



Town of West Newbury
Select Board
Monday, April 11, 2022 @ 5:30pm
381 Main Street, Town Office Building
www.wnewbury.org

RECEIVED
TOWN CLERK
WEST NEWBURY, MA
2022 APR -7 PM 5:10

AGENDA

Executive Session: 5:30pm in 1910 Building, 381 Main Street: Select Board office

- ❖ MGL Ch. 30A §21(a) 2: To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel (*Fire Dept. staffing; Conservation staffing*);
- ❖ 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 (*DPW Union contract; Police Union contract*);
- ❖ MGL Ch. 30A §21(a) 7: To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements (*Citizen of the Year nominations; update on year-to-date legal costs; State Opioid settlement*).

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

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

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Meeting also accessible by remote participation; instructions below.
- Status update, Rocks Village Bridge
- Town-wide roadside cleanup – Saturday and Sunday, April 23-24 – details on Town website!
- Arbor Day events organized by West Newbury Tree Committee – Saturday, April 30th
- Call for interest: Board of Fire Engineers; other opportunities at <https://www.wnewbury.org/volunteer>
- Reminder to subscribe for emailed Town news/announcements at <https://www.wnewbury.org/subscribe>

Regular Business

- A. Special Event Permit Request – Myopia Hunt – May 10 and May 31, 2022
- B. Review of request for authorization to conduct removal of invasive plant species from Town-owned land including the Dunn property – *Ann Craig*
- C. Request for permission to install temporary photo lawn signage on Training Field to recognize graduating seniors – *Pentucket Senior Celebration*
- D. Request for temporary road closure, a portion of Church Street, for use as staging area for Rocks Village Bridge repairs
- E. Request for waiver of 15-day waiting period for appointment of currently vacant positions: Youth Services Librarian, Assistant Town Clerk, and Council on Aging Van Driver
- F. Review of opportunity to propose one or more projects for funding via Congressionally Directed Spending Requests
- G. Update regarding proposed changes to COVID-19 protocols in Town Buildings
- H. Review of report from architect Lynne Spencer regarding Soldiers & Sailors Memorial Building
- I. Review/make recommendations on proposed warrant articles for spring Annual and Special Town Meetings scheduled for Saturday, May 14, 2022 at 9am
- J. Report from Planning Board re proposed amendments to Inclusionary Housing Bylaw
- K. Report from Planning Board re proposed acceptance of Sullivans Court Extension
- L. Update regarding consideration of potential Municipal Vulnerability Preparedness action grant proposal
- M. Review of request to allow use of inflatable water slide as part of Summer Rec Program
- N. Proposed adoption of CORI policy
- O. Meeting minutes: October 4, 2021; March 28, 2022

Town Manager Updates

- P. 2022 Memorial Day Parade update
- Q. Review of response to Expression of Interest regarding potential One Stop for Growth grant
- R. Update regarding Page School Playground
- S. Update regarding Page/Pipestave/Route 113 Safety Audit: timing for upcoming meetings
- T. Update regarding ongoing Wage/Classification Study
- U. Follow up meeting assignment; placing items for future agendas

Addendum to Meeting Notice regarding Remote Participation

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

Zoom Meeting

Phone: (646) 558 8656

Meeting ID: 833 5899 0109

Passcode: 606963

Join at: <https://us06web.zoom.us/j/83358990109?pwd=S0I0M3IRYU1hMkFnSnllYWU4QnIxQT09>

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

Posted Agenda on 4/7/2022 at the Town Offices and the Town's Official Website www.wnewbury.org

CELEBRATE EARTH DAY 2022



Town-wide Roadside Cleanup Saturday, April 23rd and Sunday, April 24th

Trash bags and gloves will be available at the Food Mart and in the front lobby of the Town Offices seven days prior of the event.

Let's Take Action Together!

Please consider helping by cleaning the publicly-owned roadside area in front of your home as well as long stretches of roadside in your neighborhood with no houses.

Leave the bags roadside to be picked up by the DPW crew. Please email dpwadmin@wnewbury.org with location of trash bags.



Town of
West Newbury
Massachusetts

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

Save the Date! West Newbury Arbor Day Celebration



Join the Tree Committee to celebrate **Arbor Day**
Saturday, April 30th

- From 10:00 AM to noon: Come to the Library grounds to pick up tree seedlings to plant on your own property - all free of charge courtesy of the West Newbury Tree Committee and Bartlett's Tree Experts. You can also get your questions about trees answered, including what and how to plant and the value of planting native trees.
- From 12:00 to 1:30 PM: Join Tree Committee members for a hike around Mill Pond. Learn how to identify common trees by bark, bud, and leaf and about the history of New England forests. Hiking will be easy but could be muddy.

For more information: <https://www.wnewbury.org/tree-committee>

Please join us in congratulating the Town of West Newbury for being awarded the designation as a **Tree City USA**, a national honor given by the *Arbor Day Foundation*.

Source URL: <https://www.wnewbury.org/home/news/save-date-west-newbury-arbor-day-celebration>

2 dates

Special Event Application

Organization or Group Myasia Hunt

Person Making Reservation Cindy Foote

Mailing Address [Redacted] West Newbury

Phone [Redacted] e-mail [Redacted]

Event Date: May 10, May 31 Start Time 10:00 AM End

Time noon

Reason for Event fox hunt by drag scent

Number of attendees 20

RECEIVED
APR 05 2022
TOWN MANAGER
TOWN OF WEST NEWBURY

Check Appropriate Block:

Resident Non-resident
 Fund Raising Group Non-Profit Commercial Other

Submit your application (with all maps, diagrams and attachments as required).

Provide a Schedule of Events along with a Sketch Plan which addresses:

1. The location of the event on the property Maudslay State Park, West Newbury trails
2. For road or walk race, a detailed map of the route on file w/ town
3. Features and attractions _____
4. Participant circulation _____
5. Proposed parking including how you will handle overflow parking Maudslay State Park
6. Any proposed road closures NO

7. Location of trash receptacles and dumpsters n/A

8. Location of temporary toilet facilities n/A

9. Accessible routes for the disabled or mobility impaired n/A

10. Locations, size and number of any tents, trailers or temporary structures n/A

11. Location, size, and description of any signage or banners n/A

12. If food will be served or sold at the event, you must contact the West Newbury Board of Health to discuss Food and Beverage regulations before you submit your application. If required, your food permit must be submitted before final approval of the Special Event. n/A

13. If Police Details and/or Firefighters/EMTs will be required, contact the West Newbury Police Department and West Newbury Fire Department to secure services. Only Police Officers may direct traffic on town streets. Evidence that Police and/or Fire Personnel have been secured must be presented before the approval of the final Special Event Permit. Mypia will provide crossing guards @ intersections or street crossings

14. Provide a Certificate of Insurance to the Town Manager's Office no later than ten (10) business days before the event. Final Special Event Permits will not be issued without submission of a Certificate of Insurance on file w/town

Name: Cindy Foote Event: Myopia Fox Hunt

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

Cynthia Foote April 5, 2022
Individual/Authorized Signature for Group Date

Chief of Police's Signature: _____ Date: _____

Requests and comments:

Fire Chief's Signature: _____ Date: _____

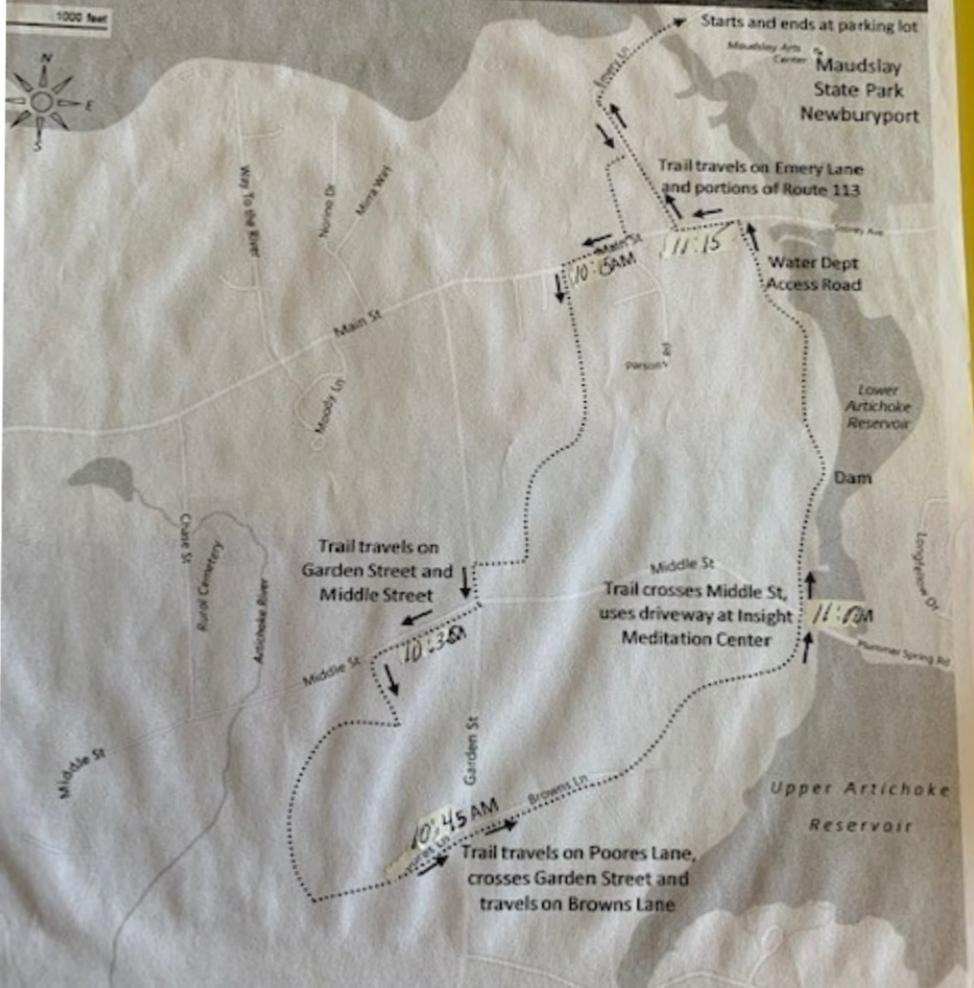
Requests and comments:

Approval granted if signed here by Board of Selectmen: _____ Date: _____

Requests and comments:

Horse Route for Myopia Hunt Club

Date: Tuesday, 11/04/10 + 31, 2010 from 10 to 1000



Map Prepared for
Newbury Police Department

Copyright ©2017 Map prepared on Sept 21, 2017 by:
**WEST NEWBURY
OPEN SPACE COMMITTEE**
Visit: www.westnewburyspacescene.net

Mtg packet for Select Board on 4-11-22

Town Manager

From: Michael Dwyer <dwyer@westnewburysafety.org>
Sent: Tuesday, April 5, 2022 3:37 PM
To: Town Manager
Cc: Jeff Durand; Residents Admin
Subject: Re: Special Event Permit application: Myopia hunt, May 10 and 31
Attachments: Myopia special event permit application for May 10 and May 31 2022.pdf

No comments or requests from the FD.
Mike

Sent from my iPhone

On Apr 5, 2022, at 1:03 PM, Town Manager <townmanager@wnewbury.org> wrote:

Please find attached. This refers to a map “on file with the town” but, with Annie out today and tomorrow (and perhaps longer), I don’t want to guess as to what the route will be. I’m sending this to you now, but have left a voicemail with Cindy Foote requesting that she provide a map so we’re all clear on the request. If I get that timely, and you have time to respond, I would put this on the April 11 Select Board agenda; otherwise it would go to April 25 if more review time is needed. Thanks -

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 Manager

From: Chief Jeffrey Durand <durand@westnewburysafety.org>
Sent: Tuesday, April 5, 2022 2:21 PM
To: Town Manager
Subject: RE: Special Event Permit application: Myopia hunt, May 10 and 31

This looks fine.

From: Town Manager [mailto:townmanager@wnewbury.org]
Sent: Tuesday, April 05, 2022 1:46 PM
To: Chief Jeffrey Durand <durand@westnewburysafety.org>; Michael Dwyer <dwyer@westnewburysafety.org>
Cc: Residents Admin <residents.admin@wnewbury.org>
Subject: RE: Special Event Permit application: Myopia hunt, May 10 and 31

Please find attached an updated application, including a map. Please let me know if I can agenda this for 4/11, or if you'd like more time to review and comment (or provide "no comment"). Thanks

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

From: Town Manager
Sent: Tuesday, April 5, 2022 1:03 PM
To: Jeff Durand <durand@westnewburysafety.org>; Michael Dwyer <dwyer@westnewburysafety.org>
Cc: Residents Admin <residents.admin@wnewbury.org>
Subject: Special Event Permit application: Myopia hunt, May 10 and 31

Please find attached. This refers to a map "on file with the town" but, with Annie out today and tomorrow (and perhaps longer), I don't want to guess as to what the route will be. I'm sending this to you now, but have left a voicemail with Cindy Foote requesting that she provide a map so we're all clear on the request. If I get that timely, and you have time to respond, I would put this on the April 11 Select Board agenda; otherwise it would go to April 25 if more review time is needed. Thanks -

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 Manager

From: Town Manager
Sent: Tuesday, March 29, 2022 1:16 PM
To: clanraig
Cc: Conservation; Selectboard; Nancy Pau; Carol Decker
Subject: RE: Invasives

Hi Ann,

At their mtg last night, the Select Board suggested including on their next (4/11) mtg a discussion of your offer to help with cutting bittersweet on town-owned property. Would you be available to attend (or zoom into) that evening's mtg? The mtg starts at 7, and this would likely come up as one of the first few items on the agenda.

Thanks!
Angus

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

From: Conservation <conservation@wnewbury.org>
Sent: Monday, March 28, 2022 3:10 PM
To: Town Manager <townmanager@wnewbury.org>; Selectboard <selectboard@wnewbury.org>; clanraig
[REDACTED]
Cc: Nancy Pau [REDACTED]; Carol Decker [REDACTED]
Subject: RE: Invasives

Hi Ann,

If you'd ever like to set up a time to walk the Riverbend site or any site that is near wetlands – 100' from all and 200' from the river, I'd be happy to walk the site with you and advise of any permitting you'd need to file for with the Conservation Commission. I'm also available to discuss this further by phone call or email.

Thanks!

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

From: Town Manager <townmanager@wnewbury.org>
Sent: Thursday, March 24, 2022 2:52 PM
To: Selectboard <selectboard@wnewbury.org>; clanraig [REDACTED]
Cc: Nancy Pau [REDACTED]; Carol Decker [REDACTED]; Conservation <conservation@wnewbury.org>
Subject: RE: Invasives

Hi,

I agree with the advice Wendy has offered. Approvals to do work on town-owned land will vary based on which entity has care/custody of the specific parcel(s) of land, as well as whether any work is proposed that may be within the ConCom jurisdiction. I have added our Conservation Agent Michelle Greene to this thread.

The only other thing my office would look for would be a signed indemnification form (attached). I'm happy to respond to any specific questions you may have about the form or otherwise.

Thanks for your interest in helping the town!

Angus

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

From: Selectboard <selectboard@wnewbury.org>
Sent: Thursday, March 24, 2022 2:44 PM
To: clanraig [REDACTED]
Cc: Nancy Pau [REDACTED]; Carol Decker [REDACTED]; Town Manager <townmanager@wnewbury.org>
Subject: Re: Invasives

Hi Ann,

Thank you for your efforts on controlling invasives and your concern about getting the proper permission on town property.

I think the answer will depend on which property you'd like to work on. The Conservation Commission has jurisdiction over Riverbend and would need to be consulted on any proposed work on that property. The Mill Pond Committee would be the point of contact for any Pipestave Hill areas other than the athletic fields. Dunn Fields would fall under the Select Board who would look to the DPW Director for guidance. On any property where you're proposing work near a wetland you would need to consult the Conservation Agent.

For all properties it would be useful to have a map showing the location of work and a description of the methods and what will happen to the removed material. I'm copying Angus here in case he has any other thoughts about how best to approach this.

Thanks,
Wendy

Get [Outlook for iOS](#)

From: clancraig [REDACTED]
Sent: Wednesday, March 23, 2022 12:40:39 PM
To: Selectboard <selectboard@wnewbury.org>
Cc: Nancy Pau [REDACTED]; Carol Decker [REDACTED]
Subject: Fwd: Invasives

Below is an email I sent to WN2 a while ago and they suggested I forward to you for advice.
Thanks so much for any help.

Sincerely,
Ann Craig
800 Main St,
West Newbury, MA 01985

----- Forwarded message -----

From: clancraig [REDACTED]
Date: Thu, Feb 17, 2022 at 9:15 PM
Subject: Invasives
To: Nancy Pau [REDACTED], Carol Decker [REDACTED]

Hi Nancy and Carol,
Thanks for a very nice meeting yet again tonight. You both are so insightful!

I didn't want to get things off track but was wondering how much is one allowed to do in terms of invasives on town property.
We have been gently tending a trail from my neighbors house that goes down to Riverbend for years. There are massive bittersweet vines ascending some of the trees. I felt so sorry for those trees, and so cut the bittersweet on her property (with permission) and just left it hanging. I got carried away and also cut it choking some trees bordering the Riverbend hayfield which, in hind sight, should not have done.
Do you have thoughts of having WN2 to get permission to cut bittersweet? There is a ton along the lower fields of Pipestave going towards Chase St. and we would love to help.
Thanks, Ann

Town Manager

From: Conservation
Sent: Thursday, March 31, 2022 1:43 PM
To: clanraig
Cc: Town Manager; Selectboard; Nancy Pau; Carol Decker
Subject: RE: Invasives

Hi Ann,

Sorry for my delay in getting back to you. Do you think it would make sense to meet after the Select Board meeting? This way as we reviewed sites, we could do so under the guidance of any comments, suggestions, or requests they may make at their meeting. If this is agreeable with you, let's touch base after their meeting on the 11th and we can work to find a date that we can meet for some site walks. If you'd like to talk sooner, please feel free to give me a call. I'll be out of the office tomorrow but available next Monday through Thursday.

Thank you,

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

From: clanraig [REDACTED]
Sent: Tuesday, March 29, 2022 8:57 PM
To: Conservation <conservation@wnewbury.org>
Cc: Town Manager <townmanager@wnewbury.org>; Selectboard <selectboard@wnewbury.org>; Nancy Pau [REDACTED]; Carol Decker [REDACTED]
Subject: Re: Invasives

Hi Michelle,

Thank you so much for your offer to review some invasive sites with me. I'd love to do that.

We had primarily noted the bittersweet around the hayfield but I think there is more on the trail we ski up to the water tower.

What days are best for you? I think it's going to be raining this Friday. I have next Wednesday and Friday off. Some limited time on other days.

The selectboard will meet with me on April 11 about permission to transect the vines along the western border of the upper Dunn field. (That is at the top of the field and away from wet areas). That should be ok with you, right? Nancy just told me about another site near Middle and Garden where it would be great to get your advice also.

Look forward to hearing from you,
Ann C

PS my cell is [REDACTED] and texting is great for me

On Mon, Mar 28, 2022 at 3:10 PM Conservation <conservation@wnewbury.org> wrote:

Hi Ann,

If you'd ever like to set up a time to walk the Riverbend site or any site that is near wetlands – 100' from all and 200' from the river, I'd be happy to walk the site with you and advise of any permitting you'd need to file for with the Conservation Commission. I'm also available to discuss this further by phone call or email.

Thanks!

Michelle Greene

Conservation Agent

Town of West Newbury

381 Main Street

West Newbury, MA 01985

Office: (978) 363-1100 x126

Mobile: (978) 891-0238

conservation@wnewbury.org

From: Town Manager <townmanager@wnewbury.org>

Sent: Thursday, March 24, 2022 2:52 PM

To: Selectboard <selectboard@wnewbury.org>; clancraig [REDACTED]

Cc: Nancy Pau [REDACTED]; Carol Decker [REDACTED]; Conservation <conservation@wnewbury.org>

Subject: RE: Invasives

Hi,

I agree with the advice Wendy has offered. Approvals to do work on town-owned land will vary based on which entity has care/custody of the specific parcel(s) of land, as well as whether any work is proposed that may be within the ConCom jurisdiction. I have added our Conservation Agent Michelle Greene to this thread.

The only other thing my office would look for would be a signed indemnification form (attached). I'm happy to respond to any specific questions you may have about the form or otherwise.

Town Manager

From: Dee Valeri [REDACTED]
Sent: Wednesday, March 30, 2022 9:34 AM
To: Selectboard; Town Manager
Cc: Lana Durocher
Subject: Pentucket Graduating Class Lawn Sign Request

Importance: High

Good Morning;

My name is Dee Valeri and I am co-chairing the Pentucket Senior Celebration with Lana Durocher. We would like to do something similar to Georgetown this year and recognize our upcoming graduating class with Photo Lawn Signs placed at The Training Field (next to the library on Main Street, 113) in West Newbury, Elm Park in Groveland and at the Donahue School in Merrimac, or someplace similar with high visibility. We are requesting approval to place these Lawn Signs from May 4-June 3 to recognize the upcoming graduating seniors. We will take responsibility to place them and take them down. Each display would be made from high quality material and display each graduating student's senior photo and name. We feel this would boost community moral for the graduation class, as well as show a sign of our community coming together to recognize this accomplishment.

Both Groveland and Merrimac, were very enthusiastic and gave us the unanimous approval to place the signs on their respecting towns location.

We would greatly appreciate the ability to do the same in W. Newbury, with the town's blessings.

Respectfully,
Dee Valeri & Lana Durocher

Regards,
Denise Valeri
Warm Rain Creations
"Helping You Extend Your Reach"
<http://www.warm-rain.com>

PH: [REDACTED]
[REDACTED]

Town Manager

From: Finance Admin
Sent: Tuesday, March 29, 2022 11:28 AM
To: [REDACTED]
Cc: Town Manager
Subject: RE: [Town of West Newbury MA] Signs Request (Sent by Dee Valeri, deebd@warm-rain.com)

Hi Dee,

Here you go. I have copied the Town Manager as well.

Best of luck!
Jenny

From: Finance Admin
Sent: Monday, March 28, 2022 10:21 AM
To: [REDACTED]
Subject: RE: [Town of West Newbury MA] Signs Request (Sent by Dee Valeri, deebd@warm-rain.com)

Good morning, Dee. Unfortunately, per the Town's sign policy, temporary signage is not allowed at the GAR Memorial Library but if you would like to make an appeal to the Select Board, please send your request to <mailto:selectboard@wnewbury.org>.

The **Signs on Town Property** policy is as follows and can be found on our website [here](#).

30. Signs on Town Property

The Town of West Newbury prohibits all signs on public property without prior approval by the Select Board or designee.

The Board adopts the following requirements and limitations applicable to requests to install signs on public property (including within Town roadway rights-of-way):

- a. Organizations are limited to placement of a total of five (5) temporary signs, town-wide, at any given time, with no more than one (1) temporary sign at any one location.
- b. Installation of temporary signs may be approved in the following locations: Page School; Pipestave; Middle/High School; along roadway rights-of-way if/as specified in the organization's initial request. Installation of temporary signs may also be approved at Ferry Park or Cammett Fields (Bachelor Street), but temporary signs in those locations also require the approval of the Parks and Recreation Commission, which has care and custody of those properties.
- c. The duration of allowance for temporary signs is limited to two two-week periods (so, a total of 28 calendar days) over the course of a calendar year. At the option of the organization, the two two-week periods may or may not be consecutive.
- d. In no instance shall the installation of temporary signs be approved at the following locations: Town Offices (1910 Building); GAR Memorial Library; Training Field; Public Safety Building; or traffic islands (unless grandfathered at the time of policy adoption).

All requests to place a sign on public property must include the reason, the location(s), and duration the sign will need to be posted for and confirmation that permission has been obtained from the property owner. Applicant must acquire

permission from the property owner if placing a sign on the property or in the right of way. Real estate open house signs are permitted as long as they are posted and removed the day of the open house.

Some examples of public property are rights-of-way (property running parallel to the roadway), traffic islands, utility poles, sidewalks and town-owned property. Please submit all requests to the Select Board either by email at <mailto:selectboard@wnewbury.org> or mail/drop off at 381 Main Street, West Newbury, MA 01985.

Adopted: 9/18/2017
Amended: 11/13/2017
Amended: 7/26/2021

If I can be of further assistance, please do not hesitate to reach out.

Best,

Jenny Walsh
Assistant to the Town Manager and Finance Department
Town of West Newbury
381 Main Street
West Newbury, MA 01985
(978) 363-1100 x115
finance.admin@wnewbury.org

From: Contact form at Town of West Newbury MA [REDACTED]
Sent: Monday, March 28, 2022 9:41 AM
To: Finance Admin <finance.admin@wnewbury.org>
Subject: [Town of West Newbury MA] Signs Request (Sent by Dee Valeri, [REDACTED])

Hello jwalsh,

Dee Valeri [REDACTED] has sent you a message via your contact form (<https://www.wnewbury.org/user/3754/contact>) at Town of West Newbury MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.wnewbury.org/user/3754/edit>.

Message:

Hi Jennifer;

I am wondering if we could get approval to put the Senior Lawn Signs up at the Library next to the Training Field? As we have already been granted permission from Groveland (Elm Park) and Merrimac (Donahue School) to place them in a high visibility area for W Newbury is ideal. Please let me know if that would be suitable?

Thanks in advance,
Dee Valeri

Town Manager

From: DPW Director
Sent: Thursday, April 7, 2022 9:01 AM
To: Town Manager
Cc: Alex Santini; Giulio Pellegrini
Subject: RE: <External>RE: Rocks Village Bridge Repairs
Attachments: Laydown Area.pdf

Angus,

The SPS company has been contracted by MassDOT to conduct the temp repairs to the Rock Village Bridge and they would like to use Church Street beside Ferry Park for construction staging and storage.

I see no issue with this request and recommend the Select Board approve. They will not stage or store any equipment or material in Ferry Park and will leave 24/7 access to the boat ramp. There is little to no vehicles volumes and this will not cause any impact to traffic. In fact, this will result in lower vehicle speeds entering westbound Church Street.

This phase of the closure duration can be up to 3-months. The permanent repairs when the time comes will take much longer.

Wayne

Wayne S. Amaral
 Director of Public Works / CPO
 Tree Warden, MCPPO

Town of West Newbury
 381 Main Street
 West Newbury, MA 01985
 (978) 363-1100 x120
 dpwdirector@wnewbury.org

From: Giulio Pellegrini [REDACTED]
Sent: Wednesday, April 06, 2022 12:33 PM
To: DPW Director <dpwdirector@wnewbury.org>
Cc: Alex Santini [REDACTED]
Subject: RE: <External>RE: Rocks Village Bridge Repairs

We can allow access to the boat ramp during construction.

From: DPW Director <dpwdirector@wnewbury.org>
Sent: Wednesday, April 6, 2022 12:26 PM



**Job Opening
G.A.R. Memorial Library
Staff Librarian – Youth Services**

The Town of West Newbury seeks a friendly, enthusiastic, service-oriented individual to help serve youth (ages 0-18) in our small, but busy Library. The Youth Services Staff Librarian is responsible for delivering library services to patrons of all ages, especially youth (ages 0-18) and their caregivers. The focus of this position is serving the preteen and adolescent population transitioning between the Children's Room and Teen Room spaces, services, and collections. This is a 28 hour/week, benefits-eligible, non-exempt (hourly) position.

Essential Duties and Responsibilities: *The essential functions or duties listed below are intended only as examples of the various type of work that may be performed.*

In addition to regular circulation duties

- Works closely with Children’s Librarian to design, promote, execute, and evaluate programs and services for youth (ages 0-18).
- Provides readers’ advisory for youth (ages 0-18) with a focus on serving the preteen and adolescent population.
- Works with parents, teachers, school librarians, and other professionals in choosing resources for youth (ages 0-18).
- Assists with school and community outreach.
- Assists with Library publicity and manages Library social media accounts.
- Oversees and facilitates the Teen Advisory Board (TAB).
- Manages Tween/Teen collections: selecting, purchasing, weeding
- Helps to maintain order in the Children’s Room and maintains an attractive, inviting environment in the Teen Room.
- Creates creative and compelling displays, always being mindful of inclusivity.
- Performs any other tasks as requested.

Job Environment:

Works under the direction of the Library Director. Work is performed in a typical library environment, which can be very busy at times. Weekly schedule includes both evening and Saturday hours (Saturdays, September – June only).

Qualifications include:

- College graduate preferred
- Experience working with the public
- Strong interest in working with children, teens and families
- Knowledge of Children’s and Young Adult literature
- High degree of flexibility and the ability to multi-task and frequently change focus
- Effective time management skills

- Excellent computer skills, particularly software/apps used for marketing (Canva, social media, website design, etc.)
- Ability to work with library staff and the general public in a tactful and courteous manner
- Ability to occasionally lift and/or move up to 30 pounds.
- Must pass a Criminal Offenders Record Information (CORI) and a background check.
- Commitment to ongoing professional development

Salary Range

\$20.09 – \$25.14

Closing Date

When position is filled.

How to Apply

Qualified candidates should submit a resume and letter of interest to: Corinn Flaherty, Library Director, G.A.R. Memorial Library, 490 Main Street, West Newbury, MA 01985, or via email at: cflaherty@westnewburylibrary.org.

Job Posting

Town of West Newbury Assistant Town Clerk

The Town of West Newbury seeks qualified candidates to serve as Assistant Town Clerk. Position serves as a Public Information and Legislative Administrator, Local Registrar of Vital Records and Statistics, Public Records and Licensing Administrator, and Census/Voter Registration Administrator. Position is full-time, benefits eligible.

Three or more years of prior municipal experience strongly desired. Applicants should possess excellent communication and computer skills. MS Word and Excel experience required.

Complete job description at: www.wnewbury.org/job-postings

High School graduate required, Associates or Bachelor's degree preferred. Hourly rate \$23.47 to \$28.50 per hour. Position open until filled. Please send cover letter and resume to:

Town of West Newbury
Town Manager
townmanager@wnewbury.org
381 Main Street
West Newbury, MA 01985
AA/EOE

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF WEST NEWBURY**

JOB TITLE: ASSISTANT TOWN CLERK (L5)

DEFINITION

Serves as a Public Information and Legislative Administrator, Local Registrar of Vital Records and Statistics, Public Records and Licensing Administrator, and Census/Voter Registration Administrator. This is a full-time hour/week, non-exempt (hourly) position.

JOB ENVIRONMENT

Works under the direction of the Town Clerk and the policy direction of the Town Manager and is governed by Massachusetts General Laws and Bylaws of the Town of West Newbury. Ability to handle multiple tasks and deadlines. Work performed in office. High degree of contact with the local citizenry, all town department heads, as well as the Secretary of State's office, the Jury Commissioner, the State Election Bureau, the Registrar of Vital Statistics, and various agencies and officials at all levels of government.

ESSENTIAL FUNCTIONS

Picks up, distributes and opens daily mail

General telephone operator

Responsible for photocopier maintenance

Prepare bill and payroll schedules for the offices of the Town Clerk and Board of Registrars.

Maintain spreadsheets of expenditures and confirm balances on a monthly basis.

Assists Town Clerk in the performance of all duties, and acts for Clerk in instances when they are unavailable

Vital Statistics

- Record and index all birth, marriage, and death certificates
- Report monthly statistics to State
- Maintain archival information and accessibility
- File amendments to birth, marriage and death certificates as required
- Take and record marriage intentions, and issues marriage licenses
- Issue burial permits

Elections and Town Meeting

- Prepare voting lists, tally sheets, and perform other clerical tasks as directed by Town Clerk.
- Staff polls in accordance with General Laws. Submit list of election workers to Town Manager for appointment by the Select Board.
- Arrange for physical setup of Polls
- Prepare for Town Meeting including participating in the coordination and compilation of materials including the Town Meeting Warrant and Motions.

- Coordinate printing, posting and delivery of the Town Meeting Warrant in compliance with the Town Bylaws.
- Participate in the scheduling and set-up of the physical facilities for Town Meeting. Attend Town Meeting.

Legislative Administrator

- Support the Town Clerk's work related to the appointment and database of Boards, Committees and appointed positions, including correspondence with Town Committees concerning vacancies, preparation and distribution of appointment notifications, and updating Town webpages to ensure that they reflect current Board, Committee and appointed persons composition/membership.
- Administer and maintain records of the Oath of Office for all town officials
- Disseminate Open Meeting Law and State Ethics Code and guidelines for municipal officials
- Issue certificates of the votes at Town Meeting as required by law or upon request
- Seal and attest, by signature, to Bylaws, resolutions and contracts, easements, deeds, bonds, and other documents requiring town certification

Business Records

- Administer the issuance of Municipal and State licenses and permits, including Telephone Pole Permits, Burial Permits, Storage of Gasoline & Other Flammable and Explosives, Dog Licenses, Raffle & Bazaar Licenses and various regulatory licenses as assigned, in accordance with applicable town By-Laws and State Law
- Issue Business Certificates and maintain files of both valid and expired certificates
- Submit weekly reports and fees to the Town Treasurer/Collector
- Collect fines and maintain records on non-criminal bylaw violations. Provide monthly reports to Police Department and any other issuing authority.
- Act as the Licensing Clerk for the Select Board and the Town of West Newbury's issuance of all liquor, used car, and one-day licenses.

Legal Records

- Receive and file all claims and actions against the town and communicate pertinent information to the appropriate persons
- Receive, record and communicate any decisions on Special Permits to the granting authority
- File Bylaws and resolutions of the Town Meetings and oversee the codification of By-Laws
- Submit Bylaws from Town Meeting to Attorney General with the necessary documentation for approval, and record approval with effective dates
- Perform certification and recording for the Town as required on legal documents and other requisite records
- Working from video and/or audio recordings, write and preserve minutes for regular meetings of the Select Board (open session)
- Issue Zoning and Planning Board applications

- Provide dedicated support to the Town Clerk's office in ensuring that Town Boards and Committees are timely posting meeting agendas and minutes with the Town Clerk and on the Town website.
- Maintain web-based calendar of all posted meetings of the Committees of the Town.
- Post meeting agendas in hard copy and to Town website if and as provided by Board/Committee chairpersons.

Census and Voter Registration Administrator

- Arrange for and maintain the Annual Census of each resident of the Town
- Prepare and print the Annual Street List
- Verify and certify residency of individuals upon request
- Publicize and arrange voter registration sessions
- Manage the voter list and associated interactions with the State Voter Registration Information System
- Prepare for certification by the Board of Registrars the verification of voters' signatures on petitions and nomination papers
- Arrange for transmission of census information to Jury Commission for jury list according to Jury Commissioners format

Town Report

- Support the office of the Town Clerk's responsibilities for preparation of the Annual Town Report, including soliciting reports from other Town departments, boards, commissions and committees; compiling data; proofreading reports from other departments, boards, commissions and committees; coordinating and proof reading preliminary and final layouts; soliciting printing/publishing costs and working with a selected vendor; and ensuring timely production and delivery of the Annual Town Report.

Office Management

- Maintain web page on town website for the Town Clerk's office, and assist other departments, Boards and Committees with web page maintenance as necessary.
- Education and training of staff and Committee members on the use and maintenance of the Town website.

And any other task that the Town Clerk or Town Manager may from time-to-time assign.

RECOMMENDED MINIMUM QUALIFICATIONS

Education and Experience:

- High School Graduate
- Prefer an associate's degree in public administration, government, business, or related field

Department: Finance
Date of Revision: FY 2022

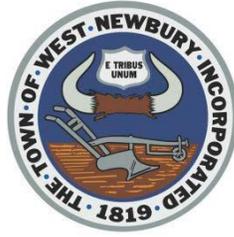
- Prefer three years of related experience, including experience in municipal government, records management and resolutions of customer service requests. A combination of education and experience will be considered.
- Notary Public and Justice of the Peace preferred but not required; training opportunities will be made available.

Knowledge, Ability and Skill:

- Knowledge of Massachusetts General Laws as they pertain to duties of Town Clerk
- Knowledge of Town Bylaws and Policies
- General knowledge of Zoning Bylaws
- Excellent organizational, communication and office skills
- Ability to deal with the public, Town officials and Departments and State & Federal Agencies
- Must be a person dedicated to keeping accurate records of meetings, able to formulate timely reports, properly interpret and carry out the laws of the Commonwealth and Town relating to meetings, elections and other duties associated with the Town Clerk's office
- Must be personable and have a sincere desire to serve the public
- Demonstrated knowledge of and experience working with MS Office Suite (primarily Outlook, Word, and Excel)
- Working knowledge of virtual/hybrid meeting platforms (Zoom, Teams, etc.)

Physical Requirements:

- Sit, stand, and walk for 8 hours per day
- Occasionally lift/carry up to 30 lbs.
- Fine manipulation of left and right hands
- Use of computers, calculators, telephone systems, photocopiers



Town of West Newbury, MA

Van Driver, Council on Aging

The Town of West Newbury seeks qualified candidates to serve as the Van Driver for the Council on Aging (COA). Position provides safe, reliable transportation to seniors within West Newbury and to surrounding areas, as needed and based on advance scheduling by the COA Director. The Van Driver inspects vehicle, maintains applicable records, and conforms to all COA transportation policies, including seat belt safety. Position is part-time (budgeted at up to 10 hrs/wk, and as needed), and is not eligible for additional benefits. West Newbury COA coordinates with and may at times offer van trips to residents of other communities in region.

Position requires sensitivity to the needs of elders, with prior work experience with elders preferred. Valid Class D driver's license, and pre-employment driver's safety check (conducted through RMV) and CORI check is required. Prior commercial driving experience strongly preferred. Current CPR and First Aid certification required; Town will provide training opportunities for successful applicant if/as needed.

The Town of West Newbury is an Affirmative Action / Equal Opportunity Employer.

Date of posting: April 1, 2022

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF WEST NEWBURY**

JOB TITLE: COUNCIL ON AGING VAN DRIVER (L2)

Job Title: Van Driver	Status: Appointed by Town Manager
Reports To: Council on Aging Director	Position Classification: Hourly, non-exempt
Part-Time: Varied hours, estimated at up to 10 hours per week: less some weeks, may be more other weeks. Van rides scheduled as needed	Pay Grade: 2
Supervises: None	
Location: West Newbury Council on Aging 381 Main Street, West Newbury, MA	Date: June 2006 Revised: April 2022

Summary:

The Council on Aging Van Driver provides safe, reliable transportation to seniors within West Newbury and to surrounding areas. The Van Driver inspects vehicle daily (on days used), maintains applicable records, and conforms to all COA transportation policies, including seat belt safety.

Essential Functions:

Essential responsibilities and duties may include, but are not limited to the following:

- Transport seniors to and from predetermined destinations in a courteous and professional manner
- Destinations may include: medical/dental offices, hospitals, shopping centers, hair salons, museums, theaters, parks, event locations or other locations determined by the Council on Aging Director
- Maintain the cleanliness and safety of the vehicle, including maintaining documentation of cleaning
- Maintain accurate records of vehicle usage
- Responsible for gassing the vehicle and scheduling maintenance
- Coordinates schedule with Council on Aging Director
- Collects donations or fees and delivers to Council on Aging Director for turnover to Town Treasurer
- Pick up and deliver van to Senior Center; locking and securing vehicle at the end of each day

Qualifications:

- Sensitivity to the needs of elders and prior work experience with elders preferred
- Prior commercial driving experience strongly preferred
- Knowledge of area streets and roads as well as community facilities
- Ability to drive into Boston for day trips

Department: Council on Aging
Date of Revision: April 2022

- Valid Class D driver's license required. Authorization of a pre-employment Driver's Safety Check through the Massachusetts Registry of Motor Vehicles is required.
- Current CPR and First Aid certification required; Town will provide training opportunities for successful applicant if/as needed.
- Participation in MArtap driver training through Massachusetts Department of Transportation.
- Ability to understand and follow verbal and written instructions

Physical Demands:

- Sitting
- Speaking
- Listening

Special Work Conditions:

- Due to the nature of the position, a satisfactory CORI background check is a prerequisite for employment.
- All drivers are subject to random testing for drugs and alcohol.

Town Manager

From: Freedman, Caroline (Warren) [REDACTED]
Sent: Thursday, March 31, 2022 4:44 PM
To: Freedman, Caroline (Warren)
Subject: FY2023 Congressionally Directed Spending Requests

Good Afternoon,

I am writing to notify you that Senator Warren is now accepting requests for Congressionally Directed Spending (CDS) for the FY2023 Senate Appropriations process. CDS requests are designed to identify high-impact projects in Massachusetts that can reach completion with assistance from the federal government. For-profit entities are not eligible to receive Congressionally Directed Spending, and any CDS request that Senator Warren submits to the Appropriations Committee must comply with [Senate Rule XLIV](#).

We invite your organization to submit an FY2023 CDS request to our office through our [online portal here](#). All CDS requests **must be submitted electronically** through the [portal](#). **Our deadline for all FY2023 CDS requests is Friday, April 22, 2022 at 6 pm ET.** We strongly encourage all applicants to submit an identical request to [Senator Markey's office](#).

We appreciate your interest in this funding opportunity through the Senate. Please feel free to contact me with any questions at 202-228-0962 or via email. Thank you!

Sincerely,

Caroline Freedman
Regional Director – North Shore and Merrimack Valley
U.S. Senator Elizabeth Warren
2400 JFK Federal Building
15 New Sudbury St.
Boston, MA 02203
Tel: 202-228-0962

Town Manager

From: Rick Parker
Sent: Friday, April 1, 2022 9:10 AM
To: Town Manager
Cc: Town Clerk
Subject: RE: FY2023 Congressionally Directed Spending Requests

Angus,

Please add discussion of ideas for CDS to the 4/11 agenda.

Thx - rick

From: Town Manager <townmanager@wnewbury.org>
Sent: Thursday, March 31, 2022 4:44 PM
To: Rick Parker <rparker@wnewbury.org>; David Archibald <darchibald@wnewbury.org>; Wendy Reed <wreed@wnewbury.org>
Cc: Town Clerk <townclerk@wnewbury.org>
Subject: FW: FY2023 Congressionally Directed Spending Requests

FYI

From: Freedman, Caroline (Warren) [REDACTED]
Sent: Thursday, March 31, 2022 4:44 PM
To: Freedman, Caroline (Warren) [REDACTED]
Subject: FY2023 Congressionally Directed Spending Requests

Good Afternoon,

I am writing to notify you that Senator Warren is now accepting requests for Congressionally Directed Spending (CDS) for the FY2023 Senate Appropriations process. CDS requests are designed to identify high-impact projects in Massachusetts that can reach completion with assistance from the federal government. For-profit entities are not eligible to receive Congressionally Directed Spending, and any CDS request that Senator Warren submits to the Appropriations Committee must comply with [Senate Rule XLIV](#).

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We appreciate your interest in this funding opportunity through the Senate. Please feel free to contact me with any questions at 202-228-0962 or via email. Thank you!

Sincerely,

Caroline Freedman
Regional Director – North Shore and Merrimack Valley
U.S. Senator Elizabeth Warren
2400 JFK Federal Building



Instructions

Each applicant is asked to complete an extensive and comprehensive questionnaire in support of their request. You are welcome to complete the questionnaire incrementally and save and return to the application at a later date. However, once you submit the questionnaire, you will be unable to make changes to your answers. Please click “submit” only if your answers are final.

You must complete all of the required sections of this questionnaire by the deadline, April 15, 2022 at 5pm EST (Subject to change), in order for the application to be considered complete

Please contact [REDACTED] if you experience any difficulty with submitting the questionnaire.

• Complete Each Section

1. [Requesting Entity Information](#)
2. [Massachusetts and National Benefits](#)
3. [Congressionally Directed Spending \(CDS\) Requests](#)
4. [Location of the Congressionally Directed Spending \(CDS\) Activity](#)
5. [Submitting Organization Point of Contact Information](#)

• Submit Your Questionnaire

Once you submit your questionnaire, you will need to contact Senator Warren's office to make changes.

Complete Checklist

Instructions

Each applicant is required to submit the following documents in support of their Congressionally Directed Spending Requests. Applicants also have the option to include up to 2 additional examples of community support. All materials must be submitted in PDF form. You must submit all of the checklist items by the deadline, April 15, 2022 at 5pm EST, for your application to be complete.

You are welcome to upload the requested documents incrementally. However, once you submit a document, you will be unable to make changes or submit an updated version. Please click “submit” only if your materials are final.

Please contact [REDACTED] if you experience any difficulty with submitting the required documents.

• Signed Certification Letter

Organizations submitting Congressionally Directed Spending Requests must submit a letter of certification signed by the head of the requesting organization stipulating that the information provided herein is accurate and any request for federal project-specific funding is made in accordance with federal law, state law, and the applicable rules, fiduciary requirements, and bylaws of the organization.

Sample Certification Language:

“I certify that as head of the requesting organization that the information provided herein is accurate to the best of my knowledge and belief, and that any request for federal project-specific funding is made in accordance with the applicable rules, fiduciary requirements, and bylaws of the organization. Furthermore, I understand that budgetary constraints facing the federal government limit the opportunities for direct funding to particular initiatives and that submitting a request does not guarantee the award of federal funding.

Additionally, I understand that this application is for organizations (or units of local government) to make requests for funding levels of existing federal programs; submit requested legislative or report language; and/or request funding for specific projects within an existing federal program. I understand that all proposals will be subject to considerable scrutiny and will compete with other requests from across Massachusetts. I understand that the federal government may audit any project for which funding is sought. Finally, I understand that the information provided in this form may be disclosed to the public in part or in their entirety, including on Senator Warren’s website.”

- .pdf only

• Detailed Budget Form

Please download and use the template available [here](#).

Fully describe the request including a detailed budget that provides all of the information on the provided sample template.

- .pdf, .doc, .docx, .jpg, .jpeg, .gif, or .png only

• **Support Letter #1**

Organizations submitting Congressionally Directed Spending Requests must submit at least two signed support letters from Massachusetts state or local elected officials who represent the location of where the project will take place.

- .pdf only

• **Support Letter #2**

Organizations submitting Congressionally Directed Spending Requests must submit at least two signed support letters from Massachusetts state or local elected officials who represent the location of where the project will take place.

- .pdf only

• **Supplementary Examples of Community Support (Optional)**

In addition to the required two letters of support from Massachusetts state or local elected officials, applicants have the option to also include other examples of community support such as but not limited to:

- Letters of support from elected community leaders (e.g. mayors, state representatives, state senators, or other officials);
- Press articles highlighting the need for the requested congressionally directed spending;
- Support from newspaper editorial boards;
- Projects listed on state intended use plans, community development plans, or other publicly available planning documents *[please note that this is mandatory for several subcommittee accounts]*; or
- Resolutions passed by city councils or municipal boards.

- .pdf only

• **Supplementary Examples of Community Support (Optional)**

In addition to the required two letters of support from Massachusetts state or local elected officials, applicants have the option to also include other examples of community support such as but not limited to:

- Letters of support from elected community leaders (e.g. the Governor, State Agency Heads, Mayors, State Representatives, State Senators,, or other community leaders);
- Press articles highlighting the need for the requested congressionally directed spending;
- Support from newspaper editorial boards;
- Projects listed on state intended use plans, community development plans, or other publicly available planning documents *[please note that this is mandatory for several subcommittee accounts]*; or
- Resolutions passed by city councils or municipal boards.

- .pdf only

Most fields are required.

Section 1. Requesting Entity Information

1. Name of Project ⓘ

2. Name of Submitting Organization ⓘ

3. Name and Title of Head of Organization / Department / Agency ⓘ

4. Organization Mailing Address Line 1 ⓘ

5. Organization Mailing Address Line 2 ⓘ

6. Organization Mailing City ⓘ

7. Organization Mailing County ⓘ

Select one:

Barnstable County , Berkshire County , Bristol County , Dukes County , Essex County , Franklin County ,
Hampden County , Hampden County , Middlesex County , Nantucket County , Norfolk County , Plymouth County ,
Suffolk County , Worcester County

8. Organization Mailing State 

9. Organization Mailing Zip Code 

10. Is the organization a not-for-profit entity? 

Please note that for-profit organizations are not eligible for Congressionally Directed Spending.

Yes No

10.1 Tax Identification Number

100 character limit

11. How many CDS requests is your organization submitting? 

No decimals or symbols.

12. Priority Ranking of Proposal 

If only one proposal is being submitted, please enter 1. Please note that it will be very challenging to fund multiple proposals per submitting entity.

No decimals or symbols.

13. Congressionally Directed Spending Request Amount  Please

enter a dollar amount.

100 character limit

14. Total Cost of the Project 

Please enter a dollar amount.

100 character limit

15. Is this a construction project? 

Please note that very few subcommittee accounts can be used for construction. You must verify that you selected an appropriate subcommittee account that can be used for construction and that your request meets all of the subcommittee's criteria.

Yes No

16. Project Purpose 

This should be a short description of your project's purpose. This information will appear in public disclosures.

17. Justification Statement 

Fully describe and justify the request, including why the request is an appropriate use of federal taxpayer dollars and the specific information requested by the subcommittee.

18. Is this a one-time request for Congressional Directed Support and will the CDS funding be spent in FY2023?  Please

note that multi-year earmarks are not eligible for funding.

Yes No

19. Is additional federal funding required, beyond the sources identified in the budget submitted? When and how will the project become self-sustaining? 

20. Was this request submitted to another member of the Massachusetts Congressional Delegation? ²

Yes No

20.1 Which members?

- Senator Ed Markey Congressman Richard Neal (MA-01) Congressman Jim McGovern (MA-02)
- Congresswoman Lori Trahan (MA-03) Congressman Jake Auchincloss (MA-04)
- Congresswoman Katherine Clark (MA-05) Congressman Seth Moulton (MA-06)
- Congresswoman Ayanna Pressley (MA-07) Congressman Stephen Lynch (MA-08)
- Congressman William Keating (MA-09)

21. Was this project request submitted to Senator Warren and/or Senator Markey in the FY2022 Congressionally Directed Spending Process? ²

Yes No

22. Did this project receive congressionally directed funding in FY2022? ²

Yes No

22.1 Please list the relevant Senate Appropriations bill and the allocated amount of funding.

100 character limit

Section 2. Massachusetts and National Benefits

1. Please provide a description of the request's importance to Massachusetts and/or the local community. ²

2. Please list any entities or organizations partnering in or supporting the project. ²

Section 3. Congressionally Directed Spending (CDS) Requests

1. Is this proposal for funds available in the Agriculture, Food and Drug Administration and Rural Development bill? ²

Yes No

1.1 Please identify which account.

- Animal Plant Health Inspection Service, S&E (APHIS)
- Natural Resources Conservation Service, Conservation Operations (NRCS)
- Watershed Prevention Operations (WFPO) Rural Development, Community Facilities grants (match required) Rural
- Development, Distance Learning, Telemedicine, and Broadband grants

2. Is this proposal for funds available in the Commerce, Justice, Science bill? ²

Yes No

2.1

Please identify which account.

- Department of Commerce: National Institute of Standards and Technology (NIST); Scientific and Technical Research Services (STRS); External Projects
- Department of Commerce, National Institute of Standards and Technology (NIST); Construction of Research Facilities
- Department of Commerce, National Oceanic and Atmospheric Administration (NOAA); Operations, Research, and Facilities (ORF); Special Projects
- Department of Justice; Office of Justice Programs; State and Local Law Enforcement Assistance; Byrne Discretionary
- Department of Justice; Community Oriented Policing Services (COPS); COPS Law Enforcement Technology
- National Aeronautics and Space Administration; Safety, Security, and Mission Support

3. Is this proposal for funds available in the Energy & Water Development bill?

- Yes No

3.1

Please identify which account.

- Corps of Engineers: Investigations Corps of Engineers: Construction
- Corps of Engineers: Operations & Maintenance Corps of Engineers: Mississippi Rivers & Tributaries
- Bureau of Reclamation: Water and Related resources Energy Efficiency and Renewable Energy (EERE)
- Office of Electricity (OE) Office of Cybersecurity, Energy Security, and Emergency Response (CESER)
- Office of Nuclear Energy (NE) Office of Fossil Energy (FE)

4. Is this proposal for funds available in the Financial Services and General Government bill?

- Yes No

4.1

Please identify which account.

- Small Business Administration, Administrative Provision
- National Archives and Records Administration, National Historical Publications and Records Commission
- National Archives and Records Administration, Repair and Restoration
- General Services Administration, Federal Buildings Fund, Construction and Acquisition

5. Is this proposal for funds available in the Homeland Security bill?

- Yes No

5.1

Please identify which account.

- FEMA – Pre-Disaster Mitigation (PDM) Grants FEMA – Emergency Operations Center (EOC) Grants

6. Is this proposal for funds available in the Interior, Environment, and Related Agencies bill?

- Yes No

6.1 Please identify which account.

- EPA, State and Tribal Assistance Grants, Water and Wastewater Infrastructure
- National Park Service, Historic Preservation Fund
- U.S. Forest Service, State and Private Forestry, Forest Resource Information and Analysis
- Land and Water Conservation Fund: BLM, Land Acquisition
- Land and Water Conservation Fund: FWS, Land Acquisition
- Land and Water Conservation Fund: NPS, Land Acquisition
- Land and Water Conservation Fund: USFS, Land Acquisition
- Land and Water Conservation Fund: USFS, Forest Legacy
- Legacy Restoration Fund: BLM, Legacy Restoration Fund
- Legacy Restoration Fund: FWS, Legacy Restoration Fund
- Legacy Restoration Fund: NPS, Legacy Restoration Fund
- Legacy Restoration Fund: BIE, Legacy Restoration Fund
- Legacy Restoration Fund: USFS, Legacy Restoration Fund
- Land Management Agencies: BLM, Construction
- Land Management Agencies: FWS, Construction Projects, Line Item Construction
- Land Management Agencies: NPS, Construction, Line Item Construction and Maintenance
- Land Management Agencies: USFS, Capital Improvement and Maintenance, Facilities, Roads and Trails
- Land Management Agencies, Local Projects and Research: BLM, Management of Land and Resources, Habitat Management Priorities
- Land Management Agencies, Local Projects and Research: NPS, National Recreation and Preservation, Statutory and Contractual Aid
- Land Management Agencies, Local Projects and Research: FWS, Resource Management, Stewardship Priorities
- Land Management Agencies, Local Projects and Research: USGS, Surveys, Investigations, and Research, Status and Trends
- Bureau of Indian Affairs, Operation of Indian Programs, Special Initiatives
- EPA, Science and Technology, Research: National Priorities
- EPA, State and Tribal Assistance Grants, STAG Infrastructure Grants

7. Is this proposal for funds available in the Labor, Health and Human Services and Education bill? 

- Yes No

7.1 Please identify which account.

- Employment and Training Administration
- Health Resources Service Administration
- Substance Abuse and Mental Health Services Administration
- Administration for Children and Families – Child Abuse Prevention and Social Services Research and Demonstration
- Administration for Community Living – Aging and Disability Services Program
- Fund for the Improvement of Education (FIE)
- Rehabilitation Services – Demonstration and Training Rehabilitation
- Services – Demonstration and Training

8. Is this proposal for funds available in the Military Construction and Veterans Affairs bill? 

- Yes No

8.1 Please identify which account.

- Military Construction, Army
- Military Construction, Navy and Marine Corps
- Military Construction, Air Force
- Military Construction, Defense-Wide
- Military Construction, Army National Guard
- Military Construction, Air National Guard
- Military Construction, Army Reserve
- Military Construction, Navy Reserve
- Military Construction, Air Force Reserve

9. Is this proposal for funds available in the Transportation, Housing and Urban Development bill? 

- Yes No

9.1

Please identify which account.

- Transportation Planning, Research, and Development (TPR&D) for transportation research projects
- Grants-in-Aid for Airports (Airport Improvement Program or AIP) for airport capital projects
- Highway Infrastructure Programs (HIP) for highway capital projects
- Transit Infrastructure Grants (TIG) for transit capital projects
- Consolidated Rail Infrastructure and Safety Improvement Program (CRISI) for rail capital projects
- Housing and Urban Development (HUD) Economic Development Initiatives (EDI) for economic development projects

10.Name of Project 

100 character limit

11.How many CDS requests is your organization submitting? 

100 character limit

12.Priority Ranking of Proposal 

If only one proposal is being submitted, please enter 1. Please note that it will be very challenging to fund multiple proposals per submitting entity.

No decimals or symbols.

13.Congressionally Directed Spending Request Amount  Please

enter a dollar amount.

100 character limit

14.Project Purpose 

This should be a clear and concise description of your project’s purpose. This information will appear in public disclosures.

[Empty text input field]

15.Justification and Budget Statement 

Fully describe and justify the request, including a detailed budget and funding summary, including why the request is an appropriate use of federal taxpayer dollars, and any other specific information requested by the subcommittee in their guidance.

[Empty text input field]

16.Project Website

Provide only if available. However, a project website is a requirement for several appropriations accounts such as THUD and we strongly encourage you to create a project website for your request.

100 character limit

17.Does this project meet the necessary criteria as outlined in the relevant CDS Subcommittee Guidance? 

CDS Subcommittee Guidance criteria can be found [here](#). It is critical that applicants follow all subcommittee guidance and criteria in order to be eligible for funding. Ineligible and/or incomplete requests will not be funded by the Appropriations Committee.

- Yes
- No

Section 4. Location of the Congressionally Directed Spending (CDS) Activity

1. Project City 

100 character limit

2. Project State 

A project must at least be partially located in Massachusetts for Senator Warren to consider the request.

Select...

3. Project Country 

100 character limit

Section 5. Submitting Organization Point of Contact Information

1. Submitting Organization Name 

This information will appear in public disclosures.

100 character limit

2. Submitting Organization Point Of Contact (POC) Name 

100 character limit

3. Submitting Organization Point Of Contact (POC) Title 

100 character limit

4. Submitting Organization Point Of Contact (POC) Phone  If possible, please provide a mobile number.

 ###-###-####

5. Submitting Organization Point Of Contact (POC) Email Address 

 i.e. your-email@mail.com

6. Submitting Organization Point Of Contact (POC) Mailing Address Line 1 

100 character limit

7. Submitting Organization Point Of Contact (POC) Mailing Address Line 2 

100 character limit

8. Submitting Organization Point Of Contact (POC) City 

100 character limit

9. Submitting Organization Point Of Contact (POC) State 

Select... 

10. Submitting Organization Point Of Contact (POC) Zip Code 

or #####-####

Congressionally Directed Spending/Agencies and Accounts

NOTE: Accounts are subject to change for Fiscal Year 2023; these accounts were eligible for CDS requests in Fiscal Year 2022.

Agriculture

- Animal Plant Health Inspection Service, S&E (APHIS)
- Natural Resources Conservation Service, Conservation Operations (NRCS)
- Watershed Flood Prevention Operations (WFPO)
- Rural Development, Community Facilities grants
- Rural Development, Distance Learning, Telemedicine, and Broadband grants
- **Eligibility Question:** *If your project requires matching fund or other cost share requirements is the project sponsor able to meet those financial obligations?*

Commerce, Justice, Science

- Department of Commerce; National Institute of Standards and Technology (NIST); Scientific and Technical Research Services (STRS); External Projects
- Department of Commerce; NIST; Construction of Research Facilities.
- Department of Commerce; National Oceanic and Atmospheric Administration (NOAA); Operations, Research, and Facilities (ORF); Special Projects
- Department of Justice; Office on Justice Programs; State and Local Law Enforcement Assistance; Byrne Discretionary
- Department of Justice; Community Oriented Policing Services (COPS); COPS Law Enforcement Technology
- National Aeronautics and Space Administration; Safety, Security, and Mission Support

Energy & Water

- Corps of Engineers: Investigations
- Corps of Engineers: Construction
- Corps of Engineers: Operations & Maintenance
- Corps of Engineers: Mississippi Rivers & Tributaries
- Bureau of Reclamation: Water and Related Resources
- Energy Efficiency and Renewable Energy (EERE)
- Office of Electricity (OE)
- Office of Cybersecurity, Energy Security, and Emergency Response (CESER)
- Office of Nuclear Energy (NE)
- Office of Fossil Energy (FE)

Financial Services

- Small Business Administration, Administrative Provision
- National Archives and Records Administration, National Historical Publications and Records Commission
- National Archives and Records Administration, Repair and Restoration

- General Services Administration, Federal Buildings Fund, Construction and Acquisition

Homeland Security

- FEMA - Pre-Disaster Mitigation (PDM) Grants
- FEMA - Emergency Operations Center (EOC) Grants

Interior

- EPA, State and Tribal Assistance Grants, Water and Wastewater Infrastructure
 - **Eligibility Question:** For Waste and Wastewater Infrastructure State and Local Projects, is the project on the state's most recently finalized Clean Water or Drinking Water State Revolving Fund Intended Use Plan?
 - **Eligibility Question:** For Waste and Wastewater Infrastructure State and Local Projects, if the answer to the above question (Q1) is NO, is the project eligible under SFR guidelines?
 - **Eligibility Question:** For Waste and Wastewater Infrastructure Tribal Projects, is the project on the HIS Sanitation Deficiency System list?
 - **Eligibility Question:** For Waste and Wastewater Infrastructure Tribal Projects, if the answer to the above question (Q3) is NO, is the project eligible under the Criteria for the Sanitation Facilities Construction Program?
- National Park Service, Historic Preservation Fund
 - **Eligibility Question:** For the Historic Preservation Fund, if the request is for a property, does the property meet the HPF program requirements of being listed, at the appropriate level, for the National Register of Historic Places or as a National Historic Landmark individually or as contributing to an historic district?
- U.S. Forest Service, State and Private Forestry, Forest Resource Information and Analysis
 - **Eligibility Question:** For USFS State and Private Forestry (SPF), is this project part of or contribute to the state's Forest Action Plan?
- Land and Water Conservation Fund
 - BLM, Land Acquisition
 - FWS, Land Acquisition
 - NPS, Land Acquisition
 - USFS, Land Acquisition
 - USFS, Forest Legacy
- Legacy Restoration Fund
 - BLM, Legacy Restoration Fund
 - FWS, Legacy Restoration Fund
 - NPS, Legacy Restoration Fund
 - BIE, Legacy Restoration Fund
 - USFS, Legacy Restoration Fund
- Land Management Agencies
 - BLM, Construction
 - FWS, Construction Projects, Line Item Construction
 - NPS, Construction, Line Item Construction and Maintenance
 - USFS, Capital Improvement and Maintenance, Facilities, Road and Trails

- Land Management Agencies, Local Projects and Research
 - BLM, Management of Land and Resources, Habitat Management Priorities
 - NPS, National Recreation and Preservation, Statutory and Contractual Aid
 - FWS, Resource Management, Stewardship Priorities
 - USGS, Surveys Investigations and Research, Status and Trends
- **Eligibility Question:** *For Land and Water Conservation Fund (LWCF), Legacy Restoration Fund (LRF), or Land Management Agency Construction (LMCON), is the project on the relevant list provided by the administration?*
- Bureau of Indian Affairs, Operation of Indian Programs, Special Initiatives
- EPA, Science and Technology, Research: National Priorities
- EPA, State and Tribal Assistance Grants, STAG Infrastructure Grants

Labor, HHS, Education

- Employment and Training Administration
- Health Resources Service Administration
- Substance Abuse and Mental Health Services Administration (combining mental health, substance abuse treatment, and substance abuse prevention)
- Administration for Children and Families – Child Abuse Prevention and Social Services Research and Demonstration
- Administration for Community Living—Aging and Disability Services Programs
- Fund for the Improvement of Education (FIE)
- Rehabilitation Services—Demonstration and Training
- Higher Ed—Fund for the Improvement of Postsecondary Education (FIPSE)

MilCon-VA

- Military Construction, Army
- Military Construction, Navy and Marine Corps
- Military Construction, Air Force
- Military Construction, Defense-Wide
- Military Construction, Army National Guard
- Military Construction, Air National Guard
- Military Construction, Army Reserve
- Military Construction, Navy Reserve
- Military Construction, Air Force Reserve
- **Eligibility Questions:**
 - *Does this project appear on the Future Years Defense Program (FYDP) list?*
 - *Does this project appear on the Unfunded Requirements/Priorities List (UFR/UPL)?*
 - *Does this project appear on the Cost-to-Complete (CTC) list?*
 - *Does this project have a DD1391?*
 - *Has this project reached the 35% design milestone?*
 - *Is this project previously authorized or has it been submitted to the Senate Armed Services Committee for consideration?*
 - *If this project was funded last year, please have the funding amount available.*

Transportation-HUD

- Transportation Planning, Research, and Development (TPR&D) for transportation research projects
- Grants-in-Aid for Airports (Airport Improvement Program or AIP) for airport capital projects
- Highway Infrastructure Programs (HIP) for highway capital projects
- Transit Infrastructure Grants (TIG) for transit capital projects
- Consolidated Rail Infrastructure and Safety Improvement Program (CRISI) for rail capital projects
- Housing and Urban Development (HUD) Economic Development Initiatives (EDI) for economic development projects
- **Eligibility Questions:**
 - *THUD Airport Code Required*
 - *THUD State Transit Agency Required*
 - *THUD Total Project Cost Required*

Costs	Amount	Status of Phase <i>(Not Yet Begun In Progress, or Completed)</i>	Comments and/or Details
Acquisition			
Soft Costs, Design, Permitting/Planning			
Construction/Renovation			
Site Work			
Equipment			
Other <i>(please elaborate in comments/details)</i>			
Total Cost			

Funding	Amount	Status of Funding <i>(eg: application submitted, funding awarded, funding received)</i>	Comments and/or Details
Federal Funding <i>(eg: EPA Brownfields Funding, HOME funding, federal tax credits, etc.)</i>			
1.			
2.			
3.			
Local or State Government Funding <i>(eg: bond votes, tax credits, funding from ACCD, etc.)</i>			
1.			
2.			
3.			
Private or Nonprofit Funding <i>(Foundation, Chairy, individual donations, etc.)</i>			
1.			
2.			
3.			
Project Income <i>(If the project requires income for sustainability, the project be sustained through fees, ratepayers, etc.)</i>			
1.			
2.			
3.			
Other Sources <i>(please elaborate in comments/details)</i>			
Congressionally Directed Spending Request for Fiscal Year 2023			
Total Funding			

Town Manager

From: Town Manager
Sent: Tuesday, April 5, 2022 2:58 PM
Subject: Updated Town Offices COVID Protocols, effective next Tuesday, April 12th
Attachments: COVID19 Protocol Updated 4-12-22 - draft.pdf; COVID19 Protocol Updated 4-12-22 - redlines.pdf

Hi all,

Discussion of the Town Offices COVID Protocols has taken place at recent Select Board meetings, and the topic has come up at other public meetings as well.

As you may know, on March 1 the MA Dept. of Public Health announced that masks would no longer be required except in certain locations (specified [here](#)). Therefore, there is no requirement by DPH or CDC for continued masking within the Town Offices.

In light of this change to public health advisories, and following recommendations from West Newbury's Health Department, I am proposing that the current Town Offices COVID Protocols be revised to remove the requirement for masking, sanitizing and social distancing. The proposed changes are as shown on the attached.

If there are employees who feel, with a change in these protocols, that further steps will be warranted in order to ensure that all staff feel safe in your workspace (i.e. Plexiglas, floor markings, etc.), please let me or Stephanie know at your first opportunity, and we'll work with you/your workspace on an individual basis.

These changes will be introduced for discussion at the Select Board meeting on April 11th, and any comments or concerns you may have may be sent to me directly, and/or to the Board at selectboard@wnewbury.org. If the changes are supported by the Board, I would circulate them that evening with an effective date of April 12th.

Thanks,
 Angus

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

From: Town Manager
Sent: Tuesday, March 1, 2022 10:54 AM
Subject: FW: Updated Advisory Regarding Face Coverings

Please see below/attached from DPH.

At last night's Select Board meeting, one of the members asked that a discussion of the current Town Offices COVID protocols (which I emailed around on Feb 16, and which are posted [here](#)) be included on the Board's next agenda (March 14th).

If you have questions/comments/suggestions re the updated (Feb 16) COVID-19 protocols, today's DPH guidance, and whether you would like to see the Town protocols change or not, please send them to me or Stephanie. All input received on or before Friday, March 11th will be summarized for inclusion in the Select Board's meeting packet.

While the protocols provide for the Town Manager's office to oversee these protocols, and any amendments to same, we will continue to proceed based on advice received from our Health Dept, DPH, the Select Board and all staff.

Thanks,
Angus

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

From: McCarthy-Licorish, Lisa N (DPH) [REDACTED]
Sent: Tuesday, March 1, 2022 10:01 AM
To: McCarthy-Licorish, Lisa N (DPH) [REDACTED]
Subject: Updated Advisory Regarding Face Coverings

Dear Local Public Health Colleagues,

Today, the Department of Public Health (DPH) released updated guidance regarding the use of face coverings.

Please see the attachment or click on the following link: <https://www.mass.gov/info-details/covid-19-mask-requirements>

Thank you.
Lisa

--
Lisa McCarthy-Licorish, MPH
Senior Coordinator, Local Health Communications and Resources
Office of Local and Regional Health (OLRH)
Massachusetts Department of Public Health
Cell #: [REDACTED]
OLRH Website: www.mass.gov/dph/olrh
[COVID-19 Information for Local Boards of Health](#)



Town of West Newbury
Employee COVID19 Exposure Protocol
Updated April 12, 2022

This protocol reflects current OSHA, CDC and Massachusetts state guidance on protecting employees from exposure to COVID19 in the workplace. It is meant to be updated as new scientific information becomes available or regulatory requirements change.

Applicability

This protocol applies to employees with work spaces in the Town Offices (1910 Building), and those employees and contractors whose responsibilities include regular work in the Town Offices (i.e. Buildings & Grounds, IT vendor, Boards/Committees/Commissions, etc.).

Vaccination

All employees are strongly encouraged to be vaccinated against COVID19 infection, and if necessary may obtain vaccinations during normal working hours.

Hygiene, Face Masks and Distancing

In order to minimize COVID19 exposure, everyone entering Town buildings is advised to sanitize hands before and after touching surfaces used by others. Face masks and physical distancing (6') are not required. Employees may choose to wear face masks, and/or to maintain physical distancing from others, at their option. Upon request, the Town shall implement measures to demarcate physical distancing guides and reinforce safety of employee workspaces (i.e. installing Plexiglas).

COVID19 Symptoms

Any employee who experiences symptoms such as fever, fatigue, difficulty breathing, loss of taste or smell, cough, headache or nausea must notify their supervisor, and receive a COVID19 test (Antigen or PCR). The employee may not return to work until they are no longer symptomatic and a negative test result is received.

Isolation and Quarantine Guidelines

An employee who tests positive for COVID19 must notify their supervisor and the Town Manager or Town Accountant/Business Manager (or their supervisor may notify the Town Manager or Town Accountant/Business Manager on their behalf). Approval to return to work must be given by the Town Manager or the Town Accountant/Business Manager. Proof of a negative test result may be required, and if required would be treated as confidential and placed on file in the employee's personnel file.

The latest Quarantine and Isolation Guidelines issued by the Centers for Disease Control & Prevention (CDC) are appended to this Protocol, and are incorporated by reference.

Compensation During Time Off

Any employee who is required to isolate or quarantine in order to prevent exposing other employees or visitors to the Town Office Building to COVID19 will be paid for their normal work schedule, and the time taken will not draw from the employee's accrued sick time. They will be expected to fulfill position requirements remotely to

the maximum extent practicable while out of work, and may be asked to complete unrelated work assignments by their supervisor.

Non-Workplace Exposure

Town employees should be mindful of potential COVID19 exposure outside the workplace and follow recommended or required CDC, state and local protocols for travel, recreation and social events.

Sunset Date

This protocol, as may be amended by the Town Manager, shall be in effect through June 30, 2022, unless it is rescinded prior to that date, or unless the effective date is extended past that date by vote of the Select Board. If the protocol is amended by the Town Manager, prompt notice of any such amendments shall be provided to the Select Board and to personnel subject to the protocol.

Date of adoption: November 15, 2021

Amended: December 20, 2021

Amended: February 16, 2022

Amended: April 12, 2022

CDC Quarantine and Isolation Guidelines. *As of March 30, 2022*

When to Stay Home

Calculating Quarantine

The date of your exposure is considered day 0. **Day 1 is the first full day after your last contact with a person who has had COVID-19.** Stay home and away from other people for at least 5 days. [Learn why CDC updated guidance for the general public.](#)

IF YOU
Were exposed to COVID-19 and are **NOT up to date** on COVID-19 vaccinations

Quarantine for at least 5 days

Stay home
Stay home and [quarantine](#) for at least 5 full days.

Wear a [well-fitting mask](#) if you must be around others in your home.

[Do not travel.](#)

Get tested
Even if you don't develop symptoms, [get tested](#) at least 5 days after you last had [close contact](#) with someone with COVID-19.

After quarantine

Watch for [symptoms](#)
Watch for symptoms until 10 days after you last had close contact with someone with COVID-19.

Avoid travel
It is best to [avoid travel](#) until a full 10 days after you last had close contact with someone with COVID-19.

If you develop symptoms
[Isolate](#) immediately and [get tested](#). Continue to stay home until you know the results. Wear a [well-fitting mask](#) around others.

Take precautions until day 10

Wear a well-fitting mask
Wear a [well-fitting mask](#) for 10 full days any time you are around others inside your home or in public. Do not go to places where you are unable to wear a well-fitting mask.

If you must travel during days 6-10, [take precautions.](#)

Avoid being around people who are [more likely to get very sick](#) from COVID-19.

IF YOU
Were exposed to COVID-19 and are **up to date** on COVID-19 vaccinations

No quarantine
You do not need to stay home **unless** you develop symptoms.

Get tested
Even if you don't develop symptoms, [get tested](#) at least 5 days after you last had [close contact](#) with someone with COVID-19.

Watch for symptoms
Watch for [symptoms](#) until 10 days after you last had close contact with someone with COVID-19.

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[Take precautions if traveling](#)

Avoid being around people who are [more likely to get very sick](#) from COVID-19.

IF YOU were exposed to COVID-19 and had confirmed COVID-19 within the past 90 days (you tested positive using a viral test)

No quarantine
You do not need to stay home **unless** you develop symptoms.

Watch for symptoms
Watch for [symptoms](#) until 10 days after you last had [close contact](#) with someone with COVID-19.

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[Isolate](#) immediately and [get tested](#). Continue to stay home until you know the results. Wear a well-fitting mask around others.

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Calculating Isolation

Day 0 is your first day of symptoms or a positive viral test. **Day 1 is the first full day after your symptoms developed or your test specimen was collected.** If you have COVID-19 or have symptoms, isolate for at least 5 days.

IF YOU Tested positive for COVID-19 or have symptoms, regardless of vaccination status

Stay home for at least 5 days
Stay home for 5 days and [isolate](#) from others in your home.

Wear a [well-fitting mask](#) if you must be around others in your home.

[Do not travel](#).

Ending isolation if you had symptoms
[End isolation after 5 full days](#) if you are fever-free for 24 hours (without the use of fever-reducing medication) and your symptoms are improving.

Ending isolation if you did NOT have symptoms
[End isolation after at least 5 full days](#) after your positive test.

If you got very sick from COVID-19 or have a weakened immune system
You should isolate for at least 10 days. [Consult your doctor before ending isolation](#).

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Do not travel

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DEFINITIONS

Exposure

Contact with someone infected with SARS-CoV-2, the virus that causes COVID-19, in a way that increases the likelihood of getting infected with the virus.

Close Contact

A close contact is someone who was less than 6 feet away from an infected person (laboratory-confirmed or a clinical diagnosis) for a cumulative total of 15 minutes or more over a 24-hour period. For example, three individual 5-minute exposures for a total of 15 minutes. People who are exposed to someone with COVID-19 after they completed at least 5 days of isolation are not considered close contacts.

Source:

<https://www.cdc.gov/coronavirus/2019-ncov/your-health/quarantine-isolation.html?msclkid=007e7af4b46011ecb2849ed9185e5c7d>



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Updated ~~February 16~~ April 12, 2022

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Precautions

~~In order to minimize COVID19 exposure, everyone entering Town buildings is required to:~~

- ~~• Wear face masks in all public areas~~
- ~~• Maintain physical distance of 6 feet~~
- ~~• Sanitize hands before and after touching surfaces used by others~~

Vaccination

All employees are strongly encouraged to be vaccinated against COVID19 infection, and if necessary, may obtain vaccinations during normal working hours.

Hygiene, Face Masks and Distancing

~~In order to minimize COVID19 exposure, everyone entering Town buildings is advised to sanitize hands before and after touching surfaces used by others. Face masks and physical distancing (6') are not required. Employees may choose to wear face masks, and/or to maintain physical distancing from others, at their option. Upon request, the Town shall implement measures to demarcate physical distancing guides and reinforce safety of employee workspaces (i.e. installing Plexiglas).~~

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Source:

<https://www.cdc.gov/coronavirus/2019-ncov/your-health/quarantine-isolation.html?msclkid=007e7af4b46011ecb2849ed9185e5c7d>



7 April 2022

Soldiers & Sailors Memorial
381 Main Street
West Newbury, MA

Future Preservation: Recommendations

The Soldiers & Sailors Memorial building is well known for its historic character and heritage as a Civil War memorial in West Newbury. Dedicated in 1900, it served as a community gathering place for decades, first as G.A.R. Post 151, then the Carr Post (VFW) in 1923. In recent time, age, weather, and neglect has taken their toll and it has been not used for almost twenty years.

In 2019 efforts to evaluate the property and develop a practical plan for its future resulted in a Town Meeting vote of \$1.5 m for its preservation and rehabilitation for municipal uses –Unfortunately, the pandemic delayed the implementation, with the design, construction documents and bidding in 2021 resulting in a \$2.1 m bid cost. Following its solicitation of public input at a meeting dedicated to this topic on October 25, this has led the Select Board to consider alternatives to the public restoration of the building, including one option being the concept of selling the property with preservation restrictions. This approach would be designed to ensure its use and rehabilitation in private hands while protecting the public interests in the original memorial intentions and the architectural heritage of this historic structure. If approved by the Town Meeting, this would be implemented according to public procurement requirements.

In addition to the cost of rehabilitation, as a frame of reference, ‘governors’ on the future of this building are significantly conditioned by these factors: zoning, sanitary limitations, parking, and neighborhood concerns.

Zoning: The memo dated January 12, 2022, prepared by Sam Joslin , Building Inspector, is very clear. The location in a residential district is limited to single and two-family dwellings – except for municipal uses or other uses allowed under MGL Chapter 40A. In the residential category, there are some interesting permeations to this such as family day care, bed & breakfast, farm produce sales, etc. The potential uses under 40A, section 3, often known as the Dover Amendment, allow religious and educational uses by right in district zoned otherwise. This means that a religious or educational group could respond to the sale offering -- but limitations are parking and sanitary.

Septic: The Board of Health is willing to allow a tight tank to collect sanitary waste with a capacity of 3500 gal. This requires periodic pumping and disposal. On a practical basis, this effectively limits the occupancy of the building as the tank will need to be pumped. Residential occupancy would be challenging but not impossible.

Parking: What is now set up for the parking area behind the building is actually owned by the Drake’s Landing Homeowners’ Association, and is subject to an easement for parking that is held by the Town. In

the past, parking was in front of the building. But Mass DOT's approval of the curb cut for the Drakes Landing development included a requirement that the curb cut to the front of the S & S lot be closed (due to its proximity to the new road). Therefore, parking in the newly created lot is ambiguous. Per an easement held by the Town, it is available for use by visitors to or occupants of the S & S Memorial Building, but also available for public use (including by residents of the adjacent development).

Neighbors: There is understandable concern by near neighbors in opposition to unknown future uses other than public use of the building as was anticipated by the Town as part of the warrant article approved by the 2019 Special Town Meeting. At that time the design parameters for the building provided for community uses such as meetings and social functions on the first floor with offices on the second.

Recommendations:

The limitations for the future of the Soldiers & Sailors Memorial Building based on the current zoning appears to be three possibilities: municipal use, residential use, and Dover Amendment related educational and religious use.

For the latter, renovation of the S & S Memorial as a single-family use takes it out of the public domain as a memorial structure and then links it to the costs of sanitary maintenance and potential parking challenges.

Under the current zoning, it is possible that uses under the terms of 40A, the "Dover Amendment," may be permitted as an educational or religious use subject to Planning Board jurisdiction. Again, parking and sanitary are amongst the limitations.

An alternative is rezoning for commercial office use. It is not hard to imagine renovation for office use. Indeed, the renovation plans developed under the current funding article are well suited for office use: open floor plan with restrooms and kitchenette on the first floor with open plan on the second. Architects, accountants, engineers, lawyers – all seem possible. The signature style of the building enhances the professional standing of the occupants. And such use offers the semi-public use that retains the memorial origins of the building.

In short, rezoning to commercial office use is recommended in connection with the assumption that the Town votes to sell the S & S Memorial with preservation restrictions. These restrictions will preserve the exterior, including the reconstructed turret, with restrictions on the interior limited to turret's floor plan and woodwork. This broadens the likelihood of respondents to the RFP for the sale to include commercial office use, most likely favoring users with limited occupancy and parking needs, along with residential, and Dover Amendment uses – religious and educational. The latter are likely to be very limited.

The overarching goal of such a proposal would be to move this property from the Town's responsibility to the private domain and to ensure its preservation and rehabilitation. The costs of rehabilitation are substantial as we have learned from the recent bid process. However, in the private sphere, there is greater likelihood that a combination of financing, sweat equity and phasing – as well as the reduced per-square-foot costs that could be realized if not subject to public procurement and prevailing wage laws – may make this project feasible. Yes, it takes a certain idealism to tackle a preservation project like this. The DCR's program of historic stewardship, now with over twenty years of experience, is an outstanding example of the use of



long-term leasing to private tenants who then take on substantial renovation projects in exchange for the lease. There are many examples of similar leasing by municipalities as well as outright sales with preservation restrictions. In short, there are precedents for the long-term leasing or sale by public entities of historic properties.

So called 'microzoning, would represent an intentional effort to expand the potential pool of respondents to the RFP for the sale of the property with preservation restrictions. To advance the historic preservation objectives outlined in this memo, this proposal is worth consideration given the various factors cited in this memorandum. At the same time, consideration of the neighborhood of residential dwellings should be expressed in the preservation restriction, which is held in perpetuity. In addition to preserving the significant architectural character of the S & S Memorial, limitations on signage, exterior lighting, parking are factors that will guide the use of the property.

If the Town if to proceed with disposition of the property, subject to preservation restrictions, a zoning change to allow for commercial office use is recommended. This would greatly increase the potential for the disposition process to achieve its intended result, the preservation of the Soldiers & Sailors Memorial in private ownership.



Lynne Spencer

Principal, Historic Preservation





TOWN OF WEST NEWBURY

BOARD OF HEALTH

TOWN OFFICE BUILDING
381 MAIN STREET, WEST NEWBURY, MA 01985

PHONE: 978-363-1100

FAX: 978-363-1119

January 12, 2022

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

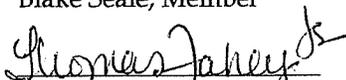
At the January 11, 2022 Board of Health meeting, the board discussed and voted unanimously to approved the septic usage at 363 Main Street, West Newbury at 220 gallons per day. Septic plans for this property dated February 22, 2021 by Cammett Engineering in which 207 gallons were approved, are still the approved septic plan for 363 Main Street.

Please call with any questions 978-363-1100 ext 119.

Sincerely,
West Newbury Board of Health


Robert Janes, Chairman


Blake Seale, Member


Thomas Fahey, Member

CC: Building Department
Conservation Commission



TOWN OF WEST NEWBURY

BOARD OF HEALTH

TOWN OFFICE BUILDING
381 MAIN STREET, WEST NEWBURY, MA 01985

PHONE: 978-363-1100

FAX: 978-363-1119

April 14, 2021

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

RE: 363 Main Street, West Newbury Ma

This letter is to confirm that the West Newbury Board of Health reviewed and approved the septic design for 363 Main Street DSCP#21-2. These plans will expire three years from the above meeting date. A one year extension may be granted with a written request from the homeowner 60 days prior to their expiration.

1. A 2 year operation, maintenance & pumping (O & M) contract with a septage hauler licensed to operate in West Newbury, designating frequency & disposal location of contents must be submitted to the Board of Health office prior to the issuance of the Disposal System Construction Permit. A current 2 year O & M contract must be on file with the Board of Health office in perpetuity, and
2. A deed restriction must be filed at the Southern Essex County Registry of Deeds prior to the issuance of the Disposal System Construction Permit. A recorded copy must be submitted to the Board of Health office,
3. The Board of Health approval letter must be recorded at the Southern Essex County Registry of Deeds, and a recorded copy submitted to the Board of Health office prior to the issuance of the Disposal System Construction Permit, and
4. At no time shall any grey or black water be diverted from going into the tight tanks.

363 Main Street, West Newbury Ma

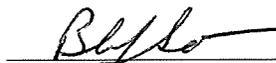
Please note, in accordance with 310 CMR 15.260 (5), when a sanitary sewer connection becomes available, the owner of the tight tank shall connect to the sewer within 30 days and the tight tank system shall be abandoned in accordance with 310 CMR 15.354.

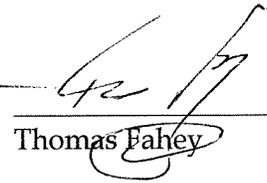
Please call with any questions 978-363-1100 ext 119.

Please note the following: All plans must be signed off from the Conservation Commission prior to the construction of the septic system. Please have Conservation Commission sign at the bottom and submit a copy back to the Board of Health office. Conservation Commission may be reached at 978-363-1100, ext. 126

Sincerely,


Robert Janes


Blake Seale


Thomas Fahey

CC: Robert Blanchette Jr. PE
6 Chestnut Street, Amesbury, MA 01913

APPROVED

WEST NEWBURY BOARD OF HEALTH
381 Main Street, Town Office Building
West Newbury, MA

JAN 25 2022

Minutes
January 11, 2022 at 4:30pm - 2nd Floor Hearing Room

BOARD: Robert Janes-Chairman, Blake Seale-Member, Thomas Fahey-Member
HEALTH AGENT: Paul Sevigny
ADMIN ASS'T: Jane Krafton

OTHERS: Angus Jennings-Town Manager, Sam Joslin-Building Inspector, Rick Parker-Select Board, Gary Bill-Resident.

I. BUSINESS:

- Reviewed December 7, 2021 minutes. **APPROVED 2-0-1** T. Fahey abstained (did not attend 12/7/21 meeting.)
- Reviewed FY23 Budget Submission.
- Discussed purchasing “At Home Covid Testing Kits” from the State’s approved vendor list in anticipation of distributing to residents. Town Manager Jennings stated the Select Board has received \$700,000 from the America Rescue Plan Act (ARPA) in which the Select Board has sole authority and Select Board voted on January 3, 2022 to allocate \$30,000 for test kits. Currently, the kits cost between \$5 and \$26 depending on quantity being purchased. For the best pricing a full pallet (15,120 tests) would need to be purchased at a cost of \$78,000. Health Agent has reached out to the Town of Merrimac to explore the possibility of splitting a pallet. Board of Health, Town Manager and Select Board Member wondered if this would be a beneficial purchase or by the time the kits arrived would the “testing chaos” have settled down. R. Parker-Select Board Member mentioned that he had heard a report that insurance companies may start to issue payment on kits as well. After debating the many pros and cons of this purchase, T. Fahey made a motion not to purchase the “at home test kits” at this time, but to revisit the topic at future meetings. B. Seale seconded, and R. Janes in agreement. Voted unanimously **NOT TO APPROVE** the purchase of “at home test kits” at this time. 3-0-0.
- Sevigny requesting to bank comp time from vaccination clinics held on December 27, 2021, January 3 and January 10, 2022. **APPROVED 3-0-0** hours worked at those clinics will be used by Sevigny in full as comp-time on January 14, and 18th, 2022.
- Krafton request January 26, 2022 for appointment. **APPROVED 3-0-0.**

II. APPOINTMENTS:

- 4:45pm: Angus Jennings-Town Manager and Sam Joslin-Building Inspector to discuss Carr Post Building at 363 Main Street. After a lengthy discussion regarding past use, and potential future use, T. Fahey made a motion to approve the design flow at this property at 220 gallons per day, also the current approved septic (tight tank) plan on file dated February 22, 2021 will remain as the official plan which was approved on April 6, 2021, even though the plan has a design flow of 207 gallons per day. Second by B. Seale and R. Janes in agreement. Unanimously **APPROVED 3-0-0**

III. SEPTIC PLANS:

- 1-3 Major Boyd Drive, Michael Crowe, #21-30 Deer Run Land Dev. **APPROVED 2-0-1**
B. Seale is an abutter to this project and abstained from comment as well as reviewing septic plan.
- 190 Crane Neck Street, Mark Grabowski #21-28 Merrimack Eng. Services. **REJECTED**
(see health agent's plan review)

IV. FYI: No Action Needed

- Next scheduled meeting January 25, 2022

Meeting adjourned 6:50pm



Town of West Newbury
 Office of
 Inspectional Services
 West Newbury, MA 01885
 Phone: 978-363-1100 x122

TO: Board of Selectmen, Town Manager
 FROM: Sam Joslin, Building Commissioner
 DATE: January 12, 2022
 SUBJECT: 363 Main Street (Map R34, Lot 10) – Soldiers and Sailors Building

Required and Existing/Proposed Lot Dimensions and Zoning Requirements for Zone Residential C:

	<u>Required</u>	<u>Existing/proposed</u>
Lot Size	20,000	9,024*
Required Frontage	150'	183'
Setback Requirements	40,20,20	28*,10*,30
Max Bldg Coverage	30%	27%
Max Lot Coverage	35%	24%

*Existing non-conformities

Allowed Used in the RC Zone As-Of-Right:

Single and Two-Family Dwelling	Municipal Buildings and Uses
Family Day Care	Bed & Breakfast
Farm Produce Sales	Conservation Area
Keeping of Pets & Animals	Boarding or Rooming House

Exempt Uses Under 40A Section 3:

Agriculture (As Defined in MGL Ch. 128)	Religious and Educational Uses Under 40A
Telecom and Cable	Childcare
Housing for the Disabled (Group Homes)	

Uses Allowed by Special Permit:

Three & Four Family Dwelling	Commercial Greenhouse
Saw or Cider Mill	Riding Stable
Kennel	Animal Hospital or Vet
Restaurant or Inn	Telephone or Radio Utility
Funeral Home	Cemetery
Nursing Home	Hospital or Sanitarium
Elderly Housing	Non-Profit School
Non-Profit Member Club	Public Alert System
Large Solar Array	Wireless Facility
Wind or Meteorological Tower	Wind Facility

Prior to moving forward with any of the above uses the Town will need to address 40A Section 6 which allows for towns to “define and regulate non-conforming uses and structures abandoned or not used for a period of two years or more”. Our zoning Section 4.A.2 states “If a non-conforming use is discontinued or abandoned for a period of more than two (2) years, it shall not be re-established, and any future use shall be in conformance with this by-law.” I don’t believe anyone would or could question that the structure has not been in use for the past two years. Section 4.A.2 of the Zoning Bylaw only addresses non-conforming uses in regard to 40A Section 6 and not non-conforming structures. Assuming this section applies to the lot, the Town would not be able to re-establish use except for what would be allowed pursuant to the current bylaw listed above. Any use other than what is currently allowed would require a change to the Town Zoning Bylaw.

If it is determined that one of the uses listed above is viable, two major hurdles left would be the lack of public sewer and the very limited parking. Section 7.B.1.a requires all uses to provide “adequate off-street parking and loading spaces...for daily and/or customary uses in connection with the use.” The current parking allows for 7 spaces plus one additional handicap parking space. The lack of parking will eliminate a large number of the allowed uses as parking would not be adequate pursuant to the bylaw and would not be practical for the use to be successful. The Board of Health has determined the maximum capacity for a tight tank on site would be for a design load of 220 gallons per day which further limits the potential uses on site. Under this limitation the two uses listed in zoning that this size tank would accommodate are a single-family dwelling with two bedrooms or a municipal office. To alternative to a tight tank would be an off-site septic system that would require an easement on another abutting property.

Next to the allowed uses below I have listed the major factors to consider (including some limitations) with potential for re-occupying the structure with that use.

Allowed Used in the RC Zone As-Of-Right:

Single and Two-Family Dwelling	Cost
Municipal Buildings and Use	Parking, Title 5 and cost
Family Day Care	Cost for limited capacity use
Bed & Breakfast	Cost, Title 5
Farm Produce Sales	Cost
Conservation Area	Not a likely use
Keeping of Pets & Animals	Lot size, Title 5 and cost
Boarding or Rooming House	Parking, Title 5 and cost

Exempt Uses Under 40A Section 3:

Agriculture (As Defined in MGL Ch. 128)	Not a likely use
Religious and Educational Uses Under 40A	Building size, parking, Title 5 and cost
Telecom and Cable	Not a likely use
Childcare	Cost for limited capacity use, Title 5
Housing for the Disabled (Group Homes)	Building size, parking, Title 5 and cost

Uses Allowed by Special Permit:

Three & Four Family Dwelling	Building size, parking, Title 5 and cost
Commercial Greenhouse	Not a likely use

Saw or Cider Mill	Not a likely use
Riding Stable	Not a likely use
Kennel	Cost
Animal Hospital or Vet	Cost, Title 5
Restaurant or Inn	Building size, parking, Title 5 and cost
Telephone or Radio Utility	Not a likely use
Funeral Home	parking, Title 5 and cost
Cemetery	Not a likely use
Nursing Home	Building size, parking, Title 5 and cost
Hospital or Sanitarium	Building size, parking, Title 5 and cost
Elderly Housing	Building size, parking, Title 5 and cost
Non-Profit School	Building size, parking, Title 5 and cost
Non-Profit Member Club	Building size, parking, Title 5 and cost
Public Alert System	Not a likely use
Large Solar Array	Lot too small to accommodate
Wireless Facility	Not a likely use
Wind or Meteorological Tower	Not a likely use
Wind Facility	Not a likely use

Any and all other uses not allowed under the current zoning bylaw would require the parcel be re-zoned at town meeting.

Respectfully,

Sam Joslin
West Newbury
Building Commissioner &
Zoning Enforcement Officer

Town Manager

From: Town Manager
Sent: Tuesday, April 5, 2022 4:38 PM
To: maura mccarthy; shanecallery@hotmail.com
Subject: Update re Soldiers & Sailors Building

Hi Maura and Shane,

This is to provide a brief update.

The draft Special Town Meeting warrant (Annual and Special Town Meetings will take place on Sat, May 14 at 9am) continues to include 3 articles re the S&S Building. The draft article language (STM #s 3-5) can be found on page 9 of the recent Finance Committee meeting packet [here](#). (Additional info, including a narrative by Select Board Chair Rick Parker setting out the two alternative paths being considered, can be found on pp. 28-35 of the same packet).

At the upcoming Select Board meeting on April 11, the Board intends to finalize the proposed articles. Work has been ongoing to estimate the costs associated with each of draft Articles 4 and 5, and this info will be reviewed on Monday. We also expect a report from Lynne Spencer, hopefully by the end of this week, documenting her work and recommendations. The meeting packet for Monday's meeting will be posted to the Town website on Monday mid-morning, [here](#).

Based on a recent conversation with Lynne, we expect her to recommend that a building disposition process would be highly unlikely to attract any responses in the absence of a zoning change. There is no proposal to amend the zoning at the May 14 Town Meeting, though it is not out of the question that the Board could propose a non-binding Resolution to "take the temperature" of voters as to whether they may support a zoning change at a future Town Meeting.

I hope this is helpful. If you'd like to connect by phone later this week or on Monday, please let me know.

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 Manager

From: Leah Zambarnardi
Sent: Thursday, March 31, 2022 4:04 PM
To: Town Manager
Cc: Town Clerk; Finance Admin
Subject: Updates for Select Board's Information: Inclusionary Housing, Sullivans Court Acceptance, MBTA Comment Letter
Attachments: KP Law re Inclusionary Housing.pdf; SubdivisionCompletionCertificateSig.pdf; Plans.pdf; ReporttoSelectBoard.docx; CertifofVoteunsigned.pdf; Confirmation_3-31-22_1140am.docx

Hi Angus,

The other day you mentioned that you needed updates in preparation for the SB's April 11th meeting. See below and attached for your use in preparation for that meeting. I will have final signed documents for you early next week. I'm also copying Jim and Jenny as I recall they help you prepare for the meetings.

Inclusionary Housing Bylaw

- The PB required public hearing is on April 5, 2022. Please see the link for a redline of the proposed Bylaw. KP Law has confirmed that changes made by the Planning Board on 2/15 are fine and has answered a contextual question for Tim. I've included this email chain as an attachment FYI. I've not yet had a chance to put the language in a format for the final article, but the changes shown in the redline are those approved by the PB and KP. I plan to prepare the document on Monday, and will send you the PB Report and final document on Wednesday next week. I think that the Planning Board will more than likely recommend approval in its report as it is the entity sponsoring the article. <https://www.wnewbury.org/planning-board/pages/inclusionary-housing>
- Sullivans Court Extension
 The Planning Board found the project is complete at it's March 15th meeting. In order to make this determination they required signatures from DPW, Water, Health, and the technical review agent (Meridian Engineering), as-built and street acceptance plans. Please see attached an executed Form K Subdivision Completion Certificate with the required signatures and a signed street acceptance plan (will also need SB signature if Town Meeting approves). The approved As-Built is also included FYI (it doesn't require SB signatures). I've also attached unsigned versions of the PB's response letter to the Select Board regarding its request for comments and/or recommendation relative to the layout of Sullivans Court Extension as a public way, and the Certificate of Vote closing out the project. Both of these documents are being signed over the weekend, and I will provide a final submission for your meeting packets.
- MBTA Communities Comment Letter
 Please see confirmation of receipt by the state of the joint letter from the SB & PB. It's a series of screenshots showing what was submitted and the confirmation.

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From: [Lee S. Smith](#)
To: [REDACTED]; Leah Zambernardi
Cc: [Timothy D. Zessin](#); [Town Manager](#); [REDACTED]; [Robin Stein](#)
Subject: RE: Request for assistance drafting Zoning Bylaw amendment
Date: Friday, March 4, 2022 9:32:20 AM

Tim,

In my review of the current Inclusionary Housing by-Law, I commented on Section 5.F.2.h.d. that “Durational residency requirements are not permitted” pursuant to the DHCD Guidelines, Sec. D.3.c, pg. III-7.

You are correct that this requirement is DHCD’s current policy regarding local preferences. The Guidelines are to be read in conjunction with the DHCD Regulations (760 CMR 56).

I am not aware of a particular case that resulted in a determination that a local preference inconsistent with the Guidelines or Regulations is not enforceable. Rather, compliance with the terms of the Guidelines and Regulations will be required in order for a housing unit to be eligible for inclusion on the state’s Subsidized Housing Inventory (“SHI”), as determined by DHCD. (See 760 CMR 56.02). Thus, hypothetically, a local preference that is inconsistent with the Guidelines and Regulations could be used, however, the unit(s) for which the “non-compliant” local preference is used may not be eligible for inclusion on the Town’s SHI, which is frequently a local goal.

Please let me know if you have any questions or if I can be of further assistance.

-Lee

Lee S. Smith, Esq.

KP | LAW

101 Arch Street, 12th Floor
Boston, MA 02110

O: [REDACTED]
[REDACTED]

www.k-plaw.com

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From: [REDACTED]
Sent: Friday, March 4, 2022 8:22 AM
To: Lee S. Smith [REDACTED]; lzambernardi@wnewbury.org
Cc: Timothy D. Zessin [REDACTED]; townmanager@wnewbury.org; [REDACTED]
Robin Stein <[REDACTED]>
Subject: Re: Request for assistance drafting Zoning Bylaw amendment

Thank you, Lee - I did have a question regarding the basis for the updates, i.e. to conform with the Guidelines. I was curious if it was that or whether some of the more expansive provisions regarding local preference were actually determined to be not enforceable (by a court) or whether this was more of a

state policy matter.

Tim

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

From: Lee S. Smith [REDACTED]
To: 'Leah Zambarnardi' <lzambarnardi@wnewbury.org>
Cc: Timothy D. Zessin [REDACTED]; Town Manager <townmanager@wnewbury.org>; Tim Cronin [REDACTED]; Robin Stein <[REDACTED]>
Sent: Wed, Mar 2, 2022 5:38 pm
Subject: RE: Request for assistance drafting Zoning Bylaw amendment

Hi Leah,

The revisions to the attached by-law amendments look good to me. Please let me know if I can be of further assistance.

-Lee

Lee S. Smith, Esq.
KP | LAW
101 Arch Street, 12th Floor
Boston, MA 02110
O: [REDACTED]
www.k-plaw.com

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From: Leah Zambarnardi <lzambarnardi@wnewbury.org>
Sent: Thursday, February 17, 2022 12:58 PM
To: Robin Stein [REDACTED]; Lee S. Smith [REDACTED]
Cc: Timothy D. Zessin [REDACTED]; Town Manager <townmanager@wnewbury.org>; Tim Cronin [REDACTED]
Subject: RE: Request for assistance drafting Zoning Bylaw amendment

Hi Robin and Lee,
They reviewed your proposed revisions to the WN Inclusionary Housing Bylaw. They accepted the changes Lee proposed and suggested new language for the two open ended questions in 5.F.2. & 5.F.5. Please see what you think.
Also, the Planning Board voted to sponsor the article for spring town meeting.

Leah J. Zambarnardi, AICP
Town Planner
Town of West Newbury Planning Office
381 Main Street
West Newbury, MA 01985

1-978-363-1100 ext. 125

Planning Office Hours: Monday, Tuesday and Thursday from 9:30 a.m. to 2:30 p.m.

It has been determined by the Commonwealth of Massachusetts Office of the Secretary of State that emails are a public record. Please keep this in mind when writing or responding to this email.

From: Robin Stein [REDACTED]
Sent: Monday, January 31, 2022 6:11 PM
To: Town Manager <townmanager@wnewbury.org>
Cc: Timothy D. Zessin [REDACTED]; Leah Zambernardi <lzambernardi@wnewbury.org>; Lee S. Smith [REDACTED]
Subject: RE: Request for assistance drafting Zoning Bylaw amendment

Angus:

I asked my colleague, Lee Smith, who does a lot of work with affordable housing matters, to review the draft bylaw. Attached is the draft bylaw with Lee's comments.

Let us know if you need anything else on this.

-Robin

Robin Stein, Esq.

KP | LAW

101 Arch Street, 12th Floor
Boston, MA 02110

[REDACTED]
[REDACTED]

www.k-plaw.com

This message and the documents attached to it, if any, are intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL and/or may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and attachments thereto, if any, and destroy any hard copies you may have created and notify me immediately.

From: Town Manager <townmanager@wnewbury.org>
Sent: Tuesday, January 25, 2022 11:17 AM
To: Robin Stein [REDACTED]
Cc: Timothy D. Zessin [REDACTED]; Leah Zambernardi <lzambernardi@wnewbury.org>
Subject: Request for assistance drafting Zoning Bylaw amendment

Hi Robin,

We have a request for support that I hope will be really simple.

We are aware that the Local Preference section of our Inclusionary Housing Bylaw (see pg. 30, [here](#)) is out of date, and out of step with the Local Preference guidance/allowances in the 2014 [LIP Guidelines](#) for Local Action Units. Since our intent is that all affordable units established through our bylaw are eligible for inclusion on our SHI, it will be necessary that they meet the LIP Guidelines.

We ask for your advice on how to amend this section 5.F.2.h. Leah and I thought something simple may be best, that will track with any future changes to LIP Guidelines, such as:

“As a condition of special permit approval, the Planning Board may require that the marketing and sale or rental of up to 70% of Affordable Housing Units shall be subject to local preference,

to the maximum extent allowable pursuant to the Department of Housing & Community Development Local Initiative Program (LIP) Guidelines, as may be amended from time to time.”

I have attached the current Bylaw in Word format, and ask that your office offer suggested language in redlined format. You may find other sections of this Bylaw that would benefit from updates. We'd like your initial focus to be on the Local Preference section, but once you review the whole thing, if you'd like we'd be happy to have a call or zoom to talk over any other issues you may identify.

The deadline for warrant articles is Feb. 14th. We will not need final language by then, but we'll want to be far enough along to have confidence that we can get it done, at which point we could include a placeholder article on the warrant. The only [scheduled](#) Planning Board meeting before then is Feb. 1st, but this is a Bylaw amendment that the Select Board could sponsor, then refer to the Planning Board for hearing per 40A.

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

**APPENDIX X – 2022 Special Town Meeting
STM Article #XX
ZONING BYLAW**

ARTICLE XX - To see if the Town will vote to amend the West Newbury Zoning Bylaw to amend Section 5.F. Inclusionary Housing Requirements.

SECTION 5.F. INCLUSIONARY HOUSING REQUIREMENTS

[Added by Amendments effective April 27, 2006 by vote of Annual Town Meeting and approved by the Attorney General on July 24, 2006 and posted according to law on July 27, 2006]

5.F.1. Purpose

The Town of West Newbury sets forth the following requirements in an effort to provide multiple housing choices for people of all economic backgrounds and address the needs of current and future West Newbury residents by providing permanent affordable housing. The primary purpose of Section 5.F. is designed to increase the supply of rental and ownership housing for low and moderate income households in West Newbury, contribute affordable housing units to the town's Subsidized Housing Inventory, and sustain a viable community making multiple housing options available for future generations in West Newbury.

5.F.2. Definitions

- a) ~~Workforce Housing Trust Fund~~ West Newbury Affordable Housing Trust Fund (the "Fund"): An account established and operated for the purpose of providing for the preservation, creation and support of affordable housing in the Town of West Newbury for the benefit of low- and moderate-income households, and for the funding of community housing as defined by Massachusetts General Laws c. 44B (the "Community Preservation Act"), exclusive purpose of creating and preserving affordable housing in the Town of West Newbury.
- b) Affordable Housing Unit: A housing unit secured by a Deed Restriction that is, and will remain, 1) available for sale and sold at a selling price that will result in an Annual Shelter Cost of not more than thirty percent (30%) of the annual income of a Qualified Affordable Housing Unit Purchaser or 2) available for rental and rented at an annual rent, including mandatory or unavoidable fees, that will result in an Annual Shelter Cost of not more than thirty percent (30%) of the annual income of a Qualified Affordable Housing Unit Tenant, or rented to a tenant receiving rental assistance pursuant to a state or federal rental assistance program; and, in either case 3) affordable to and occupied by a low or moderate income household, meeting the definition or low or moderate income housing at 760 CMR ~~3056.02~~ or successor regulation, and eligible for inclusion in the Chapter 40B Subsidized Housing Inventory through the Local Initiative Program ("LIP") under M.G.L. c.40B sec. 20-23.
- c) Annual Shelter Cost: The cost for owners shall be the aggregate of annual charges for debt service on a mortgage (assuming a 5% down payment), real estate taxes, homeowner's insurance, and condominium fees, if applicable. The cost for tenants shall be the aggregate of annual charges for rent, utilities (except telephone and other telecommunications), and renter's insurance.
- d) Deed Restriction: A provision, acceptable in form and substance to the Town Counsel of the Town of West Newbury, in a deed of real property that runs with the land in perpetuity or for the longest period of time allowed by law, so as to be binding on and enforceable against any person claiming

an interest in the property. ~~The~~ Deed Restrictions shall ~~apply~~ **be required** for both rental and ~~owned-ownership~~ units. The Deed Restriction shall limit the resale price of any ownership units, and shall bind all subsequent purchasers in perpetuity, consistent with Massachusetts Department of Housing and Community Development’s (“DHCD”) regulations and guidelines **and** under Chapter 40B of the Massachusetts General Laws. Subsequent resale prices shall be determined based on a percentage of the area median income at the time of resale as determined by DHCD. The resale price will be determined in accordance with the Deed Restriction and will be established based on the same percentage of the area median income that was used to set the price for which the unit was originally sold.

Notwithstanding the foregoing, the resale price of an Affordable Housing Unit shall not exceed that amount which will require a household earning 80% of the most recent area median income number, as published by HUD and adjusted for the household size that corresponds with the number of bedrooms in the Affordable Housing Unit, to spend a maximum of 30% of the household’s annual income on Annual Shelter Cost. The method of resale price calculation shall be included as part of the Deed Restriction. The Town of West Newbury shall not be held responsible for any future fluctuations in market price or median income that may affect the resale price of any unit subject to a Deed Restriction. Any restriction created under this By-law shall survive any bankruptcy or insolvency or other actions and shall not be subject to nullification for any reason.

- e) Qualified Affordable Housing Unit Purchaser or Tenant: An individual or family with household income that does not exceed 80% of the median income for the Lawrence metropolitan statistical area, with adjustments for household size, as reported by the most recent information from DHCD.
- f) Resale of Affordable Housing Units
Subsequent resale prices shall be determined based on a percentage of the median income at the time of resale as determined by DHCD. The resale price will be established based on the income target percentage of the individual or family for which the unit was originally sold. The resale price calculation shall be included in the deed restriction.
- g) Vacant Affordable Housing Units
In the event that a qualified ~~a~~**A**ffordable ~~h~~**H**ousing ~~u~~**U**nit becomes vacant for a term beyond that designated in the Deed Restriction, the Town of West Newbury shall have the Right of First Refusal to purchase said unit and the West Newbury Housing Authority shall be notified of vacant affordable housing rental units.
- h) Local Preference: **To the extent permitted by law, and pursuant to DHCD Local Initiative Program (LIP) Guidelines, as may be amended from time to time, a local preference may be required for not more than 70% of the Affordable Housing Units in a Project as follows: ~~In accordance with DHCD regulations, local preference shall be granted to West Newbury residents as follows:~~**
 - a. an individual or family or a parent or child of an individual maintaining a primary residence in the Town of West Newbury;
 - b. an individual who is employed at least 20 hours a week in the Town of West Newbury; **or**
 - c. an individual who is employed at least 20 hours a week by the Town of West Newbury or by the Pentucket Regional School District; ~~or~~

- ~~d. an individual who, for a continuous period of at least five years within the thirty years immediately preceding application for a West Newbury Affordable Housing Unit, maintained a primary residence within the Town of West Newbury~~

Explanation: Durational residency requirements are not permitted. (See LIP Guidelines Section D.3.c, p. III-7)

5.F.3. Applicability

The requirements of this section apply to:

- a) Any proposed residential development that would create three or more attached or detached housing units on a single parcel of land;
- b) Any proposed subdivision of land for residential development that would permit construction of three or more attached or detached housing units, including land divisions under G.L. c. 40A, sec. 9 (Special Permits), as well as conventional subdivisions allowed by G.L. c. 41, sec. 8K-81GG (Subdivision Control Law).
- c) Any Open Space Preservation Development under Section 6B of this By-law that would permit construction of three or more attached or detached housing units; and
- d) Any application to the Zoning Board of Appeals for a variance or a finding that would permit construction of three or more attached or detached housing units.

Willful evasion of this section of the West Newbury Zoning Bylaw is prohibited. Willful evasion is defined as follows: segmenting land or properties with the intention of avoiding Inclusionary Housing requirements by either subdividing one parcel of land into two parcels of land in such a manner that each parcel will have less than three units of housing or purposefully dividing a large development into phases that would develop less than three units of housing during each phase.

Residential developments subject to this section shall include new housing units created by new construction or new housing units created by remodeling or conversion of an obsolete or unused building or other structure from its original use to an alternate use.

5.F.4. Requirements

At least ten percent (10%) of the new housing units in any residential development shall be designated as and fulfill the requirements of Affordable Housing Units.

5.F.5. General Provisions

- a) Consultation

Developers whose projects are subject to this By-law are encouraged to consult with the Trustees of the West Newbury Affordable Housing Trust ~~Lead Town Entity on Affordable Housing~~ early in the development process concerning the Town's affordable housing needs and the optimum manner in which the Town's needs and the developer's affordable housing requirements can be met by the proposed development consistent with any affordable housing planned production plan then in effect in the Town. The Lead Town Entity on Affordable Housing may consult with and give advice to the Planning Board and the Zoning Board of Appeals during the development process

and, as a part of the process, may submit written reports to the board reviewing any proposed development subject to the By-law.

b) Comparability

Unless otherwise approved by (a) the Planning Board or (b) the Zoning Board of Appeals in the case of residential developments requiring a finding or variance, all Affordable Housing Units shall be dispersed throughout the site and shall be indistinguishable from market-rate units except in interior finish, fixtures, and appliances. The number of bedrooms in Affordable Housing Units shall be comparable to the bedroom mix in market-rate units in the development.

c) Selection Process

The selection of Qualified Affordable Housing Unit Purchasers or Tenants shall be conducted as follows:

1) The selection process shall include an affirmative fair marketing plan prepared by the Developer for marketing the Affordable Housing Units created under this By-law which describes how the Affordable Housing Units will be marketed to potential homebuyers. This plan shall include a description of the lottery or other process to be used for selecting buyers and/or renters. The marketing plan must describe how the applicant will accommodate local preference requirements of this By-law in a manner that complies with the nondiscrimination in tenant or buyer selection guidelines of the **DHCD** Local Initiative Program. The duration and design of the plan shall reasonably inform all those seeking affordable housing, both within and outside the Town, of the availability of such units.

2) To the extent practicable, local preference shall be included in each development for the maximum number of the Affordable Housing Units created in any development subject to this By-law that is permitted by law and subject to ~~Massachusetts Department of Housing and Community Development~~ **DHCD** guidelines.

d) Developers may sell affordable for-sale units to the Town, the West Newbury Housing Authority, or to a private nonprofit entity serving West Newbury for the purpose of providing affordable housing opportunities and to permit such entity to market the Affordable Housing Units and manage the choice of buyers.

5.F.6. Fractional Affordable Housing Units and Housing Contribution Payments

a) Requirements for Fractional Affordable Housing Units

When the calculation of Section 5.F.4. results in a Fractional Affordable Housing Unit (“FAHU”) of 0.8 or 0.9, the developer shall provide a whole one On-Site Unit for that fractional unit. When the calculation of Section 5.F.4. results in a Fractional Affordable Housing Unit of 0.1 to 0.7, the developer shall provide a whole one On-Site Unit or make a Housing Contribution Payment in lieu of the fractional unit as calculated in Section 5.F.6(c) below.

b) Housing Contribution Payments in Lieu of Fractional Affordable Housing Units.

To make a Housing Contribution Payment in lieu of a qualifying Fractional Affordable Housing Unit the developer shall make a binding, written agreement with the Town of West Newbury (with appropriate payment security arrangements) to provide such payment to the ~~F~~fund established for

this purpose. The contribution payment shall be paid in full prior to the issuance of a final occupancy permit for any portion of the project.

c) Amount of Housing Contribution Payments

For ownership developments of three (3) to seven (7) units, the amount of the Housing Contribution Payment, (“HCP”), shall be equal to:

$$\text{HCP} = \text{AMSP} \times (\# \text{ of new units}) \times 4\%$$

For ownership developments of eleven (11) units or more, the housing contribution shall be equal to:

$$\text{HCP} = \text{AMSP} (\text{FAHU} \times 10) \times 4\%$$

where:

AMSP = the Average Market Sales Price for the market-rate units in the subject development,

For rental units, the per-unit contribution payment shall be equal to the difference between the average market rental price for the market-rate units in the subject development and the rent affordable to a family of four at or below 80% of the median income, calculated for a term of 10 years without adjustments for interest or inflation.

5.F.7. Off-Site Affordable Housing Creation

With the approval of the Planning Board, the inclusionary housing requirement may be met through the provision of all required Affordable Housing Units on an alternative site or multiple sites suitable for housing use. Affordable off-site housing units may be either new construction or located in a rehabilitated existing structure. In determining compliance with this By-law, affordable off-site units that are newly created and are not replacing existing, legal housing units shall be counted in the total number of housing units created by a proposed development. Unless otherwise approved, Affordable Housing Units provided under this subsection shall comply in all respects, other than on-site location, with the requirements of this By-law.

5.F.8. Regulations

Affordable housing production, Housing Contribution Payments, and rental and resale restrictions required by this section shall be governed by regulations promulgated by the Planning Board and approved by the ~~Select Board of Selectmen~~ for purposes of carrying out this By-law and shall be consistent with ~~Massachusetts Department of Housing and Community Development~~ DHCD's regulations and guidelines under Chapter 40B of the Massachusetts General Laws.

5.F.9. Compliance

a) Building Permit Conditions

All contractual agreements with the Town of West Newbury and other documents necessary to ensure compliance with this Section 5F shall be executed and delivered to the Planning Board office and to the Town board reviewing any project or development prior to and as a condition of the issuance of a building permit. The Building Inspector shall not issue a building permit with respect to any project or development subject to this Section 5F unless and until the Planning Board has certified in writing to the Building Inspector that all conditions of this Section 5F, including any

conditions that may be established by the Planning Board or Zoning Board of Appeals in any decision or approval, have been met.

b) Occupancy Conditions

1). Compliance

No certificate of occupancy shall be issued for any market-rate units in a development subject to this Section 5F until all Deed Restrictions, agreements with the Town of West Newbury and/or other documents necessary to ensure compliance by the applicant (and any purchasers of the Affordable Housing Units) with the requirements of this By-law have been executed and recorded.

2) Housing Contribution Payments

Required Housing Contribution Payments shall be made with respect to each market-rate housing unit or rental unit prior to issuance of an occupancy permit for the unit; provided that such payments may be made at the time of conveyance of each unit to an end user or upon occupancy by any tenant if appropriate security arrangements to guarantee such payment have been made and are in effect under an agreement with the Town

3) Timing of Construction

As a condition of issuance of approval under this Section 5F, Affordable Housing Units shall be provided concurrently with the development of market-rate units. The Planning Board may exercise authority in setting a time schedule for construction of both affordable and market rate housing units.

5.F.10. Severability

In the event that one or more of the provisions of this section 5.F.10 of the West Newbury zoning by-law are found or determined to be illegal or unenforceable, such finding shall not eaffect the validity of any other provisions of this by-law which provisions will remain in full force and effect.



K

**TOWN OF WEST NEWBURY
OFFICE OF THE PLANNING BOARD
381 MAIN STREET, WEST NEWBURY MA 01985**

To: Select Board
From: Planning Board
Date: March 30, 2022
RE: Definitive Subdivision Plan of Sullivans Court Extension AKA Estate Homes at River's Edge, Tax Map R-11 – Lot 18, West Newbury, MA, SESD Plan Book 448, Plan 67 - 11 plans (the "Definitive Subdivision Plan")

At its March 15, 2022 meeting, the Planning Board (the "Board") reviewed the Select Board's March 14, 2022 correspondence requesting comments and/or recommendation relative to the layout of Sullivans Court Extension as a public way.

Prior to making its report, the Board took the following actions relative to the project:

- a) Approved and signed the plans entitled: "Sullivans Court Extension Street Acceptance Plan", and "Sullivans Court Extension As-Built Plan & Profile", both Dated March 9, 2022, both Drawn by The Morin-Cameron Group, Inc., 66 Elm Street, Danvers, MA, 01923¹;
- b) Determined that the construction and installation requirements associated with the above-referenced Definitive Subdivision Plan have been satisfactorily completed²; and
- c) Released the remaining funds contained in the Performance Guarantee Agreement Securing the Completion of Construction Ways and Municipal Services, dated February 5, 2019.

Accordingly, Members of the Board voted unanimously (5-0) to report to the Select Board that the Planning Board has no further comments relative to the layout of Sullivan's Court Extension as a public way. Further, the Board recommended to the Select Board that Sullivan's Court Extension be accepted as part of the existing Sullivan's Court (already a public way).

Sincerely,

Timothy Cronin, Chair
West Newbury Planning Board

¹ Paper copies of the plans are attached. The Select Board Member's signatures are required on the final Mylar Street Acceptance Plan in the event that Town Meeting votes to accept the road as a public way, and is currently on file in the Planning Office. The As-Built Plan does not need the Select Board's signature and is provided for informational purposes.

² Copies of the Final Executed Form K Subdivision Completion Certificate and Certificate of Vote are attached.



Town of West Newbury Select Board

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

TO: Planning Board
FROM: Select Board
DATE: March 14, 2022

Subject: Layout of Sullivans Court Extension as a Town Way

At a duly noticed meeting of the Select Board held on March 14, 2022, the Select Board voted its intention to lay out Sullivans Court Extension as a town way, as shown on a plan entitled "Sullivans Court Extension' Street Acceptance Plan," dated March 9, 2022, prepared by The Morin-Cameron Group, Inc., and on file with the Town Clerk. The Select Board hereby submits the plan to the Planning Board for its comments and recommendations pursuant to G.L. c. 41, §§81G and 81I.

Please review the enclosed plan and provide, in writing, your comments and/or recommendation relative to the layout of Sullivans Court Extension as a public way.

Following the required notifications, the Select Board will place the layout of Sullivans Court Extension on the Select Board's meeting agenda for April 11, 2022. Provided that the Planning Board has submitted its recommendation by that date, the Select Board will vote on whether to lay out Sullivans Court Extension as a town way and to place an article on the warrant for the next scheduled Town Meeting for acceptance of the foregoing.

Thank you for your cooperation.

Richard Parker
Select Board Chair



RECEIVED
TOWN CLERK
WEST NEWBURY, MA

2022 APR -4 PM 12:45

**TOWN OF WEST NEWBURY
OFFICE OF THE PLANNING BOARD
381 MAIN STREET, WEST NEWBURY MA 01985**

CERTIFICATE OF VOTE

Definitive Subdivision Plan of Sullivans Court Extension (aka Estate Homes at River's Edge)

At the March 15, 2022 meeting of the West Newbury Planning Board, the Board voted unanimously (5-0) to deem the above-referenced project complete and took the following actions related thereto:

- a) Approved and signed the plans entitled: "Sullivans Court Extension Street Acceptance Plan", and "Sullivans Court Extension As-Built Plan & Profile", both Dated March 9, 2022, both Drawn by The Morin-Cameron Group, Inc., 66 Elm Street, Danvers, MA, 01923;
- b) Determined that the construction and installation requirements associated with the above-referenced Definitive Subdivision Plan have been satisfactorily completed; and
- c) Released the remaining funds contained in the Performance Guarantee Agreement Securing the Completion of Construction Ways and Municipal Services, dated February 5, 2019.

Signed as a sealed instrument this 30th day of March, 2022.

Timothy Cronin

Timothy Cronin
By: Timothy Cronin
Chair, West Newbury Planning Board

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

On this 30th day of March, 2022, before me, the undersigned notary public, personally appeared Timothy Cronin, Chair, West Newbury Planning Board, who proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose and that he has the authority to sign in that capacity.

Leah J. Zamberrardi
Name: Leah J. Zamberrardi
Notary Public
My Commission Expires: 11-4-22



RECEIVED
TOWN CLERK
WEST NEWBURY, MA

2022 APR -4 PM 12:45

TOWN OF WEST NEWBURY
PLANNING BOARD
West Newbury, Massachusetts

FORM K
SUBDIVISION COMPLETION CERTIFICATE

Name of Subdivision: Definitive Subdivision Plan of Sullivans Court Extension AKA Estate Homes at River's Edge (Tax Map R-11, Lot 18)

Applicant/Owner: Walker Development Corp., 66 Elm Street, Danvers, MA, 01923. Attn: Thomas Neve
Tel. (978) 857-7333

Date of Application: October 10, 2014

Date of Approval or other action by Planning Board: Vote: April 7, 2015; Plan Signed: June 16, 2015

Performance Guarantee: TOWN OF WEST NEWBURY, MASSACHUSETTS PLANNING BOARD
PERFORMANCE GUARANTEE AGREEMENT SECURING THE COMPLETION OF
CONSTRUCTION WAYS AND MUNICIPAL SERVICES, Dated 2/15/19

Way Completed to Satisfaction of:

Highway Department
Date: 2/10/2022

By W. G. J.

Water Department
Date: 2-11-22

By Michael G. Gostee

Board of Health
Date: 2/17/22

By Paul Severin HEALTH AGENT
For the Town of West Newbury

Technical Review Agent
Date: 3/14/22

By D. J. Kelly Meridian Associates

Release of Bond or Security Approved by the Planning Board

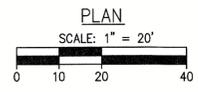
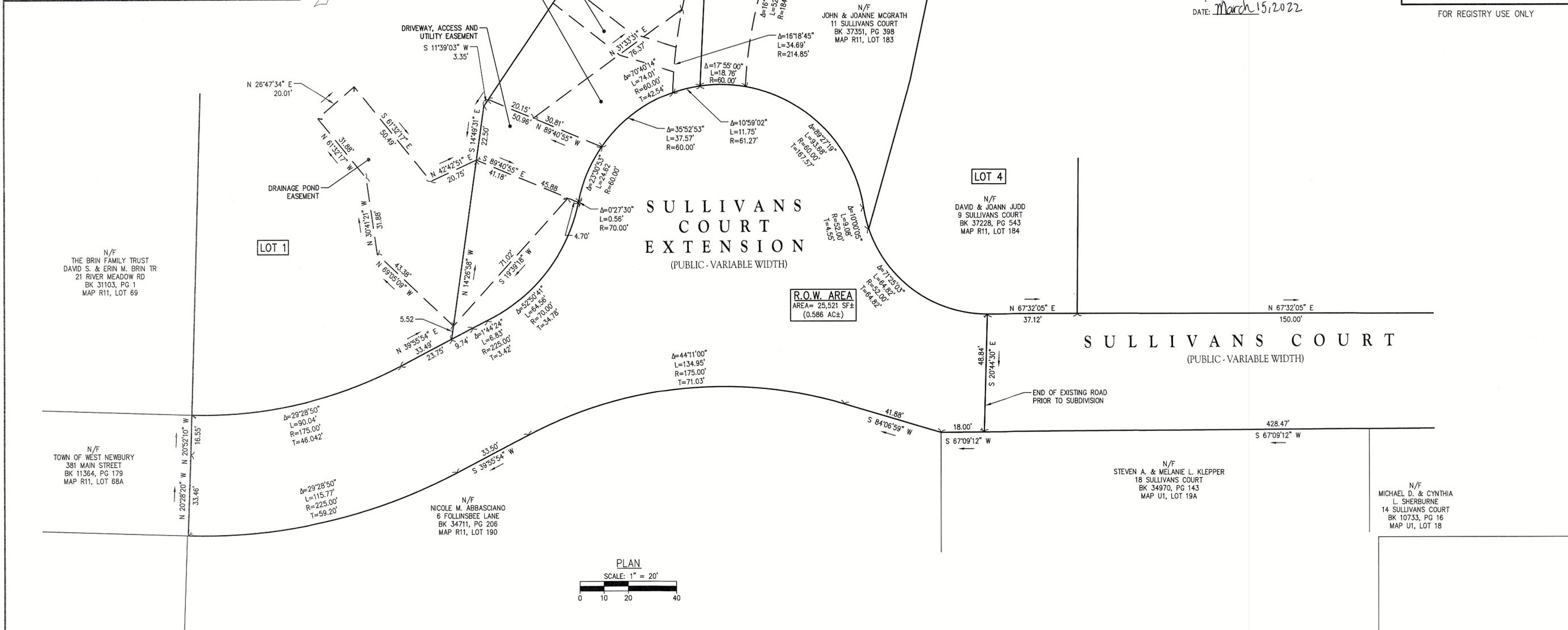
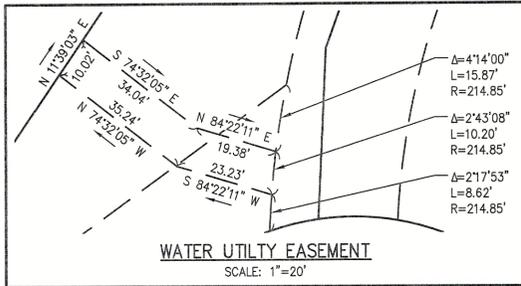
Date: March 15, 2022

By Timothy McLean, Chairman

By Brad J. Cook, Clerk

Approved as to Form:
Date: 3/31/22

Leah J. Zamboni, Town Planner



I CERTIFY THAT THE PROPERTY LINES SHOWN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC AND PRIVATE STREETS AND WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN. (CHAPTER 41, SECTION 81X)

I FURTHER CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

THE STREET (OR WAY OR PORTION THEREOF) IS LAID OUT AS SHOWN ON THIS PLAN.

GENERAL NOTE:

PROPERTY LINES TAKEN FROM "DEFINITIVE SUBDIVISION PLAN OF SULLIVANS COURT EXTENSION AKA ESTATE HOMES AT RIVERS EDGE" PREPARED BY THOMAS E. NEVE DATED OCTOBER 9, 2014 AND REVISED THROUGH JUNE 8, 2015 RECORDED AS PLAN BOOK 448, PLAN 67.

RECORD OWNER:

- WALKER DEVELOPMENT CORP.
447 BOSTON STREET
TOPSFIELD, MA 01983
DEED BOOK 34092 PAGE 566
ASSESSOR'S MAP R-11, LOT 18

REFERENCES:

- SOUTHERN ESSEX REGISTRY OF DEEDS:
1. PLAN BOOK 448 PLAN 67
(DEFINITIVE SUBDIVISION PLAN OF SULLIVANS COURT EXTENSION AKA ESTATE HOMES AT RIVERS EDGE)

ABBREVIATIONS:

- | | |
|-------|-----------------|
| AC | ACRES |
| BK | BOOK |
| N/F | NOW OR FORMERLY |
| PG | PAGE |
| R.O.W | RIGHT OF WAY |
| SF | SQUARE FEET |
| TYP | TYPICAL |



THOMAS E. NEVE
3/15/22
DATE
MASSACHUSETTS REGISTERED PROFESSIONAL LAND SURVEYOR



THOMAS E. NEVE
3/15/22
DATE
MASSACHUSETTS REGISTERED PROFESSIONAL LAND SURVEYOR

APPROVAL BY THE TOWN OF WEST NEWBURY BOARD OF SELECTMEN

DATE: _____

WEST NEWBURY PLANNING BOARD

DATE: March 15, 2022

FOR REGISTRY USE ONLY

The Morin-Cameron GROUP, INC.
CIVIL ENGINEERS ENVIRONMENTAL CONSULTANTS
LAND SURVEYORS PLANNERS
100 STATE STREET, SUITE 200
WEST NEWBURY, MASSACHUSETTS 01985
P: 978-777-8586, W: WWW.MORINCAMERON.COM

SURVEY BY: MCG
DRAFTED BY: DJP
CHECKED BY: JMM
APPROVED BY: JMM
SCALE: AS NOTED
DATE: MARCH 9, 2022

NO.	DESCRIPTION	DATE

"SULLIVANS COURT EXTENSION"
STREET ACCEPTANCE PLAN
IN
WEST NEWBURY, MASSACHUSETTS
PREPARED FOR:
WALKER DEVELOPMENT CORP.

STREET ACCEPTANCE PLAN
DRAWING NO. 1 OF 1

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



MASSACHUSETTS REGISTERED PROFESSIONAL LAND SURVEYOR
DATE: 3/15/22

WEST NEWBURY PLANNING BOARD

Approved by the
West Newbury Planning
Board on 3-15-22
LJ

DATE: _____

GENERAL NOTES:

- THE EXISTING CONDITION DEPICTED HEREON IS THE RESULT OF AN ON-THE-GROUND INSTRUMENT SURVEY PERFORMED BY THE MORIN-CAMERON GROUP, INC.
- PROPERTY LINE & WETLAND RESOURCE AREAS TAKEN FROM "DEFINITIVE SUBDIVISION PLAN OF SULLIVANS COURT EXTENSION AKA ESTATE HOMES AT RIVER'S EDGE" PREPARED BY THOMAS E. NEVE DATED OCTOBER 9, 2014 AND REVISED THROUGH JUNE 8, 2015 RECORDED AS PLAN BOOK 448, PLAN 67.
- LOCATIONS OF ALL UNDERGROUND UTILITIES SHOULD BE CONSIDERED APPROXIMATE AND SHOULD BE CONFIRMED WITH THE UTILITY PROVIDER PRIOR TO THE COMMENCEMENT OF ANY SITE WORK. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANY, ANY GOVERNING PERMITTING AUTHORITY, AND "DIGSAFE" AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION WORK TO REQUEST EXACT FIELD LOCATION OF UTILITIES.
- THE INFORMATION DEPICTED ON THE PLAN CONFORMS TO SECTION 5.16 (AS-BUILT PLANS) OF THE TOWN OF NEWBURY RULES & REGULATIONS GOVERNING THE SUBDIVISION OF LAND.
- WATER SERVICE AND CURB STOP INFORMATION SHOWN HEREON PROVIDED BY WEST NEWBURY WATER DEPARTMENT.

FOR REGISTRY USE ONLY

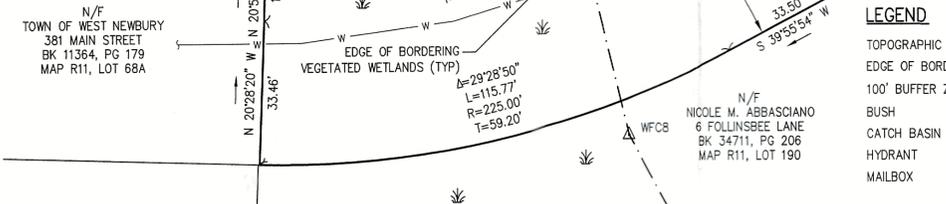
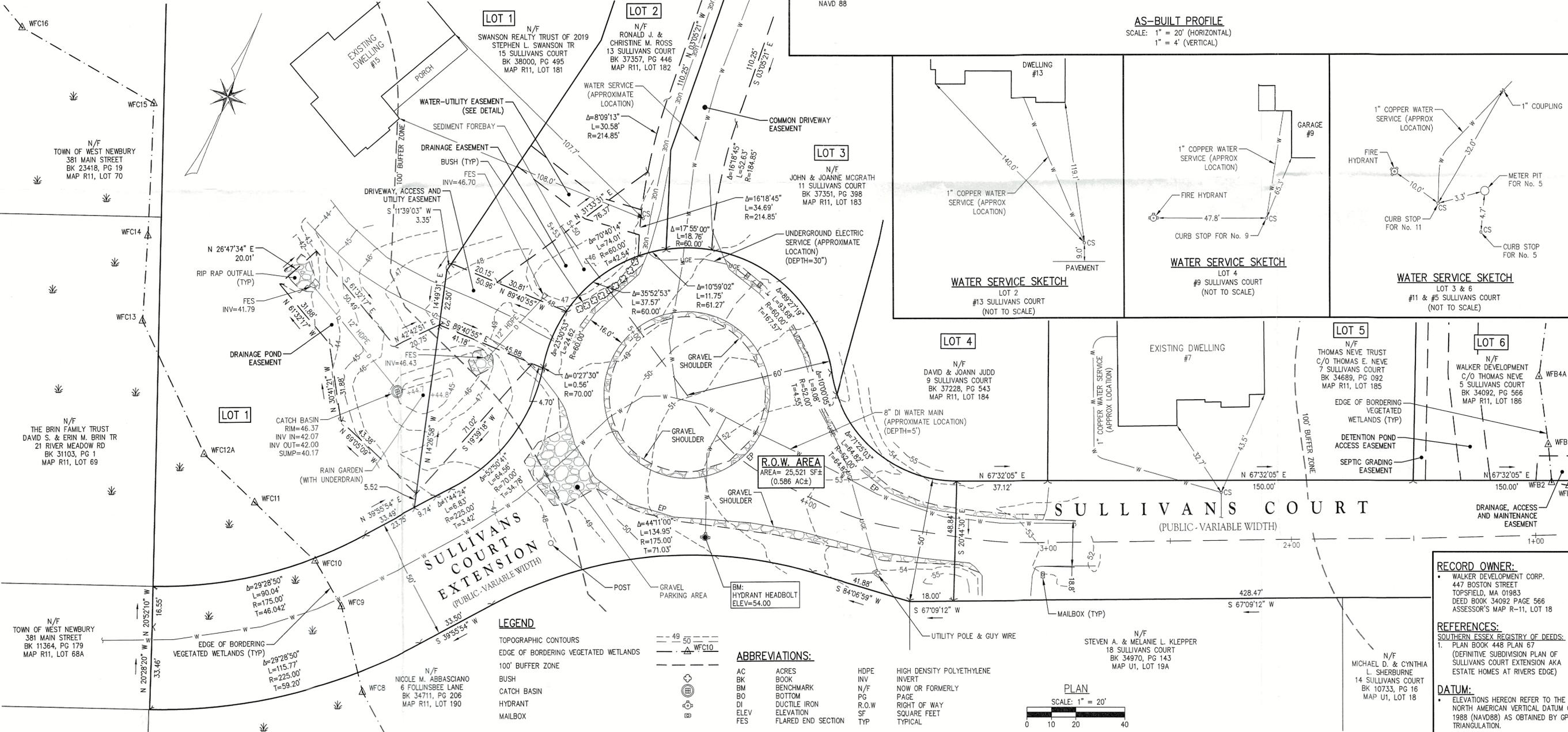
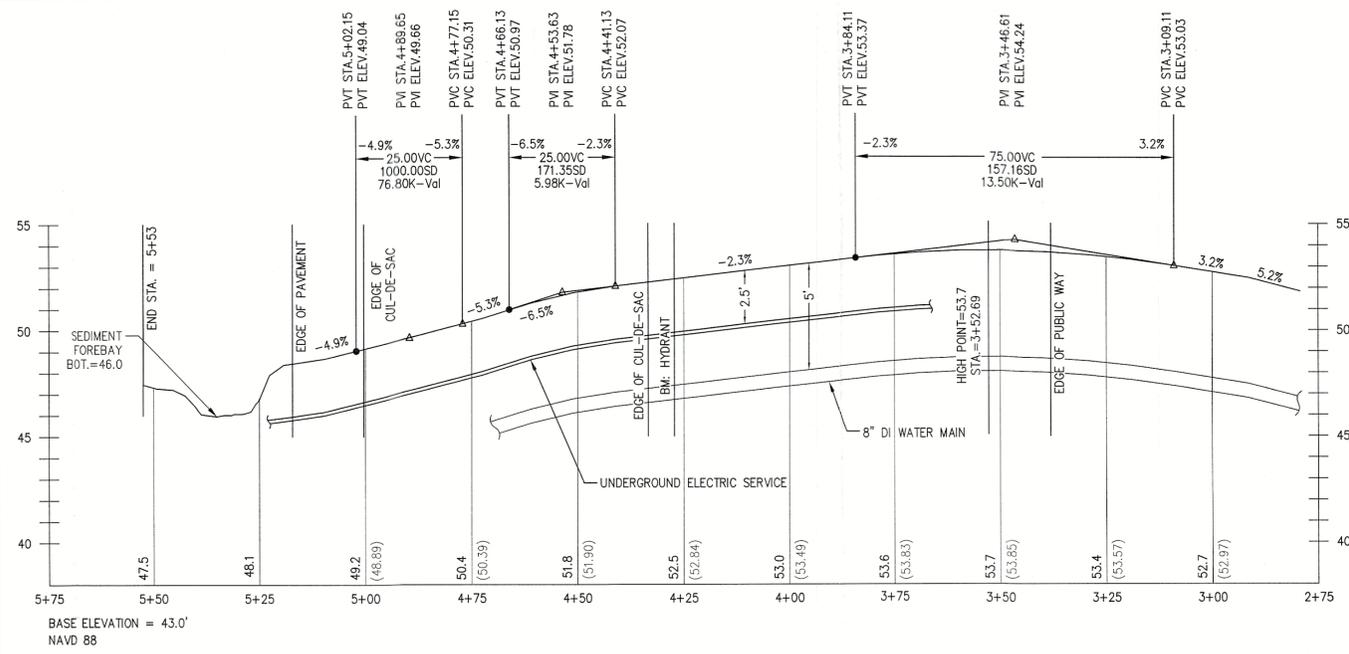
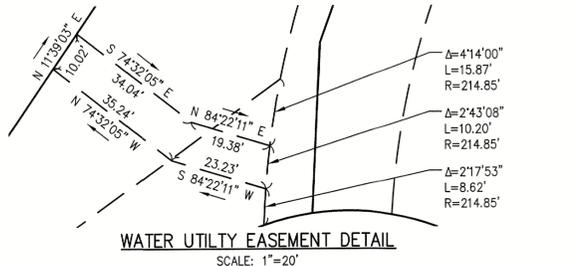
I CERTIFY THAT THESE PLANS CONFORM WITH THE CRITERIA AND CONDITIONS AS SUBMITTED AND APPROVED. I FURTHER CERTIFY THAT THESE PLANS REPRESENT AN AS-BUILT CONDITION.



MASSACHUSETTS REGISTERED PROFESSIONAL LAND SURVEYOR
DATE: 3/15/22



MASSACHUSETTS REGISTERED PROFESSIONAL CIVIL ENGINEER
DATE: 3/15/22



RECORD OWNER:
WALKER DEVELOPMENT CORP.
447 BOSTON STREET
TOPSFIELD, MA 01983
DEED BOOK 34092 PAGE 566
ASSESSOR'S MAP R-11, LOT 18

REFERENCES:
SOUTHERN ESSEX REGISTRY OF DEEDS:
1. PLAN BOOK 448 PLAN 67
(DEFINITIVE SUBDIVISION PLAN OF SULLIVANS COURT EXTENSION AKA ESTATE HOMES AT RIVER'S EDGE)

DATUM:
ELEVATIONS HEREON REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AS OBTAINED BY GPS TRIANGULATION.

The Morin-Cameron GROUP, INC.
CIVIL ENGINEERS | ENVIRONMENTAL CONSULTANTS
LAND SURVEYORS | LAND USE PLANNERS
60 W. MAIN STREET, SUITE 203
WEST NEWBURY, MA 01985
P: 978-777-8888, W: WWW.MORINCAMERON.COM

REVISIONS

NO.	DESCRIPTION	DATE

SURVEY BY: MCG
DRAFTED BY: DJP
CHECKED BY: JMM
APPROVED BY: JMM
SCALE: AS NOTED
DATE: MARCH 9, 2022

"SULLIVANS COURT EXTENSION" AS-BUILT PLAN
IN
WEST NEWBURY, MASSACHUSETTS

PREPARED FOR:
WALKER DEVELOPMENT CORP.

AS-BUILT PLAN & PROFILE
DRAWING NO.
1 OF 1

Town Manager

From: Rick Parker
Sent: Thursday, April 7, 2022 11:53 AM
To: Town Manager; DPW Director
Subject: Attached Action Grant materials
Attachments: ENV 23 MVP 02 - FY23 MVP Action Grant RFR_Mar 14 2022.docx; FY23 MVP Action Grant Application - Formstack.pdf; Checklist for Attachment B_Final.docx; Attachment B_Final_2.xlsx; 2022_02_23 Feedback w Michelle Rowden.docx

Angus/Wayne,

Attached are documents relevant specifically to the FY23 MVP Action Grant Application process. I have not included various reference documents that would be familiar from previous participation in other Mass state grant application process. Several members of the Climate Change Resiliency Committee have already put in considerable time to fleshing out application info.

The comments in document "2022_02_23 Feedback w Michelle Rowden" may be of particular interest. The link below shows Nancy Pau's work so far.

https://docs.google.com/document/d/1_5iKNqBQ-6mcy92WzDsy3hn0284YQGhppZgWJUSFqBw/mobilebasic

Let's discuss when we're able. I understand that this is late and hence will have minimal applicability to today's 1:30 meeting.

Thx - rick

2/23/2022--Michelle Rowden, our MVP state liaison, Rick Parker, Elisa Grammer

Updates about the MVP Action Grant process

- Be sure to sign up for the pre-Request for Response (RFR) webinars
The Executive Office of Energy and Environmental Affairs' (EEA) Municipal Vulnerability Preparedness (MVP) Program team is anticipating the release of its next Request for Responses (RFRs) for both MVP Planning and Action Grants in mid-March 2022. To prepare for this release, the MVP team will be hosting two informational sessions to give an overview of the program, review anticipated changes to this round's applications, and answer questions.

Below are the two sessions we have planned. **In order to register, you will need to follow the link to the session you would like to attend. Please only register for one session, as the sessions will review exactly the same content.**
 - Monday, March 7, 2022, 11am-12pm – [Register here](#)
 - Tuesday, March 8, 2022, 2pm-3pm – [Register here](#)If you cannot make it to either webinar or you would just like to watch on your own time, we will be posting the recording to our website resilientma.org/mvp in the "stay up-to-date" section after the events.
- The process will be much the same as last year, but funding is increased to \$3M per project and \$5M on a regional basis. The program now has \$20M to give away for this year.

Initial comments

The expression of interest showed lots of thought, with good community buy in. It's important to begin conversations early because with this program, the community drives the direction of Action Grants

Merrimack River Flooding & Erosion

River Road is clearly at risk and this project seems really important. Nature based solutions, living shorelines and flood storage all resonate with the program. Those at the MVP program, however, see River Road being under water a significant amount of time by 2050 or before, so living shorelines are a more short-term solution. Thus they recommend that we start broaching this subject now. The MVP Program uses ResilientMA.org for its SLR projections. She said that we don't have to know the answer, but we should put this on the table now. We could look at resiliency actions that might be taken in shorter and longer timeframes, with consideration for what services need to be provided for/by River Road.

When asked what steps we might take to address sea level rise, Michelle said that choosing your partnerships is key. Newbury completed a [MVP-funded study](#) about the future of Plum Island about year ago, and that could serve as a model for us. That study used the [Consensus Building Institute](#) to facilitate conversations. Engineers knowledgeable about modeling sea level rise could also do studies.

As to the Pentucket school campus, Michele said that this is sited in a precarious location—it's too bad that the question of proximity to the Merrimack is being considered now instead of before the school

was built. When asked later if the school should be a lower Action Grant priority because of this, Michele said that children are a climate change vulnerable group and that we could look at what is possible in the near and short term and that this could be made into an educational opportunity about climate change.

We can use any good data about projected sea level rise. The [Massachusetts Coastal Flood Risk Model](#) (MC-FRM) is often used, as is data on [resilientma.org](#). Also, there's a Mass Office of Coastal Zone Management [sea level rise viewer](#). Additional information is available [here](#). Another Massachusetts coastal flood risk model will be made public this spring. We need to think about a planning horizon: it could be 2030-2100 or somewhere in the middle of the road. Emission scenarios can be discussed preliminarily—assuming business as usual is not recommended.

The write up was well thought out, but it's important in the actual RFR to nail down partnerships, either with a letter of support (*e.g.*, from Geoff Walker and other unpaid entities) or in the budget estimate. Stressing outreach and public engagement is important. It would help to work with other municipalities, perhaps such as Newbury, possibly through sharing of resources. Nature-based solutions need to come through as a priority, and partnering with Greenscapes is a good example. Land use policies are an important tool.

Native landscaping, nature-based stormwater management, invasives

Native landscapes and nature-based stormwater management is extremely competitive for MVP grants. MVP will not fund chemical treatment for invasive plants and removing invasives in and of itself does not particularly relate to climate change.

It's important to stress the link to climate change. For instance, green stormwater management may help protect drinking water. Mapping stormwater infrastructure is not popular with the MVP program if all it is about is culvert replacement—many such projects are proposed and a number are not funded. West Newbury could, however, indicate that it anticipates additional development as people who live very near the coast move to close upland areas such as ours, creating more demands on our stormwater management. It's important to show that you are planning for the future impacts of climate change. Also, focusing on particular stormwater management problem areas may be better received.

Overall

It will be very important to 1) show community support and particularly support from affected populations, 2) closely tie a project to future climate change impacts, 3) carefully frame the RFR with the scoring criteria in mind —*See below*

Feedback on 2022 Expression of Interest for MVP Action Grant

The MVP program has 9 core principles that should be incorporated into MVP Action Grant Applications. Communities should also consider these principles when completing the Planning Grant process. They are:

1. **Furthering a community identified priority action to address climate change impacts:** Projects funded under this program must address one (or more) priority implementation action(s) identified and documented within the municipality's MVP plan or similar EEA-approved plan.
2. **Utilizing climate change data for a proactive solution:** Projects funded under this program should fully consider and incorporate climate change projections (where available) and data that align with the anticipated lifespan of the project and the criticality of the asset. Climate data can be found on the resilient MA Climate Change Clearinghouse: ResilientMA.org and/or local-level climate change studies.
3. **Employing Nature-Based Solutions (NBS):** NBS are adaptation measures focused on the protection, restoration, and/or management of ecological systems to safeguard public health, provide clean air and water, increase natural hazard resilience, and sequester carbon. Learn more in the [MVP NBS Toolkit](#).
4. **Increasing equitable outcomes for and supporting strong partnerships with Environmental Justice (EJ) Populations and Climate Vulnerable Populations:** EJ Populations are defined in the [EJ Policy](#). Climate Vulnerable Populations are those who have lower adaptive capacity or higher exposure and sensitivity to climate hazards like flooding or heat stress due to factors such as access to transportation, income level, disability, racial inequity, health status, or age. Learn more in our [MVP EJ & Equity Toolkit](#).
5. **Conducting robust community engagement:** All Action Grant projects are required to submit a Public Involvement and Community Engagement Plan as part of the application. More guidance on these requirements can be found [here](#). Tips for conducting virtual and remote engagement can be found [here](#).
6. **Achieving broad and multiple community benefits:** Projects that maximize resilience and provide other co-benefits (e.g. [public health](#), environmental, social, economic, etc.) for many people are a priority under the MVP program.
7. **Committing to monitoring project success and maintaining the project into the future:** Projects that proactively set in place mechanisms to measure success over time and maintain the proposed project will receive priority.
8. **Utilizing regional solutions toward regional benefit:** Projects that provide regional benefits are prioritized. Regional partnerships of multiple municipalities are eligible and encouraged under the program (provided that the lead applicant is MVP-designated for Action Grants).
9. **Pursuing innovative, transferable approaches:** Innovative projects that seek to address critical issues with widespread relevance for many communities are encouraged.

EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Kathleen Theoharides, Secretary

Grant Announcement

Combuys Bid # BD-22-1042-ENV-ENV01-71878

Request for Responses (RFR) ENV 23 MVP 02

Dated: March 14, 2022

MUNICIPAL VULNERABILITY PREPAREDNESS GRANT PROGRAM (MVP)

FY 23 MVP ACTION GRANT

**Application Deadline: Thursday, May 5, 2022 at 2:00 PM via online form-
https://massgov.formstack.com/forms/fy23_mvp_action_grant_application**

WHAT'S NEW IN THIS FY23 ROUND?

1. Increased maximum grant funding request from \$2 million to \$3 million for individual projects. Regional projects remain capped at \$5 million maximum request.
2. Allow for lower match (10% of total project cost instead of 25% of total project cost) for pre-determined set of "Massachusetts economically disadvantaged rural communities." More details in [Section 1F](#) and [Attachment N](#).
3. Required (previously optional) step for projects in any phase that are focused on a specific site and include a physical asset/s (e.g., building, infrastructure, natural resources) to utilize the Resilient Massachusetts Action Team (RMAT) Climate Resilience Design Standards Tool. Details are described in [Attachment E](#) and use of the tool is incorporated into the scoring of [Question 1](#) in the application.
4. Revised [Attachment B](#) scope/budget spreadsheet with additional guidance and supporting materials.

Table of Contents:

1. [Grant Opportunity Summary, Performance, & Contract Specifications](#)
2. [Project Eligibility](#)
3. [BID/RFR Deadlines & Procurement Calendar](#)
4. [Additional Details & Attachments](#)

Attachments to be submitted as part of the application:

- A. [Application](#)
- B. [Scope/Budget Template and Guidance](#)
- C. [Required Information for Design, Permitting, and Construction Projects](#)
- D. [MVP Program Yearly Progress Report Template](#) (if the municipality has been MVP designated for a year or more)
- E. [Resilient Massachusetts Action Team \(RMAT\) Climate Resilience Design Standards Tool](#) (required, for projects focused on a specific site and with physical asset/s)

Attachments that contain additional guidance and resources:

- F. [MVP Action Grant Public Involvement and Community Engagement Guidelines & Requirements](#)
- G. [MVP Toolkits](#)
- H. [List of Example Projects Funded through the MVP Program](#)
- I. [MVP Action Grant Program Scoring Criteria Quick Reference](#)
- J. [MVP Regional Coordinator Contacts](#)
- K. [Other Sources of Potential Funding and/or Technical Assistance](#)
- L. [Climate Adaptation Resources & Tools](#)
- M. [Sample Town Meeting or City Council Vote Language for Land Acquisition Projects](#)
- N. [List of Massachusetts Economically Disadvantaged Rural Communities Eligible for 10% Match](#)

Note: An additional 76-page supplemental packet details the full program and application materials. Excerpted from primary packet due to length.

Town Manager

From: Town Manager
Sent: Tuesday, April 5, 2022 2:07 PM
To: West Newbury Summer Rec
Cc: Town Accountant
Subject: Insurance / inflatable slide

Amy, Krista,

We haven't heard back from the second insurance company yet, but I did review the question with the town attorney. Even if parents sign a waiver, there is some exposure for the town associated with the use of the inflatable slide. That does not necessarily mean it won't be allowed, but it is a question I will put to the Select Board. It will be important for us to understand, and to document, what training the summer rec staff receive on the safe use of equipment. Such training (and documentation of same) will be important in order to minimize the Town's exposure to any potential claim of gross negligence or reckless or intentional conduct. (This will be important whether the inflatable slide is used or not).

Please let me know whether you have had any written staff training protocols in the past, or if not if you'd need any assistance on putting these together for this season. We'd be happy to seek info through our networks, as well as our insurance rep, but if you've already got this covered there is no need to reinvent the wheel.

Depending on when we hear back from the second insurance company (regarding whether they'll offer us coverage, and if so at what cost), I'd like to put the question of whether to allow the use of the slide (and accept any associated exposure, even if minimized via a documented safety training plan for staff) on the first available Select Board meeting. We did order the slide last week, but with a 30-day return policy we'll need to get to a decision before the 30 days runs out.

We are working to find a way to allow this, but obviously need to do so in a way that minimizes any risk to the Town.

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 Manager

From: Town Manager
Sent: Monday, April 4, 2022 2:45 PM
To: West Newbury Summer Rec
Subject: FW: Inflatable water slide
Attachments: Amusement Center App RTS.pdf

Update below. We'll put in the second insurance application. Stay tuned.

From: Emma Deluccia [REDACTED]
Sent: Monday, April 4, 2022 2:43 PM
To: Town Manager <townmanager@wnewbury.org>
Cc: Residents Admin <residents.admin@wnewbury.org>; COA <coa@wnewbury.org>
Subject: RE: Inflatable water slide

Hi Angus,

The company that I was trying to get a quote from reviewed and decided to decline your application. I do have another carrier that we use that I can request a quote from.

They require the attached application. Please complete and return and I will try to obtain a quote from them.

Thank you,

Emma

Emma DeLuccia, CISR, CPIA

Account Manager

MIIA Member Services

15 Cabot Road | Woburn, MA 01801



Member Sponsored Insurance Programs

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From: Town Manager <townmanager@wnewbury.org>
Sent: Monday, March 28, 2022 3:27 PM
To: Emma Deluccia [REDACTED]
Cc: Residents Admin <residents.admin@wnewbury.org>; COA <coa@wnewbury.org>
Subject: RE: Inflatable water slide

Attached is signed and dated, thanks

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

From: Emma DeLuccia [REDACTED]
Sent: Monday, March 28, 2022 3:22 PM
To: Town Manager <townmanager@wnewbury.org>
Cc: Residents Admin <residents.admin@wnewbury.org>; COA <coa@wnewbury.org>
Subject: RE: Inflatable water slide

Thank you Angus. You need to sign and date at Applicants Signature. I will sign as agent. I will send it off for a quote as soon as I get your signature. Thanks!

Emma DeLuccia, CISR, CPIA

Account Manager

MIIA Member Services

15 Cabot Road | Woburn, MA 01801



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From: Town Manager <townmanager@wnewbury.org>
Sent: Monday, March 28, 2022 1:43 PM
To: Emma DeLuccia [REDACTED]
Cc: Residents Admin <residents.admin@wnewbury.org>; COA <coa@wnewbury.org>
Subject: RE: Inflatable water slide

Emma,

Please find attached an application for supplemental insurance. I can date and sign this as the applicant, but wanted to send to you first in case you had any questions prior to finalizing this. (Would your office be signing as "Agent"?). We will look into appropriate training for use of this equipment and, if we do end up going forward with it, would put written protocols in place in advance to ensure that all responsible staff get appropriately trained.

Thanks,

Angus

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

From: Emma Deluccia [REDACTED]
Sent: Monday, March 28, 2022 11:07 AM
To: Town Manager <townmanager@wnewbury.org>
Cc: Residents Admin <residents.admin@wnewbury.org>
Subject: RE: Inflatable water slide

Hi Angus,

The company, Mesa Underwriters Specialty, doesn't have a contact that you would have access to. You would go through me for any questions or changes.

I would recommend \$1,000,000 per each occurrence and \$2,000,000 general aggregate. The other listed limits of liability on the application are standard, you do not have to complete them.

There is not a specific training program recommended. The question is if the town has a training program for the use and safety of the devices.

You can complete the application as best you can. Some questions may not apply and you can put N/A.

Thanks,

Emma

Emma DeLuccia, CISR, CPIA

Account Manager

MIIA Member Services

15 Cabot Road | Woburn, MA 01801



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From: Town Manager <townmanager@wnewbury.org>
Sent: Monday, March 28, 2022 10:31 AM
To: Emma Deluccia [REDACTED]
Cc: Residents Admin <residents.admin@wnewbury.org>
Subject: RE: Inflatable water slide

Hi,
Is there a phone number or contact person for this company? I'd be interested in knowing:

- What would be recommended coverage levels (under Limits of Liability), for coverage just of this equipment?
- Is there training that they would recommend (question 3 on page 2)?

Thanks,
Angus

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

From: Emma Deluccia [REDACTED]
Sent: Monday, March 28, 2022 10:15 AM
To: Town Manager <townmanager@wnewbury.org>
Cc: Residents Admin <residents.admin@wnewbury.org>
Subject: RE: Inflatable water slide

Here you go Angus. Let me know if you have questions.

Thanks!

Emma DeLuccia, CISR, CPIA
Account Manager
MIIA Member Services
15 Cabot Road | Woburn, MA 01801
[REDACTED]



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recipient, and have received this communication in error, please contact the sender by reply e-mail and destroy all copies of the original message. Thank you.

From: Town Manager <townmanager@wnewbury.org>
Sent: Monday, March 28, 2022 9:56 AM
To: Emma Deluccia [REDACTED]
Cc: Residents Admin <residents.admin@wnewbury.org>
Subject: RE: Inflatable water slide

Hi, I would like to receive an application for outside coverage, thank you!

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

From: Emma Deluccia [REDACTED]
Sent: Monday, March 28, 2022 9:49 AM
To: Town Manager <townmanager@wnewbury.org>
Cc: Residents Admin <residents.admin@wnewbury.org>
Subject: RE: Inflatable water slide

Hi Angus,

You are correct that there is no coverage on the MIIA policy for these inflatables. It is up to the town to decide whether or not to allow them. We just don't cover them. The waivers for participants are recommended if you decide to use these items.

There is optional insurance that can be purchased outside of MIIA. If you would like a quote, I can send you an application.

Thank you,

Emma

Emma DeLuccia, CISR, CPIA
Account Manager
MIIA Member Services
15 Cabot Road | Woburn, MA 01801
[REDACTED]



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From: Town Manager <townmanager@wnewbury.org>
Sent: Monday, March 28, 2022 9:38 AM
To: Emma Deluccia [REDACTED]
Cc: Residents Admin <residents.admin@wnewbury.org>
Subject: Inflatable water slide

West Newbury runs a summer recreation program for kids in grades 1-7. The two program co-directors are employed by the town, and work during the year as teachers at the Page School.

They have put in a request to order the attached apparatus. I am aware that use of this type of equipment is excluded as #24 on the list of Municipality Exclusions appended to our insurance contract.

Participants in the summer program sign indemnification forms. Would these indemnifications allow use of this equipment, or is this an outright prohibition?

Thanks,

Angus

6:44

No Wins.
CYCLONE
Back to Back.
WATERPARK



Town Manager

From: Emma Deluccia [REDACTED]
Sent: Friday, April 8, 2022 10:15 AM
To: Town Manager
Cc: Residents Admin
Subject: RE: Inflatable water slide

I'm finding companies are no longer wanting to accept the risk for these amusements and inflatables. I am keeping my fingers crossed with this last option. I will let you know...

Emma DeLuccia, CISR, CPIA

Account Manager

MIIA Member Services

15 Cabot Road | Woburn, MA 01801
[REDACTED]



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From: Town Manager <townmanager@wnewbury.org>
Sent: Friday, April 8, 2022 10:09 AM
To: Emma Deluccia [REDACTED]
Cc: Residents Admin <residents.admin@wnewbury.org>
Subject: Re: Inflatable water slide

Thanks for the update. I have to think this question has come up in other communities, and I'm surprised that neither of the first two companies at least have follow-up questions in making a decision regarding whether to offer coverage or not.

Angus Jennings, Town Manager

Town of West Newbury

Town Office Building

[381 Main Street](#)

[West Newbury, MA 01985](#)

[\(978\) 363-1100 x111](#)

townmanager@wnewbury.org

Sent from my mobile device

On Apr 8, 2022, at 9:50 AM, Emma Deluccia [REDACTED] > wrote:

Hi Angus,

I just want to give you an update. So far I have two companies that have declined to quote. I have another carrier reviewing the application and should have an answer from them soon.

Thanks for your patience.

Emma

Emma DeLuccia, CISR, CPIA

Account Manager

MIIA Member Services

15 Cabot Road | Woburn, MA 01801



Member Sponsored Insurance Programs

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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

This policy is applicable to all Town of West Newbury employees who handle any process relating to a Criminal Offender Record Information (CORI) request and the information that is provided through that request.

Criminal Offender Record Information Policy

This Policy is applicable to the criminal history screening of prospective and current employees, subcontractors, vendors, volunteers and interns, professional licensing applicants, rental or leased housing applicants, and state, county, and municipal employees and applicants as those terms are defined in M.G.L. c. 268, §1.

Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment, volunteer work, licensing purposes, or the rental or leasing of housing, the following practices and procedures will be followed.

I. Conducting CORI Screening

CORI checks will only be conducted as authorized by the Department of Criminal Justice Information Services (“DCJIS”) and MGL c. 6, §172, and only after a CORI Acknowledgement Form has been completed. If a requestor is screening for the rental or leasing of housing, a CORI Acknowledgement Form shall be completed for each and every subsequent CORI check.

A CORI acknowledgement form shall be completed on an annual basis for checks submitted for any other purpose, provided, however, that the requestor has adopted the language from the DCJIS CORI Acknowledgment Form that notifies individuals that their CORI may be requested at any time within the one year that the acknowledgment form is valid. If the requestor has not adopted the DCJIS CORI acknowledgment form language, then it must ensure that an acknowledgement form is completed for each and every subsequent CORI check.

In accordance with state regulations, prior to running a CORI check, the applicant’s identity shall be verified with government-issued photographic identification (such as a driver’s license). If the individual has not been issued such a form of identification, then the applicant’s information will be verified with a government-issued non-photographic identification, such as a birth certificate or social security card, or other identification authorized by DCJIS. A copy of this identification, together with the CORI Acknowledgment Form, shall be maintained on file for at least one year from the date the Form was signed by the applicant.

If the information in the CORI record provided does not exactly match the identification

information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

In no instance will the applicant be asked or required to provide a copy of his/her own CORI.

II. Access to CORI

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a "need to know". This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing job applications. The Town of West Newbury must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

CORI registration certification is effective for two calendar years, pursuant to state regulations. All registrants seeking to renew their registration must do so before the end of their current effective period. All persons authorized to access CORI are required to be retrained bi-annually, at the time of the registration renewal.

III. CORI Training

An informed review of a criminal record requires training. Accordingly, all Town personnel authorized to review or access CORI shall review, and be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS. The Town of West Newbury, through the Town Manager or his designee, may require from time to time that personnel authorized to review or access CORI take CORI training or review DCJIS CORI materials.

Additionally, all personnel authorized to conduct criminal history background checks and/or to review CORI information will review, and will be thoroughly familiar with, the CORI Policy.

IV. Use of CORI in Background Screenings

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this Policy and any applicable law or regulations.

V. Verifying a Subjects Identity

If a criminal record is received from the DCJIS, the information is to be closely compared with

the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant. If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

VI. Questioning a Subject about Her/His Criminal History

In connection with any decision regarding employment, volunteer opportunities, housing, or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about it. The source(s) of the criminal history record is also to be disclosed to the subject.

VII. Determining Suitability

If a determination is made, based on the information as provided in section V of this Policy that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but are not limited to, the following:

1. Relevance of the record to the position sought;
2. The nature of the work to be performed;
3. Time since the conviction;
4. Age of the candidate at the time of the offense;
5. Seriousness and specific circumstances of the offense;
6. The number of offenses;
7. Whether the applicant has pending charges;
8. Any relevant evidence of rehabilitation or lack thereof; and
9. Any other relevant information, including information submitted by the candidate or requested by the organization. The applicant is to be notified of the decision and the basis for it in a timely manner.

VIII. Adverse Decisions Based on CORI

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified in accordance with DCJIS regulations 803 CMR 2.18, 2.19, 5.14, and 11.12. The subject shall be provided with a copy of the organization's CORI policy and a copy of the criminal history (unless a copy was provided previously). The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided a copy of DCJIS' *Information Concerning the*

Process for Correcting a Criminal Record.

The subject will then be provided with a reasonable opportunity to dispute the accuracy of the CORI record and/or submit additional information. In most instances, that reasonable opportunity shall be seven (7) calendar days from date of notification from the Town's potential of an adverse decision, unless there are extenuating circumstances. Upon the timely receipt of additional documentation/information from the applicant and/or the DCJIS, the Town shall review the information. If the CORI record does not exactly match the identification information provided by the applicant, the Town will make a determination based upon a comparison of the CORI record and documentation provided by the applicant. The Town shall document all steps it takes in this regard.

In the case of license applications, if necessary, the Town will additionally provide the applicant with information regarding any applicable appeal process, including the opportunity to dispute the accuracy of the CORI at issue.

IX. Maintenance of CORI

All CORI information, including CORI Acknowledgment Forms and copies of government-issued identification, will be maintained in a secure fashion, including electronically with encryption technology. This means that hard copies will be stored in a separate, locked, location; electronically-stored CORI will be password protected and encrypted. CORI shall be destroyed within seven years from: the date of hire, or date of entrance into volunteer service (employment); date of licensing decision (licensing); last date of residency or date of housing decision (housing), whichever is later. Destruction shall occur by shredding or other similar means (hard copies), prior to disposal. Electronically-stored CORI shall be permanently deleted from all hard drives on which they are stored and from any system used to back up the information. Appropriate measures shall be taken to "clean" any computer used to store CORI, prior to disposal or repurposing of such a computer.

X. Secondary Dissemination Logs

All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record *any* dissemination of CORI outside this organization, including dissemination at the request of the subject. That log must contain the following information: 1) the applicant/subject's name; 2) the applicant/subject's date of birth; 3) the date and time of dissemination; 4) the name of the person to whom the CORI was disseminated, including the name of the organization for whom the person works (if applicable); 5) the

disseminant's contact information; and 6) the specific reason for the dissemination.

Effective:

Approved by: _____

Angus Jennings, Town Manager

Name: _____

Department: _____

Job Title: _____

This form acknowledges that I have received and reviewed a copy of the Town of West Newbury's *Criminal Record Information Policy* and that this signature sheet will be placed in my personnel file in the Finance Office.

I understand that I will be held responsible for complying with the provisions of this policy and understand that any actions which are found to violate the terms of this policy may result in disciplinary action*, up to and including termination of employment.

Employee's Signature: _____

Date: _____

* This Policy is applicable to all employees of the Town of West Newbury. For those employees covered by collective bargaining agreements, certain applicable provisions of the CBA which are subject to negotiation (e.g., discipline), may prevail over the language in this Policy.

Any changes made to this policy that apply to sections that are subject to collective bargaining will be sent to the appropriate union(s) prior to implementation.



**Town of West Newbury
Board of Selectmen
Monday, October 4, 2021**
381 Main Street, Town Office Building
www.wnewbury.org

Minutes of Meeting-DRAFT

Open Session: 7:17 p.m. by in-person attendance or remote participation (see below)

Addendum to Meeting Notice regarding Remote Participation

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

GoToMeeting

Phone: (646) 558-8656

Access Code: 851 4501 4183

Passcode: 101489

Or from computer, tablet, or smartphone:

<https://us06web.zoom.us/j/85145014183?pwd=cWU3YTMySWpRM0h5a2pCenJnZHFudz09>

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

The meeting was called to order at 7:17 p.m. by Select Board Chair, Richard Parker.

Participation at the Meeting:

- Select Board Members: Richard Parker, David Archibald, and Wendy Reed
- Town Manager Angus Jennings
- Jim Blatchford, Town Clerk
- Stephanie Frontiera
- Fred Chanania, Tree Committee Chair
- Wayne Amaral, DPW Director
- Molly Hawkins
- Albert Jing
- Vanessa Johnson-Hall, Greenbelt
- Jennifer Hughes, MVPC
- KC Swallow

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Meeting also accessible by remote participation instructions below.
- Trick or Treating: Sunday, October 31st from 5:30-7:30 (See pages 2 through 6 for information)
- Public Meeting regarding Soldiers & Sailors Building, Monday, October 25th at 7:00 p.m.
- Call for volunteers: Current Opportunities at <https://www.wnewbury.org/volunteer> (See pages 7 through 8 for information)
- Reminder to subscribe, e-mailed Town news/announcements <https://www.wnewbury.org/subscribe>

REGULAR AGENDA

A. Tree Committee Report on Results of Community Survey (Fred Chanania, Tree Committee Chair):

Fred Chanania updated on this topic. (See Exhibit A, pages 12 through 26 for information) He stated that there were 151 responses to the survey, and he provided a breakdown of answers, a word-for-word narrative of responses, key findings, and stated that in doing this project he found that people really value trees. He further stated that with regard to what to prioritize, the list would include wildlife habitat, enhance natural beauty, and mitigating climate change. He also stated that threats to trees would include insects.

Chanania stated that the list of priorities would include advising the Planning Board in order to protect trees during construction, and to facilitate tree planting along roads. He stated that people value the semi-rural character of the Town, but the question comes when there are threats, how to go about implementing that priority of invasive species and stating that the Spotted Lantern Fly is not here yet.

Select Board Chair Parker inquired as to whether the Tree Committee will put together a recommended list of trees that reflect climate change and trees that will track well with climate change, and Chanania stated that's been on the website for months on the climate change tab and could be promoted again.

Select Board Member Archibald inquired as to the tree canopy along Route 113, any trees that would be more desirable where we don't want a lot of height, with Chanania responding that the nature of trees and where they're planted is critical, that trees are sensitive, especially for the first three years and need a lot of individual care. He also stated that salt creates a lot of stress on trees.

Select Board Member Reed inquired regarding the Emerald Ash Borer, whether we should line up a firm to do an independent study so that it will be on the record as having investigated the problem. Chanania stated that he did talk with a state entomologist, and she referred him

to the Tree Warden's Association, and that one thing we would not be able to do is go down streets and count trees since a survey to capture the number of trees is quite difficult. Chanania also stated that he inquired as to what the treatment options would be on a community scale for the Spotted Lantern Fly.

With regards to the tree inventory, DPW Director Amaral stated that these are great points. He stated that the only problem with doing an inventory is that street rows vary a great deal in depth. He stated that an audit was talked about a few years ago, that the EAB was here already, and that a majority of the trees are unhealthy. Chanania stated that 90% of the ash trees would be lost if there was an infiltration and that a roadside survey wouldn't accomplish anything.

B. Continued Discussion of Parking Options for Coffin Street Property, Including Potential Parking On/Off of Cortland Lane (Essex County Greenbelt):

Select Board Chair Parker updated on this topic. (See Exhibit B, pages 27 through 38 for information) Town Manager Jennings displayed a plot plan of the area in question. Parker explained that what has been discussed is putting in two parking spaces on the L-shaped town owned right-of-way at Cortland Drive. He stated that a site walk was completed last week of the 20 by 20 area, and the plan is to put in a gravel surface with split rail fences. He stated that the abutter to the north is not happy with that idea and an alternative has been proposed is marked parking spaces on the pavement, but that off-street parking has more advantages since there always needs to be spaces available. Discussion ensued on how this would work.

Albert Jing stated that the only way to do forestry management is to access through there, that there are things that need to be done every 5-10 years, and that a forestry plan requires selective cutting every 10 years. Discussion ensued as to different options that could be looked into. Vanessa Johnson-Hall stated that there's a way that they could either not fence the back or have some kind of a gate that could be opened. Archibald stated that a split rail fence can be removed easily, especially if it's only every 5-10 years.

Town Manager Jennings stated that he had spoken with Town Counsel and on the issue of fence, to have an impediment to existing access, because she confirmed that any landowner with property abutting that right-of-way has access rights and said she had some caution about something that blocks access such as a fence or a gate, but also since it's not clear what the access is, that there's probably a design solution, but also feels that there has to be some more shared understanding among the various property owners as to what's being proposed. He also discussed on-street parking as it might impact emergency apparatus and explained that he had spoken to Chief Dwyer who is happy to bring vehicles for testing in the area if the Board requests and it would be helpful.

Select Board Member Reed commented that there would be a different feel to on or off-street parking. Parker stated that it may be in the Town's interest to financially participate in the survey, with Reed inquiring as to whether the Town should hire a surveyor, with discussion regarding working with the abutters on a joint survey. Johnson-Hall explained what land they plan to develop and how they plan to do so with the parking area and creating a trail and stated that parking on Coffin Street is not ideal, but if there is a need to exercise that right, need to start drafting documents to close on time.

Motion made by Select Board Chair Parker to agree to use one of the two options discussed on the cul-de-sac and not use what is shown as Parking Option B on Coffin Street. Seconded by Select Board Member Archibald.

Yes 3, No 0

Town Manager Jennings will speak with Chief Dwyer regarding going forward with testing the turning radius in the area. Johnson-Hall will provide suggestions for surveyors.

PUBLIC HEARINGS:

C. Public Hearing Re: Changes to Personnel Policy: Qualified Part-Time Holiday Pay; Internal Hiring Policy:

Select Board Chair Parker updated on this topic. (See Exhibit C, pages 39 through 46 for information) He explained that these were both introduced in working groups recently and were posted for ten days. This public hearing will be opened to consider a change in the personnel policy for qualified part-time holiday pay.

Motion made by Select Board Chair Parker to open the public hearing.

Town Manager Jennings provided a background stating that the intent at the time the policy was adopted in 2014 was to be fair to part-time employees defined as working 20 or more hours a week for 52 weeks a year would be compensated for every one of the recognized town holidays, but proportionally to their percentage of full-time and that employee would be compensated whether they were scheduled to work that day for now. In practice, it's played out that employees that feel that on the day that they were normally scheduled to work a number of hours and only paid 2/3 of that time, has generated discontent when there is a holiday and complaints are made. Select Board Member Archibald stated that the idea was that somebody that worked on a Monday got several more holidays than someone that worked on a Thursday, which wasn't fair. Further discussion ensued regarding how this has been working as opposed to what was originally envisioned.

Select Board Chair Parker invited public comments, none ensued.

Motion by Select Board Member Reed to accept changes in the Minutes of the Personnel Policy dated 10/4/21. Seconded by Select Board Member Archibald.

Yes 3, No 0

Motion by Select Board Chair Parker to close the public hearing. Seconded by Select Board Member Reed.

Yes 3, No 0

Motion made by Select Board Chair Parker to open the public hearing to discuss a change in personnel policy regarding the internal hiring policy.

Motion made by Select Board Member Archibald to approve the new Subsection on Recruitment and Hiring 2.2.1.

Town Manager Jennings read the new subsection as it would read if approved, and also explained that the proposal would further amend Section 4.3, "Employee Development and Training" by adding a sentence and read that new section into the record. He also stated that the proposal would also amend Appendix A, Affirmative Action Plan subsection, "Responsibilities for Affirmative Action, also reading into the record the proposed changes.

Select Board Chair Parker invited public comments, none ensued.

Town Manager Jennings initiated a discussion regarding portions of the new subsection, stating that parts of it are confusing regarding the order in which posting and hiring is done and whether the language in this portion should be clarified further. Discussion ensued on what the proposed language could be.

Motion made by Select Board Member Archibald to approve the new Subsection on Recruitment and Hiring 2.2.1, with changes made to the first sentence. Seconded by Select Board Member Reed.

Yes 3, No 0

Town Manager Jennings inquired of the Select Board as to what would be the best way of notice that the policy is updated and at what point should it be recirculated and have each employee acknowledge receipt of the changes. Discussion ensued that perhaps the best thing would be to recirculate it once important revisions have been made, with Select Board Member Reed suggesting it could be circulated and signed on an annual basis.

Motion by Select Board Chair Parker to close the public hearing. Seconded by Select Board Member Reed.

Yes 3, No 0

D. Discussion of Draft Stormwater Bylaw and Regulations (Jennifer Hughes, MVPC):

Town Manager Jennings updated on this topic. (See Exhibit D, pages 47 through 87 for information) Stated that Jennifer Hughes is available to answer questions on this topic. He further stated that there have been a couple of changes that are redlined in the packet, which are a combination resulting from the KP Law review and the other people involved in the review. Town Manager Jennings went over what those changes are to update the Select Board.

Questions ensued by Select Board Member Archibald regarding the changes to the bylaw and regulations, with Jennifer Hughes and Town Manager Jennings providing explanation and answers to the proposed changes, including questions regarding the special surety pursuant to G.L. c. 44, Section 53G1/2 and forestry management plans. Town Manager Jennings also stated that with the bylaw in its current form is proposed as a Town bylaw and not a zoning bylaw, so unlike the floodplain amendments which are sponsored by the Planning Board, this is listed with the Select Board as the sponsor, so this is probably the last chance before Town Meeting to have a direct line with the primary consultant and questioned whether the Select

Board is comfortable with the bylaw as written and if there's any questions, they should be shared now. Select Board members stated that they are fine with the bylaw.

E. Review of Determination/Consent for Joint Legal Representation by KP Law to Prepare Intermunicipal Agreement (IMA) Re: Regional Vaccination Clinics; Update on Costs Incurred and Status of Reimbursements:

Select Board Chair Parker updated on this topic. (See Exhibit E, pages 88 through 94 for information) Stated that there is a proposed agreement provided by KP Law and that the Board would have to agree that we don't believe there is a conflict in representing both towns. Town Manager Jennings stated that once they're giving license to start working on the agreement, it would then be drawn up and brought back to the Board for review and approval. He stated that he has been in contact with the Chief of Staff of Amesbury and was advised that the Mayor of Amesbury is intending to sign the consent to joint representation and along with the Board's approval, that would give KP Law the green light to draw up a simple agreement.

Motion made by Select Board Chair Parker that the Board make a determination pursuant to Rule 1.7 of the Massachusetts Rules of Professional Conduct that the Select Board of the Town of West Newbury consents that KP Law, P.C. representing the City of Amesbury with regard to the municipal agreement for COVID-19 Vaccination Clinics, as disclosed in the letter to the Select Board dated September 24, 2021, notwithstanding that KP Law, P.C. also serves as City Solicitor for the Town of Amesbury. Seconded by Select Board Member Reed.

Yes 3, No 0

F. Updates on Finance Committee and Capital Improvements Committee Recommendations Re: Special Town Meeting (STM) Warrant Articles:

Town Manager Jennings updated on this topic. (See Exhibit F, page 95 for information) Stated that there is a summary memo on page 95 and inquired as to whether there are any questions. Also wanted to draw everyone's attention to the fact that the Farm Excise Tax has been proposed for deletion but will get into that with the warrant.

KC Swallow was available to answer questions regarding the upcoming Special Town Meeting and with regards to the pros and cons regarding a morning meeting versus an afternoon meeting and an outdoor meeting as opposed to indoor. She stated that she would prefer to hold the meeting outdoors rather than indoors due to COVID concerns, but that competing with the soccer games that are going on could be a concern, as well as not obtaining a quorum of 90 residents.

DPW Director Amaral provided information on different locations that could be possibilities for an option to hold an outdoor venue, including the Page School or indoors at Pentucket in the auditorium or cafeteria, but also stated that this needs to be decided pretty quickly so that the booklet could be printed, as well as the logistics of getting things up for an outdoor venue, including port-a-potties and other things that need to be set up.

Discussion ensued as to whether there could be a mask mandate for an indoor meeting and whether that could be legally required, with Town Clerk Blatchford stated that there has been significant discussion on the Town's webpage, with one suggestion that because it's school property you have to follow school rules, but then there's a question regarding a vote, and another suggestion would be having a non-masked area to keep them separate, in the same way that you would have a smoking versus non-smoking areas. There was also discussion regarding what should be provided if there is another room and how the residents in that room would be able to be heard if they had questions or comments, and if there should be video simulcast. KC Swallow stated that if it's held inside, she would be happy to help regarding details to use the school cafeteria or auditorium.

Motion made by Select Board Member Parker to hold an outdoor Special Town Meeting in the Bandstand parking lot on 10/23/21 at 2:00 p.m. Seconded by Select Board Member Reed.

Yes 3, No 0

G. Review of Whether/What Amount to Propose at STM for Free Cash Transfer to Reduce FY22 Tax Rate:

Town Manager Jennings updated on this topic. (See Exhibit G, pages 96 through 106 for information) He provided information stating that significant increase in assessed values would be an 11% increase in values, which leads to a significant reduction of the tax rate from the current \$14.88 to an estimate \$13.36, which would translate to about \$105/year increase, or 1.29% for the median value single-family home, but with a free cash transfer, that could reduce that down to a 0% or even a tax reduction, which is up to what the Board wants to sponsor and what Town Meeting wants to approve.

Discussion ensued on this topic with Select Board Member Archibald providing information as to funds that were available this year as opposed to last year, stating that there is more money available, that in a sense, this is over taxation, which is all the more reason to give money back to the taxpayers.

Motion made by Select Board Chair Parker to propose the transfer of \$200,000 from free cash to reduce the FY22 tax rate. Seconded by Select Board Member Archibald.

Yes 2, No 1 (Select Board Member Reed opposed)

H. Approve and Sign Special Town Meeting Warrant:

Town Manager Jennings updated on this topic. (See Exhibit H, pages 107 through 113 for information) He discussed the removal of the farm warrant and his reasons for doing so. He also stated that anything that is redlined is not very substantive but preserves flexibility. Further discussion ensued on redline changes to the Warrant.

Motion made by Select Board Chair Parker to approve the Warrant for Special Town Meeting as presented. Seconded by Select Board Member Archibald.

KC Swallow questioned why Town Counsel added language to all of the Articles, "or take any other action relative thereto," and further discussion ensued on this topic. Town Manager Jennings stated that he feels that perhaps it should be in some of the Articles and not others and went through those that he thought should contain the language with Select Board Chair Parker stating that he would like to stay with what Town Counsel recommended.

Yes 3, No 0

KC Swallow questioned the wording in Article 1 as to why there would need to be a vote to hear and act upon town reports. Discussion ensued on this topic.

Motion made by Select Board Chair Parker, in regard to Article 1 on the working draft of 10/1/21 for the Special Town Meeting Warrant, to remove the words "will vote to hear and act upon the reports." Seconded by Select Board Member Reed.

Yes 3, No 0

I. Discussion of Process for Response to Proposed/Potential Warrant Articles:

Town Manager Jennings updated on this topic. (See Exhibit I, pages 114 through 117 for information) He stated that he was asked to bring it to the Board to make them aware. Discussion ensued on this topic as to how the process works in this regard. There was also discussion regarding proposed Articles that weren't included in the Warrant, such as the Parks & Rec Article and a leaf blower ordinance, with Town Manager Jennings stating that the main purpose was that there wasn't Town personnel available to handle this request.

J. Request for Authorization to Pursue Municipal Energy Technical Assistance (META) Grant Application:

Select Board Chair Parker updated on this topic. (See Exhibit J, Supplemental Packet, pages 1 through 76 for information) He stated that this regards the proposal from Solect and that there was concern about whether or not the process that we were using was the best way to do things.

He stated that he reached out to get other options and other clients and also discussed with Town Counsel regarding this, who was somewhat skeptical of the references in Chapter 156, Section 137 of MGL and whether that would assure us of the best overall arrangement for the Town in terms of risk exposure and things like that and suggested caution. He stated that after speaking with him it seemed prudent to seek other options and use the typical process of following more typical procurement procedures and put together an RFQ to have potential vendors make proposals and quotes.

With the Town Manager's suggestion and due to the time constraints, Select Board Chair Parker stated that he went ahead with the grant and is now bringing it to the meeting for discussion and approval, and the grant application is to have the five sites originally considered and discussed with Solect, which can only pick one, to have those five sites reviewed for feasibility by existing state approved vendors. He further stated that he has spoken to a vendor who reached out who had worked with the Town before. Discussion ensued on this topic with questions and answers by Board members.

Motion made by Select Board Chair Parker to that we approve the application that has previously been made for the grant regarding sites for solar. Seconded by Select Board Member Reed.

Yes 3, No 0

K. Review Draft Employee COVID-19 Exposure Protocol:

Town Manager Jennings updated on this topic. (See Exhibit K, pages 118 through 123 for information) Stated that there were just a couple of minor changes in the draft to make it better and clearer and explained what those changes were. Further discussion ensued on this topic as to how this would apply to Town employees and union members, and it was decided to circulate the protocol for comment.

L. Draft Policy to Require Advance Town Manager Approval of Overtime and Hours Worked Above Budgeted:

(See Exhibit L, pages 124 through 129 for information) This topic was tabled until the next meeting.

M. Review of Proposed Amendment to FY22 Wage Schedule:

(See Exhibit M, page 130 for information)

Motion made by Select Board Member Archibald to change the Council on Aging grade from 1 to 3 with a rate increase to \$20.00. Seconded by Select Board Member Parker.

Yes 3, No 0

N. Update on Community Compact Grant Application Re: Wage Study, Preparation for Meeting with Boards/Commission Chairs Regarding Personnel Policy/Administration:

Town Manager Jennings updated on this topic. (See Exhibit N, pages 131 through 132 for information) Stated that the grant has already been submitted and stated that in order to discuss this topic fully, it should be discussed at a stand-alone meeting.

O. Discussion of Affordable Housing Policy/Strategy:

(See Exhibit O, pages 133 through 166 for information) (no discussion on this topic)

P. Meeting Minutes: July 26, 2021, July 28, 2021:

Town Manager Jennings updated on this topic. (See Exhibit P, pages 167 through 185 for information)

Motion made by Select Board Chair Parker to approve the Meeting Minutes of 7/26/21 and 7/28/21. Seconded by Select Board Member Archibald.

Yes 3, No 0

TOWN MANAGER UPDATES

Q. Update on Initial Orientation With New Conservation/Land Agent, Michelle Green:

Town Manager Jennings updated on this topic. (See Exhibit Q, page 186 through 199 for information) Stated that this is a great hire and it's great to have a new dedicated person who is very positive with a lot of energy and a good knowledge base.

R. Update Regarding New Signage at Mill Pond/Pipestave (Re: Applicability of Dog Leash Requirements):

Town Manager Jennings updated on this topic. (See Exhibit R, pages 200 through 204 for information) Stated that Parks & Rec was fine with putting up signs and have a good game plan with that.

S. MS4 Stormwater FY21 Annual Report (As Submitted):

Town Manager Jennings updated this topic. (See Exhibit S, pages 205 through 221 for information) Stated that the Annual Report was put in.

T. Follow-up Meeting Assignments:

(No discussion on this topic)

U. Placing Items on Future Agendas:

Select Board Member Reed inquired as to the packets going public, was thinking that maybe could be done via e-mail with Town Manager Jennings providing information on this.

Select Board Chair Parker stated that an unexpected agenda item on which a decision should be made is regarding employee vacation that was not used from FY20/21, and whether there should be a single time extension reflecting the fact that a number of people have vacation time left over because of the situation surrounding COVID and people were not able to use their earned vacation.

Motion made by Select Board Chair Parker to add this topic to tonight's agenda as an unexpected agenda item. Seconded by Select Board Member Archibald.

Yes 3, No 0

Motion made by Select Board Chair Parker to allow people until December 31, 2021 to use unexpended vacation from FY20/21, that this is a single time extension, will not be repeated for FY22. Seconded by Select Board Member Archibald.

Yes 3, No 0

Select Board Chair Parker asked that agenda items for the next meeting, whenever possible, be introduced at a prior meeting since a significant amount of time is spent regarding what should be carried to the next meeting and having a heads-up as to new items would be helpful in formulating an agenda for the next meeting.

**Motion was made by Select Board Member Archibald to enter into Executive Session.
Seconded by Select Board Chair Parker.**

Yes 3, No 0

Respectfully submitted,

Susan M. Lobie, Certified Electronic Transcriptionist
Office Solutions Plus
15 Marion Road, Salem, MA 01970

Town of West Newbury
Board of Selectmen
Monday, March 28, 2022
381 Main Street, Town Office Building
www.wnewbury.org

Open Session Meeting Minutes-DRAFT

Chairman Parker opened the meeting at 7:25pm. In attendance were Selectboard members Richard Parker, David W. Archibald, and Wendy Reed. Others in attendance were Town Manager Angus Jennings, Town Clerk James Blatchford, West Newbury Police Sgt. Johnson and Captain Jeff Durand, and Chairperson Fred Chanania of the West Newbury Tree Committee.

Announcements

Parker read the broadcast information, virtual log-in instructions, and town announcements (see agenda for details). Sign up for announcements at the town website www.wnebury.org/subscribe. The Selectboard stated that although it was too late to pull papers for the open Parks and Recreation position, interested parties could run on a write-in platform. Archibald inquired about the timing for inspection and repairs the on the Rocks Village bridge. Parker requested an update concerning the bridge repairs from the state/Mass DOT.

Regular Business

A. Notice of Police Department Accreditation; recognition of Chief Durand, Sgt. Johnson

Chief of Police, Jeff Durand, appeared for this item. The Board of Selectman congratulated Chief Durand and Sgt. Johnson on the 3-year reaccreditation of the Police Department ending October 2024 (Exhibit A, page 4). Captain Durand stated police reform and revision of departmental policies were requirements for accreditation. The certification the department received was a step above accreditation.

B. Request for appointment of Reserve Police Officers; Nicholas Holmes, and Justin Boleski

Chief of Police, Jeff Durand, appeared for this item. Chief Durand stated that both applicants had completed the background checks and tests relevant to this appointment. (See exhibit B & C, pages 5 through 13 for additional information).

Archibald made a motion to appoint Reserve Officers; Nicholas Holmes, and Justin Boleski for a term through June 30, 2022. Parker seconded. (Yes 3/ Abstain 0/ No 0).

C. Request for waiver of 15-day waiting period for appointment of Katalynn Bradstreet as DWP Admin Assistant; and for appointment of Leeham Kennedy as Part-Time Dispatcher

Archibald made a motion to waive the 15-day waiting period for appointment of Katalynn Bradstreet as DWP Admin Assistant; and for appointment of Leeham Kennedy as Part-Time Dispatcher. Parker seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

D. Special Event Permit Request- Alzheimer's Association- Ride to End ALZ, June 4, 2022

The applicant, Marc LeBlanc, appeared virtually for this request. (See exhibit D pages 14 through 22 for additional information). Due to the Rocks Village bridge closure, the re-routing of the Alzheimer's Association cycling fundraiser may be needed. Alternative options of the Bates Bridge, Chain Bridge/Hines Bridge and the Whittier Bridge (Garrison Trail) were discussed. Archibald questioned if Mass DOT would allow the bridge to be used by cyclists. It was stated this question would be forwarded to MASS DOT.

Parker made a motion to issue the Special Event Permit, if an appropriate alternative route could be found, with the stipulation the route would need to be approved once the alternative route is confirmed. Archibald seconded. Motion unanimously passed (Yes, 3 /Abstain, 0 /No, 0).

E. Request to establish Historical Commission Gift Account

The Historical Commission submitted a request to establish a gift account specific to the Historical Commission (see exhibit E, pages 23 through 26 for additional information). It was stated the proposed Historic Commission Gift account would be similar to other gift accounts currently established within the town.

Parker made a motion to establish the West Newbury Historical Commission Gift Account in accordance with the provisions of MGL c44 §53A. Reed seconded. Motion unanimously passed (Yes, 3 /Abstain, 0 /No, 0).

Parker made a motion to accept gift funds for said West Newbury Historical Commission Gift Account and authorize the expenditure of such funds for the purpose of furthering the Commission's programs preserving and promoting Town history. Reed seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

F. Presentation of Tree Committee report regarding Emerald Ash Borer-Fred Chanania, Chairperson

Fred Chanania, Chairperson of the Tree Committee, appeared for this item. Mr. Chanania stated the Tree City approval not only gained recognition, but could be helpful in acquiring future grants (see exhibit F, pages 27 through 56 for additional information). Located on private property, the Town of West Newbury could have one of the largest Black Oak trees in the state, estimated at roughly 275 years old. Mr. Chanania stated measurements had been taken by State Foresters and they are awaiting the results. Planned Arbor Day events April 30, 2022 involving a tree give away from 10am-12pm on the Training Field and a tree walk around Mill Pond from 12-1:30pm were discussed. A tree trail coordinated jointly by the Mill Pond Committee and the Tree Committee, around Mill Pond with informational and educational signage may not be completed in time for the celebration.

The report regarding the Emerald Ash Borer was described as both encouraging and discouraging. The presence of the Emerald Ash Borer had already been discovered within the town, but evidence of the Spotted Lantern Fly was not present yet. Mr. Chanania stated the Ash Borer infestation is rampant and hard to detect as the insects hide underneath the bark. Spraying does not help the infestation but an injection of systemic pesticide is effective. The Tree Committee recommended the town could help by supporting the article and the roadside tree surveying. Mr. Chanania stated the cost of removal of dead trees would be substantially more than treating them, and would reduce future costs for tree removal. Parker questioned the reoccurring cost of treatment. Mr. Chanania stated the town has one of the worst infestations in the area. Treatment over the next 6 years could offer hope of reducing the infestation to where treatment would no longer be needed as reinfection would not occur. Parker and Archibald questioned if data was available surrounding survival rates of infected specimens, whether different species of ash trees could be resistant, and if the age of the tree was a determining factor of infestation. It was stated that more data was needed in order answer any of the above questions. Mr. Chanania stated the best way to proceed was to continue with the roadside tree survey of highly visible public roadways. As for the Spotted Lantern Fly, it has been detected in Massachusetts but has not been discovered in the town. Vineyards and fruit trees appeared to be the only trees effected by the Spotted Lantern Fly and the infestation is not lethal to the trees.

G. Notice of upcoming community survey by Board of Library Trustees- Fred Chanania, Chair

Fred Chanania appeared for this item and stated the requirement of a 5-year plan was needed to remain certified. A draft survey was created in an effort to establish what services were needed to best serve the community. The feasibility of using the Old Town Hall for a small portion of meeting rooms was discussed (see exhibit G, pages 57 through 61 for additional information). Mr. Chanania stated the Library Trustees would be in favor of using significant portion of the library fund to the project. Parker stated no objection to looking into the feasibility, as this would be a major project, but noted the building was not energy efficient and the project would not be completed in the next 5 years. Mr. Chanania stated this was not something that would happen soon, but would like to move forward with rooms to accommodate programming and tutoring. Mr. Chanania stated an electronic survey would be sent as soon as possible to gauge the most needed hours of operation and expected a 2-3 week return of responses.

H. Report/recommendations from Capital Improvements Committee

Town Manager Angus Jennings presented exhibit H, page 62 for reference on how Capital projects were rated by the Committee. The Committee voted to recommend for FY23 to transfer \$500, 000 from the operating budget to the

Capital Stabilization. A few of the items were listed as separate projects but were previously listed within the same article. Mr. Jennings stated a further discussion could take place during the draft warrant articles section of the agenda. Discussion continued concerning separate stabilization accounts for different departments so the funds that were allocated for specific reasons would remain reserved to be used for said reasons. One of the challenges mentioned was separating the single state stabilization fund into the allocated subsections the funds were intended to support.

I. Review/discuss proposed FY23 budget

Angus Jennings stated the draft minutes from the Finance Committee for the March 15th meeting were not yet available, but the March 22nd meeting it was voted to support of the Library of Trustees proposal to hire a 10hr a week library assistant. That would increase the FY23 budget by \$8,613 that has not been built into the budget at this time. This is the only increase to the budget at this time. Reed asked if there was a known percentage increase associated with this new position in relevance to that department budget. There was not a percentage increase for the department available at that time. Coordinating a time for a joint meeting with the Finance Committee before the Town meeting was discussed and whether it should be a stand-alone meeting or part of a regular meeting. It was decided to place this on the agenda for 4/11/22 or 4/19/22 dependent upon the availability of the Town Counsel and Moderator.

J. Public Hearing regarding proposed amendments to Personnel Policy (parental leave; internal hiring)

Angus Jennings asked if any comments were received through the selectboard email account. Reed stated no comments had been received (see exhibit J, page 64 for additional details). **Parker made a motion to move to open the hearing to discuss amendments to the parental leave personnel policy. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).**

Parker stated accommodations should be made, with 2-week notice, if pregnancy moves faster than expected. How to change the language of the policy was discussed. Reed suggested to change the language to include the waive of 2-week notice, or lesser amount of notice, in the event of a unforeseen medical circumstance.

Parker made a motion to adopt the revised parental leave policy. Reed seconded. Motion unanimously passed (Yes, 3 Abstain, 0 No, 0). Parker made a motion to close the hearing. Reed seconded. Motion unanimously passed and the hearing was closed (Yes 3/ Abstain 0/ No 0)

Parker made a motion to move to open the hearing concerning the internal hiring policy. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

Parker stated support to change the policy so that internal and external postings would run concurrent to each other, as a week difference could pose challenges when a position needs to be filled (see exhibit J, page 65 for additional details). Reed asked Town Manager, Angus Jennings, if any feedback was received concerning this proposal. Mr. Jennings stated that no feedback had been received. It was decided to remove the language surrounding the notification to the department manager for internal candidates. Revision to require a resume and cover letter to complete the application process. **Reed made a motion to amend the policy as revised during the meeting. Archibald seconded. Motion unanimously passed (Yes, 3 Abstain, 0 No, 0). Parker made a motion to close the hearing. Archibald seconded. Motion unanimously passed and the hearing was closed (Yes 3 /Abstain 0/ No 0).**

K. Proposed adoption of CORI policy

This item was tabled until the April 11, 2022 meeting.

Parker made a motion to add the Opioid Settlement communication to the agenda for the evening. Reed seconded. Motion unanimously passed (Yes 3 /Abstain 0 /No 0).

Parker stated this item would need to be addressed as a response was requested by March 31, 2022. The Selectboard would need to authorize the signing of the agreement concerning communities receiving additional funds in the event of a resolution.

Parker made a motion to authorize the signing of the agreement. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

L. Review/make recommendations on proposed Warrant Articles for spring Annual and Special Town Meetings scheduled for Saturday, May 14, 2022 at 9am

~~M. Review/make recommendations on proposed ATM/STM warrant articles~~

Mr. Jennings presented the draft articles previously reviewed at a prior meeting. It was stated the Selectboard had moved to strike article 8 and article 15 at the previous meeting (see exhibit L, pages 70 through 77 for additional details).

ARTICLE 33: *To see if the Town will amend Article XXXVI of the Town Bylaws, the Community Preservation Committee Bylaw, to designate that a permanent member of the Community Preservation Committee be a member of the West Newbury Open Space Committee, or take any other action related thereto. By request of the Open Space Committee.*

The Selectboard discussed this article. Parker and Reed were in favor of the article while Archibald was not in favor of making any changes to the Town Bylaws and stated the Open Space Committee should remain at-large.

Parker made a motion to replace the current at-large framework with a member of the Open Space Committee. Reed seconded. Motion was passed (Yes 2/ Abstain 0/ No 1).

ARTICLE 2: *To see if the Town will vote to transfer the sum of \$397,325 from the School Stabilization Fund to pay a portion of the Town share of debt services associated with the building of the new Middle/High School, or take any other action relative thereto. By request of the Select Board.*

The Selectboard discussed the transfer and the possibility of creating a smoother transition of taxation over the next 4-5 years. Reed was interested in the what the Financial Committee would recommend for this article. Archibald questioned the fairness of the taxation rates for long standing community members who have paid into the contribution and members new to the community that could potentially contribute less.

Archibald made a motion to maintain Article 2. Parker seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 5: *To see if the Town will vote to appropriate, in anticipation of Water Department revenues, the sum of \$_____ of which \$_____ for salaries and wages which include \$_____ for Water Commissioners' Stipends; \$_____ for insurances; \$_____ L 2 for expenses; \$_____ for debt services; \$_____ for extraordinary and unforeseen expenses; and \$_____ for indirect cost, or take any other action relative thereto. By request of the Board of Water Commissioners.*

Parker made a motion to accept Article 5 as presented. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 6: *To see if the Town will vote to transfer the sum of \$7,500 from the Water Enterprise Fund Free Cash Account to the Water Enterprise Stabilization Fund, or take any other action relative thereto. By request of the Board of Water Commissioners.*

Parker made a motion to accept Article 6 as presented. Reed seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 7: *To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$80,542 for the Pension Liability Stabilization Fund, or take any other action related thereto. By request of the Select Board.*

Discussion of how to make the Pension Liability Stabilization Fund a fully functioning fund with varying returns and proportional contribution obligations. Water is currently not doing contributing the same contributions but may be needed when considering future budgets.

Archibald made a motion to reduce the transfer amount from \$80,542 to \$50,000. Reed seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 9: *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 ▪ Section 5.5 Electric Vehicle Charging Stations Revolving Fund \$ 10,000 ▪ Section 5.6 Curbside Collection of Trash, Recycling and Food Waste Revolving Fund \$150,000 or take any other action related thereto. By request of the Select Board.

Parker made a motion to accept Article 9 as presented. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

Mr. Jennings stated a provision was included to allow members of the community to purchase a second barrel when the curbside was rolled out. The revolving fund figure of \$150,00 was set to accommodate each person the allowance of 2 barrels. The volume has not reached the estimated figure for curbside. Mr. Jennings stated the figure set for Summer Recreation should increase due to the response seen thus far.

Parker made a motion to reconsider the previous vote taken for Article 9. Reed seconded. Motion against Article 9 made by Parker. Seconded by Reed. Motion to reject unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 10: *To see if the Town will vote to transfer the sum of \$10,364.00 from the Septic Loan Revolving Account for the repayment of debt service, or take any other action related thereto. By request of the Board of Health.*

Mr. Jennings stated the original loan paperwork was not available.

Parker made a motion to accept Article 10 as presented. Reed seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 11: *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 committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2023, with each item to be considered a separate appropriation.*

Parker made a motion to accept Article 11 as presented. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 13: *To see if the Town will vote to transfer from available funds the sum of \$48,000 to fund the study and design for improved parking and circulation within Pipestave and the adjacent Dunn property (so-called), or take any other action related thereto. By request of the Select Board.*

Parker stated work was needed on this article. Jennings stated this project would likely be started next winter. Additional input would be needed from various committees to continue the discussion.

Reed made a motion to defer Article 13 until the Fall. Parker seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 14: *To see if the Town will vote to transfer from available funds the sum of \$9,900 to fund vegetation management at Pipestave and the adjacent Dunn property (so-called), or take any other action related thereto. By request of the Parks & Recreation Commission.*

Jennings suggested to allow DPW and Park and Recreation to explain this article at the next Selectboard meeting.

This item was tabled until the next Selectboard meeting.

Article 15 was withdrawn.

ARTICLE 16: *To see if the Town will vote to transfer from available funds the sum of \$15,000 to fund a study for the potential to generate solar electricity at several town-owned parcels, or take any other action related thereto. By request of the Energy and Sustainability Committee.*

Parker questioned if the allocated sum and if other sites were identified as viable options, would an RFQ by an outside firm fall under phrasing listed within the article. Parker stated CADMIS could complete a feasibility study and could conceivably complete another RFQ. Reed agreed and discussion continued over the modification of the language within the article.

Parker made a motion to accept Article 16 to include “a feasibility study”. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 17: *To see if the Town will vote to transfer from available funds the sum of \$2,500 to provide matching funds for the next phase of a Historic Property Survey/Inventory, or take any other action related thereto. By request of the Historical Commission.*

Reed made a motion to accept Article 17 as presented. Parker seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 18: *To see if the Town will vote to transfer from available funds the sum of \$25,000 to fund an evaluation/audit of the Page School brick exterior/lintels, or take any other action related thereto. By request of the DPW Director. (NOTE: Currently pending review by the Capital Improvements Committee; would only remain on Warrant with CIC approval. The CIC is scheduled to meet again on Thursday, March 24th at 7:30pm).*

After the Selectboard discussed this article, a motion was made to approve this article. Seconded by Archibald. Reed requested more information before casting a vote. Parker withdrew the motion. It was decided to table this article until more information could be gathered.

ARTICLE 19: *To see if the Town will vote to transfer from available funds the sum of \$85,000 to fund a Structural Safety and Component Assessment Study for Page School, or take any other action related thereto. By request of the DPW Director. (NOTE: Currently pending review by the Capital Improvements Committee; would only remain on Warrant with CIC approval. The CIC is scheduled to meet again on Thursday, March 24th at 7:30pm).*

Parker made a motion to accept Article 19 as presented. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 20: *To see if the Town will vote to transfer from available funds the sum of \$65,000 to fund the replacement of Town Offices phone system, or take any other action related thereto. By request of the DPW Director. (NOTE: Currently pending review by the Capital Improvements Committee; would only remain on Warrant with CIC approval. The CIC is scheduled to meet again on Thursday, March 24th at 7:30pm).*

Parker made a motion to accept Article 20 as presented. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 21: *To see if the Town will vote to transfer from available funds the sum of \$56,000 to fund the replacement of a pickup truck for the Facilities Division of DPW, or take any other action related thereto. By request of the DPW Director. (NOTE: Currently pending review by the Capital Improvements Committee; would only remain on Warrant with CIC approval. The CIC is scheduled to meet again on Thursday, March 24th at 7:30pm).*

Parker made a motion to accept Article 21 as presented. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 22: *To see if the Town will vote to transfer from available funds the sum of \$80,000 to fund the replacement of a F-350 Dump Truck with new F-550 Dump Truck for Highway Division of DPW, or take any other action related thereto. By request of the DPW Director. (NOTE: Currently pending review by the Capital Improvements Committee; would only remain on Warrant with CIC approval. The CIC is scheduled to meet again on Thursday, March 24th at 7:30pm).* **Parker made a motion to accept Article 22 as presented. Reed seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).**

ARTICLE 23: *To see if the Town will vote to transfer from available funds the sum of \$39,000 to fund the purchase of new Public Safety Emergency Communication equipment and removal of outdated equipment, or take any other action related thereto. By request of the Board of Fire Engineers.*

Parker made a motion to accept Article 23 as presented. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

How amount of the transfer was decided was discussed. It was stated the quote was received last year and an updated quote was received in January. Discussion involved insurance quotes for the building and environmentally safe storage of the equipment against the elements (i.e. heat, moisture, cold).

ARTICLE 24: *To see if the Town will vote to transfer from available funds the sum of \$15,000 to fund the purchase of 6 new automated external defibrillators (AED) for public safety responders and town-wide facilities, or take any other action related thereto. By request of the Board of Fire Engineers.*

The rationale of rotationally purchasing these devices in order to keep all devices in working order was discussed.

Parker made a motion to accept Article 24 as presented. Reed seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 25: *To see if the Town will vote to transfer from available funds the sum of \$10,000 to fund the replacement/purchase of a new rescue air bag system, or take any other action related thereto. By request of the Board of Fire Engineers.*

The system was described as a heavy object lifting system. Reed asked if this was a replacement or new purchase for the town. Parker stated the language of the article suggests that this would be a replacement item.

Parker made a motion to accept Article 25 as presented. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 26: *To see if the Town will vote to transfer from available funds the sum of \$14,500 to fund the replacement/purchase of 2 new saws and power tools, or take any other action related thereto. By request of the Board of Fire Engineers.*

Parker made a motion to accept Article 26 as presented. Reed seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 27: *To see if the Town will vote to transfer from available funds the sum of \$342 to reimburse prior fiscal year expenses incurred by Town Committee members, or take any other action related thereto. By request of the Town Manager.*

The expenses were legitimate expenses but not reported in a timely manner. Since the expenses occurred in the previous year, the item must be placed on the Annual Town Meeting for a vote.

Parker made a motion to accept Article 27 as presented. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 28: *To see if the Town will vote to accept as a public way the layout of Sullivans Court Extension, as heretofore laid out by the Select Board and shown more particularly on a plan entitled "'Sullivans Court Extension' Street Acceptance Plan," dated March 9, 2022, prepared by The Morin-Cameron Group, Inc., a copy of which is on file with the Town Clerk's Office, and to authorize the Select Board to acquire, by purchase, gift, and/or eminent domain, the fee simple title to or a permanent easement in said roadway for all purposes for which public ways are used in the Town of West Newbury, including utility purposes, and any drainage, access, utility and other easements related thereto. By request of the Select Board.*

Parker made a motion to accept Article 28 as presented. Reed seconded. Jennings stated the Planning Board was working on this item Parker withdrew the motion. It was decided to table this article until the Planning Board completed the work on this article.

ARTICLE 30: *To see if the Town will vote to amend the West Newbury Town Bylaws to adopt a new Section __, Municipal Affordable Housing Trust Fund Bylaw, or take any other action related thereto. By request of the Select Board.*

Archibald made a motion to accept Article 30 as presented. Parker seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

ARTICLE 34: *To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 140, Section 139, to authorize the waiving of fees for dog licenses for residents over the age of 70, or take any other action related thereto. By request of the Town Clerk.*

Blatchford stated the town was practicing this article but it had not been adopted into the Town Bylaws yet.

Parker made a motion to accept Article 34 as presented. Reed seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

Town Manager Updates

N. Update on Finance Committee budget/article review process

Jennings stated the Special Warrants would need to be the next items for discussion. Article 2: More information concerning the scope and cost of the water study would be available the next meeting. Articles 3, 4, and 5 could be discussed the next meeting. Article 6: More information would be available the next meeting. Article 7: The numbers of this article are subject to change. Jennings suggested breaking this item down into 3 articles and Parker agreed.

ARTICLE 8: *To see if the Town will vote to transfer from available funds the sum of \$34,000 to fund a town-wide audit of the effects of the Emerald Ash Borer on all our public right-of-way Ash trees, or take any other action related thereto. By request of the DPW Director.*

Parker made a motion to accept Article 8 as presented. Archibald seconded. Motion unanimously passed (Yes 3/ Abstain 0/ No 0).

O. Updates regarding new outline platform for registration and payment: Summer Rec and facilities reservations/rentals

Jennings stated My Rec was going very well without many glitches. Facilities has not been added to the online feature, but will be once more training can be coordinated. The written policy for facility rentals was discussed in relation to the information included in the online portal. Further discussion of the written policy would be needed as the online portal now encompasses the written policy.

P. 2022 Annual roadside cleanup- schedule and logistics

Jennings stated Barbara Hawks may not be involved in this event this year. Jennings suggested to keep the Arbor Day Celebration and the Roadside Cleanup on separate days. Parker agreed the roadside cleanup should occur the weekend of Earth Day, the Saturday before Arbor Day. Jennings stated the new DPW assistant could coordinate this event as some planning would be involved.

Q. 2022 Memorial Day Parade update

Jennings stated the parade will take place on Memorial Day. A working meeting with various departments and volunteers was scheduled in a few days. Jennings stated more information would be available at the next Selectboard meeting.

R. Continuing Disclosure FY21 Annual Report

Jennings presented the report to the Selectboard. Archibald made note of a typing error requiring attention on page 34. Jennings noted the error and stated the error would be rectified.

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

Reed requested Anne, from the Dunn Property, to be added to the next agenda. The Selectboard agreed an overview of the project and clarification of whether the project would overlap with another project would be beneficial.

Chairman Parker motioned to adjourn at 11:30pm. Second by Selectman Archibald. Motion to adjourn unanimously passed (Yes, 3 Abstain, 0 No, 0).

Town Manager

From: Leah Zambarnardi
Sent: Wednesday, April 6, 2022 1:29 PM
To: Town Manager
Subject: Feedback report attached
Attachments: Feedback Report.pdf

Thanks. Short and sweet report. They found that our projects are both eligible and fall under the same category (planning and zoning under Rural Small Town Grant). One grant per category is awarded and they recommend we apply for just 1 so we don't have competing projects. I assume we'll apply for MBTA Communities technical assistance? When you have a chance, would you add me as a user in IGX for the FY23 One Stop - Full Application?

Leah J. Zambarnardi, AICP
Town Planner
Town of West Newbury Planning Office
381 Main Street
West Newbury, MA 01985
1-978-363-1100 ext. 125

Planning Office Hours: Monday, Tuesday and Thursday from 9:30 a.m. to 2:30 p.m.

It has been determined by the Commonwealth of Massachusetts Office of the Secretary of State that emails are a public record. Please keep this in mind when writing or responding to this email.



Expression of Interest Feedback Report

Applicant Organization: West Newbury

Document ID: EXP-FY23-West Newbury-West Newbu-00465

Date Submitted: 03/18/2022

Thank you for submitting an Expression of Interest (EOI) to the Community One Stop for Growth. We are excited to partner with you in the pursuit of opportunities to achieve economic growth for your organization and/or community.

Your submission has been reviewed by the One Stop Team, which includes representatives from EOHEd, DHCD, MassDevelopment, and other state partner agencies as deemed necessary. This report summarizes the team’s collective review of your EOI, and provides feedback and comments intended to assist you in the decision, and preparation, to submit your Full Application(s) for consideration in the current funding round.

GENERAL FEEDBACK:

- Your municipality is an **MBTA Community** as identified in MGL section 3A c40A. Please be aware of requirements posted on December 15, 2021, that must be met by May 2, 2022 as articulated in the document “MBTA Communities: How to Comply in 2022” which can be found at: mass.gov/mbtacomunities. The law provides that a noncompliant MBTA community will not be eligible for funds from the following grant programs: (i) the Housing Choice Initiative; (ii) the Local Capital Projects Fund; or (iii) the MassWorks Infrastructure Program. Please review the requirements carefully, particularly if you intend to apply in the Planning & Zoning or Infrastructure categories in this round of the Community One Stop.
- Based on the Rural and Small Town designation, the municipality qualifies for consideration by the [Rural and Small Town Development Fund](#) for projects submitted in the Planning and Zoning, Site Preparation, Building, and Infrastructure categories. Please note that the Rural and Small Town Development Fund will fund a maximum of one (1) project per community. The applicant should carefully review the guidelines for the [Rural and Small Town Development Fund](#) for details about how this type of project would be evaluated.
- This Expression of Interest has multiple projects eligible in the Planning and Zoning category, which would require the submission of a separate Full Application for each. The team recommends that the applicant prioritize the projects and only submit one of

them in this round, to avoid having its projects compete against each other. Please note that the program guidelines for the [Community Planning Grants](#) state that each community will only be eligible to receive one grant award.

PROJECT SPECIFIC FEEDBACK:

- **Project 1: Technical Assistance for Obtaining Compliance with MBTA Communities Multi-Family Zoning District Requirements**
 - Based on the description, the team confirms that this project is eligible and would fit in the [Planning and Zoning](#) category.
 - In this case, the applicant should carefully review the guidelines for the [Community Planning Grants](#) for information on how this type of project would be evaluated.

- **Project 2: Comprehensive Review of and Revisions to West Newbury Bylaws, Regulations, Policies, and Procedures**
 - Based on the description, the team confirms that this project is eligible and would fit in the [Planning and Zoning](#) category.
 - In this case, the applicant should carefully review the guidelines for the [Community Planning Grants](#) for information on how this type of project would be evaluated.

In conclusion, the guidance provided above is intended to help a prospective applicant decide if they will submit a Full Application(s) to the One Stop and to provide guidance for how to strengthen such submission(s). This advice is not meant as a promise or guarantee that an application will be successful. Eligible applicants are expected to review and adhere to the posted guidelines for the programs in the corresponding categories in which they plan to submit. All applications will be reviewed and/or scored on a competitive basis.

Town Manager

From: DPW Director
Sent: Thursday, April 7, 2022 9:39 AM
To: Puteri, Emily
Cc: Community Preservation Committee; Town Manager
Subject: RE: Playground update?

Emily,
 I sure can.

The site work preparation is underway and they have delayed the install until mid to late May. The rubber base must be installed at 55 degrees and rising for three consecutive days including day and night. We all know that the Page School site has extreme weather conditions and with the rubber base costing \$80,000 of the \$460,000 we want to make sure that it is installed per the manufacture specifications and would be covered under warranty.

I can officially say we are underway with the project – but there will be a 30 plus day break before phase 2 - equipment install starts.

Wayne

From: Puteri, Emily [REDACTED]
Sent: Thursday, April 07, 2022 9:25 AM
To: DPW Director <dpwdirector@wnewbury.org>
Subject: Playground update?

Hi Wayne!

I have quite a few people reaching out asking about a playground update. What would you feel comfortable with me sharing at this point?

Thank you!!

--
 Emily Puteri, M.Ed., Ed.S.
 Principal
 Page Elementary School

The Right-To-Know Law provides that most e-mail communications, to or from School District employees regarding the business of the School District, are government records available to the public upon request. Therefore, this e-mail communication may be subject to public disclosure. This e-mail is intended solely for the person or entity to which it is addressed and may contain confidential and/or privileged information. Any review, dissemination, copying, printing, or other use of this e-mail by persons or



Town Manager

From: Town Manager
Sent: Thursday, March 31, 2022 3:13 PM
To: Brad Buschur; DPW Director
Cc: Wendy Willis; [REDACTED]
Subject: RE: Pipe stave Parking study / SRTS @ Page
Attachments: Select Board Presentation 2-14-2022.pdf

Attached was presented to Select Board last month. Looking ahead, traffic counts will take place in mid/late April, and Wayne will coordinate the timing incl. to insure that they're taken at peak days/times. TEC will present the safety audit at the May 9 Select Board mtg, present its recommended conceptual plan at the May 23 Select Board mtg. Based on comments/feedback received, if there are revisions to the conceptual plan, these would be presented at a June Select Board mtg. The State earmarked funds must be fully utilized by June 30th.

Looking ahead, this will position us to apply for a Safe Routes to Schools grant next fall.

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

From: Brad Buschur [REDACTED]
Sent: Thursday, March 31, 2022 8:23 AM
To: Town Manager <townmanager@wnewbury.org>; DPW Director <dpwdirector@wnewbury.org>
Cc: Wendy Willis [REDACTED]
Subject: Pipe stave Parking study / SRTS @ Page

Hi,

Can the town provide P&R with an update on the above referenced project? We are tentatively scheduled for 4/14.

Any schedule for TEC report out?

Thanks, Brad

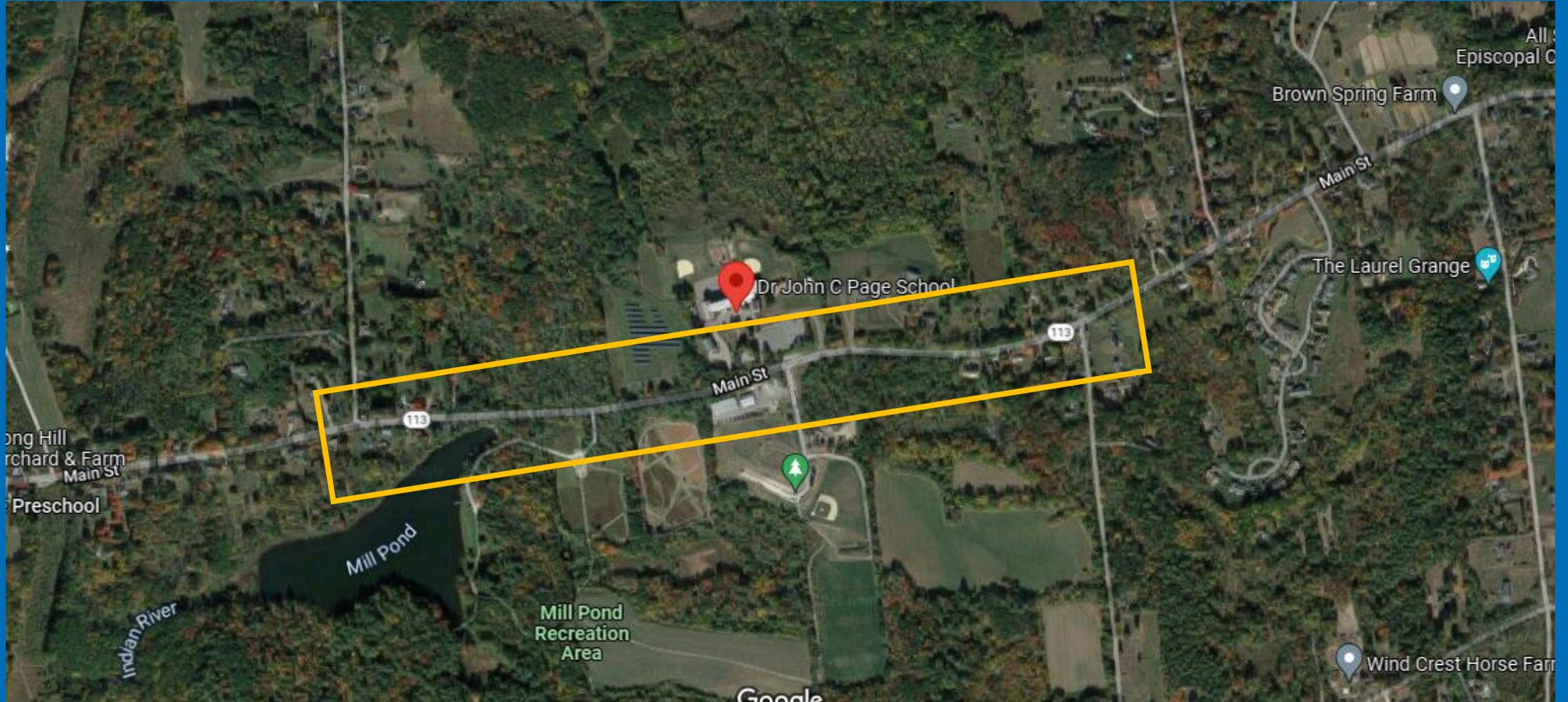
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Page School / Route 113 Safety Analysis Town of West Newbury, MA

Select Board
February 14, 2022



Study Area



Traffic Safety Audit

- Safety Audit held at the site in person on January 12, 2022
- Attendees included representatives from:
 - Parks and Recreation, Police, Public Works, Page School Administration, Riding and Driving Club, Open Space Committee, Town Manager
- Included a safety discussion and a site walk
- Have received 11 feedback emails from residents
 - (publicfeedback@theengineeringcorp.com)

Next Steps

- **Data Collection – Scheduled for April/May**
 - Turning movement counts 7:00 AM to 7:00 PM on a weekday and Saturday at driveways
 - Automatic Traffic Recorder counts along Route 113 for 4 full days, including a weekend
- **Compile and analyze crash data**
- **Evaluate sight distances**
- **Public meeting to present results of Safety Audit**
- **Finalize Traffic Safety Audit Report**
- **Prepare Conceptual Plan of recommendations**
- **Public meeting to present Conceptual Plan**
- **Safe Routes to School Grant application**

Town Manager

From: Patricia J Lloyd [REDACTED]
Sent: Friday, April 1, 2022 11:08 AM
To: Town Manager; Mary E Aicardi
Subject: W. Newbury Staffing and Comps

Hi Angus,

I am in the process of reviewing all the documents you sent to us and hope you can answer a few questions.

- 1) Thank you for the complete job description list you sent on 2/10. I love the navigable index. Because we may make some changes to the job descriptions based upon interviews and questionnaires, would it be possible to send us the job descriptions in Word so we can make notes on the documents and track any proposed changes?
- 2) You have provided the 2021 Town of Merrimac report. While there is a market average, there are no specific numbers upon which the market average was based. Do you have any of the underlying data for the calculation of the market average? It would help us decide how to tailor our own data requests.
- 3) There is a Finance Staffing Survey in the file. Under W. Newbury, there is a link to "see attachment." Could you please send that to us separately because the link doesn't work in my copy of the document? Also, if you have the underlying data from which you drew these numbers, it would be very helpful. The source is Carol McLeod, Town of Merrimac. Is this from a report or from your own communications with Carol? Is there information available for staffing levels in other departments?
- 4) If you have any other data on comparable wages or staffing levels, I would love to see it.
- 5) There are 15 towns in the "Finance Staffing Survey, including West Newbury. The Collins Center will make an analysis of the most comparable towns, but I would love to have your opinion on a) whether you deem some of the 14 others are less comparable and b) whether some other municipalities should be considered.

Thank you for your help! Please feel free to reach out to me with any questions. Have a wonderful weekend!

Patricia J. Lloyd
Associate
Edward J. Collins, Jr. Center for Public Management
McCormack Graduate School of Policy and Global Studies
UMass Boston
Website: <https://www.umb.edu/cpm>
Phone: [REDACTED]

Town Manager

From: Patricia J Lloyd [REDACTED]
Sent: Monday, April 4, 2022 1:48 PM
To: Town Manager; Mary E Aicardi
Subject: Re: W. Newbury Staffing and Comps

Thank you for your reply!

1) I don't currently have a DropBox associated with my UMB email account, but I'm looking into it and will get back to you. I have used google docs in the past to share files, and if you're comfortable with that method, it does work for me. Otherwise, hold tight, and I'll get back to you on DropBox.

2) Next Monday is fine by me. Thank you!

3) Got your email from Carol. Let me know if I was supposed to get an attachment to that.

4 & 5) Looking forward to seeing the data and hearing your thoughts!

Thanks again for your help,

Pat

From: Town Manager <townmanager@wnewbury.org>
Date: Monday, April 4, 2022 at 1:24 PM
To: Patricia J Lloyd [REDACTED], Mary E Aicardi [REDACTED]
Subject: RE: W. Newbury Staffing and Comps

EXTERNAL SENDER

Hi Patricia, responses below:

From: Patricia J Lloyd [REDACTED]
Sent: Friday, April 1, 2022 11:08 AM
To: Town Manager <townmanager@wnewbury.org>; Mary E Aicardi [REDACTED]
Subject: W. Newbury Staffing and Comps