatements and exemptions available to elderly and disabled West Newbury residents.

Brian Murphey of the Planning Board gave a report on the zoning revisions proposed by the Planning Board and indicated that the Planning Board would be recommending no action on Article 8.

ARTICLE 2. The Finance Committee recommended approval of this Article

Board of Health Member Robert Janes moved to transfer the sum of \$30,000 from FREE CASH to fund the installation of additional monitoring devices, additional tests of the ground water, and for related expenses pertaining to the post-closure of the Steele Landfill. Any remaining funds will be closed out to the undesignated fund balance at the close of Fiscal Year 2019.

The Moderator declared that the Motion passed by unanimous vote.

ARTICLE 3. The Finance Committee recommended approval of this Article.

Board of Heath Member Robert Janes moved to transfer the sum of \$50,000 from FREE CASH to fund additional costs for disposal of recycled materials. Any remaining funds will be closed out to the undesignated fund balance at the close of Fiscal Year 2019.

The Moderator declared that the Motion passed by unanimous vote.

ARTICLE 4. The Finance Committee recommended approval of this Article.

Community Center Committee member Mary A. Harada moved to transfer the sum of \$4,000 from FREE CASH to fund architectural and/or engineering services to review proposed or potential Annex designs, offer recommendations regarding feasibility and costs, and/or prepare visual representations. Any remaining funds will be closed out to the undesignated fund balance at the close of Fiscal Year 2019.

The Moderator declared that the Motion passed by majority vote.

Park and Recreation Commissioner William Bachrach gave a report on the need for additional fields and parking for recreational purposes. Currently, the fields are at capacity. The Park and Recreation Commissioners wish to study the Dunn Municipal Owned Land next to the Pipestave athletic fields for expansion of the current facilities and additional parking.

ARTICLE 5. The Finance Committee recommended approval of this Article.

Community Preservation Committee Member William Bachrach moved to transfer the sum of \$51,500 from the Community Preservation Act Funds, Open Space and Recreation Reserve for engineering services and related expenses to prepare a conceptual study for Pipestave Hill Active Recreational Area Expansion to include the adjacent Dunn Municipal Owned Land (Map 22, Lot 3 & Map 26, Lot 19). Any remaining funds will be closed out to the Community Preservation Act Funds Open Space and Recreation Reserve Fund Balance at the close of Fiscal Year 2020.

The Moderator declared the Motion failed.

ARTICLE 6. The Finance Committee recommended approval of this Article.

Selectman Joseph A. Anderson moved to transfer the sum of \$2,500 from FREE CASH to fund temporary office support in the Town Manager/Selectmen Office. Any remaining funds will be closed out to the undesignated fund balance at the close of Fiscal Year 2019.

The Moderator declared that the motion passed by unanimous vote.

ARTICLE 7. The Finance Committee recommended approval of this Article.

Selectman David Archibald moved to transfer the sum of \$220,000 from FREE CASH to reduce the current year tax rate.

The Moderator declared the motion passed by unanimous vote

ARTICLE 8. The Finance Committee recommended approval of this Article

Planning Board Member Brian Murphey moved to take no action on Article 8.

The Moderator declared that the motion passed by majority vote.

ARTICLE 9. The Finance Committee recommended approval of this Article

Planning Board Member Brian Murphey moved to amend the West Newbury Zoning Bylaw Section 6.B.8 Open Space Preservation Development in accordance with the amendments of sections 6.B.8 through 6.B.13 set forth in the Article 9 – Proposed Zoning Amendment – Open Space Preservation Development Bylaw, 2018 Fall Town Meeting, West Newbury Planning dated September 4, 2018, Revised October 16, 2018.

Since this was a zoning amendment, the Moderator declared that a two-thirds vote was necessary.

The Moderator declared that the motion failed. Seven town meeting members questioned the vote and the Moderator instructed the tellers to conduct a hand count. The tellers reported that there were 65 votes in favor of the zoning amendment and 96 votes opposed. The Moderator declared that the Motion failed.

ARTICLE 10. The Finance Committee recommended approval of this Article

Selectman Glenn A. Kemper moved to accept and authorize the Town officers to utilize the provisions of Massachusetts General Law Ch. 203C sec 1 *et seq.* the Massachusetts Prudent Investment Act in order to make available the options required to meet the investment goals of the Other Post-Employment Benefits Trust.

The Moderator declared that the motion passed by unanimous vote.

ARTICLE 11. The Finance Committee recommended approval of this Article

Selectman Joseph Anderson moved to accept the provisions of Massachusetts General Law Ch. 200A, §9A to establish procedures for the disposition of abandoned funds.

The Moderator declared that the motion passed by unanimous vote.

ARTICLE 12. The Finance Committee recommended approval of this Article

Selectman David W. Archibald moved to accept the provisions of Massachusetts General Law Ch. 60, §62A to authorize the establishment of payment agreements for properties in tax title.

The Moderator declared that the motion passed by unanimous vote.

ARTICLE 13. The Finance Committee recommended approval of this Article

Selectman Glenn A. Kemper moved to authorize the Board of Selectmen to accept by gift, donation or otherwise an easement for access and parking purposes and for the installation of utilities to be appurtenant to the land commonly referred to as "The Carr Post" as described in deed recorded with the Essex South District Registry of Deed in Book 35514 Page 162 from Cottage Advisors MA, LLC and to take any other action in furtherance thereof

The Moderator declared that the motion passed by unanimous vote.

At 8:59 P.M. on the motion of Selectman Glenn Kemper, it was unanimously voted to dissolve the Special Town Meeting.

Attest:

Michael P. McCarron
Town Clerk