



**Town of West Newbury  
Select Board**

**Monday, February 6, 2023 @ 5:30pm**

381 Main Street, Town Office Building

[www.wnewbury.org](http://www.wnewbury.org)

**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) 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, Special Counsel services; legal expenses, year-to-date, and FY24 budgeting*).

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.
- Annual & Special Town Meeting: Monday, April 24, 2023 at 7pm
- Town Election Monday, May 1<sup>st</sup>. Last day to obtain nomination papers from Town Clerk: March 9<sup>th</sup> at 5pm. Nomination papers due to Town Clerk by March 13<sup>th</sup> at 5pm.
- Call for volunteers! Open positions on Boards/Commissions/Committees. See [www.wnewbury.org/volunteer](http://www.wnewbury.org/volunteer)
- Reminder to subscribe for emailed Town agendas/news/announcements at [www.wnewbury.org/subscribe](http://www.wnewbury.org/subscribe)

**Regular Business**

- A. Update on Water Superintendent; request to establish wage rate and extend terms for Interim Water Superintendent position – *Board of Water Commissioners*
- B. Review referral from Parks & Rec Commission re 2023 Summer Rec Program budget/wages
- C. Presentation of proposed FY24 Town Operating Budget and Capital Program updates – *Angus Jennings, Town Manager*
- D. Review of proposed/potential warrant articles for spring Annual and Special Town Meetings
- E. Vote to close Annual and Special Town Meeting warrants
- F. Referral of proposed FY24 capital articles to Capital Improvements Committee
- G. Meeting minutes: January 3, 2022

**Town Manager Updates**

- H. Update re Safe Routes to Schools grant application
- I. Submittal of FY23 MIIA Wellness Grant applications
- J. 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: 818 5501 8918

Passcode: 994275

Join at: <https://us06web.zoom.us/j/81855018918?pwd=ZG94MDJFTkUyQTdaVk93UIRwc1VOdz09>

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.



# West Newbury

Town Clerk's Office – 381 Main St.  
Phone: 978-363-1100 ext. 110  
townclerk@wnewbury.org

## BOARD OF REGISTRARS PUBLIC NOTICE

Town of West Newbury 2023 Town Election Schedule

Event	Day	Date	Clerk's Office Extended Hours
First day to obtain Nomination Papers	Thursday	January 12, 2023	8am-4:30pm
Last day to obtain Nomination Papers	Thursday	March 9, 2023	5pm
Last day to file Nomination Papers in Office	Monday	March 13, 2023	5pm
Last day to Withdraw Nomination Papers	Wednesday	March 29, 2023	5pm
Last day to Register to Vote for Town Meeting	Friday	April 14, 2023	5pm
Last day to Register to Vote for Town Election	Friday	April 21, 2023	5pm
Town Meeting Monday, April 24, 2023	Monday	April 24, 2023	starts at 7pm
Last day to request a Vote-By- Mail Ballot	Tuesday	April 25, 2023	5pm
Town Election Monday, May 1, 2023	Monday	May 1, 2023	7am - 8pm



## **TOWN OF WEST NEWBURY Water Department**

**TOWN OFFICE BUILDING  
381 Main Street, West Newbury, MA 01985**

### **MESSAGE FOR TOWN OF WEST NEWBURY WATER CUSTOMERS**

#### **BRAKE HILL WATER TANK REPAIRS**

The Brake Hill Water Tank is in need of some interior repairs while it is still under warranty with the tank contractor. The water tank needs to be emptied during the rehabilitation period. In order to do the repair work, the water department needs to purchase water from the Town of Groveland. The repair work is estimated to take three weeks to complete.

On Thursday February 2, 2023 we plan to isolate the Brake Hill Water Tank and start purchasing water from the Town of Groveland. This will be a test run to make sure everything is working properly that will last about four-hours. Once we verify that the process is working properly, we will stop receiving water from the Town of Groveland and put the Brake Hill Water Tank back in service.

During that process you may experience periods of discolored water from time to time like you do when we flush hydrants semi-annually. Please check to see if the water is running clear before doing laundry.

The repair work is temperature dependent so once the tank contractor looks at the extended forecast, they will give us a date to start draining the water tank to make the repairs. We will give notice to the water customers as soon as we are notified when the contractor will start the work. We anticipate the repairs starting within two or three weeks.

The Water Department appreciates your cooperation during this period.

Thank you,  
West Newbury Water Department, (978)363-1100 X127

# Water Superintendent

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**From:** John Duggan [REDACTED]  
**Sent:** Friday, February 3, 2023 8:50 AM  
**To:** Water Superintendent  
**Subject:** revised motion

BOWC makes a motion that the WD continue to pay the former Water Superintendent, Mike Gootee, at the current rate and workload through the week of the Spring Town Meeting to facilitate the effective and efficient transition in administration of the WD.

*Put in CHAIR*  
*John Duggan*  
*Tyler*

RECEIVED  
FEB 03 2023  
TOWN MANAGER  
TOWN OF WEST NEWBURY

## Town Manager

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**From:** Town Manager  
**Sent:** Tuesday, January 31, 2023 7:56 PM  
**To:** David Archibald; Rick Parker; Wendy Reed  
**Subject:** FW: Posted agenda for BOWC mtg Friday at 8am / materials re Interim Superintendent appointment  
**Attachments:** Packet re M Gootee hiring as Interim Superintendent Oct 2022.pdf

Below/attached FYI

Archie the other 2 know this as we were all at tonight's BOWC mtg, but Mike G. let everyone know that, as of tonight, he's run through the budgeted/agreed hours when he was retained as Interim Superintendent in the fall. So the BOWC, after discussion, decided to post a special mtg on Friday morning to receive a more specific proposal from Mike as to how much add'l time he believes will be needed to continue with the superintendent transition. It is expected that the BOWC will approve some form of request, which would then go to the Select Board. Whether the wage is out of range, or whether the cost is out of budget, in either case this would not be a personnel action that I would have authority to make w/o SB action; the following is excerpted from the SB policies, emphasis added:

"The Board hereby waives the 15-day waiting period for personnel appointments made by the town manager pursuant to Sec. 10(a) of the Town Manager Act (Chapter 97 of the Acts of 2017). All such appointments shall take immediate effect provided that: the department head or staff position filled is included in the most recently approved Employee Compensation Schedule; that the applicant selected for the position meets or exceeds all minimum required qualifications; and that the salary or wage rate offered is within the approved range for that grade position, and is sufficiently budgeted to fund the position at the offered salary/wage through the remainder of the fiscal year."

So this item would also be added to the Feb 6<sup>th</sup> SB agenda for consideration of whatever the BOWC proposes.

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**From:** Town Manager  
**Sent:** Tuesday, January 31, 2023 7:46 PM  
**To:** Bob Janes [REDACTED] Larry Corcoran [REDACTED]  
[REDACTED] John Duggan [REDACTED]  
**Cc:** Mike Gootee <mgootee@wnewbury.org>; Mark Marlowe <water.superintendent@wnewbury.org>; WNWater <wnwater@wnewbury.org>  
**Subject:** Posted agenda for BOWC mtg Friday at 8am / materials re Interim Superintendent appointment

Posted agenda is online [here](#).

Please find attached the packet of materials in Mike's personnel file documenting the fall 2022 BOWC vote followed by Select Board approval. My memo incl. in the packet has some redactions which were made prior to the posting of the Select Board's packet to the website, to omit non-public personnel info.

Thanks,  
Angus

**TOWN OF WEST NEWBURY**

**PERSONNEL ACTION**

TO: Town Accountant DATE: 10/24/22

FROM: Angus Jennings, Town Manager GL Acct. [REDACTED]

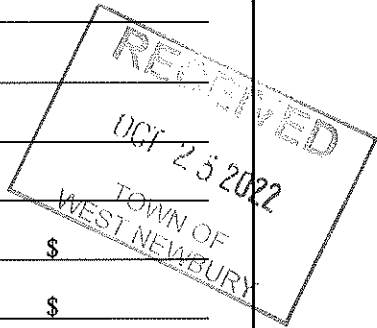
DEPT: Water Employee # 171

The personnel record of Michael Gootée should be adjusted due to:

(CHECK)  New Hire  Rate Increase  Longevity  Promotion  Transfer  Separation  
 Reinstatement  Out of Grade  Retirement  Inactivate  Other  
 (EXPLAIN) Post-retirement, Mike is being retained as part-time (avg. 2 days/wk) Interim Superintendent, for up to 6 months. Interim position is an hourly, not salaried, position.

Hire Date 10/17/22 Anniversary Date 10/17/23 Effective Date of Change 10/17/22

	CURRENT STATUS	NEW DATA
Department	<u>Water</u>	<u>Water</u>
Position/Title	<u>Manager/Superintendent</u>	<u>Interim Superintendent</u>
Grade/Step	<u>9 /</u>	<u>11 /</u>
Ave. Hours/Week	<u>40</u>	<u>16</u>
Base Hourly Wage	<u>\$</u>	<u>\$</u>
Base Weekly Wage	<u>\$</u>	<u>\$</u>
Base Annual Wage	<u>\$</u>	<u>\$</u>
Longevity (Annual)	<u>% \$</u>	<u>% \$</u>
Ed Incentive (Annual)	<u>% \$</u>	<u>% \$</u>
Other Stipend	<u>% \$ 400 (on-call pay)</u>	<u>% \$ 400 (on-call pay)</u>
Hourly Wage	<u>\$44.51</u>	<u>\$ 60.00</u>
Overtime Rate	<u>N/A (salaried)</u>	<u></u>
Longevity	<u>% \$</u>	<u>% \$</u>
	Out of Grade (Hourly Rate)	<u>\$</u>



Approved By:

Department Head [Signature] Date 10-25-22

Town Accountant [Signature] Date 10/24/22

Town Manager [Signature] Date 10/24/22

Next Anticipated Increase

**DISTRIBUTION AFTER APPROVAL: Town Manager, Accounting, Treasurer, Department Head**



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

G

Angus Jennings, Town Manager  
978-363-1100, Ext. 111 Fax 978-363-1826  
[townmanager@wnewbury.org](mailto:townmanager@wnewbury.org)

TO: Select Board  
FROM: Angus Jennings, Town Manager  
DATE: October 16, 2022  
RE: BOWC proposed hiring of part-time Interim Water Superintendent

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The Board of Water Commissioners (BOWC) met on Tuesday, October 11<sup>th</sup> and voted as follows:

The BOWC's voted to retain Mike Gootée as a Water Department employee after he retires on October 14<sup>th</sup>, 2022 for \$60 per hour averaging 2-days a week through March, 2023. After that date work hours will be negotiable/as needed. Bob Janes seconded the motion. They also voted unanimously to have Mike cover on-call duty (\$400) every third week until Jason [Allard] obtains his drinking water license and will continue paying for continuing education classes to maintain his water licenses. Mike will be required to take the classes on his own time without additional pay.

The BOWC vote comes amid highly unusual circumstances. The incoming Water Superintendent, Mark Marlowe [REDACTED]; and Mark's appointment is contingent upon him securing his Grade II Treatment License from MassDEP. Further, due to both Mark's [REDACTED] and the amount of time it took to complete the Superintendent hiring process, Mike and Mark have had only one day of overlap since the effective date of Mark's employment in the Water Dept. (Oct. 4<sup>th</sup>). This fell well short of Mike's objective, stated last winter/spring, that there be 2-3 months of overlap between his tenure and that of a new Superintendent, to allow time for training/on-boarding.

Finally, the recently-hired Water Experienced Operator, Jason Allard, has also been out of work due [REDACTED]. Therefore, the department is presently operating with a "skeleton crew."

Amid these circumstances, the BOWC believes that it is operationally necessary to retain Mike as the Interim Superintendent, on a part-time basis, for the time being. The rationale for the proposed 6-month duration of appointment is that some aspects of the Superintendent's job are seasonal, and they believe that Mike's oversight/training will be needed through March in order to put Mark in the strongest position to succeed in this role.

Earlier this year, the Select Board voted a policy to waive the Town Manager Act's 15-day waiting period for personnel appointments "provided that: the department head or staff position filled is included in the most recently approved Employee Compensation Schedule; that the applicant selected for the position meets or exceeds all minimum required qualifications; and that the salary or wage rate offered is within the approved range for that grade position, and is sufficiently budgeted to fund the

position at the offered salary/wage through the remainder of the fiscal year.” (*Select Board policy #22: Personnel Appointments by Town Manager*).

The proposed interim appointment of Mike Gootée does not meet two of these criteria. The position (Interim Water Superintendent, part-time) is not included in the most recently approved Employee Compensation Schedule; and the salary or wage rate offered is not within the approved range for that grade position. (Regarding the other criteria, Mike’s qualifications clearly meet or exceed all minimum required qualifications; and the current FY23 Water Department budget does carry funds sufficient to cover the proposed appointment, since at the time of budget adoption the BOWC carried funds to cover a lengthier anticipated overlap between Mike’s time and a new Superintendent).

In order to proceed with the proposed appointment, given the factors outline above, I am proposing Select Board approval of a new Job Description for the position of Interim Water Superintendent, part-time. A draft of the proposed job description is enclosed. (Redlined revisions are shown as relates to the current approved Water Superintendent job description).

As you know, the Water Department has recently submitted to MassDEP an Application for Temporary Emergency Certification pursuant to MGL Ch. 112 Sec. 87DDDD and 236 CMR 4.05(3). That application is pending. In addition to shoring up the Department’s limited operational capacity during this period of transition, one benefit I see to the proposed interim appointment is that it would allow the Department to continue to operate under Mike’s licenses until the time that Mark secures his Grade II Treatment License.

The following actions of the Select Board are requested:

- Approve the proposed Job Description for Interim Water Superintendent; and
- Waive the Town Manager Act’s 15-day waiting period for appointment of Mike Gootée as the Interim Water Superintendent.

Thank you for your consideration.



TOWN OF WEST NEWBURY  
JOB DESCRIPTION

**TITLE OF POSITION:** Interim Water Superintendent, part time (Grade 11)

Date Revised: October 2022 (*PROPOSED*)

**Approximate number of Employees in classification or with same job title:** 1

Department: Water Department

Employee reports to: Board of Water Commissioners

**Purpose of Position:** The Interim Water Superintendent is responsible to support the incoming Superintendent relative to the business management, administration, operation and maintenance of the water supply system for the town. This part-time interim position is intended to provide operational continuity to the Water Department during periods of transition at the Superintendent position, and the appointment of the Interim Water Superintendent shall be for a duration not to exceed six months.

**Essential Functions:**

**Reporting** - The Interim Water Superintendent is responsible for effective communication with the following entities:

Board of Water Commissioners - The Interim Water Superintendent must support the incoming Superintendent's work to report the results of all water quality testing, changes in Federal and State regulations affecting the Department, problems that relate to the operation and maintenance of the water system and complaints from the public that cannot be resolved immediately without incurring expense to the Department on a weekly basis. Problems of a serious nature, which may affect public health or safety, must be reported immediately. Approval from the Board prior to the purchase or repair of any equipment or supplies must be in accordance with Department policy.

Incoming Water Superintendent - Conduct on-the-job training of incoming Superintendent regarding all aspects of the Superintendent position and responsibilities.

Department of Environmental Protection - The Interim Water Superintendent is responsible for assisting the incoming Superintendent in the submittal of water quality reporting and operations and maintenance reports as required by State and Federal regulations and the Town's Municipal Water Supply permit.

Town Departments - The Interim Water Superintendent is responsible for supporting the incoming Superintendent's efforts to coordinate work affecting other Town Departments and obtaining the necessary approvals. The Interim Water Superintendent must support the incoming Superintendent's efforts to prepare a draft Fiscal Year budget with rationales for review by the Board, make recommendations for special article submittals for Town meetings and make recommendations for transfer sources as dictated by operating account balances.

Public - The Interim Water Superintendent is required to support the incoming Superintendent's efforts to keep the public informed about potential changes to their water quality and provide access to water quality testing results as required by State and Federal regulation.

**Management** - The Interim Water Superintendent is responsible for supporting the incoming Superintendent's efforts at planning and directing all maintenance activities, emergency repair work, operational data collection and record keeping within the Department. In addition to Department employees, this may require the use of other Town employees, part-time or seasonal Department employees and contractors. It is expected that the Interim Water Superintendent will support the incoming Superintendent's efforts to ensure that work completed for the Department is conducted in accordance with Department regulations and guidelines.

**Physical demands of essential functions:** Frequent strenuous physical effort may be required during the completion of operation and maintenance tasks. The ability to lift and carry 50-100 lb. chemical drums, work in confined spaces and piping trenches and in a variety of weather conditions will be required.

**Working conditions while performing essential functions:** This position is an hourly position. The position is expected to average 2 working days (16 hours) per week, not including weekend on-call work (which shall be payable as a fixed stipend). This may include attendance at Board of Water Commissioner meetings, participation in other Town meetings as determined necessary by the incoming Superintendent and alternate weekend coverage at the wellfield. Additionally, the position requires that the Interim Water Superintendent be on call every third weekend for water quality monitoring work at the wellfield.

**Qualifications needed:**

**Education/Experience** This position requires a high school education with specialized courses in the field of water supply, distribution and treatment. A Massachusetts Class II Drinking Water Supply Operator's license for both Treatment and Distribution is required. Prior experience must include six to eight years' experience with water systems, of which at least three must have been supervisory.

**Skills** - The position requires technical and administrative skills in water works construction, maintenance and operations. The position may serve as a liaison between the department and both water system customers and other Town Departments. This requires the ability to communicate effectively, both orally and in writing, and the ability to develop and maintain good relations with the public and Town employees. The Interim Water Superintendent must be familiar with the computer software used by the Town and Department and able to use it effectively.

**Performance and/or Production standards:** The performance of the duties of this position will be evaluated on a periodic basis according to Town and Departmental procedures. The Interim Water Superintendent will have the ability to provide input into this evaluation process.

**Collective Bargaining Agreements, if applicable:** Not Applicable

The above duties and functions may be changed to keep them current with changing department needs.

**C. Joint meeting with Town Moderator, Finance Committee, Town Clerk, Town Counsel, Town Manager to review Fall Special Town Meeting and draft Motions**

Jennings stated the presence of five of the six Finance Committee members (in person), the Town Moderator (in person), and the Town Counsel (remotely) for the joint meeting (see exhibit C page 12-33 for details). The draft motions and the language used within the motions was discussed. Town Moderator, KC Swallow, requested to be notified of any reports that were wished to be read. Swallow stated the opinion that the Select Board should not read all of the motions as it would not foster Town participation. Discussion continued regarding the efficiency of the Select Board reading the motions to shorten the meeting and to limit potential COVID exposure. It was decided the requesting committee/board would read their respective articles put forth at the Town Meeting.

The group discussed whether or not the Finance Committee recommendation rationale should be read for each article. Chris Wile, Finance Committee Chairperson, discussed voter responsibility to read through the Finance Committee Booklet as it had been made available well before the meeting. Rob Phillips suggested or if the department requesting the funding could give a rationale for the requested article. Ross Capolupo stated the Finance Committee rationale was more important than the requestor rationale as the committee had the time to review the proposal in detail. Swallow stated a voter could ask for the rationale, and which member voted for/against the recommendation, but reminded the group the member did not have to publicly defend their vote.

Wile requested the Finance Committee rationale be read for Article 15. Wile stated the committee had not recommended the article due to the potential financial implications for the town. Swallow, Phillips, and Ann O'Sullivan discussed the possibility of an amendment being made on the floor to Article 15 to narrow the zoning amendment to the Soldiers & Sailors land parcel. Tim Zessin, Town Counsel, stated an amendment could not be made as it would not be within the scope of the present article. Further, Zessin stated an amendment on the floor would be out of order as a public hearing had not taken place and the Attorney General's Office would reject the change on that reason alone. **No motion was made at this time.**

**D. Sign warrant for 2022 State Election to be held on November 8, 2022**

See exhibit D page 34-37 for details. Parker made a motion to sign the State Election warrant for November 8, 2022. Reed seconded. **Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

**E. Cont'd review of signage proposed by MassDOT regarding height limits on Rocks Village Bridge**

Jennings stated MassDOT correspondence was received that day concerning the placement of the overhead crash bar signage on Bridge Street (see exhibit E page 38-44 for details). Jennings discussed a location that had been identified alongside DPW Director Wayne Amaral. The new location would maintain visibility of the signage without interference from the grade of the hill, but the sign would not address truck traffic from River Road. Jennings stated the MassDOT correspondence received had not agreed with the proposed location from the Select Board for the signage to be placed between the bridge and River Road, but the newly identified location before both River Road and the bridge would be acceptable. The Select Board reviewed the location and asked for the opinion of Town Counsel. Zessin stated MassDOT appeared to have the ultimate discretion of the placement of the signage. The Select Board discussed the potential location of the sign between parcels R12-15A and R12-15B and potential resident concerns about the signage location on their properties. Amaral appeared before the Select Board and discussed the potential location for the signage in greater detail and the potential timeline for installation. Jennings informed the Select Board property owners for parcels R12-15A and R12-15B had not been given notice of the potential installment of the signage. The Select Board members decided to complete a site visit to see the proposed location in person, to review renderings created by MassDOT, and to seek town input on the crash bar signage independently from the bridge signage as a whole. **No motion was made at this time.**

**F. Request for interim appointment of Jennifer Walsh to serve as Acting Town Accountant effective Oct. 24, 2022**

Jennings stated the Town Accountant's last day was October 21, 2022 and the position was under the appointment of the Select Board under the Town Manager's Act (see exhibit F page 45-51 for details). Parker made a motion to appoint Jennifer Walsh to serve as acting Town Accountant effective October 24, 2022. Reed seconded. **Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

**G. Request to establish job description and wage rate for Interim Water Superintendent position**

Jennings stated the Board of Water Commissioners had voted to retain Mike Gootee on a part-time basis (see exhibit G page 52-58 for details) and presented a draft of the proposed job description of Interim Water Superintendent that included waiving the 15-day waiting period for appointment. Jennings stated the department would benefit from Gootee's continued involvement for continuity and training for the successor. Jennings clarified the job description was based off of the current job description and not information provided through the Collin Center.

Water Commissioner Bob Janes appeared before the Select Board in person. Janes stated Gootee had requested \$60 per hour and would work a few days a week and every 3<sup>rd</sup> weekend for a few hours. Janes stated

the successor would need to be trained on the completion of reports, the computer system, satisfying DEP regulations, and how to complete the budgeting process.

The Select Board questioned why the hourly rate had increase from the previous employee rate. Janes stated the hourly rate of contracts elsewhere was \$100 per hour. Reed stated the new contract should have been a collaborative effort between the Board of Water Commissioners, Select Board, and Town Manager as it involved the hiring of a town employee at a different pay rate. The Select Board stated Gootee was still being treated as an employee in the sense that contractor insurance was no being required and the town would continue to pay for continuing education classes. Janes stated the Board of Water Commissioners would have to find someone else and pay a higher hourly rate if the contract with Gootee was not approved.

The Select Board and Janes discussed the need of the town for the transition to occur smoothly. Janes stated the contract was written for six months in order to get the town through the budget process.

Parker made a motion to approve the job description for the interim water superintendent and the requested wage rate of \$60 per hour through April 2023 for up to 16hrs a week. Archibald seconded. Motion passed (2 Yes, 1 No, 0 Abstain).

#### **H. Discussion of West Newbury hiring/appointment authorities**

The Select Board and Jennings discussed the ambiguities in the current hiring/appointment process and which entity, the Town Manager or the Committee, has the authority to make those decisions (see exhibit H page 59-63 for details). Jennings and the Select Board discussed the appointment of the Conservation Agent and the Health Department Personnel were two examples of where ambiguity could be found. The Select Board and Jennings discussed the need to update bylaws and town regulations to line up with the Town Manager's Act. Discussed continued surrounding the need to educate residents and employees on the role of the town manager as the onsite active manager and the Select board as the policy makers. The Select Board discussed choosing three bylaws to update and put forward for a vote at the Spring Town Meeting. No motion was made at this time.

#### **I. Process/timeline for Soldiers & Sailors procurement process**

Jennings stated that Lynne Spencer did not have any additional information to include in the memo (see exhibit I page 64-69 for details). The Select Board and Jennings briefly discussed inviting all stakeholders to review the procurement process. No motion was made at this time.

#### **J. Overview of current/pending/potential project/initiative list; discussion of Board priorities (cont'd)**

The Select Board and Jennings discussed projects within the town and how the Select Board, as the policy holders, could give some direction as to which areas should be concentrated over others (see exhibit J page 70-73 for details). Jennings discussed how some work could be focused on by various committees as some initiatives were brought forward by a committee and now have joint ownership with the town offices. Jennings discussed projects that had not been included on the list. No motion was made at this time.

#### **K. Meeting minutes: October 18, 2021; September 26, 2022**

See exhibit K page 74-79 for details. Reed made a motion to accept the minutes from October 18, 2021. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).

Reed and Jennings noted clerical errors on the September 26, 2022 minutes. Reed made a motion to accept the minutes from September 26, 2022 as corrected. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).

#### **Town Manager Updates**

##### **L. Update regarding Wage/Classification Study**

Jennings thanked the Select Board for the help received reviewing the draft job descriptions. Jennings stated the hope of getting the descriptions to the department heads for review as soon as possible. No motion was made at this time.

##### **M. KP Law update re recent Supreme Judicial Court case re Solar Energy Systems (Tracer Lane II Realty v. City of Waltham)**

Jennings briefly reviewed the decision concerning the enforceability of the ground mounted solar bylaw (see exhibit M page 80-82 for details). Jennings stated information would be forwarded to the Planning Board Chairperson and a review of the bylaw was needed to ensure that it was in compliance. The Select Board briefly reviewed the exemption the state had made to allow for solar in any zoning district. No motion was made at this time.

##### **N. Follow up meeting assignment; placing items for future agendas**

Jennings stated the meeting before the Town Meeting would be posted by Thursday. Archibald made a motion to adjourn. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain). Open Session adjourned at 10:20pm.

# West Newbury Summer Recreation Program



**Co-Director:** Amy Wilson. Proposed budgeted rate: \$10,000 (2022 rate) + 2023 COLA<sup>1</sup>

**Co-Director:** Proposed budgeted rate: \$7,000 (2022 \$4,182) (Works all 6 weeks, but with fewer off-season responsibilities in the run-up to the program)

**Assistant Director:** Proposed budgeted rate \$6,000 (works all 6 weeks)

**Website:** <https://westnewburyma.myrec.com/>

**Contact information:** [wsummerrec@gmail.com](mailto:wsummerrec@gmail.com)

**Tax ID #:** 04-6001351

**Overview:** The WN Summer Rec Program is offered to children entering first grade through seventh grade. Older students may apply to be a CIT. While registration priority is provided for West Newbury children, the program is also available to children from other communities. The program runs for 6 weeks and families can sign their children up for as little as one week or all six weeks! Each week we have one special event, one field trip, the ice cream truck visit, a theme day, and a talent show. These event details are outlined below. Children are split into groups by age and follow a rotating schedule where they participate in the following: water play, playground, arts and crafts, structured gym play, structured field play, board games, and more! Children bring and eat one snack and lunch daily.

**Hours:** 9:00am -2:30pm daily (extended hours happen only on two specific field trip days)

**Cost:** \$160.00 a week per child (10% off each additional sibling)

**Early Bird Hours:** 8:30-9:00 (cost \$5 a day OR \$20 for the week)

**Staff:** 6 Full time

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<sup>1</sup> Town Manager supports adding a COLA for 2023, but the Select Board doesn't set COLA for town-wide budgeting until later in the budget process. In order to get Co-Director contract in place sooner than later, I recommend including language in the employment contract that COLA would be "2% or the cost of living increase given to the majority of non-union employees of the Town, whichever is greater." (This is the same language as appears in some other town employment contracts).

**WEST NEWBURY SUMMER RECREATION PROGRAM 2023 - PROPOSED BUDGET**  
 as recommended by unanimous 3-0 vote of Parks & Rec Commission on Feb. 3, 2023

**EXPENSES**

PERSONNEL	QTY	RATE	HRS	TOTAL
Co-Director (returning)	1	fixed	var.	\$ 10,000.00
Co-Director (new)	1	fixed	var.	\$ 7,000.00
Assistant Director	1	\$ 26.09	230	\$ 6,000.00
Program Staff	6	\$ 16.57	180	\$ 17,895.60
				\$ 40,895.60

Note: Pay rate for returning Co-Director would be adjusted for COLA once FY24 COLA approved by Select Board.

Note: Differential in pay for 2 Co-Directors based on different responsibilities in months preceding program.

Note: Asst. Director pay rate based on 20 hrs pre-program, plus 6 35-hr wks during program.

Note: Program Staff pay rate is proposed at \$16.00/hr for first-year staff and \$16.57/hr for returning staff.

NON PERSONNEL	Estimated Costs (2022	
	Actuals + inflation)	
Programming (incl. transportation)	\$ 17,000.04	Inflation factor (assumed): 3%
Cellphone (Co-Directors)	\$ 229.83	
T-Shirts	\$ 1,492.21	
Supplies	\$ 1,479.09	
Water slide	\$ 853.87	
Water slide (insurance)	\$ 5,500.20	
	\$ 26,555.24	

**PROJECTED EXPENSES**

Personnel	\$ 40,895.60
Non Personnel	\$ 26,555.24
	\$ 67,450.84

**PROJECTED REVENUES**

	Participants	Rate	Total
Early drop-off	210	\$ 5.00	\$ 1,050.00
Summer program	415	\$ 160.00	\$ 66,400.00
			\$ 67,450.00

Note: 2022 Summer Program had a total of 445 registrants over the 6 weeks.

Note: 2022 Summer Program had a total of 210 early drop-off participants over 6 weeks.

Note: Numbers above don't reflect adjustments for scholarships or sibling discounts

Note: Projected Revenues based on assumption that 2023 rates are unchanged from 2022.

PROGRAM PROFIT / LOSS - \$160/week	Total
Revenue	\$ 67,450.00
Expenses	\$ 67,450.84
Projected Surplus / (Deficit)	\$ (0.84)



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# 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 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](mailto: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 <sup>1</sup>	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 <sup>2</sup>	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	<b>Town Meeting Warrant closes. <u>Article requests due to Select Board.</u></b>
February 6	Select Board referral of proposed FY23 budget to Finance Committee <sup>3</sup>
Feb. 9 <sup>th</sup>	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	<b>Annual and Special Town Meetings</b>
May-June	Select Board approval of FY24 Wage/Salary Schedule

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

<sup>2</sup> 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. 31<sup>st</sup>.)

<sup>3</sup> 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.



**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.

<b>FY23 Committee Members</b>		
<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: <a href="https://www.wnewbury.org/finance-committee">https://www.wnewbury.org/finance-committee</a>		

### 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.

<b>FY23 Committee Members</b>	
<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: <a href="https://www.wnewbury.org/capital-improvements-committee">https://www.wnewbury.org/capital-improvements-committee</a>	

## Introduction

The Capital Improvements Program (CIP) is the Town of West Newbury's blueprint for planning the community's capital projects and expenditures. Preparing and updating the CIP is a collaborative effort involving several town departments, Boards, Commissions and Committees. This is an important function of local government, and ensures coordination of community planning, financial capacity and physical development.

## Overview of West Newbury Capital Improvements Program

The CIP is a compilation of the capital projects anticipated to arise in West Newbury in future years and estimates of their costs. A project is eligible for inclusion in the capital improvements program if it has a useful life of at least five years; a cost over \$20,000; and/or for which the town is authorized to borrow funds.

Projects, projected costs, and timing are prepared by each project sponsor, which may be a department head or a town Board, Commission or Committee, under the overall coordination of the Town Manager. The projected costs and timing are only best estimates and are subject to change. The accuracy of estimates decreases in each future fiscal year as economic conditions and costs change over time.

The capital improvements program has a summary sheet showing total estimated costs per category (i.e. DPW, Fire, Page School, etc.) for proposed projects for each fiscal year, projected out for ten years. It also includes a more detailed summary sheet listing each proposed project by department with the fiscal year in which the project is proposed. The summaries are followed by individual sheets for each project.

Each individual project sheet describes the project, estimates the total project cost, describes how the cost was determined (e.g. estimate, bid) and contains a proposed funding source or sources. It also includes estimated costs of operation and maintenance.

The funding amounts shown on the summary sheets for the current and prior fiscal years, shaded in gray, reflect amounts already appropriated by vote of Town Meeting, or otherwise funded. The funding amounts projected for the subsequent and future fiscal years are only estimates.

The funding for capital projects can come from a variety of sources including: stabilization funds; free cash; water retained earnings; operating budgets; borrowing; grants; revolving funds; and for certain types of projects, Community Preservation Act (CPA) funds.

The capital stabilization fund is the proposed source of funding for most of the projects in the program, with the exception of water department projects which are currently funded from water department funds, including a stabilization fund (currently obtained

from user fees). The capital stabilization fund is funded by appropriations at Town Meeting.

#### Process for CIP Updates and Project Funding

The Select Board's Capital Planning policy charges the Town Manager with developing a CIP, and providing annual updates to the Select Board and the Finance Committee by November 1 of each year. This begins a multi-month review process undertaken by the Capital Improvements Committee (CIC).

This process culminates in the CIC's preparation of (per the Town Bylaws) "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 Improvement Program including recommended capital improvements for the following five fiscal years."

The CIC's report is submitted to the Select Board not later than six weeks prior to the Annual Town Meeting for its consideration and recommendations. The Select Board submits a proposed Capital Budget, together with its recommendations, to the Annual Town Meeting. While capital projects are not routinely proposed at the Fall Special Town Meeting, in the event that there are such proposals, the CIC conducts the same process to review project proposals and CIP updates.

While the CIP is a living document, and is updated on a year-round basis as new information becomes available regarding projects, cost projections, and priorities, an overall updated CIP is posted to the Capital Improvements Committee website ([www.wnewbury.org/capital-improvements-committee](http://www.wnewbury.org/capital-improvements-committee)) at least annually upon its endorsement by the CIC.



Town of West Newbury  
Select Board

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Monday, January 3, 2022 @ 7:00pm

381 Main Street, Town Office Building

[www.wnewbury.org](http://www.wnewbury.org)

**Open Session Meeting Minutes- DRAFT**

**Open Session:** Open Session was called to order at 7:17pm by Chairperson Parker.

**Participation at the meeting:**

Richard Parker, David Archibald, and Wendy Reed (*remote*); *Select Board Members*

Angus Jennings, *Town Manager*

James Blatchford, *Town Clerk*

Kelly Scott

Elisa Grammer

**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; <https://www.youtube.com/watch?v=93IxIaOoL6o>
- Regional Vaccination Clinics for COVID booster shots. See Town website for dates and details.
- Call for volunteers: current opportunities at <https://www.wnewbury.org/volunteer>
- Reminder to subscribe for emailed Town news/announcements at <https://www.wnewbury.org/subscribe>

**Regular Business**

**A. Recognition of Kelly Scott for donation of restored 1856 Town Map**

Parker stated the 1856 map of Essex County, formerly owned by longtime resident Robert Lovejoy, had been donated to the Town by Kelly Scott (see exhibit A pages 2-11 for details). Scott appeared before the Select Board remotely and stated the daughter of Robert Lovejoy was excited the map would be accessible for the public to view on a regular basis. Scott requested the Select Board approve a small plaque to be hung near the map in memory of Lovejoy. Elisa Grammer appeared before the Select Board in person. Grammer and the Select Board discussed hanging the map on the wall outside of the Hearing Room and whether illumination would be needed. **Parker made a motion to approve the mounting of the map, as framed, with the plaque on the wall outside the hearing room, exact location to be determined, with illumination that requires minimal wiring and minimal maintenance. Reed seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

**B. Request for waiver of 15-day waiting period for appointment of interim COA Director**

Jennings stated the interim COA Director position had been posted internally and the Town had received interest from one internal candidate (see exhibit B pages 12-16 for details). **Archibald made a motion to waive the 15-day waiting period for appointment of interim COA Director. Parker seconded.** Jennings stated the aim was to have COA office coverage Monday through Thursday for the hours the building was opened until a permanent director could be hired. **Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

**C. Extend term of Interim Regulations for Housing Contribution Payments and Resale Fees**

Jennings requested an extension on the Interim Regulations until June 30, 2022, or until the Affordable Housing Trust was formally established (see exhibit C pages 17-19 for details). **Reed made a motion to extend the term as outlined. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

**Parker made a motion to add an item to the agenda that was not anticipated at the time of posting. Parker stated the item was for funding authorization for self-administered Covid-19 test kits. Archibald seconded. Motion to add the item unanimously passed (3 Yes, 0 No, 0 Abstain).**

Jennings stated the Commonwealth of Massachusetts had secured an agreement to acquire Covid-19 test kits from three different companies at wholesale rates. The Select Board discussed how much of the ARPA funds should be allocated and what the distribution of the tests would look like. Parker believed the test kits should be allocated for seniors, veterans, and low-income individuals. Archibald believed the test kits should be limited to West Newbury residents. **Parker made a motion to approve the allocation of \$30,000 for the purchase of self-administered test kits for the distribution to seniors, veterans, and individuals on fixed incomes that can somehow demonstrate they cannot afford to purchase the test.** Reed requested a distribution proposal from the Health Department. Jennings stated the Board of Health would be meeting the following week and suggested authorizing the funds subject to rules for distribution that would be defined at a later date. **Parker withdrew the motion.** Discussion continued surrounding the need for clear guidance for distribution of the test kits. **Archibald made a motion to approve the allocation of up to \$30,000 of ARPA funds for the procurement of self-administered test kits subject to rules for distribution of the kits to be approved by the Select Board at a future meeting. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

#### **D. Confirm method of calculating accrual rates for Qualified Part-Time employees**

Jennings discussed the language within the personnel policy surrounding the accrual rates of sick and vacation time for qualified part-time employees (see exhibit D pages 20-24 for details). Jennings stated a decision was not required that evening as a public hearing would need to be held for any changes the Select Board would like to implement. The Select Board and Jennings discussed if accruals between employee records and Finance records did not align the difference in hours would not be taken back. Jennings stated a revised policy with pro-rated accruals would be drafted and brought back before the board for the January 31, 2022 meeting. Jennings hoped employee comment would be received in time for the meeting. **No motion was made at this time.**

#### **E. Review of draft Wetlands Bylaw received from Conservation Commission**

Reed requested a redline version of the draft to determine if the Select Board prior concerns had been addressed (see exhibit E pages 25-35 for details). Archibald raised concerns within the section labeled "Jurisdiction" that would define water bodies along roadways as intermittent streams. Archibald believed the bylaw would create a burden on homeowners and create a massive workload for the Conservation Commission. The Select Board discussed the 100ft buffer zone and whether it would limit the landowner's right to trim bushes or mow their lawn as the bylaw stated no vegetation could be removed without Conservation Commission approval. Archibald stated that as written, the bylaw would require a homeowner to file an application with the Conservation Commission in order to install a new mailbox.

Nancy Pau appeared before the Select Board in person and stated clarification was needed as it appeared there would be significant impacts for landowners. Pau stated discussions should take place before the bylaw was brought to Town Meeting as that was not the appropriate place to have a debate. Reed stated a public hearing had been held the first time the bylaw had been proposed and stated another public hearing should be held in order for the residents to ask questions.

Jennings discussed the need to include a clause where current permit holders would not be required to appear before the Conservation Commission in the event the bylaw was approved. Jennings explained that unlike zoning amendments, bylaws were not grandfathered in unless a clause was included. Reed requested a copy of the Massachusetts Wetlands Protection Act regulations to compare them to the regulations in the proposed bylaw. **No motion was made at this time.**

#### **F. Town Manager performance evaluation and discussion of 2022 Board priorities**

The Select Board stated the Town Manager evaluation had been completed and was reviewed with

Jennings. Parker stated the evaluation was highly favorable, with scores ranging from commendable to satisfactory, and discussed the need for additional staffing in order to accomplish all of the initiatives the Town would like to pursue. Jennings agreed with the review and areas in need of improvement. Jennings discussed the difficulty in the delegation of tasks associated with the current staffing shortages. The Select Board and Jennings discussed the need to create a clear list of priorities and set a tentative date of February 5, 2022 to meet and create the list. **No motion was made at this time.**

### **Town Manager Updates**

#### **G. Vendor contract, Wage Classification Study**

No additional information was discussed at this time.

#### **H. Upcoming kickoff meeting for Page School/Pipestave/Main Street safety audit**

Jennings stated a working meeting would be held January 30, 2022 at 9am at the Page School with a site visit immediately following (see exhibit H pages 36-45 for details). Jennings stated members from the Select Board, the Driving and Riding Club, and Park & Recreation would be invited, as well as, the principal of Page School, the Police Chief, the Fire Chief, and the DPW Director. Jennings stated this would not be a public meeting and the intent was to have no more than 12 people attend. Parker volunteered to attend as a representative for the Select Board. **No motion was made at this time.**

#### **I. Updates on active projects**

No additional information was discussed at this time.

#### **J. Follow up meeting assignment; placing items for future agendas**

No additional information was discussed at this time.

**Parker made a motion to adjourn. Archibald seconded.**

**Motion unanimously passed (3 Yes, 0 No, 0 Abstain). Open Session adjourned at 9:47pm.**



Maura Healey, Governor  
Kimberley Driscoll, Lieutenant Governor  
Gina Fiandaca, Secretary & CEO

H

February 1, 2023

Angus Jennings  
Town Manager  
381 Main Street  
West Newbury, MA 01985  
Via email: [townmanager@wnewbury.org](mailto:townmanager@wnewbury.org); [DPWdirector@wnewbury.org](mailto:DPWdirector@wnewbury.org)

Dear Mr. Jennings:

Thank you for applying to the Massachusetts Department of Transportation's (MassDOT) solicitation process for the 2022-2023 Safe Routes to School (SRTS) Infrastructure Project Grant Program on behalf of the Town of West Newbury and the Dr. John C. Page School.

MassDOT's SRTS Project Selection Committee met on December 22, 2022, to review and score project applications. A large number of competitive applications were received, and unfortunately, your application was not selected at this time.

Your interest in the SRTS Program is greatly appreciated, and we hope that you will consider re-applying when the next project solicitation period is announced. Please visit the [SRTS website](#) for more information on other upcoming grant opportunities, and if you have any questions, please contact Miranda Briseño, SRTS Program Coordinator, at [Miranda.E.Briseno@dot.state.ma.us](mailto:Miranda.E.Briseno@dot.state.ma.us).

Sincerely,

David J. Mohler  
Executive Director  
Office of Transportation Planning



Tyngsborough Town Hall  
Wellness Grant Project



# Introducing MIIA Health Benefits Trust Wellness Grant

## “A Great Place to Work” Overview

### What is the MIIA Health Benefits Trust “A Great Place to Work” grant initiative?

This grant provides MIIA Health Trust members with resources for creating and maintaining great places to work. Member groups interested in investing in projects and/or equipment that promote a well workforce and a healthy work culture may apply for funds to assist in procuring these initiatives. We encourage member groups to apply for projects that focus on building a supportive culture and that target specific needs of their respective departments and schools.

### What may be funded through the Wellness Grant? These are just a few examples.

- Healthy vending machines or refrigerators (delivery and restocking)
- Fitness equipment
- Funds for building fitness center, outdoor parks, etc.
- Creating relaxation spaces including equipment
- Member group internal incentive program
- Water coolers
- Gardens, garden beds, campus trees and outdoor/indoor plants
- Community Supported Agriculture shares
- Bikes and bike racks for shared bike programs
- Adjustable desks or risers

## Why has the Health Trust made this opportunity available?

- Member groups that want to invest in projects that promote health and wellbeing for their own employees often need assistance with funding. MIIA can assist by awarding funds to help toward payment of these projects.
- The grant program supports our “Great Place to Work: Safe and Well” initiative.



## Goals

- Further enable employees and their families to live healthier, more productive, and vibrant lives.
- Support community partnerships and good will.

## Funding

- The Health Trust awards up to one million dollars in wellness grants annually.
- Groups may apply for more than one grant per year as long as the dollar amount does not exceed their total annual eligible amount.
- **Grant level tiers:** \$5K for 1-50 subscribers; \$7,500 for 51-150 subscribers; \$10K for 151 – 300 subscribers; \$15K for 301 – 450 subscribers; and \$20K for 451 or more subscribers.
- **Grant level headcount is based** on active employee plan subscribers only. Medicare plans are not included.

## Who can apply?

- Any Health Trust member group may apply for a wellness grant.

## Guidelines and requirements

- See the attached application.

# “Great Place to Work: Safe and Well”



## Grant Application

This wellness grant provides MIIA Health Trust members with resources for creating and maintaining a workplace that improves employees' wellbeing. Member groups interested in investing in projects/equipment that promote a well workforce and a healthy work culture may apply for funds to assist in procuring these initiatives. We encourage member groups to apply for projects that build a supportive culture and target the specific needs of their respective departments/schools.

### Guidelines

1. The deadline for application submission is February 3, 2023 subject to fund availability.
2. MIIA Health Trust members may apply for a grant of \$5K (1-50 subscribers), \$7,500 (51-150 subscribers), \$10K (151 – 300 subscribers), \$15K (301 – 450 subscribers), or \$20K (451 or more subscribers). Contact your MIIA Health Trust Wellness Representative to initiate grant discussion.
3. Grants may not be retroactive for an activity completed or in progress, or equipment previously purchased.
4. The Health Trust funded portion of the grant projects must be completed and invoices submitted to MIIA by June 2, 2023.
5. Grant funds must be used to cover the initial purchase of only the items identified in the grant application. We do not pay any subsequent on-going fees to maintain equipment (where applicable).
6. Members are not eligible for the same grant as received the previous year unless approved by the Health Trust Wellness Manager.
7. Applicants should attach a detailed vendor estimate for each requested item or service.
8. Two signatures are required: Chief Municipal Officer and Chief Procurement Officer attesting that all state and local purchasing regulations and guidelines are followed.

9. Groups may apply for more than one grant per year as long as the dollar amount does not exceed their total annual eligible amount. See #2 above for grant tiers.
10. Funds will be allocated on a first come first serve basis.
11. Leftover funds will not roll over to the next fiscal year.
12. Items that are expressly excluded include: travel expenses, wages including overtime, and software renewal annual costs. All submissions will be reviewed by the committee before being approved.

## **Application Submission, Review, Notification, and Invoicing**

Please email your completed application along with answers to the following questions to Jayne Schmitz, MIIA Health Trust Project Manager at [jschmitz@mma.org](mailto:jschmitz@mma.org). Deadline for all submissions is February 3, 2023.

Health Trust management will confirm receipt of your application. All grant applications will be thoroughly reviewed on a first come first serve basis and notification will be sent by Jayne Schmitz within 14 business days.

Due to budgeting requirements, grants MUST be invoiced or paid by June 2, 2023.

## **Grant Disbursement Options**

- **Option 1** – The Health Trust pays vendor directly upon receipt of invoice from member. Vendor tax ID number must be included with all invoices.
- **Option 2** – The Health Trust will reimburse the member upon receipt of a copy of the front and back of a canceled check and a copy of the vendor invoice. If you have installment invoices for program implementation, it requires that submitted invoice(s) provide appropriate detail, i.e. 4 hours at \$100/hour= total \$400 - John Smith installed 4 new bike machines in the police and fire stations gyms.

**Please note** —The Health Trust will provide grant or other reimbursements on approval of invoices and supporting evidence of expenditure submitted. Under no circumstances will the Trust provide reimbursement for anyone other than the vendor providing the service or purchase contracted, or the member entity for whom the service or purchase is intended.

**A grant submission does not guarantee a grant award.**

## Application Questions

You must address each question. Be specific and thorough with your answers to these questions. If you need more space for extended feedback, please attach a separate document.

1. How will this grant be used to continue or enhance the health and wellbeing of your employees?

This grant will help boost employee morale by bringing the Town employees together for a monthly healthy lunch. Once a monthly Employees will be invited to attend a catered healthy family style lunch to get together to discuss any ideas/ concerns they might have in an open forum. We will be able to hopefully address any concerns employees have and possibly make any if needed policy changes. We will also have employee led mindfulness trainings like deep breathing exercises, 5 min. stretching exercises, try out the Quizzlets and/or play some of the prerecorded mindfulness videos offered by MIIA and Headspace. Whoever leads the exercise will receive mindful gift at the end.

2. Grant requests that demonstrate sustainability will be given priority. How will your project and project impact be sustainable?

Employee morale is a crucial measure of an organisation's health, and needs to be constantly measured and tended to throughout the life of an organization. Small gestures can do big things for morale by showing employees that their leaders appreciate them. Ultimately, morale is cultivated by the big stuff like policies, career growth, learning and development as well as the small stuff like social events and free monthly lunches.

3. How will you measure its success/effectiveness?

By defining the program objectives and ensuring all staff have to opportunity to give feedback on what the learned and took away from the program as well as what they didn't. Adding the presenter prize will also help with staff engagement. End goal is creating a mindful work environment to help with employee retention.

4. How many people will you reach and how will you ensure that number (or more) is sustainable?

I will invite all Town Hall employees monthly to the lunches with hopes of 40-50 employees being able to attend. This is including all Town offices, Library, Police, Fire, DPW and Water departments. All leftover food will be brought to the police station for the officers working the 2nd & 3rd shifts

5. Who is/are the vendor(s) you have chosen to do the services or provide the equipment? Why did you choose this/these vendor(s)?

- \*5 Daughters in Merrimac Ma- To supports Local business \$497.00
- \*Panera- Healthy catered local lunch option \$17.99 per person x50=\$899.50
- \*American BBQ -Local business with Vegetarian and gluten free options, Also perfect opportunity (weather permitting) to eat outside and get some fresh air- \$17.99 per person x50=\$899.50
- \*Otto's-Local Business Also perfect opportunity (weather permitting) to eat outside and get some fresh air- 20 Pizzas x24.50=\$490.00 3 salads x 37.50= \$112.50 Total: \$602.50
- \*BJ's-Water bottles (4x40 packs 5.50 each= \$22.00
- \*Amazon- \$96.94

6. Who will be your point person to manage the project with The Health Trust?

Kaitlin Gilbert  
Treasurer/Collector  
978-363-1100 ext 114  
Treasurer@wnewbury.org

7. Dollar amount for project (please list all services/items with their costs, along with total project cost)

- 5 Daughters :\$497.00
- Panera: \$899.50 -17.99 per person x 50 (will invite up to)
- American BBQ : \$899.50 -17.99 per person x 50 (will invite up to)
- Otto Pizza: \$602.50
- Bjs: \$22.00 (Waters)
- Amazon: \$96.94 Neck Massager \$16.99, Tea zen infuser x2 \$58.00, breathing Buddha for mindful breathing \$21.95

MIIA Member Group: Town of West Newbury

Date: 1/31/2023

Contact: Kaitlin Gilbert-Treasurer/Collector

Department: Finance

Phone: 978-363-1100 ext 114

Email: Treasurer@wnewbury.org

Chief Municipal Officer: Angus Jennings

Chief Procurement Officer: Wayne Amaral

By signing and submitting this application, I (we) attest that all applicable state and local purchasing regulations and guidelines have been followed.

## Application Questions

You must address each question. Be specific and thorough with your answers to these questions. If you need more space for extended feedback, please attach a separate document.

1. How will this grant be used to continue or enhance the health and wellbeing of your employees?

This will be used to help the Town's employees be able to get some exercise during their busy work day.

2. Grant requests that demonstrate sustainability will be given priority. How will your project and project impact be sustainable?

With the low maintenance under the desk peddle bikes and elliptical machines employees will be able to use these at their convenience for years to come.

3. How will you measure its success/effectiveness?

With employee feed back and how often they are used.

4. How many people will you reach and how will you ensure that number (or more) is sustainable?

Every employee that works for the Town of West Newbury will have to opportunity to have access to the equipment. Each department will have their own with extras available to be checked out for a period of time.

5. Who is/are the vendor(s) you have chosen to do the services or provide the equipment? Why did you choose this/these vendor(s)?

Amazon because the equipment available at the lowest price

6. Who will be your point person to manage the project with The Health Trust?

Kaitlin Gilbert  
Treasurer/Collector

7. Dollar amount for project (please list all services/items with their costs, along with total project cost)

Amazon:  
Under the desk peddle bikes : \$44.99 x 15 \$674.85  
Under the desk elliptical: \$199.99 x 5= \$999.95

Total: \$1674.80

MIIA Member Group: Town of West Newbury

Date: 2/1/2023

Contact: Kaitlin Gilbert

Department: Treasurer/Collector

Phone: 978-363-1100 ext 114

Email: treasurer@wnewbury.org

Chief Municipal Officer: Angus Jennings

Chief Procurement Officer: Wayne Amaral

By signing and submitting this application, I (we) attest that all applicable state and local purchasing regulations and guidelines have been followed.





**MBTA Community Multi-Family Zoning District**

The MBTA Community Action Plan was submitted to the State via the on-line portal on Jan 19<sup>th</sup> in advance of the Jan 31 deadline.

I forwarded the Request for Qualifications (See attached) to preapproved Consultants:

Dodson & Flinker [www.dodsonfinker.com](http://www.dodsonfinker.com) Stantec [www.stantec.com](http://www.stantec.com)  
VHB [www.vhb.com/boston](http://www.vhb.com/boston) Utile, Inc. [www.utiledesign.com](http://www.utiledesign.com)

Responses are due Feb 9<sup>th</sup>. Angus, Wayne Amoral as Chief Procurement Officer and I will review to assure submittals meet the Towns' criteria and will forward three or more, if possible to the Planning Board for consideration. Referred Consultants will make a brief presentation on their qualifications and approach to the project at the Feb 21 PB Meeting. The PB will recommend a preferred Consultant to Wayne who will handle contracting.

I would anticipate a kick off meeting in March.

Katelyn and I are working on a project webpage.

**Housing Production Plan**

I am serving as the Project Manager. A small Stakeholder Committee will help me guide the process, provide input on how to engage community members, and review deliverables and community input. I anticipate meeting less than monthly over the year or so initiative. Stakeholder Committee members confirmed to date include:

Select Board and Housing Trust:	Wendy Reed
Council on Aging:	Christine Marshall, COA Director
Conservation Commission:	Molly Hawkins
At large Housing Advocate:	Ann O'Sullivan
Town Manager:	Angus Jennings

I would love to have a member of the Planning Board on the Stakeholder Committee as well.

**Solar Facilities Bylaw**

Tim Cronin, Rick Parker (SB), Chip Wallace (Resiliency Committee) and I met on Dec 19 and Jan 4, and we all met with Robin Stein on Jan 17<sup>th</sup>.

Robin has provided a draft that includes the group's recommendations:

- Allow town-wide provided the parcels **ARE** within 1000 feet of identified "supporting infrastructure" and **ARE NOT** within an identified "high value resource area".
- Provide for Professional Construction Oversight paid by Applicant.
- Change purpose statement from "regulate" to "allow"

I am working with Town Assessor and MVPC to create a map that shows the parcels where Solar Facilities would be allowed.

If the Bylaw is approved at the ATM, the Zoning Map would be updated to eliminate the existing "SGPSI Overlay District".

**Accessory Dwelling Unit Bylaw**

ADU Bylaw Comparison Matrix has been updated to show proposed draft W Newbury regulations. Elements for further consideration include design requirements such as door placement, exterior stairs, design compatibility and parking requirements. WN has no parking requirement by use - simply requires parking adequate for use.

I would like to hear the Board's recommendations/ideas for engaging the larger community in the discussion?

**Stormwater Management Regulations**

Stormwater Task Force last met on Jan 11. Lori Kennedy (Horsley Witten) updated a redlined draft and shared a few examples of communities with two levels of application requirements and compliance standards. The Stormwater Task Force would like to assure resource protection in the most efficient and effect way possible and in consideration of the Town's capacity to permit, monitor and enforce the Bylaw. The example regulations offered a good option for a two-level approach.

- All disturbances of 1 acre or more would require Stormwater Management Permit (no change)
- PB would designate Board of Health to accept, review applications and permit projects
- Projects within the MS4 Area would follow regulations as currently written for applications, construction site management, post construction management and long-term operation
- Single and Two-Family residential projects outside the MS4 that DO NOT connect/contribute to a municipal stormwater system would:
  - Follow regulations with less stringent application standards (eliminating the need for highly technical hydrological studies)
  - Be required to meet construction-site stormwater management performance standards to the maximum extent practicable.
  - Be required to evaluate and implement LIP planning and Design unless impractical
  - Be required to implement at least one appropriately sized and designed Stormwater BMP
  - Be required to maintain post-construction stormwater BMP's to ensure they continue to function as designed
  - NOT be required to submit an annual report

I anticipate the final redlined draft of Regulations with recommended changes by or before the Feb 21 meeting.

**Wireless Bylaw**

No change. KP Law has begun review and will report back to the Board when complete.

**Adult Use Marijuana Businesses Bylaw**

When would the Board like to bring a proposed bylaw to Town Meeting? Perhaps consider a four to six month process to:

- 1) Review, compare Bylaws from other communities and provide recommendations to Town Planner
- 2) Review draft bylaw
- 3) Request Town Counsel review of draft Bylaw
- 3) Advertise and Hold Public Hearing
- 4) Write Report to Town Meeting

Sue Brown, Town Planner  
2/2/2023

**Land Protection Opportunity**

The CPC voted 3-2 to recommend CPA funding for the 32 Acre Sawmill Brook Parcel that ECGA has under agreement for \$705,000 - contingent on TM approval of CPA Funds.

The Town, supported by ECGA also intends to request funds through a [LAND Grant](#) (Local Acquisitions for Natural Diversity) that would reduce the Town's financial commitment if received.