

Town of Newbury, MA

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Board of Selectmen's Meeting Minutes 11-26-13

BOARD OF SELECTMEN'S MEETING
NOVEMBER 26, 2013

Vice Chair Michael Bulgaris opened the meeting at 7:05 p.m. with the pledge of allegiance to our flag. In attendance were Selectman Bulgaris, Bear, Mountain, Walker and Town Administrator Tracy Blais. Selectman Story was absent.

The legal notice for a public hearing on the determination of the percentage of tax levy to be borne by each class of real property for FY14 was read by Selectman Bulgaris. Budd Kelley, Chair of the Board of Assessors introduced Michelle Branciforte, Principal Assessor, who presented the tax analysis report for the Assessors. On the recommendation of the Board of Assessors the "residential exemption" and "small commercial exemption were not adopted **on a motion by Selectman Walker, seconded by Selectman Bear and voted unanimously.** On the recommendation of the Board of Assessors the Uniform Tax Rate for Fiscal Year 2014, with a Residential Factor of 1 was retained **on a motion by Selectman Walker, seconded by Selectman Bear and voted unanimously.** The Selectmen signed the LA-5 and **voted unanimously on a motion by Selectman Walker, seconded by Selectman Bear to allow TA Blais to sign off on the DOR Gateway System on their behalf.**

TA Blais asked that action on the Senior Support Staff job description be postponed, as alterations to the description made by the Fire Department were not accepted by Counsel. The other alternative to acceptance of this is to petition for Special Legislation in the spring through a warrant article on the ATM warrant. Bulgaris stated he would entertain a motion to get an article on the ATM warrant to petition the State Legislature for an exemption to the state law governing retirement at age 65. He noted those involved are covered by accident insurance and are not affected by the retirement system. Selectman Mountain queried, per Counsel Kremer's advice, what will we do to protect the town against liability in the interim as special legislation takes time. Selectman Walker agreed that in good faith we should present an article at town meeting but this does not address our immediate exposure.

Mountain said he would like to hear Counsel's side regarding our exposure. Fire Chief Pearson noted that driving the trucks and operating the pumps seem to be the stumbling blocks, but at our last meeting Attorney Mead said we could just put vests on those affected and they could perform these functions. Mountain suggested the matter be tabled to the next meeting and have Counsel and Chief Pearson present to answer questions regarding the town's exposure. **The matter was tabled to the December 10th meeting on a motion by Selectman Mountain, seconded by Selectman Walker and voted unanimously.**

TA Blais advised that she had placed a copy of the proposed Demolition Delay Bylaw presented by the Newbury Historical Commission in the Selectmen's drop box for review and comments. The Historical Commission would like comments by December 19th, she noted.

The Community Preservation Coalition will hold a meeting here at Town Hall on December 11th at 7:00 p.m. to address a proposed article for the ATM warrant. The public is invited.

Michael Reilly was appointed Harbormaster **on a motion by Selectman Bear, seconded by Selectman Walker and voted unanimously.** Brendan Stokes was appointed Assistant Harbormaster **on a motion by Selectman Bear, seconded by Selectman Walker and voted unanimously.**

Blais updated the Board on the CPC and the project requests accepted through the November deadline. She also noted that they were reviewing their current bylaw and Dick Orem was Chair of that subcommittee. The Selectmen had several suggestions for consideration such as appointing a Selectman to sit on the committee and reducing the finance committee members to one, raising the amount of money that kicks projects into the CPC from \$10K to \$25K to match the procurement figure, removing Chapter 90 road repairs from their purview and defining capital expense. Selectman Mountain proposed the creation of an open committee to review these recommendations. Selectman Walker noted that any bylaw change must go before town meeting and it is important that as a board we present our recommendations to the CPC. Blais advised she would send the current CPC bylaw to the Board's drop box for their review and recommendations.

Blais advised she had received a certificate from Teamsters 170 to enroll the Highway Department employees and

will keep the board posted on the outcome.

A loss control grant from MIIA in the amount of \$5K has been received for the purchase of an equipped trailer for emergencies for the Highway Department.

The Fire Company's contract documents required by special legislation voted at the May Annual Town Meeting are available for review and will be sent to the Board's drop box.

Blais thanked Jen Solis (News reporter) for the comprehensive article published on our proposed Public Safety Facility. Reports are in the works and the hope is to move forward with funding for design feasibility.

The minutes of the November 11th meeting were accepted as presented **on a motion by Selectman Bear, seconded by Selectman Walker and voted unanimously.**

A one day liquor license for the Byfield Community Arts Center for their November 30th Cat in the Cradle Coffeehouse from 7:30 to 11 p.m. was approved **on a motion by Selectman Bear, seconded by Selectman Mountain and voted unanimously.**

Alcoholic Beverage renewal applications for 2014 were reviewed and approved **on a motion by Selectman Bear, seconded by Selectman Mountain and voted unanimously** for the following establishments:-

- Parker River Pub & Grille – 9 Fruit Street, Byfield
- Oldtown Country Club Inc. – Marsh Avenue, Newbury
- Corner Cupboard - 4 Hanover Street, Newbury
- D & J Liquors – 53 Main Street, Byfield
- Dick's Variety – 29 Plum Island Boulevard, Newbury
- Mr. Moe's – 14 Plum Island Boulevard, Newbury
- BGS Variety – 6D Fruit Street, Byfield
- Newbury Butchery – 2 Morgan Avenue, Newbury
- Ould Newbury Golf Club – 319 Newburyport Turnpike, Newbury
- Plum Island Beachcoma – 23 Plum Island Boulevard, Newbury
- Plum Island Grille, Inc., 2 Plum Island Boulevard, Newbury

An entertainment license for the Plum Island Beachcoma for New Years's Eve from 8-12 p.m. was approved **on a motion by Selectman Mountain, seconded by Selectman Bear and voted unanimously.**

The Board acknowledged receipt of the 3rd quarter PEG Access Support payment from Comcast in the amount of \$27,671.19.

Selectman Mountain asked the board to review the Media Committee's "mission statement" for comments and approval at the next meeting on December 10th. Mountain noted the committee is working on obtaining equipment for "video on command" which will enable the public to log in to the town website and view programming at their convenience.

Warrants were signed for TA Blais.

The meeting was adjourned at 8:35 p.m. **on a motion by Selectman Bear, seconded by Selectman Walker and voted unanimously.**

Respectfully submitted,
Kathleen Sirois, Admin. Asst.