TOWN OF NEWBURY
BOARD OF SELECTMEN
MINUTES

DATE: February 11, 2020

PRESENT: Board of Selectmen: Chairman J.R. Colby, Selectmen; Damon Jespersen, Geoffrey Walker, Michael Doyle and Selectwoman, Alicia Greco

Town Administrator, Tracy Blais

Call to Order:

At 7:00 p.m., Chairman Colby called the meeting to order with the salute to the flag.

Board and Committee Reports

Report of Chairman Colby:

Chairman Colby reported he had signed PR20-15 for E. Jameson, PR20-16 for Board of Selectmen & E. Jameson, VW20-16 for North of Boston for Advertising Expenses and VW20-17 for MMA Meeting Expenses.

Grants, Gifts & Donations

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

WWII Memorial Donation, $50.00 as of 2/3/20

Motion: A motion was made by Selectman Jespersen, seconded by Selectwoman Greco and voted unanimously to accept the WWII Memorial Donation.

Public Hearings - None

New Business:

Request for Public Property Use/Special Permits – Sara Trimble, Alzheimer’s Association Ride to End ALZ, Saturday, June 6, 2020 from 8:45 a.m. to 11:00 a.m.

Motion: A motion was made by Selectman Jespersen, seconded by Selectman Walker and voted unanimously to approve the Request for Public Property Use/Special Permits for the Alzheimer’s Association Ride to End ALZ, Saturday, June 6, 2020 from 8:45 a.m. to 11:00 a.m.
Review, approve, and sign - 2020 Business License as follows:

Kyle Jackson, dba Going Green Lawn Care, 51 Northern Blvd, General Business

**Motion:** A motion was made by Selectman Jespersen, seconded by Selectman Walker and voted unanimously to approve the new 2020 Business License for Kyle Jackson, dba Going Green Lawn Care, 51 Northern Blvd, General Business.

Review, approve, and sign - 2020 Business License Renewals as follows:

David & Carol Dempsey dba Plum Island Kitchen, 134 Northern Blvd, Common Victualler

**Motion:** A motion was made by Selectman Doyle, seconded by Selectman Jespersen and voted unanimously to approve the 2020 Business License renewal for David & Carol Dempsey dba Plum Island Kitchen, 134 Northern Blvd, Common Victualler.

Richard Salmonson, dba Bridge Road Signs, 9 Graham Ave., General Business

**Motion:** A motion was made by Selectman Jespersen, seconded by Selectman Walker and voted unanimously to approve the 2020 Business License renewal for Richard Salmonson, dba Bridge Road Signs, 9 Graham Ave., General Business.

Robin Davies, dba Parker River Dental, 3 Kent Way, General Business

**Motion:** A motion was made by Selectman Jespersen, seconded by Selectman Walker and voted unanimously to approve the 2020 Business License for Robin Davies, dba Parker River Dental, 3 Kent Way, General Business.

Appointment of Julie O’Brien to Stormwater Management Team

**Motion:** A motion was made by Selectman Jespersen, seconded by Selectman Doyle and voted unanimously to appoint Julie O’Brien to the Stormwater Management Team.

**Town Administrators Report:**

Town Administrator, Tracy Blais, reported the Town has received two (2) Municipal Vulnerability Preparedness Program Action Grant awards.

The Town of Newbury and the City of Newburyport were awarded a grant in the amount of $217,451 for “Identifying the Municipal, Environmental and Social Costs and Benefits of Providing Public Services to Plum Island to Empower Effective Planning in the Face of Climate Change”. The funding will allow the towns to begin the task of long term planning for the island and complete a cost/benefit analysis that will be the basis of planning for the island’s future and assist the communities in making public service and infrastructure decisions like raising the Plum Island access road and providing public safety in all situations.

The Town of Newbury was also awarded a grant in the amount of $126,324 for “Controlling Flooding and Addressing Future Climate Impacts through the Replacement of the Orchard Street Culvert”. The
Funding will allow Newbury to upgrade the culvert at Orchard Street and includes surveying and data collection, preliminary engineering, hydraulic analysis and geotechnical investigation. The contract with Gill Engineering has been executed.

Leaf and grass clippings from the property of Newbury residents can be disposed of at the Mello Transfer Station in Georgetown. No brush is permitted. The Newburyport City Council is considering a proposal before them to allow Newbury residents to dispose of their yard waste at their facility. A vote has not yet been taken by the Council.

The Presidential Primary is on March 3rd from 7:00 a.m. to 8:00 p.m. Voting will take place at the Newbury Town Library for precinct 2 and at Firefighters Memorial Hall at 3 Morgan Ave for precinct 1. There will be a change in the traffic flow pattern on Election Day at 3 Morgan Ave. The traffic will be one way heading east onto South Pond St., onto Graham Ave. and back to High Rd. The parking areas will be clearly designated and there will be a police officer there through the voting period to assist. Absentee Ballots will be available through noon on Monday, March 2nd, by mail or in person. Residents are able to take advantage or early voting from February 24th through February 27th. The Town Clerk requests that residents review their registration status before heading to the polls.

Notification from the Department of Revenue was received of the Free Cash approval of the Byfield Water District in the amount of $431,626.00.

The FY2021 Budget deadline for special article requests was Monday, February 10th. The preliminary budget info and special article review will be held during the Board of Selectmen meeting of February 25th. The Triton budget information is expected by March 2nd. The impact of the Student Opportunity Act will result increasing the foundation for Newbury. A joint meeting with the Board of Selectmen and Finance Committee will be held on March 31st for the final budget votes. The Finance Committee booklet will be prepared the following week and the Warrant will be posted on April 6th. Annual Town Meeting will be held on April 28th.

Town Administrator Blais requested that the Board confirm they wished to propose the By-law change relative to Chapter 41-1 “Alcoholic beverages use restricted.” the amendment which would allow for the consumption of alcoholic beverages in public buildings and property but only with the prior approval of the Board of Selectmen. Byfield Community Arts Center has requested an amendment. The Board reported they would like a chance to review this prior to their vote.

Ms. Blais reported the Planning Board is proposing to submit zoning amendments for the Annual Town Meeting Warrant. Town Planner, Martha Taylor, confirmed and reported that the Planning Board will review the amendments next week and refer them to the Board of Selectmen who will in turn refer them back to the Planning Board for a public hearing.

Town Administrator Blais reported she will propose amending Chapter 460 of the Acts of 2008, An Act Establishing a Selectmen-Administrator Form of Government for the Town of Newbury, to address inconsistencies from the Act to actual practices, to eliminate references to the Board of Fire Engineers, and to update references to the “Select Board”.

An additional training has been scheduled with ClearGov on Wednesday, February 12th, as some of the managers have not been able to enter their budgetary data directly into the program. Ms. Blais confirmed that the Town does have the checkbook module available and that information will be
forthcoming. The checkbook will be updated on a quarterly basis and the financial statements updated on an annual basis.

The Board was asked to authorize the Chair and the Vice Chair of the Building Committee to authorize change orders as the time for physical construction is nearing.

**Motion:** A motion was made by Selectman Jespersen, seconded by Selectman Walker and voted unanimously to approve the signing of change orders by the Chair and Vice Chair of the Building Committee.

Zoning Board of Appeals Administrator, Susan Noyes received notification that the attorney representing the developer Crickett Lane LLC has contacted the Zoning Board to let them know that they are getting ready to file. The ZBA currently does not have an alternate member. This is particularly urgent since one of the ZBA members resides on Pearson Drive and has chosen to be recused from the process.

**Old Business - None**

**Citizen’s Concerns:**

Jack Rybicki inquired about the compost facilities at G. Mello. It was confirmed that grass clippings and leaves in brown paper refuse bags are accepted at the G. Mello facility in Georgetown.

Tony Matthews, Main St., requested clarification about the approval of the Building Committee to sign change orders. Chairman Colby confirmed the signatories of change orders would be the Chair and Vice Chair of the Building Committee, Chair of the Board of Selectmen or the Town Administrator. Change orders will follow the internal procedures established by the Finance Dept. which allow for legal verification and multiple financial checks and balances.

Tony Matthews reported the Upper Green Advisory Committee is having a public forum from 1:30 to 3:30 at the Newbury Town Library on Saturday, February 15th.

Bill DeMaio reviewed a State Grant opportunity, Senior SAFE Program, which is a grant program for fire departments to teach fire safety to seniors and aims to improve safety in senior housing. Many surrounding towns have been recipients of the grant and he feels it would be worthwhile for Newbury to look into it.

**Correspondence:**

All correspondence was reviewed. Following the review of the resignation of Moriah Lucy from Recreation Committee:

**Motion:** A motion was made by Selectman Walker, seconded by Selectwoman Greco and voted unanimously to write Moriah Lucy a letter of thanks for serving on the Recreation Committee.
Meeting Updates:

Selectman Jespersen reported that the Regional Agreement may not be in order in time for the Annual Town Meeting because of the Massachusetts DESE (Department of Elementary and Secondary Education) and their legal review process.

Selectman Jespersen has met with Town Planner, Martha Taylor and Planning Board Chair, Pete Paicos and Merrimack Valley Planning to investigate how to get some affordable housing in Newbury that fits with the Town as opposed to a 40B development. They are looking to meeting with Habitat for Humanity and other developers in an effort to steer a way forward for the Town.

Selectman Jespersen noted that Chief Reilly had reported to him that if residents had left over drugs or opioids from an illness or surgery, they can be delivered to the Newburyport Police Department or CVS for proper disposal.

Selectwoman Greco reported she had attended the MMA Annual Meeting held in Boston January 24th through 25th. She will soon be appointed to the Massachusetts Municipal Association (MMA) Fiscal Policy Committee. The committee considers all municipal finance issues. Legislation that has a fiscal impact is referred to the committee from other committees as well. The committee also develops a policy framework for local government financing in the future. She is excited about her appointment and looking forward to serving on the Committee.

Selectman Walker reported he had attended two recent meetings of the MRWC (Merrimack River Watershed Council), one at Northern Essex Community College and one in Newburyport pertaining to the CSOs (Combined Sewage Overflows), occurring during heavy rainstorms from the treatment plants upriver from Newbury and Newburyport and PFAS, known as forever chemicals, which have been showing up in recent tests of the State’s drinking water supplies.

Selectman Doyle inquired about the Cyber Security Grant the Town had received. Town Administrator Blais confirmed the Town had been awarded a grant from the State and will be used as a beta site for testing the software. The Town personnel will participate in a training program with the supplied software.

Review of Meeting Minutes: November 26, 2019

Motion: A motion was made by Selectman Jespersen, seconded by Selectwoman Greco and voted unanimously to accept the minutes of November 26, 2019 as written and presented.

Warrants:

Motion: A motion was made by Selectman Jespersen, seconded by Selectwoman Greco and voted unanimously to sign the warrants as presented

Executive Session: None

Adjourn Motion:
Motion: 7:56 p.m. a motion to adjourn was made by Selectman Jespersen, seconded by Selectwoman Greco and voted unanimously.

Respectfully submitted,
Ellen Jameson
Executive Administrator