TOWN OF NEWBURY  
SPECIAL TOWN MEETING  
OCTOBER 23, 2018

ESSEX SS.

TO: ONE OF THE CONSTABLES FOR THE TOWN OF NEWBURY, MASSACHUSETTS

GREETINGS:

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, YOU ARE HEREBY DIRECTED TO NOTIFY AND WARN THE INHABITANTS OF THE TOWN OF NEWBURY, QUALIFIED TO VOTE IN TOWN AFFAIRS, TO MEET AT THE NEWBURY ELEMENTARY SCHOOL AT 63 HANOVER STREET IN SAID TOWN OF NEWBURY ON TUESDAY, THE 23rd DAY OF OCTOBER 2018 AT 7:00 P.M. TO ACT ON THE FOLLOWING ARTICLES, VIZ:

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APPROPRIATIONS

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ARTICLE 1. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be added to or to adjust the following amounts voted under Article 4 (the general budget) of the April 24, 2018 Annual Town Meeting:

<table>
<thead>
<tr>
<th>Dept.</th>
<th>Account</th>
<th>Original Appropriation</th>
<th>Adjusted Appropriation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>Planning Stipend</td>
<td>0.00</td>
<td>6,500.00</td>
<td>6,500.00</td>
</tr>
<tr>
<td>Government</td>
<td>Public Bldg Utilities</td>
<td>105,000.00</td>
<td>115,000.00</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Public Safety</td>
<td>Fire Capital Outlay</td>
<td>228,000.00</td>
<td>237,400.00</td>
<td>9,400.00</td>
</tr>
<tr>
<td>Education</td>
<td>Triton Assessment</td>
<td>9,276,375.00</td>
<td>9,080,843.00</td>
<td>(195,532.00)</td>
</tr>
<tr>
<td></td>
<td>Whittier Assessment</td>
<td>493,434.00</td>
<td>471,985.00</td>
<td>(21,449.00)</td>
</tr>
</tbody>
</table>

or act in relation thereto.
Submitted By: Board of Selectmen

ARTICLE 2. To see if the Town will vote to transfer the sum of $9,940.00, or any other sum, from Free Cash to purchase and install a Repeater Cabinet, or act in relation thereto.
Submitted By: Chief of Police
ARTICLE 3. To see if the Town will vote to transfer the sum of $25,000.00, or any other sum, from Free Cash to meet the grant match for the purchase of Self Contained Breathing Apparatus (SCBA) gear; or take any other action in relation thereto.
Submitted By: Fire Chief

ARTICLE 4. To see if the Town will vote to raise and appropriate the sum of $180,000.00, or any other sum, to be added to the Stabilization Fund; or take any other action in relation thereto.
Submitted By: Board of Selectmen

ARTICLE 5. To see if the Town will vote to transfer the sum of $21,685.44, or any other sum, from the Newbury Fire Station Sewer Design Account to the Police Station/Town Hall Project Account, or act in relation thereto.
Submitted By: Board of Selectmen

ARTICLE 6. To see if the Town will vote to transfer the sum of $31,293.77, or any other sum, from the Newbury Fire Station Sewer Connection Account to the Police Station/Town Hall Project Account, or act in relation thereto.
Submitted By: Board of Selectmen

ARTICLE 7. To see if the Town will appropriate a sum of money to pay costs of either: (i) designing, constructing and originally equipping a new police station, and either remodeling, reconstructing and making extraordinary repairs to the existing Town Hall or designing, constructing and originally equipping a new Town Hall, or (ii) designing, constructing and originally equipping a new combined police station and Town Hall facility; and for the payment of all other costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing, or otherwise; or to take any other action relative thereto.
Submitted By: Board of Selectmen

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BY-LAWS - OTHERS

ARTICLE 8. To see if the Town will vote to amend Chapters 22 and 24 of the General Bylaws by deleting chapters 22 and 24 in their entirety and replacing Chapter 22 with the following:

Chapter 22
Personnel Bylaw

§ 22-1 Purpose and intent.
The purpose of this Personnel Chapter is to establish a system of personnel administration based on merit principles that ensures a uniform, fair and efficient application of personnel policies. The intent of this chapter is to provide a method of recruitment, selection and development of a work force that
is skilled and effective in accomplishing the service delivery missions of the Town. Personnel actions are to be made without regard to race, color, religious creed, national origin, sex, gender identity, sexual orientation, genetic information, pregnancy or a condition related to said pregnancy, ancestry or veteran status or other non-job related factor, and shall be based on merit and fitness.

§ 22-2 Statutory authority.
The Personnel Bylaw is adopted pursuant to the authority granted by Article LXXXIX of the Constitution of the Commonwealth and MGL c. 41, §§ 108A and 108C.

§ 22-3 Applicability.
All Town departments and positions shall be subject to the provisions of this chapter and any regulations adopted pursuant to this chapter, excluding elected officers of the Town of Newbury. To the extent that any collective bargaining agreement conflicts with any provision of this chapter with respect to employees covered under such labor agreements, the provisions of the collective bargaining agreement shall prevail.

§ 22-4 Effect on prior laws and other policies.
This personnel chapter and the regulations adopted pursuant to its provisions are intended to supersede any other previously adopted Personnel Bylaw or other regulations or policies.

§ 22-5 Human Resources Board.
A. Composition; mode of selection; terms of office. There shall be a Human Resources Board, appointed by the Board of Selectmen, to consist of six (6) members, all appointed for three (3) year terms. No member of the Human Resources Board is to receive compensation. Vacancies are to be appointed by the Selectmen. At all times, one of the six members shall be an employee of the town and be designated as the “Employee Representative”.

B. Powers, duties and responsibilities. The Human Resources Board is responsible to administer the compensation of all Town employees, except those filled by popular election, a wage and classification plan and personnel policy plan, classifying all such employees into groups and classes doing substantially similar work or having substantially equal responsibilities. Such a plan to provide minimum and maximum salaries to be paid to such employees in positions so classified and for the attainment of such maximum salaries by periodical step rate increases, such salaries to be appropriately related, if possible, to salaries paid by comparable municipalities as well as reliable cost-of-living index.

C. The Human Resources Board to be authorized to employ professional consultants as may be necessary.

§ 22-6 Establishment of personnel policies.
Personnel policies shall be established by the adoption of rules and regulations by the Board of Selectmen. The personnel policies may include, but not be limited to, the following elements:

A. A method of administration;
B. A method of recruiting and selecting employees;
C. A classification plan;
D. A compensation plan;
E. A centralized record keeping system;
F. Personnel rules and regulations which indicate the rights and obligations of employees;
G. Disciplinary procedures;
H. And other elements that are deemed necessary.

§ 22-7 Adoption of personnel rules and regulations.
Personnel rules and regulations defining the rights, benefits and obligations of employees subject to this chapter shall be adopted or amended as follows:

A. Preparation of rules and regulations.
(1) The Human Resources Board shall prepare proposed personnel rules and regulations. Any member of the Board of Selectmen, the Human Resources Board, any appointing authority or any 2 or more employees may suggest rules and regulations for consideration by the Human Resources Board. The Human Resources Board need not consider any proposal already considered by the Board in the preceding 6 months.

(2) Any person suggesting new or amended rules and regulations shall provide the substance and reason for the rule or regulation change in writing.

B. Public meeting. The Human Resources Board shall hold a public meeting on suggested rules and regulations. Any suggested rules and regulations or amendments to rules and regulations shall be posted in a prominent work location at least 5 business days prior to the public meeting at which such suggestions are to be considered. The Human Resources Board shall submit a copy of any suggested rules or regulations to the Board of Selectmen.

C. Human Resources Board action on suggested rules and regulations. Within a reasonable period of time after the public meeting on any suggested rule or regulation, the Human Resources Board shall vote to determine if the suggested rules or regulations shall be recommended for adoption by the Board of Selectmen.

D. Action by the Board of Selectmen. The Human Resources Board shall transmit any recommendations for the adoption of personnel rules and regulations or amendments in writing, including the text of any proposed rules and regulations, to the Board of Selectmen. The Board of Selectmen shall consider the recommendations of the Human Resources Board and may adopt or reject the recommendations; provided, however, that if the Board of Selectmen fails to act, recommended rules and regulations shall be deemed adopted upon the expiration of 45 days from the date of transmittal of the recommendations to the Board of Selectmen.

E. Posting of rules and regulations. The Board of Selectmen shall cause the posting of the text of adopted rules and regulations in prominent work locations.

F. Official record. The Town Clerk shall maintain a compilation of all personnel rules and regulations adopted by the Board of Selectmen.

§ 22-8 Severability.
The provisions of this chapter and any regulations adopted pursuant to this chapter are severable. If any chapter provision or regulation is held invalid, the remaining provisions of the chapter or regulations shall not be affected thereby.

or take any other action relative thereto.
Submitted by: Human Resources Board

ARTICLE 9. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to amend Chapter 460 of the Acts of 2008, An Act Establishing a Selectmen-Administrator form of Government for the Town of Newbury as follows:

Section 3. The fourth and eighth bullet shall be amended as follows (underline and bold is new, crosset is removed):

• the members of the personnel human resources board,
• the board of fire engineers fire chief.

Section 13. The following changes shall be made:
(a) the title "the highway superintendent" shall be changed to "the public works director"
(b) the following new positions shall be added to the list of appointments by the town administrator:
   - the assistant town accountant
   - the administrative assistant
   - the IT/communications program manager
   - the production/operations specialist
   - the principal assessor
   - the assistant assessor
   - the health agent
   - the health inspector
   - the town clerk
   - the constables

Section 14. The following changes shall be made:

   Omit the "7. town clerk" and "8. constables" and renumber the section accordingly.

And, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of the petition.

or take any other action relative thereto.
AND YOU ARE HEREBY DIRECTED TO SERVE THIS WARRANT BY POSTING AN ATTESTED COPY THEREOF IN EACH VOTING DISTRICT, FOURTEEN DAYS AT LEAST BEFORE THE TIME OF HOLDING SAID MEETING.

HEREOF, FAIL NOT, AND MAKE DUE RETURN OF THE WARRANT WITH YOUR DOINGS THEREON TO THE TOWN CLERK AT THE TIME AND PLACE AFORESAID.

GIVEN UNDER OUR HANDS THIS 2nd DAY OF OCTOBER, 2018.

SELECTMEN, TOWN OF NEWBURY

A TRUE COPY ATTEST

PURSUANT TO THE ABOVE WARRANT TO ME DIRECTED, I HEREBY NOTIFY AND WARN THE INHABITANTS OF THE TOWN OF NEWBURY, QUALIFIED TO VOTE IN TOWN AFFAIRS, TO MEET AT THE TIME AND PLACE MENTIONED FOR THE PURPOSE HEREIN NAMED.

DATE: 10/3/2018

CONSTABLE: William Y. Smar

PURSUANT TO THE ABOVE WARRANT TO ME DIRECTED, I HAVE NOTIFIED AND WARNED THE INHABITANTS OF THE TOWN OF NEWBURY, QUALIFIED TO VOTE IN TOWN AFFAIRS, TO MEET AT THE TIME AND PLACE MENTIONED FOR THE PURPOSE HEREIN NAMED.

DATE: 10/3/2018

CONSTABLE: William Y. Smar