

## **ANNUAL TOWN MEETING -- MONDAY, APRIL 30, 2018**

Pursuant to the Warrant issued by the Selectmen on April 2, 2018, which was posted on April 6, 2018 according to law by Constable Brian Richard, who made proper return of his doings thereon, the Annual Town Meeting was held on April 30, 2018 at the Annex, 379 Main Street, West Newbury. The meeting was called to order at 7:20 P.M. by the Moderator Kathleen C. Swallow, upon report of the Board of Registrars of Voters of a quorum of 90 or more registered voters. The Town Clerk 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. At 7:35 P.M., the Moderator recessed the Annual Town Meeting to open the Special Town Meeting. The Annual Town Meeting was re-opened at 7:48 P.M. following adjournment of the Special Town Meeting. The record of the 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 1.** Calling for the election of Town officers was passed over for action at the Annual Town Election on May 7, 2018.

**ARTICLE 2.** To hear and act upon the reports of Town officers and committees.

Pursuant to custom, this Article was left open throughout the meeting.

The Board of Selectmen recognized Robert Janes as the West Newbury Citizen of the Year. Mr. Janes has provided many years of service to the Town as a Water Commissioner, a member of the Historical Commission, a member of the Board of Health, West Newbury's representative to the Veteran's District and member of the Community Preservation Commission, to name a few. Bob has dedicated countless volunteer hours to the betterment of the Town and he is the embodiment of civic spirit.

The Board of Selectmen introduced Angus Jennings, the new Town Manager, to the Meeting.

Community Center Committee Member, Vanessa Graham, gave a report on the status of the Community Center Committee. The Committee is looking to utilizing the Town Annex for enhanced services.

Historical Commission Chairperson, Robert Janes, gave a report on the progress of the Historical Inventory (authorized by last year's Town Meeting) which should be completed by the end of the fiscal year.

At 7:35 PM, the Town voted to recess the Annual Town Meeting to take up the Special Town Meeting.

At 7:48 PM, upon the adjournment of the Special Town Meeting, the Annual Town Meeting resumed.

**ARTICLE 3.** (The Budget) The Finance Committee Booklet contained the Finance Committee's Fiscal Year 2019 recommended budget and also a recommended budget from the Selectmen which varied from the Finance Committee's recommended budget on a number of Line Items. The Moderator addressed the procedure for adoption of the Line Item Budget for Fiscal Year 2019. For purposes of this Article the recommendation of the Finance Committee is considered the main motion. Each Line Item is considered a separate appropriation and the main motion for each line item may be considered separately. Any Town Meeting member wishing to discuss a line item or move a different amount may call out "Hold" when the line item is read. Amending a line item requires two steps; first a motion to amend the main motion (the Finance Committee recommendation) and then a motion to approve the main motion, as amended. The Moderator read each Line Item.

A Hold was placed on:

Line 15 Police Salary and Wages (School Resource Officer)

Line 15 Police Cruisers

Line 24 DPW Electricity

Line 27 Community Center Expenses

With regards to the hold on the Police Salary and Wages (School Resource Officer), Town Meeting inquired as to the status of the School Resource Officer and its progress in its first year. Chief Arthur Reed addressed the Meeting and explained that the introduction of s School Resource Officer in the Pentucket District has been successful and that he meets regularly with school officers concerning this new office. No motion was made to amend this line item.

With regards to the hold on Police Cruisers, it was explained that the police cruiser authorized pursuant to the Special Town Meeting Article was for the Chief's car and that this cruiser was part of the standard cruiser replacement policy of the Town. It was also explained that the cost of this cruiser is significantly less due to the use of the Police Car Revolving Fund and the recoupment of costs by selling the old cruiser. No motion was made to amend this line item.

With regards to the hold on DPW Electricity, it was explained that this line item was broken off from the DPW Town Buildings operating fund line item. This item also reflected a reduction in costs of \$35,000.00 reflecting the savings accrued from the town solar field. No motion was made to amend this line item

With regards to Line 27, Town Meeting Member John McGrath questioned the wisdom of placing expenses for a temporary committee in the line item budget. No motion was made to amend this line item.

Selectmen Glenn Kemper moved to adopt the Line Item Budget as stated. The Moderator declared that the motion passed by majority vote. It was voted to raise and appropriate the sum of \$14,973,426.00 for the Total Line Item Budget.

**Town of West Newbury  
Line Item Appropriations  
FY 2019**

<b>1</b>	<b>***** TOWN MODERATOR *****</b>	
	Salary & Wages	200.00
	Expenses	60.00
	Department Total	<u>260.00</u>
<b>2</b>	<b>***** BOARD OF SELECTMEN *****</b>	
	Selectmen's Stipend	0.00
	Salary & Wages	
	Temporary Pay	
	Overtime	
	Professional & Technical Services	10,000.00
	Expenses	5,000.00
	Department Total	<u>15,000.00</u>
<b>3</b>	<b>*****TOWN MANAGER *****</b>	
	Town Manager Salary	145,000.00
	Salary and Wages	110,168.00
	Technology Expense	35,744.00

	Expenses	36,517.00	
	Vehicle Allowance	<u>3,600.00</u>	
	SUBTOTAL	331,029.00	
<b>4</b>	<b>***** FINANCE COMMITTEE*****</b>		
	Expenses	1,800.00	
	Salary	1,000.00	
	Reserve Fund	<u>60,000.00</u>	
	Department Total	62,800.00	
<b>5</b>	<b>***** BOARD OF ASSESSORS *****</b>		
	Assessors' Salary		
	Salary & Wages	121,844.00	
	Expenses	41,900.00	
	Vehicle Allowance	<u>1,500.00</u>	
	Department Total	165,244.00	
<b>6</b>	<b>***** FINANCE DEPARTMENT *****</b>		
	Salary & Wages	153,242.00	
	Annual Audit	18,500.00	
	Tax Title & Foreclosure	1,000.00	
	Expenses	<u>31,400.00</u>	
	Department Total	204,142.00	
<b>7</b>	<b>***** SPECIAL COUNSEL *****</b>		
	Legal Fees	<u>0</u>	
	Department Total	0	
<b>8</b>	<b>***** TOWN CLERK/TOWN COUNSEL *****</b>		
	Salary & Wages	111,924.00	
	Operation of Facsimile Machine/Photocopiers	5,500.00	
	Expenses	<u>9,475.00</u>	
	Department Total	126,899.00	
<b>9</b>	<b>***** BOARD OF REGISTRARS/ELECTIONS *****</b>		
	Town Clerk Compensation	150.00	
	Salary & Wages	5400.00	
	Expenses	<u>9,025.00</u>	
	Department Total	14,575.00	
<b>10</b>	<b>***** CONSERVATION COMMISSION *****</b>		
	Salary & Wages	29,187.00	

	Expenses	2,410.00	
	Vehicle Allowance	600.00	
	Department Total	<u>32,197.00</u>	
<b>11</b>	<b>***** PLANNING BOARD *****</b>		
	Salary & Wages	47,634.00	
	Expenses	3,600.00	
	MVPC Assessment	1,584.00	
	Department Total	<u>52,818.00</u>	
<b>12</b>	<b>***** BOARD OF APPEALS *****</b>		
	Salary & Wages	1,000.00	
	Expenses	500.00	
	Department Total	<u>1,500.00</u>	
<b>13</b>	<b>***** OPEN SPACE &amp; RECREATION COMMITTEE *****</b>		
<b>35</b>	Expenses	750.00	
	Department Total	<u>750.00</u>	
<b>14</b>	<b>***** CABLE ADVISORY COMMITTEE *****</b>		
	Expenses	0	
	Department Total	<u>0</u>	
<b>TOTAL - GENERAL TOWN GOVERNMENT</b>		<b>1,007,214.00</b>	
<b>15</b>	<b>***** POLICE DEPARTMENT *****</b>		
	Salary & Wages	872,371.00	
	Salary and Wages (School Resource Officer)	35,334.00	
	Overtime	55,487.00	
	Expenses	109,359.00	
	Department Total	<u>1,104,551.00</u>	
<b>16</b>	<b>***** FIRE DEPARTMENT *****</b>		
	Alarms	83,948.00	
	Drills	26,284.00	
	Miscellaneous Fire Department Wages	23,086.00	
	Administration	25,730.00	
	Fire Protection Fees	72,156.00	
	Fire Alarm & Communications	11,000.00	
	Expenses	42,600.00	
	Medical Exams	3,000.00	
	Department Total	<u>287,804.00</u>	
<b>17</b>	<b>***** AMBULANCE SERVICE *****</b>		
	Ambulance Retainer	1.00	
	Department Total	<u>1.00</u>	

<b>18</b>	<b>***** INSPECTION DEPARTMENT *****</b>	
	Salary & Wages	120,690.00
	Expenses	9,490.00
	Vehicle Allowance	4,980.00
	Department Total	<u>137,160.00</u>
<b>19</b>	<b>***** EMERGENCY MANAGEMENT AGENCY *****</b>	
	Salary & Wages	7,901.00
	Expenses	<u>3,265.00</u>
	Department Total	11,161.00
<b>20</b>	<b>***** ANIMAL CONTROL OFFICER *****</b>	
	Salary & Expenses	23,460.00
	Department Total	<u>23,460.00</u>
<b>21</b>	<b>***** HARBORMASTER *****</b>	
	Salary & Wages	3,000.00
	Expenses	<u>3,000.00</u>
	Department Total	6,000.00
<b>22</b>	<b>***** PUBLIC SAFETY DISPATCH *****</b>	
	Salary & Wages	256,618.00
	Overtime	25,520.00
	Expenses	<u>26,370.00</u>
	Department Total	<u>308,508.00</u>

<b>TOTAL - PUBLIC SAFETY</b>	<b>1,878,649.00</b>
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	<b>EDUCATION</b>	
<b>23</b>	<b>***** ASSESSMENTS *****</b>	
	Pentucket Minimum Contribution	7,176,348.00
	Pentucket Other Assessment	.00
	Pentucket Capital Assessment	64,162.00
	Page School Phase II	511,988.00
	Whittier Minimum Contribution	232,543.00
	Whittier Other Assessment	49,486.00
	Whittier Capital Assessment	20,320.00
	Essex North Shore Reg/Voc Tech/Essex Agr	19,575.00
	Department Total	<u>8,074,422.00</u>

<b>TOTAL - EDUCATION</b>	<b>8,074,422.00</b>
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<b>24</b>	<b>***** DEPARTMENT OF PUBLIC WORKS *****</b>	
	Salary & Wages	434,243.00
	Overtime Wages	10,404.00
	Snow & Ice Removal	150,000.00
	Town Buildings Operating Expenses	80,400.00
	Town Buildings Improvements	51,000.00
	Children's Castle Operating Expense	16,000.00
	Road Improvement Program	70,000.00
	Highway, Sidewalk & Trees	140,000.00
	Vehicle Allowance	6,000.00
	Expenses	4,800.00
	Parks & Playground Expenses	15,000.00
	Road Machinery Expense	49,000.00
	Capital Outlay	-
	Street Lighting	13,000.00
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	Department Total	1,109,847.00

<b>TOTAL - DEPARTMENT OF PUBLIC WORKS</b>		<b>1,109,847.00</b>
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<b>25</b>	<b>***** HEALTH DEPARTMENT *****</b>	
	Salary & Wages	118,393.00
	Newburyport Health Center	3,840.00
	Waste Collection	316,680.00
	Hazardous Waste Collection	2,000.00
	Expenses	12,415.00
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	Department Total	453,328.00

<b>26</b>	<b>***** COUNCIL ON AGING *****</b>	
	Salary & Wages	64,296.00
	Expenses	18,500.00
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	Department Total	82,796.00

<b>27</b>	<b>COMMUNITY CENTER</b>	
	Salary and Wages	3,600.00
	Expenses	2,400.00
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	Department Total	6,000.00

<b>28</b>	<b>***** VETERANS *****</b>	
	Rental C.L. Carr Post	1.00
	Soldiers' Graves Expenses	2,600.00
	Assessment	18,282.00
	N. Essex Veterans Services Benefits	9,355.00
	Memorial Day Expenses	5,000.00

	Department Total	35,238.00
<b>TOTAL- HUMAN SERVICES</b>		<b>577,362.00</b>

<b>29</b>	<b>***** GAR MEMORIAL LIBRARY *****</b>	
	Salary & Wages	255,518.00
	Expenses	32,500.00
	Books & Periodicals	66,000.00
	Department Total	354,018.00

<b>30</b>	<b>***** RECREATION *****</b>	
	Parks & Recreation Expense	7,344.00
	Mill Pond Operating Expense	4,450.00
	Action Cove Playground	5,000.00
	Bandstand Operating Expense	6,000.00
	Department Total	22,794.00

<b>31</b>	<b>***** CULTURAL COUNCIL *****</b>	
	Expenses	100.00
	Department Total	100.00

<b>32</b>	<b>*****HISTORICAL COMMISSION*****</b>	
	Expenses	500.00
	Department Total	500.00

<b>TOTAL - CULTURE &amp; RECREATION</b>		<b>377,412.00</b>
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<b>33</b>	<b>***** MATURING DEBT SERVICE *****</b>	
	Maturing Debt	340,000.00
	Interest & Paydowns on Long/Short Term Debt	29,000.00
	Department Total	369,000.00

<b>TOTAL - DEBT SERVICE</b>		<b>369,000.00</b>
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	<b>***** BENEFITS/INSURANCE *****</b>	
<b>34</b>	Essex Regional Retirement	641,424.00
<b>35</b>	Unemployment Insurance	1.00
<b>36</b>	Group Health Insurance OPED GF	422,570.00 0
<b>37</b>	F.I.C.A. Insurance	45,525.00

<b>38</b>	Insurance & Bonds	170,000.00
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Department Total		1,279,520.00
<b>TOTAL - BENEFITS/INSURANCE</b>		<b>1,279,520.00</b>
<b>39</b>	Stabilization	300,000.00
<b>TOTAL TOWN LINE ITEM BUDGET</b>		<b>14,973,426.00</b>

**ARTICLE 4:** The Finance Committee recommended approval of this Motion

Water Commissioner Robert Janes moved to appropriate, in anticipation of Water Department revenue, the sum of \$793,518.00 of which \$189,241.00 for Salaries and Wages, which include \$1,700 for Water Commissioners stipends, \$41,931 for Insurances, \$393,590 for Expenses, \$103,747 for Debt Service, \$15,000 for Extraordinary and Unforeseen, and \$50,009 for Indirect Cost.

The Moderator declared that the motion passed unanimously.

**ARTICLE 5.** The Finance Committee gave no recommendation on this Article.

No instructions were offered for the Water Commissioners in accordance with Chapter 38 of the Acts of 1936.

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

Selectman Joseph Anderson moved to transfer the sum of \$50,000 from FREE CASH for the Pension Liability Stabilization Fund

The Moderator declared that the motion passed unanimously.

**ARTICLE 7.** The Finance Committee recommended approval.

Board of Health Member, Robert Janes, moved to transfer the sum of \$22,827.09 from the Septic Loan Revolving Account for the repayment of debt service.

The Moderator declared that the motion passed unanimously.

**ARTICLE 8.** The Finance Committee recommended approval.

Selectman David Archibald moved to transfer the sum of \$102,900 from the Receipts Reserved for Dunn Debt Account to pay the debt service associated with the Dunn Property Acquisition.

The Moderator declared the motion passed unanimously

**ARTICLE 9.** The Finance Committee recommended approval.



Selectman Glenn Kemper moved to raise and appropriate the sum of \$315,000 to be placed in the special purpose municipal stabilization fund established pursuant to Massachusetts General Laws c. 40 §5B in order to fund future capital expenditures for school related building projects.

The Moderator declared that the motion passed by majority vote.

Town Moderator, K.C. Swallow temporarily relinquished the office of Town Moderator, so as Chairperson of the Bicentennial Committee, she would give the motion on the following Article. Michael P. McCarron, Town Clerk, was selected as Town Moderator, *pro tempore*.

K.C. Swallow, Chairperson of the Bicentennial gave a report on the progress of the Bicentennial Committee. In preparation for West Newbury's 200<sup>th</sup> anniversary of its incorporation, the Bicentennial Committee is planning a number of events to commemorate the occasion.

**ARTICLE 10.** The Finance Committee recommended disapproval of the Article

K.C. Swallow, Chairperson of the Bicentennial Committee, moved to transfer from FREE CASH the sum of \$140,000 to add to the special fund established in accordance with the provisions of MGL Chapter 44, Section 53I for a celebration of West Newbury's Bicentennial in 2019. Any remaining funds will be closed out to the undesignated fund balance at the close of Fiscal Year 2020.

The Moderator, *pro tempore*, declared the Motion passed by majority vote.

K.C. Swallow resumed the office of Town Moderator.

**ARTICLE 11.** The Finance Committee recommended approval.

Selectman Joseph Anderson moved to see if the town will vote to fix the maximum amount that may be spent during Fiscal Year 2019 from the revolving funds pursuant to Section XL of the Bylaws of the Town of West Newbury  
Section 5.1 Summer Recreation Revolving Fund in the amount of \$42,000,  
Section 5.2 GAR Library Fines and Penalties Revolving Fund in the amount of \$10,000  
Section 5.3 Police Vehicle Revolving Fund in the amount of \$20,000.

The Moderator declared that the Motion passed unanimously.

**ARTICLE 12.** The Finance Committee recommended approval.

DPW Director Gary Bill moved to transfer from FREE CASH the sum of \$100,000 to fund improvements and repairs to the Page School, Children's Castle and Town Buildings. Any remaining funds will be closed out to the undesignated fund balance at the close of Fiscal Year 2021.

The Moderator declared that the Motion passed unanimously.

Community Preservation Member Sherry Pruyn gave a report on the Community Preservation Committee and the projects approved by Committee

**ARTICLE 13.** The Finance Committee recommended approval.

Community Preservation Committee Member William Bachrach moved to allocate and/or reserve from the Community Preservation Fund annual revenues, the amounts recommended by the Community Preservation Committee for Community Preservation Projects, Committee Administrative Expenses, and other expenses in Fiscal Year 2019, with each item to be considered a separate appropriation.

**Allocate Reserves:**

From FY 2019, estimated revenues for Community Housing Reserve:	\$39,998.00
From FY 2019, estimated revenues for Historic Resources Reserve:	\$39,998.00
From FY 2019, estimated revenues for Open Space & Recreation Reserve:	\$39,998.00
From FY 2019, estimated revenues for Committee Administrative Expenses:	\$19,999.00
From FY 2019, estimated revenues for Budgeted Reserve:	\$259,987.00

<b>Total</b>	<b>\$399,980.00</b>
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The Moderator declared that the Motion passed unanimously.

**ARTICLE 14.** The Finance Committee recommended approval.

Selectman Joseph Anderson moved to transfer from the Stabilization Fund the sum of \$31,000 to fund a utility pole transfer for the existing municipal fire alarm service. Any remaining funds will be closed out to the stabilization fund at the close of Fiscal Year 2020.

Since this was a transfer from the Stabilization Fund, the Moderator declared that a two-thirds majority vote was necessary to pass the Motion

The Moderator declared that the Motion passed unanimously.

**ARTICLE 15.** The Finance Committee recommended approval.

Selectman Glenn Kemper moved to transfer from FREE CASH the sum of \$17,500 to fund the Town's share of the cost of the replacement of the 1984 tanker truck in connection with a 2017 FEMA Assistance to Firefighter's Grant. Any remaining funds will be closed out to the undesignated fund balance at the close of Fiscal Year 2022.

The Moderator declared that this Motion passed unanimously.

**ARTICLE 16.** The Finance Committee recommended approval.

Selectman David Archibald moved to transfer from the Stabilization Fund the sum of \$115,000 to fund the purchase of firefighting personal protective gear. Any remaining funds will be closed out to the stabilization fund at the close of Fiscal Year 2019.

Since this was a transfer from the Stabilization Fund, the Moderator declared that a two-thirds majority vote was necessary to pass the Motion

The Moderator declared that this Motion passed unanimously.

**ARTICLE 17.** The Finance Committee recommended approval.

Selectman David Archibald moved to transfer from FREE CASH the sum of \$5,000 for the town manager's expenses. 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 unanimously.

**ARTICLE 18.** The Finance Committee recommended approval.

Selectman Glenn Kemper moved to transfer from FREE CASH the sum of \$2,500 to fund new chairs for the Senior Center. 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 unanimously.

**ARTICLE 19.** The Finance Committee recommended approval.

Selectman Joseph Anderson moved to amend the Town Bylaws by deleting Section VII (the Finance Director Bylaw) in its entirety and by changing the reference to “Finance Director” in Sections IV (Capital Improvement Committee Bylaw), VIII (Finances) XXXVI (Community Preservation Committee Bylaw) to “Town Manager”

The Moderator declared that the Motion passed unanimously.

Liz Callahan, Chairperson of the Energy Advisory Committee gave a report on the actions of the Energy Advisory Committee and its recommendations for approval of the proposed zoning amendment to add the Large Scale Ground-Mounted Solar Photovoltaic Overlay District to property off Coffin Street.

**ARTICLE 20.** The Finance Committee recommended disapproval of this Article.

Energy Advisory Committee Member Rick Parker moved that the Town vote to amend the Zoning Map of the Town of West Newbury to include within the Large Scale Ground-Mounted Solar Photovoltaic Installation (LGSPI) Overlay District approximately 20 acres of land located at 28 Coffin Street and identified as “Proposed Solar Overlay District Area +19.50 acres” on a plan entitled “Proposed Solar Overlay District—28 Coffin Street Town of West Newbury date April 2018 by Weston & Sampson.”

Considerable discussion on the Motion ensued.

Since this was a vote to amend the West Newbury Zoning Law, the Moderator declared that a two-thirds majority vote was necessary to pass the Motion.

The Moderator instructed the Tellers to conduct a hand count. The vote was 68 in favor and 213 opposed.

The Moderator declared that the Motion failed.

**ARTICLE 21.** The Finance Committee recommended disapproval of this Article.

Selectman Glenn Kemper moved No Action on this Article.

The Moderator declared that the Motion for No Action passed unanimously.

**ARTICLE 22.** The Finance Committee recommended disapproval of this Article.

Town Meeting Member Rose Vetere moved that the Town vote to amend the West Newbury Zoning Bylaws by inserting the following as a new Section 5.G.5.d to wit: “d. All Larger Scale Ground-Mounted Solar Photovoltaic Installations (LGSPI) located in Residence A, B or C districts shall not exceed a nameplate capacity of 500kW DC.”

Since this was a vote to amend the West Newbury Zoning Bylaw, the Moderator declared that a two-thirds majority vote was necessary to pass the Motion

The Moderator declared that the motion failed by a vote of 28 in favorite and 100 opposed.

**ARTICLE 23.** The Finance Committee recommended disapproval of this Article.

Town Meeting Member Rose Vetere moved that the Town vote to amend the West Newbury Zoning Bylaws by inserting a new Section 5.G.5.c, as set forth in Article 23 of the Annual Town Meeting Warrant of April 30, 2018

Since this was a vote to amend the West Newbury Zoning Bylaw, the Moderator declared that a two-thirds majority vote was necessary to pass the Motion.

The Moderator declared that the Motion failed by a vote of 35 in favor and 150 opposed.

**ARTICLE 24.** The Finance Committee recommended disapproval.

Town Meeting Member Rose Vetere moved that the Town vote to amend the West Newbury Zoning Bylaws by inserting a new Section 5.G.4.d. as set forth in Article 24 of the Annual Town Meeting Warrant of April 30, 2018

Since this was a vote to amend the West Newbury Zoning Bylaw , the Moderator declared that a two-thirds majority vote was necessary to pass the Motion

The Moderator declared that the Motion failed by a vote of 31 in favor and 150 opposed

Upon the motion of Selectman Glenn Kemper, it was voted to adjourn and dissolve the 2018 Annual Town Meeting at 10:17 P.M.

Attest:

Michael P. McCarron  
Town Clerk