

# **Town of West Newbury** Select Board Thursday, May 9, 2024 @ 5:30pm

381 Main Street, Town Office Building

# www.wnewbury.org AGENDA (reposted 5/8/24)

REC'D W.NEWBURY CLERK "24 MAY 8 AM7:56

Executive Session: 5:30pm, Town Manager's conference room, 1910 Building, 381 Main Street

MGL Ch. 30A §21(a) 6: To consider the purchase, exchange, lease or value of real property if the chair declares

- that an open meeting may have a detrimental effect on the negotiating position of the Board (Sawmill Brook); MGL Ch. 30A §21(a) 3: To discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining or litigation position of the Board and the chair so declares (Collective Bargaining Agreements, Police and Dispatch);
- MGL Ch. 30A §21(a) 2: To conduct strategy sessions in preparation for negotiations with nonunion personnel • (personnel policy);
- MGL Ch. 30A §21(a) 7: To comply with, or act under the authority of, any general or special law or federal grantin-aid requirements (Advice from Special Counsel; Elliot Fund; legal costs, year to date).

**Open Session:** 6:30pm by in-person attendance or remote participation: First Floor Hearing Room

# Announcements

Memorial Day Parade: Monday, May 27<sup>th</sup> at 10:30am

# <u>Regular Business</u>

- A. Public Comment. Limited to 2 minutes per resident on any topic. Please note that the Board will not discuss or take action at this meeting.
- B. Town Manager Updates
  - a. Review of active projects; status and next steps/milestones
  - b. Follow-up items resulting from actions on Town Meeting articles; prioritization
  - c. Middle Street Bridge updates from meeting with Mayor and City Council president on May 1st
  - d. Page School Conditions Assessment draft report circulated; timeline for review/comments, next steps
  - e. Borrowing strategy/timeline for Church/Prospect Street water main replacement project
  - Notice of Intent received regarding intent to sell a portion of land subject to Ch. 61A restriction, located at f. 23 Archelaus Place; overview of Town Procedure to consider/process request
  - g. Memorial Day Parade updates and presenters' list
- C. Department Updates/Discussion
  - a. Town Clerk update on the Annual Election held May 6th
  - b. SAGE Center Upcoming Activities
  - c. Town Planner report, May 2, 2024
  - d. Employee benefits fair held on April 24, 2024; benefits open enrollment period
- D. Board/Commission/Committee Updates/Discussion (and Select Board liaison updates)
  - a. River Road Resiliency Planning project updates from May 1st "Planning Forward" event, review of upcoming events and project milestones - Climate Change Resiliency Committee
  - b. Finance policy questions (local financial policies; Free Cash v. Stabilization balances and uses); discuss
  - potential approach/division of labor between Town staff, Finance Committee, Select Board
- E. Action Items
  - a. Reorganization of the Select Board
  - b. Request Special Event permit: West Newbury Garden Club Plant Sale, May 18th 2024 9am-12pm
  - ¢. Request to add names to Veterans' memorials on Training Field - Ron Ross
  - Request for authorization to submit MOD Accessibility Grant Sam Joslin, Building Inspector d.
  - Request for determination of plow equipment as surplus property Butch Hills, Highway Superintendent e.
  - f. Request to authorize hiring of DPW Highway Experienced Operator position before the start of FY25
  - Request to proceed with effort to add solar panels on Salt Shed roof Energy & Sustainability Committee g.
  - Review/confirm public buildings for inclusion in decarbonization program h.
  - i. Request for endorsement of draft Harbormaster Intermunicipal Agreement with Salisbury
  - Schedule public information session for Newburyport Artichoke Reservoir Pipeline Project j.
  - k. Select Board meeting minutes: March 25, 2024; March 27, 2024; April 1, 2024; April 11, 2024
- F. General Discussion Items
  - a. Town Meeting follow-up what went well, potential changes/improvements, lessons learned
  - b. Church/Bridge Street traffic/speeds/truck traffic summary of prior efforts, current status
- G. Correspondence
  - a. Whittier Regional, updates including regional "task force" and potential new sub-committees b. Update regarding Municipal Energy Aggregation

# Addendum to Meeting Notice regarding Remote Participation

This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Meeting is also accessible by remote participation as follows:

Zoom Meeting Phone: (646) 558 8656

Meeting ID: 862 9927 3519

Passcode: 318556

Join at: https://us06web.zoom.us/j/86299273519?pwd=pmompm3unaV89XFxxoYDEwzIsiAfmI.1 Every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the West Newbury website an audio or video recording of proceedings as soon as practicable after the meeting.



\* \* \*

\* \* \*

# Memorial Day Parade

# REMEMBER AND HONOR $\bigstar \bigstar \bigstar$

# MONDAY, MAY 27, 2024 AT 10:30 AM

Please join us to honor the men and women who gave their lives while serving in the U.S. military.

Parade route starts at the Town Square, the intersection of Main and Maple Streets. Ceremony held inside at the Town Hall, 491 Main Street, across from the G.A.R. Memorial Library.

If you are interested in participating in the parade, please contact Rebecca at 978-363-1100 ext. 115.

From: Sent: To: Cc: Subject:

Monday, May 6, 2024 10:03 PM Brian Richard; Seymour, Jonathan; Angus Jennings Christopher DeLorie; DPW Admin; Rick Parker RE: West Newbury Page School VRF Upgrades

Hi All,

I realize that I spoke with Brian & Rick Parker on the phone last week although I did not provide an update to the larger group via email.

Last week we were able to get the system up and running. We are currently in the process of commissioning the system and are tentatively planning to complete testing and balancing of the system later this week. This would occur sometime after hours (3PM or later) and I will keep the group informed. If there is anything that comes up with the system in the meantime please reach out to me directly!

Thanks, Tom B

Tom Banks, P.E. Project Manager



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Sent: Wednesday, May 1, 2024 3:15 PM

Subject: Re: West Newbury Page School VRF Upgrades

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

FYI

I meet the HVAC contractors and Mitsubishi Monday morning early they were able to get the unit up and running I am sure B2Q will fill you in on all the details Brian

Get Outlook for Android

Sent: Wednesday, May 1, 2024 3:07:45 PM

Subject: Re: West Newbury Page School VRF Upgrades

Angus,

Yes, we can make the school available outside school hours (8-3), just let me know a few dates that will work.

Jonathan

On Wed, May 1, 2024 at 3:03 PM Angus Jennings

wrote:

Tom,

If the time needed to complete the remaining work, once the needed input from Mitsubishi is received, is a matter of a couple/few hours (as opposed to days), it may be that off-hours access to the school could be provided with advance coordination with Pentucket and Brian Richard. (i.e. may not be needed to wait til next school closure in June).

Thanks,

Angus

Angus Jennings, Town Manager

Town of West Newbury

Town Office Building

4 381 Main Street	
West Newbury, MA 01985	
(978) 363-1100 x111	
<b>Sent:</b> Monday, April 22, 2024 9:50 AM	
	iel
Subject: Re: West Newbury Page School VRF Upgrades	
Thanks for the update. The next school vacation time will not be until the school y day of school is June 14th.	ear is over. The last
Jonathan	
On Mon, Apr 22, 2024 at 9:50 AM	wrote:
Hi All,	
Just wanted to give you an update on the progress made last week. On Friday we installation and site clean up for occupancy. We ran into some trouble with starti and unfortunately Mitsubishi was unavailable Friday afternoon to provide much t Enterprise will be in touch with Mitsubishi early this week and we hope to comple later this week.	ing up the equipment echnical support.
Can you let us know the school's schedule and what the ideal time to get back or are imagining it would have to be after hours to avoid disrupting the admin area o	

Thanks,

Tom B

Tom Banks, P.E.

Project Manager

B2Q Associates 100 Burtt Rd. Suite 212 Andover, MA 01810

A Woman Business Enterprise (WBE)

www.b2qassociates.com

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From: Thomas Banks Sent: Thursday, April 18, 2024 2:47 PM

Subject: RE: West Newbury Page School VRF Upgrades

Hi Angus, Brian, & Jonathan,

I wanted to give you an update on the construction progress. Please see below & give me a call with any questions. Thank you for the trust to deliver this project in such a short timeline & kudos to the Enterprise field crew on their work to date!

- 1. Demo of Samsung System -> Complete
- 2. New Work Updates:
  - a. Condensing Unit Installed on Roof
  - b. Fan Coil Units Hung Indoors
  - c. Ductwork Install Complete
  - d. Insulation Install to be Completed Friday
  - e. Refrigerant Piping Installed
  - f. Pressure Testing to be Completed Friday
  - g. Startup of Equipment to be Completed Friday Afternoon
  - h. Vacuum, Clean Up, & Ceiling Install to be Completed Friday Afternoon
- 3. Commissioning & Closeout (1 month from tomorrow)
  - a. Need to schedule testing & balancing contractor once system is ready
  - b. Need two weeks to gather trends on new system operation
  - c. B2Q to compile all closeout documentation for owner records

Thanks,

Tom Banks

# Tom Banks, P.E. Project Manager

B2Q Associates Andover, MA 01810

A Woman Business Enterprise (WBE)

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# WATER DAMAGE ASSESSMENT

West Newbury Town Hall Treasurer's Office 381 Main Street West Newbury, MA



Prepared by: Massachusetts Department of Public Health Bureau of Climate and Environmental Health Indoor Air Quality Program April 2024

# BACKGROUND

Building:	West Newbury Town Hall (WNTH)
Address:	381 Main Street, West Newbury, MA
Requestor:	Brian Richard, Building and Grounds, Town of West Newbury
Reason for Request:	Water damage concerns to Treasurer's Office
Date of Assessment:	February 15, 2024
Massachusetts Hall of Public Health/Bureau of Climate and Environmental Health (MDPH/BCEH) Staff Conducting Assessment:	Michael Feeney, Director, IAQ Program
Building Description:	The WNTH was constructed as a two- story school in 1857. A wing was added to the rear of the building in the late 1960s. The Treasurer's Office is located on the first floor below the flat roof where the addition is attached to the original building
Building Population:	Approximately 10 employees
Year of Construction:	1800s
Windows:	Openable

# **EXECUTIVE SUMMARY**

The Treasurer's Office exterior wall has experienced odors that may be attributed to one or more factors: Water damage from water penetration along a wall roof seams where the 1960s addition was attached to the original building (Picture 1) or water damage from high relative humidity accumulation during summer months when the WNTH HVAC system is operating in chilling mode. It is also possible both are contributing to the reported odor. The Treasurer's Office has an exterior wall that is adjacent to where an addition was joined to the original building. Beneath the junction are school-style bulletin boards which appear to be covered with a burlap material, which may be the source of the reported odors when moistened. Removal of these bulletin boards to expose the underlying plaster walls and conducting a thorough cleaning will likely remove the odors. While removing the bulletin board material may remove the reported odor, the water sources causing water damage should be addressed. Remediation actions may include:

- 1. Repairing all flashing and sealants where the addition joins the original building.
- Reducing the amount of water lingering on the flat roof by installing gutters and downspouts along the roof edge of the original building and the skylight structure in the original building, and/or
- Installing a means to exhaust air from the Treasurer's Office by the existing HVAC system.

## **METHODS**

Please refer to the IAQ Manual for methods, sampling procedures, and interpretation of results (MDPH, 2015).

# **RESULTS AND DISCUSSION**

#### **Odor** Assessment

As reported by WNTH staff, an odor has been periodically present in the Treasurer's Office. The Treasurer's Office is a large room that was originally constructed as a school classroom. It still has slate chalkboards and bulletin boards covered in a burlap-like material (Pictures 2 and 3).

In the experience of IAQ staff, placement of chalk and bulletin boards on exterior walls is unusual. Typically chalk and bulletin boards would be installed on interior walls separating classrooms or interior hallway walls. A practical reason for placement on interior walls would be to maximize window space to increase natural light in a classroom. In addition, water infiltration through exterior walls would not be hidden behind permanently affixed chalk and bulletin boards. If a water leak were to occur behind chalk and bulletin boards, such water penetration can accumulate and damage walls, floors and supported beams before it is discovered.

The location of the bulletin boards in the Treasurer's Office may be significant due to the report of chronic water penetration that has occurred where the 1960s addition joins the original building. Due to the recent increase of rainstorm volume and frequency in New England, water

leaks in this location are likely more frequent. Massachusetts has experienced extended periods of high relative humidity as well as increased frequency of high volume/wind driven rainstorms over the past decade. As an example, July of 2021 was the wettest ever recorded in Massachusetts, and the three-month period from June through August 2021 (meteorological summer), was the fourth wettest on record, according to the National Oceanic and Atmospheric Administration's Centers for Environmental Information. The three-month period also was the third warmest ever in the state and was tied for the warmest on record across the United States. (ML, 2021, NOAA, 2021). Conditions in the summer of 2023 were also warm and wet. These conditions are challenging for buildings, particularly those without air conditioning or partial components of an HVAC system.

The following are several possible conditions resulting in rainwater accumulating on the skylight or flat roof that may moisten walls and bulletin board material:

- 1. The configuration of the original building creates a concave corner facing south/southwest (Picture 4). As originally constructed, rain would fall to the ground and drain away from the building. In its current configuration, all south/southwest wind driven rain drains into and is possibly forced into the concave corner on the skylight flat roof.
- The new wing skylight is constructed in a doghouse-shape, with a peaked roof and windows in its side walls (Picture 5). The peaked roof of the skylight does not contain gutters/downspouts to drain water from the flat roof.
- 3. If rain falls on the peaked skylight with significant volume and velocity, it is likely the clapboards and window frames of the original building are directly soaked and may result in water penetration into the interior.
- 4. Of note is the short distance between the skylight and exterior wall of the original building, (estimated to be ~3 feet) (Picture 5). Rain during a south/southwest storm with high winds may not readily drain, resulting in contact with the window of the Treasurer's Office above the bulletin board. Such regular water exposure may result in water leaks through the window system in a manner seen in other windows in the WNTH (Picture 6).

The WNTH is equipped with a ducted air-conditioning system that provides chilled air during hot, humid weather. A typical air-conditioning system will have an air handling unit that

is connected to a vent in each room (supply vent). Each room usually has a second vent that is connected by a duct back to the air handler (return vent). IAQ noted that the Treasurer's Office has a supply vent but does not have a return vent. Without a return vent, pollutants (such as humid air) can build up to increase humidity and moisten materials capable of absorbing water, such as bulletin board materials, cardboard, paper, and other materials. According to the American Society of Heating, Refrigerating and Air-conditioning Engineers (ASHRAE), if relative humidity exceeds 70% for long enough, building materials may absorb moisture growth may occur even in the absence of liquid water (ASHRAE, 2019). Wet building materials, such as the bulletin board material, may be the source of the odor.

# CONCLUSIONS/RECOMMENDATIONS

The Treasurer's Office of the WNTH has a number of issues that are likely related to water drainage, including those related to moisture in the building. While the configuration of the skylight on the flat roof may have been appropriate when New England experienced less frequent rainstorms with lower water volumes, the design of this location likely leads to extended water exposure to the original building's exterior wall, windows, building seams, the flat roof and associated components. Extended water exposure may lead to leaks and moistening of building materials. In addition to these conditions, the management of the hot, humid weather with a mechanical HVAC system retrofitted into a building like WNTH can be challenging.

The following recommendations are separated into odor **short-term** recommendations, and **long-term** recommendations that may require planning and capital funds to achieve:

### **Short-Term Recommendations**

### Odor Issues

 Remove the bulletin board from the exterior wall of the Treasurer's Office in a manner consistent with using practices outlined in the US EPA Mold Remediation in Schools and Commercial Buildings <u>http://www.epa.gov/mold/mold-remediation-schools-andcommercial-buildings-guide</u>.

5

- Examine building materials around windows above the exterior wall bulletin board for water damage and mold growth. If found, remove in a manner consistent with US EPA mold remediation guidelines. Clean or repair the plaster wall as needed.
- 3. It is not recommended to use gypsum wallboard to repair any wall damage behind the bulletin board. Use cement board that is not prone to mold growth.
- 4. Examine the wall materials above the bulletin board for water damage, particularly around the windows and replace any that are water-damaged; consider replacing them with cement board that is not prone to supporting mold growth.
- 5. Examine the junction between the original building's exterior wall and addition's flat roof. Repair in a manner to eliminate/reduce water damage.
- 6. Examine all flashing and other sealants in the flat roof/original wall junction for damage and repair as needed to make the seam waterproof.
- 7. The following documents can provide guidance that can be used to reduce the impact of hot, humid weather in any building:
  - a. Preventing mold growth in Massachusetts schools during hot, humid weather:
     <u>Preventing mold growth in Massachusetts schools during hot, humid weather |</u> <u>Mass.gov</u>
  - Remediation and prevention of mold growth and water damage in public schools and buildings to maintain air quality: <u>Remediation and prevention of mold growth</u> <u>and water damage in public schools and buildings to maintain air quality |</u> <u>Mass.gov</u>
  - c. Methods for increasing comfort in non-air-conditioned schools: <u>https://www.mass.gov/doc/methods-for-increasing-comfort-in-non-airconditioned-schools/download</u>
- 8. The IAQ Program offers to conduct a full IAQ Assessment of WNTH during the summer months when the weather is hot and humid to provide additional guidance.

### Other Short-term Recommendations

 Refer to resource manual and other related IAQ documents located on the MDPH's website for further building-wide evaluations and advice on maintaining public buildings. These documents are available at: <u>http://mass.gov/dph/iaq</u>.

## **Long-Term Recommendations**

- 1. Consider installing a gutter/downspout system of sufficient capacity on the skylight roof edge to drain from the flat roof.
- 2. Consider installing a roof drain of sufficient capacity to rapidly drain the flat roof to prevent water exposure to the original building's exterior wall.
- 3. Consider installing a return vent for the Treasurer's Office that is connected to the existing WNTH air handling unit, if feasible.

# REFERENCES

ASHRAE. 1991. ASHRAE Applications Handbook, Chapter 33 "Owning and Operating Costs". American Society of Heating, Refrigeration and Air Conditioning Engineers, Atlanta, GA.

ASHRAE, 2019. American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) Ventilation for Acceptable Indoor Air Quality. ANSI/ASHRAE Standard 62.1-2019. Atlanta, GA.

MDPH. 2015. Massachusetts Department of Public Health. "Indoor Air Quality Manual: Chapters I-III". Available at: <u>https://www.mass.gov/lists/indoor-air-quality-manual-and-appendices</u>.

ML. Extensive mold forces South Hadley High School to remain closed. 2021. Masslive. September 5, 2021. <u>https://www.masslive.com/news/2021/09/extensive-mold-forces-south-hadley-high-school-to-remain-closed.html</u>

NOAA. 2021. Summer 2021 neck and neck with Dust Bowl summer for hottest on record. National Oceanic and Atmospheric Administration, 1401 Constitution Avenue NW, Room 5128, Washington, DC 20230 <u>https://www.noaa.gov/news/summer-2021-neck-and-neck-with-dust-bowl-summer-for-hottest-on-record</u>

US EPA. 2008. "Mold Remediation in Schools and Commercial Buildings". Office of Air and Radiation, Indoor Environments Division, Washington, DC. EPA 402-K-01-001. September 2008. Available at: Mold Remediation in Schools and Commercial Buildings Guide: Chapter 1 | US EPA

# Picture 1



Junction where addition joins the rear to the original building Note windows above roof (arrow)

Picture 2



Bulletin board on exterior wall, note location below window (arrow)

# Picture 3



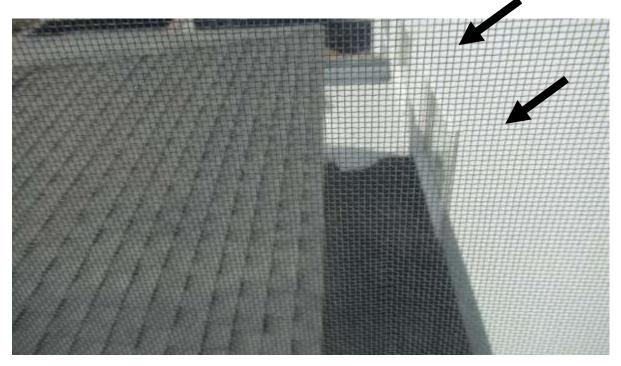
Crack between bulletin board frame and materials, possible odor pathway

# Picture 4



Peaked roof skylight, note roof edge to original building exterior wall (arrow)

Picture 5



Peaked roof skylight, note roof edge to original building exterior wall Note Treasurer's Office windows that are above bulletin board (arrows)

Picture 6



Likely water damaged plaster beneath window, likely from rain penetrating through/around window frame

Artic	les Summary			
Ann	ual Town Meeting			
	Article	<u>\$</u>	vote needed	Final Result
1	Town Election	\$ -		no action taken
2	Hear Town Reports	\$ -	-	no action taken
3	School Stabilization	\$ 200,000	majority	motion approved
4	Annual Budget	\$ 18,729,152	majority	motion approved
5	Instructions, Rules and Regulations for Board of Water Commissioners	\$ -	majority	motion approved
6	FY25 Water operating budget	\$ 1,272,462	majority	motion approved
7	Appropriation from Septic Loan Revolving Fund	\$ 10,364	majority	motion approved
8	Transfer funds to Pension Liability Stabilization Fund	\$ 113,673	majority	motion approved
9	Transfer funds to Other Post-Employment Benefits (OPEB) Stabilization Fund	\$ 25,500	majority	motion approved
10	Appropriation of PEG Reserved Revenues under MGL c.44 s.53F3/4	\$ 40,000	majority	motion approved
11	Revolving funds (reauthorize and establish max amounts for FY25)	\$ -	majority	motion approved
12	CPA Article: Allocate and/or reserve Community Preservation Fund annual revenues	\$ 730,000	majority	motion approved
13	CPA Article: Transfer CPA Housing Reserve funds to Affordable Housing	\$ 60,904	majority	motion approved
14	Transfer Free Cash to Stabilization	\$ 200,000	majority	motion approved
15	Police Cruiser purchase	\$ 57,000	2/3rds	motion approved
16	Generator for Town Annex	\$ 90,000	2/3rds	motion approved
17	Add'l Accessories for DPW Trackless Vehicle	\$ 41,540	2/3rds	motion approved
18	Funding for River Road study, engineering	\$ 40,000	majority	motion approved
19	Proposed establishment of Capital Stabilization Fund	\$ -	2/3rds	motion approved
20	Proposed establishment of Water Pension Liability Stabilization Fund	\$ -	2/3rds	motion approved
21	Proposed adoption of new (replacement) Wetlands Bylaw	\$ -	majority	motion failed
22	Proposed amendments to Animal Bylaw (a/k/a "Dog Bylaw")	\$ -	majority	motion failed
23	Proposed amendments to Finance Committee Bylaws	\$ -	majority	motion failed
24	Proposed amendments to Town Meetings / Elections Bylaw	\$ -	majority	motion approved
25	Proposed amendments to Zoning Bylaws: Definitions	\$ -	2/3rds	motion approved
26	Acceptance of MGL 59 Sec. 5N re Property Tax Relief for Veterans who volunteer	\$ -	majority	motion approved
27	Citizen Petition: Mullen properties, 40R study/zoning and MBTA Communities zoning	\$ -	majority	motion failed
28	Citizen Petition: File Home Rule Petition for Commonwealth to reduce voting age to 16	\$ -	majority	motion failed

wn Meeting <u>e</u> olve Opioid Settlement Stabilization Account lace Water Pump at Wellfield ds for site testing for potential water source(s) Article: Funding for Pickleball feasibility study Article: Sawmill Brook administrative costs Article: Fund maintenance/clean-up of Town-owned cemeteries	\$ \$ \$ \$ \$	<u>\$</u> - 44,000 60,000 30,000	vote needed majority majority majority	<u>Final Result</u> motion approved motion approved
olve Opioid Settlement Stabilization Account lace Water Pump at Wellfield ds for site testing for potential water source(s) Article: Funding for Pickleball feasibility study Article: Sawmill Brook administrative costs Article: Fund maintenance/clean-up of Town-owned cemeteries	\$ \$ \$ \$	- 44,000 60,000	majority majority	motion approved
lace Water Pump at Wellfield ds for site testing for potential water source(s) Article: Funding for Pickleball feasibility study Article: Sawmill Brook administrative costs Article: Fund maintenance/clean-up of Town-owned cemeteries	\$ \$ \$ \$	60,000	majority	
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Article: Funding for Pickleball feasibility studyArticle: Sawmill Brook administrative costsArticle: Fund maintenance/clean-up of Town-owned cemeteries	\$		majority	
Article: Sawmill Brook administrative costs Article: Fund maintenance/clean-up of Town-owned cemeteries	\$	30,000	· J · · · /	motion approved
Article: Fund maintenance/clean-up of Town-owned cemeteries			majority	motion approved
		10,000	majority	motion approved
	\$	4,000	majority	motion approved
sulting/legal services related to planning/drafting zoning amendments, to remain in pliance with the "MBTA Communities Act"	\$	75,000	majority	motion approved
udgeted Personnel Costs, FY24-25	\$	82,000	majority	motion approved
ds for required testing at Steele Landfill	\$	5,605	majority	motion approved
e removal funding	\$	50,000	majority	motion approved
e School: engineering/survey for crosswalk	\$	18,000	majority	motion approved
neering funds for Coffin Street culvert replacement	\$	50,000	majority	motion approved
e School: engineering/repairs for elevator	\$	50,000	majority	motion approved
ex flooring replacement	\$	62,000	2/3rds	motion approved
e School flooring repairs	\$	50,000	2/3rds	motion approved
lic Safety Complex repairs/improvements	\$	23,835	majority	motion approved
plemental funding for telecom upgrades at Town Offices, Public Safety, and Library	\$	42,000	2/3rds	motion approved
n Offices Electronic Keying System	\$	28,000	2/3rds	motion approved
lace Fire Pumper Tanker	\$	560,000	2/3rds	motion approved
V Plow Truck	\$	350,000	2/3rds	motion approved
	\$	33,500	2/3rds	motion approved
p-Turn Mower for DPW	\$	3,846.12	majority	motion approved
p-Turn Mower for DPW Insfer opioid funds	A	7,841.02	9/10ths	motion approved
	Ş		-	no action taken
nsfer opioid funds	\$ \$	-		
	fer opioid funds	fer opioid funds\$id bills from prior fiscal year(s)\$	fer opioid funds\$ 3,846.12id bills from prior fiscal year(s)\$ 7,841.02	fer opioid funds\$ 3,846.12majorityid bills from prior fiscal year(s)\$ 7,841.029/10ths



Engineers Environmental Scientists Software Developers Landscape Architects Planners Surveyors

www.bscgroup.com

May 2, 2024

Town of West Newbury Conservation Commission 381 Main Street West Newbury, MA 01985

> RE: Request for Permit Extension Bridge Replacement Project Middle Street over Upper Artichoke Reservoir West Newbury, Massachusetts MassDEP File #078-724

Dear Members of the West Newbury Conservation Commission:

BSC Group Inc., on behalf of The Town of West Newbury is submitting this letter to request an extension to the Order of Conditions (MassDEP File #078-724) for the Middle Street over Upper Artichoke Reservoir Bridge Replacement Project in West Newbury, MA. The Order of Conditions (OOC) was originally issued on June 29, 2021, and is currently scheduled to expire on June 29, 2024.

The project activities began in early 2023 with the removal of hazard trees within the project limits, and the bridge replacement still requires completion. The remaining project work could not be completed under the original OOC due to municipal funding constraints. The municipalities anticipate putting the project out to bid Summer 2024 and anticipate 2025 construction. The work proposed will not change from what was described in the Notice of Intent and includes the replacement of the bridge structure with a new structure on a similar horizontal and vertical alignment. The proposed bridge will expand the hydraulic opening of this stream crossing while also improving roadway safety. Minor drainage improvements are also proposed as noted previously. Project activities will continue to occur within Bank, Land Under Water (LUW), Bordering Land Subject to Flooding (BLSF), the 200-foot Riverfront Area (RFA), and the 100-foot Buffer Zone to Bank. Impacts have and will continue to be limited to the Town Highway Layout, and within previously disturbed areas to the extent practicable. Best Management Practices (BMPs) will be implemented to minimize impacts to resource areas during construction activities.

The project requires a 401 Water Quality Certification from MassDEP which was received January 5, 2023, and reissued on April 5, 2024, with the expiration and re-issuance of the USACE MA Section 404 General Permits. USACE is also in the process of extending the previous Section 404 approval PCN authorization, dated April 9, 2021.

Since project activities will need to continue past the expiration date, an extension of the OOC is needed. As a result, the Town of West Newbury respectfully requests the West Newbury Conservation Commission grant a 3-year extension to Order of Conditions #078-724.

# BSC GROUP

If needed, the town and/or BSC Group can attend the next available Conservation Commission meeting to discuss this request. Please do not hesitate to contact us with any questions regarding this permit extension request. We look forward to hearing from you.

Sincerely, BSC Group, Inc.

**Šara Kreisel, PWS** Ecological Project Manager, Associate

Cc: City of Newburyport Town of West Newbury Micah Morrison, PE, BSC Group



Engineers Environmental Scientists Software Developers Landscape Architects Planners Surveyors

www.bscgroup.com

May 2, 2024

City of Newburyport Conservation Commission 60 Pleasant Street Newburyport, MA 01950

> RE: Request for Permit Extension Bridge Replacement Project Plummer Spring Road over Upper Artichoke Reservoir Newburyport, Massachusetts MassDEP File #051-1047

Dear Members of the Newburyport Conservation Commission:

BSC Group Inc., on behalf of The City of Newburyport is submitting this letter to request an extension to the Order of Conditions (MassDEP File #051-1047) for the Plummer Spring Road over Upper Artichoke Reservoir Bridge Replacement Project in Newburyport, MA. The Order of Conditions (OOC) was originally issued on June 7, 2021, and is currently scheduled to expire on June 7, 2024.

The project activities began in early 2023 with the removal of hazard trees within the project limits, and the bridge replacement still requires completion. The remaining project work could not be completed under the original OOC due to municipal funding constraints. The municipalities anticipate putting the project out to bid Summer 2024 and anticipate 2025 construction. The work proposed will not change from what was described in the Notice of Intent and includes the replacement of the bridge structure with a new structure on a similar horizontal and vertical alignment. The proposed bridge will expand the hydraulic opening of this stream crossing while also improving roadway safety. Minor drainage improvements are also proposed as noted previously. Project activities will continue to occur within Bank, Land Under Water (LUW), Bordering Land Subject to Flooding (BLSF), the 200-foot Riverfront Area (RFA), and the 100-foot Buffer Zone to Bank. Impacts have and will continue to be limited to the City Highway Layout, and within previously disturbed areas to the extent practicable. Best Management Practices (BMPs) will be implemented to minimize impacts to resource areas during construction activities.

The project requires a 401 Water Quality Certification from MassDEP which was received January 5, 2023, and reissued on April 5, 2024, with the expiration and re-issuance of the USACE MA Section 404 General Permits. USACE is also in the process of extending the previous Section 404 approval PCN authorization, dated April 9, 2021.

Since project activities will need to continue past the expiration date, an extension of the OOC is needed. As a result, the City of Newburyport respectfully requests the Newburyport Conservation Commission grant a 3-year extension to Order of Conditions #051-1047.

# BSC GROUP

If needed, the city and/or BSC Group can be available to attend the next available Conservation Commission meeting to discuss this request. Please do not hesitate to contact us with any questions regarding this permit extension request. We look forward to hearing from you.

Sincerely,

BSC Group, Inc.

Sara Kreisel, PWS Ecological Project Manager, Associate

Cc: City of Newburyport Town of West Newbury Micah Morrison, PE, BSC Group

Project Costs		<u>Notes</u>
Construction costs	3,605,000	]
Design/Permitting	550,000	
Construction contingency (25%)	901,250	- Source: BSC Group, 3/20/24
Resident Engineer	200,000	
Construction Engineering Services	100,000	]
TOTAL project costs (est.)	5,356,250	
Project Funds		
Funds Expended to Date		Notes
MassDOT Small Bridge grant to		
Newburyport, 2018, design funds	206,048	
(expended)		
MassWorks grant to West Newbury, 2019	292,285	Amount shown is total amount expended. Grant expired 6/30/23
(\$1M grant, partially expended)		
TOTAL project expenditures	498,334	Does not include \$2,337.24 in West Newbury ARPA funds expended as of 3/26/24
Remaining Available Funds		Notes
<u>State Grants Received</u>		
MassDOT Small Bridge grant, 2018, design		Awarded to Newburyport; construction funds due to expire
funds (remaining)	45,252	6/30/2024, if not further extended by MDOT. Repurposing of
MassDOT Small Bridge grant, 2018,	249 700	granted design funds, to be used for construction, may also
construction funds (remaining)	248,700	require MDOT approval.
MassWorks (2023)	1,000,000	Awarded to West Newbury, late 2023
MassDOT Small Bridge grant (2023)	750,000	Awarded to West Newbury, late 2023; increased to \$750k in early 2024
MassDOT Small Bridge grant, FY24	750,000	Awarded to Newburyport, early 2024
Sub-Total: remaining grant funding	2,793,952	
Local Appropriations		
West Newbury Town Meeting	600.000	Approved May 2021; sunset date 6/30/2024. Extension to be voted
appropriation	600,000	at Town Meeting on 4/29/24
West Newbury ARPA appropriation (soft	25,000	Approved by Select Poard Jan 2024
costs)	25,000	Approved by Select Board, Jan. 2024
West Newbury ARPA appropriation (construction costs)	425,000	Approved by Select Board, April 1, 2024
Newburyport (requiring City Council		Discussions ongoing with Mayor and City Council regarding
approval)	-	potential Intermunicipal Agreement, incl. proposed method to share local costs.
Sub-Total: remaining local funding sources	1,050,000	

## Funding Shortfall

Costs minus expenditures minus available funds:

Based on existing appropriations and grants

Potential New Funds	<u>Notes</u>
MassDOT Small Bridge grant, FY25 (West Newbury) MassDOT Small Bridge grant, FY25 (Newburyport) —	Confirmed <u>eliqibility</u> for each community to apply for add'l Small Bridge grant in FY25. Timing of MDOT grant round not yet set, and unknown whether either or both grants would be awarded, and in what amount(s).

1,013,965

#### <u>Summary</u>

Modified Est. Shortfall

1,013,965 Does not assume any FY25 grant funds.

From:	Angus Jennings
Sent:	Monday, April 29, 2024 2:51 PM
То:	Wendy Reed; Rick Parker; Chris Wile
Cc:	Town Clerk; Walsh, Jennifer; Executive Assistant
Subject:	Page School, draft Conditions Assessment
Attachments:	795.1 Page School Report Draft early 2024 - partial Town markups.pdf

Board,

Please find attached the draft Page School Conditions Assessment. This includes comments/markups reflecting reviews by Christine Wallace, Sam Joslin and me, though as of this writing I have not even made it through half of the report. As you'll see, it includes a tremendous amount of detail, and – while it appears to me that the consultants have done a really nice job initially – it will require many hours of focused attention (by many people) in order to advance this to "final draft" stage.

Since this arrived just as budget/Town Meeting season were picking up in full swing, and affected by the large number of items this particular cycle, I pretty quickly determined that the Feb-April timeframe wouldn't include a lot of bandwidth (at the staff/BCC level, and among residents due to other initiatives/public events) to go through the multiple rounds of comments/edits that will be needed.

Once Town Meeting is behind us, there will be a major effort on circulating this report to a broader distribution; getting and compiling comments received; working with the consultants to get an updated review draft; then getting that updated draft agenda'd for review/discussion in a public meeting (or stand-alone public workshop). It made sense to us (staff) to get some staff/BCC reviews prior to broader public circulation (i.e. web post, social media) since we know there are some corrections that will be needed and the goal has been to get those done before a larger public review.

Due to the length of the report, we realistically expect that some number of readers will only read it once, so we want that initial broad public circulation draft to reflect our best foot forward.

It may be that the Board will want to start including periodic updates on this as we move forward in the coming months. Based on the length of time I expect each person will need to review, I do expect this will take some time to get to completion. We are in regular contact with Gienapp and will revise their contract accordingly to reflect the more lengthy review process than had initially been scoped.

Thanks, Angus

Angus Jennings, Town Manager Town of West Newbury Town Office Building 381 Main Street West Newbury, MA 01985

From:	Angus Jennings
Sent:	Tuesday, April 30, 2024 1:06 PM
То:	
Cc:	
Subject:	Borrowing strategy for Church/Prospect Street
Attachments:	West Newbury REVISED tentative financing schedule 2024 Bonds.pdf

#### BOWC,

We've been working with our financial (borrowing) advisor Hilltop Securities re the Church/Prospect project. We're approaching the point (by May 15<sup>th</sup>) when we need to firm up a decision as to whether we'd like to issue long-term debt for the Church/Prospect project, or do another year of Bond Anticipation Notes (BANs). I talked with Mark and Jodi a couple of minutes ago and we agreed it'd be good to get this topic agenda'd for next Wednesday's 5/8 BOWC mtg. Here is a brief summary:

#### Bonds

- Pros: Interest rates for long-term borrowing are favorable.
- Cons: If we issue long-term debt for the contracted project price, then sometime later get hit with costly change orders, we'd need to go back to the voters to get the funds to cover the costs of any change orders.

#### BANs

- Pros: BANs would cover the costs for the next year, allowing us to then issue long-term debt next year at this time, once the complete/final project costs are known.
- Cons: There is more paperwork/headache/cost (i.e. bond counsel, and Hilltop fees) to issue BANs each year. And, oddly, short-term (1-year) interest rates (at this point) are higher than long-term rates. (This may change between now and when debt is issued, in 8 weeks or so, but that's the current situation).

I told Mark and Jodi that each approach has its pros and cons, so it's really just what we decide as to what's the better approach in this case. There is no wrong answer; we just need to make a decision based on info available to us.

Mark will be assessing, and reviewing with Tata & Howard, the project status to guesstimate whether the work can get past the point when large change orders may remain a risk (i.e. getting far enough with trenching to know if ledge is going to appear, and drive unforeseen costs). He'll provide an update at the May 8<sup>th</sup> meeting. Ideally, we can come out of that meeting with a decision as to bonds v. BANs and we'll proceed accordingly with the various steps in the borrowing process.

Thanks, Angus

Angus Jennings, Town Manager Town of West Newbury Town Office Building 381 Main Street West Newbury, MA 01985

From:	
Sent:	Monday, May 6, 2024 12:13 PM
То:	Angus Jennings
Cc:	Town Treasurer; Town Accountant; Peter Frazier; Abby Jeffers; Monica Mulcahy
Subject:	RE: West Newbury Draft Bond schedule and POS

Great – thanks, Angus! The POS is now complete with the exception of the use of proceeds. Please keep us posted on the results of the Board of Water Commissioners meeting on Wednesday and let us know if you have any questions in the meantime.

Thanks! Taylor

Taylor Erickson Hilltop Securities Inc. Investment Banker Analyst

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From: Angus Jennings

Subject: RE: West Newbury Draft Bond schedule and POS

**EXTERNAL SENDER** 

Taylor,

Please find attached with markups to pg. 55.

Thanks,

Angus Jennings, Town Manager Town of West Newbury Town Office Building 381 Main Street West Newbury, MA 01985

From: Taylor Erickson Sent: Friday, May 3, 2024 2:40 PM

Subject: RE: West Newbury Draft Bond schedule and POS

Hi Angus,

Thanks very much for providing these updates. The POS is in great shape and the latest draft is attached for your reference. As you stated below, the remaining updates needed are as follows:

Page 17 – Please review and confirm the use of proceeds. We have noted that you are waiting for confirmation from the Board of Water Commissioners, which meets on 5/8. Page 55 – OPEB Pay-as-you-go cost for FY24 Page 55 – Projected OPEB fund balance as of June 30, 2024

Please let us know if you have any questions.

Thanks and have a great weekend! Taylor

Taylor Erickson Hilltop Securities Inc. Investment Banker Analyst

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# For Discussion Purposes Only

# TOWN OF WEST NEWBURY, MASSACHUSETTS REVISED

Tentative Financing Schedule

# **General Obligation Bonds dated June 2024**

		N	larcl	h				April							Мау							June							
S	Μ	Т	W	TH	F	S	S	Μ	Т	W	TH	F	S	5	S 1	M	Т	W	TH	F	S	S	Μ	Т	W	TH	F	S	
					1	2		1	2	3	4	5	6					1	2	3	4							1	
3	4	5	6	7	8	9	7	8	9	10	11	12	13	(	5 (	6	7	8	9	10	11	2	3	4	5	6	7	8	
10	11	12	13	14	15	16	14	15	16	17	18	19	20	1	2 1	3	14	15	16	17	18	9	10	11	12	13	14	15	
17	18	19	20	21	22	23	21	22	23	24	25	26	27	1	9 2	20	21	22	23	24	25	16	17	18	19	20	21	22	
24	25	26	27	28	29	30	28	29	30					2	6 2	27	28	29	30	31		23	24	25	26	27	28	29	
31																						30							
			Holi	day			FO	FOMC meets																					

March 20, 2024	Hilltop sends tentative financing schedule and draft Preliminary Official Statement (POS) to the Town for review and updates; Hilltop reaches out to S&P to schedule a rating call the week of May 13 <sup>th</sup>
May 6, 2024 @ 1pm	S&P Global Rating call
By May 15, 2024	Last day for Town to finalize amounts/purposes to be included in the bond issue
By June 3, 2024	Send draft POS to Bond Counsel for review and comments
May 27, 2024	HOLIDAY
By June 10, 2024	Rating released
June 11, 2024	Clear POS for electronic distribution to prospective bidders
June 18, 2024	Competitive sale; receive bids on the Bonds
June 19, 2024	HOLIDAY
By June 20, 2024	Bond Counsel delivers paperwork to Town
June 24, 2024	Select Board meets to approve sale results
By June 25, 2024	Executed paperwork must be returned to Locke Lord
June 27, 2024	Dated and delivery date of Bonds; receipt of proceeds
July 12, 2024	Town pays off maturing BANS

From: Sent: To: Angus Jennings Tuesday, May 7, 2024 9:33 AM

Subject: Attachments:	23 Archelaus Place, Request for property change from 61A classification Letter of intent town of west newbury final JB.pdf; 23 archelaus place map with details.pdf; 23 Archelaus Place Appraisal details only condensed.pdf; 23 Archelaus Place Full Appraisal.pdf
Importance:	High

Hello,

Please see below/attached a notice of intent (NOI) to sell Ch. 61A land. This will be processed in accordance with the Town's Procedure for Ch. 61, 61A, 61B Right of First Refusals, which can be found online here.

With this email, I am providing copies of this notice to the Town Entities named in Item 3 of the Procedure, via its Chairs and primary staff persons, namely:

- Planning Board, via the Chair and the Town Planner
- Board of Assessors, via the Chair and the Chief Assessor
- Conservation Commission, via the Chair and the Conservation Agent
- Finance Committee, via the Chair
- Historical Commission, via the Chair and Vice Chair
- Open Space Committee, via the Chair
- Parks and Recreation Commission, via the Chair
- Water Department, via the BOWC Chair and the Water Superintendent

In accordance with the Procedure, I am required to ascertain that each of the Town Entities listed above receives the NOI. <u>Therefore, I would ask that each of you please send me a reply (no need to "reply all") confirming your receipt of</u>

<u>the attached notice</u>. Please also take notice of the timelines for review by Town Entities, as specified in the <u>Procedure</u>. The notice has been sent to Town Counsel for legal review in accordance with Item 1 of the Town's procedure for review of NOIs to convert Ch. 61A land. The landowner is required to send to the Town by certified mail or hand delivery, and we do expect to receive delivery by hand today. If the notice is found by Town Counsel to be proper and complete, the 120-day ROFR period would begin today, and extend until approx. 9/4/24. Once we receive legal review, I will send a follow-up email to those receiving this message.

Once the Select Board Chair sets a date that this will appear on a Board agenda, I will send follow-up notice to you of that date, and regarding the process moving forward.

Thanks, Angus

Angus Jennings, Town Manager Town of West Newbury Town Office Building 381 Main Street

er-McGuire

Town of West Newbury select boards,

Please find an attached letter with a notice of intent/first right of refusal to remove a parcel of land from 61A, hard copies will be delivered in hand to the town office tomarrow along with the affadavit stating such. I have included the map location, full appraisal, condensed version of appraisal with data you need.

This is being sent to mulutiple departments, although not clear if the email addresses are correct. I have sent to the Town Manager, Conservation Comitte, Select Board, Assessor, can you each please confirm that you have received- if not I will need to resend. If you can provide me any contact that would be greatly appreciated.

Thanks in advance for your assistance.

Contact information-

Jill Bacheller

Jill Bacheller

# Memorial Day Ceremony

May 27, 2024

- 1) Welcome by Select Board Chair
- 2) Pledge of Allegiance led by Cub Scouts
- 3) **Pentucket Band** to play the *National Anthem*
- 4) Opening prayer by **Father John Satula**
- 5) Select Board member \_\_\_\_\_\_ introduce *In Flanders Fields* by Lt. Col. John McCrae.
- 6) Abby McIntyre will read In Flanders Fields.
- 7) Select Board member \_\_\_\_\_ to introduce *We Shall Keep the Faith* by Moina Michael.
- 8) Abby McIntyre will read We Shall Keep the Faith.
- 9) Introduction of Grand Marshal <u>Steve Bohn</u> by Ron Ross Rep. to the Board of Directors of the Eastern Essex District Veterans' Affairs
- 10) Grand Marshal Steve Bohn to welcome veterans and attendees, and deliver remarks
- 11) **Pentucket Band** to play "Tribute to America"
- 12) Governor's Memorial Day Proclamation read by
- 13) Ask for Veterans and any Gold Star families to please stand if can do so Select Board member
- 14) Pentucket Band to play "Salute to Freedom"
- 15) Read list of names of those deceased in 2023 Select Board member \_\_\_\_\_\_ (read branch of military and if served in war/peacetime)
- 16) Lillian Friend to play "Taps"
- 17) Closing prayer by Father John Satula
- 18) **Pentucket Band** to play "Stars & Stripes Forever"
  - Thank you to everyone for attending Select Board Chair \_\_\_\_\_\_
  - Veterans, Grand Marshal Steve Bohn; West Newbury Rep. to the Board of Directors of the Eastern Essex District Veterans' Affairs, Ron Ross
  - Parade participants
  - Pentucket Band David Schumacher, Director
  - Father John for leading opening and closing prayers
  - Volunteers (esp. Parade Czar Ilya Zeitsev; ect)
  - Town Staff (esp. DPW, Fire, Police)

# Announcements:

- Visit Memorials on the Training Field
- Rides in the fire trucks to the Public Safety Complex
- Open House and cookout at the Public Safety Complex

# Official May 6, 2024 Local Election Results for the Town of West Newbury

Selectboard (3 years)	
Wendy Reed	506
Write-In's	2
Blanks	68
School Committee (3 years)	
Emily Zeitsev	456
Write-In's	1
Blanks	119
Assessors (3 years)	
William Studzinski	345
Write-In's	151
Blanks	80
Planning Board (5 years)	
Brian Murphey	463
Write-In's	3
Blanks	110
Water Commissioner (3 years)	
Mark Hemingway	482
Write-In's	1
Blanks	93
Board of Health (3 years)	
Robert Janes	484
Write-In's	2
Blanks	90
Total Ballots Cast	576
Total turnout percentage	15%

Park and Rec (3 years)	
Wendy Willis	485
Write-In's	2
Blanks	89
Park and Rec (1 year, 1 seat)	
Casey Fallon	257
Paul Niman	189
Write-In's	0
Blanks	130
Housing Authority (5 years)	
Lisa Forbush-Umholtz	3
Write-In's	21
Blanks	552
Moderator (3 years)	
KC Swallow	460
Write-In's	20
Blanks	96
Library Trustees (3 years, 3 seats)	
Paula Breger	442
Laurel Kapfere	413
Jason Spaulding	413
Write-In's	1
Blanks	459
Constable (3 years)	
Brian Richard	480
Write-In's	1
Blanks	95



social | activities | growth | education

# LUNCH & LEARN Speaker Series

THURSDAY, MAY 16 11:30 AM - 1:00 PM

# **TOPIC: MEDICAL TRANSPORTATION RIDES**

Lunch: Chicken Salad Wrap Suggested donation: \$5

NEET is a nonprofit volunteer driving organization established in 1981, which provides transportation locally, as well as to metro Boston, Burlington, and the Danvers/Peabody area. with Dori Sawyer, Executive Director of Northern Essex Elder Transport (NEET)

Cb



# REGISTER

at 978-363-1104 or coa@wnewbury.org

One in five Americans 65 years of age and older are no longer driving. Many are not receiving health care, as the transportation to and from a doctor's appointment is difficult to access and maneuver.

381 Main Street, West Newbury | 978-363-1104 | coa@wnewbury.org

# BREAKFASI BUFFE

# THURSDAY, MAY 23 At 10:00 Am

Our Sunray Cafe events are in-person homemade meals - cooked here at the SAGE Center by Jen.

To register, please call 978-363-1104 or email Jen at mow@wnewbury.org.

# Location: SAGE Center, 381 Main Street, West Newbury

# **Suggested donation \$5**

SAGE Center | West Newbury Council on Aging | 381 Main Street, West Newbury | phone: 978-363-1104 | coa@wnewbury.org



SAGE CENTER social | activities | growth | education

ce ("ream

Social SMorgashord Wednesday, May 29 12:30 - 1:30 pm

Here's the scoop

Location: SAGE Center

381 Main Street, West Newbury

Drop-In | FREE

SAGE Center | West Newbury Council on Aging | 381 Main<sup>3</sup>Street, West Newbury | 978-363-1104 | coa@wnewbury.org

#### Housing Opportunities Initiative (MBTA Community Multi-Family Zoning District)

- Town Meeting Article for funding study of 40R as compliance option for MBTA Communities passed
- Newbury passed multi MBTA Multi-Family Districts with around 75% support (234-80). They give substantial credit to the Newburyport Housing Choice Coalition which worked to educate and motivate residents to attend and vote at Town meeting.
- 44 of the 171 Communities have approved zoning to comply with the MBTA Communities Law. Only four have seen zoning measures fail.
- Next steps
  - o Identify best approach for assessing community impacts
  - Support Town Manager and Select Board in developing scope for 40R Study (likely June timeframe)
  - Maintain website with current news and local information
  - Assess need and sources for additional support

#### **Scenic Road Process**

- Memo drafted to remind Departments, Boards and Committees about requirements of Scenic Road General Bylaw
- Scenic Road Flow Charts prepared for Web Site and distribution to Departments, Boards and Committees

#### **Housing Production Plan**

- Project Manager Lauren Keisling has left MVPC; Ian Burns and Kayla Rennie are taking over; Kayla has been involved throughout
- The first draft of the HPP was due in early 2024 and finalized by end of March; the new schedule is project completion by June 30

#### **Projects Summary**

- 125 River Road, Eagle Nest Definitive Subdivision
  - Hearing Continued to May 21<sup>st</sup>
  - Applicant revising Plans to account for changes in wetland resources areas and to respond to initial Peer Review comments
- Drakes Landing Project Close-out
  - email reminder sent to Stephen Sawyer GM2
  - o Applicant requesting release of Performance Bond and any Escrow balance
  - o Town Counsel will review draft Performance bond release once submitted by Applicant
  - Still awaiting revised as-built plans as advised by Dave Kelley (digital and hard copy)

Sue Brown, Town Planner 5/2/2024



May 7, 2024

- 37 Coffin Street, Violation of Scenic Road Bylaw
  - o Applicant anticipates submitting an application within the month
- Deer Run, 519 Main Street (unchanged)

2

- $\circ \quad \text{Applicant has remaining units under agreement} \\$
- o Lot releases and additional Inclusionary Housing payments anticipated later in the year

#### WEST NEWBURY CLIMATE CHANGE RESILIENCY COMMITTEE MEETING NOTICE

May 8, 2024 5:00 pm

By ZOOM & at Town Officers, 381 Main St., 2nd Floor Conference Room

AGENDA

GMRI Citizen science update

GMRI Future planning event recap

GEI future deliverables

- Arc GIS StoryMap Development
- Shoreline Stabilization Options -Tech memo
- Infrastructure. Flood Adaptation Options Tech Memo
- Final Report

#### Upcoming events

- 5/6 Community read begins—Fens, Bogs & Swamps
- 5/9 Demystifying our wetlands
- 5/16 Guided wetlands walk
- 5/28 Wetlands story time
- 6/4 N Pau—Leveraging nature to save the marsh
- 6/12 Kayak trip with Plum Island Kayak
- 6/20 Site walk with GEI on River Rd; final public meeting

Considering next steps

- N Pau: new USGS tool "Flow Photo Explorer" that uses AI and camera images to generate continuous flow data.
- Thoughts about use of additional funding, grants, permitting, etc

Approval of Minutes

Other Business

Next Meeting: TBD—June 12 is also Kayak date

ZOOM meeting information Join Zoom Meeting https://us06web.zoom.us/j/89289530217

Meeting ID: 892 8953 0217

One tap mobile +13126266799,,89289530217# US (Chicago) +16465588656,,89289530217# US (New York) Planning Forward: Envisioning River Road under High Water Conditions



Gulf of Maine Research Institute



River Road Flood Vulnerability and Adaptation Study Town of West Newbury, Massachusetts



May 1, 2024 Leila Pike, P.E. (GEI) and Gayle Bowness (GMRI)

- 1. Project Overview
- 2. Flood Risks from Study
- 3. Flooding Today
- 4. Adaptation Introduction



# Project Goals and Methods

- 1. Understand flood risk near River Road
- 2. Identify areas of bank erosion
- 3. Evaluate culvert conditions and capacity
- 4. Introduce flood adaptation and bank stabilization options

Emphasis on Community Engagement



••••• Gulf of Maine Research Institut

# Project Goals and Methods

Merrimac

USGS River Flows

Groveland

West Newbury

# 1. Understand Flood Risk

Salisbury

What is likely to experience flooding and when?

Newburyport

PLUM ISLAND

SALISBURY BEACH

Coastal Storm Surge and Sea Level Rise

Google Earth

Data SIO, NOAA, U.S. Navy, NGA, GEBCO BYFIELD Newbury

Consultants

 Gulf of Maine Research Institute

# **1. Understand Flood Risk During:**

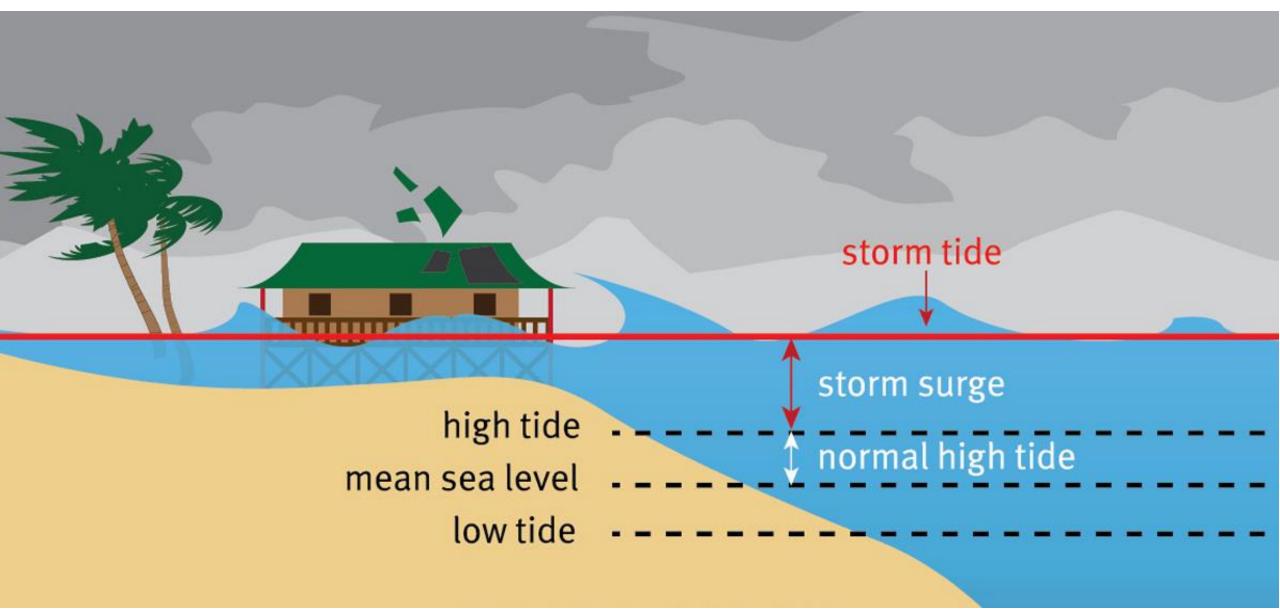
100-yr Coastal Storm Surge Events
 Mean Higher-High Water (Daily "High Tides")

# **For Three Timeframes:**

Near-Term (2030ish) – 1.2 ft sea level rise
 Medium-Term (2050ish) – 2.4 ft sea level rise
 Long-Term (2070ish) – 4.2 ft sea level rise



•••• Gulf of Maine Research Institut



Source: Rosenstiel Hurricane Hub



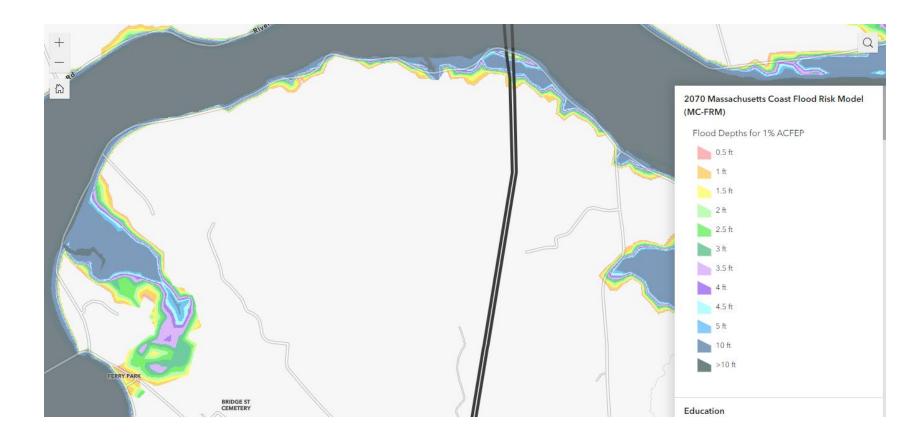
••• Gulf of Maine Research Institute

# Project Goals and Methods

# Massachusetts Coastal Flood Risk Model (MC-FRM)

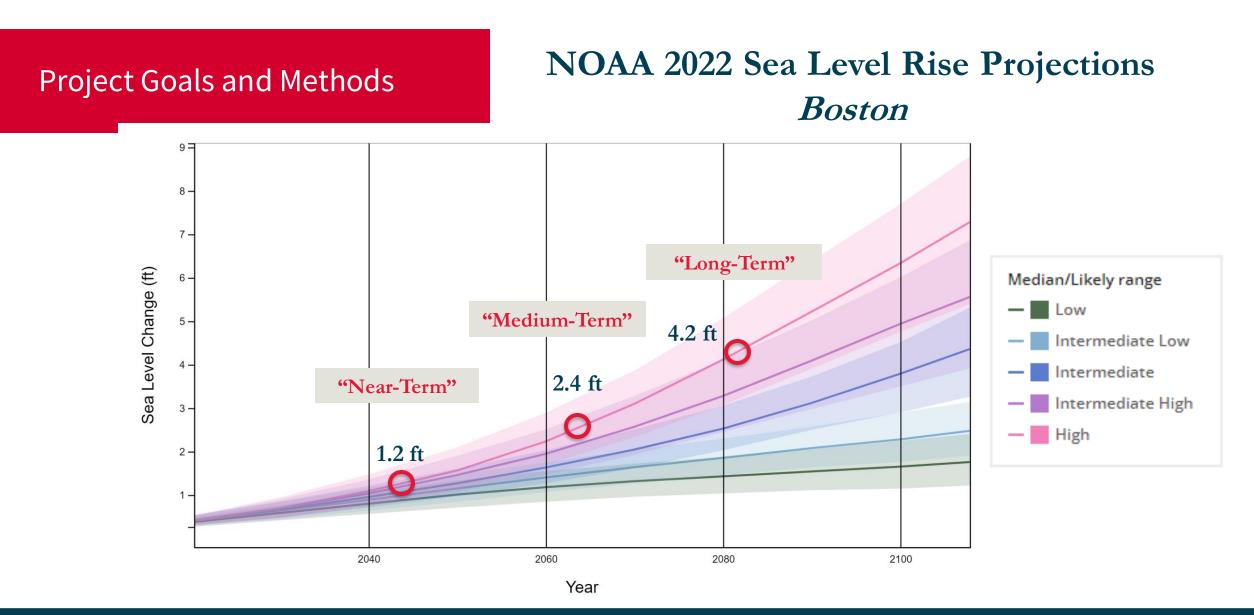
MC-FRM provides flood extents and elevations for:

- 1% annual chance coastal events, i.e., "100-year storms"
- Sea Level Rise
- 3 Timeframes





•••• Gulf of Maine Research Institute

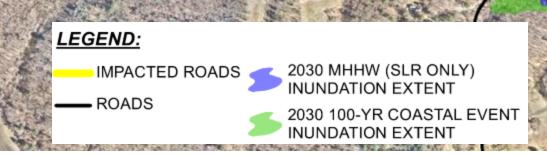




•••• Gulf of Maine Research Institute

# Project Findings: Flooding in 2030

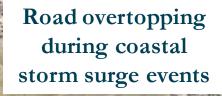
Road overtopping during coastal storm surge events

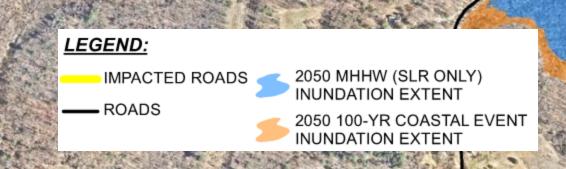




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# Project Findings: Flooding in 2050







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# Project Findings: Flooding in 2070

Road overtopping during coastal storm surge events

Road overtopping during daily "high tides"

#### LEGEND: IMPACTED ROADS ROADS 2070 MHHW (SLR ONLY) INUNDATION EXTENT 2070 100-YR COASTAL EVENT INUNDATION EXTENT

1997 St. 914

Mr. VILTING S Star



Gulf of Maine Research Institute

# But what has been happening this year??

## **January 2024:**

- Coastal Storm Surge
- Higher Relative Sea Levels



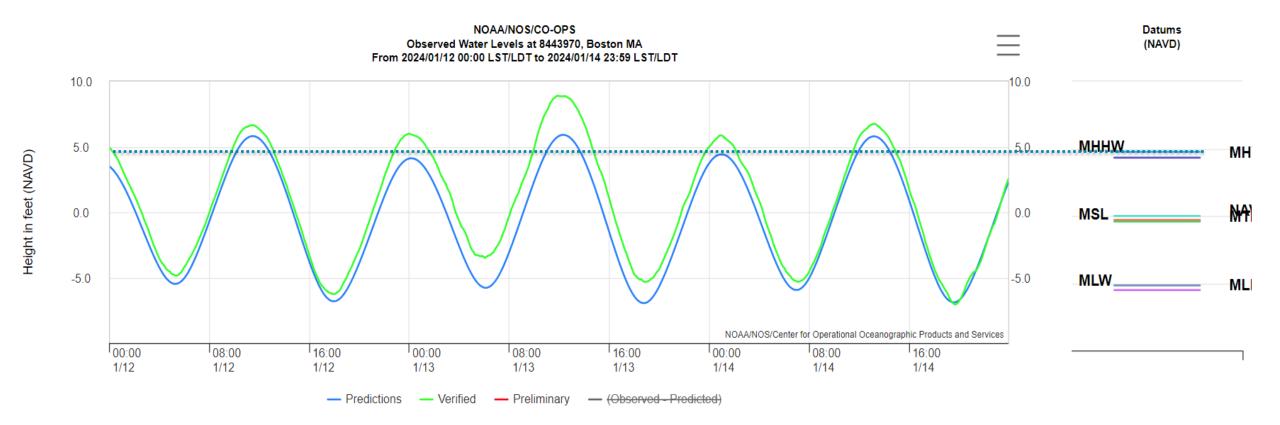
## River Road – January 13th, 2024



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## January 2024: Coastal Storm Surge

- 4.1 ft above MHHW ("High Tide")
- 0.5 ft below 100-yr surge





# But what has been happening this year??

## March 2024:

- Coastal Storm Surge
- Higher Relative Sea Levels



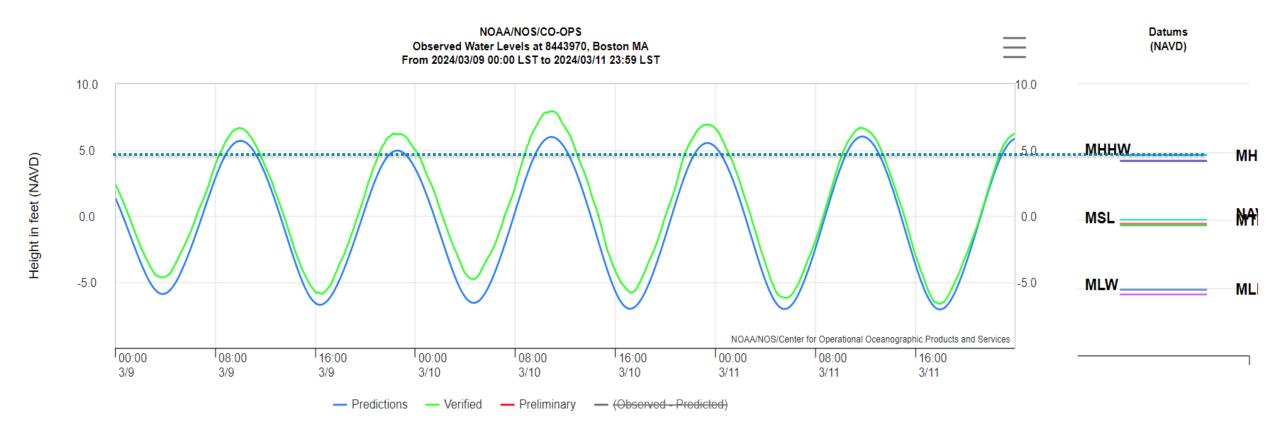
## River Road - March 10<sup>th</sup>, 2024



Gulf of Maine Research Institute

## March 2024: Coastal Storm Surge

- 3.1 ft above MHHW ("High Tide")
- 1.5 ft below 100-yr surge

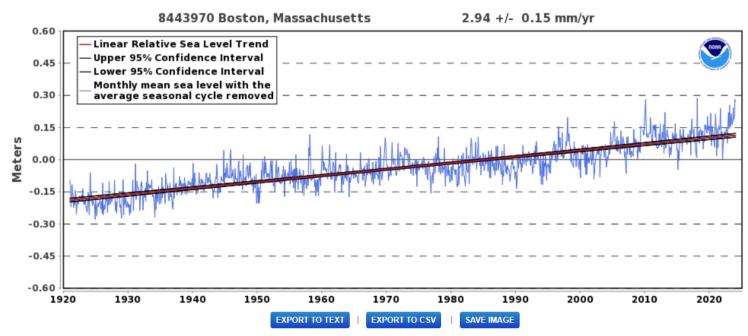




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# **Observed Higher Relative Sea Levels**

#### Relative Sea Level Trend 8443970 Boston, Massachusetts



The relative sea level trend is 2.94 millimeters/year with a 95% confidence interval of +/- 0.15 mm/yr based on monthly mean sea level data from 1921 to 2023 which is equivalent to a change of 0.96 feet in 100 years.

Variability in monthly mean sea levels across the years.

In 2024, January mean sea levels were highest on record (since 1912) in Portland, Maine.



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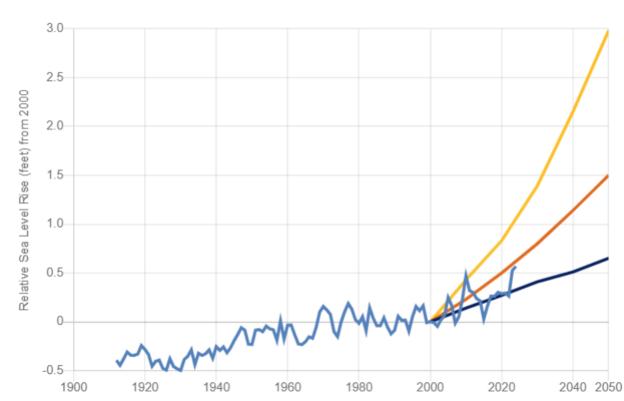
# **Observed Higher Relative Sea Levels**

Annual Sea Levels Referenced to 2000, NOAA Station 8418150, Portland undefined

= Low == Intermediate = High Scenarios == Long Term Data

For a given year, mean sea levels can be higher than the predicted high or lower than the predicted low.

Plan for variability!

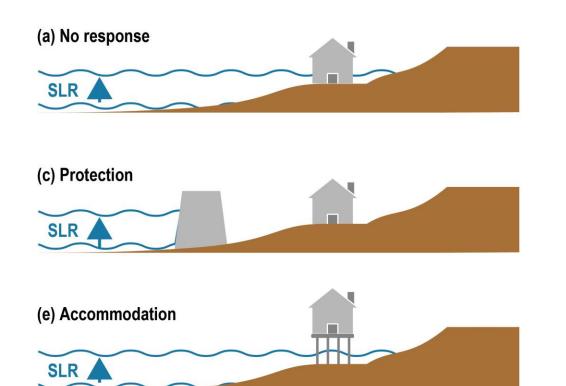


NOTE: The intermediate scenario is the "commit to manage" and the high scenario is the "plan to prepare" level in the Maine Won't Wait Climate Plan. Low, Intermediate, and High scenarios are based on Sweet et al., 2017.

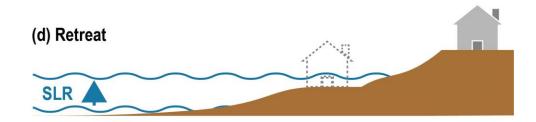


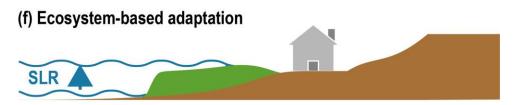
••<sup>••••</sup> Gulf of Maine Research Institu

## Adaptation Introduction









#### From IPCC (2019) Chapter 4, Box 4.3, Fig. 1



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### Upcoming Community Events

- Kayak Tour June 12th (rain day June 13th)
- Afternoon Community Site Visit June 20th
- Evening Final Community Meeting June 20th
- Project End June 30th



•••• Gulf of Maine Research Institu Thank you! Questions?



Consulting Engineers and Scientists

Leila Pike, P.E. (GEI) lpike@geiconsultants.com

Gayle Bowness (GMRI) gayle@gmri.org





#### **Town of West Newbury** 381 Main Street West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

TO:	Select Board
FROM:	Angus Jennings, Town Manager
DATE:	May 7, 2024
RE:	Board Reorganization

Traditionally, the Board reorganizes at its first regular meeting following a Town Election. The following Board appointments are typically considered:

- Chair
- Vice Chair
- Clerk

#### Other Committee designations

The Board members also serve as representatives to the following Committees:

- Capital Improvements Committee (Rick Parker)
- Community Preservation Committee (Wendy Reed)
- Investment Policy Committee (Chris Wile)
- Pentucket Middle/High School Building Committee (Wendy Reed)

All current appointments above were made last year with effective dates through June 30, 2024. I therefore recommend making any new designations to these Committees effective as of July 1, so that these working Committees maintain continuity through the remainder of the fiscal year. (This is also a plus for writing clearer year-end Town Reports). You could take up these appointments on Thursday, or defer the Board's Committee designations until June to align with the overall Committee reappointment process.

## **Special Event Application**

Organization or Group West Newbury Garden Club Person Making Reservation Caroline, Homet Mailing Address Phone \_\_\_\_\_ e-mail 20 11 Event Date: <u>Sat.</u>, <u>May 18</u> Start Time <u>8:30 an</u> End 12:00, noon Time <u>Set up</u> May 19 44:00 - 6:00 pm Rain Date: Sun., May 21 Reason for Event <u>Annual Plant and Bake Sale</u> Number of attendees 25 members, approx. 75 customers & Plant sale may 18, Set up May 7.0h, Rain date May 1945 Check Appropriate Block: X Resident Non-resident Fund Raising Group Ø Non-Profit Commercial Other Submit your application (with all maps, diagrams and attachments as required). Provide a Schedule of Events along with a Sketch Plan which addresses: 1. The location of the event on the property west Newbury Iraining Field. Diagram Attached of use of 2. For road or walk race, a detailed map of the route  $\Lambda/0+$ 3. Features and attractions Sale of annuals, perennia hative, herbs and cil 4. Participant circulation () De M Spaced circulation 11101 WI PIA m trus arcas halding DA covered FPAR Dr barged 5. Proposed parking including how you will handle overflow parking Albion, Baileys Lane. Training Parking on Field Dehind road the OLD TOWN 6. Any proposed road closures None.

- 7. Location of trash receptacles and dumpsters lin turners placed around training field & cashicus fent. Primanly used by clup members.
- 8. Location of temporary toilet facilities\_ Nonc.
- 9. Accessible routes for the disabled or mobility impaired <u>Park they and drops</u> off pick up is available on Training Field Rd. Hat grass per walkers and wheel chairs.
- 10. Locations, size and number of any tents, trailers or temporary structures <u>Mere are fents</u> or <u>Cashiers</u> and <u>Uhe</u> <u>bake</u> sale area.
- 11. Location, size, and description of any signage or banners Dre banner at east end of fraining field. 3/x 10/
- 12.If food will be served or sold at the event, you must contact the West Newbury Board of Health to discuss Food and Beverage regulations before you submit your application. If required, your food permit must be submitted before final approval of the SpecialEvent.

requested via email Ost 9m2 Sevignu Paul 20

- 13. If Police Details and/or Firefighters/EMTs will be required, contact the West Newbury Police Department and West Newbury Fire Department to secure services. Only Police Officers may direct traffic on town streets. Evidence that Police and/or Fire Personnel have been secured must be presented before the approval of the final Special Event Permit. One policy detail Mccdcd 8-noon at Crosswalk between Old Town Hay and Grawing weld.
- 14. Provide a Certificate of Insurance to the Town Manager's Office no later than ten (10) business days before the event. Final Special Event Permits will not be issued without submission of a Certificate of Insurance <u>Insurance</u> on file on West Newbury Clup at Town Office.

#### Name: West Newburg Gardenevent: Annual Plant & Bake Sale Club

I/we agree and hold harmless and/or indemnify the said Town of West Newbury against any and all claims or liabilities for personal injury or property damage arising out of use of said property. If the application is submitted less than 60 days before the event, the applicant must pay a \$100 administrative fee or has the option of changing the date. The administrative fee applies to all for profit and nonprofit persons or organizations.

omell

Individual/Authorized Signature for Group

Date

October 9, 2023

Chief of Police's Signature:	Date:
Requests and comments:	
Fire Chief's Signature:	Date:
Requests and comments:	
Approval granted if signed here by Board of Selectmen:	Date:
	Duto

Requests and comments:

<u>REQUEST FOR USE OF FACILITIES</u>
Organization or Group West Newbury barden Club
Person Making Reservation
Mailing Address _
Phonee-mail
Event Date: May 18, 2024 Start Time 9'00 am End Time 5:00 pm
Summary of Event West Newbury Plant and Bake Sale
Number of Attendees open to the public, approx. 100 people,
Event Details: Please be specific i.e. alcohol*, music, food - Bake Sale. No alcohol.
If alcohol is being served, a Liquor Liability Policy must be provided (\$1,000,000), see page 2.          Check Appropriate Block:
1910 Bldg Hearing Room (1)       Pipestave Equest. Area**       Other         1910 Bldg Hearing Room (2)       Athletic Playing Fields*       Other         Y       Town Hall- (across from Library)       Mill Pond Rec Bldg**       Other         Annex       Bandstand       Bandstand
Fee Paid by Check/CashFee Waived

#### **TERMS AND CONDITIONS OF USE:**

- 1. Must leave the facility as you found it, place tables and chairs in the storage area and remove all trash and recycling. The town does not have a custodian on staff and other events may be scheduled to use the facility after you. Please contact Dispatch at 978-363-1213, if the town offices are closed, with any problems.
- 2. No open flames, i.e. candles, torches, etc. (Chafing trays with sternos are allowed.)
- 3. Exits and entrances must be kept clear. Tables must be a minimum of 6' from exits and entrances.
- 4. All decorations must be fire resistant.
- 5. No live trees or shrubs allowed, including Christmas trees.
- 6. No smoking inside buildings; smokers must be outside of the building, 20' from all entrances and exits.
- 7. If deemed necessary to maintain the safety of the public, a Fire Watch (Fire Dept. representative.) may be required, at the then-current hourly fee.
- 8. No fog machines or fake smoke machines allowed. No helium balloons allowed in the Annex.
- 10. Permits are required for temporary signs. No signs are allowed on public property without prior approval by the Board of Selectmen

#### PLEASE NOTE: IF YOU ARE APPLYING TO OFFER <u>ANY KIND OF CAMP FOR</u> <u>HILDREN, YOU MUST GET PRIOR APPROVAL FROM THE BOARD OF HEALTH</u>. J78-363-1100, x. 118

~ Continued on other side ~

Name: W.N. (gurden Club

#### Event: W.N. Plant & Bake Sale

Insurance: The organization's representative or the individual requesting the space will be required to sign an indemnification agreement (below) with the Town of West Newbury for a scheduled event. A general liability olicy (\$1,000,000 per occurrence/\$3,000,000 aggregate) is required as part of the rental agreement, and a certificate of insurance naming the Town as an additional insured must be provided before the date of the event as proof of said policy. If alcohol is being served, a Liquor Liability Policy must be provided (\$1,000,000) in addition to the general liability coverage.

\* ATHLETIC PLAYING FIELDS RENTAL: Must have prior approval by the Parks and Rec Commissioners. Payment by check (to: Town of West Newbury) or cash must be received in the Town Manager's Office, and a Certificate of Insurance must be received prior to the date requested to use the fields. (See above for details.)

\*\*MILL POND RECREATION BUILDING AND PIPESTAVE EQUESTRIAN AREA: Must have prior approval by the Mill Pond Committee.

Indemnification Agreement: I/We, W.N. (Dayd en Club) (group), agree to pay for any damage to the facility incurred during the term of rental by our organization. I/We understand that I/we must leave the area in the same condition that it was found. Furthermore, I/we hereby agree to save and hold harmless and/or indemnify the said Town of West Newbury against any and all claims or liabilities for personal injury or property damage arising out of use of said property.

L. Homes M Individually/Authorized Signature for Group

<u>UCHT. 99</u>20232

Parks & Rec Committee or Mill Pond Committee         Signature (if applicable):	Date:
Requests and comments:	
Chief of Police Signature:	Date:
Requests and comments:	
Fire Chief Signature:	Date:
Requests and comments:	
Approval granted if signed here by Town Manager:	

Date:

To: West Newbury Select Board

**From:** Ronald J Ross (COL US Army retired) West Newbury Veteran Representative Eastern Essex District Department of Veterans Services

**Subject:** Adding (engraving) names to the West Newbury Veteran Memorial Granite Stone located at the West Newbury Historic Training Field, Main Street across from the former West Newbury Town Hall.

**Request:** Gordon Tatro's name be engraved on the West Newbury Veterans Memorial Stone under the Airforce Logo for serving during wartime in the Vietnam War and Eugene Tatro's name be engraved on the West Newbury Veterans World War II Memorial Stone.

- 1. The Eastern Essex District Department of Veterans Services VSO Steven Bohn received an inquiry from Gordon Tatro a former resident of West Newbury, MA 17 Mechanics St, graduated from Pentucket High School 1967.
- 2. Gordon Tatro requested his name be added to the West Newbury Veterans Memorial for serving during Wartime in Vietnam. The information was verified by reviewing his DD Form 214. Gordon Tatro was a crew chief in The United States Airforce from1968-1991 retiring with 23 years of service.
- Gordon Tatro also requested his father Eugene Tatro a former resident of West Newbury, MA be added to the World War II memorial stone for serving in the United States Navy. Eugene Tatro's service has also been verified.
- 4. If there are any further questions and or information needed, please contact the undersigned at

Ronald J Ross

Ronald J Ross COL US Army retired

West Newbury Veteran Representative Eastern Essex District Department of Veterans Services



Town of West Newbury Office of Inspectional Services West Newbury, MA 01885 Phone:

TO: Board of Selectmen, Town Manager FROM: Sam Joslin, Building Commissioner DATE: April 24, 2024 SUBJECT: MOD Accessibility Grant

I am seeking approval for the submission of a grant through the Massachusetts Office on Disability (MOD) to install automatic door openers at the Town Offices, Annex, and the Public Safety Building Dispatch. The estimated cost of work to be completed would be approximately \$38,000 for all three locations. If awarded the grant I would anticipate \$32,000 from MOD and a 20% match to be provided by the Town. The Town match would be to provide the electrical wiring for the door openers. While wiring for the door openers I would plan to coordinate the wiring of new electronic door locking hardware with the Building & Grounds Department to piggy back the projects resulting in an additional savings for the Town.

Thank you for your consideration.

Respectfully,

Sam Joslin

West Newbury Building Commissioner



## **Department of Public Works**

Ee

Highway, Tree & Snow/Ice Divisions

Richard "Butch" Hills Highway Superintendent/Tree Warden Town of West Newbury 381 Main Street West Newbury, MA 01985

#### MEMORANDUM

Date: 4/22/2024

Subject: Surplus Equipment

Selectboard,

The DPW has 3 snow plows that are no longer needed.

#1 We have a 10' Flink snow plow that is over 20 years old. It has been a spare for the last 10 or so years and has not been on a truck in that time. We still have 2 plows available as spares.

#2 Is a Fisher 8' Minute Mount 2 snow plow with a 3 plug, harness, we no longer have a truck that this set up works on. This set up is 17 years old and hardly used.

#3 Is a Fisher 8' Minute Mount 2 snow plow with a 3 plug, harness, we no longer have a truck that this set up works on. This set up is 20 years old and hardly used.

Thank you,

Sincerely,

Richard "Butch" Hills

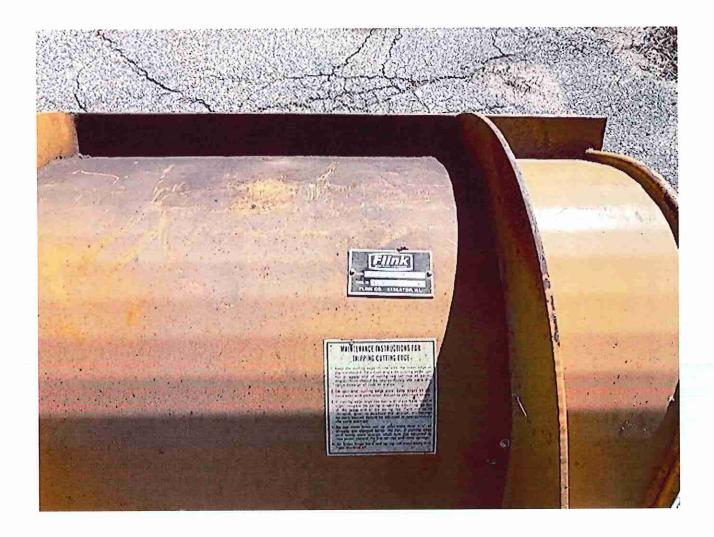
Highway Superintendent

Highway #1

From: Sent: To: Highway Friday, April 19, 2024 10:51 AM Highway











Sent from my iPhone

Highway

ţ

#2

From: Sent: To: Highway Friday, April 19, 2024 10:51 AM Highway











Sent from my iPhone

# Highway

#3

From: Sent: To: Highway Friday, April 19, 2024 10:54 AM Highway







Sent from my iPhone



4. Disposal of Surplus Property Policy

This policy complies with Massachusetts general Laws Chapter 30B which requires municipalities to adopt a written policy regarding the disposal of surplus property.

From time to time the Town of West Newbury finds it necessary to dispose of materials, equipment, residue inventory or other items that are no longer required. The following procedures describe the process to be followed when disposing of surplus items. The intent is to establish reasonable control over usage, surplus and obsolete material handling, sale and disposition. This policy applies to all surplus items regardless of value. It does not apply to disposal of real estate. This policy applies to all Town departments, boards and committees.

Items taken into custody by the West Newbury Police Department through statutory procedures i.e. drug, criminal and civil forfeitures pursuant to MGL Chapter 94c and 18 USC §§ 981-87, will be disposed according to state and federal law. Unclaimed property taken into possession by the West Newbury Police Department will be auctioned according to MGL Chapter 135, § 8.

# **Procedures**

The Department Head will submit a written recommendation to the Chief Procurement Officer (CPO) that the item(s) are surplus to department needs and may be disposed of.

The Select Board shall vote to designate the items surplus.

For surplus property valued at less than \$10,000 the CPO will advertise the items for sale on the Town website, or in the local newspaper, or by online auction as she or he deems in the best interest of the Town.

For surplus property valued at \$10,000 or more, the CPO shall dispose of the property in accordance with MGL Chapter 30B by sealed bids, or by public auction, including online auction.

Items that have only scrap value may be disposed of as the CPO deems appropriate.

At its discretion, the Town may either sell at less than fair market value or donate surplus property to a government entity or an organization which has Internal Revenue Service tax exempt status by reason of its charitable nature. For property valued at less than \$1,000 the CPO may exercise his own judgment. For property valued at \$1,000 or more the Select Board must first approve the disposition.

Adopted: 9/3/2019 Amended 10/2/2023



# **Town of West Newbury** 381 Main Street West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

TO:	Select Board
FROM:	Angus Jennings, Town Manager
DATE:	May 7, 2024
RE:	DPW staffing

As you know, the approved FY25 operating budget carries funds to hire a new DPW Experienced Operator. While that budget will take effect on July 1, this is a request to authorize us to move forward with the hiring process this fiscal year. Due to the fact of the DPW being understaffed for most of FY24 – from 7/1/23 to 12/18/23, and again from 1/15/24 to 4/12/24 – the department's salary/wages line is on track to underspend for FY24. (As of 4/29, the salary/wages line was 72.01% expended, relative to the fiscal YTD at 82.8%). There is therefore room in the FY24 budget to take on a new employee for what would (at most) be about a month. More importantly, getting someone hired sooner than later will provide more opportunity to get the new hire oriented to routine tasks and town issues, and provide nearer-term support to the existing crew.

Because the approved FY24 Employee Compensation Schedule (voted in June 2023) did not carry the new position, and my hiring authority is for positions included in the most recently approved Employee Compensation Schedule, this request is submitted for Board consideration.

cc: DPW/Highway Finance Department

# **Angus Jennings**

From: Sent: To: Cc: Subject: Attachments:

Thursday, April 18, 2024 12:36 PM Anaus Jenninas

Follow Up Flag:Follow upFlag Status:Flagged

Hi Angus,

The Energy & Sustainability Committee recently received this financial information for a potential rooftop solar project at the DPW salt shed.

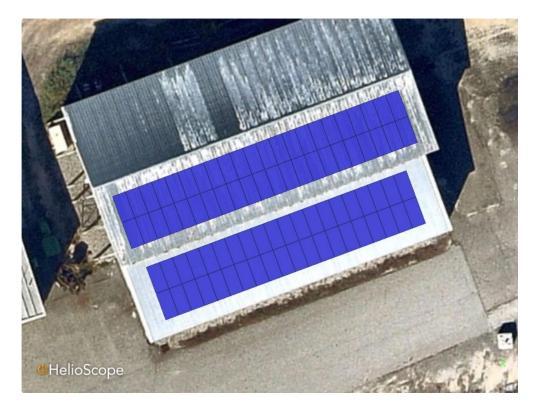
At our meeting tonight the committee voted to pursue this project and request Select Board approval to proceed. If you have any questions please let me or Rick know. Regards, Chip Wallace

------ Forwarded message ------From: Date: Wed, Apr 10, 2024 at 8:41 PM

Hi Chip and Rick,

Please note West Newbury DPW's solar rooftop financial overview from Feb. 28th, attached. As discussed, the pricing and savings subject to final engineering, utility approval & SMART Incentives.

# West Newbury Solar Rooftop - 40.3kW (DC)



To confirm the economics, we should submit the ISA and SMART applications asap.

Sincerely, Byron

Byron Woodman III | Sr. Director Business Development



Solect Energy

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# Draft for Review Solar Project Financial Estimate DPW & Pipestave - Roof

PV System Size (DC)	40.32 kW	Pre-Tax Financial Summary
Annual Electric Production	49,594 kWh	IRR 8.7%
Energy Storage Size	N/A	NPV (at 6% disc rate) \$ 14,662
Project Cost	\$ 137,047 \$ 3.40 per Watt	Simple Payback (Yrs) 8.3
Federal Tax Credit / Rebate	\$ (41,114) 30%	
Bonus Depreciation Benefit	<u>\$@</u> 0% tax rate	Environmental Benefits
After Tax System Cost	\$ 95,933	CO <sub>2</sub> Avoided (lbs/yr) 48,000
Financing	\$ -	
Down Payment	\$ 137,047	

	Revenue / Savings								Costs							Total							
Year	Electri Savin Rever	gsi	Ince	tate entive /enue		Grant		REC Venues	S Savings/ Revenue	То	tal Revenue / Savings		peration & aintenance	In	surance	9	Debt Service	To	otal Costs	N	et Cash Flow	Cu	mulative
1	\$8	,431	\$	-	\$	41,114	\$	-	\$ -	\$	49,545	\$	-	\$	(306)	\$	-	\$	(306)	\$	49,239	\$	(46,694)
2	\$8	,552	\$	-	\$	-	\$	-	\$ -	\$	8,552	\$	(1,497)	\$	(407)	\$	-	\$	(1,904)	\$	6,648	\$	(40,046)
3	\$ 8	,675	\$	-	-		\$	-	\$ -	\$	8,675	\$	(2,039)	\$	(407)	\$	-	\$	(2,445)	\$	6,230	\$	(33,816)
4	\$ 8	,800	\$	-	\$	-	\$	-	\$ -	\$	8,800	\$	(2,099)	\$	(407)	\$	-	\$	(2,506)	\$	6,294	\$	(27,522)
5	\$ 8	,927	\$	-	-		\$	-	\$ -	\$		\$	(2,162)		(407)		-	\$	(2,568)		6,359	\$	(21,163)
6		,055	\$	-	\$	-	\$	-	\$ -	\$	9,055	\$	(2,226)		(407)		-	\$	(2,632)		6,423	\$	(14,740)
7	-	,186	\$	-	\$	-	\$	-	\$ -	\$		\$	(2,292)		(407)		-	\$	(2,698)		6,487		(8,253)
8	\$ 9	,318	\$	-	-		\$	-	\$ -	\$	9,318	\$	(2,360)		(407)		-	\$	(2,766)		6,551		(1,702)
9	-	,452	\$	-	\$	-	\$	-	\$ -	\$		\$	(2,430)	\$	(407)	\$	-	\$	(2,836)	\$	6,616	\$	4,914
10	\$ 9	,588	\$	-	\$	-	\$	-	\$ -	\$	9,588	\$	(2,502)	\$	(407)	\$	-	\$	(2,908)	\$	6,679	\$	11,593
11		,726	\$	-	\$	-	\$	-	\$ -	\$		\$	(3,802)	\$	(407)	\$	-	\$	(4,208)		5,517		17,111
12	\$ 9	,866	\$	-	\$	-	\$	-	\$ -	\$	9,866	\$	(3,878)		(407)		-	\$	(4,285)		5,581		22,692
13	-	,008	\$	-	\$	-	\$	-	\$ -	\$		\$	(3,957)		(407)		-	\$	(4,363)	\$	5,644		28,336
14	\$ 10	,152	\$	-	\$	-	\$	-	\$ -	\$	10,152	\$	(4,038)		(407)		-	\$	(4,444)		5,707		34,043
15	\$ 10	,298	\$	-	\$	-	\$	-	\$ -	\$		\$	(4,121)		(407)		-	\$	(4,528)		5,770		39,813
16	\$ 10	,446	\$	-	\$	-	\$	-	\$ -	\$	10,446	\$	(2,981)		(407)		-	\$	(3,388)		7,058		46,871
17	-	,596	\$	-	\$	-	\$	-	\$ -	\$		\$	(3,070)		(407)		-	\$	(3,476)		7,120		53,991
18	\$ 10	,749	\$	-	\$	-	\$	-	\$ -	\$	10,749	\$	(3,161)		(407)		-	\$	(3,568)		7,181		61,172
19	\$ 10	,903	\$	-	\$	-	\$	-	\$ -	\$		\$	(3,255)		(407)		-	\$	(3,661)		7,242		68,414
20	\$ 11	,060	\$	-	\$	-	\$	-	\$ -	\$	11,060	\$	(3,351)	\$	(407)	\$	-	\$	(3,758)	\$	7,302	\$	75,716

Note: Pricing and savings are subject to final engineering, utility approval & SMART Incentives.

# **Angus Jennings**

From:	
Sent:	Tuesday, May 7, 2024 4:45 PM
То:	Angus Jennings
Cc:	Rick Parker; Elisa Grammer; Liz Callahan; Stephen Doran; Camden Holland; Ian K. James; Selectboard; Highway
Subject:	Re: West Newbury DPW Solar Rooftop Forecast - Attached

Hi Angus, I plan to attend on May 9th. Thanks, Chip

On Tue, May 7, 2024 at 12:48 PM

Hi,

The Select Board will take up this request at its upcoming meeting on Thursday, May 9<sup>th</sup>. If someone from the E&SC wishes to attend let me know and we can do our best to estimate timing. It is a very lengthy agenda but the Chair can sometimes take items out of order if there are people present.

Thanks,

Angus

Angus Jennings, Town Manager

Town of West Newbury

**Town Office Building** 

381 Main Street

West Newbury, MA 01985

# **Angus Jennings**

From:	
Sent:	Tuesday, May 7, 2024 12:52 PM
То:	Angus Jennings
Cc:	Executive Assistant; Town Accountant
Subject:	RE: (External)Updated draft IMA re harbormaster / pump-out agreement

Hi Angus – Looks good to me. I can put the Agreement on the agenda for our next BOS meeting on May 13.

Neil

From: Sent: Tuesday, May 7, 2024 10:50 AM To:

Subject: (External)Updated draft IMA re harbormaster / pump-out agreement

Hi Neil,

Please find attached an updated draft IMA. There are a couple of changes added since we met several weeks ago. Please review and let me know if this looks good. We can bring this to our Select Board this Thursday 5/9, or at their subsequent mtg on Thursday 5/23. (Or into June if it takes longer to review).

Thanks! Angus

Angus Jennings, Town Manager Town of West Newbury Town Office Building 381 Main Street West Newburv. MA 01985

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Subject: RE: (External)RE: (External)RE: (External)RE: (External)RE: pump-out agreement

Ok. Thanks.

Hi Neil,

The Select Board reviewed the draft and requested some additional language to be included. Angus is out of the office this week- upon his return we can send you a copy of the draft for your review.

Thank you,

Rebecca Ambra, Executive Assistant Office of the Town Manager Town of West Newbury 381 Main Street

# Subject: RE: (External)RE: (External)RE: pump-out agreement

Hi Angus,

Just checking back on this issue. Has your BOS had a chance to review/approve the new intermunicipal agreement? As soon as they do, I till tee it up for my BOS.

Neil

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We'll bring to our Select Board this Monday 3/25 so will circle back soon afterwards – thanks

Angus Jennings, Town Manager Town of West Newbury Town Office Building 381 Main Street West Newbury, MA 01985

# TOWN OF SALISBURY AND TOWN OF WEST NEWBURY INTERMUNICIPAL AGREEMENT FOR THE ADMINSTRATION OF SHARED SERVICES

### Article 1. Purpose

This Agreement is entered into, pursuant to Massachusetts General Laws Chapter 40, Section 4A, by and between the Town of Salisbury, as authorized by its Town Manager and approved by its Board of Selectmen, and the Town of West Newbury, as authorized by its Town Manager and approved by its Select Board.

WHEREAS, the Town of Salisbury and the Town of West Newbury are each desirous of providing pump out boat services for their respective resident boaters on the Merrimack River; and

WHEREAS, the Town of West Newbury is desirous of providing enforcement of harbor regulations for their resident boaters on the Merrimack River; and

WHEREAS, the Town of Salisbury and the Town of West Newbury have determined that their residents can more efficiently and effectively be served with such services through a joint under-taking between the communities; and,

WHEREAS, the Town of Salisbury and the Town of West Newbury have determined to join together to establish and administer a program of shared pump out and enforcement services.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree as follows:

# Article 2. Definitions

Harbormaster: The duly appointed Harbormaster of the Town of Salisbury.

Participating Governmental Units: The Town of Salisbury and the Town of West Newbury.

Pump out Services: The operation and maintenance of a vessel designed to extract vessel sewage in accordance with the Clean Vessel Act.

West Newbury Harbor Regulations: Section XXVI of the West Newbury Town Bylaws, "General Harbor Regulations," adopted May 12, 1993 with amendments through June 13, 2005, as may be amended.

# Article 3. Term

This Agreement shall take effect upon its approval and execution by the Boards of Selectmen of the respective Participating Governmental Units, and shall expire on June 30, 20242027. Either Participating Governmental Unit shall give notice in writing to the other at least ninety (90) days prior to the expiration date whether or not it wishes to extend this Agreement. Termination of the agreement can be initiated by either Participating Governmental Unit at any time within the agreed upon term with written notice of at least ninety ()(6) months.

In the event that either Municipality initiates termination of this Agreement within the agreed upon term, both Municipalities shall continue to perform all obligations under this agreement until the effective date of termination. Upon termination, the Lead Town shall prepare a full statement of the terminated Municipality's outstanding unpaid obligations for the remainder of the then current term and present the same to the terminated Municipality for payment within thirty (30) days thereafter.

<u>Termination or breach of this agreement shall not relieve either Municipality from any financial</u> obligations that may have arisen hereunder prior to such termination or breach nor from any financial obligation that by agreement extends beyond the termination date.

# Article 4. Lead Town

The Town of Salisbury shall act as the "lead town" for the Participating Governmental Units, by employing the necessary officers and providing the necessary equipment in connection with the services as set forth hereafter. Said officers shall be considered employees of the Town of Salisbury and be accorded all applicable benefits enjoyed by other Salisbury municipal employees as they are or shall be established. The office where such employees shall be primarily located will be in Salisbury.

# **Article 5. Funding Contribution**

During Fiseal Year 2025the term of the Agreement, the Town of West Newbury shall pay the Town of Salisbury two separate amounts for services provided by the Town of Salisbury.

- a. Pump-Out Services
  - During Fiscal Year 2025, <u>The-the</u> Town of West Newbury shall pay the Town of Salisbury for pump out services a total sum of not greater than <u>\$6,000.00</u> <u>\$7,000</u> to be paid upon receipt of invoices for services rendered.
  - During Fiscal Year 2026, the Town of West Newbury shall pay the Town of Salisbury for pump out services a total sum of not greater than \$8,000 to be paid upon receipt of invoices for services rendered.
  - During Fiscal Year 2027, the Town of West Newbury shall pay the Town of Salisbury for pump out services a total sum of not greater than \$9,000 to be paid upon receipt of invoices for services rendered.

b. Harbormaster Visibility/Enforcement Services

In addition, upon presentation of invoices by the Town of Salisbury, the Town of West Newbury shall pay the Town of Salisbury for enforcement of Harbor Regulations a total sum of \$2,500 in two equal payments of \$1,250.00 on or before July 31 and November 30 of each fiscal year of the Agreement, to be paid as a fixed fee for services provided pursuant to Article 7 below. These payments shall include all applicable expenses incurred by the Town of Salisbury in providing services on behalf of the Participating Governmental Units, including, but not limited to, wages and any other applicable benefits. Nothing herein shall prevent the parties from mutually agreeing in writing to change the funding contribution during the term of this Agreement, subject to available appropriation.

# Article 6. Financial Safeguards

Under the provisions of M.G.L. Chapter 40, §4A, the Town of Salisbury Harbormaster shall provide to the Town of West Newbury periodic financial statements that shall include: accurate and comprehensive records of the services performed under this agreement; the costs incurred; and the reimbursements and contributions received. Such reports shall be compiled and distributed by the Harbormaster on a quarterly basis. In addition, all bills and payrolls submitted for work done under this regional Agreement shall be plainly marked to indicate that the work was done under the authority of this Agreement.

## Article 7. Hours of Services and Service Requirements

The Town of Salisbury shall provide pump out services under this Agreement, for vessels physically located in West Newbury, on an as-needed basis in accordance with Attachment A to the Town of West Newbury's Clean Vessel Act (CVA) grant agreement with the Commonwealth of Massachusetts, Division of Marine Fisheries, which is attached hereto and incorporated herein. In addition, on weekend days (including weekday holidays) during the boating season (May 15 - October 15), the Town of Salisbury shall conduct periodic patrols of the portion of the Merrimack River abutting West Newbury in order to establish a visible presence of the Harbormaster and to conduct enforcement activities pursuant to the West Newbury Harbor Regulations; provided, however, that such patrols may be suspended, upon the reasonable judgment of the Harbormaster, on days with inclement weather.

At the beginning of the boating season, and on a periodic basis thereafter, the West Newbury Town Manager's office will provide the Town of Salisbury (via the Harbormaster) a list of dock and mooring locations that have been permitted by the Town. The Town of Salisbury shall report unpermitted structures and moorings to the West Newbury Town Manager's office if identified within its patrols.

### Article 8. Vehicle Usage

The Town of West Newbury shall provide a pump out boat. This vehicle shall be made available for the use of the Salisbury Harbormaster. Collision and liability insurance for this vehicle shall be paid by the Town of West Newbury. Upon presentation of receipts for expenses incurred, the Town of Salisbury shall be reimbursed for reasonable costs, not to exceed \$500.00 within a fiscal

year, associated with the garaging, maintenance and upkeep of West Newbury's pump out boat during the term of this Agreement.

# **Article 9. Fees and Fines**

Any fees or fines collected during the provision of pump-out or enforcement services will be collected on behalf of and returned to the Participating Governmental Unit from within the municipal boundaries of which the service is performed. All citations or warnings issued by the Salisbury Harbormaster within the portion of the Merrimack River abutting West Newbury shall be sent to the West Newbury Harbor Committee, care of the Town Manager's office, not later than seven five (75) calendar days after the date of issuance of the citation or warning. Article 10. Indemnification

In the event that any claims, demands, suits, causes of action, costs, and expenses arise with respect to the services provided pursuant to this Agreement, and to the extent permitted by Massachusetts General Laws chapter 258 and other applicable law, a Participating Governmental Unit shall indemnify, defend and hold harmless the other Participating Government Unit from and against any such claims, demands, suits, causes of actions, costs and expends, including reasonable attorneys' fees and legal costs, but only to the extent that they arise from or relate to the negligent acts or omissions of the first Participating Governmental Unit, or its agents, servants, or employees. By entering into this Agreement, neither of the parties has waived any governmental immunity or limitation of liability or damages which may be extended to them by operation of law. This Agreement is by and between the municipalities which have executed it and each states that the Agreement is intended for their mutual benefit alone and is not intended to confer any express or implied benefits on any other entity or person. This Agreement is not intended to confer third party beneficiary status on any person.

# Article 11. Miscellaneous

- a) This Agreement may only be amended in writing by vote of both of the Participating Governmental Units. Should additional municipalities seek to join this program of shared pump out services, the terms agreed to herein, including apportionment of expenses, for such additional municipalities shall be negotiated and approved by both of the Participating Governmental Units.
- b) This Agreement represents the entire understanding of the parties with respect to its subject matter.
- c) This Agreement shall be governed by the laws of the Commonwealth of Massachusetts.
- d) If any of the provisions of this Agreement is declared to be illegal, unenforceable, or void, then both parties shall be relieved of all obligations under such provision, provided, however, that the remainder of the Agreement shall be enforced.

Witness our hands and seals as of this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

TOWN OF WEST NEWBURY By its Select Board TOWN OF SALISBURY By its Board of Selectmen

Dated:	
Dated:	-

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#### Town of West Newbury Select Board and Finance Committee Joint Meeting March 25, 2024 @ 5:15pm 381 Main Street, Town Office Building www.wnewbury.org Meeting Minutes

Open Session: Chair Reed opened the session at 6:00pm.

# Participation at the Meeting:

- Rick Parker, Wendy Reed, Chris Wile- Select Board
- Ross Capolupo, Dan Innes, Dennis LaMalfa, Rob Phillips, Jim Sperelakis- Finance Committee
- Angus Jennings- Town Manager
- Jim Blatchford- Town Clerk
- Jenny Walsh- Town Accountant
- Michael Dwyer- Chief, West Newbury Public Safety
- Zachary Dunham- Reserve Police Officer applicant
- Tom Ferguson- Resident
- Deb Hamilton- Resident
- Rich Baker- Resident, sponsor of Article 62
- David Seaton- Resident, sponsor of Article 63
- Rob- Alzheimer's Association representative

## Announcements:

- SAGE Center- Ice Cream Social March 27<sup>th</sup> 12:30-1:30pm; Veterans' Breakfast April 10<sup>th</sup>, 10am
- River Road Resiliency Study- public meeting on Wednesday, April 3rd from 5:30-8pm, Town Annex
- Solar Eclipse viewing event Monday, April 8<sup>th</sup> from 2:30-4:40pm; see Library & Town websites for details
- Information session re proposed Wetlands Bylaw Tuesday, April 9<sup>th</sup> at 6pm, First Floor Hearing Room

## **Regular Business:**

A. Public Comment. Limited to 2 minutes per resident on any topic. Please note that the Board will not discuss or take action at this meeting.

A resident spoke to the Board about the Water Department's proposed hike in water rates. He suggested that he (or the Town) could do analysis of who is using excess water in West Newbury. He also took umbrage with the way the Department handled the discussion and debate regarding the new rates.

## B. Town Manager Updates

- a. Update on procurement process for telecom upgrade in Town Buildings See Exhibit Ba. Jennings said a supplemental component to the RFP detailing cabling needs had been issued, with a deadline for submissions of April 4<sup>th</sup>. Jennings stated that there was a good deal of interest on the part of vendors, but was not sure how much the bids would come in at.
- b. Quote received for work re Page School circulation and MDOT permitting of Page/Pipestavecrosswalk See Exhibit Bb. Jennings wanted the Board to figure out what amount of money, if any, should be attached to this work for its Town Meeting Article on Wednesday during their joint meeting with the Finance Committee. The memo included in the packet gave the Board an overview of the Main St. crossing, traffic circulation, and other related concerns. Wile suggested that the first issue to be addressed should be the crosswalk, since it was not clear what the future of Page School would be. It would be a shame, in his view, to do a lot of work that could be undone by future projects. Parker agreed.
- c. Borrowing process/timeline for Church/Prospect project; Annual Report submitted to Hilltop See Exhibit Bc. The Town submitted their Annual Report to Hilltop Securities. Jennings said a date in June would be set for the Board to authorize borrowing for the water main replacement, once debt service numbers are set.
- d. Contract executed for Page School remedial masonry work/repairs
   See Exhibit Bd. The safety-focused repairs would be underway later in 2024, reported Jennings, but Parker and Wile were curious why the contract had the work = taking place during June when school was in session.
   a. Undertas on other engaging/active projects/initiatives
- e. Updates on other ongoing/active projects/initiatives

## C. Department Updates/Discussion

There were no updates given at this Meeting.

## D. Board/Commission/Committee Updates/Discussion (and Select Board liaison updates):

- a. Capital Improvement Committee report and recommendations See Exhibit Da.
- **b.** Board of Water Commissioners' public hearing regarding water rates held on March 21<sup>st</sup> at 6pm See Exhibit Db. The Board of Water Commissioners voted to raise the water rates following the April bills. The raise would cover the Operating Budget of the Water Department, and help defray some of the costs associated with the Church and Prospect Street water main replacement projects. Reed confirmed that a notice with April's bills would be announcing the increase to the residents. It would also announce the different rates targeting heavy water users.

## E. Action Items

## a. Request for appointment of Zachary Dunham as Reserve Police Officer

See Exhibit Ea. Chief Dwyer explained Dunham's background as an Essex County Sheriff employee, and said that he had expressed interest in being a West Newbury officer for some time. Dwyer explained that Dunham would need to take the Department's internal training course, offering a summary of what that involved. Parker motioned to appoint Dunham to the Police Department. Jennings explained that the initial appointment would last until June 30, with all officers on the force being reappointed annually after that date (which would include Dunham). The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).

b. Request to nominate Glenn Cogswell as additional Inspector of Animals

See Exhibit Eb. Jennings said that this Item included nomination of Kayla Provencher as well. Wile motioned to appoint Cogswell and Provencher as Inspectors of Animals. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).

- c. Request to authorize Town Manager to execute 3-year lease for Children's Castle See Exhibit Ec. Wile motioned to authorize the Manager to execute the lease. Wile inquired about the utility costs but Walsh was not sure of the number off the top of her head. The Town receives a special bill from Page School (where the Castle is located) that is paid to cover utilities. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).
- d. Review Middle Street Bridge financing and determine warrant article proposal amount; review draft IMA

**See Exhibit Ed.** The group decided to bring up the Item later in the meeting. When returning to this Item, Jennings presented a draft IMA to the Board. He said that based on feedback that there would be nothing about borrowing or multi-year payback. Upon passage in West Newbury, the hope would be that Newburyport would fund their share. Jennings said he would provide further information to the Board by the next day. The Manager and Select Board discussed whether they would need to employ ARPA funding and when best to do so.

e. Review draft Harbormaster IMA with Town of Salisbury for 2024-2027

**See Exhibit Ee.** Jennings presented the IMA (between West Newbury and Salisbury) with markups to the Board. Jennings said that under the Clean Vessel Act the Commonwealth reimburses the Town roughly 75% of the costs of the pump out boat and its activities, with additional funds from the waterways permits contributing to reduce the Towns expenses. The new Agreement included language to allow the Town to enter into a more beneficial IMA if the opportunity arose with a 90-day termination clause. Parker wondered if a three-month window to draw up a new IMA to replace one being replaced was enough time, and the other Board members felt this was a very short period. Jennings suggested a six-month period instead, which was more agreeable to the three Board members. They did not feel that there was any pressing need to switch partners, however.

- f. Review /determine appropriation for testing of potential new public water site(s) See Exhibit Ef. The Board did not take any action on this Item at this time.
- g. Request for release deed for two Ash Street Properties to the MA Division of Fisheries and Wildlife See Exhibit Eg. Wile found the situation very unusual, but Parker pointed out that the taking of land at the time was so vast that perhaps these undeveloped parcels had been overlooked, and that the state did have legitimate claims to ownership. Jennings stressed that the properties would not be developed once in the Commonwealth's ownership and that the maneuvers being executed by the state were simply part of a wider housekeeping effort regarding the protected lands of the Crane River Refuge. Wile motioned to release the deeds back to the state. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).
- h. Special Event Request: Myopia Hunt Club Fox Hunt, May 28, 2024
   See Exhibit Eh. It was determined that no road crossings would be involved in the fox hunt which meant the Board felt comfortable approving the May 28 event. Parker motioned to approve the permit. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).
- i. Special Event Request: West Newbury Riding and Driving Club, Adventure Ride June 15 & Sept 15<sup>th</sup> See Exhibit Ei. Wile wondered if the events would cause any conflicts with other planned events, and Hamilton answered that after checking with Park and Rec and other stakeholders, it was determined there would be no strain on space or parking. Wile followed up by asking if Chief Dwyer had signed off on the event (those that were not on conservation/recreation land only). Hamilton said that they would manage the road crossing themselves and would follow up with further information on the September rides if it involved road crossings. Reed asked her if Hamilton would provide the Board with maps for their September when it was nailed down by the Riding and Driving Club. Wile motioned to approve the permits pending the acquisition of route maps and the approval of the Police Chief. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).
- j. Special Event Request: Alzheimer's Association Fundraiser Bike Ride, June 1, 2024
   See Exhibit Ej. The Board had provided with a map for the ride, but Wile was curious if there would be any signage in advance of the event to alert citizens of the event. A representative from the Association (via Zoom) told the Board they would put in whatever signs the Town required. Blatchford confirmed that Chief Dwyer had approved the ride and would provide the necessary coverage for the event. Parker motioned to approve the permit. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).
- k. Select Board meeting minutes: February 26, 2024; March 11, 2024; March 13, 2024
   See Exhibit Ek. The Board decided to table the Minutes for a future Meeting.
- I. <u>NOT BEFORE 7:00PM</u>: Cont'd review, with Finance Committee, of proposed Town Meeting warrant articles; and proposed sections of FY25 operating budget <u>(see Finance Committee</u> <u>agenda for details)</u>

See Exhibit El. Phillips opened the Finance Committee and Select Board Joint Meeting at 7:00pm.

Article 62: Petition for 40R Zoning Study on the Mullen property. The genesis of Baker's petition was

to reconsider the Mullen property on Main St. for use in complying with state-mandated zoning requirements under the MBTA Communities Act. 80 to 85 single bedroom units in West Newbury would add 5% toward meeting 40B requirements. The property would allow the Town to have much more control over the development than on other properties being considered. He also felt that it would be a boon for new homeowners and seniors, as well as those requiring a more affordable place to live in Town (such as its on-call firemen or its cops). The one-bedroom nature would fill a need, in his view. Within the Article, Baker sought \$100,000 in funding for the preparation of an RFP utilizing a third party. Baker pointed out that the Town would receive state and developer money if the Mullen property was used in this fashion, and there would be substantial tax revenue gained as well. Reed asked Baker who would manage the RFP, and reiterated that the lack of bandwidth on the part of Town staff would make it difficult for them to do. Baker did not have an answer at this time. Parker suggested diversifying the bedroom count, expressing his reservations about having just single bedroom units. Jennings and Phillips expressed their reservations as well. Jennings said bedroom count is a big factor in getting state funding. Reed referred to evaluations made by the consulting firm working with the Town on the MBTA Communities regulations/zoning changes, who had deemed the Mullen property as a poor fit for fulfilling the criteria, and further cited a non-committal response from the Commonwealth on the idea. Phillips cautioned against bringing open questions like this Article to Town Meeting, where debates on the actual content of the Article and the actual development of the property could break out. Wile pointed out that septic for 80 units would be hard with how marshy the parcel is. Jim Sperelakis chimed in to ask if Baker had worked with the Planning Board or Affordable Housing Trust on the Mullen property. Baker noted that he had gone to a large number of meetings for both bodies, but it was not clear if either body endorsed his idea. Deb Hamilton, speaking as a member of the Planning Board, reiterated that the Town's consultants did not recommend using the Mullen land for MBTA Communities Act housing, and Jennings said for the state to even consider the property, it would need to be sold first. The timeline was simply too tight to execute the proposal. Parker motioned to not recommend Article 62. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Innes motioned to not recommend Article 62. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). Phillips stated he would write the rationale.

Article 63: Citizen petition to reduce local election voting age to 16. Resident David Seaton presented his petition to the Board about why the voting age for local elections should be reduced to 16. Seaton pointed out that lowering the age had been done in local and international municipalities with positive results. Wile expressed concerns that high school age students were not property tax payers, and therefore not responsible as much for the financial implications of local votes. Seaton pointed out that plenty of other voters did not pay property taxes in West Newbury (18-year-olds, renters, etc). Phillips asked if this Home Rule petition would make its way to the State House if West Newbury passed it. Seaton said it would, and Blatchford explained more about the logistics of allowing those under 18 to vote. The administration of the election would be slightly more difficult due to the fact that 16 and 17 year olds would be classified as "confidential voters" since their information cannot be collected at that age. **Parker motioned to recommend Article 63. The motion was properly seconded. The motion passed. (2 Yes, Wile No, 0 Abstain). The Finance Committee took no action on this Article.** 

Article 3. School Stabilization Fund transfer. The central question raised during discussion of this Article was whether or not the money should be saved to fund Whittier Tech. expenses or drawn down (as a multi-year model proposed). Wile motioned to recommend Article 3. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Sperelakis motioned to recommend to Article 3. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). Innes stated he would write the rationale.

Article 5. Use Free Cash to reduce tax rate. The Article would move \$200,000 into Stabilization from Free Cash, to increase that Fund to \$800,000. This would eliminate any strain on the tax payer, per the Capital Improvements Committee's recommendation. Parker motioned to increase the Stabilization Fund to \$800,000. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Parker motioned to transfer \$200,000 from Free Cash to offset the Stabilization Fund increase. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Phillips motioned to increase the Stabilization Fund. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). Phillips motion to transfer Free Cash to offset the Stabilization Fund. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). Phillips motion to transfer Free Cash to offset the Stabilization Fund. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). Phillips motion to transfer Free Cash to offset the Stabilization Fund. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). Phillips stated he would write the rationale. Sperelakis asked when a Stabilization Fund for Page School or Whittier Regional High School ought to be established, and the Town Manager replied that October might be a good starting point for that decisionmaking process.

Article 43: Funding for unbudgeted personnel costs for FY24-25. The Article requested \$82,000 to cover these costs. Much of it would cover expenses incurred by the Police Department in overtime pay to cover Department training. Wile motioned to recommend Article 43 for the sum of \$82,000. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Sperelakis motioned to recommend Article 43. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). Phillips stated he would write the rationale. The sunset date was set as June 30, 2025.

Article 48: Supplemental funding for MBTA Communities Act consultant work. Jennings said he Select Board Open Session Meeting March 25, 2024. Posted Agenda on March 21, 2024 at the Town's Offices and the Town's Official Website www.wnewbury.org included all the information he had to date relevant to the Article, but no final number was included in it. With extra money, a 50–70-page economic impact study could be undertaken, which Jennings envisioned would keep the consultant engaged if necessary. Jennings expressed caution at moving ahead since it was not clear what would happen with this Act. Wile motioned to remove Article 48 from the Warrant. The motion was properly seconded. The motion passed unanimously. (3 Yes, 0 No, 0 Abstain). Sperelakis urged the Town to undertake an economic impact study before next Spring's Town Meeting. Discussion continued on the bigger picture regarding the MBTA Communities Act, and whether the Town should make sure they are on the appropriate timeline if the challenges the Act fail in court. The group decided to return to an economic impact study closer to Fall Town Meeting.

Article 55: Finance Committee Bylaw. Wile motioned to recommend Article 55. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Sperelakis motioned to recommend Article 55. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). Phillips stated he would write the rationale.

Article 67: Funding for River Road study and engineering. The Article followed up on the MVP Grant's work examining the vulnerabilities of River Road to flooding and other issues. Wile motioned to recommend Article 67 in the amount of \$40,000. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Sperelakis motioned to recommend Article 67 in the amount of \$40,000. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). Capolupo stated he would write the rationale. The sunset date was set as June 30, 2025.

Pentucket Regional Middle High School Operating Budget: Wile motioned to approve the Pentucket Budget for the sum of \$9,624,791. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Sperelakis motioned to approve the Pentucket Budget. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain).

Whittier Technical High School Operating Budget: Wile motioned to approve the Whittier Budget for the sum of \$300,687. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Sperelakis motioned to approve the Whittier Budget. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain).

Essex Ag. Operating Budget: Wile motioned to approve the Essex Ag. Budget for the sum of \$101,686. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Sperelakis motioned to approve the Essex Ag. Budget. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain).

Harbormaster Operating Budget: Jennings went through the Harbormaster's Budget. Wile motioned to approve the Harbormaster Budget. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Sperelakis motioned to approve the Harbormaster Budget. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain).

Veterans Services Operating Budget: Wile motioned to approve the Veterans Services Budget for the sum of \$29,598. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Sperelakis motioned to approve the Veterans Services Budget. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain).

Sperelakis motioned to adjourn the Finance Committee Session. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). The Session adjourned at 9:16pm.

At this time the Board returned to Item Ed.

#### F. General Discussion Items

- a. Correspondence from Sen. Tarr's office re FY25 State Budget Priorities
   See Exhibit Fa. The two priorities for West Newbury are climate change resilience planning and engineering costs and pedestrian safety planning and engineering costs. The Manager and Board agreed to make sure Tarr's office was informed of these.
- b. Plan for finalizing proposed Animal Control and Hunting Bylaw amendments See Exhibit Fb. Wile suggested establishing a dedicated dog park for West Newbury (whose site and scope would be determined by an *ad hoc* committee), and suggested a similar idea for a hunting-specific parcel in Town. The Board decided to examine this concept further at their April Meeting.
- c. Building Decarbonization proposal for scope and services See Exhibit Fc. The Board decided to wait and evaluate the program further due to upcoming changes to it.
   d. Town Manager performance evaluation; process and timeline
- See Exhibit Fd. Reed and Jennings agreed they would meet and discuss comments on his performance as Manager after April 8<sup>th</sup>.
- e. Dangerous Dog Hearing Officer Training April 12<sup>th</sup> See Exhibit Fe. Jennings made the Board aware of the training on a "dangerous dog" hearing's procedure (a hearing that had not had cause to be convened in West Newbury recently, but Jennings felt was valuable to attend).

#### G. Correspondence, including:

- a. Chargepoint monthly report
  - See Exhibit Ga. The Board looked at the Report.

#### H. Future Agenda Items/ Meeting follow-up assignments

Reed said she received a request to hunt on Middle Street and asked her fellow Board members to respond to the message. She asked Jennings if he had received an invitation to a Whittier Tech- sponsored dinner (Advisory Board). Jennings said he had not. Reed queried the group to see if anyone was interested in attending. No Board member was able to attend with certainty.

Wile motioned to adjourn the Session. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). The Session adjourned at 9:41pm.

To access a video recording of the meeting, use the link below: <u>https://www.youtube.com/watch?v=zGw8PraCItE</u>



#### Town of West Newbury Select Board and Finance Committee Joint Meeting March 27, 2024 @ 5:30pm 381 Main Street, Town Office Building www.wnewbury.org Meeting Minutes

Open Session: Chair Reed opened the session at 6:01pm.

#### Participation at the Meeting:

- Rick Parker, Wendy Reed, Chris Wile- Select Board
- Ross Capolupo, Dan Innes, Dennis LaMalfa, Rob Phillips, Jim Sperelakis- Finance Committee
- Angus Jennings- Town Manager
- Jim Blatchford- Town Clerk
- Jack Duggan, Bob Janes, Mark Marlowe- Water Commissioners
- Jenny Walsh- Town Accountant

#### **Announcements:**

There were no announcements read at this Meeting.

#### **Regular Business:**

- A. Convene
  - Jennings explained the procedure for the night's meeting.
- B. Review and discuss Budgets and Articles for Spring Town Meeting to be held on April 29, 2024 Finance Committee Operating Budget: Phillips explained that the discussion centered on increasing funds for the Select Board or Finance Committee to allow for greater discretionary spending. The additional funds would cover upcoming technical and professional expenses the Town would be on the hook for. Wile motioned to approve the Finance Committee reserve fund line item in the amount of \$52,000. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Innes motioned to approve the Finance Committee reserve fund line item. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain).

Animal Control Officer's Operating Budget: Jennings said that the Newburyport-West Newbury IMA had been finalized, and that the Town had received a bill from Newburyport. The expenses were higher than those anticipated by West Newbury (due to higher salaries being given in Newburyport) and thus would require adjustment of the ACO Budget. The numbers were calculated incorporating metrics such as road miles, number of barns, number of service calls, and other factors. Phillips, upon hearing the services provided, felt that the Town was getting tremendous value for money. Wile motioned to approve the ACO Budget in the amount of \$34,856 for FY25. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Innes motioned to approve the ACO Budget. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). Capolupo asked about the expenses related to the ACO's vehicle. Jennings explained that the figure was the assigned value of the former police cruiser that served as the patrol vehicle, but agreed that the value was lower than it should be.

Transfers to and from Stabilization Funds: No action was required.

Unemployment Insurance: Jennings explained that the funds allotted for unemployment aid the Town in paying out any claims. Wile motioned to approve the Unemployment Insurance line item in the amount of \$1,200. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Innes motioned to approve the Unemployment Insurance line item. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain).

Medicare (FICA): The numbers were consistent with the budgeted wages across the FY25 Budget, reported Jennings, keeping up with mandates. Wile motioned to approve the FICA line item in the amount of \$64,185. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Innes motioned to approve the FICA line item. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain).

Essex County Retirement: The increased funding at the present moment would lower the amount the Town would need to contribute in the future. Wile motioned to approve the Essex County Retirement line item in the amount of \$911,931. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Innes motioned to approve the Essex County Retirement line item. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain).

Article 7. Water Operating Budget: Jennings said that a 2% COLA increase had been factored into the new totals. The group then took a closer look at the Budget, noting that the OPEB line item should be replaced by the retirement line item, given that the Water Department does not participate. Wile motioned to approve the Water Department Budget in the amount of \$1,255,998. The motion was properly seconded. Reed asked why the Water Commissioners had retained stipends in the proposed Annual Budget. In her understanding, during last year's Budget drafting process, the Commissioners had agreed to discuss dropping them from next year's funding request. Reed questioned how ratepayers might feel about the stipend being kept in, facing as they are a large increase in their water bills. She felt that it was not consistent with Town policy overall. The average annual customer bill will rise \$60, Duggan reported, with the present expenses. Reed asked if the Water Commissioners would drop the stipends. Phillips pointed out that a final Water Budget meeting was upcoming and loose ends could be tied up then. Janes agreed to have the Commissioners discuss removing the stipends. Wile withdrew his motion to approve the Water Budget. Members of the Finance Committee expressed confusion regarding the new rates, and inquired of Janes on who the larger local water users were. The Commissioner explained that it was primarily individuals attempting to maintain their lawns. The modifications to the *Select Board Open Session Meeting March 27, 2024.* 

Posted Agenda on March 25, 2024 at the Town's Offices and the Town's Official Website www.wnewbury.org

rate were an attempt to change user behavior, said Duggan, elaborating more on the Department's plan. To this, Wile wondered if the Town would lose customers/revenue if they installed their own wells to avoid having to pay higher rates. Janes admitted that this was entirely possible, though if less water was consumed by West Newbury, it meant that the Town would pay less to Newburyport. Changing topics, the Board, Committee, and Commissioners discussed debt service for the Church and Prospect project. It was determined that short-term borrowing for the Town's water tank will be bundled with the Church and Prospect payback to decrease the rate after the coming Fiscal Year.

#### The Meeting took up Article 35 and Article 46 at this time.

Article 35: Funds to replace water pump at wellfield. The Article would provide money to replace numerous components including valves and distribution lines. The group discussed from which fund the money should be pulled. The Board asked Marlowe for a summary sheet of everything needed under Article 35 work. The SB took no action pending further information on the costs.

Article 46: Funds for testing potential public water sources. Reed said that the Select Board and Water Commissioners would meet in a closed session to discuss the results of the recently submitted Weston and Sampson report on possible water sources in Town. Jennings proposed dates for this discussion: April 1 and April 9.

### The Meeting returned to Article 4, the FY25 Town Operating Budget, at this time.

COLA/Non-COLA Increases: Jennings explained the Budget carried numbers reflecting the potential Town employee step increases. Additionally, with regard to COLA, a baseline 2% COLA increase was estimated, especially taking into account union contracts being negotiated this year. Reed and Phillips both agreed that 2% was a good amount of money for the Town to spend on a cost-of-living raise. **Innes motioned to approve a non-COLA step increase. The motion was properly seconded.** The SB had previously voted 3-0 in favor of this article. **The motion unanimously passed. (5 Yes, 0 No, 0 Abstain).** 

# Following the vote, the Finance Committee discussed when they should meet to prepare for the Wetlands Protection Bylaw information session. They settled on April 3<sup>rd</sup>, 2024.

Article 45: Unpaid bills from prior Fiscal Years. **Parker motioned to recommend Article 45 in the amount of \$7,841.02. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).** Wile expressed frustration that the Town had not been made aware of some of the expenses that Article 45 was covering until they were incurred. He suggested attempting to negotiating the amount of unpaid debts owed to National Grid, as well. The SB had previously voted 3-0 in favor of this article. Innes motioned to recommend Article 45. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain).

#### Prior to discussion of Article 20, Jim Sperelakis left the meeting.

Article 20: Appropriation and/or debt stabilization for Middle Street Bridge. Jennings said a huge amount of funding was being carried in contingency. He said the Town planned to go out to bid Summer 2024 for a Spring 2025 start date to get a firm total figure from a contracted vendor for Town planning purposes- with a half a million put in already to get the project fully permitted. Substantial redesign of the Bridge would be required to meet new state standards. Reed suggested use of ARPA funding to cover the unaccounted-for costs, with further expenses raised at Town Meeting. The group discussed the totals and the sources for Bridge funding. Wile suggested pulling \$150,000 from Free Cash so that \$30,000 would remain in the ARPA pot for an emergency expense. Parker agreed it was a good idea to reserve some of the money. Wile motioned to authorize \$150,000 out of Free Cash for the Middle Street Bridge Project for Article 20. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Innes motioned to authorize \$150,000 for Article 20. The motion was properly seconded. The motion was properly seconded. The motion unanimously passed. (4 Yes, 0 No, 0 Abstain). Capolupo stated he would write the rationale. The sunset date was set as June 30, 2027 to align with the Town's MassWorks' grants.

Article 31: Supplemental funding for telecom upgrades for Town Offices, Library, and Public Safety Complex. Jennings requested both bodies defer a recommendation until after all bids have been received by the Town. He suggested a joint meeting for April 25<sup>th</sup> to get that recommendation. The Manager provided updates on the present status of the telecom procurement process.

Article 32: Town Offices electronic key system. The Town Manager explained that the upgrade would provide an opportunity to install handicap access buttons, and also would enhance security of the building for employees during and after work hours. The scope of the project would cover the server room and exterior doors at Town Offices. Brian Richard had reported that replacing the present keys and locks going forward is an expensive proposition, recalled Capolupo. The e-keys would be a workaround. Jennings talked about how he had wanted to replace the keys/locks for years, and that the telecom upgrades offered a good opportunity to address the issue- the chosen vendor for the telecom possibly being able to do the keying, as well. Wile motioned to recommend Article 32 in in the amount of \$28,000. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Innes motioned to recommend Article 32. The motion was properly seconded. The sunset date was set as June 30, 2026.

Article 39: Page School engineering funds for pedestrian crossing and/or internal site circulation. Jennings said that the project had evolved dramatically over time (to meet state and ADA requirements) and offered an overview of where the requested amount in the Article came from (a grant covered \$25,000 of the cost, leading to an \$18,000 deficit). Parker motioned to recommend Article 39 in the amount of \$18,000. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). LaMalfa motioned to recommend Article 39. The motion was properly seconded. The motion unanimously passed. (4 Yes, 0 No, 0 Abstain). LaMalfa stated he would write the rationale. The sunset date was set as June 30, 2025.

Article 30: Additional accessories for DPW Trackless vehicle. The Committee and Board reconsidered the DPW's

request for a boom mower accessory to make better use of the Trackless brand sidewalk plow. Wile motioned to recommend Article 30. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Innes motioned to recommend Article 30. The motion was properly seconded. The motion unanimously passed. (4 Yes, 0 No, 0 Abstain). Capolupo stated he would write the rationale. The sunset date was set as June 30, 2025.

- C. Discuss process for recommendation of any Articles not already reviewed or recommended and/or for which new information becomes available prior to Town Meeting Jennings reiterated that there would be additional opportunities over the coming weeks to receive more information.
- **D.** Review draft funding sources for Articles for Annual and Special Town Meeting See above.
- E. Review draft Warrants for Annual and Special Town Meeting See above.
- **F.** Timing/division of labor for creation and circulation of Finance Committee booklet Phillips expressed confidence in the progress of the booklet and said he would send to the Manager additional information for graphics/charts.
- G. Communications

There were no communications read at this Meeting.

H. Schedule future meeting dates, including joint meeting with Select Board, Town Counsel, Town Moderator, Town Clerk, and Town Manager Jennings suggested a daytime meeting with all concerned.

At this time, Phillips motioned to adjourn the Finance Committee Session. The motion was properly seconded. The motion unanimously passed. (4 Yes, 0 No, 0 Abstain).

I. Request for approval and endorsement of Sawmill Brook Conservation Restriction Wile motioned to approve the Conservation Restriction. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).

Wile motioned to adjourn the Select Board Session. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). The Session adjourned at 9:02pm.



#### Town of West Newbury Select Board Meeting April 1, 2024 @ 5:30pm 381 Main Street, Town Office Building www.wnewbury.org Meeting Minutes

**Open Session:** Chair Reed opened the session at 7:00pm.

#### Participation at the Meeting:

- Rick Parker, Wendy Reed, Chris Wile- Select Board
- Larry Corcoran, Jack Duggan, Robert Janes- Board of Water Commissioners
- Angus Jennings- Town Manager
- Jim Blatchford- Town Clerk

#### Announcements:

There were no announcements read at this Meeting.

#### **Regular Business:**

A. Discussion with Board of Water Commissioners regarding the proposed Town Meeting Warrant Article: Article 46-Funds of site testing for potential water source(s)

See Exhibit A, p. 2-7. The Article sponsored by the Commissioners would provide for geophysical testing of potential well sites followed by drilling if the testing was successful. Wile inquired as to who would oversee the testing and the funds. Jennings responded that it would be the Select Board. Wile motioned to recommend Article 46 in the amount of \$60,000. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). After the Select Board had recommended Article 46, the Water Commissioners also endorsed it. Duggan motioned to recommend Article 46. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).

#### B. Request for authorization of ARPA funds for the Middle Street Bridge

See Exhibit B, p. 8-11. With this Item, the Board put \$425,000 in ARPA money received by West Newbury toward the Bridge replacement, but they stipulated they would like a detailed plan on what and how the money should be used if the Bridge project falls through. The Town hopes to get the Middle Street Bridge project under contract by Summer 2024, and then under construction in 2025, so the usage of the ARPA funds has to take place this Fall. Wile motioned to use \$425,000 in ARPA funds toward the Middle Street Bridge replacement. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).

C. Reconsider Article 20- Appropriation and/or debt authorization for Middle Street Bridge See Exhibit C, p. 12. Wile motioned to rescind and withdraw Article 20 from the Town Meeting Warrant. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).

Wile motioned to adjourn the Select Board Session. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). The Session adjourned at 7:18pm.



#### Town of West Newbury Select Board and Finance Committee Joint Meeting April 11, 2024 @ 6:00pm 381 Main Street, Town Office Building www.wnewbury.org Meeting Minutes

Open Session: Chair Reed opened the session at 6:11pm.

## Participation at the Meeting:

- Rick Parker, Wendy Reed, Chris Wile- Select Board
- Ross Capolupo, Dan Innes, Dennis LaMalfa, Rob Phillips, Jim Sperelakis- Finance Committee
- Angus Jennings- Town Manager
- Mark Marlowe- Water Superintendent
- Bob Janes- Water Commissioner
- Michelle Greene- Conservation Agent
- Molly Hawkins- Conservation Commission representative
- Graham Bacheller- Open Space Committee representative
- Kevin- ALS Tri-State Trek representative
- Rich- YuKan Sports representative

#### Announcements:

- SAGE Center events: Taco Bar; Tech Tuesday; Wreath Making Workshop; Estate Planning. Details on website!
- Earth Day 2024: Town-Wide Roadside Cleanup! Sat., April 20th. Supplies at Town Offices, Library, or Food Mart!
- Pre-Town Meeting Q&A Forum: April 23<sup>rd</sup> at 1pm in the Annex
- Annual & Special Spring Town Meeting April 29th at 7pm- Last day to register to vote April 19th
- Annual Town Election, May 6<sup>th</sup>. Polls open 7am-8pm. Last day to request vote-by-mail ballot April 30<sup>th</sup>

### **Regular Business:**

A. Public Comment. Limited to 2 minutes per resident on any topic. Please note that the Board will not discuss or take action at this meeting

There was no public comment made at this Meeting.

- B. Town Manager Updates
  - a. Communication sent to Sen. Tarr's and Rep. Ramos' offices re FY25 State Budget Priorities See Example Ba, p. 12-15. Jennings said he conveyed the Board's priorities to the state government which included pedestrian safety improvements, climate change adaptation funding, and water project funding, among others. Jennings said that in past years the Town had received earmarks aplenty, but no formal response from Ramos or Tarr's offices had been received. The Manager felt that the pedestrian safety requests would be a solid bet to receive funding.
  - b. River Road resiliency planning / MVP grant updates

See Exhibit Bb, p. 16-18. Jennings provided the Board with a revised date for the "Planning Forward" event on River Road flood mitigation (May 1<sup>st</sup>). Jennings painted a picture of increased issues and damage due to higher water levels on the byway, with wash-outs, downed trees, and other hazards. He cited the climate change-induced threats as the Town's biggest financial exposure.

The Board took up Item Ed at this time.

### c. Updates regarding proposed warrant articles and FY25 Operating Budget

See Exhibit Cc, p. 19-32. The Manager pointed out that marked-up materials were available and offered the Board a chance to walk through them. Reed asked why Article 6 was highlighted. Jennings said that it had been done to alert the drafters to double check the numbers being used. Most other edits were minor throughout the documents, many of them regarding updated financials. Reviewing the Annual Town Meeting Warrant, Reed pointed out to her colleagues and listeners that in Article 22 (concerning the Town's Hunting Bylaw) that the revised language did not prohibit hunting outright, but instead called for increased oversight. Wile wondered if including the wetlands bylaw in its current location in the Warrant would be the best spot for it. The Town Manager weighed in and felt that the Meeting would take two nights regardless of where this popular Article would go in the Warrant. Jennings expressed concerns about the small size of the Town Annex, and that the Meeting would occur at the Page School auditorium. Jennings said that a separate Warrant encompassing bylaw changes could be concocted to set them aside from the bulk of the Town Meeting. The Board next looked at the Special Town Meeting Warrant. The group debated how to structure the Articles regarding the transfer of \$200,000 from free cash to stabilization fund stipulated in the Warrant. Wile inquired about the total amount in Article 9 on tree removal and whether the amount printed was incorrect or not. This sparked debate about what the number should be, based on the Board and Finance Committee and DPW discussions of this line item. Angus will confirm the amount later.

- d. Correspondence with MassDOT re: various ongoing projects
- See Exhibit Bd, p. 33-34. Jennings said no further response had been received from the DOT.

#### e. Memorial Day Parade planning underway

Planning is underway on the May parade, with conversations involving Veterans' Services and the Veterans' Agent. Jennings said that the ceremony may move into the Old Town Hall to help with set up and break down and the change of location would protect attendees from the sun.

f. Town Manager vacation days April 16-29, 2024; designation of Board member to sign A/P warrant Jennings said he was out April 16<sup>th</sup>-19<sup>th</sup> on a family vacation. The return date of his vacation was incorrect on the Agenda.

The Board took up Item Ee at this time.

#### g. Whittier Regional Working Group update

See Exhibit Bg, p. 35-61. Jennings recapped a major gathering of politicians and officials in Essex County which was largely focused on NECC and WRVTHS joining campuses. Lieutenant Governor Driscoll reiterated that there was a lot excitement for the shared campus, but the process was very early in development. Reflecting on other meetings held with regional leaders, Wile felt that the discussion on changing the Regional Agreement had fallen by the wayside. Haverhill's Mayor Barrett strongly opposed any modification to the Agreement. Wile felt that this was the best time to try and modify it. The other Board members agreed, as did the Town Manager. They all felt that they could not lose sight of the conditions that lead to this Working Group's setup, namely, the Whittier building project and the difficulties posed by the Agreement. The next meeting was to take place May 1<sup>st</sup>.

#### h. Updates on other ongoing/active projects/initiatives

See Exhibit Bh, p. 62-69. Jennings gave the Board access to the Moody's report. The Town provided a response to their report, but no changes were made by Moody's.

# C. Department Updates/Discussion

#### a. Update: on Church/Prospect water main replacement project

- See Exhibit Ca, p. 70. A construction notice was developed to inform residents about the project. In passing, Water Superintendent Marlowe had mentioned a request by the DeFelice Construction Corp. to store their equipment and piping near Ferry Landing, which would require potential Select Board action to close the road or take other measures. It had been brought up briefly at the pre-construction meeting, but the construction firm did not follow up with prerequisite materials such as permitting and documentation of conditions, etc. Jennings said they could point DeFelice to the previous materials supplied to the company working on the Rocks Village Bridge. Greene chimed in to say that the trenches dug by DeFelice would be back-filled, but she was concerned that the backfill would not have an appropriate place for storage that met environmental guidelines. The Town Manager and Board debated whether they should delay construction starting until the lay-down area was appropriately established. The Board would have to handle the situation with the Town Manager out of the office, making sure not to violate the contract.
- b. EMA Graded Exercise completed April 3<sup>rd</sup>
- Jennings reported the exercise went smoothly.
- c. Town Clerk registered to attend Dangerous Dog Hearing Officer Training April 12<sup>th</sup> The Board did not take action on this Item.
- d. Request from Conservation Agent to comment on proposed DEP Wetland Regulation revisions See Exhibit Cd, p. 71-75. Conservation Agent Green said she would have the Conservation Commission look into the Commonwealth's proposed revisions, and was also soliciting feedback from the Select Board. She emphasized that the feedback would hopefully push for greater consideration of invasive species management and climate change- two major areas of concern for the Town.

#### D. Board/Commission/Committee Updates/Discussion (and Select Board liaison updates):

- a. Capital Improvements Committee finalized report and recommendations
   See Exhibit Da, p. 76-79. The Board looked over the report and discussed the CIC findings. The utility of the Committee's work was debated, though it was felt that they did take some burden of the Manager in prepping for Town Meeting/major projects. The existence of the Town Manager superseded the CIC's functions, the Board felt, and wondered if it would be worth reevaluating the Committee's existence. Jennings suggested there is value in having the Capital Improvements Committee a sounding board for long-term projects. The Finance Committee now helps with much of this advance planning, however. Discussion on this Item concluded with a history of the financial policies adopted by the Select Board in the 2018-2019 era.
- b. Board of Water Commissioners' insert included with recent water bills See Exhibit Db, p. 80. The Board did not take action on this Item.
- c. Board of Fire Engineers Board/Commission/Committee Questionnaire See Exhibit Dc, 81-83. Parker provided updates on how the staffing structure for the Fire Dept. was addressing the fact the Department is short-handed and consideration of daytime staffing. He stressed the need to respond quickly to emergencies is paramount, and sharing resources with other local Departments will help with limited manpower and/or high equipment costs.

## E. Action Items

a. Requests for reappointment to Board of Fire Engineers: Michael Dwyer; Ben Jennell; David Evans; Cooper Carifio; Mark Marlowe

See Exhibit Ea, p. 84-87. The Board tabled these appointments for a future Meeting.B. Request for appointment to the Historic District Commission: Janice Parrott

- See Exhibit Eb, p. 88. Wile motioned to approve the appointment of Parrott to the Historic District Commission for a one-year period. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).
- c. Request for Special Event Permit: ALS Tri-State Trek, June 22, 2Q24 See Exhibit Ec, p. 89-97. Wile asked the representative and the Town Officials if they were aware of any conflicting Town events on that day. Jennings said he was not aware of any. Chief Dwyer would be posting a police officer at Coffin Street to assist with safe road crossing. Wile also asked if there would be any signs to alert the populace in advance of the event. Kevin said a series of directional arrows on signs would be put out the week before. Parker and Wile expressed exasperation with the low-quality map, and this prompted Kevin to say he would provide the Board with more details to confirm the route's direction. Wile motioned to approve the special event permit pending review of more detailed race directions. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).
- d. Request for Special Event Permit: YuKan Sports Road Race June, July 21, & Sept 29th

See Exhibit Ed, p. 98-103. Reed asked Rich if the police details were in place. Chief Dwyer had noted that six detail officers would be required for the event, per his correspondence with Rich and with the Town. Wile expressed hesitation approving en masse all three dates in the one application. He worried that other events popping up in Town could conflict with these races. Wile asked if there would be any notification to the residents, and Rich said advanced signage would be in place. Wile asked if garbage disposal was taken care of by the event organizers, and the representative for YuKan said it was, with a mobile trash collection team following the last runner to collect any tossed cups or bottles. Wile motioned to approve the special permits for the three dates pending confirmation by Dwyer that police details were in place for all three, and that no conflicting events would be taking place. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).

The Board returned to Item Bc at this time.

- Joint session with Finance Committee for continued review of proposed FY25 operating budgets and e. Town Meeting articles. At 7:03pm, the Finance Committee opened their Meeting with a quorum of five members (Dan Innes attending remotely).
  - i. Proposed FY25 Water operating budget

See Exhibit Eeii, p. 104-105. The Finance Committee and Select Board looked over a revised Operating Budget that reconciled Budgets from the Town Accountant, the Water Department, and the Town Manager. Reed asked the Water Commissioners if they planned to keep their stipends in the Budget, a point of previous disagreement. Bob Janes spoke on behalf of the Commissioners and said that they planned to put the Budget to the Town Meeting voters as is. If they objected to the stipends at that time they could remove them. Reed asked what the rationale for the stipends would be, if the Commissioners were asked. Janes said that the Board had not given it much thought in the course of their duties, but would discuss the stipends more thoroughly after the local elections in May. Jennings cited a Massachusetts General Law regarding stipends. If an elected Town Official who received any amount of Town pay wished to join the Town health insurance plans, they would be unconditionally allowed to, with West Newbury covering 50% of the cost. The stipends had enabled the officials to join the healthcare plans. Over time some stipends for other officials had been voted out of existence (i.e. the Board of Assessors). Parker suggested bringing a policy forward on stipends in the future, but did not want to spend further time on it this evening. Reed again expressed her displeasure with the stipends, as did Wile. Parker motioned to approve the Water Department Budget. The motion was properly seconded. The motion failed. (1 Yes, Wile and Reed No, 0 Abstain). Sperelakis motioned to approve the Water Department Operating Budget. The motion was properly seconded. Since the Budget was voted down by the Board, the buck would stop with Town Meeting voters. Capolupo felt that the insurance ramifications would be very serious for the Town by allowing stipends (echoing a point Wile made earlier). The motion passed. (3 Yes, Innes No, Capolupo Abstaining).

- ii. Funding article for replacement of water pump at wellfield. Reed expressed gratitude to Marlowe for the additional information included in the Article. Wile motioned to recommend Article 2 in the amount of \$44,000. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Sperelakis motioned to recommend Article 2 in the amount of \$44,000. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). The sunset date was set as 6/30/2025.
- Funding for testing of site(s) with potential as new public water sources iii. See Exhibit Eeiii, p. 106. The Board voted to recommend the Article 3 at a prior Meeting, leaving only the Finance Committee to make their decision. The funds from a prior Town Meeting had been used to ID water sources in West Newbury, and these new monies would be used for site testing. Reed explained that \$10,000 was needed for each exploration in advance of any drilling. Sperelakis motioned to recommend Article 3 in the amount of \$60,000. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). Phillips stated he would write the rationale. The sunset date was set as 6/30/2025. iv. Proposed adoption of new Wetlands Bylaw
  - See Exhibit Eeiv, p. 107-111. Phillips said the Committee had decided to weigh in on Article 21. Sperelakis spoke to Greene's belief that the Bylaw would not add too much to her workload. Innes asked Greene to talk about enforcement of stricter local guidelines, and the amount of space the Bylaw would be covering. Greene responded that in addition to her presently protected areas a number of smaller ponds and vernal pools and other resource areas would protected and while this land was protected anyway under the MA Wetlands Act, the Town could issue fines under the proposed Bylaw. Innes and Greene discussed the fine structure. Innes expressed concerns about penalizing those with lesser means (versus a commercial or wealthy landowner) and urged the Commission to adopt a tiered fine structure. Greene pointed out that this was discriminatory and not in line with other fine schedules in other departments (i.e. Inspections). Capolupo felt that the measure was an overreach overall. Hawkins pointed out that much of the to-do around the proposed Wetlands Bylaw was about things that were already in preexisting state law that the Bylaw would not be bringing to West Newbury. Capolupo and Greene engaged in a debate about the Bylaw. Phillips directed the Finance Committee to a vote after Sperelakis asked how the Select Board voted on Article 21 (3-0-0). Phillips motioned to recommend Article 21. The motion was properly seconded. The motion failed. (2 Yes, Capolupo, LaMalfa, and Innes No, 0 Abstain). Capolupo was assigned the rationale.
- v. Revote on Article 48 Supplemental Funding for MBTA Communities consulting

See Exhibit Eev, p. 112-120. This Article had been tabled initially, but the Board felt it was of value to consider this funding to explore properties throughout Town. The consultant funded by the Article would help the Town government navigate the process and identify sites appropriate to meet Commonwealth requirements and provide overall support with regard to zoning issues. The group debated the merits of pursuing the consulting, and who would oversee the process (most likely the Board). Wile motioned to recommend this Article for the sum of \$75,000 only if the Citizens Petition is prior to this Article. The motion was properly seconded. The motion failed. (1 Yes, Parker and Reed No, 0 Abstain). Parker then motioned to recommend Article 48 in an amount up to \$75,000, and to restore it to the Warrant. The motion was properly seconded. The motion passed (2 Yes, Wile No, 0 Abstain). Sperelakis motioned to recommend Article 48 in an amount up to \$75,000. The motion was properly seconded. The motion unanimously passed. (5 Yes, 0 No, 0 Abstain). Jennings stated he would write the rationale. The sunset date was set as 6/30/2026.

- f. Review of proposed amendments to Animal (Dog) Bylaw, comments received, and determine what amendments, if any, to propose to Town Meeting
  See Exhibit Ef, p. 121-142. Parker felt the Bylaws needed more nuance than as proposed. He also wanted more input from the public. Phillips agreed they should look deeper into it. A proposed dog park might solve the animal control issue, Wile felt. Wile motioned to recommend Article 22. Reed suggested adopting the clarifying language offered to the Board by the ACO and others. The motion was properly seconded. The motion passed. (2 Yes, Parker No, 0 Abstain).
- g. Review of proposed amendments to Hunting Bylaw, comments received; determine what amendments, if any, to propose to Town Meeting See Exhibit Eg, p. 143-165. In line with comments on Item Ef, Parker wanted more input from those who actually hunt in Town. Graham Bacheller offered testimony on how to set up and run a restricted hunting area in West Newbury citing information he had solicited from those with experience previously in doing such a thing. Greene also endorsed the idea for conservation reasons. Furthermore, she suggested improving education efforts. Wile motioned to remove the Article from the Warrant. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).
- h. Confirm location for Annual/Special Town Meetings to be held on Mon., April 29<sup>th</sup> beginning at 7:00pm

The group felt Page School's cafeteria was the best option for holding Town Meeting. There was discussion to consider if two nights would be required based on the large warrant. Town Moderator, at a prior date, KC Swallow, had noted that it might be best to go with two consecutive nights and the Board was in agreement with this.

At this time, the Finance Committee adjourned and the Select Board returned to Item Bg.

- i. Finalize and sign Town Meeting warrants
- The Board did not take action on this Item.
- j. Meeting Minutes: Feb. 26, 2024; March 11, 2024; March 13, 2024, March 20, 2024; March 25, 2024 See Exhibit Ej, p. 166-185. The Board tabled the Minutes to a future meeting.
- F. General Discussion Items
  - a. Discussion of draft Middle Street Bridge Intermunicipal Agreement with Newburyport Jennings mentioned that he was in constant communication with Newburyport, moving the Agreement forward.
  - b. Not on the Agenda: Transfer of \$200,000 in Free Cash to Stabilization After discussion of Town finances, Wile motion to perform the transfer. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).

#### G. Correspondence

See Exhibit Ga, p. 186-204. The Board did not take action on this Item.

Reed motioned to adjourn the Select Board Session. The motion was properly seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). The Session adjourned at 9:30pm.

To access a video recording of the meeting, use the link below: <u>https://www.youtube.com/watch?v=89-qEP0iXDk</u>

# **Angus Jennings**

From: Sent: To: Subject:

Thank you Angus very much for this information and the time you spent educating me on the issues we discussed.

Please extend this thank you for me to all who contributed.

Have a great weekend.

Very Respectfully,

Tom Chausse

On Friday, April 26, 2024 at 09:33:07 AM EDT,

Tom,

It was a pleasure speaking with you this morning. Thank you for conveying your real concerns re both posted speed limits and actual vehicle speeds on Church and Bridge Streets. Please find attached relevant materials we discussed today re the Town's prior efforts to secure the required MassDOT approvals necessary to change speed limits on these streets. We made a comparable effort on Chase Street. In that case, MassDOT not only did not approve the Town's request to reduce the speed limit – they actually recommended that we increase the posted speed limit (on Chase Street) from 30 to 35 mph. If you'd like those records I can provide them on request.

This is not to say that the Town can't make another effort at this – but this context is important in understanding the requirements we're subject to in setting local speed limits.

Thanks for your interest,

Angus

Angus Jennings, Town Manager

Town of West Newbury

Town Office Building



Charles D. Baker, Governor Karyn E. Polito, Lieutenant Governor Stephanie Pollack, Secretary & CEO Jonathan L. Gulliver, Highway Administrator



May 15, 2020

Mr. Wayne S. Amaral Director of Public Works 381 Main Street West Newbury, MA 01985

Dear Mr. Amaral,

This is response to the Town of West Newbury's recent request to modify the speed limit on Church Street and Bridge Street.

Please be advised that both our District 4 Traffic Engineering Section and our Boston Office Regulations Section agree that lowering the speed limit to 35 miles per hour is not appropriate at this time. The speed data submitted revealed 85<sup>th</sup> percentile speeds ranging from 41 to 43 miles per hour on Church Street, and 42 to 44 miles per hour on Bridge Street. This indicates that it is the opinion of the majority of motorists on these roadways that 40 miles per hour is an appropriate and reasonable speed limit under ideal conditions.

History and engineering experience has taught us over a long period of time that the speed that the majority of motorists travel at on a particular roadway is primarily a function of several factors, such as the design and layout of the roadway, roadside development/density, pedestrian activity, etc. Both roadways have two twelve-foot travel lanes with two-foot shoulders, are well marked with a double yellow center line and white edge lines and are tangent with excellent sight distance. The posted speed limit has shown to have limited influence on speeds at which motorists travel, as the majority of motorists tend to travel at a speed they feel comfortable at according to the prevailing conditions, as previously mentioned. If the speed limit were reduced to 35 mph on these roadways, approximately 75-80% of motorists would be traveling in violation of the posted limit, which would subject them to unfair fines and insurance surcharges. It also would difficult to enforce since such a large number of motorists are in violation.

I hope you understand why we do not feel a reduction in the posted speed limits on Church and Bridge Streets are warranted at this time. However, if conditions on these roadways change, we will be willing to revisit this area in the future.

Sincerely,

Neil E. B. L

Neil E. Boudreau Assistant Administrator for Traffic and Safety

RFW/



### **Town of West Newbury** 381 Main Street West Newbury, Massachusetts 01985 Wayne S. Amaral, Director of Public Works

November 7, 2019

Paul Stedman, District 4 Highway Director

Re: Bridge Street Speed Zone Change Request

Dear Paul,

On behalf of the Board of Selectmen and the Town Manager, I have been requested to contact MassDOT to gain approval and MassDOT permit to modify the posted Speed Limit on Church Street in the Town of West Newbury.

Some months back the Board of Selectmen requested a review of the posted speed limits on Bridge Street based on a request from residents of the street. I have conducted a minor traffic engineering reviewing of the roadway and have determined the following;

#### **Background:**

Recently the town had been contacted by residents of Bridge Street expressing their concerns about the current vehicle speeds observed on their street. The main focus is the section of the roadway posted for 40 miles per hour. They believe this speed is unsafe and causes excessive noise.

There is currently a MassDOT permit Special Speed Regulation No. 6062 that established a 40 miles per hour speed limit on the majority of the roadway except where the roadway approaches Main Street and The Rock Village Bridge, where the speeds are reduced to 25 miles per hour.

#### **Street Characteristic:**

Bridge Street is about 4,000 feet in length with a recently repaved 28-foot wide roadway. The roadway is marked with a 12.5-foot wide travel lane in each direction with a 2.5-foot paved shoulder. This street connects the Town of Merrimac / City of Haverhill to Route 113 (Main Street) and is a major connector road with the majority of the vehicle volume trips being non-residents of the street.

There is a number of residential homes on the street that may seem to classify the roadway as thickly settled, but I believe the length does not meet the MassDOT definition. Most houses are set back from the roadway and the non-residential edge of roadway is tree lined farms and a cemetery.

There is a significant incline on the roadway that runs consistently on much of the length of Bridge Street. This incline is the main contributor to the noise complaints. As vehicles proceed up the steep incline their engines require more power and a result, more engine noise.

#### **Data Collection:**

I have collected three hours (AM peak, midday off-peak and PM peak) of speed data and sampled over 500 vehicles. The data showed an average 85-percentile speed of 42 miles per hour and a 50-percentile speed of 39 miles per hour. These speeds are within the permitted posted speed limit of the street.

#### **Conclusion:**

The majority of Main Street / Route 113 is posted 35 miles per hour and I see no reason why the speed limit on Bridge Street should be greater than Main Street / Route 113. I would like to request that the section of Bridge Street in the section covered in MassDOT permit Special Speed Regulation 6062 be reduced from 40 miles per hour to 35 miles per hour.

The reduction in speed would be more uniformed for the surrounding roads and increase the safety of the roadway.

If you or your staff have any question, please feel free to contact me at 978-992-8915 or by e-mail at Fhank you for taking the time to review our request.

Sincerely

Wayne S. Amaral Director of Public Works

cc: Angus Jennings, Town Manager Jeff Durand, Police Chief

Attachments Appendix A - Speed Data Collection Spreadsheet

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From: Tom Flaherty Sent: Monday, July 09, 2018 12:58 PM To: Mary Winglass Subject: bridge street petition by residents

mary

please may this email be seen by the BoS tonight BEFORE our agenda item

we are asking our BoS to appeal to the state for a repeal and change of the results of their bridge st traffic study at least two decades ago ( "in the '90s" )

as we understand the response from our BoS's office, we (town of west newbury) can not change the state's SPEED and SIGN PLACEMENT decisions made in their '90s study

so.....again, we request that the town appeal the '90s decision

\*conflict of posted speed on east end of street from main st to top of hill (25mph east vs 40mph west)

\*\*high speed (40) from main st to hill top is excessive and dangerous

- \*\*\*noise levels created by frequent accelerations of all vehicles, especially motorcycles and trucks, is totally unacceptable for the residences (9) and businesses (3)
- OUR REQUEST: the speed from main st heading west should be 25 ( or less ), at least matching the posted speed ( 25 ) from the hill top heading east

AND until this issue is resolved, we ask for more police presence on the east end of bridge st

respectfully

tom flaherty ( writing for all of the residents on this end of the street )

### Mary Winglass

From:	Michael McCarron
Sent:	Tuesday, June 26, 2018 11:50 AM
То:	Glenn Kemper; Joe Anderson; David Archibald; Mary Winglass
Cc:	Gary Bill
Subject:	Bridge Street speed limits
Attachments:	Bridge Street Speed limits.pdf

I have reviewed the history of the speed limits on Bridge Street. In the 90's the residents petitioned that the limits be lower and the Town went through the process of reviewing it. In the end, the state affirmed the determination made in "Special Speed Regulation No. 6062" see attached. As is noted the speed limits are different northbound (towards the bridge) versus southbound (towards Main St).

Basically its forty miles per hour until a car approaches the bridge or Main St respectfully .

The changes cannot be done as requested by the resident.

Michael P. McCarron West Newbury Town Clerk 381 Main Street

### TOWN OF WEST NEWBURY SPECIAL SPEED REGULATION NO. 6062

.ighway Location:

WEST NEWBURY

Authority In Control:

TOWN OF WEST NEWBURY

Name of Highway:

BRIDGE STREET

In accordance with the provisions of Chapter 90, Section 18, of the General Laws (Ter. Ed.) as amended, the following Special Speed

hereby Adopted

Board of Selectmen by the

of the Town of West Newbury

That the following speed limits are established at which motor vehicles may be operated in the areas described:

# BRIDGE STREET-NORTHBOUND

Beginning at the junction of Main Street (Route 113) Thence northerly 0.85 miles at 40 miles per hour 0.11 " " 25 " " " ending at River Fridge; the total distance being 0.96 miles. ending at the Merrimack

### BRIDGE STREET-SOUTHBOUND

Beginning 600 feet from the Merrimack River Bridge Thence southerly 0.75 miles at 40 miles per hour 0.10 " 25 " " ending at the junction of Main Street (Route 113); the total distance being 0.85 miles.

Operation of a motor vehicle at a rate of speed in excess of these limits that be prima facie evidence that such ; pred 1, scales to is

The pr visions of this regulation shall not, however, abrogate in any sense Papter 90, Section 14, of the General Laws (Ter. Ed.)

Late of Passage 6 Selectmen

Attest Jorman 4

#### **Angus Jennings**

From: Sent: To:

Subject:

Follow up
Flagged

Hi everyone,

Okay, I suggest we reschedule. We haven't had time to indicate subcommittee preferences and without that I'm not sure we have an agenda for the meeting. We also have at least 3 communities who already told me they can't make it (and it's not even noon yet). I've made a doodle poll for the Wednesday afternoons that I have available through September. Can you complete that to give us an idea of when we want to reconvene? If you want to skip July or August just don't fill those in. If we don't have enough people we won't meet. And once we have the subcommittees established, they can schedule in smaller groups and maybe the full group doesn't meet as often.

#### Doodle: https://doodle.com/meeting/participate/id/aA98341a

As a reminder the subcommittees are outlined below and the link for that google form is here: <u>https://forms.gle/YccJhtxhVdJ3srG17</u>. I just took the items that were identified and ranked in the last survey and we categorized them.

#### **Agreement Procedures/Administration**

- Amendment Process
- Withdrawal Procedures
- Establishing a District Commission for Oversight

#### Finances

- Debt Exclusion Voting Process
- Budget Reporting Requirements
- Procedure for Incurring Debt
- Apportionment of Capital Costs (and maybe operating?)

#### **School Committee/Communications**

- SC Member Appointment Process
- SC Member Removal Process
- Weighted Voting/SC Representation

Enjoy the day, no meeting this afternoon! Good luck with all of your budgets, town meetings and elections! Kassandra

Kassandra Gove Mayor



Good afternoon,

I realized what the note is in my calendar for a Whittier Meeting tomorrow. My apologies! We have a virtual meeting scheduled for tomorrow at 3:30pm and I might have been in charge of getting the reminder out. Please pass this along to your second representative who has been joining you in the working group. Hopefully, you have it on your calendar and can make it. If you know you can't let me know and if my snafu means we're missing lots of us then we can reschedule.

Here is a quick survey to see what subcommittees people are interested in: <u>https://forms.gle/YccJhtxhVdJ3srG17</u>. We had identified 3 options in our last meeting and I added a blank in case you've thought of something else since then.

And I have Teams so if we want to use that I set up this room:

### Microsoft Teams Need help?

### Join the meeting now

Meeting ID: 228 807 599 636 Passcode: P82SrD

### **Dial-in by phone**

<u>+1 323-457-5649,,889160017#</u> United States, Los Angeles Find a local number Phone conference ID: 889 160 017# For organizers: <u>Meeting options</u> | <u>Reset dial-in PIN</u>

Thanks! Kassandra

# Whittier Regional Agreement Subcommittees

\* Indicates required question

Email \*

Your email

First and Last Name \*

Your answer

Position/Title \*

Your answer

City/Town \*

Your answer

122

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Subcommittee Preference \* Select One Option Below

School Committee/Communications

) Finances

Agreement Procedures/Administration

Did we miss a subcommittee you're interested in? What is it?

Your answer

A copy of your responses will be emailed to the address you provided.

Submit

Never submit passwords through Google Forms.

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# Google Forms

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Clear form

### **Angus Jennings**

From: Sent: To: Cc: Subject:

Tuesday, May 7, 2024 9:31 AM Angus Jennings Mark Cappadona DPU 24-83 Town of West Newbury Municipal Aggregation

#### Hi Angus –

We wanted to let you know that CPG has assembled the Town's DPU Filing and it's been sent to our legal counsel, Jim Avery at Pierce Atwood. Jim's office (specifically his paralegal, Corinne Wilde) will ensure the Town's submission is electronically filed in the next week or so. In addition, we'll mail a hard copy of the complete DPU filing to you at Town Hall. No action is required at this time (please just hold onto the binder). The next step will be for the DPU to schedule a public hearing, on which we'll keep you posted.

As an FYI, because this will be an open docket with the Town listed as the Petitioner, you are on the service list and will be notified anytime there is movement (e.g. initial filing, comments filed, action required). Our attorney will also be notified and he'll ensure we receive all communications. I'll be in touch should anything be required of the Town but, for the most part, CPG will handle all requests (i.e. legal notices, discovery, etc). It isn't unusual for the utility or other state agencies to chime in. CPG's goal is to make this as easy as possible for the Town so please let me know if you have any questions or concerns at any time.

With respect to the DPU's new municipal aggregation guidelines, we have our last in-person working group tomorrow. From there, our understanding is the DPU will make some final adjustments, ask for one last round of review/comment and ultimately conclude with guidelines for go forward use. Given the parallel path with development of the new guidelines, preparation of the Town's petition has taken a little longer than expected (just due to additional discussions with the Hearing Officer around format/content). However, there's good news! Once filed, we're hoping the Town sees an Order within 6 months or so as the new guidelines provide for a 120 day turnaround.

Thank you, Denise

Denise Allard

