

Town of Newbury, MA

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Board of Selectmen's Meeting Minutes 10-14-14

BOARD OF SELECTMEN'S MEETING
OCTOBER 14, 2014

Chairman Geoffrey Walker opened the meeting at 7:00 p.m. with the pledge of allegiance to our flag. In attendance were Selectmen Walker, Bear, Bulgaris, Jespersen, Mountain and Town Administrator Tracy Blais.

The entertainment license for the Beachcoma (tabled at the 10/7/14 meeting) was again discussed with BI Sam Joslin present. Joslin noted that there seemed to be some confusion regarding the year round entertainment license the Beachcoma was pursuing through the State. If approved the BOS would still have to make a determination regarding "noise level". The new form has been completed for a Halloween party on October 25th from 6-10 p.m. The BOS can approve this request if signatures of approval are obtained from Fire, Police and Building Inspector. The BOH is not required as this is a licensed establishment. Kathy Pugh advised that Chief Reilly had stated he had no issue with the request and she has been trying to catch Chief Pearson and Joslin for signatures. **Selectman Jespersen moved to approve the license for live music on October 25, 2014 from 6-10 p.m. for a Halloween party at the Beachcoma, contingent on the three signatures being obtained on the application. The motion was seconded by Selectman Bear and voted 4-0 with 1 abstention.**

The joint meeting of the Finance Committee, Capital Planning Committee and Selectmen for final review of the STM warrant and recommendations of the FC was initiated. Frank Remley, Chair of the Finance Committee addressed each article as follows:

- Article 1 – payment of an old invoice from free cash in the amount of \$3,650 was recommended by the FC 7-0.
- Article 2 – adjustment of accounts for FY15, as listed, in the amount of \$38,070 (raise and appropriate) was recommended by the FC 7-0.
- Article 3 – transfer from free cash the sum of \$5,700 to update the actuarial forecast for the Town's OPEB plan was recommended by FC 7-0.
- Article 4 – transfer from free cash \$60K to purchase and install a septic system on Manter Field. CPC approved the project. BOH had questions regarding late changes to the plan to add a grease trap and its impact. FC recommended the article 7-0 pending the engineer's review.
- Article 5 – transfer from free cash the sum of \$75K for engineering and construction services for the design of the town hall pump station and force main. Larry Guay, Chair of the CPC, advised his committee had received the necessary reports and studies and they had approved the project. Bob Connors (FC member) moved to recommend Article 5, seconded by Gene Case and voted unanimously 7-0.
- Article 6 – transfer of \$15K from free cash to replace the stairs at the Byfield Grange Building. FC advised in order to expedite this project, this money should come from the Reserve Fund not free cash. FC voted 6-0 on this change with 1 abstention. CPC advised the project had been identified and approved for up to \$15K. Selectman Mountain determined that no action would be recommended on this warrant article at the town meeting. The FC entertained a Reserve Fund transfer from Blais for an amount up to \$15K from Blais on a motion by Connors, seconded by Marshall Jespersen and voted 6-0 with 1 abstention.
- Article 7 – transfer of \$60K from free cash to fund a Master Plan and Open Space and Recreation Plan update. This money will be transferred to an open account with Blais in charge. M. Jespersen was assigned as liaison to the Planning Board from FC and D. Mountain volunteered to be liaison for the Selectmen for this project. D. Jespersen moved to appoint Mountain as liaison to the Master Plan Committee, seconded by Bear and voted 4-0 with 1 abstention. FC recommended the article 7-0.
- Article 8 – to cease assessing excise tax imposed under M.G.L. Chapter 59, section 8A. FC voted "no action" - to be left to the will of the Town. Blais noted this was just a housekeeping issue.
- Article 9 – amendment of Chapter 24 of the Personnel Policy bylaws, allowing employees to carry over unused vacation days to the next fiscal year to be used within 90 days from beginning of the new fiscal year. FC noted this was the Personnel Board's domain and they recommended "no action" - to be left to the will of the Town.
- Article 10 – petition to the General Court to convey certain land in Newbury to Richard and Pauline Boudreau. FC recommended the article 7-0.
- Article 11 – adoption of changes to the demolition delay bylaw (Historical Commission). FC recommended "no action"- to be left to the will of the Town. Martha Taylor noted that the Historical Commission had two workshops scheduled for public input on this article.

The Finance Committee and Capital Planning Committee were thanked for their attendance and input.

Eric Svahn, Chair of the Municipal Building Committee gave a progress report on the status of the new Police Station/Town Hall project. He noted the committee had plans, budgets and three site options. He questioned how to package this information for the appropriate committees like CPC. He advised they needed CPC on board and did not know if they could meet the deadline of November 1st without some assistance with the forms. While the site is still in flux, the costs of the site might be the deciding point.

He asked BOS, FC and CPC for help moving this project forward and getting the info to the public. Martha Taylor suggested tonight was a good chance to assign a liaison from each board to work with the MBC and a decision matrix can be developed for presentation. Bob Connors noted that a formal request from Chief Reilly was needed and then we'll work into engineering and site work. Svahn noted that the letter from Reilly was in the works. This has been a public safety issue since 2006 Master Plan, he advised.

After a brief discussion the decision was made to hold workshop on October 28th, location to be determined, at 7 p.m. with the FC, CPC, BOS and MBC. This would also be open to the public. Svahn noted that the most current summary of the project was on the web site and he will post additional documents as available. **Selectman Jespersen moved to hold a workshop on the Police Station/Town Hall project on October 28th at 7 p.m., location to be determined, seconded by Selectman Bulgaris and voted unanimously. BOS, FC, CPC, MBC and Chief Reilly will take part in the workshop.**

In accordance with M.G.L. Chapter 136, section 6 (52) ABCC form 43's were signed for BGS Variety, D&J Liquors, The Butchery Inc., and Dick's Variety to allow these Section 15 Off Premises Retail Licensees to open at 10 a.m. on Sundays, on a **motion by Selectman Bear, seconded by Selectman Bulgaris and voted unanimously.**

The final decision granting a special permit to Borrego Solar Systems, Inc. for a ground-mounted solar photovoltaic installation at 8 Middle Road was approved and signed **on a motion by Selectman Mountain, seconded by Selectman Jespersen and voted unanimously.** Blais noted the "Tax Agreement" was still in draft form and requested a vote from the Selectmen to allow her to execute this agreement when completed. **It was moved by Selectman Mountain, seconded by Selectman Bear and voted unanimously to authorize Tracy Blais to execute the PILOT (tax agreement) when finalized.**

The minutes of the October 7th meeting were accepted as presented **on a motion by Selectman Bear, seconded by Selectman Jespersen and voted unanimously.**

On the recommendation of the Cultural Council, Elizabeth Duff and Jeanne Cannell were appointed as members **on a motion by Selectman Jespersen, seconded by Selectman Mountain and voted unanimously.**

A request from Borrego Solar to continue the next hearing on 136 Main Street from October 28th to November 25, 2014 was discussed. Selectman Mountain noted that the correct procedure was to open the hearing on October 28th and make a motion at that time to continue to the November 25th date as requested. The Board was in agreement.

The meeting was adjourned at 8:40 p.m. on a **motion by Selectman Bear, seconded by Selectman Jespersen and voted unanimously.**

Respectfully submitted,

Kathleen Sirois, Admin. Asst.