

**TOWN OF NEWBURY
SELECT BOARD**

MINUTES

DATE: July 25, 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, Town Planner

Patty Fisher, Police Chief

Call to Order:

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

Motion: L. Matthews moved to open the meeting seconded G. Walker, and voted unanimously

Discussion: None

Public Comment

Representative Kristen Kassner presented a Citation to Chief Janvrin from the House of Representatives recognizing and thanking him for his 36 years of service with the Newbury Fire Department

Alicia Greco presented a citation to Chief Janvrin from the Select Board

Steve Mangion, 14th Street, as his comment was regarding Sunset Club One Day Entertainment License he was asked to hold until that agenda item

Board and Committee Reports

Report of Chair Greco:

Signed PR23-26, Julie O'Brien

Signed PR23-27, Julie O'Brien

Signed VW23-27, Alicia Greco

Signed PR24-01, Select Board

Grants, Gifts & Donations

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

COA Donation - Angus&Julia Sampson, \$30.00

Motion: G. Walker moved to accept the donation seconded, L. Matthews

Discussion: None

Voted unanimously to accept

COA Donation - Alba Gouldtorpe, \$20.00

Motion: G. Walker moved to accept the donation seconded, L. Matthews

Discussion: None

Voted unanimously to accept

COA Donation - Bob&Jan Tyler -Nelson, Ten key lock boxes, \$276.19

Motion: G. Walker moved to accept the donation seconded, L. Matthews

Discussion: L. Matthews spoke to the intent of the lock boxes. A. Greco read the letter Cindy Currier, COA Director provided. B. DiMaio discussed how this came about from Coffee with a Cop, COA session

Voted unanimously to accept

Appointment FY24: Veteran's Grave Officer, Dennis Palazzo, thru June 30, 2024

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

Discussion: B. DiMaio spoke on Dennis's behalf and provided a description of what the Grave Officers responsibilities are

Voted unanimously to approve

Public Hearings: 7:15 Liquor License amendments, Ould Newbury Golf Club

Motion: G. Walker moved to open the Public Hearing seconded, B. DiMaio and voted unanimously

Discussion: L. Matthews read the Legal Notice . Attorney Lake spoke to the amendment requests from Ould Newbury Golf Club

Attorney Lake answered questions from the Board including alternation and history of the premise's inquiries.

Motion: G. Walker moved to closed the public hearing seconded, B. DiMaio and voted unanimously

Motion: G. Walker moved to accept the amendment application and submit to the ABCC for their approval seconded, B. DiMaio and voted unanimously

Senator Tarr presented a Citation to Chief Janvrin and spoke to Chief Janvrin's many years of service to the Town of Newbury

New Business:

40 Northern Blvd, release from temporary construction easement

Motion: D. Packer moved to have the Chair sign the release of the construction easement seconded, A. Greco

Discussion: Linda McKeehan, Seas the Day Realty, spoke to the easement release

Voted unanimously to have the Chair sign the release

One Day Entertainment License, Wedding 8.19.23 at Sunset Club, Live Band 6:00 p.m. to 10:00 p.m.

Motion: G. Walker moved to approve the application as submitted seconded, B. DiMaio

Discussion: Applicants addressed the Board. Harrison Davis, groom and Beau Sturm, Sunset Club. Mr. Davis provided a history of himself and his fiancé. Stated fiancé's family has had a home on Plum Island for many years. Stated this is a one-time event for the public but a once in a life time for he and his fiancé. Acknowledged this request is an onetime exception to the Sunset Clubs Entertainment license and assured the Board will work with the Sunset Club to minimize any inconvenience to the community. Mentioned the wedding planning has included many non-refundable deposits. Mr. Sturm stated he was there to support the applicants request and answer any questions.

Board addressed the applicants regarding citizens concerns regarding the time of the live music is playing. Applicant and Beau reiterated that this is a one-time event

D. Packer, asked about measuring disciples for live band.

B. Sturm expressed he will do all he can to mitigate any interference to the Community. Including doing a disciple reading.

Confirmed that the Sunset Club is closed to the public during wedding and 160 expected as wedding guests. A review of the venue layout was performed

Steve Mangion, 14th Street, asked to look at the layout, inquired about the tent and parking for guests and staff. Mentioned thought last month owner said no live music coming up and now there is an event. Asked for Board to stand by the decision that was made for the Year Entertainment License of 7:00 p.m. live music stop time

B. Sturm responded to Mr. Mangion's concerns.

The Groom read the letter he provided to the Board regarding the request for a one day entertainment license

Motion: L. Mathews move to amend the end time to 9:00 p.m. seconded, G. Walker

Vote: B. DiMaio, L. Mathews; G. Walker voted in favor; A. Greco and D. Packer voted opposed, the motion passes

Voted unanimously to accept the amendment 6:00 to 9:00 p.m. One Day Entertainment License

Public Property Use Request, Wedding Ceremony, Beach Lot U02-0-27, 8.19.23, 3:00 p.m. thru 5:30 p.m.

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

Discussion: The applicant spoke to the beach location for the wedding ceremony

Voted unanimously to approve

Public Property Use Request, Byfield Cruise Night, Sept. 8, 2023 (rain date Sept. 9, 2023)

Motion: G. Walker moved to approve the request seconded, D. Packer

L. Matthews recused herself

Discussion: Steve Fram and Tony Mathews spoke to the request/event. Asking for permission to close the road for the event.

Chief Fisher addressed the applicants and the Board regarding the road closure and her concerns. What will be used for barricade? Answer: Road closed and detour signs. Volunteers to direct traffic? Answer: Yes. Chief Fisher suggested notification at top of hill by gas station and will have patrol monitor the area during the event

The applicants informed the Board that the BCAC Board is allowing car show to use the kitchen and bathrooms
Voted in favor A. Greco; W. DiMaio; G. Walker; D. Packer. L. Matthews Recused; motion passed

One Day Liquor License application, Free Spirits LLC, Wedding, Spencer Peirce Little Farm, Sept. 8, 2023

Motion: L. Matthews moved to approve the application seconded, W. DiMaio

Discussion: None

Voted unanimously to approve

One Day Liquor License application, Mercury Brewing, Vintage Baseball, Spencer Peirce Little Farm, Aug. 13, 20, 26, Sept, 10, 17, 24, Oct. 1, 2023

Motion: G. Walker moved to approve all the applications as listed above seconded, L. Mathews

Discussion: None

Voted unanimously to approve

One Day Liquor License application, Kunjalkumar Patel, Wedding, PITA Hall, August 12, 2023

Motion: G. Walker moved to approve the application seconded, W. DiMaio

Discussion: None

Voted unanimously to approve

One Day Liquor License application, Sanborn Class of 1968, 55th Class Reunion, PITA Hall, Sept. 27th, 2023

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

Discussion: None

Voted unanimously to approve

Public Property Use Request, Kelly Majewski, Jeanne Geiger Crisis Center, Banner, Upper Green backstop, 9.18.23 thru 10.2.23

Motion: G. Walker move to approve seconded B. DiMaio

Discussion: None

Voted unanimously to approve

Public Property Use Request, American Hand Fire Engine Society, Annual Firemen's Muster, Upper Green, July 29th, 2023

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

Discussion: None

Voted unanimously to approve

Public Property Use Request, William DiMaio, World War II Memorial, Purple Heart Recognition wreath laying ceremony, Aug. 7th, 2023 7:30 p.m. thru 8:00 p.m.

Motion: G. Walker moved to approve seconded, D. Packer. B. DiMaio recused himself

Discussion: None

Voted in favor: G. Walker; A. Greco; D. Packer; L. Mathews. B. DiMaio recused. Motion passes

Public Property Use Request, Newbury Town Day Aug. 26th 2023, Central Street fields, movie, band, closing ceremony

Motion: G. Walker moved to approve seconded, L. Mathews

Discussion: Confirmed use approved by the Recreational Committee

Voted unanimously to approve

Public Property Use Request, Newbury Town Day Aug. 26th, 2023, Morgan Ave/High Road @ 25 High Road, Dunk Tank Event, 2:00 p.m. to 3:00 p.m.

Motion: L. Mathews moved to approve seconded D. Packer

Discussion: Jack Rybicki and Chief Fisher addressed the Board regarding the location of the dunk tank

Voted unanimously to approve

One Day Entertainment License, Newbury Town Day Aug. 26th 2023, Central Street fields, movie and band

Motion: G. Walker moved to approve seconded, D. Packer

Discussion: Jack Rybicki spoke to the event

Voted unanimously to approve

Motion: B. DiMaio moved to waive the fee for the One Day Entertainment License seconded, G. Walker

Discussion: None

Voted unanimously to approve

One Day Entertainment License, Newbury Town Day Aug. 26th, 2023, 25 High Road/Morgan Ave., Dunk Tank Event, 2:00 p.m. to 3:00 p.m.

Motion: L. Mathews moved to approve seconded, G. Walker

Discussion: None

Voted unanimously to approve

Motion: B. DiMaio moved to waive the One Day Entertainment License fee seconded, L. Mathews

Discussion: None

Voted unanimously to approve

Old Business

Code of Ethics

Motion: B. DiMaio moved to accept the Code of Ethics clean copy provided in the packet as the updated version seconded, G. Walker

Discussion: A. Greco explained with the recent SJC ruling the Code of Ethics needed to be updated to align with the ruling

Voted unanimously to accept

Select Board Public Comment Policy

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

Discussion: Suggestion made to place a copy on the Town website

Voted unanimously to approve

Municipal Building Committee Recommendation - Demolition Delay Bylaw

Discussion: Discussion ensued regarding uses of the Town Hall and purposes of the Demolition Delay Bylaw

TA Report

Select Board/FinCom Conflicts

- Received confirmation from Town Counsel that we will need to take some action on the conflicts, including;
 - Finance Committee – Tom Howard will need to resign from his position as Town Constable or as a member of the Finance Committee
 - Finance Committee – members serving on the Capital Planning Committee (Tom Howard and Marshall Jespersen) will need to resign and the bylaw (Chapter 12-1) will need to be amended to conform with the Acts of 2008
 - Finance Committee – Susan Noyes will need to resign from either her position as Parking Clerk or as a member of the Finance Committee
 - Select Board Member – should resign from the Recreation Committee and the January 23, 2018 policy statement should be amended to conform with Section 5 of the Acts of 2008
 - Select Board Member – Geof Walker should resign from the Municipal Vulnerability Task Force
 - Select Board Member – Bill DiMaio should resign from the Veterans Graves Officer Position
 - Select Board Members – may serve on the Triton District Communication Committee
 - Select Board Member – Dana Packer may continue to serve on the Eastern Essex Veterans District
 - Select Board Members – Geof Walker may continue to serve on the Merrimack River Beach Alliance
- It is also important to note that the actions of these individuals while they were performing their duties are valid

Fire Chief Search is underway

- working with Community Paradigm Associates

Interview for a new IT Manager are underway

- Made one offer but the candidate declined
- Continuing on with more interviews

Town Accountant has accepted a position in Danvers

- We are all so disappointed to see her go, but it was an opportunity she couldn't pass up
- Given that this is such an integral position in our financial team, the search will be starting immediately

Correspondence:

None

Meeting Updates

Chief Janvrin - Chief Janvrin addressed the Board and provided Fire Department updates

D. Packer reported Karen Tyler leaving Eastern Essex Veterans

B. DiMaio reported with the approval tonight there will be a wreath laying ceremony on August 7th, 7:30 p.m. – 8:00 p.m. at the World War II Memorial. Also, on Aug 8th the COA will host a veteran's brunch at PITA Hall at 10:30 a.m.

Bill also reported he attended a Recreational Committee meeting, Fincom meeting and Human Resource Committee meeting

Review of Meeting Minutes

Draft Minutes 6.13.23

Motion: G. Walker moved to approve the minutes seconded, L. Mathews

Discussion: None

Voted unanimously to approve

Draft Minutes 6.20.23

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

Discussion: None

Voted unanimously to approve

Draft Minutes 6.27.23

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

Discussion: None

Voted unanimously to approve

Draft Minutes 6.29.23

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

Discussion: None

Voted unanimously to approve

Warrants

PR2325

PRV2325

PRV2326

PR2326

VW2326

VW2327

RfdJun23A

RfdJun23

PR23327

VW2401

VW2327C

Motion: G. Walker moved to sign warrants seconded, L. Mathews

Discussion: None

Voted unanimously to sign

Executive Session:

None

Adjourn

Motion: At 10:08 p.m. G. Walker moved to adjourn seconded, D. Packer

Discussion: None

Respectfully submitted,
Julie O'Brien
Executive Administrator