

# TOWN OF WEST NEWBURY

James RW Blatchford  
Town Clerk

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West Newbury, MA 01985  
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Townclerk@wnewbury.org

November 2, 2022

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 expenditures voted at the Special Town Meeting which convened on October 24, 2022 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 October 3, 2022, which was posted on October 6, 2022 according to law by Constable Brian Richard, who made proper return of his doings thereon, the Fall Special Town Meeting was to be held on October 24, 2022, indoors in the Town Annex, 379 Main Street, West Newbury, MA. The meeting was called to order at 7:40 P.M. by the Moderator Kathleen C. Swallow. A total of 101 voters were in attendance. The Town Clerk read the return of service. The Moderator introduced Town Officials. There were no objections to non-resident Town Officials who were in attendance addressing the meeting, if necessary.

## ARTICLE 1.

Chair of the Library Board of Trustees Fred Chanania gave a report on the G.A.R. Library. The report was regarding the restoration of library hours and staffing. Ended the report with an inquiry regarding the timeline of the of when the wage and salary study would be completed.

Chair of the Affordable Housing Trust Wendy Reed gave a report on the Affordable Trust Committee. The report reviewed the creation of the Trust, the composition of the Trust's members, the mission of the Trust, and the Action Plan the Trust is currently working on.

## ARTICLE 2.

The Finance Committee recommended approval of this Article 4-1-0.

Select Board member David Archibald moved that the Town vote to transfer from Free Cash the sum of \$250,000 to reduce the current year tax rate.

The motion was seconded by Select Board member Richard Parker.

Select Board member Wendy Reed made a comment stating that she would be voting for this article, but advising that in the future the Select Board and Finance Committee should come up with a standard policy on how it will utilize and manage Free Cash in the future. Select Board member Reed referenced to the Department of Revenue recommendations for appropriate funding levels of the capital stabilization fund.

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

### **ARTICLE 3.**

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

Select Board member and Affordable Housing Trust chair Wendy Reed moved that the Town vote to transfer from the Inclusionary Housing Account the sum of \$193,908.55 to the Affordable Housing Trust.

The motion was seconded by Select Board member David Archibald.

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

### **ARTICLE 4.**

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

Select Board member Richard Parker moved that the Town vote to transfer from Free Cash the sum of \$50,000.00 to provide matching funds upon award of a Municipal Vulnerability Preparedness grant in the FY23 grant round, and to close out any remaining funds to the undesignated fund balance at the close of Fiscal Year 2025.

The motion was seconded by Select Board member David Archibald.

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

## **ARTICLE 5.**

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

Board of Assessors member Jennifer Poliseno moved that the Town vote to transfer from Free Cash the sum of \$30,000.00 for the purpose of purchasing and installing new assessing software, including all incidental and related expenses, and to close out any remaining funds to the undesignated fund balance at the close of Fiscal Year 2024.

The motion was seconded by Select Board member David Archibald.

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

## **ARTICLE 6.**

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

Park and Recreation commissioner Brad Buschur moved that the Town vote to transfer from Free Cash the sum of \$15,000.00 for the purpose of upkeep and maintenance of town baseball/softball diamonds, including all incidental and related expenses, and to close out any remaining funds to the undesignated fund balance at the close of Fiscal Year 2023.

The motion was seconded by a member of Town Meeting.

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

## **ARTICLE 7.**

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

Select Board member David Archibald moved that the Town vote to transfer from Free Cash the sum of \$8,000.00 for all costs and expenses pertaining to identifying, mapping and remediating invasive species on public lands in the Town of West Newbury, including all incidental and related expenses and to close out any remaining funds to the undesignated fund balance at the close of Fiscal Year 2024.

The motion was seconded by Deborah Hamilton.

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

## **ARTICLE 8.**

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

Select Board member David Archibald moved that the Town vote to transfer from Free Cash the sum of \$6,500.00 for the purpose of supporting the preparation of a FY23 Safe Routes to Schools grant application, including all incidental and related expenses, and to close out any remaining funds to the undesignated fund balance at the close of Fiscal Year 2023.

The motion was seconded by Deborah Hamilton.

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

## **ARTICLE 9.**

The Finance Committee recommended approval of this Article 4-0-1.

Select Board member David Archibald moved that the Town vote to transfer from Free Cash the sum of \$2,100.00 for the purpose of providing additional funding for early voting, mail-in voting, and election day staff, including all incidental and related expenses, and to close out any remaining funds to the undesignated fund balance at the close of Fiscal Year 2023.

The motion was seconded by a member of Town Meeting.

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

## **ARTICLE 10.**

The Finance Committee recommended approval of this Article 6-0-0.

Select Board member Richard Parker moved that the Town vote to transfer from Free Cash the sum of \$16,500.00 to provide matching funds upon award of a Green Communities grant in the FY23 grant round, and to close out any remaining funds to the undesignated fund balance at the close of Fiscal Year 2024.

The motion was seconded by Select Board member David Archibald.

Select Board member Richard Parker commented on the Article stating this money would be combined with funds appropriated in an article from a previous Town Meeting, resulting in a total anticipated local match of \$25,000, to help make the Town's grant application more competitive for this State funding.

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

#### **ARTICLE 11.**

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

Select Board member and Community Preservation Committee chair Wendy Reed moved that the Town vote to transfer from Community Preservation Act funds, Historic Resources Reserve, the sum of \$27,500.00 for the purpose of conducting an historic sites survey, in conformity with the Application for Funding filed with the Community Preservation Committee, and to close out any remaining funds to the Community Preservation Act Funds Historic Resources Fund Balance at the close of Fiscal Year 2024.

The motion was seconded by Select Board member David Archibald.

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

#### **ARTICLE 12.**

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

Select Board member and Community Preservation Committee chair Wendy Reed moved that the Town vote to transfer from Community Preservation Act funds, Historic Resources Reserve, the sum of \$3,000.00 for the purpose of historical and site research regarding the Almshouse Cemetery, including all incidental and related expenses, in conformity with the Application for Funding filed with the Community Preservation Committee, and to close out any remaining funds to the Community Preservation Act Funds Historic Resources Fund Balance at the close of Fiscal Year 2024.

The motion was seconded by Select Board member David Archibald.

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

#### **ARTICLE 13.**

The Finance Committee made no recommendation on this Article.

Select Board member and Community Preservation Committee chair Wendy Reed moved that the Town vote to amend Section XXXVI of the West Newbury Town Bylaws, Community Preservation Committee Bylaw, as set forth in Appendix A of the West Newbury Finance

Committee Report, dated October 24, 2022 pp. 8-11, and 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.

The motion was seconded by Select Board member Richard Parker.

There was a brief discussion regarding the membership of the committee and its composition and size.

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

#### **ARTICLE 14.**

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

Select Board member Richard Parker moved that the Town vote to grant the Select Board authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation.

The motion was seconded by Deborah Hamilton.

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

#### **ARTICLE 15.**

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

Finance Committee member Rob Phillips read the Finance Committees rationale as published in the Finance Committee booklet explaining why they did not feel Town Meeting should pass this article.

Select Board member David Archibald moved that the Town vote to amend Section 5.A. Residence A, B and C Districts of the West Newbury Zoning Bylaws, to add a new sub-section 5.A.5. "Uses Permitted in Residence C District with a Special Permit," as set forth in Appendix A of the West Newbury Finance Committee Report, dated October 24, 2022 pg. 12, and 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 Bylaws, as necessary.

The motion was seconded by a member of Town Meeting.

Planning Board member Ray Cook spoke on why he felt this Article should pass. Specifically highlighting this will help avoid spot zoning around one specific property. He explained what is currently allowed by special permit of the Planning Board and how this would keep within the character of those currently allowed. Additionally, he explained that this does not allow anything by right but rather through a public hearing and special permit of the Planning Board allowing public input on the process.

There was a question from Brad Buschur regarding if the Soldiers and Sailors building would need to go before the Zoning Board of Appeals regardless of this Article passing. Town Manager Angus Jennings stated that because the building and the lot it stands on are both nonconforming it would still need to go before the ZBA.

Mr. Cook offered an explanation of the three options presented to the Town on the best ways to move forward with the project. This was the option that was felt would be the most straightforward way for someone purchasing the building to get approval through the Town's boards in order to renovate the building for use as a professional office.

Richard Baker stated his disagreement with spot zoning but because of the uniqueness of the Soldiers and Sailors building and because it was Town owned, he felt that spot zoning would not apply in that case, and stated his opposition to the Article.

Kevin Bowe asked what is the impact of this Article without including the Soldiers and Sailors building into the rationale. Mr. Cook responded that the amendment would allow for anyone in the Residential C zone to apply for a special permit, but restricts to Residential C because currently A and B allow for the same special permits as Residential C.

Marleen Switzer talked about her experience with moving to Town and the uniqueness of the Soldiers and Sailors building, and that she hoped that this zoning change would allow someone who is passionate about saving this building the opportunity to rehabilitate it from its current state.

Finance Committee chair Chris Wile stated that if the Soldiers and Sailors building is not sold, this zoning change would still be in effect in all of the Residential C zoning district.

The Town Moderator declared that, because this is a proposed amendment to the Zoning Bylaws, a two-thirds majority would be needed for adoption.

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

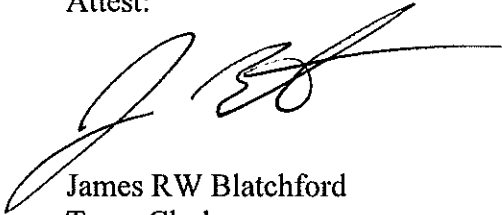
## **ADJOURNMENT**

There was a motion and second to adjourn the 2022 Special Fall Town Meeting from the floor.

With there being no discussion, the Town Moderator declared that the Motion passed unanimously.

Town Meeting adjourned at 8:45 P.M.

Attest:

A handwritten signature in black ink, appearing to read 'J. Blatchford', written over a horizontal line.

James RW Blatchford  
Town Clerk

cc: Town Manager  
Town Accountant  
Town Treasurer  
DPW Director  
Building Inspector  
Select Board  
Finance Committee  
Board of Assessors  
Park and Recreation Commission  
Community Preservation Committee  
Affordable Housing Trust  
Energy and Sustainability Committee



TOWN MEETINGS: IMPACTS ON TOWN ACCOUNTS

	Art #	Estimated						Unreserved: Available for Appropriation				
		Town Capital Stabilization	Pension Stabilization	School Stabilization	Town Free Cash	Water Stabilization	Water Retained Earnings (a/k/a "Free Cash")	CPC Comm Housing	CPC Historical	CPC Open Space	CPC Undesig	CPC Reserve
<b>10/2022 STM</b>												
Reduce FY23 tax rate	2				(250,000)							
Matching funds, MVP Action Grant	4				(50,000)							
Assessing Dept CAMA software	5				(30,000)							
Parks/Rec O&M costs (field prep)	6				(15,000)							
Invasive Species Internship program	7				(8,000)							
Safe Routes to Schools, prep of grant application	8				(6,500)							
Election costs	9				(2,100)							
Matching funds, Green Communities grant	10				(16,500)							
CPC: Historical Prop Survey (phase 3)	11							(27,500)				
CPC: Almshouse Cemetery	12							(3,000)				
<b>Balances after STM</b>					(378,100)			(30,500)				