



**Town of West Newbury
Select Board
Monday, January 9, 2023 @ 5:30pm
381 Main Street, Town Office Building
www.wnewbury.org**

REC'D W. NEWBURY CLERK
28 JAN 5 PM 4:34

AGENDA

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

- ❖ 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 public body (*0 Poorhouse Lane; 31 Dole Place*);
- ❖ MGL Ch. 30A §21(a) 3: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (*Police Union contract*);
- ❖ MGL Ch. 30A §21(a) 2: To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel (*Town Manager contract*);
- ❖ MGL Ch. 30A §21(a) 7: To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements (*work scope for Special Counsel services; updated legal costs year-to-date*).

The Board may take a brief recess between the Executive Session and the Open Session beginning at 7 PM.

Open Session: 7:00pm by in-person attendance or remote participation (instructions below)

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Meeting also accessible by remote participation; instructions below.
- Select Board to vote to close warrant for Spring Annual and Special Town Meetings on Monday, February 6th
- Town awarded \$32,000 Green Communities Action Grant for improvement to HVAC controls in SAGE Center and Town Annex!
- SAGE Center Lunch & Learn, Thursday, January 12th from 11:30am-1pm: Merrimack Valley public transportation options. Suggested donation: \$5
- SAGE Center News: Jan/Feb 2023. Many upcoming events incl. Games & Puzzles, luncheons, exercise & yoga classes, wellness checks (Jan 10 and Feb 14), Coffee & Conversation, Veterans' Agent hours, Sen. Tarr hours etc. Full details in current newsletter and available on Town website www.wnewbury.org/senior-center/newsletters
- Call for volunteers! Open positions on Boards/Commissions/Committees. See www.wnewbury.org/volunteer
- Reminder to subscribe for emailed Town agendas/news/announcements at www.wnewbury.org/subscribe

Regular Business

- A. Request for one-day liquor license, Northeast Equine Rescue League: Sat., Jan 14th, Town Annex
- B. Request for Special Event Permit: Canicross "Tails for the Trails" 5K event, Sat., March 25th from 8am-1pm, Pipestave/Mill Pond/Dunn property
- C. Proposed MBTA Communities Interim Compliance Action Plan – *Sue Brown, Town Planner*
- D. Review/endorsement of proposal to CPC, with Greenbelt, for funding to support "Sawmill Brook Conservation Project" including acquisition of property on Poorhouse Lane (Map R14, Lots 30 and 30F)
- E. Review of updated draft Wage/Classification study; consideration of Board endorsement of final report
- F. Correspondence to Towns of Groveland, Merrimac and to Pentucket Regional School District (PRSD) Administration with suggested amendments to PRSD Regional Agreement
- G. Preview of January 24th 6pm School Committee meeting regarding FY24 budgeting
- H. Request for consent for KP Law to represent Whittier Tech, and for determination that no conflict of interest arises from dual representation of Whittier Tech and the Town of West Newbury
- I. Review proposed updates to Select Board meeting schedule
- J. Meeting minutes: November 21, 2022; December 5, 2022; December 12, 2022

Town Manager Updates

- K. FY24 budget and capital planning calendar and packet
- L. Updates re active/pending projects
- M. Follow-up from ratings review by Moody's
- N. Follow up meeting assignment; placing items for future agendas

Addendum to Meeting Notice regarding Remote Participation

Public participation in this meeting of the West Newbury Select Board will be available via remote participation. For this meeting, members of the public who wish to listen to the meeting may do so in the following manner:

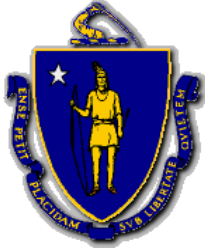
Zoom Meeting

Phone: (646) 558 8656
Meeting ID: 813 8988 0793
Passcode: 756214

Join at: <https://us06web.zoom.us/j/81389880793?pwd=ZHhiYXo4ZGNUMVFBLT3hVdE90V3A3UT09>

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.

Posted Agenda on 1/5/2023 at the Town Offices and the Town's Official Website www.wnewbury.org



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENERGY RESOURCES
100 CAMBRIDGE ST., SUITE 1020
BOSTON, MA 02114
Telephone: 617-626-7300
Facsimile: 617-727-0030

Charles D. Baker
Governor

Karyn E. Polito
Lt. Governor

Bethany A. Card
Secretary

Patrick C. Woodcock
Commissioner

January 3, 2023

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

Dear Manager Angus Jennings:

I am pleased to inform you that the Department of Energy Resources (DOER) Green Communities Division has approved an award of **\$32,000** for the following projects proposed in the Town of West Newbury's Green Communities Competitive Grant application.

List of projects funded:


- \$32,000, Town Office Building — Energy Management System

The Division reviewed West Newbury's grant application and has determined these are viable projects that meet the eligibility requirements of our Competitive Grant program. **Please note that, due to the competitive nature of this grant program, the use of these funds is restricted to the specifically-approved projects listed above.**

Jane Pfister, Green Communities Grant Coordinator, will follow up with the contact listed in your competitive grant application to discuss next steps, including coordination of the grant contract process. The Green Communities Division looks forward to working with the Town of West Newbury on your grant projects. We congratulate you on your grant award and applaud your efforts to create a cleaner energy future for your community and the Commonwealth as a whole.

Please do not hesitate to contact me at 617-823-4029 or by email at Joanne.Bissetta@mass.gov with any questions you may have regarding your grant award.

Sincerely,

A handwritten signature in black ink that reads "Joanne Bissetta". The signature is written in a cursive, flowing style.

Joanne Bissetta, Director
Green Communities Division

Cc: David Archibald, Chair Selectboard
Wayne Amaral, DPW Director
Richard Parker, Vice Chair Select Board
James R.W. Blatchford, Town Clerk
Neal Duffy, Northeast Green Communities Regional Coordinator



SAGE CENTER
social | activities | growth | education

LUNCH & LEARN SPEAKER SERIES

THURSDAY, JAN. 12
11:30 AM - 1:00 PM

Lunch: Stuffed Peppers
Suggested donation: \$5

Amy Jenkins from MeVa (formerly MVRTA) will provide information to help us navigate the transportation system in the Merrimack Valley. All Mini MeVa Vans have wheelchair lifts and are handicapped accessible.

Come for lunch - Stay for info and Q&A.



with Amy Jenkins,
Director of Paratransit
Operations at MeVa
(formerly MVRTA)



REGISTER

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

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

Town Manager

From: COA
Sent: Tuesday, December 27, 2022 3:35 PM
To: COA
Cc: Meals On Wheels
Subject: SAGE Center News - January / February 2023
Attachments: COA Newsletter 01-02 2023 web and email.pdf

I hope everyone had a wonderful holiday! Please check out the programs and events in the attached newsletter that are coming up in January and February of 2023 at SAGE.

- 📌 Games & Puzzles with Pentucket Volunteers is returning on January 3 & 24 and February 7 & 28
- 📌 Lunch & Learn with MeVa (formerly MVRTA) will discuss public transportation options on January 12
- 📌 Sunray Café will be serving Tacos on January 25
- 📌 Valentine's Luncheon on February 14
- 📌 Veterans' Agent Karen Tyler's office hours on January 12 and February 9
- 📌 3B Exercise Class (Balance, Bones & Brain) weekly on Mondays and Thursdays at 9 am
- 📌 Office Hours with Mary Ann from Senator Tarr's Office on January 23 and February 27
- 📌 Coffee & Conversation on January 5 and February 2
- 📌 Yoga Class is held weekly on Fridays at 10 am
- 📌 Wellness Checks – blood pressure readings and medication questions on January 10 and February 14

For quick reference, the newsletter is always available on our web site at: [Newsletters | Town of West Newbury MA \(wnewbury.org\)](#)

Please contact me with any questions. Happy New Year!

Best regards,
Christine

Christine Marshall

West Newbury Council on Aging Director
978-363-1104 | coa@wnewbury.org



SAGE CENTER
social | activities | growth | education



SAGE CENTER NEWS

social | activities | growth | education

Issue: Jan. / Feb. 2023

Hours

Monday-Thursday 8 am-4:30 pm
Friday 8 am-noon

Contact

Phone: 978-363-1104
Fax: 978-363-1826
Email: coa@wnewbury.org
Mail: 381 Main Street
West Newbury, MA 01985

Staff

Christine Marshall, Director
Jen Vincent, Nutrition Coordinator

Board Members

Jacqueline Johnston, Chair
Richard Preble, Vice-Chair
M. Dorothy Cavanaugh, Treas.
Marjorie Peterson, Secretary
Victoria Beaumier
Gail DiNaro
Dianne Faulkner
Jessa Haynes
Joseph Publicover
Laurie Spielvogel
Barbara Warne



MEMBERSHIP & REGISTRATION

Membership is open to anyone age 60 or over and is not restricted to residents of West Newbury. There is no membership fee. Registration is required for most programs. Please email coa@wnewbury.org or call 978-363-1104 to register. If there is a financial hardship preventing you from participating, please contact Christine. Please complete a Membership Form next time you stop by the Center.

ELECTRONIC NEWSLETTER

If you wish to receive the newsletter electronically via email instead of by mail, please call 978-363-1104 to request this service or email coa@wnewbury.org - thank you! The newsletter is also available on the Town web site at: www.wnewbury.org/senior-center/newsletters

MISSION STATEMENT

The mission of the West Newbury Council on Aging is to provide support services and programs which will enrich the lives of West Newbury citizens ages 60 and over. The Council maintains information, knowledge and interest in the local, state and federal affairs which relate to the welfare of our residents.

DOG LICENSES - Free to residents over the age of 70

There is no charge for dogs owned by residents over the age of 70 or service dogs; however, a license still must be obtained annually. Dog licenses are required for all dogs over the age of 6 months in West Newbury in accordance with state law and town by-law. Licenses may be obtained from the Office of Town Clerk in person, on the town web site, or by mail. The dog license form will be on the back of the town census, which you will receive in January. Licenses must be obtained annually by April 30 of each year.

UPCOMING CLOSURES

- ◆ Monday, January 2, 2023
- ◆ Monday, January 16, 2023
- ◆ Monday, February 20, 2023





STAY ACTIVE, STAY FIT

3B Class - Balance, Bones and Brain

Mondays and Thursdays at 9:00 am

3B incorporates balance exercise to help prevent falls, strength training to improve bone density, and trivia and brain games to help with cognition. All this with great music will keep you motivated and accountable. This class is appropriate for all fitness levels and is run by certified personal trainer, Brian Coyne, who has over 15 years of experience. \$5 suggested donation. Located in Town Offices Annex.

Yoga is for Any Body

Fridays at 10:00 am

Yoga for everyone - every age - every body - every gender. Yoga unites the mind, body and soul in a way that eases tension, reduces inflammation and promotes health and well being. Yoga not only helps improve your body, but also helps with mindfulness and meditation. Focusing on your breath during practice is key to staying in tune with your mind and body. Please wear comfortable clothing and bring a towel or mat. \$5 suggested donation. Located in Town Offices Annex.

GROUPS & MEETINGS



Council on Aging Board Meeting

Tuesdays, Jan. 10 & Feb. 14 | 9:00 am

Office of Senator Bruce Tarr

Mondays, Jan. 23 & Feb. 27 | 9:30-10:30 am

Office hours are in-person and held in the lobby or SAGE Center, 381 Main Street, West Newbury

Veterans' Agent, Karen Tyler

Thursdays, Jan. 12 & Feb. 9 | 10-11:00 am

Office hours are in-person and held at Town Offices, 381 Main Street, West Newbury

Craft Corner

Every Thursday at 1:00 pm

Join our drop in group every Thursday from 1:00-3:00 pm in the SAGE Center. Bring the project you are working on - knitting, crochet, cross stitch, sewing, etc. - or grab a craft from our craft basket. We have several kits on hand, as well as mindfulness coloring pages and colored pencils. FREE

HEALTH & RESOURCES



Meals on Wheels

Call AgeSpan at 1-800-892-0890

Meals on Wheels can be arranged by calling AgeSpan at 1-800-892-0890 and ask for the Intake Department. Access to nutritious food is important for healthy aging. AgeSpan offers a variety of nutrition services designed to help people stay healthy and independent in their community.

Congregate Lunch

Lunch served each day Monday through Friday at 11:30 am

Congregate lunch for participants age 60 and over is served daily at the Senior Center. Call for a menu, and we will mail one to you. When a special event is planned, the meal served will be the special event meal. Please call 978-363-1104 to sign up at least 2 business days in advance. Suggested donation \$2.

Wellness Check with Courtney

Tuesday, January 10 | 1:00-2:00 pm

Tuesday, February 14 | 1:00-2:00 pm

Courtney Krigest, Clinical Consultant Pharmacist, will be available for blood pressure readings each month. She can also answer questions about your prescriptions and over-the-counter medications. Please stop by to meet her at the SAGE Center, 381 Main Street, Ground Floor.

Foot Care - currently on hold

Medical Equipment Closet

Medical equipment is donated to us, we sanitize the equipment, and loan it out to residents in need. Please give us a call to ensure that we have what you need. Equipment is available as long as you need it. If the Center is closed, please call the NON-EMERGENCY Police Number at 978-363-1213.

Food Pantry

Jan. 3, 17, 31 | Feb. 7, 21 | 9-10:30 am (and by appointment)

If you or someone you know needs a little extra help, please stop by. The pantry is open the 1st, 3rd and 5th Tuesday of every month or call for an appointment. (Open on Wednesday if Tuesday is a holiday.) We accept donations to the food pantry of unexpired food items, toiletries and paper goods. Monetary donations can be made on the Town's web site / click on *Pay Bills* icon / *Donation* or by check payable to "Town of West Newbury." Thank you for your support!

Need Help With Medicare? SHINE Can Help!

Regional SHINE Office at 978-946-1374

SHINE = **S**erving **H**ealth **I**nsurance **N**eeds of **E**veryone...on or eligible for Medicare. Certified SHINE counselors offer free, unbiased, confidential counseling on all aspects of health insurance to anyone on or eligible for Medicare. Are you turning 65 this year and have questions about Medicare? Call the **Regional SHINE Office at 978-946-1374**. A Shine counselor will return your call within 48 hours.



SOME FUN PHOTOS OF



OUR PROGRAMS & EVENTS





SPECIAL EVENTS

Coffee and Conversation

Thursdays, Jan. 5 & Feb. 2 | 10:00-11:00 am

Join our monthly breakfast gathering to socialize with friends and make new ones! This is a drop in event. Coffee and breakfast food will be served.

Location: SAGE Center | FREE



Lunch and Learn Speaker Series - Transportation Info Session with MeVa (formerly MVRTA)

Lunch: Stuffed Peppers

Thursday, Jan. 12 | 11:30 am-1:00 pm

Please join us to learn more about the public transportation options in West Newbury. Amy Jenkins, Director of Paratransit Operations at MeVa, will provide information to help us navigate the transportation system in the Merrimack Valley.

Location: SAGE Center | Suggested donation \$5



Games & Puzzles with Pentucket Student Volunteers

Tuesdays, January 3, 24 | 12:30-1:30 pm

Tuesdays, February 7, 28 | 12:30-1:30 pm

Please join our intergenerational program with a group of Pentucket student volunteers. This will be a fun hour of games and puzzles. Please call the SAGE Center at 978-363-1104 or email coa@wnewbury.org to register.

Location: SAGE Center | FREE



Sunray Cafe Luncheon

Wednesday, Jan. 25 | 11:30 am | Tacos

Valentine's Day Luncheon

Tuesday, Feb. 14 | 11:30 am | Chicken Piccata

Our Sunray Café Luncheons are in-person homemade meals - cooked here at the SAGE Center by Jen. Please call the SAGE Center at 978-363-1104 or email Jen at mow@wnewbury.org to register.

Location: SAGE Center | Suggested donation \$5



TRANSPORTATION



NEET (Northern Essex Elder Transport, Inc.)

Call 978-363-1104

We have partnered with NEET, a non-profit volunteer program providing transportation to medical appointments and errands for residents age 60 and over.

Don't miss an appointment - please contact Christine at 978-363-1104 for more information. Rider applications are available at the SAGE Center.



A New Year, a New Opportunity to Volunteer
Get Involved! Make a difference!
Volunteer to drive seniors in your community.
You decide when and where to drive.
Mileage reimbursement provided.

Call NEET at 978-388-7474 or visit www.driveforneet.org/volunteer

CareRide Program through AgeSpan

Call 978-651-3118

CareRide is a subsidized transportation service for non-emergency medical appointments for anyone 65 plus who resides in the Greater Haverhill or the Greater Lowell areas. The program uses Lyft to provide transportation. For more information, contact Alexandra Luciano, AgeSpan CareRide Program Coordinator at 978-651-3118.

Ring & Ride Monday thru Fridays 6 am-6 pm & Saturdays 9 am-6pm

FREE Rides

Call 978-469-6878 press option 3

MVRTA is in the process of rebranding to MeVa! Ring & Ride (now mini MeVa) is a curb-to-curb transportation service provided by the Merrimack Valley Regional Transit Authority (MeVa) for the communities of Amesbury, Andover, Boxford, Georgetown, Groveland, Haverhill, Lawrence, Methuen, Newbury, North Andover, Rowley, Salisbury, West Newbury.

All mini MeVa vans have wheelchair lifts and are handicapped accessible.

This service allows residents to travel anywhere within the MeVa service area. The service also allows you to connect to any of the MeVa fixed route bus systems.

For reservations call 978-469-6878, press option 3 between 8 am and 4:30 pm Monday through Friday at least one day in advance.



MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
JANUARY 2 CLOSED	3 9:00 Food Pantry 11:30 Lunch 12:30 Games with Pentucket Volunteers	4 11:30 Lunch	5 9:00 3B Class 10:00 Coffee/Conv. 11:30 Lunch 1:00 Craft Corner	6 10:00 Yoga 11:30 Lunch
9 9:00 3B Class 11:30 Lunch	10 9:00 COA Meeting 11:30 Lunch 1:00 Wellness Check	11 11:30 Lunch	12 9:00 3B Class 10:00 Veterans' Agent 11:30 Lunch & Learn-Transport. 1:00 Craft Corner	13 10:00 Yoga 11:30 Lunch
16 CLOSED	17 9:00 Food Pantry 11:30 Lunch	18 11:30 Lunch	19 9:00 3B Class 11:30 Lunch 1:00 Craft Corner	20 10:00 Yoga 11:30 Lunch
23 9:00 3B Class 9:30 Senator Tarr's Office 11:30 Lunch	24 11:30 Lunch 12:30 Games with Pentucket Volunteers	25 11:30 Sunray Cafe-Tacos	26 9:00 3B Class 11:30 Lunch 1:00 Craft Corner	27 10:00 Yoga 11:30 Lunch
30 9:00 3B Class 11:30 Lunch	31 9:00 Food Pantry 11:30 Lunch			
FEBRUARY		1 11:30 Lunch	2 9:00 3B Class 10:00 Coffee/Conv. 1:00 Craft Corner	3 10:00 Yoga 11:30 Lunch
6 9:00 3B Class 11:30 Lunch	7 9:00 Food Pantry 11:30 Lunch 12:30 Games with Pentucket Volunteers	8 11:30 Lunch	9 9:00 3B Class 10:00 Veterans' Agent 11:30 Lunch 1:00 Craft Corner	10 10:00 Yoga 11:30 Lunch
13 9:00 3B Class 11:30 Lunch	14 9:00 COA Meeting 11:30 Valentine's Day Luncheon-Chicken Piccata 1:00 Wellness Check	15 11:30 Lunch	16 9:00 3B Class 11:30 Lunch 1:00 Craft Corner	17 10:00 Yoga 11:30 Lunch
20 CLOSED	21 9:00 Food Pantry 11:30 Lunch	22 11:30 Lunch	23 9:00 3B Class 11:30 Lunch 1:00 Craft Corner	24 10:00 Yoga 11:30 Lunch
27 9:00 3B Class 9:30 Senator Tarr's Office 11:30 Lunch	28 11:30 Lunch 12:30 Games with Pentucket Volunteers			



UPDATES

Inclement Weather Policy

When the Pentucket School District closes due to extreme weather, the SAGE Center programs will be cancelled. This includes meals on wheels, congregate lunch, exercise classes and other programs. Cancellations will be posted on the Town web site and social media sites. SAGE Center staff will be working and available by phone or email.

Friends of the West Newbury COA

The Friends of the West Newbury COA (which incorporated as a 501c3 for the purpose of enhancing the quality of services to senior citizens and to provide fundraising for expanding social programs) voted to dissolve in July of 2022. The Friends graciously sent the funds held in their account to the Town, and the Select Board voted to accept the contribution on August 8, 2022.

While contributions can no longer be provided through the Friends to supplement the cost of programs, the COA is still able to accept donations into the COA Gift Account. Donations can be made on the web site at www.wnewbury.org and clicking on the "Pay Bills" icon. Donations can also be made by check payable to the "Town of West Newbury" and mailed to the SAGE Center.

Food Pantry Wish List

Paper Towels	Spray Cleaner
Small Dish Soap	Sponges
Clorox Wipes	Toilet Paper

Campbell's Chicken Noodle Soup
 Whole Kernel Corn (canned)
 Pasta Sauce (small jars)
 Alfredo Sauce (small jars)
 Solid White Canned Tuna
 Jelly
 Instant Oatmeal (variety pack)
 Breakfast Cereal (Cheerio's)
 Applesauce (individual packs)
 Folgers Coffee (can)

Whenever possible, please choose individually wrapped products and small sizes. Our pantry has a refrigerator and freezer to accommodate fresh or frozen donations.

Call Jen at 978-363-1104 with any questions.

Thank You!

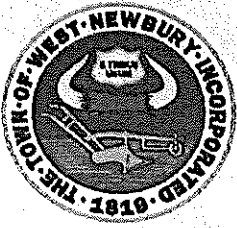
Brownies / Garden Club

Community Service of
Newburyport

Food Pantry donations, donors,
volunteers, food drives

Boy Scouts

Market Basket / Demoulas



**TOWN OF WEST NEWBURY
SELECT BOARD**

381 Main Street, West Newbury MA 01985
Phone: 978-363-1100 Fax: 978-363-1117
townclerk@wnewbury.org

A

APPLICATION FOR APPROVAL OF ONE-DAY LIQUOR LICENSE

Name of applicant: New England Equine Rescue North (NEER North)

Address of applicant: [REDACTED]

Applicant phone number [REDACTED] Applicant e-mail [REDACTED]

Name of Event: Volunteer Appreciation Event (event is NOT open to public)

Address of Event: Town Hall Annex

Date of event: 1/14/22 Rain Date: _____ Hours of event: 5-12 (includes set up)

Is the event open to the General Public? Yes No

The entity is:
For profit: _____
Non-profit: (certificate of nonprofit status required)

Application for sale of alcohol:
All alcoholic Beverages (nonprofit only): _____ (\$100)
Wines and Malt Beverages Only (\$50)

PAID
JAN 03 2023
Warrant # _____

Expected Number of people to attend: ~100 50

Please describe the steps that will be taken to prohibit minors from the area alcohol will be served. This is a private dinner party for the volunteers of NEER.

IDs will be checked. There will be very few minors in attendance and we know who they are.

MGL, CH. 138, § 14: The Local Licensing Authorities may issue special licenses for the sale of Wine and Malt Beverages to any enterprise; however, Special Licenses for the sale of All Alcoholic Beverages may ONLY be issued to Non-Profit Organizations (proof of non-profit status is required). A caterer must obtain a Special License when arranging for the delivery of alcohol on which they shall make a profit.

One day licensees MUST purchase Alcoholic beverages from an authorized source approved by the Alcoholic Beverages Control Commission (ABCC). Licensees CANNOT accept donations of alcohol from anyone. The purchase of alcoholic beverages from a package store is prohibited. A list of authorized sources can be found [here](#).

The Town of West Newbury requires all applicants to submit liquor liability insurance (\$1M/\$2M), Workers' Compensation Affidavit as required by M.G.L. Chapter 152, and proof of TIPS certification for all individuals who will sell, serve, or dispense alcoholic beverages.

NO PERSON shall be granted a one-day license more than 30 times in a calendar year.

Approved by Select Board on December 19, 2022

Special Event Application

B

Organization or Group Essex County Trail Association

Person Making Reservation Deb Hamilton

Mailing Address [Redacted] W. Newbury MA 01985

Phone [Redacted] e-mail [Redacted]

Event Date: 3/25/23 Start Time 9 AM⁰⁰ End 1 PM

Time _____

Reason for Event Canicross "Tails for the Trails" 5K

Number of attendees 70

Check Appropriate Block:

Resident Non-resident

Fund Raising Group 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 Pipestave Hill parking, trails around Dunn Property fields, Pipestave Fields, Mill Pond roadway and trails.
2. For road or walk race, a detailed map of the route From equestrian ring across softball field out field, around Dunn Fields, through Pipestave back field to Mill Pond, loop on Poorhouse, return.
3. Features and attractions Leashed dogs in harnesses pull 1 runner behind each dog on 5K course.
4. Participant circulation Spectators along route
5. Proposed parking including how you will handle overflow parking We do not expect a large number of participants, may limit to 50.
6. Any proposed road closures no.

7. Location of trash receptacles and dumpsters Beside Ring 1, to be removed or recycled
8. Location of temporary toilet facilities Beside Kiosk beside Pipestave driveway.
9. Accessible routes for the disabled or mobility impaired - level sections of trail, including beside Mill Pond.
10. Locations, size and number of any tents, trailers or temporary structures None anticipated.
11. Location, size, and description of any signage or banners Beside Pipestave driveway.
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 Special Event.
No food will be served.
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.
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

Name: Essex County Trail Assn. Event: "Tails for the Trails"

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.

Deborah Hamilton 1/3/2023
Individual/Authorized Signature for Group Date

Chief of Police's Signature: see attached email JB Date: 1/5/23
Requests and comments:

Fire Chief's Signature: see attached email JB Date: 1/5/23
Requests and comments:

Approval granted if signed here by Select Board: Date: _____

Requests and comments:

Town Clerk

From: Michael Dwyer <dwyer@westnewburysafety.org>
Sent: Thursday, January 5, 2023 8:23 AM
To: Town Clerk
Subject: Re: special event application

Good morning,

Approved with no comments or requests,

Thank you,
Mike

Michael Dwyer
Police Chief
West Newbury Police Department
401 Main Street
West Newbury, Ma 01985
978-363-1213
dwyer@westnewburysafety.org



From: Town Clerk <townclerk@wnewbury.org>
Date: Wednesday, January 4, 2023 at 10:32 AM
To: Michael Dwyer <dwyer@westnewburysafety.org>
Subject: special event application

Hey Mike,

Special event application for the Canicross 5K just came in. Wondering if you could take a look and let me know if you have any requests or comments in both your capacities of course.

Best,

James RW Blatchford
Town Clerk
Town of West Newbury
Phone 978-363-1100 X 110
Mobile 978-891-0039

REQUEST FOR USE OF FACILITIES

Organization or Group Essex County Trail Association
Person Making Reservation Deb Hamilton, Vice Chair
Mailing Address [Redacted] W. Newbury MA
Phone [Redacted] e-mail [Redacted]

Event Date: 3/25/2023 Start Time 8 AM End Time 1 pm

Summary of Event "Tails for the Trails" - a casual Canicross

Number of Attendees 50 competitors, 10 volunteers

Event Details: *Please be specific i.e. alcohol*, music, food -* Cross country 5K run led/pulled by a dog in a harness around Dunn, Pipestave, Mill Pond trails

If alcohol is being served, a Liquor Liability Policy must be provided (\$1,000,000), see page 2. no

Check Appropriate Block:

Fund Raising Group Commercial In-Town Resident Town Staff
 Non-Profit/Public Agency Commercial Out-of-Town Other

Facility Requested:

1910 Bldg Hearing Room (1) Pipestave Equest. Area** Other
 1910 Bldg Meeting Room (2) Athletic Playing Fields* Dunn Fields
 Town Hall- (across from Library) Mill Pond Rec Bldg** Mill Pond trails
 Annex Bandstand

Fee Paid by Check/Cash

Fee Waived
TOWN CLERK
22 NOV 3 PM 2023

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 ANY KIND OF CAMP FOR CHILDREN, YOU MUST GET PRIOR APPROVAL FROM THE BOARD OF HEALTH.

978-363-1100, x. 118

~ Continued on other side ~

Name: _____

Event: _____

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 policy (\$1,000,000 per occurrence/\$2,000,000 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, Essex County Trail Assn. (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.

Deborah Hamilton
Individually/Authorized Signature for Group

11/7/22
Date

^{and}
Parks & Rec Committee ~~or~~ Mill Pond Committee

Signature (if applicable): see email JP Date: 12/13/22

Requests and comments: [Signature] 13 Dec 2022

Chief of Police
Signature: see email JP Date: 12/12/22

Requests and comments:

Fire Chief
Signature: see email JP Date: 12/12/22

Requests and comments:

Approval granted if signed here by Town Manager:

Date: _____

Requests and comments:

From: Michael Dwyer
To: Town Clerk
Subject: Re: Tails for the Trails
Date: Monday, December 12, 2022 1:12:39 PM
Attachments: image003.png

Jim,

I will approve with no comments. If they need the support of PD/FD they can email me.

Thank you,
Chief Dwyer

From: Town Clerk <townclerk@wnewbury.org>
Date: Monday, December 12, 2022 at 1:10 PM
To: Michael Dwyer <dwyer@westnewburysafety.org>
Subject: Tails for the Trails

Good Afternoon Chief,

Attached is the Tails for the Trails event application and we are looking for any requests or comments from you. Please let me know if you have any and if you would like to sign off on this application.

Best,

James RW Blatchford

Town Clerk
Town of West Newbury
Phone 978-363-1100 X 110
Mobile 978-891-0039
www.WNewbury.org



Town Clerk

From: Brad Buschur [REDACTED]
Sent: Tuesday, December 13, 2022 1:53 PM
To: Town Clerk
Subject: Re: Tails for the Trails

Hi Jim, This looks like a great event. Youth sports typically start in April so no conflicts as far as P&R is concerned. Please sign on my behalf to approve if appropriate. bb

On Mon, Dec 12, 2022 at 1:00 PM Town Clerk <townclerk@wnewbury.org> wrote:

Hi Brad,

Looking to get approval for the Tails for the Trails event from Park and Rec. Obviously, you do not have to take this up in your meeting tomorrow, but if you could make sure to take it up at your next meeting I'm guessing in January.

Thank you,

James RW Blatchford

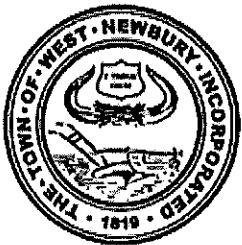
Town Clerk

Town of West Newbury

Phone 978-363-1100 X 110

Mobile 978-891-0039

www.WNewbury.org





**TOWN OF WEST NEWBURY
TOWN PLANNER
381 MAIN STREET
WEST NEWBURY MA 01985
978-363-1100 X125 Fax: 978-363-1119
e-mail: townplanner@wnewbury.org**

January 5, 2023

MEMO TO: Select Board and Town Manager
FROM: Sue Brown, Town Planner
REGARDING: Interim Compliance Action Plan

To help address the state's acute housing crisis, the Commonwealth amended The Zoning Act (MGL 40A) in 2020 with a new Section 3A that requires so defined MBTA Communities to adopt a Zoning District Bylaw that encourages the production of multi-family housing.

The District must allow a minimum gross housing density of 15 units per acre, allow multi-family housing (3+ units/dwelling) by right, and follow further guidelines developed by the Department of Housing and Community Development (DHCD).

Communities that do not comply with Section 3A and attain interim compliance will become ineligible for funding from at least three sources including the Local Capital Projects Fund where some Housing Authority Funding comes from and the MassWorks Infrastructure Program, a common source of funding for public water, sewer, and road projects that support economic development and housing.

For West Newbury the Final Guidelines (issued in August of 2022) require the Town to create a Multi-Family Zoning District (or Districts) of a size and in a location (or locations) of its choosing provided that the overall amended zoning meets the Section 3A requirements and allows for the development of at least 87 housing units.

The Town has until December of 2025 to comply with Section 3A, but is also required to attain interim compliance by submitting an *Interim Compliance Action Plan* by January 31, 2023.

The *Interim Compliance Action Plan* is an online form that outlines the town's anticipated process for adopting compliant zoning. The Plan does not require adherence to the process as outlined, nor does it create any other conditions the town must adhere to. It is simply the town's good faith projection for how it intends to comply with 3A by the end of 2025.

The Interim Compliance Action Plan Form must be submitted by a municipal official with authority to act on behalf of the municipality on matters of zoning. Given the importance of this effort, I would request the Select Board vote to approve the Plan as is or as you may wish

to amend, at which point the Town Manager will submit the approved plan to DHCD in advance of the January 31 deadline.

I will be in attendance at your upcoming meeting on January 9th and will be pleased to respond to any questions you may have.

Thank you.

Action Plan for MBTA Communities

Section 1: Identification

- 1.1 West Newbury
- 1.2 Adjacent Small Town
- 1.3 Unit Capacity – 87
- 1.4 No rapid transit within boundaries
- 1.5 No MBTA commuter rail within boundaries
- 1.6 No MBTA station outside boundaries with developable station area within the town
- 1.7 Person filling out form: Sue Brown
 - 1.7.1 Title: Town Planner
 - 1.7.2 townplanner@wnewbury.org
 - 1.7.3 978-363-x125

Section 2: Housing Overview

- 2.1 Established housing related goals or strategies from Housing Production Plan, Master Plan, etc.

Yes

- 2.1.a. Please briefly describe any relevant housing strategies, goals, or objectives, and the work that has been done to date.
 - Increase municipal capacity to assist with creation of affordable housing –
 - Adopted Affordable Housing Trust (AHT) – May 2022
 - Transferred Inclusionary Zoning Payment Fun to AHT – May 2022Expanded Town Planner hours from 25 to 28/week to support housing initiatives and built more housing responsibilities into job description
 - Support Seniors to age in place – Tax Abatement Program, Congregate Meals, Meals on Wheels, NEET Rides, Ring and Ride
 - Increase senior housing options – Assisted Living Facilities Bylaw in place
 - Assess Town owned land for housing – proposed disposition of 34 acres of town-owned property (“Mullen property”) for development of mixed-income, intergenerational housing in 2009; failed to secure Town Meeting approval. Efforts ongoing to revisit Mullen property and to identify other town-owned parcels, and that would be suitable for development of affordable housing.

- 2.2 Is this municipality currently working on any other planning for housing – yes

2.2.a.

- updating Housing Production Plan, (expected completion FY24)
- assessing opportunity for Accessory Dwelling Unit bylaw
- assessing town owned land for various municipal needs including housing

Sue Brown
1/5/2023

Section 3: Preliminary Zoning Strategies

3.1 Zoning strategies most likely to use

- a. existing district in compliance – no
- b. existing district that can be amended – no
- c. new 40R or other overlay zoning district – yes
- d. new base zoning district or districts – yes
- e. other

3.1.c. Potential district and location: undecided – may consider:

- Portion of Residential District C: close to Business District, along main travel route, close to town facilities, access to public water
- One or more 10+ acre sites along 113 or with access from 113, access to public water

Section 4: Action Plan Timeline

<i>Task</i>	<i>Begin Date</i>	<i>End Date</i>
Secure Consultant	Jan 2023	March 2023
Public Outreach	March 2023	May 2023
Scenario Development	May 2023	October 2023
Public Outreach	October 2023	January 2024
Draft Zoning	Dec 2023	Feb 2024
Planning Board Hearing	March 2024	April 2024
Town Meeting	April 2024	April 2024
If zoning fails, make changes to proposed regulations, and take to Town Meeting again	May 2024	November 2025
Submit for Compliance	June 2024	Dec 2025



Multi-family development in Winchester, MA. (Photo by Amy Dain.)

HOUSING / OPINION

Solving the MBTA Communities zoning puzzle

What does gross density of 15 dwelling units per acre mean?



AMY DAIN Jan 3, 2023

IN 2021, the Commonwealth of Massachusetts adopted the MBTA Communities zoning law requiring municipalities served by the MBTA to zone districts “of reasonable size” for multi-family housing at a “gross density” of 15 dwelling units

per acre. The law applies to 175 cities and towns. Some may already have zoning that meets the requirements. For most of the municipalities, compliance will involve local legislative votes, at town meetings and city councils.

In the process of local reform, thousands of public officials, constituents, and advocates will have to become familiar with the law's novel, complicated, and flexible concept of gross density. I am writing this article to give people a head-start in understanding it.



The state's implementation guidelines explain what cities and towns need to do to come into compliance with the law's requirements, including for gross density. The guidelines are highly technical. The assignment to revise zoning, though, is not a bureaucratic task. It is a democratic task. Reform will engage city councilors and town meeting members in vote after vote, city by city, and town by town.

In this epic effort, people will grapple with what the law's gross density requirement means specifically for their communities' neighborhoods and places. Many are already asking: "What does 15 units per acre look like?" They want to know what kinds of buildings we are talking about.

To represent what parcel-level densities of 15-units-per-acre look like, I could show photos of 15 townhouses on a one-acre lot, or a triple decker apartment building on a 1/5-acre lot, or a 30-unit condo building on a two-acre lot, or a 150-unit apartment complex on a 10-acre parcel. However, the law, as written and as interpreted by the state's executive branch, is not actually about these densities.

Not directly, at least. The term “gross” makes the concept of density more expansive and flexible.

The MBTA Communities zoning law refers not to the densities of individual parcels, but to the densities allowed across entire zoning districts. District-level zoned density is a new concept in zoning, invented in this new law.

The implementation guidelines explain that gross density can be calculated by assessing how many multi-family housing units the zoning allows to be built on every single existing parcel in the district (or districts), and then dividing that count by the total acreage of the district (or districts). This total (“gross”) acreage includes all parts of the district, including both buildable properties and unbuildable areas like public roads or ponds or the land that the public library sits on. According to these rules, the zoning can qualify for compliance if the relevant zoning districts average a “capacity buildout” of 15 units per gross acre, across the whole district.

If there is any land where multi-family housing cannot be built in a district, then the municipality will have to zone at least part of the district for parcel-level densities greater than 15 units per acre – in order for the whole thing to average out to 15. But, importantly, some parcels or sub-districts of qualifying districts can be zoned at lower densities than 15 units per acre. It just has to average out.

In this way, the law’s “15 units per gross acre” can include zoning for high rises and zoning for very low-density townhouses, or anything in between.

The takeaway: Pretty much any type of multi-family density could be a part of local solutions to the puzzle posed by the state’s MBTA Communities law rules. Any multi-family building could fit into the puzzle, depending on how municipalities design the districts.

If a zoning district is drawn to contain only buildable parcels, and no roads, no public buildings in active use, and no waterways, etc., then it is possible that the allowed parcel-level density of 15 units-per-acre could be the same as the district-

wide gross density of 15 units-per-acre.

Why not just draw the district around buildable parcels where multi-family housing will be allowed, and leave the roads out of the district boundaries? In some cases, municipalities will. However, the law's requirements for minimum district size and district contiguity will mean that unbuildable parcels, rivers, and public rights-of-way will sometimes be included within district lines.

The state has recently released a newly developed tool, called a compliance model, for measuring the gross density of multi-family housing allowed in districts, in accordance with the law. Since the tool is new, municipal planners and consultants are only beginning to test different scenarios for implementation. The range of compliant parcel-level zoned densities will likely be wide, but is not yet known.

In running scenarios for implementation, planners will puzzle the required gross density of 15 units per acre together with other technical requirements such as minimum district size and minimum zoning capacity. The law offers significant flexibility for implementation by municipalities, in terms of allowed parcel-level densities and district sizes and district locations as well. It will be interesting to see how each locality solves the puzzle.

Amy Dain is a consultant in public policy research with Dain Research in Newton. Her website is [here](#) and she can be found on her Twitter and Instagram at [@amydain](#). Her series of articles is based on a working paper and a blog post she wrote for the Lincoln Institute of Land Policy.

Tagged in: Housing

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CommonWealth

NONPROFIT JOURNAL OF POLITICS, IDEAS & CIVIC LIFE



A public plaza within a private development, Trio, in Newton. (Photo by Amy Dain.)

HOUSING / OPINION

Seeking predictable permitting for new housing

MBTA Communities law mandates as-of-right zoning



AMY DAIN Jan 4, 2023

Third in a five-part series.

IF YOU LIVE in an affluent suburb of Boston, your municipality is probably not using as-of-right zoning to permit construction of apartments or condos. If your community is served by the MBTA, then the Massachusetts state Legislature has mandated that your municipality zone for multi-family housing as-of-right. The clock is now ticking on implementation.

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The mandate was adopted because Boston’s suburbs have not allowed enough transit-oriented home development to meet the region’s needs for housing and transit-accessibility. Discretionary review processes are part of the problem. As-of-right zoning can help.

As-of-right zoning, also called “by-right zoning,” is the most predictable type of zoning. By definition, property owners have a right to build what is allowed by right on their properties. The municipality cannot use discretion in granting permits to projects that comply with as-of-right zoning requirements, which get adopted by city council or town meeting.

On privately-owned, unrestricted properties (for example, properties that are not protected nature reserves), municipal zoning has to allow for something to be built by right. That something, in practice, is most often a single-family detached home.

To get construction of multi-family homes permitted via zoning, builders typically have to confront an unpredictable, political, and long permitting process.

Those would-be builders apply either for A) a “special permit,” granted by vote of the “special permit granting authority,” or B) for a rezoning, decided by town meeting or city council vote. Either way, approval is at the discretion of municipal decisionmakers, and involves public hearings and local politics.

Why do municipalities prefer the special permit or rezoning processes to as-of-right zoning for multi-family housing? Because discretionary decisionmaking offers municipalities greater ability to limit, leverage, and control development.

Many local voters are highly cautious about allowing residential development, in general. Discretionary approval offers processes for a) killing or downsizing projects unpopular with neighbors, b) shaping projects (for example their look and layout), c) determining builder-led mitigation strategies to address possible negative impacts of projects on the community, and d) sometimes even capturing value from lucrative developments (beyond what is needed for mitigation) and directing it towards public ends.

Value capture is possible when the price of housing units (sales or rents) is projected to come in higher than the cost of construction per unit. All of these costs and prices are in flux, which complicates the practice of value capture. When municipalities attempt to leverage more value than projects can yield, they undermine housing production.

Rising costs of construction may serve to reduce opportunities for value capture, especially when combined with any dips in market prices of housing. Moreover, greater “inclusionary” requirements (restricting the sales prices and rents of some

units in a residential development so they remain affordable to low- and moderate-income households) and new standards for low carbon-emission (“net zero”) buildings may eliminate the pool of funds available for public leverage and negotiation. Trends in residential regulation have been favoring stronger inclusionary zoning and carbon-efficiency standards.

Why would the state want to limit local discretionary approval processes for residential development? The answer is straightforward: They have been fueling the state’s housing crisis.

The processes lengthen development timelines and often lead to expensive changes to construction plans. Due to added costs, some projects fail to pencil out. The reviews lead to unnecessary downsizing of projects and permit denials. The risk deters some people from considering redevelopment of their properties into multi-family housing, and some development firms from entering the market. A developer who has learned the ropes of Newton’s permitting process may not attempt projects in Wellesley, or vice versa – making the market less competitive. (Competition generally puts downward pressure on prices.) Small firms, especially, rely on predictability to make their business plans viable and secure capital funding. Uncertainty and high costs undermine home development.

In these ways, discretion both causes housing scarcity and increases the cost of building homes.

After decades of documented underproduction and over-restriction of multi-family housing in Massachusetts, the Legislature created the MBTA Communities zoning law to require some municipalities to allow multi-family housing development as-of-right.

There are options for municipalities to shape developments via by-right permitting. First of all, municipalities write the by-right zoning and all of the associated requirements; they can also adopt design guidelines and form-based

codes that influence the form and scale and look of buildings, as a part of as-of-right zoning.

Second, inclusionary zoning is consistent with by-right zoning. Inclusionary zoning can be considered as a type of value capture, as the affordable units may not bring in enough revenues to cover their portion of the cost of construction; and their inclusion is a public good. (Note: if requirements are set too high, they can hamper home production. Projects have to pencil out.)

Third, site plan review is consistent with as-of-right zoning, so as-of-right projects can still be reviewed by a board; the board can require, for example, changes to the layout of driveways or the screening of neighboring properties – things that often get addressed through discretionary processes (special permit or rezoning). Site plan review can still be time consuming and expensive for developers, but approval is more certain than for special permit applications.

For small projects, for example triplexes or fourplexes or 10-unit apartment buildings, discretionary permitting does not typically involve significant mitigation or value capture, as the impacts of individual projects are not substantial, and the private profits not enough to leverage for public ends. In these cases, site plan review replaces special permits for the same public benefits, without the uncertainty. There is really no good reason for small residential projects to need special permits, although many municipalities require them.

For large projects, say 100 or more dwelling units, in affluent areas, where rents and sales prices are high, some municipalities are accustomed to leveraging project value, via the permitting process, to upgrade public rights of way, put in paths to the Charles River, create public plazas, dedicate funds for playgrounds or schools, and accomplish other priorities. It may not be possible to leverage as much value via as-of-right zoning.

In some states, assessment of impact fees or linkage fees on residential construction is a mechanism for mitigation and value capture of by-right projects. The Massachusetts Supreme Judicial Court has highly limited their use. Fees are frequently assessed, in accordance with the court's limits, to pay for sewer and water hookups.

As municipal stakeholders deliberate about their options for creating zoning districts in compliance with the MBTA Communities zoning law, many will discuss value capture. The state-issued implementation guidelines for the law give municipalities significant flexibility in drawing large low-density districts or small high-density districts, or some combination of densities, to come into compliance. As they evaluate different scenarios, some people will push back against using as-of-right zoning for dense development, for the missed opportunity to capture value. Also, the greater the density allowed by-right, the less likely it is that developers will engage in the negotiation process for a special permit or rezoning for denser development. These are only a couple of considerations out of many.

If project margins tighten in a shaken world economy, predictable permitting will become even more important to keep the homebuilding industry afloat and gain needed homes. The economy may make opportunities for value capture scarce, even for bigger projects in affluent communities, especially as standards for inclusionary zoning and energy efficiency are strengthened. Under such circumstances, there will be little public benefit to use discretionary zoning for small or big projects. The main "benefit" would be for people who prefer housing scarcity.

The MBTA Communities law supports a flexible transition to reduce the riskiness of project permitting, improve home affordability, and make sure there are homes for everyone.

Amy Dain is a consultant in public policy research with Dain Research in Newton. Her website is [here](#) and she can be found on her Twitter and Instagram at [@amydain](#). This article is based on research she conducted for the Lincoln

Town Manager

From: Town Manager
Sent: Thursday, January 5, 2023 2:26 PM
To: Vanessa Johnson-Hall; Community Preservation Committee
Cc: Patricia Reeser; John Dodge; Conservation
Subject: RE: CPC Application for Funding - Sawmill Brook

D

Thanks, Vanessa. I've circulated this to all CPC members today, in advance of when Barbara is next in the office.

The Select Board, which as you know has previously endorsed the basic framework of the application, will take up the application in open session on Monday night Jan 9th with the expectation that they'll formally endorse the complete application at that time.

Thanks again,
Angus

From: Vanessa Johnson-Hall [REDACTED]
Sent: Thursday, January 5, 2023 1:08 PM
To: Community Preservation Committee <cpc@wnewbury.org>
Cc: Town Manager <townmanager@wnewbury.org>; Patricia Reeser [REDACTED]; John Dodge [REDACTED]; Conservation <conservation@wnewbury.org>
Subject: CPC Application for Funding - Sawmill Brook

Dear Barbara,

I have attached the application for CPA funding for the Town's acquisition of the Sawmill Brook Conservation Project properties. I will be sending the appraisal and Greenbelt's purchase & sale agreement separately to Angus, as those should not become public documents until after the project closes.

I anticipate receiving evidence of supporting votes from the Open Space Committee, Conservation Commission, and Greenbelt's Board prior to the 1/19 meeting, and will send them to you as soon as they are available.

Please let me know if you have any questions.

Thank you,
Vanessa

Vanessa Johnson-Hall
Director, Land Conservation Division
Greenbelt | Essex County's Land Trust

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

ecga.org

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR PROJECT FUNDING

This application may be completed electronically and emailed to cpc@wnewbury.org or printed and completed by hand and submitted to the CPC Administrator. All applications must be received by the CPC Office at least 2 weeks prior to a scheduled meeting in order to be considered by the Committee. For more information contact 978-363-1100 X131.

APPLICANT INFORMATION

Project Name:	Sawmill Brook Conservation Project
Project Address:	Archelaus Place and Poor House Lane
Map/Lot:	Map R14, Lots 30 and 30F
Applicant Name: (Group or Committee Affiliation)	Essex County Greenbelt Association, Inc. and West Newbury Open Space Committee
Contact Person:	Vanessa Johnson-Hall
Telephone:	[REDACTED]
Address:	P.O. Box 1026, Essex, MA 01929
Email:	[REDACTED]
Date of Application:	January 2023

PROJECT ELIGIBILITY

Community Preservation Category (ies)	
Date Approved by CPC	

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR PROJECT FUNDING

PROJECT NARRATIVE

Provide information for the following project components, providing attachments where necessary which clearly reference the heading. All project components listed must be addressed in order for the project to be considered by the CPC.

PROJECT SUMMARY - Provide a description of the Project, including the property involved and its proposed use.

The Town's acquisition of the two parcels of land comprising the Sawmill Brook Conservation Project, with assistance from Greenbelt, will permanently preserve 32 acres of important open space and wildlife habitat on the western side of the Town's Mill Pond / Pipestave Hill Conservation and Recreation Area. CPA funds would be 100% matched by either a state grant and/or fundraising by Greenbelt. Greenbelt will facilitate the real estate portion of the transaction, including holding the Purchase & Sale Agreement, and conducting due diligence (appraisal, title exam, and environmental site assessment). Greenbelt would hold the conservation restriction on the property as is required for municipal lands acquired with CPA funds. The acquisition would be for passive recreational use, expanding the Town's Pipestave Hill / Mill Pond conservation area, and allowing for trail expansion and the opportunity to enhance public access from Archelaus Place.

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR PROJECT FUNDING

PUBLIC BENEFIT – Describe in detail the benefits West Newbury will receive from the Project and how the Project meets the Community Preservation Committee’s Project Evaluation Criteria.

The addition of the property to Pipestave Hill / Mill Pond would have numerous public benefits:

- **Buffer and expand a popular public recreation area:** Sawmill Brook parcels would connect Pipestave Hill / Mill Pond to the open space component of the Deer Run development, expanding the natural area corridor.
- **Allow for trail expansion:** Trails are established on the southern Sawmill Brook parcel, though the current owner does permit public access. Acquiring this land will allow for public access to these parcels. Poor House Lane is currently frequented by walkers coming from Archelaus Place to access Mill Pond / Pipestave Hill.
- **Create opportunity for formal public access to the conservation area from Archelaus Place**
- **Protect water quality of Mill Pond and maintain integrity of high-quality wildlife habitat:**
 - The acquisition would protect Sawmill Brook and associated wetlands. Sawmill Brook is a perennial stream that flows into Mill Pond and ultimately the Merrimack River. Intact forests help filter pollutants out of water, and slow the surface flow of rainfall to reduce erosion and flooding. Preserving these 32 acres of forest will therefore further protect the water quality of Sawmill Brook, Mill Pond, and ultimately the Merrimack.
 - The Commonwealth’s new BioMap study, released in December 2022, shows the Sawmill Brook property as almost entirely within a large area mapped Core Habitat for Rare Species. This means that habitat on the property (which includes the stream corridor and wetlands) is extremely high quality and able to support wildlife whose habitat is dwindling elsewhere.

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR PROJECT FUNDING

CONTROL OF SITE - Indicate whether the applicant owns or has a purchase agreement for the Project site. If the property is under agreement, include a description of the agreement and the timing and conditions of the purchase. If the applicant does not have site control, explain how the project will go forward.

Essex County Greenbelt has a signed purchase & sale agreement with Austin Realty Trust to acquire the 32 acres for \$705,000. The agreement is contingent upon obtaining sufficient funding and satisfaction with due diligence. The funding contingency deadline is the end of July 2023, and the closing deadline is December 15, 2023.

FEASIBILITY - List all steps that may be required for completion of the Project, such as environmental assessment, zoning or other approvals, agreement on terms of any required conservation, affordability or historic preservation restrictions, and any other known issues. For projects that may affect abutters or the neighborhood, describe methods used to notify abutters of the proposal, and support or objections from those affected.

- Appraisal - complete
- Title Exam - complete
- Environmental Site Assessment – in progress
- Town Meeting Approval to authorize \$350,000 in CPA funds – April 24, 2023
- LAND grant application due from Town: early July 2023
- Funding Contingency Deadline – July 31, 2023
- LAND grant awards announced – typically October
- Closing deadline: December 15, 2023

SUPPORT – Seek input from relevant Town entities and members of the community. Provide documentation of their response.

Documentation of the following approvals will be submitted to the CPC prior to the January 19th meeting.

- Essex County Greenbelt Association Board of Directors approval to submit CPC application with West Newbury Open Space Committee – anticipated 2nd week of January 2023
- West Newbury Open Space Committee approval to submit CPC application with Greenbelt – anticipated 1/18/2023
- Verification that the W. Newbury Conservation Commission supports the project as presented and will oversee the project if funded – anticipated 1/9/2023

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR PROJECT FUNDING

SCOPE OF WORK - A scope of work is required to fully develop a time and cost plan for recommendation to Town Meeting. The scope is to be prepared by the Applicant and be detailed enough, in the opinion of the CPC, that a professional qualified to perform the work will be able to provide an estimate of the time and cost necessary to complete the proposed work. Attach the scope of work to this application.

N/A

PROJECT TIMELINE - Describe the anticipated steps or phases for completion of the Project. State whether the Project will be ready to proceed in the coming fiscal year. Will this be a multi-year project?

- Appraisal - complete
- Title Exam - complete
- Environmental Site Assessment – in progress
- Town Meeting Approval to authorize \$350,000 in CPA funds – April 24, 2023
- Greenbelt fundraising: May – December, 2023
- LAND grant application due from Town: early July 2023
- EEA grant awards announced – typically October
- Closing: December 15, 2023

FUNDING - Include a full budget, including itemization of major components and breakdown of construction costs. Describe The estimated annual cost of operating and maintaining the site/project after completion. Describe the basis for your budget and the sources of information you used.

Please see attached budget.

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR PROJECT FUNDING

OTHER - Please provide any other information which you think would be useful for the CPC to consider when evaluating this project's eligibility for funding (attach additional pages if needed):

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR PROJECT FUNDING

APPLICATION CHECKLIST:

To be completed by Applicant and approved by CPC Administrator prior to the application being reviewed by the CPC.

Y	N/A	Application Requirement
Y		Proof of ownership or control of the site, structure, or subject of Application.
by 1/19		Proof of authorization by the public agency, board, committee, or any entity governed by a board, trustees, corporation etc., showing a vote by the entity to submit the Applications and take responsibility for the project.
by 1/19		If the project involves public property, verification that the applicable public agency or department supports the project as presented and will oversee the project if funded.
Y		Assessor's map showing location of the Project.
Y		Photographs, including aerial photographs if available.
	N/A	Detailed scope of work for the project prepared by the Applicant.
	N/A	Recent cost and time to complete estimates from professionals qualified to complete the project.
	N/A	Proposed oversight and management plan for the Project.
	N/A	If the project involves a historic resource, evidence (date of listing on the state register or a letter from the West Newbury Historical Commission confirming its determination of significance) with the application that it meets these criteria.
	N/A	Architectural plans and specifications, for new construction or rehabilitation.
Y		Maps, renderings, site plans.
	N/A	Historic structures report, existing conditions report.
	N/A	Names and addresses of project architects, contractors and consultants.
by 1/19		Documentation of support from Town entities and Community.
	N/A	Permission from the property owner to display a CPC funded project sign.

Approval by CPC Administrator:

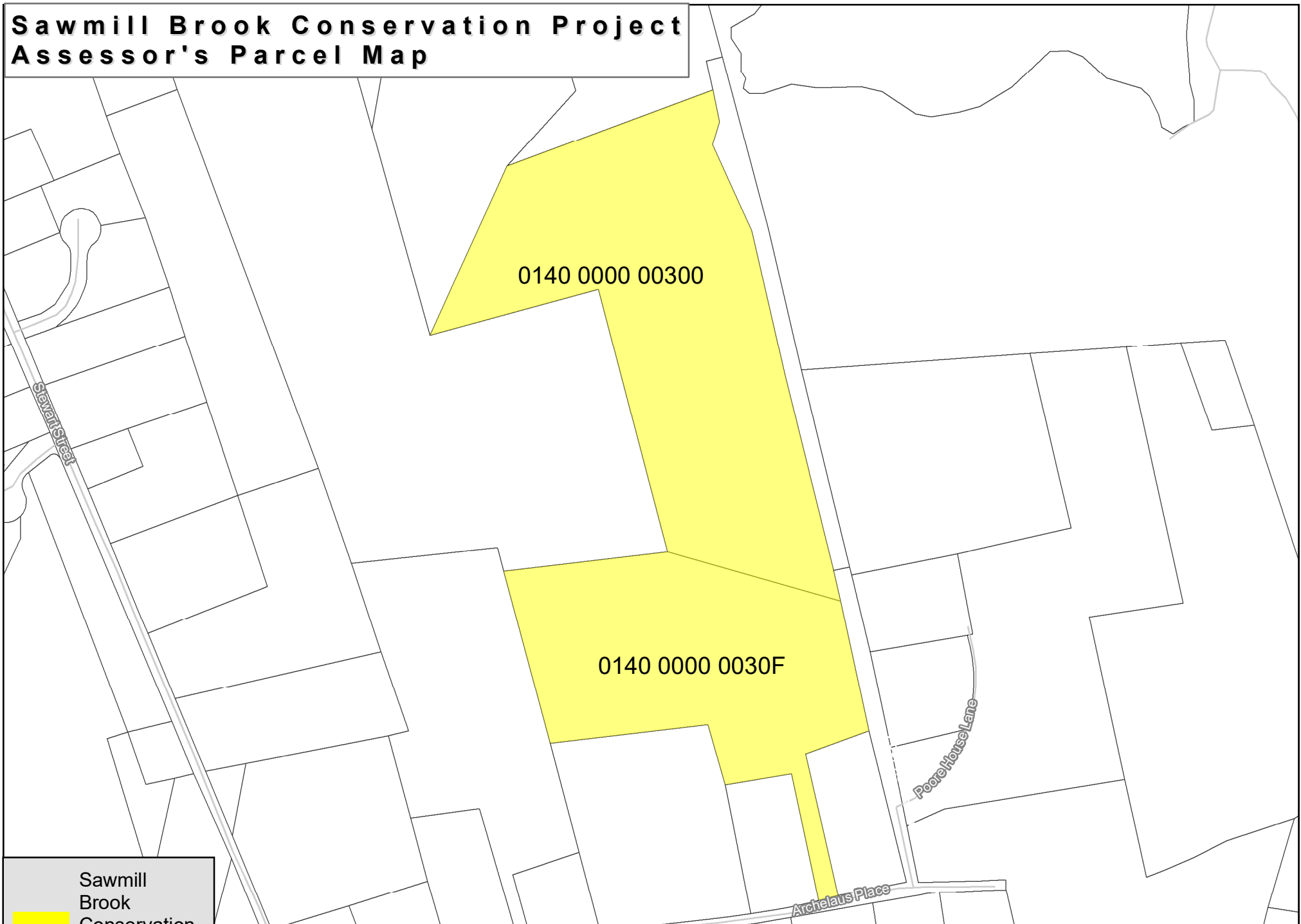
Signature	
Date	

Project Budget: Sawmill Brook Conservation Acquisition

Project Expenses		Deadline / Status
Acquisition Cost	\$705,000	December 15, 2023
Transaction Costs (paid by Greenbelt)		
Title	\$1,300	complete
Phase 1 ESA	\$2,500	in progress
Appraisal	\$4,800	complete
Closing Costs	\$750	(estimated)
Legal Fees	\$5,000	(estimated)
Total Transaction	\$14,350	approved
Total Project Cost	\$719,350	
Funding Sources - Cost Scenarios		
Scenario 1: W. Newbury awarded LAND grant		
EEA LAND grant (W. Newbury)	\$394,800	
W Newbury Community Preservation Act fund	\$210,200	
Greenbelt private fundraising	\$100,000	
EEA Conservation Partnership Grant (Greenbelt)	\$0	
Greenbelt - transaction costs	\$14,350	approved
Total Funding	\$719,350	
Scenario 2: W. Newbury not awarded LAND grant		
EEA LAND grant (W. Newbury)	\$0	
W Newbury Community Preservation Act fund	\$350,000	
Greenbelt private fundraising	\$180,000	
EEA Conservation Partnership Grant (Greenbelt)*	\$175,000	
Greenbelt - transaction costs	\$14,350	approved
Total Funding	\$705,000	

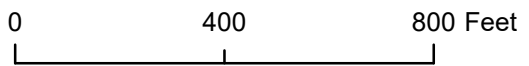
**Greenbelt will apply for the EEA Conservation Partnership Grant concurrently with W. Newbury applying for EEA LAND Grant, and will notify EEA that the preference is for EEA to award the LAND grant to W. Newbury. Only one EEA grant is typically awarded per project*

Sawmill Brook Conservation Project Assessor's Parcel Map



Sawmill
Brook
Conservation
Project
(proposed)

Packet for Select Board meeting on Jan. 9, 2023

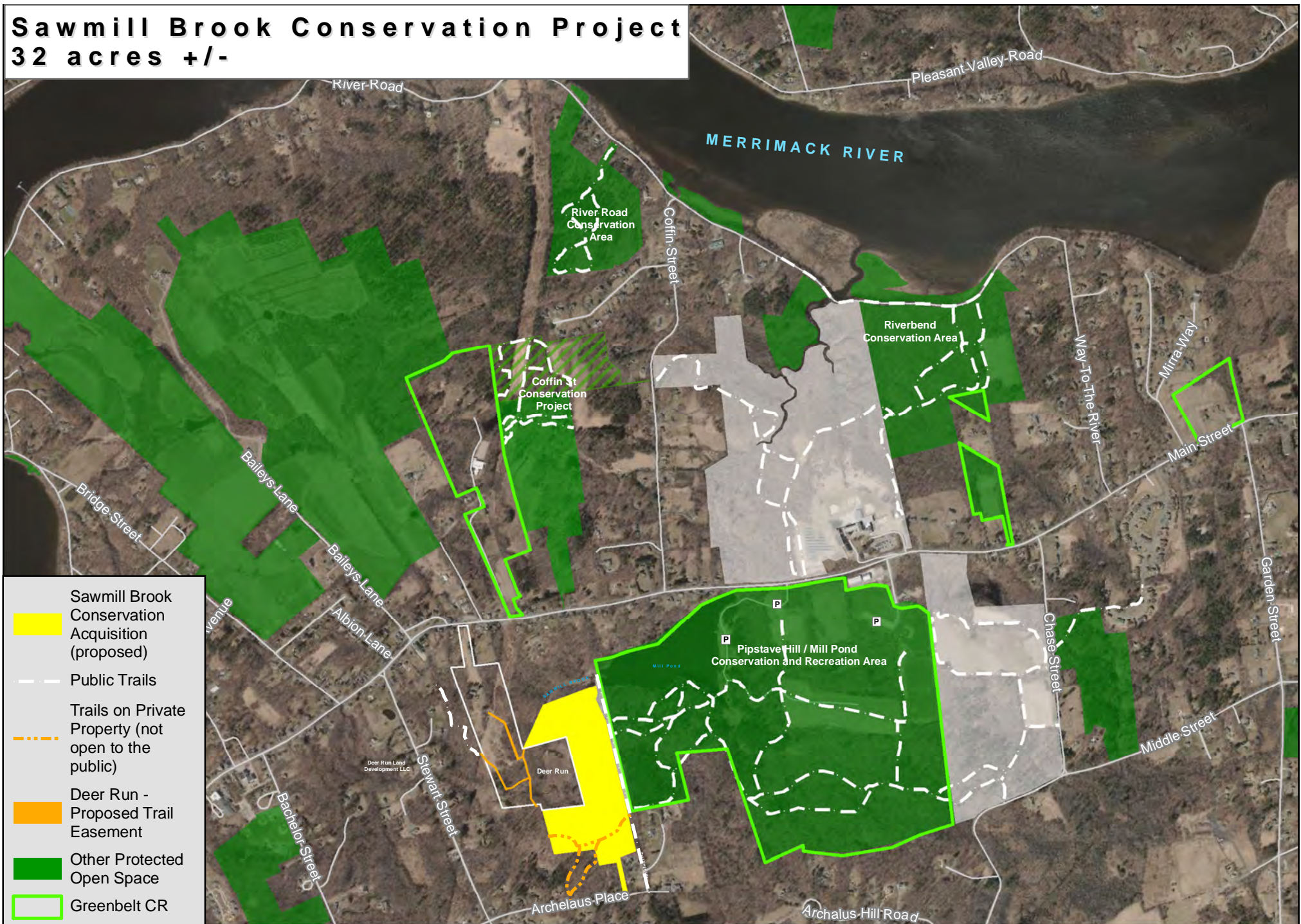


Map for illustrative purposes only. Boundaries are approximate and based on most currently-available assessor's data. 2019 Orthophotos; 1:5,000. All data other than Greenbelt properties from MassGIS. Map by Greenbelt, dated 12.25.22



Sawmill Brook Conservation Project

32 acres +/-



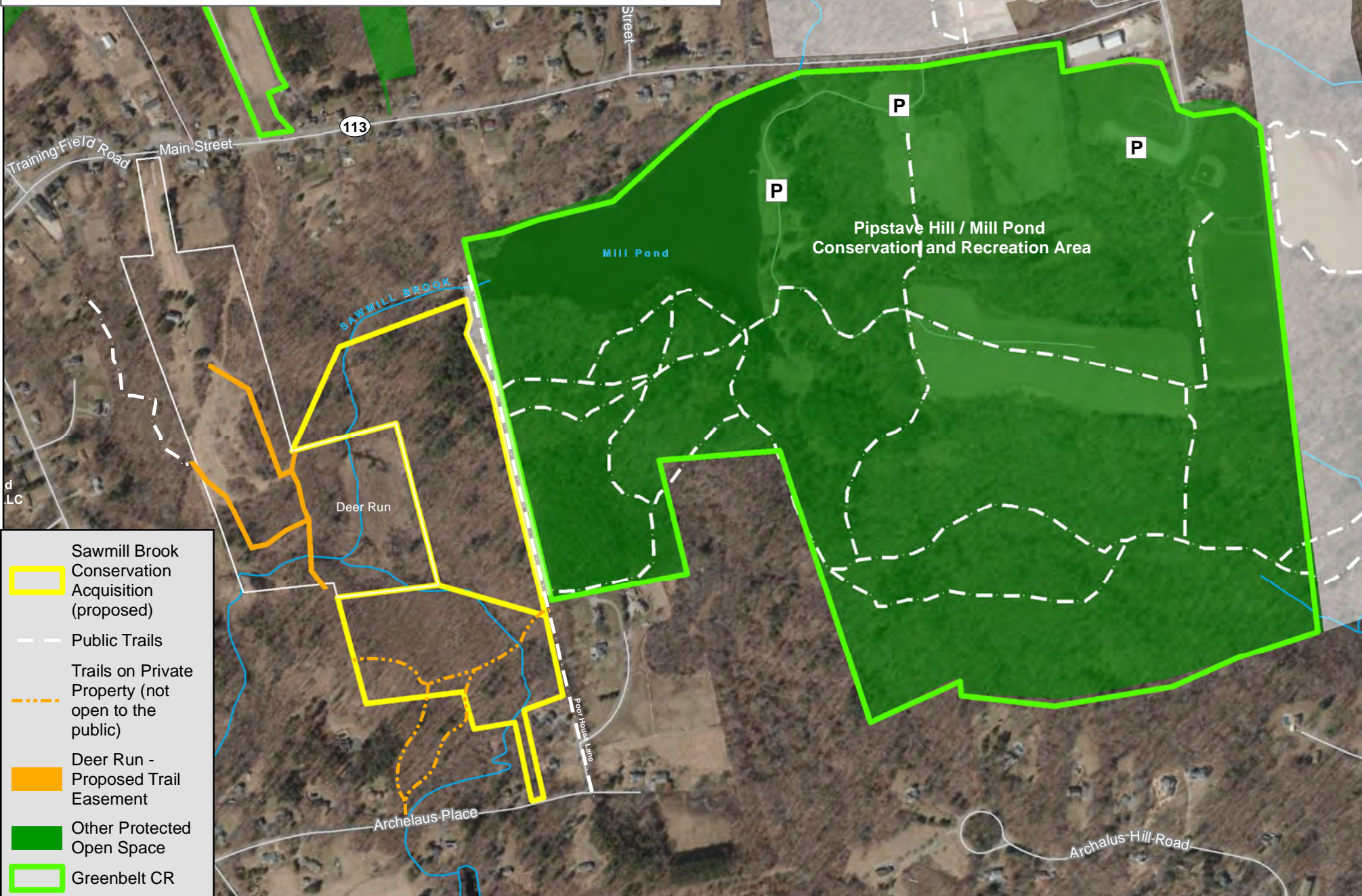
- Sawmill Brook Conservation Acquisition (proposed)
- Public Trails
- Trails on Private Property (not open to the public)
- Deer Run - Proposed Trail Easement
- Other Protected Open Space
- Greenbelt CR
- Other Municipal Land (not Article 97 protected)



Map for illustrative purposes only. Boundaries are approximate and based on most currently-available assessor's data. 2019 Orthophotos; 1:5,000. All data other than Greenbelt properties from MassGIS. Map by Greenbelt, dated 12/30/22



Sawmill Brook Conservation Project 32 acres +/-



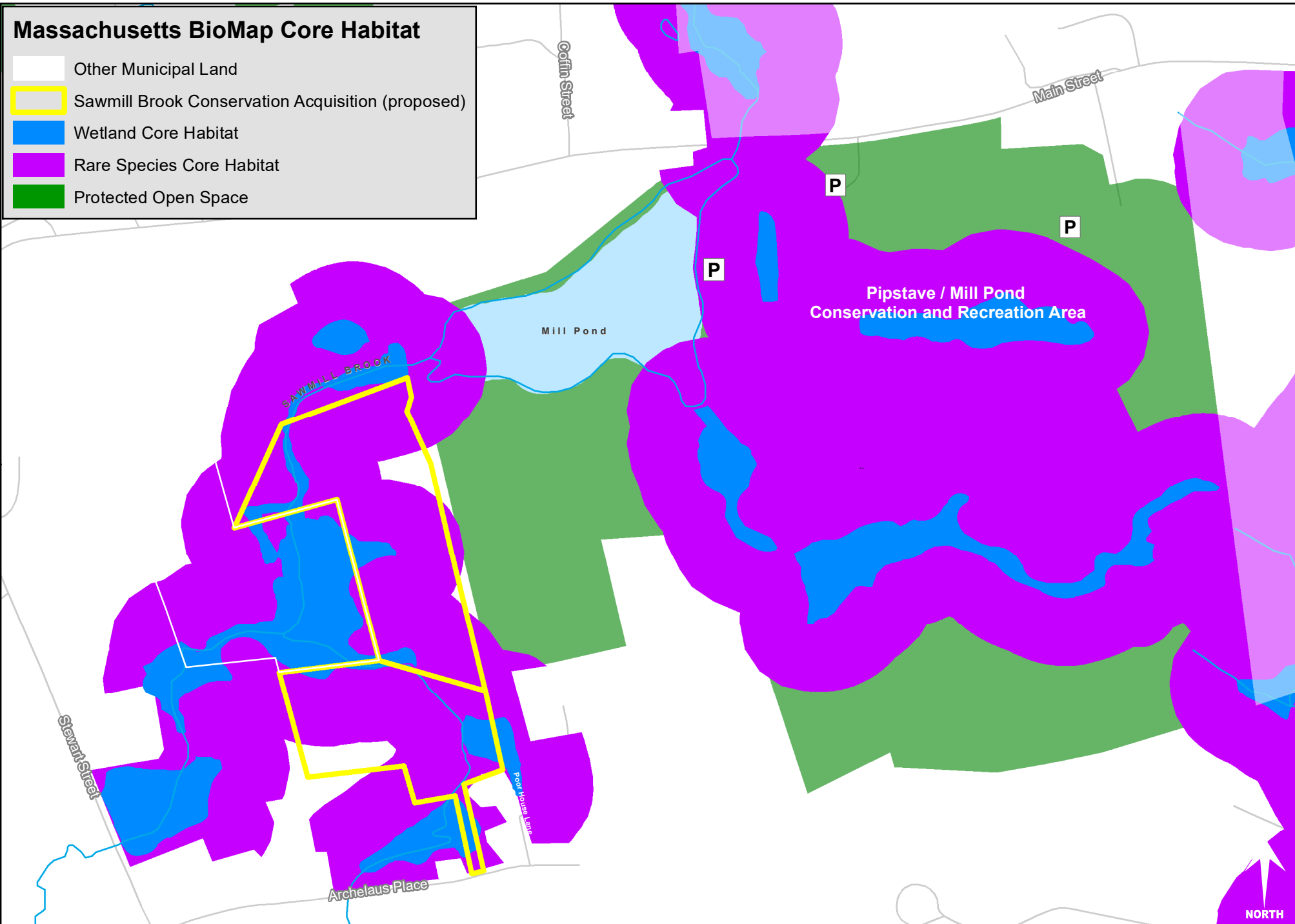
- Sawmill Brook Conservation Acquisition (proposed)
- Public Trails
- Trails on Private Property (not open to the public)
- Deer Run - Proposed Trail Easement
- Other Protected Open Space
- Greenbelt CR
- Other Municipal Land (not Article 97 protected)

0 500 1,000 Feet



Map for illustrative purposes only. Boundaries are approximate and based on most currently-available assessor's data. 2019 Orthophotos; 1:5,000. All data other than Greenbelt properties from MassGIS. Map by Greenbelt, dated 12/29/22





Sawmill Brook Conservation Project

32 acres +/-

Packet for Select Board meeting on Jan. 9, 2023

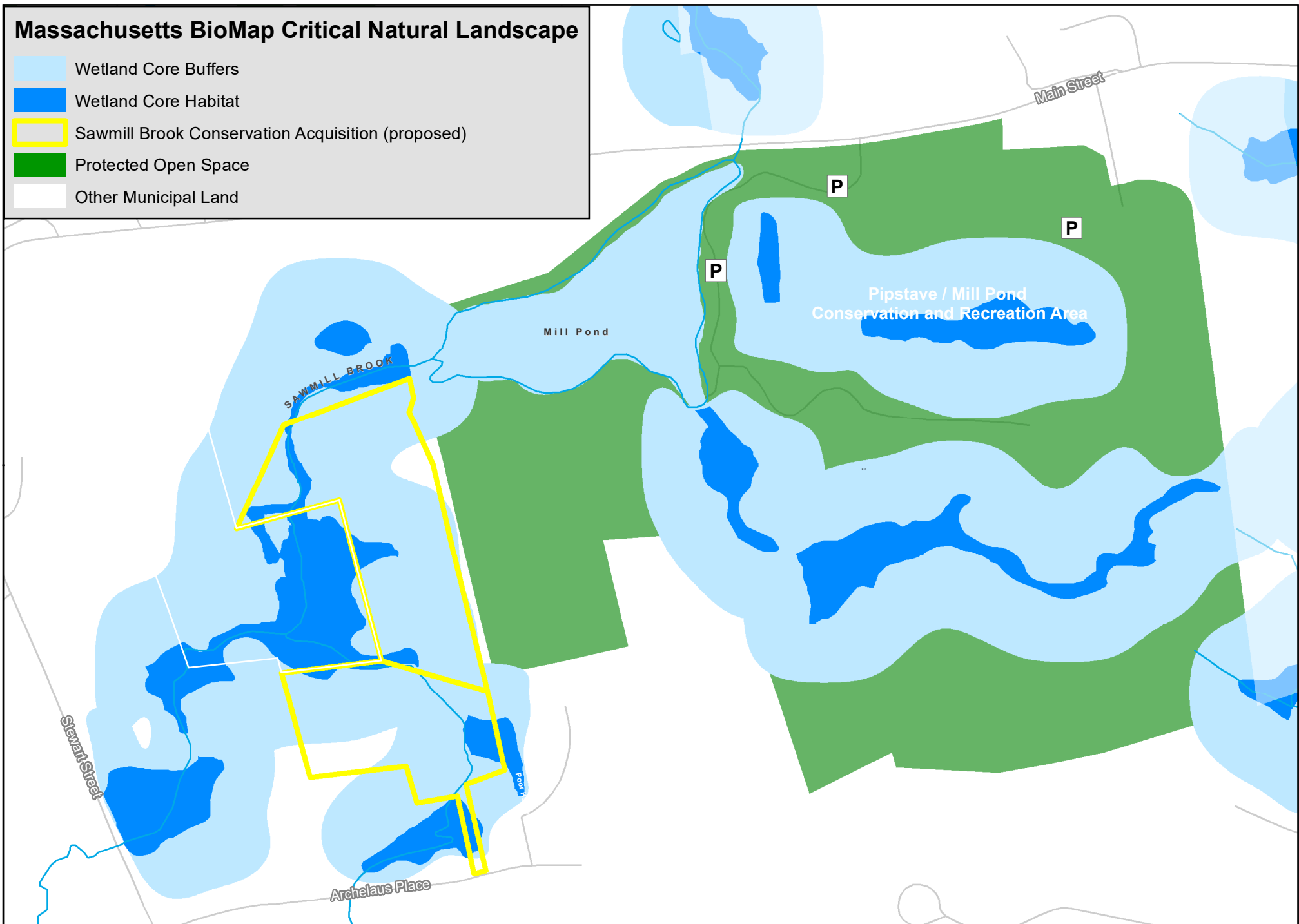
Map for illustrative purposes only. Boundaries are approximate and based on most currently-available assessor's data. 2019 Orthophotos; 1:5,000. All data other than Greenbelt properties from MassGIS. Map by Greenbelt, dated 12/8/22

0 500 1,000 Feet

Greenbelt
Essex County's Land Trust

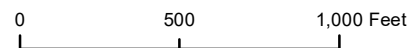
Massachusetts BioMap Critical Natural Landscape

- Wetland Core Buffers
- Wetland Core Habitat
- Sawmill Brook Conservation Acquisition (proposed)
- Protected Open Space
- Other Municipal Land



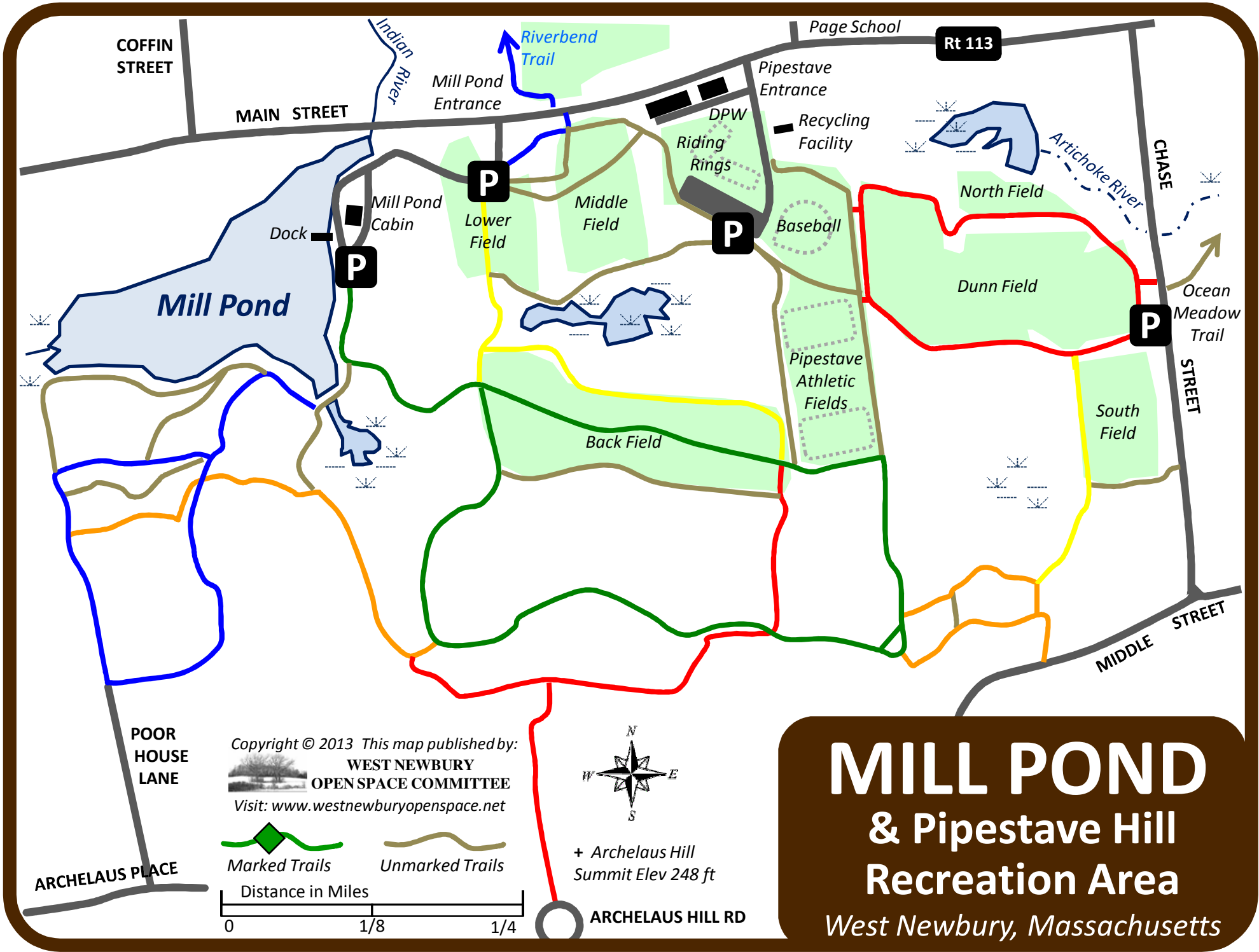
Sawmill Brook Conservation Project 32 acres +/-

Packet for Select Board meeting on Jan. 9, 2023



Map for illustrative purposes only. Boundaries are approximate and based on most currently-available assessor's data. 2019 Orthophotos; 1:5,000. All data other than Greenbelt properties from MassGIS. Map by Greenbelt, dated 12/9/22







Sawmill Brook in winter.



The Almshouse Cemetery from Poor House Lane. The proposed conservation acquisition is immediately behind the photographer.



Mill Pond from
Northern portion
of Poor House
Lane.



Poor House Lane. Sawmill
Brook property is on the
right.

CLASSIFICATION & COMPENSATION STUDY

TOWN OF WEST NEWBURY, MA

EDWARD J. COLLINS, JR. CENTER FOR PUBLIC MANAGEMENT

DECEMBER 2022

Edward J. Collins, Jr. Center for Public Management

McCORMACK GRADUATE SCHOOL OF POLICY AND GLOBAL STUDIES

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Introduction

The Town of West Newbury received a Community Compact Best Practice grant to conduct a classification, compensation and organizational staffing review for approximately 35 positions. The Town sought to evaluate not only the duties performed but the staffing levels and hours assigned in an effort to provide services in the most efficient and effective manner, also to evaluate potential avenues for succession planning.

Executive Summary

The Collins Center Project Team (Project Team) conducted analysis of West Newbury's positions and structure and achieved the following:

- Developed new descriptions for the positions studied, including clear definitions of essential functions and requirements;
- Evaluated and assigned all positions studied to appropriate classifications to assure internal equity;
- Evaluated survey data to determine relative marketplace and recommend an equitable compensation structure; and
- Provided a summary area municipality staffing model, organized by department

Position Descriptions

The Project Team started with an evaluation of the Town's current classification system in order to improve its viability. In order to facilitate this evaluation, the Town made available existing copies of positions descriptions. After an orientation, position classification questionnaires (questionnaires) were distributed to incumbent personnel for the study positions. The questionnaires elicit information including but not limited to the nature of the work performed, the complexity and scope of responsibilities and the requirements needed to fill the position.

After the collection of completed questionnaires from all relevant positions, information contained was incorporated into the drafting of job descriptions. The drafts were submitted to the Town for distribution to employees and supervisors for comments. Comments were received and the majority were incorporated into the updated draft job descriptions. As of this writing, the process to finalize job descriptions is nearing completion, but still underway. Once finalized, the electronic copies of approved job descriptions will be transmitted under separate cover.

Rating of Positions for Classification & Internal Equity

The review of position descriptions revealed that many descriptions were accurate. Some positions' descriptions needed updating. Once descriptions were drafted, the Project Team used a point factor rating method to objectively evaluate all relevant positions. While job descriptions have not been finalized, they are sufficiently advanced as to provide a basis for this work; as details are finalized, they are not expected to materially change positions' ratings under the position evaluation system. The application of an objective position evaluation system that is consistently applied to each position is critical in assuring the

internal equity of the classification plan. The evaluation system utilized by the Collins Center is one that has been successfully implemented in many municipalities and other governmental organizations in the Commonwealth. Each position was assigned a point factor in a series of categories, including those listed below, and the total points determined the groupings of positions. These categories include:

Supervision Received	Supervision Exercised	Accountability
Judgement	Complexity	Personal Contacts
Confidentiality	Education/Licenses	Experience
Work Environment	Physical Requirements	Motor Skills
Physical Skills	Occupational Risks	

Recommended Classification Structure

Having a standardized classification system will benefit the Town in recruitment efforts and in efforts to conduct comparisons to other municipalities for functions and compensation. The Collins Center recommends the following classification structure.

POSITION TITLE	GRADE
Town Manager	A
Fire Chief	B
Police Chief	B
DPW Director	C
Building Inspector	D
Chief Assessor/GIS Coordinator	D
COA Director	D
Library Director	D
Town Accountant	D
Town Clerk	D
Treasurer/Tax Collector	D
Water Superintendent	D
Conservation Agent	E
DPW Programs and Projects Manager	E
Health Agent	E
Town Planner	E
DPW Building and Grounds Foreman	F
Water Licensed Operators	F

POSITION TITLE	GRADE
Assistant Assessor	G
Assistant Town Clerk	G
COA Nutrition Coordinator	G
DPW Business Administrator/Purchasing Assistant	G
Executive Assistant to the Town Manager	G
Finance Department Assistant	G
Librarian - Cataloger	G
Librarian - Children's Services	G
Librarian - Youth Services	G
Librarian - Technology Services	G
Police Administrative Assistant	G
Water Department Administrative Assistant	G
Administrative Assistant - Health	H
Administrative Assistant - CPC	H
Administrative Assistant - Planning	H
Administrative Assistant - Inspectional Services/ZBA	H
DPW Building and Grounds Custodian	H
Library Assistants	I
Recycling Coordinator	I
Various Laborers (Part Time)	I
COA Van Driver	I

During our review, it was noted that some positions included in the study vary from the positions listed in the table above, in that these positions work irregular hours or on an as-needed basis. It is recommended that the town consider evaluating the following positions for a change in compensation structure, as they may be better suited to employment contracts and/or fixed stipends (rather than hourly pay, as they have been budgeted traditionally in West Newbury) to better reflect their responsibilities and hours:

- Chief Fire Engineer
- EMA Director
- EMA Deputy Director
- Electrical Inspector; and
- Plumbing/Gas Inspector

Last year, the town implemented a change in this manner for its Summer Recreation Program Directors, with whom it entered employment contracts to govern the positions' responsibilities and compensation. This provided advantages to both the town and the employees.

Labor Market Wage and Salary Survey

A labor market salary survey was conducted to determine the wage and salary rates that other area towns use to compensate their employees. The criteria considered for selecting comparable municipalities included geographical proximity, as well as equalized value per capita and average tax bill. A summary of the survey results is attached to this report. Obtaining survey data is one of the most challenging aspects of a classification and compensation study because not all positions perform the same work across municipalities. Survey data was collected for the following towns: Boxford, Essex, Georgetown, Groveland, Ipswich, Merrimac, Middleton, Nahant, Newbury, Newburyport, and Salisbury.

The Collins Center evaluates both the average and the median pay in order to obtain accurate information. The analysis of median pay removes the outlying data points. West Newbury has pay ranges for most positions, although for some positions it does rely on a single rate of pay. In many cases the compensation ranges of West Newbury's positions are below those of the market data collected. A summary of the survey data is attached to this report.

Development of a Salary Schedule

In classification evaluation, it is important to note that each municipality is different and the comparability within an organization is as important, if not more so, than external comparability. In developing the recommended salary and wage schedule ("salary schedule"), the Project Team coalesced the data from classification groupings and the market survey to establish salary ranges for each of the grades. The salary ranges were established by evaluating the median and average maximum pay of the survey data pay with respect to the existing pay of the positions in each grade. The industry standard for salary ranges is 25% to 30%. In West Newbury, the ranges in the current wage range schedule were from 20% to 47%. While positions should be classified into different grades because of the responsibilities and nature of the work, the pay scales or ranges should have the same spread and the Town should correct the disparity in ranges in the current structure. The following Table represents the Project Team's recommendations for ranges by classification using a 30% range.

GRADE	MINIMUM	MAXIMUM
A	\$55.01	\$78.59
B	\$48.15	\$68.79
C	\$42.17	\$60.24
D	\$33.82	\$48.31
E	\$31.10	\$44.43
F	\$26.32	\$37.60
G	\$23.61	\$33.73
H	\$19.59	\$27.98
I	\$16.00	\$22.85

Implementation

The Project Team recommends placing employees at least at the minimum of the assigned grade. The Town will need to make policy decisions on any other adjustments such as length of service or specific market conditions. The Town may choose to implement the ranges in one fiscal year and then develop a system moving employees through the schedule based on merit. The Center has provided a sample classification schedule with eleven steps for future consideration (attached). Such a system would enable the Town to consider both step increases, merit increases and across the board increases with each budget cycle.

Review of Staffing Structure

As part of the Review, the Center was asked to review the staffing structure of departments, with particular focus on the positions in the Town Manager, Select Board and Finance department(s). West Newbury has an atypical structure. When the project began key positions were housed in the “Finance” function, as was part of the Town Manager/Select Board office. The staffing model was a function of legacy positions and crafting specific positions around individuals or to accommodate for a vacancy. In an effort to “right size” the structure, the Town Manager asked for information about area municipalities. Attached to this report is a summary of the information collected and represents the West Newbury staffing at the commencement of the project. The review revealed West Newbury is slimly staffed in the finance and administration functions, and employees often wear many hats. Several department heads have no support staff and do both the managerial and the administrative/clerical work of the department.

It should be noted that many positions, titles and hours have been modified as part of the review, and as a result of position turnover in the Town Offices. This has resulted in the clarified or restructured positions of Town Accountant, Finance Department Assistant, Executive Assistant, Town Clerk, Assistant Town Clerk, DPW Administrative Assistant, and Council on Aging Director and the elimination of the Resident Services Administrator position. Some Library positions’ titles were also revised to better reflect the specific roles of Library staff.

Conclusion

The Project Team would like to thank the Town for welcoming the Collins Center. We believe the recommended position descriptions and classification plan will serve the Town well for many years to come.

Summary of Salary Survey Minimum

POSITION TITLE	WEST NEWBURY FY2023 MINIMUM	WEST NEWBURY FY2023 MAXIMUM	AVERAGE MINIMUM	MEDIAN MINIMUM	WEST NEWBURY MINUS AVE MINIMUM	WEST NEWBURY MINUS MEDIAN MINIMUM
Town Administrator/Town Manager	\$64.95	\$78.59	\$60.15	\$57.42	\$4.80	\$7.53
Chief – Police	\$54.68	\$68.34	\$54.49	\$53.21	\$0.19	\$1.47
Chief - Fire	\$34.15	\$44.43	\$46.82	\$47.51	(\$12.67)	(\$13.36)
DPW Director	\$47.85	\$58.09	\$45.29	\$46.26	\$2.56	\$1.60
Town Accountant	\$41.02	\$51.26	\$42.01	\$42.05	(\$0.99)	(\$1.03)
Assessor	\$34.15	\$44.43	\$41.51	\$42.47	(\$7.36)	(\$8.32)
Building Commissioner/Inspector	\$34.15	\$44.43	\$39.58	\$39.30	(\$5.43)	(\$5.15)
Library Director	\$34.15	\$44.43	\$34.38	\$36.05	(\$0.23)	(\$1.90)
Town Clerk	\$34.15	\$44.43	\$31.02	\$31.14	\$3.14	\$3.01
Treasurer/Tax Collector	\$34.15	\$44.43	\$37.68	\$38.81	(\$3.53)	(\$4.66)
COA Director	\$30.76	\$37.60	\$31.53	\$29.55	(\$0.77)	\$1.21
Health Agent	\$34.15	\$44.43	\$38.89	\$40.00	(\$4.74)	(\$5.85)
Executive Assistant – Town Manager	\$30.76	\$37.60	\$24.48	\$22.93	\$6.28	\$7.83
Children's Librarian	\$30.76	\$37.60	\$23.40	\$23.29	\$7.36	\$7.47
Conservation Agent (Shared)	\$27.36	\$32.49	\$32.57	\$32.71	(\$5.21)	(\$5.35)
Water Operator/Licensed Operator	\$27.36	\$32.49	\$26.67	\$28.13	\$0.69	(\$0.77)
Youth Services Librarian	\$20.49	\$25.65	\$23.00	\$23.29	(\$2.51)	(\$2.80)
Administrative Assistant - Police Department	\$30.76	\$37.60	\$22.43	\$23.54	\$8.33	\$7.23
Assistant Town Clerk	\$23.94	\$29.02	\$24.10	\$25.98	(\$0.16)	(\$2.04)
Assistant Assessor	\$20.49	\$25.65	\$25.73	\$27.41	(\$5.24)	(\$6.92)
Administrative Assistant - Planning	\$27.36	\$32.49	\$20.75	\$20.20	\$6.62	\$7.16
Administrative Assistant - DPW	\$20.49	\$25.65	\$23.76	\$25.00	(\$3.27)	(\$4.51)
Administrative Assistant to Insp./ZBA	\$20.49	\$25.65	\$21.77	\$21.72	(\$1.28)	(\$1.23)
COA Van Driver	\$15.00	\$18.81	\$17.23	\$15.92	(\$2.23)	(\$0.92)

Summary of Salary Survey Maximum

POSITION TITLE	WEST NEWBURY MINIMUM	WEST NEWBURY MAXIMUM	AVERAGE MAXIMUM	MEDIAN MAXIMUM	WEST NEWBURY MINUS AVE MAXIMUM	WEST NEWBURY MINUS MED MAXIMUM
Town Administrator/Town Manager	\$64.95	\$78.59	\$69.88	\$73.23	\$8.71	\$5.36
Chief - Police	\$54.68	\$68.34	\$70.67	\$69.58	(\$2.33)	(\$1.24)
Chief - Fire	\$34.15	\$44.43	\$59.39	\$62.06	(\$14.96)	(\$17.63)
DPW Director	\$47.85	\$58.09	\$60.06	\$58.50	(\$1.97)	(\$0.41)
Superintendent/Water Superintendent	\$41.02	\$51.26	\$49.33	\$47.38	\$1.93	\$3.89
Town Accountant	\$41.02	\$51.26	\$52.16	\$48.31	(\$0.90)	\$2.95
Assessor	\$34.15	\$44.43	\$50.09	\$49.46	(\$5.66)	(\$5.03)
Building Commissioner/Inspector	\$34.15	\$44.43	\$47.47	\$45.83	(\$3.04)	(\$1.40)
Library Director	\$34.15	\$44.43	\$43.60	\$44.94	\$0.83	(\$0.51)
Town Clerk	\$34.15	\$44.43	\$40.38	\$42.11	\$4.05	\$2.32
Treasurer/Tax Collector	\$34.15	\$44.43	\$48.39	\$46.97	(\$3.96)	(\$2.54)
Town Planner	\$34.15	\$44.43	\$43.82	\$47.32	\$0.61	(\$2.89)
COA Director	\$30.76	\$37.60	\$39.49	\$38.54	(\$1.89)	(\$0.94)
Health Agent	\$34.15	\$44.43	\$49.12	\$47.67	(\$4.69)	(\$3.24)
Executive Assistant - TM/BOS	\$30.76	\$37.60	\$33.75	\$33.73	\$3.85	\$3.87
Children's Librarian	\$30.76	\$37.60	\$29.83	\$29.47	\$7.77	\$8.13
Conservation Agent (Shared)/Administrator	\$27.36	\$32.49	\$45.79	\$40.76	(\$13.30)	(\$8.27)
Water Operator/Licensed Operator	\$27.36	\$32.49	\$33.40	\$32.12	(\$0.91)	\$0.37
Plumbing / Gas Inspector	\$27.36	\$32.49	\$35.58	\$32.00	(\$3.09)	\$0.49
Electrical Inspector	\$27.36	\$32.49	\$35.58	\$32.00	(\$3.09)	\$0.49
Youth Services Librarian	\$20.49	\$25.65	\$26.18	\$26.61	(\$0.53)	(\$0.96)
COA Meals/ Program Coordinator	\$17.11	\$22.23	\$21.24	\$20.67	\$0.99	\$1.57
Administrative Assistant - Police Department	\$30.76	\$37.60	\$27.70	\$28.21	\$9.90	\$9.39
Assistant Town Accountant	\$30.76	\$37.60	\$29.07	\$27.98	\$8.53	\$9.63

POSITION TITLE	WEST NEWBURY MINIMUM	WEST NEWBURY MAXIMUM	AVERAGE MAXIMUM	MEDIAN MAXIMUM	WEST NEWBURY MINUS AVE MAXIMUM	WEST NEWBURY MINUS MED MAXIMUM
Water Office Manager/Administrative Assistant	\$23.94	\$29.07	\$28.75	\$28.23	\$0.32	\$0.84
Assistant Town Clerk	\$23.94	\$29.02	\$29.06	\$27.44	(\$0.04)	\$1.59
Assistant Assessor	\$20.49	\$25.65	\$33.04	\$29.64	(\$7.39)	(\$3.99)
Administrative Assistant - Planning	\$27.36	\$32.49	\$26.34	\$24.57	\$6.15	\$7.92
Administrative Assistant - Health	\$20.49	\$25.65	\$25.13	\$25.56	\$0.52	\$0.09
Administrative Assistant - DPW	\$20.49	\$25.65	\$28.36	\$26.45	(\$2.71)	(\$0.80)
Administrative Assistant - Insp/ZBA	\$20.49	\$25.65	\$26.03	\$25.48	(\$0.38)	\$0.17
Library Assistant	\$15.00	\$18.81	\$18.88	\$16.94	(\$0.07)	\$1.87
COA Van Driver	\$15.00	\$18.81	\$19.85	\$19.72	(\$1.04)	(\$0.91)
Reserve Officer (PT)		\$21.79	\$25.32	\$23.74	(\$3.53)	(\$1.95)

Sample Compensation Schedule

Grade	Min	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Max
A	\$55.01	\$56.98	\$58.94	\$60.91	\$62.87	\$64.84	\$66.80	\$68.77	\$70.73	\$72.70	\$74.66	\$76.63	\$78.59
B	\$48.15	\$49.87	\$51.59	\$53.31	\$55.03	\$56.75	\$58.47	\$60.19	\$61.91	\$63.63	\$65.35	\$67.07	\$68.79
C	\$42.17	\$43.67	\$45.18	\$46.69	\$48.19	\$49.70	\$51.20	\$52.71	\$54.22	\$55.72	\$57.23	\$58.73	\$60.24
D	\$33.82	\$35.02	\$36.23	\$37.44	\$38.65	\$39.86	\$41.06	\$42.27	\$43.48	\$44.69	\$45.89	\$47.10	\$48.31
E	\$31.10	\$32.21	\$33.32	\$34.43	\$35.54	\$36.65	\$37.77	\$38.88	\$39.99	\$41.10	\$42.21	\$43.32	\$44.43
F	\$26.32	\$27.26	\$28.20	\$29.14	\$30.08	\$31.02	\$31.96	\$32.90	\$33.84	\$34.78	\$35.72	\$36.66	\$37.60
G	\$23.61	\$24.45	\$25.30	\$26.14	\$26.98	\$27.83	\$28.67	\$29.51	\$30.36	\$31.20	\$32.04	\$32.89	\$33.73
H	\$19.59	\$20.29	\$20.99	\$21.68	\$22.38	\$23.08	\$23.78	\$24.48	\$25.18	\$25.88	\$26.58	\$27.28	\$27.98
I	\$16.00	\$16.57	\$17.14	\$17.71	\$18.28	\$18.85	\$19.42	\$19.99	\$20.57	\$21.14	\$21.71	\$22.28	\$22.85

Summary of Organizational Structure of Area Municipalities

Town Administrator/Manager								
Municipality	Position One		Position Two		Position Three		Position Four	
	Title	HRS	Title	HRS	Title	HRS	Title	HRS
West Newbury	Town Manager	40	Select Board/ Resident Services Administrator	22				
Boxford	Town Administrator	40	Assistant Town Administrator	40	Administrative Services Manager	35		
Essex	Town Manager	40	Select Board Assistant	36.5				
Georgetown	Town Manager	40	Executive Assistant	40				
Groveland	Town Administrator	40						
Hamilton	Town Manager	40	Regional Human Resources Director	40				
Ipswich	Town Manager	40	Purchasing Agent	35	Administrative Coordinator	35		
Merrimac	Select Board Executive Assistant	35	Finance Committee Administrator	\$1,000 stipend				
Middleton	Town Administrator	40	Assistant Town Administrator / Human	40	Administrative Secretary Town Administrator	19		
Nahant	Town Administrator	37	Executive Assistant	37				
Newbury	Town Administrator	35	Select Board Executive Administrative Assistant	25				
Rowley	Town Administrator / Personnel Officer	40	Assistant Town Administrator	35	Assistant Town Administrator	14.5	Administrative Assistant	13
Topsfield	Town Administrator	40	Purchasing Agent	40	Executive Assistant 40			
Wenham	Town Administrator	40	Executive Assistant	40				

Treasurer/Collector						
Municipality	Position One		Position Two		Position Three	
	Title	HRS	Title	HRS	Title	HRS
West Newbury	Treasurer/Collector	40				
Boxford	Treasurer/Collector	35	Assistant Treasurer/Collector	34	Payroll/ Personnel Administrator	18
Essex	Treasurer/Collector	36.5	Treasurer/Collector/Town Clerk	36.5		
Georgetown	Treasurer/Collector	40	Assistant Treasurer/Collector	36	Administrative/ Payroll Coordinator	20
Groveland	Treasurer/Collector	30	Assistant Treasurer/Collector	30		
Hamilton	Treasurer/Collector	40				
Ipswich	Treasurer/Collector	35	Assistant Treasurer/Collector	35		
Merrimac	Town Administrator, Finance Director/Treasurer	40	Assistant Treasurer/Collector	30	Tax Collector	40
Middleton	Treasurer/Collector	40	Assistant Treasurer/Collector	40		
Nahant	Treasurer/Collector	37	Assistant Treasurer/Collector	37		
Newbury	Treasurer/Collector	35	Assistant Treasurer/Collector	35		
Rowley	Treasurer/Collector	40	Assistant Treasurer/Collector	37.5	Assistant Tax Collector	15
Topsfield	Treasurer/Collector	40	Assistant Treasurer/Collector	34	Payroll/Personnel	38
Wenham	Treasurer/Collector	40				

Accounting						
Municipality	Position One		Position Two		Position Three	
	Title	HRS	Title	HRS	Title	HRS
West Newbury	Town Accountant	40	Assistant to Finance Dept and Town Manager	40		
Essex	Town Accountant					
Georgetown	Town Accountant	40	Administrative Assistant	16		
Groveland	Town Accountant	37.5				
Hamilton	Finance Director/Town Accountant	40				
Ipswich	Town Accountant	35	Assistant Town Accountant	35		
Merrimac	Town Accountant	40	Assistant Town Accountant	19.5		
Middleton	Town Accountant	40				
Nahant	Town Accountant	37	Assistant Town Accountant	37		
Newbury	Town Accountant	35	Assistant Town Accountant	35	Assistant Town Accountant	17.5
Rowley	Town Accountant	24	Assistant Town Accountant	23		
Topsfield	Town Accountant	40	Assistant Town Accountant	40		
Wenham	Finance Director/Town Accountant	40	Assistant Accountant	19		

Assessing				
Municipality	Position One		Position Two	
	Title	HRS	Title	HRS
West Newbury	Chief Assessor	40	Assistant Assessor	28
Boxford	Director of Assessment	35	Assistant Assessor	34
Essex	Assessor Clerk	36.5	Assistant Assessor	5
Georgetown	Assessor	40	Administrative Assessor	35
Groveland	Assessing Manager	32		
Hamilton	Director of Assessing	40		
Ipswich	Assessing Manager	35	Assistant Assessor	35
Merrimac	Assessor Administrative Coordinator	35	Field Work	\$4,500 hrs vary
Middleton	Chief Assessor	40	Deputy Assessor	40
Nahant	Chief Assessor	37	Assistant Assessor	37
Newbury	Principal Assessor	35	Assessor's Clerk	35
Rowley	Principal Assessor	37.5	Administrative Assistant	24
Topsfield	Chief Assessor	40	Assistant Assessor	34
Wenham	Principal Assessor	19	Assessing Clerk	19

Town Clerk						
Municipality	Position One		Position Two		Position Three	
	Title	HRS	Title	HRS	Title	HRS
West Newbury	Town Clerk	40	Assistant Town Clerk	40		
Boxford	Town Clerk	34	Assistant Town Clerk	Part-time		
Essex	Town Clerk	36.5	Assistant Town Clerk	10		
Georgetown	Town Clerk	32	Assistant Town Clerk	20		
Groveland	Town Clerk	38	Assistant Town Clerk	10		
Hamilton	Town Clerk	37.5				
Ipswich	Town Clerk	35				
Merrimac	Town Clerk	40	Assistant Town Clerk	10	Office Assistant	5
Middleton	Town Clerk	40	Assistant Town Clerk	40	Administrative Clerk	
Nahant	Town Clerk	37				
Newbury	Town Clerk	35	Assistant Town Clerk	35		
Rowley	Town Clerk	32.5	Assistant Town Clerk	20		
Topsfield	Town Clerk	40	Assistant Town Clerk	19		
Wenham	Town Clerk	36.5				

Planning

Municipality	Position One		Position Two		Position Three		Position Four	
	Title	HRS	Title	HRS	Title	HRS	Title	HRS
West Newbury	Planner	28	Administrative Assistant	6				
Boxford	Town Planner	40						
Essex	Town Planner	14	Harbormaster	19	Shellfish Constable	40	Planning Board Clerk	19
Georgetown	Planner	40	Administrative Assistant	32	ZBA Administrative Assistant	22		
Groveland	Town Planner / Environmental Program Coordinator	37.5	Administrative Assistant	10				
Hamilton	See Inspectional Services							
Ipswich	Town Planner/ Environmental Program Coordinator	35	Administrative Assistant	7				
Merrimac	Capital Planning Administrative Assistant	\$400 – varies	Clerk	15	ZBA Administrative Assistant	20		
Middleton	Town Planner	40						
Newbury	Director of Planning	35	Administrative Assistant	18				
Rowley	Town Planner	35						
Wenham	Planning Coordinator	19						

Health

Municipality	Position One		Position Two		Position Three		Position Four	
	Title	HRS	Title	HRS	Title	HRS	Title	HRS
West Newbury	Health Agent	40	Administrative Assistant	24	Recycling Coordinator	5		
Boxford	Health Agent	40	Administrative Assistant	34				
Essex	BOH Administrator	36.5	BOH Clerk	36.5				
Georgetown	Health Agent/Director	40	Administrative Assistant	20				
Groveland	Health Agent	17	Public Nurse	12	Administrative Assistant	27		
Hamilton	Director of Health and Human Services	24						
Ipswich	Health Agent	35	Recycling Coordinator	35				
Merrimac	Health Agent	25	Administrative Assistant	10	Animal Control Officer	15	Animal Inspector	Varies
Middleton	Health Director	40	Public Health Nurse		Health Inspector		Animal Control Officer	
Newbury	Health Director	40	Health Inspector	20				
Rowley	Director of Health	40	Health Agent	35	Public Health Nurse	8	Secretary	16
Topsfield	Health Agent	40	Administrative Assistant	19				
Wenham	Health Nurse	19						

Inspectional Services

Municipality	Position One		Position Two		Position Three		Position Four		Position Five	
	Title	HRS	Title	HRS	Title	HRS	Title	HRS	Title	HRS
West Newbury	Building Inspector	26	Plumbing/Gas Inspector	13	Electrical Inspector	13	Administrative Assistant	20	Alternate Inspector	Varies
Boxford	Commissioner/ Building Inspector	32	Local Building Inspector	On Call	Electrical Inspector	Wkly	Plumbing/Gas Inspector	Wkly	Administrative Assistant	34
Essex	Building Inspector	5	Plumbing/Gas Inspector	5	Electrical Inspector	5	Clerk	10		
Georgetown	Building Commissioner	40	Administrative Assistant	24	Electrical Inspector	20	Gas Inspector	20		
Groveland	Building Commissioner	26	Plumbing/Gas Inspector	7	Electrical Inspector	7				
Hamilton	Director of Planning and Inspections	40	Regional Building Commissioner							
Ipswich	Building Inspector	35	Plumbing/Gas Inspector	9	Electrical Inspector	9				
Merrimac	Building Inspector	15	Plumbing/Gas Inspector	5	Electrical Inspector	5	Assistant Building Inspector	Varys	Administrative Coordinator	25
Middleton	Building Commissioner	40	Building Inspector		Electrical Inspector		Plumbing/Gas Inspector		Alternate Inspector	
Nahant	Administrative Assistant	37								
Newbury	Director of Inspectional Services	35	Administrative Assistant	35						
Rowley	Building Inspector	18	Plumbing/Gas Inspector	9	Electrical Inspector	9	Administrative Assistant	12	Alternate Building Inspector	Vary
Topsfield	Building Inspector	28	Plumbing/Gas Inspector	12	Electrical Inspector	12	Administrative Assistant	24		
Wenham	Director (shared w/Hamilton)	19	Permitting Coordinator	19						

Conservation				
Municipality	Position One		Position Two	
	Title	HRS	Title	HRS
West Newbury	Conservation Agent	27.5		
Essex	Conservation Agent	5	Conservation Clerk	12
Georgetown	Conservation Agent	40	Administrative Assistant	20
Groveland	SEE NOTE ¹			
Ipswich	Conservation Agent	Shared 35		
Merrimac	Conservation Agent	12.5		
Middleton	Conservation Agent	40		
Newbury	Conservation Agent	35		
Rowley	Conservation Agent	40	Secretary	16
Topsfield	Conservation Agent	40		
Wenham	Conservation Coordinator	19		

¹ Groveland Town Planner also serves as Conservation Agent, with total weekly hours of 37.5, so actual hours toward each function vary substantially from week to week.

Library

Municipality	Position One		Position Two		Position Three		Position Four		Position Five		Position Six	
	Title	HR	Title	HR	Title	HR	Title	HR	Title	HR	Title	HR
West Newbury	Director	40	Children's Librarian	40	Youth Services Librarian	28	Staff Librarian (2)	58	Library Assistant (2)	22	On Call Assistant	Vary
Boxford	Director	40	Children's Librarian	34	Reference Librarian	34	Staff Librarian	34				
Essex	Director	35	Assistant Director	19								
Georgetown	Director	35	Children's Librarian	30	Senior Technicians (2)	66	Technicians/ Pages (7)	62.8				
Groveland	Director	37	Adult Services & Outreach	37	Youth Services Librarian	37	Senior Library Assistant	18.5	Assistant	19	Page	10
Hamilton	Director	24	Shared with Wenham									
Ipswich	Director	38	Assistant Director	38	Children's Librarian	37.5	Senior Assistant	37.5	Page	12		
Merrimac	Director	35	Youth Services Librarian	33	Technical Services Librarian	24	Assistant Youth Services Librarian	35	Circulation/ Fiction Assistant	19	Circulation Assistant Substitute	7
Middleton	Director	40	Assistant Director	40	Other Librarians	35	Pages		Custodian	12		
Nahant	Director	37	Children's Librarian	37	Adult Services & Outreach	37	Library Page	12				
Newbury	Director	35	Assistant Director (2)	68	Youth Services Librarian (2)	68	Staff Librarian	4	Circulation	34	Associate Circulation	19
Rowley	Director	35	Assistant Director/Adult Services	35								
Topsfield	Director	40	Assistant Director	38	Adult Services & Outreach	37.5	Youth Services	37.5	Reference Assistant	26	Library Assistant	
Wenham	Director	40	Assistant Director	40	Shared with Hamilton							

Council on Aging										
Municipality	Position One		Position Two		Position Three		Position Four		Position Five	
	Title	HRS	Title	HRS	Title	HRS	Title	HRS	Title	HRS
West Newbury	Director	40	Nutrition Coordinator	19	Van Driver	Varies				
Boxford	Director	34	Administrative Assistant	34	Outreach Worker	18				
Essex	Director	19	Outreach Coordinator	10	Clerk	10				
Georgetown	Director	32	Outreach	32	Public Relations Coordinator	16	Van Driver	12		
Groveland	Director	37.5	Assistant Director	37	Outreach Worker	16	Van Driver	10		
Hamilton	Director	40								
Ipswich	Director	35	Administrative Assistant	19	Outreach Worker	32	Meals/ Program Coordinator	28	Van Driver	16
2Merrimac[1]	Director	35	Volunteer Coordinator	18	Transport Coordinator	18	Food and Nutrition Director	35	Social Worker/ Human Services	18
Middleton[2]	Director	40	Assistant Director	40	Front Desk and Programs Coordinator	24	Administrative Assistant	15	Outreach Coordinator	34
Nahant	Director	20								
Newbury	Director	35	Program Coordinator	35	Meals Driver	12	Driver	5.5	Drivers Grant Outreach	PT
Rowley	Outreach Coordinator	25	Activities Director/ Transport Coordinator	29	Administrative Assistant	25				
Topsfield	Director	40	Administrative Assistant	30						
Wenham	Director	36.5								

² Merrimac additionally employs a Program Coordinator (35 hrs), Kitchen Chef (13 hrs), Custodian (19.5 hrs), Senior Aide (18 hrs), and a Substitute/Assistant (4 hrs).

² Middleton additionally employs a Van Driver (10 hrs), Lead Kitchen Aide (9 hrs), and a Kitchen Aide (10 hrs).

Public Works Administration								
Municipality	Position One		Position Two		Position Three		Position Four	
	Title	HRS	Title	HRS	Title	HRS	Title	HRS
West Newbury	Director	40	Administrative Assistant	15	Building/Grounds Foreman	40	Custodian	40
Boxford	Director	40	Administrative Assistant	25				
Essex	Superintendent	40	Chief Operator	40	Clerk	12		
Georgetown	See Highway		Administrative Assistant	21				
Hamilton	Director	40						
Ipswich	Director	35	Administrative Assistant	35				
Merrimac	Director (25% also in Water/Sewer Budget)	35	Superintendent	40	Administrative Assistant	5	Occupational Safety & Health Coordinator	5
Middleton	Superintendent	40	Deputy Superintendent	40	Transfer Station Attendant	40	Part Time Laborer	15
Nahant	Director	20	Administrative Assistant	37				
Newbury	Administrator	17.5						
Rowley	Highway Surveyor	Elected - 40						
Topsfield	Director	40	Administrative Assistant	35				
Wenham	Director	40	Water Supervisor	40	Secretary	40		

Water/Sewer								
Municipality	Position One		Position Two		Position Three		Position Four	
	Title	HRS	Title	HRS	Title	HRS	Title	HRS
West Newbury	Superintendent	40	Licensed Operator (2)	40 each	Administrative Assistant	24		
Groveland	Superintendent	40	Office Manager	37.5	Administrative Assistant	37.5	Operator (2)	40
Ipswich	Water Superintendent	35	Office Manager	35	Operator	40		
Merrimac	Water Superintendent	40	Water Operator (2)	40				
Topsfield	Superintendent	40	Administrative Assistant	35	Operator	40		

Highway										
Municipality	Position One		Position Two		Position Three		Position Four		Position Five	
	Title	HRS	Title	HRS	Title	HRS	Title	HRS	Title	HRS
Boxford	Foreman/ Mechanic	40								
Georgetown	Highway Surveyor/ Tree Warden									
Groveland	Superintendent	40	Foreman/Mechanic	40	Sr Operator/Driver/Labor (3)	40				
Ipswich	Foreman/Mechanic	40	Operator	40						
Merrimac	Superintendent	40	Foreman	40	Mechanic/Driver	40	HMEO Laborer (2)	40	Laborer	40
Nahant	Foreman/Mechanic	40	Operator	40						
Topsfield	Foreman/Mechanic	40	Operator	40						

Town of West Newbury

Select Board

381 Main Street, West Newbury, MA 01985 | 978-363-1100, Ext. 115

selectboard@wnewbury.org

To: All Employees
From: Town Manager and Select Board
Re: Employee Rate Increases
Date: December 20, 2022

Hurrah, it is done. After hundreds of hours of work by staff, the Select Board and our contractor, we have completed the much awaited Wage and Classification Study. Our contractor, the Edward J. Collins Jr. Center for Public Management has completed similar studies for many towns in Massachusetts. Their final report provides a new pay grade structure with minimum and maximum hourly pay rates based on a comparative wage evaluation with similar towns such as Rowley and Boxford. It also assigns current employee positions to each grade based on the education/experience requirements and responsibilities for the position. Eleven steps within each pay grade were proposed and approved by the Select Board. The final step of this process was for the Select Board and Town Manager to assign employees to a step within the new pay grade structure. This was completed in a multi-step process.

As a baseline, employees were assigned to the step within their pay grade with a rate closest to (and higher than) their current rate. This did not include employees who were hired for an existing or newly created position after July 1, 2022, or employees whose current pay rate is above the new grade. There are also several positions which work irregular or infrequent hours for which the report recommends consideration of alternative pay structures rather than assignment to a step within the new pay grade structure. The pay rate of any employee who was not assigned to a pay step as part of this process will be finalized as part of the FY24 budgeting process.

Following the baseline assignment to a step within the grade, additional step increases were made based on an employee's long tenure with the town. This is in recognition of the fact that some long-term employees that only received annual COLA increases over time in West Newbury earn less than newer employees in similar positions in the region as well as within the town.

Each position's current pay rate and job responsibilities in West Newbury were also compared to those in towns included in the regional evaluation. Where the pay rate was significantly lower, or the position had expanded responsibilities, in West Newbury as compared to other towns, additional step increases were made.

Each employee's pay rate was considered in as objective and fair a manner as possible, consistent with the goals of this study. This was intended to establish a fair and competitive pay compensation system that will be applied consistently across town departments. Employees who will be receiving pay increases will be notified by the end of this week, and will see these increases applied retroactively to July 1, 2022 in an extra payroll processed before the end of the calendar year. (No additional timesheets will be required; retro pay will be paid based on hours worked year-to-date). If you have any questions about this process or its results, please email selectboard@wnewbury.org. A member of the Board will respond within the next two weeks.



F

Town of West Newbury Select Board

381 Main Street, West Newbury, MA 01985 | 978-363-1100, Ext. 115
selectboard@wnewbury.org

TO: Select Board, Town of Groveland
Select Board, Town of Merrimac
CC: Carol McLeod; Rebecca Oldham; Angus Jennings
Justin Bartholomew; Greg Labrecque
FROM: West Newbury Select Board
DATE: January 5, 2023
RE: PRSD Regional Agreement

As you know, the Pentucket Regional Agreement at Sec. XIV.C. provides for review of the Agreement every three years. In August 2022, a meeting was held among representatives of the three towns' Select Boards, Finance Committees, and each town's Finance Director/Town Administrator/Manager ("CFOs") to preliminarily discuss ideas for potential changes that could improve our work together as three communities, and with the Pentucket administration.

During the fall, we solicited input and ideas from our Finance Committee, Town Manager, and among our own Select Board members, and held discussions of the Agreement in posted Select Board meetings. Discussions also took place among the CFOs, with the PRSD Superintendent and Business Manager, at their monthly working meetings.

Following on these prior correspondences and meetings, the West Newbury Select Board met in December to formalize its proposed changes to the PRSD Regional Agreement.

The proposed changes on the following pages are offered as suggestions, for consideration by the Groveland and Merrimac Select Boards. If there is agreement among the three towns' Boards to some or all of these proposed amendments, and/or other changes that one or both of your Boards may wish to propose, our goal would be to work together to bring these forward for proposed adoption at the towns' Spring 2023 Town Meetings. Once it becomes clear which changes (if any) would be proposed locally, we would also work with both town counsel and with the office of the DESE Commissioner to ensure that any proposed amendments would pass legal muster and also meet DESE approval.

We appreciate your consideration of these proposals, and look forward to hearing back with your responses. We can jointly determine how and on what schedule we should best proceed. If there is interest, we would be happy to participate in a joint meeting of the Boards; or to designate a member to a working group for this purpose.

AMENDMENTS PROPOSED BY THE WEST NEWBURY SELECT BOARD TO THE PENTUCKET REGIONAL SCHOOL DISTRICT REGIONAL AGREEMENT

Note: Only those sections of the agreement that the Board is proposing for amendment are included here. Sections not included here are not proposed for amendment. A complete copy of the current PRSD Agreement is appended to this memo, for reference.

Proposed deletions in ~~striketrough~~
Proposed additions in double-underline

Section IV. LOCATION OF SCHOOLS

- B. There may ~~shall~~ be ~~not less than~~ one or more elementary school in each member town provided, however, that the towns may decide to share or consolidate elementary schools in the future. Unless and until any such consolidation, students ~~Students~~ in grades PK - 5 or 6 shall attend schools in their towns of residence, except in cases of emergency as defined by the Regional District School Committee, children attending special education low incidence classes, regional "magnet" classes, or intradistrict school choice. In such instances of emergency, refer to the Pentucket Regional School District "Contingency Plan" as approved by the Pentucket Regional School Committee, and as may be amended from time to time.

Section VI. DEFINITIONS

The budget for construction and operation of the District's Schools including payments of principal and interest on bonds and other evidence of indebtedness issued by the District shall be apportioned to the member towns subject to the following definitions:

A. Budget

As defined by this document, the budget is the amount of dollars voted by the Regional District School Committee to finance the District schools to be paid from the general revenues of the Regional School District.

The budget shall be comprised of two parts: operating costs and debt service, each as herein defined.

1. **DEBT SERVICE and CAPITAL COSTS** include all costs that are used for payment of principal and interest on bonds or other obligations issued by the District. Capital projects shall be defined as costing not less than \$20,000 ~~\$10,000~~ and having a depreciable life of not less than 5 years.
2. **OPERATING COSTS** include all costs not included in Debt Service and Capital Costs as defined in 1, but includes interest and principal on revenue anticipation notes.

Section VIII. RESPONSIBILITY FOR ADDITIONS, MAJOR REPLACEMENTS AND MAINTENANCE OF SECONDARY AND ELEMENTARY SCHOOLS

- A. The District shall develop a 5 year capital plan for each building that will be provided to each member town, including any new or updated projects and cost estimates, each year by October ~~January~~ 15th. This plan shall include; item descriptions, estimated costs, and the projected depreciable life. Capital projects shall be defined as costing not less than \$20,000 ~~\$10,000~~ and having a depreciable life of not less than 5 years. Capital projects shall be scheduled and approved by the member Town. Emergency repair procedures shall be defined by the member Town lease agreement.

In addition, on or before January 15th of each year, the District shall provide the member towns with a maintenance plan for the following budget year for each of its buildings. The District shall include a line item in its budget to fully fund this plan. As part of its closeout of the fiscal year, on or around September 1st of each year, a ~~A~~ year end maintenance report covering the preceding fiscal year shall be provided to the member towns identifying the cost of all maintenance performed.

Section XII. BUDGET

There shall be a Regional Finance Advisory Committee (“Advisory Committee”), comprised of the following: one Select Board member from each member town annually appointed by each member town Select Board; the Finance Director, or person holding such position by whichever title it may be known, from each member town; one Finance Committee member from each member town annually appointed by each member town Finance Committee; the Regional District School Committee Chair, or his/her designee; and the District Superintendent and/or Business Manager. The ~~Regional~~ Advisory Committee will meet, from time to time, ~~with the Regional District School Committee Chair, the Superintendent and/or Business Manager~~ to discuss matters that may impact the District and/or the towns, including budget calendars and timelines, content and detail of budgets, revenue estimates and other revenue matters, capital budget items and use of Excess and Deficiency funds. The chairmanship of the Advisory Committee shall rotate annually among the designated Select Board members from each of the towns. The Committee shall prepare reports to be read into the School Committee minutes.

- A. The Regional District School Committee shall prepare a budget on a fiscal year basis for the District in the following manner:
1. The budget process shall be initiated annually in December and shall provide an opportunity for the Select Board ~~Selectmen~~ and Finance Committee of each member town to have input into its preparation. The Regional District School Committee shall complete its proposed budget for the ensuing year, and said proposed budget shall be posted in the Town Hall of each member town, shall be provided to each member town's public library, and shall be submitted to the Select Board ~~Selectmen~~, Finance Directors, and Finance Committee members of each member town. The

Advisory Committee shall convene two meetings during the budget process, including an initial meeting in late January; and an additional meeting in March, prior to the School Committee's vote on the proposed budget. Additionally, upon request of the Finance Committee and/or the Select Board of any member town, the Regional District School Committee shall arrange to meet with such Finance Committee and/or Select Board for the purpose of discussing the proposed budget.

2. The proposed budget shall contain a notice stating when and where a public hearing will be held. The public hearing shall be held in any District school building. The notice of the public hearing shall be posted in all three towns. Said hearing shall be held at least ten (10) days prior to final adoption of the proposed budget. ~~Upon request of the Finance Committee and/or the Board of Selectmen of any member town, the Regional District School Committee shall arrange to meet with such Finance Committee and/or Board of Selectmen for the purpose of discussing the proposed budget.~~ Said proposed budget shall be submitted in the template approved by the School Committee, itemized at least as follows: central administration; expenses of instruction; transportation; operation of school plant; maintenance of school plant; and outlay, debt and interest charges; ~~the last named to specify all items costing \$1,000.00 or more.~~ All non-recurring expenditures shall be itemized. Enrollment, staffing, total expenditures and assessments for the past five years shall be included. The Chair of any member Select Board ~~of Selectmen~~ or Finance Committee may request further information.

PENTUCKET REGIONAL SCHOOL DISTRICT
REGIONAL AGREEMENT

PreK-12 REGIONAL AGREEMENT OF APRIL 30, 1993
AS AMENDED JULY 1, 1997, JULY 1, 1998, JULY 1, 1999, JULY 1, 2005,
JULY 1, 2006, JULY 1, 2012, JULY 1, 2014, AND JULY 1, 2019

For a Regional School District for the Towns of Groveland, Merrimac, and West Newbury, towns in the Commonwealth of Massachusetts hereinafter referred to as member towns.

Section I. MEMBERSHIP OF THE REGIONAL DISTRICT SCHOOL COMMITTEE

- A. The Regional District School Committee shall consist of nine members, three from each member town, who shall be elected by the voters of that town. Each member so elected shall serve a three year term. In the event that a town or towns separate from the Regional School District at the elementary level as stated in Section X, the three (3) elected members from said town or towns shall constitute the elementary school committee as well as represent their town at the regional level.
- B. Any vacancy occurring on the Regional District School Committee for any cause shall be filled by the local Board of Selectmen and the remaining School Committee members from the town where the vacancy occurs. Such replacement shall serve until the next annual town election.
- C. At the first scheduled meeting of the Regional District School Committee after the annual election of all member towns, the Regional District School Committee shall organize in accordance with Massachusetts General Laws, Chapter 71, Section 16A, known as "Regional School Committee, Organization". In addition, the Regional District School Committee shall fix the time and place for its regular meetings for the new term, provide for the calling of special meetings upon notice to all its members, and appoint appropriate sub-committees and other officers.
- D. The Chairmanship, Vice Chairmanship and Secretary positions shall be revolving with one position being from each town. No Town shall hold more than one office.

Section II. QUORUMS, VOTES AND GOVERNANCE

- A. A quorum to conduct business at regular meetings shall consist of a simple majority of its members and special meetings shall require not less than two members from each of the towns.
- B. On all issues requiring a vote of the Regional District School Committee, each member's vote will be weighted according to the respective town's population

based on the most recent decennial Federal census data, calculated out to two decimal places, and remain as such until the next official Federal census.

- C. Any action voted by the Regional District School Committee which directly and specifically affects the elementary school(s) in only one town shall require that two of the three members of the Regional District School Committee from the town in which the affected elementary school is located vote in support of that action. In order, however, for a school to be closed in any member town where there is more than one elementary school, all three committee members from the affected town are required to vote in favor of the proposed closure after a public hearing is held in the affected town.

Section III. TYPE OF SCHOOL

- A. The Regional School District shall include all grades from PK – 12.
- B. The secondary schools shall serve students in grades 6 or 7 – 12.
- C. The elementary schools shall serve students in grades PK – 5 or 6.
- D. In the agreement where “preschool” is mentioned it is done so for future purposes to permit the Regional District School Committee with the approval of all member towns at their respective Town Meetings, at some future date, to include preschool classes. Until such time all preschool expenses shall be on a self supporting basis, except those excluded by law.

Section IV. LOCATION OF SCHOOLS

- A. The Regional District secondary school buildings shall be located on sites owned by the District.
- B. There shall be not less than one elementary school in each member town. Students in grades PK – 5 or 6 shall attend schools in their towns of residence, except in cases of emergency as defined by the Regional District School Committee, children attending special education low incidence classes, regional “magnet” classes, or intradistrict school choice. In such instances of emergency, refer to the Pentucket Regional School District “Contingency Plan” as approved by the Pentucket Regional School Committee, and as may be amended from time to time.
- C. Each member town shall retain ownership of all elementary school buildings and related grounds, including any new elementary school buildings constructed in the future. Each member town shall lease each elementary school building and related grounds to the Pentucket Regional School District for the sum of one dollar. Each lease shall be for a term not greater than the term permitted by either general or special State law. The initial term of each lease shall commence

on the date that the Regional District School Committee assumes jurisdiction over the pupils in grades PK-12 or as otherwise provided in such lease. Each lease may contain provisions for an extension of the lease term at the option of the Regional District School Committee. Responsibilities for maintenance of elementary school buildings shall be uniform across all District elementary school leases. A lease shall not prevent the use of the elementary school buildings or premises by the respective owner towns with the approval of the School Committee, which shall not withhold such approval unless educationally necessary. If permitted by either general or special State law, a lease may provide that it shall terminate and the leased property shall revert to the member town if the town should no longer be a member of the Pentucket Regional School District or if the Regional District School Committee should determine that the land, with the building and other improvements thereon, is no longer needed for the educational program of the District. Each lease may include such other terms as may be agreed upon by the Board of Selectmen of a member town and the Regional District School Committee. A lease shall be executed by the Board of Selectmen on behalf of the member town and the Regional District School Committee on behalf of the District.

- D. Said requirements to lease land and buildings shall not include portions of land and buildings already under separate lease at the time of the effective date of this agreement until such time as the existing lease terms expire.
- E. Payments from present leases and future leases shall be paid to the Regional School District in accordance with the lease agreement by and between the District and the Town.
- F. When necessary to implement due to an emergency as described in Section IV (B), the Pentucket Regional School District "Contingency Plan" will be in place for not more than one year, or until all towns have convened a special town meeting for the purpose of reviewing any amendments as may be proposed to the Regional Agreement, whichever comes first.

Section V. TRANSPORTATION

Transportation shall be provided by the Regional School District. The Regional District School Committee shall set District transportation policy.

Section VI. DEFINITIONS

The budget for construction and operation of the District's Schools including payments of principal and interest on bonds and other evidence of indebtedness issued by the District shall be apportioned to the member towns subject to the following definitions:

A. Budget

As defined by this document, the budget is the amount of dollars voted by the Regional District School Committee to finance the District schools to be paid from the general revenues of the Regional School District.

The budget shall be comprised of two parts: operating costs and debt service, each as herein defined.

1. DEBT SERVICE and CAPITAL COSTS include all costs that are used for payment of principal and interest on bonds or other obligations issued by the District. Capital projects shall be defined as costing not less than \$10,000 and having a depreciable life of not less than 5 years.
2. OPERATING COSTS include all costs not included in Debt Service and Capital Costs as defined in 1, but includes interest and principal on revenue anticipation notes.

Section VII. METHOD OF ASSESSING COSTS OF THE REGIONAL SCHOOL DISTRICT

A. All operating costs shall be assessed to the three towns on the basis of M.G.L. Chapter 71, Section 16B.

1. The district assessment will be calculated and reported to the member towns by using the two – step method. The District shall list all general fund revenues, including but not limited to Chapter 70 and Transportation Aid, and reduce the member assessment as it relates to the approved operating budget by said amount. The remaining member assessments shall be calculated by charging each member Town its net minimum spending amount as approved by the Department of Elementary and Secondary Education for the Fiscal Year being assessed. Should the requested member assessments exceed the net minimum spending required then the remaining amount shall be charged to each member Town based upon its percentage of the entire District enrollment calculated to 4 decimal places as of October 1 of the prior Fiscal Year for grades K to 12, including out of District placements, as reported to the Massachusetts Department of Elementary and Secondary Education on the statewide pupil census. All Debt Service and Capital Costs not associated directly to one member community's Elementary School(s) shall be allocated and assessed annually using the calculation stated above for any amount over the net minimum spending requirement.
2. Should all member Towns agree on an alternative method of assessment the District shall be notified in writing by each member community's Board of Selectmen Chair on the agreed procedure on or before March 1 of the year

prior to the Fiscal year budget start date. If the per pupil method of assessment is chosen then the calculation shall be the same as the amount over net minimum spending stated in Part 1 of this section.

- B. Debt Service, incurred by the District for an elementary school building of a member town, less applicable Chapter 70B MSBA aid, shall be assessed to the member town in which the elementary school is located.
- C. The payment of the assessed share of operating costs and debt service by each member town, as computed by the Regional District School Committee according to the methods specified in Sections VI, and VII, shall be made by each member town's Treasurer by check payable to the Regional School District in twelve equal installments by the fifteenth of each month.

Section VIII. RESPONSIBILITY FOR ADDITIONS, MAJOR REPLACEMENTS AND MAINTENANCE OF SECONDARY AND ELEMENTARY SCHOOLS

- A. The District shall develop a 5 year capital plan for each building that will be provided to each member town by January 15th. This plan shall include; item descriptions, estimated costs, and the projected depreciable life. Capital projects shall be defined as costing not less than \$10,000 and having a depreciable life of not less than 5 years. Capital projects shall be scheduled and approved by the member Town. Emergency repair procedures shall be defined by the member Town lease agreement.

In addition, the District shall provide the member towns with a maintenance plan for each of its buildings. The District shall include a line item in its budget to fully fund this plan. A year end maintenance report shall be provided to the member towns identifying the cost of all maintenance performed.

- B. Each member town shall be responsible for payment of costs associated with the construction of new buildings, renovations, or making extraordinary repairs to the elementary school building/s located in that member town so long as they meet the requirements of a capital project as described in VIII A.
- C. The costs of on-going maintenance for those items not included in paragraph VIII B. for the elementary schools and all costs for the secondary schools shall be borne by the Regional School District.

Section IX. ADMISSION OF ADDITIONAL TOWNS

By an amendment of this agreement adopted by each member town in accordance with Section XIV and complying with the provision therein contained,

any other town or towns may be admitted to the Regional School District upon adoption as herein provided of such amendment and upon acceptance of the agreement as so amended, and also upon compliance with the provision of law as may be applicable and such terms as may be set forth in such amendment.

A new member may be admitted to the Regional School District as of July 1 of any fiscal year, provided that all requisite approvals for such admission, including the Commissioner's approval, shall be obtained no later than the preceding December 31. The authorizing votes may provide for the deferral of said admission until July 1 of a subsequent fiscal year.

Section X. WITHDRAWAL OF MEMBER TOWNS FROM THE REGIONAL SCHOOL DISTRICT

- A. Any town withdrawing from the District must first pay all its share of total debt and current operating expenses. All withdrawals are subject to the approval of the Commissioner of Elementary and Secondary Education and must be approved by two thirds of the member Towns.

Any member town may withdraw from the regional school district in total or at the elementary level if accepted by a majority vote of the voters present and voting on the question at its Annual Town meeting called for the purpose, such withdrawal to become effective on June 30th of the year named in the question, provided: (1) that in pursuance of such vote, the withdrawing town gives the regional school district at least one years written notice of its intention to withdraw, (2) that the said town has paid over to the District any costs which have been certified by the District Treasurer to the Treasurer of the withdrawing town.

Section XI. ANNUAL REPORT

- A. The Regional District School Committee shall submit to each member town an annual report containing a detailed financial statement and a statement showing methods by which the annual charges assessed against each town were computed, together with such additional information relating to the operation and maintenance of the secondary schools and each elementary school as may be deemed necessary by the Regional District Committee or by the Selectmen and/or the Finance Committee of any member town. This report shall contain a detailed listing of salaries by individual employee.

Section XII. BUDGET

The Regional Advisory Committee will meet, from time to time, with the Regional District School Committee Chair, the Superintendent and/or Business Manager to discuss matters that may impact the District and/or the towns, including budget calendars and timelines, content and detail of budgets, revenue estimates and other revenue matters, capital budget items and use of Excess and Deficiency funds. The Committee shall prepare reports to be read into the School Committee minutes.

- A. The Regional District School Committee shall prepare a budget on a fiscal year basis for the District in the following manner:
 1. The budget process shall be initiated annually in December and shall provide an opportunity for the Selectmen and Finance Committee of each member town to have input into its preparation. The Regional District School Committee shall complete its proposed budget for the ensuing year, and said proposed budget shall be posted in the Town Hall of each member town, shall be provided to each member town's public library, and shall be submitted to the Selectmen, Finance Directors and Finance Committee members of each member town.
 2. The proposed budget shall contain a notice stating when and where a public hearing will be held. The public hearing shall be held in any District school building. The notice of the public hearing shall be posted in all three towns. Said hearing shall be held at least ten (10) days prior to final adoption of the proposed budget. Upon request of the Finance Committee and/or the Board of Selectmen of any member town, the Regional District School Committee shall arrange to meet with such Finance Committee and/or Board of Selectmen for the purpose of discussing the proposed budget. Said proposed budget shall be submitted in the template approved by the School Committee, itemized at least as follows: central administration; expenses of instruction; transportation; operation of school plant; maintenance of school plant; outlay, debt and interest charges; the last named to specify all items costing \$1,000.00 or more. All non-recurring expenditures shall be itemized. Enrollment, staffing, total expenditures and assessments for the past five years shall be included. The Chair of any member Board of Selectmen or Finance Committee may request further information.
 3. 45 days prior to the date of the earliest member Annual Town Meeting the Regional District School Committee shall adopt by a two-thirds vote of all its members a budget with such changes as may have resulted from conferences and an open hearing. This budget shall be presented in two parts as outlined in the attached template (Exhibit A). No later than 30 days from the date of the approval vote, but within 10 days if possible, the

Treasurer of the District shall certify to the Treasurer of each member town its assessed share of such budget.

4. The budget and assessment shall be so constructed as to show debt service, capital and operating costs. It shall also list all general fund revenue used to reduce member assessments as described in VII. A. This budget should also identify the costs of any programs not uniformly offered at all District elementary schools.
5. Budget approval will be in accordance with M.G.L. Chapter 71, Section 16B.
6. If, in the opinion of the Board of Selectmen and/or Finance Committee of any of the towns, the Regional School District budget will not fit the budgetary capabilities of their town, they can request of the Regional District School Committee a special meeting to discuss the budget.

This meeting shall be called within seven (7) days of the presentation of the budget to the member towns.

The meeting shall be attended by six members of the Regional District School Committee (two members from each member town), as well as two representatives of the Board of Selectmen and two representatives of the Finance Committee from each member town.

The purpose of this meeting will be to discuss the ability of the town or towns to meet the financial obligation brought forth by their assessment of the submitted Regional School District budget.

The charge of this group will be to recommend to the Regional District School Committee a reduced budget that least affects the educational integrity of the District and meets the financial capabilities of the town(s).

7. If a member town fails to hold a meeting within forty-five (45) days from the date on which an amended assessment was adopted by the Regional District School Committee, the member town shall be deemed to have voted affirmatively regardless of whether the town had previously approved an amount equal to or greater than the revised assessment. No action by the town constitutes approval.

Section XIII. INCURRING OF DEBT

- A. The Regional District School Committee shall have authority to develop plans for District schools. According to Chapter 71, S.16d. the Regional District School Committee shall not incur any debt for the school until the expiration of sixty (60)

days from the date said debt is authorized by the Regional District School Committee. Prior to the expiration of said period each member town will be notified of the intent to incur debt. Each member town which would bear a financial responsibility for the debt through the assessment of all or a portion of the principal and interest on such debt shall hold a Town Meeting for the purpose of expressing approval or disapproval of the amount of debt authorized by the Regional District School Committee by a majority of voters present and voting on the question. If the debt is disapproved by any member town, the debt shall not be incurred, and the Regional District School Committee shall then prepare an alternative proposal and a new or revised authorization to incur debt. The only exception to the restrictions in this paragraph shall be the incurring of debt in anticipation of revenues.

- B. In the event that a member town should determine, prior to the issuance by the District of long term indebtedness to finance a Capital Cost, to make an upfront cash contribution to pay all of its allocable share of such Capital Cost, then the total borrowing authorized to pay costs of such Capital Cost shall be reduced by the amount of such upfront cash contribution. A member town's share of Capital Costs for purposes of this section shall be determined in the same manner as used in determining the allocation of Capital Costs for the fiscal year in which the District's borrowing for a particular Capital Cost is authorized.

When a member town has paid its entire share of such Capital Cost, then such member town shall not be assessed for any portion of Debt Service incurred by the District to finance the balance of such Capital Cost. Then, notwithstanding the provisions of Section VII(A) to the contrary, Debt Service on the amount to be borrowed shall be assessed upon the member town or towns that did not determine to make an upfront cash contribution on account of such Capital Cost, as if the District's total enrollment consisted solely of the students from the noncontributing town or towns.

Any upfront cash contribution on account of a Capital Cost shall be paid to the District prior to the issuance of long term bonds by the District to finance such capital cost.

Section XIV. AMENDMENTS

- A. Amendments to the agreement must receive a majority vote of approval by each member town at a Town Meeting. Amendments may be initiated by the Regional District School Committee or by the Board of Selectmen of any one of the member towns.
- B. No such amendment shall be made which shall substantially impair the rights of the holders of any of the District's bonds or notes of the District then outstanding or the rights of the District to procure the means for payment thereof.


- C. This agreement shall be reviewed every three years by a group comprised of the Chief Financial Officer of each town (or person holding such position by whichever title it may be known), the PRSD Business Manager, and the PRSD Superintendent, who will jointly make recommendations for changes to the member Town's Board of Selectmen. Each town's Chief Financial Officer shall participate on behalf of their respective Board of Selectmen, and shall be responsible to keep their Board apprised of communications and related meetings, and to provide their respective Board regular opportunities to initiate any potential amendments to this agreement or respond to any amendments as may be initiated by others. At any time the Towns may also appoint a task force to review the Regional Agreement. This task force will be made up of a member from each Town's Board of Selectmen, the member town's Finance Directors, the Chairman of the School Committee, the Superintendent and a citizen from each member town.

- D. All amendments are subject to the approval of the Commissioner of Elementary and Secondary Education.


Section XV. SEVERABILITY OF SECTIONS

According to Chapter 71.S.16I., in the event that any provision of this Regional School District Agreement shall be held invalid in any circumstance, such invalidity shall not affect any other provisions or circumstances.


Approval Signatures



Chair, Groveland Board of Selectmen 5/28/19
Date
 Duly authorized



Chair, Merrimac Board of Selectmen 6/10/19
Date
 Duly authorized



Chair, West Newbury Board of Selectmen 6/20/19
Date
 Duly authorized

Town Manager

From: Town Manager
Sent: Tuesday, January 3, 2023 3:22 PM
To: Christopher Wile; WALTER BURMEISTER; Rob Phillips; Daniel Innes
 [REDACTED] Ross Capolupo [REDACTED]; James Sperelakis
Cc: Town Accountant
Subject: Important PRSD School Committee mtgs re FY24 budgeting on Jan 24th and March 8th

FinCom,

Hope everybody enjoyed the holiday season and that your new year is off to a good start!

Earlier today I attended the monthly mtg of Pentucket administrators and the 3 towns' finance directors/CFOs. One of the topics was prep for the scheduled School Committee meeting on Tuesday, Jan 24th at 6pm to which – like the Nov 1 mtg – the 3 towns' Select Boards and Finance Committees are specifically invited. The meeting will include a preview of the FY24 Pentucket budget, based on what is known at that time.

Superintendent Bartholomew sent the following invitation:

Dear Carol, Rebecca, and Angus,

Per our last meeting, I would like to formally invite your respective Board of Selectmen (BoS) and Finance Committee (FinCom) members to a joint meeting of all three Pentucket Towns' BoS and FinComs on Tuesday, January 24th at 6PM.

In years past, Mr. Labrecque and I have travelled to each of their respective meetings which means the information we present at the first meeting has changed by the time we get to the second or third meeting given the way financial information is sent to us by the Commonwealth, GIC, and other organization that have a significant impact on our budget.

To that end, the meeting on January 24th will be a review of the financial pressures facing the school district, the implications of those pressures for FY24 and moving forward, and the unknowns that we will still be facing at that time as we continue to wait for needed information to complete our budget process. More importantly, we will be able to answer questions officials from your respective town may have, as well as potentially any discussions regarding the Regional Agreement. The goal is to ensure that everyone has the correct, accurate information.

Finally, we would also anticipate a second joint meeting on Wednesday, March 8th, at which point we believe we will be able to discuss the actual budget number voted on by the School Committee.

I am asking that, if you have not done so already, you ask your respective members to attend those meetings so that we can have a productive dialogue about Town and PRSD budgets. Both meetings will be held at the Middle-High School, and right now it is likely that they will be held in the atrium (aka the Dining Commons).

Thank you as always!

~ Justin

The Jan 24th mtg is being held specifically in response to the 3 towns' requests, following last year's budget process, for more frequent and shared communication among the 3 towns' Select Boards and FinComs. I hope that you can make it. Please also note the March 8th date in Justin's note; by that time, it is expected that the School Committee will have proposed a FY24 budget so the March 8th meeting will also be very important. (That was already a scheduled FinCom mtg date).

As you probably recall, a key ingredient of the Pentucket budget is the Governor's proposed FY24 budget. Since there is a new Governor, this is not due until early March, which will create a time crunch for local review and School Committee endorsement of a proposed FY24 budget.

Thanks,
Angus

Angus Jennings, Town Manager
Town of West Newbury
Town Office Building
[381 Main Street](#)
[West Newbury, MA 01985](#)
[\(978\) 363-1100 x111](#)
townmanager@wnewbury.org

December 29, 2022

Michele E. Randazzo
mrandazzo@k-plaw.com

RECEIVED

JAN 03 2023

TOWN MANAGER
TOWN OF WEST NEWBURY

Hon. David Archibald and
Members of the Select Board
West Newbury Town Office Building
381 Main Street
West Newbury, MA 01985

Re: Determination and Consent Pursuant to Massachusetts Rules of Professional Conduct, Rule 1.7 – Representation of Whittier Regional Vocational Technical School District

Dear Members of the Select Board:

The Whittier Regional Vocational Technical School District School has sought to retain KP Law as Special Counsel for certain legal services, including assistance with the upcoming School building project, contract and procurement work, and other legal services on an as-needed basis. Our office’s simultaneous representation of the Town of West Newbury as Town Counsel, and the School District on matters in which the Town may have an interest, raises concerns and obligations under the ethics rules for attorneys, which are addressed in this letter.

Our existing relationship with the Town of West Newbury as well as our pending future relationship with the School District creates interests that require disclosure pursuant to the Rules of Professional Conduct governing members of the Massachusetts Bar, which mandate that we obtain the express permission of the Appointing Authority of each client before we can represent the other. The purpose of this letter is to make such disclosure and to request that you determine whether you will permit such representation. In addition, while the State Ethics Commission has determined that KP Law, P.C. and its individual attorneys are not “municipal employees” pursuant to the Conflict of Interest Law, we provide this letter to dispel any appearance of a conflict on the firm’s behalf in this regard.

MULTIPLE REPRESENTATION DISCLOSURE

Under the above-referenced ethical rules, an attorney owes a duty of loyalty to each client. Moreover, an attorney cannot represent one client where such representation may materially limit their ability to represent another client, as this may present a conflict of interest. In such a situation, the attorney may only represent all clients where they reasonably believe that the representation of one client will not negatively impact the ability to represent another client, and where all clients have consented to such simultaneous representation, after consultation with the attorney. Here, KP Law serves as City Attorney for the City of Amesbury, City Solicitor for the City of Newburyport, Special Counsel for the City of Haverhill, Town Counsel for the Towns of Georgetown, Groveland and Salisbury, and Special and/or Labor Counsel for the Towns of Merrimac, Ipswich and Rowley. We are seeking the consent of all of these cities and towns (as well as West Newbury) to our work with the School District, as described above, in this instance. For your reference, I have enclosed a



Hon. David Archibald and
Members of the Select Board
December 29, 2022
Page 2

copy of the applicable ethical rule, Rule 1.7 of the Supreme Judicial Court's Rules of Professional Conduct.

Here, we expect that our immediate service to the School District will be to provide legal counsel and advice in connection with the pending school building project, which advice may include interpretation of the Regional School District Agreement, procurement advice, contract review and evaluation, identification of options for funding of this project and processes for approval of any associated debt, under the Agreement and/or under state law. Given that a school building project has obvious impacts upon the financial and educational interests of all members of the School District, please note that our advice and counsel in this regard will focus on what the law requires or permits. Ultimately, however, it will be for the School District to make the policy, administrative, and financial decisions associated with this project. Moreover, our work with the District generally as Special Counsel will aid the District's compliance with applicable laws and legal requirements, which has an indirect benefit to the District's member communities.

DETERMINATION

It is our belief that our position as Town Counsel for the Town of West Newbury and our potential work for the School District as Special Counsel, for the purposes and under the conditions described in this letter, does not create a concurrent conflict of interest and will not affect the exercise of our independent professional judgment on behalf of either West Newbury or the District. Based upon the information available to me at this point, I believe that the attorneys at KP Law can discharge our duties to both the Town and the School District, without any material limitation or adverse impact upon our ability to represent each client individually. We are not aware of any material conflicts between the Town and the District generally.

We routinely evaluate whether any specific request for legal advice or representation from one client has the potential to negatively impact our representation of another client. Should such a situation arise, we may be precluded from representing either the School District or the Town. Given the scope of anticipated services for the School District, I do not believe that this is likely to occur. It is, however, for you to determine whether the representation described herein will not impair the integrity of this firm's services to West Newbury.

Accordingly, I request that you consent to our representation of both West Newbury and the School District, as outlined above. Should you so consent, I ask that you sign the enclosed determination as required by the Rules of Professional Conduct. Please sign the two originals provided, return one copy to this office, and retain one copy for your records.

Hon. David Archibald and
Members of the Select Board
December 29, 2022
Page 3

If there are any questions whatsoever, please do not hesitate to contact me or Attorney
Timothy Zessin.

Very truly yours,



Michele E. Randazzo

MER/bls
Enc.
cc: Town Manager

844340/90001/0025

DETERMINATION

It is determined, pursuant to Rule 1.7 of the Massachusetts Rules of Professional Conduct, that Town of West Newbury consents to KP Law, P.C. representing the Whittier Regional Vocational Technical School District as Special Counsel, as disclosed in a letter to the Town dated December 29, 2022, notwithstanding that KP Law, P.C. also serves as Town Counsel for the Town of West Newbury.

TOWN OF WEST NEWBURY,
By its Select Board

Dated: _____



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

978-363-1100, Ext. 111 Fax 978-363-1826

townmanager@wnewbury.org

TO: Select Board
FROM: Angus Jennings, Town Manager
DATE: January 5, 2023
RE: Board meeting schedule

At its Nov. 21st meeting, the Board approved the enclosed schedule for meetings for the first half of 2023. Since that date, it has been decided to add a meeting on Monday, February 6th which will include the Board's vote to close the Spring Town Meeting warrants, and my office's presentation of a proposed FY24 budget. This would result in 5 Select Board meetings in 6 weeks. In order to better space out the meetings, it is recommended that the Board revise the first 2 months of the 2023 schedule as follows:

Approved:

Monday, January 9, 2023
Tuesday, January 17, 2023
Monday, January 30, 2023
Monday, February 13, 2023
Monday, February 27, 2023

Revised (Proposed):

Monday, January 9, 2023
~~Tuesday, January 17, 2023~~
Monday, January 23, 2023
~~Monday, January 30, 2023~~
Monday, February 6, 2023
Monday, February 13, 2023
Monday, February 27, 2023

(Note: in addition to above, a meeting will be posted for Tuesday, January 24th at 6pm. Although no Board action is anticipated that evening, it is expected that a quorum of the Board will attend that evening's School Committee meeting re FY24 budgeting).

Select Board Meeting Dates – **APPROVED 11/21/22**

January 2023-June 2023

Monday, January 9, 2023

Tuesday, January 17, 2023 *

Monday, January 30, 2023

Monday, February 13, 2023

Monday, February 27, 2023

Monday, March 13, 2023

Monday, March 27, 2023

Monday, April 10, 2023

Monday, April 24, 2023

Monday, May 8, 2023

Monday, May 22, 2023

Monday, June 5, 2023

Tuesday, June 20, 2023 *

** Tuesday meeting due to Monday holiday*

NOTE: This list is advisory; all dates subject to change at Chairperson's discretion.



**Town of West Newbury
Select Board**

Monday, November 21, 2022 @ 7:00pm

381 Main Street, Town Office Building

www.wnewbury.org

Open Session Meeting Minutes- DRAFT

J

Open Session: Open Session was called to order at 7:11pm by Chairperson Archibald

Participation at the meeting:

David Archibald, Richard Parker, and Wendy Reed *Select Board Members*

Angus Jennings, *Town Manager*

James Blatchford, *Town Clerk*

Alison Hardy

Kelly Scott

Jennifer Walsh, *Interim Town Accountant*

Christian Kuhn, *Town Assessor*

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Meeting also accessible by remote participation; see agenda for details.
- Pentucket Arts Foundation – Makers’ Market, Sat., Dec. 3rd from 10:30am-4pm, Veasey Mem. Park, Groveland
- Call for volunteers! Open positions on Boards/Commissions/Committees. See www.wnewbury.org/volunteer
- Reminder to subscribe for emailed Town agendas/news/announcements at www.wnewbury.org/subscribe

Regular Business

A. Requests for appointment:

a. Application of Alison Hardy to serve on Historic District Commission

Alison Hardy appeared before the Select Board in person (see exhibit A.a. for details). Hardy and the Select Board members discussed prior experience serving on the Topsfield Historic Commission. **Parker made a motion to appoint Alison Hardy to the Historic District Commission term ending June 30, 2023. Reed seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

b. Application of Kelly Scott to serve on Cable Advisory Committee

Kelly Scott appeared before the Select Board in person (see exhibit A.b. for details). Scott discussed prior experience with Community Cable Access program in Ipswich. **Parker made a motion to appoint Kelly Scott to the Cable Advisory Committee term ending June 30, 2023. Reed seconded.** Scott requested assistance locating minutes from previous Cable Advisory Committee meetings. **Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

B. Request for appointment of Town Accountant

Reed made a motion to appoint Jennifer Walsh to Town Accountant and to enter contract negotiations. Parker seconded. Jennifer Walsh appeared before the Select Board in person (see exhibit B for details). Reed stated Walsh had over 20 years of experience in finance and office work, had completed complex accounting and payroll projects, and had taken on more responsibilities as interim Town Accountant. **Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

C. FY23 Tax Classification Hearing

Christian Kuhn, Town Assessor, appeared before the Select Board remotely (see exhibit C for details). Kuhn stated there was a 21% increase in property value, which was the most aggressive increase for the Town and across Essex County. Kuhn explained the process of how the value of property was determined and the role of the DOR in the yearly tax rate process. Jennings reviewed the requested items to be voted on; single tax or split tax rate, the open space discount, the residential exemption, and the small commercial exemption. Jennings informed the Select Board the FY22 tax rate was 13.01 and the FY23 tax rate was estimated to be 11.07.

Archibald reviewed the Board of Assessor’s vote 3-0 to maintain a single tax rate. **Archibald made a motion to maintain a single tax rate versus residential versus commercial due to the little amount of commercial property. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

Archibald stated the Board of Assessors voted 3-0 not to adopt an Open Space Discount. **Archibald made a motion not to adopt an Open Space Discount. Parker seconded.** Kuhn explained the discount would apply to land that was not Chapter Land eligible yet open to the public for use and therefore considered Open Space. Kuhn stated land of this nature would not be tax exempt but could be discounted under the Open Space Discount. **Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

Archibald reviewed the Board of Assessor’s vote 3-0 not to adopt the residential exemption. **Archibald made a motion to not recommend the residential exemption. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

Archibald stated the Board of Assessors voted 3-0 not to adopt the small commercial exemption. **Archibald made a motion not to adopt the small commercial exemption. Reed seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

D. Discussion of Pentucket Regional Agreement

Archibald stated that every three years the towns of the tri-town agreement had the opportunity to review the Pentucket Regional Agreement (see exhibit D for details). If changes were proposed, all three towns would be required to agree upon those changes proposed at the Spring Town Meetings. Any approved changes to the current agreement would go into effect 2024. The Select Board discussed potential revision recommendations to the Pentucket Regional Agreement made by the Finance Committee. Topics of revision were the phrasing surrounding the number of elementary schools per town, the Pentucket Regional Contingency Plan, Capital Project reporting, and annual building maintenance plans and reports. The Select Board discussed the goal of finalizing and sharing the comments from West Newbury with the other towns before the end of December. **No motion at this time.**

E. Update and request for Board direction regarding proposed Whetstone Greenway project

Reed informed the Select Board that Brad Buschur had made the changes to the original project design under the belief that it would have less impact on the wetlands (see exhibit E for details). Reed stated the Conservation Commission did not necessarily agree there would be less of an impact on the wetlands. Further, Reed stated the CPC believed the design change to be a major change and would require additional approval from the CPC and Town Meeting. The Select Board discussed the potential increase in construction costs and potentially hiring a structural engineer to ensure ADA compliance. The Select Board agreed that this project should be handled by town staff moving forward. Jennings stated that no additional funds, other than \$220 for the legal ad, had been spent on this project to date. **No motion was made at this time.**

F. Preliminary discussion of FY24 budget policy direction (scheduled for review at Dec. 5th meeting)

Jennings stated the FY24 budget would be a primary item on the December 5th agenda (see exhibit F for details). Jennings and the Select Board discussed department turnback of unspent department budgets and if there was another way to carry the money forward. Jennings discussed department budgets such as Fire and recycling that had significant turnbacks and how the budgets had been conservatively set. Jennings and the Select Board discussed different ways to present the budget at Town Meeting that could reduce the number of line-item transfers. Jennings stated legislative body would vote on the department budget as a whole, but could have access to the broken-down budget within each department. This item would be further discussed December 5th. **No motion was made at this time.**

G. Potential to revise rates for use of Electric Vehicle (EV) charging stations at Page School, 1910 Building

The Select Board discussed if the rates at the charging stations should be increased. Parker discussed the current rate structure per kilowatt through National Grid and the amount of money the town received per kilowatt from Main Street Solar production. It was decided to leave the rate as is at the charging stations. **No motion was made at this time.**

H. Set date and time for annual Holiday Tree Lighting

It was decided to schedule the annual tree lighting for December 8, 2022 at 6:30pm.

I. Review of draft Select Board meeting schedule for first half of calendar year 2023

The Select Board reviewed the proposed dates for meetings for the first half of the calendar year (see exhibit I for details). The Select Board decided to change the January meeting dates to the 9th, 17th, and 30th.

J. Meeting minutes: November 1, 2021

Archibald made a motion to approve the meeting minutes from November 1, 2021. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).

Town Manager Updates

K. Update on recent Planning Board discussion of policy priorities

Jennings stated the Planning Board found the list of priorities helpful (see exhibit K for details). Jennings gave a brief update on the progress of each item listed on the priority list.

L. Middle Street Bridge updates

Jennings stated DPW Director Wayne Amaral had visited the site the week prior and noted that two sink holes had developed (see exhibit L for details). Jennings informed the Select Board that Newburyport had been asked to repair the sink holes and the town was waiting for a response. Jennings reviewed a meeting held with mayor Reardon where the Middle Street bridge was discussed. **No motion was made at this time.**

M. Update on recent submittal of Safe Routes to Schools grant application to advance/implement recommendations from Route 113/Page School/Pipestave intersection safety audit

Jennings informed the Select Board the Safe Routes to School grant application had been submitted (see exhibit M for details). Jennings commended the DPW projects manager for assisting in helping make the submission deadline. **No motion was made at this time.**

N. Update on recent meeting at Whittier Tech regarding proposed school building project with MSBA

Jennings and Parker reviewed a meeting they attended with superintendent Maureen Lynch and other town officials from the district (see exhibit N for details). Jennings stated the school would need approval from all 11 cities/towns in the district get through the MSBA process. Parker stated the construction option that would increase the student population was found to be too costly and therefore had been taken off the table. Jennings discussed areas of the school that would need to be upgraded to meet code compliance. **No motion was made at this time.**

O. Update on Capital Improvement Committee process to review draft Capital Improvements Program

Jennings stated a draft of the Capital Improvements Program had been circulated. The CIC discussed the draft and will revisit the updates at the December 8th meeting. **No motion was made at this time.**

P. Timeline and next steps to update Housing Production Plan

Jennings stated a meeting was scheduled for December 1, 2022 with the Town Planner, MVPC designee, and the Town Manager. Jennings stated the members of the Affordable Housing Trust were invited to attend and participate. **No motion was made at this time.**

Q. Timeline and next steps to update Hazard Mitigation Plan

Jennings stated the regional kickoff was scheduled for December 7th. Invitations to various town departments had been circulated. **No motion was made at this time.**

R. Update on recent meeting with MIIA for annual review of insurance policies and coverages

Jennings discussed the annual MIIA review of insurance policies and coverage. Jennings stated that most likely cyber coverage would require two-factor authentication starting July 1, 2023. Jennings also informed the Select Board that municipalities renting out any portion of municipal building space would become increasingly more difficult as insurance coverage would not be issued. Jennings stated that West Newbury was grandfathered in but the town should continue monitoring this as it could change in the future. **No motion was made at this time.**

S. Follow up meeting assignment; placing items for future agendas

Archibald made a motion to adjourn to executive session in accordance with 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 public body (362 Main Street; 31 Dole Place); Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain). The Board adjourned to executive session at 10:30pm.

The Board returned to Open Session. Archibald made a motion to adjourn open session. Parker seconded. Open Session adjourned at 10:58pm.



**Town of West Newbury
Select Board**

Monday, December 5, 2022 @ 7:00pm

381 Main Street, Town Office Building

www.wnewbury.org

Open Session Meeting Minutes- DRAFT

Open Session: Open session was called to order at 7:10pm by Chairperson Archibald

Participation at the meeting:

David Archibald, Richard Parker, and Wendy Reed *Select Board Members*

Angus Jennings, *Town Manager*

James Blatchford, *Town Clerk*

Rock Dower, *Veteran Firemen's Association*

Justin Bartholomew, *Pentucket Regional School District Superintendent*

Walter Burmeister, *Finance Committee*

Wayne Amaral, *DPW Director*

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Meeting also accessible by remote participation; see agenda for details.
- Pentucket Arts Foundation – Makers' Market, Sat., Dec. 3rd from 10:30am-4pm, Veasey Mem. Park, Groveland
- Holiday Tree Lighting – Training Field – Thursday, December 8th, 6:30pm – Caroling, cookies, hot chocolate!
- Holiday Luncheon and musical performance by the Page School Chorus – Thursday, December 15th at 11:30am, SAGE Center – spaghetti & meatballs, FREE to attend, advance registration required (see page 3 for details).
- Call for volunteers! Open positions on Boards/Commissions/Committees. See www.wnewbury.org/volunteer
- Reminder to subscribe for emailed Town agendas/news/announcements at www.wnewbury.org/subscribe

Regular Business

A. Presentation of new Hand Tub Lane sign and confirm date for formal on-site unveiling – Rock Dower, Veteran Firemen's Association

Rock Dower appeared before the Select Board in person. Dower presented the sign for the Select Board to view and discussed scheduling a date for the formal on-site unveiling (see exhibit A page 4 for details). The Select Board, Dower, and DPW Director Wayne Amaral scheduled the unveiling for December 17th at 10am. Dower briefly described the Veteran Firemen's Association and the historic 7 consecutive years of winning the Hand Tub Championship. Jennings stated the town would inform the local youth groups and scout troops of the event. **No motion was made at this time.**

B. Discussion of Pentucket Regional Agreement; review of potential revisions to propose to other towns and PRSD Administration

The Select Board discussed potential revisions to the Pentucket Regional Agreement, including adjusting the date for the school to provide the 5-year Capital Plan to October 15th from January 15th (see exhibit B pages 5-22 for details). Justin Bartholomew, Pentucket Regional School District Superintendent, appeared before the Select Board in person and stated the date change would not be a problem. Walter Burmeister appeared before the Select Board in person and stated revisions to the "Budget" section should be made as the language was unclear. The Select Board, Jennings, and Burmeister discussed how the section could be interpreted multiple ways and discussed the role of the School Committee in the budgeting process. Bartholomew stated an initial budget would be received in January, but a more defined budget would not be identified until after the submission of the Governor's budget in March. It was stated the PRSD Administration would host meetings in January and in March to discuss budget information as it becomes available. **No motion was made at this time.**

*Item I was taken out of order at this time

I. Update re recent meeting with PRSD Administration and Groveland, Merrimac Finance Directors

Bartholomew stated the PRSD Administration was moving towards a needs-based approach regarding the FY24 budget (see exhibit I page 102 for details). The PRSD Administration would host two joint meetings for the towns Select Board members, Finance Committees, and Town Manager/Administrators January 24, 2023 and March 8, 2023. Bartholomew stated teachers would receive 2% COLA for the next few years and the operational costs would likely increase roughly 3% for FY24, but other items within the budget would not be known for the January meeting. Blatchford stated if a Prop 2 ½ override was needed, the ballot language would need to be submitted to the Clerk's Office no later than 45 days prior to the election. **No motion was made at this time.**

Parker made a motion to add an unforeseen item to the agenda; approval of the Town Accountant contract. Reed seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).

Posted Agenda on 12/1/2022 at the Town Offices and the Town's Official Website www.wnewbury.org

Jennings stated the Select Board had come to an agreement on a three-year employment contract for the newly appointed Town Accountant during the executive session that evening. Jennings stated the contract was effective immediately and explained that it was best practice to publicly disclose any contract execution. **No motion was made at this time.**

C. Discussion of Wage/Classification study

Jennings stated that updated job descriptions had been circulated to all Town staff and an informational meeting was held December 1st at the Town Office Building (see exhibit C pages 23-47 for details). Wage grades with minimum and maximum rates would need to be established, as well as, step schedules within each grade. It was stated that any rate adjustments that would result in retroactive pay would be addressed at the December 19th Executive Session meeting. **No motion was made at this time.**

D. Review/approve Select Board FY24 budget policy direction

Jennings informed the Select Board of the Finance Committee's request for all article proposals to be presented in a standard uniform format. Jennings stated the Finance Committee was reminded that the Select Board had the ultimate choice as to which articles would be included on the warrant. The Select Board agreed that a standard format would not have a detrimental effect, but the format would need to be communicated to the departments, boards, committees, and commissions.

The Select Board and Jennings reviewed each section of the FY23 Budget Policy Direction and made edits to reflect the FY24 Budget Direction (see exhibit D pages 48-50 for details). It was decided to eliminate item two concerning COVID-19 operating expenses from the FY24 Budget Policy Direction. The Select Board and Jennings discussed utilizing the ARPA funds for one capital project or multiple smaller projects. Discussion continued surrounding whether the state would respond favorably to ARPA funds being put towards a water capital project. Amaral stated the ARPA funds would only cover a quarter of the water capital project and a consultant/project manager could be needed for the project. It was decided to include language stating the Town would "identify" which Town water capital project to move forward with.

The Select Board and Jennings discussed the debt payments ending in FY24 and noted that the tax rate would be under 2.5% due to the great financial management the Town has done. Jennings stated a draft FY24 Budget Policy Direction would be created from the existing FY23 policy with the revisions discussed that evening. The Select Board members would receive a copy of the draft for review once completed. **No motion was made at this time.**

E. Confirm date for 2023 Annual Town Meeting

The Select Board confirmed the Annual Town Meeting would be held in the Annex April 24, 2023. **No motion was made at this time.**

F. Stormwater Work Group Update and Stormwater Management Project Request for Comments – Wayne Amaral, DPW Director

Amaral reviewed the Stormwater Management Program and stated four names of town staff had been updated and the Town was on track for timeline items for year four (see exhibit F pages 51-89). Amaral stated a public presentation was required each year to solicit comments and to update outdated information. **No motion was made at this time.**

G. Review of proposal for Select Board hearing room design/furniture – Wayne Amaral, DPW Director

Amaral reviewed the proposed hearing room furniture design and sales quote received from MassCor that was much more favorable than quotes from other vendors (see exhibit G pages 90-96 for details). Amaral explained that the Massachusetts Department of Correction created a program where residents were compensated for their labor and learned a vocational skill that could be utilized upon rejoining society. The Select Board, Amaral, and Jennings discussed the dimensions and formal design of the proposed replacement furniture, as well as, modifications from the current layout that could take place. Amaral stated the proposed furniture would be made of solid oak with a lockable drawer underneath each section for the Select Board members documents. Jennings informed the Select Board that any file from the Select Board Office could be digitized upon request. Amaral stated the current hearing room table would be moved the second-floor hearing room with the help of a moving company.

The Select Board discussed whether the design of the new furniture was too formal. After further discussion, the Select Board requested to modify the length of the Select Board desk and to see examples of different styles and finish colors. Amaral stated an updated rendering of the design, including options of finish colors and styles, would be brought before the board once received, as well as, a list of other towns the organization has completed work for in the past.

H. Meeting minutes: October 17, 2022; October 24, 2022

Clerical errors were noted for correction on the October 17, 2022 (see exhibit H pages 97-101 for details). No amendments were noted for the minutes for October 24, 2022. **Reed made a motion to accept the minutes as amended. Parker seconded. Motion unanimously approved (3 Yes, 0 No, 0 Abstain).**

Town Manager Updates

J. Update re recent ratings call with Moody's

Jennings informed the Select Board the call with Moody's had gone well and expected a response concerning the Town's bond rating the following week (see exhibit J pages 103-172 for details).

K. Update re recent introductory meeting with MVPC staff regarding updates to Housing Production Plan

Jennings informed the Select Board that the first meeting with the MVPC staff, Reed, and the Town Planner had taken place. Jennings stated that there was a nice alignment with the housing production plan updates and the parallel effort towards the MBTA Communities action plan.

L. Follow up meeting assignment; placing items for future agendas

Parker requested an update regarding cyber security and Jennings stated an update would be provided the following meeting. Jennings informed the Select Board discussion on the Mill Pond project, presentation of the FY22 audit, and recommendations from the Page School Working Group would appear on the next meeting agenda.

Parker made a motion to adjourn. Archibald seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain). Open session adjourned at 11:20pm



**Town of West Newbury
Select Board**

Monday, December 12, 2022 @ 7:30pm

381 Main Street, Town Office Building

www.wnewbury.org

Open Session Meeting Minutes- DRAFT

Open Session: Open session was called to order at 7:38 pm by Chairperson Archibald

Participation at the meeting:

David Archibald, Richard Parker, and Wendy Reed *Select Board Members*

Angus Jennings, *Town Manager*

James Blatchford, *Town Clerk*

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Meeting also accessible by remote participation; agenda for details.
- Holiday Luncheon and musical performance by the Page School Chorus – Thursday, December 15th at 11:30am, SAGE Center – spaghetti & meatballs, FREE to attend, advance registration required
- Call for volunteers! Open positions on Boards/Commissions/Committees. See www.wnewbury.org/volunteer
- Reminder to subscribe for emailed Town agendas/news/announcements at www.wnewbury.org/subscribe

Regular Business

A. Wage/Classification study: review draft work products for modification and/or approval

Jennings reviewed the elements of the Wage and Classification study and stated the draft versions of the updated job descriptions had been circulated to all departments and staff. Jennings stated some comments had been received concerning the job descriptions and the Town Manager's Office would accept additional comments through the end of the week. Jennings stated the Select Board had a hard deadline of December 19, 2022 to endorse the grade and step table, set the minimum and maximum wages for each grade, designate each position within the grades, and to adjust and approve mid-year wage adjustments with retroactive pay from July 1, 2022. Archibald stated the Select Board would continue to work on these items in executive session. **No motion was made at this time.**

Town Manager Updates

B. Follow up meeting assignment; placing items for future agendas

No items were discussed at this time.

Archibald made a motion to recess the open session and to return to executive session. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).

Open session reconvened at 11:00pm. Archibald made a motion to adjourn open session at 11:00pm. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).



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

K

Angus Jennings, Town Manager
978-363-1100, Ext. 111 Fax 978-363-1826
townmanager@wnewbury.org

TO: Department Heads, Town Officials, Boards/Commissions/Committees
FROM: Angus Jennings, Town Manager
DATE: December 22, 2022
RE: Budget Package: Guidance and Policy Direction for FY24 Budget Process

This Budget Package is intended to provide uniform guidelines to Department Heads and Boards / Commissions / Committees (B/C/Cs) for the formation of the FY24 Town Operating Budget. Please find enclosed the following to support your preparation of a proposed FY24 Expense Budget:

- FY24 Budget Schedule
- Select Board Budget Policy Direction
- Town Manager Budget Guidelines
 - Budget Narrative with Goals and Objectives
 - Line Item Budget Form
 - Salary and Wage Worksheet
 - Article Request Form
 - What to Expect When Presenting an Article or Budget for FinCom Vote
 - Capital Planning Process
 - Expenditure Detail Report: FY20 and FY21 YTD

Following the adoption of special legislation in 2017, this year marks the fourth budget cycle with a Town Manager form of government. My office and the Finance Department will continue to work closely with the Finance Committee, Capital Improvements Committee and the Select Board to manage the budget process in a manner that is consistent with the legislation, existing Town Bylaws and Policies, and that builds on prior years' budget formats and processes so as to provide you – as the initial preparers of Departmental budget – a clear and familiar process.

We will work to communicate with participants in the budget process on an ongoing basis in order to provide a clear and effective FY24 budget process. If you do have questions, please feel free to contact me or Town Accountant Jennifer Walsh. Thank you.



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

978-363-1100, Ext. 111 Fax 978-363-1826

townmanager@wnewbury.org

FY24 Budget Schedule

December 5	Select Board review/adopt FY24 Budget Policy Direction
December 22	Budget Package sent to Dept. Heads, Town Officers, Boards, Commissions and Committees (B/C/Cs)
January 11 ¹	Requested FY24 Expense Budgets, and proposed FY24 Capital items, for all Dept. Heads or Town Officers due to Town Manager and Town Accountant
January 24 ²	Requested FY24 Expense Budgets, and proposed FY24 Capital items, for all B/C/Cs due to Town Manager and Town Accountant
January (various)	Review by Town Manager and Town Accountant, including budget working sessions. (Depts. and B/C/Cs will be contacted individually to schedule your reviews, if/as needed)
January 24	Joint meeting of all 3 Pentucket towns' Select Boards and Finance Committees to preview anticipated PRSD school budget
February 6	Town Manager proposed FY24 Capital Improvements Program presented to Select Board
February 6	Town Manager proposed FY24 budget, with Town Manager budget message and proposed FY24 departmental and organizational structure, presented to Select Board.
February 6	Town Meeting Warrant closes. <u>Article requests due to Select Board.</u>
February 6	Select Board referral of proposed FY23 budget to Finance Committee ³
Feb. 9 th	Capital Improvements Committee meeting to review proposed Capital Program and FY24 projects. Capital Improvements Committee likely to schedule 1 or more add'l meetings in Feb. or March as needed.
Feb-March (Feb. 22; March 1, March 8, 15, 22)	Finance Committee meetings to review proposed budget. Departments and B/C/Cs will be notified regarding timing of meetings related to your section(s) of the budget.
March 7 (anticipated)	Pentucket School Committee to vote Regional School District Assessments
March 8 (anticipated)	Joint meeting of all 3 Pentucket towns' Select Boards and Finance Committees to review proposed PRSD school budget
March 13	Capital Improvements Committee report due to Select Board
On/around March 22	Finance Committee Referral of Proposed FY24 Budget to Town Meeting
BY April 10	Posting of Warrants (14 days prior)
BY April 10	Publication of Finance Committee booklet
April 24, 7pm	Annual and Special Town Meetings
May-June	Select Board approval of FY24 Wage/Salary Schedule

¹ If this date presents a problem for any department, please let Angus and Jenny know and we can work with you.

² This date is later than the due date for budgets prepared by Department Heads, to allow extra time for the B/C/Cs (i.e. Library Trustees, Board of Health, Planning Board, Conservation Commission) to prepare and review proposed budgets. If this timeline is not achievable for any specific B/C/C, please contact Angus and Jenny no later than January 11. (Note: the Water Commission's proposed budget typically comes in later in the cycle. As an enterprise budget, it does not affect the bottom-line operating budget, so could be received as late as Jan. 31st.)

³ Per the Town Manager Act Sec. 4(j): "The [select board] shall review the annual proposed budget prepared by the town manager and make changes as the [select board] deems advisable. The town manager shall present the budget which incorporates the changes of the [select board] to the finance committee and the town meeting." Therefore the budget as proposed to Finance Committee will reflect any changes as may be directed by the Board.



Town of West Newbury

Select Board FY '24 Budget Policy Direction

Approved December 5, 2022

To insure the growing and continued financial health of the Town of West Newbury, provide the public with confidence that Town officials respect their responsibility for fiscal stewardship and demonstrate to taxpayers and bond rating agencies that the Town has thoughtfully prepared for its future, the Select Board present to our employees, Boards, Commissions and Committees the following guidance in preparing the FY24 budget.

1. We propose a FY24 operating budget that will limit the overall increase in the expense budget to no more than 2.5%, not including any school budget increases including related to the Pentucket Middle/High School override. If, in order to meet this budgetary goal, the proposed budget includes any changes in organizational structure, employee head count, hours of operation and/or budgeted level of service, these changes should be specified.
2. We will carry out a clear, transparent public process for finance committee and public review of the proposed FY24 budget, taking into account information from taxpayers, town officials, department heads, Boards/ Commissions/ Committees, and residents.
3. We propose to recommend that Town Meeting continue to draw-down the balance in the School Stabilization fund in FY24 based on a multi-year plan to mitigate the taxpayer impact of the Middle/High School project.
4. We propose that updates and revisions to the Capital Improvement Program be presented by the Town Manager in accordance with the timeline requirements in the Capital Improvements Committee Bylaw. We propose that the Capital Improvements Committee and the Town Manager evaluate whether an appropriation of \$500,000 from the operating budget into the Capital Stabilization Fund is an appropriate amount when taking into account FY24 and future years' anticipated capital funding needs.
5. We propose that the FY24 budget process identify which Town and/or Water capital project costs or other eligible expenses will be paid in full or in part through the Town's allocation of Federal American Rescue Plan Act (ARPA) funds, with a priority on one-time capital projects and related expenses.
6. We propose that the Town Manager and Department Heads both continue to consider, and expand consideration of, potential opportunities to regionalize some town services, if this can be achieved at cost savings while maintaining or enhancing current levels of service, including exploring potential opportunities that may not be ready for implementation in time for FY24.
7. We propose that Department Heads and Boards/Commissions/Committees review, for programs and services that generate fees, the existing fee structures, their comparability to other municipalities in the region, and the sufficiency of projected fee revenues to cover or suitably offset the underlying town operating costs for such fee-supported programs and services.
8. We propose that the FY24 budget should take into account the estimated impacts, if any, of any newly effective requirements imposed by statute, bylaw, regulation or policy, and should specify the estimated impact of any such newly effective requirements. These estimates should take into account the anticipated impacts of any new statute, bylaw, regulation or policy that is known to affect FY24 or is proposed to take effect during FY24.
9. We propose that, for each section of the proposed budget, the proposed budget specify the individual(s) or the Board/Commission/Committee that will have authority to expend the budgeted funds.

Approved by the Select Board
December 5, 2022

Town Manager Budget Guidelines

- **Budget Narrative with Goals and Objectives**
Initial requested expense budgets should include current statements of goals and objectives for FY24. This should include focus on the cost impact – positive or negative – of any such goals and objectives. This is also the appropriate section of your budget to respond to the Select Board Budget Policy item 8 (estimating the impact of known/proposed policy changes/mandates on your operations) and item 9 (identifying authorized signer(s) for departmental expenses).
- **Line Item Budget Form** *(available in editable Excel format)*
Please clearly explain ANY changes from the previous fiscal year budget amounts in the notes section provided, and/or in an attached memorandum. **THIS WORKSHEET IS JUST A GUIDE. ALL LINE-ITEM DESCRIPTIONS INCLUDED ARE SAMPLES WHICH MAY OR MAY NOT APPLY TO YOUR DEPARTMENT.** All proposed expenses should be clearly identified in the notes section and/or in an attached memorandum. For example, if the proposed budget for “Training / Education / Dues” is \$800, the backup information should specify that this is comprised of, for example, \$400 for seminars and workshops, \$250 to attend an annual conference, and \$150 for dues for professional organizations. These subset numbers will not be binding through the budget year, but will assist my office and the Finance Committee to understand what is “behind the numbers.” Departments with projected overtime line items must submit documentation of the basis and need for this overtime.
- **Salary and Wage Worksheet** *(available in editable Excel format)*
This worksheet should list all employees in your Department, FY23 budgeted hours and rate of pay, FY24 budgeted amount/year (salary/wages only), and proposed hours, rate of pay, and proposed budgeted amount/year (salary/wages only). The updated salary/wage grade/step schedule approved by the Select Board on December 19, 2022 will be provided separately. For employees with a union or employment contract, budget the contracted amount for FY24. For non-union and non-contract personnel, use the current pay, with no increase for cost of living. Cost of living adjustments (COLAs) will be added to non-union wages at a later date. If you wish to propose a step increase due to changes in a position’s responsibilities, longevity, and/or merit pay increases, justification must be provided in the notes section or in a separate memorandum. The Town Manager will review all such proposals on a case-by-case basis, and any such changes in pay rate are subject to approval by the Select Board. You will receive prior notice of any public meeting which will include discussion of your department’s proposed budget.
- **Expenditure Detail Report** *(available in editable Excel format)*
My office with the Town Accountant prepared the enclosed report of FY21 and FY22 Budget and Expended, FY23 Budget and Year-to-Date (as of 12/22/22, which was 47.7% through the current fiscal year). On request, the Town Accountant will run a detailed report for your section(s) of the budget showing all expenditures made from your accounts during the current or prior fiscal years.
- **Article Request Form** *(available in editable Word or Excel format)*
This form is unchanged from last year’s budget cycle. Due to there being several newer members on the Finance Committee, **Article Request Forms will be expected for all proposed Town Meeting Articles, even for recurring articles.** Article Request Forms may include supporting documentation (basis of estimates, etc.). Departments proposing capital items should work with my office to prepare Form Bs to be provided to the Capital Improvements Committee.



Town of West Newbury Departmental Expense Budgeting Form

SAMPLE DEPARTMENT	FY2018	FY2019				FY2020				FY2021
	Actual Expended	Budget Requested	Budget Approved	Actual Expended	Turn back / Transfers	Budget Requested	Budget Approved	Actual Expended	Turn back / Transfers	Budget Requested
<u>Personnel</u>										
Salary & Wages	237,551	245,000	245,000	236,520	8,480	245,000	245,000	236,520	8,480	
Overtime	28,542	35,000	30,000	26,250	3,750	35,000	29,000	26,250	2,750	
Other (incentives, longevity, stipends)	2,000	2,000	2,000	1,850	150	2,100	2,100	1,250	850	
Sub-Total:	268,093	282,000	277,000	264,620	12,380	282,100	276,100	264,020	12,080	0
<u>Expenses</u>										
Advertising	265	500	500	220	280	500	500	385	115	
Communications	379	500	500	385	115	500	500	385	115	
Equipment Purchase, Repairs	379	500	500	385	115	500	500	385	115	
Materials & Supplies	3,750	4,000	4,000	2,650	1,350	5,000	4,000	3,251	749	
Mileage / Travel	265	500	500	220	280	500	500	385	115	
Professional / Technical Svcs	3,750	4,000	4,000	2,650	1,350	5,000	4,000	3,251	749	
Training / Education / Dues	2,835	5,000	5,000	3,251	1,749	5,000	4,000	3,251	749	
Uniforms	1,350	1,500	1,500	879	621	1,500	1,500	879	621	
Utilities	265	500	500	220	280	500	500	220	280	
Vehicle Maintenance	379	500	500	385	115	500	500	385	115	
Other Expenses	1,350	1,500	1,500	879	621	1,500	1,500	879	621	
Sub-Total:	14,967	19,000	19,000	12,124	6,876	21,000	18,000	13,656	4,344	0
Department Total:	283,060	301,000	296,000	276,744	19,256	303,100	294,100	277,676	16,424	0

Please complete the above current fiscal year budget request.
 For each line item that varies from prior year actual, provide a detailed explanation below.
 Salary and wage detail to be provided on the Salary and Wage Worksheet, attached.

Budget request submitted by: _____

Contact (phone/email): _____

Line Item Budget Form (available in editable Excel format)

5

Salary and Wage Worksheet *(available in editable Excel format)*



**Town of West Newbury
Departmental Salary and Wage Worksheet**

Grade	Position	Hrs/Wk (FY23)	Rate (FY23)	Amount / Year	Proposed Rate (FY24)	Proposed Hrs/Wk (FY24)	Proposed Amt / Year (FY24)

Note: Add additional lines if needed.

Proposed Salary/Wages: \$ _____ -

For any salary/wage increases/decreases, provide all relevant information (prior hours/rate, new hours/rate, approvals received, and reason for request).

Budget request submitted by: _____

Contact (phone/email): _____

ARTICLE REQUEST FORM

ARTICLE:

AMOUNT REQUESTED:

CONTACT PERSON:

PHONE NUMBER:

Why should the town make this purchase? What needs will be met? Who will benefit?

What factors affect the timing of this purchase?

When should this Article be sunsetted--how long will the project take?

What ancillary costs do you anticipate? (Maintenance, Insurance, Training, etc.)

Does this Article involve improvement, preservation or creation of tangible assets and projects which 1) have useful life of at least five years; 2) cost over \$20,000 and or 3) for which the town is authorized to borrow funds? If so, please confirm that this item is on the Capital Improvements Committee Schedule for future capital investments.

Please attach additional pages or other supporting documentation.

What to Expect When Presenting an Article or Budget for FinCom Vote

Under Town Bylaws, the Finance Committee is charged with vetting, analyzing and voting whether to recommend “all Articles in the Warrant, especially those involving the appropriation of money.” We also must present an Omnibus Budget at the Annual Town Meeting. We must prepare a booklet to guide Town Meeting and explain our rationales to the Town. The FinCom takes these responsibilities seriously and works hard to obtain a full understanding of the pros and cons of all matters that come before it.

The FinCom cannot in good faith recommend a proposal that it does not fully understand. To help you help us do our job when you have a matter that will require a FinCom vote, we have prepared this guide, which will be circulated to every Town Department, Board, and Committee approximately four months prior to each Town Meeting.

In preparation for the FinCom to vote on your proposed Article or Budget item, the Town Manager’s office will provide us with requested information, and b) work with the FinCom Chair to schedule a meeting with the Committee. In order to facilitate a smooth process, please:

- 1) Provide any Article submission on the Town Article Request Form and any supporting materials to the Town Manager so that the submission may reach us in a timely manner—and provide summary answers as opposed to “see attached”;
- 2) Provide any proposed budget and any supporting materials (with prior comparative data) to the Town Manager for timely submission to us;
- 3) When we ask to meet with you, make yourself available in time for FinCom to complete its evaluation;
- 4) Provide the Town Manager with any additional written materials, timely for the Town Manager’s distribution of materials to the FinCom at least one week prior to meeting with us;
- 5) Be prepared to answer questions relating to such matters as a) the short- and long-term costs and benefits of your proposal; b) your consultation with/approvals from other affected Town departments, committees, boards; c) the alternatives you considered in developing your proposal; d) your proposed funding source(s); e) your plan to implement the proposal if approved at Town Meeting; f) date for completion/sunsetting of Article;
- 6) Keep us up to date with follow-up information FinCom may request as well as any changes to or further developments regarding your proposal;
- 7) Recognize that the FinCom booklet – the culmination of months of Committee work – will go to press at least two weeks before Town Meeting, making last minute changes infeasible.

FY23 Committee Members		
<u>Name</u>	<u>Title</u>	<u>Term</u>
Christopher Wile	Chair	2023
Jim Sperelakis	Secretary	2024
Walter Burmeister	Member	2023
Daniel Innes	Member	2024
Rob Phillips	Member	2025
Ross Capolupo	Member	2025
Committee webpage: https://www.wnewbury.org/finance-committee		

Capital Planning Process

The role of the Capital Improvements Committee (CIC) is set forth in the CIC Bylaw, and includes consideration of the relative need, impact, timing and cost of proposed capital expenditures and the effect each will have on the financial position of the town. Working with the DPW Director, Chief Fire Engineer, Page School Administration and facilities personnel, Parks & Rec Commission, and other Department Heads and B/C/Cs, my office maintains a database of all known and potential capital items into a consolidated Capital Improvements Program. This is updated periodically, and annually within the capital budgeting process. Specific projects proposed for FY24 funding will proceed through the familiar CIC review process.

The comprehensive Capital Improvements Program is intended to support clear decision-making regarding the comparative costs and benefits of the Town’s capital needs. The CIC review process and recommendations for specific projects will proceed in parallel with the overall budget process.

The Capital Improvements Committee shall study proposed capital projects involving the planning for and the improvement, preservation and creation of tangible assets and projects which:

- 1) have useful life of at least five years;
- 2) cost over \$20,000; and/or
- 3) for which the town is authorized to borrow funds.

The Committee shall consider the relative need, impact, timing and cost of these expenditures and the effect each will have on the financial position of the town. No appropriation shall be voted for a capital improvement requested by a department, board or commission unless the proposed capital improvement is considered in the Committee's report. The Committee shall not fail to report on any proposal that has been properly submitted.

The CIC shall prepare an annual report recommending a Capital Improvement Budget for the next fiscal year, including any items to be funded in the current fiscal year, and a Capital Improvements Program including recommended capital improvements for the following five (or more) fiscal years. The report shall be submitted to the Select Board not later than six weeks prior to the Annual Town Meeting for its consideration and recommendations. The Board shall submit the Capital Budget together with its recommendations to the Annual Town Meeting.

FY23 Committee Members	
<u>Name</u>	<u>Title</u>
Judith Mizner	Chair
Polly McDowell	Vice Chair
Elisa Grammer	Clerk
Julie Boria	Member
Ross Capolupo	Finance Committee Representative
Rick Parker	Select Board Representative
Angus Jennings, Town Manager	Ex Officio
Committee webpage: https://www.wnewbury.org/capital-improvements-committee	

Expenditure Detail Report: 21, FY22 and FY23 YTD

The Town Accountant prepared the enclosed reports of FY21 Budget and Expended, FY22 Budget and Expended, FY23 Budget and Year-to-Date (as of 12/22/22, which was 47.7% through the current fiscal year).

On request, the Town Accountant will run a detailed report for your section(s) of the budget showing all expenditures made from your accounts during the current or prior fiscal years.

*Provided separately to each Department Head and
Board/Commission/Committee*

MEETING NOTICE-WEST NEWBURY
FINANCE COMMITTEE

Date & Time: Wednesday January 11, 2023, 6:00 PM
Location: 1910 Building 2nd Floor Hearing Room
By: Chris Wile, Chairman

AGENDA

1. Call to Order
2. Public Comment.
3. Approval of Minutes
Meeting of December 15, 2022- Jim S.
4. Monthly financial review- R.P.
5. Tax rate vs valuations. R.P.
6. Free cash discussion- W.B.
- 7.Expectations of Fin Com members on sub-committees. R.P.
8. Page School walk through. Follow up- C.W.
9. Non tax revenues discussion. - A.J.
10. Spring Town Meeting & Selectboard Policy direction.
11. Con Com agent, withdrawal from Intermunicipal Agreement. – A.J.
12. Wage classification study. - A.J.
13. Preview of Pentucket S.C. mtg. to discuss FY24 budget on Jan. 24 @ 6:00 pm.- A. J.
14. Town Manager updates. -A.J.
13. Communications.
14. Schedule of future meeting dates.
15. Adjournment

Page School Site Visit
December 27, 2022 9:00 AM
Page School, 694 Main Street, West Newbury

IN ATTENDANCE:

Walt Burmeister, Finance Committee
Ross Capolupo, Finance Committee
Bob Danforth, PRSD Facilities Manager
Rick Parker, Select Board
Emily Puteri, Page School Principal
Christine Wallace, DPW Project Manager
Chris Wile, Finance Committee Chair

Members of the Town of West Newbury Finance Committee visited the Page School for a tour led by Facilities Manager Bob Danforth. The group viewed the following:

- Front Lobby and Administration Area
- Elevator
- Kitchen
- Storage/Utility Area Underneath Children's Castle
- Music Room
- Cafetorium
- New Gymnasium and Addition
- Staff Room
- Original Front Entrance
- Hallways, Flooring, Areas of Flood
- New Electrical and New Generator
- Boiler Room
- Fire Pump and Fuel Tank
- Second Elevator
- Various Classrooms
- New Windows
- Library



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

978-363-1100, Ext. 111 Fax 978-363-1826

townmanager@wnewbury.org

TO: Select Board
FROM: Angus Jennings, Town Manager
DATE: January 5, 2023
RE: Middle Street Bridge updates

Earlier this week, the project received its Water Quality Certification from MassDEP. A copy is enclosed.

I requested that BSC provide a summary table of permitting for this project, specifically:

- Permits needed
- Permits obtained (incl. duration of permit, i.e. when does it expire or need to be renewed)
- Permits still outstanding

The spreadsheet is enclosed.

In addition, the project remains under review by MassDOT for a required Ch. 85 permit to approve the project's engineering. BSC is in regular contact with MassDOT, including this week, and has a working meeting scheduled a week from Tuesday. Once MassDOT finalizes the Ch. 85 engineering review the project will be ready to advertise from MassDOT's standpoint. During construction, MassDOT requires that a copy of certain contractor submissions be sent to MassDOT for their records, which includes things such as the bridge's prestressed beam shop drawings.

In parallel, I am working to schedule a meeting in the next 2 weeks with West Newbury and Newburyport staff and with BSC regarding:

- Our efforts to secure another extension of the MassWorks grant, past FY23.
- Our strategy with regard to seeking a new MOU with Newburyport re division of costs associated with bridge reconstruction, and urging the City to include funding in its FY24 capital budget for this purpose.
- Whether we intend to pursue funding from the recently-announced RAISE Grant Program.

Additional non-permitting items include:

- 1) The upfront documents/standard construction contract will need to be prepared by Newburyport/West Newbury and reviewed by KP Law. Milestone dates will need to be included such as construction start dates and end dates.
- 2) The project will need to be advertised and a resident engineer/clerk of the works hired.
- 3) The Town and City will need to determine the degree of involvement they will have in regard to construction/administration/construction services and how much we will need BSC involved.

As ever, these efforts are ongoing, and receive attention just about every week.

Town Manager

From: Lally, Kyle (DEP) [REDACTED]
Sent: Thursday, January 5, 2023 10:16 AM
To: Sara Kreisel
Cc: Morrison, Micah; Julia Godtfredsen; Conservation; Town Manager; DPW Director; jewwhite@cityofnewburyport.com
Subject: X287261 Section 401 WQC - Middle Street, West Newbury / Plummer Spring Road, Newburyport over Upper Artichoke Reservoir, Bridge Replacement Project
Attachments: Plummer Spring road 401 WNewbury_NBPT.pdf

Good Morning,

Please find the attached 401 WQC for the Plummer Spring Road/Middle Street Bridge over the Upper Artichoke Reservoir in West Newbury and Newburyport.

The 401 WQC has an issuance date of today, 05 January 2022.

Thank you,
Kyle

Kyle Lally
Environmental Analyst IV, Wetlands & Section 401
MassDEP NERO
617-352-1520



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 150 Presidential Way Woburn, MA 01801 • 978-694-3200

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Bethany A. Card
Secretary

Martin Suuberg
Commissioner

January 5, 2023

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

City of Newburyport
16C Perry Way
Newburyport, MA 01950

re: **WATER QUALITY CERTIFICATION**
Application for: **BRP WW 10**, Water Quality Certification
Major Project – Upper Artichoke Reservoir

at: Middle Street/Plummer Spring Road over Upper Artichoke Reservoir
DEP Transmittal # **X287261**
DEP WETLANDS FILE # **078-0724 & 051-1047**
USACE # **NAE-2021-00177**
EEA # **16412**

Dear Mr. White and Mr. Jennings:

The Northeast Regional Office of the Massachusetts Department of Environmental Protection, Wetlands Program (MassDEP), has reviewed your application for Water Quality Certification (WQC), as referenced above. In accordance with the provisions of MGL c.21, §§ 26-53 and Section 401 of the Federal Clean Water Act as amended (33 U.S.C. §1251 et seq.), it has been determined there is reasonable assurance the project or activity will be conducted in a manner which will not violate applicable water quality standards.

The proposed project consists of the replacement of the structurally deficient bridge on Middle Street / Plummer Spring Road over the Upper Artichoke reservoir in West Newbury and Newburyport. The bridge is currently in poor condition and the road is closed due to the structural deficiencies. The project will replace the bridge structure with a new structure on a

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

similar horizontal and vertical alignment. The proposed bridge will expand the hydraulic opening of this stream crossing while also improving roadway safety.

The project will result in approximately 984 square feet of permanent impacts to Land Under Water associated with the installation of retaining walls, the bridge abutments, and riprap around the inlet and outlet. The project will net approximately 885 square foot gain of Land Under Water as a result of the expanded openness of the new bridge structure. The project will also result in approximately 641 square feet of temporary impacts to Land Under Water associated with the temporary dewatering of the channel for construction. Temporary impacts will be restored to pre-construction conditions.

MassDEP concurs that given the location of the proposed replacement bridge structure, generally in the same footprint of the existing drainage system and the increasing of the bridge openness, impacts to Land Under Water from the proposed activities have been avoided and minimized while meeting pertinent engineering requirements. The Applicant has explored sufficient alternatives regarding the need for impacts to resource areas as related to the design requirements and arrived at an alternative that minimizes impacts.

Since the project is located within an Outstanding Resource Water associated with the Upper artichoke Reservoir, the work is subject to the provisions of 314 CMR 9.06(3):

(3) Except as otherwise provided in 314 CMR 9.06(3), no discharge of dredged or fill material shall be permitted to Outstanding Resource Waters. The discharge of dredged or fill material to an Outstanding Resource Water in association with an activity listed in 314 CMR 9.06(3)(a) through (k) may be permitted without requiring the applicant to obtain a variance...

9.06(3)(c) Maintenance, repair, replacement, or reconstruction but not substantial enlargement of existing and lawfully located structures or facilities including buildings, roads, railways, utilities, dams, and coastal engineering structures

Because the impacts to Land Under Water are for the purpose of replacing an existing drainage utility, the project is in compliance with 314 CMR 9.06(3)(c).

The Criteria for Evaluating Proposed Discharge to Wetlands at 314 CMR 9.00 of the Regulations requires the submittal of information necessary for MassDEP to determine that the project complies with the Wetlands Protection Act, minimizes individual and cumulative impacts, and complies with the Massachusetts Surface Water Quality Standards. This information has been provided and specific mitigating measures required by MassDEP are itemized below. Therefore, based upon information currently in the record, MassDEP grants a WQC subject to the following conditions to maintain water quality, to minimize impact on the waters and wetlands, and to ensure compliance with the appropriate state law. MassDEP did not receive any public comments on the project within the 21-day public comment period.

All activities shall conform to the following plans:

1. "BRIDGE REPLACEMENT PROJECT" prepared by BSC Group, dated 12/21/2020, signed, and stamped by Kathryn Eagan, P.E., consisting of 14 sheets. **Final, stamped plans shall be sent to MassDEP prior to the beginning of work.**

On File with: MassDEP, the Newburyport, and West Newbury Conservation Commissions, and the US. Army Corps of Engineers.

2. MassDEP shall be notified of all changes in plans affecting waters or wetlands. MassDEP will determine whether the changes require a revision to this certification. This condition, pursuant to 314 CMR 9.06(1) and 314 CMR 9.09(2), is necessary to protect the public health and restore and maintain the chemical, physical, and biological integrity of the water resources of the Commonwealth.
3. All activities shall conform to the requirements set forth in the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. Any violation of this permit shall be considered a violation of the 401 Water Quality Certification. This condition is necessary to assure that any discharge from the project complies with the Massachusetts Surface Water Quality Standards, as provided in 314 CMR 9.00, to protect the public health and restore and maintain the chemical, physical, and biological integrity of the water resources of the Commonwealth.
4. Pursuant to 314 CMR 9.06(2), areas required to facilitate construction access shall be limited to those shown on the referenced plans. In the event that other access areas are required by the applicant or by the contractors, MassDEP shall be notified. This condition is necessary to ensure that construction practices are implemented in such a manner as to prevent degradation to wetlands and waters
5. Pursuant to 314 CMR 9.06(6)(a)(8), to prevent erosion and sedimentation from disturbed areas from entering the waterways, the following erosion and sedimentation control measures will be taken:
 - a. An erosion control plan shall be deployed as shown on the referenced plans and described in the Notice of Intents and application for 401 Certification. Any further erosion control plan or site-specific Stormwater Pollution Prevention Plan (SWPPP) developed for this project shall be supplied to the MassDEP and Conservation Commission prior to construction activities. Noncompliance with the SWPPP shall constitute non-compliance with the requirements of this Certification.
 - b. Siltation devices shall be installed before the commencement of any site work. These devices shall be inspected regularly, and entrapped silt shall be removed and disposed of in an upland location greater than 100 feet from wetland resource areas. Siltation devices shall be maintained or replaced when clogged with sediment or deteriorated.

This condition is necessary to ensure that construction practices are implemented in such a manner as to prevent degradation to wetlands and waters.

6. Pursuant to 314 CMR 9.06(2), pre-construction photographs of areas of Land Under Water where impacts are anticipated shall be submitted to MassDEP prior to the start of work. This condition is necessary to ensure that construction practices are implemented in such a manner as to prevent degradation to wetlands and waters.
7. Pursuant to 314 CMR 9.09 (1), the effective time period for the WQC runs with the overlying USACE PGP which expires on April 5, 2023. Time allowed for completion of the project allowed herein is the same as that allowed under the PGP; specifically, those activities that commence before the PGP's expiration date will have until April 5, 2023, to complete the activity under the terms and general conditions of the current PGP. Work within jurisdiction that is not completed by April 5, 2023, will be able to proceed only in accordance with any reissued or new PGP. This condition is necessary to ensure that the project is completed in a timely manner that is consistent with timing of related permits and if extension of the permit is needed, that the status of the project can be inspected to ensure that water quality is protected, and the project is in compliance with this permit.
8. Pursuant to 314 CMR 9.06(2), all temporary construction fill shall be completely removed after the construction phase of this project is complete. This condition is necessary to ensure that construction practices are implemented in such a manner as to prevent degradation to wetlands and waters
9. Pursuant to 314 CMR 9.05(4), MassDEP and Newburyport and West Newbury Conservation Commission personnel shall be allowed on site to inspect construction activities for compliance with the terms and conditions of this certification. This condition ensures notification from the applicant for MassDEP or Conservation Commission personnel to access the project site to monitor project progress and to verify that the project is implemented in compliance with requirements of 401 WQC to protect water quality.
10. Pursuant to 314 CMR 9.05(4), this Office, attention Kyle Lally, Wetlands Program (kyle.lally@mass.gov) and the Newburyport Conservation Commission shall be notified 48 hours in advance of construction activity for this project. The 48 hours shall not include weekends or holidays. This condition assures that MassDEP is notified in reasonable time to plan a site visit, if needed, to observe the work and conduct site inspection for compliance with 401 WQC to ensure that water quality is protected

Section 61 Findings: Pursuant to MGL Chapter 30, Sections 61 to 62H (MEPA), this project was reviewed as EEA # 16412 and the Secretary's Certificate, issued August 23, 2021, found that the Environmental Notification Form (ENF) adequately and properly complies with MEPA and its implementing regulations. Pursuant to MGL Chapter 30, Section 61, MassDEP determines that the proposed project as conditioned, will incorporate the appropriate feasible measures to avoid or minimize potential environmental impacts that may result from construction and operation of the project.

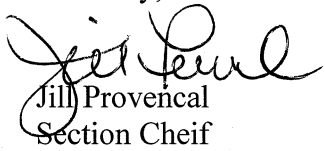
No activity may begin prior to the expiration of the appeal period or until a final decision is issued by MassDEP if an appeal is filed.

Failure to comply with this certification is grounds for enforcement, including civil and criminal penalties, under MGL c.21 §42, MGL c.21A §16, or other possible actions/penalties as authorized by the General Laws of the Commonwealth.

This Certification does not relieve the applicant of the obligation to comply with other appropriate state or federal statutes or regulations. This includes, but is not limited to, conditions of the Order of Conditions.

If you have any questions regarding this decision, please contact Kyle Lally at kyle.lally@mass.gov.

Sincerely,



Jill Provencal
Section Chief
Wetlands Program - NERO

cc: Newburyport Conservation Commission, 60 Pleasant Street, Newburyport, MA 01950

West Newbury Conservation Commission, 381 Main Street, 2nd Floor, West Newbury,
MA 01985

Notice of Appeal Rights

Appeal Rights and Time Limits

Certain persons shall have a right to request an adjudicatory hearing concerning certifications by the Department when an application is required: (a) the applicant or property owner; (b) any person aggrieved by the decision who has submitted written comments during the public comment period; any ten (10) persons of the Commonwealth pursuant to M.G.L. c. 30A where a group member has submitted written comments during the public comment period; or (c) any governmental body or private organization with a mandate to protect the environment which has submitted written comments during the public comment period. Any person aggrieved, any ten (10) persons of the Commonwealth, or a governmental body or private organization with a mandate to protect the environment may appeal without having submitted written comments during the public comment period only when the claim is based on new substantive issues arising from material changes to the scope or impact of the activity and not apparent at the time of public notice. To request an adjudicatory hearing pursuant to M.G.L. chapter 30A section 10, a Notice of Claim must be made in writing provided that the request is made by certified mail or hand delivery to the Department, with the appropriate filing fee specified within 310 CMR 4.10 along with a DEP Fee Transmittal Form within twenty-one (21) days from the date of issuance of this Certificate, and addressed to:

Docket Clerk
Office of Administrative Appeals
Department of Environmental Protection
One Winter Street, 3rd Floor
Boston, MA 02108

A copy of the request shall at the same time be sent by certified mail or hand delivery to the issuing office of the Wetlands and Waterways Program at:

Department of Environmental Protection, Northeast Regional Office
One Winter Street; 5th Floor
Boston, MA 02108

A) Contents of Hearing Request

A Notice of Claim for Adjudicatory Hearing shall comply with the Department's Rules for Adjudicatory Proceedings, 310 CMR 1.01 (6), and shall contain the following information pursuant to 314 CMR 9.10(3):

- (a) the 401 Certification Transmittal Number and DEP Wetlands Protection Act File Number;
- (b) the complete name of the applicant and address of the project;

- (c) the complete name, address, and fax and telephone numbers of the party filing the request, and, if represented by counsel or other representative, the name, fax, and telephone number of the attorney;
- (d) if claiming to be a party aggrieved, the specific facts that demonstrate that the party satisfies the definition of “aggrieved person” found at 314 CMR 9.02;
- (e) a clear and concise statement that an adjudicatory hearing is being requested;
- (f) a clear and concise statement of (1) the facts which are grounds for the proceedings, (2) the objections to the Certificate, including specifically the manner in which it is alleged to be inconsistent with the Department’s Water Quality Regulations, 314 CMR 9.00, and (3) the relief sought through the adjudicatory hearing, including specifically the changes desired in the final written Certification, and
- (g) a statement that a copy of the request has been sent by certified mail or hand delivery to the applicant, the owner (if different from the applicant), the conservation commission of the city or town where the activity will occur, the Department of Environmental Management (when the certificate concerns projects in Areas of Critical Environmental Concern), the public or private water supplier where the project is located (when the certificate concerns projects in Outstanding Resource Waters), and any other entity with responsibility for the resource where the project is located.

B) Filing Fee and Address

The hearing request along with a DEP Fee Transmittal Form and a valid check or money order payable to the Commonwealth of Massachusetts in the amount of one hundred dollars (\$100) must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
Commonwealth Master Lockbox
P.O. Box 4062
Boston, MA 02211

The request will be dismissed if the filing fee is not paid, unless the applicant is exempt or granted a waiver. The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory hearing filing fee pursuant to 310 CMR 4.06 (2) for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file an affidavit setting forth the facts believed to support the claim of undue financial hardship together with the hearing request as provided above.

Town Manager

From: Morrison, Micah [REDACTED]
Sent: Friday, January 6, 2023 5:27 PM
To: Town Manager
Cc: Jon-Eric White; DPW Director; Kreisel, Sara
Subject: FW: Guardrail Question

From: Rouleau, Shawn P (DOT) <shawn.p.rouleau@state.ma.us>
Sent: Friday, January 6, 2023 1:15 PM
To: DiPaolo, Thomas A. (DOT) <thomas.dipaolo@state.ma.us>
Cc: Nohelty, Frederick J. (DOT) <frederick.j.nohelty@state.ma.us>; Bardow, Alexander K. (DOT) <alexander.bardow@state.ma.us>; Morrison, Micah [REDACTED]; Eagan, Kathryn [REDACTED]
Subject: RE: Guardrail Question

Hi Tom,

Thank you, and I would appreciate listening in as most of my expertise is on the structural end and little experience with guardrail. I do have a contact at BSC who I just spoke with, Micah Morrison. Micah would also like the highway engineer on the project to sit in, Kathryn Eagan. They are both Cc'd if you could please invite all 3 of us. I look forward to meeting with you.

Thank you,
Shawn

Shawn P Rouleau, P.E.
Massachusetts Department of Transportation
Bridge Technical Reviewer
10 Park Plaza | Boston, MA 02116

From: DiPaolo, Thomas A. (DOT) <Thomas.DiPaolo@dot.state.ma.us>
Sent: Friday, January 6, 2023 12:29 PM
To: Rouleau, Shawn P. (DOT) <Shawn.P.Rouleau@dot.state.ma.us>
Cc: Nohelty, Frederick J. (DOT) <Frederick.J.Nohelty@dot.state.ma.us>; Bardow, Alexander K. (DOT) <Alexander.Bardow@dot.state.ma.us>
Subject: RE: Guardrail Question

Hi Shawn,

Yes, this is a very unusual detail...not sure we have seen a proposal like this before. Also not sure where our jurisdiction ends on a job like this. The proposed guardrail and wall appear to be beyond the limits of the bridge (which requires the Chapter 85 review). Good issue for review and discussion by the Committee, though.

I will invite you to the next meeting, which will be at 1:00 on 1/17. We can also invite BSC Group if you have a contact person there for this project.

Thank you,
Tom

From: Rouleau, Shawn P. (DOT) <Shawn.P.Rouleau@dot.state.ma.us>
Sent: Friday, January 6, 2023 9:18 AM
To: DiPaolo, Thomas A. (DOT) <Thomas.DiPaolo@dot.state.ma.us>
Cc: Nohelty, Frederick J. (DOT) <Frederick.J.Nohelty@dot.state.ma.us>; Bardow, Alexander K. (DOT) <Alexander.Bardow@dot.state.ma.us>
Subject: Guardrail Question

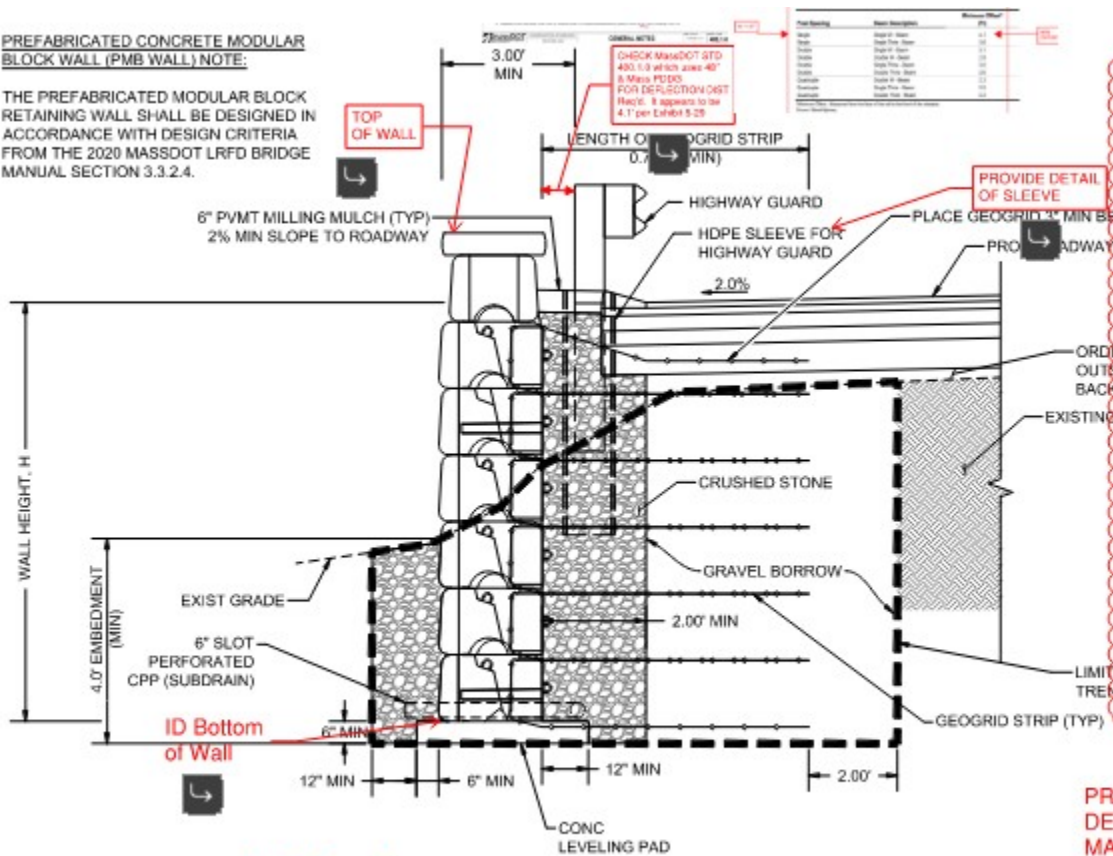
Good morning Tom,

My name is Shawn Rouleau, I work under Alex and Fred as a Bridge Reviewer covering District 4. We have an ongoing Chapter 85 review project which is a shared bridge between Newburyport and West Newbury, Bridge No. N-11-007=W-20-001. I was told that you chair Design Solutions Committee and might be able to be some assistance to a comment that was provided from Gill Engineering concerning guardrail deflection distance. Gill has asked that MassDOT review the response that was provided from the design engineer, BSC Group. Attached are the highway plans, the comment was made on sheet 12 of 37 in the upper left corner, modular block retaining wall a screen shot is also provided below. Additionally, below is the comment and response. Please let me know if you need any additional information, and I appreciate you and the committee taking the time to assist me with this project.

Thank you,
Shawn

PREFABRICATED CONCRETE MODULAR BLOCK WALL (PMB WALL) NOTE:

THE PREFABRICATED MODULAR BLOCK RETAINING WALL SHALL BE DESIGNED IN ACCORDANCE WITH DESIGN CRITERIA FROM THE 2020 MASSDOT LRFD BRIDGE MANUAL SECTION 3.3.2.4.



SECTION 3 - MODULAR BLOCK RETAINING WALL
 NOT TO SCALE

[12... CHECK MassDOT STD 400.1.0 which uses 48" & Mass PDDG FOR DEFLECTION DIST Req'd. It appears to be 4.1' per Exhibit 5-29

[12... BSC proposes to use a detail provided by MassDOT for project 611942, see image to the right. BSC also included this detail as a new sheet 14 of 38 and MassDOT provided spec. in the special provisions. The post spacing will be reduced from 6'-3" to 3'-1 1/2". The offset to a fixed object is 25.6". The offset is measured from the face of the rail. The MassDOT supplied detail is also for TL-3 while the measured design speed for this project is only TL-1.

Shawn P Rouleau, P.E.
 Massachusetts Department of Transportation
 Bridge Technical Reviewer
 10 Park Plaza | Boston, MA 02116

Agency	Permit / Approval	Jurisdiction	Permit Status	Permit Expiration
Federal				
The New England District of the U.S. Army Corps of Engineers (USACE)	Pre-Construction Notification (PCN) under General Permits (GPs). 33 CFR Parts 320-332 (see 33 CFR 325.2(e)(2)), GP10. Linear Transportation Projects and Stream Crossings	Projects involving impacts to "Waters of the US For activities subject to USACE jurisdiction in waters of the U.S.... within the boundaries of, and off the coast of, the Commonwealth"	Authorization received April 9, 2021. Complete the Work Start Notification Form > 2 weeks before start date.	"This authorization expires on April 5, 2023. You must commence or be under contract to commence the work authorized herein by April 5, 2023, and complete the work by April 5, 2024. If not, you must contact this office to determine the need for further authorization before beginning or continuing the activity. We recommend that you contact us before this authorization expires to discuss reissuance. Please contact us immediately if you change the plans or construction methods for work within our jurisdiction. We must approve any changes before you undertake them."
United States Fish and Wildlife Services (USFWS)	Consultation and review under the Section 404/10 process	Section 7 of the Endangered Species Act (ESA) is designed to regulate a wide range of activities affecting plants and animals designated as endangered or threatened, and the habitats upon which they depend. (Review related to Northern long-eared bat (NLEB)(<i>Myotis septentrionalis</i>))	Species list created in Dec 2020. USACE would have cleared for NLEBs between themselves and USFWS (Federal agencies only "talk" to Federal agencies). NLEB will be up-listed to endangered on January 30, 2022.	When we contact USACE in the next month or two for an update (we will need to contact by February, 2023, not currently in BSC Group scope) we will need an update on the USFWS authorization as well regarding the NLEB up-listing as well. However, the project area may occur outside of NLEB suitable habitat. TBD.
State				
Massachusetts Executive Office of Energy and Environmental Affairs (EEA)	MEPA Certificate 301 CMR 11.00	State permit & funding required and exceedance of one or more MEPA Review Thresholds defined in 301 CMR 11.03	MEPA Certificate received August 23, 2021	N/A
	Individual 401 WQC under 314 CMR 9.00	314 9.04 (2) Dredging in, or any activity resulting in any discharge of dredged or fill material to any Outstanding Resource Water.	Authorization received January 5, 2023. Pursuant to 314 CMR 9.06(2), pre-construction photographs of areas of Land Under Water where impacts are anticipated shall be submitted to MassDEP prior to the start of work. Notice of starting construction to be sent to Conservation Commissions 48 business day hours in advance.	Pursuant to 314 CMR 9.09 (1), the effective time period for the WQC runs with the overlying USACE PGP which expires on April 5, 2023. Time allowed for completion of the project allowed herein is the same as that allowed under the PGP; specifically, those activities that commence before the PGP's expiration date will have until April 5, 2023, to complete the activity under the terms and general conditions of the current PGP. Work within jurisdiction that is not completed by April 5, 2023, will be able to proceed only in accordance with any reissued or new PGP. This condition is necessary to ensure that the project is completed in a timely manner that is consistent with timing of related permits and if extension of the permit is needed, that the status of the project can be inspected to ensure that water quality is protected, and the project is in compliance with this permit.
MassDEP	Chapter 91 License - BRP WW 01 under 310 CMR 9.00	During the MEPA process, the MassDEP Waterways Program asserted jurisdiction over the proposed project as a water dependent project under 310 CMR 9.04(1)(e) and concluded that the project was ineligible for approval under Minor Project Modification (MPM) under the MassDEP Waterways Program and implementing regulations 310 CMR 9.00.	-Statement of Non-jurisdiction Oct/Nov 2021 -Minor Modification under Ch 91 Request - May/June 2022 -Chapter 91 License Application - October 2022 -Additional requests from DEP to complete application: <u>ongoing</u> - Known remaining items: 1. Completion of Public Comment Period 2. Response to any comments 3. Updated plans required - waiting on DEP to advise what they want to see	TBD
Massachusetts Historical Commission (MHC)	Determination of effect on historic and archaeological properties (MGL c.9 § 27C)	Review of a project which has the potential to affect historic properties of the Commonwealth	-MA Historical Commission - Project is Unlikely to Affect Significant Historic or Archaeological Resources (Feb 16, 2021) -MA BUAR - No record of any underwater archaeological resources was found. Based on the results of this review, the Board considers this project unlikely to adversely impact submerged cultural resources. (August 12, 2021)	N/A
Local				
Conservation Commission	Town of West Newbury		Order of Conditions received June 29, 2021 (corrected, completed July 14, 2021)	Proof of Order Recording / notice of starting construction to be sent to Conservation Commission 48 hours in advance.
	City of Newburyport	Work in jurisdictional wetlands resources under Massachusetts WPA and local Conservation Commission Ordinances / Bylaws	Order of Conditions (OOC) received June 7, 2021 (corrected, completed October 3, 2022)	OOCs are active for 3 years from original date of issuance, request for extension another 3 years may be requested > 30 days prior to expiration (~Summer 2024).

JAN

PUBLIC WORKS, ENERGY AND UTILITIES

4

2023

Traffic safety law addresses local speed limit process

Home → News → Public Works, Energy and Utilities

On Jan. 2, Gov. Charlie Baker signed a law intended to improve safety for vulnerable road users – anyone other than a vehicle using a road – by clarifying key definitions, outlining vulnerable user passing requirements, requiring safety equipment on specific state vehicles, and clarifying a process for municipalities to reduce speed limits on roadways.

The law formally defines “vulnerable road users” as pedestrians, road workers, bicyclists, skateboarders, roller and in-line skaters, wheelchair users, non-motorized scooter users, users of electric assistive mobility devices, horses, horse drawn carriages, micro mobility devices, and operators of farm tractors and similar vehicles. The law grants the registrar of motor vehicles authority to add to this list, as needed, by regulation.

The law requires vehicles to pass vulnerable users at a safe passing distance of at least 4 feet, meaning they may cross the center line to provide this space, if needed and safe to do so. Further, the Massachusetts Department of Transportation will create and maintain signage informing drivers of these safe passage rules on public ways.

The law modifies the process for municipalities to amend speed limits or to restrict use by certain vehicles on municipal and state roads. Amendments to speed limits on municipal roads approved by local governing bodies will need certification from

MassDOT's Division of Highways that the change is in the public's interest. Previously, such a change required certification from MassDOT and the registrar of motor vehicles.

The law also allows local governing bodies to petition MassDOT to adjust speed limits on state highways within a municipality. MassDOT must approve or respond to a petition within 90 days. If no response is provided, the new speed limit will become effective. MassDOT will be responsible for associated speed limit signage.

The law requires bicyclists to use rear red lights while riding at night, though a lack of such lights will not be cause for a stop by law enforcement. The requirement can only be enforced if a cyclist is stopped for another offense.

The law defines a number of vehicle safety devices and requires their use on state-owned and leased large trucks. Vehicles of Class 3 or above are required to be equipped with a lateral protective device, convex mirrors, cross-over mirrors, and backup cameras. The law prohibits after-market modifications that cause visual obstructions on such trucks.

As of Jan. 1, 2025, these safety requirements will extend to such vehicles that are operated under a contract with the state. MassDOT will initiate a study with the USDOT Volpe Transportation Systems Center on the affected large trucks, with the intent of producing safety recommendations related to direct vision afforded to drivers.

Within a year, MassDOT, in consultation with the Department of Public Health and the Executive Office of Public Safety and Security, will develop a standardized tool to report crashes and incidents involving vulnerable road users. Law enforcement or emergency medical services providers who respond to the incidents will be required to use the form. Data will be submitted to the registrar of motor vehicles and made available on a publicly accessible database.

- [View text of the law \(H. 5103\).](#)

Written by [Adrienne Núñez, Legislative Analyst](#)

Town Manager

From: Jiang, Ling [REDACTED]
Sent: Friday, January 6, 2023 1:16 PM
To: Town Manager
Cc: Finance Admin; Town Treasurer; Christian Kuhn; Peter Frazier (HTS); Abby Jeffers
[REDACTED]
Subject: FW: Press Release – West Newbury (Town of) MA



Dear Angus,

We recently published the linked press release announcing a rating action. To download a copy of the press release, click the link below and select the Export PDF button at the top of the document. Please let us know if you have any questions.

Link to the press release on Moodys.com: https://www.moodys.com/research/Moodys-upgrades-West-Newbury-Town-MAs-issuer-rating-to-Aaa--PR_907925224

Sincerely,
Ling Jiang

Associate Lead Analyst

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Rating Action: Moody's upgrades West Newbury Town, MA's issuer rating to Aaa from Aa2; outlook is stable

06 Jan 2023

New York, January 06, 2023 -- Moody's Investors Service has upgraded the Town of West Newbury, MA's issuer rating to Aaa from Aa2. The issuer rating reflects the town's credit quality and ability to repay debt and debt-like obligations without consideration of any pledge, security, or structural features. This action concludes the review for possible upgrade initiated on November 3, 2022 in conjunction with the release of the US Cities and Counties Methodology. The town has approximately \$3.0 million in debt outstanding as of June 30, 2022.

RATINGS RATIONALE

The upgrade to Aaa of West Newbury's issuer rating reflects a track record of prudent governance leading to years of strong financial reserves and liquidity levels. Also supporting the rating are the town's wealthy tax base within commuting distance to Boston, MA, very strong resident income level, and its below average long-term liabilities and fixed costs. The upgrade also incorporates the reduced emphasis on tax base size and inclusion of all governmental funds and business-type activity fund (water fund) into the credit analysis under the new US Cities and Counties Methodology.

RATING OUTLOOK

The stable outlook reflects our expectation of continued strong financial and economic performance.

FACTORS THAT COULD LEAD TO AN UPGRADE OF THE RATING

-Not applicable

FACTORS THAT COULD LEAD TO A DOWNGRADE OF THE RATING

-Material increase in leverage

-Deterioration of reserves and liquidity

-Decreased economic growth or resident incomes and wealth

LEGAL SECURITY

Not applicable

PROFILE

The Town of West Newbury is located in Essex County in the North Shore region of Massachusetts, approximately 40 miles north of Boston (Aaa stable). The town is primarily residential and provides general government services including police and fire protection, garbage removal, water, K-12 education, streets, and parks and recreation. The town has a population of over 4,600.

METHODOLOGY

The principal methodology used in this rating was US Cities and Counties Methodology published in November 2022 and available at <https://ratings.moodys.com/api/rmc-documents/386953>. Alternatively, please see the Rating Methodologies page on <https://ratings.moodys.com> for a copy of this methodology.

REGULATORY DISCLOSURES

For further specification of Moody's key rating assumptions and sensitivity analysis, see the sections Methodology Assumptions and Sensitivity to Assumptions in the disclosure form. Moody's Rating Symbols and Definitions can be found on <https://ratings.moodys.com/rating-definitions>.

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Moody's general principles for assessing environmental, social and governance (ESG) risks in our credit analysis can be found at https://ratings.moodys.com/documents/PBC_1288235.

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