



Town of West Newbury
Select Board
Monday, June 6, 2022 @ 5:30pm
381 Main Street, Town Office Building
www.wnewbury.org

REC'D W. NEWBURY CLERK
'22 JUN 2 PM 5:14

AGENDA

Executive Session: 5:30pm in 1910 Building, 381 Main Street: Select Board office; and by remote participation

- ❖ MGL Ch. 30A §21(a) 3: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (*Police Union contract; parking for Coffin Street conservation land*);
- ❖ 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 (*Elliott Fund*).

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.
- Thanks to everyone who helped make the Memorial Day Parade a wonderful community event!
- Thanks to the West Newbury Fire Department for responses to recent emergencies
- 2022 Summer Bandstand Concert Schedule– Thursdays (6/23-8/25) at 6:30pm: performers now online!
- Call for volunteers! Open positions on Town Boards/Commissions/Committees, including the new Affordable Housing Trust! Details at <https://www.wnewbury.org/volunteer>
- Reminder to subscribe for emailed Town news/announcements at <https://www.wnewbury.org/subscribe>

Regular Business

- A. Proposal to rename West Newbury Senior Center to the SAGE Center (Social; Activities; Growth; and Education) – *Council on Aging*
- B. Requests for appointment
 - a. Joint meeting with Parks & Recreation Commission to consider application of Alex Niles to serve on the Parks & Recreation Commission
 - b. Applications to serve on Conservation Commission – *George Preble; David Parrott*
- C. Discussion of policy regarding temporary signs on public property
- D. Updated draft Page/Pipestave/113 safety audit and concept plans – *Liz Oltman, TEC Consultants*
- E. Preview/outline of FY23 reappointment timing/process for Boards/Commissions/Committees
- F. Discussion of ARPA funds; consideration of eligible project; outline of process to allocate/authorize remaining ARPA funds
- G. Request for approval of FY23 wage range schedule
- H. Update regarding Mill Pond All Access Trail initiative, and process for continuing project management
- I. Discussion of process to consider potential zoning amendment regarding Soldiers & Sailors Building
- J. Discussion of form of government, and potential consideration of Town Charter
- K. Meeting minutes: May 9, 2022

Town Manager Updates

- L. Update on Finance personnel preparation for upcoming ratings call with Standard & Poor's
- M. Notice of extension of MassWorks grant regarding Middle Street Bridge
- N. Page School Playground construction update
- O. Update regarding invasive species interns beginning on Monday, June 13th
- P. Notice of submittal of One Stop grant application to support study of local options for compliance with MBTA Communities legislation
- Q. Process for financial closeout of FY22
- R. Update on process to reissue Bond Anticipation Notes (BANs) for Water capital projects
- S. Update on continuing impacts of Stormwater Bylaw on pending house construction, and staff time
- 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: 899 4587 3046

Passcode: 623603

Join at: <https://us06web.zoom.us/j/89945873046?pwd=eGZjU3Byd116Zmd2eS9XbkJhWHB2QT09>

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

West Newbury Summer Concert Series

Every Thursday June 23rd-Aug 25th 6:30pm to 8:00pm

June 23
Thomas Machine Works Band
Country/Rock

July 28
Gary Backstrom Band
Original Rock

June 30
Rust Never Sleeps
Neil Young Tribute

Aug 4
The Rum Runners String Band
Bluegrass/Americana

July 7
Liz Frame and the Kickers
Original Americana

Aug 11
Live Dead
Grateful Dead Tribute

July 14
Idlewild :
A Celebration of the
Allman Brothers Band

Aug 18
Ann Marie and Marquis
Guitar/Piano Duo

July 21
Way Up South
Original Rock

Aug 25
Merrimack Valley Concert Band
American Variety

Location: Town Bandstand

381 Main Street, W. Newbury, MA 01985 (behind the Annex Building)

Food and Beverages available for purchase – Rain Shows in Annex Building

ALL SHOWS ARE FREE!

For more information visit www.wnewbury.org



Thank you for your participation in the West Newbury Memorial Day Parade 2022





We enjoyed seeing the community come together to honor and remember.





Participants and Spectators,
Thank you for honoring Memorial Day 2022 with us.



TOWN OF WEST NEWBURY

A

COUNCIL ON AGING

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

TO: Select Board
FROM: Christine Marshall, COA Director
DATE: June 2, 2022
RE: Name Change and Logo

At the Council on Aging Meeting on June 2, 2022, the Council voted unanimously to change the name of the Senior Center to the SAGE Center. SAGE is an acronym for social, activities, growth and education. When our Council members brainstormed about a name change and reflected on the aging process, the word “sage” was suggested as a synonym for wisdom.

Council members have been researching and discussing rebranding as a method to attract more participation in our new activities and events. There have been many changes to our programming, resulting from continuous conversations with our residents. We are hearing and accepting their feedback to create the Center they desire.

Many communities are changing their names to remove the word “senior” and using “social” or “community” instead. The senior centers our parents attended 10-20 years ago for a low-cost meal have transformed into so much more.

We are requesting the Select Board vote to accept the name change and new logo below. Thank you.



SAGE CENTER

social | activities | growth | education

Town Manager

From: Brad Buschur [REDACTED]
Sent: Wednesday, June 1, 2022 2:42 PM
To: Town Manager; Wendy Willis
Cc: Town Clerk; Assistant Clerk
Subject: Re: Application for Parks & Rec open seat

Yes. Brad

Get [Outlook for iOS](#)

From: Town Manager <townmanager@wnewbury.org>
Sent: Tuesday, May 31, 2022 10:38:28 AM
To: Brad Buschur [REDACTED] Wendy Willis [REDACTED]
Cc: Town Clerk <townclerk@wnewbury.org>; Assistant Clerk <assistantclerk@wnewbury.org>
Subject: Application for Parks & Rec open seat

Brad, Wendy,

Please find attached. Can you both be available next Monday 6/6 at/after 7pm for a joint mtg w the Select Board to consider this application? The appointment would be by a vote of the combined members of Select Board and Parks & Rec Comm, and would be until the next regular election (May 2023).

If we have confirmation of your availability (in person or via zoom) we will post a P&R agenda for 6/6, concurrent with the regularly scheduled Select Board mtg.

Thanks,
Angus

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



Town of West Newbury

Application for Appointment

For additional information please call 978-363-1100, ext. 115.

The Town appreciates your interest in serving. Please complete this form and return it to : Board of Selectmen, 381 Main Street, West Newbury, MA 01985 or email to: selectboard@wnewbury.org

Name: _____

Address: _____

e-mail: _____

Mobile phone: _____ Home phone: _____

Board(s) or committee(s) you are interested in volunteering on:

Current or past committees served on: _____

Relevant skills, expertise and education: _____

All board or committee vacancies will be filled by citizens deemed most qualified to serve in a particular capacity. I also understand that in the event that I am appointed to a position, my activities will be governed by the Massachusetts Conflict of Interest Law, Open Meeting Law, Public Records Law, the Bylaws of The Town of West Newbury and all other applicable federal, state and local laws or regulations.

Signature: D. Alexander Niles Date: _____

Board/Committee

Appointing Authority

Date of Appointment Sworn in

Town Manager

From: Town Manager
Sent: Wednesday, June 1, 2022 7:38 PM
To: Conservation; [REDACTED]
Cc: Town Clerk; Assistant Clerk
Subject: ConCom applications
Attachments: George Preble app to ConCom.pdf; DavidParrott_Application_Conservation.pdf

Hi,
I just wrapped up my call w Archie re Monday's (6/6) Select Board agenda. This is to confirm that the Board will take up the applications for ConCom; please find attached both applications received to date. I believe the Board's intent would be to consider one appointment for immediate effect (to fill the current vacancy) and, if they find both candidates agreeable, another appointment for a term to begin July 1 (following the expiration of Tom Atwood's term).

I am aware that Mr. Preble's initial application was copied directly to the conservation email account; I am not sure if you have previously been made aware of Mr. Parrott's application, so am sending both for your information. If you or others on the Commission have any thoughts on either or both applications, please feel free to contact me or any member of the Board.

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 Application for Appointment

For additional information please call 978-363-1100, ext. 115.

The Town appreciates your interest in serving. Please complete this form and return it to : Board of Selectmen, 381 Main Street, West Newbury, MA 01985 or email to: selectboard@wnewbury.org

Name: George d Preble

Address: _____

e-mail: _____

Mobile phone: _____

Home phone: _____

Board(s) or committee(s) you are interested in volunteering on:

Conservation

Current or past committees served on: None

Relevant skills, expertise and education: _____

Military Veteran, BA in Earth Science/Secondary Education Salem State,

Internship at USGS for glacial topography,

Manager of Tufts University ECE/CS Engineering computer systems

All board or committee vacancies will be filled by citizens deemed most qualified to serve in a particular capacity. I also understand that in the event that I am appointed to a position, my activities will be governed by the Massachusetts Conflict of Interest Law, Open Meeting Law, Public Records Law, the Bylaws of The Town of West Newbury and all other applicable federal, state and local laws or regulations.

Signature: _____

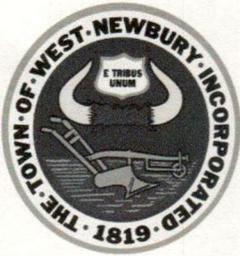
Date: 14 May 2022

Board/Committee _____

Appointing Authority _____

Date of Appointment _____

Sworn in _____



Town of West Newbury Application for Appointment

For additional information please call 978-363-1100, ext. 115.

The Town appreciates your interest in serving. Please complete this form and return it to : Board of Selectmen, 381 Main Street, West Newbury, MA 01985 or email to: selectboard@wnewbury.org

Name: David Parrott

Address: [REDACTED]

e-mail: [REDACTED]

Mobile phone: [REDACTED] Home phone: N/A

Board(s) or committee(s) you are interested in volunteering on:
Conservation

Current or past committees served on: None

Relevant skills, expertise and education: I enjoy hiking and gardening which are both at least adjacent skills. I'm self-employed so my time is relatively flexible. I have degrees in English and Computer Science.

All board or committee vacancies will be filled by citizens deemed most qualified to serve in a particular capacity. I also understand that in the event that I am appointed to a position, my activities will be governed by the Massachusetts Conflict of Interest Law, Open Meeting Law, Public Records Law, the Bylaws of The Town of West Newbury and all other applicable federal, state and local laws or regulations.

Signature: [Signature] Date: 2022.5.14

Board/Committee _____

Appointing Authority _____

Date of Appointment _____ Sworn in _____

Town Manager

From: Dwight, Donald [REDACTED] —
Sent: Thursday, June 2, 2022 10:18 AM
To: Selectboard
Cc: Town Manager
Subject: RE: West Newbury Pentucket Seniors

Hi Wendy,

Thanks for these responses. The signs will likely be removed in the next day or so, as graduation is on Saturday. But I appreciate the board revisiting this issue, as I think next year's graduating class will appreciate the town taking another look.

Don

From: Selectboard <selectboard@wnewbury.org>
Sent: Thursday, June 2, 2022 7:27 AM
To: Dwight, Donald [REDACTED]
Cc: Town Manager <townmanager@wnewbury.org>
Subject: [EXTERNAL] RE: West Newbury Pentucket Seniors

Hi Don,

The Chair of the Select Board has agreed to revisit this topic at our next meeting on June 6. The meeting begins at 7 and can be attended in person or remotely if you wish to participate. There will be an agenda available on the town website home page where you will find the link and get a sense of when in the meeting the topic of signs will come up. I hope you'll be able to join us.

Thanks,
 Wendy

From: Dwight, Donald [REDACTED]
Sent: Tuesday, May 31, 2022 3:59 PM
To: Selectboard <selectboard@wnewbury.org>
Subject: West Newbury Pentucket Seniors

I am writing this with regard to the placement of photo signage of the West Newbury Graduating Pentucket HS Seniors at the entrance to Pipestave. I was told (and please correct me if I'm wrong) that the Select Board disallowed the placement of this signage along main street. Honestly, the location at Pipestave feels like the photos of our seniors (sons and daughters of West Newbury) are shoved in a corner between a propane tank, the West Newbury DPW and the recycling facility and is in sharp contrast with the towns of Groveland and Merrimac, who prominently and proudly display their Senior's photos along well-traveled areas (e.g. Main Street in Groveland). Several parents of graduating seniors have expressed their dismay.

Is it possible to allow these signs to be displayed in a more prominent place in West Newbury such as the training field for this last week before graduation?

Thank you for the consideration

Don Dwight
Resident of West Newbury and proud parent of a Graduating Senior



Policies of the West Newbury Select Board

31. Signs on Town Property

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

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

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

All requests to place a sign on public property must include the reason, the location(s), and duration the sign will need to be posted for and confirmation that permission has been obtained from the property owner. Applicant must acquire permission from the property owner if placing a sign on the property or in the right of way. Real estate open house signs are permitted as long as they are posted and removed the day of the open house.

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

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

Town Manager

From: Liz Oltman [REDACTED]
Sent: Thursday, June 2, 2022 1:42 PM
To: Town Manager
Cc: DPW Director; Finance Admin
Subject: RE: Checking in re traffic safety audit
Attachments: Emails to date 6-2-2022.pdf; T1191_Concept - Long Term SW.pdf

Good afternoon,
 Attached please find the long term sidewalk concept plan and the emails we have received to date.
 I will forward on any more emails I receive by the end of the day tomorrow.
 Thank you,
 Liz

[Elizabeth Oltman, P.E.](#)
Transportation Planning & ITS Services Director

[REDACTED]
 [REDACTED]



From: Town Manager <townmanager@wnewbury.org>
Sent: Wednesday, June 1, 2022 2:14 PM
To: Liz Oltman [REDACTED]
Cc: DPW Director <dpwdirector@wnewbury.org>; Finance Admin <finance.admin@wnewbury.org>
Subject: Checking in re traffic safety audit

Hi Liz,
 We've made a couple of posts to our website (with email blast to subscribers) and to the Town Facebook page, along the lines of the following:

<https://www.wnewbury.org/home/news/traffic-safety-audit-intersection-rte-113-pipestave-page-school>

The posts were on May 26 and again today. Please send us any/all comments that may come in to the TEC account, as well as any updated work you've done/are doing in prep for the Board's continued discussion on June 6th. Among other things, we'd talked about showing a longer-term objective of extending a sidewalk easterly to Chase Street and westerly to Coffin Street.

I'll be out of the office this Friday, so if you send any info after Thursday night please copy my assistant Jennifer Walsh, copied here, as she'll be finalizing Monday's meeting packet this Friday.

Thanks,
 Angus

Angus Jennings, Town Manager



Town of West Newbury Massachusetts

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

[Home](#) > Traffic Safety Audit

Traffic Safety Audit

Intersection of Rte 113 / Pipestave / Page School



With the support of a funding earmark in the Commonwealth's current year budget, the Town is studying the safety of this key intersection.

The consultant's draft report was presented to the Select Board at their recent meeting on May 23rd.

The Board is seeking public input regarding the three conceptual alternatives presented that evening: **Which of the three do you prefer? Why? Are there other ideas you have that are not shown here?**

The Board will talk this over further at their next meeting on Monday, June 6th. The goal is to arrive at a favored concept plan, which the Town will then work to advance through a Safe Routes to Schools grant we plan to seek in the fall.

While we are still early in the design process, and there will be many future opportunities for public comment, your advice, questions and concerns at this stage will be very helpful to ensure that the Town proceeds in the best direction!

The complete draft consultant report, including the conceptual design plans shown here, can be found in the recent Select Board meeting packet online [here](#). This topic begins on pg. 45 of the packet, or you can simply click on the Agenda Item D and it will jump right to the relevant materials.

Thanks for your consideration!

Source URL: <https://www.wnewbury.org/home/news/traffic-safety-audit>

6/3/22 Call from Scott Berkenbush re traffic safety audit

Was EMA director for 15 years

Spent a lot of time observing this intersection incl. during major community events

I favor the third option with the single crosswalk

A bridge/overpass could be a good idea but would be costly, difficult to get approved on a State road, and even if constructed would not serve equestrian, and in reality some (many) pedestrians would just jaywalk even if there was an overpass there.

Town Manager

From: SCHNELLER BMW Morris [REDACTED]
Sent: Friday, June 3, 2022 1:00 PM
To: Selectboard; Town Manager
Subject: Fwd: Comment on Pipestave Hill Crosswalk

Hello,

My thoughts re. the Route 113/Pipestave hill crossing are below.
I originally sent this to publiccomment@theengineeringcorp.com but the message was returned as "undeliverable".
Maybe you could forward my comments on to them.

Thanks again for considering my comments.

Michael Morris

[REDACTED]
[REDACTED] MA 01985
[REDACTED]

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

From: SCHNELLER BMW Morris [REDACTED]
To: "publicfeedback@theengineeringcorp.com" <publicfeedback@theengineeringcorp.com>
Date: 06/03/2022 11:18 AM
Subject: Comment on Pipestave Hill Crosswalk

Hello,

Thanks for considering my comments regarding the 3 proposed variants for a pedestrian crossing of route 113 at Pipestave Hill.

In my opinion, pedestrians & cars should never mix, especially along a heavily traveled state road.

Traffic volume aside, drivers today are too distracted within their vehicles.

Hence a cross walk there is a danger to pedestrians and also serves only to create traffic congestion.

However, people do need to cross the road there, so I'd like to offer an alternative idea.

Why not consider a pedestrian bridge with a sidewalk at either end, like the one at the Governor's Academy for example?

The bridge would separate cars from pedestrians and be the safest alternative.

It also won't affect traffic flow, or require additional policing.

If that solution is deemed "too expensive" (how much is a human life worth?), then the third rendition which only has one crosswalk coupled with a sidewalk would be my next choice - it however falls short relative to safety as it allows people & children to cross a busy roadway.

Sincerely,

Michael Morris

[Redacted signature block]

From: [Selectboard](#)
To: [publiccomment](#)
Cc: [Town Manager](#)
Subject: FW: Pipestave Hill Intersection
Date: Thursday, June 2, 2022 7:27:55 AM

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

From: Bill O'Halloran [REDACTED]
Sent: Wednesday, June 1, 2022 5:47 PM
To: Selectboard <selectboard@wnewbury.org>
Subject: Pipestave Hill Intersection

Dear Sirs,

As for the Pipestave Hill intersection project, I would favor either the 2nd or 3rd alternative with a single crosswalk, both because it would be less costly and I don't think there is enough pedestrian traffic there to justify 2 crosswalks. There is no walkway now to the Page School, and the proposed crosswalk in either alternative 2 or 3 would be easily accessible from the parking lot.

Regards,
Bill O'Halloran

Total Control Panel

[Login](#)

To:	Message Score: 1	High (60): Pass
publiccomment@theengineeringcorp.com	My Spam Blocking Level: Low	Medium (75): Pass
From: selectboard@wnewbury.org		Low (90): Pass

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This message was delivered because the content filter score did not exceed your filter level.

From: [Town Manager](#)
To: [publiccomment](#)
Cc: [Selectboard](#); [DPW Director](#)
Subject: FW: West Newbury Traffic Safety Audit
Date: Wednesday, June 1, 2022 4:22:12 PM

Begin forwarded message:

From: Deb Hamilton [REDACTED]
Date: June 1, 2022 at 4:19:54 PM EDT
To: publicfeedback@theengineeringcorp.org
Subject: West Newbury Traffic Safety Audit

Good Afternoon,

Deb Hamilton here, 227 Middle St, WN. Cell 978-270-9129.

This text is Regarding the Traffic Safety audit and contemplated improvements.

I have served on the Mill Pond Committee since 1989, the Planning Board since last August, as an ECTA Director since 2013 and WN Riding and Driving Club officer for 10 years or so. I ride my horse on the Pipestave, Mill Pond and Riverbend Trails, and together with my late husband, Alex, laid out, improved, developed and marked many trails on Town property on both sides of Main Street.

Since two trails into the Riverbend trail network require crossing Main Street, the equestrian community presently uses 2 “crosswalks”, and has for many years. One leads into the solar array field west of Page School, and the other is just west of the Page School driveway marked as “Shike” Willis Way. The Watertower Trail (Riverbend red trail) climbs up all the way from the Merrimack, and onto the school driveway beside the Watertower east of Page School. This is a popular route for school groups, walkers and a few bicyclists as well as equestrians year round. It is maintained by ECTA and Town volunteers.

We would appreciate improving the entry onto the Page School driveway with a pedestrian and equestrian-activated flasher close to the foot of that road, to stop traffic.

We also suggest that pavement surfaces and painted markings should not unduly concern horses as they cross, maybe by Leaving a narrow 2-3’ unpainted strip all the way across.

Horses—and pedestrians too- should be able to cross to the Pipestave (south) side and drop down beyond any guardrail, rather than walk on the street side. A gravel walking path leading up to and alongside the Pipestave driveway would separate vehicles from passive users.

We look forward to incorporating horse-friendly infrastructure to increase safety for anyone entering or exiting from Shike Way. Crossing from the foot of the housing driveway would require weaving across the school parking lot and creating a new opening onto that narrow and twisting driveway.

Looking forward to following up with you on June 6 at the Selectboard meeting.
Thanks,
Deb Hamilton

Sent from my iPhone

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To:	Message Score: 35	High (60): Pass
publiccomment@theengineeringcorp.com	My Spam Blocking Level: Low	Medium (75): Pass
From: townmanager@wnewbury.org		Low (90): Pass

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[Block](#) wnewbury.org

This message was delivered because the content filter score did not exceed your filter level.

From: [Town Manager](#)
To: [publiccomment](#)
Cc: [Selectboard](#); [DPW Director](#)
Subject: Comment on Facebook
Date: Wednesday, June 1, 2022 4:20:11 PM

Liz,

Deb Hamilton posted the following to Facebook in response to the post on the Town's page a few days ago:

[Deborah Rogers Hamilton](#)

My preference is for two crossings, both pedestrian activated, and the one beside Shike Way with an elevated button for equestrians. Also the sidewalk/bridle path on the south side of Main Street needs to be on the south side of any guardrail.

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

Total Control Panel

[Login](#)

To:	Message Score: 15	High (60): Pass
publiccomment@theengineeringcorp.com	My Spam Blocking Level: Low	Medium (75): Pass
From: townmanager@wnewbury.org		Low (90): Pass
	Block this sender	
	Block wnewbury.org	

This message was delivered because the content filter score did not exceed your filter level.

From: [Elisa Grammer](#)
To: [Town Manager](#)
Cc: [DPW Director](#); [Liz Oltman](#); [Selectboard](#); [publiccomment](#)
Subject: Re: FW: West Newbury Traffic Safety Audit
Date: Thursday, June 2, 2022 11:55:43 AM

Sorry to say I know only the overall history—and while severe annoyance was clear, helpful details like which side of the street or both or likely cause doesn't crop up

Someone smarter would need to say if the problem is due to the angle of repose on one side or the other or springs or soil conditions or something else

My only useful advice is to say that someone should think about this issue before getting too far into any design, etc

On Wed, Jun 1, 2022 at 4:10 PM Town Manager <townmanager@wnewbury.org> wrote:

From: Town Manager
Sent: Wednesday, June 1, 2022 4:08 PM
To: Elisa Grammer [REDACTED]
publicfeedback@theengineeringcorp.org
Cc: Selectboard <selectboard@wnewbury.org>; DPW Director <dpwdirector@wnewbury.org>
Subject: RE: West Newbury Traffic Safety Audit

Elisa,

This is just the kind of input the Board is seeking, so thank you.

One direction that came from the Board's recent 5/23 mtg was that the consultant report be broadened to include – in addition to the conceptual design focused on the intersection, which it is hoped will be the subject of a Safe Routes to Schools grant application next fall – a larger geographic scope. Specifically, there has been interest expressed over years (and within this process) in seeing (longer-term) a sidewalk running from Pipestave easterly toward Chase and westerly toward Coffin. Do you have an opinion as to which side of the road such sidewalks may best be shown (for conceptual planning purposes... obviously we're a ways away from engineered design plans and survey...)? (From your comment I'm guessing the south side of Main would be better for a westerly sidewalk?). I know this is part of what TEC is looking at and I'm sure would be glad for your on-the-ground perspective.

Thanks again,

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: Elisa Grammer [REDACTED]
Sent: Wednesday, June 1, 2022 3:51 PM
To: publicfeedback@theengineeringcorp.org
Cc: Selectboard <selectboard@wnewbury.org>; Town Manager <townmanager@wnewbury.org>
Subject: West Newbury Traffic Safety Audit

My concern is not with your proposals--I'd defer to others on the specific designs.

I have a major concern, though, that consideration of any such improvements recognize that just beyond, to the west of Pipestave Hill, there has been a long history of landslides into the road. The WPA tried to put a sidewalk in during the 1930s--it was a much-complained-about disaster. The history of landslides goes back to the time when they cut into the hill to accommodate the electric trolley from Newburyport.

It's worth noting that other areas in West Newbury have also

had landslides. Would be nice if the Planning Board and others dealing with development had a good idea about this.

--

Elisa J. Grammer

[REDACTED]

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--

Elisa J. Grammer

[REDACTED]

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From: [Selectboard](#)
To: [publiccomment](#)
Subject: FW: Proposed crossing at Page
Date: Thursday, June 2, 2022 7:29:27 AM

From: Laurie spielvogel [REDACTED]
Sent: Thursday, May 26, 2022 7:54 PM
To: Selectboard <selectboard@wnewbury.org>
Subject: Proposed crossing at Page

Thank you for seeking public opinion on this matter. I am partial to proposal 3. I would like to see a set of stairs from the sidewalk to access the parking lot in the middle rather than on the far side. For many people it is already quite a distance to walk and carry the necessary sporting event items, such as chairs, blankets and water etc - especially if going to the furthest field. Being able to access the lot in a more efficient manner would be much appreciated and more user friendly.

Total Control Panel

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To: publiccomment@theengineeringcorp.com Message Score: 1 High (60): **Pass**
My Spam Blocking Level: Low Medium (75): **Pass**
From: selectboard@wnewbury.org Low (90): **Pass**

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[Block](#) wnewbury.org

This message was delivered because the content filter score did not exceed your filter level.

From: [Town Manager](#)
To: [publiccomment](#)
Subject: FW: West Newbury Traffic Safety Audit
Date: Thursday, June 2, 2022 10:17:00 AM

From: Michelle Carley [REDACTED]
Sent: Thursday, June 2, 2022 9:23 AM
To: publicfeedback@theengineeringcorp.org
Cc: Town Manager <townmanager@wnewbury.org>; Selectboard <selectboard@wnewbury.org>
Subject: West Newbury Traffic Safety Audit

Option 3 please.

Thank you, Michelle Carley

Total Control Panel

[Login](#)

To: publiccomment@theengineeringcorp.com Message Score: 15 High (60): **Pass**
My Spam Blocking Level: Low Medium (75): **Pass**
From: townmanager@wnewbury.org Low (90): **Pass**

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B/C/C	#	First Name	Last Name	position	By	Reappoin tment?	expiration
BANDSTAND CO-COORDINATOR		Brian	Young		By SB	yes	6/30/2022
BANDSTAND CO-COORDINATOR		Charley	Carrozo		By SB	new	6/30/2022
CABLE ADVISORY COMMITTEE		Kevin	Bowe		By SB	yes	6/30/2022
CABLE ADVISORY COMMITTEE		Glenn	Kemper	Chairperson	By SB	?	6/30/2022
CAPITAL IMPROVEMENT COMMITTEE	5	Julie	Boria		By SB	?	6/30/2022
CAPITAL IMPROVEMENT COMMITTEE	5	Elisa	Grammer	*	By SB		6/30/2023
CAPITAL IMPROVEMENT COMMITTEE	5	Polly	McDowell	*	By SB	?	6/30/2022
CAPITAL IMPROVEMENT COMMITTEE	5	Judith	Mizner	*	By SB		6/30/2024
CAPITAL IMPROVEMENT COMMITTEE	5	Vacant	Vacant		By SB		6/30/2023
CLIMATE CHANGE RESILIENCY COMMITTEE	9	Elizabeth	Callahan	*	By SB	yes	6/30/2022
CLIMATE CHANGE RESILIENCY COMMITTEE	9	Thomas	Craig		By SB	no	6/30/2022
CLIMATE CHANGE RESILIENCY COMMITTEE	9	Elisa	Grammer	*	By SB	yes	6/30/2022
CLIMATE CHANGE RESILIENCY COMMITTEE	9	Richard	Parker	*	By SB	yes	6/30/2022
CLIMATE CHANGE RESILIENCY COMMITTEE	9	Nancy	Pau		By SB	?	6/30/2022
CLIMATE CHANGE RESILIENCY COMMITTEE	9	Patricia	Reeser	*	By SB	no	6/30/2022
CLIMATE CHANGE RESILIENCY COMMITTEE		Vacant	Vacant				
CLIMATE CHANGE RESILIENCY COMMITTEE		Vacant	Vacant				
CLIMATE CHANGE RESILIENCY COMMITTEE	9	Arthur (Chip)	Wallace	*	By SB	yes	6/30/2022
COMMUNITY PRESERVATION COMMITTEE	7	Ann	Bardeen	Planning Board Rep	By PB		6/30/2022

COMMUNITY PRESERVATION COMMITTEE	7	Gary	Bill	Housing Auth. Rep	By HA		6/30/2022
COMMUNITY PRESERVATION COMMITTEE	7	Robert	Janes	Historical Comm Rep	By HC		6/30/2022
COMMUNITY PRESERVATION COMMITTEE		Angus	Jennings	ex officio	By SB		N/A
COMMUNITY PRESERVATION COMMITTEE	7	Judith	Mizner	Chair, Con Comm Rep	By CC		6/30/2022
COMMUNITY PRESERVATION COMMITTEE	7	Wendy	Reed	Select Board Rep (FY22)	By SB		5/1/2023
COMMUNITY PRESERVATION COMMITTEE	7	Patricia	Reeser	*	By SB	yes	6/30/2022
COMMUNITY PRESERVATION COMMITTEE	7	Wendy	Willis	Parks & Rec Rep	By P&R		6/30/2022
CONSERVATION COMMISSION	5	Thomas	Atwood		By TM	No	6/30/2022
CONSERVATION COMMISSION	5	Kathy	Feehery		By TM		6/30/2024
CONSERVATION COMMISSION	5	Margaret (Molly)	Hawkins		By TM		6/30/2023
CONSERVATION COMMISSION	5	Judith	Mizner	Chair *	By TM		6/30/2024
CONSERVATION COMMISSION	5	Vacant	Vacant		By TM		Vacant
CONSERVATION COMMISSION	assoc.	Vacant	Vacant		By TM		Vacant
COUNCIL ON AGING	11	M. Dorothy (Dot)	Cavanaugh	Treasurer	By SB		6/30/2024
COUNCIL ON AGING	11	Gail	Dinaro	Vice Chairperson	By SB		6/30/2024
COUNCIL ON AGING	11	Dianne	Faulkner		By SB		6/30/2024
COUNCIL ON AGING	11	Jessa	Haynes		By SB		6/30/2023
COUNCIL ON AGING	11	Jacqueline	Johnston	Secretary	By SB		6/30/2023
COUNCIL ON AGING	11	Mary	Joyce-Acosta		By SB	?	6/30/2022
COUNCIL ON AGING	11	Marjorie	Peterson	Vice-Chair	By SB	yes	6/30/2022
COUNCIL ON AGING	11	Richard	Preble		By SB	yes	6/30/2022
COUNCIL ON AGING	11	Joseph	Publicover		By SB	yes	6/30/2022

COUNCIL ON AGING	11	Laurie	Spielvogel	Chair	By SB		6/30/2024
COUNCIL ON AGING	11	Barbara	Warne		By SB		6/30/2023
CULTURAL COUNCIL	5-22	Jocelyne	Cosentino	2016-2019 & 2019-2022	By SB	term limited	6/30/2022
CULTURAL COUNCIL	5-22	Catherine	DeWitt	Treasurer, 2020- 2023	By SB		6/30/2023
CULTURAL COUNCIL	5-22	Amy	Friend	Secretary, 2019- 2022	By SB	no	6/30/2022
CULTURAL COUNCIL	5-22	Heather	Karp	2021-2024	By SB		6/30/2024
CULTURAL COUNCIL	5-22	Jessica	Knezek	2021-2024	By SB		6/30/2024
CULTURAL COUNCIL	5-22	Jennifer (Jen)	Pepper	2020-2023	By SB		6/30/2023
CULTURAL COUNCIL	5-22	Carly	Ramos	2021-2024	By SB		6/30/2024
CULTURAL COUNCIL	5-22	Alyson	Tedeschi	Chair, 2019-2022	By SB	no	6/30/2022
CULTURAL COUNCIL	5-22	Linda	Young	2017-2020 & 2020-2023	By SB		6/30/2023
ENERGY & SUSTAINABILITY COMMITTEE		Elizabeth	Callahan	*	By SB	yes	6/30/2022
ENERGY & SUSTAINABILITY COMMITTEE		Thomas	Craig		By SB	no	6/30/2022
ENERGY & SUSTAINABILITY COMMITTEE		Elisa	Grammer	*	By SB	yes	6/30/2022
ENERGY & SUSTAINABILITY COMMITTEE		Richard	Parker	*	By SB	yes	6/30/2022
ENERGY & SUSTAINABILITY COMMITTEE		Arthur (Chip)	Wallace	Chairperson *	By SB	yes	6/30/2022
FINANCE COMMITTEE	6	Walter	Burmeister		By SB		6/30/2023
FINANCE COMMITTEE	6	Nathan	Kelly	Vice-Chair	By SB	No	6/30/2022
FINANCE COMMITTEE	6	Gary	Roberts	Chair	By SB	No	6/30/2022
FINANCE COMMITTEE	6	James	Speralakis		By SB		6/30/2024
FINANCE COMMITTEE	6	vacant	vacant		By SB		6/30/2024
FINANCE COMMITTEE	6	Christopher	Wile		By SB		6/30/2023
HARBOR COMMITTEE	2 alt.	Steve	Boyd	Alternate	By SB	yes	6/30/2022
HARBOR COMMITTEE	3	Brad	Dore	Chairperson	By SB		6/30/2024
HARBOR COMMITTEE	3	Thomas	Goodwin	Asst. Harbormaster	By SB	yes	6/30/2022
HARBOR COMMITTEE	3	Terence	Hartford		By SB	yes	6/30/2022

HARBOR COMMITTEE	2 alt.	Brian	Richard	Alternate	By SB	yes	6/30/2022
HISTORIC DISTRICT COMMISSION	5	Jack	Alden		By SB	?	6/30/2022
HISTORIC DISTRICT COMMISSION	5	M. Dorothy (Dot)	Cavanaugh		By SB		6/30/2024
HISTORIC DISTRICT COMMISSION	5	Jeffrey	Clewley		By SB	?	6/30/2022
HISTORIC DISTRICT COMMISSION	5	Jill	Hudson		By SB		6/30/2024
HISTORIC DISTRICT COMMISSION	5	Vacant	Vacant		By SB		6/30/2023
HISTORIC DISTRICT COMMISSION	2 alt.	Vacant	Vacant		By SB		6/30/2022
HISTORIC DISTRICT COMMISSION	2 alt.	Vacant	Vacant		By SB		6/30/2022
HISTORICAL COMMISSION	5	Robert	Belmont, Jr.		By SB		6/30/2024
HISTORICAL COMMISSION	5	Jennifer	Conway		By SB		6/30/2023
HISTORICAL COMMISSION	5	Elisa	Grammer	*	By SB		6/30/2024
HISTORICAL COMMISSION	5	Robert	Janes	Chairperson	By SB	Yes	6/30/2022
HISTORICAL COMMISSION	5	Jennifer	Liston Munson		By SB		6/30/2023
INVESTMENT POLICY COMMITTEE	3	Martin (Lark)	Madden	*	By SB		6/30/2024
INVESTMENT POLICY COMMITTEE	3	Jean	Trim		By SB	?	6/30/2022
INVESTMENT POLICY COMMITTEE	3	Christopher	Wilde	Chair	By SB		6/30/2023
MEMORIAL DAY PARADE		Ilya	Zeitsev	Chair	By SB	yes	6/30/2022
MEMORIAL DAY PARADE		?	?	?	By SB	new	
MEMORIAL DAY PARADE		?	?	?	By SB	new	
MILL POND COMMITTEE	7	Zip	Corning		By SB	yes	6/30/2022
MILL POND COMMITTEE	7	Paul	Delaney		By SB		6/30/2023
MILL POND COMMITTEE	7	Ryan	Goodwin	Chairperson *	By SB	?	6/30/2022
MILL POND COMMITTEE	7	Deborah	Hamilton		By SB	yes	6/30/2022
MILL POND COMMITTEE	5 assoc.	Polly	McDowell	*	By SB	?	6/30/2022
MILL POND COMMITTEE	7	Robin	Pendergast		By SB	yes	6/30/2022
MILL POND COMMITTEE	7	Matthew	Shwom		By SB	yes	6/30/2022
MILL POND COMMITTEE	5 assoc.	Vacant	Vacant		By SB		Vacant
MILL POND COMMITTEE	5 assoc.	Vacant	Vacant		By SB		Vacant

MILL POND COMMITTEE	5 assoc.	Vacant	Vacant		By SB	Vacant
MILL POND COMMITTEE	5 assoc.	Vacant	Vacant		By SB	Vacant
MILL POND COMMITTEE	7	Michael	Welch		By SB	6/30/2023
OPEN SPACE COMMITTEE	7	Jessica	Azenaro		By SB	6/30/2024
OPEN SPACE COMMITTEE	2 assoc.	Graham	Bacheller		By SB	yes 6/30/2022
OPEN SPACE COMMITTEE	7	Don	Bourquard		By SB	? 6/30/2022
OPEN SPACE COMMITTEE	7	Carol	Decker		By SB	6/30/2024
OPEN SPACE COMMITTEE	7	John	Dodge	Chair (FY22)	By SB	yes 6/30/2022
OPEN SPACE COMMITTEE	2 assoc.	Kathy	Feehery		By SB	no 6/30/2022
OPEN SPACE COMMITTEE	7	Jean	Lambert		By SB	6/30/2024
OPEN SPACE COMMITTEE	7	Patricia	Reeser	*	By SB	6/30/2023
OPEN SPACE COMMITTEE	7	Marlene	Switzer		By SB	6/30/2023
PERSONNEL ADVISORY COMMITTEE	set by SB	Ryan	Goodwin	*	By SB	6/30/2022
PERSONNEL ADVISORY COMMITTEE	set by SB	vacant	Vacant	*	By SB	6/30/2022
PERSONNEL ADVISORY COMMITTEE	set by SB	Judith	Mizner	*	By SB	6/30/2022
PLANNING BOARD	1	Vacant	Vacant	Associate Member	By SB	6/30/2022
REGISTRARS OF VOTERS	3	Margaret	Duchemin	Unenrolled	By SB	6/30/2024
REGISTRARS OF VOTERS	3	Cheryl	Grant	Republican	By SB	6/30/2023
REGISTRARS OF VOTERS	3	Rosamond	Veator	Democrat	By SB	yes 6/30/2022
RIVER ACCESS COMMITTEE	3	Elisa	Grammer	*	By SB	yes 6/30/2022
RIVER ACCESS COMMITTEE	3	Barry	LaCroix		By SB	yes 6/30/2022
RIVER ACCESS COMMITTEE	3	Robert	Phillips, Jr.	Chairperson	By SB	no 6/30/2022
TREE COMMITTEE		Wayne	Amaral	Tree Warden, Ex Officio		N/A

TREE COMMITTEE	5	Fred	Chanania	Chairperson	By SB		6/30/2024
TREE COMMITTEE	5	Susan	Dougherty		By SB		6/30/2023
TREE COMMITTEE	5	Margaret (Molly)	Hawkins	Vice Chair	By SB	?	6/30/2022
TREE COMMITTEE	5	Kelly	Scott		By SB		6/30/2024
TREE COMMITTEE	5	Claudia	Woods		By SB	yes	6/30/2022
VETERAN'S GRAVE OFFICER	1	Robert	Janes		By SB	yes	6/30/2022
WN REP EASTERN DIST. VET. AFFAIRS		Robert	Janes		By SB	no	6/30/2022
ZONING BOARD OF APPEALS	5	Richard	Davies, Jr.		By SB	yes	6/30/2022
ZONING BOARD OF APPEALS	5	Patrick	Higgins	Chair	By SB		6/30/2023
ZONING BOARD OF APPEALS	5	Paul O.	Kelly		By SB		6/30/2024
ZONING BOARD OF APPEALS	5	Dennis	Lucey		By SB		6/30/2024
ZONING BOARD OF APPEALS	5	Kim	Monahan Borgioli		By SB		6/30/2023
ZONING BOARD OF APPEALS	2 assoc.	Vacant	Vacant		By SB		6/30/2022
ZONING BOARD OF APPEALS	2 assoc.	Vacant	Vacant		By SB		6/30/2022

VII. HARBOR COMMITTEE: *[Amended at the Special Town Meeting held on November 4, 2013, approved by the Attorney General on February 27, 2014 and posted according to law on March 12, 2014, which changed “registered voters” to “town residents”]*

A. The Board of Selectmen shall appoint three town residents of West Newbury to serve as a Harbor Committee. Initial appointments shall be for one, two, and three years with each subsequent term to be three years. The Harbor Master shall be an ex-officio member of the Committee.

B. The Committee is advisory and shall report to the Board of Selectmen from time to time to make recommendations on any and all matters related to marine activity afloat or ashore.

Amendment adding Section VI. to the General Harbor Regulations voted at the third session of the 1994 Annual Town Meeting held on June 16, 1994. Approved by the Attorney General on August 26, 1994, and posted according to law on August 31, 1994.

Amendment to rescind the original § I-V and adopt the new § I-V voted at the April 24, 2000, Annual Town Meeting, approved by the Attorney General on July 24, 2000, and posted according to law on July 27, 2000.

Amendment increasing mooring fees in the to the General Harbor Regulations voted at the second session of the 2005 Annual Town Meeting held on May 5, 2005. Approved by the Attorney General on May 25, 2005, and posted according to law on June 9, 2005.

XXVII. SNOW REMOVAL BY-LAW

SNOW REMOVAL BY-LAW *[Adopted at the adjourned session of the Annual Town Meeting May 12, 1993, approved by the Attorney General July 26, 1993, and posted according to law August 6, 1993.]*

No person other than an employee in the service of the Town of West Newbury or an employee in the service of an independent contractor acting for the Town of West Newbury shall leave snow or ice on a public way and/or sidewalk.

Amendment to this section adopted as *Enforcement of Town By-Laws* (See XXVIII) at the Annual Town Meeting, fourth session, held May 15, 1995, approved by the Attorney General June 28, 1995, and posted according to law July 10, 1995, established the following penalties for violations of this Section of the By-Laws:

1st Offense	\$ 50.00
2nd Offense	\$100.00
3rd Offense	\$200.00

and allows the Superintendent of Streets to act as an enforcing person in addition to Police Officers.

Town Manager

From: Lark Madden [REDACTED]
Sent: Thursday, February 3, 2022 7:18 PM
To: Town Manager
Subject: Re: Retirement party

Hi Angus:

I appreciate, as you know, the governance predicament. And I'm willing to work on it. I apparently didn't get Wendy or Rick's emails right for my resignation email. So I'll resend.

Your email suggests that the PAC might well be disbanded. I have no horse in that race. But your logic is compelling.

Talk soon
Lark

On Thu, Feb 3, 2022 at 5:29 PM Town Manager <townmanager@wnewbury.org> wrote:

Hi Lark,

Thanks for letting us know. I view the topic of the form of government, and the benefits of a Charter, as one of the top 3 highest importance issues in the town. As yet, it has no traction due to the flood of other active initiatives and the mismatch between initiatives and organizational capacity. We have a Board/Manager goal-setting session this Saturday morning. I'm hoping this will result in alignment between my office and the Board re where we should be focusing our efforts, and how to ensure that we don't take on new initiatives (which come up weekly) without ensuring the capacity to carry them out (so they don't just cannibalize other active initiatives), or at least making a conscious decision that the new initiative(s) will bump existing ones.

In the meantime, progress is being made on personnel-related issues, both policy and a comprehensive (grant-funded) wage/classification study now underway. However, due to the interrelatedness of the Board's and my roles with regard to personnel, it has taken all of my office's bandwidth and more to keep the Board aligned and informed. (Virtually every single personnel-related decision I make is subject to Board approval, so everything takes 5x as long as it did in my former Town Manager job; and everything becomes political, which undermines one of the foundations of why a town would want a Town Manager form of government in the first place). Because of all this (and more), the PAC hasn't (for at least a decade) found its way into the thick of the actual personnel issues and decisions. (Furthermore, some of what informs the policy challenges result from specific personnel issues, which cannot/should not be broadly discussed anyhow). At least now (unlike in my first year or so), I have labor counsel to consult as needed, since I cannot discuss specific personnel/employee issues with a quorum of the Board.

I do think the PAC, as set out in the 1999 Bylaw, is a carry-over from the pre-TM form of government. Since the TM Act vests personnel oversight and management in my office, but all of my authorities are subject to Select Board oversight/approval, they are, in effect, the Personnel Advisory Committee except they're not advisory – by statute, for better or worse, the important decisions actually rest with them.

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: Lark Madden [REDACTED]

Sent: Thursday, February 3, 2022 5:15 PM

To: David Archibald <darchibald@wnewbury.org>; Town Manager <townmanager@wnewbury.org>;
rparker@westnewbury.org; wreed@westnewbury.org

Subject: Retirement party

Dear SelectBoard and Angus

I am writing to submit my official resignation from the Personnel Advisory Committee.

I will leave the planning for my retirement gala up to you folks!

I do want to have a conversation with Board and Angus on the topic of a Town Charter - please let me know if that is of interest to you and when we might get it on the agenda.

Best

Lark Madden
[REDACTED]

Legal status of the Quaker Cemetery in West Newbury

In the past year, the Historical Commission has discussed the status of cemeteries in Town. As background information, I am providing the following factual and legal summary:

1. The Amesbury Society of Friends agrees and Assessor's records show that the Town of West Newbury owns the Quaker Cemetery established in 1855 and located at 134-36 Turkey Hill Road, and the Town also owns the adjacent lot to the northwest.
2. Under state law, the Town of West Newbury may take over any abandoned or neglected cemetery (pop. 10 or more), must passively preserve ancient burial places (over 100 years old) generally for no other use, and has the authority to receive resources from third parties and/or to appropriate funds to maintain a public or private cemetery actively.
3. Under state law, the Town of West Newbury has the authority to enact bylaws establishing a 3-member board of cemetery commissioners responsible for managing the Town's public cemeteries and, under MGL ch 114 § 16, neglected/ abandoned cemeteries with a population of at least 10.
4. Under state law, the Town of West Newbury "shall provide one or more suitable places for the interment of persons dying within its limits," may take over unused graves, may in some cases reuse occupied graves, may purchase or condemn property to establish or expand a cemetery, and may improve and manage a cemetery for ongoing use.

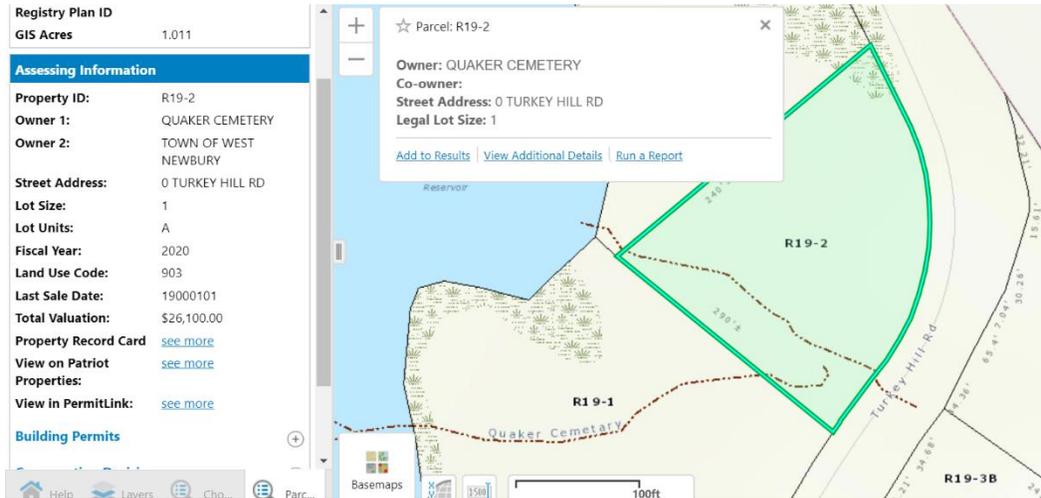
A more detailed basis for each of these points follows.

And you may find the following of interest: *Boston's Other Housing Crisis*: "The Cemeteries: Prime real estate is getting snatched up, space is dwindling, and people are paying more and more for less and less. Think it's hard living in the city? Try dying here." <https://www.bostonmagazine.com/news/2019/04/11/boston-cemetery-crisis/>

1. The Amesbury Society of Friends agrees and Assessor's records show that the Town of West Newbury owns the Quaker Cemetery established in 1855 and located at 134-36 Turkey Hill Road, and the Town also owns the adjacent lot to the northwest.

This is shown on the Assessor's records

(<https://data.mvpc.org/WestNewburyPDFs/PropertyCards/001720012020.pdf>) and on the Merrimack Valley Planning Commission's MIMAP (<https://mimap.mvpc.org/map/index.html?viewer=westnewbury>) excerpted here



- The Amesbury Society of Friends says that the Town owns the burial ground and indicates they have no interest in assuming responsibility for it—but would like to see it maintained (<https://www.dropbox.com/s/iosfuny40lzolt8/QuakersReQuakerCemeteryOwnership.pdf?dl=0>)

From: [REDACTED]
Date: December 5, 2019 at 8:06:16 AM EST
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: [External] For your wife--WN Quaker Cemetery status?

I believe the town does own the cemetery. They offered it to our meeting about ten years ago, but the Meeting declined. I am glad they plan to maintain it which was at one time undertaken by a group of volunteers. That group cleared the underbrush and poison ivy. The sign was made by an Eagle Scout! The trees were left alone. I would recommend the same practice in the future. It's a lovely spot as is!

Ed Mair, former Clerk

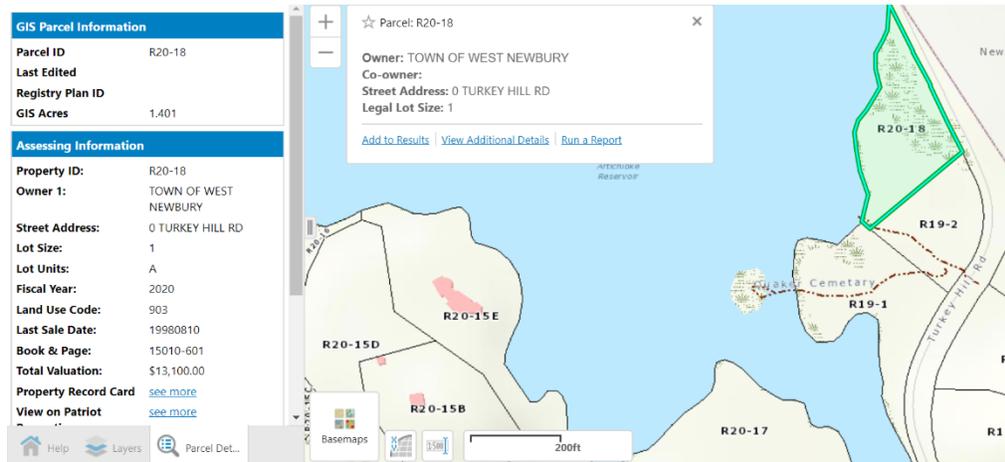
Sent by iPhone Edward Gerrish Mair

On Dec 4, 2019, at 8:40 PM, Joanne Megna-Wallace [REDACTED] wrote:

Does anyone know the status of the Quaker Cemetery in West Newbury? Does the town of West Newbury have responsibility for the cemetery?

In peace,
Jo

- The adjacent property was acquired in a 1998 tax taking, as shown and on the Assessor's records (<https://data.mvpc.org/WestNewburyPDFs/PropertyCards/001778012020.pdf>) and Merrimack Valley Planning Commission's MIMAP (<https://mimap.mvpc.org/map/index.html?viewer=westnewbury>) excerpted here



2. Under state law, the Town of West Newbury may take over any neglected cemetery (pop. 10 or more), must passively preserve ancient burial places (over 100 years old such as the Quaker Cemetery and possibly others such as the Poorhouse one near Mill Pond) generally for no other use, and has the authority to receive resources from third parties and/or to appropriate funds to maintain a public or private cemetery actively.

- *MGL ch 114 § 16: Appropriation for and care of cemeteries*
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section16>
 Section 16. Any town may annually appropriate and raise by taxation such sums as may be necessary to care for and keep in good order and to protect by proper fences any or all burial grounds within the town in which ten or more bodies are interred and which are not properly cared for by the owners, and the care and protection of such burial grounds shall be in charge of the cemetery commissioners, if the town has such officers, otherwise in charge of the selectmen.
- *MGL ch 114 §17: Preservation of ancient burial places*
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section17>
 Section 17. A town shall not alienate or appropriate to any other use than that of a burial ground, any tract of land which has been for more than one hundred years used as a burial place; and no portion of such burial ground shall be taken for public use without special authority from the general court. "Burial place", as referred to in this section, shall include unmarked burial grounds known or suspected to contain the remains of one or more American Indian.

- *MGL ch 114 § 18: Care of neglected burial places within limits of town*
(<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section18>)

Section 18. Any town having within its limits an abandoned or neglected burying ground may take charge of the same and keep it in good order, and may appropriate money therefor, but no property rights shall be violated and no body shall be disinterred. No fence, tomb, monument or other structure shall be removed or destroyed, but the same may be repaired or restored.

- *MGL ch 114 § 19: Care of neglected burial places within limits of town*
(<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section19>)

Section 19. A city or town may receive, hold and apply any funds, money or securities deposited with the treasurer thereof for the preservation, care, improvement or embellishment of any public or private burial place situated therein, or of burial lots situated in such burial places. Such funds, money or securities shall be entered upon the books of the treasurer, and held in accordance with ordinances or by-laws relative thereto. A city or town may pass ordinances or by-laws consistent with law, necessary for the purposes of this section. Each treasurer shall invest such deposits under his control to insure a maximum income from such deposits. Upon the receipt of a deposit for the preservation, care, improvement or embellishment of individual lots in public burial places, said treasurer shall so inform the city or town clerk, who shall record the facts relating to such deposit in the margin of his records of said lots.

3. Under state law, the Town of West Newbury has the authority to enact bylaws establishing a 3-member board of cemetery commissioners responsible for managing the Town's public cemeteries, and, under MGL ch 114 § 16, neglected cemeteries with a population of at least 10.

- *MGL ch 114 § 22: Town board of cemetery commissioners; election of members*
(<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section22>)

Section 22. A town which accepts this and the four following sections or has accepted corresponding provisions of earlier laws may, at any town meeting, elect by ballot a board of cemetery commissioners consisting of three persons. If such board is first chosen at a meeting other than an annual town meeting, one member shall be elected for one year from the day following that fixed for the last preceding annual town meeting, one member for two years and one member for three years from said day; and annually thereafter one member shall, at the annual town meeting, be elected by ballot for a term of three years. Such boards shall choose a chairman, and a clerk who may be a member of the board.

- *MGL ch 114 § 23: Powers and duties*
(<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section23>)

Section 23. Said board shall have the sole care, superintendence and management of all public burial grounds in its town, may lay out any existing public burial grounds in its town or any land purchased and set apart by said town for such cemeteries, in lots or other suitable subdivisions, with proper paths and avenues, may plant, embellish, ornament and fence the same and erect therein such suitable edifices and conveniences and make such improvements as it considers convenient; and, subject to the approval of the town, may make such regulations, consistent with law, as it deems expedient.

- MGL ch 114 § 24: Conveyance of burial lots; record; fee
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section24>

Section 24. Said board may, by deed made and executed in such manner and form as it may prescribe, convey to any person the sole and exclusive right of burial in any lot in such cemeteries and of erecting tombs, cenotaphs and other monuments or structures thereon upon such terms and conditions as its regulations prescribe. Such deeds and all subsequent deeds of such lots made by owners thereof shall be recorded in the office of the city or town clerk in books kept for that purpose upon the payment of the fee provided by clause (78) of section thirty-four of chapter two hundred and sixty-two, and said records shall be open to the public at all reasonable times.
- MGL ch 114 § 25: Gifts or bequests for cemeteries; investment of funds; disposition of proceeds of sales of lots or burial rights
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section25>

Section 25. A town in which cemetery commissioners are chosen may receive gifts or bequests for maintaining cemeteries or cemetery lots, which shall be paid into the town treasury and, with the accounts thereof, shall be kept separate from the other money and accounts of said town. The town treasurer shall invest all such funds in accordance with the stipulations, if any, accompanying them; otherwise he shall invest them as ordered by said commissioners and pay the income therefrom upon their order or with their approval. The proceeds of sales of lots or rights of burial in such cemeteries shall be paid into the town treasury and be appropriated to reimburse the town for the cost of the land, its care, improvement and embellishment, or the enlargement of the cemetery.
- MGL ch 114 § 26: Limit of debts or liabilities; annual report
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section26>

Section 26. Said board shall not incur debts or liabilities for purposes other than aforesaid nor to an amount exceeding the amount of the funds subject to their order, and it shall annually make a written report to said town of its official acts, of the condition of such cemeteries, and render an account of its receipts and expenditures for the same and of the funds subject to its order.
- MGL ch 114 § 27: Appointment of board of cemetery commissioners; powers and duties
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section27>

Section 27. If a town so votes under section twenty-one of chapter forty-one the selectmen shall appoint a board of cemetery commissioners to consist of three members, to be appointed for the term of three years. The commissioners shall, under the supervision and control of the selectmen, maintain the public cemeteries in the town, and shall with the approval of the selectmen, appoint such employees as are necessary to maintain such cemeteries.

4. Under state law, the Town of West Newbury “shall provide one or more suitable places for the interment of persons dying within its limits,” and may take over unused graves, in some cases reuse occupied graves, purchase or condemn property to establish or expand a cemetery, and may improve and manage a cemetery.

- *MGL ch 114 § 10: Town burial places*

(<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section10>)

Section 10. Each town shall provide one or more suitable places for the interment of persons dying within its limits.

- *MGL ch 114 § 10A: Municipality ownership of unclaimed graves; reuse of occupied graves*

(<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section10A>)

Section 10A. No municipality shall take over the ownership of an unoccupied grave unless a minimum of seventy-five years has elapsed after issuance of a license for the grave by the municipality or its predecessor in interest; and the municipality cannot locate the license holder or the holder's successor in interest after making a diligent search. If ownership of the license is ascertained after such a taking occurs, then the municipality shall pay the fair value of the license at the time of its taking to the owner.

No municipality shall reuse an occupied grave except: upon the request and with the consent of a relative or descendant of the decedent occupying the grave, providing that no other descendant objects; to provide for the burial of a relative or descendant of the decedent occupying the grave; and if the remains of the decedent occupying the grave will remain in the grave. The municipality shall determine, by by-law or ordinance, the method to be used in reusing such occupied graves and may reasonably limit the circumstances under which such reuse can occur.

- *MGL ch 114 § 11: Public cemeteries; taking of land for burial purposes; application to county commissioners*

(<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section11>)

Section 11. If there is necessity for a new cemetery in a town, or for the enlargement of an existing cemetery in and belonging to a town, and the owner or any person interested in the land needed for either purpose refuses to sell the same, or demands therefor a price which the selectmen consider unreasonable, or is unable to convey it, the selectmen may, with the approval of the town, make application therefor by written petition to the county commissioners of the county where the land lies.

- *MGL ch 114 § 15 Appropriation for enclosing and improving cemetery; sale or conveyance of burial rights; disposition of proceeds*

(<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114/Section15>)

Section 15. Towns may appropriate money for enclosing any cemetery lawfully provided by them or for constructing paths and avenues and embellishing the grounds therein, and may establish all necessary rules relative thereto consistent with law. They may lay out such cemetery into lots, and shall set apart a suitable portion as a public burial place for the use of the inhabitants, free of charge. They may sell and convey to any person, resident or non-resident, the exclusive right of burial and of erecting tombs and cenotaphs upon any lot and of ornamenting the same, upon such terms and

conditions and subject to such regulations as they shall prescribe. Upon the conveyance of a burial lot, a town: (1) shall assign a number to such lot; (2) shall cause a marker to be installed thereon which indicates such number; (3) shall give a written notification to the purchaser of such lot, or his agent, which notification specifies the location and number of such lot; and (4) may charge the purchaser of such lot a reasonable fee for the cost of such marker and its installation. Towns shall maintain records concerning the location and numbering of such lots, which records shall be open to the public. The proceeds of such sales shall be paid into the town treasuries, be kept separate from other funds, and be appropriated to reimburse the towns for the cost of the land, its care, improvement and embellishment, or the enlargement of the cemetery.



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: November 11, 2021
RE: ARPA funds

We have included this topic for initial discussion. On the basis of advice from legal counsel (included in the 11/15 Exec Session packet), ARPA funds may be expended with approval of the Select Board.

Finance Dept. staff have attended, individually and together, many trainings and workshops regarding ARPA in recent months, and we continue to develop our understanding of this resource and how it may best be allocated.

Working with other Dept. Heads, and reviewing existing/known capital and project needs, we anticipate bringing forward a slate of proposed/potential projects for Board review, modification and approval. It may make sense to coordinate the timing of this process with the overall budget and capital planning process, as these funds may allow the timing of some number of initiatives to be accelerated more quickly than has been anticipated in earlier capital planning processes.

One of the more interesting questions I see is regarding whether and how much of the funding should be directed toward Water infrastructure needs.

We look to Monday's meeting to start this discussion.

ARPA Fiscal Recovery Fund (FRF) Spending

This write-up is intended to inform decision makers about allowable uses of ARPA State and Local Fiscal Recovery Funds, including through local subrecipients such as municipalities and nonprofits.

Allowable uses of ARPA FRF funds.

For all recipients (state or municipal), the following current uses* are categorically eligible. **Match requirements are appropriate where the municipality gains an asset or builds its tax base.**

- Expenses to respond to the public health emergency re COVID-19 or its negative economic impacts:
 - COVID-19 mitigation or prevention expenses including:
 - Public health medical expenses;
 - Behavioral health expenses;
 - Public health and safety staff; and
 - Public health program design improvements.
 - Assistance to the unemployed such as
 - Backfills for COVID-era government layoffs and
 - Job training.
 - Assistance to small business in the form of grants or loans to mitigate financial hardship caused by COVID-19 including:
 - Offsets for declines in revenues;
 - Funds to implement COVID-19 mitigation improvements; or
 - Technical assistance with business planning.
 - In-kind or financial assistance to households with documented negative impacts due to COVID-19 including:
 - Food assistance;
 - Rent, mortgage, or utility assistance;
 - Counseling and legal aid to prevent eviction;
 - Access to the internet; or
 - Proportionate cash assistance.
 - Assistance in the form of loans or grants to impacted industries, including tourism, travel, and hospitality to implement COVID-19 mitigation or prevention measures such as:
 - Improvements to ventilation;
 - Construction of physical barriers;
 - Signage;
 - Provision of PPE; and
 - Development of safe reopening plans.

* Expenditures must be obligated in 2021 to 2024 and spent by 2026. FRF cannot finance borrowing or pay debt service.

10/7/2021

- Aid to disproportionately impacted communities
 - Aid must address social determinants of health. For example:
 - Services to address homelessness;
 - Affordable housing development;
 - Housing vouchers;
 - Expanded early learning services;
 - Evidence based educational services;
 - Evidence-based mental health services for students;
 - High quality childcare;
 - Home visiting programs; and
 - Services for child welfare involved families.
 - These types of assistance are presumed eligible in HUD Qualified Census Tracts; other functionally equivalent geographic or interest-based definitions can be developed, subject to Treasury oversight
- Premium pay to employees providing essential work during the public health emergency
- Revenue replacement and compliance
 - To substitute for lost revenue, FRF can pay for virtually any government service except debt service or transfers to pension or stabilization funds. E.g.: broad-based economic development.
 - Note: Growing local aid, plus growth in property taxes and other local receipts, probably means few municipalities have a significant revenue gap under the federal formula
- Water, sewer, and broadband projects
 - Water and sewer projects are eligible if they meet the criteria for the Clean Water State Revolving Fund or Safe Drinking Water Revolving Fund. Examples include:
 - Centralized or decentralized wastewater treatment;
 - Stormwater;
 - Habitat protection and restoration;
 - Desalination; and
 - Groundwater protection.
 - Broadband projects include any installation that provides symmetrical upload and download speeds of 100 mbps with a priority on underserved areas and last mile connections.

Compliance (applies to all uses)

All uses are subject to oversight rules, including internal controls, documentation, procurement, and performance tracking linked to key performance indicators. State ARPA funds granted to municipalities remain subject to the more stringent ARPA requirements for states. Therefore, while the Legislature may authorize uses, release of funds must be conditioned on meeting all federal compliance requirements.

Targeting funding sources – FRF spending not advisable

ARPA and other federal legislation funded a range of targeted programs– for these areas, FRF use is generally at odds with maximizing federal revenue. These areas include:

- Public transportation
- Education (ESSER)
- Vaccination distribution, COVID testing and tracing (Vaccine-specific programs, ELC)
- Emergency housing rental subsidies (ERAP)
- Childcare (CCDBG)

10/7/2021

Parameters: Fiscal Year: 2022 Start Date: 7/1/2021 end: 6/30/2022

Ledger History - Detail with Payables - Revenue Ledger

Tran. Type	Block/Batch	Posted	By	Tran. Name	JE Seq	Comment	Beginning	Debit	Credit	Ending	
Warrant	Voucher	Payee				Payment Type	Payment Number				

Account:	28-122-4580-281006			ARPA Federal Revenue		Summary:	0.00	0.00	704,523.40	704,523.40	
Receivable	ARPA Funds/July	07/08/2021	sfrontiera			ARPA		0.00	246,703.78	246,703.78	
Receivable	ARPA	08/17/2021	sfrontiera			ARPA county reallocation		0.00	457,819.62	704,523.40	
						1 Account(s) totaling:	0.00	0.00	704,523.40	704,523.40	

Town Manager

From: Matthew Merli, PE [REDACTED]
Sent: Wednesday, June 1, 2022 7:58 PM
To: Town Manager
Cc: DPW Director; Building Inspector; Robert Danforth; Greg Hadden (ghadden@prsd.org)
Subject: Re: Page School plumbing evaluation

Hi Angus,

Sounds good. Yes, fee proposal is still good on my end.

Timing is good also, as we're just about done with with same effort at Bagnall school, which we'll be submitting at end of this week.

Let me know if you need anything else from me.

Thanks,
Matt



Matthew Merli, PE | Principal / Sr. Market Leader
Fitzmeyer & Tocci Associates, Inc.

[REDACTED]
[REDACTED] | [REDACTED] | [REDACTED]
Providing thoughtful practical engineering leadership



[Celebrating 60 Years: Read about F&T's history.](#)

On Jun 1, 2022, at 7:22 PM, Town Manager <townmanager@wnewbury.org> wrote:

Matt,

Now that the dust has settled from our annual Town Meeting, I'd like to revisit your Jan 31 proposal as relates to Page School. Please re-review it and let me know if the scope/budget still stands or if any updates needed. We continue to see this work as eligible for funding under ARPA, and those funds can be authorized with a vote from our Select Board. I'd like to brief the Board on the initiative, to refresh their memories, as early as this Monday 6/6.

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: Matthew Merli, PE [REDACTED]
Sent: Monday, January 31, 2022 10:32 AM
To: Rebecca Oldham <roldham@grovelandma.com>; Town Manager <townmanager@wnewbury.org>
Cc: DPW Director <dpwdirector@wnewbury.org>; Robert Danforth <rdanforth@prsd.org>; Greg Hadden <ghadden@prsd.org> <ghadden@prsd.org>; Samuel Joslin <sjoslin@grovelandma.com>
Subject: RE: SWIG Grant Questions

Good Afternoon All,

Following up on below, please see attached/updated proposals; which now included additional scope for field work as well as cost estimating for design and construction.

Call or email anytime with questions.

Thank you,
Matt



Matthew Merli, PE | Principal / Sr. Market Leader
Fitzemeyer & Tocci Associates, Inc.



From: Matthew Merli, PE
Sent: Friday, January 21, 2022 2:55 PM
To: Rebecca Oldham <roldham@grovelandma.com>; Town Manager <townmanager@wnewbury.org>
Cc: DPW Director <dpwdirector@wnewbury.org>; Robert Danforth <rdanforth@prsd.org>; Greg Hadden <ghadden@prsd.org> <ghadden@prsd.org>; Samuel Joslin <sjoslin@grovelandma.com>
Subject: RE: SWIG Grant Questions

Hi All – Keeping everyone in the loop. I’ve had follow-up discussions with Greg and Angus, and will revise proposals accordingly to make sure we align scope/expectations.

I’ll be working on getting this next week.

Have a good weekend,
Matt



Matthew Merli, PE | Principal / Sr. Market Leader
Fitzemeyer & Tocci Associates, Inc.



From: Matthew Merli, PE
Sent: Thursday, January 20, 2022 3:50 PM
To: Rebecca Oldham <roldham@grovelandma.com>; Town Manager <townmanager@wnewbury.org>



January 31, 2022

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

Reference: Pentucket Regional School District - Page School - Plumbing Infrastructure Evaluation
West Newbury, Massachusetts
F&T No. 220048.01

Subject: Engineering Fee Proposal (Revised)

Dear Angus:

Thank you for considering Fitzmeyer & Tocci to provide engineering services for the above-referenced project. We propose to provide Plumbing Engineering services as described herein for the following fixed fees:

Basic Engineering Services

Domestic Water System Plumbing Due Diligence	\$24,750
Optional Domestic Water System Plumbing Drawings	\$17,500
Estimated Reimbursable Expenses	\$1,690

Scope of Work

The project, as we understand it, consists of the following:

- Provide engineering services to review and assess the existing conditions of the domestic water distribution system at the Page Elementary School in West Newbury, MA. The intent of the investigation is to understand piping distribution, age and condition. Included in the services shall be:
 - Site visual inspection of the existing system conditions and understanding location/routing of the piping.
 - Review of any existing plumbing drawings.
 - Prepare a written memo describing systems condition and capabilities and recommended repairs, improvements, and upgrades.
 - Production of an estimate of probable design and construction cost to implement recommended improvements.
 - Attend one (1) conference call with the Owner to discuss the results of the study.

Optional Services

We offer the following optional services over and above the basic services:

Mechanical/Electrical Engineers

Domestic Water System Plumbing Drawings

- Create Revit or AutoCAD files (along with PDF's) of the existing domestic water piping distribution, sizing and fixtures.

Services Not Included

The following services are not included in the fee:

- Preparation of design documents
- Physical testing services (e.g. lead testing).

Additional Info Required

Our fee assumes that we will be provided, at no cost to us or as a reimbursable expense, the following:

- Plumbing plans, if available.

Reimbursable Expenses

The following items are not included in the fee and shall be reimbursable to Fitzmeyer & Tocci Associates, Inc. on a monthly basis:

- Printing/plotting and reproduction costs
- Project IT costs
- Travel expenses (mileage, lodging, meals, etc.)
- Courier/delivery and Express Mail charges.

We estimate the reimbursable expenses to be approximately 4% of our fee based upon the items noted above. Reimbursable expenses associated with future change orders will be billed to the base project and will increase the reimbursable expense estimate proportionally. Reimbursable expenses may be billed for a period of time after completion of the study.

Fee Schedule

Billing will be monthly and will be proportional to the following schedule. Invoices are due within 30 days of the date of invoice:

<u>Milestone</u>	<u>Fee %</u>
Report	100

Hourly Rate Schedule

Any work or services requested in addition to, or not specifically listed above, shall be billed monthly at our standard hourly rates. Our current hourly rates (subject to change without notice) are:

<u>Position</u>	<u>Rate</u>
Principal/Vice President	\$325.00 per hour
Market/Service Leader	300.00 per hour
Senior Project Engineer	250.00 per hour
Project Manager	200.00 per hour
Commissioning Engineer	200.00 per hour
BIM Manager	195.00 per hour
Project Engineer	185.00 per hour
Designer / Design Engineer	150.00 per hour

Angus Jennings, Town Manager
Town of West Newbury
January 31, 2022
Page 3

Clerical/Administration 110.00 per hour

Our proposal includes the services as described within this document and in accordance with the attached Terms & Conditions, which are made a part hereof. The proposal shall remain open and valid for a period of 30 days from the date hereof.

If this proposal is acceptable to you in its present form, please return one signed copy for our records. Please initial next to any of the optional services that are approved.

If you require any other standard form of agreement for services to be provided, please prepare the document and send it to us for review.

Please do not hesitate to call if you require any further information, or if you have any questions.

TOWN OF WEST NEWBURY

FITZEMEYER & TOCCI ASSOCIATES, INC.

By: _____



Matthew R. Merli, PE
Principal

Date: _____

**TOWN OF WEST NEWBURY
EMPLOYEE COMPENSATION POLICY
SALARY RANGES
FISCAL YEAR 2023 - DRAFT**

Cola

1.02

Grade	Minimum Hourly Rate	Midpoint Hourly Rate	Maximum Hourly Rate	Hours per week		Weeks in FY22	
				Minimum	Midpoint	Maximum	Maximum
				40		52.2	
1	Minimum Wage*	15.19	15.37				
2	13.68	16.25	18.81	28,574	33,920	39,265	
3	17.11	19.67	22.23	35,718	41,063	46,409	
4	20.49	23.07	25.65	42,788	48,170	53,552	
5	23.94	26.50	29.07	49,980	55,338	60,696	
6	27.36	29.92	32.49	57,124	62,482	67,839	
7	30.76	34.18	37.60	64,219	71,362	78,506	
8	34.15	39.29	44.43	71,313	82,041	92,768	
9	41.02	46.14	51.26	85,649	96,340	107,031	
10	47.85	52.97	58.09	99,912	110,603	121,294	
11	54.68	61.51	68.34	114,175	128,437	142,700	
12	64.95	71.77	78.59	135,605	149,856	164,106	

Massachusetts minimum wage

\$15.00 effective January 1, 2023
 \$14.25 effective January 1, 2022

Town Manager

From: Town Manager
Sent: Wednesday, June 1, 2022 5:12 PM
To: ppreser
Subject: Mill Pond trail
Attachments: Mill Pond Trail summary docs 6-1-22.pdf

Hi,

Following on our conversation on Friday, I have attached a packet with the two executed contracts pursuant to the CPA-funded project, along with the current financial status. Although the W&S work on the ANRAD is ongoing (site walk this coming wknd, and at least 1 more ConCom hearing), Greg Hochmuth has said they consider the \$11,750 billed to date as a not-to-exceed amount. The contract with Trent Lloyd is for \$7,250 of which \$3,375 has been paid.

So, of the \$30,000 CPC award, \$11,000 remains unencumbered.

The original project application is [here](#), and key meeting minutes (after the MassTrails grant was not awarded) are [here](#).

I think there are two alternate paths that could make sense going forward:

- Authorize Trent to render the sketch (which is NOT and was never represented to be her overall concept plan) more completely, and including the overall concept (which includes an all-access path extending around to the south of the pond to a new viewing area; as well as a number of design features in proximity to the cabin/current parking that aren't reflected on the sketch). Schedule a public mtg at which all interested parties would be encouraged to attend, get input, and have her advance the concept based on input received. In short, this would be to follow the approved scope (although we would need to amend the contract to extend the completion date past 6/30/22... the CPA Article has a sunset date of 6/30/23, so there is time).
- Alternatively, the Town could seek to revise the contract to include more working mtgs with individual groupings (i.e. OSC, Mill Pond Comm, etc.).

Regardless of above, I plan to talk w Archie this week re the bigger issue of entities initiating projects (such as this) without clearly identifying the resources needed to responsibly advance the project, then assuming that whatever town staff time is needed will be available, when needed. The cumulative effect of this approach has caused the town to take on far more projects than it can responsibly administer.

Given that this CPC application was initially submitted by the OSC, it may make sense to transfer management back to the OSC, but even if so it would be necessary to calibrate the timing of the project with the availability of other resources whose participation will be necessary to ensure full input (incl. my office, dpw, public safety, conservation, etc.).

The initial draft scope from Trent Lloyd (which came from Brad directly in early December) called for all work incl. public mtgs to be complete in Jan-Feb 2022. I pointed out to Brad (and Trent) back then that that is peak budget and Town Mtg warrant closing season, and unrealistic to schedule 5-6 public mtgs in those 2 months and expect full participation (and attention) from involved staff and Boards/Commissions/Committees. The scope was subsequently extended by a couple of months, prior to finalizing the agreement, but still called for a quicker process than seemed realistic.

Depending on Archie's direction, this may be agenda'd for Select Board discussion on 6/6, or not. There are about 100 other things we're working on today/this week and June is an extremely busy time here in the Finance Dept and w all Committee reappointments etc, and some other grants that need to be wrapped up by 6/30, so Archie may well prefer to postpone discussion til things (hopefully) slow down a bit in July.

Hope this helps,
Angus

Town Manager

From: Town Manager
Sent: Thursday, May 26, 2022 10:42 PM
To: Wendy Reed; Ann Bardeen [REDACTED]; Bob Janes; Gary Bill; Judy Mizner; Patricia Reeser [REDACTED]; Wendy Willis
Cc: Community Preservation Committee
Subject: RE: Additional Information for Thursday May 26, 2022 meeting

Hi all,

While the intent in circulating the Mill Pond sketch was to keep the Committee apprised of progress on this effort, it has come to my attention that in at least one instance this sketch has been taken out of context and (in my opinion) inappropriately blown out of proportion. In light of this, I regret that the concept sketch was circulated, as I believe that for someone to draw conclusions regarding the overall effort based on a single sketch is a disservice to the consultant and to all who have been participating in this effort in good faith.

In light of this, I believe that the discussion of the sketch plan in a public meeting was premature. There was no presentation nor participation by the designer, nor notice to other interested parties that the matter would be discussed (incl. on the posted agenda). The sketch that was circulated did not yet reflect sign off/endorsement from key staff nor from any board/commission/committee, and lacked any and all context.

I encourage all to reserve judgment until they actually see and hear a presentation of the consultant's work within a public meeting, which is a remaining item within the work scope. We are not there yet. The sketch is of one subset of an overall concept design, so lacks context regarding the overall effort.

If the circulation of the sketch has already harmed the overall effort, my goal in sending this note is to hopefully nip that in the bud.

Thanks,
Angus

From: Community Preservation Committee <cpc@wnewbury.org>

Sent: Monday, May 23, 2022 9:45 AM

To: [REDACTED]

Subject: Additional Information for Thursday May 26, 2022 meeting

Good morning:

Under the communication section of the Agenda for Thursday's meeting, I will bring up the Concept Plan the Town Manager received from Trent Lloyd, the Landscape Architect working on the Mill Pond project. I have attached her concept here.

She wrote: 'the concept combines the 2 parking lots with the additional trail to the dock. The next step would be to present this to the public for feedback. For the public meeting she would draw a 3D version of this sketch, but wanted to get Town Manager's (and CPC's) approval before drawing the 3d version.'

I have printed copies for Judy, Bob and Gary.

Barbara Gard, Administrator
Community Preservation Committee
Town of West Newbury MA
381 Main Street
West Newbury, MA 01985
(978) 363-1100 Ext 131

PROPOSAL: Mill Pond All Access Project

DATE: December 15, 2021

SCOPE OF WORK:

Task 1 SITE ANALYSIS

Utilizing the survey and wetland delineation provided by the town prepare a site analysis memo / diagram assessing existing conditions, constraints, and opportunities. The landscape architect's review shall include drainage, grades, code requirements and natural resources.

Upon completion of site analysis memo, meet independently with relevant boards and commissions to provide overview of the project scope, schedule, and present site analysis findings. Landscape Architect shall solicit feedback from meeting attendees to learn how the study area is used, how it could be improved, and how they would design a successful all-access trail at the site.

Meetings: One (1) site visit. Up to six (6) virtual or in person meetings (Open Space Committee, Mill Pond Committee, Parks and Recreation Commission, Select Board, Planning Board, and relevant town staff).

Deliverable: Site Analysis Memo / Diagram with findings from early engagement activities.

Task 2 CONCEPT DEVELOPMENT

Utilizing the information gathered during task 1, design and develop 2-3 concepts on trace with concept photos.

Meetings: One (1) virtual meeting with town staff to review concepts.

Deliverable: 2-3 drawings sketch quality on trace paper, photo images to communicate overall vision.

Task 3 PUBLIC MEETING

Facilitate a workshop to gather present the site analysis and concepts. Solicit feedback on concepts to define which elements of the concepts are best aligned with the goals of residents.

Meetings: One (1) in person public meeting

Deliverable: Workshop presentation

Task 4 100% CONCEPT DEVELOPMENT

After meeting with town staff to review the outcomes of the public meeting, develop the final concept drawing based on the priorities articulated from the inclusive community workshop.

Meetings: One (1) virtual meeting with town staff to review concepts.

Deliverable: Final Concept Drawing that articulates the priorities identified in the workshop.

Task 5 HARD AND SOFT COST ESTIMATE

To help the town better understand the process and costs associated with future project phases, prepare a memo outlining future permitting and design requirements/costs along with an estimate of probable construction costs.

Meetings: One (1) virtual meeting with town staff to review estimate.

Deliverable: Hard and soft cost estimate memo.

ESTIMATED PROJECT SCHEDULE AND FEES

TASK	COMPLETION DATE	Fee
Site Analysis	January 2022	\$2250
Concept Development	February 2022	\$1125
Public Meeting	March 2022	\$1125
100% Concept Development	April 2022	\$1125
Hard and Soft Cost Estimate	May 2022	\$1625

Town Manager

From: Town Manager
Sent: Thursday, June 2, 2022 10:54 AM
To: David Archibald
Subject: FW: Mill Pond Design Workshop

More background re the Mill Pond issue of decision-making authority.

From: Town Manager
Sent: Thursday, January 27, 2022 10:31 PM
To: Rick Parker <rparker@wnewbury.org>
Subject: RE: Mill Pond Design Workshop

Sounds good, I'll pencil her in for 2/14. My follow-up email to her (this morning? Seems like a long time ago...) re the CR and Greenbelt's role is also key. I'm helping her understand the longer-term process as this will assist in the more imminent conceptual design process. It seems to me that the way the CR is written will result in any recommended changes from this design process being really pretty minor.

I don't necessarily see any change out there (such as regrading or resurfacing – with no asphalt/concrete – trails to provide ADA accessibility) as being a change to the Management Plan. I think your premise of seeking support of (at least) 3 of 4 named entities is a good one. Too late tonight to really think about what's legally needed. But certainly deference would be afforded all 4 named entities, plus WNRDC, plus Greenbelt. Which have true decision-making authority, and to what extent, may be a premature question at this point.

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: Rick Parker <rparker@wnewbury.org>
Sent: Thursday, January 27, 2022 10:26 PM
To: Town Manager <townmanager@wnewbury.org>
Subject: RE: Mill Pond Design Workshop

I don't think KP should be asked for an opinion at this point and would like to discuss further before incurring legal expense.

I understand your reference to the SB "owning" the property but, according to Section A., Paragraph 16 of the Management Plan, any modification of the plan requires a 2/3 vote of (1 vote per B/C/C) the BoS [SB], Mill Pond Committee, Parks & Rec Commission, Conservation Commission and any other board, committee or group (of which I think there is none) – this essentially requires 3 of the 4 named bodies to agree. Since the Management Plan addresses each area of the property individually and references Appendix B (sketch plan) of the Conservation Restriction, the All Persons' Trail seems a modification of the Plan. It seems to me that we need majority B/C/C agreement on the All Persons' Trail plan and believe it was done that way intentionally to make changes to the area difficult and deliberative. Interestingly, both Mill Pond Committee and Conservation Commission members are appointed, not

elected. I hope that the ConComm's perspective would be based solely on their statutory responsibility to protect the resource areas.

It may be best to ask Trent to come in on 2/14, assuming that it doesn't look like that agenda will be too loaded. You'll be off the week before the 2/28 meeting.

BTW, I'll be traveling from Tuesday 3/1 thru Wednesday 3/9.

From: Town Manager <townmanager@wnewbury.org>

Sent: Thursday, January 27, 2022 11:51 AM

To: Rick Parker <rparker@wnewbury.org>

Subject: FW: Mill Pond Design Workshop

Below FYI. Do you think I should have KP give an official opinion (re eventual authority re what may be proposed for site work at Mill Pond)? May be premature, but sooner or later the question will surely come up.

Regarding scheduling Trent to come to a SB mtg, would you rather that sooner (like 2/14) or later in the process once she will have met w some of the other BCCs? Thanks

From: Trent Lloyd <trent@trentlloyd.com>

Sent: Thursday, January 27, 2022 11:15 AM

To: Town Manager <townmanager@wnewbury.org>

Subject: Re: Mill Pond Design Workshop

Angus,

This all sounds good. I will contact Tim and Leah about a Planning Board meeting.

And I will wait to hear from you or Rick about a Select Board meeting.

Thanks for looking into the decision-making question :)

Trent

TRENT LLOYD
LANDSCAPE DESIGN

trentlloyd.com

978.912.1869

On Jan 26, 2022, at 12:26 PM, Town Manager <townmanager@wnewbury.org> wrote:

p.s. I will also talk w the Chair to try to advance the question we discussed last week re, at the end of the day, who is the decision-making authority for any potential construction projects at Mill Pond. My starting assumption would be that this would be the Select Board, but due to the standing afforded the Mill Pond Committee in the [Mill Pond/Pipestave Management Plan](#), and the fact that this question hasn't come up (at least in recent years), this may need to be confirmed with town counsel. Obviously, this would be in addition to any Boards/Commissions with regulatory oversight, i.e. ConCom and Planning Board (re Site Plan Review). Thanks

Angus Jennings, Town Manager

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

From: Trent Lloyd <trent@trentlloyd.com>
Sent: Wednesday, January 26, 2022 11:17 AM
To: Town Manager <townmanager@wnewbury.org>
Subject: Mill Pond Design Workshop

Angus,

Hi. It was great to meet last week. Thank you for taking the time to kick off the design process for Mill Pond.

I plan to meet with 5 committees- Mill Pond Committee, Parks and Rec. Commission, Select Board, Planning Board and the Open Space Committee to gather feedback.

With each meeting, I will go through a design workshop with the members to brainstorm ideas for Mill Pond. The meetings will take no longer than one hour.

Could you connect me with the appropriate person on the Select Board and the Planning Board so I can introduce myself and try set up a meeting.

Thank you. I look forward to working together on this.
Trent

TRENT LLOYD
LANDSCAPE DESIGN

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978.912.1869

Town Manager

From: Town Manager
Sent: Thursday, June 2, 2022 10:54 AM
To: David Archibald
Subject: FW: Mill Pond Design Workshop
Attachments: DogParkDenial2018.pdf

And:

From: Town Manager
Sent: Thursday, January 27, 2022 1:43 PM
To: Trent Lloyd <trent@trentlloyd.com>
Subject: RE: Mill Pond Design Workshop

Trent,

In my earlier email I forgot to specifically reference the Conservation Restriction. I know you're aware of this, but want to be sure you have read it closely and that any/all conceptual design takes into account the CR's (few) allowances and (many) restrictions, such as prohibition of "asphalt or concrete pavement," "new buildings or structures, or enlargements to existing buildings," "cutting, removing or otherwise destroying or altering trees, shrubs, grasses or other vegetation;" and allowance for "the construction of new trails, including the placement of soil or other materials associated with said trail construction..., all in compliance with the Management Plan." The full CR is online [here](#).

This also means that Essex County Greenbelt would need to sign off on any work done at Mill Pond.

As you may or may not know, there was some controversy a few years ago re the then-proposal to add a dog park near the middle parking lot (between the lower lot at Mill Pond and the upper lot at Pipestave). I have attached for your background knowledge Greenbelt's denial of that proposal.

Hope this helps,
Angus

Angus Jennings, Town Manager
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From: Trent Lloyd <trent@trentlloyd.com>
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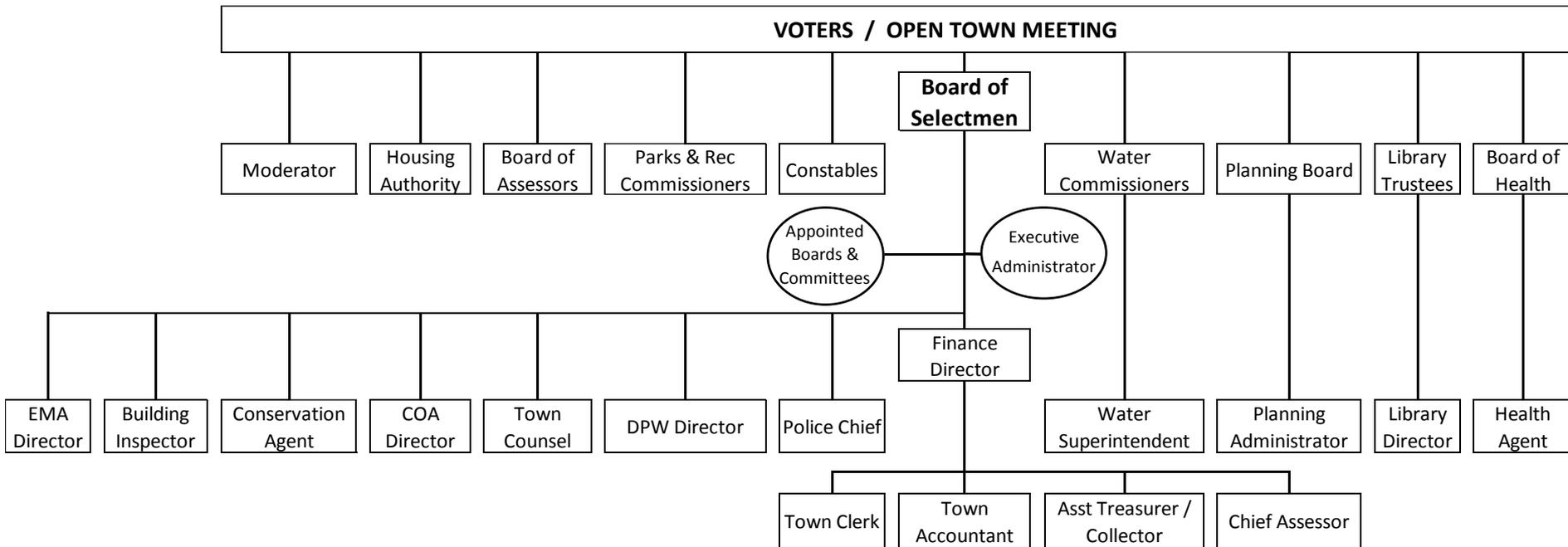
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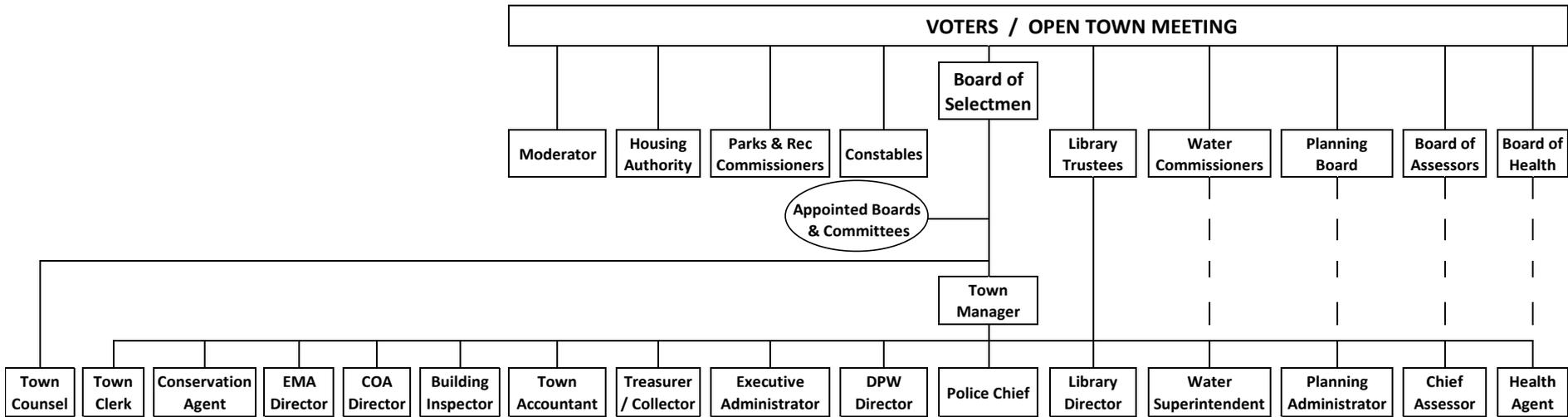
Thank you. I look forward to working together on this.
Trent

Previous Structure



- The Finance Director is our highest level employee, but has no actual authority beyond the Finance Department.
- No management role currently spans all of town government.

New Town Manager Structure



- Professional manager responsible for day to day operation of the Town.
- Selectmen retain authority as the policy making, executive branch of the Town.
- Boards and Committees continue to operate as they do today.
- Town Meeting is the Legislative branch of the government.

FORMS OF MUNICIPAL GOVERNMENT

Abbreviations

AA	Administrative Assistant
AC	Administrative Coordinator
AO	Administrative Officer
AS	Administrative Secretary
CAFO	Chief Administrative and Financial Officer
CAO	Chief Administrative Officer
EA	Executive Administrator
ED	Executive Director
ES	Executive Secretary
ExA	Executive Assistant
GM	General Manager
MA	Municipal Administrator
MuA	Municipal Assistant
TA	Town Administrator
TC	Town Coordinator
TM	Town Manager
OTM	Open town meeting
RTM	Representative town meeting

Communities with a city form of government are listed in all capital letters.

Letters in parentheses for certain cities indicate the use of one of the optional plans of city government (“model city charters”) as authorized by Massachusetts General Laws chapter 43 (Plan A, B, C, D, E, or F). Cities that are not identified by a letter in the final column are governed by provisions or special charters granted by the Legislature.

Some municipalities have adopted a home rule charter under the provisions of the Home Rule amendment and chapter 43B. The first year in which the home rule charter was adopted is in parentheses.

Massachusetts law provides that no town with a population of less than 12,000 may adopt a city form of government and no town with a population of less than 6,000 may adopt a representative town meeting form of government.

Information in this chart is compiled from an MMA survey of each city and town in the state. The surveys were completed by the municipal clerk in each community. In towns that do not have a chief municipal official, the chair of the Board of Selectmen fulfills that role.

Community	Chief Municipal Official*	Policy Board	Legislative Body
Abington (1974)	TM	Selectmen (5)	OTM
Acton (1969)	TM	Selectmen (5)	OTM
Acushnet (1971)	TA	Selectmen (3)	OTM
Adams (1983)	TA	Selectmen (5)	RTM
AGAWAM (1972) (A)	Mayor		Council (11)
Alford		Selectmen (3)	OTM
AMESBURY (1996) (F)	Mayor		Council (9)
Amherst	TM	Selectmen (5)	RTM
Andover	TM	Selectmen (5)	OTM
Aquinnah	TC	Selectmen (3)	OTM
Arlington	TM	Selectmen (5)	RTM
Ashburnham	TA	Selectmen (3)	OTM
Ashby	TA	Selectmen (3)	OTM
Ashfield	TA	Selectmen (3)	OTM
Ashland	TM	Selectmen (5)	OTM
Athol	TM	Selectmen (5)	OTM
ATTLEBORO (1973)	Mayor		Council (11)
Auburn (1969)	TM	Selectmen (5)	RTM
Avon	TA	Selectmen (3)	OTM
Ayer	TA	Selectmen (5)	OTM
BARNSTABLE (1989)	TM		Council (13)
Barre	TA	Selectmen (3)	OTM
Becket	TA	Selectmen (3)	OTM
Bedford (1974)	TM	Selectmen (5)	OTM
Belchertown	TA	Selectmen (5)	OTM
Bellingham	TA	Selectmen (5)	OTM
Belmont (1926)	TA	Selectmen (3)	RTM
Berkley		Selectmen (3)	OTM
Berlin		Selectmen (3)	OTM
Bernardston	AA	Selectmen (3)	OTM
BEVERLY (A)	Mayor		Council (9)
Billerica (1979)	TM	Selectmen (5)	RTM
Blackstone (1974)	TA	Selectmen (5)	OTM
Blandford	TA	Selectmen (3)	OTM
Bolton	TA	Selectmen (3)	OTM
BOSTON (A)	Mayor		Council (13)
Bourne	TA	Selectmen (5)	OTM
Boxborough	TA	Selectmen (5)	OTM
Boxford	TA	Selectmen (5)	OTM
Boylston	TA	Selectmen (3)	OTM
BRAINTREE	Mayor		Council (9)
Brewster	TA	Selectmen (5)	OTM
Bridgewater	MA		Council (9)
Brimfield		Selectmen (3)	OTM
BROCKTON	Mayor		Council (11)
Brookfield	AA	Selectmen (3)	OTM
Brookline	TA	Selectmen (5)	RTM

Community	Chief Municipal Official*	Policy Board	Legislative Body	Community	Chief Municipal Official*	Policy Board	Legislative Body
Buckland	TA	Selectmen (3)	OTM	Florida	TA	Selectmen (3)	OTM
Burlington	TA	Selectmen (5)	RTM	Foxborough	TM	Selectmen (5)	OTM
CAMBRIDGE (1941) (E)	Mayor-Manager		Council (9)	Framingham	TM	Selectmen (5)	RTM
Canton	TA	Selectmen (5)	OTM	FRANKLIN (1978)	TA		Town Council (9)
Carlisle	TA	Selectmen (5)	OTM	Freetown	TA	Selectmen (3)	OTM
Carver	TA	Selectmen (5)	OTM	GARDNER (B)	Mayor		Council (11)
Charlemont		Selectmen (3)	OTM	Georgetown	TA	Selectmen (5)	OTM
Charlton	TA	Selectmen (5)	OTM	Gill		Selectmen (3)	OTM
Chatham	TM	Selectmen (5)	OTM	GLOUCESTER (1975)	Mayor		Council (9)
Chelmsford (1989)	TM	Selectmen (5)	RTM	Goshen		Selectmen (3)	OTM
CHELSEA	Manager		Council (11)	Gosnold		Selectmen (3)	OTM
Cheshire	TA	Selectmen (3)	OTM	Grafton (1987)	TA	Selectmen (5)	OTM
Chester	TA	Selectmen (3)	OTM	Granby	TA	Selectmen (3)	OTM
Chesterfield	TA	Selectmen (3)	OTM	Granville	AA	Selectmen (3)	OTM
CHICOPEE	Mayor		Council (13)	Great Barrington	TM	Selectmen (5)	OTM
Chilmark	ES	Selectmen (3)	OTM	GREENFIELD (2003)	Mayor		Council (13)
Clarksburg	TA	Selectmen (3)	OTM	Groton	TM	Selectmen (5)	OTM
Clinton	TA	Selectmen (5)	OTM	Groveland		Selectmen (3)	OTM
Cohasset	TM	Selectmen (5)	OTM	Hadley	TA	Selectmen (5)	OTM
Colrain	TC	Selectmen (3)	OTM	Halifax	TA	Selectmen (3)	OTM
Concord (1957)	TM	Selectmen (5)	OTM	Hamilton	TM	Selectmen (5)	OTM
Conway		Selectmen (3)	OTM	Hampden		Selectmen (3)	OTM
Cumington	ES	Selectmen (3)	OTM	Hancock		Selectmen (3)	OTM
Dalton	TM	Selectmen (5)	OTM	Hanover	TM	Selectmen (5)	OTM
Danvers	TM	Selectmen (5)	RTM	Hanson	TA	Selectmen (5)	OTM
Dartmouth	EA	Selectmen (5)	RTM	Hardwick	TA	Selectmen (3)	OTM
Dedham (1974)	TA	Selectmen (5)	RTM	Harvard	TA	Selectmen (5)	OTM
Deerfield	TA	Selectmen (3)	OTM	Harwich	TA	Selectmen (5)	OTM
Dennis	TA	Selectmen (5)	OTM	Hatfield	TA	Selectmen (3)	OTM
Dighton		Selectmen (3)	OTM	HAVERHILL (A)	Mayor		Council (9)
Douglas	EA	Selectmen (5)	OTM	Hawley		Selectmen (3)	OTM
Dover	TA	Selectmen (3)	OTM	Heath	TC	Selectmen (3)	OTM
Dracut (1985)	TM	Selectmen (5)	OTM	Hingham	TA	Selectmen (3)	OTM
Dudley	TA	Selectmen (5)	OTM	Hinsdale		Selectmen (3)	OTM
Dunstable		Selectmen (3)	OTM	Holbrook	TA	Selectmen (5)	RTM
Duxbury	TM	Selectmen (3)	OTM	Holden	TM	Selectmen (5)	OTM
East Bridgewater	TA	Selectmen (3)	OTM	Holland	ES	Selectmen (3)	OTM
East Brookfield		Selectmen (3)	OTM	Holliston	TA	Selectmen (3)	OTM
Eastham	TA	Selectmen (5)	OTM	HOLYOKE (A)	Mayor		Council (15)
EASTHAMPTON (1996)	Mayor		Council (9)	Hopedale	TC	Selectmen (3)	OTM
East Longmeadow	ES	Selectmen (3)	OTM	Hopkinton	TM	Selectmen (5)	OTM
Easton (1972)	TA	Selectmen (5)	OTM	Hubbardston	TA	Selectmen (3)	OTM
Edgartown	TA	Selectmen (3)	OTM	Hudson (1971)	ExA	Selectmen (5)	OTM
Egremont		Selectmen (3)	OTM	Hull	TM	Selectmen (5)	OTM
Erving	TA	Selectmen (3)	OTM	Huntington		Selectmen (3)	OTM
Essex	TA	Selectmen (3)	OTM	Ipswich	TM	Selectmen (5)	OTM
EVERETT	Mayor	Council-Aldermen (18 & 7)		Kingston	TA	Selectmen (5)	OTM
Fairhaven	ES	Selectmen (3)	RTM	Lakeville	TA	Selectmen (3)	OTM
FALL RIVER (A)	Mayor		Council (9)	Lancaster	TA	Selectmen (3)	OTM
Falmouth	TM	Selectmen (5)	RTM	Lanesborough	TA	Selectmen (3)	OTM
FITCHBURG (B)	Mayor		Council (11)	LAWRENCE (1983)	Mayor		Council (9)

Forms of Municipal Government

Community	Chief Municipal Official*	Policy Board	Legislative Body
Lee	TA	Selectmen (3)	RTM
Leicester	TA	Selectmen (5)	OTM
Lenox	TM	Selectmen (5)	OTM
LEOMINSTER (1969) (A)	Mayor		Council (9)
Leverett	TA	Selectmen (3)	OTM
Lexington	TM	Selectmen (5)	RTM
Leyden	MuA	Selectmen (3)	OTM
Lincoln	TA	Selectmen (3)	OTM
Littleton	TA	Selectmen (5)	OTM
Longmeadow (2004)	TM	Selectmen (5)	OTM
LOWELL (E)	Mayor-Manager		Council (9)
Ludlow	TA	Selectmen (5)	RTM
Lunenburg	TM	Selectmen (5)	OTM
LYNN (A)	Mayor		Council (11)
Lynnfield (1971)	TA	Selectmen (3)	OTM
MALDEN (A)	Mayor		Council (11)
Manchester-by-the-Sea	TA	Selectmen (5)	OTM
Mansfield (1920)	TM	Selectmen (5)	OTM
Marblehead	TA	Selectmen (5)	OTM
Marion	TA	Selectmen (3)	OTM
MARLBOROUGH (B)	Mayor		Council (11)
Marshfield (1976)	TA	Selectmen (3)	OTM
Mashpee	TM	Selectmen (5)	OTM
Mattapoisett	TA	Selectmen (3)	OTM
Maynard	TA	Selectmen (5)	OTM
Medfield (1972)	TA	Selectmen (3)	OTM
MEDFORD (A)	Mayor		Council (7)
Medway	TA	Selectmen (5)	OTM
MELROSE (B)	Mayor		Aldermen (11)
Mendon	TC	Selectmen (3)	OTM
Merrimac		Selectmen (3)	OTM
METHUEN (1972)	Mayor		Council (9)
Middleborough	TM	Selectmen (5)	OTM
Middlefield		Selectmen (3)	OTM
Middleton (1974)	TA	Selectmen (5)	OTM
Milford	TA	Selectmen (3)	RTM
Millbury	TM	Selectmen (5)	OTM
Millis (1977)	TA	Selectmen (3)	OTM
Millville	ES	Selectmen (5)	OTM
Milton (1927)	TA	Selectmen (3)	RTM
Monroe		Selectmen (3)	OTM
Monson	TA	Selectmen (3)	OTM
Montague	TA	Selectmen (3)	RTM
Monterey		Selectmen (3)	OTM
Montgomery		Selectmen (3)	OTM
Mount Washington		Selectmen (3)	OTM
Nahant (1980)	TA	Selectmen (3)	OTM
Nantucket	TM	Selectmen (5)	OTM
Natick (1980)	TA	Selectmen (5)	RTM
Needham	TM	Selectmen (5)	RTM
New Ashford		Selectmen (3)	OTM

Community	Chief Municipal Official*	Policy Board	Legislative Body
NEW BEDFORD (B)	Mayor		Council (11)
New Braintree	ES	Selectmen (3)	OTM
Newbury	TA	Selectmen (5)	OTM
NEWBURYPORT (1919) (B)	Mayor		Council (11)
New Marlborough		Selectmen (3)	OTM
New Salem	TC	Selectmen (3)	OTM
NEWTON (1972) (A)	Mayor		Aldermen (24)
Norfolk	TA	Selectmen (3)	OTM
NORTH ADAMS (A)	Mayor		Council (9)
NORTHAMPTON (B)	Mayor		Council (9)
North Andover (1986)	TM	Selectmen (5)	OTM
North Attleborough	TA	Selectmen (5)	RTM
Northborough (1970)	TA	Selectmen (5)	OTM
Northbridge	TM	Selectmen (5)	OTM
North Brookfield	AA	Selectmen (3)	OTM
Northfield	AA	Selectmen (3)	OTM
North Reading (1970)	TA	Selectmen (5)	OTM
Norton (1989)	TM	Selectmen (5)	OTM
Norwell (1973)	TA	Selectmen (3)	OTM
Norwood	GM	Selectmen (5)	RTM
Oak Bluffs	TA	Selectmen (5)	OTM
Oakham	AA	Selectmen (3)	OTM
Orange	TA	Selectmen (3)	OTM
Orleans (1987)	TA	Selectmen (5)	OTM
Otis	TA	Selectmen (3)	OTM
Oxford (1972)	TM	Selectmen (5)	OTM
PALMER (2004)	TM		Town Council (9)
Paxton	TA	Selectmen (3)	OTM
PEABODY (D)	Mayor		Council (11)
Pelham	TA	Selectmen (3)	OTM
Pembroke	TA	Selectmen (5)	OTM
Pepperell	TA	Selectmen (3)	OTM
Peru		Selectmen (3)	OTM
Petersham	AC	Selectmen (3)	OTM
Phillipston	AA	Selectmen (3)	OTM
PITTSFIELD (B)	Mayor		Council (11)
Plainfield		Selectmen (3)	OTM
Plainville	TA	Selectmen (3)	OTM
Plymouth (1973)	TM	Selectmen (5)	RTM
Plympton		Selectmen (3)	OTM
Princeton	TA	Selectmen (3)	OTM
Provincetown (1990)	TM	Selectmen (5)	OTM
QUINCY (A)	Mayor		Council (9)
Randolph	TM		Council (9)
Raynham	TA	Selectmen (3)	OTM
Reading (1986)	TM	Selectmen (5)	RTM
Rehoboth	TA	Selectmen (3)	OTM
REVERE (B)	Mayor		Council (11)
Richmond	TA	Selectmen (3)	OTM
Rochester	TA	Selectmen (3)	OTM

Community	Chief Municipal Official*	Policy Board	Legislative Body	Community	Chief Municipal Official*	Policy Board	Legislative Body
Rockland (1970)	TA	Selectmen (5)	OTM	Tyringham		Selectmen (3)	OTM
Rockport	TA	Selectmen (5)	OTM	Upton	TM	Selectmen (3)	OTM
Rowe	TC	Selectmen (3)	OTM	Uxbridge	TM	Selectmen (5)	OTM
Rowley	TA	Selectmen (5)	OTM	Wakefield	TA	Selectmen (7)	OTM
Royalston		Selectmen (3)	OTM	Wales	ES	Selectmen (3)	OTM
Russell	AA	Selectmen (3)	OTM	Walpole (1973)	TA	Selectmen (5)	RTM
Rutland	TA	Selectmen (5)	OTM	WALTHAM (B)	Mayor		Council (15)
SALEM (B)	Mayor		Council (11)	Ware	TM	Selectmen (5)	OTM
Salisbury (1988)	TM	Selectmen (5)	OTM	Wareham (1977)	TA	Selectmen (5)	OTM
Sandisfield		Selectmen (3)	OTM	Warren	AA	Selectmen (3)	OTM
Sandwich	TA	Selectmen (5)	OTM	Warwick	TC	Selectmen (3)	OTM
Saugus (1947)	TM	Selectmen (5)	RTM	Washington		Selectmen (3)	OTM
Savoy		Selectmen (3)	OTM	WATERTOWN (1980)	TM		Town Council (9)
Scituate (1972)	TA	Selectmen (5)	OTM	Wayland	TA	Selectmen (5)	OTM
Seekonk (1976)	TA	Selectmen (5)	OTM	Webster (1987)	TA	Selectmen (5)	OTM
Sharon	TA	Selectmen (3)	OTM	Wellesley	ED	Selectmen (5)	RTM
Sheffield	TA	Selectmen (3)	OTM	Wellfleet (1986)	TA	Selectmen (5)	OTM
Shelburne	ES	Selectmen (3)	OTM	Wendell	TC	Selectmen (3)	OTM
Sherborn	TA	Selectmen (3)	OTM	Wenham	TA	Selectmen (3)	OTM
Shirley	CAO	Selectmen (3)	OTM	Westborough (1974)	TM	Selectmen (5)	OTM
Shrewsbury	TM	Selectmen (5)	RTM	West Boylston	TA	Selectmen (5)	OTM
Shutesbury	TA	Selectmen (3)	OTM	West Bridgewater	TM	Selectmen (3)	OTM
Somerset	TA	Selectmen (3)	OTM	West Brookfield	ES	Selectmen (3)	OTM
SOMERVILLE (A)	Mayor		Aldermen (11)	WESTFIELD (B)	Mayor		Council (13)
Southampton	TA	Selectmen (5)	OTM	Westford	TM	Selectmen (5)	OTM
Southborough	TA	Selectmen (3)	OTM	Westhampton	AA	Selectmen (3)	OTM
SOUTHBRIDGE (1974)	TM		Town Council (9)	Westminster	TC	Selectmen (3)	OTM
South Hadley	TA	Selectmen (5)	RTM	West Newbury		Selectmen (3)	OTM
Southwick	CAO	Selectmen (3)	OTM	Weston	TM	Selectmen (3)	OTM
Spencer	TA	Selectmen (5)	OTM	Westport	TA	Selectmen (5)	OTM
SPRINGFIELD (A)	Mayor		Council (13)	WEST SPRINGFIELD (2000) (A)	Mayor		Council (9)
Sterling	TA	Selectmen (3)	OTM	West Stockbridge	AA	Selectmen (3)	OTM
Stockbridge (1737)	TA	Selectmen (3)	OTM	West Tisbury	ES	Selectmen (3)	OTM
Stoneham	TA	Selectmen (5)	OTM	Westwood (1970)	TA	Selectmen (3)	OTM
Stoughton (1972)	TM	Selectmen (5)	RTM	WEYMOUTH (1999)	Mayor		Council (11)
Stow	TA	Selectmen (5)	OTM	Whately	TA	Selectmen (3)	OTM
Sturbridge (1973)	TA	Selectmen (5)	OTM	Whitman	TA	Selectmen (5)	OTM
Sudbury (1994)	TM	Selectmen (3)	OTM	Wilbraham	TA	Selectmen (3)	OTM
Sunderland	TA	Selectmen (3)	OTM	Williamsburg	TA	Selectmen (3)	OTM
Sutton (1988)	TA	Selectmen (5)	OTM	Williamstown	TM	Selectmen (5)	OTM
Swampscott (1969)	TA	Selectmen (5)	RTM	Wilmington (1950)	TM	Selectmen (5)	OTM
Swansea	TA	Selectmen (3)	OTM	Winchendon (1981)	TM	Selectmen (5)	OTM
TAUNTON	Mayor		Council (9)	Winchester (1975)	TM	Selectmen (5)	RTM
Templeton	TC	Selectmen (5)	OTM	Windsor		Selectmen (3)	OTM
Tewksbury	TM	Selectmen (5)	OTM	WINTHROP (2005)	TM		Council (9)
Tisbury	TA	Selectmen (3)	OTM	WOBURN	Mayor		Aldermen (9)
Tolland	AA	Selectmen (3)	OTM	WORCESTER	Mayor-Manager		Council (11)
Topsfield	TA	Selectmen (5)	OTM	Worthington		Selectmen (3)	OTM
Townsend	TA	Selectmen (3)	OTM	Wrentham	TA	Selectmen (5)	OTM
Truro	TA	Selectmen (5)	OTM	Yarmouth	TA	Selectmen (5)	OTM
Tyngsborough	TA	Selectmen (5)	OTM				

HOME RULE CHARTER ADOPTION OR REVISION
see Home Rule Amendment to the State Constitution (Amendment LXXXIX) and
Massachusetts General Laws, Chapter 43B (The Home Rule Procedures Act)

In summary form, the procedures for adopting or revising home rule charters are described here:

1. Petition Drive: A petition is circulated to determine if there is sufficient interest to warrant placing the question of creating a charter commission on the ballot. The petition must be signed by at least fifteen per cent (15%) of the number of voters registered at the preceding state election. The city/town clerk is directed to supply forms to any registered voter who requests them.

2. File Completed Petition: The completed petition is filed with the board of registrars of voters. The registrars must certify the signatures within ten (10) days of receipt of the petition and report the results to the selectmen or city council.

3. Election Order: If the petition is certified as containing sufficient signatures, the city council or board of selectmen is allowed thirty (30) days after they receive the certification of the registrars to provide for placing the question on the ballot at the next regular city or town election. At least sixty (60) days must elapse between the election order and the election.

If the city council or board of selectmen fails to act within the 30 days they are allowed, the question of creation of a commission and the election of charter commission members shall take place on or after the ninetieth (90) day after the date the petition was originally received.

If the charter has not previously been adopted under this Amendment, the question must be “Shall a commission be elected to frame a charter for the (city) (town) of X?” Many persons have been confused over this requirement. This is particularly true in cities where residents are accustomed to thinking in terms of now having a city charter. These existing “charters” are not to be confused with charters adopted pursuant to the Home Rule Amendment. For reasons too complex to discuss here, the Home Rule Amendment does distinguish between pre-existing charters and those adopted under the Amendment. Therefore, even if the only change that is sought is, for example, to change the term of office for the mayor from two (2) years to four (4) years, the question would nevertheless have to be as set forth here. If a charter has been adopted under the Home Rule Amendment procedure, the question on the ballot would be “to revise”, but you cannot revise until you have first framed (adopted) a charter by this procedure.

4. Nomination of charter commission members: The order placing the question of establishing a charter commission on the ballot must also provide for the election of nine charter commission members. Candidates for the office of charter commission members may have their name placed on the ballot based on the following signature requirements:

Population less than 6,000	10 signatures
6,000 to 11,999	25 signatures
12,000 to 49,999	50 signatures
50,000 to 99,999	100 signatures
100,000 and above	200 signatures

5. Election of the commission: The names of the charter commission candidates are placed on the ballot in alphabetical order (as required by the Home Rule Amendment) preceded by instructions that direct the voter to vote for up to nine (9) persons as charter commission members.

The question of electing a charter commission to adopt or revise a charter is also placed on the ballot. If a majority votes in favor of the question of adopting or revising a charter, the nine (9) candidates receiving the highest number of votes are elected.

6. Charter commission organization: Within ten (10) days of the commission's election, the city or town clerk notifies the nine (9) persons elected to serve as the commission of the initial commission meeting. At the initial meeting, the commission elects a chairman, vice-chairman, and clerk.

The city or town clerk is required to notify the Department of Housing and Community Development of the commission's election. The department is required to notify the commission of the dates for submitting its reports and placing the final report on the municipal election ballot.

7. Funding a charter commission: Within twenty (20) days of the election, the city or town treasurer is required with or without appropriation to credit the charter commission's account with funds based on the following scale:

Population under 12,000	\$ 2,000
12,000 to 49,999	\$ 5,000
50,000 to 99,999	\$ 7,500
100,000 and above	\$10,000

A city or town is also required to provide a charter commission with suitable office space and reasonable access to facilities for holding public hearings, free of charge.

A commission must be permitted to consult with, and obtain advice from, city and town officers and employees during ordinary working hours.

A city or town may contribute clerical or other staff assistance. The city or town may appropriate additional funds for use by the charter commission as is deemed necessary.

A charter commission may accept funds from any private or public source but must report in writing to the city or town clerk the name, address, and any stipulations the donor(s) placed on such contributions.

A charter commission may use funds for: (1) the employment of legal, research, and clerical assistance; (2) reimbursement of expenses incurred by commission members in the performance of their duties; and (3) printing and other necessary expenditures.

8. Public hearings: A charter commission must hold a public hearing within 45 days of its election. The purpose of this initial hearing or set of hearings is to solicit the views, comments, opinions, and proposals from the public for consideration by the charter commission.

The time and place of the initial public hearing and all subsequent public hearings held before a charter commission must be specified in a notice published in a newspaper of general circulation in the community at least ten (10) days prior to each hearing. Hearings may be adjourned and continued at another occasion without further published notice.

9. Preliminary report: Within sixteen* months after its election, the charter commission must prepare and publish a preliminary report. The preliminary report contains the commission's preliminary recommendations including the text of the proposed charter or charter revision and explanatory information that the commission chooses to include.

*(*A community with an annual election can complete the charter process in one year, producing the preliminary report within 8 months of its election and the final report within 10 months).*

The preliminary report must be published in a newspaper of general circulation in the community. The commission must supply the city or town clerk with sufficient copies of the preliminary report in order to enable the clerk to distribute copies to registered voters requesting them.

The charter commission must also deliver two (2) copies of the preliminary report to the attorney general, and two (2) copies to the department of housing and community development.

Within four (4) weeks of its publication, the charter commission is required to hold one or more public hearings on the preliminary report. Notice of the public hearing(s) must be published in a newspaper of general circulation in the community at least ten (10) days prior to the hearing.

10. Opinion of the attorney general: Within four (4) weeks after receipt of the preliminary report, the attorney general is required to furnish the charter commission with a written opinion relative to any provisions in the preliminary report which may be in conflict with the state constitution and the General Laws. The attorney general does not have the authority to approve or disapprove a charter or charter revision; the attorney general provides an opinion.

The charter commission should re-examine those aspects of the preliminary charter proposal that the attorney general has referenced in his opinion as being in conflict with the constitution and the General Laws.

A charter commission must supply the Department of Housing and Community Development with two (2) copies of the commission's preliminary report. The Department of Housing and Community Development has no review authority but serves as a clearinghouse for all home rule charters. These files are open for inspection.

11. Final Report: Within eighteen* (18) months after its election, the charter commission is required to prepare and submit a final report to the city council or board of selectmen. The final commission report, sometimes referred to as the proposed charter, must consist of: (1) the full text of the proposed charter with explanations and other information that the charter commission chooses to include; (2) an explanation of the major differences between the current (if any) and proposed charter; and (3) a minority report (if any) of not more than 1,000 words. *(*A community with an annual election can complete the charter process in one year, producing the preliminary report within 8 months of its election and the final report within 10 months).*

A copy of the charter commission's final report must be sent to the attorney general and the department of housing and community development

12. Final report placed on the ballot: The city council or board of selectmen upon receipt of the final charter commission report must order the charter proposal or charter revisions to appear on the ballot at the next regular municipal election. At least two months must lapse between the election order and the municipal election.

The form of the ballot question would be as follows:

Shall this (city) (town) approve the (insert "new charter recommended by the charter commission" - or - "charter revision recommended by the charter commission") summarized below?"

The summary usually identifies the major elected offices, any new offices created, reorganization of departments or offices, change in terms of office for elected officials, and voter measures such as initiative, referendum, and recall.

The city council or board of selectmen must also see that the final report of the charter commission is printed and distributed to each residence with one or more registered voters at least two (2) weeks prior to the election.

Additional copies of the final report must be provided to the city or town clerk, and made available for distribution to registered voters.

13. Municipal election: If a majority of voters vote in favor of a proposed charter or charter revision, the charter becomes effective on the date specified in the charter. If no date is specified, the charter is effective upon voter approval. The effective date of an amendment may also be specified in the order proposing it.

14. Notification of charter adoption: Four (4) certificates must be prepared and signed by the city or town clerk which set forth any charter that has been adopted or revised and any charter amendments. The certificates must be deposited with the office of the secretary of state, the attorney general, the department of housing and community development, and in the records of the city or town.

Department of Housing and Community Development, One Congress Street, Boston, MA 02114 (617) 727-7001

B. CHARTER AMENDMENT PROCESS: SUMMARY OF PROCEDURES

1. Amendments proposed by the town meeting or city council: Town meetings and city councils are empowered to propose charter amendments by a two-thirds vote. These legislatively proposed amendments must be voted upon by the residents at the regular city or town election, and if approved by a majority of the voters, take effect.

Amendments may not relate in any way to the composition, mode of election of appointment, or terms of office of the legislative body, and the mayor, or city manager. These changes may be made only through the charter adoption or revision procedure.

2. Petition for suggested amendments:

The citizen right of suggesting charter amendments is as follows:

- The mayor, city manager, or any member of the city council by a written request may place a charter amendment proposal before a city council;
- The town manager or any selectmen of a town by a written request may place a charter amendment proposal before town meeting; in addition, amendments may be proposed in a town on a petition signed by ten registered voters on a form (as provided in c. 43B, s. 15); in a city such petitions shall contain as many names as are needed to nominate a charter commission member (see page 1); in any of the above cases, the request is filed with the city/town clerk.
- Within three months of the filing with the clerk, the city council or board of selectmen shall call a public hearing to be held before it or by a committee established for that purpose.
- Any number of amendment proposals may be heard at the same time. The hearing shall be held within four (4) months of the filing; must be seven (7) days notice of the hearing published in a newspaper of general circulation.
- If the hearing is held by someone other than the city council in a city, such committee must make its report to the city council. In towns, the office or committee conducting the hearing must make its report to the town meeting. In cities, final action must be taken no later than six (6) months after filing. In towns, final action must be taken at the first annual meeting held at least six (6) months after the filing provided that 200 voters or 20 per cent (20%) of the registered voters (whichever is less) may at any time request the selectmen to call a special meeting for the purpose; such meeting must then be held within 45 days of the receipt of the request.

A copy of any proposed amendment approved by the city council or town meeting is immediately to be filed with the attorney general of the commonwealth who within four weeks of such submission must furnish an opinion as to any conflict between the proposal and the state constitution or any state laws. If the attorney general reports no conflict, the order placing the matter on the ballot will then take effect (annual municipal election next following attorney general finding). If the attorney general's opinion is that the proposal does conflict with either the state constitution or laws of the state, the order is suspended and the proposed amendment(s) will not go on the ballot unless the town meeting or city council by a further proceeding so provides.

Amendments to charter previously adopted or revised under this chapter; procedure.

Section 10. (a) Amendments to a city or town charter previously adopted or revised under this chapter may be proposed by the city council of a city or the town meeting of a town by a two thirds vote in the manner provided by this section; provided, that amendments of a city charter may be proposed only with the concurrence of the mayor in every city that has a mayor, and **that only a charter commission elected under this chapter may propose any change in a charter relating in any way to the composition, mode of election or appointment, or terms of office of the legislative body, the mayor or city manager, or the board of selectmen or town manager.** In this section, the word "mayor" shall mean an officer elected by the voters as the chief executive officer of a city or an officer lawfully acting as such, and the term "two thirds vote" shall mean, in cities, a vote, taken by yeas and nays, of two thirds of the members of a city council present and voting thereon, and shall mean, in towns, the vote of two thirds of the voters present and voting at a duly called meeting. (*emphasis supplied*)

(b) In addition to any amendment proposed by a city council or town meeting under subsection (a) the city council or town meeting shall consider and vote upon any suggested charter amendment which it would have the power to propose under subsection (a), and which is not substantially the same as an amendment already considered and voted upon by it within the last twelve months, and which is suggested to it in a written request signed by the mayor or city manager or any member of the city council in a city or by the town manager or any selectman of a town, or is suggested to it by a petition in substantially the form set forth in section fifteen, signed and completed in accordance with the instructions contained therein by at least ten registered voters in the case of a town and by as many registered voters, in the case of a city, as would be required to nominate a charter commission member in such city under section five, which written request or petition shall be filed with the city or town clerk.

At the earliest convenient time not later than three months after the date any suggested amendment is filed with the city or town clerk, the city council or board of selectmen shall order a public hearing to be held thereon before it or before a committee selected or established by it for the purpose, provided that any number of suggested amendments may be considered at the same hearing. Such a hearing shall be held not later than four months after the filing date of any suggested amendment to be considered, and at least seven days notice of such public hearing shall be published in a newspaper of general circulation in the city or town. Except where the hearing is held by a city council, the board or committee holding the public hearing shall report its recommendations to the city council or town meeting, as the case may be. Final action on such a suggested amendment shall be taken not later than six months after such filing date in the case of a city and, in the case of a town, not later than the first annual town meeting held at least six months after such filing date, provided that at any time after the public hearing two hundred registered voters of a town or twenty per cent of the total number of registered voters of such town, whichever is less, may in writing request the selectmen to call a special town meeting to consider the suggested amendment, and the selectmen shall thereupon call such meeting which shall be held not more than forty-five days after the receipt of the request.

(c) Whenever an order proposing a charter amendment to the voters is approved by the mayor and city council or town meeting, a copy of the proposed amendment shall be immediately submitted to the attorney general and to the department of housing and community development

and such order shall not take effect for four weeks after the date of such submission. Within such four weeks the attorney general shall furnish the city council or board of selectmen with a written opinion setting forth any conflict between the proposed amendment and the constitution and laws of the commonwealth. A copy of the opinion shall at the time be furnished to the department of housing and community development. If the attorney general reports that the proposed amendment conflicts with the constitution of laws of the commonwealth, the order proposing such amendment shall not take effect except as may be specified by further proceedings of the mayor and city council or town meeting under subsection (a). If the attorney general reports no such conflict, such order shall become effective four weeks after its submission to the attorney general.

(d) No order or vote under subsection (a), (b) or (c) shall be subject to referendum or shall, except as provided in subsection (a), require the concurrence of the mayor.

(e) The provisions of subsections (a), (b), (c) and (d) shall apply to amendments of laws having the force of a city or town charter by virtue of section nine of Article LXXXIX of the Amendments to the Constitution as well as to amendments of a charter previously adopted or revised under this chapter.

CHARTER AMENDMENT CALENDAR MGL, c. 43B, section 10

File suggested amendment(s) with town clerk: minimum: six months before annual town meeting. (10 registered voters, town manager, selectman)

Schedule public hearing: within 3 months of filing the suggested amendment

Hold public hearing: within 4 months of filing the suggested amendment
Minimum of 7 days prior notice of hearing required

Notes: If a committee other than the Board of Selectmen conducts the hearing, the committee reports its recommendations to the Board. While the statute does not reference a specific time frame for this step, it would be dependent upon the date of the town meeting at which the suggested amendments will be brought to the voters, including notice of this action in the warrant, etc.

Vote of town meeting: within six months of filing AND at an annual town meeting
EXCEPTION: By a petition of two hundred voters or 20% of registered voters (whichever is less) AFTER the public hearing, petitioners can request that a special town meeting be called to consider the suggested amendment. Meeting would need to be held a maximum of 45 days following the acceptance of the petition.

Note: 2/3 vote required (at either annual or special town meeting); the vote is to bring the **proposed** amendment to the voters at the next following annual election.

Review of attorney general for consistency: WITHIN 4 WEEKS OF RECEIPT

Note: Attorney General finds that the proposed amendment is consistent with the laws and constitution of the Commonwealth. This is the "permission" to submit the question to the voters on the next municipal election ballot.

Acceptance of amendments by electorate: ANNUAL MUNICIPAL ELECTION

APPLICATION OF HRA, Section 8 ("special acts") in the charter amendment process.

Section 8 of the Home Rule Amendment, which allows communities to petition the state legislature following town meeting approval, MAY BE USED in lieu of c. 43B, section 10 to amend a home rule charter. Some communities have preferred to enact charter amendments through this route because it is presumed to be quicker; in addition, any change can take effect on the timeline stated in the legislation, and not await ratification by the voters at the next municipal election (as c. 43B, section 10 amendment proposals require).

Please note, however, that a special act of the legislature may also contain a voter ratification provision, and some municipal counsels would argue that if the community is using the special act to make a change **relating in any way to the composition, mode of election or appointment, or terms of office of the legislative body, the mayor or city manager, or the board of selectmen or town manager** (for which a charter commission would otherwise be required), that a voter ratification provision should be included in the special act.

The framers of the Home Rule Amendment and C. 43B focused to a great degree on keeping the charter adoption and amendment process at the local level with sufficient state oversight to assure adherence to the law's intent, and to the laws and constitution of the Commonwealth (e.g., review by the Attorney General of proposed charters and proposed amendments). Given the municipal election calendar, the framers' desire to keep local voters aware and informed of changes to the local government organization, the one-year lapse between approval and adoption of charter amendments is the result. Communities need to weight the greater public participation aspects of the Section 10 provisions vs. the lesser emphasis on a local public process of the special act route in choosing how to proceed.

REVISION VS. AMENDMENT:

"..... that only a charter commission elected under this chapter may propose any change in a charter relating in any way to the composition, mode of election or appointment, or terms of office of the legislative body, the mayor or city manager, or the board of selectmen or town manager. " (excerpt -- MGL, c. 43B, s. 10 [a])

REVISION (examples)

Change manager to mayor

Change mayor to manager

Establish or discontinue specific term for the manager

Increase/decrease term of office of the mayor

Increase authority of town manager (to assume duties assigned to board of selectmen in statute)

Change from open to representative town meeting

Change term of rtm membership

Increase or decrease size of council or representative town meeting

AMENDMENT (examples)

Increase or decrease membership of board other than board of selectmen

Consolidate or reorganize departments or divisions (some statutory prohibitions re: public safety)

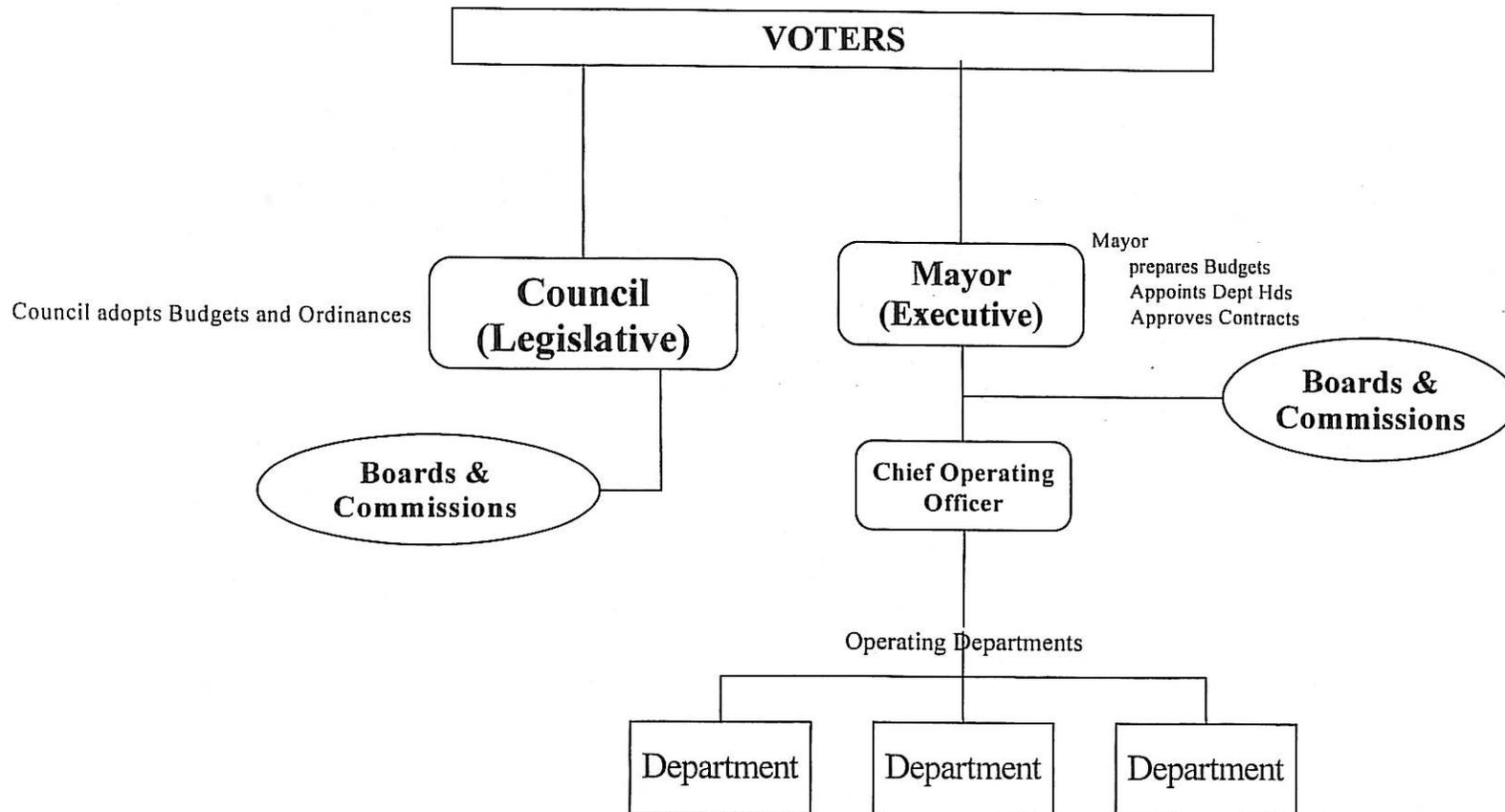
Change calendar for budget process

Add requirement for capital improvement plan

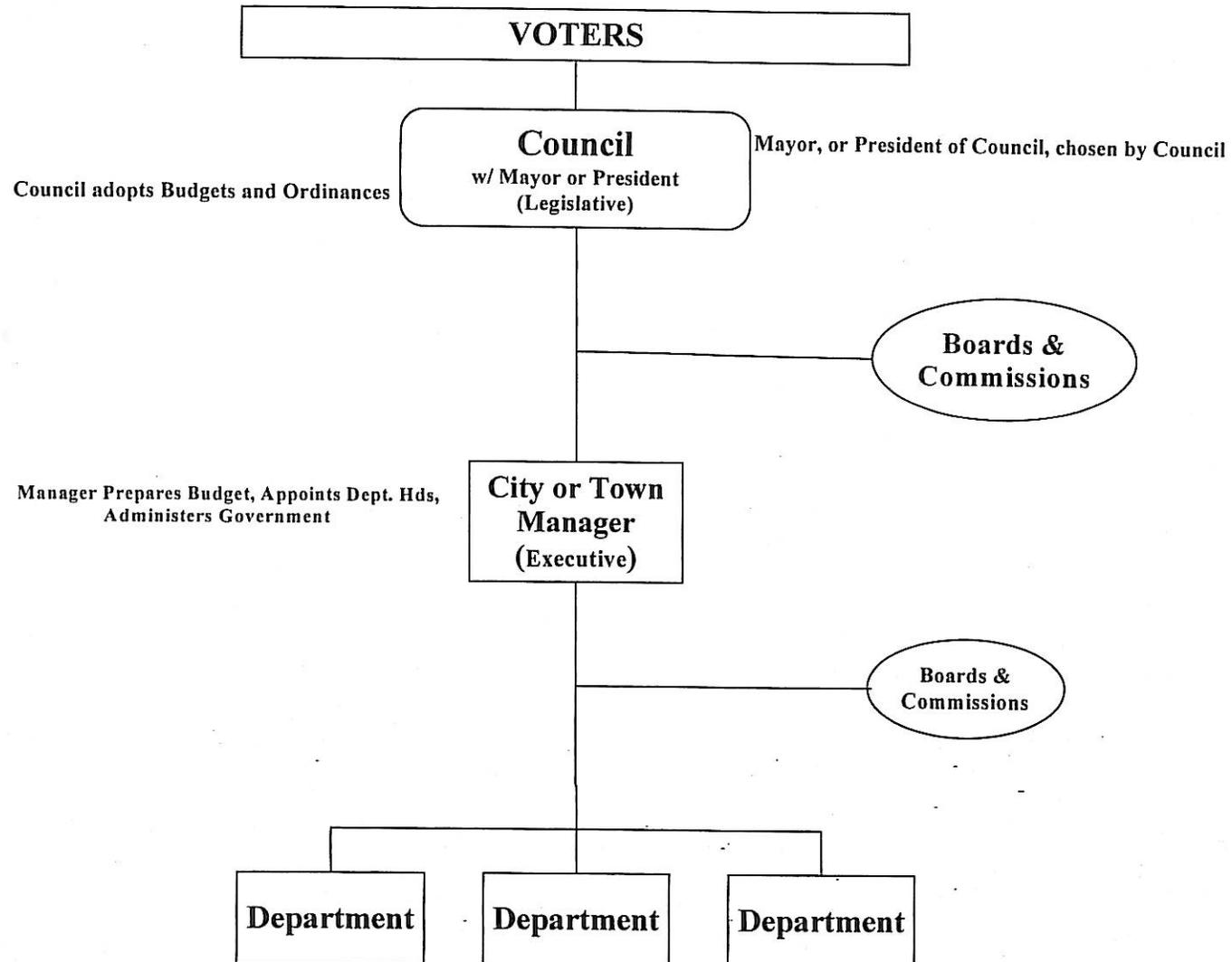
Create new committee

Change term of moderator

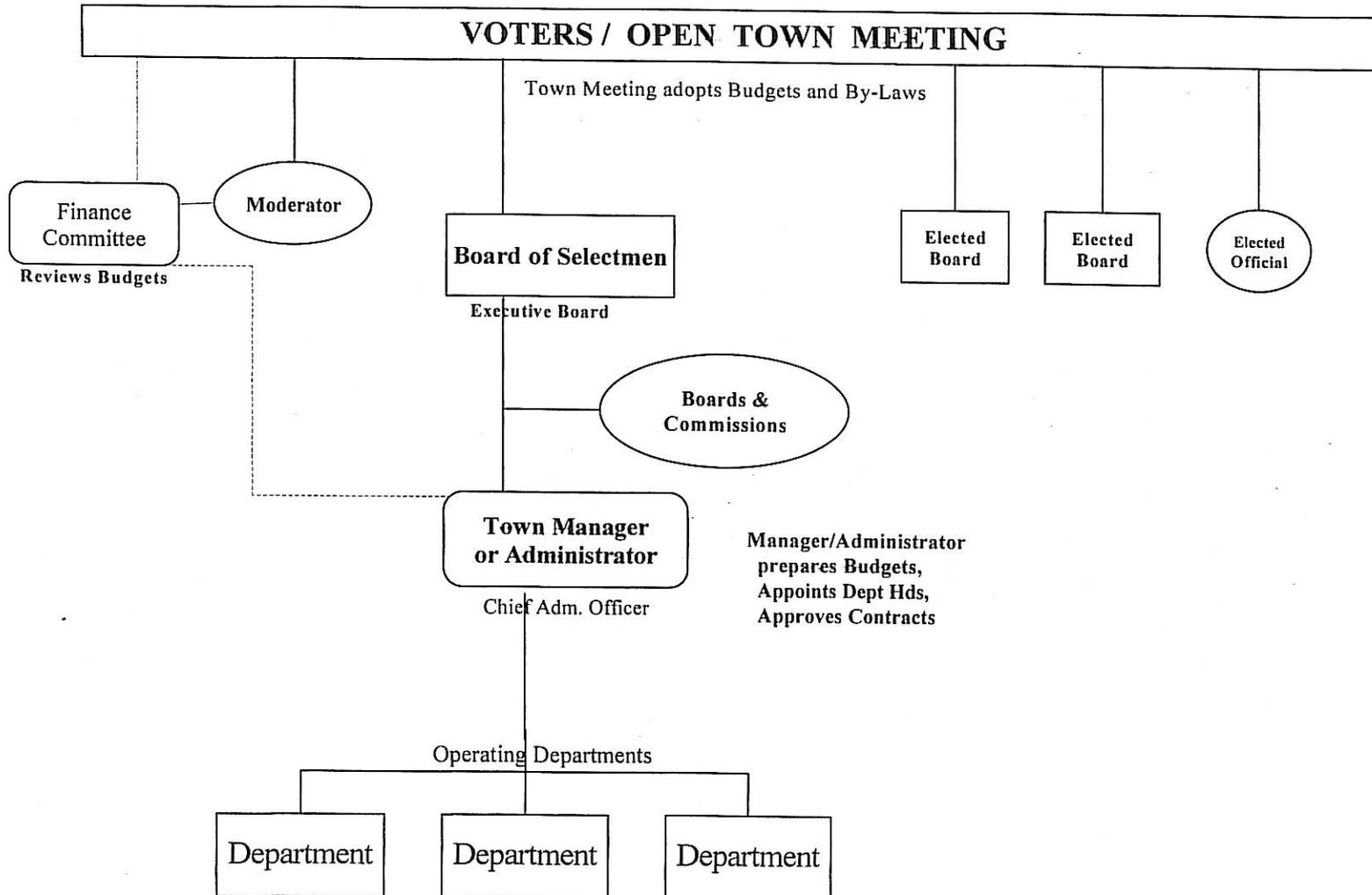
MAYOR / COUNCIL
(Strong Mayor
w/ Chief Operating Officer)



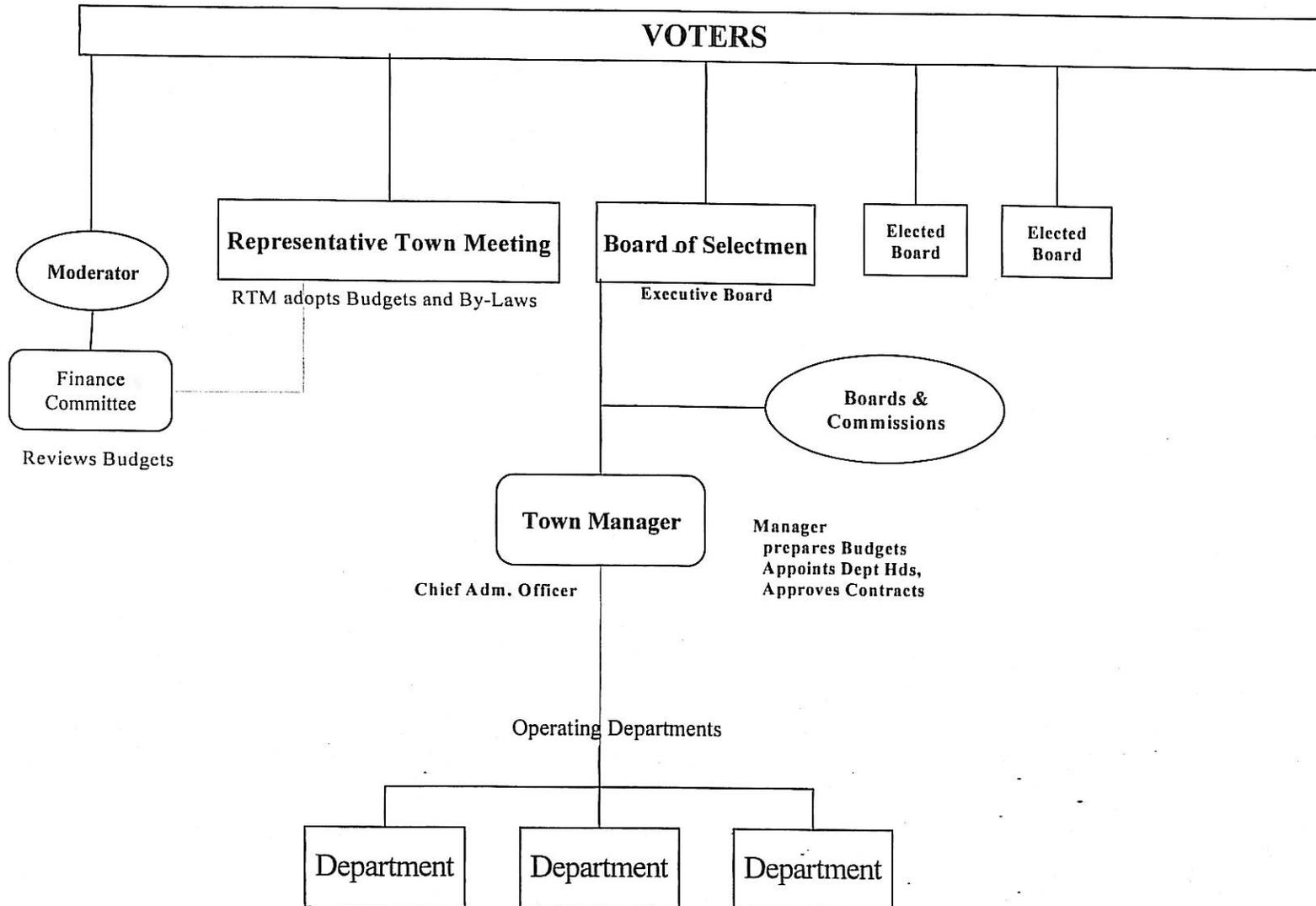
COUNCIL / MANAGER



OPEN TOWN MEETING / SELECTMEN / TOWN MANAGER or ADMINISTRATOR



REPRESENTATIVE TOWN MEETING / SELECTMEN / TOWN MANAGER or ADMINISTRATOR





Small Changes, Big Impacts

the case for a town manager form of government

Spring 2018

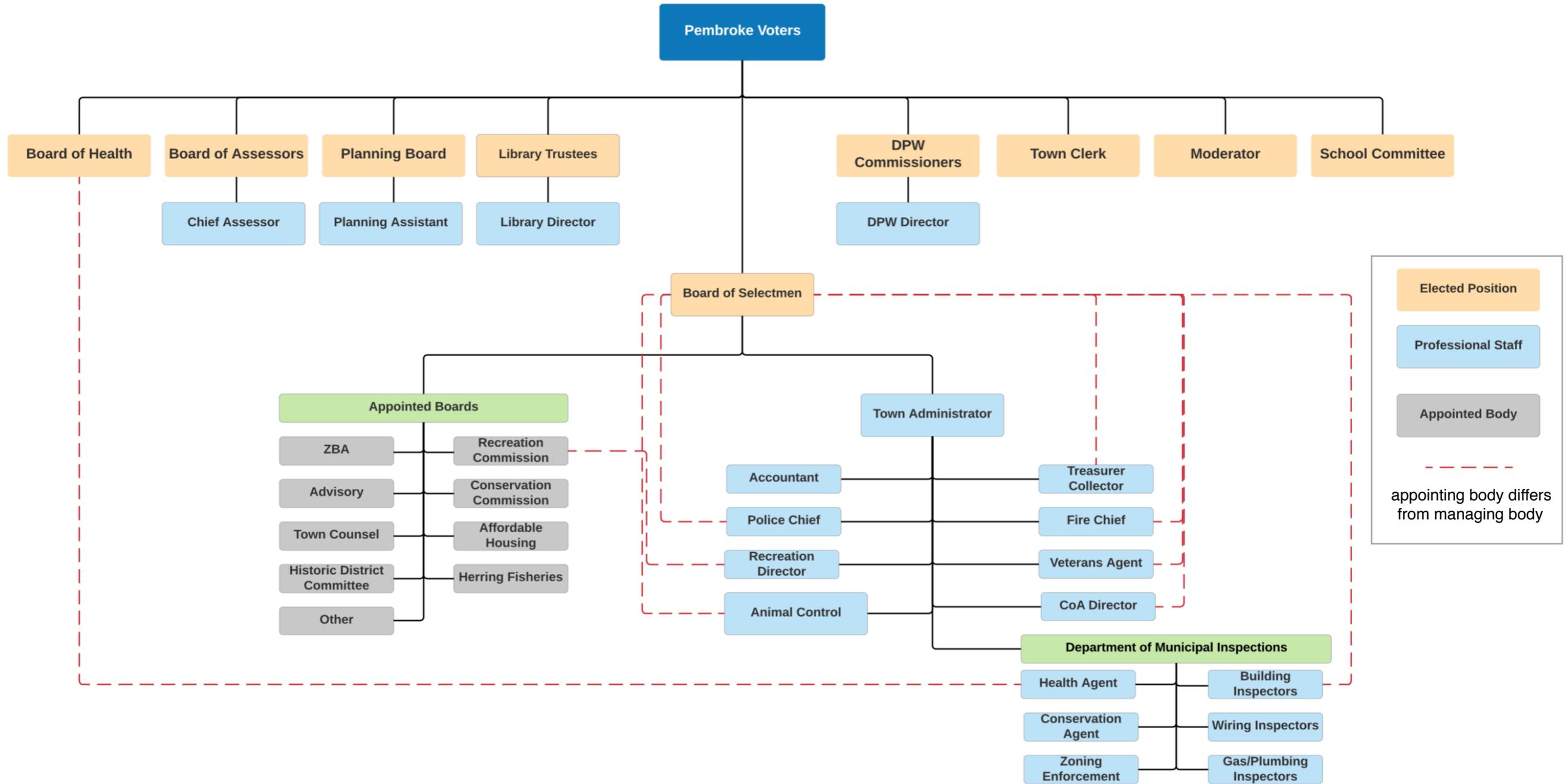
Pembroke's decentralized form of government is not conducive to an efficient and effective modern day operation.

- Within the town, there are separately elected boards that have no reporting relationship with the Selectmen or the Town Administrator. This leads to limited coordination and accountability.
- Many employees report to part-time boards/officials that may meet only monthly rather than being accountable to a professional position in town hall. Volunteer board members are responsible for the day-to-day administrative burden of managing professional staff.
- In the future, the town may have difficulty finding a qualified full-time professional to replace our town administrator given the lack of authority and central management responsibilities assigned to the position.

Source: Pembroke Financial Management Review, Department of Revenue. 2013



Current Organizational Structure



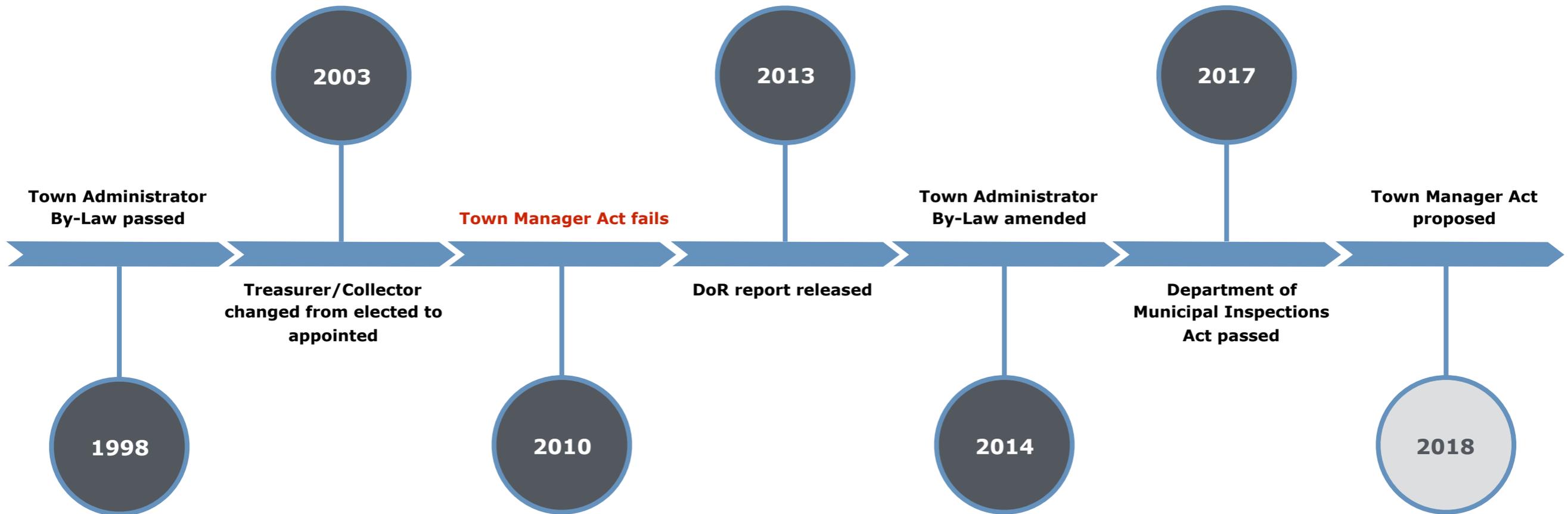
There are many reasons that prompt communities to examine their local government structure.

- An increase in population and the resultant increase of service demands
- A perception that municipal departments are not communicating or coordinating functions as they should
- A need for greater oversight of financial matters and service delivery
- Poor town meeting attendance
- Retirement of key personnel
- An inability to attract candidates to serve in either elected or appointed office

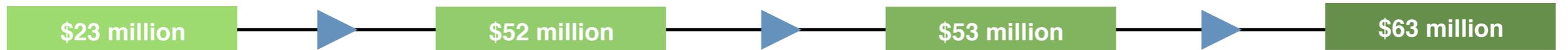
Source: “Changing Local Government Structure,” Municipal Advocate magazine, 2010



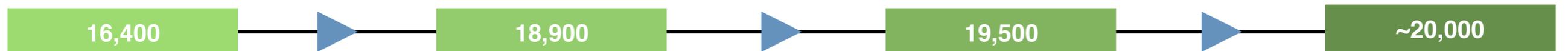
In recent years, there have been several efforts to implement positive changes to town government.



annual town budget



population



Modernizing Pembroke's town government should be a priority.



This spring, our community can take another important step towards strengthening Pembroke's future.

At next month's annual town meeting, **Article 21** will ask residents of Pembroke to establish a Town Manager form of government.

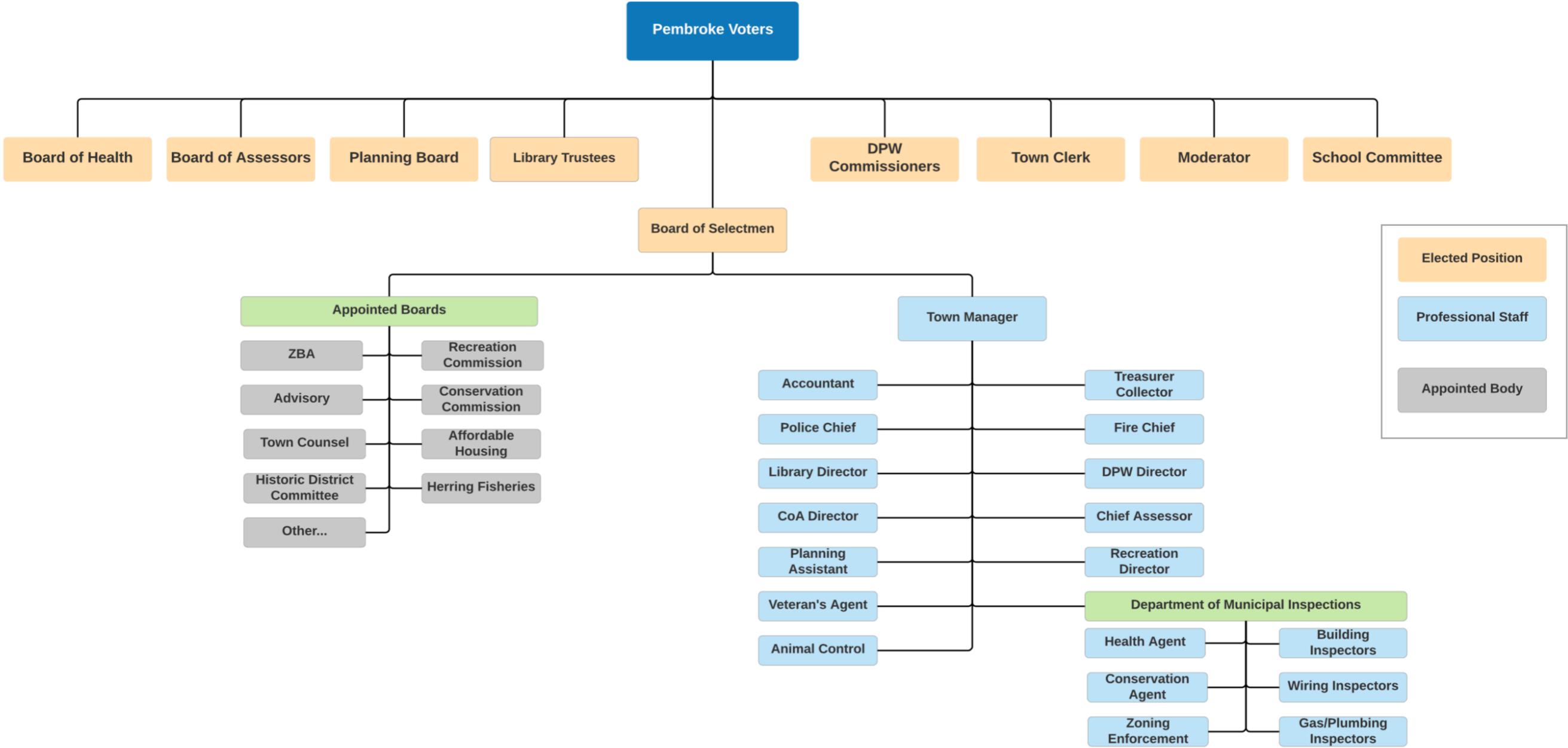


By logically aligning roles and responsibilities within town government...

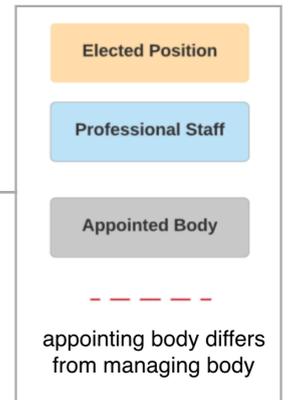
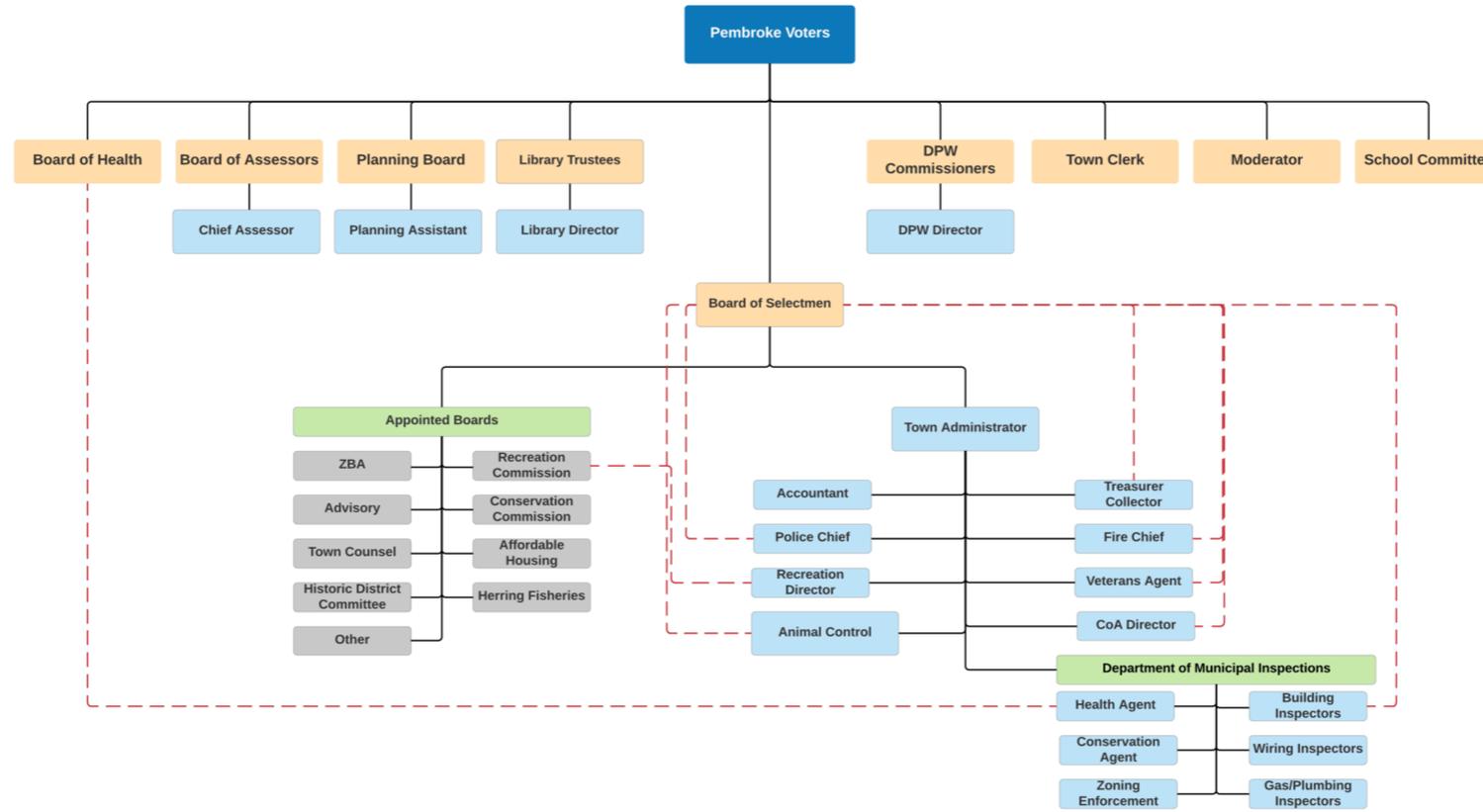
- **professional town staff** will become more empowered to make decisions within their areas of competence.
- **elected and appointed boards** will be freed from the burden of day-to-day administration, allowing them to spend more time focused on important policy decisions.
- **town residents** will benefit from more efficient and cost effective services due to increased professional oversight and streamlined operations.



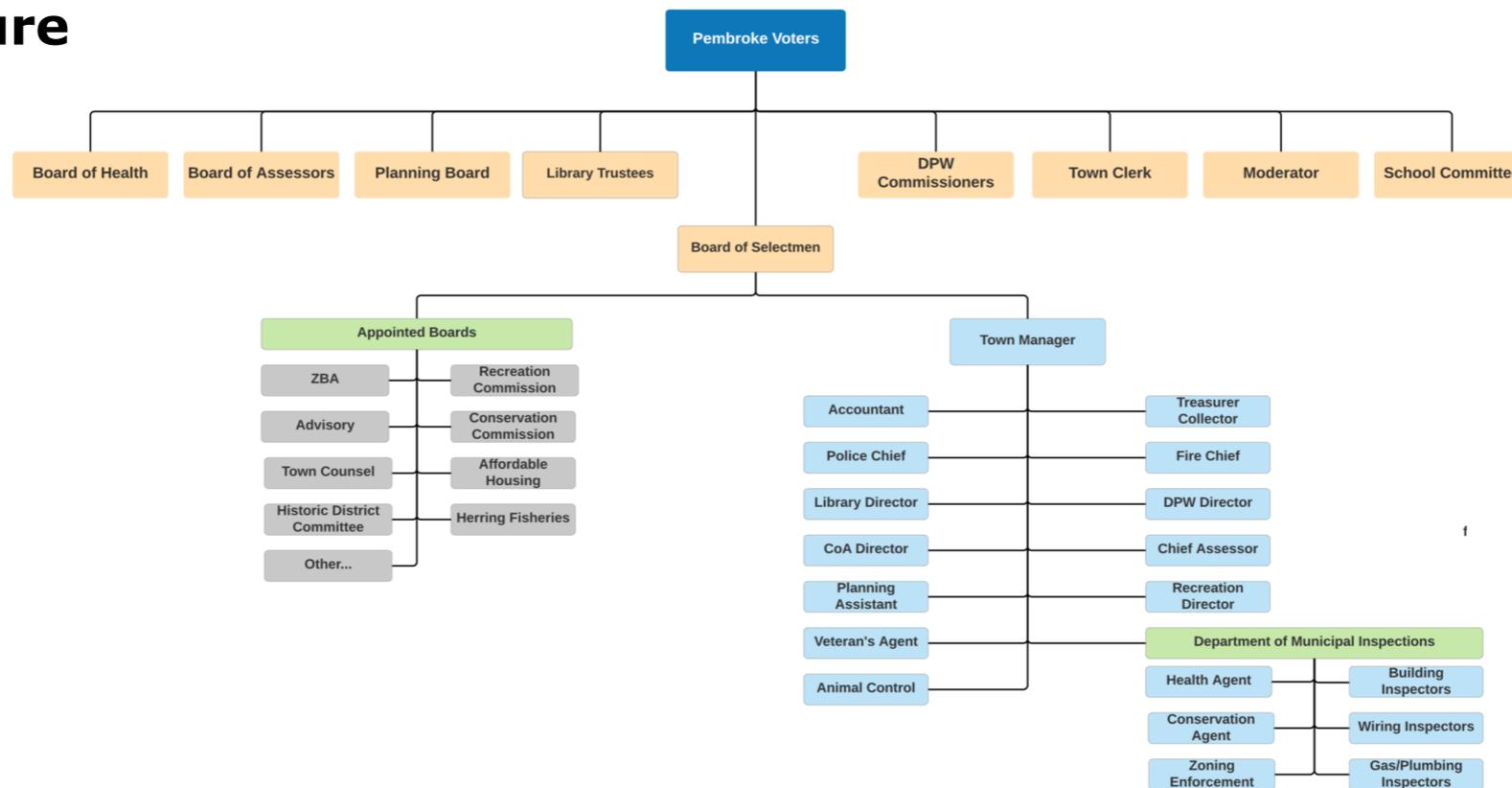
Proposed Organizational Structure



Current Structure



Proposed Structure



Without organizational changes, we risk a waning confidence in community investments.

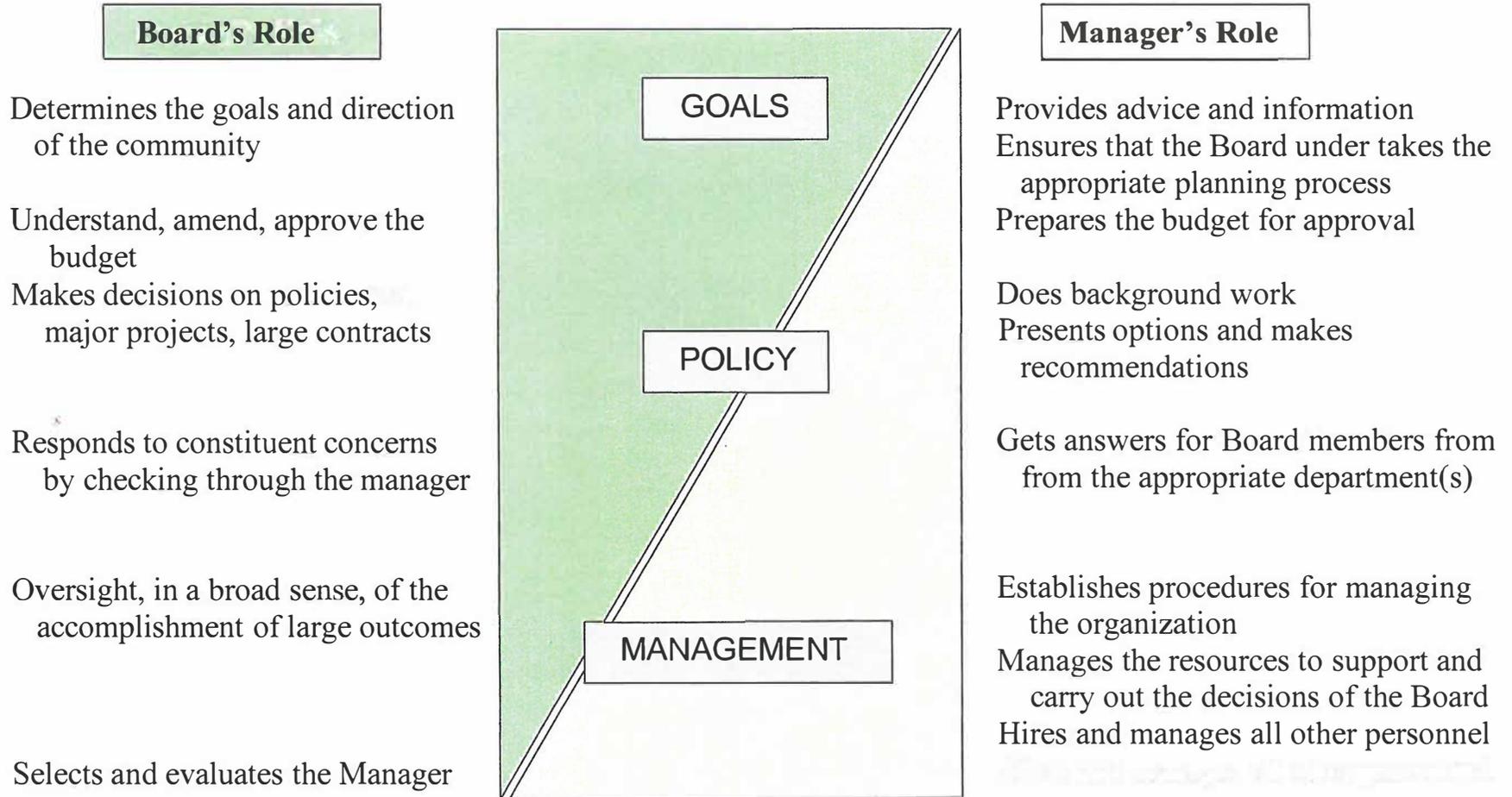
We must create an environment that nurtures growth and the efficient allocation of our community's resources. Moving to a town manager form of government is a big step in the right direction and a necessary foundation for a successful future.



Questions?



The Balance Between the Roles of the Board and the Manager





K

Town of West Newbury
Select Board
Monday, May 9, 2022
381 Main Street, Town Office Building
www.wnewbury.org
Open Session Minutes- Draft

Open Session: The meeting was called to order at 7:15pm by Chair Richard Parker.

Participation at the Meeting:

Richard Parker, Wendy Reed, and David Archibald (Archibald appeared virtually) *Select Board Members*
Angus Jennings, *Town Manager*
James Blatchford, *Town Clerk*
Carolyn Walinski and Ann O'Sullivan, *New England Equine Rescue*
Bob Janes, Larry Corcoran, and proposed appointee John Duggan: *Board of Water Commissioners*
Wayne Amaral (virtually)
Giulio Pellegrini, *SPS New England, Inc*
Albert Ting
John Neal
Dave Connors
Jodi Bertrand

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).
- Special and Annual Town Meeting – Saturday, May 14, 2022 at 9am, Bandstand. Finance Committee Booklet for Town Meeting available on website and in print copies at various locations around town!
- Pre-Town Meeting Informational Session: Tuesday, May 10th at 7:30pm: in-person and via Zoom (see town website for additional details).
- Electric Vehicle demonstration at Annual Town Meeting along the east side of the Town Offices parking lot.
- Reminder to subscribe for emailed Town news/announcements at <https://www.wnewbury.org/subscribe>

Regular Business

A. Select Board Reorganization

Parker announced the reorganization of the Select Board positions of Chairperson, Vice Chairperson, and Clerk (see exhibit A page 2 in the supplemental packet for details). Archibald and Parker spoke in support of electing Reed as Chairperson. Reed stated the desire to have more than one year experience on the Select Board before serving as Chairperson. **Parker made a motion to elect Archibald as Chairperson. Reed seconded.** Archibald stated confidence in performing the duties of Chairperson but also expressed confidence in Reed's capability serve as Chairperson. **Parker and Reed voted in favor. Archibald abstained. Motion passed (Yes 2, No 0, Abstain 1).**

There was brief discussion concerning the Vice Chairperson position. **Reed made a motion to elect Parker as Vice Chairperson. Archibald seconded. Reed and Archibald voted in favor. Parker abstained. Motion passed (Yes 2, No 0, Abstain 1).**

Parker made a motion to elect Reed as Clerk. Archibald seconded. Parker and Archibald voted in favor. Reed abstained. Motion passed (Yes 2, No 0, Abstain 1).

The Select Board discussed if it was required to rotate onto different committees or if they could remain on the committees they served on the prior year. Archibald clarified there was no particular rule that required any type of rotation from one committee to another.

Reed made a motion for Parker to represent the Select Board on the Capital Improvements Committee and Archibald to represent the Select Board on the Investment Policy Committee. Parker seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).

Parker made a motion for Reed to represent the Select Board on the Community Preservation Committee and School Building Committee. Archibald seconded. Parker and Archibald voted in favor. Reed abstained. Motion passed (Yes 2, No 0, Abstain 1).

A1. Request for 1-day Liquor License: New England Equine Rescue, Spring Festival/Open House on 6/11/22

Jennings stated the application was received April 28, 2022 and recommended approval of the one-day license. It was stated that all insurance documents and Tips Certifications had been received (see exhibit A1

pages 3 and 4 in the supplemental packet for details). Archibald suggested a barrier between the alcohol serving area and the main event as some attendees would be under the age of 21. Anne O'Sullivan and Carolyn Walinski appeared before the Board for the application. Walinski stated a separate alcohol serving area from the main event could be created. Communication with Chief Dwyer and Sgt Johnson concerning the safety and parking plans for the event had taken place and would be revisited as the event date drew closer. Police and Fire would be in attendance for the Touch a Truck portion of the event and future communication would determine if additional support would be required from the departments. **Reed made a motion to approve the one-day liquor license with the condition that the alcohol serving area would be separate from the rest of the event.** Walinski asked if the consumption of the alcohol would also need to be separate from the rest of the event. The Select Board members agreed the area where the alcohol was to be purchased and served would be the only area to be separate from the rest of the event. **Parker seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).**

B. Notice of failure to elect member of Board of Water Commissioners

Items B and C were taken together (see item C for details).

C. Joint meeting with Board of Water Commissioners to appoint interim Commissioner

Larry Corcoran and Bob Janes, Board of Water Commissioners, and the Select Board held a joint meeting to discuss the vacancy on the BOWC as the elected candidate did not accept the position of Water Commissioner (see exhibit B and C pages 6-8 for details). Blatchford stated the statute does not allow for the runner up of an election to be awarded the position if a failure to elect, due to non-acceptance of position, had occurred. Massachusetts General Law should be followed and the runner-up should be jointly appointed by the two boards. **Parker made a motion to appoint John Duggan as the third member of the Board of Water Commissioners until May 1, 2023. Archibald seconded. The Selectboard unanimously voted in favor (Yes 3, No 0, Abstain 0) and the Board of Water Commissioner unanimously voted in favor (Yes 2, No 0, Abstain 0). Motion unanimously passed.** Blatchford informed John Duggan the oath of office could be completed after the next agenda item as Duggan had attended the meeting.

D. Notice of failure to elect member of Parks & Recreation Commission: call for interested candidates!

Blatchford stated there was a failure to elect a member to the Parks & Recreation Commission as the top vote receiver did not accept the position (see exhibit D page 9 and 10 for details). There was no "runner-up" for this election as the candidates that received the next most votes had tied. Blatchford suggested the position to be advertised and a joint meeting for appointment to take place once applicants respond. Jennings stated it would be advertised on the news announcements and through Facebook. **No motions were made on this item.**

E. Request for temporary road closure, of a portion of Church Street, for use as staging area for Rocks Village Bridge repairs

The written request from SPS New England, Inc. to temporarily close a section of Church Street for use of a staging area to complete repairs on the Rocks Village Bridge was presented to the Select Board (see exhibit E pages 11-19 for details). Giulio Pellegrini, project manager for SPS New England, Inc., and Wayne Amaral, DPW Director, appeared before the Select Board virtually. Pellegrini addressed the concerns of the Select Board. It was stated that storage of fuel would not take place in the staging area and the majority of the equipment to be used would be marine equipment (i.e., barges, cranes, lifts). The equipment located on land would be used to receive materials and it was not anticipated that any damage would occur to the roadway. Pellegrini stated a docking system would be installed next to the boat ramp to allow for access to the equipment located in the water. Parker asked for clarification as to whether the repairs would be temporary or permanent. The positioning and bracing of the bridge in the open position was described as a temporary repair, while the permanent repair would occur once the steel materials were received. Pellegrini stated the goal was to have the bridge operational by the end of August but there were many factors that could impede that timeframe. **Parker made a motion to grant the request for the temporary road closure, a portion of Church Street, for use as a staging area for the Rocks Village Bridge. This would remain valid through December 2022. Archibald seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).**

F. Update regarding Cortland Lane survey, and discussion of parking and access for new conservation land off of Coffin Street

The survey images of the area were presented on the monitor for the Select Board (see exhibit F pages 20-33). The placement of the utility monuments and mailboxes in the right-of-way were discussed. Jennings stated a consultant from KP Law Group recommended a licensing permit for the utility monuments. The Select Board discussed the placement of fencing for the proposed off street parking area, roughly 18x20 ft, that would extend into the right-of-way.

Albert Ting appeared before the Select Board and asked who to contact if the fencing needed to be removed in order to access the land. Parker and Reed agreed the DPW would be the only department required to contact to move the fencing. Ting stated the desire to have documented assurance that access to the land abutting the conservation land would not be cut off.

The Scenic Road Bylaw was discussed in relation to trees which were planted in the right-of-way. Wayne Amaral, DPW Director, appeared before the Select Board virtually. Amaral discussed the tree removal process, if required by the Scenic Road Bylaw, and the trees currently located on the right-of way.

John Neal appeared before the Select Board virtually. Neal asked the Select Board to consider on-street parking in order to make the process simpler and to avoid construction of the parking area. The Select Board discussed the options for on-street parking in the cul-de-sac versus an off-street parking area on the right-of-way. Amaral stated the maintenance for the off-street parking would require replenished gravel roughly once a year whereas no maintenance would be required for the on-street parking. **Parker made a motion to support creating 2 off-street parking spots.** The board discussed the removal of a tree in the right of way to create the parking area. Jennings suggested to create 2 alternative parking area layouts while to determine which option would be best for the neighborhood. **Reed seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).** Jennings stated the site visit would be scheduled in June, the direct abutters would be notified, and the site visit would be publicly posted. It was clarified that the marking of the proposed parking areas would take place prior to the site visit.

G. Public hearing regarding proposed amendments to Personnel Policy (regarding sick accruals for qualified part-time employees)

Parker made a motion to open the public hearing. Reed seconded. The motion to open the public hearing unanimously passed (Yes 3, No 0, Abstain 0).

Jennings stated no formal written comments were received concerning the proposed amendments. The maximum limits of accrued sick time for full-time and qualified part-time employees were compared (see exhibit F pages 34-38). The Select Board discussed if the hours accrued for qualified part-time employees should be pro-rated. Jodi Bertrand addressed the Select Board and stated interest in the number of hours full-time employees worked in relation to the hours of sick time accrued. Jennings clarified that full-time employees work 40hrs a week and stay past the hours of building operation hours. **Parker made a motion to adopt the amended sick leave policy 5.2.1 as presented. Archibald seconded.** It was decided the effective date of the amendment would be June 1, 2022. **Motion unanimously passed (Yes 3, No 0, Abstain 0).** **Archibald made a motion to close the public hearing. Parker seconded. Motion to close the public hearing unanimously passed (Yes 3, No 0, Abstain 0).**

H. Public hearing regarding proposed amendments to Personnel Policy (regarding personal-day accruals for qualified part-time employees)

Parker made a motion to open the public hearing. Archibald seconded. The motion to open the public hearing unanimously passed (Yes 3, No 0, Abstain 0).

The proposed amendment would allow full-time employees to receive 16hrs of paid personal time per year and qualified part-time employees to receive 8hrs per year based on a 20hrs work week. If a qualified part-time employee worked over 20hrs, additional personal time would be accrued on a pro-rated basis. All personal leave would be required to be used at minimum in 4-hour increments (see exhibit H pages 36-37 for details). Jennings stated the policy would not apply to employees in a collective bargaining agreement or the 3 contracted employees (Town Manager, Police Chief, and Town Accountant Business Manager). **Parker made a motion to adopt the amended Personal Leave policy 5.9 as presented, effective July 1st, 2022. Reed seconded.** Further discussion and clarification of the accrual of hours for qualified part-time employees took place. **Motion unanimously passed (Yes 3, No 0, Abstain 0).** **Archibald made a motion to close the public hearing. Reed seconded. Motion to close the public hearing unanimously passed (Yes 3, No 0, Abstain 0).**

I. Review of proposed policy regarding scheduling of site visits

Jennings presented the proposed policy and reviewed the edits from the prior draft (see exhibit I page 38 for details). The Select Board discussed increased travel time on the weekends, alternatives to weekend site visits, designated special municipal employees, and whether compensation should be included for site visits outside the normally scheduled work days/hours. Jennings suggested to ask the consultants at the Collins Center how other communities have handled similar situations with off hours work. Archibald stated if compensation was to be included for visits of this nature, it should not be written into policy and should be included in the job description. **Reed made a motion to accept the Scheduling Site Visits Policy as presented. Parker seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).**

J. Review of draft Motions for articles included on Annual and Special Town Meetings warrants

Jennings presented the draft motions for the articles included on the Annual and Special Meetings warrants (see exhibit J pages 5-18 for details). Blatchford discussed the language used in article 31, the original intent of the article, and the draft motion for the article. It was stated the motion would be reviewed with the moderator prior to the Annual and Special Meeting. Jennings reviewed the motions for articles 19 and 20 and stated the clause language for disposal of the vehicles would need to be added. The Select Board discussed having one of the members of the Select Board read all of the motions at the Annual and Special Meeting instead of the proposing body for the article. A 2-year sunset clause of June 30, 2024 was added to article 3 and a 1-year sunset clause of June 30, 2023 was added to article 4 of the Special Town Meeting. Jennings stated the Finance Committee would be asked to re-consider the recommendation for article 6 at the FINCOM meeting Saturday morning prior to the Town Meeting. Due to the School Committee meeting scheduled to vote on the school

budget the following day, the Select Board discussed article 3 of the Annual Town Meeting and how the budget vote could affect the proposed figure listed. The motion for article 1 was discussed and it was decided to include language instructing the Board of Water Commissioners to explore opportunities that may result from further regional collaboration. Lastly, it was clarified funding for motion for article 14 was to be sourced from free cash.

K. Discussion of potential proposal to establish a revolving fund for revenues generated from solar electricity generation on town-owned land

The Select Board discussed establishing an account for revolving funds for any revenues from solar generation on town-owned land. It was stated the current structure of revenue received is in credits that are then used to offset expenditures. The Select Board discussed whether the energy credits could be monetarized into cash to be used to reinvest in further green initiatives through a revolving fund. **No motion was made at this time.**

L. Review of Select Board meeting schedule

It was stated that Parker would not be able to attend the Select Board meeting May 23, 2022. The Select Board discussed meeting dates in relation to Federal Holidays and the fall primary election. It was decided to schedule the Select Board meetings through the summer months as follows: May 23rd, June 6th, June 27th, July 11th, July 25th, August 8th, August 22nd, and August 29th. Jennings stated special meetings could be scheduled as needed.

M. Meeting minutes: April 11, 2022

Parker made a motion to accept the meeting minutes from April 11, 2022 with correction of clerical errors. Reed seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).

Town Manager Updates

N. Review of February 2022 Goal Setting meeting, and looking ahead to potential FY23 priorities

Jennings discussed goal setting for the FY23 year (see exhibit N pages 20-43 in the supplemental packet for details). Jennings presented the project matrix with 111 items created from the feedback received from the Select Board members and other department heads. Jennings stated interest in prioritizing items for FY23 to further the organization and prioritization of projects within departments.

O. Update on work with Town Planner re potential One Stop grant application to support study of local options for compliance with MBTA Communities legislation

Jennings stated the due date for the MBTA Housing legislation was June 3rd (see exhibit O pages 58-59 and exhibit O pages 44-61 in the supplemental packet for details). The One Stop grant application would seek funding to explore how the MBTA legislation could work in West Newbury. Jennings discussed the Department of Housing and Community Development pre-qualified consultant list and the potential benefits of consulting someone from the list. Discussion continued as to whether there was a limit on how many grants the town could apply for through the same agency per year.

P. Discussion of stormwater bylaw/regulations and potential effects on projects in process

Jennings stated work would continue with relevant department heads concerning the possible effects the new bylaw could have on development that had already commenced (see exhibit P pages 62-75 in the supplemental packet for details). Technical support from a storm water engineering firm to review how to advance objectives of the bylaws, in the most streamlined way possible, for both landowners and staff would be needed.

Q. Notice from MassDOT regarding Winter Recovery Assistance Program (WRAP) funding in FY23

The Select Board discussed what potential projects could fall under the categories of rehabilitation, reconstruction, resurfacing, and preservation for reimbursement through the program (see exhibit Q pages 60-62 for details). Jennings stated further examination of the program was needed as the information provided was received within the last week.

R. Notice from MassDOR Division of Local Services regarding potential ARPA funding for town center

Jennings briefly discussed the ARPA funding opportunity and what improvements could potentially be covered under this funding (see exhibit R pages 63-67 for details). Further discussion would be needed after thorough examination of the document and requirements.

S. Updates from recent MVRTA meeting, including recent notice re MVRTA shuttle program

Blatchford presented the updates from the MVRTA meeting to the Select Board. Blatchford discussed the MVRTA van replacement program and stated this program was something to consider in a few years. As of July 1st, 2022, the Ring & Ride program would be offered as a free service within West Newbury (see exhibit S pages 68-80 for details). Blatchford discussed the possibility of an expansion of the MBRTA bus

route into West Newbury from neighboring towns if demand for services could be proven. Although West Newbury only had 8 consistent riders, more information will be provided through the COA in an effort to increase awareness of the program.

T. Conservation Commission review of Mill Pond ANRAD scheduled on Monday, May 16th

Jennings stated this item was included on the agenda as a reminder of the scheduled review and the consultant will represent town at the review (see exhibit T page 81 for details). A site visit date should be expected to be scheduled at that time.

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

No additional items were discussed.

Parker made a motion to adjourn. Reed seconded. Motion unanimously passed. Open session adjourned 11:15pm

Town Manager

From: Town Manager
Sent: Wednesday, June 1, 2022 8:26 PM
To: Town Accountant; Town Treasurer; Christian Kuhn
Cc: Finance Admin
Subject: S&P call / financial policies
Attachments: SP Review Topics - West Newbury MA - markup 6-1-22.docx;
RatingsDirect_SummaryWestNewburyMassachusetts.PDF

Find attached my markup from today's mtg. We each have sections to review/update before we meet again on Monday in prep for Tuesday's call w S&P.

Though it's likely that the questions they sent will guide Tuesday's call, and likely fill the available time, please also review the attached PDF file of their prior ratings summary as there may be key items we want to highlight for them where there have been changes/improvements.

Re the Community Compact financial policies, you should all have access to the following shared server:

S:\Town Clerk\Bylaws and Policies\Financial Policies

The draft policies are all broken out individually, but there hasn't been time to create separate Word versions of each. However, the main folder includes the complete DOR recommended policies, so you could use that to mark up with comments or redlines. Note that the Word document may not include the approved language for each of the 10 policies that have been approved, since each of these went forward on a different timeline, and there may have been changes prior to adoption that aren't reflected in the consolidated document. If you have questions let me know. 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

Discussion Points for Management Meeting West Newbury, MA Rating Review Conference Call TBD

Series 2017 general obligation water bonds

Primary Analyst: **Melissa Stoloff,** [REDACTED]
Secondary Analyst: **Christian Richards,** [REDACTED]

Finances

1. We have observed an increase in available fund balance levels over the past three years; does the town intend to maintain, spend down, or build on fund balance during the next two years?
2. Fiscal 2020:
 - Audited results indicate a \$923,000 surplus; please discuss the primary drivers that contributed to the improvement in the net result.
3. Fiscal 2021:
 - Audited results indicate a \$671,000 general fund surplus; please discuss this positive result and any major budget variances.
 - What are the estimated general fund assigned and unassigned fund balances?
 - Were transfers necessary from other funds to support the general fund?
4. Fiscal 2022 budget:
 - Please discuss any changes in spending initiatives for the 2022 budget.
 - How is the budget trending year to date?
 - Do you have any upcoming collective bargaining agreement renegotiations? Please discuss how this may impact the budget.
 - What, if any, expenditure adjustments will you need to make this fiscal year? Do you have a list of what you could or would cut if necessary?
 - Please discuss willingness and ability to raise the tax rate in the current environment.
5. Please provide an update on federal stimulus funds and how the town has allocated those funds.

Management

6. Have you recently experienced any turnover in key executive or financial management positions? If so what was the principal reason for the turnover?
7. Please discuss the any contingency planning and processes related to environmental or weather event risks, including any recently completely or planned infrastructure projects directly related to this topic. Are there any pending FEMA or insurance reimbursements pending for prior weather-related events?
8. Please discuss preparedness for potential cyber security incidents, including any recent security upgrades or insurance policies in place.

9. Have there been any changes to your financial management practices or policies? Does the paragraph below still accurately represent your practices?

Strengths of the assessment, in our opinion, include management's:

- ***Strong revenue and expenditure assumptions when budgeting;***
- ***Strong oversight in terms of monitoring expenditures against the budget monthly and making the necessary intrayear adjustments;***
- ***A multiyear capital and long-term financial plan that spans five years;***
- ***A formal investment policy and reporting provisions; and***
- ***Basic debt management and reserve policies outlining minimum thresholds and targets.***

The town's adopted policies have been in place since 2011 and take into account several objectives we consider credit positives, although the policies might not be fully institutionalized or widely communicated with all government stakeholders. The multiyear budget and capital plans provide a modest framework to discuss future capital expenditures and their overall effect on operations. The adopted debt management policy targets debt service below 10% of the annual operating budget, which the town is well below. In addition, West Newbury's adopted reserve policies call for minimum reserves of at least 5% of expenditures for free cash balances and 3% for stabilization reserves. The town has been in excess of these thresholds.

Please provide the following updated documents:

- Most recent budget report, as shared with the governing body.
- Most recent investment report including holdings and earning, as shared with the governing body.
- Updated capital improvement plan (if applicable)
- Updated financial forecast (if applicable)
- Updated debt management plan (if applicable)

Debt & Liabilities

10. Please discuss any additional new money debt plans over the next 2-3 years.
11. Has the city entered into any privately placed loans since our September 2017 rating review? If so, please provide us the loan agreement and payment schedules.
12. Do you have any liabilities that you may be responsible for paying that is not reflected in your audited financial statements (for example: repayment under a contingent loan agreement, pending litigation, etc.)?
13. Any known or anticipated increases to your pension and/or OPEB contributions? If so, do you anticipate any issues supporting these increased payments?

Economy

1. Please discuss the local economy and provide information on any new or ongoing developments. This may include any new commercial, industrial, or residential development that may have a significant impact on your tax, employment, and/or revenue base.
2. Please discuss assessed valuation trends and what is expected of AV moving forward.
3. Any expected changes to the top-taxpayers or employers?

RatingsDirect®

Summary:

West Newbury, Massachusetts; General Obligation

Primary Credit Analyst:

Victor M Medeiros, Boston (1) 617-530-8305; victor.medeiros@spglobal.com

Secondary Contact:

Christian Richards, Boston (1) 617-530-8325; christian.richards@spglobal.com

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Rationale

Outlook

Related Research

Summary:

West Newbury, Massachusetts; General Obligation

Credit Profile

US\$1.7 mil GO wtr bnds ser 2017 due 09/15/2037

Long Term Rating

AA+/Stable

New

Rationale

S&P Global Ratings assigned its 'AA+' rating to West Newbury, Mass.' general obligation (GO) water bonds. The outlook is stable.

The town's full faith and credit GO pledge secures the bonds. The bonds are subject to Proposition 2-1/2 and are therefore a limited general obligation. However, due to the town's revenue-raising ability, we have not made a rating distinction between the limited and unlimited nature of pledge.

Proceeds of the bonds will be used to construct a water tank. While these bonds are GOs of the town, the community intends to raise the necessary water user charges and fund the debt service through its water enterprise fund.

We base the long-term rating on our local GO criteria, reflecting our assessment of the following factors for West Newbury, including its:

- Very strong economy, with access to a broad and diverse metropolitan statistical area (MSA);
- Strong management, with "good" financial policies and practices under our Financial Management Assessment (FMA) methodology;
- Strong budgetary performance, with operating surpluses in the general fund and at the total governmental fund level in fiscal 2016;
- Very strong budgetary flexibility, with an available fund balance in fiscal 2016 of 26% of operating expenditures;
- Very strong liquidity, with total government available cash at 28.4% of total governmental fund expenditures and 5.1x governmental debt service;
- Very strong debt and contingent liability position, with debt service carrying charges at 5.6% of expenditures and net direct debt that is 28.3% of total governmental fund revenue, as well as low overall net debt at less than 3% of market value and rapid amortization, with 77.3% of debt scheduled to be retired in 10 years, but sizable medium-term debt plans related to water infrastructure; and
- Strong institutional framework score.

Very strong economy

We consider West Newbury's economy very strong. The town, with an estimated population of 4,431, is a small and affluent, predominantly residential community 40 miles north of Boston in Essex County. It is in the Boston-Cambridge-Newton MSA, which we consider to be broad and diverse. It has a projected per capita effective buying income of 162% of the national level and per capita market value of \$197,742. Overall, market value grew by

3% over the past year to \$876.2 million in 2017. The county unemployment rate was 3.8% in 2016.

The town draws on a diverse tax base, with the 10 largest taxpayers representing 3.5% of assessed value. Residential properties make up 98% of the tax base. Residents enjoy access to employment opportunities in and around the Boston MSA due to their proximity to a commuter rail line and Interstate 95.

Recent tax-base growth has been evident over the past few years as real estate values have improved. Building permits have also been consistent year over year, generating new taxable growth, which has generated more revenue to meet rising costs. Given the economic activity in the MSA, we don't anticipate any substantial drop from recent trends.

Strong management

We view the town's management as strong, with "good" financial policies and practices under our FMA methodology, indicating financial practices exist in most areas, but that governance officials might not formalize or monitor all of them on a regular basis.

Strengths of the assessment, in our opinion, include management's:

- Strong revenue and expenditure assumptions when budgeting;
- Strong oversight in terms of monitoring expenditures against the budget monthly and making the necessary intrayear adjustments;
- A multiyear capital and long-term financial plan that spans five years;
- A formal investment policy and reporting provisions; and
- Basic debt management and reserve policies outlining minimum thresholds and targets.

The town's adopted policies have been in place since 2011 and take into account several objectives we consider credit positives, although the policies might not be fully institutionalized or widely communicated with all government stakeholders. The multiyear budget and capital plans provide a modest framework to discuss future capital expenditures and their overall effect on operations. The adopted debt management policy targets debt service below 10% of the annual operating budget, which the town is well below. In addition, West Newbury's adopted reserve policies call for minimum reserves of at least 5% of expenditures for free cash balances and 3% for stabilization reserves. The town has been in excess of these thresholds.

Strong budgetary performance

West Newbury's budgetary performance is strong, in our opinion. The town had operating surpluses of 3.1% of expenditures in the general fund and 4.4% across all governmental funds in fiscal 2016.

Despite rising health and pension costs, we expect budgetary performance to remain strong due to conservative budgeting and strong revenue performance.

Over the past several years, the town has demonstrated strong operations in the general fund. We attribute this to strong revenue performance and budgeting. Close to 88% of operating revenues come from property tax, with state aid making up 3%. Collections of the tax levy have been stable, exceeding 98%. Intergovernmental aid has also been stable.

Notably, the town is part of a regional school district--Pentucket Regional School District--which serves grades

pre-K-12. The town is also a member of the Whittier vocational school district. In 2016, 54% of expenditures went to the operating and capital costs associated with maintaining the schools. These costs tend to be more volatile as they are assessed based on proportionate share of enrollment relative to the total student population. Growth of these costs has been manageable as enrollment has stayed relatively flat with some moderate declines. Town officials have also done well working with the schools to budget for these costs.

For fiscal 2017, West Newbury anticipates a surplus as a result of higher-than-anticipated local receipts and expenditure variances. Officials expect 2018 budgetary results to remain stable and strong. The budget totals \$14.2 million, a 3% increase over the previous year.

In our view, a long-term credit consideration that could affect budgetary performance is the town's participation in the Essex County Retirement System. These costs represent 4.3% of general fund expenditures, but have been increasing 6% annually on average. We believe these costs will continue to rise, particularly if the underlying assumptions prove to be inadequate and market returns weaken, which may pressure future budgetary performance. At the moment, we believe the town has sufficient tax levy capacity and flexibility to manage these increases without weakening operations and reserves.

Very strong budgetary flexibility

West Newbury's budgetary flexibility is very strong, in our view, with an available fund balance in fiscal 2016 of 26% of operating expenditures, or \$3.6 million.

We believe budgetary flexibility will remain stable over the next several years due to its positive operations and growing revenues. The town has been in excess of its reserve policies for several years. In addition to its reserve balances, it also maintains roughly \$746,000 of unused levy capacity, which accounts for about 5% of general fund revenues. We believe this provides the town additional tax levy capacity to keep pace with rising costs without the need to seek a voter-approved operating override of Proposition 2-1/2. The town has consistently maintained available reserve balances in excess of 15%. It does fund routine capital expenditures by using reserves both in the general fund and in its community preservation trust funds. Based on the five-year capital plan, the town is unlikely to require any substantial use of fund balance. It will likely issue debt to finance large capital projects.

Very strong liquidity

In our opinion, West Newbury's liquidity is very strong, with total government available cash at 28.4% of total governmental fund expenditures and 5.1x governmental debt service in 2016. In our view, the town has satisfactory access to external liquidity if necessary.

Liquidity will likely remain very strong, in our opinion. West Newbury does not have any contingent liquidity risk from financial instruments with payment provisions that change on certain circumstances. Furthermore, the town does not use investment vehicles that we consider permissive. Therefore, we expect our view of West Newbury's liquidity to remain very strong.

Very strong debt and contingent liability profile

In our view, West Newbury's debt and contingent liability profile is very strong. Total governmental fund debt service is 5.6% of total governmental fund expenditures, and net direct debt is 28.3% of total governmental fund revenue.

Overall net debt is low at 1% of market value, and approximately 77.3% of the direct debt is scheduled to be repaid within 10 years, which are, in our view, positive credit factors. Negatively affecting our view of the town's debt profile is its significant medium-term debt plans.

Proceeds of the bonds will be used to construct a water tank, and community intends is to raise the necessary water user charges and fund the debt service through its water enterprise fund. The town anticipates issuing an estimated \$5 million of debt over the next several years to fund additional water improvements. Debt service will be paid through an increase in water user charges.

Also of note is Pentucket Regional School District's plan to issue GO bonds. The plans are preliminary at this point, and the town is exploring the potential for a debt exclusion vote to fund its proportionate share of debt service on its issuance.

In our view, Essex's pension and other postemployment benefit (OPEB) liabilities are manageable, but we believe costs will continue to rise as the retirement system has below-average funded ratios and somewhat optimistic assumptions.

The town participates in the Essex County Retirement System and contributes 100% of the annual required contribution. The system is 51% funded. West Newbury's combined required pension and actual OPEB contributions totaled 4.7% of total governmental fund expenditures in 2016. The town made its full annual required pension contribution in 2016; its net pension liability that year was \$6.7 million.

Due to the county retirement system's below-average funded ratios, we believe pension costs will likely increase over the next few years. However, the town's OPEB liability is minimal. As of the last actuarial valuation, it reported the OPEB trust fund was overfunded by \$175,000.

Strong institutional framework

The institutional framework score for Massachusetts municipalities is strong.

Outlook

The stable outlook reflects our view that West Newbury's strong underlying economy, very strong reserves, and manageable fixed costs should translate into strong stable budgetary performance and operating flexibility in the next two years. In addition, we expect the town to maintain very strong reserves above 15% of annual expenditures based on historical practices. We do not expect to change the rating in our two-year outlook horizon.

Upside scenario

We could raise the rating if the town's tax base continues to expand to a level comparable to that of higher rated peers and if budgetary performance and reserves are maintained at very strong levels despite potential new debt and rising pension costs.

Downside scenario

Although unlikely, we could lower the rating if financial performance deteriorates or if reserves are significantly drawn down.

Related Research

- S&P Public Finance Local GO Criteria: How We Adjust Data For Analytic Consistency, Sept. 12, 2013
- Incorporating GASB 67 And 68: Evaluating Pension/OPEB Obligations Under Standard & Poor's U.S. Local Government GO Criteria, Sept. 2, 2015

Certain terms used in this report, particularly certain adjectives used to express our view on rating relevant factors, have specific meanings ascribed to them in our criteria, and should therefore be read in conjunction with such criteria. Please see Ratings Criteria at www.standardandpoors.com for further information. Complete ratings information is available to subscribers of RatingsDirect at www.globalcreditportal.com. All ratings affected by this rating action can be found on the S&P Global Ratings' public website at www.standardandpoors.com. Use the Ratings search box located in the left column.

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Town Manager

From: Bulens, Nicholas (SEA) [REDACTED]
Sent: Friday, May 27, 2022 3:23 PM
To: DPW Director
Cc: Horne, Marc (SEA); Town Manager
Subject: RE: MassWorks - Contract amendment signature pages - West Newbury

Hi Wayne,

These are received and look good to me. Thanks for the quick turnaround. I'll work on finalizing the package next week for CFO execution. I'll send copies when everything is said and done.

Best

Nicholas Bulens

Executive Office of Housing and Economic Development
One Ashburton Place, Room 2101
Boston, MA 02108
Tel: [REDACTED]

From: DPW Director <dpwdirector@wnewbury.org>
Sent: Friday, May 27, 2022 1:12 PM
To: Bulens, Nicholas (EOHED) [REDACTED]
Cc: Horne, Marc (EOHED) [REDACTED]; Town Manager <townmanager@wnewbury.org>
Subject: RE: MassWorks - Contract amendment signature pages - West Newbury

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Nicholas,
Please see the attached signed contract.

Wayne

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

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

From: Bulens, Nicholas (SEA) [REDACTED]
Sent: Thursday, May 26, 2022 8:48 AM
To: DPW Director <dpwdirector@wnewbury.org>; Town Manager <townmanager@wnewbury.org>
Cc: Horne, Marc (SEA) [REDACTED]
Subject: MassWorks - Contract amendment signature pages - West Newbury

Good morning Wayne and Angus,

I hope this message finds you well. Per our discussion, the CFO and Director have green lighted a contract extension for a third full fiscal year, which will extend the expiration date to June 30, 2023. Additionally, the CFO has confirmed that any funds not expended in FY22 will be allotted to FY23. No extension or allotment beyond FY23 is approved at this time, which will be noted in the Amendment Request form (to be incorporated into the final amendment package).

We're going to streamline the process as best as possible. We'll start with the easiest/quickest steps. First, let's capture your local signatures on the standard forms (see attached). Then I'll finalize the updated Attachments for full approval and execution by the CFO.

Attached, please find the forms and signature pages required for Amendment 1 to the Plummer Spring Road bridge project:

- **Standard Contract form** – This form is complete and ready for signature.
- **Amendment Request certification page** – This is the final page of the Town's Amendment Request form (already submitted).

Please return the documents ASAP but no later than June 10th. Please don't hesitate to reach out with any questions.

Best

Nicholas Bulens
Executive Office of Housing and Economic Development
One Ashburton Place, Room 2101
Boston, MA 02108
[REDACTED]

Town Manager

From: DPW Director
Sent: Thursday, June 2, 2022 7:48 AM
To: Town Manager
Cc: Rick Parker; Wendy Reed; David Archibald; Community Preservation Committee
Subject: Page School Playground

Please see the pics below. Construction officially underway with hopes of a grand opening of mid-July.

Wayne

From: Wayne Amaral <amaral.wayne@yahoo.com>
Sent: Wednesday, June 01, 2022 9:55 PM
To: DPW Director <dpwdirector@wnewbury.org>
Subject:











Town Manager

From: Conservation
Sent: Thursday, June 2, 2022 9:52 AM
To: Town Manager; Rick Parker; Carol Decker; ppreeser; NPau
Subject: Intern meeting this morning
Attachments: Intern meeting 6.2.2022.docx

Hi All,

The attached is what I plan to go over today in roughly the order I plan to go over it. If you see anything I missed please let me know ASAP

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

- Welcome, introduce everyone on the Zoom call – explain the roles of different people who will make this internship happen – Direct supervisor myself members of Open Space Committee, West Newbury Wild and Native, Climate Change Resiliency Committee all volunteering their time and will help train, guide, and mentor. You'll be provided with their contact information and they'll be able to assist you with questions while you're in the field
- Let everyone give a quick intro – background, interests, what you hope to get from being an intern or what you hope the town will get from the internship
- Start date – looking like June 13th – Does this work? Plan to be at my office for 8:30 AM
 - Will need make sure you have signed and returned offer letter by this date, will need to fill out paperwork Kaitlin sent. Can meet with Kaitlin this day to fill out and sign CORI/Background check.
 - Will need to have all info for badges to me by June 8th
 - Will give you PPE, guide books, etc
 - Address any initial concerns
 - Meet Carol Decker and Patricia Reeser in person, they will take you around to a few different properties in West Newbury to familiarize yourself with some of the properties you will be working at and you will work on plant ID skills with them
 - Will post a schedule for the first training week in Google Docs by beginning of next week so you have access and can plan accordingly
 - After training, schedule will be much more flexible.
- Will invite you to a Google Docs page – this will be our hub for scheduling, resources, digital field guides, timesheets, mileage tracker, etc.
 - I'll be inviting you using the emails we have been communicating with – if there is a different email address you'd like me to use please let me know ASAP
- For the job you'll need to wear long pants, over ankle shoes, bring plenty of water with you, a backpack will be helpful, bug spray and sunscreen good idea to plan to use – I'll include a list of these items in Google Docs
- Regarding schedule, we are looking at 8-10 weeks for 20-25 hours per week. The goal is that you will log 200 hours for the internship over the summer. Schedule and hours will vary week by week
 - Many of the volunteers that will help train you have other obligations so some training may be in evenings. Will this be OK?
 - Additionally, the town would like for you to attend a few of the committee's and board's meetings to introduce yourself. These will be evenings as well and I can get you this information shortly (it will be on the schedule on Google Docs)
- If there are any dates you know you'll need off if you could let me know ASAP I'd appreciate it. Also, if you know your hard stop date at the end of the summer, that will be helpful to know too and I will work to schedule times for your presentation around this
- Any burning questions?

Daniel McNamara



EDUCATION

University of Massachusetts Amherst (Graduating Spring 2023)

Bachelor of Science

Environmental Science Major - Natural Resources Conservation Minor

Relevant Courses: Evaluating Environmental Systems, Wildlife Habitat Mgt., Wildlife Conservation, Ecology and Biodiversity, Biology, Natural Resource Economics

EXPERIENCE

Wildlife Habitat Mgt. Course, Fall Semester Junior Year (Sep. 2021- Dec. 2021)

- Developed and implemented a specific habitat management plan
- Identified both wildlife species and vegetation of our focal area
- Site assessment and analyzation
- Completed FVS simulation of stand with different management strategies implemented

Fitness Floor Manager, UMass Recreation Center (Sep. 2021- Present)

- Organized criteria for biweekly meetings with assistants
- Supervised fitness floor of gym during weekdays and weekends
- Led fitness floor assistants in maintenance of fitness center
- Monitored weight areas for safety hazards and provided assistance to participants

MASSPIRG Students Intern, Intern on 100% Renewable Energy Campaign (Feb. 2021- May 2021)

- Gathered over 1000 petition signatures in a week collectively
- Recruited individuals to join our grassroots campaign
- Worked with state representatives, senators and local stakeholders on campaign
- Collaborated with dozens of other students on effective campaigning strategies

SKILLS

- Species and Vegetation Identification
- Data Collection and Analysis
- Campaign and Project Management
- FVS, SimBio, AVD, Adobe Illustrator and Aqtesolv software programs

Kevin Stacey



Education:

Massachusetts Maritime Academy Buzzards Bay, MA
Bachelor's of Science: Marine Science Safety and Environmental Protection
December 2022

Experiential Learning - Bermuda Institute of Ocean Sciences: BIOS
St. George's Island, Bermuda 02/01/2018 - 02/10/2018

Wilderness First Responder Training - AMC Joe Dodge Lodge
Pinkham Notch, NH 01/03/2022 - 01/11/2022

Experience:

OSHA 40 Hour HAZWOPER

On June 15, 2021

FEMA ICS 100, 200, 700, 800

Bermuda Experiential Learning:

- Created Field Guide

- Earned Basic Snorkeling Certification

- Surveyed marine life populations

- Conducted research of marine environments through hands-on application

Wilderness Emergency Medicine + CPR

On January 11, 2022

Work Experience:

Tour Guide at Plum Island Kayak Newburyport, MA

Rented Kayaks and Paddleboards as well as conducting guided paddle tours of the Merrimack River and Salisbury Beach

Crew Member at Dunkin Donuts Haverhill, MA

Prepared food and drinks to sell to customers

Ran drive through operations regarding customer service

Volunteer at Ruth's House Haverhill, MA

Collected donations from the general public in form of used items

Resold said items at low prices to people in need

Research Intern at Waquoit Bay National Estuarine Research Reserve

Falmouth, MA

Conducted field research regarding the condition and well being of Red Cedar

Trees within South Cape Beach State Park's salt marsh bordering Sage Lot Pond

Retagged Trees

Compiled past and present data to find trends in changing tree conditions

Achievements & Activities:

- Coast Guard Auxiliary University Program
- Honor Guard

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Document Status History

View or export document status history.

Template

One Stop Full Application FY23

Instance

One Stop Full Application

Process

One Stop Full Application

Document Name

FULL-FY23-West Newbury-West Newbu-01115

Document Status

Application Complete / Submitted

Organization

West Newbury (/Organization/Index?keyID=66ce62c6-163d-459c-983d-d93cee72c873&sym=A0DA938A-3AB2-40A8-93A2-BAFC33FD51F3)

Your Role

Grant Administrator

Due Date

6/3/2022 11:59:00 PM



Application in Process



Application Complete / Submitted



Initial Review



Final Review



Decision Letter Sent

Document Status History



Status	Date/Time	Person	Notes

Application in Process	6/3/2022 11:17:05 AM	Angus Jennings
Submit Full Application	6/3/2022 2:30:50 PM	Angus Jennings
Application Complete / Submitted	6/3/2022 2:30:50 PM	Angus Jennings
<	1	>

[Go to the top](#)

Section 1.

Applicant Information

1.1. Primary Location:

West Newbury

EOHED Region	<i>Northeast</i>	MassDOT District	<i>District 4</i>	Rural or Small Town	<i>Both</i>
MDFA Regional Office	<i>North</i>	Gateway City	<i>N/A</i>	Housing Choice	<i>No</i>
Regional Planning Agency	<i>Merimack Valley Planning Commission</i>	MVP Community	<i>Yes - MVP</i>	MBTA Community	<i>Yes - MBTA</i>

1.2. Organization Type

Public Entity

Municipality

Public Housing Authority

Redevelopment Authority or Similar Quasi-Governmental Agency

Water or Sewer District

Other Public Entity

please specify:

Non-Public Entity

1.3. Applicant Organization Name:

Town of West Newbury

1.4. Applicant Organization Legal Address:

365 Main Street

1.5. City/Town:

1.6. State:

1.7. Zip Code:

West Newbury

1.8. CEO Name:

Massachusetts

01985

1.9 CEO Title:

Angus Jennings

1.10. CEO Tel.:

1.11. CEO Email:

Town Manager

(978) 363-1100

townmanager@wnewbury.org

1.12. Project Contact Name

Leah Zambernardi

1.13. Project Contact Title

Town Planner

1.14. Contact Tel.:

1.15. Contact Email

(978) 363-1100

lzambernardi@wnewbury.org

1.17. Organization Description – Outline the organization’s mission, structure, and economic development goals and history.

West Newbury has an Open Town Meeting/Select Board/Town Manager form of government. The semi-rural town is 35 miles north of Boston, bordering the Merrimack River and just west of Newburyport. It is primarily residential, characterized by a landscape of hills, open agricultural fields, and woods, interlaced by freshwater wetlands, ponds, streams and riverfront. It is 14.7 sq. miles, with 4,891 residents and 1,740 housing units. The most concentrated development is along Main Street/Route 113 with homes, businesses and community buildings, and a small commercial area in the Town Center. An undeveloped industrial district is in the easternmost part of town, east of I-95. The primary land uses are low-density residential, agricultural, municipal/recreational and protected open space. 2/3 of the town receives public water via a treatment and distribution system run by the Water Department and overseen by a 3-member elected Water Commission. Public drinking water is from a wellfield located at Artichoke River Reservoir, and additional water from the Reservoir is purchased from the City of Newburyport when demand exceeds supply. There is no sewer infrastructure, and all developed properties are served by individual septic systems. Capacity for septic systems is limited due to poorly drained soils, high water table, wetlands, hardpan, and bedrock. Transportation is primarily via automobile, with commuter rail/bus service in neighboring communities, and local on-call transportation services. Economic development goals center upon small-scale and traditional development patterns along Main Street and in the Town Center, including: support existing commercial uses and newmixed-use development that combine small-scale housing and commercial uses; concentrate circulation, parking and ped/bicycle improvements in more developed areas of town, traffic calming and landscape and streetscape enhancements; and update zoning to further define uses, site and building design standards.

Section 2.

Project Information

2.1. Project Categories for Grant Consideration (Check all that apply). Please note that, for each category selected, additional questions will appear in the application related to that funding type. (**note: Section 1.1 and 1.2 must be completed before selecting an option here**).

- Community Capacity Building
- Planning and Zoning
- Site Preparation
- Building
- Infrastructure

2.2. Project Name:

MBTA Communities Zoning Compliance Plan and Zoning

2.3. Is this a joint application between two or more municipalities (and/or entities), which will entail a formal arrangement for a shared scope of work and allocation of funds?

Yes

No

2.4. Short Project Description / Abstract – Provide a concise description of the project, with a focus on the portion of the project for which the applicant is requesting funds.

The Town seeks to undertake an effort to achieve compliance with the MBTA Communities As-Of-Right Multi-Family Zoning District requirements.

2.5. Leadership and Ability to Execute – Describe the leadership and project management group for this project and why it is an effective team to advance this project.

West Newbury's Community Information Form identifies Town Manager, Angus Jennings as being responsible to ensure compliance with section 3A of Ch. 40A. Mr. Jennings has formal training in land use planning, and zoning for higher-density residential and mixed-use development. His office will provide management and oversight of Town Staff for the duration of the project, with core Town staff as follows: Town Planner, Leah Zambemardi, AICP will oversee the planning related work items (i.e. information gathering, site analysis, preparation of presentations, reports, maps/visualizations, public engagement & meetings, etc) and will work directly with the consultant. The DPW Director Wayne Amaral and Water Superintendent Mike Gootée will be involved with reviewing public infrastructure capacity and advising regarding infrastructure limitations and/or opportunities for system improvement/expansion. The Police Chief Michael Dwyer, who also serves as the Chief Engineer of the West Newbury Board of Fire Engineers, will be consulted regarding appropriate siting of potential higher-density housing districts as relates to transportation safety, infrastructure and public safety response times. The Town Clerk's office, which serves a primary role for the town with regard to public communications, will support the Town Manager's and the Town Planner's efforts to keep West Newbury residents apprised of and engaged in this participatory planning process. The Town's Finance Department will oversee the Grant Administration, including providing documentation of vendor contracts, invoices and payments.

In addition to Town staff roles, regular updates regarding this initiative will be provided at meetings of the West Newbury Select Board and the Planning Board, among others. All meetings will be posted publicly, and all Select Board meetings are televised on local cable and available for viewing on the Town's YouTube channel.

2.6. Project Need – Describe why this project is necessary in enhancing economic development or unlocking other housing and/or jobs.

The Baker-Polito Administration has identified inadequate housing production as one of the core challenges facing the Commonwealth's families and economy. In response to this, the Economic Development Bill of January 2021 included a new Section 3A, of GL Ch. 40A, which requires that an MBTA community have at least one zoning district of reasonable size in which multi-family housing is permitted as of right and meets other criteria set forth in the statute. West Newbury is identified as an MBTA "Adjacent Community" as there are no MBTA stations in Town or within ½ mile of its border. It is therefore necessary that the Town undertake a study examining the feasibility of creating a zoning district or districts that allow a minimum of 750 multi-family units as of right. In order to successfully sponsor a zoning amendment for Town Meeting approval, it will be necessary to undertake a genuine, iterative public process that involves all town residents and stakeholders.

2.7. Progress to date – What progress has the applicant made on this project to date? Include details about planning, stakeholder engagement, development tools used, noting if the project is included in any adopted municipal or regional plans (e.g. Master Plan, CEDS, HPP, etc.), etc.

To date, Town Leadership, Staff and Board/Committee Members have kept apprised of the requirements of the newlawby attending various webinars and meetings held by organizations such as EOHEd, the Merrimack Valley Planning Commission, and the Mass. Municipal Association; reviewing reference materials as they become available; and by utilizing the public comment portal on the MBTA Communities website. Further, the matter has been discussed at multiple Select Board and Planning Board meetings. The Town has taken the required steps to maintain compliance with the law in FY22 by conducting the required briefing to the Select Board on March 14, 2022, and by submitting the Town’s MBTA Community Information Form on May 2, 2022. Further, due to the limitations noted in our answer to Question 2.6., the Town identified early on that substantial technical support would be needed, and therefore submitted an Expression of Interest under the Community One Stop Program for guidance on making a grant application on March 18, 2022. Feedback was received on April 6, 2022 and the Town is accordingly pursuing this grant.

2.8. Prior State/Federal Funding - Has the applicant applied for or received state or federal funding for this project? Please detail any type of funding, including grants, financing, etc. from any state agency or quasi-public agency (i.e. MassDevelopment).

No.

2.9. Timeline – Provide the start/end dates for the overall project and any other notable periods. Note: Grants will be announced in fall 2022 for contracts starting in FY23. Dates below should reflect that timing.

Target Start Date of the Project:	9/1/2022
Target End Date of the Project:	6/30/2024
Other. Specify:	
Submit Action Plan	12/31/2022
Other. Specify:	
Conduct Studies and Prepare Zoning Bylaw for Action no later than the 2024 Spring Town Meeting	1/2/2023

2.10. Timeline Information – Describe the timeline for the project and provide information about any notable dates and/or milestones.

Note: The project will follow the timeline for implementation within DHCD’s final Guidelines for MBTA Communities (expected to be issued in summer 2022), therefore is subject to change.

Section 4.3 of this grant application includes a detailed statement or proposed project scope, timeline and key milestones.

2.11. Anticipated Outcomes - Provide a description of the anticipated outcomes of the project. Describe the envisioned end use and expected impacts, such as information about housing, jobs, residents or businesses supported.

Capacity of water infrastructure, zoning amendment for consideration by the town which allows for an increased number of housing units and a more diverse housing stock.

2.12. Does the project support and/or directly result in any of the following Sustainable Development Principals? (Check all that apply or None)

- Concentrate Development and Mix Uses
- Advance Equity
- Make Efficient Decisions
- Protect Land and Ecosystems
- Use Natural Resources Wisely
- Provide Transportation
- Increase Job and Business Opportunities
- Promote Clean Energy
- None

2.13. Does the project support and/or directly result in any of the following development outcomes? (Check all that apply or None)

- Transit-Oriented Development (located within a half mile of a transit station or route)
- Developments that Contain a Mix of Residential and Commercial Uses
- Production or Preservation of Housing (with density of at least four units to the acre)
- Developments that are Reusing Previously Developed Sites
- Development of Underutilized Properties
- Development of Commercial Areas in a Downtown
- Development in a Transformative Development Initiative (TDI) District

- Development in an Opportunity Zone
- Development in a Cultural District
- Development in a 43D Expedited Permitting District
- Promote Equitable Opportunity (Equitable Opportunity is a principle outlined in the state's economic development plan – [Partnerships for Growth](#). Click [HERE](#).)
- Have Environmental Benefits
- Develop or support Small Businesses
- Included in the community's Local Rapid Recovery Plan (LRRP)
- None

2.14. Is this project directly related to and/or seeking to support efforts related to economic recovery from the Covid-19 pandemic?

Yes No

2.15. Does the community have an active housing moratorium or any type of restriction of new housing?

Yes No

2.16. Is the project site located within an Environmental Justice census block group? Click [HERE](#) to access the Commonwealth's Environmental Justice Map Viewer.

Yes No

2.17. Does the applicant have a letter from the municipal CEO outlining knowledge of and support for the proposed project? If yes, attach support letter.

Yes No

ATTACHMENT HERE: Attach the support letter from the municipal CEO.

Support letter One Stop grant 6-2-22.pdf

Section 4.

Planning and Zoning Additional Questions

4.1. Before you proceed, have you read the Guidelines for [Community Planning, Massachusetts Downtown Initiative](#) and /or [Real Estate Services](#)?

Yes No

By virtue of your community's status as a Rural or Small, this project is eligible for the [Rural and Small Town Development Fund](#).

4.1.a. Have you read the guidelines for the [Rural and Small Town Development Fund](#)?

Yes No

4.2. What type of development plan or study are you seeking to fund? (*Check One*)

Master Plan Market Feasibility Study
Land Use Plan Zoning Review and Updates

Urban Renewal Plan Zoning to comply with the MBTA Communities section of c40A section 3A

Housing Production Plan District Improvement Financing (DIF) Plan

Downtown Plan Municipal Surplus Property Disposition Plan

Parking Management Plan Other

4.3 Narrative / Scope of Work - Describe the proposed work that will be funded by the grant and carried out to further this project. Include the major tasks, timing of consultants procurement and overall timeline for the project. If applicable, describe the specific geographic area.

The Town seeks to undertake an effort to evaluate compliance with the MBTA Communities As-Of-Right Multi-Family Zoning District requirements (the “Multi-Family Zoning Requirements”). Subject to Final Guidelines expected in Summer of 2022, the Town expects the project to involve the following:

1. Engage Planning and Civil/Environmental Engineering Consultants (Nov/Dec 2022).
2. Complete Action Plan for submission to DHCD by 12/31/22. (DHCD Deadline for approving Action Plan is 7/1/23)
3. Perform Information Gathering and Analysis & Conduct Public Meeting(s) (Jan–Apr 2023)
 - a. Determine Town’s recent goals and strategies for housing development by reviewing existing Town Planning Reports, maps, infrastructure/capital improvement plans, etc.
 - b. Analyze current Zoning and General Bylaws and Subdivision Regulations and identify barriers to achieving compliance with the Multi-Family Zoning Requirements.
 - c. Evaluate Drinking Water Distribution System Infrastructure to determine adequacy in meeting estimated future demands.
 - d. Review existing conditions, Map creation. To include identifying land use and transportation patterns, “Developable Land” of scale as defined in the MBTA Communities Guidelines, existing infrastructure in Town and within proximity to Town boundaries, and areas meeting the State’s Smart Growth Principles to the greatest extent practicable.
 - e. Public Meeting(s) to review and receive feedback. (during steps a-d)
4. Develop Preliminary Findings & Conduct Public Meeting(s) (May–Sept 2023)
 - a. Identify possible zoning district locations (Maps).
 - b. Conduct buildout analyses for selected zoning district locations.
 - c. Present Density Visualizations, Visual Preference Surveys.
 - d. Identify options for regulatory approaches.
 - e. Generate Findings Report with Recommendations for Zoning Amendment(s)
 - f. Public Meeting(s) to review materials and receive feedback (during steps a-e).
5. Draft Zoning Bylaw Amendment Pursuant to Findings Report & Conduct Public Meeting(s) (Oct-Dec 2023)
6. Pursue Zoning Bylaw Amendment per G.L. Ch 40A, S. 5. (Jan–May 2024)

To supplement the primary consultant, we would engage our water engineering firm to evaluate the drinking water supply, treatment and distribution system infrastructure in order to determine adequacy to meet estimated future demands. Outside of the One Stop grant, the Town will be conducting a comprehensive drinking water distribution system study update in FY23, where the existing distribution infrastructure will be evaluated to determine adequacy in meeting current and estimated future demands through 2042. DCR demand projections will be used to evaluate future water supply and storage needs. Recommendations for system upgrades to correct existing deficiencies and meet future needs will be provided, including an implementation program and cost estimates. The Town has committed, by vote of Town Meeting in May 2022, funds of up to \$73,500 to support this comprehensive effort. In addition to this amount, the Town requests (through this grant application) \$10,000 in funding to study an alternative growth forecast taking into account both the DCR demand projections and the addition of zoning to allow up to 750 multi-family units as a matter of right. It is anticipated that the additional growth allowed by such zoning could trigger the need for a new local water source, new water storage (i.e. water tank or tanks), and would affect the Town’s capital planning as we work to replace or clean and line existing water mains, many of which date to the 1930s. The introduction of significant new development capacity would need to be accounted for through updates to the Town Capital Program, based on the amount of growth projected in different geographic locations. If approved for grant funding, we would contract with our water engineer to update modeling to account for the generation, distribution and storage of water to support a potential avg. increase of 120,000 gallons/day.

Attach a map or conceptual drawing showing the location of the planned district and/or project area.

Pages from westnewbury_hpp_2018-final.pdf

4.4 Budget – In the table below, provide a breakdown, by spending category, of the total budget for the proposed project. Enter the grant amount(s) requested/allocated for each category and the amount(s) covered with matching funds, if any. Matching funds are not required but applications showing over 10% local CASH match will receive special consideration.

Spending Category	Funds Requested	Match / Other Funds	Total Project Budget	Source of Match / Other Funds
Consultants / Prof. Fees	\$55800	\$6200	\$62000	Town operating budget
Meeting Express / Events	\$9900	\$1100	\$11000	Town operating budget
Project Supplies / Materials	\$1800	\$200	\$2000	Town operating budget
Other / Miscellaneous	\$	\$	\$0	
Total	\$67500	\$	\$	

4.5 Briefly, provide line item explanations, justifications, and/or notes, as needed. Include description of the sources(s) and status of all matching funding.

The amount/allocation of funds requested is based on the Town's best estimate as to the cost and allocation of services. If awarded the One Stop funds, our procurement of services would be in accordance with our standard purchasing process, including issuance of an RFP and solicitation of proposals. The actual amount and breakdown of costs would depend on which firm(s) were to be contracted for the work, and their fee structure. We have estimated these costs on the basis of our prior experience with this type of planning and zoning initiative. Anticipated consultant services are detailed in Sec. 4.3. While we have broken out the costs for meetings/events separately, it is anticipated that these costs would be embedded within the scope and budget of the lead consultant; the public process will be integral to the success of this initiative, and we anticipate that a significant number of public meetings will be needed in order to build public support for any zoning amendments needed.

4.6 If known, provide the contact information for the provider undertaking the project.

Entity/Company:	Phone:
Tata & Howard	(508) 386-9339
Contact Name/Title:	Email:
Jon Gregory, P.E., Vice President	jgregory@tataandhoward.com

Attach a cost estimate or proposal from prospective consultant(s) or professional services provider(s) for this project.

Memo re consultant scope 6-3-22.pdf

4.7 Public Engagement Plan - Describe the community engagement process for the project. Address the following: How are you adding voices to the public engagement process through remote only, hybrid, or in-person engagement?

The Town would engage a planning firm with expertise in facilitating a public process. The MBTA Communities legislation has raised concerns among some residents regarding how the adoption of zoning for higher-density housing could affect the town, but the Town also has residents who have been long-time advocates for greater housing diversity and affordability. In order to draft zoning amendments that could secure Town Meeting approval, it will be necessary to implement a truly inclusive public process that allows for all residents' questions and concerns. The consultants, including specialists in public infrastructure (especially water), will need to fully understand any concerns in order to craft a proposal that is responsive to those concerns. The process is expected to include outreach via website and social media, hybrid meetings (i.e. in-person meetings with remote participation), and participation in regularly scheduled meetings of town Boards, Commissions and Committees.

4.8. Community Leadership - If existing, describe the group of individuals that will work on this project and what makes it innovative, if not yet formed, describe the plan for the group's composition and work. Address how the project will be sustained over time if applicable.

The work of the consultants will be overseen by the Town Manager and other town department heads (as detailed in Sec. 2.4 of this application). Regular progress reports will be provided at meetings of the Select Board and the Planning Board, each of which will be fully engaged with this process. The members of the newly-established West Newbury Affordable Housing Trust are also expected to be greatly interested in this proposal. The Board of Water would be engaged in this planning effort, especially to the extent that one or more locations proposed for rezoning may be located on the public water system (or within distance that could allow for extension of the water system).

4.9 Implementation and Outcomes - Describe the enactment, adoption, and/or implementation process for the plan(s) completed by this project. Identify any necessary review and/or approval entities such as Planning Board, Council or Selectboard and/or subcommittee Committee, town meeting, etc.

In order to bring forward zoning amendments to Town Meeting, as would be necessary to achieve compliance with the MBTA Communities legislation, the zoning amendments would need to be sponsored by the Select Board or the Planning Board (or brought forward by citizen petition). Regardless of which entity brought forward proposed zoning amendments, the Planning Board would be required to hold a public hearing to consider any proposed amendments and make recommendations to Town Meeting.

4.10. Does the project involve more than one (1) community allowing for shared services and peer to peer learning opportunities?

Yes

✓No

- 4.11. Does the project directly relate to the design, enhancement or provision of water and sanitary sewer infrastructure?
Yes No
- 4.12. Does the project support economic development specific to rural communities and small towns?
Yes No

Section 10.

Other/Optional Attachments

In this section, upload all attachments that support this application.

Applicants may submit other attachments to support the application, which may be reviewed and/or filed. However, please note that these items will generally not be scored or assessed as part of the formal evaluation of the proposal.

Attachment Type	Description
Other Site Images	Other site photographs, illustrations, and/or maps.
Other Partner Letters	Letters from any partner organizations that are collaborating on this project.
Other Support Letters	General support letters.



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

June 2, 2022

Community One Stop for Growth Review Committee
Executive Office of Housing and Economic Development
1 Ashburton Place, Room 2101
Boston, MA 02108

To the Community One Stop for Growth Review Committee:

The Town of West Newbury's is submitting an application for funding consideration under the Executive Office of Housing and Economic Development (EOHED) Community One Stop for Growth Grant Program. The application is the result of active collaboration among our Planning Department and Board, my office, our Select Board, and several other key Town departments over the past few months.

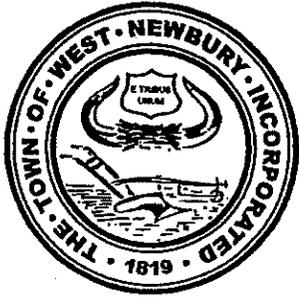
West Newbury is identified as an MBTA "Adjacent" Community per the new GL Chapter 40A, S. 3 ("MBTA Communities Act") and has been made aware that non-compliance will result in the loss of eligibility for funding under certain State Grant Programs. To achieve compliance with the MBTA Communities Act, the town plans to undertake an extensive study of the feasibility of creating a zoning district or districts that allow a minimum of 750 multi-family units as of right, and to secure consulting support for the preparation of proposed zoning amendments as would be needed for compliance.

The town currently has 1,740 residential units and adoption of such amendments would allow for a 43% increase in its housing stock. It is therefore critical for the town to undertake a genuine, iterative public process that involves all town residents and stakeholders. This will need to include a substantive evaluation of the public water system's supply, storage and distribution systems. The town has talented and engaged staff, but severely limited capacity and bandwidth relative to workload. Outside technical assistance, to supplement efforts by staff and the town's Boards and Committees, will be essential to the success of this initiative.

Please accept this letter as an indication of my knowledge of and support for the proposed initiative. Thank you for your consideration of the town's application for critical grant funding, and please reach out for additional clarity or questions.

Sincerely,

Angus Jennings



TOWN OF WEST NEWBURY

James RW Blatchford
Town Clerk

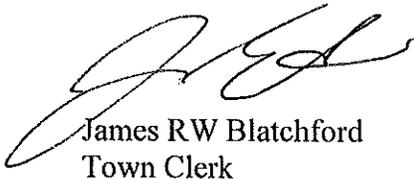
381 Main Street
West Newbury, MA 01985
978-363-1100 ext. 110
Townclerk@wnewbury.org

May 31, 2022

I, James RW Blatchford, Town Clerk of the Town of West Newbury certify that on the 23rd day of May, 2022 at a duly posted and convened meeting of the West Newbury Select Board, on motion duly made and seconded, it was voted, by a vote of two in favor and none opposed, to:

Authorize the submittal of the Community One Stop for Growth Grant on behalf of the Town of West Newbury and to authorize \$7,500 for a match of said Grant.

Attest:



James RW Blatchford
Town Clerk



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

Date: June 3, 2022

To: One Stop For Growth Review Committee

From: Angus Jennings, Town Manager

Re: Section 4.6 Cost Estimate or Proposal from Prospective Consultant

The Town is pursuing funds for Technical Assistance in relation to compliance with the as-of-right zoning requirement under the MBTA Communities Act. As you are aware, DHCD had an extensive public comment period on the draft compliance guidelines and is expected to issue the Final Guidelines sometime this summer. We are therefore unsure of the final project scope and have found it premature to seek cost estimates or proposals from consultants. Further, because the One Stop grant awards are not expected to be made until this coming fall, it would seem wholly premature to prepare a detailed scope and solicit prospective vendor proposals before knowing a) whether the work we propose meets the One Stop grant administrators' approval and b) whether we'll have funding necessary to undertake this work.

We respectfully request that you allow an extension of time for submitting cost estimates or proposals from consultants on the Zoning aspect of the project until such time that the Final Guidelines are released and we have a solid understanding of the project scope.

Section 4.3 of the grant application includes a detailed proposed project scope, timeline and key milestones, subject to the release of DHCD's Final Guidelines, expected in summer 2022.

Though we have not selected a primary consultant for the Zoning Aspect, the Town has committed \$73,500 to engage its water engineering firm Tata & Howard to evaluate the drinking water supply, treatment and distribution system infrastructure in order to determine adequacy to meet estimated future demands through 2042 based on DCR's standard demand projections. The approved contract with scope of services is attached to this memo. The Town seeks to add on to this report to include a study of an alternative growth forecast taking into account both the DCR projections and 750 new multi-family units. Following correspondence and a conference call, Tata & Howard has provided a verbal estimate of up to \$10,000 to fund this add-on.

We have developed the project scope and the estimated costs based on several factors including: our prior experience with this type of planning and zoning initiative. West Newbury's Town Manager and Town Planner, between us, have more than four decades of experience with planning initiatives such as this, including working for municipalities and as consultants to municipalities.; We have also

reviewed all available resources on MBTA Communities from MHP and EOHEd, as well as participating in the informational webinars that have been offered.

For these reasons we hope you will favorably consider our request for an extension of time for submitting a cost estimate/proposal from a primary Zoning & Planning consultant. Unless absolutely required to do so, we would not intend to solicit specific vendor proposals unless/until we receive approval of the scope of work, and the funding that we would need to undertake this work.

We will be pleased to discuss this further upon request.

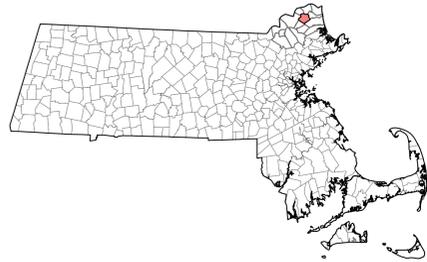
Town of West Newbury

Note: This Map is from the Town's approved 2018 Housing Production Plan. The locations shown as "Housing Areas" were identified within that planning process. These locations are not specifically proposed for zoning amendment under the MBTA Communities legislation, but would be evaluated, along with other locations, for potential suitability as part of the study proposed for funding through the One Stop grant application.

Legend

- Town Boundary
- Housing Areas
- Identified Development Areas
- Water
- Permanently Protected Open Space
- Transportation Feature**
- Church
- City/Town Offices
- College
- Emergency Shelter
- Library
- Police Station
- Recreation
- School
- College
- Transit Hub
- Bus Route**
- Blue
- Green
- Purple
- Red
- Special Employment
- Road**
- Interstate
- Major Road
- Local Road

1 inch = 857 feet
0 625 1,250 2,500 Feet



Merrimack Valley Planning Commission does not make any warranty, expressed or implied, nor assume any legal liability or responsibility for the accuracy, completeness, or usefulness of the Geographic Information System (GIS) Data or any other data provided herein. The GIS data is illustrative only and should not be considered for any other purpose. The data does not take the place of a professional survey and has no legal bearing on the true shape, size, location, or existence of a geographic feature, property line, or political representation. Merrimack Valley Planning Commission requests that any use of this information be accompanied by a reference to its source and the Merrimack Valley Planning Commission's caveat that it makes no warranties or representations as to the accuracy of said information. Any use of this information is at the recipient's own risk.

Merrimack Valley Planning Commission
plan • develop • promote

Path: J:\ArcGIS\MVPC\2017\WestNewbury_HousingMap_28x36 Printed: November 2017_KQ

Potential Housing Development Locations

Project Name/Location	Housing Type	Status	Tenure	Category	Affordable Units	Number Affordable Units	Total Units	Development Area (Acres)
Beaucher Property - 28 Coffin Street	Multi Family	Conceptual		Open Land, Privately Owned, Proposal for Solar & Conservation	Unknown	0	0	72.00
Drake Landing - 365 Main Street	Single Family	Permitted	For Sale	OSPD, mix of 1-family and duplexes	Yes	3	34	26.00
Dunn Property - 317 Main Street	Multi Family	Conceptual		Res + Greenhouse, Privately Owned	Unknown	0	0	15.00
Grew Property - River Road	Multi Family	Conceptual		Open Land, Privately Owned	Unknown	0	0	63.00
Mullen Property - Church Street	Multi Family	Conceptual		Open Land, Town Owned	Unknown	0	0	35.00



Town of West Newbury

381 Main Street, West Newbury, MA 01985

Stephanie Frontiera, Town Accountant/Business Manager
townaccountant@wnewbury.org

DATE: June 1st, 2022
TO: All Departments
FROM: Stephanie Frontiera, Town Accountant
SUBJECT: Fiscal Year End Procedures

Please follow the procedures listed below to ensure a smooth and timely closeout of fiscal year.

1. **Invoices** – In order to charge invoices to the FY22 budget, the invoices should indicate that the service has been performed or supplies have been ordered **prior to June 30, 2022**. Be sure that invoices are submitted for payment along with all appropriate account number and signatures.

All FY22 invoices to be paid after June 30th **must** be received in the Town Accountant's Office by **4:00 p.m., Wednesday, July 6th**. Invoices received after that date that have not been encumbered (see #2) must be paid as unpaid bills with funds appropriated at the fall Town Meeting. **We should avoid unpaid bills so please make sure you contact your vendors to get the invoices faxed or e-mailed before or at the end of the fiscal year.**

If you have not received all your invoices by/on July 1st, please call the vendors to arrange to have them **sent to you immediately**. *This will help to cut down on the significant volume of work to be done in the first 15 days of the new fiscal year.*

Also, please keep FY 2023 invoices separate from FY 2022 invoices and clearly mark which year on the top of the Invoice. (Note: FY22 invoices with encumbrances may be paid in FY23)

Please note that invoices from non-General Fund sources are also due for payment before the deadline.

2. **Encumbrances**– If you have ordered an item or are having a service done before June 30th and the item hasn't been received and/or work not complete, we will need to reserve the FY22 funds to pay the invoice later. Please ensure you let me know by **2p.m. June 30th, 2022**. I will need an email with the account number(s) and amount needed to carry over. Let me know if you have questions.
3. **Over Expenditures** – According to Massachusetts General Law, Chapter 44, Section 31, invoices may not be paid by the Town Accountant that are in excess of an appropriation

as Voted by Town Meeting. Therefore, please watch your budgets carefully. If you think you are going to have a problem, please let me know as soon as possible.

4. **Line item transfers**– The Select Board and FinCom must approve all line item transfer requests. The transfer request page can be found on the Finance Committee webpage <https://www.wnewbury.org/finance-committee/pages/transfer-request-forms>. Please make sure that all requests have been submitted before **the week of July 4th**, so the Finance Committee can schedule a meeting to address all final FY22 transfer requests. You will be notified of the date and time of the Finance Committee and Select Board consideration of such requests.

6. **Receipts cash and checks** – Please make every effort to turn over all revenues received by your department through June 30, 2022, to the Treasurer’s Office by **2 p.m., on Wednesday, June 30, 2022.**

This is important so that all revenues will be recorded in the proper fiscal year and so that the year-end closeout can be done on a timely basis with a minimum of adjustments.

Please call Stephanie at 978-904-1016 with any questions at all. Thank you for your cooperation.

Town Manager

From: Abby Jeffers (HTS) [REDACTED]
Sent: Thursday, June 2, 2022 7:59 AM
To: Town Manager
Cc: Town Treasurer; Town Accountant; Finance Admin; Peter Frazier (HTS); Monica Mulcahy (HTS)
Subject: RE: West Newbury BANs due 7/14/22
Attachments: gaspar.pdf; 22-06-02 West Newbury Capital Plan.XLSX

Good Morning Angus,

Yes, we're on track for the upcoming BAN renewal and such approval on June 27th. We expect to receive Bond Counsel's comments/edits by early next week. We'll reach out if they require any additional information.

Yes, we also received the information in connection with the rescission vote. We've attached an updated gaspar for your reference.

In addition, we've attached an updated debt model. This model incorporates an estimated BAN borrowing rate, which will be updated once the issue prices on June 16th. We've also incorporated an estimated 20yr Bond amortization schedule if the Town issued bonds in May 2023. The Town is not required to issue bonds in May 2023, as it can continue to issue renewal BANs with annual paydowns for the next few years.

Please let us know if you need anything else.

Have a nice day,
Abby

Abby Jeffers
Director
Hilltop Securities Inc.

From: Town Manager <townmanager@wnewbury.org>
Sent: Wednesday, June 1, 2022 7:29 PM
To: Abby Jeffers (HTS) [REDACTED]
Cc: Town Treasurer <treasurer@wnewbury.org>; Town Accountant <townaccountant@wnewbury.org>; Finance Admin <finance.admin@wnewbury.org>; [REDACTED]
Subject: RE: West Newbury BANs due 7/14/22

**EXTERNAL
SENDER**

Hi Abby,

Please confirm that we're on track with the schedule, with the draft POS to be sent over to Bond Counsel tomorrow. If the June 27 date continues to work well for the Select Board's vote to approve the sale of the BANs and for signing the paperwork, I'd like to brief the Board at their upcoming mtg on 6/6 so they know what to expect.

Also, please confirm that you received what you needed to document the Town Meeting vote to rescind the \$1.25M borrowing authorization for the Soldiers & Sailors project. If you would, I'm hoping you can provide an updated capital plan; I've attached the most recent one I have on file, and would like to get this updated to remove that authorization.

Thanks, and let us know if you need anything from our office in the coming days/weeks. I'll be on vacation the week of June 20 and want to be sure all is on track for 6/27 well ahead of then –

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: Monday, May 23, 2022 9:21 AM
To: Abby Jeffers (HTS) [REDACTED]
Cc: Town Treasurer <treasurer@wnewbury.org>; Town Accountant <townaccountant@wnewbury.org>; Finance Admin <finance.admin@wnewbury.org>; [REDACTED]
Subject: RE: West Newbury BANs due 7/14/22

Abby,

We are working to get you the info for the POS by the end of this week.

Re dates, our Select Board postponed its June 20 mtg til the following Monday June 27, so I have made that update in the attached schedule. Their first regularly scheduled mtg in July will be July 11th.

The delivery date for funds that you've outlined works well for us. And we did budget for payment of the \$40k principal in the Water operating budget approved by Town Meeting on May 14th.

In other news, as expected, Town Meeting voted to rescind the borrowing authorization for the \$1.25M for the Soldiers & Sailors Memorial Building Restoration. Once I have the official Town Clerk report with this result, will send to you so that this can be removed from our authorized-but-unissued-debt list. (Instead, we're going to seek to sell the building through a procurement process, in the event that there may be a private party with the resources to restore the building).

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: Abby Jeffers (HTS) [REDACTED]
Sent: Wednesday, April 27, 2022 12:46 PM
To: Town Manager <townmanager@wnewbury.org>
Cc: Town Treasurer <treasurer@wnewbury.org>; Town Accountant <townaccountant@wnewbury.org>; Finance Admin <finance.admin@wnewbury.org>; Peter Frazier (HTS) [REDACTED]
Subject: West Newbury BANs due 7/14/22

Good Morning,

As you're aware, the Town has \$1.1 million BANs maturing on July 14, 2022 – see attached gaspar. In anticipation of an upcoming issue, we've provided a tentative financing schedule and draft Preliminary Official Statement (POS). The POS is in great shape due to the Town's recent Annual Report filing, however there are a few sections we're hoping you can update/confirm that are marked in **red**. Please email these updates as they become available.

The dates incorporated into these documents revolve around the Board of Selectmen approving this issue on June 21st. Can you confirm they are scheduled to meet on this date and if so, please add the approval of the sale to the meeting agenda? If the Board meets after June 21st but before the week of July 11th, just let us know and we can adjust this schedule accordingly.

We've also scheduled the delivery date of this issue to be one day before the outstanding BANs mature, which was done last year. If the Town would rather receive the funds on the same day as the maturing BANs, just let us know.

Just as a reminder, the Town is required to make a \$40,000 principal paydown in July 2022 (fiscal 2023) and each subsequent year.

Please let us know if you have any questions.

Thanks,
Abby

Abby Jeffers
Director
Hilltop Securities Inc.

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TOWN OF WEST NEWBURY, MASSACHUSETTS												
AUTHORIZED UNISSUED DEBT												
											DATED: May 14, 2022	
											FILE: AUTHUNIS	#226218
DATE OF AUTHOR.	AMOUNT ORIGINALLY AUTHORIZED	BONDS/ GRANTS/ PAYDOWNS	AMOUNT REMAINING	PURPOSE	LAW CITE	MAXIMUM TERM	NOTES OUTSTANDING	MATURITY DATE	ROLL DATE	RESIDUAL AMOUNT	STATUS OF LEGAL APPROVALS	ORIGINAL ISSUE DATE
4/26/99(23)	200,000	195,089	4,911	Septic Loan	C.29C	30 Yrs	0	N/A	N/A	4,911	Complete	N/A
11/13/00(8)	200,000	196,900	3,100	MWPAT (T5-00-1001-A)	C.29C & C.111 127B 1/2	30 Yrs	0	N/A	N/A	3,100	Complete	N/A
4/24/17 (8)	1,700,000	1,700,000	0	Water Tank	C. 44, s. 8(4) and/or C. 29C	30 Yrs	0	N/A	N/A	0	RL 7/3/17, PLO 7/26/17	N/A
4/29/19 (8)	1,100,000		1,100,000	Water Tank - Wellfield No. 1	C. 44, s. 8(4)	30 Yrs	1,100,000	7/14/2022	7/14/2021	0	RL 10/3/19 Complete	1/24/2020
11/4/19 (10)	1,250,000 *	1,250,000	0	Soldiers and Sailors Memorial Building Restoration	C. 44, s. 7(1) & 44B	30 Yrs	0	N/A	N/A	0	RL 1/22/20	N/A
			1,108,011				1,100,000			8,011		
OTHER DEBT ISSUES												
										0		
SUB-TOTAL			0				0			0		
TOTAL			1,108,011				1,100,000			8,011		

