



**Town of West Newbury
Select Board
Tuesday, February 6, 2024 @ 5:30pm
381 Main Street, Town Office Building
www.wnewbury.org**

REC'D WEST NEWBURY CLERK
24 FEB 2 10:53

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 (*landlocked land off Main Street*);
- ❖ 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 (*potential intermunicipal agreement w/Newburyport re water; legal costs year-to-date*).

The Board may reconvene in Executive Session, after the conclusion of the Open Session, if needed.

Open Session: 6:00pm by in-person attendance or remote participation (instructions below) [NOTE 6PM START TIME]

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.
- Mill Pond Open House – Sat., Feb. 10, 10am-2pm. Roasted marshmallows, hot chocolate, snacks, hiking & more!
- Nomination papers available for local office- contact the Town Clerk's Office! townclerk@wnewbury.org or call or visit. Final day to obtain nomination papers: March 14, 2024.
- Call for volunteers! FY24 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. Public Comment. Limited to 2 minutes per resident on any topic. Please note that the Board will not discuss or take action on public comments at this meeting.
- B. Consent agenda
- C. Town Manager Updates
 - a. Updated schedule for presentation of proposed FY25 budget; preliminary updates as known, incl. receipt of proposed FY25 Pentucket budget
 - b. Addition of new focus area to Rte. 113 corridor planning: Ocean Meadow easement/Way to the River
 - c. Ash Street Traffic Management Plan submitted to NHESP
 - d. Executed contract with B2Q for Page School HVAC Repairs
 - e. Upcoming interior modifications to Old Town Hall for regulatory compliance
 - f. MMA Annual Conference, updates on information received/lessons learned
 - g. Updates on other ongoing/active projects/initiatives
- D. Department Updates/Discussion
 - a. Merrimack Valley "Vision Zero" Municipal Liaison meeting presentation, and upcoming meeting
 - b. Land Management & Planning working group
 - c. Town Planner Report
- E. Board/Commission/Committee Updates/Discussion (and Select Board liaison updates):
 - a. Update re PRSD Agreement working group
 - b. Update re Municipal Energy Aggregation – recent call with MassDOER
 - c. Closeout of Green Communities grant
 - d. Review status of remaining Board/Commission/Committee Questionnaires
- F. Action Items
 - a. Review of proposed/potential warrant articles for Spring Annual and Special Town Meeting
 - b. Vote to close Annual and Special Town Meeting Warrants
 - c. Referral of proposed capital articles to the Capital Improvements Committee
 - d. Decide whether to seek participation in Commercial Building Pilot Program
 - e. Vote to sign Presidential Primary Warrant
 - f. Request for authorization to submit MILA Wellness Grant
- G. General Discussion Items
 - a. Request for top two State budget priorities for West Newbury, *Office of Representative Ramos*
 - b. Whittier Regional Technical High School updates
- H. Correspondence, including:
 - a. Attorney General approval received for remaining items from fall Special Town Meeting
 - b. Letter from MassDCR re required dam inspection, Mill Pond Dam
 - c. EV Stations monthly metrics report, Dec. 2023
- I. Future Agenda Items / Meeting follow-up assignments

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: 840 2165 4094

Passcode: 764597

Join at: <https://us06web.zoom.us/j/84021654094?pwd=a1oOLxY2GN8zaiJijgwRhDho0acHbB.1>

Every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the West Newbury website an audio or video recording of proceedings as soon as practicable after the meeting.

Posted Agenda on 2/2/2024 at the Town Offices and the Town's Official Website www.wnewbury.org



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 2024 Town Election Schedule

Event	Day	Date	Clerk's Office Extended Hours
First Day to obtain Nomination Papers	Thursday	January 11, 2024	Normal Business Hours 8am - 4:30pm
Last Day to obtain Nomination Papers	Thursday	March 14, 2024	open until 5pm
Last Day to file Nomination Paper in Office	Monday	March 18, 2024	open until 5pm
Last day to Withdraw Nomination Papers	Wednesday	April 3, 2024	open until 5pm
Last day to Register to Vote for Town Meeting & Town Election	Friday	April 19, 2024	open until 5pm
Annual Town Meeting Monday, April 29, 2024	Monday	April 29, 2024	starts at 7pm
Last Day to request a Vote-By-Mail Ballot	Tuesday	April 30, 2024	open until 5pm
Town Election Monday, May 6, 2024	Monday	May 6, 2024	7am - 8pm

Positions on the Local Election ballot this year are as follows:

Moderator (one seat for a three year term)

Select Board (one seat for a three year term)

School Committee (one seat for a three year term)

Assessors (one seat for a three year term)

Planning Board (one seat for a five year term)

Housing Authority (one seat for a five year term)

Board of Health (one seat for a three year term)

Water Commissioners (one seat for a three year term)

Constable (one seat for a three year term)

Trustees of the Public Library (three seats for three year terms)

Park and Recreation Commissioner (one seat for a three year term)

Park and Recreation Commissioner (one seat for a one year term)

MILL POND OPEN HOUSE



Mill Pond Committee would like to invite the community to stop in at the first Mill Pond Open House of the 2024. Mill Pond Committee is hoping to have more of these throughout the winter and use the cabin as a warming hut on the busier weekend days for the community to enjoy.

**SATURDAY FEB. 10th
COME BY AND MEET
NEIGHBORS, ROAST
MARSHMALLOWS,
ENJOY HOT
CHOCOLATE AND
SNACKS. HIKE AND
SPEND TIME AT THIS
AWESOME TOWN
GATHERING SPOT!**

WHERE: Mill Pond Cabin Area
HOSTED BY: THE MILL POND COMMITTEE
TIME: 10-2
DATE: SATURDAY, FEBURARY 10, 2024





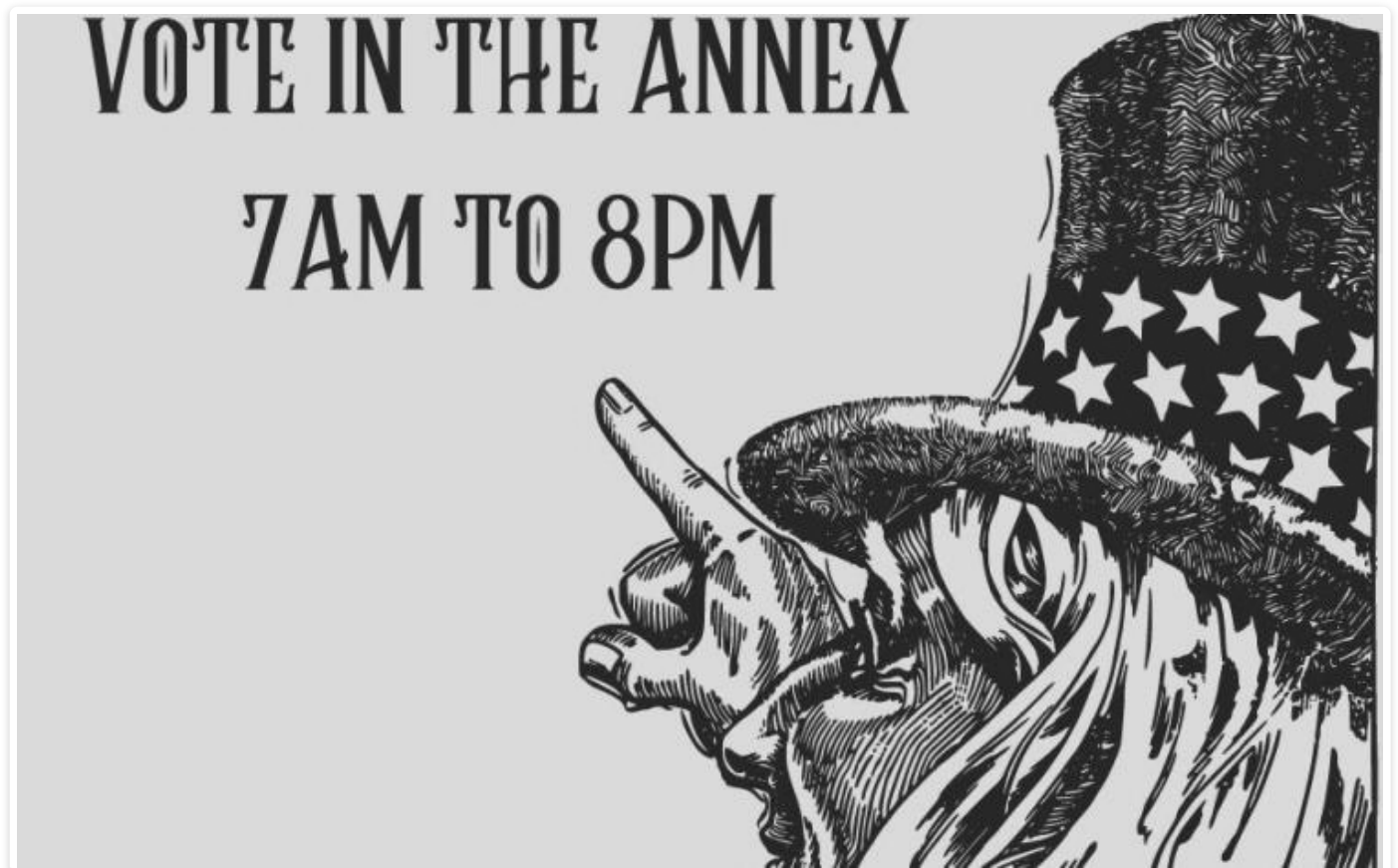
Town of West Newbury Massachusetts

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Home News & Announcements

Commit to Using Less Water in 2024

FEBRUARY 1, 2024 - 9:19AM



Vote in the Presidential Primary Election

FEBRUARY 1, 2024 - 8:30AM

Town Initiatives: The Affordable Housing Trust

FEBRUARY 1, 2024 - 8:30AM

A Brand-New West Newbury Minute History is Available!

FEBRUARY 1, 2024 - 8:15AM

Minute Histories from the Historical Commission

Mill Pond Open House!

FEBRUARY 1, 2024 - 8:13AM

Don't forget to return your 2024 Annual Street Listing/Census and be counted!

JANUARY 31, 2024 - 9:04AM

You should have received your 2024 Annual Street Listing/Census.

Haiku Through the Seasons : A Reading with Ann McCrea at the GAR Library

JANUARY 30, 2024 - 1:49PM

Haiku Through the Seasons : A Reading with Ann McCreaThursday, February 1, 1:00—2:15 PM@ the G.A.... more >>

Native Plants For Every Yard and Why It Is Vital To Plant Them- Free Program

JANUARY 29, 2024 - 12:09PM

"Native Plants For Every Yard and Why It Is Vital To Plant Them" is the topic of the West Newbury Garden Club's February 1, 2024 meeting. ... more >>

Nomination Papers for 2024 Annual Town Election Now Available!

JANUARY 29, 2024 - 9:01AM

2024 Annual Town Election is on Monday, May 6, 2024 from 7am to 8pmNomination papers for the Annual Town Election are now ... more >>

Town Initiatives: Housing Opportunities

JANUARY 29, 2024 - 8:30AM

Town Offices and the Library opening at 9:30 am Monday, January 29, 2024

JANUARY 29, 2024 - 6:05AM

Based on current road conditions, and to allow DPW to maintain focus on roads, Town Offices and the Library will have a delayed opening of... more »

West Newbury Wild and Native Presents: The Secret Lives of Wild Bees - Webinar with Dr. Nick Dorian

JANUARY 25, 2024 - 8:05AM

West Newbury Wild and Native and the Open Space Committee will be hosting this informative webinar on native bees, these incredible,... more »

West Newbury Housing Opportunities Open House

JANUARY 24, 2024 - 8:30AM

West Newbury Special Election Results

JANUARY 23, 2024 - 7:20PM

Special Town Election, January 23, 2024

West Newbury, Massachusetts

Total ballots cast were 1014. The Town Clerk announced the... more »

Today is Election Day! Don't forget to vote!

JANUARY 23, 2024 - 8:30AM

Polls will be open from 11am to 7pm on Today!

West Newbury Historic Sites Survey Has Been Completed!

JANUARY 22, 2024 - 3:48PM

Historic Sites Survey Has Been Completed!

Virtual Library Event: Cape Ann to the Merrimack River

JANUARY 22, 2024 - 1:04PM

Virtual: Cape Ann to the Merrimack RiverTuesday, January 237:00—8:15 PMZoom...

Deadline to propose warrant articles Monday, February 6th, 2024

JANUARY 22, 2024 - 10:01AM

The Select Board has set a deadline of **Tuesday, February 6, 2024** for closing of the Annual or Spring Special Town Meeting... more »

Election Day is Tomorrow! Don't forget to vote!

JANUARY 22, 2024 - 9:00AM

Polls will be open from 11am to 7pm on January 23rd.

Whittier Building Project Community Forum – Follow up information / FAQ

JANUARY 20, 2024 - 9:00AM

Thank you to all those who were able to attend the community forum regarding the Whittier Building Project. Nearly 200 residents attended... more »

1 2 3 4 5 6 7 8 9 ... next › last »

[View all](#)

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

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

C.a.

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

FY25 Budget Schedule – Updated (ver. 2, Feb. 2, 2024)

December 4	Select Board review/adopt FY25 Budget Policy Direction
December 4	Town Manager draft FY25 Capital Improvements Program (CIP) presented to Select Board; referral of CIP to Capital Improvements Committee
December 12	Budget Package sent to Dept. Heads, Town Officers, Boards, Commissions and Committees (B/C/Cs)
January 11	Requested FY25 Expense Budgets, and proposed FY25 Capital items, for all Dept. Heads or Town Officers due to Town Manager and Town Accountant
January 18	Requested FY25 Expense Budgets, and proposed FY25 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 meetings. (Depts. and B/C/Cs will be contacted individually to schedule your reviews, if/as needed)
January 30	Pentucket School Committee meeting to review proposed State budget (regarding education) and preview anticipated PRSD school budget
February 6	<u>Town Meeting Warrant closes (anticipated). Article requests due to Select Board and Town Clerk.</u>
February 8	Capital Improvements Committee meeting to review proposed Capital Program and FY25 projects. <i>Capital Improvements Committee expected to schedule 2 or more add'l meetings in Feb. and/or March as needed.</i>
February 12	Town Manager proposed FY25 budget, with budget message and proposed FY25 departmental and organizational structure, presented to Select Board.
February 12	Select Board referral of proposed FY25 budget to Finance Committee ¹
Feb-March	Finance Committee meetings to review proposed budget and articles. Departments and B/C/Cs will be notified regarding timing of meetings related to your proposed article(s) and section(s) of the budget. Thurs. Feb 15 at 6pm: Joint FinCom and Select Board meeting Tues., Feb. 20 at 6:30pm: Joint FinCom and Select Board meeting Mond., Feb. 26 at 7pm: Joint Select Board and FinCom meeting Wedn., March. 13 at 6pm: Joint FinCom and Select Board meeting Wedn., March. 20 at 6pm: Joint FinCom and Select Board meeting Wedn., March. 27 at 6pm: Finance Committee meeting
February 27	Pentucket School Committee expected to vote School District Assessments
March 18	Capital Improvements Committee report due to Select Board
On/around March 27	Finance Committee Referral of FY25 Budget to Town Meeting (<i>anticipated</i>)
BY April 15	Posting of Warrants (14 days prior)
BY April 15	Publication of Finance Committee booklet
April 29, 7pm	Annual and Special Town Meetings
May-June	Select Board approval of FY25 Wage/Salary Schedule

¹ 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. The budget as recommended by Finance Committee will be taken up by Town Meeting.

Town Manager

From: Bartholomew, Justin <jbartholomew@prsd.org>
Sent: Friday, February 2, 2024 2:20 PM
To: Carol McLeod - Finance; Angus Jennings; Rebecca Oldham
Cc: Suzanne Wallace; Marianne Naffah
Subject: INVITATION: FY25 PRSD Public Hearing and Budget Presentation/Update

Good Afternoon Carol, Rebecca, and Angus,

As you know, PRSD is going to have a public hearing on the budget and will then do a FY25 budget presentation on **Tuesday, February 13th @ 6PM at our School Committee meeting in the Middle-High School**. As has been done in the past, we would like to invite the Finance Committee and Board of Selectmen from each Town to attend this School Committee meeting and sit with the School Committee. This may also be an opportunity for a member of the Regional Agreement group to update everyone on the progress, and potentially get feedback.

If a member is interested in attending, could you please be sure that that member RSVP (or you... if you are collecting attendance) to Ms. Marianne Naffah (mnaffah@prsd.org) by Friday, February 9th so that we know how to best set up the space. Right now, we believe we will be holding this meeting on the second floor in the Middle-High School next to the Media Center.

Thank you as always, and if you have any questions, please let me know!

My Best,
~ Justin

The Right-To-Know Law provides that most e-mail communications, to or from School District employees regarding the business of the School District, are government records available to the public upon request. Therefore, this e-mail communication may be subject to public disclosure. This e-mail is intended solely for the person or entity to which it is addressed and may contain confidential and/or privileged information. Any review, dissemination, copying, printing, or other use of this e-mail by persons or entities other than the addressee is strictly prohibited. If you receive this e-mail in error, please notify the sender immediately and delete the material from any device.

Budget Book Presentation for FY 2025



January 30, 2024
Presented by Mrs. Suzanne Wallace

What makes up the PRSD budget?

Operational (what we are focusing on)
+
Capital (fixed)

Biggest Drivers of the FY25 Operational Budget



- **Out of District Private Tuition: -35.76% (~\$535K)**
- **Insurance Costs: +11% for active, +6% for retirees (~\$500K)**
- **Regional Transportation - uncovered cost (~\$294,000)**
- **Collaborative Tuition: +33.18% (~\$279K)**
- **Essex Regional Retirement (ERRS): +11.54% (~\$139K)**
- **State Funding (Chapter 70): 0.5% (~\$68,000)**

Are we in “bad shape?”

Relative to many districts around us, we are in much better shape because of the FY24 override:

- PRSD budget increase (right now) - 4.07%
- Average increase (right now) in our area - 6.67%

We have some work to do. We will make adjustments and present them to you on 2/13.

Remember

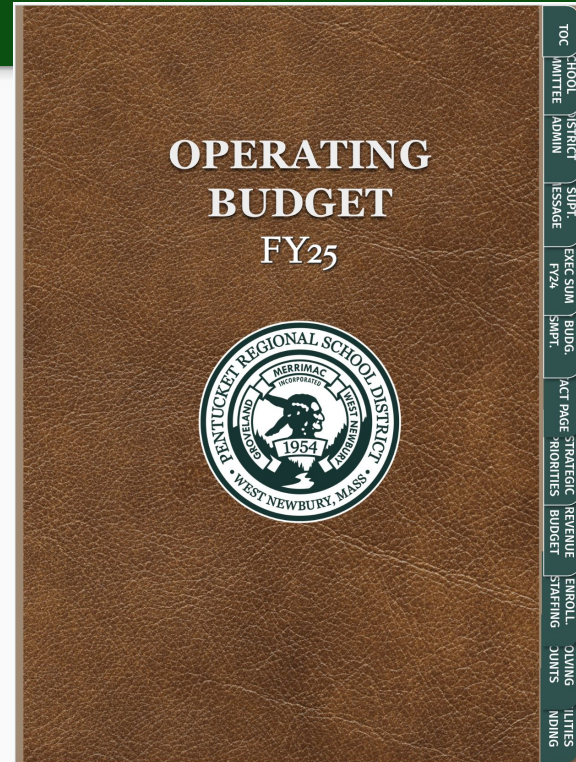
The State has given an increase of 0.5% to
PRSD (~\$68,000)

Any increase above 0.5% has to be paid by
the Towns. This includes MLC.

Budget Information



- “Budget” tab under School Committee on prsd.org website.
- The Virtual Budget Book will be posted online by the end of the week (2/2/24). It will look like this:



MASS Massachusetts Association of School Superintendents

January 25, 2024

TO: Mary Bourque, Tom Scott

FROM: Roger Hatch, MASS School Finance Analyst

SUBJECT: FY25 State Education Aid Update

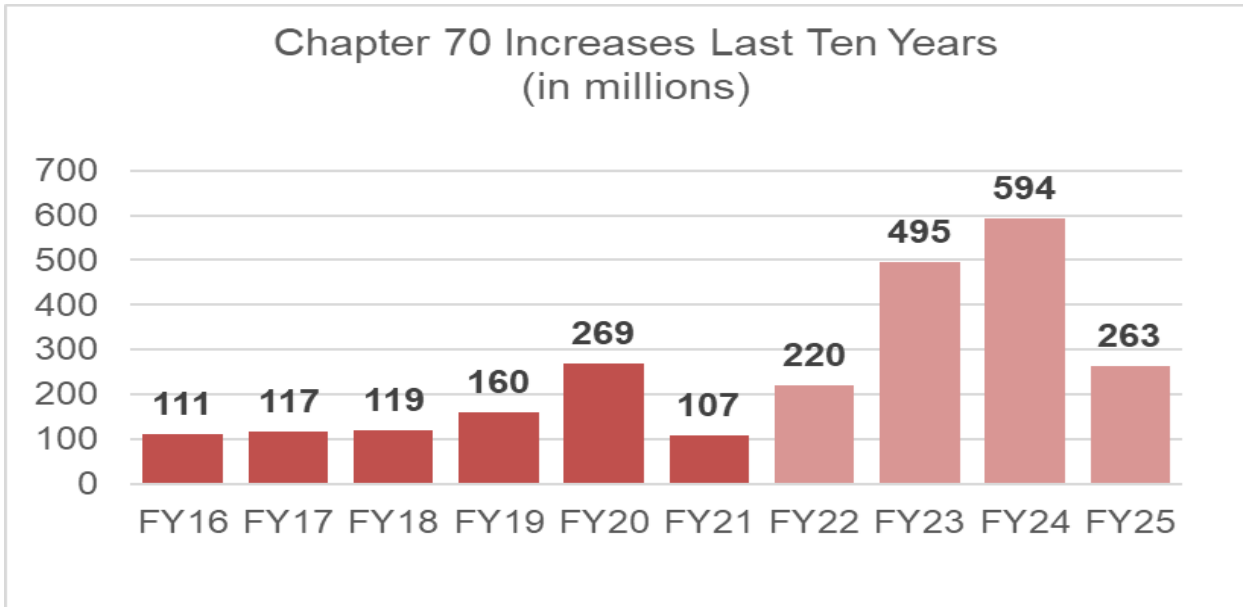
This past Wednesday, Governor Healey released her \$56.2 billion budget proposal for FY25 (House 2). Amidst an environment in which the consensus revenue estimate is essentially the same as in FY24, budgeted spending manages to increase modestly, by \$1.6 billion or three percent. The proposal fully implements the fourth year of a six-year phase-in of the Student Opportunity Act (SOA) scheduled to be completed in FY27. Among other highlights, it uses \$170 million of Fair Share revenues to continue universal free school meals across the Commonwealth.

The following analysis summarizes the recommendations for education appropriations.

Chapter 70

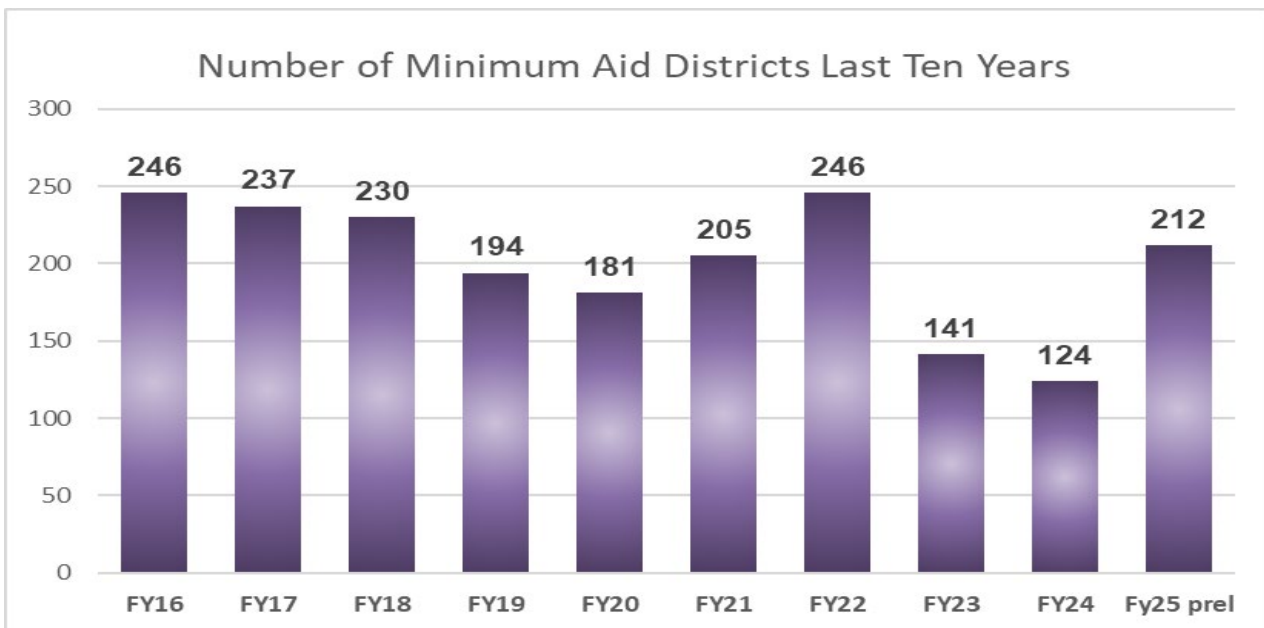
Chapter 70 aid rises from \$6.593 to \$6.856 billion, an increase of \$263 million or four percent over FY24. If those districts who were stunned by huge increases in FY23 and FY24 expected more of the same, the House 2 numbers will be a disappointment. This is not a result of stagnant revenues, and does not represent a decision to cut back on the trajectory of SOA Governor Healy has fully implemented this year's phase-in.

..



With enrollment holding steady, the reason we did not have a repeat of the last two years' bounty is **inflation**. It was capped by statute at 4.5 percent in FY23 and FY24. This year it stands at just 1.35 percent. In FY22—the first year of SOA—it was at 1.41 percent, and the rise in aid was in a similar range.

The Healey proposal sets minimum increments at \$30 per pupil. Last year the legislature raised it to \$60 per pupil, although the SOA requires just \$30. Of the 319 operating districts statewide, 212 receive just the minimum increase. For those that had finally crossed the threshold into being a “foundation aid” district, and now fall back to minimum aid, the best that can be said is that last year’s increase is still there embedded in the new numbers. It does not go away.



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There is a general perception that the SOA benefits mainly the Gateway cities. That is an oversimplification. There are 26 Gateway cities, and this year 107 districts receive foundation aid increases in excess of the \$30 minimum. Last year the number was 195. Those twenty-six account for thirty percent of the state's enrollment and receive 74 percent of this year's new aid. But among the top ten in per pupil aid change are Clarksburg, Dedham, Gardner, Southbridge and West Springfield—none of them on the Gateway list. It is more accurate to say that the formula provides the most money each year to the districts whose current needs are greatest.

The attached spreadsheet provides a comparison to FY24 of each K-12 education account in the state budget, as well as the enrollment, foundation budget, required contribution, and Chapter 70 aid for each district.

Other aid accounts

House 2 reduces the Sped Circuit Breaker appropriation from \$498 to \$492 million. However, the Governor's Executive Summary pegs actual funding at \$567 million, because it factors in the \$75 million FY23 "close-out" Extraordinary Relief appropriation (which MASS pushed hard for). Nobody knows yet the full cost of the 14% increase in OSD rates for FY24. Districts qualifying for the new Extraordinary Relief calculations will get the money during FY24, but those amounts will reduce FY25 Circuit Breaker eligibility, due to language inserted by the Legislature. It also made the new account available for FY25 Circuit Breaker.

The end result may be that much of the 14% increase and other CB-eligible costs will probably be covered one way or another. It's just a matter of which year the money comes in.

Charter reimbursements are reduced from \$233 to \$199 million. While this looks like a huge cut, ESE estimates that it still represents full funding as far as can be known at the moment. Full funding is required by the SOA. The fact is that January projections of an upcoming year's charter costs are consistently too high. For example, in FY23 the appropriation ended up at \$244 million, but final entitlements came in at \$189 million.

Regional transportation sees a slight increase from \$97 to \$99 million. The Homeless and Non-Resident Vocational transportation accounts are level-funded.

Grants and other accounts

The great news is that Governor Healey continues the practice of funding universal free meals. She draws \$170 from the Fair Share tax to continue the state's absorption of these costs, which began last year.

..

Less exciting is that she reduces funding in seventeen of the thirty-eight education grant accounts reviewed here. Educational Improvement, Civics Education, Financial Literacy, Smart from the Start, College and Career Readiness, and Student Wellness are zeroed out completely. In some cases (such as Educational Improvement) the explanation in the Governor's published appropriation comparison is legitimate: "Elimination of One-Time Costs."

Overall, grants fall by \$18 million. Combining grants and aid, education funding goes up by \$207 million or 2.6%.

Next Steps

The House and Senate will build upon the Governor's recommendations and prepare their own budgets during the months ahead. MASS will inform superintendents of any significant developments.

Links to Additional Information

Governor's House 2 Budget: [Operating Budgets \(FY25 and Previous\) | Mass.gov](#)

DESE Chapter 70 website: [Chapter 70 Program - School Finance \(mass.edu\)](#)

DESE Charter Tuition Projection: [Projected FY2025 Charter School Tuition and Enrollment - Massachusetts Charter Schools](#)

Town Manager

From: Conservation
Sent: Thursday, February 1, 2024 4:27 PM
To: Molly Hawking [REDACTED] George Preble; David Parrott; John (Jack) Haley; Haley McCraven
Cc: Angus Jennings
Subject: RE: Ocean Meadow Trail Easement Relocation Discussion on 1/22/2024 meeting agenda
Attachments: Concept plans - Ocean Meadow easements and crossing to Way to the River.pdf

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello,

I've just reviewed Monday's agenda with Molly and we've kept on it the continued Ocean Meadow trail easement discussion.

The initial request from ECTA has prompted the town to consider ensuring that there is safe crossing over Main Street for trail users seeking to get from Way to the River to the Ocean Meadow trail. As the town is already under contract with a consultant for a 113 corridor study, Angus has asked the consultant to include this crossing area as part of their scope.

Angus prepared some great maps that I've attached here which show the site and show two possible ways the Commission may wish to seek to work with Ocean Meadow to alter the trail easement so trail users can complete the trail loop. These two scenarios are below and can be viewed on page 3 of the attached:

1. move the trail easement ~50' closer to the Kelly property line so that the trail easement aligns with the gate in the Lord fence or
2. move the trail easement to follow the Lord property line, keeping the trail entirely on Ocean Meadow property under the CR and have the trail reach Main Street in the area where the former driveway for the house at 823 Main Street was located.

I'm not sure if the Commission needs to make a decision yet on how to proceed with this but I think it would be a good opportunity to continue this discussion while the details are fresh in everyone's minds. At some point, as grantees of the trail easement and the CR, the Commission will need to decide how it wants to proceed.

Let me know if you have any questions.

Michelle Greene
 Conservation Agent
 Town of West Newbury
 381 Main Street
 West Newbury, MA 01985
 Office: (978) 363-1100 x126
 Mobile: (978) 891-0238
conservation@wnewbury.org

Salt based deicers are a commonly used and cost-effective method to keep driveways, parking areas, and sidewalks clear of snow and ice, but excessive use of salts can negatively impact the environment and drinking water. Salt used for deicing doesn't go away, it washes into waterways or seeps into the ground,

building up and contaminating surface and ground water. Learn more about the impacts of excess deicing salt in the environment [here](#); find tips to reduce the amount of deicing salt you use [here](#); and check with the Conservation Agent to see if your property has any conditions restricting the use of deicing salts near wetlands.

From: Conservation

Sent: Tuesday, January 9, 2024 4:14 PM

To: Molly Hawking [REDACTED] George Preble

[REDACTED]; David Parrott [REDACTED]; John (Jack) Haley

[REDACTED] Haley McCraven [REDACTED]

Cc: Angus Jennings <Townmanager@wnewbury.org>

Subject: Ocean Meadow Trail Easement Relocation Discussion on 1/22/2024 meeting agenda

Hello,

As you may know the Ocean Meadow development at Moody Lane off Main Street is an Open Space Preservation Development with land in a CR held by the Commission and with an 8' wide public access trail easement granted to the Commission that passes through the property. The easement has a constructed trail on it today and you can see the centerline of the easement on the plan set, sheet 9 in the Google Drive link below. The trail easement comes in from Chase Street and then ends at the back property line of the Lord property at 803 Main Street.

Separate to the easements and CR of the town, Essex County Trails Association (ECTA) holds two trail easements, one that passes over the Lord property at 803 Main Street from the Ocean Meadow property, and one on the Kelly property at 801 Main Street. The Kelly easement connects to the Lord easement, at their shared lot line, continues down the Kelly driveway and ends at Main Street.

The intention behind all of these trail easements is to create one large connected trail loop where one could travel the trails at Mill Pond, across Chase Street to the Ocean Meadow trails, across Main Street and down Way to the River to the Riverbend Trails, then take the Riverbend Trails along the solar field at Page School, and cross Main Street to return back to Mill Pond

Sometime after all the easements were granted and the Ocean Meadow trail was constructed, Lord erected a fence along his back property line. In reviewing the GIS mapping this seems to be sometime between 2017 and 2020 There is a gate in the fence near the lot line of 801 Main Street, the Kelly property. I've include a copy of this on MIMAP in the Google Drive and marked the rough location of the existing gate on the fence.

As you can see when reviewing the trail easement plan, the 8' wide easement as granted at Ocean Meadow does not align with the gate in the Lord fence. The centerline of the OM easement is about ~40' away from the gate. This prevents trail users from continuing the loop onto the Lord and Kelly properties and the trail dead ends at the fence.

Entirely separate the from Commission's CR and trail easement, ECTA has been working with Kelly regarding the validity of the easement held by ECTA that passes on his property. This matter between ECTA and Kelly seems to have been resolved with the issuance of an Agreement for Judgement, a copy of which is in the Google Drive link. After issuance of the Agreement for Judgement, ECTA asked Lord to move the gate in his fence to align with the trail easement location on the Ocean Meadow property to which he has declined to do.

As Lord will not move the gate in the fence, ECTA has asked the Conservation Commission, as grantee of the trail easement at Ocean Meadow, to consider working to have Ocean Meadows, the grantor of the trail easement, adjust the location of the trail easement to align with the gate in the fence.

Angus and myself have had 2 meetings with members of the Ocean Meadow HOA providing them information, and listening to their questions and concerns. As you'll see in the email chain below, the Ocean Meadow HOA has concerns

which have been shared to, and answered by, ECTA. At this time it seems that Ocean Meadow us hesitant to agree to work to amend the trail easement location. The Ocean Meadow HOA will be discussing this at their meeting on 1/16/2024 and I have placed this on the Conservation Commission agenda for the 1/22/2024 meeting. I expect no decisions to be made at either meeting, as the intent at this point is to have a discussions to catch all members up to speed.

I anticipate both Carol Lloyd of ECTA and abutter Paul Kelly, who has voiced to Angus that he is not in favor of the Ocean Meadow easement moving closer to his property, to be in attendance at the Commission's meeting on 1/22/2024.

If you have any questions, please don't hesitate to reach out.

Google Drive link to relevant documents: <https://drive.google.com/drive/folders/1NF31sKRliuAoE4q1Bsh-h57VgWXALUdF?usp=sharing>

Thank you,

Michelle Greene
Conservation Agent
Town of West Newbury
381 Main Street
West Newbury, MA 01985
Office: (978) 363-1100 x126
Mobile: (978) 891-0238
conservation@wnewbury.org

Salt based deicers are a commonly used and cost-effective method to keep driveways, parking areas, and sidewalks clear of snow and ice, but excessive use of salts can negatively impact the environment and drinking water. Salt used for deicing doesn't go away, it washes into waterways or seeps into the ground, building up and contaminating surface and ground water. Learn more about the impacts of excess deicing salt in the environment [here](#); find tips to reduce the amount of deicing salt you use [here](#); and check with the Conservation Agent to see if your property has any conditions restricting the use of deicing salts near wetlands.

From: Conservation
Sent: Tuesday, January 9, 2024 3:05 PM
To: [REDACTED]
Cc: Town Manager <townmanager@wnewbury.org>; [REDACTED]; Molly Hawking
Subject: RE: Follow Up to Ocean Meadow's Questions

Hi Carol,

I wanted to let you know that ECTA's request that the Conservation Commission amend the Ocean Meadows trail easement to relocate it to align with the gate in the fence at the Lord property will be on the next Conservation Commission meeting agenda for discussion on January 22nd 2024 at 7PM in the 2nd Floor Hearing Room of the town office building. I don't expect a decision of whether or not to pursue this amendment to be made at this meeting, rather this will be the first time that the Commission is caught up to speed on the request and the conversations with Ocean Meadow and ECTA and information shared thus far.

Angus and myself met with Steve and Ray of Ocean Meadow via Zoom last week to continue the discussion we have been having with them about the request. They have advised that they will be bringing this up at their next HOA meeting on January 16th. It sounds like their meeting will be similar to the Conservation Commission's meeting in that it

will be a discussion to catch the rest of their HOA member up to speed with the conversations had and information shared thus far.

Abutter Paul Kelly has asked to be kept in the loop about this discussion so I will be reaching out to him to inform of the Commission's meeting date.

If the Commission does choose to move forward with an amendment in the future, it will also be subject to Planning Board review as either a minor or major (their discretion) modification to the special permit for Ocean Meadow so I'll be looping the town planner, Sue Brown, in as well so that this is on her radar.

Please let me know if you have any questions or if you'd like to try and set a time to discuss this further ahead of the meeting. For awareness I will be out of the office 1/12 – 1/19 returning on 1/22.

Thank you,

Michelle Greene
Conservation Agent
Town of West Newbury
381 Main Street
West Newbury, MA 01985
Office: (978) 363-1100 x126
Mobile: (978) 891-0238
conservation@wnewbury.org

Salt based deicers are a commonly used and cost-effective method to keep driveways, parking areas, and sidewalks clear of snow and ice, but excessive use of salts can negatively impact the environment and drinking water. Salt used for deicing doesn't go away, it washes into waterways or seeps into the ground, building up and contaminating surface and ground water. Learn more about the impacts of excess deicing salt in the environment [here](#); find tips to reduce the amount of deicing salt you use [here](#); and check with the Conservation Agent to see if your property has any conditions restricting the use of deicing salts near wetlands.

From: [REDACTED]
Sent: Thursday, December 28, 2023 3:53 PM
To: Conservation <conservation@wnewbury.org>
Cc: Town Manager <townmanager@wnewbury.org>; [REDACTED]
Subject: RE: Follow Up to Ocean Meadow's Questions

Thanks Michelle,

We spoke with Ray at the end of your meeting. He was on your call with Steve a couple of weeks ago. I think their biggest issue with the trail is they don't want increased traffic. He seemed to think that they could choose not to open the trail. When you speak with them again please keep in mind that it's not a matter of if the trail can be opened but rather how to do it. There are two public trails meeting up and we just want to make it as unimpactful as possible. Please let me know if you want to discuss this further.

Thanks again and Happy New Year to you and Angus!

Carol

From: Conservation <conservation@wnewbury.org>
Sent: Thursday, December 28, 2023 3:46 PM

To: [REDACTED]
Cc: Town Manager <townmanager@wnewbury.org>; [REDACTED]
Subject: RE: Follow Up to Ocean Meadow's Questions

Hi Carol,

I got your responses and the copy of the Agreement for Judgement over to Ocean Meadows however with everyone's schedules, the soonest myself and Angus could get back on a Zoom with Ocean Meadow is 1/4/2024.

With this in mind I did not add the discussion for relocation of the trail easement to the Commission's next meeting agenda on 1/2/2024. Pending the outcome of our discussion with OM on 1/4/2024, I will likely have this added to the Commission's 1/22/2024 agenda for discussion.

Please let me know if you have any questions.

Thank you and happy holidays!

Michelle Greene
Conservation Agent
Town of West Newbury
381 Main Street
West Newbury, MA 01985
Office: (978) 363-1100 x126
Mobile: (978) 891-0238
conservation@wnewbury.org

Don't let your decoration lead to destruction! Some berries used in wreaths and planters for their bright colors, like Asiatic bittersweet and multiflora rose, can spread invasive plants to your property where the plants can wreak havoc by forming impenetrable thickets that harbor ticks, growing vines that strangle and pull-down trees, and depleting your land's biodiversity. Learn more about these plants, including how to identify them, [here](#) and [here](#).

From: [REDACTED]
Sent: Wednesday, December 13, 2023 3:23 PM
To: Conservation <conservation@wnewbury.org>
Cc: Town Manager <townmanager@wnewbury.org>; [REDACTED]
Subject: Follow Up to Ocean Meadow's Questions

Hi Michelle,

This is in response to OM questions. I have put our response in blue below. I am happy to set up a call with our legal if they would like this explained in more detail. Please just let me know.

Thank you!

Carol

Carol Lloyd
ECTA
[REDACTED]

From: Conservation <conservation@wnewbury.org>

Sent: Friday, December 8, 2023 9:51 AM

To: Carol Lloyd [REDACTED]; Town Manager <townmanager@wnewbury.org>

Subject: Follow up from Ocean Meadow trail Zoom

Hi Carol,

I had left you a voicemail but wanted to follow up my email too.

Angus and I met this morning via Zoom with Stephan DiPietro (president HOA) and Ray Prichard (vice president HOA) to discuss moving the trail easement on the Ocean Meadow property so that it aligns with the existing gate in the Lord fence along the property line.

Ocean Meadow has a few questions and is seeking additional information, that I am hoping you could provide, before they are comfortable making a decision on moving the trail easement. The questions they raised are as follows:

- Is there a copy of the agreement/memorandum of understanding/or some other documentation of the agreement that was reached about the easements on the Lord and Kelly properties that you could provide? *There is an Agreement for Judgment issued from the Land Court on April 13, 2023 stating that the easement running on Kelly's land is declared legally valid and enforceable. It is attached.*
- As the easement on the Kelly property now has a driveway over it, has/will the Kelly easement be updated to address the prohibition of use of motorized vehicles on the easement which the easement currently contains? *We think OM may be confused between what the public – as an invitee with limited rights to an easement area can do – and what a property owner can do on their own property. A servient estate (i.e., the burdened landowner) has the right to use their land so long as it does not interfere with the dominant estate's (i.e., the benefitted users of the easement) right to use an easement area. Paul therefore has the right to use his driveway, and his car, so long as he isn't interfering with people using the trail. Just because Paul agrees to have an easement on his property does not mean he suddenly has only the rights as every other member of the public; this is still his property.*
- If the easement on the Kelly property has not or will not be amended regarding use of motorized vehicles, how will ECTA address that vehicles will be used on this portion of the easement and what liability could that potentially expose Ocean Meadow to? *We are assuming that OM is worried that the developer/condo owners at OM may have liability if Paul Kelly hits someone with his car in his driveway? OM is not a party to the easement agreement they are worried about, is not a property owner (and is not even a direct abutter), and is taking no action to direct people onto Paul's property – where would they incur liability? Is any signage proposed to indicate that the trail over the Lord and Kelly properties is open to the public? We will have signs on the gates showing where the trail is. OM can advise their Association about the trail being open and we can work with the town to make sure it is on the maps.*
- Will improvements be made to the trail on the Lord and Kelly properties so that the trail is visible and easily used by the public? *Yes.*

Because Ocean Meadow would like more information and time to review it before making a decision on moving the easement, we decided on the call that it makes sense to hold off on putting the easement discussion on the Commission's agenda for a public meeting. Ocean Meadow is interested in keeping this conversation going and has agreed to another Zoom with Angus and myself to continue the conversation after they are able to review the information requested above.

If you want to discuss by phone, please give me a call. I have time now until 10:30 and then will have time around 12PM. After that I am pretty flexible for a call on Monday.

Thank you,

Michelle Greene
Conservation Agent
Town of West Newbury
381 Main Street
West Newbury, MA 01985
Office: (978) 363-1100 x126
Mobile: (978) 891-0238
conservation@wnewbury.org

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Location of Existing Trail Easement (on Ocean Meadow)



Data Source: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of West Newbury & MassGIS. MVPC AND THE TOWN OF WEST NEWBURY MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THIS DATA. THE TOWN OF WEST NEWBURY AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.

Legend		
	MVPC Boundary	
	Parcels	
	Roads	
	Interstate	
	Major Road	
	Local Road	



Approximate Location of Existing Trail Easements, Abutting Properties



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of West Newbury & MassGIS. MVPC AND THE TOWN OF WEST NEWBURY MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF WEST NEWBURY AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.

Legend		
	MVPC Boundary	
	Parcels	
	Roads	
	Interstate	
	Major Road	
	Local Road	



Concept #1: Potential Relocation of Existing Trail Easement



Concept #2: Potential Relocation of Existing Trail Easement



Concept #1 for New Crosswalk and Ped Activated Rapid Flasher Beacon (RFB)



Concept #2 for New Crosswalk and Ped Activated Rapid Flasher Beacon (RFB)





Town of West Newbury Select Board

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

TO: Massachusetts Division of Fisheries & Wildlife, NHESP Program
FROM: Select Board, in its capacity as Roadway Commissioners
RE: Proposed Traffic Control Plan for unpaved (gravel) portion of Ash Street
DATE: January 31, 2024

The attached Traffic Control Plan is hereby submitted with our request for review and written approval by the Division of Fisheries & Wildlife (“Division”). This includes seasonal measures to reduce vehicle speeds for the purpose of reducing potential for road mortality for the Blanding's Turtle, and is intended to satisfy the condition attached to the Division’s letter of October 17, 2023 regarding NHESP File No. 23-8626.

This Traffic Control Plan was approved by 3-0 vote of the Select Board at its regularly scheduled meeting on January 29, 2024.

Upon your office’s review, please respond with approval. We would be pleased to respond to any questions you may have, or to provide additional information as may be needed.

Traffic Control Plan

Gravel portion of Ash Street, Town of West Newbury

NHESP File No. 23-8626

1. Ash Street Gravel Road Maintenance Narrative

Highway Division of West Newbury DPW shall perform maintenance of the gravel portion of Ash Street as needed to maintain safe travel conditions through periodic regrading of roadway surface, associated addition of gravel, and clearance of existing culverts.

2. Roadway Resurfacing

Maintenance will occur when roadway is deemed by the West Newbury Highway Superintendent and Police Chief to be hazardous to vehicular travel due to potholes and/or roadway flooding.

Prior to maintenance work, the Conservation Agent (or, if unavailable, her/his designee) shall walk the length of the roadway and conduct a visual survey to monitor roadway mortality (roadkill), and to monitor and photograph indications of Blanding's Turtles (nests, hatchlings, animals). If any Blanding's Turtles are located, the Agent shall:

- If the animal is alive and uninjured, remain nearby and direct vehicles/work around it until it is safely into the wood or wetlands;
- If the animal is not alive, wrap the carcass in a sealable plastic bag for temporary storage in a refrigerator or freezer, and provide notice to the NHESP Endangered Species Review Biologist that the species can be made available for pickup.

Records of the dates and recorded observations shall be maintained in the Conservation department of the Town Offices, with copies of all observed indications of Blanding's Turtles provided to the Division.

Following the Conservation Agent's survey, the DPW's backhoe shall spread a mixture of 1 ½-inch and 3/8-inch gravel to fill in potholes / low spots and restore the roadway. The gravel will be compacted by driving the backhoe over it, in an overlapping pattern. Vibratory compaction will not be used. The DPW shall ensure that gravel is spread in the roadway only and that no expansion of the roadway width occurs by ensuring material stays within the bounds of the existing white markers installed along the roadway surface.

This work has been determined to be exempt from a Wetlands Protection Act filing under 310 CMR 10.02(2)(b)2.p.

3. Roadway Flooding / Culvert Clearing

Three plastic culverts pass under the gravel portion of Ash Street and water flows through these culverts from the northeast to the southwest. Due to muskrat and beaver activity, the culverts occasionally become blocked and this blockage results in roadway flooding. When it is deemed necessary to clear the culverts, the Highway Division of the DPW shall use the bucket of their backhoe to reach into the inlet of the culvert (northeast site of the roadway) and “fling” the material out of the inlet and back into the swamp. At no time will equipment enter the wetland, and all equipment shall remain on the gravel roadway with care taken to not destabilize the road shoulders.

As this work is not exempt from a Wetlands Protection Act filing, prior to clearing the material from these culverts the Highway Superintendent shall inform the Conservation Agent of the threat to public safety (roadway flooding) and request an emergency certificate to breach the dammed material at the culvert inlet. If issued, an emergency certificate shall be provided to the West Newbury DPW with a copy sent to MA DEP.

4. Signage

The Highway Superintendent and the Police Chief / Chief Fire Engineer have worked together to prepare an improved signage plan for the vicinity of this area. The new signage will bring greater visibility to the existing 5-ton weight restriction. The signage will include the tonnage restriction of 5 tons, with an exemption for local deliveries that need to take a right onto Ash Street from Brickett Street to reach 166-162 Ash Street and Montclair Road, and also include detour arrows to route the trucks around the gravel portion of Ash Street.

The signage plan is summarized as follows:

- At intersection of Ash and Middle, and Ash and Brickett, a sign “Truck Detour, 5-ton weight limit” with right- or left-arrows (as appropriate).
- Truck Detour (with right- or left-arrows) at Middle/Bachelor and Brickett/Moulton.
- At Brickett/Ash, sign reading “Truck access to #162, 164 and 166 and Montclair”

The locations for these new, additional signs were selected as they allow truck drivers time to alter their route before they are at a point of no return, which was a common appeal reason for many trucks that were ticketed this summer.

A map showing proposed signage locations is attached. Specific details of signs, including language, may vary to ensure that all installed signage will be compliant with the Manual on Uniform Traffic Control Devices (MUTCD). Signage is expected to be installed this spring

5. Speed Enforcement / Management

The Town's Police Department has purchased a traffic speed warning trailer. This will be periodically deployed in this area (as part of an overall rotation of special enforcement locations) in order to improve driver adherence to posted speed limits. The trailer's functionality will also provide the Town with data regarding traffic speeds and volumes to assist with our understanding of traffic patterns. The trailer will be placed in this vicinity with increasing frequency during the peak seasons (May to July, and August to September) referenced above.

6. Roadway Usage Management

The Police Chief will continue his efforts with the State and the Regional Planning Agency to get this portion of Ash Street shown as discontinued on commercial GPS services, in order to increase diversion of drivers away from this route.

The Town will also create public education materials that the Town will periodically promote via the Town's email ("e-blast") distribution system, which reaches over 1,000 email addresses. The public education materials will make residents aware that this location serves as nesting habitat for various species, and will recommend that drivers seek alternate routes especially during peak turtle mating and egg-laying season (May to July) and peak season for hatchlings leaving their nests (August to September) to return back to water bodies. (This timing aligns with duckling/gosling season as well as vernal pool migrations, so is intended to also help reduce mortalities of multiple species, not specifically those protected as endangered or of special concern).

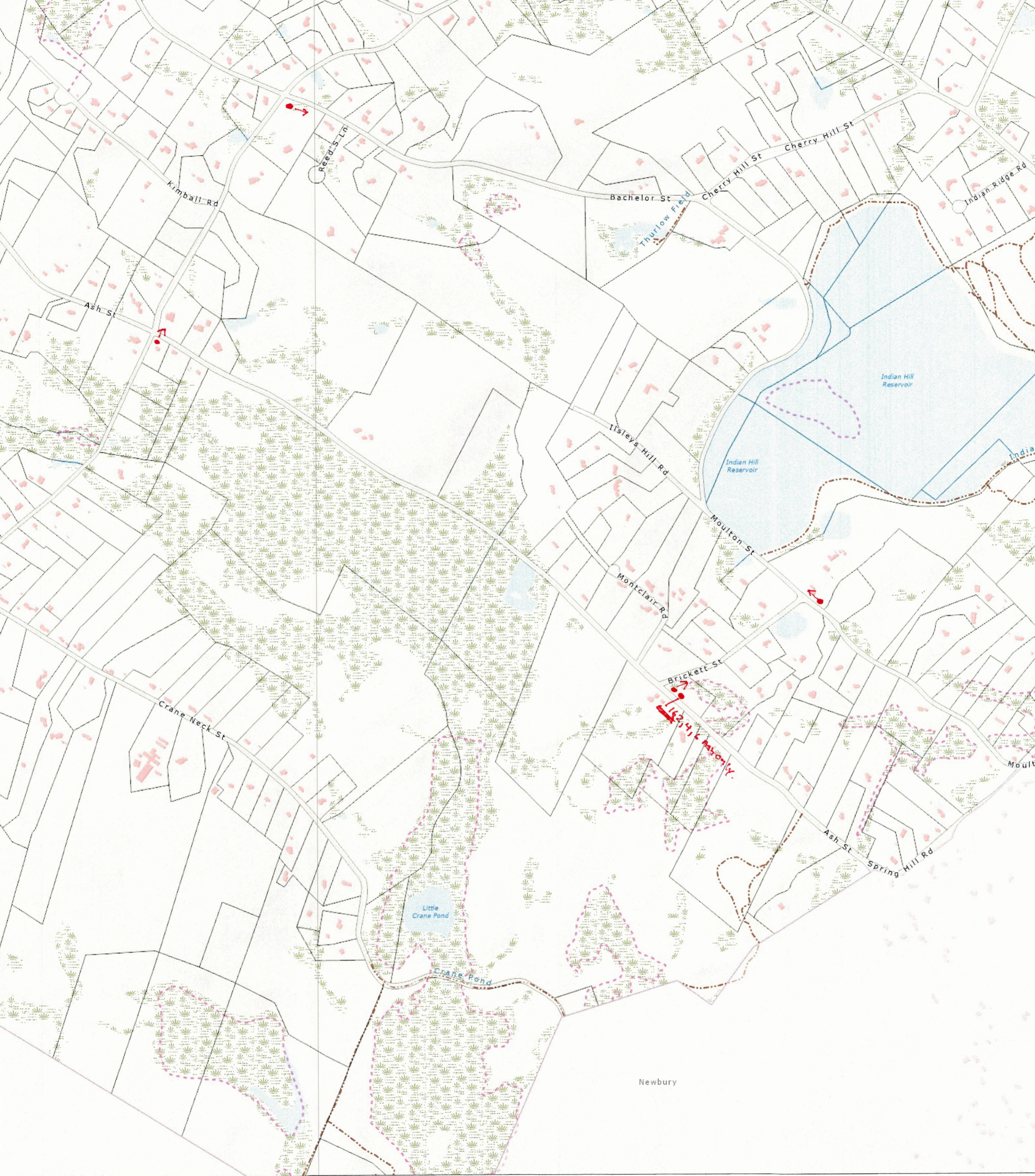
7. Supplemental Efforts

The Town will seek grant funding as available, and as feasible, to support opportunities to improve wildlife passage/crossing in this location.

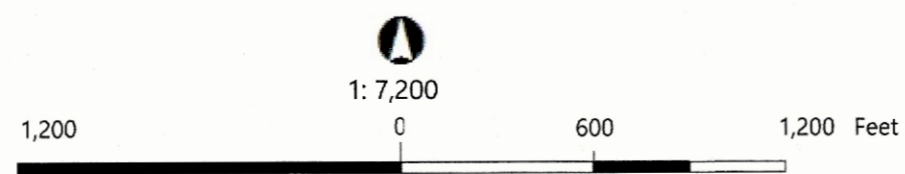
Subject to availability of funding, the Town will engage transportation/engineering support to explore the feasibility of utilizing speed bumps or other physical means to slow vehicles down; and will engage advice as available from the Regional Planning Agency, MassDOT, and local officials in other communities which may have roadways of similar construction.

Approved by West Newbury Select Board

January 29, 2024



Ash Street Signage Plan





**AGREEMENT
BY AND BETWEEN
THE TOWN OF WEST NEWBURY
AND
B2Q ASSOCIATES**

Contract #2024-WN-004

THIS AGREEMENT made by and between the **TOWN OF WEST NEWBURY**, a municipal corporation duly organized under the laws of Massachusetts and having a usual place of business at 381 Main Street, West Newbury, Massachusetts, 01985 hereinafter referred to as the "TOWN", and **B2Q Associates** having a usual place of business at **100 Burt Road, Suite 212, Andover, MA 01810** hereinafter referred to as the "CONSULTANT".

WITNESSETH:

WHEREAS, the TOWN had received a proposal for "**Turnkey Mechanical Services for the Page School VRF Replacement**" hereinafter called the "WORK" and WHEREAS, the "CONSULTANT" submitted a quote and proposal to perform the WORK required to complete the WORK; and

Whereas, the TOWN as authorized by its Select Board (Awarding Authority) and per M.G.L has authorized the appointed Chief Procurement Officer (CPO) to enter into this agreement with the CONSULTANT on behalf of the TOWN; and

Now therefore the TOWN and the CONSULTANT (sometimes collectively referred to herein as the "Parties") covenant and agree as follows:

The CONSULTANT shall provide the TOWN services and work described in the Page School VRF Replacement proposal (see attachment A) dated November 21, 2023 which is attached hereto.

In addition to said services, the parties agree as follows:

1. TIME OF THE ESSENCE:

The CONSULTANT shall complete the services and work described in the Scope of Services and Proposal attached hereto in the most reasonable timeframe suitable for both parties and in accordance with the Contract Documents. This contract shall expire on **June 30, 2024**.

2. CHANGE ORDERS AND ADJUSTMENTS:

A. No deviation shall be made to the Scope of Services unless authorized by a written change order from the Awarding Authority, which change order shall include an equitable adjustment of the contract price

agreed to between the Awarding Authority and the CONSULTANT, if any. Under no circumstances may a change order be authorized orally.

B. Change orders may be authorized on behalf of the Awarding Authority by the Chief Procurement Officer of the Town of West Newbury.

3. PAYMENT PROCEDURES and CONTRACT VALUE:

Payment to the CONSULTANT shall be payable upon a percentage of task completed on a monthly basis as confirmed by the Town Project Representative as described in the Scope of Services to the complete satisfaction of the Awarding Authority (TOWN).

Payment shall not exceed the amount of **\$189,736.00** unless an additional amount is authorized by a change order as provided for herein.

4. APPLICABLE PROVISIONS OF THE LAW:

This is a Massachusetts contract and shall be construed and interpreted according to the laws of the Commonwealth of Massachusetts. To the extent that any of the provisions contained herein are inconsistent with the requirements of the Massachusetts General Laws or other applicable law, the requirements of applicable provisions of law shall control and any such inconsistent provision or provisions hereof shall be deemed modified or stricken to the extent required to comply with the law.

This contract is exempt from M.G.L. c. 7C, c. 30B, and c. 149.

5. INDEPENDENT CONSULTANT:

The CONSULTANT acknowledges and agrees that it is acting as an independent CONSULTANT for all work and services rendered pursuant to this Agreement, and shall not be considered an employee or agent of the TOWN for any purpose.

6. INDEMNIFICATION:

The CONSULTANT shall indemnify, defend, and hold the TOWN harmless from and against any and all claims, demands, liabilities, actions, causes of actions, costs and expenses, including attorney's fees, arising out of the CONSULTANT'S breach of this Agreement or the negligence or misconduct of the CONSULTANT, or the CONSULTANT'S sub-contractors, agents or employees.

7. INSURANCE:

A. The CONSULTANT shall obtain and maintain in full force and effect during the term of this Agreement the insurance coverage in companies licensed to do business in the Commonwealth of Massachusetts, and acceptable to the TOWN, as set forth below:

General Liability

Bodily Injury Liability \$1,000,000 per occurrence

Property Damage Liability \$1,000,000 per occurrence

Or combined single limit \$1,000,000 per occurrence

Workers' Compensation Insurance

Coverage for all employees in accordance with Massachusetts General Laws, per state statutory requirements.

B. All policies shall identify the TOWN as an additional insured (except Workers' Compensation) and shall provide that the TOWN shall receive written notification at least 30 days prior to the effective date of any amendment or cancellation. Certificates evidencing all such coverages shall be provided to the TOWN

upon the execution of this Agreement. Each such certificate shall specifically refer to this Agreement and shall state that such insurance is as required by this Agreement. Failure to provide or to continue in force such insurance shall be deemed a material breach of this Agreement and shall be grounds for immediate termination.

8. TERMINATION:

A. Termination for Cause. If at any time during the term of this Agreement the TOWN determines that the CONSULTANT has breached the terms of this Agreement by negligently or incompetently performing the work, or any part thereof, or by failing to perform the work in a timely fashion, or by failing to perform the work to the satisfaction of the TOWN, or by not complying with the direction of the TOWN or its agents, or by otherwise failing to perform this Agreement in accordance with all of its terms and provisions, the TOWN shall notify the CONSULTANT in writing by mail or e-mail stating therein the nature of the alleged breach and directing the CONSULTANT to cure such breach within ten (10) days. The CONSULTANT specifically agrees that it shall indemnify and hold the TOWN harmless from any loss, damage, cost, charge, expense or claim arising out of or resulting from such breach regardless of its knowledge or authorization of the actions resulting in the breach. If the CONSULTANT fails to cure said breach within ten (10) days, the TOWN may, at its election at any time after the expiration of said ten (10) days, terminate this Agreement by giving written notice by mail or e-mail thereof to the CONSULTANT specifying the effective date of the termination. Upon receipt of said notice, the CONSULTANT shall cease to incur additional expenses in connection with this Agreement. Upon the date specified in said notice, this Agreement shall terminate. Such termination shall not prejudice or waive any rights or action which the TOWN may have against the CONSULTANT up to the date of such termination, and the CONSULTANT shall be liable to the TOWN for any amount which it may be required to pay in excess of the compensation provided herein in order to complete the work specified herein in a timely manner. Upon such termination, the CONSULTANT shall be entitled to compensation for all satisfactory work completed prior to the termination date, as determined by the TOWN.

B. Termination for Convenience. The TOWN may terminate this Agreement at any time for convenience by providing the CONSULTANT written notice by mail or e-mail specifying therein the termination date which shall not be sooner than ten (10) days from the issuance of said notice. Upon receipt of said notice, the CONSULTANT shall cease to incur additional expenses in connection with this Agreement. Upon such termination, the CONSULTANT shall be entitled to compensation for all satisfactory work including materials purchased for the project completed prior to the termination date, as determined by the TOWN, such payment not to exceed the fair value of the services provided hereunder. In the event that such materials have been purchased by CONSULTANT and paid for by the TOWN, said materials shall be delivered to the TOWN by B2Q within 10 days of receiving payment.

9. DISPUTE RESOLUTION:

In the event of a dispute between the Parties, both Parties agree to act in good faith to reach a mutually agreeable solution before involving third parties. If a mutually agreeable solution cannot be reached between both Parties, Parties agree to utilize non-binding mediation. If after mediation a mutually agreeable resolution cannot be reached, the parties shall resolve the dispute in a Court of Law in the State of Massachusetts.

10. CONTRACT DOCUMENT:

The Contract Documents consist of this Agreement, "Page School VRF Replacement" Proposal Packet and has been agreed upon by both the TOWN and the CONSULTANT and all are as fully a part of this Agreement as if attached hereto.

11 WAGE RATES:

This contract is subject to prevailing wage requirements.

The Consultant shall complete the WORK for the Turnkey Mechanical Services for the Page School VRF Replacement as specified in Contract Documents at a fee of;

\$189,736.00

In Words: One Hundred Eighty Nine Thousand, Seven Hundred Thirty Six dollars and zero cents.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year below written.

Executed this 30th day of January, ~~2023~~ 2024 PB 01/16/2024

The Town of West Newbury, by

Katelyn Barker
Katelyn Barker
Chief Procurement Officer

CONSULTANT, by

Paul Banks
Signature

PAUL BANKS
Name (printed)

Principal
Title

01/16/2024
Date

CERTIFICATION PURSUANT TO M.G.L. CHAPTER 44 SECTION 31C

The undersigned hereby certifies, pursuant to M.G.L. Chapter 44 section 31C, that an appropriation in the amount of this contract is available.

Jennifer Walsh
Jennifer Walsh
Town Accountant

1/29/2024
Date

22-420-5240-221003 \$115,000

PRSD Borrowing Surplus \$81,063

NON-COLLUSION CERTIFICATE

The undersigned certifies under the penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this paragraph the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

DATE: 01/16/2024

CONSULTANT SIGNATURE: Paul Banks

STATEMENT OF TAX COMPLIANCE

Pursuant to Chapter 62C of the Massachusetts General Laws, Section 49A (b),

I, PAUL BANKS Principal
(Name and Title)

authorized signatory for BANKS QUAY AND ASSOCIATES INC.
(CONSULTANT Name)

100 BURT RD ANDOVER MA 01810
(CONSULTANT Address)

do hereby certify under the pains and penalties of perjury, that the above Company or Corporation has complied with all laws of the Commonwealth relating to taxes.

Paul Banks
(Authorized Signature)

Principal
(Title)

01/16/2024
(Date)



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

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

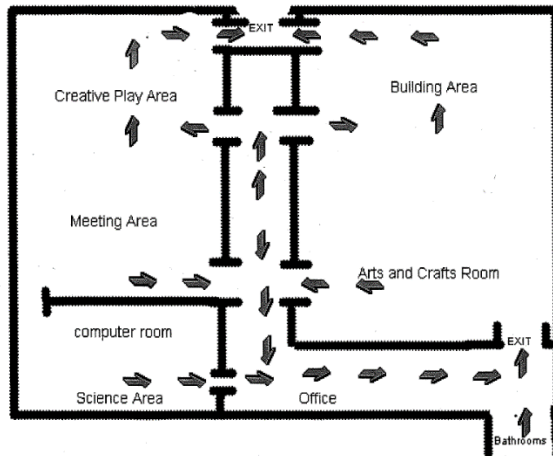
townmanager@wnewbury.org

C.e.

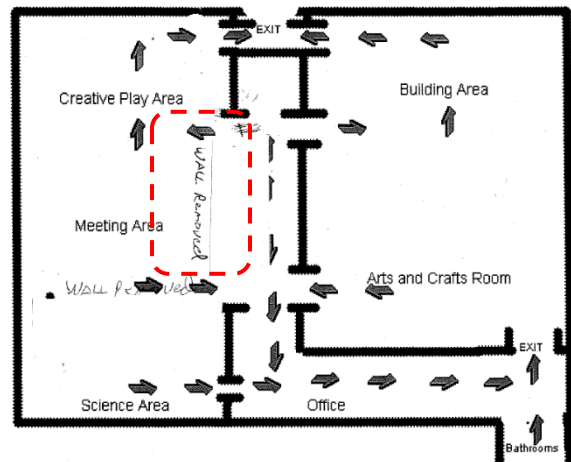
TO: Select Board
FROM: Angus Jennings, Town Manager
DATE: February 2, 2024
RE: Interior renovations to "Learning Tree" portion of Old Town Hall

During the MA Dept. of Early Education & Care (EEC) recent annual inspection of the Learning Tree, the lessee of a portion of the Old Town Hall, it was determined that the open space square footage is insufficient for the number of children enrolled. (The overall square footage is sufficient, but the amount of viewable area falls short) Facilities Manager Brian Richard met with EEC and the Learning Tree owner on Jan. 12th and determined that the removal of two interior (non-load-bearing) walls would bring the facility back into compliance. Sketch plans below. Brian will undertake these renovations, and the Building Inspector will inspect and sign off on the work to be done.

Existing



Renovated





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: February 2, 2024
RE: MMA Conference, lessons learned

The recent MA Municipal Assn. Annual Conference in Boston was well worthwhile. I am sending you, by separate attachment, presentation materials received from the following sessions:

- Briefs on Briefs: Updates on Municipal Laws
- Are You Paying Too Much for Trash and Recycling Services?
- The Latest in Labor Law
- Climate's Impact on the Municipal Property Market
- Municipal Cybersecurity Update

Some of these sessions conflicted so I did not attend them all, but downloaded materials from other sessions so we would have them for review. (I attended those sessions marked with asterisks above, in addition to a session entitled "Unlocking Federal Funds" for which there were no print materials).

Town Manager

From: DPW Projects
Sent: Wednesday, January 17, 2024 11:59 AM
To: Elizabeth Maldari
Cc: Town Manager; Highway; Michael Dwyer
Subject: FW: Vision Zero Follow-Up
Attachments: ML_02MiroPresentation.pdf

Hi Elizabeth,

I signed up for a Feb. 14 meeting at 10am, and at a minimum it will be me, Angus, Chief Dwyer, and Highway Superintendent Butch Hills. I chose in-person here at the Town Offices, but if that needs to change, we are flexible. It is right after one or our bi-weekly staff meetings, so that way everyone will already be here in the building.

Christine

Christine Wallace, P.E.
DPW Program and Project Manager
Town of West Newbury
381 Main Street
West Newbury, MA 01985
978-363-1100 x130
978-409-8009 (cell)
dpwprojects@wnewbury.org

From: Elizabeth Maldari <emaldari@mvpc.org>
Sent: Tuesday, January 16, 2024 5:05 PM
To: DPW Projects <dpwprojects@wnewbury.org>
Subject: Vision Zero Follow-Up

Dear Christine,

Thank you for attending our Vision Zero meeting last Thursday. As promised, I wanted to follow up with a few of the items discussed during the meeting:

1. Copy of the presentation (attached)
2. [Link to the High Injury Network](#)
3. **Invitation to schedule a meeting to discuss safety concerns specific to your community in person or remote – [click here.](#)**

Once you have set up the meeting using the Calendly link, I recommend you invite anyone else who could add additional feedback about the High Injury Network and contributing factors/countermeasures. Chief Dwyer, Angus, Sue and any others are welcome!

I will send the community crash profile to you prior to the meeting. Please let me know if you have any questions or issues with the links.

I hope that you are safe out on the roads today!

Kind regards,

Elizabeth



Elizabeth Maldari

Regional Mobility Planner

Merrimack Valley Planning Commission

160 Main Street, Haverhill, MA 01830

Office: 978.374.0519 x21

MVPC.org | WeAreMV.com



Municipal Liaison Meeting 2

Agenda

DATA - HIN Revisions - Progress on Predictive Analysis - Community Crash Profiles

ENGAGEMENT- Connect - Make Vision Zero Visible - Direct Invitation

COUNTERMEASURES - Individual/Local/Regional - Planning and Demonstration

Workshop - Vision Zero Value - Area Priorities - Countermeasures

Upcoming - One-on-One meetings - Walk Audits

HIN Revisions

Methodology for weighted crashes:

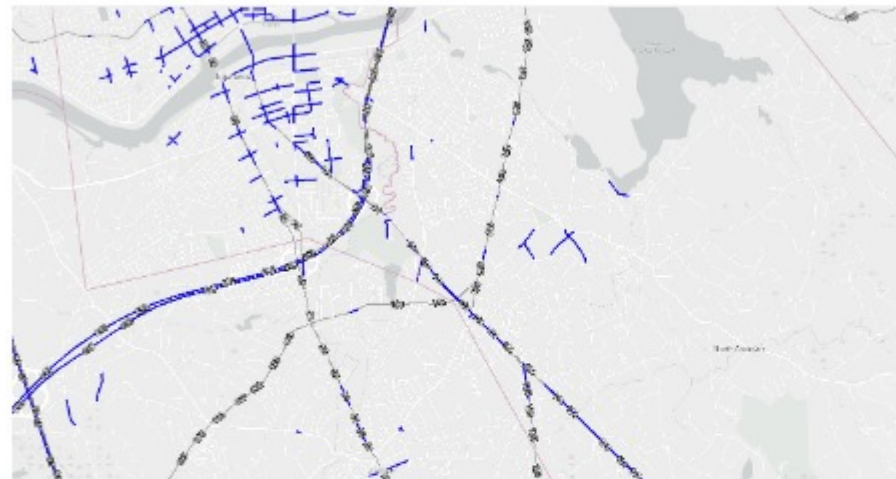
Fatality = x15

Severe Injury = x5

Minor Injury = x.5

Crash in a Regional Environmental Justice (REJ+) Area = x2

Crash Involving a Non-Motorist = x1.5



Before



After

HIN Revisions

HIN Cutoffs:

Includes intersections and road segments with a severity greater than or equal to the average

75% of severe and fatal injuries on 7% of roads

38% of severe and fatal injuries at 3% of intersections



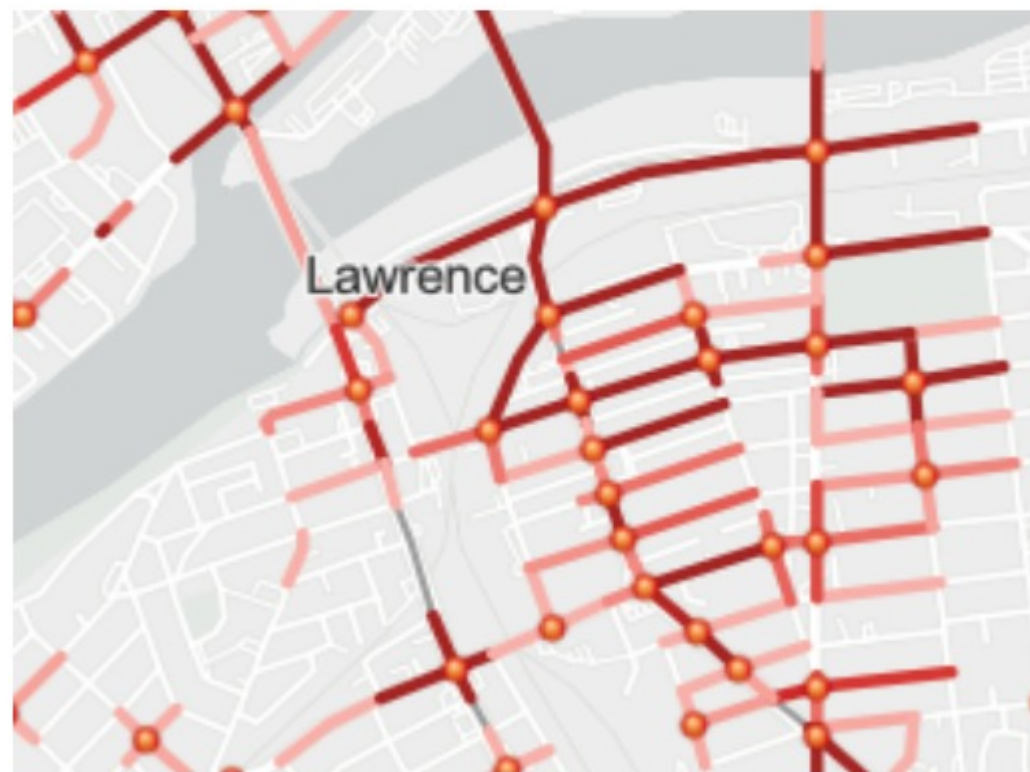
HIN Revisions

Additional Changes:

Excluded interstates from calculations and final HIN

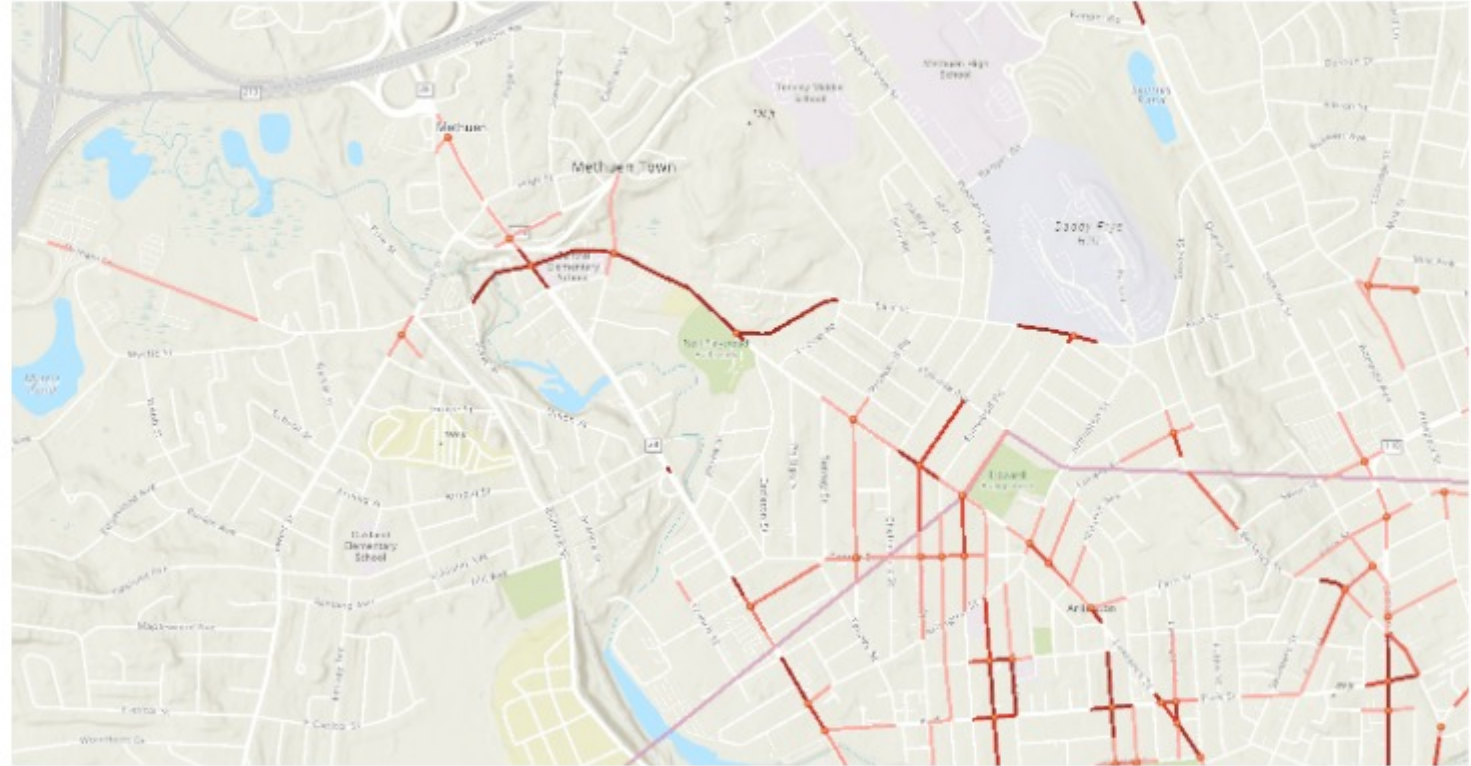
Inclusion of intersections as well as road segments

Intersection/Road Segment Total Severity = Sum of crash severities within 100 feet



Trend-Based High Injury Network

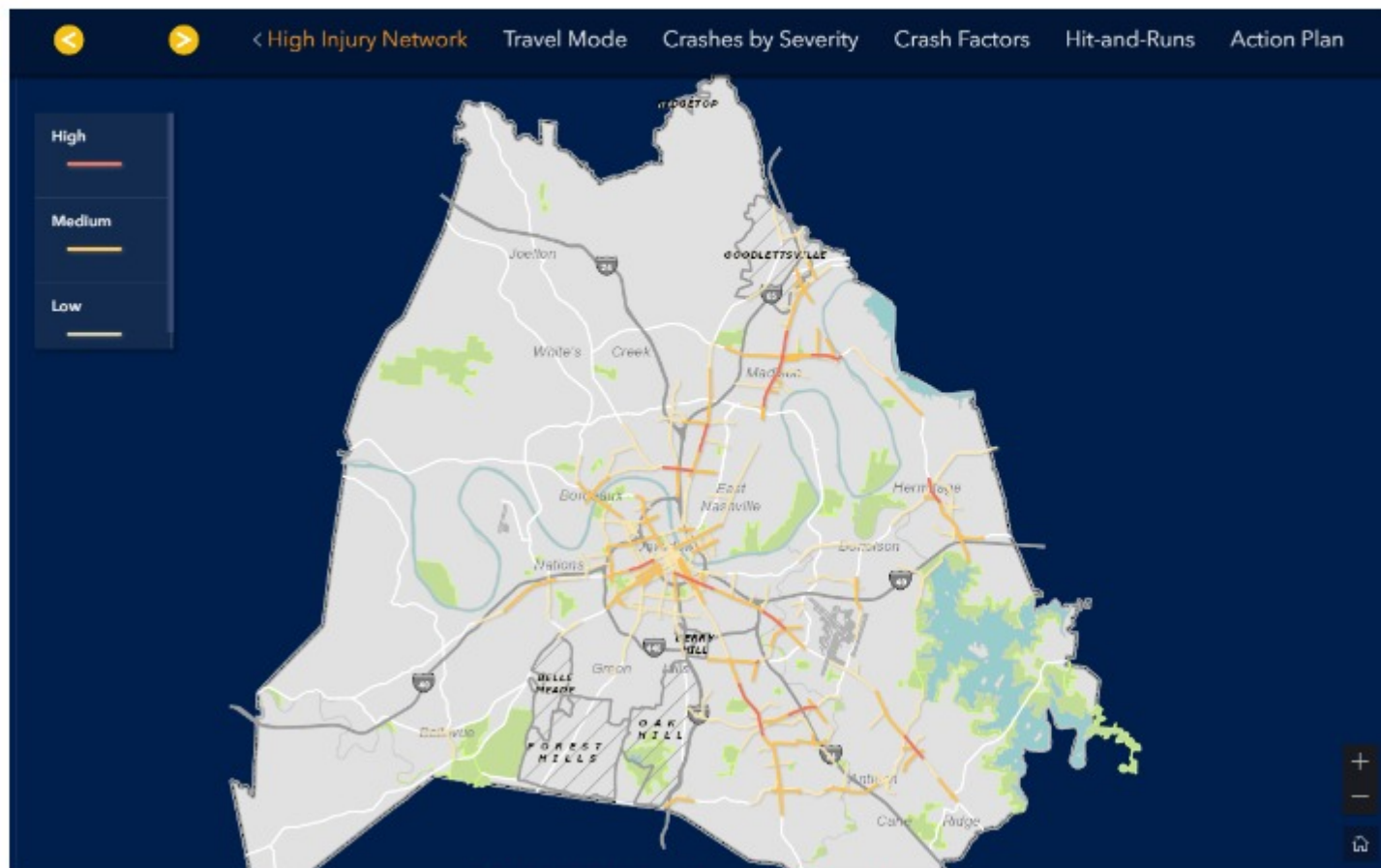
app.mvpc.org/hin



Predictive Analysis

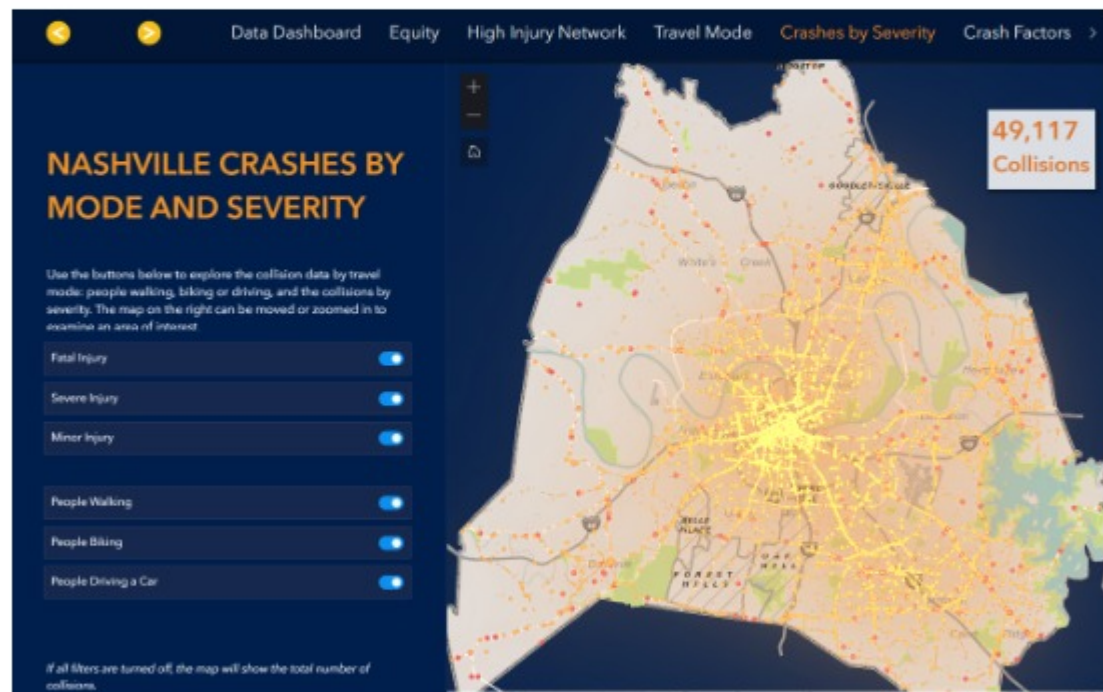
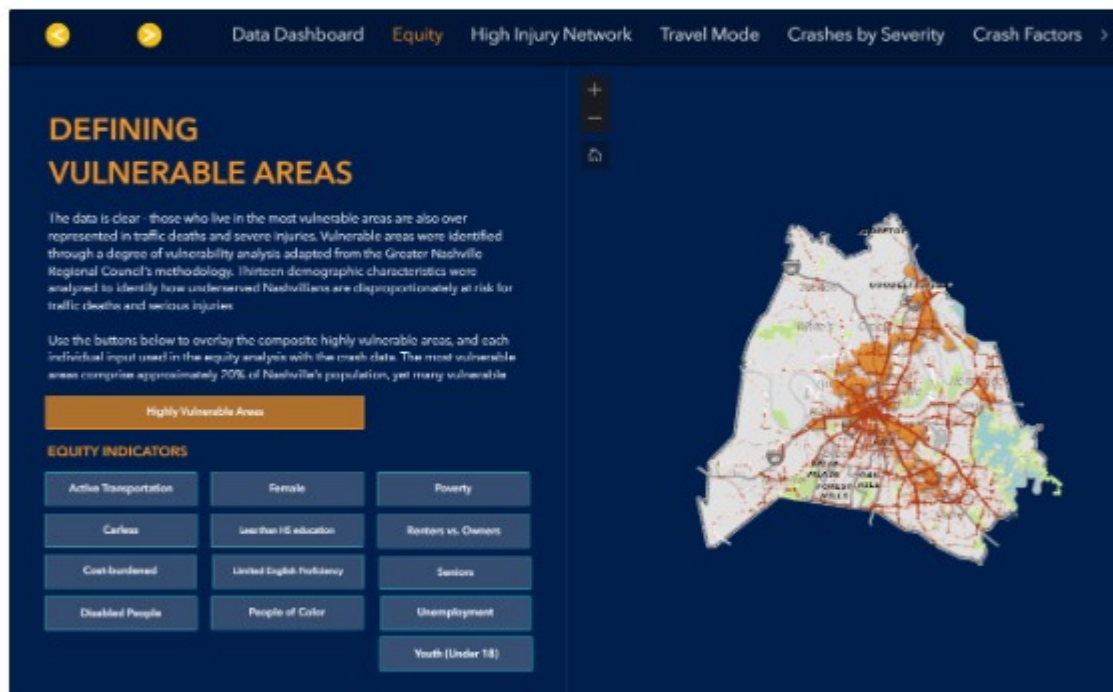
BETA variable list:

- Speed limit
- AADT (Annual Average Daily Traffic)
- Number of travel lanes
- Left and right sidewalk width
- Left and right shoulder width
- Surface width
- Number of opposing travel lanes
- Median width
- Structural condition
- Traffic control device type
- Trafficway description
- Traffic control device function
- Curb linked road
- Surface type
- Urban type
- Functional classification
- Access control
- Terrain (Level, Rolling, Mountainous)
- Federal functional classification



Nashville Vision Zero Data Dashboard

Dashboard



Nashville Vision Zero Data Dashboard

Community Crash Profiles



Connect with Advocacy Groups

- Walk Massachusetts
- MassBIKE
- Newburyport Livable Streets
- Sidney Mae Olson Rainbow Fund
- MV Striders



Bike Ride with Rick Taintor, Newburyport Livable Streets

Make Vision Zero Visible

- Walk Massachusetts

- MassBIKE

MassBIKE VU Advocacy Network

- Newburyport Livable Streets

Film Screening "The Streets Project"

- Sidney Mae Olson Rainbow Fund

Feaster Five Expo

- MV Striders

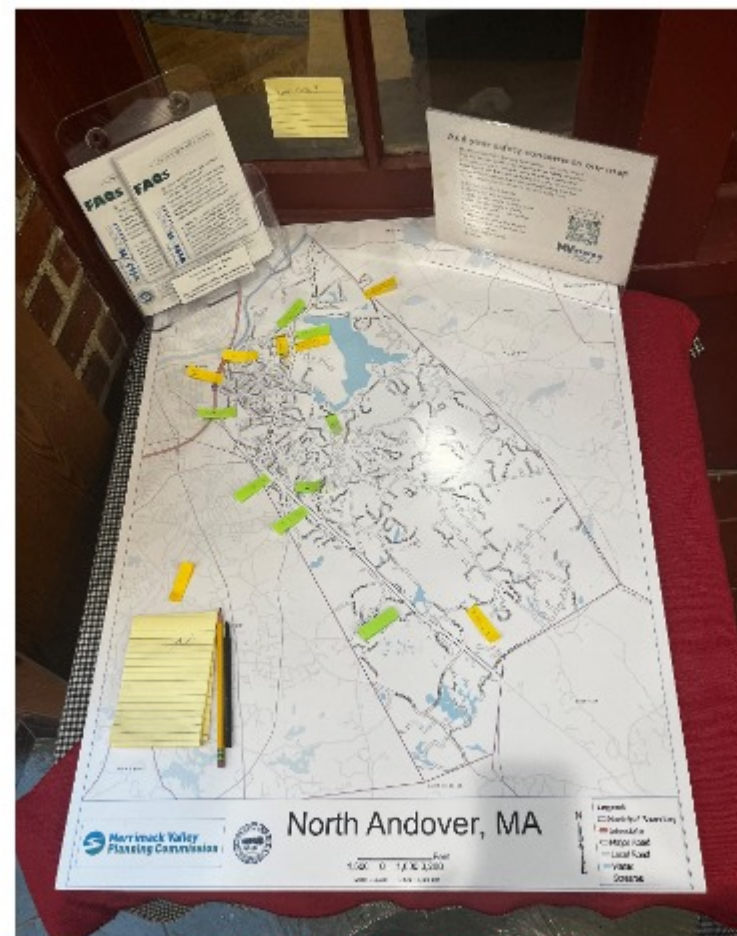
MV Strider's October Meeting

Make Vision Zero Visible

West Newbury Project Fairs

Haverhill City Hall Kiosk

North Andover Steven's Library Kiosk



Stevens Memorial Library Kiosk

Direct Invitation

- Email blast for municipal websites with Trend-based HIN
- Posters along HIN segments
- Walk Audits (5 locations)
- Vision Zero & Active Transportation Plan design events - *in concept*
- One-on-ones with MV Communities



Safety Improvement Sign in Cambridge, MA

Countermeasures

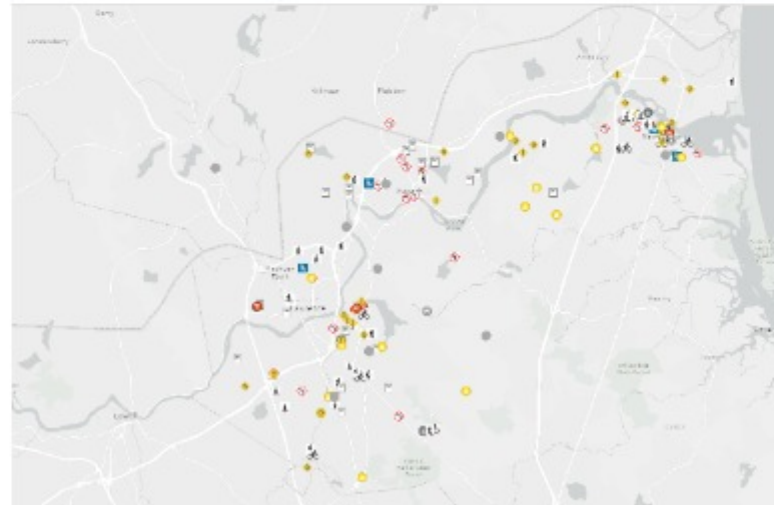
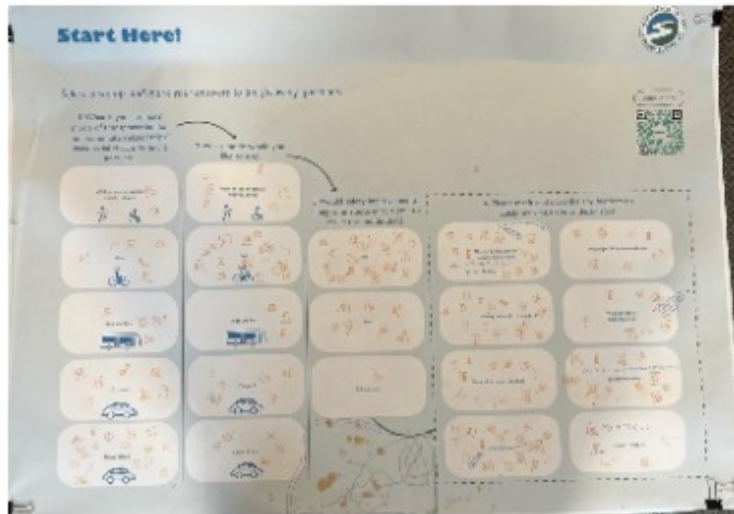


Feaster Five Expo at ANA YMCA

Individual

Municipal

Regional



Now a workshop!

[https://miro.com/app/board/uXjVMFAvYAE=/
/](https://miro.com/app/board/uXjVMFAvYAE=/)

Group 1: Andover, Haverhill, Lawrence, Methuen, North Andover, MeVa

Group 2: Boxford, Merrimac, West Newbury, Rowley, Groveland

Group 3: Amesbury, Georgetown, Salisbury, Newbury, Newburyport

Upcoming

1-on-1 with
Municipalities

Localized
Engagement

Walk Audits

1-on-1 with Municipalities

Use the High Injury Network & your Community Profile as reference to respond to the following questions:

What are the top locations for implementing safety countermeasures?

What are the main safety concerns that you could apply an umbrella solution for?

What departments would need to be involved to successfully implement countermeasures?

Are there any other communities with whom you would need to coordinate with?

Who are the non-municipal staff who would need to get involved?



Walk Audits

Open to liaisons & advocates

3 Trend-Based Locations:
Possibly 1 Urban, 1 Suburban, 1 Rural

2 Risk-Based Locations



Milk Street, East Street & Prospect Street in Methuen

Thank you!

Time for Questions

AGENDA 01/31/24
Land Management & Planning Group
Wednesdays Bi-Weekly 9:00 am

- 1) Middle Street Bridge
- 2) Ash Street traffic management plan ([info & docs from SB packet](#), begin on page 139)
- 3) Stormwater
 - a. MA DEP proposed SW changes with goal to align with MS4. This is more of an FYI/keep on the radar/potential future action item to ensure once revisions are effective our SW bylaw doesn't conflict.
 - [MA DEP Notice to reviewers Re: SW](#)
 - [MA DEP presentation on proposed updates](#)
 - [Draft updated SW handbook](#) (the state has not yet provided a redlined version of this)
- 4) Ocean Meadow trails easement ([Google Drive with support docs](#))
- 5) Pentucket HS / Farm Lane drainage considerations
- 6) MBTA Communities Multi-Family Overlay District Zoning
- 7) Status of previously issued special permit
- 8) Learning Tree
- 9) Process to get Engineer to draw Cabling Plan for phone system
- 10) Other Items brought up by Members

Land Management & Planning Group Members:

Katelyn Bradstreet, MCCPO, DPW Business Manager

Sue Brown, Town Planner

Mike Dwyer, Police Chief

Michelle Greene, Conservation Agent

Butch Hills, Highway Superintendent

Angus Jennings, Town Manager

Sam Joslin, Building Commissioner

Mark Marlowe, Water Superintendent

Brian Richard, Facilities Manager

Paul Sevigny, Health Agent

Christine Wallace, DPW Program & Project Manager

Town Planner Report

February 6, 2024

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

- Draft Regulations sent to the Attorney General's Office for an informal, nonbinding review.
- Board and public comments regarding the two potential districts compiled into a comparison matrix.
- Frequently Asked Questions document prepared (may serve as a Town Meeting Handout).
- Dillon provided the following summary and recommendation regarding District Selection:

Based on the conversations at public forums and Planning Board meetings, I think the town's current direction makes sense:

1. *Pursue 3A compliant zoning on the Knapp or Dunn properties, or both.*

1. *These two properties were identified through a robust planning process.*

1. *The two properties have been evaluated through a series of public forums and planning board meetings.*
2. *The Town's planning consultants for the MBTA Communities Zoning process developed concept plans for these two properties and the bylaw amendments the Planning Board is currently finalizing are based on concept plans for these specific properties.*

2. *The Mullen property, on the other hand, was initially considered for 3A compliant zoning, but the Planning Board, with public input, concluded that it was not the best location for an MBTA zoning district. First, the town has not made a final decision that housing is the highest and best use for the Mullen property. It is not ready to move forward with developing zoning and disposing of the property at the speed that would be required for 3A compliance. Second, one of the selling points for the Mullen property for a housing development is that it is town-owned. This gives the town an unusual ability to shape housing development on the property. However, Section 3A would require that the town be substantially along the road to disposition of the property before EOHLIC would recognize zoning changes at Mullen as having fulfilled the 3A requirements. Third, the town has historically wanted a significant proportion of affordable units if housing is to be built on the Mullen Property, but zoning districts under 3A are limited to 10% affordable housing, or 20% if a 40R district is also adopted. The Town's planning consultants evaluated whether combining 3A and 40R is possible. Based on information they shared, the Planning Board determined that the complexity of combining 3A and 40R is not worth the potential benefits. The two laws have different aims, different definitions, different adoption procedures, etc. Neither the 40R program staff nor the 3A program staff were able to offer concrete guidance on how to develop zoning that would meet both laws.*

2. *Continue to evaluate the best use of the Mullen property. If housing is the best use, then undertake a rigorous planning process with extensive community engagement to determine the appropriate composition of housing on the site and the best development approach, including what kinds of zoning changes would be needed. 40R may well be the best zoning approach for the Mullen property, but without a clear understanding of the town's goals, and a fresh look at the development program and preferred site design, that cannot be determined yet.*

Housing Production Plan

- More than 20 attended the January 25 Housing Needs Forum with representatives of the Select Board, Affordable Housing Trust, Finance Committee, Open Space Committee, Housing Authority, and Planning Board along with members of the general public.
- Presentation ([2024 Housing Production Plan | Town of West Newbury MA \(wnewbury.org\)](https://www.wnewbury.org/2024-Housing-Production-Plan))
- MVPC presented potential housing strategies and asked participants to select their priorities. These were the top ranked strategies.

Town Planner Report

February 6, 2024

- Activate and utilize municipally owned property to develop housing that supports community needs.
- Update existing design guidelines to accommodate and facilitate production of a variety of housing types, including duplexes, “starter” homes, townhomes, and housing suitable for seniors.
- Explore and prioritize creation of partnerships with land preservation and housing-focused organizations to continue to develop tools that dually address housing production and land preservation to meet multiple community goals.
- Wendy Reed and Kevin Bowe representing the Select Board and Affordable Housing Trust hosted a table where they solicited input on the type of housing preferred on Town-owned properties. There were a range of suggestions including affordable, mix of affordable and market rate, modest size, and one and two bedroom (starter and ender) homes, and the most agreed on type of housing was deed restricted rental. There was also a considerable discussion of reimagining the Page School to include housing, a senior center, daycare and recreational components including a gym and ski tow.
- Brian hosted the Housing Opportunities Initiative table which was well attended. Much of the discussion revolved around the very basics of the MBTA Communities requirements.

Zoning Amendments

STM 2023 – Received approval from the AGs Office on the ADU Bylaw and the Non-Conforming Use bylaw

ADU Inquiries

There has been some limited interest from residents regarding the potential for adding an ADU to their properties. Sam has heard from three residents since the amendment passed, and Paul has heard from two, but to date, no applications have been received.

Annual Town Meeting

Article Request Forms submitted for MBTA Communities Multi-Family Overlay District Zoning and amendments to Definitions.

Potential Zoning Initiatives for Future Town Meetings

- Inclusionary Housing Bylaw –amend and/or clarify how housing contributions are calculated
- BESS – Battery Energy Storage Systems – new bylaw
- Wireless Communication Facilities – Update existing bylaw
- Section 4 Use Regulations - convert to a table format
- Section 6.2 Performance Standards – update/revise as needed
- Flood Plain Bylaw – Change map panel numbers to reflect new Charles River Watershed mapping once the map numbers are issued
- Parking/loading Regulations - update
- Stormwater Bylaw – update
- Adult Use of Marijuana Bylaw – potential new bylaw to regulate the building and operation of non-medical marijuana facilities
- Steep Slopes Bylaw – potential new bylaw

Town Manager

From: Chris Manni - Chairman <selectman2@townofmerrimac.com>
Sent: Friday, January 26, 2024 9:14 AM
To: Kathleen Kastrinelis; Chris Wile; Carol McLeod - Finance (X3040); Rebecca Oldham; Town Manager; Rob G; [REDACTED]; Justin Bartholomew; Suzanne Wallace; Jonathan Seymour
Subject: Re: PRSD Regional Agreement - Next Meeting

Good morning and Happy Friday everyone!

Given everyone's feedback, we will meet on Tuesday, January 30th at 5PM at the MS/HS. Jonathan, would you be able to book us a room as you did last time?

The agenda is below and the expectation is that we complete the agenda so next meeting is a formal vote which should put us in line for April Town Meetings.

- 1) Call Meeting to Order (5:00)
- 2) Approve Agenda (5:00)
- 3) Continued Business (5:01)
 - a.) Open Discussion on Existing Proposed Changes
- 4) New Business (5:35)
 - a.) Consolidation of feedback in one document to prepare for formal vote
 - b.) Open Discussion on any other proposed changes
- 5) Adjourn (5:55)

Please let me know if anyone has any questions or concerns.

Thanks again everyone for everything you do!

Chris Manni, Merrimac Select Board Chair

Sent from my iPad

On Jan 5, 2024, at 4:24 PM, Chris Manni - Chairman <selectman2@townofmerrimac.com> wrote:

Hello everyone,

After getting feedback on everyone's availability, we will NOT meet on Wednesday, January 10th. **The next potential meeting date is Tuesday, January 30th. Please respond if you are available on that date.** In order to meet, we need at least two of the three Select Board members to attend. If one cannot attend, the Town Manager/Administrator must attend and participate on their behalf. The very next meeting, I expect decisions to be made so we will need all three Select Board members to attend. Please let me know if I need to clarify this.

Kathy, last meeting's participants (besides you of course) were:

Chris Manni - Merrimac Select Board
Chris Wile - West Newbury Select Board

Carol McLeod - Merrimac Town Administrator
Rob Gustison - Merrimac Finance Committee

Also present was Jonathan Seymour - PRSD Director of Operations but just to make sure the room was booked and setup for us.

Thank you everyone for your time and I look forward to moving this process forward.

Be safe this weekend everyone!

Chris Manni, Merrimac Select Board Chair

Sent from my iPad

Town Manager

From: Denise Allard [REDACTED]
Sent: Friday, January 26, 2024 10:05 AM
To: Stephanie Carlisle; Tracy Blais; Justin Casanova-Davis; Town Manager
Cc: Mark Cappadona
Subject: RE: Municipal Aggregation Plans - DOER Consultation Ahead of DPU Filing - PLEASE READ

Good afternoon –

You should all have a calendar invite from me for our DOER consultation on Wednesday, January 31 at 1:30 PM via Zoom. If you don't, please let me know.

As previously mentioned, the call should be relatively quick. If possible, please have your municipality's Aggregation Plan and supporting documents (as posted) accessible for reference only. We don't anticipate any questions on the documents specifically but, should the DOER's attorney make reference to anything, you'll have the materials in front of you.

Please let me know if you have any questions.

Thanks,
Denise

From: Denise Allard
Sent: Tuesday, January 23, 2024 12:16 PM
To: Stephanie Carlisle <scarlisle@townofmedway.org>; Tracy Blais <administrator@townofnewbury.org>; Justin Casanova-Davis <jcasanovadavis@norfolk.ma.us>; Town Manager <townmanager@wnewbury.org>
Cc: Mark Cappadona [REDACTED]
Subject: Municipal Aggregation Plans - DOER Consultation Ahead of DPU Filing - PLEASE READ

Good afternoon –

This email is being sent to the Towns of Medway, Newbury, Norfolk and West Newbury.

The DOER's attorney is looking to schedule a consultation call for the towns about their Aggregation Plans and supporting documents. The call doesn't require any prior preparation. Mark and I will be on to answer any questions from the DOER's attorney. This is the last step in the process before we prepare and submit each Town's filing to the DPU for state approval.

Are you (or someone who can join in your place) available on Wednesday, January 31 at 1:30 PM? The call should only last 30 minutes, at most.

Thank you,
Denise

Denise Allard
Colonial Power Group, Inc.
5 Mount Royal Avenue, Suite 5-350

Town Manager

From: DPW Admin
Sent: Friday, February 2, 2024 12:33 PM
To: jane.pfister@mass.gov
Cc: Rick Parker; Angus Jennings
Subject: West Newbury Green Communities Grant Final Report
Attachments: West Newbury 2022 GC_grant_final_report.pdf; West Newbury 2022 GC_Competitive Grant Table (002).xlsx; GC Grant_West Newbury.zip

Good afternoon Jane,
I have attached documents for the Green Communities Grant Final Report for the Town of West Newbury. The compressed zip file has the payment stubs to B2Q, photos of the project, as well as a closeout report from B2Q. If you have any additional questions, you can reach me at this email!

Thank you,
Katelyn Barker, MCPPO
DPW Business Manager &
Chief Procurement Officer
Town of West Newbury
(978) 363-1100 ext. 135





Town of West Newbury

Town Office Building - 381 Main Street
West Newbury, Massachusetts 01985

GREEN COMMUNITIES FINAL GRANT REPORT

NOTE: Final grant reports are due within 60 days after the completion of the project. All questions that arise during review of the final grant report by DOER must be resolved prior to final payment of grant funds.

DOER staff will conduct a site inspection of the project work. Please contact your Regional Coordinator to schedule a site inspection. Please take photographs of all completed work in case a virtual inspection is necessary. You can group all the pictures together in a compressed ZIP file.

This page can be signed and scanned and provided electronically with the rest of the Final Grant Report, including a *GC Grant Final Table* (in Excel format), photographs, invoices, payment details, utility incentive verification, other grant verification, and any other studies or reports funded by the grant (not already provided in progress reporting) to: Jane.pfister@mass.gov

Date of Final Report Submission:

February 2, 2024

Name and Title of Person Submitting Final Report:

Angus Jennings, Town Manager

Signature of Person Submitting Final Report:

FINAL GRANT REPORT NARRATIVE

B2Q Associates developed the project scope of energy efficient controls upgrades on the airside heating & cooling system for the Council on Aging and the main boiler plant serving the West Newbury Town Offices at 381 Main Street, West Newbury, MA, and verified intended performance at completion. The Council on Aging space is ventilated and cooled via one constant volume air handling unit (AHU-2), which utilizes in duct reheat coils along with a radiant heating system in the kitchen and bathroom to provide heat for the Council on Aging. The base building boiler plant serves both the Council on Aging and the Town Offices. The existing pneumatic controls serving this equipment were upgraded to direct digital control (DDC) and integrated into the existing Building Automation System (BAS). The new DDC control for this equipment provides improved control capabilities over the previous stand-alone pneumatic controls, giving the user “line of sight” access to the building’s hot water plant and the Council on Aging HVAC system. The new energy management sequences incorporate automated scheduling, unoccupied temperature setbacks, demand-controlled ventilation, demand-response capability, and enthalpy-based economizer for free cooling. The components installed (controller, I/O points monitored/controlled) and configuration/scheduling performed were as outlined in the vendor proposal submitted with the original grant application.

There were no changes in the project scope or costs for this project, completed in a single stage with start date of 6/12/2023, hardware installation completion approx. 7/14/2023 and final (of 2) controls settings/interface training sessions on 12/5/2023.

The project was managed by B2Q Associates, who oversaw their HVAC controls contractor Howse Corp.

Procurement was done under MGL Chapter 25A, Section 14, with B2Q as the selected project expeditor.

Since the work completed in this project primarily addressed heating and cooling controls for the Town’s Senior Center, which is contiguous with the Town Office Building, public involvement includes awareness of the improvement in comfort level in a space used largely by the senior population while simultaneously reducing energy use. Notably, in some cases, it is now possible to address short-term comfort issues for individual clients. Since the project was originally discussed and recommended as an ECM to Town Meeting by the Select Board in Fall of 2022 and Town funds were subsequently approved by Fall 2022 Special Town Meeting vote, there has been public visibility of this ECM project. Project completion and Final Report submittal will be announced at the next Select Board meeting. A posting of project completion will also be added to the Energy & Sustainability Committee (ESC) webpage.

The Building & Grounds Supervisor (Brian Richard, brichard@wnewbury.org) is the primary person responsible for operating and adjusting the Building Automation System (BAS) settings and has expressed enthusiasm with the dramatically improved building HVAC control, from either on-site or remotely, and for no longer having to frequently “tweak” the old pneumatic system to maintain occupant comfort and no longer needing to maintain the building 24/7 at the desired occupied temperature settings to ensure occupant comfort. This is expected to significantly reduce energy use, GHG production and municipal energy cost. Feedback has been positive from building occupants, pleased with improved comfort.

The project generally went very smoothly. A thermostat issue at commissioning was resolved with a firmware update. A concern about subcooling was identified during commissioning and, after some detailed discussion between B2Q and Howse, a new sequence was determined and implemented to remediate subcooling without activating the heating system. One unexpected bonus; after disconnecting the pneumatic controls from the air compressor it was noted that just one line remained connected to a NO valve on a no-longer-used heating system hydronic recirculation circuit. This valve was manually moved to the closed position and locked in place, eliminating the need for the compressor and its energy use.

GC Grant Funding	Town Contribution	
\$8,000.00	\$25,000.00	
\$16,000.00		
\$8,000.00		Total Funding Sources
\$32,000.00	\$25,000.00	\$57,000.00
Awaiting Payment		
Payments to B2Q	Utility Incentive	
\$51,300.00	\$10,500.00	
\$5,700.00		
\$57,000.00	\$10,500.00	Project Cost
		\$67,500.00

Appendix A: Invoices and payment documentation (if not already provided in progress reports)

- Documentation of funds expended from the account set up for the grant funds should be provided. Copies of checks or summaries from accounting or payroll are used to confirm expended funds.

Appendix B: Updated "GC Grant Final Table.xls"

- Include actual dollar funds contributed by the grant, utility rebates, other grant sources, municipal funds. (Contact Jane Pfister for this table, jane.pfister@mass.gov) For funding provided by the municipality, please indicate capital, operating, or another source. Review and update as needed energy and cost savings numbers.

Green Communities Grant Table - 2022

Applicant Information

Municipality Name:	Town of West Newbury
Contact Name:	1) Wayne Amaral 2) Richard Parker
Contact Title:	1) DPW Director 2) Select Board
Contact E-mail:	dpwdirector@wnewbury.org, rparker@wnewbury.org
Contact Phone:	1) (978)363-1100x120 2) (978)270-8053
Date of Application :	10/5/2022
Date of update (if an update to an existing application):	n/a

Energy Cost (\$) per Unit (enter your community's energy costs)

Electricity (kWh)	\$0.44
Natural Gas (therms)	\$1.57
Oil Savings (gallons)	
Gasoline (gallons)	
Diesel (gallons)	
Propane (gallons)	

Application Summary (cells will calculate based on data on next tab)

Green Communities Funding Requested	\$ 32,000.00
Projected Annual Cost Savings (\$)	\$ 5,608.15
Simple GC\$ Payback Period	5.7
MMBtu saved (annually)	68
GC\$/MMBtu, 2021 project average = 177	468
GHG tons saved (annually)	6
GC\$/GHG ton, 2021 project average = 2,258	5,446

- ALARMS
- HISTORY
- SCHEDULES
- SERVICE
- AUDIT LOG
- USERS



Menu

- Basement
- 1st Floor
- 2nd Floor
- HW Sys

Sidebar View

- Advanced
- Simple



Sunrise: 6:40 AM
Sunset: 6:30 PM

[Full Forecast](#)

Status Color Legend

- Alarm:
- Override:
- Offline:
- Fault:

Main VAVs



VAV RTU

Occupancy	Fan Status	Supply Air Temp	Static Pressure
Occupied	On	59.7 °F	0.75 in/wc

AHU-2

Occupancy	Fan Status	Supply Air Temp	Zone Temps
Occupied	On	68.4 °F	Lobby 74.2 °F
			Office 70.8 °F
			COA 72.4 °F

System OA Sensors

Outdoor Temp	59.3 °F
Outdoor Hum	94.7 %RH

HW System

Supply Temp	106.7 °F
Return Temp	103.6 °F
Boiler Cmd	On

Toilet Exhaust

Command	On
Status	On

AHU2



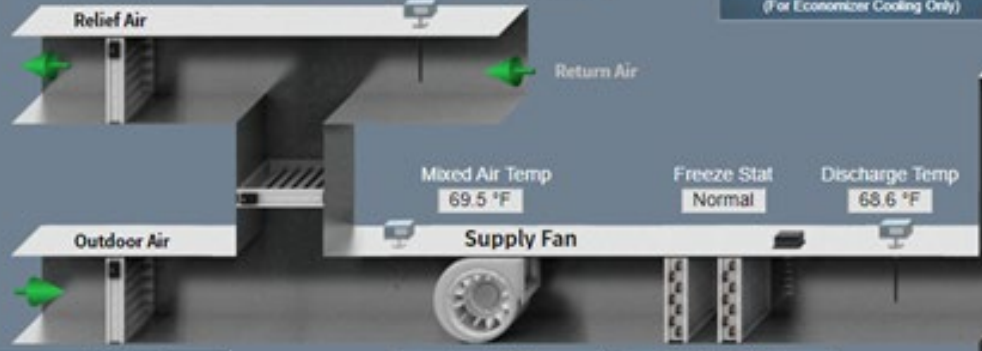
Comparitive Enthalpy	
RA Enthalpy	26.9 btu/lb
OA Enthalpy	24.5 btu/lb
Econ Available	True

Return Air	
Temp	71.4 °F
Hum	54.7 %RH
CO2	520.1 ppm
Low CO2 Vent Sp	1000.0 ppm
Hi CO2 Vent Sp	1100.0 ppm

Unit Parameters	
Avg Zone Temp	72.4 °F
Occ Clg Sp	72.0 °F
Unocc Htg Sp	60.0 °F
Unocc Clg Sp	82.0 °F
Effective Disch Sp	55.0 °F
<small>(For Economizer Cooling Only)</small>	



Toilet Exhaust Fan	
Cmd	On
Status	On



Zone 1 - Lobby	
Htg Valve Out	0.0 %
Discharge Temp	68.9 °F

Zone 2 Office	
Htg Valve Out	40.8 %
Discharge Temp	87.8 °F

Zone 3 COA	
Htg Valve Out	0.0 %
Disch Temp A	69.5 °F
Disch Temp B	69.6 °F
Radiant Floor Heat	

Outdoor Air	
Temp	60.4 °F
Hum	82.5 %RH
Damper Out	100.0 %
Dpr Min Pos	10.0 %

Supply Fan	
Cmd	On
Status	On

Mech Cooling	
Stg 1 Cmd	Off
Stg 2 Cmd	Off

Occ Sched **Occupied**

Zone 1 - Lobby	
Temperature	74.3 °F
Setpoint Dial	71.0 °F
UnOcc Htg Stpt	61.0 °F
Eff Htg Setpoint	71.0 °F
Low Battery	No
Wireless Sig	Strong

Zone 2 Office	
Temperature	70.7 °F
Setpoint Dial	71.0 °F
UnOcc Htg Stpt	61.0 °F
Eff Htg Setpoint	71.0 °F
Zone CO2	423 ppm

Zone 3 COA	
Temperature	72.3 °F
Setpoint Dial	71.5 °F
UnOcc Htg Stpt	61.0 °F
Eff Htg Setpoint	71.5 °F
Zone CO2	448 ppm

Hot Water System

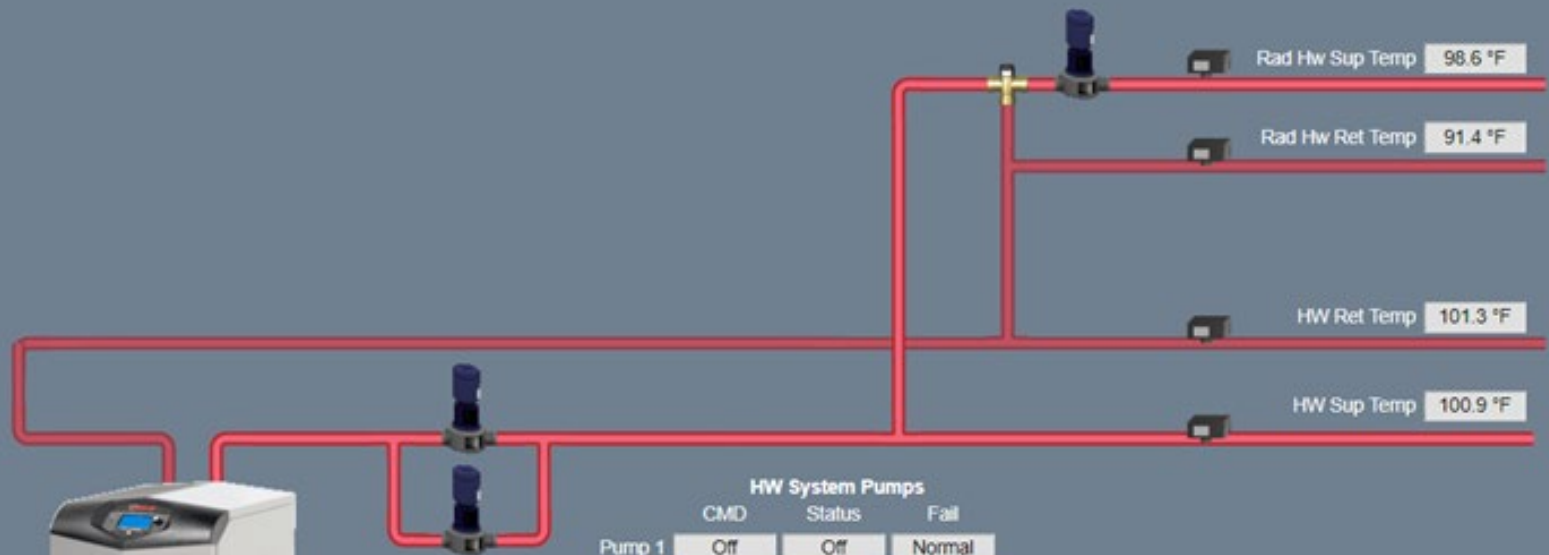
[Points](#)[Extensions](#)[Totalizations](#)[Alarms \(500\)](#)[History](#)[Home](#)

System Parameters

System Enable Stpt	60.0 °F
Outdoor Temp	62.7 °F
Outdoor Hum	80.1 %RH

Conf Rm Rad Floor

Conf Rm Rad Call	Off
Rad Hw Sup Sp	100.00 °F
Mixing Valve Out	0.0 %
Rad Pump Cmd	Off
Rad Pump Status	Off



Rad Hw Sup Temp 98.6 °F

Rad Hw Ret Temp 91.4 °F

HW Ret Temp 101.3 °F

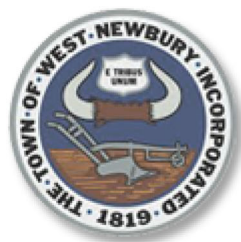
HW Sup Temp 100.9 °F

Boilers

Boiler Enable	Off
Status	Off
Alarm	Normal
Firing Rate	0.0 %

HW System Pumps

	CMD	Status	Fail
Pump 1	Off	Off	Normal
Pump 2	Off	Off	Normal
Pump Alarm Reset			Off



Town of West Newbury Massachusetts

Published on *Town of West Newbury MA* (<https://www.wnewbury.org>)

[Home](#) > Deadline to propose warrant articles Tuesday, February 6th, 2024

Deadline to propose warrant articles Tuesday, February 6th, 2024

A Message from the Town Clerk's Office

The Select Board has set a deadline of **Tuesday, February 6, 2024** for closing of the Annual or Spring Special Town Meeting Warrants.

Town Departments, Boards, Commissions and Committees may submit article requests to the Town Manager (townmanager@wnewbury.org), to the Town Clerk (townclerk@wnewbury.org), and/or to the Board (selectboard@wnewbury.org); or may submit hard copy article requests to the Town Manager or Town Clerk offices. The Board will meet the evening of February 6th to vote to formally close the warrant, and (unless it votes to reopen the warrant, which is not expected) will not consider requests received after this date. Please submit all article requests in the format provided [here](#).

Instructions and the template for Citizen Petition warrant articles are posted to the Town Clerk's webpage, [here](#), along with a link to the Citizen's Guide to Town Meetings published by the Secretary of the Commonwealth.

While article requests may be submitted as late as February 6, 2024, if sponsors would like their submittal(s) included in the Board's meeting packet for that evening, it is requested that they be sent no later than **Friday, February 2, 2024**.

The Board has already begun preliminary discussions of known/anticipated warrant articles, and will continue to consider information as it becomes available. Once the warrant is closed, the Board will schedule review of proposed warrant articles in the months leading up to Town Meeting so that it may ask questions, initiate research, and eventually make its recommendations to Town Meeting voters.

As with prior years, the Finance Committee has scheduled meetings to review the proposed FY25 operating budget, and proposed warrant articles with a financial impact, over the course of February and March. Meeting dates will be posted to the Town calendar on the website.

Please feel free to contact [Town Manager Angus Jennings](#), [Town Clerk Jim Blatchford](#), or any member of the [Select Board](#) with any questions.

Thank you.

Attachment	Size
 article_format.pdf	144.58 KB

Town Manager

From: Angus Jennings
Sent: Tuesday, January 30, 2024 12:42 PM
To: [Redacted] gmail.com;
Rick Parker
Cc: Selectboard
Subject: RE: Capital Improvements meeting

Hi,
We are putting together all proposed Town Meeting articles (incl. capital articles) for next Tuesday’s (Feb 6th) Select Board meeting, at which the Board is expected to vote to close the warrant. We’ll create a separate packet of proposed capital articles for circulation to the CIC no later than COB Monday. While they won’t be formally on the warrant until the Board meeting Tuesday night, this will give you everything that’s before the Board re proposed capital articles.

Will plan on attending meeting next Thursday at 7:30pm, and we’ve put a hold on the second floor hearing room for the meeting, 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

From: [Redacted]
Sent: Tuesday, January 30, 2024 8:30 AM
To: [Redacted] Rick Parker <rparker@wnewbury.org>; Angus Jennings <townmanager@wnewbury.org>
Subject: Capital Improvements meeting

Good morning all.
Seems like February 8, 2024 at 7:30 is the best date, so please save it.
Angus, do you have Form Bs you could circulate before then?
Judy

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

WARRANT FOR PRESIDENTIAL PREFERENCE PRIMARIES

SS.

To either of the Constables of the Town of West Newbury

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Primaries to vote at:

Precinct 1

Town Annex 379 Main St. West Newbury MA 01985

on **TUESDAY, THE FIFTH DAY OF MARCH, 2024**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the Presidential Primaries for the candidates of the Democratic, Republican, or Libertarian political parties for the following offices:

PRESIDENTIAL PREFERENCE FOR THIS COMMONWEALTH
STATE COMMITTEE MAN SENATORIAL DISTRICT
STATE COMMITTEE WOMAN SENATORIAL DISTRICT
TOWN COMMITTEE TOWN OF WEST NEWBURY

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of _____, 2024.

Selectmen of West Newbury

Hand Delivered

_____, 2024.
Constable (month and day)

“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 2, 2024 subject to fund availability.
2. MIIA Health Trust members may apply for a grant of \$2,500 (1-25 subscribers); \$5K (26-50 subscribers), \$7,500 (51-150 subscribers), \$10K (151 – 300 subscribers), \$15K (301 – 450 subscribers), or \$25K (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 mid-June 2024..
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 are: gift cards, 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. Deadline for all submissions is February 2, 2024.

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 within 14 business days.

Due to budgeting requirements, grants MUST be invoiced or paid by mid-June 2024.

Grant Disbursement Options

- **Option 1** – The Health Trust pays vendor directly upon receipt of invoice from member. Vendor tax ID number /W9 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. Describe the project, products, and services you are seeking to have funded.

I would like funds to purchase one standing desk for the Police Department and funds to cover the Fluorescent bulbs to cut down on eye strain and headaches

2. How will this project enhance the health and wellbeing of your employees?

Light Filters:

The urge to block fluorescent lights is a common desire among office workers with poor lighting. I have heard complaints from co workers of constant migraines or headaches that just wont go away; along with dry eyes or blurry vision. Whatever their symptoms are, they can be frustrating, uncomfortable, and inconvenient, thus affecting their productivity at work.

Standing Desk:

Using a standing desk can potentially have long-lasting positive effects on your health and well-being. Here are some ways in which using a standing desk may contribute to long-lasting results: Improved posture, Reduce risk of health issues, increase energy and alertness and prevention or sedentary lifestyle effects.

3. Grant requests that improve overall employee health and wellbeing over the long-term will be given priority. How will your project and its impact show long-lasting results?

Light filters:

Investing in fluorescent light filters is one of the most cost-effective (and powerful) ways to block fluorescent lighting and transform the working atmosphere. Once the filters are in place they wont need to be replaced the new bulb will just slide into the casing.

Standing desk:

Standing desks encourage better posture, as they promote a more natural alignment of the spine. Over time, improved posture can help prevent and alleviate back and neck pain. Using a standing desk helps reduce the amount of time spent sitting, thereby mitigating the negative effects of a sedentary lifestyle.

4. How will you measure its success/effectiveness?

I will speak with my coworkers after they have been installed and see how they are feeling with the light filters in place

I will speak with police department to see how they like their standing desk

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

I will be able to reach all of the Town hall employees along with the Police department

6. 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)?

I have reached out to makegreatlight.com for the light filters quote, because they are the only ones that came up in the search and Walmart for the standing desk and anti fatigue mat for the police station, because this is where the desk requested is priced the lowest.

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

Kaitlin Gilbert

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

Light filters total: \$1813.02
Overlay panels :4 \$35.00 a piece
T8 4' tube filters: 96 \$16.49 a piece
Shipping \$89.02
Standing desk Total: \$603.62
Standing desk for Police Department : \$557.62 Anti fatigue mat: \$46.00

MIIA Member Group: _____


Date: January 30, 2024

Contact: Kaitlin Gilbert

Department: Treasurer/Collector

Phone: 978-363-1100 x114

Email: Treasurer@wnewbury.org

Chief Municipal Officer: 

Chief Procurement Officer: 

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

WELL AWARE

Pittsfield's ReCharge Room

YOU
GOT
THIS.

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?

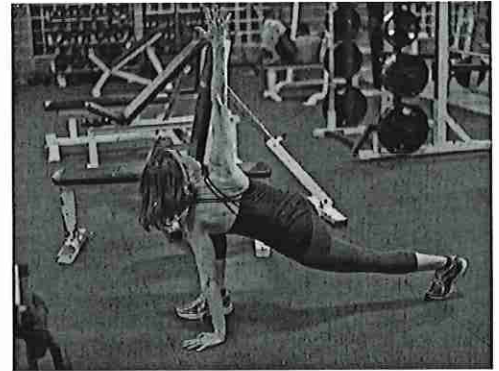
This grant provides MIIA Health Trust members with resources for creating and maintaining great places to work. Member groups interested in investing in projects and/or equipment that promote a well workforce and a healthy work culture may apply for funds to assist in procuring these initiatives. We 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.

- 6 AM Fresh Fridges - Healthy refrigerators (delivery and restocking); snack delivery
- Commercial-grade fitness equipment
- Funds for building a fitness center, outdoor park, picnic area for employees
- Creating relaxation spaces including equipment
- Berkshire Natural snack delivery
- Member group internal incentive program
- Water filters and 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
- Employee Appreciation Lunches (once every 3 years)
- Public Safety Therapy Dogs

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.
- Gift cards are not an approved use of funds.



Goals

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

Funding

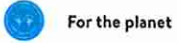
- The Health Trust awards up to 1.5 million dollars in wellness grants annually.
- Groups may apply for more than one grant per year as long as the dollar amount does not exceed their total annual eligible amount.
- **Grant level tiers:** \$2,500 for 1-25 subscribers; \$5K for 26-50 subscribers; \$7,500 for 51-150 subscribers; \$10K for 151 – 300 subscribers; \$15K for 301 – 450 subscribers; and \$25K 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.



Sponsored ⓘ

Bush Furniture

Bush Furniture Somerset 35"-41" Adjustable Desk Platinum Gray SET014PG

\$557.62

\$29/mo with [affirm](#) [Learn how](#)

Price when purchased online ⓘ

Buy now

Add to cart



Add a protection plan [What's covered](#)
(Only one option can be selected at a time)

- 3-Year plan - \$58.00
- 4-Year plan - \$77.00



Get expert help [What's covered](#)

- Desk Assembly Service - \$79.00

How do you want your item?

Shipping
Arrives Jan 30
Free

Pickup
Not available

Delivery
Not available

Delivery to **5 Warren Ave**

Sold and shipped by **Bed Bath & Beyond**

★★★★☆ 9382 seller reviews
[View seller information](#)

Free 30-day returns [Details](#)

[Add to list](#)

[Add to registry](#)

More seller options (2)

starting from \$685.38

[Compare all sellers](#)

Sponsored

Now \$194.95 ~~\$328.99~~

Bush Furniture Key West 60" L Shaped Desk, Washed Gray

★★★★☆ 79

3+ day shipping



+ Add





Options

+4 options

\$460.99

Options from \$460.99 - \$542.89

Bush Furniture 60W 3-position L-shaped Sit to Stand Desk by Modern Gray Chrome Finish

3+ day shipping



+ Add

Sponsored

\$448.49

Bush Furniture Somerset 60" L Shaped Desk with Storage, Platinum Gray

★★★★★ 1

3+ day shipping



+ Add

Sponsored

\$322.00

Bush Furniture Cabot 60" L Shaped Desk

★★☆☆☆ 1

3+ day shipping

About this item

Product details

Upgrade your personal workspace with the ergonomic Bush Furniture Somerset 72"W three-position sit to stand L-shaped desk. As a quality alternative to desktop risers, the innovative sit to stand return offers all the health benefits of a standing desk with the versatility of electric height-adjustable options. The built-in mechanical Lift-n-Lock system allows the desktop to lock into place at standing heights of 35", 38", and 41" and easily return to a seated position. This office desk includes a file drawer that opens on full-extension ball bearing slides for easy access to legal- and letter-size documents and a box drawer for supplies and utensils. Fixed surfaces are tested to meet ANSI/SOHO standards for safety and performance while the mechanical lift is rigorously tested to Bush Furniture quality standards. Height-adjustable desk offers a large work surface for big projects. Laminated over engineered wood in a platinum gray finish. Lift-n-Lock desktop can be set at three standing height positions: 35", 38", or 41"; easily returns to seated height. Meets or exceeds ANSI/SOHO standards. Assembly required. 42"W sit to stand return attaches to either side of the 72"W office desk to form an L-shaped configuration. Desktop includes a convenient wire management grommet to keep cords and cables out of the way. Mechanical lift system has been rigorously tested to meet Bush Furniture quality standards. American-made with US and imported parts. 6-year manufacturer limited warranty. Sold as 1 Each.

- Sold as 1 Each.
- Height-adjustable desk offers a large work surface for big projects. File drawer opens on full-extension ball bearing slides and accepts legal- and letter-size documents, while box drawer provides storage for office supplies and utensils. 42"W sit to stand return attaches to either side of the 72"W office desk to form an L-shaped configuration. 6-year manufacturer limited warranty.
- Laminated over engineered wood in a platinum gray finish. Capacity: 200 lbs. Desktop includes a convenient wire management grommet to keep cords and cables out of the way.
- Lift-n-Lock desktop can be set at three standing height positions: 35", 38", or 41"; easily returns to seated height. Meets or exceeds ANSI/SOHO standards. Mechanical lift system has been rigorously tested to meet Bush Furniture quality standards.
- Assembled Dimensions: 29"H x 72"W x 72"D. Assembly required. American-made with US and imported parts.

ⓘ We aim to show you accurate product information. Manufacturers, suppliers and others provide what you see here, and we have not verified it. [See our disclaimer](#)

Town Manager

From: Town Treasurer
Sent: Friday, February 2, 2024 8:51 AM
To: Angus Jennings
Subject: FW: MIIA Wellness Grant Application - Approved

The MIIA grant has been Approved !! 😊

Best,

Kaitlin Gilbert, CMMT
Treasurer/Collector

The Secretary of the Commonwealth's Office has determined that most e-mails to and from municipal offices and officials are public records. Consequently, confidentiality should not be expected.

-----Original Message-----

From: MIIA Wellness Grants <do_not_reply@mma.org>
Sent: Thursday, February 1, 2024 4:53 PM
To: Town Treasurer <treasurer@wnewbury.org>
Subject: MIIA Wellness Grant Application - Approved

I'm happy to let you know your application has been approved for \$2,297.40. Congratulations! You may start your project and/or purchase your items and services.

Please upload the invoices/W-9 forms here

http://mii.kyologic.com/fmi/webd/MIIA_WellnessManagement.fmp12?script=WD_GTGRANT¶m=DDE7B1AE-87AF-124B-8F36-AA9DA5509437 when the work is complete. If you pay the vendors directly, upload proof of payment in the form of a canceled check that has been cashed, or the credit card statement showing the items have been paid on a municipal credit card.

Please let me know if you have any questions.

Jayne Schmitz
MIIA Wellness
MIIA Wellness Grant Manager
jschmitz@mma.org

Executive Assistant

From: Kelley, Samantha (HOU) <Samantha.Kelley@mahouse.gov>
Sent: Wednesday, January 31, 2024 3:39 PM
To: Angus Jennings; Executive Assistant
Cc: Ramos, Adrienne - Rep. (HOU); Shah, Hiram (SEN)
Subject: FY25 Budget Priorities - West Newbury

Good afternoon,

We hope you are doing well and staying warm. The Governor recently filed her FY25 Budget proposal, and the legislature is getting ready for the new budget season. We are reaching out to ask for the Town's top 2 budget priorities. We would like to get this information by February 16th so we can plan for our budget asks. Please let us know if you have any questions, and we look forward to working together on this.

Best,
Samantha

Samantha Kelley
Legislative Aide
Office of State Rep. Adrienne Ramos
State House | Room 21 | Boston, MA 02133
Phone: 617-722-2140 ext 7758
Pronouns: she/her/hers

Whittier Tech

Maureen Lynch,
Superintendent

115 Amesbury Line Road
Haverhill, MA 01830



FOR IMMEDIATE RELEASE

Friday, Feb. 2, 2024

Media Contact: John Guilfoil
Phone: 617-993-0003
Email: john@jgpr.net

Whittier Tech Provides Building Project Update

HAVERHILL -- Superintendent Maureen Lynch is today providing an update to the Whittier Regional School District and its students, faculty, staff, and 11 member cities and towns on the status of the Whittier Tech Building Project.

Following the vote of the district, in accordance with Massachusetts School Building Authority (MSBA) policy, the district formally notified the Commonwealth of the failed vote within the 10-day mandatory reporting window. This notification triggered a meeting between Whittier and MSBA leadership.

Superintendent Lynch met Wednesday with the MSBA where she verbally requested an extension to pursue alternative solutions, as is standard procedure. Superintendent Lynch highlighted feedback from community leaders that are believed to have contributed to the ballot vote, including the ongoing capital needs of the district's cities and towns, concerns regarding the existing regional agreement, communications between Whittier and the communities and their leaders, and the overall costs

associated with the new building project.

Consistent with MSBA policy, Whittier was given two choices: Either hold a second election on the same project before April 11, or withdraw its statement of interest and exit the school building program at this time.

As was made clear from the start, the MSBA will not allow any changes or cuts to the existing project. The first option involves conducting another district election -- on the same project, with the same costs -- before April 11 to remain compliant with the 120-day MSBA deadline.

This option was not surprising, as Superintendent Lynch and the Committee had been told by MSBA and as they had communicated to city and town leaders, no changes could be made to the project once final MSBA approval was given

The second and more likely option results in Whittier withdrawing its Statement of Interest and removing Whittier from the MSBA capital pipeline. This would effectively mean starting over, and it would likely be several more years before Whittier can reapply with a new Statement of Interest. There is no guarantee of acceptance into the program once again.

Facing the loss of MSBA funding under option two, Whittier would then form a strategic plan to address the maintenance issues of the existing school building in a triage order starting with the building's most serious problems. This process necessitates a thorough evaluation of all systems and careful prioritization of the next steps for replacement and/or rehabilitation, acknowledging the complexity and significance of these decisions.

The options will be discussed, and next steps are expected to be decided at the next scheduled meeting of the Whittier Tech Regional School Committee on Feb. 13.

"We are meeting with leaders and stakeholders in each of the 11 district communities next week to gather feedback and discuss the two available options," Superintendent Lynch said. "Given the considerable investment of time and funding in the feasibility study, we want to ensure the School Committee is making the right decisions moving forward.

"Once the Regional School Committee reaches a decision, we will promptly share the information with all stakeholders involved. We encourage all those who are interested to attend these public meetings. Thank you for your continued support and patience as we work toward ensuring the best educational programming for our high school students, adult leaders, and the entire school community."

###

A message from Whittier Tech

[Unsubscribe](#) | [Manage subscription](#)

Distributed by:

John Guilfoil Public Relations LLC

8 Prospect St.

Georgetown, MA 01833

617-993-0003

Town Manager

From: Angus Jennings
Sent: Wednesday, January 31, 2024 7:22 PM
To: Stephen Crane
Cc: Sean Reardon; Mayor Gove; Orlando Pacheco; Carol McLeod - Finance (X3040); Tracy Blais; Debbie Eagan; Neil Harrington; ROldham@grovelandma.com; mayor@cityofhaverhill.com
Subject: Re: Whittier Information Night

Steve,

We talked this over at Select Board mtg Monday night. We would be happy - and eager - to be part of discussions of potential/proposed changes to Whittier Regional Agreement... we see that as an essential next step to moving things forward... but felt it would be premature to engage Counsel (and incur those costs) until there is some agreement in principle to what changes may be amenable.

As you and I discussed by phone some weeks ago, due to the "unanimous consent" requirement for changes to the existing agreement, we are very open to the possibility (likelihood?) that some involvement of the Legislature may be needed in order to establish a more reasonable/realistic process by which amendments to the Regional Agreement (or adoption of a new one) could be considered.

Please keep West Newbury apprised as to a potential call/zoom/mtg w State delegation and others as this may proceed

-

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

Sent from my mobile device

On Jan 26, 2024, at 9:33 AM, Stephen Crane <StephenC@ipswichma.gov> wrote:

Dear colleagues, we've spent many of our recent hours thinking about, talking about, and worrying about the impacts of the project. Now that it is not moving forward in the short term, I believe the time is right to focus on the regional agreement as my interpretation of the margin of defeat is a voter mandate for change. A few weeks ago, Rep. Kassner coordinated a call with member communities from her district and I volunteered to plan a meeting/call with area town counsels to workshop possible changes that could be given to our legislators for filing. I was waiting for the outcome of the vote before doing so. Now that it's done, I will work on scheduling it. To me, the goal is to have an agreement that allocates cost equitably without impacting the operating budgets of our communities.

Please let me know if you are interested in having your counsel/attorney participate, please let me know how to reach them. Thanks and enjoy the weekend.

Matthew Coogan Town Administrator Town of Boxford 7A Spofford Rd Boxford, MA 01921	Mayor Melinda Barrett City of Haverhill 4 Summer Street Haverhill, MA 01830	Mayor Sean Reardon City of Newburyport 60 Pleasant Street Newburyport, MA 01950	Mayor Kassandra Gove City of Amesbury 62 Friend Street Amesbury, MA 01913	Orlando Pacheco Town Administrator Town of Georgetown 1 Library Street Georgetown, MA 01833
Rebecca Oldham Town Administrator Town of Groveland 183 Main Street Groveland, MA 01834	Carol McLeod Town Administrator Town of Merrimac 2 School Street Merrimac, MA 01860	Tracy Blais Town Administrator Town of Newbury 12 Kent Way, Sulte 200 Newbury, MA 01922	Neil Harrington Town Manager Town of Salisbury 5 Beach Rd Salisbury, MA 01952	Angus Jennings Town Manager Town of West Newbury 381 Main St West Newbury, MA 01985
Stephen Crane Town Manager 25 Green Street Ipswich MA 01938				

Re: Whittier Tech Agreement

Greetings all,

I am writing to respectfully ask that you and the administration of the town reach out to your colleagues in the other communities (Whittier sending Communities) to set up a meeting to discuss the antiquated 1967 funding agreement that is currently in place for the funding of Whittier. It is imperative that we revise this ancient agreement so that a more equitable funding solution can be reached for all sending communities. We are all aware of the unfair funding mechanism now in place in regards to how many students we send to Whittier vs the total enrollment of our entire school population and it needs to be changed.

With the recent vote now in the books, we have the momentum to right this wrong. This needs to be a top priority for this board as well as our neighboring communities in the Whittier School District. Please do not let this issue rest! We all agree on the importance of our trade schools here in the Commonwealth as there are not enough tradespeople for the amount of work that is out there. I know many contractors that are struggling to get qualified help. But this cannot come at a detrimental cost to all the towns bound by the Whittier agreement.

RECEIVED
 TOWN CLERK
 WEST NEWBURY, MA
 2024 JAN 33 PM 12:46

I also hope that the board will reach out to our Federal and State legislators to ask where "other" funding sources can be found to help with the proposed construction/rehabilitation project. I am not talking just about MSBA funding but special funding for trade schools. The cost associated with tech schools is much higher than non tech schools and the Federal and State Governments should be recognizing this in funding. The protocols in funding these projects need to be changed and only our legislators can do that. I am reminded of the funding bill with the North Shore Tech and Agricultural School. As an example, a special act was passed to help fund that project. This may be but one solution to helping districts with vocational education construction projects being proposed.

In closing, I thank you for reading this request. It is my sincere hope that together, ALL the communities will work together with the Whittier Administration to open the 1967 agreement and find a more equitable solution to the funding issues identified during this past election. Thank you

Sincerely,



KelleyJane Kloub

Ipswich, MA

Mrskloub@yahoo.com

RECEIVED
TOWN CLERK
WEST NEWBURY, MA
2024 JAN 33 PM 12: 46



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

H.a.

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

January 29, 2024

James R W Blatchford, Town Clerk
Town of West Newbury
381 Main Street
West Newbury, MA 01985

**Re: West Newbury Special Meeting of October 23, 2023 -- Case # 11205
Warrant Articles # 16, 18, and 22 (General)**

Dear Mr. Blatchford:

Articles 16, 18, and 22 – We approve Articles 16, 18, and 22 from the West Newbury October 23, 2023 Special Town Meeting.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

Kelli E. Gunagan

by: Kelli E. Gunagan, Assistant Attorney General
Municipal Law Unit
Office of the Attorney General
Ten Mechanic Street, Suite 301
Worcester, MA 01608
508-792-7600

cc: Town Counsel Timothy D. Zessin



January 29, 2024

Town of West Newbury, DPW
381 Main St
West Newbury, MA 01985

Subject: Reminder to Conduct a Dam Safety Phase I Inspection

Dear Dam Owner.

This message is a reminder from the Office of Dam Safety (ODS) regarding Phase I inspections that are past due and/or upcoming through the end of calendar year 2024.

Dam owners are required to hire a registered professional engineer with dam engineering experience to inspect and report results every two (2) years for High Hazard Potential dams, every five (5) years for Significant Hazard Potential dams and every ten (10) years for Low Hazard Potential dams. Inspections are essential to identify problems and provide safe maintenance of a dam.

The following dams owned by you require Phase I inspections be completed by the dates noted below:

- MA02297, Mill Pond Dam, W. Newbury, Low Hazard Potential, Date of Last Phase I Inspection Date: May 26, 2014, **Next Phase I Inspection Due Date: May 26, 2024**

If you have an up-to-date Phase I inspection report on file, please forward a copy of the report to the ODS within 21 days of receipt of this notice for review. If you have recently submitted a Phase I inspection report to our office, a letter confirming receipt will be issued to you upon review of the report.

Please note that ODS periodically revises the required inspection report templates. When you submit your Phase I inspection report, please ensure that you are using the correct documents, which can be found at and downloaded from our website: <https://www.mass.gov/info-details/dam-safety-inspection-requirements>.

For dams classified as either High Hazard Potential or Significant Hazard Potential that have been determined to be in Poor or Unsafe condition and also required to have Follow-up inspections completed, a Phase I inspection, being more comprehensive than a Follow-up inspection, will satisfy a Poor or Unsafe condition Follow-up inspection requirement for that dam for one cycle. The next Poor or Unsafe condition Follow-up inspection would therefore be due six (6) or three (3) months, respectively, from the date of the Phase I inspection. If this is unclear, please contact our office for clarification at 617-620-8583 or dam.safety@mass.gov.

We remind you that it is the obligation of the dam owner to contact and notify all applicable



local, state, and/or federal permitting agencies prior to conducting any work at a dam including manipulation of water levels. Additionally, it is the obligation of any dam owner planning to conduct any material alterations or repairs to a dam to file with the ODS a Chapter 253 Dam Safety Permit Application. The Permit Application template is also available on our website at the following link: <https://www.mass.gov/info-details/office-of-dam-safety-permit-process>.

If you have any questions, please do not hesitate to contact our office by phone at 617-620-8583 or by email at dam.safety@mass.gov.

Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "William C. Salomaa". The signature is written in a cursive style with a large initial "W".

William C. Salomaa, Director
Office of Dam Safety



Assure Station Metrics Monthly Reporting

Company Id
112991

Port Level
All



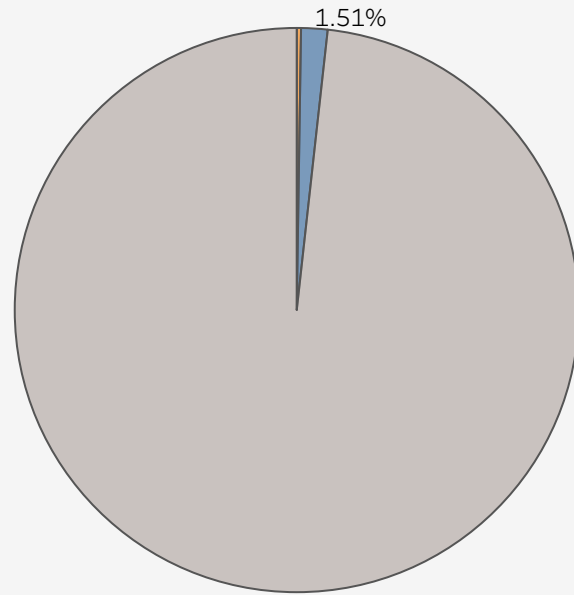
Town of West Newbury - Monthly Report - December 2023

Organization Name
All

Month End Date
12/31/2023

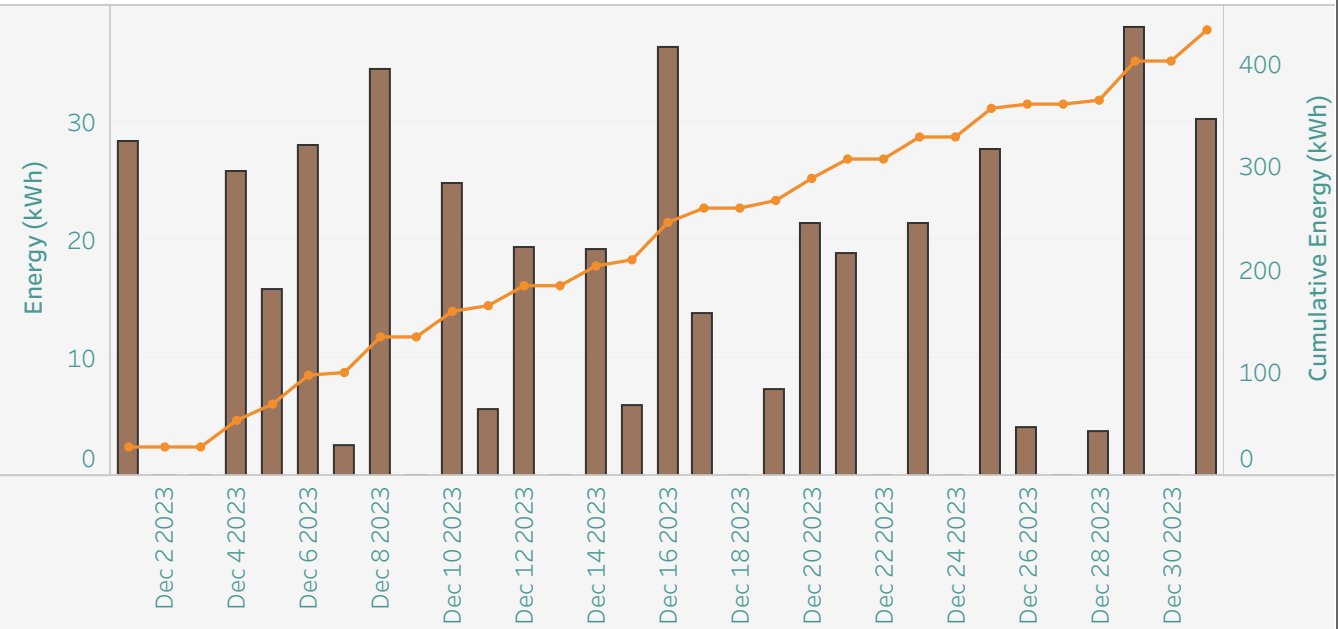
Port Count	Station Count	Total Revenue (\$)	Energy (kWh)	GHG Savings (kg)	Gasoline Saved (Gal)	Unique Driver	Session Count
8	4	136	433	182	54	11	43

Port Utilization: 24 Hours



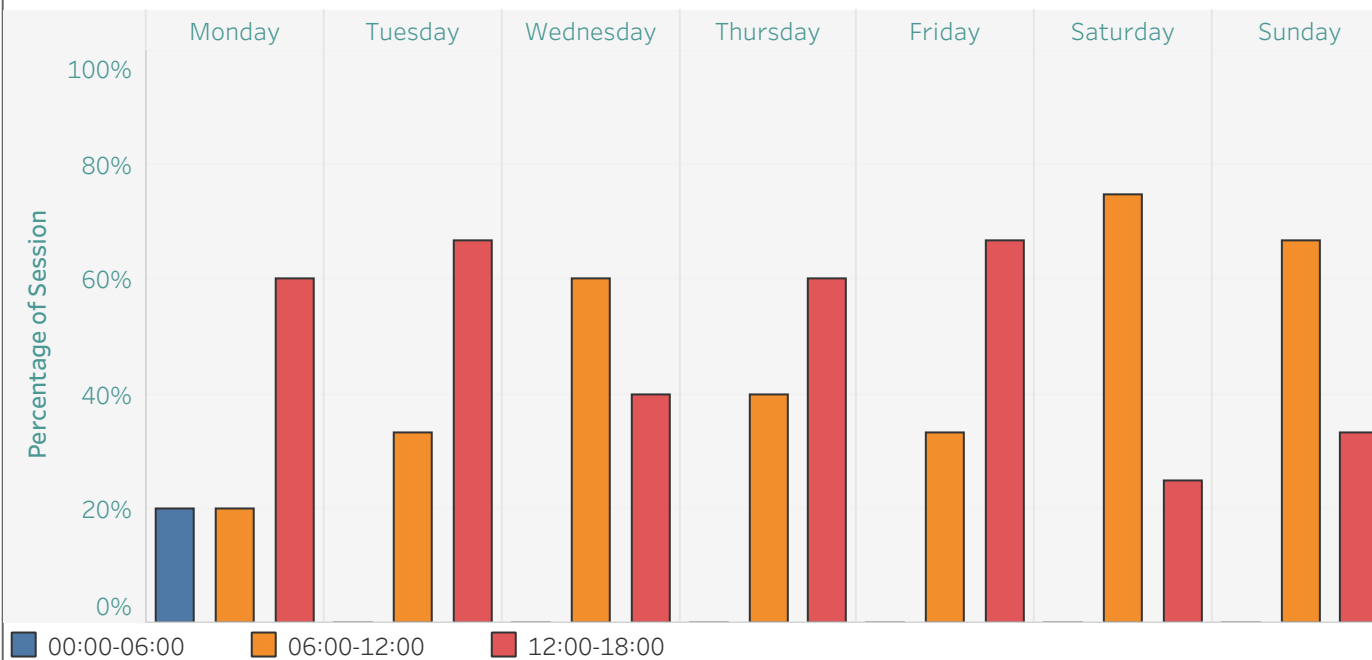
Blocked % Charging % Idle%

Energy Dispensed (kWh) by Day



Cumulative Energy (kWh) Energy (kWh)

Session Starts by Time of Day Month



Average Session Duration (Hours)	2.41
Average Session Charge Time (Hours)	2.09
Average Session Energy (kWh)	10.06
Average Session Revenue (\$)	3.17
Occupied Hours	103.7
Charging Hours	90.0



Assure Station Metrics Quarterly Reporting

Company Id
112991

Port Level
All

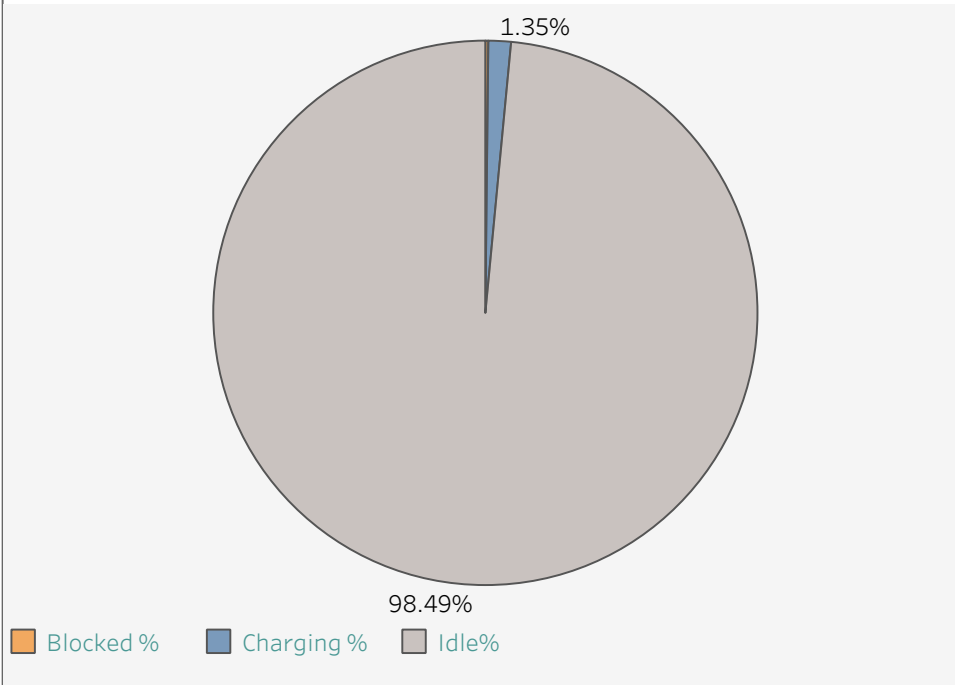
Town of West Newbury - Quarterly Report - 2023 Q4

Organization Name
All

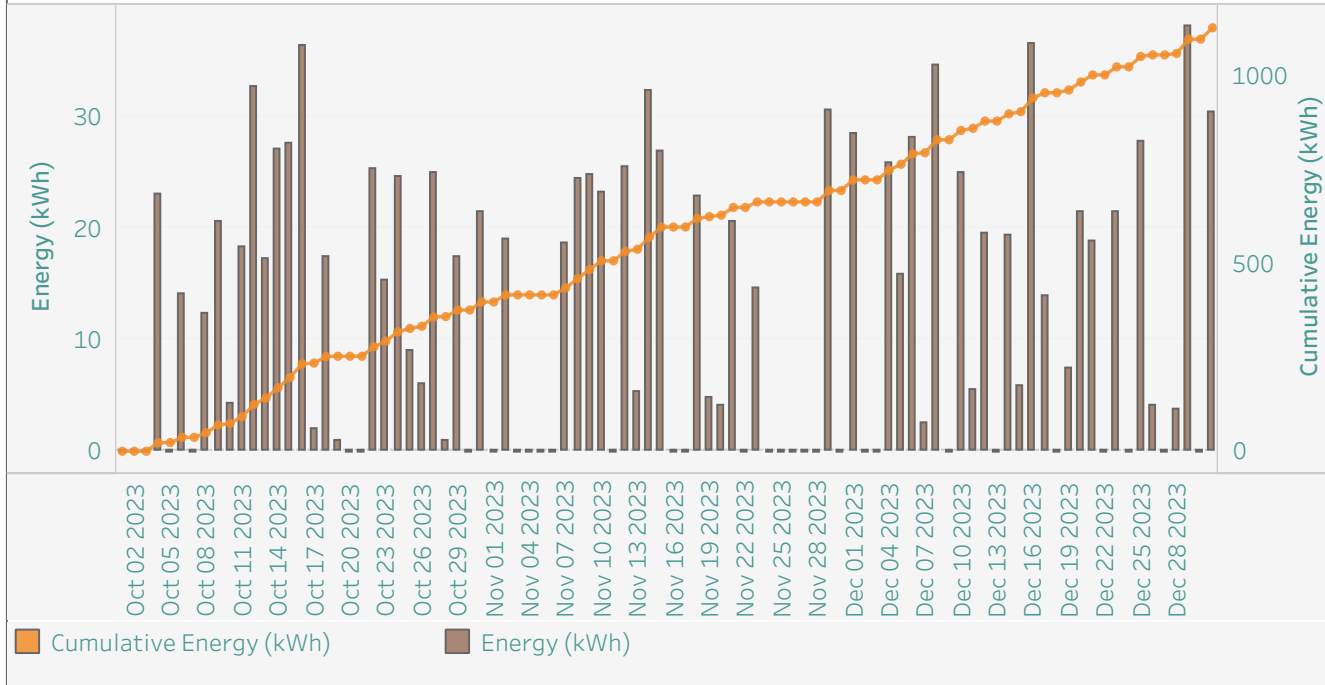
Quarter Year
12/31/2023

Port Count	Station Count	Total Revenue (\$)	Energy (kWh)	GHG Savings (kg)	Gasoline Saved (Gal)	Unique Driver	Session Count
8	4	355	1,126	473	141	18	119

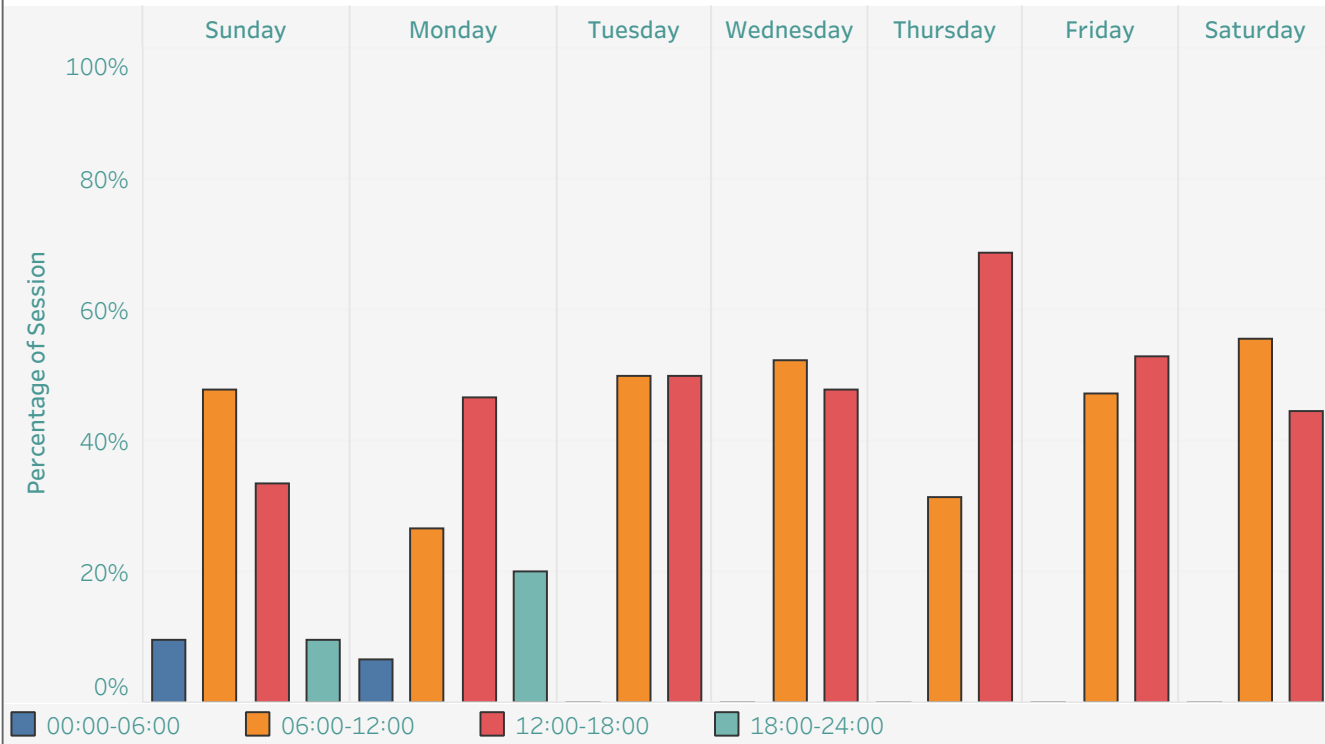
Port Utilization: 24 Hours



Energy Dispersed (kWh) by Day



Session Starts by Time of Day Quarter



Average Session Duration (Hours)	2.24
Average Session Charge Time (Hours)	2.00
Average Session Energy (kWh)	9.46
Average Session Revenue (\$)	2.98
Occupied Hours	266.2
Charging Hours	237.8

Service Entitlement Status Breakdown of Assure Stations

	Expired	0-30 Days	1-6 Months	6-12 Months	1+ Year
Assure	0	0	0	0	4
SW	0	0	0	0	4

- You dispensed more energy than 32.81 % of other Assure customers.
- You collected more fees than 70.37 % of other Assure customers.
- You fueled more unique drivers than 58.78 % of other Assure customers.
- Your 24 hour charging utilization was higher than 39.46 % of other Assure customers.

Station Name	Total Energy (kWh)	Total Sessions	Total Fees (\$)	Gasoline Saved (Gal)	GHG Savings (kg)	Charging Hours	Occupied Hours	Uptime (%)
WEST NEWBURY 1910 BLDG 1	880	77	\$ 277.13	110	370	182	201	100.00%
WEST NEWBURY 1910 BLDG 2	179	26	\$ 56.35	22	75	44	50	100.00%
WEST NEWBURY PAGE SCHOOL 1	32	7	\$ 10.16	4	14	5	5	100.00%
WEST NEWBURY PAGE SCHOOL 2	35	9	\$ 11.02	4	15	7	10	100.00%



Assure Station Metrics Reporting Appendix

Port Utilization Chart: This is a view of station utilization during common business hours.

You can use this information to determine if updates need to be made to pricing / access policies or if stations should be added.

Session Start Distribution Chart: This is a view (by day) of what times drivers start sessions.

You can use this information to fine tune time of day pricing policy rules.

Station / Port Count: In order to be counted, a station must have the "Assure" entitlement applied.

This is the number of stations / ports that currently have the "Assure" entitlement.

Total Revenue: This is the sum of session fees generated by your "Assure" stations minus the ChargePoint service fee (10%).

This is based on session dates (not transaction date which may differ). Your Flex Billing reports should be used for financial reporting.

Energy (kWh): All energy dispensed through your "Assure" stations.

This data point can be useful in reconciling station energy against energy bills.

GHG Savings (kg): All the green house gasses (95% CO2) that would have been released had the miles provided by your stations come from gasoline.

This data point can be useful in sustainability reporting.

Unique Drivers: The number of unique drivers that used your stations this month (a driver would be counted only once even if they used different RFID cards).

An understanding of the number of unique drivers visiting may be useful in creating station messaging / video ads.

Gasoline (Gal) Saved: All the gasoline that would have been burned had the miles provided by your stations come from gasoline.

This data point can be useful in sustainability reporting.

Uptime: Percentage of time that your ports were capable of dispensing power.

ChargePoint is committed to keeping your ports dispensing power 98% of the time or better.

Sessions: Total session count.

An understanding of the number of times your stations authorize a session can be useful creating station messaging / video ads.

Average Session Duration: Average amount of time drivers occupy your stations.

This data point can be useful in fine tuning length of stay pricing policy rules.

Average Charging Time: Average amount of time per session energy is flowing.

This data point can be useful in fine tuning length of stay pricing policy rules.

Average Session Energy: Average amount of energy dispensed.

This data point can be useful in fine tuning price per kW pricing policy rules.

Average Session Revenue: Average session fee - 10%.

This data point can be useful in fine tuning minimum & maximum values for pricing policy rules.

Total Hours Occupied: Sum of all session durations.

This is used in part to determine utilization.

Total Hours Charging: Sum of all session charging durations.

This is used in part to determine utilization.