



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

REG'D W. NEWBURY CLERK
 123 MAY 5 PM 12:07

AGENDA

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

- ❖ MGL Ch. 30A §21(a) 6: To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (*31 Dole Place*);
- ❖ 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 (*advice from Town Counsel*);
- ❖ 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 (*FY23 non-union wages; FY24 non-union wages; DPW Director hiring process*).

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.
- Memorial Day Parade – Monday, May 29th at 10:30am, followed by ceremony outside G.A.R. Memorial Library
- Municipal Vulnerability Preparedness (MVP) Action Grant application submitted
- Call for volunteers! FY24 positions on Boards/Commissions/Committees. See www.wnewbury.org/volunteer
- Reminder to subscribe for emailed Town agendas/news/announcements at www.wnewbury.org/subscribe

Regular Business

- A. Select Board reorganization / election of officers
- B. Request for permission to undertake Eagle Scout trail maintenance project (cont'd)
- C. Requests for Special Event Permits
 - a. "Fox Hunts" – May 23rd and May 30th from 10am-noon – *Myopia Hunt Club*
 - b. Charity Bike Ride raising funds for ALS research – June 25th at 8:30am to noon – *ALS Therapy Development Institute*
- D. Discussion of Select Board operations/logistics (setting agendas, communications, network access etc.)
- E. Discussion of process for Board/Commission/Committee member reappointments for FY24
- F. Confirm participants on Page School Study, consultant selection advisory group
- G. Request for permission to modify electric power source for existing roof-mounted monitoring equipment at Page School – C-10 Research & Education Foundation, Inc.
- H. Consideration of appointment of temporary Chief Procurement Officer
- I. Review of letter from Board of Water Commissioners dated April 24, 2023; review dates for joint Select Board/BOWC mtg
- J. Consideration of proposal to join National Rural Water Association PFAS Contamination lawsuit (cont'd)
- K. Debrief/follow-up from Annual and Special Town Meetings on April 24, 2023
- L. Review/confirmation of financing schedule for Bond Anticipation Notes (BANs)
- M. Review/confirm dates for upcoming Select Board meetings
- N. Meeting minutes: January 30, 2023

Town Manager Updates

- O. Update/next steps re DPW Director search process
- P. Various project updates:

<ol style="list-style-type: none"> a. Middle/High School / MassDEP site visit; b. May 2nd Pentucket finance directors mtg/Ch. 70; c. paving contract/WRAP funding; d. Memorial Day Parade; 	<ol style="list-style-type: none"> e. Middle Street Bridge; f. MBTA Communities planning process; g. Housing Production Plan; h. Rte. 113 corridor planning effort; i. Beavers; 	<ol style="list-style-type: none"> j. Planning Board public hearing re Stormwater Regs (May 16); k. Town Hall painting bids received; l. Sawmill Brook/LAND grant
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- Q. Grants under active management
- R. Town Planner report
- S. Updates on other ongoing/active projects/initiatives
- T. 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: 860 3100 1203
 Passcode: 218817

Join at: <https://us06web.zoom.us/j/86031001203?pwd=UzNFMXIIRTdDN285eU1xTWhtYlIDZz09>

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



MEMORIAL = DAY =

Remember and Honor

WEST NEWBURY PARADE

Monday, May 29, 2023 at 10:30 am

Please join us to honor the men and women who gave their lives while serving in the U.S. military.



Parade route starts in the Town Square, the intersection of Main and Maple Streets.

Ceremony held at the Training Field, 491 Main Street, in front of the G.A.R. Memorial Library.





Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

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

townmanager@wnewbury.org

TO: Select Board
 FROM: Angus Jennings, Town Manager
 DATE: May 5, 2023
 RE: Board Reorganization

Traditionally, the Board reorganizes at its first regular meeting following a Town Election. The following Board appointments are typically considered:

- Chair
- Vice Chair
- Clerk

Other Committee designations

The Board members also serve as representatives to the following Committees:

- Capital Improvements Committee (Rick Parker)
- Community Preservation Committee (Wendy Reed)
- Investment Policy Committee (David Archibald)
- Pentucket Middle/High School Building Committee (Wendy Reed)

All current appointments above were made last year with effective dates through June 30, 2023. I therefore recommend making any new designations to these Committees effective as of July 1, so that these working Committees maintain continuity through the remainder of the fiscal year. (This is also a plus for writing clearer year-end Town Reports). You could take up these appointments on Tuesday, or defer the Board's Committee designations until June to align with the overall Committee reappointment process.

Elsewhere on Tuesday's agenda (Item F), the Board will be asked to designate a representative to the consultant selection Advisory Group for the Page School Condition Assessment Study. This will be a short-term engagement.

Finally, I will also ask the Board to designate a member to participate in second-round interviews for DPW Director applicants. This will also be a short-term engagement; though, will require a fairly significant amount of time in the next 2-3 weeks as we work to short-list applicants for finalist interviews by the full Board.

Town Manager

From: Town Manager
Sent: Tuesday, April 25, 2023 4:43 PM
To: Conservation
Cc: Town Clerk; Executive Assistant
Subject: Re: Boy Scout Eagle Project
Attachments: navigatingeagleproject.pdf

Next SB mtg is May 9. (Would normally be May 8 but rescheduled due to Board member conflict). We'll add this to that agenda. Can the scout (and a parent/guardian) participate in person or remotely? 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

Sent from my mobile device

On Apr 25, 2023, at 1:25 PM, Conservation <conservation@wnewbury.org> wrote:

Hello,

Providing an update on this as to when a plan would be expected, as I thought I recalled, I think he is seeking permission before creating a plan. Do you happen to know if he could present to the SB at their 5/15 meeting? Unfortunately I won't be able to attend for long as we have a ConCom meeting the same night at 7:30.

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

What's all that noise? If you're near a vernal pool or woodland pond this spring you may be hearing a chorus of wood frogs and spring peepers. Learn more about these frogs, including distinguishing between their calls and how wood frogs survive our winters by freezing then thawing out in the spring, [here](#).

From: Jack Rau <jackrau06@gmail.com>
Sent: Sunday, April 23, 2023 5:42 PM
To: Conservation <conservation@wnewbury.org>
Cc: Suzanne Balsom <suzannebalsom@yahoo.com>; Ben <bjff32@comcast.net>
Subject: Re: Boy Scout Eagle Project

Hi Michelle,

Thank you very much for all this information and your continued support. I especially appreciate your offer to provide supervision/guidance to ensure no brush/debris removed from the trail ends up in the wetlands (I will include this in my written plan).

Yes, I do need permission from the project beneficiary/representative before I bring my written proposal to Scouts. Will you be the representative for whomever you say I need permission from? This is detailed in the handout I gave to you about what to expect when you sponsor an Eagle project. I've attached another copy so you could share it with the Select Board and the Commission. I also am happy to provide a rough plan of the proposal. It will be bullet points and I will include who will be invited (and hopefully present) for the work.

Is the Select Board meeting on Monday, May 15th? If so, I could attend and would appreciate it if I could be at the beginning of the agenda as I have school the next day. I could come with my parent and present the plan.

I hope you had a great weekend. Stay dry this week.

Yours in Scouting,

Jack Rau

P.S. I've cc'd my Scoutmaster, Mr. Ben Jennell, on this email so he is informed as well.



Navigating the Eagle Scout Service Project

Information for Project Beneficiaries

Thank You and Congratulations

Congratulations on your selection as an Eagle Scout service project beneficiary, and thank you for the opportunity you are making available to an Eagle Scout candidate. Support from community organizations is important to Scouting—just as important as Scouting's contributions are to the community. Scouts provide important services, and benefiting organizations such as yours provides a vehicle for personal growth.

The Eagle Scout Rank and the Service Project

Service to others is an important part of the Scout Oath: "... to help other people at all times." Each year tens of thousands of Scouts strive to achieve the coveted Eagle Scout rank by applying character, citizenship, and Scouting values in their daily lives. One of the rank requirements is to plan, develop, and give leadership to others in a service project helpful to any religious institution, school, or community. Through this requirement, Scouts practice what they have learned and gain valuable project management and leadership experience.

Typical Projects

There are thousands of possible Eagle Scout projects. Some involve building things, and others do not. There have been all kinds: making birdhouses for an arboretum, conducting bicycle safety rodeos, constructing park picnic tables or benches, upgrading hiking trails, planting trees, conducting well-planned blood drives, and on and on. Other than the general limitations noted below, there are no specific requirements for project scope or for how many hours are worked, and there is no requirement that a project have lasting value. What is most important is the impact or benefit the project will provide to your organization. In choosing a project, remember it must be something a group with perhaps limited skills can accomplish under the leadership of your Eagle Scout candidate. In order to fulfill the requirement, the Scout must be the one to lead the project. Therefore, it is important that you work with the Scout and not with the Scout's parents or leaders.

Projects Restrictions and Limitations

- Fundraising is permitted only for facilitating a project. Efforts that primarily collect money, even for worthy charities, are not permitted.
- Routine labor, like a service Scouts may provide as part of their daily lives such as mowing or weeding a church lawn, is not normally appropriate. However, if project scale and impact are sufficient to require planning and leadership, then it may be considered.
- Projects are not to be of a commercial nature or for a business, though some aspects of a business operation provided as a service, such as a community park, may qualify.
- The Scout is not responsible for any maintenance of a project once it is completed.

Approving the Project Proposal and Project Scheduling

Once a potential project is identified, you must approve your Scout's proposal. Regular communications with the Scout can make this quick and easy, but be sure you have both discussed and considered all aspects of the project to ensure your Scout has a clear understanding of your expectations and limitations. Keep in mind the proposal is merely an overview—not a comprehensive project plan.

Some projects may take only a few weeks or months to plan and carry out, while others may take longer. Scouts working toward the Eagle rank are typically busy, so scheduling flexibility may be important. The proposal must also have several approvals, besides yours, before project planning occurs and work begins. Therefore, if a proposed project must be completed by a certain rapidly approaching date, it may be a good idea to consider something different. Remember, too, that all work must be completed before the Scout's 18th birthday.

Approving Project Plans

After the proposal is approved by the BSA local council, your Scout must develop a plan for implementing the project. Before work begins, you should ask to see the plan. It may come in any format you desire or are willing to accept. It could even be a detailed verbal description. That said, the BSA includes a "Project Plan" form in your Scout's Eagle Scout Service Project Workbook, and we recommend that you ask your Scout to use it. If in your plan review you have any concerns the project may run into trouble or not produce the results you want, do not hesitate to require improvements before work begins.

Permits, Permissions, and Authorizations

- If the project requires building permits, etc., your Scout needs to know about them for planning purposes. However, your organization must be responsible for all permitting. This is not a duty for the Scout.
- Your organization must sign any contracts.
- If digging is involved, it is your responsibility to locate, mark, and protect underground utilities as necessary.
- If you need approval from a committee, your organization's management, or a parent organization, etc., be sure to allow additional time and let the Scout know if their help is needed.

Funding the Project

Eagle service projects often require fundraising. Donations of any money, materials, or services must be pre-approved by the BSA unless provided by your organization; by the Scout, the Scout's parents, or relatives; or by the Scout's unit or its chartered organization. The Scout must make it clear to donors or fundraising event participants that the money is being raised on the project beneficiary's behalf, and that the beneficiary will retain any leftover funds. If receipts are needed, your organization must provide them. If your organization is not allowed to retain leftover funds, you should designate a charity to receive them or turn them over to your Scout's unit.

Supervision

To meet the requirement to "give leadership to others," your Scout must be given every opportunity to succeed independently without direct supervision. The Scout's troop must provide adults to assist or keep an eye on things, and your organization should also have someone available. The Scout, however, must provide the leadership necessary for project completion without adult interference.

Safety

Through the proposal and planning process, the Scout will identify potential hazards and risks and outline strategies to prevent and handle injuries or emergencies. Scouts as minors, however, cannot be held responsible for safety. Adults must accept this responsibility. Property owners, for example, are responsible for issues and hazards related to their property or employees and any other individuals or circumstances they would normally be responsible for controlling. If during project execution you have any concerns about health and safety, please share them with the Scout and the unit leaders so action may be taken. If necessary, you may stop work on the project until concerns are resolved.

Project Execution and Approval

After the project has been carried out, your Scout will ask for your approval on their project report. The report will be used in the final review of the Scout's qualifications for the Eagle Scout rank. If the Scout has met your reasonable expectations, you should approve the project; if not, you should ask for corrections. This is not the time, however, to request changes or additions beyond what was originally agreed.

The Eagle Scout service project is an accomplishment a Scout will always remember. Your reward will be a helpful project and, more important, the knowledge you have contributed to a young Scout's growth.

Navigating the Eagle Scout Service Project is available for download at <http://www.scouting.org/advancement>

Caution: Using an Adobe or other PDF reader to insert a "signature" can cause this entire document's contents to be locked preventing future edits; make sure you save a copy if any signatures will be inserted digitally.

Candidate's Promise*		<i>Sign below before you seek the other approvals for your proposal.</i>	
On my honor as a Scout, I have read this entire workbook, including the "Message to Scouts and Parents or Guardians" on page 4. I promise to be the leader of this project, and to do my best to carry it out for the maximum benefit to the religious institution, school, or community I have chose as beneficiary.			
Signed		Date	

* Remember: Do not begin any work on your project, or raise any money, or obtain any materials, until your project has been approved.

Unit Leader Approval*		Unit Committee Approval*	
I have reviewed this proposal and discussed it with the candidate. I believe it provides impact worthy of an Eagle Scout service project, and will involve planning, development and leadership. I am comfortable the Scout understands what to do, and how to lead the effort. I will see that the project is monitored, and that adults or others present will not overshadow them.		This Eagle Scout candidate is a Life Scout, and registered in our unit. I have reviewed this proposal, I am comfortable the project is feasible, and I will do everything I can see that our unit measures up to the level of support we have agreed to provide (if any). I certify that I have been authorized by our unit committee to provide its approval for this proposal.	
Signed	Date	Signed	Date
Name (Printed)		Name (Printed)	

Beneficiary Approval*		Council or District Approval	
This service project will provide significant benefit, and we will do all we can to see it through. We realize funding on our part is not required, but we have informed the Scout of the financial support (if any) to which we have agreed. We understand any fund raising the Scout conducts will be in our name and that funds left over will come to us if we are allowed to accept them. We will provide receipts to donors as required.		I have read topics 9.0.2.0 through 9.0.2.15, regarding the Eagle Scout service project, in the <i>Guide to Advancement</i> , No. 33088. I agree on my honor to apply the procedures as written, and in compliance with the policy on "Unauthorized Changes to Advancement." Accordingly, I approve this proposal. I will encourage the candidate to prepare a project plan and share it with the designated project coach.	
Our Eagle Candidate has provided us a copy of "Navigating the Eagle Scout Service Project, Information for Project Beneficiaries."			
Yes _____ No _____			
Signed	Date	Signed	Date
Name (Printed)		Name (Printed)	

* While it makes sense to obtain approvals in the order they appear, there shall be no required sequence for the order of obtaining those approvals marked with an asterisk (*). Council or district approval, however, must come after the others.

Special Event Application

Organization or Group Myopia Hunt Club

Person Making Reservation Cynthia Foote

Mailing Address 1 Parhouse Lane West Newbury MA

Phone 978 510 1155 ^{978 609 4960} e-mail Cindy Foote 50 @ gmail .com

Event Date: May 23 Tuesday Start Time 10 AM End

Time 12 Noon

Reason for Event fox hunt

Number of attendees 15 +/-

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 168 Garden St
(Indian meadow farm)

2. For road or walk race, a detailed map of the route on file

3. Features and attractions 15 +/- riders, horses & hounds

4. Participant circulation _____

5. Proposed parking including how you will handle overflow parking
on property

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

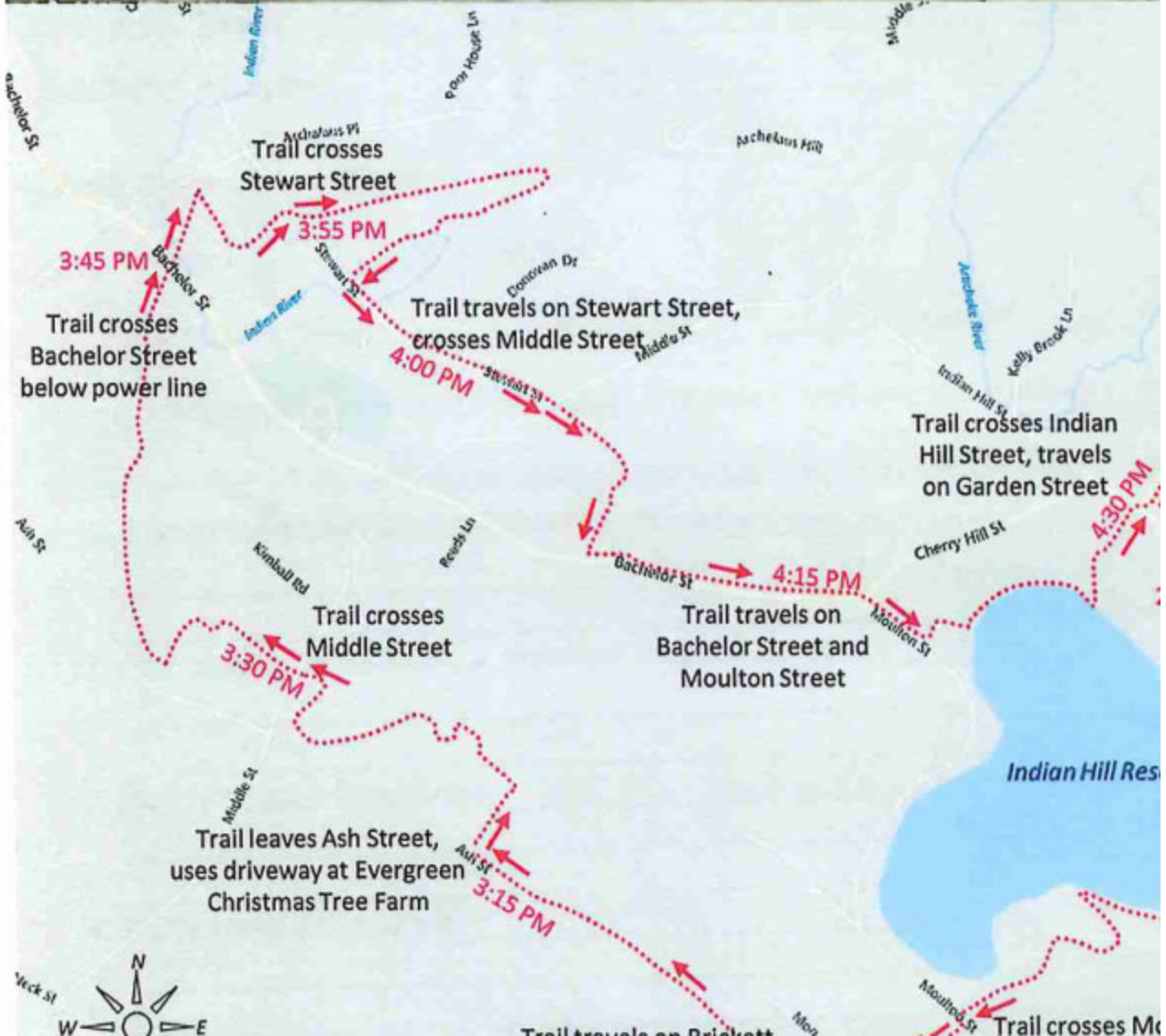
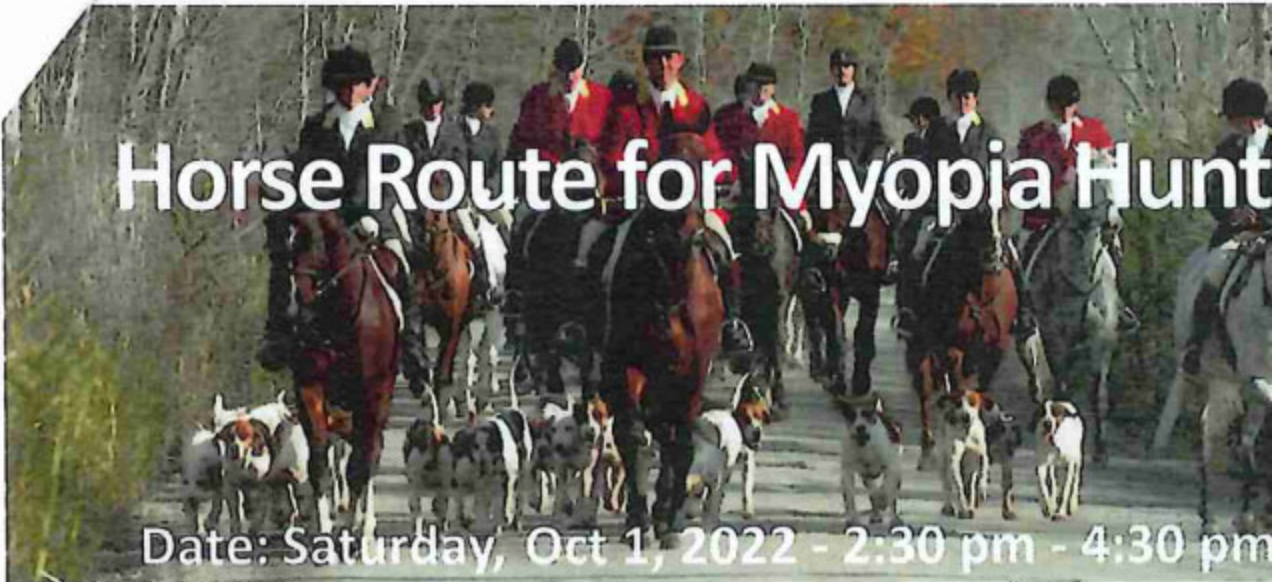
10. Locations, size and number of any tents, trailers or temporary structures
15 +/- trucks and horse trailers

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. we will provide street crossers

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 to follow



Special Event Application

Organization or Group Myopia Hunt Club
Person Making Reservation Cynthia Foote
Mailing Address 1 Parhouse Lane West Newbury MA
Phone 978 510 1155 ^{978 609 4960} e-mail Cindy Foote 50 @ gmail . com
Event Date: May 30 (Tues) Start Time 10 AM End
Time NOON
Reason for Event fox hunt
Number of attendees 15 +/-

Check Appropriate Block:

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

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

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

1. The location of the event on the property Pipestave
2. For road or walk race, a detailed map of the route on file
3. Features and attractions 15 +/- riders, horses & hounds
4. Participant circulation —
5. Proposed parking including how you will handle overflow parking on property
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

15 +/- trucks and horse trailers

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. we will provide street crossers

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 To follow

Name: Myopia Hunt Event: _____

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.

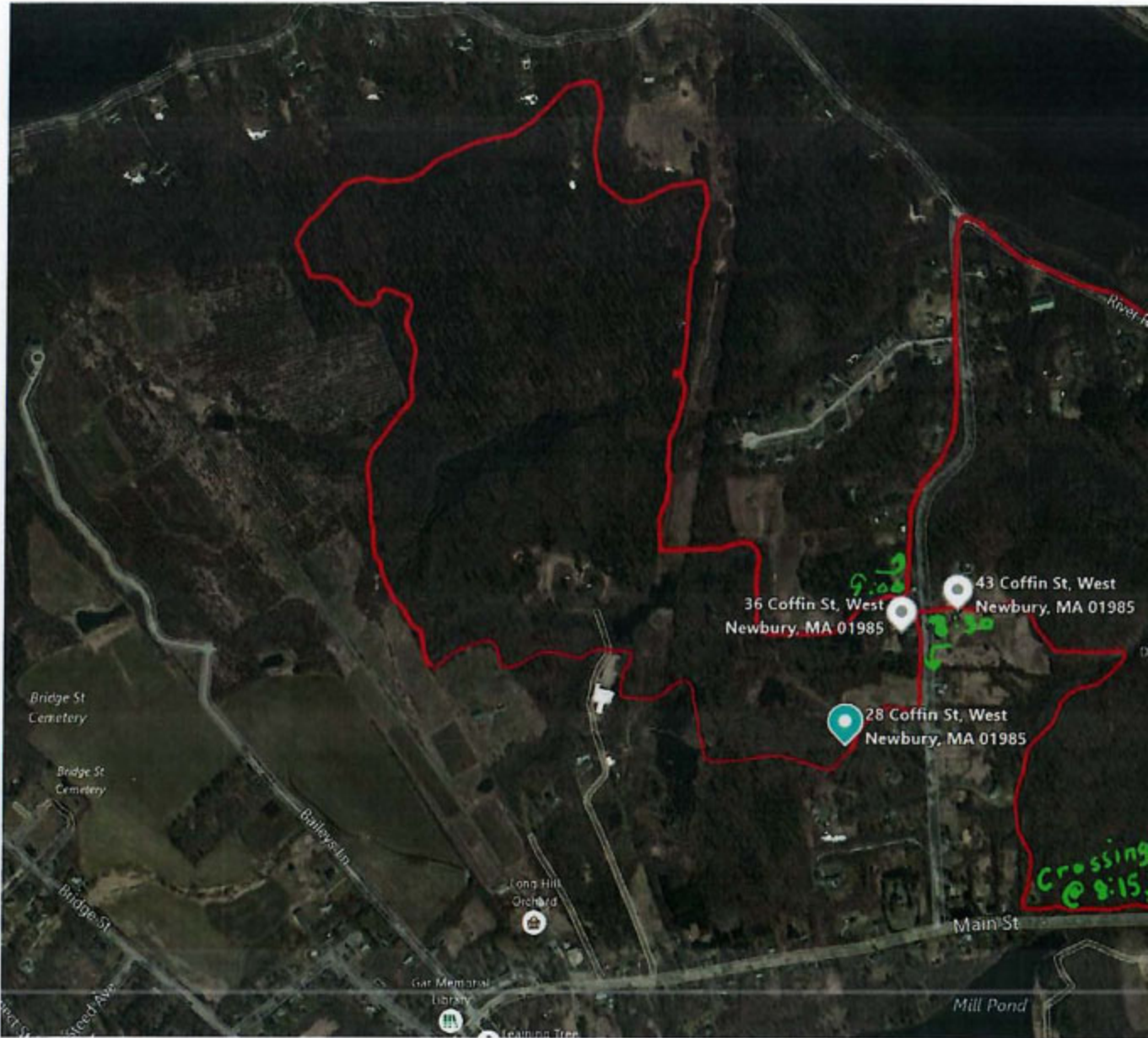
Cynthia Lorte 03/23/2023
Individual/Authorized Signature for Group Date

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:



Town Clerk

From: Michael Dwyer <dwyer@westnewburysafety.org>
Sent: Wednesday, May 3, 2023 1:45 PM
To: Town Clerk
Subject: Re: Myopia Hunt Club

Hi Jim,

I will approve the events. If they require EMS or Fire support please have them reach out via email

Thanks
Mike

From: Town Clerk <townclerk@wnewbury.org>
Sent: Thursday, April 27, 2023 2:00:13 PM
To: Michael Dwyer <dwyer@westnewburysafety.org>
Subject: FW: Myopia Hunt Club

Hey Chief,

Please let me know if there any conditions.

Best,

James RW Blatchford

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



Special Event Application

Organization or Group _____

Person Making Reservation _____

Mailing Address _____

Phone _____ e-mail _____

Event Date: _____ Start Time _____ End _____

Time _____

Reason for Event _____

Number of attendees _____

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 _____

2. For road or walk race, a detailed map of the route _____

3. Features and attractions _____

4. Participant circulation _____

5. Proposed parking including how you will handle overflow parking _____

6. Any proposed road closures _____

7. Location of trash receptacles and dumpsters_____

8. Location of temporary toilet facilities_____

9. Accessible routes for the disabled or mobility impaired_____

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

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

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.

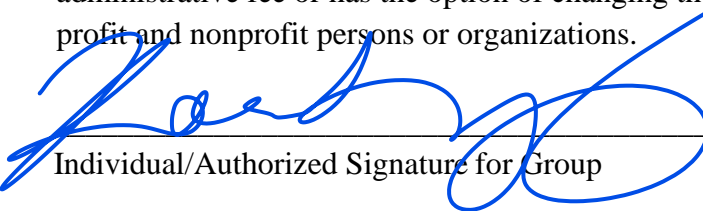
13. If Police Details and/or Firefighters/EMTs will be required, contact the West Newbury Police Department and West Newbury Fire Department to secure services. Only Police Officers may direct traffic on town streets. Evidence that Police and/or Fire Personnel have been secured must be presented before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

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



Name: _____ Event: _____

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.

 _____
Individual/Authorized Signature for Group Date

Chief of Police's Signature: _____ Date: _____

Requests and comments:

Fire Chief's Signature: _____ Date: _____

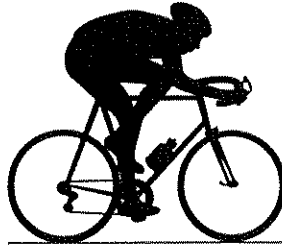
Requests and comments:

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

Requests and comments:

THE ALS THERAPY DEVELOPMENT INSTITUTE

TRI-STATE TREK



West Newbury, MA
Chief Michael Dwyer
401 Main Street
Public Safety Building,
West Newbury, MA 01985

March 7, 2023

Dear Chief Michael Dwyer,

On Sunday, June 25th, 2023, 350 cyclists will travel through your town for the 21st Annual ALS Therapy Development Institute (ALS TDI) Tri-State Trek. The Tri-State Trek raises funds and spreads awareness of the work ALS TDI is doing to find an effective treatment and cure for a horrific disease. Every 90 minutes, someone is diagnosed with ALS, also known as Lou Gehrig's disease or Motor Neuron Disease (MND). It is a progressive, neurodegenerative disease that causes muscle weakness, difficulty breathing and swallowing, and paralysis while leaving the senses intact. Currently, there is no effective treatment or cure.

ALS TDI is the world's first and largest nonprofit biotech focused 100 percent on ALS research. Led by people with ALS and drug development experts, we understand the urgent need to slow and stop this disease. You can learn more at www.als.net.

Enclosed is a proposed route with the specific date that we plan to be in your location. Please forward this along to the proper channels. If applicable, we have indicated any rest areas that we are planning to stop at in your town. We have a comprehensive insurance policy for the event that recognizes your town as additionally insured under ALS TDI's insurance. The necessary insurance certificate is attached. You can return these forms via email, fax, or mail addressed to my contact information below.

Thank you so much for your time. If you have any questions or concerns, please contact me.

Best regards,

Kevin Sweeney
Events Manager
ALS Therapy Development Institute
Direct: 617.441.7286
Fax: 617. 441.7299
ksweeney@als.net

ALS THERAPY DEVELOPMENT
INSTITUTE

ALS Therapy Development Institute (ALS TDI) | 480 Arsenal Street, Suite 201, Watertown, MA 02472
501(c)3 nonprofit: EIN # 04-3462719 | Phone: 617.441.7205 | Email: events@als.net



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/10/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, LLC 470 Atlantic Avenue Boston MA 02210	CONTACT NAME: PHONE (A/C, No, Ext): 617-261-6700 FAX (A/C, No): 617-531-7777 E-MAIL ADDRESS:														
INSURED ALS Therapy Development Foundation Inc. 480 Arsenal Way Suite 201 Watertown MA 02472	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> <tr> <td>INSURER A : Atlantic Specialty Insurance Company</td> <td style="text-align: center;">27154</td> </tr> <tr> <td>INSURER B : Homeland Insurance Company of New York</td> <td style="text-align: center;">34452</td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Atlantic Specialty Insurance Company	27154	INSURER B : Homeland Insurance Company of New York	34452	INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER E :															
INSURER F :															

COVERAGES CERTIFICATE NUMBER: 1430780774 REVISION NUMBER:

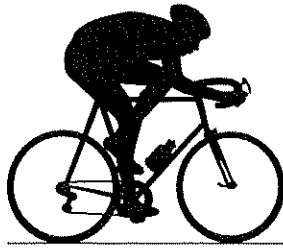
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS								
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	Y	GL0562302	12/12/2022	12/12/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$								
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$								
B	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			EX04917-01	12/12/2022	12/12/2023	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$								
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">PER STATUTE</th> <th style="width: 50%;">OTHER</th> </tr> <tr> <td>E.L. EACH ACCIDENT</td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - EA EMPLOYEE</td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - POLICY LIMIT</td> <td>\$</td> </tr> </table>	PER STATUTE	OTHER	E.L. EACH ACCIDENT	\$	E.L. DISEASE - EA EMPLOYEE	\$	E.L. DISEASE - POLICY LIMIT	\$
PER STATUTE	OTHER														
E.L. EACH ACCIDENT	\$														
E.L. DISEASE - EA EMPLOYEE	\$														
E.L. DISEASE - POLICY LIMIT	\$														

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Tri-State Trek June 24th and 25th 2023

CERTIFICATE HOLDER West Newbury, MA Michael Dwyer Chief of Police 401 Main Street Public Safety Building West Newbury MA 01985	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	--

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Town Approval Form

Date: _____

I, _____, acknowledge that the ALS TDI Tri-State Trek will be utilizing our roads between June 25, 2023, for the purpose of a charity bicycle ride, benefiting the ALS Therapy Development Institute. The town of _____ has approved the ALS TDI Tri-State Trek's proposed route.

TOWN: _____

NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PLEASE FAX THIS FORM TO 617-441-7299 (NO COVER LETTER REQUIRED) OR SCAN AND EMAIL TO

tristatetrek@als.net

Sunday, June 25th 100 Mile Loop

Howorth

Town	Direction	Landmark	Street Name	Police Det	Notes	Cum. Miles
Merrimac,MA	Straight		Continue onto River Road			32.3
West Newbury,MA	Left		Turn left onto East Main Street			34.2
West Newbury,MA	Slight Right		Keep right onto Church Street			34.5
West Newbury,MA	Slight Right		Keep right onto Church Street			34.8
West Newbury,MA	Sharp Right		Turn sharp right onto Church Street			35
West Newbury,MA	Right		Turn right onto Main Street, MA 113			35.5
Groveland,MA	Slight Right		Turn slight right onto Bates Bridge, MA 97, MA 113			38.7

MA 100



Town Clerk

From: Michael Dwyer <dwyer@westnewburysafety.org>
Sent: Monday, March 27, 2023 10:40 AM
To: Kevin Sweeney; Events
Cc: Town Clerk
Subject: Re: tri state bike race

Kevin,

Thanks for the quick reply. I will approve this requiring only 1 police detail. Please contact the PD a week prior to the event to secure the detail and I cc'd Jim from the Town Clerk's office, so he is aware.

Thank you,

Mike

From: Kevin Sweeney <ksweeney@als.net>
Date: Monday, March 27, 2023 at 9:48 AM
To: Michael Dwyer <dwyer@westnewburysafety.org>, Events <events@als.net>
Subject: RE: tri state bike race

Hi Mike,

I hope you had a nice weekend!

Riders are going to be pretty spread out as they approach West Newbury so I don't expect a huge group to be coming through at once. We want to keep everyone safe as they are riding so that sounds good to us.

Let us know if there is anything else we can provide to help with the approval process.

Best,

Kevin

Kevin Sweeney
Events Manager
ALS Therapy Development Institute | www.als.net
480 Arsenal Street, Suite 201
Watertown, MA 02472
Direct 617.441.7286

ALS TDI is the Drug Discovery Engine for ALS. [Learn More Here.](#)

=====

BCC's	FIRST NAME	LAST NAME	TERM END DATE
AFFORDABLE HOUSING TRUST	Kevin	Bowe	6/30/2023
AFFORDABLE HOUSING TRUST	Donna	Garcia	6/30/2023
AFFORDABLE HOUSING TRUST	Karen	Holmes	6/30/2023
BANDSTAND COORDINATOR (CO)	Brian	Young	6/30/2023
BANDSTAND COORDINATOR (CO)	Charley	Carrozo	6/30/2023
CABLE ADVISORY COMMITTEE	Kevin	Bowe	6/30/2023
CABLE ADVISORY COMMITTEE	Vacant		6/30/2023
CABLE ADVISORY COMMITTEE	Kelly	Scott	6/30/2023
CAPITAL IMPROVEMENT	Elisa	Grammer	6/30/2023
CAPITAL IMPROVEMENT	Vacant		6/30/2024
CLIMATE CHANGE RESILIENCY	Elizabeth	Callahan	6/30/2023
CLIMATE CHANGE RESILIENCY	Michael	Dacey	6/30/2023
CLIMATE CHANGE RESILIENCY	Elisa	Grammer	6/30/2023
CLIMATE CHANGE RESILIENCY	Richard	Parker	6/30/2023
CLIMATE CHANGE RESILIENCY	Nancy	Pau	6/30/2023
CLIMATE CHANGE RESILIENCY	Arthur (Chip)	Wallace	6/30/2023
CLIMATE CHANGE RESILIENCY	Vacant		6/30/2023
CLIMATE CHANGE RESILIENCY	Vacant		6/30/2023
CLIMATE CHANGE RESILIENCY	Vacant		6/30/2023
CONSERVATION COMMISSION	Margaret (Molly)	Hawkins	6/30/2023
CONSERVATION COMMISSION	Judith	Mizner	6/30/2023
COUNCIL ON AGING	Victoria	Beaumier	6/30/2023
COUNCIL ON AGING	Vacant	Vacant	6/30/2024
COUNCIL ON AGING	Jessa	Haynes	6/30/2023
COUNCIL ON AGING	Jacqueline	Johnston	6/30/2023
COUNCIL ON AGING	Vacant	Vacant	6/30/2024
COUNCIL ON AGING	Barbara	Warne	6/30/2023
CULTURAL COUNCIL	Catherine	DeWitt	6/30/2023
CULTURAL COUNCIL	Jennifer (Jen)	Pepper	6/30/2023
CULTURAL COUNCIL	Linda	Young	6/30/2023
CULTURAL COUNCIL	Vacant	Vacant	6/30/2023
CULTURAL COUNCIL	Vacant	Vacant	6/30/2023
ENERGY & SUSTAINABILITY	Elizabeth	Callahan	6/30/2023
ENERGY & SUSTAINABILITY	Stephen	Doran	6/30/2023
ENERGY & SUSTAINABILITY	Elisa	Grammer	6/30/2023
ENERGY & SUSTAINABILITY	Camden	Holland	6/30/2023
ENERGY & SUSTAINABILITY	Richard	Parker	6/30/2023
ENERGY & SUSTAINABILITY	Arthur (Chip)	Wallace	6/30/2023
ENERGY & SUSTAINABILITY	Vacant		6/30/2023
ENERGY & SUSTAINABILITY	Vacant		6/30/2023
ENERGY & SUSTAINABILITY	Vacant		6/30/2023
FINANCE COMMITTEE	Walter	Burmeister	6/30/2023
FINANCE COMMITTEE	Vacant		6/30/2023

BCC's	FIRST NAME	LAST NAME	TERM END DATE
HARBOR COMMITTEE	Steve	Boyd	6/30/2023
HARBOR COMMITTEE	Thomas	Goodwin	6/30/2023
HARBOR COMMITTEE	Brian	Richard	6/30/2023
HISTORIC DISTRICT COMMISSION	Vacant		6/30/2024
HISTORIC DISTRICT COMMISSION	Alison	Hardy	6/30/2023
HISTORIC DISTRICT COMMISSION	Vacant	Vacant	Vacant
HISTORIC DISTRICT COMMISSION	Vacant	Vacant	Vacant
HISTORICAL COMMISSION	Jennifer	Conway	6/30/2023
HISTORICAL COMMISSION	Jennifer	Liston Munson	6/30/2023
INVESTMENT POLICY COMMITTEE	Christopher	Wilde	6/30/2023
MEMORIAL DAY PARADE	Ilya	Zeitsev	6/30/2023
MILL POND COMMITTEE	Zip	Corning	6/30/2023
MILL POND COMMITTEE	Jennifer	Costain	6/30/2023
MILL POND COMMITTEE	Paul	Delaney	6/30/2023
MILL POND COMMITTEE	Michael	Welch	6/30/2023
MILL POND COMMITTEE	Vacant	Vacant	Vacant
MILL POND COMMITTEE	Vacant	Vacant	Vacant
MILL POND COMMITTEE	Vacant	Vacant	Vacant
OPEN SPACE COMMITTEE	Jessica	Azenaro	6/30/2023
OPEN SPACE COMMITTEE	David	Parrott	6/30/2023
OPEN SPACE COMMITTEE	Patricia	Reeser	6/30/2023
OPEN SPACE COMMITTEE	Marlene	Switzer	6/30/2023
PLANNING BOARD (Associate)	Vacant	Vacant	6/30/2023
REGISTRARS OF VOTERS	Cheryl	Grant	6/30/2023
RIVER ACCESS COMMITTEE	Elisa	Grammer	6/30/2023
RIVER ACCESS COMMITTEE	Barry	LaCroix	6/30/2023
RIVER ACCESS COMMITTEE	Vacant	Vacant	6/30/2023
TREE COMMITTEE	Susan	Dougherty	6/30/2023
TREE COMMITTEE	Vacant	Vacant	6/30/2023
ZONING BOARD OF APPEALS	Patrick	Higgins	6/30/2023
ZONING BOARD OF APPEALS	Kim	Monahan Borgioli	6/30/2023
ZONING BOARD OF APPEALS	Vacant	Vacant	Vacant
ZONING BOARD OF APPEALS	Vacant	Vacant	Vacant

Dr. John C. Page Elementary School Condition Assessment Study RFQ

Section 3

Selection Procedures

The Town of West Newbury Select Board has authorized the Chief Procurement Officer (CPO) of the Town to conduct the selection process with input from an Advisory Group comprised of Town staff, Pentucket Regional School District (PRSD) administrators, a Select Board member and a resident of the Town. The CPO will collaborate with the Advisory Group to rank all submitted RFQ applicants and from this ranking, select at least three (3) most qualified finalists (if possible) to interview and present their RFQ to the Advisory Group on a Zoom platform. This interview will allow the Consultant the opportunity to present their proposal to the Advisory Group in greater detail where both parties can ask and receive questions and convey additional information.

Once these final interviews commence, the Advisory Group will collaborate with the CPO and rank the finalists as first choice, second choice and third choice, if applicable. The CPO, as authorized by the Town of West Newbury's Select Board, will negotiate a fee with the first ranked Consultant and once agreed upon, will present to the Select Board for their review.

If, however, the Town and the first choice Consultant are unable to negotiate a satisfactory fee, negotiations shall be terminated by the CPO and undertaken with the remaining designers, one at a time, in the order in which they were ranked by the Advisory Group until agreement is reached. **In no event shall this fee be higher than the not-to-exceed amount of \$85,000.**

The Select Board will review the CPO's recommendation for Consultant and fee and if approved, a standard Town contract will be prepared by the Town with the chosen Consultant. Upon acceptance by both parties, a Notice to Proceed will follow within 15 days of agreement.

This study is subject to The Commonwealth of Massachusetts, Designer Selection Law, M.G.L. c. 7C §§ 44-58 and as a result, the Town will adhere in all means feasible to the Town's Designer Selection Procedures, most recently amended by the Select Board on November 12, 2019.

The Town reserves the right to select the Consultant it determines is most qualified based on the information submitted, to waive any formality, and to choose the Consultant determined in its sole discretion to be able to perform in the best interest of the Town.

The Town reserves the right to terminate this RFQ process (prior to the execution of the contract award) at any time if it has been determined by the Town that the best interest of the Town is not fully met.

Step 1. Submitted RFQ Rankings

The CPO and the Advisory Group will rank all submitted responses to the RFQ based on the information provided by the Consultant. The following criteria will be used to assist with the ranking:

1. Prior similar experience;
2. Past performance on public school assessment studies;
3. Knowledge of cost estimating and budgeting;
4. Financial stability of the company and capacity to perform the work in a timely manner;
5. Qualifications of individuals (including sub-contractors) on the project team; and
6. Overall quality of proposal.

Dr. John C. Page Elementary School Condition Assessment Study RFQ

Section 3

Once the submitted responses are reviewed and qualifications are confirmed, the Advisory Group will collaborate with the CPO to choose at least three (3) finalists (or such lesser number as may be available) that will be invited to present their proposals. A point ranking system will be used to determine the rankings. The CPO and the Advisory Group will independently review and rank each proposal in accordance with the point system below:

- | | |
|----------------------------------|-------------------|
| 1. Prior Similar Experience | 10 points maximum |
| 2. Past Performance | 10 points maximum |
| 3. Cost Estimating and Budgeting | 10 points maximum |
| 4. Financial Stability | 10 points maximum |
| 5. Qualifications | 10 points maximum |
| 6. Overall Quality of Proposal | 10 points maximum |

The maximum number of points shall be no greater than 60 points. The top ranked Consultants will be requested by the Town to present their RFQ on a Zoom platform.

Step 2a. Consultant Interviews / Presentations

The Town shall schedule interviews / presentations for the top ranked consultants within 21 days after the submission due date. **The interviews / presentations shall take place within 21 days of notification and shall be no longer than 50 minutes in duration.** A Zoom link will be sent by the Town to the Consultants prior to the interviews / presentations.

The interviews / presentations will be conducted by the CPO and the Advisory Group and will rank each in accordance with the point system below:

- | | |
|--|-------------------|
| 1. Past Experience | 10 points maximum |
| 2. Demonstrated Knowledge of Project Scope | 10 points maximum |
| 3. Project Approach | 20 points maximum |
| 4. Project Manager Qualifications and Experience | 10 points maximum |
| 5. Overall Team Members Qualifications and Experience* | 10 points maximum |

* Sub-contractors will also be included in this category.

Step 2b. Post Interviews / Presentations Reference Inquires

Once the interview has been completed, the CPO or designee may contact and conduct three reference inquiries from the list supplied by the Consultant and rank each in accordance with the point system below:

- | | |
|--|--------------------|
| 1. Favorable Experience (add up to 5 points for each reference) | 15 points maximum |
| 2. Negative Experience (deduct up to 10 points for each reference) | -30 points maximum |

The maximum number of points for both step 2a and 2b shall not be greater than 75 points.

*Dr. John C. Page Elementary School Condition Assessment Study RFQ
Section 3*

Award of Contract

Once the evaluation of Step 2b has been completed, the CPO will review the calculations from both Steps 2a and 2b and the Consultants will be ranked as first choice, second choice and third choice. The CPO will then contact the first choice Consultant and commence the negotiation of a scope and fee.

The fee will be a fixed project fee. **Fee structure value shall not exceed \$85,000.** The Town and the Consultant shall also agree upon a payment schedule based on a task completion percentage matrix. If an overall project fee is not agreed upon by the CPO and the Consultant, the Town will notify the Consultant about the failure of agreement and immediately commence negotiation with the second choice Consultant and so on until a final Consultant is chosen by the Town.

Once an initial fee agreement is made by the CPO and the Consultant, the CPO will make such recommendation to the Awarding Authority (Town of West Newbury Select Board) for their review and vote. The Select Board will review the CPO recommendation and vote to support the recommendation, seek additional information, or deny the recommendation.

Upon approval from the Select Board to enter into such agreement, a standard Town of West Newbury contract will be prepared for the Consultant's review and approval. Failure of the Consultant to agree upon the contract language within 21 days of receipt will void the Consultant RFQ submittal and initial fee agreement.

Town Manager

From: Town Manager
Sent: Thursday, May 4, 2023 5:35 PM
To: mike@c-10.org
Cc: Puteri, Emily; Michael Dwyer; Town Clerk; Executive Assistant
Subject: FW: C-10 Climate Resilient Project

Mike,

Between Town Meeting and some other things, your request has been pending for quite a while... our apologies! Please see below. I've reviewed your proposal in detail with the Select Board Vice Chair (and Acting Chair) Rick Parker, and this request will be brought to the Board for their review at their upcoming meeting on Tuesday, May 9th. The meeting begins at 7pm, though it's difficult to know exactly what time specific items will come up.

While you are not required to attend, you are welcome. The meeting will be in person, but also hybrid, so participation via zoom would be an option. Tuesday's agenda will be posted to the Town website midday tomorrow, and will include the zoom link.

Upon the Select Board's ok, this would then be forwarded to the School Committee for their review and approval prior to the work moving forward.

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, May 2, 2023 9:28 AM
To: Puteri, Emily <eputeri@prsd.org>; Michael Dwyer <dwyer@westnewburysafety.org>
Cc: DPW Director <dpwdirector@wnewbury.org>; Robert Danforth <rdanforth@prsd.org>; Greg Hadden <ghadden@prsd.org>; Bartholomew, Justin <jbartholomew@prsd.org>; Greg Labrecque <glabrecque@prsd.org>; DPW Admin <DPWAdmin@wnewbury.org>
Subject: RE: C-10 Climate Resilient Project

Emily, Chief Dwyer,

Re below, I reviewed the Page School lease agreement this morning and don't find that it specifically addresses this type of request. However, based on the spirit of some of the other lease language, I would think that C-10's request should be approved by each of the Select Board, then the School Committee.

Our Select Board will be considering this request on Tuesday evening May 9th, and, assuming they refer this forward, this would be sent to the School Committee for their approval.

Thanks,
 Angus

Town Manager

From: Puteri, Emily <eputeri@prsd.org>
Sent: Tuesday, December 13, 2022 11:56 AM
To: Town Manager
Cc: DPW Director; Robert Danforth; Greg Hadden
Subject: Re: C-10 Climate Resilient Project

Sounds good. Thank you!

Emily

On Tue, Dec 13, 2022 at 11:53 AM Town Manager <townmanager@wnewbury.org> wrote:

Thanks for letting us know. We'll look at the Page School lease to determine if this would be a Select Board approval, PRSD approval, or both – and get back to you.

Have also sent to Chief Dwyer and to our EMA Director Lee Ann Delp to get their recommendations. It sounds like a good initiative but we'll hear from them re how we should proceed.

From: Puteri, Emily <eputeri@prsd.org>
Sent: Tuesday, December 13, 2022 11:20 AM
To: Town Manager <townmanager@wnewbury.org>; DPW Director <dpwdirector@wnewbury.org>; Robert Danforth <rdanforth@prsd.org>; Greg Hadden <ghadden@prsd.org>
Subject: Fwd: C-10 Climate Resilient Project

Hi All,

Forwarding this message, as I am not sure who the best person to notify/seek approval from would be.

Thanks!

Emily

----- Forwarded message -----
From: <mike@c-10.org>
Date: Tue, Dec 13, 2022 at 10:35 AM

Subject: C-10 Climate Resilient Project

To: <eputeri@prsd.org>

Cc: Bellerose, Mary <mbellerose@prsd.org>

Good morning Principal Puteri,

As you may know, C-10 operates a radiation monitoring station at the Page school as part of the CRMN (Citizens Radiation Monitoring Network) which comprises eighteen monitoring stations, twelve in Massachusetts and six in New Hampshire covering the ten mile emergency planning zone around the Seabrook nuclear power plant. We have been running a monitoring network for over thirty years now with the Page school being one of our most important locations due to its' position on our GPS mapping system.

C-10 has recently applied for and received a grant from the Mass Clean Energy Center to implement innovative green, climate resilient technologies at some of our more critical monitoring locations to allow them to become completely independent of the host utilities, power and network. This is a research project where we are seeking to further enhance the CRMN's durability, connectivity and robustness in the face of uncertain pending climate issues and an ever deteriorating electrical grid.

So far, C-10 has completely outfitted three monitoring sites with solar/battery technologies for power and AT&T FirstNet network connectivity allowing them to run entirely on solar power and independent of host resources.

We would like to implement the same technology at the Page school, albeit with a slightly different configuration in order to further research various applications for optimal performance. Installation at the Page would be rather simple as we have recently reconfigured and rewired the entire system there moving from a third floor cavity to the attic area. We would also follow a similar configuration that is already on the roof for securing the solar panels using a weighted design which will negate the need to physically attach anything to the roof membrane.

These are very small, low power, low voltage OTG (off the grid) systems that we have designed to work specifically and exclusively with our monitoring equipment. Pending your approval I would be happy to go over the specifics with your IT & engineering departments.

Thank you for your support and consideration.

Mike

Mike Mansir

Network Administrator

C-10 Research & Education Foundation, Inc.

11 Chestnut St., Amesbury, MA 01913

T: 978-270-8044 E: mike@c-10.org W: c-10.org



--

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 entities other than the addressee is strictly prohibited. If you receive this e-mail in error, please notify the sender immediately and delete the material from any device.

--

Emily Puteri, M.Ed., Ed.S.
Principal
Page Elementary School

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Basic Climate Resilient Installation

Installation

Solar:

Three 170 watt (2.5' X 5' ea) will be mounted on the south side of the roof.
All mounting components are grounded, sealed and weather protected.
Wiring will pass through conduit and then through the weather head into the roof cavity.
Solar wiring will connect to a service switch, pole mounted in the roof cavity..
All wiring will be secured, encased and grounded.
Roof mounted equipment will 'sit' on slip sheets to protect the roof membrane.
All components will be weighted to the roof with chain and cinder block.

Battery Power:

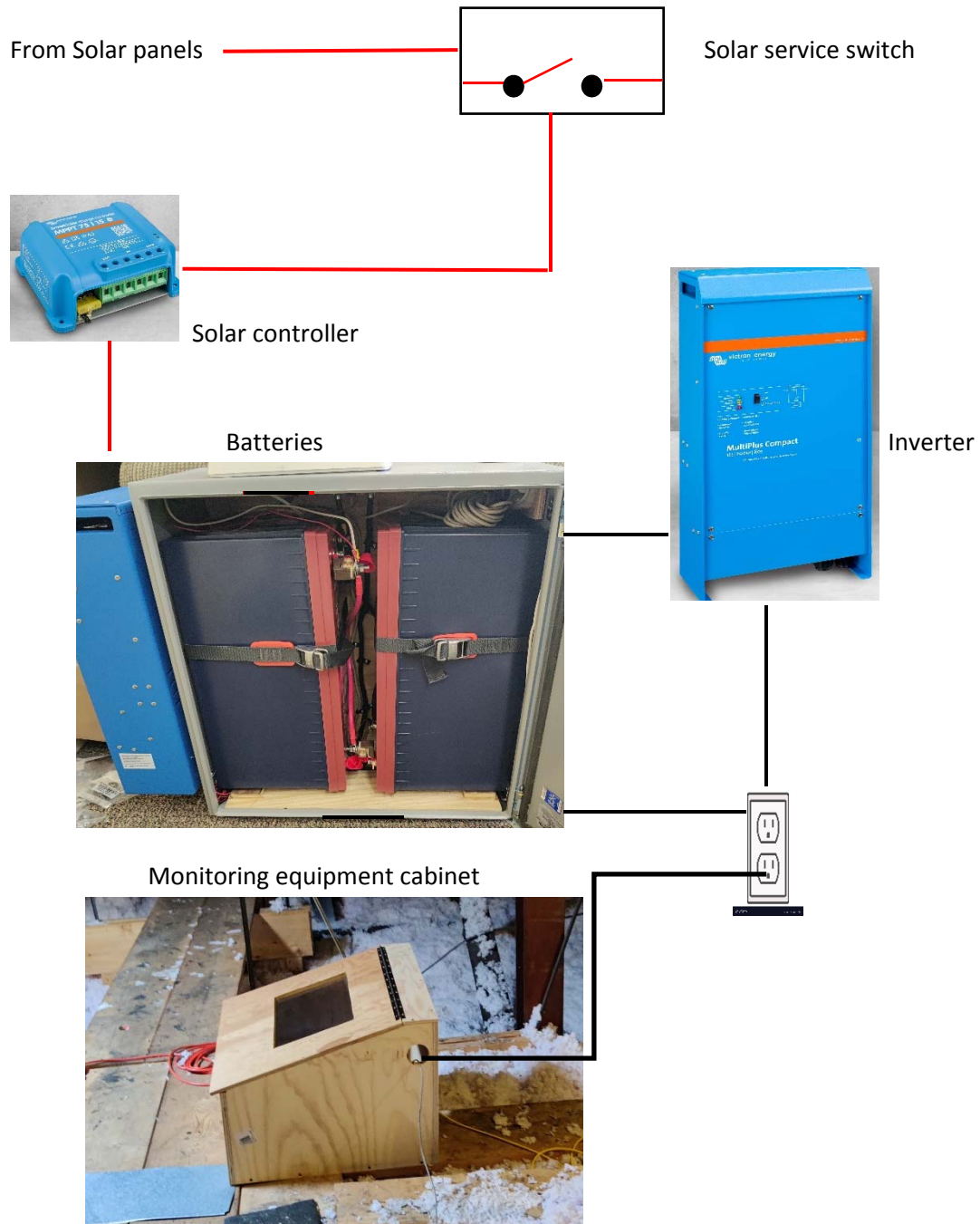
Two Dakota 200 Ah Lithium LiFePO4 batteries are the power supply
An extensive review of available resources that were reliable, durable and safe led to this selection.
Lithium batteries are safe, have no active chemicals nor do they emit any gases. Lithium batteries do not heat up during operation or recharge.
Lithium batteries will supply power until they are completely drained.
The total of 400ah of reserve battery power will sustain the two critical servers for a period of ten days without convertible sunlight.

Inverter:

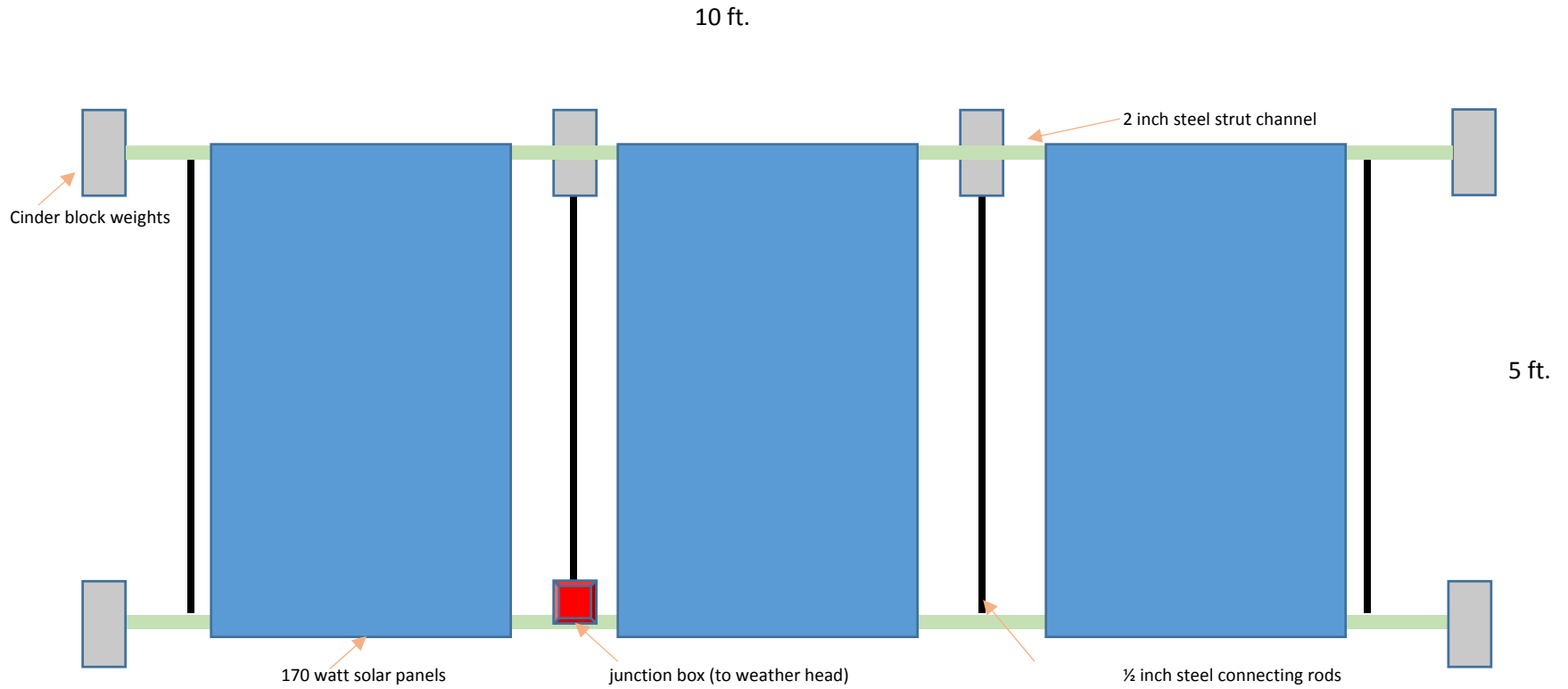
A Multipass 2000 80 amp inverter is used to convert the solar/battery power to 110 vac to power the existing radiation monitoring equipment.

Electrical:

The solar/battery system is low voltage (12 volts) low power (170 watts each panel MAX).
All components are grounded, fused and/or switched.
End load one single 110 vac outlet.
The maximum load is 25 watts.



Station 16 Page School, West Newbury
Solar panel layout for roof installation.





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

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

TO: Select Board
 FROM: Angus Jennings, Town Manager
 DATE: May 5, 2023
 RE: Recommended appointment of Acting Chief Procurement Officer

On September 7, 2021, following the retirement of former Town Clerk/Counsel/CPO Mike McCarron, the Select Board named former DPW Director Wayne Amaral as Acting Chief Procurement Officer (CPO). With Wayne's recent resignation, it will be important to designate a new Acting CPO. The determination of where the procurement function will rest over the longer term will depend in part on the credentials, capabilities and capacity of our next DPW Director.

This memo is to recommend that the Board designate the Town Manager to serve as Acting Chief Procurement Officer.¹ The current DPW Business Manager/Purchasing Assistant Katelyn Bradstreet has completed the first (of three) required trainings to obtain the MCPPO (Massachusetts Certified Public Purchasing Officer) certification, and is presently completing the second of the trainings. She expects to obtain the second certification on/around June 13th. Katelyn and I would work closely on procurement, as we have been doing in the days since Wayne's departure.²

Over the next couple of months, it will be important to revisit this topic to determine where this designation should rest in the longer term. The procurement (and contracting) function has and will continue to require substantial staff effort, and elective procurement processes will continue to lag in timing relative to necessary/more urgent purchasing.

With that said, my office, with Katelyn's support and my office's staff support, and with KP Law's support as needed, will do our best to maintain operations during this period of transition.

cc: Katelyn Bradstreet, DPW Business Manager/Purchasing Assistant
Jennifer Walsh, Town Accountant

¹ Under the Inspector General's Chapter 30B Manual, an excerpt of which is enclosed, I as Town Manager may be the appointing authority. However, I don't find this totally clear, so bring this to the Board as a "belt and suspenders" approach.

² Current active procurement efforts include: Town Hall Painting; Page School Facilities Assessment; Dole Place Study; Invasive Plant Management; Paving contract; with additional anticipated/necessary upcoming procurement processes including Investment Services; design/engineering services for Town Center traffic calming funded by State earmark; Church/Prospect procurement of pipe/materials, then later procurement of construction services; Ash Tree treatments; cable TV server upgrade to be funded by PEG funds; and purchase of multiple major vehicles as authorized by Town Meeting (Sidewalk Plow; Fire Truck; Police Cruiser). In addition, the CPO is routinely consulted regarding procurement questions, such as regarding recent or imminent procurement of a fence contractor for work at Bachelor and Pipestave; and restoration work at Pipestave Field 6.

Notice of Appointment of Chief Procurement Officer

Please complete the attached “Notice of Appointment of Chief Procurement Officer” form if your jurisdiction has appointed a Chief Procurement Officer (CPO) as defined by the provisions of M.G.L. c. 30B, § 2.

Before a CPO is appointed, you should review all local charter, bylaw and ordinance provisions and make any changes needed to centralize purchasing for all departments.

In a city or town that has **appointed a statutory purchasing** agent pursuant to M.G.L. c. 41, § 103, the **purchasing agent will automatically be the CPO under Chapter 30B**.

For any other municipality which has not accepted said section, the CPO is an individual duly appointed by:

Jurisdiction	Appointing Authority
In a <u>city or town</u> with applicable charter or bylaw provisions	The charter or bylaw provision governs
In a <u>city</u> without an applicable charter or bylaw provision	The city manager
In a <u>town</u> without an applicable charter or bylaw provision	The town manager
In a <u>town</u> without either an applicable charter or bylaw, or a town manager	The board of selectmen
In a <u>county</u> with a county executive	The county executive
In a <u>county</u> without a county executive	The county commissioners
In a <u>district</u> with a prudential committee	The prudential committee
In a <u>district</u> without a prudential committee	The district commission
In a <u>regional school district</u>	The district committee
In a <u>housing authority, redevelopment authority, or other local jurisdiction</u> subject to Chapter 30B	The governing body

Please note: the appointment is specific to the position, NOT the employee

Notice of Appointment of Chief Procurement Officer
(Type or print legibly)

1. I hereby provide notice to the Office of the Inspector General of the appointment of a Chief Procurement Officer as defined by the provisions of M.G.L. c. 30B, § 2.

Jurisdiction Name: _____

Department: _____

CPO's Title/Position: _____

Name of CPO: _____

CPO Phone #: _____ **Ext.** _____ **MCPPO** **Yes** **No**

Current CPO's Email Address: _____

Date of Appointment: _____

2. This appointment is conditioned upon compliance with M.G.L. c. 30B, all applicable statutes, rules, regulations, charters, ordinances, or bylaws, and subject to the following **additional (optional) jurisdictional requirements**:

Completion of the following MCPPO course(s):

Public Contracting Overview Design & Construction Contracting
 Supplies and Services Contracting Other _____

Other additional requirements (**specify in an attachment**)

3. This appointment shall remain in effect until revoked or amended. Otherwise, this appointment shall expire on: _____

Full name of the person appointing the CPO: _____

Title: _____

Office Address: _____

Office Telephone: _____ **Ext.** _____ **MCPPO** **Yes** **No**

Email Address of Appointing Employee: _____

Signature: _____ **Date:** _____

I attest under pains and penalties of perjury, the above information is accurate.

Mail the original copy of this form to: Office of the Inspector General, One Ashburton Place, Room 1311,
Boston, MA, 02108-1518, Attn: CPO Appointments.



West Newbury Water Dept.

381 Main Street
West Newbury, MA 01985
(978) 363-1100 Ext. 127

RECEIVED

MAY 01 2023

TOWN MANAGER
TOWN OF WEST NEWBURY

To: West Newbury Town Manager and West Newbury Select Board

Date: April 24, 2023

From: Board of Water Commissioners

The Water Commissioners would like to express their concern that Article 5 and Article 6 were drafted, voted on by the Select Board and Finance Committee and published in Finance Committee Booklet of the Annual and Special Town Meeting without any advanced notice or request for input from the Board of Water Commissioners. Both Articles directly impact the responsibilities of the Board of Water Commissioners as described under the provisions of Chapter 38 of the Acts of 1936. The Board of Water Commissioners request that any future Article drafted by the Town Manager and/or Select Board, that may involve the roles and responsibilities of the Board of Water Commissioners as directed by Chapter 38 of the Acts of 1936, be presented to the Board of Water Commissioners for its input well in advance of being published and/or presented to the Town at an Annual Town Meeting.

Respectfully,

West Newbury Water Commissioners

This institution is an equal opportunity provider and employer

Town Manager

From: Town Manager
Sent: Thursday, May 4, 2023 3:18 PM
To: Mark Marlowe; Bob Janes (icepick185@gmail.com); Corcoran, Larry; John Duggan
Cc: WNWater
Subject: BOWC letter April 24

Mark/BOWC,

Thank you for your letter to my office and the Select Board dated April 24th. I know that the Select Board would be very glad to meet with the BOWC in the near term, and would look forward to doing so, to revisit various ongoing items of shared interest. The Select Board's next regularly scheduled meeting is this Tuesday, May 9th, and at that time they'll reorganize as is typical immediately following an election. The new Chairperson will take the lead on scheduling, but I wanted to give you a heads-up that the Board, or I on their behalf, will be reaching out coming out of Tuesday's meeting to see about getting a joint meeting scheduled.

At their meeting on Tuesday, the Board will also include the April 24 BOWC letter as an agenda item. While no attendance from the BOWC is specifically expected, I did want to make you aware that this item would be agenda'd. Of course, if the BOWC would like to attend Tuesday's Select Board mtg, you would be welcome to do so.

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



April 24, 2023 Annual Town Meeting Revised Motion and Explanation for Article 5

ARTICLE 5: In accordance with the provisions of Chapter 38 of the Acts of 1936, to see what instructions, rules, and regulations the Town may wish to impose on the Board of Water Commissioners, or take any other action relative thereto.

MOTION: I move that the Town vote to instruct the Board of Water Commissioners to:

- a. Designate a member to participate in a negotiating team consisting of one Board of Water Commissioners member, one Select Board member, and the Town Manager. This team will negotiate a draft agreement with the City of Newburyport addressing water related rights, to be presented for approval by the Board of Water Commissioners and Select Board no later than December 31, 2023, and;
- b. Participate in the creation of a long-range, comprehensive financial plan for the Water Department produced by the Town Manager's office in its capacity as the Town's Chief Financial Officer, to be completed by December 31, 2023.

EXPLANATION

The last inter municipal agreement with the City of Newburyport governing the purchase of water was executed in 1980. As a result of State law limiting the duration of inter municipal agreements to 25 years, this agreement has not been in legal effect since 2005. The Select Board views the lack of an agreement protecting the rights of West Newbury as an immediate concern. This agreement should solidify the Water Department's right, for the foreseeable future, to purchase at least 175,000 gallons of water per day from the City of Newburyport. This purchase should be at a reasonable wholesale rate in lieu of the much higher retail rate currently being paid. The agreement should also address the interests of the Town relative to water infrastructure projects proposed by the City of Newburyport to be located within the Town of West Newbury. Members of the negotiating team would present the results of these negotiations to their respective Boards with the intent of preparing a draft agreement suitable for execution, no later than December 31, 2023.

The long-range comprehensive financial plan would model the financial needs of the Town's Water Department, including its operating revenues and expenses, capital expenditures and all borrowings, including interest costs and principal payments. It would also forecast the cash requirements, retained earnings, free cash, and stabilization balances, resulting from Water Department's activities. The plan would be comprehensive in nature and look out at least 15 years. The plan will be completed by December 31, 2023 and submitted to the Finance Committee for review. On acceptance of the plan as complete, the Finance Committee will present the plan, with its recommendations, to the Board of Water Commissioners, the Select Board and the Town.

Town Manager

From: Town Manager
Sent: Friday, March 31, 2023 11:44 AM
To: Mark Marlowe; Bob Janes (icepick185@gmail.com); Corcoran, Larry; John Duggan
Subject: Dole Place peer review RFQ
Attachments: 2023-WN-004 Dole Place peer review RFQ.pdf; SB memo Dole Place 1-16-23.pdf

Mark/BOWC,

As set out in the Select Board's Jan 16 memo to you (attached), they have moved forward toward engaging a consultant to advance their consideration of the Dole Place property. As you know, there will be an article on the spring Town Meeting warrant requesting funding to support this work. The attached RFQ was issued recently, in hopes that we'll receive proposals from qualified consultants in advance of Town Meeting.

If the decision is made to conduct additional site testing (for water quality and quantity – since some of the prior testing will need to be re-done), and if the landowner consents to allow this testing, it is anticipated that additional funding could be sought at the Fall Town Meeting to support that work. The Select Board's goal would be to make a decision regarding whether to propose public acquisition of the Dole Place property in advance of the spring 2024 Town Meeting cycle. The work sought through the attached RFQ will help to inform this decision.

Thanks,
Angus

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



Town of West Newbury

Select Board

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

selectboard@wnewbury.org

To: Board of Water Commissioners

From: Select Board

Re: Dole Place Update

Date: January 16, 2023

As you are probably aware, the topic of Dole Place has been on our Executive Session meeting agendas for most of the last six months. There are a number of legal and financial issues at play, and we want to be sure that we've addressed all of them before moving forward with the acquisition of the property.

Up until last week, we thought we were ready to do so and had drafted a letter to the owner and her representative notifying them of our intent and inviting them to once again consider setting a purchase price. It came to our attention, however, that some technical and permitting issues had not been considered and we're in the process of resolving them now with the assistance of Water Department staff, Tata and Howard and Mass DEP.

We have decided to contract the services of an engineering consultant to provide a second opinion on the costs of developing the property as a water supply. We also need to understand the implications of sea level rise and increasing the permitted yield. These have not been fully addressed by Tata and Howard and given the cost and potential legal action we will be asking taxpayers to shoulder; we have to be certain that we are making decisions based on sound engineering.

Given that the town will be either the purchasing entity or the one taking legal action in the acquisition process, it is essential that any communication with the owner or her representative come from the Town Manager after consultation with legal counsel. We can't stress enough how sensitive this situation is and that any requests or statements made must be consistent with the overall strategy we're following to successfully acquire this property.

Town Manager

From: Town Manager
Sent: Monday, May 1, 2023 4:36 PM
To: Mark Marlowe; WNWater
Cc: Bob Janes (icepick185@gmail.com); Corcoran, Larry; John Duggan
Subject: Updated ESTIMATED debt service schedule, Water
Attachments: West Newbury Est. 25yrs.pdf

Mark/BOWC,

Following Town Meeting's approval of the \$2.7M borrowing authorization, I asked our financial advisor (Hilltop Securities) to prepare an updated estimate of debt service that would result from borrowing that amount (in spring/early summer 2024), and combining with that amount the conversion of the then-remaining principal amount of the current Bond Anticipation Notes (BANs) to long-term debt.

The attached schedule shows an assumed 25-year bond issue, with an assumed interest rate of 4.75%. Obviously, all factors are subject to change: amount of borrowing, timing of borrowing, length/term of borrowing, and interest rate. However, this provides a snapshot of a hypothetical scenario, and is provided for planning purposes.

I would be happy to attend a future BOWC mtg to discuss this further. I would also like to review with the BOWC the approved FY24 budget, in the event there may be any questions re my office's estimate that either a rate increase or a transfer from Water Retained Earnings or Stabilization (at the Fall Town Meeting) will be needed in order for MassDOR to approve the water budget within the FY24 tax rate setting process next fall/winter. (See my email to you of 3/29/23 for more details).

Thanks,
Angus

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

Town of West Newbury, Massachusetts
\$3,680,000 General Water Bonds; Dated May 15, 2024
Issue Summary - Level Debt Service 25yrs
Interest Estimated, Subject to Change

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
06/30/2024	-	-	-	-
06/30/2025	80,000.00	4.750%	174,800.00	254,800.00
06/30/2026	80,000.00	4.750%	171,000.00	251,000.00
06/30/2027	90,000.00	4.750%	167,200.00	257,200.00
06/30/2028	90,000.00	4.750%	162,925.00	252,925.00
06/30/2029	95,000.00	4.750%	158,650.00	253,650.00
06/30/2030	100,000.00	4.750%	154,137.50	254,137.50
06/30/2031	105,000.00	4.750%	149,387.50	254,387.50
06/30/2032	110,000.00	4.750%	144,400.00	254,400.00
06/30/2033	115,000.00	4.750%	139,175.00	254,175.00
06/30/2034	125,000.00	4.750%	133,712.50	258,712.50
06/30/2035	130,000.00	4.750%	127,775.00	257,775.00
06/30/2036	135,000.00	4.750%	121,600.00	256,600.00
06/30/2037	135,000.00	4.750%	115,187.50	250,187.50
06/30/2038	145,000.00	4.750%	108,775.00	253,775.00
06/30/2039	150,000.00	4.750%	101,887.50	251,887.50
06/30/2040	160,000.00	4.750%	94,762.50	254,762.50
06/30/2041	170,000.00	4.750%	87,162.50	257,162.50
06/30/2042	175,000.00	4.750%	79,087.50	254,087.50
06/30/2043	185,000.00	4.750%	70,775.00	255,775.00
06/30/2044	190,000.00	4.750%	61,987.50	251,987.50
06/30/2045	205,000.00	4.750%	52,962.50	257,962.50
06/30/2046	210,000.00	4.750%	43,225.00	253,225.00
06/30/2047	225,000.00	4.750%	33,250.00	258,250.00
06/30/2048	230,000.00	4.750%	22,562.50	252,562.50
06/30/2049	245,000.00	4.750%	11,637.50	256,637.50
Total	\$3,680,000.00	-	\$2,688,025.00	\$6,368,025.00

Yield Statistics

Bond Year Dollars.....	\$56,590.00
Average Life.....	15.378 Years
Average Coupon.....	4.750000%
Net Interest Cost (NIC).....	4.750000%
True Interest Cost (TIC).....	4.750000%
Bond Yield for Arbitrage Purposes.....	4.750000%
All Inclusive Cost (AIC).....	4.750000%

IRS Form 8038

Net Interest Cost.....	4.750000%
Weighted Average Maturity.....	15.378 Years

Town Manager

From: KP Law, P.C. <KPLAW@k-plaw.com>
Sent: Wednesday, March 15, 2023 5:43 PM
To: KP Law, P.C.
Subject: KP Law eUpdate - URGENT - PFAS Informational Webinar TOMORROW - March 16, 2023 @ 2:00 p.m.

Importance: High

IMPORTANT PFAS UPDATE:

ON MARCH 14, 2023, THE EPA PROPOSED STRINGENT NEW MANDATORY PFAS MAXIMUM CONTAMINANT LEVELS (MCLs) IN WATER:

Why is this important? Among other reasons:

- PFAS contaminants (PFOA and PFOS) will be subject to a Maximum Contaminant Level (MCL) of 4 ppt (parts per trillion). This will be determined by a running annual average. The MCLG for PFOA and PFOS will be zero.
- Four additional PFAS contaminants (PFNA, PFHxS, PFBS, and GenX) will be subject to a MCL determined by a unitless "hazard index" which will be the sum of the individual ratios of these four PFAS. This is intended to regulate the individual chemicals plus a mixture of these chemicals.
- The rule contains standard monitoring, public notice, and treatment requirements.
- EPA is taking comments for 60 days on the proposed rule, as well as its decision to regulate the four additional PFAS. The rule is expected to be finalized at the end of 2023 or the beginning of 2024. Compliance will begin three years after the final rule is promulgated.

KP LAW AND NAPOLI SHKOLNIK HAVE PARTNERED TO HELP MUNICIPALITIES ACCESS FUNDS TO PAY FOR REMEDIATION COSTS THAT MAY BE INCURRED DUE TO THIS NEW RULE.

As a service to our clients where we serve as Town Counsel/Town Attorney/City Attorney/City Solicitor, as well as those where we serve as Labor and Employment Counsel or as special counsel, we are offering a free webinar TOMORROW, March 16, 2023 at 2:00 p.m. We invite you all to join the firm of Napoli Shkolnik, as well as Hank Naughton, to learn about this important subject.

KP Law and Napoli Shkolnik Environmental invite you to a scheduled Zoom meeting to discuss:

Topic: PFAS Cost Recovery Program
Time: Mar 16, 2023 02:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/87665652917?pwd=UURnNzhhZlhJSkZDOW9icFBTZklsUT09>

Meeting ID: 876 6565 2917
 Passcode: 607482
 One tap mobile
 +19292056099,,87665652917#,,,,*607482# US (New York)
 +16469313860,,87665652917#,,,,*607482# US

KP | LAW

101 Arch Street, 12th Floor
 Boston, MA 02110

Executive Assistant

From: Timothy D. Zessin <TZessin@k-plaw.com>
Sent: Thursday, March 30, 2023 12:20 PM
To: Town Manager
Subject: RE: PFAS link

Angus,

I recommend the following motion for this purpose:

“I move for the Town to join the National Rural Water Association PFAS Contamination Lawsuit and, further, to authorize the Town Manager take any necessary steps to allow the Town to join the lawsuit.”

Let me know if you have any questions.

Tim

Timothy D. Zessin, Esq.
KP | LAW
101 Arch Street
12th Floor
Boston, MA 02110
Phone: 617 763-9099
Fax: 617 654-1735
E-mail: tzessin@k-plaw.com

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From: Town Manager <townmanager@wnewbury.org>
Sent: Thursday, March 30, 2023 10:47 AM
To: Timothy D. Zessin <TZessin@k-plaw.com>
Subject: Re: PFAS link

Could your or Mark Reich provide a recommended form of motion for the Select Board to vote? 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

Sent from mobile device

On Mar 30, 2023, at 10:40 AM, Timothy D. Zessin <TZessin@k-plaw.com> wrote:

Hi Angus,

I think the easy answer is that the town should join the litigation; otherwise you won't share in any of the settlement proceeds. Attached is the slides that were presented by my colleague Mark Reich during the virtual presentation.

Tim

Timothy D. Zessin, Esq.

KP | LAW

101 Arch Street

12th Floor

Boston, MA 02110

Phone: 617 763-9099

Fax: 617 654-1735

E-mail: tzessin@k-plaw.com

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From: Town Manager <townmanager@wnewbury.org>

Sent: Thursday, March 30, 2023 10:11 AM

To: Timothy D. Zessin <TZessin@k-plaw.com>

Subject: Re: PFAS link

Is this an easy answer (re what action KP is recommending)? I'm wondering if your office may be working on a more detailed update/recommendation you'd be sending around to all of your clients?

I did not have time to attend the recent Napoli webinar but our new Water Superintendent Mark Marlowe participated and keeps pressing me as to whether/when the Select Board will sign on. While I shared the recent email with the Board, I wouldn't bring anything for Board action until I know what action I'm requesting.

(BTW Mark got his T-2 Treatment License last Friday from the Board of Licensure, so is officially the new Superintendent). Thanks -

Angus Jennings, Town Manager

Town of West Newbury

Town Office Building

381 Main Street

West Newbury, MA 01985

Executive Assistant

From: Shaun Suhoski <ssuhoski@townofathol.org>
Sent: Tuesday, April 18, 2023 1:26 PM
To: Town Manager
Subject: Re: Engagement with PFAS litigation?

We joined early in the process more as a preventative measure. The scope of this issue is still expanding and being part of the larger lawsuit seemed more manageable for our community.

Shaun

From: stammembers@googlegroups.com <stammembers@googlegroups.com> on behalf of Town Manager <townmanager@wnewbury.org>
Sent: Tuesday, April 18, 2023 1:08 PM
To: stammembers@googlegroups.com <stammembers@googlegroups.com>
Subject: STAM Listserv- Engagement with PFAS litigation?

Hi all,

West Newbury (like many other communities) has been asked to join the National Rural Water Association PFAS Contamination lawsuit (more info [here](#)). On the advice of Town Counsel, I believe our Select Board is inclined to sign onto this. However, we wanted to first reach out to other small towns to see if others either have or haven't joined this effort, and if so what was the thinking?

Happy to compile responses and share them -

Thanks in advance,
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

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You received this message because you are subscribed to the Google Groups "STAMmembers" group.

To unsubscribe from this group and stop receiving emails from it, send an email to stammembers+unsubscribe@googlegroups.com.

To view this discussion on the web visit

<https://groups.google.com/d/msgid/stammembers/MN2PR13MB31830112671030FAAFA238FC89D9%40MN2PR13MB3183.namprd13.prod.outlook.com>.

Executive Assistant

From: Beckley, Stuart <sbeckley@townofware.com>
Sent: Tuesday, April 18, 2023 3:23 PM
To: Town Manager
Subject: RE: Engagement with PFAS litigation?

Hi Angus.

Ware has joined, despite currently not having a PFAS limit issue. I am not sure where it will head or end up, but we did not have a terrible experience with the Opioid lawsuit, so we joined this after also talking with Town Counsel.

I just had a quick meeting with one of the attorneys to complete a fact sheet for the town.

Good luck,

Stuart

From: stammembers@googlegroups.com <stammembers@googlegroups.com> **On Behalf Of** Town Manager
Sent: Tuesday, April 18, 2023 1:08 PM
To: stammembers@googlegroups.com
Subject: STAM Listserv- Engagement with PFAS litigation?

CAUTION: This email originated from outside of the Town of Ware organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi all,

West Newbury (like many other communities) has been asked to join the National Rural Water Association PFAS Contamination lawsuit (more info [here](#)). On the advice of Town Counsel, I believe our Select Board is inclined to sign onto this. However, we wanted to first reach out to other small towns to see if others either have or haven't joined this effort, and if so what was the thinking?

Happy to compile responses and share them -

Thanks in advance,
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

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You received this message because you are subscribed to the Google Groups "STAMmembers" group. To unsubscribe from this group and stop receiving emails from it, send an email to

Town Manager

From: KP Law, P.C. <KPLAW@k-plaw.com>
Sent: Wednesday, August 18, 2021 5:09 PM
To: KP Law, P.C.
Subject: KP Law, P.C. eUpdate - PFAS Litigation
Attachments: PFAS fact sheet Napoli KP Law.zip; PFAS eUpdate.pdf

Municipalities and districts throughout the state are confronting the possibility that they will have to invest in remediating PFAS contamination. In October, 2020, the new regulations promulgated by the Department of Environmental Protection (“DEP”) took effect, seeking to “promote the public health and general welfare by preventing the pollution and securing the sanitary protection of all such waters used as sources of water supply and ensuring that public water systems in Massachusetts provide to the users thereof water that is safe, fit and pure to drink safer drinking water”. The DEP regulations lowered the amount of PFAS that could appear in a water supply, reducing it from 70 parts per trillion to 20 parts per trillion; in short, a municipality that was deemed compliant with the old regulations may well be noncompliant with the new regulations. As more information about the dangers of PFAS contamination becomes known, many similar cases have been filed against manufacturers and distributors. For that reason, the cases concerning PFAS contamination are being handled by Federal Court system as a “multi-district litigation”, with the goal of making manufacturers and distributors of PFAS products take financial responsibility for, among other things, the contamination of water supplies resulting from the use of such products, and the resulting litany of illnesses, as well as economic and other losses. Understanding that municipalities and districts have limited resources, we have partnered with a nationally known law firm with strong Massachusetts connections to assist municipalities and districts who wish to participate in the MDL.

See the attached eUpdate and fact sheet for more information.

KP | LAW

101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 556 0007
F: (617) 654 1735
www.k-plaw.com

Disclaimer: This information is provided by KP Law, P.C as a service. This information is general in nature and does not, and is not intended to, constitute legal advice. Neither the provision nor receipt of this information creates an attorney-client relationship with KP Law, P.C. Whether to take any action based upon the information contained herein should be determined only after consultation with legal counsel.

PFAS Litigation

Numerous municipalities (including districts) throughout the Commonwealth are impacted by PFAS chemical contamination within their water supplies. These chemicals, which leach into the water from waste materials, create significant health concerns and result in extensive and expensive remediation measures. Many municipalities have already appropriated significant funds to address these conditions, placing an additional strain on already stretched local resources. However, it is possible that third parties responsible for the production of these chemicals may instead be held responsible for the costs of remediation.

In the interest of addressing these mounting municipal costs, KP Law is excited to announce that it has formed a strategic partnership with the nationally known law firm Napoli Shkolnick PLLC to provide a mechanism by which municipalities may seek compensation for the costs of PFAS contamination. Multi-District Litigation (MDL) brought in federal court on behalf of municipalities will allow participating municipalities to present damages claims and seek direct monetary relief. Litigation will be pursued on a contingent fee basis, meaning that the participating municipalities will incur no legal fees unless the litigation is successful. Any such fees for legal services would be derived from damages received or awarded.

Leading the Napoli Shkolnik effort in Massachusetts will be Managing Partner Hank Naughton. Attorney Naughton served in the Massachusetts House from 1995 to 2021, has long been a leader in water quality protection issues, and has a deep understanding of local government from his time with the Town of Clinton and at the State House.

A brief PFAS fact sheet is attached.

Please contact [Attorneys Lauren F. Goldberg](#), [Mark R. Reich](#), [Jonathan M. Silverstein](#) to learn more about the PFAS MDL.

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THE LEADER IN PUBLIC SECTOR LAW

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EMERGING CONTAMINANTS

CHEMICAL TOXINS MAY BE POISONING YOUR COMMUNITY

PFAS: THE FOREVER CHEMICAL

PFAS, PFOA and PFOS are being found increasingly in the groundwater and drinking water supplies in communities throughout the country.

Environmental and Health Concerns

PFAS can remain in the environment, particularly in water, for many years and can move through air, soil and into groundwater. PFAS has also been found to bioaccumulate in humans and animals.

One of the most often cited studies was conducted by the C8 Science Panel, formed as the result of a settlement in a class action lawsuit against DuPont, found a probable link between PFOA and the following six diseases:

- Kidney Cancer
- Testicular Cancer
- Ulcerative Colitis
- Thyroid Disease
- Pregnancy Induced Hypertension (including preeclampsia)
- Hypercholesterolemia

Who is responsible?

PFOA was produced by eight major U.S. companies, including: Arkema, Asahi, Ciba, Clariant, Daikin, DuPont, 3M/Dyneon, Solvay, and Solaxis. PFOS was solely produced by one company in the United States: 3M Company. Although these manufacturers agreed to phase-out AFFF containing PFAS several years ago, recent testing has led to the discovery of widespread contamination in drinking water supplies in many states.

(Littleton, MA) Partner Hank Naughton attended the ground-breaking for the the new 10,500-square-foot water treatment plant to remove PFAS chemical compounds, which were first discovered at elevated levels in one drinking water source in 2019.



HANK NAUGHTON: LEAD LOCAL COUNSEL



The Clinton, MA Water Treatment Plant is named after Hank's father.

Hank Naughton, from Clinton, Mass., has taken a leadership role advising clients whose water supplies have been negatively impacted by the use of PFOA and PFAS by airports, military bases and local industries.

His appreciation of these issues grew from observing his own father's 40 years of work with the Clinton Water Department.

Having served in the Massachusetts House from 1995 to 2021, Hank consistently and successfully advocating for environmental and water protection throughout the Commonwealth.

Hank is a decorated Army Veteran of multiple tours in Iraq, Afghanistan, Central Africa and elsewhere.

PAUL NAPOLI: LEAD LITIGATION COUNSEL

Mr. Paul Napoli will be serving as our lead trial attorney in this litigation against the manufacturers of PFAS. Paul is nationally renowned for his leadership in environmental mass torts, complex liability cases, and representing municipalities, with more than 25 years of experience.

Paul has been appointed as Co-Lead Counsel in this case by the presiding judge and he will continue to be at the table for every significant decision, procedure and activity. The case involves a variety of plaintiffs and claims brought on behalf of negatively impacted municipalities, states and public water districts.

PAUL J. NAPOLI, *Of Counsel*

Co-Lead Counsel in the AFFF Products Liability Litigation

ABOUT NAPOLI SHKOLNIK PLLC

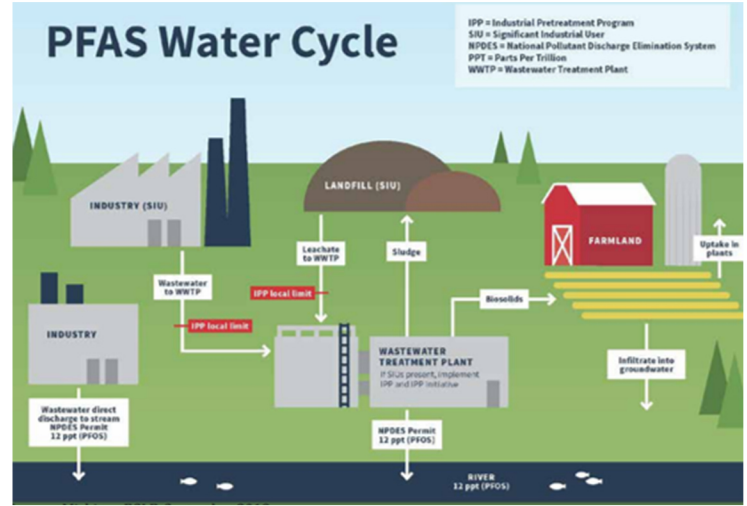
Attorneys at Napoli Shkolnik consistently achieve settlements and jury awards involving multiple millions of dollars for plaintiffs. They are involved in many high-level negotiations that have resulted in favorable settlements for their clients such as the \$320M Cuyahoga Opioid Settlement, the \$1B World Trade Center Litigation, and the \$50M MTBE settlement, among many others.

PFAS AND LANDFILLS

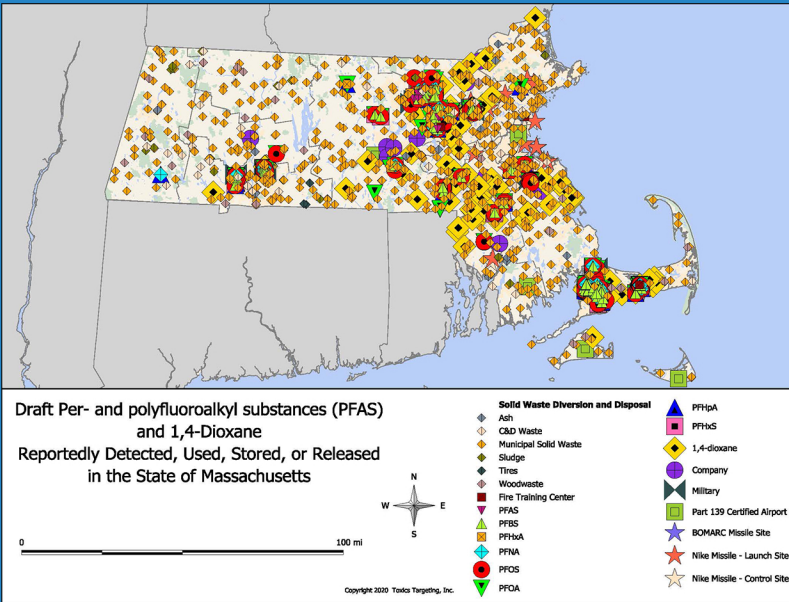
Landfills are PFAS sources because the chemical can leach from the waste materials, which then drain to leachate collection systems that might be discharged to the local wastewater treatment plant. At older, unlined landfills, this leachate may seep directly into the ground and pose a threat to groundwater.

Sources include:

- PFAS-impacted industrial waste
- Sewage sludge from wastewater treatment facilities
- PFAS-bearing consumer wastes, food waste
- Any industrial, commercial or consumer products landfilled since the 1950s



1,4-DIOXANE: A LIKELY CARCINOGENIC*



The chemical 1,4-Dioxane is a solvent stabilizer frequently found at contaminated sites where methyl chloroform (1,1,1-trichloroethane) was used for degreasing. It is fully miscible in water and is among the most mobile organic contaminants, which is why it is frequently found farther downgradient than the leading edge of a solvent plume.

In addition to solvent and degreasing applications, 1,4-Dioxane is frequently found as a chemical contaminant in cosmetics and personal care products such as deodorants, laundry detergents, shampoos, toothpastes and mouthwashes. It has been linked to tumors of the liver, kidneys, and nasal cavity. It is also a known eye and respiratory tract irritant that readily absorbs through the skin.

1,4-Dioxane is unstable at elevated temperatures and pressures and may form explosive mixtures with prolonged exposure to light or air. It is resistant to biodegradation in water and soil and moves rapidly from soil to groundwater.

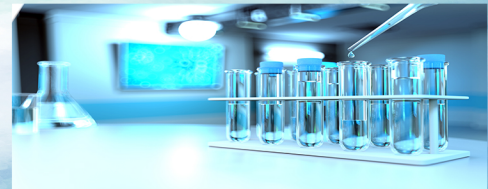
TREATMENT AND REMEDIATION

Water Treatment

- Granular Activated Carbon (GAC)
- Ion Exchange

Soil Treatment

Cleaning Up Legacy Sites



KP LAW: OUR MISSION

The principal expertise of the firm is the practice of public sector law. KP Law represents over one-third of the cities and towns in the Commonwealth as their City Solicitor or Town Counsel. In addition, we provide special counsel services, including serving as labor and employment counsel, to other cities and towns, special districts, housing authorities, municipal light plants, regional transit authorities, and state agencies. The firm's broad range of practice areas includes labor and employment, contracts, real estate, land use, environmental, town meeting, government information and access, procurement and construction.

* With a Lifetime Cancer Risk Guideline for drinking water of 0.35µg/L (micrograms per Liter) by the U.S. EPA. ms.

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Town Manager

From: Town Manager
Sent: Thursday, March 30, 2023 12:37 PM
To: Mark Marlowe; Bob Janes (icepick185@gmail.com); Corcoran, Larry; John Duggan; WNWater
Cc: Paul Sevigny; Jane Krafton
Subject: PFAS litigation
Attachments: 2023 PFAS PPT - General_ KP Law (002).pdf

BOWC,

Following on Mark Marlowe's recent participation in the webinar re the PFAS Contamination lawsuit, we obtained from KP Law the attached slide deck. Their advice to their municipal clients is that the Select Board vote to join the National Rural Water Association PFAS Contamination Lawsuit. The Select Board has been provided this information, and will be asked to consider this action at their next regularly scheduled meeting on April 10th. If you have comments or recommendations you'd like included in the Select Board's meeting packet, please send them my way.

Thanks,
Angus

p.s. Paul/Jane – please share this info with the BOH as well, 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 OF WEST NEWBURY

K

James RW Blatchford
Town Clerk

381 Main Street
West Newbury, MA 01985
978-363-1100 ext. 110
Townclerk@wnewbury.org

May 5, 2023

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

Dear Mr. Jennings,

The following is a report of items voted at the Spring Special Town Meeting which convened on April 24, 2023 and adjourned the same date, together with other votes affecting the finances of the Town.

Pursuant to the Warrant issued by the Select Board on April 7, 2023, which was posted on April 10, 2023 according to law by Constable Brian Richard, who made proper return of his doings thereon, the Spring Special Town Meeting was to be held on April 24, 2023 at the Town Annex, 379 Main Street, West Newbury, MA. The meeting was called to order at 8:00 P.M. by the Town Clerk James RW Blatchford, upon report of a quorum of 90 or more registered voters. 280 voters were in attendance.

ELECTION OF TEMPORARY MODERATOR

With the elected Town Moderator Kathleen C. Swallow absent, the Town Clerk presided over the election of a Temporary Town Moderator for this Town Meeting.

Select Board member David Archibald nominated Michael P. McCarron as Temporary Town Moderator.

The motion was seconded from the floor by a member of Town Meeting.

Hearing no other nominations, the Town Clerk closed nominations.

There was a motion that was properly seconded from the floor of Town Meeting that the Chair of the Select Board cast the sole ballot for Michael McCarron as Temporary Town Moderator.

With there being no discussion, the Town Clerk called for a vote, and declared that the Motion carried.

The Chair of the Select Board David Archibald cast the sole ballot for Temporary Town Moderator. After having reviewed and counted the ballot cast, the Town Clerk declared Michael McCarron had been elected Temporary Town Moderator. The Town Clerk administered the Oath of Office and swore in the Town Moderator.

The Town Moderator asked the Town Clerk to read the return of service. There were no objections to non-resident Town Officials who were in attendance addressing the meeting, if necessary.

ARTICLE 1.

The Finance Committee unanimously recommended approval of this Article.

Select Board member David Archibald moved that the Town vote to transfer from Free Cash the sum of \$54,198.43 to fund the existing year snow and ice deficit during fiscal year 2023.

The motion was seconded from the floor by a member of Town Meeting.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried.

ARTICLE 2.

The Finance Committee recommended disapproval of this article 2-3-1.

Select Board member Richard Parker moved that the Town vote to transfer from Free Cash the sum of \$60,180 to fund an inoculation treatment program for ash trees within public rights-of-way against the effects of the Emerald Ash Borer, with any remaining funds to be closed out to the general account fund balance at the close of Fiscal Year 2024.

The motion was seconded by Select Board member David Archibald.

Tree Committee Chair Fred Chanania spoke in favor of this article, explaining the four different tiers of West Newbury Ash Trees.

Finance Committee member Walter Burmeister moved to amend the amount of the article from \$60,180 to \$18,700.

The motion was seconded from the floor by a member of Town Meeting.

Mr. Burmeister spoke in favor of lowering the amount expended and explained why the majority of Finance Committee members felt the lower amount was more appropriate of an expenditure.

With there being no further discussion on the amendment, the Town Moderator called for a vote, and declared that the Motion failed.

With there being no further discussion on the original motion, the Town Moderator called for a vote, and declared that the Motion carried.

ARTICLE 3.

The Finance Committee unanimously recommended approval of this Article.

Open Space Committee member Carol Decker moved that the Town vote to transfer from Free Cash the sum of \$20,000 to fund professional invasive species management on town-owned land, with any remaining funds to be closed out to the general account fund balance at the close of Fiscal Year 2025.

The motion was seconded by Select Board member David Archibald.

Ms. Decker spoke briefly on the current situation regarding invasive plant species in town. With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried.

ARTICLE 4.

The Finance Committee unanimously recommended approval of this Article.

Select Board member Wendy Reed moved that the Town vote to transfer from Free Cash the sum of \$50,000 to fund an engineering study related to property located at 31 Dole Place, with any remaining funds to be closed out to the general account fund balance at the close of Fiscal Year 2024.

The motion was seconded by Select Board member David Archibald.

There was a question from the floor of Town Meeting regarding the Article and if a similar study had already been conducted. The Town Manager explained that a similar study had been done however the previous water quality testing had expired and needed to be renewed as well as this will be peer reviewing the cost estimates to develop a potential future water source on this site.

With there being no further discussion, the Town Moderator called for a vote, and declared that the Motion carried.

ARTICLE 5.

The Finance Committee recommended approval of this Article 5-0-0.

Water Commissioner Robert Janes moved that the Town vote to transfer from Water Retained Earnings the sum of \$140,000 for the purchase of water from the City of

Newburyport and to replenish the line items within the FY 2023 Water Operating Budget that were utilized to pay water bills, with any remaining funds to be closed out to the Water enterprise fund at the close of Fiscal Year 2023.

The motion was seconded by Select Board member David Archibald.

Mr. Janes presented a report from the Board of Water Commissioners regarding the report naming West Newbury Water Department having an outstanding performance by a small water system in Massachusetts. Additionally, Mr. Janes thanked Mike Gootée the outgoing Water Superintendent and all Water Department staff for their efforts on behalf of the Town of West Newbury. He noted that Mr. Gootée will be recognized at a ceremony at the State House on May 11th.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 6.

The Finance Committee recommended approval of this Article 5-0-0.

Water Commissioner Robert Janes moved that the Town vote to transfer from Water Stabilization the sum of \$3,865 for the purchase of equipment and materials to replace the current Master Meter, with any remaining funds to be closed out to the Water Stabilization fund at the close of Fiscal Year 2023.

The motion was seconded by Select Board member David Archibald.

The Moderator noted that passage requires a 2/3 vote. With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 7.

The Finance Committee recommended approval of this Article 5-0-0.

Water Commissioner Robert Janes moved that the Town vote to transfer from Water Stabilization the sum of \$19,900 for the purchase of equipment and materials for a continuous chlorine monitoring system, with any remaining funds to be closed out to the Water Stabilization fund at the close of Fiscal Year 2024.

The motion was seconded by Select Board member David Archibald.

The Moderator noted that passage requires a 2/3 vote. With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 8.

The Finance Committee recommended approval of this Article 5-0-0.

Water Commissioner Robert Janes moved that the Town vote to transfer from Water Stabilization the sum of \$7,340 for the purchase of equipment and materials for SCADA Remote Terminal Units, with any remaining funds to be closed out to the Water Stabilization fund at the close of Fiscal Year 2024.

The motion was seconded by Select Board member David Archibald.

The Moderator noted that passage requires a 2/3 vote. With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 9.

The Finance Committee recommended approval of this Article 5-0-0.

Water Commissioner Robert Janes moved that the Town vote to transfer from Water Stabilization the sum of \$16,610 for the costs of equipment, materials and labor for repairs to the original Wellfield #1 building, with any remaining funds to be closed out to the Water Stabilization fund at the close of Fiscal Year 2024.

The motion was seconded by Select Board member David Archibald.

The Moderator noted that passage requires a 2/3 vote. With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 10.

The Finance Committee recommended approval of this Article 5-0-0.

Water Commissioner Robert Janes moved that the Town vote to transfer from Water Retained Earnings the sum of \$9,975 for the purchase of equipment and materials to be used for cleaning of the well heads located at Wellfield #1, with any remaining funds to be closed out to the Water Retained Earnings fund at the close of Fiscal Year 2024.

The motion was seconded by Select Board member David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 11.

The Finance Committee recommended approval of this Article 5-0-0.

Water Commissioner Robert Janes moved that the Town vote to transfer from Water Retained Earnings the sum of \$30,000 for the purchase of equipment and materials to be used for the repair and/or replacement of valves, hydrants, water mains, meter pits and/or any other devices that are part of the Town's water distribution system, with any remaining funds to be closed out to the Water Retained Earnings at the close of Fiscal Year 2025.

The motion was seconded by Select Board member David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 12.

The Finance Committee unanimously recommended approval of this Article.

Select Board member Richard Parker moved that the Town take no action on this article. Noting that the Select Board had voted to fund this project with American Rescue Plan Act (ARPA) funds.

The motion was seconded from the floor by a member of Town Meeting.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried, with no action being taken on this article.

ARTICLE 13.

The Finance Committee recommended approval of this Article 5-0-0.

Select Board member Wendy Reed moved that the Town vote to transfer from Free Cash the sum of \$25,000 to fund the purchase of a police cruiser for use by the Police Department, and to dispose of the existing vehicle in accordance with Town policy for disposition of surplus property, with any remaining funds to be closed out to the general account fund balance at the close of Fiscal Year 2023.

The motion was seconded by Select Board member David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried.

ARTICLE 14.

The Finance Committee unanimously recommended approval of this Article.

Park and Recreation Commissioner Brad Buschur moved that the Town vote to transfer from Free Cash the sum of \$4,425 to fund the purchase of an ABI Infield Rascal

Pro infield maintainer or similar product for purposes of field maintenance, with any remaining funds to be closed out to the general account fund balance at the close of Fiscal Year 2024.

The motion was seconded by Select Board member David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 15.

The Finance Committee unanimously recommended approval of this Article.

Park and Recreation Commissioner Brad Buschur moved that the Town vote to transfer from Free Cash the sum of \$9,960 to fund the replacement and repair of the soccer field fencing at Pipestave Athletic Field, with any remaining funds to be closed out to the general account fund balance at the close of Fiscal Year 2024.

The motion was seconded by Select Board member David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried unanimously.

ARTICLE 16.

The Finance Committee recommended approval of this Article 4-2-0.

Select Board member Wendy Reed moved that the Town vote to transfer from Free Cash the sum of \$7,500 to provide matching funds for the One Stop for Growth grant awarded to the Town of West Newbury in FY 2023 for planning and zoning consulting services related to the MBTA Communities Act, with any remaining funds to be closed out to the general account fund balance at the close of Fiscal Year 2025.

The motion was seconded by Select Board member David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried.

RESOLUTION

The Town Moderator recognized Dr. Jillian Knowles from the floor of Town Meeting.

Dr. Knowles moved that the Town vote to approve the resolution as printed on page 36 and 37 in the Finance Committee Booklet presented at Town Meeting.

The motion was seconded by Select Board member Wendy Reed.

Dr. Knowles spoke in favor of adopting the resolution.

The Moderator reminded Town Meeting that this is a non-binding resolution. With there being no further discussion, the Town Moderator called for a vote, and declared that the Motion carried.

ADJOURNMENT

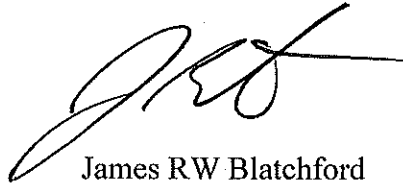
Select Board member Richard Parker moved that the Town dissolve the Special Spring Town Meeting.

The motion was seconded by Select Board member David Archibald.

With there being no discussion, the Town Moderator called for a vote, and declared that the Motion carried.

Town Meeting adjourned at 8:50 PM.

Attest:



James RW Blatchford
Town Clerk

cc: Town Accountant (2)
Select Board
Finance Committee
Park and Recreation Commission
Water Commission
DPW Director
Police Chief
Conservation Agent

TOWN MEETINGS: IMPACTS ON TOWN ACCOUNTS

Balances Report	1/1/2023	Estimated					Unreserved: Available for Appropriation					
		Town Stabilization	Pension Stabilization	School Stabilization	Town Free Cash	Water Stabilization	Water Retained Earnings	CPC Comm Housing	CPC Historical	CPC Open Space	CPC Undesig	CPC Reserve
April 2023 Special Town Meeting	Art #											
Snow & Ice deficit	1				(54,198)							
Ash tree inoculation/treatment	2				(60,180)							
Invasive Species management	3				(20,000)							
Engineering study, 31 Dole Place	4				(50,000)							
Water, FY23 expenses above budget	5						(140,000)					
Water, Master Meter replacement	6					(3,865)						
Water, Continuous Chlorine Monitoring System	7					(19,900)						
Water, SCADA Remote Terminal Units	8					(7,340)						
Water, Wellfield Building #1 repairs	9					(16,610)						
Water, Cleaning wellfield #1 well heads	10						(9,975)					
Water, purchase equipment and materials (valves, hydrants, water mains, meter pits)	11						(30,000)					
Supplemental funding, FY23 Police Cruiser	13				(25,000)							
Purchase Parks & Rec Infield maintenance equipment	14				(4,425)							
Repair/replace field fencing at Pipestave	15				(9,960)							
Grant matching funds, MBTA Communities Act consulting	16				(7,500)							
Estimated Balances after STM		1,955,369	348,618	791,685	1,519,443	406,905	477,479	172,178	301,255	142,178	2,262,301	0

Articles Summary - follow-up steps					WORKING DRAFT 5/5/23
Annual Town Meeting					
#	Article	\$	Lead	Action	Timeline
1	Give votes to election of Town offices	\$ -	n/a	n/a	
2	Hear Town Reports	\$ -	n/a	n/a	
3	School Stabilization Fund	\$ 200,000	Finance	Transfer funds late in FY24	
4	Omnibus Budget	\$ 18,030,563	Finance	Send copies of approved budgets to all DHs and B/C/Cs	Upon final Town Clerk report, Town Acct will send
5	Water instructions, rules, regulations	\$ -	SB/TM	Schedule joint mtg w BOWC	
6	Water operating budget	\$ 1,060,171	Finance	Send copy of approved budget to DH and BOWC	Upon final Town Clerk report, Town Acct will send
7	Water borrowing authorization: Church and Prospect water mains	\$ 2,700,000	Water/Town Mgr/CPO	Hilltop notified. Work w Water re timing, bid process (for pipe)	
8	Septic Loan Revolving Fund	\$ 10,364	Finance	Pay on AP warrant early in FY24	
9	Pension Liability Stabilization Fund	\$ 67,514	N/A. (Article rejected at Town Meeting)		
10	OPEB Liability Stabilization Fund	\$ 6,868	Treasurer	Transfer funds early in FY24	
11	PEG Access and Cable Related Fund	\$ -	Finance	Notify CAC Chair of amount and procedures for incurring costs and paying invoices.	
12	Revolving funds	\$ -	Finance	Notify relevant Chairs of amount and procedures for incurring costs and paying invoices.	
13	CPA allocation of estimated FY24 revenues	\$ 609,037	Town Acct.	Transfer funds early in FY24	
14	Land acquisition, "Sawmill Brook" (off Poor House Lane)	\$ 350,000	Town Mgr, Conservation Agent	Work w/Greenbelt etc. re LAND grant	
15	Transfer CPA Housing Reserve funds to Affordable Housing Trust	\$ 172,178	Treasurer	Transfer funds early in FY24	
16	Replace DPW Sidewalk Plow	\$ 172,000	DPW Director/CPO	Initiate procurement process	
17	Replace Fire Pickup Truck	\$ 117,000	Chief Dwyer/CPO	Initiate procurement process. Will work with MHQ (state bid list).	
18	Design/Planning for Rte. 113 (Main Street) pedestrian/cycling/equestrian safety	\$ 59,500	Town Mgr	Sign contract with TEC.	Completed 4/28/23
19	Restore Field 6 at Pipestave	\$ 15,000	Parks & Rec	Work with Osborne Organics to scope work. Then engage vendor to complete work.	Work should be done in ~August or so.
20	Security Cameras at Page School	\$ 8,300	Chief Dwyer	Authorize purchase, installation.	
21	Fund maintenance/clean-up of Town-owned cemeteries	\$ 4,150	DPW/Bldgs & Grnds		

Articles Summary - follow-up steps					WORKING DRAFT 5/5/23
22	Amend Zoning By-law: Large Ground-Mounted Solar Photovoltaic Installations	\$ -	Town Clerk	Submit approved bylaw, map amendments to Atty General	
23	Amend Zoning By-law: Zoning Recodification	\$ -	Town Clerk	Submit approved bylaw amendments to Atty General	
Special Town Meeting					
#	Article	\$	Lead	Action	Timeline
1	Snow & Ice deficit (amount estimated)	\$ 54,198.43	Town Acct.	Make journal entry to reflect vote.	Completed
2	Ash tree treatments (re Emerald Ash Borer)	\$ 60,180	Katelyn Bradstreet with Tree Committee	Initiate procurement process	Work ongoing
3	Invasive Species Management on Town-owned land	\$ 20,000	Conservation Agent	Initiate procurement process	Immediate
4	Study of land at 31 Dole Place	\$ 50,000	Town Mgr	Get input from prospective vendors. Re-issue modified RFQ	Work ongoing
5	Water: Supplemental FY23 funding for purchase of water from Newburyport	\$ 140,000	Finance	Increase FY23 budget line to reflect change	Completed
6	Water: Replace Master Meter	\$ 3,865	Water Superintendent	Mark is on it. Will let TM/Finance know if any questions or help needed.	
7	Water: Purchase Continuous Chlorine Monitoring System	\$ 19,900	Water Superintendent	Mark is on it. Will let TM/Finance know if any questions or help needed.	
8	Water: Purchase SCADA Remote Terminal Units (RTUs)	\$ 7,340	Water Superintendent	Mark is on it. Will let TM/Finance know if any questions or help needed.	
9	Water: Repairs to Wellfield #1 Building	\$ 16,610	Water Superintendent	Mark is on it. Will let TM/Finance know if any questions or help needed.	
10	Water: Cleaning of Well Heads at Wellfield #1	\$ 9,975	Water Superintendent	Mark is on it. Will let TM/Finance know if any questions or help needed.	
11	Water: Purchase equipment/materials (hydrants, valves, meter pits etc.)	\$ 30,000	Water Superintendent	Mark is on it. Will let TM/Finance know if any questions or help needed.	
12	Page School HVAC replacement	\$ 115,000	N/A. (Work to be funded with ARPA funds)		
13	Supplemental funds for FY23 Police Cruiser purchase	\$ 25,000	Police Chief	Cruiser has been ordered. Transfer of gear from current to new cruiser expected around end of May.	Ongoing
14	Purchase Infield Maintenance equipment (Parks & Rec)	\$ 4,425	Parks & Rec Chair	Order equipment	Ongoing

Articles Summary - follow-up steps					WORKING DRAFT 5/5/23
15	Replace/Repair fencing at Pipestave soccer fields (Parks & Rec)	\$ 9,960	DPW Bus. Admin/P&R Comm	Engage contractor to complete work	Boston Hill Fence given go-ahead on 5/3.
16	Grant Matching Funds: MBTA Communities planning process	\$ 7,500	Town Acct., Town Manager, Town Planner	Establish acct. number, provide to Town Planner. Finalize scope, budget and contract for Water portion of project.	
Resolution	State Flag	\$ -	Town Clerk	Notify Sen. Tarr, Rep. Ramos of Town Meeting approval of non-binding resolution.	

Town Manager

From: Monica Mulcahy (HTS) <Monica.Mulcahy@hilltopsecurities.com>
Sent: Tuesday, May 2, 2023 4:52 PM
To: Town Manager; Town Accountant; Town Treasurer
Cc: Peter Frazier (HTS); Abby Jeffers (HTS)
Subject: West Newbury Draft POS & Tentative Financing Schedule - July 2023 BANs
Attachments: 23-05-02 West Newbury draft BAN POS.pdf; West Newbury Tentative Financing Schedule.pdf

Good Afternoon,

Please find attached a draft Preliminary Official Statement in connection with the Town's upcoming Note issuance. The POS is in great shape due to the Town's recent annual report filing; however, there are minimal updates or confirmations throughout the document that are marked in red. Please forward this information when available and we'll update the document.

Please also find attached a tentative financing schedule in connection with the Notes. Please review and let us know if you see any timing conflicts with the attached schedule and we'll adjust accordingly.

Please let us know if you have any questions once you've had a chance to review.

Thanks!
 Monica

Monica Mulcahy

Hilltop Securities Inc.
 Assistant Vice President | Investment Banker
 54 Canal Street, Suite 320 | Boston, MA 02114
 direct: 617.619.4406 | work mobile: 321.788.6471
Monica.Mulcahy@hilltopsecurities.com | [HilltopSecurities.com](https://www.hilltopsecurities.com)



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

James RW Blatchford,
Town Clerk

TO: Select Board
 FROM: Town Clerk
 CC: Town Manager
 DATE: 05/05/2023
 RE: Draft Summer Board Meeting dates

Looking at the summer schedules for myself and the Town Manager we have come up with a draft schedule for the summer and up to a potential Fall Special Town Meeting date. These dates try to avoid any major Monday holidays and scheduled vacations in the coming future. These dates are a suggestion and any final dates will be set by the Board.

Monday, May 22, 2023
 Monday, June 5, 2023
 Monday, June 26, 2023
 Monday, July 10, 2023
 Monday, July 24, 2023
 Monday, August 7, 2023
 Monday, August 21, 2023
 Tuesday, September 5, 2023
 Monday, September 18, 2023
 Monday, October 2, 2023
 Monday, October 16, 2023
 Fall Special Town Meeting - Monday, October 23, 2023



**Town of West Newbury
Select Board**

Monday, January 30, 2023 @ 7:00pm

381 Main Street, Town Office Building

www.wnewbury.org

Open Session Meeting Minutes- DRAFT

Open Session: Open Session was called to order at 7:05pm by Chairperson Archibald.

Participation at the meeting:

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

Angus Jennings, *Town Manager*

James Blatchford, *Town Clerk*

Christine Marshall, *Council on Aging Director*

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Meeting also accessible by remote participation; see agenda for details <https://www.youtube.com/watch?v=rHprfb51LOM>
- Call for volunteers! Open positions on Boards/Commissions/Committees. See www.wnewbury.org/volunteer
- Reminder to subscribe for emailed Town agendas/news/announcements at www.wnewbury.org/subscribe

Regular Business

A. Request for determination of COA Van as surplus property – COA Director Christine Marshall

Council on Aging Director, Christine Marshall, appeared before the Select Board in person. Marshall stated that due to the retirement of the Council on Aging van driver, the utilization of Northern Essex Elder Transportation (NEET) for transportation to and from medical appointments, and Mini MEVA (formerly known as Ring-and Ride) the Council on Aging van had not been utilized since March of 2022. Marshall presented data from Mini MEVA that outlined the usage of transportation through the service and clarified that the service was not isolated for medical appointment transportation and could be used for shopping trips as well. Marshall and Blatchford explained the service was free, required a reservation two days prior to the requested transportation date, and that there were no age restrictions for the transportation service. Marshall highlighted that while the COA van could hold 7 passengers the MEVA vans could hold 12-14 passengers. **Archibald made a motion to declare the van as surplus. Reed seconded.** The Select Board and Jennings discussed the interest Pentucket School had expressed in purchasing the van. The Select Board members requested the Chief Procurement Officer to get a value on the van. It was decided to hold off on the disposition of the van until further information could be gathered. **Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

B. Review of ERRS proposed 5% Retiree COLA for FY23, FY24

It was stated that the Essex Regional Retirement Board had proposed to increase retiree COLA to 5% for FY23 and FY24. The Select Board discussed the impact on the town assessment and how the increase would be greater than the COLA increase for the existing employees of the town. Jennings stated a decision was not required that night and that it was unknown if any of the other towns had voted in favor of the increase. The Select Board discussed the formula for total costs provided by Essex Regional Retirement and questioned its accuracy. It was decided to table this item until further information was gathered. **No motion was made at this time.**

C. Recap of January 24th School Committee meeting regarding FY24 budgeting

The Select Board and Jennings discussed the operating budget for the Pentucket Region School, the estimated shortfall of \$1.67 million, and the need for an override to pass Town Meeting vote in the other two

Select Board Open Session Meeting January 30, 2023 Minutes approved May XX, 2023

Posted Agenda on 1/26/2023 at the Town Offices and the Town's Official Website www.wnewbury.org

towns of the district. The Select Board and Jennings discussed the benefit of the information sharing sessions between the school and the towns in advance of the Town Meetings. **No motion was made at this time.**

D. Review of known/anticipated articles for Spring 2023 Town Meeting

Jennings and the Select Board reviewed the list of known/anticipated articles for the Spring Town Meeting. It was decided to keep the placeholder for the Solar Bylaw article but to remove the Stormwater placeholder as that would likely appear on the Town Meeting warrant the following year. Jennings informed the Select Board that Town Moderator, KC Swallow, would not be available the day of the Town Meeting. Blatchford explained the process of electing an interim Town Moderator on the floor of Town Meeting. Jennings stated the articles would be presented to the board in a draft order of how would appear at the following meeting. **No motion was made at this time.**

E. Town Manager performance evaluation

It was stated that one of the charges of the Select Board, as the appointing authority of the Town Manager, was to conduct a performance evaluation. Archibald stated that the areas of fiscal management, relationship with the board, town meeting, long-range planning, and staff and personnel relations were evaluated as well as several subcategories within those headings. Archibald that each board member had completed the evaluation and provided feedback on areas to focus improvement. Overall, Archibald stated that the board was in agreement and happy with Jennings' performance. Jennings thanked the board members and stated the evaluation process was a positive experience. **No motion was made at this time.**

F. Meeting minutes: December 6, 2021; December 20, 2021

Clerical errors were noted for correction. **Parker made a motion to approve the minutes. Reed seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

Town Manager Updates

G. Middle Street Bridge updates

Jennings reviewed the status of the Chapter 85 and Chapter 91 permits and stated the MassWorks grant would expire in June if the extension was not granted. Jennings stated BCS was working on an updated cost estimate but projected an estimated \$1 million shortfall. The Select Board and Jennings discussed whether additional grants were available to fill the gap. Jennings reviewed the recent meeting held with Mayor Reardon of Newburyport and asked the board if West Newbury would be willing to commit more funds toward the bridge. The Select Board briefly discussed their initial thoughts on contributing additional funds before deciding to revisit this topic after the status of the MassWorks grant extension was determined. **No motion was made at this time.**

H. RFQ issued for MBTA Communities consultant

Jennings gave an informational update and stated the Planning Board had taken ownership of this item. Jennings informed the Select Board that some questions had been received and the Town Planner had sent the answers to all the firms. Jennings stated the town website would soon have a "Town Projects" page to help communicate updates to the public. **No motion was made at this time.**

I. 2022 CyberStrength training, Final Report Card

Jennings stated the Cyber Security Officer was working on how to build on the cyber security training that was in place. **No motion was made at this time.**

J. Updates re active/pending projects

Jennings stated the intermunicipal agreement for the Animal Control Officer and the finalization of the Summer Recreation budget were in progress. It was stated the negotiations for the Verizon contract and the cable contract were approaching. **No motion was made at this time.**

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

It was stated further information on the budget would appear on the following agendas.

Archibald made a motion to recess to executive session and then adjourn with no further open session. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain). Open session recessed to executive session at 9:27pm.

Open session was resumed at 10:36pm. Archibald made a motion to adjourn. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain). Open session adjourned at 10:36pm.



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

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

TO: Select Board
 FROM: Angus Jennings, Town Manager
 DATE: May 5, 2023
 RE: Agenda Item P, updates

This is to provide brief updates on some of the topics agenda'd for update at the May 9th meeting. Some additional background materials are enclosed, incl. as noted below.

- a) Middle/High School / MassDEP site visit:
- On May 3rd, I was one of fourteen attendees at a site visit with MassDEP, facilitated by the Conservation Agents in the two towns. Site erosion/sedimentation have been areas of active and regular focus and correspondence since late 2022, with West Newbury's Conservation Agent taking a lead role in bringing attention to this matter.
 - The site is subject to an Enforcement Order issued by the Conservation Commission in January and amended in March. (Amended Enforcement Order enclosed).
 - MassDEP has not yet issued any written follow-up from the site visit, but we expect continuing correspondence in the coming days.
 - The General Contractor's most recent updates, through late this afternoon, are enclosed.
- b) May 2nd Pentucket finance directors mtg/Ch. 70:
- On Tuesday, I met with Justin Bartholomew, Greg Labrecque, Rebecca Oldham and Carol McLeod for our monthly meeting. This followed confirmation that the proposed Prop. 2½ overrides had been approved in each of Groveland and Merrimac.
 - The Ch. 70 formula continues to be a primary focus of our discussions, including as we look ahead to the FY25 budget cycle.
 - Earlier today, Justin had separate meetings schedule with the legislators representing the Pentucket communities, and with the State Auditor's office (incl. its Division of Local Mandates).
 - It will be important for Pentucket – and West Newbury – to continue, and ideally expand, our engagement in broader efforts ongoing among regional and rural school districts in Massachusetts to bring greater legislative urgency to the need for Ch. 70 reforms.
- c) Paving contract/WRAP funding:
- In late April, we received notice that our paving contractor had elected not to renew the contract (#2020-DPW-006) for the 2023 season. This was their right to do under the terms of the contract. Due to major price increases across the board, the vendor was unable to maintain contracted pricing from 2020.
 - This was a major setback in two respects:

- It necessitates re-bidding of the paving contract. This is a major amount of work, and comes at a time that no one on staff has directly and completely prepared a bid package for paving. This will require a collaborative team effort in the coming weeks and months. We maintain a goal of seeing paving take place in calendar year 2023, but this will rely on our ability to complete a bid process and secure a new contract, and on the contractor’s schedule/availability.
 - This undermines our objective of expending the remainder of State WRAP (Winter Recovery Assistance Program) funding by the end of June, as required. The DPW Business Manager/Purchasing Assistant, Town Accountant and I are in active collaboration regarding this challenge, and will meet again on Monday.

- d) Memorial Day Parade:
 - Parade planning is on track, with efforts from volunteers, my office, Town Clerks, Public Safety, COA, and Veterans affairs (incl. Ron Ross, our rep to Eastern Essex District)
 - Early next week (likely Monday), letters will be mailed to approx. 300 local veterans inviting their participation in the parade. Over the past couple of months and weeks, we have been in touch with other participants from recent parades to invite and confirm participation. We may have the Grand Marshal confirmed in time for this Tuesday’s meeting.

- e) Middle Street Bridge – *separate memo included*

- f) MBTA Communities planning process:
 - The Town Planner, Planning Board Chair, Health Agent and I met recently to think through an appropriate route to take the consultant team on a tour of the town. The tour will take place next Friday May 12th.

- g) Housing Production Plan:
 - The next HPP stakeholder working group meeting will take place on Tuesday. I’ll attend that meeting, and provide updates at the Board meeting that night.

- h) Rte. 113 corridor planning effort:
 - Recent memo summarizing various efforts enclosed. Since Town Meeting approval of funding for the corridor planning process, we have signed the TEC proposal. We expect to have a kick-off zoom mtg in the next week or so. We will be working to coordinate this public process with other major planning efforts that will be proceeding in parallel.

- i) Beavers:
 - I met recently with the Conservation Agent, Health Agent and DPW Director to review several locations which may warrant installation of water flow protection devices (sometimes referred to as “beaver deceivers”). Only one of the locations under review is owned by the Town: the pond on Main Street across from the Middle/High School (map enclosed). This is also deemed the most pressing site at this time. Maps of other sites under review, all of which are privately owned, are also enclosed.
 - A site visit with an expert consultant will be held this Wednesday morning. If the consultant shares our staff recommendation for installation of such a device, the work will be designed, and the Board’s authorization will be sought (at a future meeting) to file

a Notice of Intent to seek Conservation Commission approval for this work. Work at this location will also require MassDOT approval if work is within the State right-of-way.

j) Planning Board public hearing re Stormwater Regs (May 16):

- Following many months of work among our staff level stormwater working group, with the consultant from Horsley-Witten Group, the Planning Board considered proposed revisions to the Stormwater Regulations at its meeting on April 18th.
- The Board referred the proposed revisions for further consideration at a public hearing to be held on May 16th. The proposed revisions are strongly supported by staff, and to date have been well-received.
- A brief summary of the proposed revisions is enclosed. The complete draft revised Regulations are included in the April 18th meeting packet posted to the Planning Board webpage under “Planning Board Meeting Packets.”

k) Town Hall painting bids received:

- Earlier this spring, the Town issued and advertised a 51-page Invitation for Bids (incl. 40 pages of prevailing wage rates, issued specifically for this project by the MA Dept. of Labor Standards).
- DPW and Bldgs. & Grounds have been hard at work for months preparing the site and building for the painting, including resolving long-standing issues incl. re site drainage.
- The Historical Commission and the Historic District Commission were both closely involved with, and approved of, the selected color scheme (exhibit enclosed).
- Bids are due on Monday at 11:30am. Obviously, our hope is to receive multiple bids from qualified vendors, at or below the approved project budget. At Tuesday’s meeting, I’ll provide an update.

l) Sawmill Brook/LAND grant

- Michelle Greene and Rebecca Ambra will participate in a LAND grant informational session hosted by Mass. EOEEA on Tuesday, with Vanessa Johnson-Hall, regarding the LAND grant (due July 13). I may sit in if time allows.
- Once we have a more complete understanding of what will be needed, we will work with Greenbelt to firm up a division of labor regarding the various tasks that will be needed to finalize a grant application. Greenbelt has offered to complete the lion’s share of work, with the town providing necessary documentation, and input on key items.



TOWN OF WEST NEWBURY

CONSERVATION COMMISSION

381 Main Street, West Newbury, Mass. 01985

TEL: 978-363-1100 x126 EMAIL: conservation@wnewbury.org

P.a

January 27, 2023

Sent via Email & Certified Mail No.: 7018 3090 0001 9551 9181

Pentucket Regional School District
C/O Dr. Justin Bartholomew
22 Main Street
West Newbury, MA 01985

Re: Enforcement Order – 22 Main Street, West Newbury, MA 01985, DEP# 078-0701

Dear Dr. Bartholomew,

Enclosed please find an Enforcement Order issued by the West Newbury Conservation Commission on January 27, 2023, to be ratified at the commission's next meeting on January 31, 2023, for ongoing violations of the Order of Conditions, DEP # 078-0701, and associated approved plans and documents. Violations include multiple observations by the conservation agent of releases and discharges of sediment into wetland resource areas and mapped priority habitat of rare and endangered species at the Pentucket Regional School District (PRSD) high school and middle school project sites located at 22 Main Street, West Newbury, MA.

The intent of this Enforcement Order is to formally document observed discharges and releases, to formalize a process and timelines to bring the site back into compliance with the Order of Conditions and any and all other state and federal permits which has been issued, and to prevent any additional releases or discharges into any wetland resource area(s) or mapped priority habitat(s) of rare and endangered species on or surrounding the site. For your awareness, an identical Enforcement Order has been issued to the contractor for the site, W.T. Rich Company, Inc. c/o Michael Young.

If you have any questions or concerns after reviewing the enclosed Enforcement Order and attachments, please contact me. I am available Monday through Thursday by phone at 978-891-0238 or email at conservation@wnewbury.org.

Your prompt attention to this matter is appreciated.

Sincerely,

Michelle Greene, Conservation Agent

Enclosures: (1) Enforcement Order dated 1/27/2023 with four attachments

Cc: Massachusetts Department of Environmental Protection, Northeast Regional Office, via certified mail
Massachusetts Natural Heritage and Endangered Species Program, via certified mail
Massachusetts Department of Environmental Protection, c/o Elizabeth Sabounjian, Enforcement Coordinator Wetlands & Waterways Program, via email
Town of West Newbury, c/o Angus Jennings, West Newbury Town Manager, via email
West Newbury Conservation Commission, c/o Judith Mizner, Chair, via email
Vertex Companies, c/o Steve Theran, via email
Groveland Conservation Commission, c/o Annie Schindler, Environmental Program Coordinator, via email



TOWN OF WEST NEWBURY

CONSERVATION COMMISSION

381 Main Street, West Newbury, Mass. 01985

TEL: 978-363-1100 x126 | EMAIL: Conservation@wnewbury.org

March 16, 2023

Pentucket Regional School District
C/O Dr. Justin Bartholomew
22-24 Main Street
West Newbury, MA 01985

Re: Amended Order of Conditions – Pentucket High School, 22-24 Main Street, MA DEP# 78-0701

Dear Dr. Bartholomew,

Enclosed is your Amended Order of Conditions for the request to amend a final Order of Conditions that was filed by you or your representative to approve the installation of an additional drainage structure within the 100' buffer zone of bordering vegetated wetlands and incorporate the revised Stormwater Pollution Prevention Plan (SWPPP) dated 02/27/2023 at the Pentucket Regional High School, 22-24 Main Street, West Newbury, MA. **Please read all of the material carefully paying close attention to the special conditions.** If you have any questions, please don't hesitate to contact me.

The amended Order of Conditions does not change the expiration date of the final Order of Conditions which will expire on May 14, 2023. If additional time is needed to complete the work permitted by the final Order of Conditions, an extension can be requested in writing to the Conservation Commission and must be received no later than 30 days prior to the expiration date.

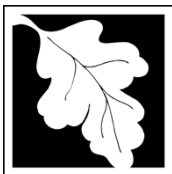
The amended Order of Conditions is valid only for the amendments listed above. Any modifications or changes to the approved work or further modifications to the plans will need to be submitted to the Conservation Commission for review and possibly require additional permitting. Any future work at the property proposed in a buffer zone or resource area as defined in the Massachusetts Wetlands Protection Act will require a new permit issued by the Conservation Commission.

It is your responsibility to record the amended Order of Conditions. The document must be recorded at the Southern Essex Registry of Deeds located at Shetland Park, 45 Congress Street, Suite 4100, Salem MA, 01970. Contact information for the Registry may be found on their website www.salemdeeds.com. Once on record, please forward proof of recording to the Conservation Agent at the address above or by email to conservation@wnewbury.org.

Please contact me with any questions you may have.

Sincerely,

Michelle Greene
Conservation Agent
Office - (978) 363-1100 ext. 126
Mobile - (978) 891-0238
conservation@wnewbury.org



A. Violation Information

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



This Enforcement Order is issued by:

West Newbury
 Conservation Commission (Issuing Authority)

1/27/2023, amended 3/14/2023
 Date

To:

Pentucket Regional School District, C/O Dr. Justin Bartholomew
 Name of Violator
22 Main Street, West Newbury, MA 01985
 Address

1. Location of Violation:

Pentucket Regional School District
 Property Owner (if different)
22 Main Street
 Street Address
West Newbury
 City/Town
R1
 Assessors Map/Plat Number

MA
 Zip Code
1
 Parcel/Lot Number

2. Extent and Type of Activity (if more space is required, please attach a separate sheet):

Multiple releases and discharged of sediment into unnamed intermittent stream, surrounding bordering vegetated wetlands, and subsequently into the Merrimack River and mapped priority habitat of rare and endangered species (PH 2154). Release dates and locations set out below. See attached marked-up plan showing locations and dates of observed releases and discharges:
 12/19/2022 - First observed release from perimeter drain of former football field and tennis courts. While the volume of release has been reduced as of 12/29/2022, releases from this point continue during rain events and snow melt to the date of this order, most recently observed on 1/26/2023.
 12/23/22 - First observed release from concrete headwall located west of perimeter drain point. Releases continue from sediment carried from construction site during rain events.
 12/23/22 - First observation of catch basins on school driveway receiving silt-laden water. Silt sacks have been installed; however, fines still pass through, most recently observed on 1/26/2023.



WPA Form 9 – Enforcement Order

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

12/23/22 - Observed breach of silt fence with release of silt into stream. Silt fence location is near electrical box to the west of the school drive where above referenced catch basins are located. The silt fence has been repaired.

1/3/23 - First observed release from sediment tracking onto Rt 113 being washed into catch basins on Rt 113 during rain event. Silt sacks have been added and street sweeping has been done regularly. In addition, stabilized stone construction entrances were installed to catch mud from truck tires. However, heavy sediment tracking onto Rt 113 in Groveland was observed from the site the week of 1/16/23.

1/26/23 - First observed release of silt-laden water flowing from filled area of future baseball field, under erosion controls, and to the stream in the area of the perimeter drain discharge point. Erosion controls were being bolstered in this area 1/26/23.

1/26/23 - First observed release of silt-laden water from concrete headwall / outlet structure into stream in location west of above referenced electrical box. It is believed this water may be coming from the unfinished bio-retention basins located in the center of the school parking lot.

3/14/2023 Amendment:

Additional releases:

2/17/2023: Second observed release of silt-laden water from concrete headwall west of electric box where roadway passes over stream between high and middle school reported during rain event. Fine silt bypassing silt sacks with no additional water treatment.

3/2/2023: Third observed release at concrete headwall west of electric box where roadway passes over stream between high and middle school. Release coming from existing catch basins on roadway. Fine silt bypassing silt sacks with no additional water treatment.

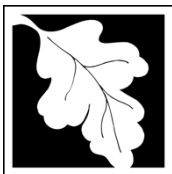
3/14/2023: First observed release of sediment-laden water breaching erosion controls along east side of baseball field during heavy rain event.

B. Findings

The Issuing Authority has determined that the activity described above is in a resource area and/or buffer zone and is in violation of the Wetlands Protection Act (M.G.L. c. 131, § 40) and its Regulations (310 CMR 10.00), because:

- the activity has been/is being conducted in an area subject to protection under c. 131, § 40 or the buffer zone without approval from the issuing authority (i.e., a valid Order of Conditions or Negative Determination).

B. Findings (cont.)



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 9 – Enforcement Order

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

78-0701

the activity has been/is being conducted in an area subject to protection under c. 131, § 40 or the buffer zone in violation of an issuing authority approval (i.e., valid Order of Conditions or Negative Determination of Applicability) issued to:

Justin Bartholomew, Pentucket Regional School District

Name

5/14/2020

Dated

078-0701

File Number

SEE ATTACHED

Condition number(s)

The Order of Conditions expired on (date): _____ Date

The activity violates provisions of the Certificate of Compliance.

The activity is outside the areas subject to protection under MGL c.131 s.40 and the buffer zone, but has altered an area subject to MGL c.131 s.40.

Other (specify):

C. Order

The issuing authority hereby orders the following (check all that apply):

The property owner, his agents, permittees, and all others shall immediately cease and desist from any activity affecting the Buffer Zone and/or resource areas.

Resource area alterations resulting from said activity shall be corrected and the resource areas returned to their original condition.

A restoration plan shall be filed with the issuing authority on or before _____ Date

for the following:

The restoration shall be completed in accordance with the conditions and timetable established by the issuing authority.

C. Order (cont.)



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 9 – Enforcement Order

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

78-0701

Complete the attached Notice of Intent (NOI). The NOI shall be filed with the Issuing Authority on or before:

_____ Date

for the following:

No further work shall be performed until a public hearing has been held and an Order of Conditions has been issued to regulate said work.

The property owner shall take the following action (e.g., erosion/sedimentation controls) to prevent further violations of the Act:

SEE ATTACHED

Failure to comply with this Order may constitute grounds for additional legal action. Massachusetts General Laws Chapter 131, Section 40 provides: "Whoever violates any provision of this section (a) shall be punished by a fine of not more than twenty-five thousand dollars or by imprisonment for not more than two years, or both, such fine and imprisonment; or (b) shall be subject to a civil penalty not to exceed twenty-five thousand dollars for each violation". Each day or portion thereof of continuing violation shall constitute a separate offense.

D. Appeals/Signatures

An Enforcement Order issued by a Conservation Commission cannot be appealed to the Department of Environmental Protection, but may be filed in Superior Court.

Questions regarding this Enforcement Order should be directed to:

Michelle Greene, Conservation Agent

_____ Name

978-891-0238 conservation@wnewbury.org

_____ Phone Number

Monday - Thursday 9-5

_____ Hours/Days Available

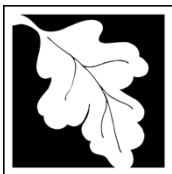
Issued by:

West Newbury

_____ Conservation Commission

Conservation Commission signatures required on following page.

D. Appeals/Signatures (cont.)



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 9 – Enforcement Order
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

78-0701

In a situation regarding immediate action, an Enforcement Order may be signed by a single member or agent of the Commission and ratified by majority of the members at the next scheduled meeting of the Commission.

Signatures:

Signature	Michelle Greene, Conservation Agent
Signature	Printed Name
Signature	Printed Name
Signature	Printed Name
Signature	Printed Name
Signature	Printed Name
Signature	Printed Name
Signature	Printed Name

 Signature of delivery person or certified mail number

ATTACHMENT 1: Additional Information from Section B of Enforcement Order

From Enforcement Order Section B, Page 2 – Condition Numbers in Violation

- **State General Conditions:**
 - **#18:** All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. *At no time shall sediments be deposited in a wetland or water body.* During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. *The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary.* Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
 - **#19 a.:** All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- **West Newbury Conservation Commission Special Conditions:**
 - **#1:** All work shall conform to the following approved plans and documents: Pentucket Regional School District Building Project, D&W Project # 17-0762, 24 Main Street West Newbury, MA 01985, Planning Board Application Revised. With a final revision date of 2/18/2020
 - Sheet C1.00 with a final revision date of 4/22/2020
 - Sheet C1.02 with a final revision date of 4/22/2020
 - Sheet C1.03 with a final revision date of 4/22/2020
 - Sheet C4.00 with a final revision date of 4/22/2020
 - Long Term Pollution Prevention Plan and Stormwater Operation and Maintenance Plan, Pentucket Regional School District Project Groveland/West Newbury, MA with a final revision date of 4/20/2020.
 - Stormwater Pollution Prevention Plan Pentucket Regional School District Project with a preparation date of 4/22/2020
 - In regards to Special Condition #1, activities at the site resulting in discharges and releases are in violation of the “Stormwater

Attachment to Amended Enforcement Order, original dated 1.27.2023, amended dated 3.14.2023

Pollution Prevention Plan Pentucket Regional School District
Project with a preparation date of 4/22/2020”

- Page 44 of the current SWPPP contains the Construction General Permit which states that: “This permit and the authorization to discharge expire at 11:59pm, February 16, 2022.”
- **#12:** A complete long-term pollution prevention plan and stormwater operation and maintenance plan shall be submitted to and approved by the WNCC before any work under this Order begins. *Compliance with its terms and conditions shall be in full force and effect from the date of its acceptance and remain in effect for the lifetime of those facilities.*
- **#18:** The pollution control best management practices numbered 2.1 - 2.7, set out in the approved Long Term Pollution Plan and Stormwater Operation and Management Plan shall be employed in connection with any work under this Order.
 - In regards to Special Condition #18, activities at the site are specifically in violation of best management practice 2.4 which states “2.4 Minimize Soil Erosion: Soil erosion facilitates mechanical transport of nutrients, pathogens, and organic matter to surface water bodies. Repair all areas where erosion is occurring throughout the project site. Stabilize bare soil with riprap, seed, mulch, or vegetation”

Attachment to Amended Enforcement Order, original dated 1.27.2023, amended dated 3.14.2023

ATTACHMENT 2: Orders issued under this Enforcement Order

Items from **Amended Enforcement Order (EO) dated 3/14/2023** are labeled and listed in red text below.

From Enforcement Order Section C, Page 4 – Order (please note underlined dates for deadlines ordered under this Enforcement Order)

1. Within 24 hours of receipt of this Enforcement Order (Order) each recipient shall respond, in writing, to the West Newbury Conservation Commission confirming receipt of this Order and intent to comply.
3/14/2023 Amended EO Update: This order has been appropriately complied with.
2. No releases or discharges shall originate from any location on the PRSD school project site into any wetland resource area(s) or mapped priority habitat(s) of rare and endangered species. All necessary measures shall immediately be implemented to prevent any and all releases and discharges from the site to any wetland resource area.
3. **3/14/2023 Amended EO Update:** Releases and discharges continue to occur from the PRSD school project site with observed discharges occurring post-issuance of the original enforcement order on 2/17/2023, 3/2/2023, and 3/14/2023. The amended Enforcement Order continues to order that no releases or discharges shall originate from any location on the PRSD school projects and that all necessary measures shall immediately be implemented to prevent any and all releases and discharges from the site to any wetland resource area.
4. Within 24 hours of completing a SWPPP report as required by the triggers in the current Construction General Permit, a copy of said report shall be submitted directly to the West Newbury Conservation Commission by email to conservation@wnewbury.org. In addition to the completed SWPPP monitoring report the email shall contain:
 - a. Photographs of any observed release(s) or discharge(s);
 - b. Photographs of any control for which the report indicates maintenance or corrective action was needed both before and after the maintenance or corrective action was taken;
 - c. Photographs of any actions taken under the “notes” column of the report;
 - d. Copies of any response, direction, or other correspondence received from any engineer or other third-party entity who was consulted for assistance or direction on a maintenance or corrective action item.**3/14/2023 Amended EO Update:** Communication has been appropriate with weekly SWPPP reports being sent on Friday and communication when a discharge or release has occurred. Immediate reports of releases and discharges shall continue to be made immediately when discharges and/or releases occur and weekly SWPPP reports shall continue to be sent on Friday.

Attachment to Amended Enforcement Order, original dated 1.27.2023, amended dated 3.14.2023

5. An updated Stormwater Pollution Prevention Plan (SWPPP) shall be provided to the West Newbury Conservation Commission no later than February 28, 2023 for its review at the March 6, 2023 conservation commission meeting. The updated SWPPP shall include:
- All remedies to be implemented on site to achieve no releases and discharges during and post construction;
 - Timelines for implementation of all remedies listed in item a;
 - Current contact information for who to contact if a release or discharge is observed;
 - A copy of the most current, unexpired, Construction General Permit;
 - Documentation listing the types, quantities, and locations of additional erosion and sedimentation controls to be stockpiled on site in order to immediately address any discharges or releases.

3/14/2023 Amended EO Update: This order has been appropriately complied with. An updated SWPPP has been provided to the West Newbury Conservation Commission for its review and will be incorporated into the amended Order of Conditions to be issued for DEP# 78-0701. The site shall continue to have additional erosion and sedimentation controls stockpiled on site until the site is finally stabilization.

6. Engineered plans showing how the former perimeter drain discharge point will permanently be prevented from discharging sediment into the resource area(s) and priority habitat(s) of rare and endangered species during construction and post construction shall be provided to the West Newbury Conservation Commission no later than February 28, 2023 for its review at the March 6, 2023 conservation commission meeting.

3/14/2023 Amended EO Update: This order has been appropriately complied with. Engineered plans have been reviewed and approved by the West Newbury Conservation Commission and will be incorporated into the amended Order of Conditions to be issued for DEP# 078-0701.

7. The wetland resource areas shall be reviewed by a wetlands scientist or other qualified, environmental consultant whose qualifications are provided to the commission for its review, to determine the extent of sediment which has been deposited into those areas. A report from the scientist or consultant indicating their findings and recommendations for sediment removal, if any, shall be provided to the West Newbury Conservation Commission no later than February 28, 2023 for its review at the March 6, 2023 conservation commission meeting.

3/14/2023 Amended EO Update: A report from a wetlands scientist has been submitted to the West Newbury Conservation Commission for its review. This order shall remain ongoing to require clean up of sediment and restoration of the wetland and stream at

the end of site construction. The wetland scientist shall provide a revised report with recommendations for final clean up and restoration following the completion of site work and stabilization.

8. A representative of W.T. Rich Company, Inc. and the Pentucket Regional School District shall be present at the March 6, 2023 conservation commission meeting to discuss the materials submitted and compliance at the site.

3/14/2023 Amended EO Update: This order has been appropriately complied with.

9. The West Newbury Conservation Commission reserves the right to amend this Order to:
- a. Incorporate any revised plans and or documents it receives;
 - b. Document any additional release(s) or discharge(s) to any wetland resource area(s) or mapped priority habitat(s);
 - c. Incorporate any additional conditions it deems necessary;
 - d. Revise any previously issued conditions;
 - e. And/or for any other reason it deems necessary.

3/14/2023 Amended EO Update: This order remains in full force and effect.

10. As of January 27, 2023, this Order does not require a cease and desist of construction activities at the site. At the commission's discretion, this Order may be amended to order that construction activities at the site cease and desist if the commission determines there is not immediate and continued responsiveness in addressing the documented issues at the site.

3/14/2023 Amended EO Update: An order to cease and desist is not ordered under the 3/14/2023 Amended Enforcement Order however, this order remains in full force and effect.

11. **3/14/2023 Amended EO Update:** This Enforcement Order is amended to order the immediate installation of drainage structure DMH-261, the adjacent water quality structure WQS-402, and catch basins CB-151 and CB-152 as shown on marked up plan C3.02 included herewith. Immediately following installation of this drainage system, the existing catch basins in the roadway north of this location shall be capped. Erosion control has been installed on 3/9/2023 as shown on the above referenced plan and shall be maintained in proper working order until the area has been adequately stabilized through vegetation as determined by the West Newbury Conservation Commission. Due to the location of the existing 12" RCP drain pipe to which DMH-261 will connect and the location of an existing gas line complicating the relocation of DMH-261 and associated drainpipe, up to five (5) trees within the area surrounded by the erosion control and beyond the previously approved limit of work may be removed as necessary. Tree stumps shall remain in place if at all possible. Trees consist of an ~12" DBH oak, ~6" DBH ash, and 3 cherry trees all under ~4" DBH. Once all work in this area

Attachment to Amended Enforcement Order, original dated 1.27.2023, amended dated 3.14.2023

has been completed, the area shall be loamed and seeded with “Seed Mix 1” – New England Wildflower Mix NEWE00204 and biodegradable matting shall be staked in place to prevent erosion on the slope.

12. **3/14/2023 Amended EO Update:** This Enforcement Order is amended to order the immediate installation of the sediment basin adjacent to catch basin CB-171 and the immediate installation of catch basins CB-171 and CB-172 and associated water quality structure WQS-403 as shown on marked up plan C3.03 included herewith.

13. **3/14/2023 Amended EO Update:** This Enforcement Order is amended to order immediate action to stabilize the baseball field area and prevent future discharges and/or releases from this area. On 3/14/2023 a major breach of the earthen berm on eastern edge of the baseball field occurred resulting in large volumes of sediment-laden water flowing from the area, breaching all erosion controls, and discharging into the onsite stream. Immediate action shall employ every method practicable to eliminate the discharge, reduce the volume of the discharge, and/or improve the quality of the water being discharged, including, but not limited to:
 - a. Construction, reconstruction, and/or enlargement of the earthen berm along the east side of the baseball field.
 - b. Installation of geotextile fabric surrounding the earthen berm(s).
 - c. Installation of straw wattles, hay bales, stone check dams, and / or silt fence along the flow path of the discharge towards the stream to slow the velocity of the water and filter sediment.
 - d. Excavation of an additional sediment basin to collect and settle water at the eastern corner of the baseball field near Main Street.
 - e. Employ any and all recommendations made by the site’s wetlands scientist, Mary Rimmer, to eliminate the discharge, reduce the volume of the discharge, and/or improve the quality of the water being discharged.

14. **3/14/2023 Amended EO Update:** This Enforcement Order is amended to order a plan to manage runoff from the baseball field construction area. This plan shall be prepared in consultation with a stormwater management engineer or other specialist in stormwater management and shall address the construction site holistically to eliminate any additional discharges from the site. Qualifications of and contact information for the stormwater management engineer or specialist shall be provided to the West Newbury Conservation Commission immediately after they are retained. The plan shall be submitted to the West Newbury Conservation Commission no later than Monday March 27, 2023. Representatives from W.T. Rich and the stormwater management engineer or specialist shall attend the West Newbury Conservation Commission’s meeting on Monday April 3, 2023 to review the proposed stormwater management plan.

Attachment to Amended Enforcement Order, original dated 1.27.2023, amended dated 3.14.2023

Town Manager

From: Kyle Leone <kleone@wtrich.com>
Sent: Friday, May 5, 2023 4:20 PM
To: Sabounjian, Elizabeth (DEP); Conservation; Annie Schindler
Cc: Steve Taylor; Matt Waltermire; Gabe Francisco; Jon Rich; stheran@vertexeng.com; Laurie Soave; Seymour, Jonathan; Justin Bartholomew; Brad Dore; Josh P. Hagan; Town Manager; Alec Digiorgio; Fred Carriglio; Joshua Surette; Epsilon Associates - David Klinch (dklinch@epsilonassociates.com)
Subject: RE: Pentucket Project - DEP Site Visit 5/3/2023

Good Afternoon,

Providing a summary of today's corrective action work on site by United Civil along with a drawing markup and pictures that can be referenced with the summary below. The pictures and drawings markup provided in the link below show the progression of work through the day and the final condition at the end of the day today.

<https://wtrich.box.com/s/mypfkkn8igq4f0y2eyw8v25z4fpnbag8>

- Perimeter E&S Controls
 - Routine maintenance / replacement of perimeter E&S controls
 - Resecured existing silt fence and wattles from the South side of the football field driveway, Eastern side Driveway on Groveland Side, and behind district office.
 - New silt fence / wattles were extended on Eastern side of Football Field.
 - Rip rap and stockpiled dense grade (for sidewalks) was encompassed by new silt fencing and wattles.
- Temporary Paving
 - Area around existing catch basin at Groveland entrance done and area was cleared of any debris and deposited sediment.
 - Changed out silt sack.
 - Upper Parking lot area was patch paved where subgrade was exposed for water service work.
- Tackifier Added in several areas around the site to stabilize slopes and exposed dirt. See plan for locations
 - DMH 261 area stabilized with tackifier over straw matting for additional support.
 - Slope next to new swale at Groveland construction entrance stabilized after being disturbed yesterday.
- Other Items
 - Bioretention Basin #2 at Center Parking lot was started. Complete by end of next week.
 - Street sweeping behind dump trucks along main street to pick up any residual sediment not controlled by construction entrances.
 - Cleaned up sidewalks in front of school from washout of newly added loam – Hydroseeding tentatively scheduled for 5/11.
 - United Civil received Deliveries of new E&S controls to have additional stockpile on site ready, as needed.
 - Headwall at the southern side of parking lot is running clear today.
 - Turbidity Log for week of 5/1 – 5/5 included.
 - SWPPP Report from 5/3 included.

Agenda for Tomorrow / Monday:


- Add flocculant logs in drainage structure receiving sediment laden water (Groveland entrance, Rt.113 (Main Street), middle school parking lot, and other CBs)


- Install large check dam where stream merges behind UC trailer before going through culvert.
 - Currently looking into most effective way of to handle / capture sediment fines.
- Cleanup North Bus loop sediment washout at site fence.
- Clean up / refresh of (2) Northern construction Entrance.
- E&S controls to be added at Northeast corner of Baseball Field.
- Open up DMH covers to look at any sediment deposits in permanent drainage structures.


We will provide another update at the end of the day on Monday. Please let us know if you have any questions / concerns in the meantime.


Thank you,


Kyle Leone
Project Manager
W.T. Rich Company


W.T. RICH COMPANY

 +1 617 467 6010 office

 +1 781 258 2463 direct

 kleone@wtrich.com

 1075 Worcester Street,
Suite 310
Natick, MA 01760

SAVE CONTACT

From: Kyle Leone

Sent: Thursday, May 4, 2023 5:38 PM

To: Sabounjian, Elizabeth (DEP) <elizabeth.sabounjian@state.ma.us>; Conservation <conservation@wnewbury.org>; Annie Schindler <ASchindler@Grovelandma.com>

Cc: Steve Taylor <staylor@wtrich.com>; Matt Waltermire <mwaltermire@wtrich.com>; Gabe Francisco <gfrancisco@wtrich.com>; Jon Rich <jonrich@wtrich.com>; stheran@vertexeng.com; Laurie Soave <lsoave@vertexeng.com>; Seymour, Jonathan <seymour@prsd.org>; Justin Bartholomew <jbartholomew@prsd.org>; Brad Dore <bdore@DoreandWhittier.com>; Josh P. Hagan <jhagan@DoreandWhittier.com>; Town Manager <townmanager@wnewbury.org>; Alec Digiorgio <Adigiorgio@united-civil.com>; Fred Carriglio <fcarriglio@united-civil.com>; Joshua Surette <jsurette@epsilonassociates.com>; Epsilon Associates - David Klinch (dklinch@epsilonassociates.com) <dklinch@epsilonassociates.com>

Subject: RE: Pentucket Project - DEP Site Visit 5/3/2023

Good Afternoon,

Providing a summary of today's corrective action work on site by United Civil along with a drawing markup and pictures that can be referenced with the summary below. The pictures and drawings markup provided in the link below show the progression of work through the day and the final condition at the end of the day today (not in order by picture number).

<https://wtrich.box.com/s/4jfoxkijk9tter41kybr96nh395by0ud>

- New construction entrance adjacent to Groveland school entrance
 - Area was dug down one foot and old gravel/stone was removed.
 - New excavation was lined with mirafi filter fabric and topped with rip rap surrounding the temporary yellow mud mats.
 - New construction entrance pitches towards existing silt fence and wattle where a rip rap swale with a sump was constructed to hold shedding water and can be pumped, if necessary.

- Curb storage area and corner of middle school parking lot
 - o All curbing was moved from edge of roadway off existing sidewalk onto dirt along turf curb.
 - o New silt fence and hay wattles are being installed along the entirety of this area and will continue to corner of the middle school parking lot.
- New stone check dams and maintenance to sediment basin
 - o The sediment basin was excavated deeper and relined/toed-in with polyethylene plastic sheeting along the edge of wetland where seepage was observed.
 - o Lined rip rap berm on backside of sediment basin was built up higher to increase basin capacity.
 - o Stone and mirafi lined check dams were installed within the low sediment basin to slow water velocity.


The agenda for tomorrow is as follows:


- Routine maintenance on existing silt fence and wattles from the South side of the football field parking area along the driveway of the Groveland side of the site.
- Pave around existing catch basin at Groveland entrance.
- Add flocculant logs in several drainage structure receiving sediment laden water (Groveland entrance, Rt.113 (Main Street), middle school parking lot, and other CBs)
- Install tackifier to stabilize several exposed/disturbed dirt areas including slopes along basins, slope at new swale next to Groveland entrance, and other misc. areas.
- Install large check dam where stream merges behind UC trailer before going through culvert.
- Add rip rap at top of old bypass behind United Civil's Trailer.


We will provide another update at the end of the day tomorrow. Please let us know if you have any questions / concerns in the meantime.


Thank you,


Kyle Leone
Project Manager
W.T. Rich Company


W.T. RICH COMPANY

 +1 617 467 6010 office

 +1 781 258 2463 direct

 kleone@wtrich.com

 1075 Worcester Street,
Suite 310
Natick, MA 01760

SAVE CONTACT

From: Kyle Leone

Sent: Thursday, May 4, 2023 2:43 PM

To: Sabounjian, Elizabeth (DEP) <elizabeth.sabounjian@state.ma.us>; Conservation <conservation@wnewbury.org>; Annie Schindler <ASchindler@Grovelandma.com>

Cc: Steve Taylor <staylor@wtrich.com>; Matt Waltermire <mwaltermire@wtrich.com>; Gabe Francisco <gfrancisco@wtrich.com>; Jon Rich <jonrich@wtrich.com>; stheran@vertexeng.com; Laurie Soave <lsoave@vertexeng.com>; Seymour, Jonathan <seymour@prsd.org>; Justin Bartholomew <jbartholomew@prsd.org>; Brad Dore <bdore@DoreandWhittier.com>; Josh P. Hagan <jhagan@DoreandWhittier.com>; Town Manager <townmanager@wnewbury.org>; Alec Digiorgio <Adigiorgio@united-civil.com>; Fred Carriglio <fcarriglio@united-civil.com>; Joshua Surette <jsurette@epsilonassociates.com>; Epsilon Associates - David Klinch (dklinch@epsilonassociates.com) <dklinch@epsilonassociates.com>

Subject: Pentucket Project - DEP Site Visit 5/3/2023

Elizabeth et all,

As a follow up to the walkthrough of the PRSD site / wetlands yesterday, you will find the information requested to be provided to MA DEP for reference and review. I have also included additional information in the link below that was part of our discussions yesterday, but was not able to be quickly sourced during the walkthrough. We do appreciate the suggestions and feedback received on the wetlands / site conditions and we have generated a list of corrections / adjustments that have been immediately acted upon this morning. W.T. Rich will follow up later on today with a summary of today's corrective actions completed and others are planned for in the next few days in order to bring the site back into compliance.

This link below will take you to the documents listed below -

<https://wtrich.box.com/s/t8cwuw5xr3cyysxexhdusiieffv0nu>

- Updated SWPPP Plan dated 2/27/2023
- Erosion Control and Maintenance plans discussed between WTR, United Civil, and others.
 - o There are (4) documents developed at different intervals over the past 3 months.
 - o We will provide an updated plan with the summary forthcoming later on today.
- Turbidity Logs – dated between the end of February and the end of April.

The personnel in attendance yesterday is listed below and copied on this email, along with a few others to keep the entire project team in the loop.

- MA DEP
 - o Elizabeth Sabounjian
- West Newbury CC
 - o Michelle Green (Conservation Agent)
- Groveland CC
 - o Annie Schindler (Conservation Agent)
- Pentucket Regional School District – Owner
 - o Jonathan Seymour (School Principal / Building Commit. Chair)
 - o Angus Jennings (Town Manager)
- Vertex Companies – OPM
 - o Laurie Soave (Owner's Rep.)
- Dore and Whittier – Architect
 - o Josh Hagen (Project Architect)
 - o Brad Dore (Principal)
- W.T. Rich Company – Construction Manager
 - o Steve Taylor (PX)
 - o Kyle Leone (PM)
 - o Matt Waltermire (Superintendent)
- United Civil, Inc. – Site Subcontractor
 - o Fred Carriglio (PM)
 - o Alec Digiorgio (Site Superintendent)
- Epsilon Associates – UC's Stormwater Management Consultant
 - o Josh Surette (Senior Scientist)

If I have missed anything, please let me know. Otherwise, do not hesitate to contact us with any questions or for any additional information you may need.

Thank you,



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

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

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

The following is a summary of the current project status.

- Following receipt of the final remaining permits in the past month or so (MassDOT Ch. 85; and MassDEP Ch. 91), the project is now fully permitted (i.e. “shovel-ready”).
- Total project costs: until recently, we were relying on a total project cost estimate that was more than 2 years old. As we had requested, earlier today, following extensive analysis, BSC Group provided an updated opinion-of-probable-cost. It is included in the meeting packet, and summarized in the table included in this memo.
- Total expenditures to date:
 - MassDOT Small Bridge Grant awarded to Newburyport. The \$500,000 grant was allocated approx.. 50/50 between design and construction. The design funds have been fully drawn down (a couple of years ago, at which point design work started to be funded from the WN MassWorks grant), leaving approx.. \$250k remains available for construction. This grant has been extended until 7/1/24.
 - MassWorks grant awarded to West Newbury. Since the MDOT grant funds were exhausted, this has been the sole source of funding for engineering/permitting. Of the original \$1M award, \$745,540.21 remains. So, between MassWorks and MDOT grants, approx.. \$505k has been expended to date. The Town is in continuing correspondence with MassWorks, and will formally seek an extension of our current grant past the 6/30/23 expiration date; however, there is a strong possibility that we won’t get an extension. If we don’t, we would re-apply for a new MassWorks grant. If this happens, our max grant award may be limited to the remaining balance in our MassWorks grant. This is unclear at this time.
- I am in continuing correspondence with Mayor Reardon, including earlier this week, to determine whether and what amount the City may approve for this project in its FY24 operating or capital budgets. I have expressed to the Mayor that the Town’s interest in seeing Newburyport allocate funds toward this project in FY24 is threefold:
 - This would help us demonstrate to the MassWorks grant administrators that the two communities are working together on, and committed to, the project. This will help us either get another extension (it was already extended by 1 year) or, failing that, successfully obtain a new MassWorks grant in FY24.
 - This would help ensure that the City doesn’t lose its remaining MDOT Small Bridge grant funds at the end of FY24.

- This would help us – jointly – attract new State or Federal funding to fill the funding gap.
- In any scenario, there will be a major funding gap that will need to be filled in order to bring this project to completion. I have previously summarized for the Board multiple potential paths forward, and will be pleased to discuss these further on Tuesday.
- The following summary takes into account project costs, expenses to date, and available appropriations:

Middle Street Bridge, Funding Summary DRAFT of 5/5/23

Project Costs

Construction costs	\$	3,315,000
Design/Permitting	\$	550,000
Construction contingency (10%)	\$	331,500
Resident Engineer	\$	110,000
Construction Engineering Services	\$	60,000
TOTAL project costs (est.)		\$ 4,366,500

Available funds

MassDOT Small Bridge grant (expended)	\$	250,000
MassDOT Small Bridge grant (remaining)	\$	250,000
MassWorks (expended)	\$	255,000
MassWorks (remaining)	\$	745,000
Town Meeting appropriation	\$	600,000
Newburyport (pending, amt unknown)		TBD
TOTAL funding sources (est.)		\$ 2,100,000
Est. Shortfall	\$	(2,266,500)

Source: Angus Jennings, Town Manager

Town Manager

From: Morrison, Micah <mmorrison@bscgroup.com>
Sent: Friday, May 5, 2023 2:04 PM
To: Town Manager; Jon-Eric White
Subject: Construction Estimate Summary and Estimate of Cost increases from 2019 to 2023
Attachments: 20230505_SUMMARY_CONSTRUCTION EST._NEWBURYPORT_WEST NEWBURY.pdf

BSC has reviewed the construction estimate of quantities and item costs. The estimate has been updated to include MassDOT and municipal comments and revisions to date. The unit prices have been updated in accordance with MassDOT standards and based on MassDOT current weighted bid averages. Attached is the summary sheet for the construction bid items calculated quantities and unit prices. This is the current estimated construction cost. The summary sheet is based on approximately 100 pages of quantity calculations.

Below is a summary of estimated project cost increases from 2019 to 2023.

	Original Project Cost in 2019		\$2,600,000
1	2019 Order of Magnitude Cost Estimate	\$2,150,000	
	2021 Detailed Cost Estimate	\$2,485,000	
	2023 Final Cost Estimate 5/5/2023	\$3,315,000	
	Increase		\$1,165,000
2	2019 Design/permitting estimate	\$410,000	
	2021 Design/permitting	\$436,000	
	2023 Final Permitting and Design	\$550,000	
	Increase		\$140,000
	2019 Contingency	\$0	
3	2021 Contingency Added	\$270,000	
	2023 Minimum Recommended Contingency 10%	\$331,500	
	Increase		\$331,500
4	2019 Resident Engineer (none BSC employee)	\$40,000	
	2021 Resident Engineer (none BSC employee)	\$150,000	
	2023 Resident Engineer (none BSC employee)	\$150,000	
	Increase		\$110,000
5	2023 Est. Construction Engineering Services*	\$60,000	
	Increase		\$60,000
	Total Estimated Project Cost May 2023		\$4,406,500

* Construction Engineering services: shop drawing review, milestone inspection permitting and engineering, RFI's, meetings, review of contractor invoices, etc.

Micah Morrison, P.E., S.E.

Senior Associate / Manager of Structural Engineering

D: 617-896-4356 / C: 978-257-2213

mmorrison@bscgroup.com

www.bscgroup.com



MASSACHUSETTS DEPARTMENT OF TRANSPORTATION - HIGHWAY DIVISION
ESTIMATE OF QUANTITIES & ITEM COST

CITY NEWBURYPORT/WEST NEWBURY
 TYPE CONCRETE BOX BEAM
 SPAN 45'-0"
 ROAD PLUMMER SPRING ROAD/MIDDLE STREET
 CALC. SSF/AK 2023

OVER
 CLASS
 BR. WIDTH
 ROAD WIDTH
 CHKD.

UPPER ARTICHOKE RESERVOIR
 HL-93
 32'-6"
 24'-0"
 KLE/MCM 2023

HIGHWAY ITEMS

ITEM NO.	UNITS	ITEM DESCRIPTION	Unit Price	Bridge Quantity	Highway Quantity	Combined Quantity	Bridge Cost	Highway Cost	Total Cost
102.01	*	LS	SELECTIVE CLEARING AND GRUBBING	\$3,000.00	0	1	\$0.00	\$3,000.00	\$3,000.00
102.511	*	EA	TREE PROTECTION - ARMORING & PRUNING	\$452.50	0	6	\$0.00	\$2,715.00	\$2,715.00
102.521	*	FT	TREE AND PLANT PROTECTION FENCE	\$14.50	0	200	\$0.00	\$2,900.00	\$2,900.00
103.		EA	TREE REMOVED - DIAMETER UNDER 24 INCHES	\$1,850.00	0	15	\$0.00	\$27,750.00	\$27,750.00
115.1	*	LS	DEMOLITION OF BRIDGE NO. N-11-007=W-20-001(8BC)	\$240,000	1	0	\$240,000.00	\$0.00	\$240,000.00
120.		CY	EARTH EXCAVATION	\$60.00	0	180	\$0.00	\$10,800.00	\$10,800.00
121.		CY	CLASS A ROCK EXCAVATION	\$135.00	0	10	\$0.00	\$1,350.00	\$1,350.00
140.		CY	BRIDGE EXCAVATION	\$65.00	570	0	\$37,050.00	\$0.00	\$37,050.00
141.1		CY	TEST PIT FOR EXPLORATION	\$120.00	0	50	\$0.00	\$6,000.00	\$6,000.00
143.		CY	CHANNEL EXCAVATION	\$65.00	390	0	\$25,350.00	\$0.00	\$25,350.00
144.	*	CY	CLASS B ROCK EXCAVATION	\$185.00	90	0	\$16,650.00	\$0.00	\$16,650.00
151.		CY	GRAVEL BORROW	\$60.00	0	220	\$0.00	\$13,200.00	\$13,200.00
151.1		CY	GRAVEL BORROW FOR BRIDGE FOUNDATION	\$75.00	290	0	\$21,750.00	\$0.00	\$21,750.00
151.2		CY	GRAVEL BORROW FOR BACKFILLING STRUCTURES AND PIPES	\$62.00	35	0	\$2,170.00	\$0.00	\$2,170.00
153.1	*	CY	CONTROLLED DENSITY FILL - NON-EXCAVATABLE	\$250.00	14	0	\$3,500.00	\$0.00	\$3,500.00
156.13	*	TON	CRUSHED STONE FOR INTEGRAL ABUTMENT PILES	\$72.00	35	0	\$2,520.00	\$0.00	\$2,520.00
156.5		CY	CRUSHED STONE FOR FILTER BLANKET	\$72.50	44	0	\$3,190.00	\$0.00	\$3,190.00
170.		SY	FINE GRADING AND COMPACTING - SUBGRADE AREA	\$15.00	0	720	\$0.00	\$10,800.00	\$10,800.00
290.	*	LS	DRAINAGE SYSTEM	\$100,000.00	0	1	\$0.00	\$100,000.00	\$100,000.00
402.		CY	DENSE GRADED CRUSHED STONE FOR SUB-BASE	\$125.00	0	80	\$0.00	\$10,000.00	\$10,000.00
443.		MGL	WATER FOR ROADWAY DUST CONTROL	\$60.00	0	3	\$0.00	\$180.00	\$180.00
450.22		TON	SUPERPAVE SURFACE COURSE - 9.5 (SSC - 9.5)	\$300.00	0	70	\$0.00	\$21,000.00	\$21,000.00
450.31		TON	SUPERPAVE INTERMEDIATE COURSE - 12.5 (SIC - 12.5)	\$215.00	0	90	\$0.00	\$19,350.00	\$19,350.00
450.41		TON	SUPERPAVE BASE COURSE - 25.0 (SBC - 25.0)	\$220.00	0	180	\$0.00	\$39,600.00	\$39,600.00
450.60		TON	SUPERPAVE BRIDGE SURFACE COURSE - 9.5 (SSC-B - 9.5)	\$395.00	15	0	\$5,925.00	\$0.00	\$5,925.00
450.70		TON	SUPERPAVE BRIDGE PROTECTIVE COURSE - 9.5 (SPC-B - 9.5)	\$300.00	20	0	\$6,000.00	\$0.00	\$6,000.00
452.		GAL	ASPHALT EMULSION FOR TACK COAT	\$10.00	0	150	\$0.00	\$1,500.00	\$1,500.00
453.		FT	HMA JOINT SEALANT	\$2.00	0	450	\$0.00	\$900.00	\$900.00
470.		TON	HOT MIX ASPHALT BERM	\$360.00	0	15	\$0.00	\$5,400.00	\$5,400.00
472.		TON	TEMPORARY ASPHALT PATCHING	\$400.00	0	5	\$0.00	\$2,000.00	\$2,000.00
504.		FT	GRANITE CURB TYPE VA4 - STRAIGHT	\$85.00	0	80	\$0.00	\$6,800.00	\$6,800.00
504.2		EA	GRANITE CURB TYPE VA-4 - SPLAYED END	\$150.00	0	10	\$0.00	\$1,500.00	\$1,500.00
620.136		FT	GUARDRAIL, TL-3 STIFFENING WITH HALF POST SPACING (SINGLE FACE)	\$150.00	0	320	\$0.00	\$48,000.00	\$48,000.00
620.137		FT	GUARDRAIL, TL-3 STIFFENING WITH HALF POST SPACING, DEEP POST (SINGLE FACE)	\$200.00	0	80	\$0.00	\$16,000.00	\$16,000.00
627.1		EA	TRAILING ANCHORAGE	\$2,500.00	0	1	\$0.00	\$2,500.00	\$2,500.00
628.24		EA	TRANSITION TO BRIDGE RAIL	\$6,750.00	0	4	\$0.00	\$27,000.00	\$27,000.00
630.2		FT	HIGHWAY GUARD REMOVED AND DISCARDED	\$8.00	0	500	\$0.00	\$4,000.00	\$4,000.00
657.	*	FT	TEMPORARY FENCE	\$30.00	0	150	\$0.00	\$4,500.00	\$4,500.00
698.4	*	SY	GEOTEXTILE FABRIC FOR PERMANENT EROSION CONTROL	\$24.50	390	0	\$9,555.00	\$0.00	\$9,555.00
741.	*	MO	ENGINEERS FIELD OFFICE AND EQUIPMENT (TYPE B)	\$3,000.00	0	22	\$0.00	\$66,000.00	\$66,000.00
748.		LS	MOBILIZATION	\$97,000.00	0.75	0.25	\$63,000.00	\$34,000.00	\$97,000.00
751.		CY	LOAM FOR ROADSIDES	\$80.00	0	20	\$0.00	\$1,600.00	\$1,600.00
765.		SY	SEEDING	\$3.00	0	125	\$0.00	\$375.00	\$375.00
767.121	*	FT	SEDIMENT CONTROL BARRIER	\$8.00	0	1000	\$0.00	\$8,000.00	\$8,000.00
769.01	*	SY	PAVEMENT MILLING MULCH UNDER GUARD RAIL	\$30.00	0	200	\$0.00	\$6,000.00	\$6,000.00
833.7		EA	DELINEATION FOR GUARD RAIL TERMINI	\$75.00	0	1	\$0.00	\$75.00	\$75.00
853.1		EA	PORTABLE BREAKAWAY BARRICADE TYPE III	\$150.00	0	4	\$0.00	\$600.00	\$600.00
853.21		FT	TEMPORARY BARRIER REMOVED AND RESET	\$15.00	0	75	\$0.00	\$1,125.00	\$1,125.00
853.22	*	FT	TEMPORARY BARRIER REMOVED AND STACKED	\$50.00	0	175	\$0.00	\$8,750.00	\$8,750.00
942.124		FT	STEEL PILE HP 12 X 84	\$233.00	380	0	\$88,540.00	\$0.00	\$88,540.00
948.41		EA	DYNAMIC LOAD TEST BY CONTRACTOR	\$10,000.00	2	0	\$20,000.00	\$0.00	\$20,000.00
948.5		EA	PILE SHOES	\$175.00	10	0	\$1,750.00	\$0.00	\$1,750.00
983.12	*	TON	RIPRAP WITH GRAVEL PACKED VOIDS	\$125.00	440	0	\$55,000.00	\$0.00	\$55,000.00
983.521	*	CY	STREAM/BANK RESTORATION	\$93.00	86	0	\$7,998.00	\$0.00	\$7,998.00
991.1	*	LS	CONTROL OF WATER - STRUCTURE NO. N-11-007=W-20-001	\$330,000.00	1	0	\$330,000.00	\$0.00	\$330,000.00
994.01	*	LS	TEMPORARY PROTECTIVE SHIELDING BRIDGE NO. N-11-007 = W-20-001	\$100,000.00	1	0	\$100,000.00	\$0.00	\$100,000.00
995.01		LS	BRIDGE STRUCTURE, BRIDGE NO. N-11-007=W-20-001	\$1,116,250.00	1	0	\$1,116,250.00	\$0.00	\$1,116,250.00
996.4	*	LS	PREFABRICATED CONCRETE MODULAR BLOCK WALL (WITH GEOGRID REINFORCEMENT)	\$643,280.00	0	1	\$0.00	\$643,280.00	\$643,280.00

TOTAL = \$2,156,198.00 \$1,158,550.00 \$3,314,748.00

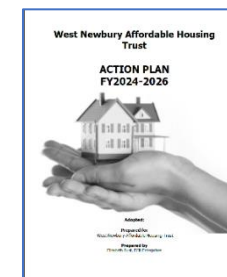
SAY \$3,315,000.00

West Newbury Housing Initiatives

There are a number of planning processing underway in West Newbury that focus on housing. Following is a brief introduction to each and a comparison table that highlights key points. More information can be found on the Town’s website under Town Projects.

Affordable Housing Trust Action Plan is being prepared by Housing Consultant, Liz Rust on behalf of and guided by the West Newbury Affordable Housing Trust (AHT). The anticipated completion date of this project is June 2023.

For more information contact AHT Chair, Wendy Reed: wreed@wnewbury.org



West Newbury Housing Production Plan (HPP) is being prepared by the Merrimack Valley Planning Commission (MVPC) with guidance by Town Staff, Board and Committee members and a resident representative.

The anticipated completion date of the project is April 2024.

For more information contact Town Planner, Sue Brown: townplanner@wnewbury.org

MBTA Communities Multi-Family Overlay Zoning District Study funded by a State Grant (\$67,500), is being led by planning and design consultant Dodson and Flinker, guided by the Planning Board and managed by Town Planner.

This study is being undertaken to help the Town comply with a new State Law (MGL 40A Section 3A) that requires 175 municipalities within the MBTA service area to adopt a Zoning District that allows the production of multi-family housing (3+ units per building). Communities that fail to comply will lose access to substantial state funding programs.

The scheduled completion date for the study is April 2024. For more information contact Town Planner, Sue Brown: townplanner@wnewbury.org



Accessory Dwelling Unit (ADU) Bylaw Study is being led by the Planning Board to assess community support for a Zoning Bylaw that would allow homeowners to create Accessory Dwelling Units, also called accessory apartments or in-law apartments on residential lots. The impetus for the study is to create more diverse and affordable housing options.

The Board anticipates proposing a bylaw change for Town Meeting consideration in Fall 2023.

For more information contact Town Planner, Sue Brown: townplanner@wnewbury.org

April 4, 2022

Housing Initiatives Comparison Table

Lead	Project & Purpose	Primary Messages-Focus	Motivation	Approval Process
Affordable Housing Trust	AHT Action Plan - Local Initiative			
	<i>Identify housing goals and 3-yr work plan for AHT</i>	Goals Identified: <ul style="list-style-type: none"> • Increase housing opportunities for low and moderate-income households • Help residents afford housing they are in • Increase racial, economic and generational (life stage) diversity • Increase community support and understanding of need 	Supports AHT Mission to “Create and Preserve housing to support low and moderate-income households”	Requires adoption by AHT
Select Board, Planning Board	Housing Production Plan – State Recommended Initiative			
	<i>Document existing conditions, assess current and projected needs, identify goals/strategies for affordable housing production</i>	<ul style="list-style-type: none"> • Focus is housing needs assessment to justify recommendations • Production of income restricted housing is principal goal 	State requirement for potential “safe harbor”. Goals /identified potential projects required to show how Town can reach 10% SHI ¹ within 5 years	<ul style="list-style-type: none"> • Requires approval by PB, SB and DHCD² • Update required every 5 years • Is being led by MVPC with Community Input
Planning Board, Select Board	MBTA Communities Multi-Family (MF) Overlay District Study – State Required initiative			
	<i>Identify and draft regulations for an Overlay District that allows MF Housing by right with a minimum capacity of 87 units, and min density of 15 units/acre</i>	<ul style="list-style-type: none"> • MF housing is needed to meet local and regional housing needs • Housing density preserves land, helps create walkable neighborhoods, promotes sustainability, reduces building costs and can create more affordable housing 	If the Town does not comply with new law by 12/31/2025 it is not eligible for certain state funding	<ul style="list-style-type: none"> • New State Law ch40 Sec 3A requires 175 municipalities to develop MF Zoning District • Zoning change requires State and Town Meeting approval (50%)
Planning Board	ADU Bylaw – Local Initiative			
	<i>Create regulations that allow ADUs by right in Single-Family residences provided they meet identified criteria</i>	<ul style="list-style-type: none"> • ADUs are needed to meet family and community needs • ADUs are privately funded and managed (require no monetary support from other residents) 	Local choice, directly benefits local homeowners	Requires Town Meeting approval (>50%)

¹ SHI – Subsidized Housing Inventory: *The Subsidized Housing Inventory is used to measure a community's stock of low-or moderate-income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.*

² DHCD - Massachusetts Department of Housing and Community Development

WHY SHOULD WEST NEWBURY CONSIDER HOUSING DIVERSITY, OPTIONS AND DENSITY?

HOUSING DIVERSITY is important for West Newbury to be a community of families, multi-generational, welcoming, resilient and robust. Housing diversity might include:



- Multi-family housing (MF) (defined as 3 or more residential units in a single structure).
- Attached townhouses.
- Duplexes or Two-Family houses (2F).
- Clustered housing such as in Cottage or Pocket Neighborhoods¹.
- Accessory Dwelling Units (ADU) - also known as Accessory Apartments or In-law Apartments.

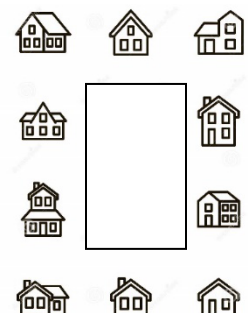
HOUSING OPTIONS support householders across the range of life stages and income levels by accommodating varying needs including:

- Smaller houses for singles, couples, young families, and downsizing householders.
- Rental houses for householders without the income or savings required for ownership, in transition, or preferring to not be encumbered by a mortgage or home maintenance.
- Multi-family houses that are less expensive to build, require less land and resources; and that translate to more affordable housing.
- Lower maintenance houses for householders with limited ability or resources to maintain a stand-alone single-family home on a typical suburban or rural lot.
- Houses that offer single-floor living and accessibility options for householders with mobility challenges or other disabilities.



HOUSING DENSITY is a sustainable and environmentally friendly way to meet housing needs and is a natural component of town centers and other neighborhoods. Creating houses that are close to each other:

- Requires less land, development cost, material consumption, and public infrastructure per household.
- Helps create more walkable neighborhoods.
- Reduces vehicle trips (energy consumption) – in particular when close to schools, services, employment.
- Can be designed to respect community values and character.



¹ **Pocket or Cottage Neighborhood** is a style of residential development that clusters small homes on small lots. They tend to consist of around 12 homes that all face a common area that residents must walk through to access their front door. Creating small homes on small lots allows more compact development which uses land efficiently.



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

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

townmanager@wnewbury.org

TO: Select Board

FROM: Angus Jennings, Town Manager

DATE: April 12, 2023

RE: Summary of active and proposed planning for improved pedestrian/cyclist safety

This is to provide a brief summary of the topic above, with a focus on Main Street (Rte. 113).

Page/Pipestave/Rte. 113 Crossing

- In Winter/Spring 2022, Town undertook Safety Audit, supported by \$30k earmark in FY22 State Budget. Planning effort resulted in selection of preferred conceptual design from several alternative designs considered.
- In Fall 2022, Town pursued Safe Routes to Schools grant with active community support. Although grant was not funded, Town staff in continuing contact with SRTS program administrators, and will likely pursue modified grant next fall (excluding the work that will already be done by then – more detail below).
- In FY23, secured \$30k State Budget earmark administered through Mass. Office of Tourism. Contracted with TEC (engineering consultant), and work underway to advance the engineering design, survey, and MassDOT permitting process for the proposed Page/Pipestave ped crossing/Rapid Flasher Beacon (RFB). Expected date of completion of current work scope/contract: June 30, 2023.

Right: Preferred concept plan resulting from Page/Pipestave/113 Safety Audit; including pedestrian- and equestrian-activated Rapid-Flasher-Beacon. Engineering and survey for permitting and implementation now underway.



Dr. John C. Page Elementary School
Main Street (Route 113) at School Access
West Newbury, Massachusetts

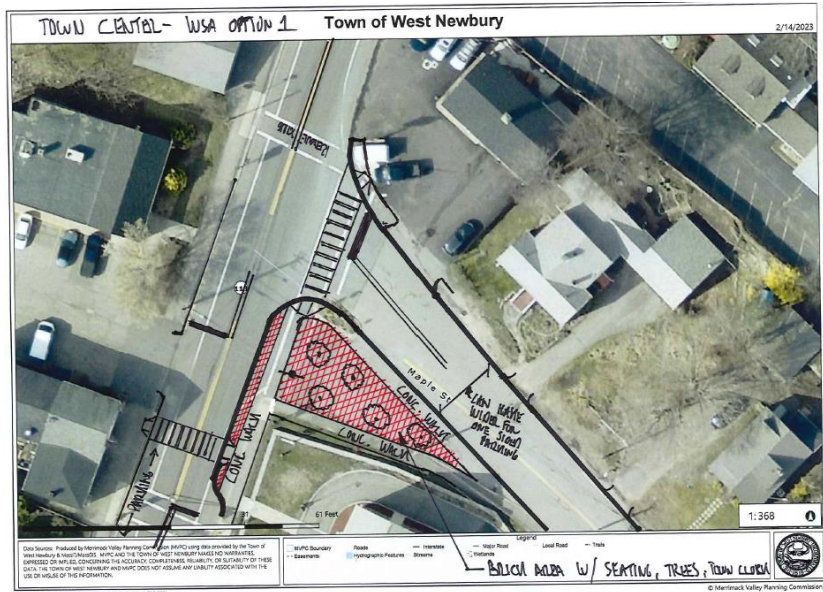
Right: Broader geographic scope of Winter 2022 Safe Routes to Schools application called for new sidewalk along Rte. 113, in addition to improved crossing and RFB at Page/Pipestave.



Town Center Traffic Calming

- DPW Director prepared draft concept sketch, showing traffic calming/pedestrian amenities, in the Town Center area (generally including Main Street from the Church Street intersection, running westerly past Maple Street, and extending through the Food Mart lot frontage).
- Town received \$50k State Budget earmark from Mass. Office of Economic Development.
- Town will prepare scope of services and issue RFQ this spring to engage a transportation engineering firm with landscape architect sub-consultant to create multiple concept plans showing traffic calming/ped & bike safety improvements in the Town Center, and undertake a public process to build consensus around a preferred concept.
- Once a preferred concept is selected, additional engineering work will be needed to get any proposed improvements through the MassDOT permitting process; then, funding will be needed for construction.

Right: One concept sketch for potential traffic calming in the Town Center. During the future planning process for the Town Center, a consultant will be engaged to prepared multiple alternate concepts for public consideration.

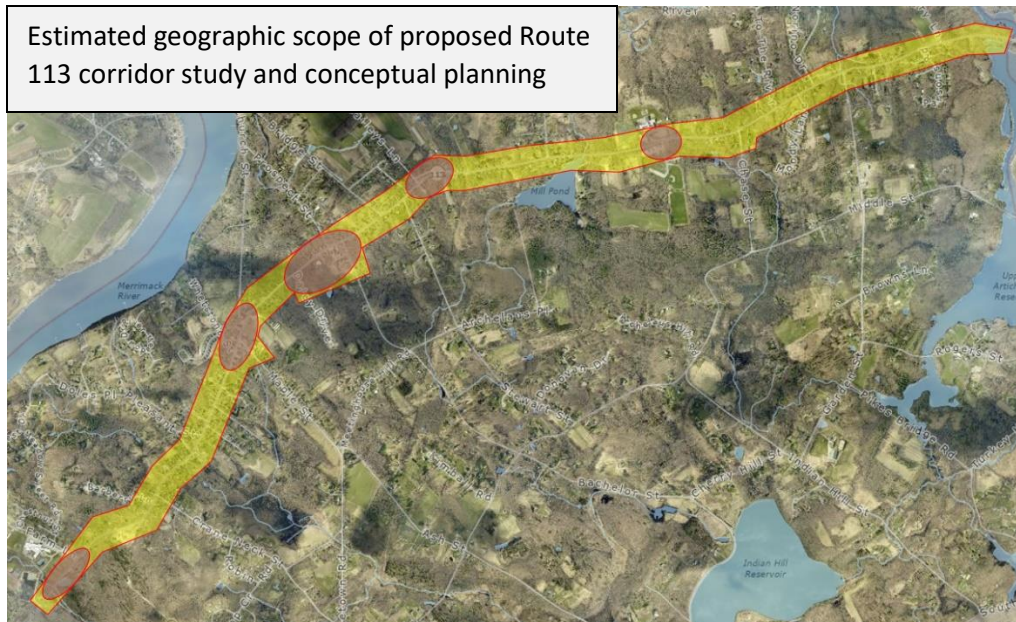


Improved Crosswalks / Signage near Town Offices

- The Town has petitioned MassDOT to install improved signage giving drivers better advance notice of these two crosswalks, and to repaint the crosswalks. MassDOT has committed to install new signage in spring 2023, and to repaint the crosswalks as part of its annual program. As part of the broader corridor study (detailed below), this location will be considered for potential RFBs.

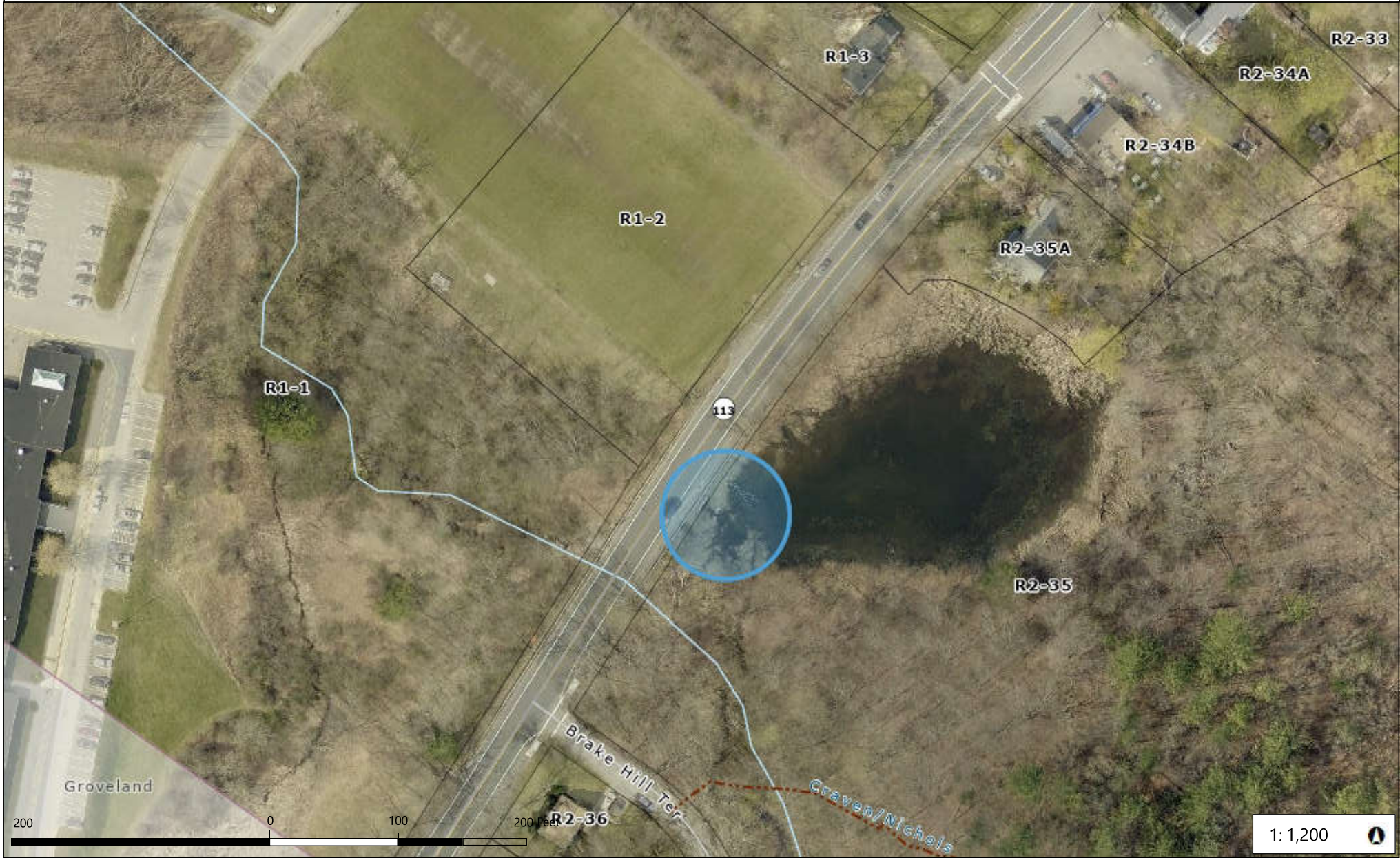
Corridor Study (Proposed)

- The Spring (April 24th) Town Meeting warrant will include an article proposing funding to initiate a conceptual planning process for the Route 113 corridor, extending (roughly) from Chase Street (easterly edge) running westerly to the Groveland town line. (If supported by project budget, geographic scope will include the entire corridor, with the City of Newburyport border as the easterly boundary). The work scope will include a specific focus on several identified “nodes”, which will receive focused design attention during this public planning process. Design “nodes” to include (but not necessarily be limited to):
 - o Middle/High School vicinity
 - o Town Center vicinity
 - o Town Offices / West Newbury Housing Authority / Soldiers & Sailors Building vicinity
 - o Library and Town Hall / Long Hill Orchard vicinity
 - o Page School / Pipestave / Mill Pond vicinity
- The contract deliverables will include conceptual planning for the corridor, identifying ped & bike safety improvements along the corridor including at specific focus areas.
- This study is expected to result in several proposed ped & bike safety projects that would then – either individually, in segments/phases, or in total – be advanced through the necessary engineering and permitting processes.
- This work is expected to improve the Town’s competitiveness for additional State and Federal funding, for project construction, including through the regional Transportation Improvement Program (TIP) process administered by MVPC as the region’s Metropolitan Planning Organization.



Town of West Newbury

4/26/2023



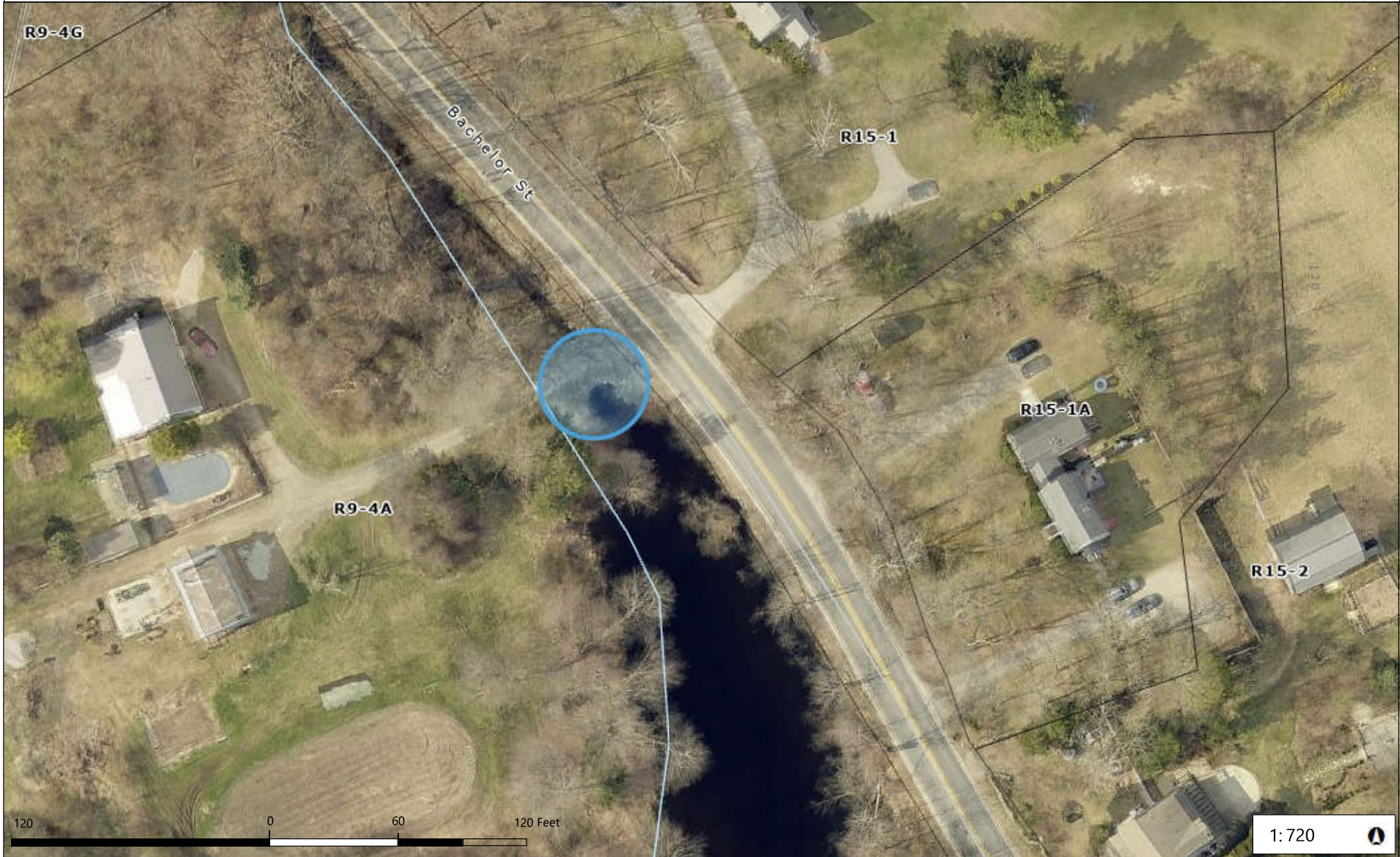
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Legend					
MVPC Boundary	Parcels	Roads	Interstate	Major Road	Local Road
Trails	Easements	Streams			



Town of West Newbury

4/26/2023



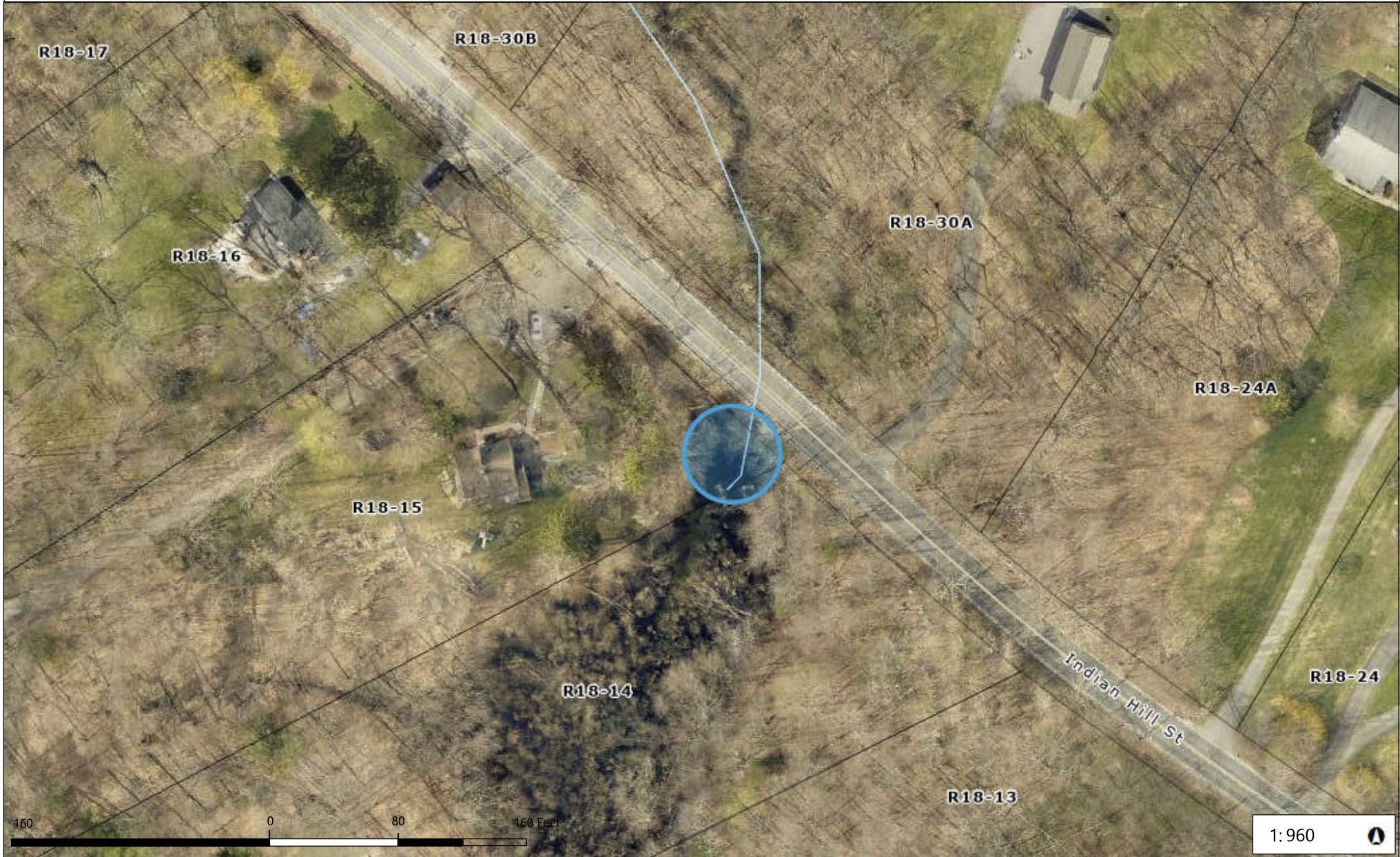
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Town of West Newbury

4/26/2023



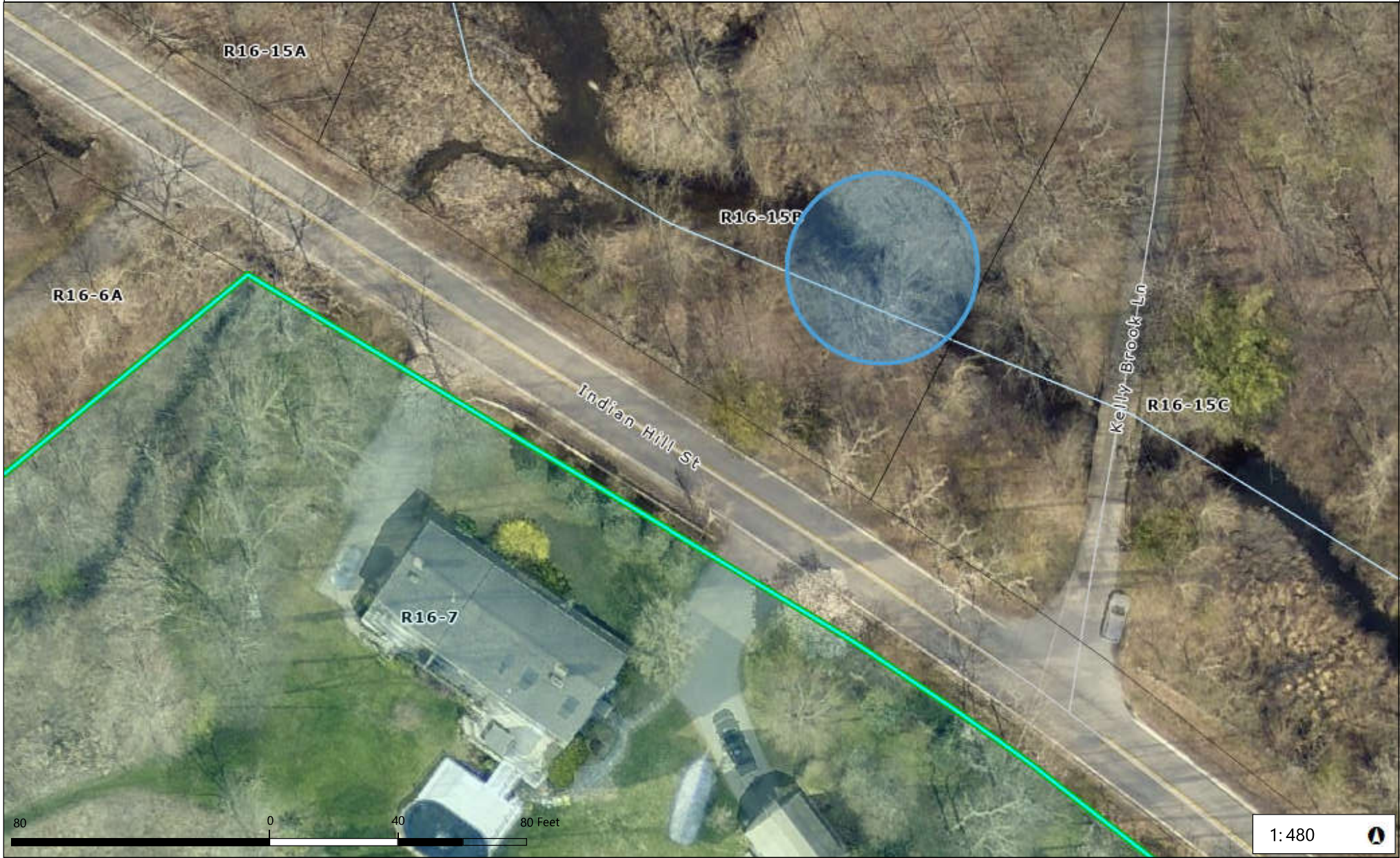
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Town of West Newbury

4/26/2023



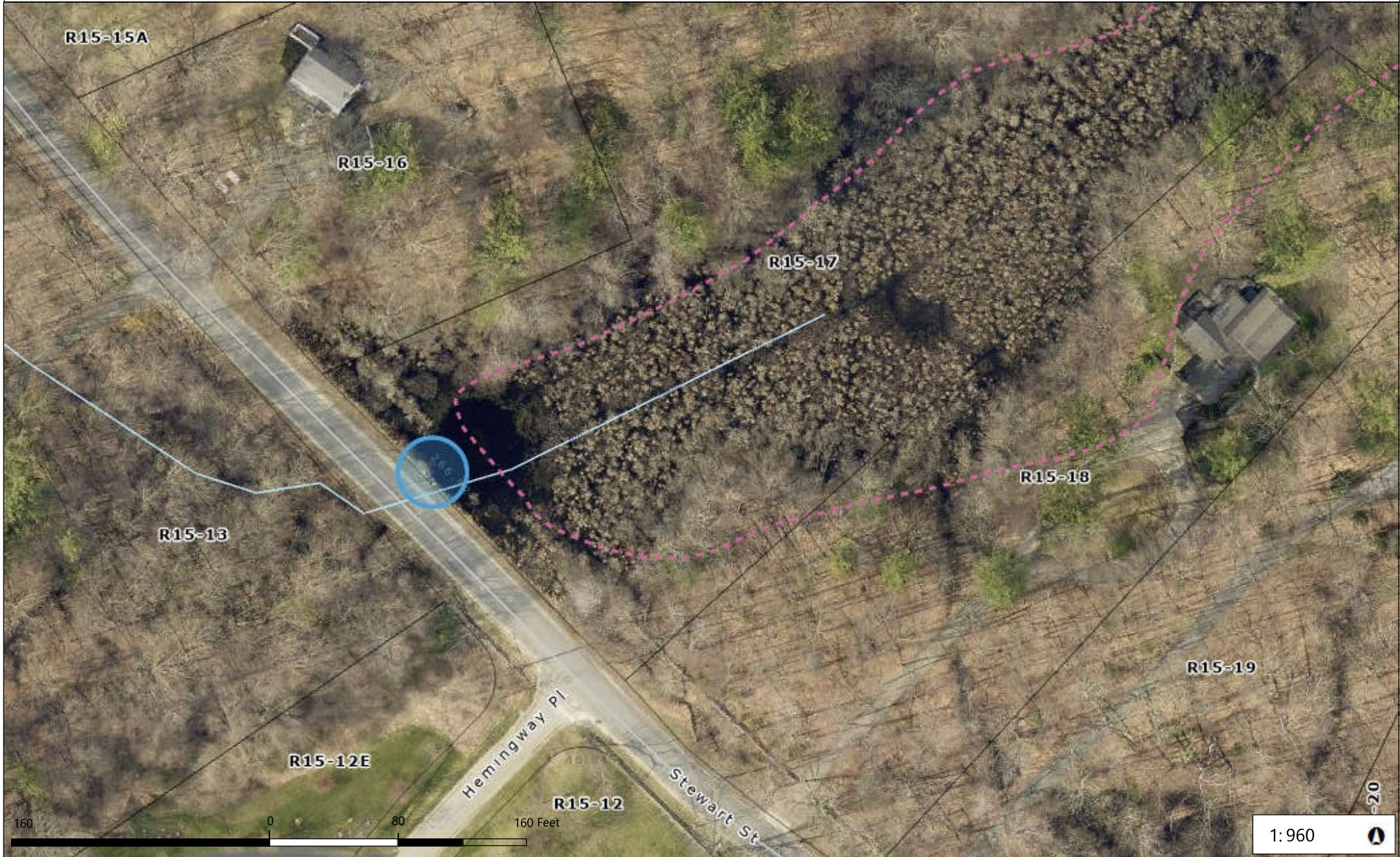
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MVPC Boundary	Parcels	Roads	Interstate	Major Road	Local Road
Trails	Easements	Streams			



Town of West Newbury

4/26/2023



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Legend		
MVPC Boundary	Parcels	Roads
Trails	Easements	Streams
Interstate	Major Road	Local Road



Proposed Revisions to Stormwater Management Regulations

Planning Board Meeting
April 18, 2023

Lori Kennedy, Horsley Witten Group



Procedures - Key Proposed Changes

- Section 5.B. - Established a Tier Two Stormwater Management Permit for projects associated with single- and two-family home outside the MS4 Regulated Area that will disturb less than 4 acres.
 - Tier Two will allow for simpler permit application and performance standards
- Section 5. – Removed exemptions for projects under Conservation or Planning jurisdiction. All applicable projects must apply for a Stormwater Management Permit to enable tracking and enforcement of permit conditions.
- Section 6.I. – Changed from *public hearing* to *public meeting*.
- Appendix E. – Changed permit application fees.

Standards - Key Proposed Changes

- Section 7.1.D. – Removed design standards that were redundant with MA Stormwater Handbook or established too high a standard. This section may be further revised to align with Subdivision Rules & Regs.
- Section 7.2.A. – Added detailed standards for construction-site stormwater management.
- Section 8. – Added simplified performance standards for Tier Two projects.
- Section 9. – Removed annual reporting requirement for most single- and two-family homes.
- Section 10.2.D. – Allows Stormwater Authority discretion for timing of construction inspections by the Stormwater Authority.

WEST NEWBURY TOWN HALL PAINT PLAN B

COLOR SCHEME

Benjamin Moore
Simply White white

SATIN FINISH

- Clapboards
- Pediment and trim
- Pilasters
- Corbels and door surround

Benjamin Moore
Onyx black, semi-gloss finish
on architectural details
Gloss finish on doors

SEMI-GLOSS FINISH

- Circular motif, top
- Italianate curved portico detail over door
- Circular motif over door
- Window trim
- "x" reliefs
- Pediment trim

GLOSS FINISH

- Front doors





GRANT INFORMATION		STATUS		IMPLEMENTATION	CLOSEOUT
NAME	AWARDING AUTHORITY	GRANT	AMOUNT AWARDED	GRANT MANAGER	DEADLINE
911 Support and Incentive Grant - FY23	State 911 Department	Active	\$ 27,998.00	Police Chief	6/30/2023
911 Training Grant - FY23	State 911 Department	Active	\$ 18,178.64	Police Chief	6/30/2023
American Rescue Plan Act (ARPA)	US Treasury	Active	\$ 1,409,046.80	Select Board	12/31/2026
Clean Vessels Act Pumpout Grant (CVA)	Dept of Fish & Game, Div Marine Fisheries	Active	\$ 8,500.00	Town Manager	12/31/2023
COA Formula Grant	Massachusetts Council on Aging	Active	\$ 15,996.00	COA Director	6/30/2023
Community Compact Municipal Best Practices Grant	Executive Office for Administration and Finance	Active	\$ 15,000.00	Town Manager	10/25/2023
Cultural Council - FY23	Mass Cultural Council	Active	\$ 5,500.00	Cultural Council	6/30/2023
Emergency Management Planning Grant (EMPG) - FY23	Massachusetts Emergency Management Agency	Active	\$ 2,700.00	EMA Director	6/30/2023
Emergency Planning Zone Grant (EPZ) - FY23	Massachusetts Emergency Management Agency	Active	\$ 9,020.00	EMA Director	6/30/2023
EOHED Chapter 268 Earmark (1/5)	Executive Office of Housing & Economic Development	In Process	\$ 50,000.00	DPW Director	6/30/2026
Firefighter Safety Equipment Grant - FY23	Department of Fire Services	Active	\$ 12,500.00	Fire Chief	6/30/2023
Green Communities Grant - Energy Management - FY23	Department of Energy Resources (DOER)	Active	\$ 32,000.00	DPW Director	9/30/2024
Library Incentive Aid - Revolving	Massachusetts Board of Library Commissioners	Active	\$ 10,496.59	Library Director	
MassWorks Infrastructure Program	Executive Office of Housing & Economic Development	Active	\$ 1,000,000.00	DPW Director	6/30/2023
MED Drug Take Back Grant	Massachusetts Department of Public Health; MED-Project USA	Active	\$ 1,300.00	Police Chief	

GRANT INFORMATION		STATUS		IMPLEMENTATION	CLOSEOUT
NAME	AWARDING AUTHORITY	GRANT	AMOUNT AWARDED	GRANT MANAGER	DEADLINE
MIIA Wellness Grant	MIIA Health Benefits Trust	Active	\$ 5,000.00	Treasurer/Collector	6/30/2023
MOTT Sidewalk and Pedestrian Safety - FY23	Massachusetts Marketing Partnership	Active	\$ 30,000.00	DPW Director	6/30/2023
MVP Action Grant FY24	Executive Office of Energy and Environmental Affairs	Grant app filed 5/4/23		DPW Project Manager/ Climate Change Resiliency Comm	
Rural and Small Town Grant - FY23	Department of Housing and Community Development	Active	\$ 67,500.00	Town Planner	6/30/2024
Survey & Planning Grant - FY22	Massachusetts Historical Commission	Active	\$ 14,900.00	Historical Commission	6/30/2023
Veterans Grant Heritage Program	The Commonwealth of Massachusetts Archives Division	Active	\$ 2,722.55	Library Director	
Winter Recovery Assistance Program (WRAP)	Massachusetts Department of Transportation - Highway Division	Active	\$ 152,991.31	DPW Director	6/30/2023
			<u>\$ 2,891,349.89</u>		
<i>Source: Town Manager, Town Accountant - WORKING DRAFT 5/5/23</i>					

Town Planner Report

May 2, 2023

MBTA Community Multi-Family Zoning District

Kick Off Meeting on April 18th provided an overview of MBTA Communities Law and Regulations, outlined the planning process and began the discussion of challenges and opportunities.

Next steps include a Town tour with a number of Town staff and board members and background interviews with staff, board members and others to help Dodson & Flinker better understand local conditions and preferences.

The next meeting with Dodson & Flinker will be a public forum on May 16 to introduce the project to the general public, confirm Town goals, share maps and preliminary analysis and gather public input on potential locations for multi-family housing.

Housing Production Plan

The next HPP meeting is scheduled for Tuesday, May 9th at 11 AM. While primarily for the Stakeholder Working Group, it is open to the public and will be accessible in person and on Zoom. The purpose of this meeting is to review a few key housing comparative data sets to show some of the changes that have occurred in terms of housing landscape in West Newbury since the last iteration of the HPP. Data will include:

- a. Population Growth
- b. Age Distribution
- c. Race/Ethnicity
- d. Occupancy, Vacancy, and Tenure
- e. Median Household Income/Household Income by Tenure

Public engagement type activities are expected to begin in June.

Bylaw Amendments – Solar Facilities and Bylaw Renumbering and Recodification

Katelyn and I have gathered the required data and documents for the Town Clerk to submit the Bylaw Amendments to the Attorney General's office for approval. While the AG approval process typically takes in excess of three months, the new bylaws are in effect as of the date they were approved by Town Meeting

Stormwater Management Regulation

The Public Hearing on the proposed changes to the Stormwater Management Regulations is scheduled for May 16th. The legal advertisement will run May 1 and May 8, notices have been mailed. Lori is available for this meeting.

The Stormwater Working Group is meeting next week to review and offer recommendations for updates to Appendices A and B: Model Stormwater Management Permit Conditions and Stormwater Management Permit Application Form.

Corridor Transportation Improvement Study

Town Meeting voted to approve funding for Design and Planning for Route 113. This includes engineering support for the design of the pedestrian crossing improvements around Page School and

Sue Brown, Town Planner
4/26/2023

Town Planner Report

May 2, 2023

Pipestave Recreation Area, and also preliminary planning of potential transportation improvements along the length of the Route 113 Corridor.

The study will include traffic counts and capacity analysis, conceptual roadway design, cost estimating and development of a Project Need Form, a preliminary document needed to apply for road improvement funding.

The project scope and budget include multiple public meetings, and other opportunities for engagement with this planning process. The Planning Board and my office can expect to be integral to this process as it goes forward, and may also relate to our ongoing planning regarding potential sites to modify zoning to accommodate multi-family housing.

While the engineering work for the Page/Pipestave crossing is already underway, thanks to a prior funding source, the broader corridor study is not formally underway. Now that the funding has been appropriated, the Town Manager will be executing a contract with the vendor to begin this work. There have been initial discussions among our offices, and with the DPW Projects/Programs Manager, regarding the importance of coordinating the various public planning processes that will be going forward in parallel over the next year or so.

Escrow Accounts

87 Main Street – Balance \$955.49: last invoice pd 9/8/22, final driveway inspection needed

519 Main Street (Deer Run) - Balance \$2,015.62 – still under construction, further inspections needed

Drakes Landing – Balance \$3,067.32: last invoice pd 11/1/22 – Should this be closed?

Haddock Realty/Cook (151-153 Middle) – Balance \$1,420: last invoice pd 10/25/2017 – The driveway has not been built. The Special Permit was extended by the Board on May 18, 2021 to May 29, 2024. Other Permits for this potential project have expired. This project would trigger the Stormwater Management Bylaw. Should this be closed?

Other Bylaws under consideration for amendments:

ADU Bylaw

Wireless Bylaw

Adult Use Marijuana Bylaw

Steep Slopes Bylaw

Sue Brown, Town Planner
4/26/2023

DPW Projects and Programs List

Updated 04/14/23

Stat.	Prj/Prog #	TITLE	PM	NOTES / NEXT STEPS
1	PRJ-001	Page School Feasibility Study	CW	RFQ advertised, prebid conf 4/25, proposals due 5/19, SB to assign Selection Comm.
1	PRJ-005	MVP Action Grant for River Road	CW	Grant applicatin due 5/4
1	PRJ-010	Regional Hazard Mitigation Plan	CW	LHMPT filling in form, CW tracking time, need to convene group internally
2	PRJ-002	Page School Exterior/Lintel Study	CW	WA coordinating scope/quote
2	PRJ-003	Solar Site Feasibility Study	CW	Contract signed with b2Q. Coordinating with RP.
2	PRJ-004	Whetstone Street Connection	CW	Revised path and Boardwalk design to be done by W&S Engineer, with help from Bldg Insp
2	PRJ-006	Town Phone System	CW	Have Kittery example RFP - need to convene group and assign tasks
2	PRJ-011	Rte 113 Pipestave Crossing	CW	Signed Contract with TEC. Survey, public meeting, and prelim design to be completed by June 30. Counts currently
2	PRJ-012	Rte 113 Corridor Planning	CW	Received scope from TEC, waiting on funding from TM
2	PRJ-013	Town Center Safety Improvements	CW	Need to spend \$50k by June 2026, concept will be started with the Corridor project
2	PRJ-015	Page School HVAC Main Offices	CW	B2Q working on spec, money approved for ARPA
3	PROG-01	MS4 Stormwater Program	CW	Ongoing-working with MVPC, annual permit due in Sept.
3	PROG-02	Climate Change Resiliency	CW	Ongoing - attending CCRC meetings
3	PROG-03	Town Projects Webpages	CW	Ongoing - periodic updates for Page School, MVP grant, Page Crossing, need to add new page for Corridor planning
3	PROG-04	Green Energy	CW	Ongoing
3	PROG-05	Chapter 90	CW	Ongoing - submitting forms/reimbursements
3	PROG-06	MVPC Transportation	CW	Ongoing - attend MCCPO meetings
4	PRJ-007	Pipestave Parking and Circulation	CW	Need to discuss ideas and long-term plan with AJ and stakeholders
4	PRJ-008	Safe Routes to School - Page School Onsite	CW	Need to come up with scope, costs, schedule and coordinate with Principal Puteri - wants by Fall
4	PRJ-014	Farm Lane Guardrail	CW	Need scope & fee from TEC
5	PRJ-009	Safe Routes to School - Page School Main St	CW	Met with MassDOT and MVPC 3/22 to discuss why we did not get SRTS grant.

Notes:

"PRJ" refers to project that will have a certain end date. "PROG" refers to program that will perpetually have ongoing tasks

Status: (1) Priority/Deadline, (2) Active Project (3) Working on periodically, (4) In the queue, (4) Archived

April 25, 2023

West Newbury Board of Selectmen Chair
 381 Main Street
 West Newbury, MA 01985

RECEIVED
 MAY 01 2023
 TOWN MANAGER
 TOWN OF WEST NEWBURY

Dear Board of Selectmen Chair:

In a letter sent on November 28, 2022, you received notification that National Grid would carry out late winter-spring mechanical control, cut surface (CST) or basal treatment; a summer selective foliage treatment; and, as necessary, summer and fall CST and basal treatments on rights-of-way, which pass through your municipality. Information on National Grid's approved Yearly Operational Plan (YOP) and a link to maps showing the rights-of-way to be treated were included with that letter.

The current five-year Vegetation Management Plan (VMP), approved 2023 YOP, and 2023 maps are posted on National Grid's website: https://www9.nationalgridus.com/transmission/c3-8_standocs.asp

Please let us know if there are any additional *sensitive areas* located on or near the rights-of-way. Please advise us as soon as possible so we can establish permanent GIS records and implement appropriate field protective actions. We particularly rely on this process to collect corrections to the public wells and to record the location of private wells.

National Grid's YOP details specific information pertaining to the intended 2023 program. Please note that the YOP also lists the rights-of-way from the 2022 treatment program in case National Grid needs to request a "touch-up" retreatment of scattered locations from our contractor(s). If upon review of the previous year's treatments, National Grid finds a site(s) within your municipality that need follow-up treatments, this letter serves as notification of that follow-up treatment. The individual landowner(s) will be also be notified about this work. *Please note that scheduled rights-of-way are subject to change based on workplan constraints*

Commonwealth of Massachusetts recommended herbicides for use in *sensitive areas* listed in Section 7 (pages 13-15) of the YOP will be selectively applied to target vegetation by experienced, Massachusetts' licensed/certified applicators that walk along the rights-of-way using backpack equipment. Copies of the manufacturers' herbicide labels and fact sheets are also included in the YOP, Appendices 8 and 9.

Potential Treatment Periods*

January 23, 2023 -- May 30, 2023	May 30, 2023 - Oct 15, 2023	Oct 15, 2023 -- Dec 31, 2023
CST	Foliar	CST
Basal	CST	Basal
Dormant stem	Basal	Dormant Stem
	Cut stubble	

* The exact treatment dates are dependent upon weather conditions and field crew progress.

In compliance with 333 CMR 11.06-11.07, no herbicide applications will occur before the conclusion of the 45-day YOP review period, the 21-day treatment notice and the 48-hour newspaper notice. At the end of these review periods, which can run concurrently, no application shall commence more than ten days before nor conclude more than ten days after the treatment periods listed above.

The work will be performed by one of the following vegetation management vendors:

Lewis Tree Service, Inc.	Stanley Tree	Vegetation Control Service, Inc.
300 Lucius Gordon Drive	662 Great Road	2342 Main Street
West Henrietta, NY 14586	North Smithfield, RI 02896	Athol, MA 01331
(585) 436-3208	(401) 765-4677	(978) 249-5348

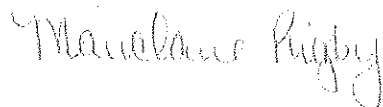
This informational 21-day notification follows Chapter 132B, section 6B of the Massachusetts General Laws, 333 CMR 11.05-11.07 Rights of Way Management and Chapter 85, Section 10 of the Acts of 2000. National Grid's vegetation management program is subject to federal and state regulations only. By statute, local permits or rulings are not applicable.

For inquiries concerning safety of the herbicides, please contact:

Director of Rights-of-Way Programs
Department of Agricultural Resources
251 Causeway Street, Suite 500
Boston, MA 02114-2151
Telephone: (617) 626-1781

Please contact me if you have any questions about the application and monitoring of the vegetation control program. The best way to contact me is through email at mariclaire.rigby@nationalgrid.com or please leave a message at 508-860-6282

Sincerely,



Mariclaire Rigby
Lead Vegetation Strategy Specialist

cc: Board of Health
Conservation Commission
Massachusetts Pesticide Bureau
Assigned vegetation management vendor

Municipality: West Newbury

ROW#(S): 1277



Assure Station Metrics Monthly Reporting

Town of West Newbury - Monthly Report - March 2023

Company Id
112991

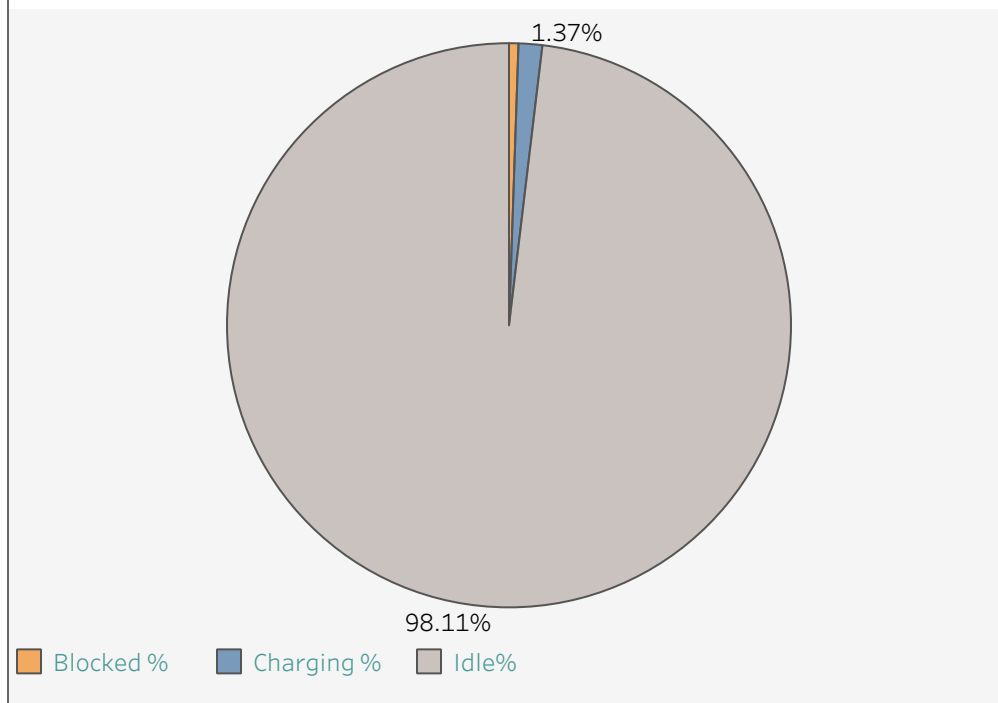
Port Level
All

Organization Name
All

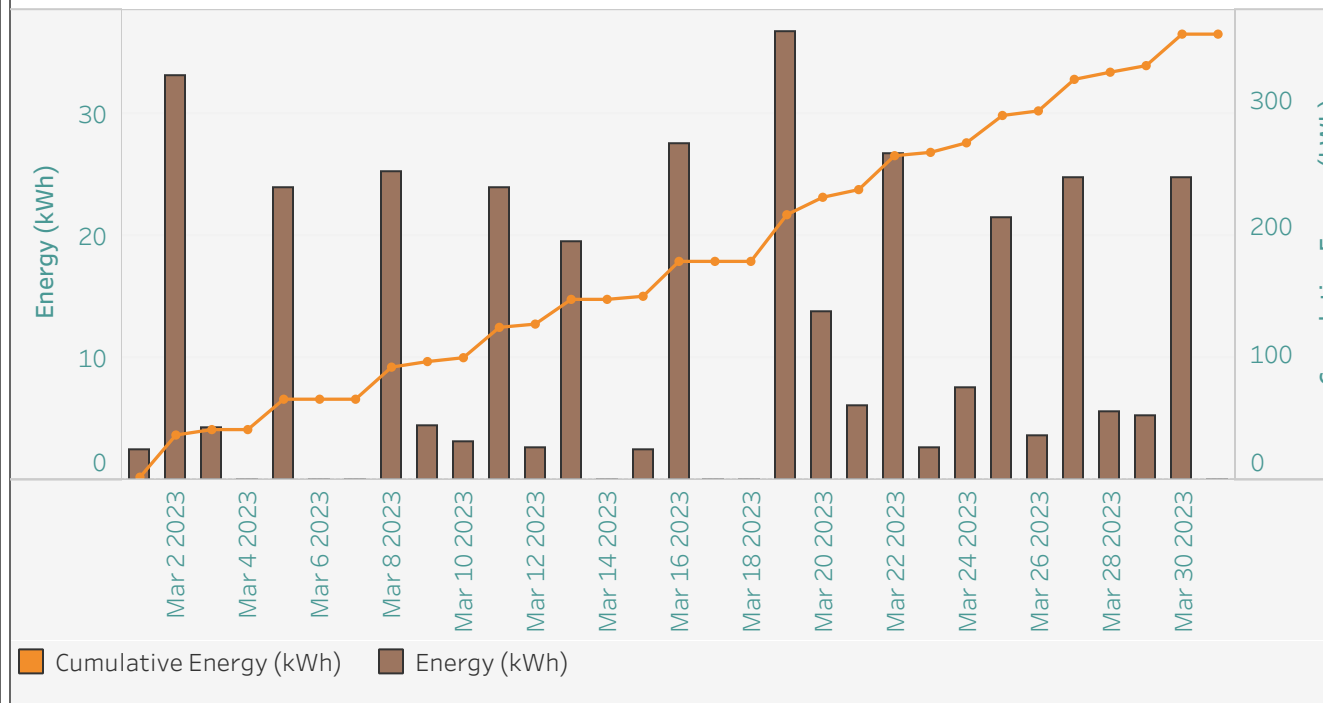
Month End Date
3/31/2023

Port Count	Station Count	Total Revenue (\$)	Energy (kWh)	GHG Savings (kg)	Gasoline Saved (Gal)	Unique Driver	Chargepoint Response SLA	Session Count
8	4	111	351	148	44	8	100.00%	40

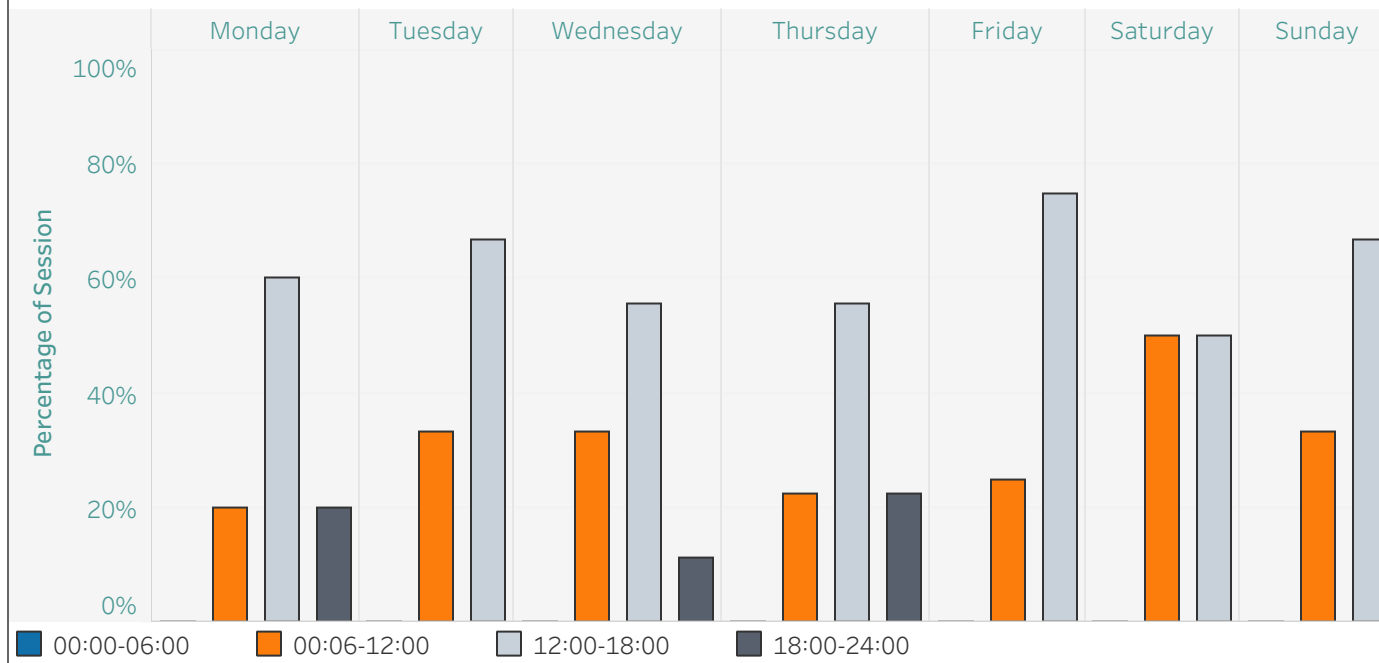
Port Utilization: 24 Hours



Energy Dispersed (kWh) by Day



Session Starts by Time of Day Month



Average Session Duration (Hours)	2.81
Average Session Charge Time (Hours)	2.03
Average Session Energy (kWh)	8.79
Average Session Revenue (\$)	2.77
Occupied Hours	112.6
Charging Hours	81.3
Service Tickets	0.0



Assure Station Metrics Quarterly Reporting

Town of West Newbury - Quarterly Report - 2023 Q1

Company Id
112991

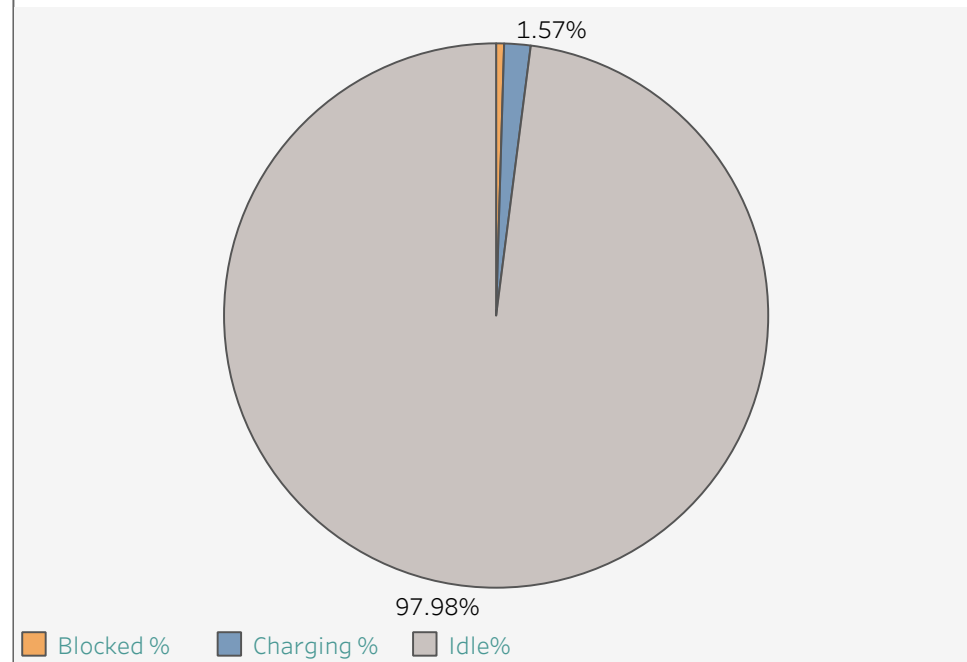
Port Level
All

Organization Name
All

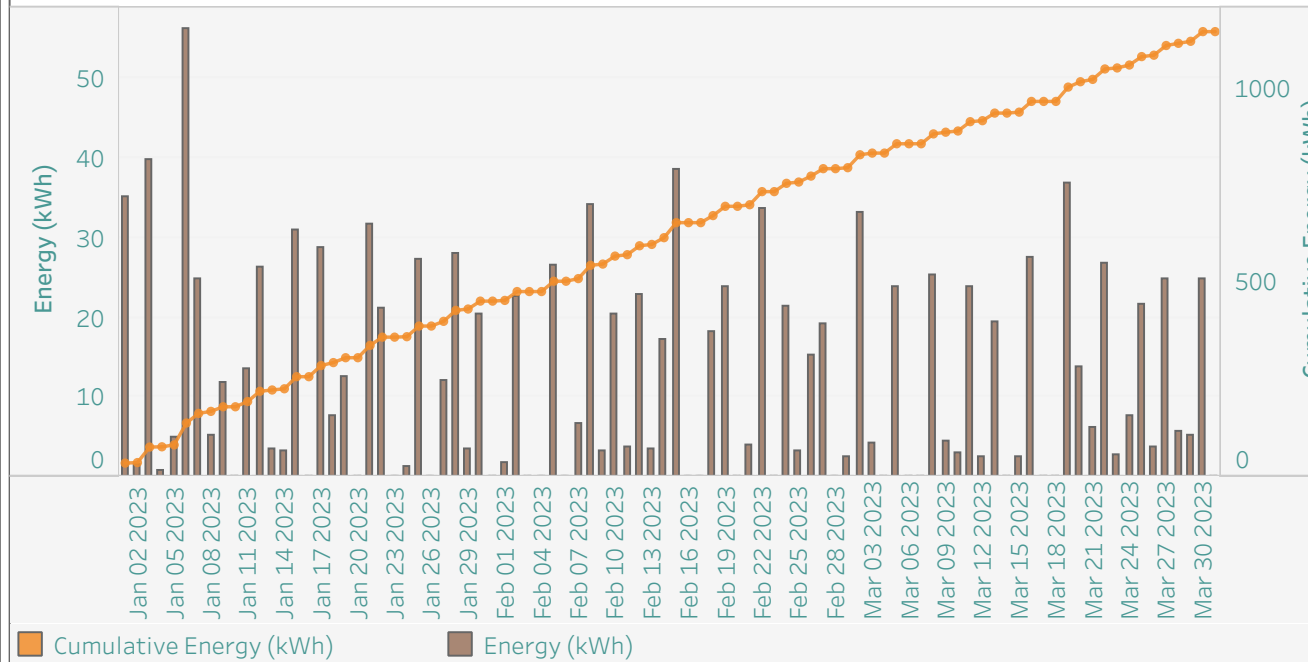
Quarter Year
3/31/2023

Port Count	Station Count	Total Revenue (\$)	Energy (kWh)	GHG Savings (kg)	Gasoline Saved (Gal)	Unique Driver	Chargepoint Response SLA	Session Count
8	4	359	1,142	479	143	15	100.00%	130

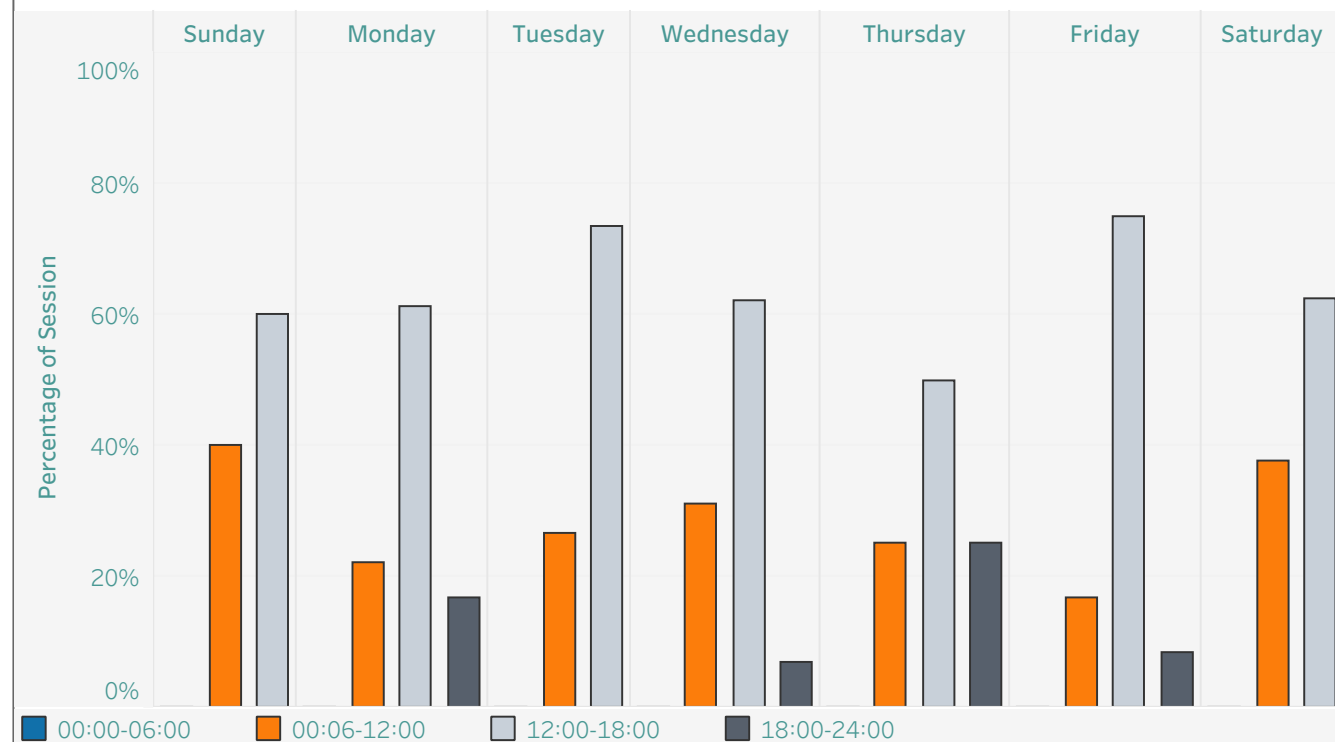
Port Utilization: 24 Hours



Energy Dispersed (kWh) by Day



Session Starts by Time of Day Quarter



Average Session Duration (Hours)	2.68
Average Session Charge Time (Hours)	2.08
Average Session Energy (kWh)	8.78
Average Session Revenue (\$)	2.76
Occupied Hours	348.9
Charging Hours	270.8
Service Tickets	0.0

Service Entitlement Status Breakdown of Assure Stations					
	Expired	0-30 Days	1-6 Months	6-12 Months	1+ Year
Assure	0	0	0	0	4
SW	0	0	0	0	4

- You dispensed more energy than 43.04 % of other Assure customers.
- You collected more fees than 76.92 % of other Assure customers.
- You fueled more unique drivers than 51.98 % of other Assure customers.
- Your 24 hour charging utilization was higher than 51.00 % of other Assure customers.

Station Name	Total Energy (kWh)	Total Sessions	Total Fees (\$)	Gasoline Saved (Gal)	GHG Savings (kg)	Charging Hours	Occupied Hours	Uptime (%)
WEST NEWBURY 1910 BLDG 1	910	90	\$ 286.30	114	382	211	285	100.00%
WEST NEWBURY 1910 BLDG 2	139	31	\$ 43.73	17	58	37	41	100.00%
WEST NEWBURY PAGE SCHOOL 1	60	2	\$ 18.90	8	25	17	17	100.00%
WEST NEWBURY PAGE SCHOOL 2	32	7	\$ 10.22	4	14	6	6	100.00%



Assure Station Metrics Reporting Appendix

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

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

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

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

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

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

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

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

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

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

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

This data point can be useful in sustainability reporting.

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

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

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

This data point can be useful in sustainability reporting.

ChargePoint Response SL: Percentage of tickets to which ChargePoint responded within Service Level (1 business day).

ChargePoint holds itself accountable to our Service Level commitment.

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

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

Sessions: Total session count.

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

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

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

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

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

Average Session Energy: Average amount of energy dispensed.

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

Average Session Revenue: Average session fee - 10%.

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

Total Hours Occupied: Sum of all session durations.

This is used in part to determine utilization.

Total Hours Charging: Sum of all session charging durations.

This is used in part to determine utilization.

New Service Tickets: Count of trouble tickets tracking issues with a "Assure" station created this month.

This will help in keeping track of station fault issues raised with ChargePoint Support.