

**TOWN OF NEWBURY  
SELECT BOARD**

**MINUTES**

**DATE:** September 26, 2023

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

**Staff:**

Tracy Blais, Town Administrator  
Julie O'Brien, Executive Administrator  
Martha Taylor, Town Planner  
Patty Fisher, Police Chief

**Speakers:**

Brian Winner, 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:** B. DiMaio moved to open the meeting, seconded L. Matthews and voted unanimously

Discussion: None

**Public Comment**

None

**Board and Committee Reports**

Report of Chair Greco:

PR24-05, Julie O'Brien  
PR24-06, Julie O'Brien  
PR24-06, Selectboard

**Grants, Gifts & Donations**

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

COA Donation - Alba Gouldethorpe - \$40.00

COA Donation - Dave Winters - \$25.00

COA Donation - Lee Walton - \$150.00

**Motion:** B. DiMaio moved to approve all three COA donations seconded, L. Matthews

Discussion: None

Vote: Voted unanimously to accept

State 911 Department Support & Incentive Grant - \$12,416

**Motion:** B.DiMaio move to approve the Grant seconded, D. Packer

Discussion: Chief Fisher addressed the board regarding the details of the Grant

Vote: Voted unanimously to approve

T. Blais introduced Eva Pastor, new Town Accountant/Assistant Finance Director and Jonathon Temple, new IT Director

**New Business:**

One Day Liquor License - Sweet Paws/Barewolf Brewing, Barktoberfest, SPLF, October 21, 2023

One Day Liquor License - Sweet Paws/Decanted Inc., Bartoberfest, SPLF, October 21, 2023

One Day Liquor License - Sweet Paws/Ipswich Ale Brewery, Barktoberfest, SPLF, October 21, 2023

**Motion:** B. DiMaio moved to approve the three, One Day Liquor Licenses for the Barktoberfest seconded L. Matthews

Discussion: None

Voted: Voted unanimously to approve

Business License Amendment - Braza Car Auto Sales

**Motion:** B. DiMaio moved to approve the Business License amendment seconded, D. Packer

Discussion: Sara at Braza Car Auto Sales addressed the Board and answered questions

Vote: Voted unanimously to approve

**Public Hearings:** Marsh Meadow continuance **7:15 p.m.**

**Motion:** L. Matthews moved to open the Public Hearing seconded, B DiMaio

Vote: Voted unanimously to open

Discussion: Damon Jespersen, 4 Marsh Meadow Lane, addressed the Board and asked to withdraw his special permit application without prejudice

**Motion:** A. Greco moved that the request to withdraw without prejudice for the application for 1 Marsh Meadow Special Permit Submitted by Damon Jespersen be granted seconded, B. DiMaio

Vote: Voted unanimously to accept

**Executive Session:**

**Motion:**

A. Greco moved, pursuant to G.L. c. 30A sec 21(a)(3), that the Board will go into Executive Session to discuss strategy with respect to litigation the matter of the Department of Environmental Protection and Cricket Lane LLC, Superseding Order of Conditions, DEP File #050-1355, for 55R Pearson Lane litigation; and to include in the executive session both Town Counsel Brian Winner and the Chair of the Conservation Commission.

Second: B. DiMaio

Roll call vote:

Bill DiMaio - Yes

Dana Packer - Yes

Alicia Greco - Yes

Leslie Mathews - Yes

At 7:40 p.m. the Board returned from Executive Session to resume Public Meeting

**New Business continued:**

New Business License - Stephen Mullen, Surfside Parking, 34 Plum Island Blvd., Parking Lot

**Motion:** B. DiMaio moved to approve the license seconded, L. Matthews

Discussion: Stephen Mullen addressed the Board regarding the parking lot and answered questions from the Board

Vote: Voted unanimously to approve

Commercial Clam Permit application - Alexander Monteiro

**Motion:** B. DiMaio moved to approve the Clam permit seconded, L. Matthews

Discussion: discussion ensued

Vote: Voted unanimously to approve

Fincom Appointments

Mike Doyle  
Patrick Heffernan  
Richard Keys  
Steve Mangion  
Vanessa Rossi

**Motion:** B. DiMaio moved to appoint Patrick Heffernan to a three year term seconded, A. Greco

Discussion: None

Vote: B. DiMaio - Yes; A. Greco - Yes; D. Packer - No; L. Matthews - No. The motion fails

**Motion:** B. DiMaio moved to appoint Richard Keys to a two year term seconded, L. Matthews

Discussion: None

Vote: Voted unanimously to appoint

**Motion:** D. Packer moved to appoint Mike Doyle seconded, L. Matthews

Discussion: None

Vote: D. Packer - Yes; L. Matthews - Yes; B. DiMaio - No; A. Greco - No. The motion fails

**Motion:** B. DiMaio moved to appoint Vanessa Rossi to a one year term seconded, A. Greco

Discussion: None

Vote: B. DiMaio - Yes; A. Greco - Yes; D. Packer - No; L. Matthews - No

**Motion:** D. Packer moved to appoint Steve Mangion seconded L. Matthews

Discussion: None

Vote: D. Packer - Yes; L. Matthews - Yes; B. DiMaio - No; A. Greco - No

Capital Planning Committee appointment

Marshall Jespersen

**Motion:** B. DiMaio moved to appoint Marshall Jespersen to a one year term seconded, D. Packer

Discussion: Discussion ensued. Decision was made to table the appointment

DCC Appointments

**Motion:** B. DiMaio moved to appoint Geof Walker to the DCC seconded, L. Matthews

Discussion: None

Vote: voted unanimously to appoint

**Motion:** B. DiMiao moved to appoint Leslie Matthews to the DCC seconded A. Greco

Discussion: None

Vote: voted unanimously to appoint

## Newbury Town Day Mission Statement

**Motion:** L. Matthews moved to approve the Newbury Town Day Mission Statement seconded, B. DiMaio

Discussion: A. Greco read the mission statement

Vote: voted unanimously to approve

## Newbury Town Day Committee creation

**Motion:** B. DiMaio moved to create a five person steering committee seconded, D. Packer

Discussion: A. Greco thanked Heidi Fram, Robin Lawson and all the others who participated in organizing and running Newbury Town Day for the past two years. Asked for interested persons to email their intention to be on committee to the Selectboard.

Vote: voted unanimously to create

COA Chair advising the Board on an updated space needs assessment

Damon Jespersen, 4 Marsh Meadow Lane, COA Chair, addressed the Board regarding expiration of COA lease at Kent Way and an adhoc Space Committee to revise space needs documents to reflect current needs and answered the Boards questions

## Town Administrators Report

### Newbury Elementary School Update

- Insurer MIIA has approved our claim

### Fire Department Hires/Resignations

- We welcome both Ashley Herr and Tyler Philbrook as our new full time firefighters
- James Chadborn and Rich Lucius have moved on to other communities and we wish them well
- Chief Ziehler is actively interviewing candidates to fill the open positions

### Fire Chief Search

- The preliminary interviews are complete and the candidates will be moving to the Assessment Center next which will be conducted by a board former Fire Chiefs

## Tax Collector Certification

- Assistant Treasurer/Collector, Lindsay Turner has passed her certification examination and
- Treasurer/Collector, Diane Doyle, has met the requirements for recertification as a MA Municipal Treasurer and Collector
- Both will be recognized at the Fall meeting of the MA Treasurers and Collector's Association held at the College of the Holy Cross
- Congratulations to both of them on their accomplishments!

## Temporary Repairs to Private Ways

- The acceptance of Article 21 at the Annual Town Meeting amended our bylaw by allowing the DPW to make repairs to private ways in certain circumstances

- a vote of the Select Board is needed to allow them to pave approximately 160 feet of Fruit St. This will improve the DPW's ability to turn their vehicles around when plowing/sanding. Otherwise they have to stop halfway down the hill leaving a section of the area unplowed/unsanded.

**Motion:** B. DiMaio moved to allow 160 feet of Fruit Street to be paved by the DPW seconded, D. Packer

Discussion: Discussion ensued

Vote: Voted unanimously to allow

Library Playground

- Platform used to climb up to the ladder has failed so we have closed the playground until it can either be repaired or replaced

### **Old Business**

None

### **Correspondence**

Letter from Pat Clark

Whitter Regional Vocational Annual Operational Report

National Grid email regarding winter heating season rates

Notice from MEMA to Public

Discussion: Chief Patty Fisher spoke as the Emergency Management Director regarding the MEMA notices

Noted information regarding both notices is posted on the Police website and their face book page

### **Meeting Updates**

A.Greco, announced there would be a special Select Board meeting on October 17th to conduct Fire Chief interviews

### **Review of Meeting Minutes**

Draft Meeting Minutes August 22, 2023

**Motion:** D. Packer moved to approve the Minutes seconded, B. DiMaio

Discussion: Discussion ensued.

**Motion:** A. Greco moved to approve as amended, remove "65 and 68" from page 5 of the August 22, 2023 minutes under Meeting update by Leslie Matthews. B. DiMaio seconded

Vote: Voted unanimously to approve as amended

**Motion:** B. DiMaio moved to scrap the decibel report requested of L. Matthews seconded, D. Packer

Discussion: None

Vote: Voted unanimously

**Warrants**

VW2404  
VW2403B  
PRVW2403  
PRVW2404  
VW2405  
VW2405A  
RfdAug23  
PR2403  
PRVW2405  
PR2404  
VW2406A  
VW2406  
PRVW2406

**Motion:** D. Packer moved to sign Warrants seconded, B. DiMaio

Discussion: None

Vote: Voted unanimously to sign

**Adjourn**

**Motion:** At 8:40 p.m. B. DiMaio moved to adjourn, seconded D. Packer

Discussion: None

Vote: Voted unanimously

Respectfully submitted,  
Julie O'Brien  
Executive Administrator