

**TOWN OF NEWBURY
SELECT BOARD**

MINUTES

DATE: June 27, 2023

PRESENT: **Select Board:** Chair Alicia Greco; Vice Chair Bill DiMaio; Clerk Leslie Matthews; Geof Walker; Dana Packer

Staff:

Tracy Blais, Town Administrator
Julie O'Brien, Executive Administrator
Martha Taylor, Planning Director
Peter Binette, Building Commissioner
Patty Fisher, Police Chief

Speakers:

Matt Provencher, Town Counsel

Call to Order:

At 7:00 p.m. Chair Alicia Greco called the meeting to order with a salute to the flag

Motion: A. Greco moved to open the meeting, seconded L. Matthews and voted unanimously

Grants, Gifts & Donations

(Chapter 44: Section 53A Grants and gifts; acceptance and expenditure)

Donation - Governors Academy - Peter Quimby

Motion: D Packer moved to accept the donation seconded, G. Walker

Discussion: Peter Quimby, Head of School, Governors Academy, addressed the Board regarding the donation of \$30,000 to go towards the debt service of the Police Station

Vote: Voted unanimously to accept

Public Comment

Peter Ericson, 48 Northern Blvd., spoke in support of the parking lot at 49 Northern Blvd. and read letter he delivered to the Select Board today.

James Steward, 22 Old Point Rd., stated he was speaking tonight regarding the Entertainment License at the Sunset Club. He made comments regarding live bands, how sound carries and is disruptive to people at home. Asked outdoor music be band with exception to applying for a unique permit for minimal occasions and regulated for loudness, duration, recommends three hours and not after 8:00 p.m.

Hubert Mulligan 8, 16th Street, spoke to the parking lot at 49 Northern Blvd. Stated he has not experienced a problem with the parking lot. In favor of keeping the lot open.

Chris Smith 17, 16th Street, spoke to the original intent of the parking lot permit and to a Select Board meeting on 8/10/1982. Asked Town to institute their own rules and regulations. Asking to minimize the number of cars that park in the lot. Asked how long has been an active business.

Steve Mangion, 14th Street, mentioned letters he sent regarding Sunset Blvd. Then spoke to the draft Master Plan. Feels not enough time to review and does not like Survey Monkey. Mentioned concerned about the history and the Community Preservation Act. Asked to be able to read others comments and asked who brought forth the CPA for the current draft Master Plan. Feels too much power given to the Town Administrator in the document.

John Passeri, Elm Street, in favor of the 49 Northern Blvd. parking lot. Feels helps the small business such as Mad Martha's. Also place for people to park for public beach access.

Steve Osborn, 24 Old Point Road, asked why Sunset Club needs entertainment? Feels infringement on neighborhood. Comments noise travels. Stated a good operation does not need entertainment

Board and Committee Reports

Report of Chair Greco:

Signed PR23-25, Select Board

Signed PR23-25, Julie O'Brien

Public Hearings: None

New Business:

New Business License, Sambelmag Properties (Robert Fardin), dba Ice Queens, 2 Northern Blvd., Common Victualler

Motion: L. Matthews moved to approve the Business License seconded, G. Walker

Discussion: Robert Fardin, applicant, addressed the Board and provided information regarding the new license request

Vote: Voted unanimously to approve

New Business License, Jim Sullivan, dba Wyatts Market, 6D Fruit Street, Common Victualler

Motion: G. Walker moved to approve the Business License seconded, L. Matthews

Discussion: Jim Sullivan addressed the Board and provided information regarding the new business license request

Vote: Voted unanimously to approve

New Business License, Alicia Catalano, dba Music with Alicia, 89 Hanover Street, Music School/Private Lessons/Birthday Parties/Group Classes/Events

Motion: G. Walker moved to approve the Business License seconded, L. Matthews

Discussion: Alicia Catalano addressed the Board and provided details regarding her new business request

Vote: Voted unanimously to approve

FY24 Appointment:

Open Space Committee: 1 Year Term 7/1/23 - 6/30/24

Martha Taylor

Kristen Grubbs

Mike Carbone

Motion: G. Walker moved to approve the Open Space Committee appointments seconded, B. DiMaio

Discussion: None

Vote: Voted unanimously to approve

Recreation Committee: 1 Year Term 7/1/23 - 6/30/24

John Reagan

Motion: B. DiMaio moved to approve the Recreation Committee appointment seconded, G. Walker

Discussion: Mr. Reagan addressed the Board and provided some background

Vote: Voted unanimously to approve

Fire Chief Search Discussion

Tracy Blais spoke to the Fire Chief Search options which include; the Select Board conducting a search or engage a Fire Chief Recruitment process outside consultant. The outside service would handle advertising, perform assessments, and provide up to three well qualified candidates. Cost between \$10,000 - \$15,000.

A. Greco asked the Board which option they prefer. Discussion ensued

Motion: B. DiMaio moved to direct the Town Administrator to solicit bids for the Fire Chief Recruitment search seconded, L. Matthews and voted unanimously

Old Business

Municipal Building Committee update

Bob Connors, Chair of MBC, presented the Final Town Hall report to the Board

A. Greco thanked the Municipal Building Committee Board for all their hard work

L. Matthews mentioned Town Hall has been voted down four different times. Thinks it is time to rethink

B. DiMaio spoke to Town Program needs on Tab 5 in the final report

D. Packer stated he has shared his thoughts with the MBC Chair as a member of the Committee

Motion: G. Walker moved to accept the report seconded, L. Matthews and voted unanimously

New Business License (new owner) - Thomas Ryan, dba Plum Island Beach Walk, LLC. (formerly Wheelhouse Parking), 49 Northern Blvd., Parking Lot/Water in Cooler

Motion: G. Walker move to approve the new business license seconded, B. DiMaio

Discussion: A. Greco spoke to the business license being purely an administrative task for the Select Board. Matt Provencher, Town Counsel, spoke to the Business License and the Select Boards roll

Town Counsel answered questions from the Select Board. Peter Binette, Town of Newbury Building Commissioner, spoke to the zoning aspects of the property.

Thomas Ryan, Applicant, spoke to the business license request, provided a history and gave details of the business

Vote: Voted unanimously to approve

Entertainment License - Sunset Club, 4 Old Point Road, Music/Small speakers, M - S

Motion: B. DiMaio moved to approve the Entertainment License seconded, G. Walker

Discussion: Beau Sturm, applicant and partner Josh, spoke to the neighbor's concerns. Explained outdoor music does not happen that often, maybe 10 to 12 times a year. Spoke to the speakers that are used which were placed towards the marsh pointing down (outside) stated they have not received any complaints. Talked about several decimal level test they conducted themselves. Does not feel over stepping with the outdoor speakers. Want to be a good neighbor and positive members of the community.

Beau answered questions from the Board

Jim Stewart presented a letter to the board from a neighbor in support

Steve Mangion spoke to the Entertainment license. Mentioned live bands draws large crowds which adds to the noise. Feels complaints will not be addressed regarding noise

Attorney Provencher spoke to the Entertainment License guidelines

The Board discussed conditioning the license

Motion: G. Walker moved to amend the Entertainment License to state no live music past 7:00 p.m. seconded, D. Packer

Vote: Voted unanimously to approve

Motion: G. Walker moved to approve the Entertainment License as amended seconded L. Matthews and voted unanimously

Town Administrators Report

Municipal Office Closure

- Byfield Water has notified us that water will be shut off on Kent Way on June 29th so that they can repair a leak

Meeting with RJ Kelly

- In preparation for our bid process and discuss the possibility of acquiring additional space given that leasing is now considered a more permanent arrangement
- Employees working in the computer room, no meeting space or separation on the first floor, no vault

Dogs on Little League Field

- After receiving complaints of both dogs on the little league field (Pearson Field) and the Field being locked, prohibiting dogs on the field, had an opportunity to speak with both sides regarding the issue
- Research showed that the property is and has been clearly posted “No Dogs Allowed” (as are the Central St Fields)
- Little League Board noted, “The reasons for prohibiting dog’s year round simply outweigh any justification for allowing dogs on the field, even during the winter months. We have also done some research on how other towns and municipalities approach this issue, and it seems pretty clear that more often than not, dogs are not permitted on youth athletic fields. That is even more so when there’s a dirt infield involved, as dogs can do significant damage to the dirt infields, even during winter months.”
- Given the recent funds invested into upgrading the fields and the recommendation of Little League Board members and coaches, it seems to make sense to continue to prohibit dogs from Pearson Field at all times

Newbury Landfill Solar Project

- Had a meeting with Ace Solar and it looks like this much awaited project will finally be moving forward soon
- Matt Cooper, IT Managers last day is June 30th. A. Greco asked Matt to come out to the Hearing Room. She thanked Matt for all his support and extended him well wishes
- Eileen DeVeau retiring, June 30th. There will be an open house from 1:00 to 3:00 p.m. on Wednesday, June 28th in the COA

Correspondence

Comcast Letter changes to service

Mass DOT letter - Sumner Tunnel Mitigation

Meeting Updates

Martha Taylor, Planning Director, spoke to the June 29th Master Plan discussion being held at the Library Community room

D. Packer spoke of Newbury Town Day, being held on August 26th. Post cards available. The committee needs volunteers. Specifically need someone to head up sporting events. newburytownday.com or newburytownday@gmail.com.

Jack Rybicki, Larkin Road, spoke to original thought of a drive in movie at BCAC now being held at Central Street field. Mentioned would be a closing event including a band and a family friendly movie

Review of Meeting Minutes

None

Warrants

VW2325

PRVW2324

PRVW2323

PR2324

Motion: A. Greco moved to sign the Warrants seconded, G. Walker

Discussion: None

Vote: Voted unanimously to sign

Executive Session:

None

Adjourn

Motion: At 9:08 p.m. B. DiMaio moved to adjourn, seconded G. Walker and voted unanimously

Respectfully submitted,
Julie O'Brien
Executive Administrator