



Town of West Newbury
Board of Selectmen
Monday, March 2, 2020 @ 7pm
381 Main Street, Town Office Building
www.wnewbury.org
Minutes of Meeting

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Open Session: 7pm in the First Floor Hearing Room

The meeting was called to order at 7:05 p.m. by Chairman David Archibald

Present at the Meeting:

- ❖ Board of Selectmen: David Archibald, Glenn Kemper and Richard Parker
- ❖ Town Manager, Angus Jennings
- ❖ Town Clerk/Counsel & Procurement Officer, Michael McCarron
- ❖ Asst. to Town Manager & Finance Dept., Jenny Walsh
- ❖ Town Accountant, Stephanie Frontiera
- ❖ Police Chief, Jeffrey Durand and Fire Chief, Michael Dwyer
- ❖ Library; Director, Corinn Flaherty and Chair, Marcia Sellos-Moura
- ❖ Tree Committee Chair, Fred Chanania
- ❖ Karen Tyler, Veterans' Agent
- ❖ Susan Babb, Vanessa Graham, Sarah Jalbert
- ❖ Jennifer Solis

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet.
- Correspondence from Board of Health and Fire Chief regarding Coronavirus preparations & precautions
 - Health Agent Paul Sevigny and Fire Chief Michael Dwyer issued a letter to the Board addressing their preparedness for the Coronavirus which was read aloud by Chairman David Archibald and is contained in the agenda packet along with guidance and resources from the CDC.
- East Coast Greenway signage fully installed by DPW
- Proposed zoning articles, scheduled for Planning Board public hearing on March 4 at 7:15pm
- Voting day! Polls open Tuesday, March 3rd from 7am to 8pm
- MMA Legislative Breakfast meetings, including March 13th in Manchester-by-the-Sea
- Announcement of Tree Committee events April 24 and April 25, 2020
 - Fred Chanania announced upcoming community-wide events sponsored by the Tree Committee in celebration of Arbor Day on Saturday, April 25th at the Library and on the Library grounds.
- Announcement of local offices on ballot for May 4, 2020 Annual Town Election. Nomination papers for election to Town Offices available at the Town Clerk's Office. Deadline to request papers March 11th.
- Opportunities for FY20 Committee appointments posted online at <https://www.wnewbury.org/volunteer>

Jen Solis announced on behalf of the Pentucket Arts Foundation their bi-annual senior citizen's matinee production of the Wiz happening on Wednesday at 3:00 in the High School theatre.

Regular Business

A. Presentation of FY21 Veterans' Services budget – *Karen Tyler, Veterans' Agent*

District Director of Veterans' Services Karen Tyler was present to discuss the FY21 Administrative Budget of which West Newbury is liable for 7.8%. West Newbury veterans who qualify can expect to receive Chapter 115 Benefits (financial, medical and/or fuel assistance). In addition, outreach efforts include office hours at the COA and home visits. Karen continues to look for programs such as the Mass Health buy-in program that can reduce costs to the Town.

B. Request for permission to install sign on Training Field – *West Newbury Garden Club*

A letter of request from the West Newbury Garden Club is contained in the agenda packet.

Motion was made by Chairman David Archibald to allow the West Newbury Garden Club to install a sign on Training Field, seconded by Selectman Richard Parker.

Discussion: Selectman Glenn Kemper stated that the Board's policy is to not allow signs on Training Field; therefore, unless the policy is amended and the same privilege afforded to all residents, he will vote no.

Yes 2, No 1

C. Request for appointment of Tom Craig to Energy Advisory Committee

Tom Craig was before the Board to discuss his interest in sitting on this Committee. He is a recently retired mechanical engineer with the time to be involved.

Motion was made by Chairman David Archibald to appoint Tom Craig to the Energy Advisory Committee to June 15, 2020, seconded by Selectman Glenn Kemper.

Yes 3, No 0

D. Request for appointment of Kevin Bowe to Cable Advisory Committee

Kevin Bowe was not present at the time this was discussed; however, he has previously served on this Committee.

Motion was made by Selectman Glenn Kemper to appoint Kevin Bowe to the Cable Advisory Committee to June 15, 2020, seconded by Chairman David Archibald.

Yes 3, No 0

E. Discussion of vacancy on Parks & Rec Commission and method for interim appointment

Chairman David Archibald made the recommendation to not fill the current vacancy at this time based on the number of residents that have taken out papers for the two open seats in the May 4th election as to not create an advantage to this would-be incumbent. The Board agreed unanimously.

F. Discussion of proposed Library budget and staffing for FY21 – *Library Board of Trustees*

Library Director Corinn Flaherty and Board of Trustees Chair Marcia Sellos-Moura were present to discuss the recent decision by the Finance Committee to not support the requested 10-hour/week position in the Library's proposed budget. The case was made to the Board that this position was necessary to meet the Library's three staffing objectives; safety, quality of service and consortium involvement. Of the 20 consortiums so far this year, where important information is shared and decisions being made, West Newbury was only represented at 6 of them. The current staffing level also poses a challenge when covering vacation/sick time, managing programs with large numbers of small children and scheduling office hours. The Board asked if the Senior Work-off Program would be an option and it was noted that this position is of more specialized work and requires a certain level of computer skills. Director Corinn Flaherty also reassured the Board that this 10-hour position should satisfy their needs for a few years as long as the Building remains the same.

Motion was made by Selectman Richard Parker to approve a 10-hour per week additional position earning \$14.50 per hour, seconded by Chairman David Archibald.

Yes 3, No 0

G. Discussion of Board of Selectmen statement regarding former Police Chief Reed contract non-renewal

Chairman David Archibald read aloud the prepared statement that was given to the Newburyport Daily News and is contained in the agenda packet. He further explained the timeline of events that took place surrounding the non-renewal of Police Chief Reed's contract. During a snowstorm in March of 2018, the complainant was subjected to unwanted touching and suggestive comments by Chief Reed. A complaint was filed with the Town's Sexual Harassment Officer and an investigation began immediately the next day where witnesses were interviewed and the events were substantiated. A finding by the Sexual Harassment Officer was written up and presented to the Board which concluded that it did not rise to the level of sexual harassment under state law; however, the conduct did violate Town personnel policy and resulted in disciplinary action toward Chief Reed. Outside counsel has directed the Board not to speak of the discipline handed down to Chief Reed who did not fight the discipline. In August 2018, a formal complaint was made to the West Newbury Police Department by the complainant and forwarded to the Essex County District Attorney's Office to which the Town provided its own investigation. It is unknown if the DA's office has concluded its investigation of the complaint. In September of 2018, the Board began the discussion of Chief Reed's contract, which would come up for renewal in January of 2019, as they would need to notify Chief Reed 90 days in advance of non-renewal as stated in his contract. A majority of the Board was in favor of non-renewal. It was felt that this would be the easiest and fastest way to remove Chief Reed without putting the Town in a position of having to defend the decision to terminate and being at risk for wrongful termination.

Residents Vanessa Graham and Sarah Jalbert each spoke to the Board on how the handling of these events has impacted those involved and offered their thoughts and ideas on how to move forward and improve.

H. Presentation of Town Manager proposed FY21 Budget; schedule of Finance Committee budget review

Town Manager Angus Jennings reviewed slides of the FY21 budget presentation which are contained in the agenda packet together with the FY21 budget meeting schedule, transmittal memo for the February 24th meeting and the proposed FY21 budget working draft.

Discussion took place on the Conservation Commission Land Agent additional hours. It was suggested that the Health Agent might be able to take on this role. Current Conservation Agent has taken a second job and is unable to absorb the additional hours.

I. Review and discussion of proposed Special & Annual Town Meeting warrant articles

The Board will compile a list of articles to be reviewed at the next meeting.

J. Review of proposed FY21 revisions to Animal Control Officer agreement with Newburyport

The Board had no issues with the revisions to the ACO agreement.

Motion was made by Selectman Glenn Kemper to approve the FY21 revisions to the Animal Control Officer agreement with Newburyport, seconded by Chairman David Archibald.

Yes 3, No 0

K. Review and approval of Investment Policy Statement – *referral from Investment Policy Committee*

The Investment Policy Statement was not available for review and, therefore, tabled to the next meeting.

L. Review of Municipal Vulnerability Preparedness workshop held on Saturday, February 29, 2020

Selectman Richard Parker gave a recap of the meeting saying it was a great turnout of about 40-45 people. It started with an eye-opening presentation on climate change; the causes, impact and reality of it. Participants broke into groups to define vulnerabilities and strengths in town and, in turn, discussed potential ways to address those vulnerabilities and take advantage of the strengths. In the end, they aggregated the groups' information to create focus areas. The areas getting the most votes were: emergency communications and communication infrastructure, open space preservation, water supply protection, a municipal microgrid with backup storage for emergency shelter and senior housing, and to assess vulnerable neighborhoods and address the vulnerabilities such as erosion and flooding. In the next couple of months there will be a report and open public session for presentation.

M. Request for authorization to apply for Green Communities grant – *Energy Advisory Committee*

Selectman Richard Parker discussed the Green Communities 2020 Competitive Grant Program opportunity that the EAC wishes to apply for in the maximum amount of \$5K for a hybrid police sedan. Grant application information is contained in the agenda packet.

Motion was made by Selectman Glenn Kemper to authorize the Energy Advisory Committee to apply for the Green Communities Grant, seconded by Chairman David Archibald.

Yes 3, No 0

N. Meeting minutes: February 18, 2020; February 3, 2020; October 22, 2018

Motion was made by Selectman Glenn Kemper to accept the meeting minutes of February 18, 2020 and February 3, 2020 as written, seconded by Chairman David Archibald.

Yes 3, No 0

Motion was made by Selectman Glenn Kemper to accept the meeting minutes of October 22 2018 as written, seconded by Chairman David Archibald.

Yes 2, No 0, Abstain 1 (Parker)

Town Manager Updates

- O. Notification of Greenbelt approval of 2007 Mill Pond Management Plan including changes approved at 2019 Annual Town Meeting
- P. Update on upcoming Harbor Committee kick-off to study feasibility of potential mooring field
- Q. Updates from the Merrimack River District Commission
- R. Updates on active and pending projects

Chairman David Archibald would like to get a follow up on the Housing Authority Grant.

- S. Follow up meeting assignments; and, placing items for future agendas

Motion was made by Chairman David Archibald, seconded by Selectman Richard Parker to adjourn the meeting at 10:11 p.m.

Yes 3, No 0

Respectfully submitted, Jennifer Walsh

Approved by the Board of Selectmen 3-0 on March 16, 2020