



**Town of West Newbury
Board of Selectmen
Monday, March 25, 2019 @ 4:30pm**
381 Main Street, Town Office Building
www.wnewbury.org

RECEIVED
TOWN CLERK
WEST NEWBURY, MA
2019 MAR 21 PM 4:38

AGENDA

Executive Session: 4:30pm in the Town Manager's Office

- ❖ MGL Chapter 30A §21(a) 7: To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements;
- ❖ MGL Chapter 30A §21(a) 2: To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;
- ❖ MGL Ch. 30A §21(a) 3: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

Open Session: 7pm in the First Floor Hearing Room

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet.
- Congratulations to Pentucket High School Girls Basketball Team – State D2 Champions!
- Budget Information on the town's official website <https://www.wnewbury.org/budget-information>
- Public Forums on the Pentucket School Building Project on Saturday, March 30th @ 1pm and April 9th @ 6pm at the West Newbury Town Offices, First Floor Hearing Room.
- West Newbury Fire Company Pancake Breakfast, Sunday March 31st at the Central Fire Station. Cost is Free, donations welcome!
- West Newbury Gardening Club is sponsoring "Growing West Newbury" symposium on Sunday, March 31st at the Town Hall from 1pm to 5pm as part of the West Newbury Bicentennial celebration
- Council on Aging Community Shred Day, Saturday April 6th, 9:30am-1:30pm, Bandstand parking lot
- Candidates Night, Wednesday, April 24th, 7:30pm in the First Floor Hearing Room
- Earth Day Roadside Cleanup, Saturday, April 27th and Sunday, April 28th, Trash bags and gloves available at the Town Offices and Food Mart
- Spring Annual Town Meeting, Monday April 29th, 7pm at the Pentucket High School Auditorium

Regular Business

- A. Board of Selectmen recommendations on proposed FY20 Budget
- B. Proposed terms for FY20 Animal Control Officer (ACO) contract with Newburyport
- C. Meeting with Finance Committee, Moderator, Town Counsel, and Town Manager to review the Annual and Special Town Meeting Warrants and any other Town Meeting related business
- D. Request for Street Opening Permit for 44 Garden Street, Tim Collins

Town Manager Updates

- E. Snow/ice overage authorization for FY19
- F. Follow up meeting assignments
- G. Placing items for future agendas

**SATURDAY,
MARCH 30TH @1PM**

**TUESDAY, APRIL 9TH
@ 6PM**

PENTUCKET SCHOOL BUILDING PROJECT

Public Forums with West Newbury Board of Selectmen; Angus Jennings, Town Manager; and Dr. Justin Bartholomew, Pentucket Superintendent

Informal discussion and resident Q&A on the Middle/High School building project and the impact to West Newbury



Town Office
Building

381 Main Street

West Newbury

First Floor Hearing
Room

Light Refreshments

CALL WITH ANY
QUESTIONS

978-363-1100 X115

COMMUNITY SHRED DAY

PROTECT YOUR PERSONAL INFORMATION

SATURDAY, APRIL 6TH

9:30AM-1:30PM

AT 381 MAIN STREET

BACK PARKING LOT (BY BANDSTAND)

**FOR MORE INFORMATION, EMAIL
THERESA AT COA@WNEWBURY.ORG
OR CALL 978-363-1104**

THANK YOU TO HAVERHILL BANK FOR
MAKING THIS POSSIBLE!!!!



SUGGESTED DOCUMENTS:

BANK STATEMENTS

CREDIT CARD STATEMENTS

TAX RETURNS (OVER 7 YEARS
OLD)

ATM/CREDIT CARD RECEIPTS



**TOWN OF WEST NEWBURY
FY20 BUDGET
PROPOSED BY TOWN MANAGER, WITH FINCOMM RECOMMENDED
UPDATED MARCH 19, 2019**

Name	FY17 Actual	FY18 Actual	FY19 Budget	FY20 TM	FY20 FinCom	FY20 Change	
				Proposed	Recommend	FinCom Recc.	
				Mar 15 2019	Mar 19 2019	\$	%
General Government							
MODERATOR	0	220	260	260	260	0	0.0%
SELECTMEN	73,373	78,418	15,000	20,600	20,600	5,600	37.3%
TOWN MANAGER	0	0	331,029	288,470	288,470	(42,559)	-12.9%
FINANCE DEPARTMENT	368,397	403,547	204,142	251,190	251,190	47,048	23.0%
FINANCE COMMITTEE	16,701	8,400	62,800	61,000	61,500	(1,300)	-2.1%
BOARD OF ASSESSORS	150,003	159,413	165,244	175,983	175,980	10,736	6.5%
SPECIAL COUNSEL	0	0	0	15,000	15,000	15,000	
TOWN CLERK/TOWN COUNSEL	115,857	118,358	126,899	127,110	127,110	211	0.2%
BOARD OF REGISTRARS/ELECTIONS	9,972	7,635	14,575	12,050	12,050	(2,525)	-17.3%
CONSERVATION COMMISSION	28,328	31,024	32,197	32,450	32,450	253	0.8%
PLANNING BOARD	45,535	49,938	52,818	63,613	63,613	10,795	20.4%
BOARD OF APPEALS	1,169	1,410	1,500	1,400	1,400	(100)	-6.7%
OPEN SPACE COMMITTEE	836	121	750	750	750	0	0.0%
CABLE ADVISORY COMMITTEE	0	0	0	0	0	0	
Public Safety							
POLICE DEPARTMENT	885,950	943,632	1,104,551	1,175,149	1,175,149	70,598	6.4%
FIRE DEPARTMENT	265,123	278,252	287,804	305,221	305,221	17,417	6.1%
AMBULANCE SERVICE	0	0	0	0	0	0	
INSPECTION DEPARTMENT	123,860	126,238	137,160	140,160	140,160	3,000	2.2%
EMERGENCY MANAGEMENT	9,850	11,011	11,166	11,324	11,324	158	1.4%
ANIMAL CONTROL OFFICER	20,000	21,500	23,460	24,050	24,050	590	2.5%
HARBORMASTER	0	0	6,000	2,000	2,000	(4,000)	-66.7%
PUBLIC SAFETY DISPATCH	247,752	249,405	308,508	317,605	317,605	9,097	2.9%
EDUCATION	7,537,407	7,777,197	8,074,422	8,246,189	8,246,189	171,767	2.1%
Department of Public Works							
DPW	1,200,766	1,206,266	1,109,847	1,151,826	1,151,826	41,979	3.8%
Human Services							
BOARD OF HEALTH	421,427	444,536	533,328	532,686	532,686	(642)	-0.1%
COUNCIL ON AGING	74,400	80,942	82,796	92,450	92,450	9,654	11.7%
COMMUNITY CENTER	0	6,000	6,000	0	0	(6,000)	-100%
VETERANS	25,560	25,449	35,238	33,557	33,557	(1,681)	-4.8%
LIBRARY	337,478	346,506	354,018	363,813	363,813	9,795	2.8%
RECREATION	13,231	12,942	22,794	20,500	18,400	(4,394)	-19.3%
CULTURAL COUNCIL	70	76	100	100	100	0	0.0%
HISTORICAL COMMISSION	0	302	500	500	500	0	0.0%
Debt Service							
DEBT SERVICE	737,350	511,000	369,000	372,814	372,814	3,814	1.0%
Benefits							
ESSEX COUNTY RETIREMENT FUND	533,246	555,396	641,424	660,171	660,171	18,747	2.9%
UNEMPLOYMENT COMPENSATION	0	0	1	1	1	0	0.0%
EMPLOYEES' HEALTH INSURANCE	297,635	378,958	422,570	465,397	465,397	42,827	10.1%
MEDICARE INSURANCE (FICA)	41,979	43,774	45,525	48,279	48,279	2,754	6.0%
INSURANCE AND BONDS	155,602	161,365	170,000	172,962	172,832	2,832	1.7%
TRANSFERS OUT - STABILIZATION	107,216	779,122	615,000	821,800	821,800	206,800	33.6%
EXPENSE BUDGET TOTAL	13,846,074	14,818,351	15,368,426	16,008,430	16,006,697	638,271	4.2%



**TOWN OF WEST NEWBURY
FY20 BUDGET
PROPOSED BY TOWN MANAGER, WITH FINCOMM RECOMMENDED
UPDATED MARCH 19, 2019**

Name	FY17 Actual	FY18 Actual	FY19 Budget	FY20 TM Estimated	FY20 Change	
					\$	%
Revenues						
Local Receipts:	1,255,806	1,305,148	1,120,432	1,331,400	210,968	18.8%

Projected New Revenues

	<u>FY20</u>
Projected <u>New</u> Non-Tax Revenues	210,968
Projected New Growth Revenues ¹	<u>164,473</u>
Total Projected New Revenues	<u>375,441</u>

Estimated Taxpayer Impact Summary

2% of FY19 expense budget:	\$ 307,369
+ Est. FY20 New Growth:	\$ 164,473
+ Est. FY20 Add'l Local Receipts (non property tax revenues):	<u>\$ 210,968</u>
Amount FY20 Expense Budget can increase w est. 2% taxpayer impact:	<u>\$ 682,810</u>
Proposed increase (TM budget):	638,271
Proposed over/under:	<u>\$ (44,539)</u>

¹ New Growth revenue projection based on avg. FY15-FY19.

TOWN OF WEST NEWBURY
Town Manager Proposed FY20 Expense Budget

YTD exp
as of:
2/12/19

1000 - Account	FY17 Expended	FY18 Expended	FY19 Final Budget	YTD		FY20 DH/BCC	2019 - 2020 Town Manager	2019 - 2020 Town Manager	2019 - 2020 FinCom Rec.	Proposed Change	
				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
GENERAL GOVERNMENT											
Moderator's Salary	-	200	200	200	100.0%	200	200		200	0	0.0%
Moderator's Expenses	-	20	60		0.0%	60	60		60	0	0.0%
114 Total Moderator		220	260	200	76.9%	260	260		260	0	0.0%

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Town Manager Proposed FY20 Expense Budget

YTD exp
as of:
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1000 - Account	FY17 Expended	FY18 Expended	FY19 Final Budget	YTD		FY20 DH/BCC	2019 - 2020 Town Manager 2/19/2019	2019 - 2020 Town Manager 3/15/2019	2019 - 2020 FinCom Rec.	Proposed Change	
				\$	%					\$	%
					62.1%						
Selectmen's Appointed Salary & Wages	66,414	68,328				73,340	-	-	-	0	
Professional and Technical Services	565	4,450	10,000		0.0%	5,000	5,000	10,000	10,000	0	0.0%
Selectmen's Meeting Minutes						1,500	3,600	3,600	3,600	3,600	
Selectmen's Operating Expenses	6,394	5,640	5,000	3,765	75.3%	7,000	7,000	7,000	7,000	2,000	40.0%
122 Total Selectmen	73,373	78,418	15,000	3,765	25.1%	86,840	15,600	20,600	20,600	5,600	37.3%

Notes

In FY19, BoS personnel included in TM budget.

In FY20, related personnel costs remain in TM proposed budget (consistent with FY19 budgeting).

TOWN OF WEST NEWBURY
Town Manager Proposed FY20 Expense Budget

YTD exp
as of:
2/12/19

1000 - Account	FY17 Expended	FY18 Expended	FY19 Final Budget	YTD		FY20 DH/BCC	2019 - 2020 Town Manager	2019 - 2020 Town Manager	2019 - 2020 FinCom Rec.	Proposed Change	
				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Town Manager Salary			145,000	85,885	59.2%	147,900	147,900		147,900	2,900	2.0%
Salary & Wages			110,168	65,217	59.2%	-	77,870		77,870	(32,298)	-29.3%
Technology Expenses			35,744	29,219	81.7%	45,000	39,000		39,000	3,256	9.1%
Communications (telephone)							8,000		8,000	8,000	
Town Manager Expenses			36,517	19,012	52.1%	10,000	8,500		8,500	(28,017)	-76.7%
Dues, Subscriptions, & Continuing Ed							3,600		3,600	3,600	
Vehicle Allowance			3,600	1,800	50.0%	3,600	3,600		3,600	0	0.0%
123 Total Town Manager			331,029	201,134	60.8%	206,500	288,470		288,470	(42,559)	-12.9%

Notes

TM salary and vehicle allowance contractual.
In FY20, BoS personnel costs remain in TM proposed budget (consistent with FY19 budgeting).
Several FY19 TM expenses transferred to Finance Dept budget.
Proposed amount is new, for proposed TM newsletters 2x/yr.
Telephone budget covers all Town Office phones.

TOWN OF WEST NEWBURY
Town Manager Proposed FY20 Expense Budget

YTD exp
as of:
2/12/19

1000 - Account	FY17	FY18	FY19	YTD		FY20	2019 - 2020	2019 - 2020	2019 - 2020	Proposed Change	
	Expended	Expended	Final Budget	\$	%	DH/BCC	Town Manager	Town Manager	FinCom Rec.	\$	%
					62.1%		2/19/2019	3/15/2019			
Finance Dept Salaries & Wages	263,854	298,257	153,242	91,006	59.4%	193,569	183,390		183,390	30,148	19.7%
Annual Audit	18,500	18,500	18,500	18,500	100.0%	18,500	20,500		20,500	2,000	10.8%
Other Professional Services						16,500	16,500		16,500	16,500	
Tax Title and Foreclosure	536	525	1,000	225	22.5%	1,000	1,000		1,000	0	0.0%
Technology Expenses	35,744	29,567				45,000	-		-	0	
Communication Expense	6,799	6,502				8,000	-		-	0	
Postage Expense	12,343	13,517				15,000	15,000		15,000	15,000	
Dues, Subscriptions, & Continuing Ed						8,000	3,600		3,600	3,600	
Travel		552				2,200	2,200		2,200	2,200	
Finance Dept Expenses	30,621	36,126	31,400	19,913	63.4%	9,000	9,000		9,000	(22,400)	-71.3%
145 Total Finance	368,397	403,547	204,142	129,644	63.5%	316,769	251,190		251,190	47,048	23.0%

Notes

Personnel budget increase driven by transfer of one employee's costs from TM budget to Finance Dept budget.
Expense budget increase driven by addition of expenses included in FY19 TM budget.
Tech expenses incl. IT consultant, Vadar, Civics Plus, Carbonite, Microsoft, Verizon, Dell.
Other prof. svcs. Incl. OPEB valuation, Hilltop Securities, Harper's, Banker's Bank.

Combined BOS, TM, Finance Depts:	441,770	481,965	550,171	334,543	60.8%	610,109	555,260	560,260	560,260	10,089	1.83%
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				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Finance Committee Salaries	1,546	1,800	1,800		0.0%	1,800	-		-	(1,800)	-100.0%
Finance Committee Expenses	155	600	1,000	403	40.3%	1,000	1,000	1,500	500	50.0%	
Reserve Fund	15,000	6,000	60,000		0.0%	60,000	60,000	60,000	0	0.0%	
131 Total Finance Committee	16,701	8,400	62,800	403	0.6%	62,800	61,000	61,500	(1,300)	-2.1%	

Notes

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				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Board of Assessors Salaries			-			3	3		-	0	
Board and Clerk mileage reimb.							1,500		1,500	1,500	
Assessors Appt'd Pers Salaries	115,171	118,446	121,844	72,339	59.4%	119,455	125,180		125,180	3,336	2.7%
Assessors Contracted Services							38,450		38,450	38,450	
Assessors Expenses	34,038	37,553	41,900	36,542	87.2%	50,803	8,450		8,450	(33,450)	-79.8%
Assessor Vehicle Allowance	794	761	1,500	90	6.0%	2,400	-		-	(1,500)	-100.0%
Assessor Mileage Reimb and Cellphone stipend							2,400		2,400	2,400	
141 Total Assessors	150,003	159,413	165,244	108,971	65.9%	172,661	175,983		175,980	10,736	6.5%

Notes

Expense budget increase driven by contractual increase with Patriot Properties. Executed in 2017, contract was level for FY18 and FY19 but increases by \$6,750 for FY20.

TOWN OF WEST NEWBURY
Town Manager Proposed FY20 Expense Budget

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as of:
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				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Purchase of Services	-	-	-	-	-	15,000	12,000	15,000	15,000	15,000	
151 Total Special Counsel	-	-	-	-	-	15,000	12,000	15,000	15,000	15,000	

Notes

Town under contract for outside counsel for employment law, labor counsel, specialized services, etc.

Funding for outside counsel recommended by Town Manager and Auditor and authorized by Board of Selectmen.

Proposed cost includes \$3k in legal services available to in-house Town Counsel, and previously included in Town Clerk/Counsel budget.

Proposed budget level provides for, on average, one hour of outside counsel per week in FY20.

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				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Town Clerk Salary & Wages	104,920	106,914	111,924	65,451	58.5%	111,924	115,010		115,010	3,086	2.8%
Operation of Fax/Photo Machine	5,380	4,992	5,500	2,922	53.1%	5,650	5,650		5,650	150	2.7%
Town Clerk's Expenses	5,556	6,452	9,475	1,425	15.0%	9,475	6,450		6,450	(3,025)	-31.9%
161 Total Town Clerk	115,857	118,358	126,899	69,798	55.0%	127,049	127,110		127,110	211	0.2%
Town Clerk Compensation	150	150	150	75	50.0%	150	150		150	0	0.0%
Bd of Registrars Salary & Wages	4,716	2,023	5,400	3,593	66.5%	4,400	4,400		4,400	(1,000)	-18.5%
Bd of Registrars Expenses	5,107	5,463	9,025	4,994	55.3%	7,500	7,500		7,500	(1,525)	-16.9%
162 Total Registrars	9,972	7,635	14,575	8,661	59.4%	12,050	12,050		12,050	(2,525)	-17.3%

Notes

Proposed Town Clerk/Counsel expense budget reduced by \$3k due to proposal to obtain special counsel.

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				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Conservation Com Salary & Wages	25,418	28,026	29,187	17,125	58.7%	29,187	29,440		29,440	253	0.9%
Con Com Vehicle Allowance	600	600	600	300	50.0%	600	600		600	0	0.0%
Conservation Com Expenses	2,311	2,398	2,410	1,238	51.4%	2,410	2,410		2,410	0	0.0%
171 Total Conservation	28,328	31,024	32,197	18,662	58.0%	32,197	32,450		32,450	253	0.8%

Notes

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YTD exp
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1000 - Account	FY17 Expended	FY18 Expended	FY19 Final Budget	YTD		FY20 DH/BCC	2019 - 2020 Town Manager	2019 - 2020 Town Manager	2019 - 2020 FinCom Rec.	Proposed Change	
				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Planning Bd Salary & Wages	39,917	46,197	47,634	26,869	56.4%	57,990	55,390		55,390	7,756	16.3%
Planning Bd Expenses	4,111	2,197	3,600	1,501	41.7%	3,600	6,600		6,600	3,000	83.3%
MVPC Assessment	1,507	1,545	1,584	1,583	100.0%	1,623	1,623		1,623	39	2.5%
175 Total Planning	45,535	49,938	52,818	29,953	56.7%	63,213	63,613		63,613	10,795	20.4%

Notes

*Includes proposed 6 hrs/wk admin asst; and increase in costs for contracted minutes taker based on actual costs.
DH proposed budget included cost for meeting minutes in wages; Town Manager budget transfers this cost (\$3,000) to expenses.
Minutes prepared by outside contractor; not considered wages.
Proposal also includes proposed pay increase to Town Planner based on review of industry standard and comp communities.*

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				\$	%					\$	%	
					62.1%		2/19/2019	3/15/2019				
ZBA Salary & Wages	1,000	1,000	1,000	500	50.0%	1,000	1,000		1,000	0	0.0%	
ZBA Expenses	169	410	500		0.0%	500	400		400	(100)	-20.0%	
176 Total Board of Appeals	1,169	1,410	1,500	500	33.3%	1,500	1,400		1,400	(100)	-6.7%	
Open Space Expenses	836	121	750		0.0%	750	750		750	0	0.0%	
179 Total Open Space	836	121	750		0.0%	750	750		750	0	0.0%	
							-		-	0		
199 Total Cable Advisory	-					-	-		-	0		
TOTAL GENERAL GOVERNMENT:												
	810,173	858,484	1,007,214	571,691	56.8%	1,097,589	1,041,876		1,049,876	1,050,373	43,159	4.3%

TOWN OF WEST NEWBURY

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YTD exp
as of:
2/12/19

1000 - Account	FY17	FY18	FY19	YTD		FY20	2019 - 2020	2019 - 2020	2019 - 2020	Proposed Change	
	Expended	Expended	Final Budget	\$	%	DH/BCC	Town Manager	Town Manager	FinCom Rec.	\$	%
					62.1%		2/19/2019	3/15/2019			
PUBLIC SAFETY											
School Resource Officer		20,807	35,334	34,338	97.2%	65,537	65,537		65,537	30,203	85.5%
Police Salaries & Wages	734,385	782,659	872,371	495,335	56.8%	891,049	902,049		902,049	29,678	3.4%
Police OT Wages	58,217	46,869	55,487	28,879	52.0%	58,334	58,334		58,334	2,847	5.1%
Police Expenses	93,348	93,297	109,359	58,673	53.7%	104,229	104,229		104,229	(5,130)	-4.7%
Police Cruiser			32,000	33,237	103.9%	50,000	45,000		45,000	13,000	40.6%
210 Total Police	885,950	943,632	1,104,551	650,462	58.9%	1,169,149	1,175,149		1,175,149	70,598	6.4%

Notes

SRO cost increase results from Auditor recommendation to include full cost, and to budget \$26k in offsetting revenue budgeted from PRSD.

Increase in proposed police cruiser cost based on drawdown of non-expense revenues; and increased vehicle fit-up costs (incl. radar, laptop).

Town Manager proposed cruiser budget reduced from Police Chief proposed; if insufficient, there is a remaining balance of \$4,953 in Police Cruiser Fees Revolving Fund.

Budgeted extra funds for Police Chief hire.

TOWN OF WEST NEWBURY
Town Manager Proposed FY20 Expense Budget

YTD exp
as of:
2/12/19

1000 - Account	FY17 Expended	FY18 Expended	FY19 Final Budget	YTD		FY20 DH/BCC	2019 - 2020 Town Manager	2019 - 2020 Town Manager	2019 - 2020 FinCom Rec.	Proposed Change	
				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Fire Alarm Wages	86,024	85,727	83,948	35,599	42.4%	89,000	89,000		89,000	5,052	6.0%
Fire Training/Drills	20,194	25,337	26,284	9,318	35.5%	26,284	26,284		26,284	0	0.0%
Fire Dept Other Wages	28,646	29,651	23,086	16,855	73.0%	25,000	25,000		25,000	1,914	8.3%
Fire Administration Wages	14,595	17,771	25,730	8,809	34.2%	25,730	25,730		25,730	0	0.0%
Fire Dept. Medical Exam	1,401	1,052	3,000	1,955	65.2%	5,000	5,000		5,000	2,000	66.7%
Hydrant/Fire Protection (to Water Dept)	67,008	68,720	72,156	72,156	100.0%	75,000	77,207		77,207	5,051	7.0%
Fire Alarm Communications	7,852	13,237	11,000	1,192	10.8%	11,000	11,000		11,000	0	0.0%
Fire Expenses	39,404	36,758	42,600	29,414	69.0%	46,000	46,000		46,000	3,400	8.0%
220 Total Fire	265,123	278,252	287,804	175,299	60.9%	303,014	305,221		305,221	17,417	6.1%
Purchase of Services						-			-		
231 Total Ambulance	-	-	-	-	-	-	-		-	0	

Notes

Increase in Hydrant/Fire Protection costs based on recommended costs in 2017 Water rate study.

TOWN OF WEST NEWBURY
Town Manager Proposed FY20 Expense Budget

YTD exp
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				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Inspectors Salaries & Wages	108,338	115,782	122,690	69,579	56.7%	128,318	128,640	125,910	125,910	3,220	2.6%
Inspectors Expenses	10,956	5,475	9,490	4,521	47.6%	9,270	9,270	9,270	9,270	(220)	-2.3%
Inspectors' Vehicle Allowances	4,565	4,980	4,980	2,490	50.0%	4,980	4,980	4,980	4,980	0	0.0%
240 Total Inspectors	123,860	126,238	137,160	76,590	55.8%	142,568	142,890	140,160	140,160	3,000	2.2%

Notes

*Dept. Head proposed wage increase based on review of comp. communities.
Initial Manager proposal included vehicle allowance in separate line and in salaries and wages.
Updated Manager proposal currently under review with Dept Head and with BoS.*

TOWN OF WEST NEWBURY
Town Manager Proposed FY20 Expense Budget

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1000 - Account	FY17 Expended	FY18 Expended	FY19 Final Budget	YTD		FY20 DH/BCC	2019 - 2020 Town Manager	2019 - 2020 Town Manager	2019 - 2020 FinCom Rec.	Proposed Change	
				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Emergency Mgmt Salary & Wages	7,381	7,746	7,901	7,706	97.5%	7,746	8,059		8,059	158	2.0%
Emergency Mgmt Expenses	2,469	3,265	3,265		0.0%	3,265	3,265		3,265	0	0.0%
291 Total Emergency Management	9,850	11,011	11,166	7,706	69.0%	11,011	11,324		11,324	158	1.4%

Notes

*Does not include total personnel costs. Some personnel costs are paid from grant funds.
However Finance personnel advise this is ok to budget with net costs based on how wages are actually paid.*

TOWN OF WEST NEWBURY

Town Manager Proposed FY20 Expense Budget

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				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Animal Control Expenses	20,000	21,500	23,460	10,750	45.8%	27,175	24,050		24,050	590	2.5%
292 Total Animal Control	20,000	21,500	23,460	10,750	45.8%	27,175	24,050		24,050	590	2.5%

Notes

Dept Head number reflects initial proposal from Newburyport.

Latest number proposed by N'port is \$25,893 (10.4% increase) with WN providing replacement vehicle for FY20. (Existing WN vehicle due for replacement).

Town Manager has counterproposed.

Contract negotiations with Newburyport underway.

Researching est. costs to retrofit outgoing police vehicle for ACO use.

Working to propose recommendation for March 19 FinCom mtg.

TOWN OF WEST NEWBURY
Town Manager Proposed FY20 Expense Budget

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				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Harbormaster Salary & Wages			3,000		0.0%	-	2,000		2,000	(1,000)	-33.3%
Harbormaster Exp			3,000		0.0%	-			-	(3,000)	-100.0%
295 Total Harbormaster			6,000		0.0%	-	2,000		2,000	(4,000)	-66.7%

Notes

Harbor Committee did not propose expense budget.

Can cover current FY20 expenses (pump-out grant, MOA with Salisbury Harbormaster) from GL accounts (Mooring Fund, and Waterways Fund); balance of approx. \$22,800.

TM budget proposed add'l \$2k to support expanding work scope with Salisbury Harbormaster to include enforcement activity on summer weekends.

TOWN OF WEST NEWBURY
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				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Municipal Dispatch Salaries & Wages	202,569	211,414	256,618	123,071	48.0%	267,006	267,006		267,006	10,388	4.0%
Municipal Dispatch OT Wages	23,868	18,411	25,520	13,284	52.1%	24,229	24,229		24,229	(1,291)	-5.1%
Municipal Dispatch Expenses	21,315	19,580	26,370	17,109	64.9%	26,370	26,370		26,370	0	0.0%
299 Total Municipal Dispatch	247,752	249,405	308,508	153,465	49.7%	317,605	317,605		317,605	9,097	2.9%

Notes

FY19 budgeted expenses did not include cost increases resulting from recent agreement to new FY19-21 Dispatch union contract.

Proposed FY20 expenses include both FY19 actual increases, and FY20 increases, due to contract terms.

TOTAL PUBLIC SAFETY:	1,552,535	1,630,037	1,878,649	1,074,271	57.2%	1,970,522	1,978,239	1,975,509	1,975,509	96,860	5.2%
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TOWN OF WEST NEWBURY

Town Manager Proposed FY20 Expense Budget

YTD exp
as of:
2/12/19

1000 - Account	FY17	FY18	FY19	YTD		FY20	2019 - 2020	2019 - 2020	2019 - 2020	Proposed Change	
	Expended	Expended	Final Budget	\$	%	DH/BCC	Town Manager	Town Manager	FinCom Rec.	\$	%
					62.1%		2/19/2019	3/15/2019			
EDUCATION											
Pentucket Regional Sch Assessment	6,607,435	6,794,510	7,176,348	4,784,232	66.7%	7,391,638	7,452,394	7,372,813	7,372,813	196,465	2.7%
Pentucket Capital Assessment	55,585	57,860	64,162	39,009	60.8%	64,162	58,149	58,227	58,227	(5,935)	-9.3%
Pentucket Assessment Page Phase II	531,729	526,060	511,988	345,091	67.4%	511,988	509,538	509,538	509,538	(2,450)	-0.5%
304 Total Pentucket	7,194,749	7,378,430	7,752,498	5,168,332	66.7%	7,967,788	8,020,081	7,940,578	7,940,578	188,080	2.4%
Whittier Minimum Contribution	298,031	305,615	232,543	197,664	85.0%	232,543	232,543	225,975	225,975	(6,568)	-2.8%
Whittier Other Assessments	31,377	60,891	49,486	47,141	95.3%	49,486	49,486	40,443	40,443	(9,043)	-18.3%
Whittier Debt/Capital Assess	13,250	15,056	20,320	12,191	60.0%	20,320	20,320	21,993	21,993	1,673	8.2%
305 Total Whittier	342,658	381,562	302,349	256,996	85.0%	302,349	302,349	288,411	288,411	(13,938)	-4.6%
ESSEX NORTH SHORE AGRICULTURAL	-	17,205	19,575	0.0%	0.0%	19,575	19,575	17,200	17,200	(2,375)	-12.1%
310 Total ESSEX NORTH SHORE AGRICULTURAL	-	17,205	19,575	0.0%	0.0%	19,575	19,575	17,200	17,200	(2,375)	-12.1%
TOTAL EDUCATION:	7,537,407	7,777,197	8,074,422	5,425,328	67.2%	8,289,712	8,342,005	8,246,189	8,246,189	171,767	2.1%

Notes

*Pentucket initial DH request amount based on initial proposed PRSD budget.
PRSD budget as approved by PRSD School Committee on March 5.*

*Whittier budget as approved by Whittier School Committee March 13.
West Newbury enrollment at Whittier is down one student from the current year.*

*Essex North Shore Ag. costs depend on actual enrollment.
Per 3/14 conversation w Business Manager, based on number of applications and total anticipated acceptance (400 accepted of 1,400 applicants), recommended budgeting for one student.
Budget based on per pupil cost plus avg. per student transport costs.*

TOWN OF WEST NEWBURY

Town Manager Proposed FY20 Expense Budget

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as of:
2/12/19

1000 - Account	FY17	FY18	FY19	YTD		FY20	2019 - 2020	2019 - 2020	2019 - 2020	Proposed Change	
	Expended	Expended	Final Budget	\$	%	DH/BCC	Town Manager	Town Manager	FinCom Rec.	\$	%
					62.1%		2/19/2019	3/15/2019			
DEPARTMENT OF PUBLIC WORKS											
DPW Salaries & Wages	412,750	427,280	434,243	266,479	61.4%	434,243	457,890	457,890	457,890	23,647	5.4%
DPW Overtime Wages	6,418	6,082	10,404	2,500	24.0%	10,404	10,404	10,404	10,404	0	0.0%
Snow & Ice Removal	298,822	234,083	150,000	85,818	57.2%	150,000	150,000	150,000	150,000	0	0.0%
Town Bldgs Operating Expenses	155,499	196,390	96,400	80,839	83.9%	96,400	96,400	96,400	96,400	0	0.0%
Town Bldgs Improvements	47,185	51,000	51,000	44,552	87.4%	51,000	51,000	51,000	51,000	0	0.0%
Street/Paving Repairs	70,000	70,000	70,000	-	0.0%	70,000	70,000	70,000	70,000	0	0.0%
Highway, Sidewalk & Trees	134,733	140,000	140,000	36,347	26.0%	150,000	150,000	150,000	150,000	10,000	7.1%
DPW Vehicle Allowance	6,000	6,000	6,000	2,225	37.1%	6,000	6,000	6,000	6,000	0	0.0%
DPW Expenses	4,164	4,615	4,800	3,773	78.6%	9,132	9,132	9,132	9,132	4,332	90.3%
Parks Expense	14,708	14,042	15,000	-	0.0%	15,000	15,000	15,000	15,000	0	0.0%
Public Street Lights	3,840	5,667	13,000	3,724	28.6%	13,000	7,000	7,000	7,000	(6,000)	-46.2%
Electricity			70,000	32,311	46.2%	70,000	70,000	70,000	70,000	0	0.0%
Road Machinery Operating Expen	46,647	51,107	49,000	36,351	74.2%	49,000	49,000	49,000	49,000	0	0.0%
Engineering consultants						20,000	-	-	-	0	
Stormwater management						10,000	10,000	10,000	10,000	10,000	
420 Total Department of Public Works	1,200,766	1,206,266	1,109,847	594,919	53.6%	1,154,179	1,151,826	1,151,826	1,151,826	41,979	3.8%
TOTAL PUBLIC WORKS:	1,200,766	1,206,266	1,109,847	594,919	53.6%	1,154,179	1,151,826	1,151,826	1,151,826	41,979	3.8%

Notes

Dept. Head proposed DPW budget for FY20 did not include cost increases likely to result from ongoing negotiations of new Highway Union Contract.

TM budget recommends a placeholder amount be carried in proposed budget to pay potential future contractual increases (2.5% added to salaries & wages).

Increased Highway, Sidewalk and Tree budget due to DEP mandated testing and disposal of materials from catch basin cleaning and increased tree vendor costs.

In the past, materials from catch basin cleanings were added to pile behind recycling center; per DEP requirements materials must be tested and disposed of.

Former tree contractor no longer operating; now cost is 3x higher. Used to cost \$1,500/day; current rates more like \$4,000/day.

Increased Expense Line 5400 due to MCPPO training, OSHA training and materials, other training; phone expenses.

Public Street Lights: TM recommends reduced budgeting based on prior years' expenditures.

New expense categories result from new unfunded mandates from DEP and EPA for dam study (due 12/31/19) and MS4 (stormwater) General Permit requirements.

EPA dam study a one-time expense so proposed as a Warrant Article.

The MS4 costs will be recurring expenses so are included in operating budget rather than as a warrant article.

MS4 regulatory compliance; report prep; stormwater outfall testing; mapping etc.

Snow & Ice proposed at same budget level as FY19.

Snow & Ice Avg. Expenditures FY08-FY18 \$221,531

TOWN OF WEST NEWBURY

Town Manager Proposed FY20 Expense Budget

YTD exp
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	Expended	Expended	Final Budget	\$	%	DH/BCC	Town Manager	Town Manager	FinCom Rec.	\$	%
				62.1%			2/19/2019	3/15/2019			
HUMAN SERVICES											
Board of Health Salary & Wages	113,704	115,057	118,393	69,797	59.0%	119,300	122,620	122,620	122,620	4,227	3.6%
Public Health Nurse	3,631	3,840	3,840	2,240	58.3%	3,840	3,840	3,840	3,840	0	0.0%
Waste Collection	291,652	305,770	316,680	158,909	50.2%	325,080	214,680	214,680	214,680	(102,000)	-32.2%
Waste Disposal							110,400	110,400	110,400	110,400	
Recycling			50,000	21,863	43.7%	50,000	50,000	50,000	50,000	0	0.0%
Hazardous Waste Expense	1,048	2,157	2,000	228	11.4%	2,000	2,000	2,000	2,000	0	0.0%
Bd of Health Expenses	11,392	17,712	12,415	6,423	51.7%		4,500			(12,415)	-100.0%
Advertising						1,000	1,000	1,000	1,000		
Equipment/Repairs						600	600	600	600		
Supplies						1,400	1,400	1,400	1,400		
Membership/Dues						400	400	400	400		
Mileage						200	200	200	200		
Misc.						200	200	200	200		
Professional Services						300	300	300	300		
Training/Education						400	400	400	400		
Cell phone						500	-	-	-		
Vehicle fuel/maintenance/repairs						2,000	2,000	2,000	2,000		
Steele landfill monitoring			30,000	12,023	40.1%	21,746	22,646	22,646	22,646	(7,354)	-24.5%
510 Total Board of Health	421,427	444,536	533,328	271,482	50.9%	528,966	537,186	532,686	532,686	(642)	-0.1%

Notes

FY19 Final Budget reflects two budget amendments approved Oct. 2018: \$50,000 for recycling costs; and \$30,000 for landfill monitoring and DEP compliance.

Increase in proposed expense budget driven by increased recycling costs resulting from changes in market conditions.

Increased landfill monitoring costs resulting from newly approved DEP landfill post-closure monitoring plan. May increase further per Health Agent correspondence 2/19/19.

Groundwater monitoring conducted on 2/27/19 showed elevated levels of methane, which Health reported to DEP on 3/1/19. This may result in additional requirements for monitoring.

Proposed landfill monitoring budget based on DEP approved monitoring plan, so any increased requirements would require additional expense budget, or reserve fund transfer.

Includes increase in Recycling Coordinator hours from 4 hrs/wk to 5 hrs/wk.

Initial Town Manager budget broke out more detail in expense budget (i.e. what makes up the \$4,500) but double-counted the \$4,500. The revised budget corrects this error.

The Health Agent's cellphone is paid by a regional coalition. Board proposed budget with cellphone stipend in case that is cut from regional coalition budget. Not included in Manager proposed budget.

TOWN OF WEST NEWBURY
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				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Council on Aging Salary & Wages	57,466	63,273	64,296	36,800	57.2%	75,049	72,950		72,950	8,654	13.5%
Council on Aging Expenses	16,934	17,669	18,500	10,640	57.5%	19,500	19,500		19,500	1,000	5.4%
541 Total Council on Aging	74,400	80,942	82,796	47,440	57.3%	94,549	92,450		92,450	9,654	11.7%

Notes

Personnel cost increase driven by proposed reclassification of position to better align with comparable WN staff positions and based on review of comparable staffing and wage structures in similar communities.
Expense increase driven by additional cost to print and mail ~750 newsletters/month.
In FY19 the printing costs were paid by Friends of the COA but this financial support ended during FY19.

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				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Community Center Salaries & Wages	-		3,600	80	2.2%	-	-		-	(3,600)	-100.0%
Community Center Expenses	-	365	2,400	340	14.2%	-	-		-	(2,400)	-100.0%
542 Total COMMUNITY CENTER COMMITTEE	-	6,000	6,000	420	7.0%	-	-		-	(6,000)	-100.0%

Notes

Prior year salaries/wages budget was for minutes taker.

No expense budget proposed for FY20. Committee members recently resigned. BoS and COA review underway.

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Town Manager Proposed FY20 Expense Budget

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				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Rental C.L. Carr Post		-	1		0.0%	1	-		-	(1)	-100.0%
Soldiers Grave Expense	1,890	2,600	2,600	1,335	51.3%	2,600	2,600		2,600	0	0.0%
MEMORIAL DAY EXPENSE	158	600	5,000		0.0%	600	600		600	(4,400)	-88.0%
Other Assessments-Min Cntr.	15,092	16,929					-		-	0	
Northern Essex Veterans Servic	8,421	5,320	27,637	21,902	79.2%	30,357	30,357		30,357	2,720	9.8%
543 Total Veterans	25,560	25,449	35,238	23,237	65.9%	33,558	33,557		33,557	(1,681)	-4.8%

Notes

Memorial Day parade expenses proposed higher for FY19 due to Bicentennial year; proposed reduced expenses in FY20.

Veterans' Services budget preliminary pending receipt of final proposed budget from Eastern Essex District Dept of Veterans' Services. Amount based on verbal estimate of FY20 increase.

The veterans' expense line also varies depending on how many people claim benefits in FY20, so the FY19 was carried forward for that portion of the expense line.

TOTAL HUMAN SERVICES:	521,386	556,926	657,362	342,578	52.1%	657,073	663,193	658,693	658,693	1,331	0.2%
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TOWN OF WEST NEWBURY
Town Manager Proposed FY20 Expense Budget

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1000 - Account	FY17 Expended	FY18 Expended	FY19 Final Budget	YTD		FY20 DH/BCC	2019 - 2020 Town Manager	2019 - 2020 Town Manager	2019 - 2020 FinCom Rec.	Proposed Change	
				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
CULTURE & RECREATION											
Library Salaries & Wages	243,193	248,016	255,518	147,595	57.8%	257,751	261,267	263,813	263,813	8,295	3.2%
Library Expense	32,288	32,491	32,500	28,839	88.7%	33,000	33,000	33,000	33,000	500	1.5%
Library Books and Periodicals	61,997	65,999	66,000	41,769	63.3%	67,000	67,000	67,000	67,000	1,000	1.5%
610 Total Library	337,478	346,506	354,018	218,204	61.6%	357,751	361,267	363,813	363,813	9,795	2.8%

Notes

Budget takes into account anticipated hire of new Director (current Director retiring 6/30/19).
Original proposed Town Manager budget did not include three merit/longevity increases that were included in the budget proposed by the Library Board:
Proposed \$1.00/hr increase for staff librarian (27 hrs/wk) from \$17.25 to \$18.25.
Proposed \$1.70/hr increase for library assistants (2 positions, 10 hrs/wk) from \$14.08 to \$15.78.
These increases were left out of budget due to Town Manager error; intent was to include these wage changes as proposed by Library Board.
With these proposed changes, revised Town Manager proposed budget shows increase of \$9,795 (2.8%) - was shown previously as \$7,249 (2.0%).

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Town Manager Proposed FY20 Expense Budget

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2/12/19

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	Expended	Expended		\$	%		Town Manager	Town Manager	FinCom Rec.	\$	%
					62.1%		2/19/2019	3/15/2019			
Recreation Salaries & Wages	1,281					1,800	1,800		1,800	1,800	
Recreation Expenses	7,200	7,344	7,344	5,084	69.2%	5,500	5,500		5,500	(1,844)	-25.1%
Action Cove Expenses	-		5,000		0.0%	5,000	3,000		3,000	(2,000)	-40.0%
Recreation fee waiver offset	-	-				2,350	-		-	0	
630 Total Recreation	8,481	7,344	12,344	5,084	41.2%	14,650	10,300		10,300	(2,044)	-16.6%

Notes

TM proposed reduced budget for Action Cove based on costs of prior year mulching (\$1,675 and \$2,818).

Park & Rec Commission recently began waiving certain fees for use of Pipestave fields.

Commission has proposed that these revenues formerly derived from fees be incorporated into expense budget or added to Rec Revolving Fund.

Two existing gift accounts have balances that could be sought if there is an actual shortfall in FY20:

<u>Account</u>	<u>Balance</u>	<u>As of</u>
Action Cove gift account	5,083	2/19/2019
Mosley Foundation	44,825	2/19/2019
	<u>49,908</u>	

TOWN OF WEST NEWBURY
Town Manager Proposed FY20 Expense Budget

YTD exp
as of:
2/12/19

1000 - Account	FY17 Expended	FY18 Expended	FY19 Final Budget	YTD		FY20 DH/BCC	2019 - 2020 Town Manager	2019 - 2020 Town Manager	2019 - 2020 FinCom Rec.	Proposed Change	
				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Mill Pond Operating Expenses	-	549	4,450		0.0%	4,450	4,200		2,100	(2,350)	-52.8%
631 Total Mill Pond	-	549	4,450		0.0%	4,450	4,200		2,100	(2,350)	-52.8%

Notes

Low historical spending levels.

Maintained substantially level budget because add'l water quality testing costs may result from ongoing review of potential amendments to Mill Pond Management Plan.

Potential to reduce this expense line if necessary services are procured to complete in remainder of FY19.

TOWN OF WEST NEWBURY
Town Manager Proposed FY20 Expense Budget

YTD exp
as of:
2/12/19

1000 - Account	FY17 Expended	FY18 Expended	FY19 Final Budget	YTD		FY20 DH/BCC	2019 - 2020 Town Manager	2019 - 2020 Town Manager	2019 - 2020 FinCom Rec.	Proposed Change	
				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
Bandstand Expense	4,750	5,049	6,000	4,298	71.6%	6,000	6,000		6,000	0	0.0%
635 Total Bandstand	4,750	5,049	6,000	4,298	71.6%	6,000	6,000		6,000	0	0.0%
Historical Commission Expenses		302	500		0.0%	500	500		500	0	0.0%
691 Total Historical Commission		302	500		0.0%	500	500		500	0	0.0%
Cultural Council Expense	70	76	100	82	82.0%	100	100		100	0	0.0%
695 Total Cultural Council	70	76	100	82	82.0%	100	100		100	0	0.0%
TOTAL CULTURE & RECREATION:	350,779	359,525	376,912	227,668	60.4%	382,951	381,867		382,813	5,901	1.6%

TOWN OF WEST NEWBURY
Town Manager Proposed FY20 Expense Budget

YTD exp
as of:
2/12/19

1000 - Account	FY17 Expended	FY18 Expended	FY19 Final Budget	YTD		FY20 DH/BCC	2019 - 2020 Town Manager	2019 - 2020 Town Manager	2019 - 2020 FinCom Rec.	Proposed Change	
				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
DEBT SERVICE											
Debt Service (Principal)	682,950	470,000	340,000	440,000	129.4%	350,614	350,614		350,614	10,614	3.1%
Debt Service (Interest)	54,400	41,000	29,000	18,150	62.6%	22,200	22,200		22,200	(6,800)	-23.4%
710 Total Debt Service	737,350	511,000	369,000	458,150	124.2%	372,814	372,814		372,814	3,814	1.0%
TOTAL DEBT SERVICE:											
	737,350	511,000	369,000	458,150	124.2%	372,814	372,814		372,814	3,814	1.0%

Notes

FY20 principal includes \$140k for Land Acq. Cherry Hill, \$170k for Public Safety Complex, \$30k for Land Acq.
Also includes add'l \$10,614 to pay final remaining balance for Dunn property.

TOWN OF WEST NEWBURY

Town Manager Proposed FY20 Expense Budget

YTD exp
as of:
2/12/19

1000 - Account	FY17 Expended	FY18 Expended	FY19 Final Budget	YTD		FY20 DH/BCC	2019 - 2020 Town Manager	2019 - 2020 Town Manager	2019 - 2020 FinCom Rec.	Proposed Change	
				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
BENEFITS											
Essex Regional Retirement Assess	533,246	555,396	641,424	641,424		666,959	666,959	660,171	660,171	18,747	2.9%
911 Total Essex Regional Retirement Asse	533,246	555,396	641,424	641,424	100.0%	666,959	666,959	660,171	660,171	18,747	2.9%
Unemployment Insurance	-		1			1	1	1	1	0	0.0%
913 Total Unemployment Insurance	-	-	1		0.0%	1	1	1	1	0	0.0%
Group Insurance	297,635	378,958	422,570	262,670		439,473	469,397	465,397	465,397	42,827	10.1%
914 Total Group Insurance	297,635	378,958	422,570	262,670	62.2%	439,473	469,397	465,397	465,397	42,827	10.1%
FICA Insurance	41,979	43,774	45,525	27,880		50,000	48,279	48,279	48,279	2,754	6.0%
916 Total FICA Insurance	41,979	43,774	45,525	27,880	61.2%	50,000	48,279	48,279	48,279	2,754	6.0%
Other Post Ret Benefits	-					1	1	1	1	1	
919 Total OPEB - GF	-	-				1	1	1	1	1	
Insurance and Bonds	155,602	161,365	170,000	159,041	93.6%	174,250	172,832	172,962	172,832	2,832	1.7%
945 Total Insurance and Bonds	155,602	161,365	170,000	159,041	93.6%	174,250	172,832	172,962	172,832	2,832	1.7%
TOTAL BENEFITS:	1,028,462	1,139,493	1,279,520	1,091,015	85.3%	1,330,684	1,357,469	1,346,811	1,346,681	67,161	5.2%

Notes

Retirement number provided by Essex Regional Retirement System. Net of amount to be paid from Water Fund. Number updated based on new info received 2/28/19.

Unemployment insurance has not been budgeted in recent years.

If the Town were to be responsible to pay unemployment benefits, a reserve fund transfer would be sought.

Initial health insurance costs for non-union personnel based on advice from MIIA to carry 3.6% increase. Number updated to reflect actual 1.95% increase based on new info received 2/28/19.

Budget includes amounts for all potential new hires at family plan rates. This is a conservative projection.

Increased Prop/Caus. insurance costs based on fixed 2.5% rate plus add'l \$1,682 added during FY19 due to increase in est. replacement costs for Town buildings.

Increase in Prop/Caus. insurance costs somewhat offset by reduction in insurance costs for Pipestave Apts (\$3,100) based on anticipated transfer to Housing Authority before 6/30/19.

Prop/Caus. Insurance also adjusted based on increase in premium to insure Carr Post.

TOWN OF WEST NEWBURY

Town Manager Proposed FY20 Expense Budget

YTD exp
as of:
2/12/19

1000 - Account	FY17 Expended	FY18 Expended	FY19 Final Budget	YTD		FY20 DH/BCC	2019 - 2020 Town Manager	2019 - 2020 Town Manager	2019 - 2020 FinCom Rec.	Proposed Change	
				\$	%					\$	%
					62.1%		2/19/2019	3/15/2019			
TRANSFERS OUT - STABILIZATIONS											
Transfers Out			300,000	300,000	100.0%	500,000	439,000	500,000	500,000	200,000	66.7%
TRANSFERS OUT-SCHOOL STABILIZA	107,216	779,122	315,000	315,000	100.0%	321,800	321,800	321,800	321,800	6,800	2.2%
992 Total Transfers Out	107,216	779,122	615,000	615,000	100.0%	821,800	760,800	821,800	821,800	206,800	33.6%

Notes

Transfers to Stabilization for capital planning.
 Spring 2018 CIC report recommended transfer of \$500,000 in FY20. TM reduced in order to make overall bottom-line budget.
 Capital planning process underway, and this number may be proposed to change.
 School Stabilization amount based on warrant article proposed by Board of Selectmen.
 Note: Amount wasn't shown in FY19 budget but was funded by Raise & Appropriate.

1000 Total General Fund	13,846,074	14,818,351	15,368,426	10,400,620		16,077,823	16,050,588	16,008,430	16,006,697	638,271	4.2%
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Notes

FY19 Expense Budget approved at April 2018 Annual Town Meeting: \$14,973,426
 FY19 Budget amendments funded from Raise and Appropriate:
 \$315,000 to School Stabilization Fund;
 \$50,000 to Board of Health for increased recycling costs;
 \$30,000 to Board of Health for landfill monitoring and DEP compliance.
FY19 Amended Expense Budget: \$15,368,426
 FY19 Free Cash allocations include:
 \$50,000 transfer to pension stabilization (Art. 6, ATM 2018);
 \$140,000 authorization for Bicentennial Committee (Art. 10, ATM 2018);

Town Manager Notes

Account numbers provided in the first two columns (both "per section" and per line item) are based on current FY19 account structure. FY20 account numbers will change with the implementation of a new Chart of Accounts to take effect July 1, 2020. However, the basic account structure and categories (i.e. salaries/wages, and expenses, etc.) will be maintained through the conversion to a new Chart of Accounts.
 Where new budget lines are proposed, not included in FY19 budget, there is no account number included. Account numbers will be added with the creation of a new Chart of Accounts.

Local Receipts: Estimated and Actual, FY14-FY18, Estimated and YTD FY19, Estimated FY20

	<u>6/30/2014</u>	<u>6/30/2015</u>	<u>6/30/2016</u>	<u>6/30/2017</u>	<u>6/30/2018</u>	<u>Average</u>	<u>2019 Estimate</u>	<u>2018 Est</u>
Motor Vehicle	\$ 640,052	\$ 665,622	\$ 691,907	\$ 734,824	\$ 774,583	\$ 701,397	\$ 701,400	\$ 700,000
Other Excise	\$ 2,083	\$ 2,027	\$ 1,829	\$ 1,909	\$ 2,311	\$ 2,032	\$ 2,032	\$ 1,500
Pen & Int Taxes & Excise	\$ 61,117	\$ 42,727	\$ 42,297	\$ 39,633	\$ 46,203	\$ 46,395	\$ 39,000	\$ 35,000
PILOT	\$ 10,292	\$ 10,020	\$ 13,209	\$ 12,218	\$ 5,778	\$ 10,303	\$ 5,000	\$ 10,000
Rentals	\$ 145,976	\$ 151,762	\$ 138,666	\$ 148,620	\$ 161,255	\$ 149,256	\$ 145,000	\$ 145,000
Other Dept Rev	\$ 19,368	\$ 31,739	\$ 18,946	\$ 59,118	\$ 65,009	\$ 38,836	\$ 38,000	\$ 50,000
Lic & Permits	\$ 197,550	\$ 199,487	\$ 244,413	\$ 175,404	\$ 156,494	\$ 194,670	\$ 130,000	\$ 175,000
Fines & Forfeits	\$ 25,859	\$ 22,075	\$ 23,908	\$ 16,473	\$ 17,278	\$ 21,118	\$ 10,000	\$ 5,600
Invest Income	\$ 15,227	\$ 26,844	\$ 35,191	\$ 40,881	\$ 43,846	\$ 32,398	\$ 40,000	\$ 40,000
Misc Recurring	\$ 1,394	\$ 4,348	\$ 3,168	\$ 13,931	\$ 29,304	\$ 10,429	\$ 10,000	\$ 10,000
Misc Non-recurring	\$ 63,517	\$ 2,223	\$ 12,802	\$ 12,795	\$ 3,089	\$ 18,885	\$ -	\$ -
Total	\$ 1,182,435	\$ 1,158,874	\$ 1,226,336	\$ 1,255,806	\$ 1,305,148	\$ 1,225,720	\$ 1,120,432	\$ 1,172,100

Change in estimated local receipts, FY18 to FY19 (proposed):	\$ (51,668)
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Local Receipts: Esti							
	<u>2019 YTD</u>	<u>2019 (%)*</u>	<u>Five Year</u>		<u>2020 Estimate</u>	<u>2020 Estimate</u>	<u>Change FY19-</u>
			<u>Rolling</u>	<u>90% of Five</u>	<u>(Town Acct)</u>	<u>(Town Mgr)</u>	<u>20</u>
			<u>Average</u>	<u>year Rolling</u>			
Motor Vehicle	\$ 193,628	27.6%	\$ 701,397	\$ 631,258	\$ 790,000	\$ 790,000	\$ 88,600
Other Excise	\$ 2,179	107.2%	\$ 2,032	\$ 1,829	\$ 2,000	\$ 2,100	\$ 68
Pen & Int Taxes & Excise	\$ 22,600	57.9%	\$ 46,395	\$ 41,756	\$ 45,000	\$ 40,000	\$ 1,000
PILOT	\$ 7,295	145.9%	\$ 10,303	\$ 9,273	\$ 10,300	\$ 10,300	\$ 5,300
Rentals	\$ 88,837	61.3%	\$ 149,256	\$ 110,344	\$ 140,000	\$ 140,000	\$ (5,000)
Other Dept Rev	\$ 11,287	29.7%	\$ 38,836	\$ 34,952	\$ 20,000	\$ 18,000	\$ (20,000)
Lic & Permits	\$ 139,483	107.3%	\$ 194,670	\$ 175,203	\$ 220,000	\$ 220,000	\$ 90,000
Fines & Forfeits	\$ 7,325	73.3%	\$ 21,118	\$ 19,007	\$ 15,000	\$ 15,000	\$ 5,000
Invest Income	\$ 45,185	113.0%	\$ 32,398	\$ 29,158	\$ 70,000	\$ 70,000	\$ 30,000
Misc Recurring	\$ 28,012	280.1%	\$ 10,429	\$ 9,386	\$ 26,000	\$ 26,000	\$ 16,000
Misc Non-recurring	\$ 14,160		\$ 18,885	\$ 16,997	\$ -	\$ -	\$ -
Total	\$ 559,991	50.0%	\$ 1,225,720	\$ 1,079,162	\$ 1,338,300	\$ 1,331,400	\$ 210,968

*As of 2/12/2019

62.1%

Town-wide Assessed Value and Tax Rate, Town of West Newbury, FY10-FY19						
Valuation					Tax Rate	
<u>Fiscal</u>	<u>Personal</u>		<u>Change from</u>			<u>Change</u>
<u>Year</u>	<u>Real Estate</u>	<u>Property</u>	<u>Total</u>	<u>Prior Year (\$)</u>	<u>Tax Rate</u>	<u>from Prior</u>
						<u>Year (\$)</u>
FY19	\$ 930,604,678	\$ 15,814,620	\$ 946,419,298	\$ 51,921,537	14.57	0.01
FY18	\$ 879,689,741	\$ 14,808,020	\$ 894,497,761	\$ 18,301,099	14.56	0.01
FY17	\$ 860,056,662	\$ 16,140,000	\$ 876,196,662	\$ 25,148,058	14.55	-0.08
FY16	\$ 835,613,644	\$ 15,434,960	\$ 851,048,604	\$ 77,094,539	14.63	-1.06
FY15	\$ 759,339,475	\$ 14,614,590	\$ 773,954,065	\$ 28,528,882	15.69	-0.11
FY14	\$ 727,095,893	\$ 18,329,290	\$ 745,425,183	\$ 13,323,443	15.80	0.05
FY13	\$ 714,051,310	\$ 18,050,430	\$ 732,101,740	\$ 9,983,438	15.75	0.92
FY12	\$ 709,535,482	\$ 12,582,820	\$ 722,118,302	\$ (26,816,219)	14.83	1.15
FY11	\$ 736,222,201	\$ 12,712,320	\$ 748,934,521	\$ (15,020,181)	13.68	0.76
FY10	\$ 752,225,582	\$ 11,729,120	\$ 763,954,702	n/a	12.92	
			Avg (FY15-FY19)	\$ 40,198,823		
			Avg (FY14-FY18)	\$ 32,479,204		
			Avg (FY14-FY15, FY17-FY18)	\$ 21,325,371		

Certified New Growth, Town of West Newbury, FY10-FY19

<u>Fiscal Year</u>	<u>Total¹</u>	<u>Percent of Total Value</u>
FY19	\$ 110,872	0.80%
FY18	\$ 108,503	0.83%
FY17	\$ 286,282	2.23%
FY16	\$ 188,281	1.41%
FY15	\$ 128,427	1.05%
FY14	\$ 129,296	1.10%
FY13	\$ 233,322	2.15%
FY12	\$ 147,554	1.49%
FY11	\$ 145,926	1.51%
FY10	\$ 95,256	1.03%

Avg (FY15-FY19)	\$ 164,473	1.26%
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¹ Source: MA DOR LA13s, FY10-FY19

Est. Tax Revenues from Increased Valuations

<u>Fiscal Year</u>	<u>Total¹</u>	<u>Net of New Growth</u>
FY19	\$ 756,497	\$ 645,625
FY18	\$ 266,464	\$ 157,961
FY17	\$ 365,904	\$ 79,622
FY16	\$ 1,127,893	\$ 939,612
FY15	\$ 447,618	\$ 319,191
FY14	\$ 210,510	\$ 81,214
FY13	\$ 157,239	\$ (76,083)
FY12	\$ (397,685)	\$ (545,239)
FY11	\$ (205,476)	\$ (351,402)
FY10		

Avg (FY15-FY19)	\$ 592,875	\$ 428,402
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¹ Source: MA DOR LA13s, FY10-FY19

DRAFT for 2019 Annual Town Meeting													
Balances Report		Estimated			Estimated								
		Town Stabilization	Pension Stabilization	School Stabilization	Town Free Cash	Water Stabilization	Water Free Cash	CPC Comm Housing	CPC Historical	CPC Open Space	CPC Undesig	CPC Reserve	
7/1/2018		1,401,461	149,777	1,250,268	1,718,985	8,072	389,648	239,813	382,142	382,142	1,247,645	259,987	
10/2018 STM	Art #												
BoH landfill monitoring	2				(30,000)								
BoH recycling costs	3				(50,000)								
CCC architectural svcs	4				(4,000)								
Selectmen temp pay	6				(2,500)								
Reduce Tax Rate	7				(220,000)								
Balances after STM		1,401,461	149,777	1,250,268	1,412,485	8,072	389,648	239,813	382,142	382,142	1,247,645	259,987	
4/2019 STM	Art #												
CPC Historic Sites phase 2	2								(25,000)				
CPC ADA ramp for Library	3								(17,000)				
CPC Brown Spring Farm CR	4									(200,000)			
CPC River Road parcel CR	5									(75,000)			
SRO budget amendment	6				(26,000)								
Town Clerk ballot scanners	7				(5,500)								
Snow & Ice Deficit	8				(110,000)								
Mill Pond Dam Emer. Act. Plan	9				(20,000)								
Balances after STM		1,401,461	149,777	1,250,268	1,250,985	8,072	389,648	239,813	340,142	107,142	1,247,645	259,987	
4/2019 ATM	Art #												
Omnibus Budget	4	500,000											
School Stabilization Fund	10			321,800									
Pension Liability Stabilization	11		67,000		(67,000)								
CPC Estimated Receipts	14							41,166	41,166	41,166		267,581	
Building Improvements	15	(76,000)											
DPW 4x4 Truck	16	(45,000)											
DPW Bldgs & Grounds Truck	17	(32,000)											
Fire Dept Rescue Vehicle	18	(230,000)											
Balances after ATM		1,518,461	216,777	1,572,068	1,183,985	8,072	389,648	280,979	381,308	148,308	1,247,645	527,568	

Source: Angus Jennings, Town Manager

MEETING MINUTES-WEST NEWBURY
FINANCE COMMITTEE

Date & Time: Tuesday March 19th 2019 7pm

Location : 1910 Building 1st Floor Hearing Room

Attendees: Gary L. Roberts Jr., Chairman, Forbes Durey, Brad Beaudoin, Nathan Kelly, Jessica Knezek, Laurie Zywiak, Angus Jennings

AGENDA

1. Call to Order
2. Public Comment, Public comment is limited to 2 minutes per resident for items on the agenda. The chair may allow for more time depending on number of residents seeking to participate.

Vanessa Johnson-Hall with Greenbelt is present to answer any questions regarding CPC items with Greenbelt support.

3. Late File Items

none

4. Approval of minutes

3/12/19 Minutes approved 5-0 with clarification of the percentage change from the citizen's petition regarding CPC property tax assessment; it should read .5%

5. Review Town Manager proposed budget by department. Review non capital associated articles

Pentucket Regional School District, Business Manager Greg Lebrecque present

16 West Newbury students attended Whittier as of fall 2018

Proposed budget increase for Pentucket school system is 2.1%, partially acknowledging that they are asking the member towns to make a significant capital investment in a new middle-school/high-school. There was the removal of 1 teaching position. It was noted that school enrollment is down 33% over 10 years. Special education costs are up \$800,000, as this is a cost that cannot be controlled because it is state mandated. This accounts for nearly 30% of the districts budget, up from 20% 10 years ago.

Assessment is up \$180K, however this is the smallest increase of the three towns. State funding is also down another 100K this year, with state funds going to the larger cities of the commonwealth.

Forbes asked about SRO funding and what mechanisms are in place to help ensure the costs are evenly distributed with regard to not only wages but all costs including benefits. Lebreque was that there is no formal agreement with Pentucket, historically \$26,000 has been given each year to the town as compensation. Forbes asked about the actually total cost is for the SRO position. Jennings did not have the exact figure, but said that the true cost is over \$100,000. Jennings also noted the new SRO has a higher salary then the previous one which also inflates this number.

Vote: 5:0 approve

Article: raise and appropriate \$321,800 to be placed in the special school stabilization fund. No discussion.

Vote 5:0 approve

New Middle School/High school debt authorization article

The Pentucket Reginal School District projects that the average tax increase for West Newbury residents will be \$755(\$146M project cost) to fund the new high school/middle school.

Durey asked what costs are not reimbursed- the biggest is land development costs. One of the reasons for increased site development costs is placement of the proposed new building in a different location the the current building to minimize disruption of students during the transition from the old to the new building.

Vote 5:0 approve

CPC, Elisa Grammer, Vanessa Johnson-Hall present

Article: Historic sites survey, Phase II

This article seeks \$25,000 in CPC funding to continue the original historic survey completed last year, adding an additional 80+ buildings to the previous study. They will also be applying for a 50% matching state grant(which was awarded for the first phase).

Vote 4:0, approve, Knezek abstaining

Article: River Rd Conservation Acquisition

\$75,000 in CPC funds, Greenbelt funding \$140,000 + ~\$30,000 for closing costs. The hope is that this plot will allow a hiking trail loop and possibly a parking area. Durey asked about yearly maintenance costs associated with this acquisition. Greenbelt manages and maintains the trails and there will be no additional costs to the town.

Vote 5:0 approved

Article: Brown Spring Farm

CPC funds \$200,000, Greenbelt funding ~\$230,000

These funds would allow purchasing of a conservation restriction for the Brown Spring farm. The property is being purchased by a private farmer who plans to farm vegetables and sell cut flowers on the land. The current house on the lot is uninhabitable and if it needs to be replaced must match the character of the original house. The restriction would also only allow one house structure. Durey asked about how the conservation restriction would affect the parking areas and farm stand safety improvements. It was stated that changes required to improve safety/meet zoning/building codes would be allowed.

Vote 4:1 approve, Beaudoin dissenting because he did not feel this was an equitable use of town funds, as one party, the farm buyer, would enjoy a disproportionate benefit from this article. He feels that such projects are better suited to organizations like Greenbelt, where its donors give, knowing the funds will be used for such purposes, whereas the tax payers of West Newbury are all required to pay the 3% CPC surcharge but may not necessarily agree with such uses of their money.

CPC Funding article.

This is the standard CPC article. Beaudoin asked that under “funding source” for this article, it state 3% property tax assessment or similar.

Vote 5:0 approve

Library Ramp article

CPC Funds \$17,000. This is a subset of a article originally proposed from the DPW director. It was asked that the funds for this project be requested from the CPC.

Vote 5:0 approve

Inspection

Jennings clarified the issue with the building inspectors requested pay increase. It has been approved and both parties are satisfied.

Vote 5:0 approve

Animal Control

The final proposed budget is \$24,050 but West Newbury is to supply a new vehicle for the animal control officer. The vehicle to be supplied is a recently retired West Newbury police cruiser. Beaudoin asked if it was a good investment, paying to have the police cruiser retrofitted, at some cost, to be an animal control vehicle when the police dept. felt this vehicle was at the end of its useful life.

Vote 4:1 approve, Beaudoin dissenting

Debt Service

Debt service increase is 1%. This included the final payment for the Dunn Property.

Vote 5:0 approve

Town Manager, Finance Dept, Selectmen Office

Combined budgetary increase is 1.83%. Each individual dept is hard to compare with previous years due to personnel and expense line items shifting during the transition to the Town Manager. The Town Manager's budget did have an \$8,500 expense increase for a biyearly informational pamphlet the town manager would like to send to residents to enhance communication with his office and the townspeople.

Vote: 5:0 approve

Special Council

This is a new section proposed by the Town Manager. \$15,000 is proposed. Jennings says that independent council is helpful for personnel issues.

Vote 5:0 approve

Veteran's Services

Vote 5:0 approve

Recreation

The parks and rec commission agreed to waive fees for the West Newbury youth league, this has resulted on loss of \$2350 to the department. This department has a 16% decrease with \$2000 reduction of fees associated with mulching and action cove expenses.

Vote 5:0

Bandstand

Vote 5:0

Mill pond expense budget

Durey proposed reducing the budget to \$2100(from \$4,200 originally). Previous spending of this department has been around ~\$600, thus the board of selectmen recommended decreasing this budget.

Vote 5:0 approve.

Benefits

No discussion.

Vote 5:0 approve

Transfers out

The capital improvement committee recommended \$500,000 to be placed into stabilization as this is the yearly contribution required to maintain positive stabilization account balance based on the current 10-year stabilization table.

Vote 5:0 approve

Article 14: \$70,000 transfer to the pension liability fund. DLS recommends 10% contribution to this fund, which would be ~\$67,000.

Vote 5:0 approve.

Article 15: Amendment to mill pond management plan. Previously approved changes to the mill pond management plan were not approved by voters, as required by the mill pond management plan. The proposed changes allow equal voting weight for all departments, committees and boards with interest in the mill pond.

Vote : 5:0 approve

Article 2: Revolving account authorization article
No Discussion

Vote 5:0

Vote 5:0 approve

Article #27: budgeting to fully pay expense of SRO

2:3 disapprove, Durey, Beaudoin, Roberts dissenting

Article #28: Dunn Property debt service

Vote 5:0

Article #31: Amendment of department revolving bylaw to include mill pond revolving account.

A balance of \$5237 for a Mill pond expense account was discovered. The creation of a revolving account would allow these funds to stay available for Mill Pond use.

Vote 5:0 approve

Article 12: Amendment of Pentucket Regional School District agreement adding language for emergency contingency planing.

Vote 5:0

Article #25. Zoning amendment relating to erosion and sedimentation.

Vote 5:0 approve

Article 26: Amendment to Town Council Bylaw.

This seeks to create agreement between the Selectmen's policy regarding town council and the town's council bylaw. The proposed bylaw would restrict requests for town council to the town manager or the chairman of the Board of Selectmen as set forth by the current policy drafted by the Board of selectmen.

Vote 5:0 approve

6. Communications

DPW article regarding building repairs and improvements as been reduced by \$17,000, originally ear marked for a handicap ramp for the library. These funds have been applied for through the CPC.

7. Adjournment

Animal Control Shared Services Proposed FY2020 Cost Allocation

<u>Budget</u>	<u>FY2017</u>	<u>FY2018</u>	<u>FY2019</u>	<u>FY2020</u>
Animal Control Officer	\$ 40,221.01	\$ 41,456.88	\$ 43,131.74	\$ 43,994.37
Assistant ACO	\$ 12,340.00	\$ 12,340.00	\$ 12,340.00	\$ 12,586.80
Overtime	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 1,020.00
Clothing Allowance	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00
Health Insurance	\$ 17,538.66	\$ 18,204.48	\$ 19,078.32	\$ 19,555.28
Building & Grounds	\$ 4,500.00	\$ 4,500.00	\$ 3,000.00	\$ 3,000.00
Care of Animals	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
Dead Animal Removal	\$ 340.00	\$ 340.00	\$ 340.00	\$ 340.00
Fuel/Oil Vehicle	\$ 2,290.00	\$ 2,290.00	\$ 2,290.00	\$ 2,290.00
Dues/Licenses	\$ 300.00	\$ 300.00	\$ 350.00	\$ 350.00
Replacement Vehicle*	\$ -	\$ -	\$ -	\$ 3,237.61
Total Cost	\$ 81,629.67	\$ 83,531.36	\$ 85,130.06	\$ 89,974.06

<u>Municipality</u>	<u>FY2017</u>	<u>FY2018</u>	<u>FY2019</u>	<u>FY2020</u>
Newburyport	\$ 61,629.67	\$ 62,031.36	\$ 61,670.06	\$ 65,924.06
West Newbury	\$ 20,000.00	\$ 21,500.00	\$ 23,460.00	\$ 24,050.00
Total	\$ 81,629.67	\$ 83,531.36	\$ 85,130.06	\$ 89,974.06

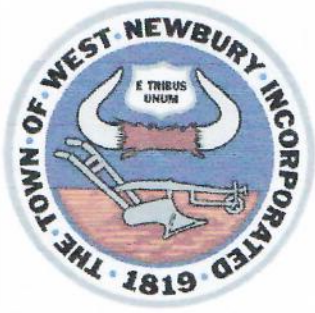
ACO Allocation % Before West Newbury Vehicle

<u>Municipality</u>	<u>FY2017</u>	<u>FY2018</u>	<u>FY2019</u>	<u>FY2020</u>
Newburyport	75.5%	74.3%	72.4%	70.0%
West Newbury	24.5%	25.7%	27.6%	30.0%
Total	100.0%	100.0%	100.0%	100.0%

ACO Allocation % Including West Newbury Vehicle

<u>Municipality</u>	<u>FY2017</u>	<u>FY2018</u>	<u>FY2019</u>	<u>FY2020</u>
Newburyport	75.5%	74.3%	72.4%	73.3%
West Newbury	24.5%	25.7%	27.6%	26.7%
Total	100.0%	100.0%	100.0%	100.0%

*Assumes annual lease at \$25,000, 5%, 10 years. Depreciation of \$2,500 per year.



WEST NEWBURY POLICE DEPARTMENT

401 Main Street, West Newbury, MA 01985

Phone 978-363-1213

Fax 978-363-1114

Jeff Durand, Police Chief

durand@westnewburysafety.org

TO: Angus Jennings, Town Manager

FROM: Jeff Durand, Interim Chief

DATE: March 21, 2019

RE: ACO Vehicle



Mr. Jennings, I am proposing using the oldest police cruiser a 2015 Ford Explorer and turning it into the "new" ACO vehicle as the current ACO vehicle a 2005 Ford Freestar van is in need of replacement. Historically the oldest police cruiser is traded or sold to defer the cost of the new cruiser purchase but usually only brings in approximately \$2000. To \$3000.

The 2015 Explorer currently has 98k miles and is still being used as a front line vehicle. In order to change it over to an ACO vehicle the following would need to be completed.

All the "police and 304" decals would need to be removed. The roof lights, radios, gun mounts, rear cage and prisoner seat would have to be removed and reused in the new cruiser. We would have to have "Newburyport and Animal Control" decals added to the vehicle.

We would also leave the four corner strobe lights as well as the push bar and lights and the rear inside strobe lights.

While speaking with ACO Scott Purdie we also agreed that if Newburyport wanted roof lights and or radios installed it would be completed by the Newburyport DPW and the equipment would come off of the 2005 Ford van.

A Massachusetts Accredited Agency

I requested a quote from Adamson Industries in Haverhill the company we used to set up our cruisers. They said it would cost \$1823.95 to make the changes needed and rewire the existing electronics.

I also advised Scott Purdie that if this change over is going to be made it wouldn't be until after July 1st.

Quotation

Quote Number
23074

Quote Date
Mar 18, 2019

Page
1

Quoted to:
WEST NEWBURY POLICE DEPT
401 MAIN STREET
WEST NEWBURY, MA 01985

Customer ID	Good Thru	Payment Terms	Sales Rep	
W NEW MA PD	4/17/19	Net 30 Days	SHIRLEY	
Quantity	Item	Description	Unit Price	Extension
1.00		2015 UTILITY REMOVE "POLICE" & STRIP ON SIDE, REMOVE POLICE & 304 FROM REAR	295.00	295.00
1.00		ADD NEWBURYPORT & ANIMAL CONTROL TO SEIDES & ANIMAL CONTROL TO REAR	225.00	225.00
1.00	SW 060-768	REMOVE LIGHTBAR & SIREN CONTROL ROUND ROCKER SWITCH, AMB LED CUT INTO FACEPLATE- RUN WIRING TO FRONT CONSOLE; 1- FRONT, 1- REAR	8.95	8.95
2.00		REMOVE 2 RADIO'S		
1.00		REMOVE REAR CAGE & PLASTIC SEAT		
1.00		REMOVE GUNRACK		
1.00		REMOVE RADAR		
1.00	TR EQUIP-SUV	LABOR TO REMOVE EQUIPMENT & REWIRE LIGHTS TO SWITCHES IN CONSOLE	1,295.00	1,295.00

ALL QUOTATIONS ARE VALID FOR 60 DAYS.
PRODUCTS ARE SUBJECT TO AVAILABILITY.
WOMAN OWNED SMALL BUSINESS

Subtotal	1,823.95
Sales Tax	
Freight	
Total	1,823.95

CUSTOMER #: 3631213

272738



2 Merrill Street · Salisbury, MA 01952
(978) 462-6658 TOLL FREE (888) 855-9177
www.wallsford.com

INVOICE

PAGE 1

SERVICE ADVISOR: 863 DEREK ROY

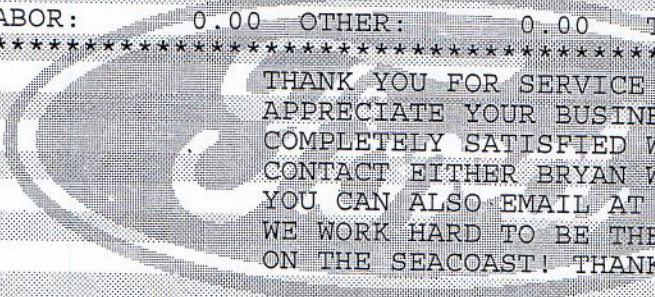
COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
BLACK/WHITE	15	FORD EXPLORER	1FM5K8AR0FGC41838	304	98790/98790	GVBXNF	
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
01JAN15 DD			17:00 21MAR19			CASH	21MAR19

R.O. OPENED: 07:43 21MAR19 READY: 10:58 21MAR19 OPTIONS: ENG:3.7_Liter_Ti-VCT

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
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A SAFETY INSPECTION
 SAFETY SAFETY INSPECTION
 92 CP 120.00 120.00
 PARTS: 0.00 LABOR: 120.00 OTHER: 0.00 TOTAL LINE A: 120.00
 98790 COOLANT LOW , PTU IS LEAKING \$1800.65 RIGHT REAR UPPER
 CONTROL ARM IS LOOSE \$428.25 ALIGHMENT \$99.95 OIL CHANGE IS DUE \$38.95
 SPARK PLUGS \$560.35 WIPERS \$39.99

B PERFORM MULTI-POINT INSPECTION
 99P PERFORM MULTI-POINT INSPECTION
 92ISHOP (N/C)
 GTIRE TIRE TREAD AND WEAR IS OK AT THIS TIME
 92ISHOP (N/C)
 PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE B: 0.00



THANK YOU FOR SERVICE WITH US. WE ALL APPRECIATE YOUR BUSINESS. IF YOU ARE NOT COMPLETELY SATISFIED WITH YOUR VISIT, PLEASE CONTACT EITHER BRYAN WALL OR DEREK ROY. YOU CAN ALSO EMAIL AT BRYANWALL5@YAHOO.COM. WE WORK HARD TO BE THE BEST SERVICE ON THE SEACOAST! THANK YOU!!

"THANK YOU"

"ALL PARTS ARE NEW UNLESS OTHERWISE INDICATED"

ALL REPAIRS: CASH
 UPON PICK-UP OF
 VEHICLE UNLESS PRIOR
 ARRANGEMENTS HAVE
 BEEN MADE.

IN YOU HAVE ANY
 QUESTIONS ABOUT FORD'S
 SERVICE PART FAILURE
 WARRANTY, PLEASE ASK
 YOUR SERVICE ADVISOR.

DISCLAIMER OR WARRANTY	DESCRIPTION	TOTALS	
<small>All warranties on these parts are the manufacturer's. The seller, WALL'S FORD, INC. hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and WALL'S FORD, INC. neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of these parts. The disclaimer by the seller, WALL'S FORD, INC. in no way affects the terms of the manufacturer's warranty. Buyer shall not be entitled to recover from the selling dealer any consequential damages, damages to property, damages for loss of use, loss of time, loss of profit, or income, or any other incidental damages.</small>	LABOR AMOUNT	120.00	
	PARTS AMOUNT	0.00	
	GAS, OIL, LUBE	0.00	
	SUBLET AMOUNT	0.00	
	MISC./ENVIRONMENTAL	0.00	
	TOTAL CHARGES	120.00	
	DISC./COUPON	0.00	
	SALES TAX	0.00	
	CUSTOMER SIGNATURE	PLEASE PAY THIS AMOUNT	120.00

From: [Town Manager](#)
To: [Mary Winglass](#)
Subject: FW: ACO vehicle costs
Date: Friday, March 22, 2019 11:46:50 AM
Attachments: [Wall Ford estimate re police vehicle 3-21-19.pdf](#)
[Durand memo w estimate for ACO vehicle fit up costs 3-21-19.pdf](#)

From: Town Manager
Sent: Thursday, March 21, 2019 4:52 PM
To: Frank Giacalone <FGiacalone@CityofNewburyport.com>
Cc: Matthew Coogan (mcoogan@cityofnewburyport.com) <mcoogan@cityofnewburyport.com>
Subject: ACO vehicle costs

Frank,

Thanks for your time on the phone. Please find attached. If your DPS crew is available to take a look at the vehicle that sounds like a good next step.

At this point, the FY20 budget number referred by FinCom this past Tuesday night and expected to be referred by BoS next Monday is \$24,050 with the understanding that West Newbury would continue to provide the vehicle. If the fit-up costs end up being prohibitive, taking into account estimated remaining useful years of the vehicle, and the current ACO van ends up being not usable in FY20, we may need to revisit that number. Unless that all gets worked out soon, that would end up needing an amended motion on the floor of Town Mtg.

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

**TOWN OF WEST NEWBURY
COMMONWEALTH OF MASSACHUSETTS
WARRANT – SPECIAL TOWN MEETING
MONDAY, APRIL 29, 2019 @ 7pm**

Essex, ss.

To any of the Constables of the Town of West Newbury:

In the name of the Commonwealth, you are hereby required to notify and warn all the inhabitants of the Town of West Newbury, who are qualified to vote in the elections and Town affairs, to meet at the Pentucket Regional High School auditorium, 24 Main Street, at 7:00 p.m. on Monday, April 29, 2019 to act upon or take any other action relative to all of the following articles.

ARTICLE 1. To hear and act upon the reports of Town officers and committees.

ARTICLE 2. To see if the town will vote to transfer from Community Preservation Act funds, Historic Resources Reserve, the sum of \$25,000, to conduct a Historic Sites Survey, or take any other action relative thereto. By request of the Community Preservation Committee and the Historical Commission.

ARTICLE 3. To see if the town will vote to transfer from Community Preservation Act funds, Historic Resources Reserve, the sum of \$17,000, for an ADA access ramp to the outdoor patio at the G.A.R. Library, or to take any other action relative thereto. By request of the Community Preservation Committee and the Director of Public Works.

ARTICLE 4. To see if the Town will vote to raise, transfer and/or appropriate from Community Preservation Act funds, in accordance with the provisions of Massachusetts General Laws Chapter 44B, the sum of \$200,000.00 from the Open Space and Recreation Reserve Account for the purchase of an agricultural preservation restriction and/or conservation restriction on a parcel of land known as “Brown Spring Farm,” which is comprised of 10 acres, more or less, located at 866 Main Street, West Newbury, Assessors Map R28, Lot 150 and shown as “Lot A” on the plan of land entitled “Plan of Land in West Newbury, Mass. owned by Margaret M. Cooney” dated August 12, 1971 and recorded at Plan Book 120 Plan 34 at the Southern Essex Registry of Deeds. Said agricultural preservation restriction and/or conservation restriction is to be conveyed to the Town of West Newbury and to Essex County Greenbelt Association, Inc.; said purchase to be subject to approval of the agricultural preservation restriction and/or conservation restriction by all involved parties, and that the Board of Selectmen is to be authorized to execute, acknowledge and deliver all grants, agreements and such other instruments, including but not limited to the agricultural preservation restriction and/or conservation restriction, in accordance with Massachusetts General Laws Chapter 184 or any other applicable statute or regulation, as may be necessary on behalf of the Town of West Newbury to effectuate the purchase of said agricultural preservation restriction and/or conservation restriction; or to take any other action relative thereto. By request of the Community Preservation Committee, the Open Space Committee, and Essex County Greenbelt Association.

ARTICLE 5. To see if the Town will vote to raise, transfer and/or appropriate from Community Preservation Act funds, in accordance with the provisions of Massachusetts General Laws Chapter 44B, the sum of \$75,000.00 from the Open Space and Recreation Reserve Account for the purchase of a conservation restriction on two parcels of land located off River Road shown on Assessors' Map R-24 as Parcels 5 and 7, containing approximately 25.3 acres and 6.64 acres of land respectively, which lots are also described in the deed recorded with the Essex South District Registry of Deeds in Book 6668, Page 158; and that the Board of Selectmen be authorized to enter into all agreements and execute all instruments, including but not limited to the conservation restriction, in accordance with Massachusetts General Laws Chapter 184 or any other applicable statute or regulation, as may be necessary on behalf of the Town of West Newbury to effect the purchase of said conservation restriction; or to take any other action relative thereto. By request of the Community Preservation Committee, the Open Space Committee, the River Access Committee and the Essex County Greenbelt Association.

ARTICLE 6. To see if the Town will transfer from available funds the sum of \$26,000 to the Police Department Salary & Wages (SRO) line item of the FY'19 omnibus budget. By request of the Town Manager.

ARTICLE 7. To see if the Town will transfer from available funds the sum of \$5,500 to purchase a new optical scan ballot tabulator and supplies for town and state elections or to take any other action relative thereto. By request of the Town Clerk.

ARTICLE 8. To see if the Town will vote to transfer from available funds the sum of \$110,000 to fund the snow and ice deficit. By request of the Director of Public Works.

ARTICLE 9. To see if the Town will raise and appropriate and/or transfer from available funds the sum of \$20,000 to fund an Emergency Action Plan (EAP) Study for the Mill Pond Dam as required by the Massachusetts Department of Conservation and Recreation (DCR) per newly enacted state regulations. By request of the DPW Director.

You are hereby directed to serve this warrant by posting attested copies thereof at least 14 days before the date of the Special Town Meeting.

LOCATIONS TO POST WARRANT:

Town Hall
1910 Town Office Building
G.A.R. Memorial Library
Post Office
Laurel Grange

Hereof fail not to make due return of this warrant with your doings thereon at the time and place of holding said meeting.

Given under our hands this ____th day of April, 2019.

BOARD OF SELECTMEN:

Glenn A. Kemper, Chairman

David W. Archibald

Joseph H. Anderson, Jr

A true copy, Attested:

Michael P. McCarron, Town Clerk

Pursuant to the above warrant to me directed, I hereby notify and warn all the inhabitants of the Town of West Newbury who are qualified to vote to meet at said time and place.

Constable, Brian Richard

Date of Posting

You are hereby directed to serve this warrant by posting attested copies thereof at least 14 days before the date of the Special Town Meeting.

LOCATIONS TO POST WARRANT:

- Town Hall
- 1910 Town Office Building
- G.A.R. Memorial Library
- Post Office
- Laurel Grange

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Glenn A. Kemper, Chairman

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Joseph H. Anderson, Jr.

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Michael P. McCarron, Town Clerk

Pursuant to the above warrant to me directed, I have notified and warned all the inhabitants of the Town of West Newbury who are qualified to vote to meet at said time and place.

Constable, Brian Richard

Date of Posting

**TOWN OF WEST NEWBURY
COMMONWEALTH OF MASSACHUSETTS
WARRANT -- ANNUAL TOWN MEETING
MONDAY, APRIL 29, 2019 @ 7pm**

Essex, ss.

To any of the Constables of the Town of West Newbury:

In the name of the Commonwealth, you are hereby required to notify and warn all the inhabitants of the Town of West Newbury, who are qualified to vote in the elections and Town affairs, to meet at the Pentucket Regional High School auditorium at 24 Main Street, at 7:00 p.m. on Monday, April 29, 2019 to act upon or take any other action relative to all but the first two of the following articles.

Also, to meet in the Annex at 379 Main Street on Monday, May 6, 2019 to act on Article 1 which calls for the election of Town Officials and to vote on Article 2 which calls for a Proposition 2 ½ Referenda Question. Polls will be open at 7:00 a.m. and will close at 8:00 p.m.

GENERAL GOVERNMENT MATTERS

ARTICLE 1. To give their votes to the election of the following offices:

<u>Position</u>	<u>Term</u>
Selectmen (1)	Three Years
Assessor (1)	Three Years
Water Commissioner (1)	Three Years
Pentucket School Committee (1)	Three Years
Library Trustees (3)	Three Years
Planning Board (1)	Five Years
Planning Board (1)	One Year
Park & Recreation Commissioner (1)	Three Years
Board of Health (1)	Three Years
Constable (1)	Three Years
West Newbury Housing Authority (1)	Five Years

ARTICLE 2. Shall the Town of West Newbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay the Town's allocable share of the bond issued by the Pentucket Regional School District for

the purpose of paying costs of the construction of a new Middle/High School to be located at 24 Main Street, West Newbury, Massachusetts, including the payment of all costs incidental or related thereto?

ARTICLE 3. To hear and act upon the reports of Town officers and committees.

ARTICLE 4. To determine what sums of money the Town will raise and appropriate for defraying the expenses of the Town for the ensuing fiscal year and for the payment of Town debt. By request of the Board of Selectmen.

WATER ENTERPRISE FUND

ARTICLE 5. In accordance with the provisions of Chapter 38 of the Acts of 1936, to see what instructions, rules and regulations the town may wish to impose on the Board of Water Commissioners. By request of the Board of Water Commissioners.

ARTICLE 6. To see if the Town will vote to appropriate, in anticipation of Water Department revenue, the sum of \$795,099 of which \$197,603 for Salaries and Wages which include \$1,700 for Water Commissioners stipends, \$34,282 for Insurances, \$395,564 for Expenses, \$101,696 for Debt Service, \$15,000 for Extraordinary and Unforeseen and \$50,954 for Indirect Cost. By request of the Board of Water Commissioners.

ARTICLE 7. To see if the Town will amend the vote of the Town taken under Article 8 of the 2017 Annual Town Meeting, which appropriated \$1,700,000 for purchasing, constructing and installing a new water tank to replace the original 1936 Standpipe, including all related equipment and payment of costs and expenses incidental or related thereto, and authorized a borrowing therefor, to provide that such appropriation may be also be used for the upgrading the existing Wellfield No. 1, including the design and construction of a chemical building, or take any other action relative thereto. By request of the Board of Water Commissioners.

ARTICLE 8. To see if the Town will vote to raise and appropriate and/or transfer from available funds and/or borrow by short or long term notes in the sum of \$1,200,000 to pay additional costs of purchasing, constructing and installing a new water tank and upgrading the existing Wellfield No. 1, including the design and construction of a chemical building, which amount shall be expended in addition to any amounts previously appropriated for such projects, and to determine whether this amount shall be raised by borrowing, taxation, transfer from available fund transfers or otherwise provided; or take any other action relative thereto. By request of the Board of Water Commissioners.

APPROPRIATIONS

ARTICLE 9. To see if the Town will approve the appropriation and borrowing authorized by the Pentucket Regional School District for the purpose of the construction of a new Middle/High School to be located at 24 Main Street, West Newbury, Massachusetts, including the payment of all costs incidental or related thereto (the “Project”), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended at the direction of the School Building Committee. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) the approved percentage of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; to determine whether the approval of such borrowing will be contingent upon a vote of the Town to exempt its allocable share of the debt service on the borrowing for the Project from the tax limitations of Proposition 2 1/2, so-called; or take any other action relative thereto. By request of the Board of Selectmen and Pentucket School Committee.

ARTICLE 10. To see if the Town will vote to raise and appropriate the sum of \$321,800 to be placed in the special purpose municipal stabilization fund established pursuant to MGL Chapter 40 §5B in order to fund future capital expenditures for school related building projects, or take any other action related thereto. By request of the Board of Selectmen.

ARTICLE 11. To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$67,000 for the Pension Liability stabilization fund, or take any other action related thereto. By request of the Board of Selectmen.

ARTICLE 12. To see if the Town will vote to transfer the sum of \$22,285.65 from the Septic Loan Revolving Account for the repayment of debt service. By request of the Board of Health.

ARTICLE 13. To see if the Town will vote to transfer from available funds the sum of \$85,336.16 plus any accrued but unposted interest, to pay the debt service associated with the Dunn Property Acquisition. By request of the Board of Selectmen.

ARTICLE 14. To see if the Town will vote to allocate and/or reserve from the Community Preservation Fund annual revenues, the amounts recommended by the Community Preservation Committee for Community Preservation Projects, Committee Administrative Expenses, and other

expenses in Fiscal Year 2020, with each item to be considered a separate appropriation or take any other action relative thereto. By request of the Community Preservation Committee.

Appropriations:

From FY 2020 estimated revenues for Committee Administrative Expenses: \$20,583

Reserves:

From FY 2020, estimated revenues for Community Housing Reserve: \$41,166

From FY 2020, estimated revenues for Historic Resources Reserve: \$41,166

From FY 2020, estimated revenues for Open Space & Recreation Reserve: \$41,166

From FY 2020, estimated revenues for Budgeted Reserve: \$267,581

ARTICLE 15. To see if the Town will raise and appropriate and/or transfer from available funds the sum of \$76,000 to fund improvements and repairs to the G.A.R. Library, Public Safety Complex and Town Offices. By request of the DPW Director.

ARTICLE 16. To see if the Town will raise and appropriate and/or transfer from available funds the sum of \$45,000 to purchase a new 4x4 Utility Body Pick-up Truck. By request of the DPW Director.

ARTICLE 17. To see if the Town will raise and appropriate and/or transfer from available funds the sum of \$32,000 to purchase a new 4x4 Pick-up Truck with hard cover. By request of the DPW Director.

ARTICLE 18. To see if the Town will raise and appropriate and/or transfer from available funds the sum of \$230,000 to purchase a Fire Department Rescue Vehicle. By request of the Fire Chief.

BY-LAWS – OTHERS

ARTICLE 19. To see if the Town will vote to increase the senior tax exemption from \$500 to \$1,000 per Massachusetts General Law Chapter 59, Section 5, Clause 41C, such increase to be available for tax years commencing July 1, 2019. By request of the Board of Assessors.

ARTICLE 20. To see if the Town will vote to amend Section XL of the Town Bylaws by adding sections 5.4.1 thru 5.4.5 in order to establish a revolving fund for the care and maintenance of the town owned Pipestave/Mill Pond areas located at 693 Main Street, West Newbury:

5.4.1 Pipestave/Mill Pond Care and Maintenance Revolving Fund.

5.4.2 Department. There shall be a separate fund called the Pipestave/Mill Pond Care and Maintenance Revolving Fund authorized for use by the Mill Pond Committee.

5.4.3 Revenues. The town accountant shall establish the Pipestave/Mill Pond Care and Maintenance Revolving Fund as a separate account and credit to the fund all the monies

received in connection with past and future rental fees for use of the Mill Pond facilities, donations, and any other source.

5.4.4 Purposes and Expenditures. During each fiscal year, the Mill Pond Committee may incur liabilities against and spend monies from the Pipestave/ Mill Pond Care and Maintenance Revolving Fund for the maintenance and improvement to the grounds and facilities located at the Pipestave/Mill Pond areas, 693 Main Street, West Newbury.

5.4.5 Fiscal Years. The Pipestave/Mill Pond Care and Maintenance Revolving Fund shall operate for fiscal years that begin on or after July 1, 2019 and shall continue until such time as town meeting votes to eliminate the fund. By request of the Board of Selectmen.

ARTICLE 21. To see if the Town will vote to limit the total amount that may be expended from each revolving fund established pursuant to Section XL of the Bylaws of the Town of West Newbury, to wit:

Section 5.1 Summer Recreation Revolving Fund	\$44,350
Section 5.2 GAR Library Fines and Penalties Revolving Fund	\$10,000
Section 5.3 Police Vehicle Revolving Fund	\$20,000
Section 5.4 Pipestave/Mill Pond Care and Maintenance Revolving Fund	\$ 5,000

By request of the Board of Selectmen.

ARTICLE 22. To see if the town will vote to amend Section V of the Town Bylaws, Trench Excavation Bylaw in order to transfer the authority from the Board of Selectmen to the DPW Director as the Permitting Authority and other related amendments. By request of the Board of Selectmen.

ARTICLE 23. To see if the town will vote to amend Section V of the Town Bylaws, Opening of Streets Bylaw in order to transfer the authority from the Board of Selectmen to the DPW Director to approve street opening permits and amend safety requirements, surety bond, inspections and other related provisions. By request of the Board of Selectmen.

ARTICLE 24. To see if the Town will vote to amend the Pentucket Regional School District (PRSD) Regional Agreement in order to revise the designation, composition and activities of the Regional Finance Advisory Board, and to incorporate by cross-reference the Pentucket Regional School District Contingency Plan as approved and as may be amended from time to time by the Pentucket Regional School District. By request of the Board of Selectmen.

ARTICLE 25. To see if the Town will vote to amend the 2001 Mill Pond Management Plan paragraph A.16 in order to modify the amendment process. By request of the Board of Selectmen.

ARTICLE 26. To see if the Town will vote to amend Section XIX of the Town Bylaws, Town Counsel Bylaw to revise the process to engage Town Counsel. By request of the Board of Selectmen.

ARTICLE 27. To see if the Town will vote to amend Section 6.B.8 Open Space Preservation Development (OSPD) of the West Newbury Zoning Bylaw regarding basic maximum number, dimensional requirements, contiguity of open space, buffer areas, density bonuses & affordable housing units, and minimum distance between buildings.
By request of the Planning Board.

ARTICLE 28. To see if the Town will vote to amend Section 5.G. Large-Scale Ground-Mounted Solar Photovoltaic Installations (LGSPI) Overlay District of the West Newbury Zoning Bylaw regarding dimensional requirements, submission requirements, design standards, hiring consultants, abandonment, decommissioning & financial surety. By request of the Planning Board.

ARTICLE 29. To see if the Town will vote to amend Section 7.A.11 Erosion Control Performance Standards of the West Newbury Zoning Bylaw in compliance with the NPDES (Nonpoint Pollutant Discharge Elimination System) MS4 Phase II Stormwater Permit for Massachusetts. By request of the Board of Selectmen and the Planning Board.

ARTICLE 30. To see if the Town will vote to reduce the amount of the surcharge of the annual real estate tax levy against real property assessed pursuant to Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, from three (3.0%) percent to one half (0.5%) percent. Said change to be implemented in Fiscal Year 2020 or as soon as possible thereafter.
By citizens' petition.

You are hereby directed to serve this warrant by posting attested copies thereof at least 14 days before the date of the Annual Town Meeting, as provided within the Town By-Laws.

LOCATIONS TO POST WARRANT:

Town Hall
1910 Town Office Building
G.A.R. Memorial Library
Post Office
Laurel Grange

Hereof fail not to make due return of this warrant with your doings thereon at the time and place of holding said meeting.

Given under our hands this ___th day of April, 2019.

BOARD OF SELECTMEN

Glenn A. Kemper, Chairman

David W. Archibald

Joseph H. Anderson, Jr.

A true copy, attested:

Michael P. McCarron, Town Clerk

Pursuant to the above warrant to me directed, I hereby notify and warn all the inhabitants of the Town of West Newbury who are qualified to vote to meet at said time and place.

Constable, Brian Richard

Date of Posting

You are hereby directed to serve this warrant by posting attested copies thereof at least 14 days before the date of the Annual Town Meeting, as provided within the Town By-Laws

LOCATIONS TO POST WARRANT:

- Town Hall
- 1910 Town Office Building
- G.A.R. Memorial Library
- Post Office
- Laurel Grange

Hereof fail not to make due return of this warrant with your doings thereon at the time and place of holding said meeting.

Given under our hands this ____th day of April, 2019.

BOARD OF SELECTMEN

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Constable, Brian Richard

Date of Posting



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Wayne S. Amaral, Director of Public Works

978-363-1100, Ext. 120

DPWDirector@wnewbury.org

TO: Angus Jennings, Town Manager
FROM: Wayne S. Amaral, DPW Director
DATE: March 22, 2019
RE: Facility Improvements for years 2019 and 2020 - Summary

On February 15, 2019 I prepared a memo outlining the Department of Public Works outstanding facility improvement articles and also proposed an additional article to fund new improvements in town.

In regards to the proposed article, I requested \$93,000 to address the following items listed below in **BOLD** with the understanding that if we were able to complete these tasks below the estimated cost, we would apply these funds to the next priority project on the short list of items in the previous memo. Below, I have listed these items again in order of importance;

1. **G.A.R Library Handicap Ramp and walkway to back patio.** \$17,000 (This item has been removed and recommended by CPC for CPA funding.)
2. **G.A.R Library Attic Insulation Project.** \$6,000
3. **Town Offices COA Back Entrance Structure Replacement or Repair.** \$30,000 (We plan to attempt a solid repair to this structure, however if we encounter serious rot in the base of the structure, we will abort and prepare for a total replacement.)
4. **Public Safety Complex HVAC Replacement.** \$40,000.
5. Children's Castle Roof Repairs. \$12,000.
6. Page School – Chiller Repairs. \$10,000.
7. Children's Castle Window Repairs and Replacement Phase I. \$15,000.
8. Page School Parking Lot Repairs. \$10,000.
9. Town Offices Interior Painting / touch up. \$15,000.
10. Page School Wall Leak Project. \$25,000. (Will need consultant assistance first to determining cause and solution)
11. Annex Building Roof Project. \$70,000. (Will need roofing consultant assistance first to inspect and prepare scope of project.)
12. Page School Fire Alarm System Upgrade. (Will need electrical consultant assistance first to prepare scope and bid documents.)

Please keep in mind, that we may need to use these funds elsewhere in case of an unforeseen emergency repair to any of our facilities. If that case should arrive, we would communicate these actions to the BoS once the repairs have been completed or in process of completion.

Since the February 15, 2019 memo, I have started to prepare a multi-page document listing all proposed facility improvements. Some of these projects are small and can be done with town operating funds with town staff or small contractor, but most of these projects are much greater and will require funds from Free Cash, Stabilization or CPC

funds. The funding sources for these projects have not been determined yet until a more thorough review can be completed by staff on the actual scope of these projects. I hope to spend the next 12-months defining this Facility Master Maintenance List so we can have a greater understanding of what our facility needs are and by placing all these needs into one detailed document will assist us with budgeting and prioritization.

The priority of the items listed above in this document that are not in BOLD could change once the Facility Master Maintenance List has been meticulously assessed. Once this list has been completed, we will attempt to include these projects into the town's capital master plan with the understanding that the list will always be a working document due to the fact that some facility improvement or repairs may be unforeseen.



**TOWN OF WEST NEWBURY
OFFICE OF THE PLANNING BOARD
381 MAIN STREET
WEST NEWBURY MA 01985
978-363-1100 X125 Fax: 978-363-1119**

March 13, 2019

Town Meeting c/o Board of Selectmen
West Newbury Town Offices
381 Main Street
West Newbury, MA 01922

Re: Report of Planning Board – Open Space Preservation Development Bylaw

Dear Honorable Board:

Pursuant to Massachusetts General Laws Chapter 40A, Section 5, the West Newbury Planning Board held a public hearing on Tuesday, March 5, 2019 to consider the above-referenced article request. After due deliberation, the Board voted unanimously to recommend to the Town Meeting that it approve the Article with edits. The edits are included in the attached revised Article Request documents.

Sincerely,

Leah Zambenardi, Town Planner
On behalf of the West Newbury Planning Board

Cc: Finance Committee
Town Clerk
file

ARTICLE REQUEST FORM

Submitted February 13, 2019, revised March 5, 2019

ARTICLE: To see if the Town will vote to amend Section 6.B.8 Open Space Preservation Development (OSPD) of the West Newbury Zoning Bylaw as further described in the attached documents.

AMOUNT REQUESTED: Not Applicable

PHONE NUMBER: 617-605-1350

Why should the Town make this purchase? What needs will be met? Who will benefit? Not Applicable

What factors affect the timing of this purchase? Not Applicable

When should this Article be sunsetted--how long will the project take? Not applicable

What ancillary costs do you anticipate? (Maintenance, Insurance, Training, etc.) Not Applicable

Does this Article involve improvement, preservation or creation of tangible Town-owned assets and projects which 1) have useful life of at least five years; 2) cost over \$20,000 and or 3) for which the Town is authorized to borrow funds? If so, please confirm that this item is on the Capital Improvements Committee Schedule for future capital investments. Not Applicable

Please attach additional pages or other supporting documentation. See Summary of Amendment and Proposed Bylaw Amendment Language Attached.

Objective: The objective of this article is to address several deficiencies and ambiguities in the Open Space Preservation Development Bylaw (the “OSPD”).

Background: The Planning Board (the “Board”) was intimately involved with the passage of the OSPD on October 29, 2001. The Board has since evaluated a number of proposals under the OSPD including 15 Steed Avenue, Whitegate Farms, Ocean Meadow, the Nichols Property off Dole Place, the Cottages at River Hill, Drakes Landing, the Beaucher property off Coffin Street and Brown Spring Farm. Some of these projects came to fruition. Others did not. During such project reviews, the Planning Board sometimes identifies deficiencies and/or ambiguities and brings amendments forward to Town Meeting to address them. Such amendments were approved at Town meeting in 2008, 2009, 2013 & 2015. The Planning Board brought forth such amendments at the Special Fall Town Meeting in 2018, but was not successful, we believe, due to confusion by some as to the purpose of the amendments and the need for additional vetting with the public.

Summary of Proposed Amendments: The Planning Board has revisited and revised the fall 2018 proposal over the past several months. The proposed amendments are described in further detail below:

1. Basic Maximum Number (S. 6.B.8.iii): The Board proposes to eliminate the language “from the Yield Plan as specified herein” as the language is redundant.
2. Modification of Dimensional Requirements (S.6.B.9): The Board proposes to eliminate the term “Reduction of” because it is redundant. Further, the current language indicates that the Board “encourages” applicants to modify certain dimensional requirements for lots in an OSPD. The Board proposes to use neutral language indicating that the dimensional requirements “may be” modified. There are some instances where a conforming building lot may be more appropriate than a reduced building lot.
3. Contiguity of Open Space (S.6.B.10.a.ii): The Board proposes to eliminate the minimum requirement of 5,000 sf for open space. The Bylaw requires that at a minimum, 60% of a tract of land shall be set aside as open space. This is far more restrictive. A minimum requirement of 5,000 s.f. is therefore unnecessary and contrary to the purpose of the Bylaw as it implies that 5,000 sf may be considered a sufficient amount of open space.
4. Buffer Areas (S.6.B.11.b.iii.): Ambiguities in this section were identified during construction of the Cottages at River Hill. Amendments are proposed as follows:
 - As currently written the stipulations at the end of paragraph iii.b. regarding driveways, treatment of vegetation and waivers apply only to the items in iii.b (not iii.a). There are currently no such stipulations for how the perimeter buffer should be maintained. The Board has determined that the stipulations in iii.b. should be applicable to perimeter buffers in iii.a. and has proposed edits accordingly.
 - The Board proposes that perimeter buffers be amended from 20-feet and instead vary by residential zoning district to better fit the character of each district (i.e. Residence C, which is the most dense residential zone would have a required perimeter buffer of 50-feet; Residence A, which is the least dense would have a required perimeter buffer of 100-feet). The Board also proposes that all OSPD projects have perimeter buffers, not just those that abut residentially zoned and occupied properties.
 - The Board proposes that the minimum buffer area surrounding resource areas such as rock outcrops, wetlands, etc. be increased from 20-feet to 25-feet to better align with the 25-foot no disturb zone to wetlands required pursuant to the Wetlands Protection Act (WPA). It is important to note that this

proposed 25-foot buffer is separate and distinct from buffers required by other authorities. The Planning Board has no jurisdiction to approve, waive or modify any such buffer required by other entities.

5. Minimum Distance between Residential Buildings (S.6.B.11.b.iv.): Conventional subdivision development typically involves creation of residential lots with each lot having a single residential building. That single residential building is subject to minimum setbacks from the property line, resulting in a neighborhood with homes that are appropriately spaced apart from one another. A reason for such a requirement is for fire protection. There is currently no minimum distance requirement in OSPD between buildings in developments of multiple freestanding residential units on one lot. The Board recognized this issue during the review of the Cottages at River Hill. After much discussion and public input during the review, a 20-foot minimum distance between residential buildings was determined appropriate. The Planning Board also imposed this restriction on the next OSPD it reviewed at 365 Main Street (Drakes Landing) and seeks to incorporate this as a minimum requirement in the Bylaw.

6. Density bonuses and Affordable Housing Units (S.6.B.13.d): Under S.6.B.13 of OSPD, the Planning Board currently has discretion to award a density bonus to increase the number of dwelling units beyond the base number of allowed units. In order to qualify for such consideration, this section stipulates items of public benefit that must be provided, such as additional protected open space, smaller cottage style units, affordable housing units and historic preservation. Ambiguities in S.6.B.13.d. “Affordable Housing Units” were noted during the review of Drakes Landing in terms of how this section relates to section 5.F “Inclusionary Housing Requirements”.

In a nutshell, Section S.6.B.13.d. allows developers to request 3 additional market rate units for every one unit of affordable housing provided. Section 5.F. requires that certain developments of 3 or more residential units dedicate 10% of new housing units to affordable housing.

During the review of Drakes Landing there was question about how the number of new housing units under Section 5.F.4.is calculated for OSPD projects. There was also question as to whether a developer is entitled to 3 additional market rate units per each affordable unit they provided under Section 5.F. (i.e. double counting units).

After much debate and obtaining determinations from the Building Inspector and Town Counsel, the Board made the following determinations and now proposes language to reflect them:

- i. The number of new housing units under Section 5.F.4. is equal to the Basic Maximum Number under Section 6.B.8.;
- ii. That any affordable units provided under S.6.B.13.d for a density bonus are in addition to those required under Section.5.F.
- iii. That any affordable housing units provided per S.6.B.13.d. for a density bonus must be derived by converting a market rate unit that is part of the number of new housing units (see 6.i. above) to an affordable unit.

A summary table showing the application of the density bonuses is included in this packet and will be added to the Zoning Bylaw as Appendix Two.

March 5, 2019 Additional Recommended Changes by the Planning Board

The Planning Board held the required public hearing on the proposal on March 5, 2019. At the conclusion of the hearing the Board recommended the following additional changes:

1. Clarified that the Planning Board uses the required information for Yield Plans in Section 6.B.8.i. & ii. when determining the Basic Maximum Number. (Section 6.B.8.iii).
2. Clarified that access and egress driveways cannot be included in calculation of the protected open space. The language allowing the Planning Board to waive the buffer requirement was moved from the end of Section 6.B.11.b.iii. to the first paragraph of the section where all the other requirements applying to both Section 6.B.11.b.iii.a.& b. are located. (Section 6.B.11.b.iii.)
3. Removed the words “or adjacent to” to clarify that the buffer applies to resources within the tract. Better clarified that the buffer described in the Bylaw does not apply to requirements or determinations of other authorities (i.e. the Conservation Commission’s 25-foot no disturb zone). (Section 6.B.11.b.iii.b)
4. The Board revised calculations in the summary table, which shows the application of the density bonuses.

Note: February 13, 2019 changes are in regular font 11. Insertions are underlined. Deletions have ~~strike through~~.

March 5, 2019 changes are in **bold font 14**. Insertions are underlined. Deletions have ~~strike through~~.

SECTION 6.B. OPEN SPACE PRESERVATION DEVELOPMENT

[As amended under Article 16 of the April 28, 2008 Special Town Meeting, effective April 28, 2008, approved by the Attorney General on May 29, 2008 and posted according to law on June 17, 2008.]

6.B.I Purpose and Intent.

The primary purposes for Open Space Preservation Development (OSPD) are the following:

- a. To allow for greater flexibility and creativity in the design of residential developments.
- b. To encourage the permanent preservation of open space agricultural land, forestry land, wildlife habitat, other natural resources including aquifers, waterbodies, wetlands, scenic vistas, slopes and hillsides, and historical and archeological resources in a manner that is consistent with the West Newbury Comprehensive and Open Space Plans.
- c. To encourage a less sprawling and more efficient form of development that consumes less open land and conforms to existing topography and natural features better than a conventional or grid subdivision.
- d. To provide density bonus incentives to encourage modestly sized housing units and affordable housing in order to further the goals and policies of the Town's Affordable Housing Plan.
- e. To minimize the total amount of disturbance on the site.
- f. To further the goals and policies of the West Newbury Comprehensive Plan and the West Newbury Open Space Plan.
- g. To facilitate the construction and maintenance of housing, streets, utilities and public service in a more economical and efficient manner.

6.B.2. The Secondary Purposes for the OSPD are the following:

- a. To preserve and enhance the community character.
- b. To preserve and protect agriculturally significant land.
- c. To protect the value of real property,
- d. To protect community and regional water supplies.
- e. To provide for a diversified housing stock

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- f. To provide affordable housing to persons of low and moderate income.

6.B.3. Applicability

- a. There is no minimum tract size for an OSPD. The OSPD -Special Permit is an option for any proposed residential development.

[Subsection Heading amended and Subsection b. deleted under Article 19. of the April 29, 2013 Annual Town Meeting, effective April 29, 2013, approved by the Attorney General on June 14, 2013 and posted according to law on June 26, 2013.]

- b. Zoning Classification. Only those tracts located in Residential Districts A,B, or C shall be eligible for consideration as an OSPD.
- c. Contiguous Parcels. To be eligible for consideration as an OSPD, the tract shall consist of a parcel or set of contiguous parcels held under common ownership or site control.
- d. Land Division. To be eligible for consideration as an OSPD, the tract may be a subdivision or a division of land pursuant to G.L. c.41,s.81 P, provided, however, that OSPD may also be permitted where intended as a condominium on land not so divided or subdivided.

6.B.4. Special Permit Required.

The Planning Board may authorize an OSPD pursuant to the grant of a Special Permit. No additional special permit approvals are required for all uses permitted under the OSPD special permit. Such special permits shall be acted upon in accordance with the requirements listed in Section 8.A. of the Zoning Bylaw and the following provisions.

6.B.5. Pre-Application Conference.

- a. Conference. The applicant is very strongly encouraged to request a pre-application conference at a regular business meeting of the Planning Board. If one is requested, the Planning Board shall invite the Conservation Commission, Board of Health, Open Space Committee, Inspector of Buildings and Water Department. The purpose of a pre-application conference is to minimize the applicant's cost of engineering and other technical experts, and to commence negotiations with the Planning Board at the earliest possible stage of development. At the pre-application conference, the applicant may outline the proposed conceptual Sketch Plan and Yield Plan (as outlined in subsection 6.B.7.a.i) and 6.B.8), seek preliminary feedback from the Planning Board and/or its technical experts, and set a timetable for submittal of a formal application. At the request of the applicant, and at the expense of the applicant, the Planning Board may engage technical experts to review the conceptual plans in order to facilitate submittal of a formal application for an OSPD Special Permit.

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- b. The plan submitted shall be consistent with the rules and regulations listed in Section 6.B.7 relative to the size, form, number and contents of the plans to be submitted for a pre-application conference.

6.B.6. Design Process.

In conformance with Section 6.B.7.a), applicants are required to demonstrate to the Planning Board that the following Design Process was performed by a registered Landscape Architect and considered in determining the layout of proposed streets, house lots and open space. The Design Process shall be reflected on the Sketch Plan in accordance with Section 6.B.7 i).

- a. Step One: Identifying the Conservation Areas. The conservation areas shall be identified by two steps. First, "*Primary Conservation Areas*" (such as wetlands, riverfront areas, and floodplains regulated by state or federal law) and "*Secondary Conservation Areas*" (including unprotected elements of the natural landscape such as steep slopes, mature woodlands, prime farmland, meadows, wildlife habitats and cultural features such as historic and archeological sites as well as scenic views and stone walls) shall be identified and delineated on the Sketch Plan. Second, the "*Potentially Developable Area(s)*" will be identified and delineated on the Sketch Plan. To the maximum extent feasible, the Potentially Developable Area(s) shall consist of land outside identified Primary and Secondary Conservation Areas.
- b. Step Two: Locating the House Sites. Locate the approximate sites of individual residential structures within the Potentially Developable Area(s) and include the delineation of private yards and shared amenities, so as to reflect an integrated community with emphasis on consistency with West Newbury's historical character and development patterns. The number of residential structures enjoying the amenities of the development should be maximized.
- c. Step Three: Aligning the Streets and Trails. Align streets in order to access the residential structures. Additionally, new trails should be laid out to create internal and external connections to existing and/or potential future streets, sidewalks and trails.
- d. Step Four: Lot Lines. Draw in the lot lines.

6.B.7. Procedures.

[Amended by vote of the Annual Town Meeting, second session, on May 6, 2009, approved by the Attorney General on August 11, 2009 and posted according to law on August 20, 2009]

- a. Application. An application for an OSPD - Special Permit (OSPD-SP) shall include a "*Sketch Plan*" and a "*Yield Plan*" (see the Yield Plan requirements listed in Section 6.B.8). The Planning Board shall adopt rules and regulations relative to the size, form, number and contents of the sketch plan and yield plan.
 - i) Sketch Plan. The Sketch Plan shall be prepared by a registered Landscape Architect, or by a multi-disciplinary team of which one member must be a registered Landscape Architect, and shall address the general features of the land, give approximate

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configurations of the lots, open space and roadways, and include the information listed in Planning Board Rules and Regulations. When determining a proposed design for the development, the Sketch Plan shall incorporate and show the Four-Step Design Process listed in Section 6.B.6. and the Design Standards according to Section 6.B.11.

- b) Relationship to a Definitive Subdivision Plan. The issuance of an OSPD–SP allows the applicant to also submit an OSPD–SP /Definitive Subdivision Plan, where required, to the Planning Board. Any OSPD–SP issued by the Planning Board shall specifically state the OSPD–SP/Definitive Subdivision Plan shall substantially comply with the OSPD–SP.
 - i) An OSPD–SP/Definitive Subdivision Plan will be considered not to substantially comply with the OSPD–SP if the Planning Board determines that any of the following conditions exist:
 - a) an increase in the number of building lots;
 - b) a significant decrease in open space acreage;
 - c) a significant change in the lot layout;
 - d) a significant change in the general development pattern which adversely affects natural landscape features and open space preservation;
 - e) significant changes to the stormwater management facilities; and/or
 - f) significant changes in the wastewater management systems.
 - ii) If the Planning Board determines that the OSPD–SP/Definitive Subdivision Plan does not substantially comply with the OSPD–SP, the Board may disapprove the definitive subdivision plan for failure to comply with the condition of the Special Permit requiring that the OSPD–SP/Definitive Plan substantially comply with the OSPD–SP.
 - iii) The Planning Board may conditionally approve an OSPD–SP/Definitive Subdivision Plan that does not substantially comply with the OSPD–SP. However, such conditional approval must identify where the plan does not substantially comply with the OSPD–SP and shall require that the OSPD–SP be amended to be in compliance with the significant changes identified by the Planning Board. The Planning Board shall also require that the applicant file an application to amend the OSPD–SP within a specified time period.
 - iv) The public hearing on the application to amend the OSPD–SP shall be limited to the significant changes identified by the Planning Board in their conditional approval of the OSPD–SP/Definitive Subdivision Plan. These are the only considerations that the Planning Board may take into account in deciding whether to amend the OSPD–SP.
- c. General Procedures. Whenever an application for a OSPD–SP is filed with the Planning Board, the applicant shall also file, within five (5) working days of the filing of the completed application, copies of the application, accompanying development plan, and other documentation to the Board of Health, Conservation Commission, Inspector of Buildings, Water Department, Police Chief, Fire Chief and Superintendent of Roads for their consideration, review, and report. The applicant shall furnish the copies necessary to fulfill this requirement. Reports from other boards and officials shall be submitted to the Planning Board within thirty (30) days of receipt of

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the reviewing parties of all of the required materials; failure of these reviewing parties to make recommendations after having received copies of all such required materials shall be deemed a lack of opposition thereto. In the event that the public hearing by the Planning Board is held prior to the expiration of the thirty (30) day period, the Planning Board shall continue the public hearing to permit the formal submission of reports and recommendations within that thirty (30) day period. The Decision of the Planning Board shall contain, in writing, an explanation for any departures from the recommendations of any reviewing party.

- d. Site Visit. Whether or not conducted during the pre-application stage, the Planning Board may conduct a site visit during the public hearing. At the site visit, the Planning Board and/or its agents shall be accompanied by the applicant and/or its agents.
- e. Design and Construction Standards. In addition to the development and performance standards listed under Section 8.B. Site Plan Review, the design and construction standards listed in Sections 4-6 of the *Rules and Regulations Governing the Subdivision of Land, West Newbury, MA* shall be applied in the review and approval of an OSPD-SP.
- f. Other Information. The submittals and permits of this section shall be in addition to any other requirements of the Subdivision Control Law or any other provisions of this Zoning Bylaw. To the extent permitted by law, the Planning Board shall coordinate the public hearing required for any application for a special permit for an OSPD with the public hearing required for approval of a Definitive Subdivision Plan or Site Plan Review.

6.B.8. Basic Maximum Number and Yield Plan

[Subsection 6.B.8. amended October 26, 2015 by vote of Annual Town Meeting, Article 9, approved by the Attorney General on February 8, 2016 and posted according to law on March 21, 2016]

- i) The Yield Plan shall show the maximum number of single family dwelling units that would be deemed buildable upon the site under a conventional development plan process according to a reasonable application of the Rules and Regulations Governing the Subdivision of Land in the Town of West Newbury and all other applicable state and local land use regulations. At a minimum, the Yield Plan shall show the proposed land use, lot configuration, street layout, building envelopes, setbacks, conceptual grading, wetland resource areas and the general location of all drainage and utility systems.
- ii) The applicant shall provide information related to the proposed yield, including but not limited to, an approved wetland resource area delineation or soil testing reports and one (1) deep observation hole or one (1) percolation test report per single family dwelling unit in accordance with Title 5 requirements. The Board may also request review of the Yield Plan from the Board of Health and/or Conservation Commission prior to determining the maximum number of lots or dwelling units that could be placed upon the site.

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- iii) The Planning Board will determine the Basic Maximum Number **based upon information provided under Sections 6.B.8.i. & 6.B.8.ii. above**, ~~from the Yield Plan as specified herein.~~

6.B.9. ~~Reduction of Dimensional Requirements. The Planning Board encourages applicants to modify lot size, shape, and other dimensional requirements for lots within an OSPD.~~ Lot size, shape and other dimensional requirements for lots within an OSPD may be modified from the requirements of Section 6.A, subject to the following limitations:

- a. Lots having reduced area or frontage shall not have frontage on a street other than a street created by the OSPD; provided, however, that the Planning Board may waive this requirement where it is determined that such reduced lot(s) will further the goals of this Bylaw.
- b. At least fifty percent (50%) of the required setbacks for the district shall be maintained on lots within the OSPD unless a reduction is otherwise authorized by the Planning Board, except that no building may be built within ten (10) feet of the front lot line.

6.B. 10. Open Space Requirements.

- a. Protected Open Space. A minimum of sixty percent (60%) of the tract shown on the development plan shall be designated protected open space. Any proposed protected open space, unless conveyed to the Town or its Conservation Commission for conservation purposes, shall be subject to a recorded restriction enforceable by the Town, providing that such land shall be perpetually kept in an open state, that it shall be preserved exclusively for the purposes set forth herein, and that it shall be maintained in a manner which will ensure its suitability for its intended purposes.
 - i) The percentage of the protected open space that is wetlands shall not exceed the percentage of the tract which is wetlands at the time of application; provided, however, that the Board may allow a greater percentage of wetlands in the protected open space upon a demonstration that such inclusion promotes the purposes of this Bylaw.
 - ii) The protected open space shall be contiguous and may be considered contiguous and shall be greater than 5,000 SF in area. ~~Contiguous shall be defined as being connected. If greater than 5,000 SF in area, protected open space will still be considered connected if it is separated by a roadway or an accessory amenity.~~ The Planning Board may waive this requirement for all or part of the required open space where it is determined that allowing non-contiguous open space will promote the goals of this Bylaw and/or protect identified primary and secondary conservation areas.
 - iii) The protected open space may only be used for one or more of the following uses: wildlife habitat and conservation; historic preservation; education; outdoor education; recreation; park purposes; agriculture' horticulture' forestry' or a combination of these uses and shall be served by suitable access for such purposes. The Planning Board may

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permit a small portion of the protected open space to be paved or built upon for structures accessory to the dedicated use or uses of such open space (i.e., pedestrian walks and bike paths).

- iv) Except for agricultural or recreational uses, all protected open space areas that restrict use or access from all members of the homeowners association or the general public shall not be included in the calculation of protected open space under this Section. All outdoor restricted use areas for individual dwelling units shall be shown on the OSPD-SP Plan.
 - v) Wastewater and stormwater management systems serving the OSPD may be located within the protected open space. Surface systems, such as retention and detention ponds, shall not qualify towards the minimum open space required. Wastewater and stormwater management systems serving the OSPD that offer a natural and aesthetic appearance and are constructed to be a natural feature such as a wetland or pond with ecological qualities and/or assets may qualify towards the minimum protected open space area.
- b. Ownership of the Protected Open Space. The protected open space shall, at the Planning Board's election, be conveyed in fee or easement to the following:
- i) the Town or its Conservation Commission;
 - ii) a nonprofit organization, the principal purpose of which is the conservation of open space and any of the purposes for such open space set forth above;
 - iii) a corporation or trust owned jointly or in common by the owners of lots within the OSPD. If such corporation or trust is utilized, ownership thereof shall pass with conveyance of the lots in perpetuity. Maintenance of such open space and facilities shall be permanently guaranteed by such corporation or trust which shall provide for mandatory assessments for maintenance expenses to each lot. Each such trust or corporation shall be deemed to have assented to allow the Town to perform maintenance of such open space and facilities, if the trust or corporation fails to provide adequate maintenance, and shall grant the town an easement for this purpose. In such event, the town shall first provide fourteen (14) days written notice to the trust or corporation as to the inadequate maintenance, and, if the trust or corporation fails to complete such maintenance, the town may perform it. Each individual deed, and the deed or trust or articles of incorporation, shall include provisions designed to effect these provisions. Documents creating such trust or corporation shall be submitted to the Planning Board for approval, and shall thereafter be recorded.

6.B.11. Design Standards. The following Generic and Site Specific Design Standards shall apply to all OSPDs and shall govern the development and design process.

- a. Generic Design Standards.

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- i) The landscape shall be preserved in its natural state, insofar as practicable, by minimizing the removal of healthy tree, shrub and other natural vegetation. Removal of soils should also be minimized. The grade changes shall be in keeping with the general appearance of the neighboring developed areas. The orientation of individual building sites shall be such as to maintain maximum natural topography and cover. Topography, healthy tree cover, and natural drainage ways shall be treated as fixed determinants of road and lot configuration rather than as malleable elements that can be changed to follow a preferred development scheme.
- ii) Streets shall be designed and located in such a manner as to maintain and preserve natural topography, significant landmarks and trees in order to minimize cuts and fills and to preserve and enhance views and vistas on or off the subject property.
- iii) The density and design of the development shall be related harmoniously to the terrain on the property as well as the, use(s), scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed buildings.
- iv) All open space (landscape and useable) shall be designed to add to the visual amenities of the area by maximizing its visibility for persons passing the site or overlooking it from nearby properties.
- v) The removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or any adjacent properties.

b. Site Specific Design Standards.

- i) Mix of Housing Types. The OSPD may consist of any combination of single family, two-family, or multi-family residential structures. Except for congregate care or age-restricted developments (restricted to occupants over the age of fifty-five (55) years), a multifamily structure shall contain not more than four dwelling units. In congregate care or age-restricted buildings, the Planning Board may permit more units per structure where it is determined that allowing a larger structure will promote the goals of this Bylaw and/or protect the identified primary and secondary conservation areas. To the maximum extent feasible, all residential structures shall be oriented toward the street serving the premises and not the required parking area.
- ii) Parking. Unless waived by the Planning Board due to a reduced parking demand as demonstrated through a detailed traffic impact study, each dwelling unit shall be served by two (2) off-street parking spaces. Parking spaces in front of garages may count in the computation. All parking areas with greater than four (4) spaces shall be screened from view.
- iii) Buffer Areas. Vegetation in the buffer areas described below shall not be disturbed, destroyed or removed, except for normal maintenance of structures and landscapes approved as part of the project. The buffer area may be included in the calculation of protected open space. All

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driveways necessary for access and egress to and from the tract may cross such buffer areas but shall not be included in the calculation of protected open space. The Planning Board may waive the buffer requirement in these locations when it determines that a smaller buffer (or no buffer) will suffice to accomplish the objective set forth herein.

Except for access, utilities and drainage systems, a buffer areas of ~~twenty (20)~~ feet shall be provided at the following locations as follows:

- a) ~~At the perimeter of the property: where it abuts residentially zoned and occupied properties:~~

<u>Zoning District</u>	<u>Minimum Buffer</u>
<u>Residence A</u>	<u>100 feet</u>
<u>Residence B</u>	<u>75 feet</u>
<u>Residence C</u>	<u>50 feet</u>

- b) ~~Along~~ Certain resource areas on ~~or adjacent to~~ the tract like ponds, wetlands, streams and riverfront areas, rock outcrops, ledge, agricultural or recreational fields, and land held for conservation purposes shall have a minimum buffer area of ~~twenty (20)~~ twenty-five (25) feet. Said buffer areas as described in this section shall be used for Planning Board determinations only and shall not affect determinations or requirements of other authorities. shall not be construed as regulatory buffer areas subject to the jurisdiction of the Conservation Commission or other regulatory authority. ~~All driveways necessary for access and egress to and from the tract may cross such buffer areas. No vegetation in this buffer area will be disturbed, destroyed or removed, except for normal maintenance of structures and landscapes approved as part of the project. The Planning Board may waive the buffer requirement in these locations when it determines that a smaller buffer (or no buffer) will suffice to accomplish the objective set forth herein.~~

The Planning Board may waive the buffer requirement in these locations when it determines that a smaller buffer (or no buffer) will suffice to accomplish the objective set forth herein.

- iv) Distance between residential buildings shall be no less than 20 feet.
- ivv) Drainage. The Planning Board shall encourage the use of "soft" (non structural) stormwater management techniques (such as swales) and other drainage techniques that reduce impervious surface and enable infiltration where appropriate.
- vi) Common/Shared Driveway. A common or shared driveway may serve a maximum of three dwelling units.

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viii) Screening and Landscaping. All areas within the site that are designated on the plan for screening or landscaping shall be accompanied by a stamped landscape plan prepared by a Registered Landscape Architect.

viii) On-site Pedestrian and Bicycle Circulation. Walkways and bicycle paths shall be provided to link residences with parking areas, recreation facilities (including parkland and open space) and adjacent land uses where appropriate.

6.B.12. Decision of the Planning Board. The Planning Board may grant a special permit for an OSPD if it determines that the proposed OSPD has less detrimental impact on the tract than a conventional development proposed for the tract, after considering the following factors:

- a. Whether the OSPD achieves greater flexibility and creativity in the design of residential developments than a conventional development plan;
- b. Whether the OSPD promotes permanent preservation of open space, agricultural land forestry land, other natural resources including waterbodies and wetlands, and historical and archeological resources;
- c. Whether the OSPD promotes a less sprawling and more efficient form of development that consumes less open land and conforms to existing topography and natural features better than a conventional development plan;
- d. Whether the OSPD reduces the total amount of disturbance on the site compared to a conventional development plan;
- e. Whether the OSPD furthers the goals and policies of the Open Space Plan and/or the Comprehensive Plan;
- f. Whether the OSPD facilitates the construction and maintenance of streets, utilities and public service in a more economical and efficient manner;
- ge. Whether the OSPD Plan and its supporting narrative documentation complies with all sections of this Zoning Bylaw.

6.B. 13. Increases in Permissible Density. After reviewing the design standards listed in subsection 6.B.11 and the factors listed in subsection 6.B.12, the Planning Board may award a density bonus to increase the number of dwelling units beyond the Basic Maximum Number. Any density bonus units approved under this section shall also comply with the Town's Inclusionary Zoning Bylaw.

The density bonus for the OSPD shall not, in the aggregate, exceed fifty percent (50%) of the Basic Maximum Number. Computations shall be rounded to the lowest number. A density bonus may be awarded by the Planning Board in each of the following circumstances:

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- a. Protected Open Space: For each additional five percent (5%) of the site (over and above the required sixty percent (60%) set aside as open space, a bonus of one (1) lot or unit may be awarded; provided, however, that this density bonus shall not exceed twenty percent (20%) of the Basic Maximum Number.
- b. Detached Single Family Cottage Units: For every detached single family dwelling unit that has less than 1,500 SF in finished gross floor area with up to three-bedrooms, one (1) dwelling unit may be added as a density bonus; provided, however, that this density bonus shall not exceed twenty percent (20%) of the Basic Maximum Number.
- c. Accessory Dwelling Units: For every one (1) accessory dwelling units that has no more than 1,000 SF in finished gross floor area with up to two bedrooms, two (2) dwelling units may be added as a density bonus; provided, however, that this density bonus shall not exceed twenty percent (20%) of the Basic Maximum Number. Accessory dwelling units may be permitted within accessory structures such as upper floors of garages, carriage houses or barns as well as within a two-family or multi-family structures.
- d. Affordable Housing Units: ~~Excluding all units under the Inclusionary Zoning Bylaw,~~
 - i. The number of Affordable Housing Units required under Section 5.F.4. shall be derived by taking the number of new housing units of Section 5.F.4. as equal to the Basic Maximum Number determined by the Planning Board under Section 6.B.8.
 - ii. ~~for every one (1) dwelling unit restricted to occupancy for a period of not less than thirty (30) years by persons or families who qualify as low or moderate income, as those terms are defined for the area by the Commonwealth's Department of Housing and Community Development (DHCD), and that shall be eligible for inclusion in and count toward the Town's "Subsidized Housing Inventory," as maintained by DHCD or any successor agency~~ For each Affordable Housing Unit in excess of those required by Section 5.F.4 and meeting the definition of an Affordable Housing Unit per Section 5.F.2.b), the Planning Board may award a density bonus of three (3) similarly designed dwelling units; provided, however, that this density bonus shall not exceed fifty percent (50%) of the Basic Maximum Number.
- e. Historic Preservation: For any historically significant building or structure that records a permanent preservation restriction under GL 184, one (1) dwelling unit may be added as a density bonus; provided, however, that this density bonus shall not exceed ten percent (10%) of the Basic Maximum Number. The Planning Board shall determine whether such building or structure is historically significant. To be deemed historically significant such building or structure shall meet at least one of the following:
 - (a) any principle building or structure within the Town which is in whole or in part seventy-five (75) or more years old;
 - (b) any accessory structure one-hundred (100) or more years old; or
 - (c) any building or structure which is listed on the National Register of Historic Places.

Proposed Zoning Bylaw Amendment
Section 6.B. Open Space Preservation Development
West Newbury Planning Board
February 13, 2019, revised March 5, 2019

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Examples of Bonus Unit Calculations												
	Division of the Basic Maximum Number (Each line in this section always adds up to the BMN.)						Market Rate Bonus Units (from 6.B.13) (The total in this section is limited to 50% of the BMN.)				Total for Development	
	Market Rate Units	Affordable Units Required by 5.F.4*	Detached Single Family Cottage Units	Accessory Dwelling Units	Affordable Units in Excess of Those Required	Historic Preservation	From Detached Single Family Cottage Units	From Accessory Dwelling Units	From Affordable Units in Excess of Those Required	From Historic Preservation	(The maximum total number of units is limited to 150% of the BMN.)	
Limits (% of BMN) →			20%	20%	50%	10%	20%	20%	50%	10%	150%	
Density Bonus per Provided Unit →			1	2	3	1	1:1	2:1	3:1	1:1		
Example: BMN = 22	No Bonus Units	20	2	0	0	0	0	0	0	0	22	
	Three Additional Affordable	17	2	0	0	3	0	0	9	0	31	
	Three Accessory Units	17	2	0	3	0	0	6	0	0	28	
	Two Add'l Affordable + Two Accessory	16	2	0	2	2	0	4	6	0	32	
	Various Bonus Units to Maximum 1.50(22) = 33	14	2	2	1	2	1	2	2	6	1	33
Example: BMN = 30	No Bonus Units	27	3	0	0	0	0	0	0	0	30	
	Two Additional Affordable	25	3	0	0	2	0	0	6	0	36	
	Two Cottage Units	25	3	2	0	0	0	2	0	0	32	
	Two Add'l Affordable + Two Cottage	23	3	2	0	2	0	2	0	6	0	38
	Various Bonus Units to Maximum 1.50(30) = 45	19	3	2	1	3	2	2	2	9	2	45

*The number of affordable units required by Bylaw Section 5.F.4 = 10% of the BMN and these units are included as part of (not in addition to) the BMN. See Bylaw Section 5.F.6.a for rounding.



**TOWN OF WEST NEWBURY
OFFICE OF THE PLANNING BOARD
381 MAIN STREET
WEST NEWBURY MA 01985
978-363-1100 X125 Fax: 978-363-1119**

March 13, 2019

Town Meeting c/o Board of Selectmen
West Newbury Town Offices
381 Main Street
West Newbury, MA 01922

Re: Report of Planning Board – Large-Scale Ground-Mounted Solar Photovoltaic Overlay
District Bylaw

Dear Honorable Board:

Pursuant to Massachusetts General Laws Chapter 40A, Section 5, the West Newbury Planning Board held a public hearing on Tuesday, March 5, 2019 to consider the above-referenced article request. After due deliberation, the Board voted unanimously to recommend to the Town Meeting that it approve the Article with edits. The edits are included in the attached revised Article Request documents.

Sincerely,

Leah Zambarnardi, Town Planner
On behalf of the West Newbury Planning Board

Cc: Finance Committee
Town Clerk
file

ARTICLE REQUEST FORM

Submitted 2/13/19, revised 3/5/19

ARTICLE: To see if the Town will vote to amend Section 5.G. Large-Scale Ground-Mounted Solar Photovoltaic Installations (LGSP) Overlay District of the West Newbury Zoning Bylaw.

AMOUNT REQUESTED: Not Applicable

CONTACT PERSON: Ann Bardeen, Planning Board Chair

PHONE NUMBER: 617-605-1350

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

No purchase is requested.

What factors affect the timing of this purchase? Not applicable

When should this Article be sunsetted--how long will the project take? Not applicable

What ancillary costs do you anticipate? (Maintenance, Insurance, Training, etc.) Not applicable

Does this Article involve improvement, preservation or creation of tangible Town-owned assets and projects which 1) have useful life of at least five years; 2) cost over \$20,000 and or 3) for which the Town is authorized to borrow funds? If so, please confirm that this item is on the Capital Improvements Committee Schedule for future capital investments. Not Applicable

Please attach additional pages or other supporting documentation. See Attached Summary and Proposed Bylaw Amendment Language

Objective:

The objective of this article is to create additional protections to minimize impacts of LGSPI on residential property and neighborhoods and the Town overall while continuing to encourage construction of such installations.

Helpful Conversions:

Based on current solar technology, a 250 kilowatt LGSPI would occupy 40,000 feet. Please see more helpful conversions below. Please note that these conversions are subject to change due to future improvements in solar technology that will require less surface area to produce the same amounts of electricity.

250 kilowatts (.25 megawatts) = 40,000 square feet = .9 acre = 1.4 football fields

1 megawatt = (1,000 kilowatts) = 160,000 square feet = 3.6 acres = 4.2 football fields

Background:

The Town adopted the LGSPI Overlay District Bylaw in 2012 to facilitate the Town's inclusion in the State's Green Communities Program and the construction of an LGSPI at the Page School. The framework is a zoning overlay district, which may be placed over an existing zoning district by a Town Meeting vote. If approved, as was the case with the LGSPI Overlay District at the Page School, LGSPI becomes an allowed use in addition to those uses already allowed in the underlying zoning district.

The impetus for this Article request is in response to a recent proposal from a private development company to impose an LGSPI Overlay District on property at 28 Coffin Street. The property owner's intent was to build a 4 MW DC LGSPI within this Overlay District. During its review of the proposal, the Planning Board observed several deficiencies in the bylaw and subsequently proposed amendments to address them for consideration at the 2018 fall Town Meeting. Some concerns of note and the mechanisms proposed by the Planning Board to address them that fall included the following:

1. *Concern:* Approval of an LGSPI Overlay District at Town Meeting permits the use of the property as an LGSPI. It does not guarantee that the LGSPI described at Town Meeting would be built. If an LGSPI Overlay District were approved at Town Meeting, any LGSPI proposed in that district that met the dimensional and performance standards of the LGSPI Overlay District Bylaw would be permitted with limited review by the Town.

Proposed Mechanism: Add a special permit requirement to the LGSPI Overlay District Bylaw for LGSPI proposals where the underlying zoning district is residential or business. If an LGSPI Overlay District were approved at Town Meeting, any LGSPI proposed in that district where the underlying zoning is residential or business would be subject to a special permit from the Planning Board. LGSPI in the Industrial Zoning District and on municipal property would still be allowed.

2. *Concern:* That the Bylaw inadequately protected residential abutters' quality of life and property values.
Proposed Mechanism: Increase minimum setback requirements from the district boundary line to the LGSPI from 50-feet to 100-feet. Add a maximum size of LGSPI of 160,000 s.f. Add maximum height for appurtenant structures of 15-feet. Add siting criteria, landscaping and screening requirements.

3. *Concern:* The Bylaw did not protect the Town in terms of ensuring safe operation during the life of the LGSPI and proper decommissioning at the conclusion of operations.

Proposed Mechanism: Require evidence of utility company notification and submission of an operation & maintenance plan, allow that the Planning Board hire consultants to assist in project review at the expense of Applicants; establish new provisions for abandonment and decommissioning; require that Applicants provide financial surety.

Further, the Planning Board observed that some bylaws of other communities included a provision exempting installations where all power generated is consumed on the same site as the installation. The Board added this provision to the proposal.

During the public meetings leading up to the 2018 Fall Town Meeting, several concerns were brought up by Town Counsel, the Selectmen and solar advocates. The state requires that cities and towns allow large scale solar installations by right. Further, the Town is a designated Green Community. Concern was expressed that the proposal would bring the Town out of compliance by requiring a special permit for installations in the residential and business zoning districts. Though LGSPI would still be allowed by right in the industrial district and on municipal property, there were concerns over the practicality of developing LGSPI in the IR District due to limitations on the land (conservation land, wetlands). Further, the legality of regulating uses based on property ownership (municipal vs private) was questioned by Town Counsel. There was also concern that the increased setback and surface area restrictions would be too limiting. Also, Selectmen believed that more time for public review and input was needed. The Board recommended no action on the proposal, effectively withdrawing it from consideration at the 2018 Fall Town Meeting.

February 13, 2019 - Article Request for 2019 Spring Town Meeting:

The Board held a number of public meetings in the months following Fall Town Meeting where the proposal was revisited and revised to best address and balance the concerns expressed by all involved. Many, but not all of the interested parties attended the meetings. The Board therefore proposes several changes to the Fall 2018 Proposal as described below:

1. The special permit requirement for LGSPI in the residential and business districts is no longer proposed. Alternatively, the Board proposes requiring that the LGSPI Overlay District boundary correspond to parcel boundaries (Section 5.G.2.); maintaining the proposal to increase the minimum setback to 150-feet between the LGSPI/appurtenant structures and the property boundary (Section 5.G.5.b.); allowing a setback of less than 150-feet for LGSPI and appurtenant structures by special permit from the Planning Board for projects meeting pre-determined criteria (Section 5.G.5.b.).
2. Add a definition for LGSPI surface area (Section 5.G.2.). Continue to limit the surface area of LGSPI to 160,000 square feet. Allow an LGSPI surface area of greater than 160,000 square feet by special permit from the Planning Board (Section 5.G.5.b.).

Other provisions from the 2018 Fall Town Meeting proposal are still proposed including:

- i) Exempting installations where all power generated is consumed on the same site as the installation (Section 5.G.3.).
- ii) Adding new submission requirements for Site Plan Review Applications regarding utility company notification, operation & maintenance, landscaping plan and visualizations (Section 5.G.4.c.).
- iii) Reducing the maximum height of Appurtenant Structures from 35-feet to 15-feet (Section 5.G.5.c.).

- iv) Adding new Design Standards for LGSPI including siting criteria and landscaping & screening (Section 5.G.6.).
- v) Allowing that the Planning Board hire consultants to assist in project review at the expense of Applicants (Section 5.G.8.).
- vi) Establishing new provisions for abandonment and decommissioning (Section 5.G.11.).
- vii) Establishing new requirements for Applicant's to provide financial surety (Section 5.G.12.).

March 5, 2019 Additional Recommended Changes by the Planning Board

The Planning Board held the required public hearing on the proposal on March 5, 2019. At the conclusion of the hearing the Board recommended the following additional changes:

1. Removed the word "convex" from the definition of Large-Scale Ground-Mounted Solar Photovoltaic (LGSPI) Surface Area. The purpose of this change is to allow for shape forms other than rectangles and convex shapes (Section 5.G.2.).
2. Added phrasing to clarify that consumptive power systems where all power generated is used on site is the primary intended use. This language allows for instances where excess energy is sold back in to the power grid (Section 5.G.3.).
3. Removed the minimum surface area requirement of 40,000 s.f. This provision is confusing when compared to Section 5.G.2., which requires that LGSPI have a minimum nameplate capacity of 250 kW DC. This affords for future technological improvements where smaller arrays will produce more energy (Section 5.G.5.a.).
4. Corrected section reference (Section 5.G.5.b.).
5. Dimensional Requirements: Revised the maximum height for arrays from 15-feet to 20-feet to better align with current array technologies and added a special permit provision to allow increases in the maximum height of arrays and appurtenant structures under certain circumstances (Section 5.G.5.c.).

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Section 5.G. LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS OVERLAY DISTRICT

[Section 5.G. adopted by Amendment effective May 3, 2012 by vote of Annual Town Meeting, Article 18, and approved by the Attorney General on August 30, 2012, and posted according to law on September 7, 2012]

5.G.1. Purpose

The purpose of this Bylaw is to regulate Large-Scale Ground-Mounted Solar Photovoltaic Installations (LGSPI) in an established district(s) where they are allowed. The Bylaw provides standards for the placement, design, ~~and construction,~~ and eventual decommissioning and removal of such installations. The standards aim to address public safety, and minimize impacts on scenic, natural, and historic resources and residential property and neighborhoods.

5.G.2. Definitions

Large-Scale Ground-Mounted Solar Photovoltaic Installation (LGSPI): A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.

Large-Scale Ground-Mounted Solar Photovoltaic Installation (LGSPI) Overlay District: LGSPI Overlay District boundaries shall correspond to parcel boundaries. The location[s] designated by a Town Meeting vote in accordance with Massachusetts General Laws Chapter 40A, §5., where LGSPI are a permitted use. Any designated location[s] [is/are] shown on the Town of West Newbury Zoning Map pursuant to Massachusetts General Laws Chapter 40A §4. A plan of an approved Overlay District delineated by metes and bounds shall be recorded at the Southern Essex Registry of Deeds. These plans shall also be filed in the Office of the Town Clerk.

Large-Scale Ground-Mounted Solar Photovoltaic Installation (LGSPI) Surface Area: The surface area of an LGSPI shall be the smallest rectangle or other ~~convex~~ shape which encompasses the entirety of the Solar Photovoltaic Array and appurtenant structures, fencing, parking, and internal access ways.

On-Site Solar Photovoltaic Installation: A solar photovoltaic installation that is constructed at a location where other uses of the underlying property occur.

Rated Nameplate Capacity: The nominal rated output of electric power production of the Photovoltaic system in Direct Current (DC).

Solar Photovoltaic Array: an arrangement of solar photovoltaic panels.

5.G.3. Applicability

This Section applies to LGSPI proposed to be constructed after the effective date of this Section. This Section also pertains to physical modifications that materially alter the type, configuration, or size of

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these installations or related equipment. The provisions set forth in this Section shall apply to the construction, operation, and/or repair of an LGSPI.

This Bylaw is not intended to regulate systems that are consumptive power systems where all power that is generated is **intended to be** utilized **primarily** on site.

5.G.4. General Requirements for all Large Scale Ground-Mounted Solar Photovoltaic Installations

The following requirements are common to all LGSPI to be sited in designated locations:

- a. Compliance with Laws, Ordinances and Regulations. The construction and operation of all LGSPI shall be consistent with all applicable local, state and federal requirements, including all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.
- b. Building Permit and Building Inspection. A Building Permit is required for construction, installation, or modification of LGSPI as provided in this Section. An Application for a Building Permit for LGSPI must be submitted with all documents required by the Building Inspector's Office and the requirements of the Site Plan Review Decision.
- c. Site Plan Review. LGSPI are subject to Site Plan Review, Zoning Bylaw Section 8.B., by the Planning Board prior to construction, installation or modification as provided in this Section. In addition to the requirements of Section 8.B., Site Plan Review, and Planning Board Regulations, the Applicant shall submit the following:
 - i. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property Owners, if any
 - ii. The name, address, contact information and signature of any agents representing the project proponent, and
 - iii. Documentation of actual or prospective access and control of the project site. The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation
 - iv. Documentation that the utility company operating the electrical grid where the LGSPI is to be located has been informed of the Owner or Operator's intent to install an interconnected LGSPI.
 - v. An Operation and Maintenance Plan, which includes measures for maintaining safe access to the installation, storm water controls, and general procedures for operational maintenance of the installation.
 - vi. ~~iv.~~ The Zoning district designation for the parcel(s) of land comprising the project site, Street Address, Assessors' Map and Lot Number, North Arrow, and Locus Map
 - vii. ~~v.~~ An aerial photograph showing the existing property and structures, abutting properties, structures and streets. The proposed LGSPI, appurtenant structures,

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- driveways and other proposed improvements shall be superimposed upon the aerial photograph.
- viii. ~~vi.~~ Blueprints or drawings of the solar photovoltaic installation signed by a Registered Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures.
 - ix. ~~vii.~~ A description of the type of mounting system.
 - x. Landscaping plan detailing all proposed changes to the landscape of the site, including temporary or permanent roads or driveways, grading, vegetation clearing, planting, screening vegetation, and/or fences/walls, and lighting.
 - xi. Visualizations. The Planning Board may select up to six sight lines, including from the nearest building with a view of the LGSPI for pre- and post-construction view representations. Sight lines for the view representations shall be selected from populated areas proximate to the proposed LGSPI. View representations shall be in color and shall include actual pre-construction photographs and accurate post-construction simulations of the height and breadth of the Solar Energy Facility (e.g. superimpositions of the Solar Energy Facility onto photographs of existing views). Sight line view representations shall include all buildings and tree coverage that will remain or are proposed.

Waiver Authority. The Planning Board may waive documentary requirements of Site Plan Review as it deems appropriate.

5.G.5. Dimensional Requirements for all Large Scale Ground-Mounted Solar Photovoltaic Installations.

- ~~a. All LGSPI and Appurtenant Structures shall conform with the Table of Dimensional Control below.~~
- a. LGSPI Surface Area. The LGSPI Surface Area shall occupy **more than 40,000 square feet of surface area but not no** more than 160,000 square feet of surface area. The Planning Board may permit an LGSPI Surface Area that is greater than 160,000 square feet by Special Permit pursuant to Section 8.A.2. of the Zoning Bylaw.
- b. Minimum distance from the LGSPI Overlay District boundary to the Solar Photovoltaic Array and appurtenant structures, fencing, parking, and internal access ways shall be 150 linear feet. The Planning Board may permit a reduction of the minimum distance by Special Permit pursuant to Section 8.A.2. of the Zoning Bylaw and upon finding that a reduction in the minimum distance will result in better compliance with Section 5.G.76. Design Standards.
- c. Maximum height of the Solar Photovoltaic Array shall be 20 feet. ~~and~~ Maximum height of an appurtenant structures shall be 15 feet. The Planning Board may permit an increase in the maximum height by Special Permit pursuant to Section 8.A.2. of the Zoning Bylaw and upon finding that a reduction in the minimum distance will result in better compliance with Section 5.G.76. Design Standards.

Note: February 13, 2019 changes are in regular font 11. Insertions are underlined. Deletions have ~~strike through~~.

March 5, 2019 changes are in **bold font 14**

Table of Dimensional Control for Large-Scale Ground-Mounted Solar Photovoltaic Installations Overlay District

Structures	Minimum Lot Area In feet	Lot Frontage In feet	Percent of Required Lot area as Contiguous and Buildable (6.A.2)	Distance from Overlay District Boundary In feet	Maximum Lot Coverage %	Maximum Building Coverage %	Maximum Height in feet (6.A.3.)
PV Array	n/a	n/a	n/a	50	n/a	n/a	15
Appurtenant Structures	n/a	n/a	n/a	40	n/a	n/a	35

~~b. Appurtenant Structures. All appurtenant structures, including equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be screened from view by vegetation and/or fencing, and/or joined or clustered to avoid adverse visual impacts.~~

5.G.6. Design Standards

- a. Siting Criteria. LGSPI shall be located with consideration for:
- i. Visual/aesthetic: LGSPI shall, where possible, be sited off ridgelines to locations where their visual impact is least detrimental to valuable historic and scenic and established residential areas;
 - ii. General health, safety, and welfare of residents;
 - iii. Natural habitats, forests and wetlands;
 - iv. Lands with prime agricultural soils;
 - v. Glare from the solar panels onto any abutting or nearby properties;
 - vi. Potential vehicular traffic conflicts.

b. Landscaping and Screening. LGSPI shall be screened from abutting properties and roadways by staggered and grouped plantings of shrubs and small trees. Such plantings shall use native plants and a mix of deciduous and evergreen species and may be located within the setback area. The species mix and depth of screening shall be determined by the Planning Board during Site Plan Review based on site specific conditions with existing natural vegetation being used to the greatest extent possible.

~~c.b.~~ Appurtenant Structures. All appurtenant structures, including equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Appurtenant structures shall be screened from abutting properties and roadways by vegetation and/or fencing, and/or joined or clustered to avoid adverse visual impacts.

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~~da.~~ Lighting. Lighting of ~~the solar photovoltaic installations~~ LGSPI shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. ~~Where feasible, lighting of the solar photovoltaic installation~~ LGSPI shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

~~eb.~~ Signage. Signs on LGSPI shall comply with Section 7.C. of the Zoning Bylaw. A sign consistent with the Zoning Bylaw shall be required to identify the Owner and provide a 24-hour emergency contact phone number. Reasonable identification of the manufacturer or Operator of the ~~solar photovoltaic installation~~ LGSPI may be provided.

~~Solar photovoltaic installations~~ LGSPI shall not be used for displaying any advertising.

~~fe.~~ Utility Connections. Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the ~~Solar photovoltaic installations~~ LGSPI underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

~~gd.~~ Safety and Security. Appropriate measures shall be proposed to secure the facility from unauthorized entry.

5.G.7. Environmental Standards

a. Wetlands. ~~LSGPI~~ LGSPI shall comply with the requirements of M.G.L. Chapter 130, as amended.

b. Stormwater Management. Stormwater Management shall comply with Department of Environmental Protection Stormwater Management Policy, as amended.

c. Noise. ~~LSGPI~~ LGSPI and equipment shall comply with Section 7.A.4. of the Zoning Bylaw, and the provisions of the Department of Environmental Protection's Division of Air Quality Noise Regulations, (310 CMR 7.10., as amended).

d. Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the facility or otherwise prescribed by applicable laws, regulations, and bylaws.

5.G.8. Technical Review

The Planning Board may require a Technical Review Fee pursuant to M.G.L. Chapter 44, s. 53G to hire a consultant to assist in the review of the proposed development.

5.G.89. Monitoring and Maintenance.

The Large-Scale Ground-Mounted Solar Photovoltaic Installation Owner or Operator shall maintain the

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facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures.

5.G.910. Modifications

The Building Inspector shall determine if a proposed Modification to an LGSPI made after issuance of the required Building Permit shall require the filing and approval of a new Site Plan and Application with the Planning Board .

5.G.11. Abandonment and Decommissioning.

a. Removal requirements. Any LGSPI which has reached the end of its useful life or has been abandoned shall be removed. When the LGSPI is scheduled to be decommissioned, the Owner or Operator shall notify the Town by certified mail of the proposed date of discontinued operations and plans for removal. The Owner or Operator shall physically remove the LGSPI no more than 150 days after the date of discontinued operations. At the time of removal, the LGSPI site shall be restored in accordance with the decommissioning requirements specified below.

- i. Physical removal of all LGSPI, including structures, equipment, security barriers and transmission lines from the site;
- ii. Any utility connections shall be disconnected to the satisfaction of the Fire Department and Building Inspector.
- iii. Disposal of all solid and hazardous waste in accordance with local and state waste disposal regulations and standards; and
- iv. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the Owner or Operator to leave landscaping or any designated below-grade foundations in order to minimize erosion and disruption to vegetation.

b. Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, a LGSPI shall be considered abandoned when it ceases to operate for more than twelve (12) months, without written consent of the Building Inspector. “Cease to operate” is defined as not performing the normal functions associated with the LGSPI and its equipment on a continuous and ongoing basis. The Building Inspector shall provide written notification of abandonment to the Owner and Operator.

If the Owner or Operator fails to remove the LGSPI in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town shall have the authority to enter the property, to the extent it is duly authorized by law, and physically remove the LGSPI pursuant to the decommissioning requirements, Section 5.G.12.a.

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5.G.12. Financial Surety. The Applicant shall provide a form of surety to cover the cost of removal in the event the town must remove the installation and remediate the landscape, in an amount not to exceed 150% of the current estimated cost.

The applicant may choose to provide the surety in the form of a bond or escrow account. Such surety is not required for Municipal LGSPI. The applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The surety shall include a mechanism for calculating increased removal costs due to inflation.

Nothing herein shall diminish the Town's rights to recover costs associated with Abandonment and Decommissioning, Section 5.G.11. that is above and beyond the posted surety.



**TOWN OF WEST NEWBURY
OFFICE OF THE PLANNING BOARD
381 MAIN STREET
WEST NEWBURY MA 01985
978-363-1100 X125 Fax: 978-363-1119**

March 13, 2019

Town Meeting c/o Board of Selectmen
West Newbury Town Offices
381 Main Street
West Newbury, MA 01922

Re: Report of Planning Board – Amendment to Erosion Control Performance Standards in compliance with the Nonpoint Pollutant Discharge Elimination System (NPDES) MS4 Phase II Stormwater Permit for Massachusetts

Dear Honorable Board:

Pursuant to Massachusetts General Laws Chapter 40A, Section 5, the West Newbury Planning Board held a public hearing on Tuesday, March 5, 2019 to consider the above-referenced article request. After due deliberation, the Board voted unanimously to recommend to the Town Meeting that it approve the Article.

Sincerely,

Leah Zambarnardi, Town Planner
On behalf of the West Newbury Planning Board

Cc: Finance Committee
Town Clerk
file

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

STREET OPENING PERMIT

Permit No: 2019-08

Date: March 25, 2019

The Board of Selectmen grants permission to Tim Collins for a street opening permit at 44 Garden Street, West Newbury, MA 01985 as shown on the attached plan. Said work to be done within one year from the date of this permit in accordance with the bylaw governing such work to the following conditions:

- Application and Plan to become a part of Permit.
- Application, permit and new plan to be in the possession of contractor at the site at time of construction.
- List all underground utility services and show location on plan.
- This permit does not provide authorization for the removal of trees.

SUPERINTENDENT OF STREETS:

See attached memo from DPW Director Wayne Amaral dated March 21, 2019.

WATER DEPARTMENT SUPERINTENDENT:

No town water in that area.

BOARD OF SELECTMEN

Glenn A. Kemper, Chairman

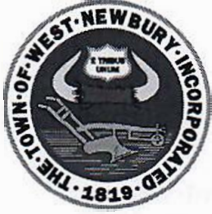
David W. Archibald

Joseph H. Anderson, Jr.

**I hereby certify that I will
adhere to the above conditions:**

Tim Collins
████████████████████████████████████████

cc: Building Inspector, Highway Superintendent, Water Superintendent



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Wayne S. Amaral, Director of Public Works

978-363-1100, Ext. 120

DPWDirector@wnewbury.org

TO: Board of Selectmen
FROM: Wayne S. Amaral, DPW Director *WSA*
DATE: March 21, 2019
RE: 44-46-48 Garden Street – DPW Street Opening Permit Requirements

Per the above three listed Street Opening Permits request for Garden Street dated March 14, 2019, the following requirements are recommended to be included in said permits from the Department of Public Works.

1. Driveway Proposal.

- a. Excavate a depth of 17-18 inches.
- b. Install / place 12-inches of processed gravel.
- c. Compact in 6-inch lifts.
- d. Pave 3-inch binder course and 2-inch final course of bituminous asphalt from existing edge of roadway to property line for any single-family residential property. Pave 4-inch binder course and 2-inch final course of bituminous asphalt from existing edge of roadway to property line for all other residential and commercial property.

2. Roadway Trench

- a. Suitable excavated material may be placed back into trench no greater than 18-inches from roadway grade. Must be compacted in 6-inch lifts.
- b. Install / place 12-inches of processed gravel from 18-inches below roadway grade to 6-inches below roadway grade. Must be compacted in 6-inch lifts.
- c. Pave 4" binder course and 2" final course of bituminous asphalt.
- d. If not noted on plan, the roadway trench size must be pre-approved on-site by the DPW Director prior to excavating. Please call 978-363-1100 extension #120, 48-hours in advance of work

3. Edge of Roadway – Disturbed Area.

- a. Loam and Seed all disturbed areas at edge of roadway.

4. Tracked Vehicles.

- a. No tracked vehicles shall be on the public roadway without a plywood or mat base.

5. Dig-Safe.

- a. Per State Law, Dig-Safe must be requested by applicant or applicant's agent and copy of Dig-Safe information must be on-site for inspection if requested by DPW Director or designee.

6. Traffic Controls.

- a. Police Details are required for all public roadway excavations. Contact the West Newbury Police Department at 978-363-1212.
- b. MUTCD requirements must be followed on roadway and edge of roadway projects. A police detail is NOT a substitute for proper traffic controls.

7. Roadway Plates.

- a. Roadway plates may not be used unless prior approval from the DPW Director.

8. Roadway Drainage.
 - a. Contact the DPW Director prior to final grading at edge of roadway to have on-site review of slopes and final grading.
9. Contact DPW 72-hours in advance of the commencement of work in the public right-of-way.
10. All worked in the public right of way is warranted by the applicant for 12-months after the acceptance of such work by the DPW Director or designee. Any roadway / trench failures must be corrected within 48 hours of notification and any emergency failures must be made-safe within two-hours of notification by West Newbury Police or town official.



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: Laurie Zywiak, Town Accountant
FROM: Angus Jennings, Town Manager
DATE: March 13, 2019
RE: Authorization for FY19 expenditures from Snow & Ice Removal Account

Under the provisions of Massachusetts General Laws, Chapter 44, §31D, this is to authorize the expenditure of funds for snow and ice removal in excess of available appropriations in the DPW Snow & Ice Removal Account. As you know, and as required for this authorization, the current budget year appropriation for such purposes equaled or exceeded the appropriation for said purposes in the prior fiscal year.

My signature on the A/P warrant(s) corresponding to specific expenditures shall serve as approval of such expenditures based on expenses incurred, or to be incurred, pursuant to this authorization.

This is also to direct you to certify to the Board of Assessors any and all expenditures made pursuant to this authority, for inclusion in the next annual tax rate; and to further direct you to report to the Department of Revenue Division of Local Services on or before September 15, 2019 the total amounts appropriated and expended, including any funding or reimbursements received from the Commonwealth, for snow and ice removal in the current fiscal year.

cc: Board of Selectmen
Treasurer/Collector
Finance Committee
DPW Director

Section 31D: Snow and ice removal; emergency expenditures; reporting requirements

[First paragraph as amended by 2016, 218, Sec. 74 effective November 7, 2016.]

Any city or town may incur liability and make expenditures in any fiscal year in excess of available appropriations for snow and ice removal, provided that such expenditures are approved by chief administrative officer; provided, however, that the appropriation for such purposes in said fiscal year equaled or exceeded the appropriation for said purposes in the prior fiscal year. Expenditures made under authority of this section shall be certified to the board of assessors and included in the next annual tax rate.

Every city or town shall annually, not later than September fifteenth, report to the division of local services of the department of revenue the total amounts appropriated and expended, including any funding or reimbursements received from the commonwealth, for snow and ice removal in the fiscal year ending on the preceding June thirtieth.

Source: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter44/Section31D>