Town Moderator Christopher Armstrong opened the meeting at 7:03 PM. Board of Selectman Chair JR Colby led the Pledge of Allegiance.
Constable William Dimaio read the call and return of service.
The following non-resident town employees were introduced and permitted to speak to necessary matters as called upon: Town Counsel, Lisa Mead; Tracy Blais, Town Administrator; Eileen DeVeau, Town Accountant; Michelle Branciforte, Principal Assessor; Police Chief Michael Reilly; Triton Regional Superintendent Brian Forget, Triton Regional Business Manager Michelle Cresta; Whittier Regional Vocational Technical High School Superintendent Maureen Lynch and Business Manager Kara Kosmes; Jeff Shaw from Context Architects and Kevin Heffernan from Vertex.
Moderator Armstrong also recognized the presence of History teacher Mr. Gary Satow and a group of his students from Governor’s Academy.
Senator Bruce Tarr was also in attendance.

**APPROPRIATIONS**

**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 Government</td>
<td>Planning Stipend</td>
<td>0.00</td>
<td>6,500.00</td>
<td>6,500.00</td>
</tr>
<tr>
<td></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></td>
<td>Triton Assessment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education</td>
<td>Whittier Assessment</td>
<td>9,276,375.00</td>
<td>9,080,843.00</td>
<td>(195,532.00)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>471,985.00</td>
<td>(21,449.00)</td>
</tr>
</tbody>
</table>

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

**MOTION:** Chairman JR Colby: I move that the Town vote to raise and appropriate the funds as set forth in Article 1 of the Warrant as follows:

<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 Government</td>
<td>Planning Stipend</td>
<td>0.00</td>
<td>6,500.00</td>
<td>6,500.00</td>
</tr>
<tr>
<td></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></td>
<td>Triton Assessment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education</td>
<td>Whittier Assessment</td>
<td>9,276,375.00</td>
<td>9,080,843.00</td>
<td>(195,532.00)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>471,985.00</td>
<td>(21,449.00)</td>
</tr>
</tbody>
</table>

Second: Selectman Bear

Voted: The Moderator declared the motion passed unanimously.

**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

**MOTION:** Vice Chairman Damon Jespersen: I move that the Town vote to transfer the sum of $9,940.00 from Free Cash to purchase and install a Repeater Cabinet.

Second: Selectman Bear

Voted: The Moderator declared the motion passed unanimously.

**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
MOTION: Selectman Chuck Bear: I move the Town vote to transfer the sum of $25,000.00 from Free Cash to purchase Self-Contained Breathing Apparatus.

Second: Selectwoman Greco
Voted: The Moderator declared the motion passed unanimously.

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

MOTION: Selectwoman Alicia Greco: I move that the Town vote to raise and appropriate the sum of $180,000.00 to be added to the Stabilization Fund.

Second: Selectmen Walker
Voted: The Moderator declared the motion passed unanimously.

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

MOTION: Selectman Geof Walker: I move the Town vote to transfer the sum of $21,685.44 from the Newbury Fire Station Sewer Design Account to the Police Station/Town Hall Project Contingency Account.

Second: Selectmen Bear
Voted: The Moderator declared the motion passed unanimously.

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

MOTION: Selectwoman Alicia Greco: I move that the Town vote to transfer the sum of $31,293.77 from the Newbury Fire Station Sewer Connection Account to the Police Station/Town Hall Project Account.

Second: Selectmen Walker
Voted: The Moderator declared the motion passed unanimously.

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

MOTION: Vice Chairman Damon Jespersen: I move the Town vote to appropriate $12,000,000.00 to pay the costs of 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; that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, s. 7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that no amounts shall be borrowed or expended hereunder until the Town has voted to exclude the amounts required to repay any borrowing approved by this vote from the limitation on total property taxes set forth in M.G.L. c.59, s. 21C (Proposition 2 ½). Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, s. 20 thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. The vote of the Town adopted under Article 2 of the warrant at the January 31, 2017 Special Town Meeting that had appropriated funds for this project is hereby rescinded.

Second: Selectmen Colby

Moderator Armstrong turned the floor over to Selectman Walker who gave a condensed overview of current projected costs for the project as opposed to the prior assessment.

Building Committee Chair Eric Svahn gave the audience the time-line since the inception of the project and the various committees that have been specifically formed to bring the project forward.

Jeff Shaw of Context Architecture and Kevin Heffernan of Vertex Companies, OPM and Designers for the Police Station and Town Hall renovations offered a presentation of their proposal and were available to answer questions from the audience.

Finance Committee Vice Chair Marshall Jespersen, Police Chief Michael Reilly and Selectman Damon Jespersen weighed in on the proposal, the financial impact to the taxpayer and their views on this solution to the town's needs.

Voters asked questions and voiced many opinions, both in favor and against the plan.

A motion was made by Jim Moran, 104 Elm Street to spend $6.5 million to construct a 9,000 square foot, stand-alone police station. After review, Town Counsel advised that it did not contain the necessary language to provide for funding.
Mr. Moran proposed revising his motion which was denied by the Moderator. The motion that was presented was voted and was overwhelmingly opposed.

The main motion was voted. Counters for the vote were selected by the Moderator: FN Budd Kelley, Lawrence Murphy, James Long and Benjamin Armstrong.

Hand-counted results were 195 in favor and 159 opposed.

The Moderator declared the motion failed as it did not meet the 2/3rds requirement.

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. 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:

(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

MOTION: Selectman GeoF Walker: I move that the Town 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 Personnel Bylaw as printed in this Article 9 of the warrant.

Second: Selectman Bear
Voted: Moderator declared the motion passed.

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, crossout 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.

MOTION: Chairman JR Colby: I move that 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 as set forth in Article 9 of the warrant, except remove the health agent and the health inspector from the list in section 13b.

Second: Selectmen Jespersen
Frank N. “Budd” Kelley entered a motion to amend to remove the town clerk and the constables from section 13b of the motion.
The motion to amend was voted and approved.
The amended motion was voted and declared approved by the Moderator.

Prior to the end of the meeting, Selectman Jespersen motioned to re-consider Article 7. The motion was seconded.
A strong, vocal disapproval followed from the remaining voters. After a brief discussion, Selectman Jespersen recanted his motion to re-consider the article.

Prior to adjourning several Selectmen as well as the Moderator stated the issues facing the town with regard to facilities for the Police Department and Town Hall still exist and the board will continue to press forward for a resolution.
The Moderator motioned to adjourn which was seconded and approved at 9:14.
The total number of voters attending the meeting was 368.
Respectfully submitted,

Leslie A. Haley, Town Clerk