



**Town of West Newbury
Board of Selectmen
Thursday, June 27, 2019 @ 7:30pm**
381 Main Street, Town Office Building
www.wnewbury.org

RECEIVED
TOWN CLERK
WEST NEWBURY, MA
2019 JUN 25 PM 4:09

AGENDA

Executive Session: 7:30pm in the Town Manager's Office

- ❖ MGL Ch. 30A §21(a) 2: To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel (*FY20 wages*);
- ❖ MGL Chapter 30A §21(a) 7: To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements (*advice from Counsel*).

Open Session: 8pm (or later) in the First Floor Hearing Room

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet.
- Community Bandstand Summer Concert Series begins Thursday, June 13th. Every Thursday through August 29th (except July 4th) 6:30-8pm, Rain or Shine!
- Bicentennial events July 6-13! Call for volunteers! More details on Town website events calendar.
 - July 6th Opening Day at Annex/Bandstand/Town Office (pancake breakfast, Town Picture)
 - July 8th History and Heritage Day, Town Hall, Exhibit noon-6pm, reception 6-8pm
 - July 9th Ice Cream Social, Long Hill Orchard, 6-8pm
 - July 10th Student Art Show, "What West Newbury Means to Me," Page School, 2-6pm
 - July 11th Bandstand and Movie Night, concert 6-8pm, movie 8:30-10:30pm
 - July 12th Old Fashioned Dance (and barbeque), Town Hall, 6-11pm (ticket purchase required)
 - July 13th Family Field Day, Pipestave Hill, field day/picnic, concerns, light show and fireworks!
- Tickets still available! West Newbury Day at Fenway Park, Red Sox v. Angels, Friday, August 9th

Regular Business

- A. Review and approve FY20 employee wage schedule

Town Manager Updates

- B. Update on recent staff work and correspondence regarding Carr Post Building
- C. Follow up meeting assignments
- D. Placing items for future agendas



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: Board of Selectmen
FROM: Angus Jennings, Town Manager
DATE: June 22, 2019
RE: FY20 Salary Range Schedule

The Board is requested to approve the enclosed pursuant to Sec. 4.2 of the Personnel Policy:

4.2 Classification and compensation plans

The Board has adopted a uniform system for the classification of positions to establish proper relationships between positions, based on the level of responsibilities assumed and the minimum qualifications required to perform the job so that the same schedule of compensation may be applied to each class, ensuring equal pay for equal work.

The Board may adopt a compensation plan to reward and retain qualified employees by providing merit incentives linked to performance. The compensation plan will take into consideration the relative responsibilities of positions as set forth in job descriptions, wage rates paid for comparable positions in comparable communities and in the private sector, wage rates paid under collective bargaining agreements, economic conditions in the general labor market, and the Town's fiscal policies. The plan shall be reviewed and revised from time to time in order to maintain a fair and equitable compensation system for the Town.

The enclosed document is in the same form approved by the Board for the past several years, and applies the 2% COLA approved within the budgeting process for non-union personnel.

**TOWN OF WEST NEWBURY
EMPLOYEE COMPENSATION POLICY
SALARY RANGES
FISCAL YEAR 2020 - PROPOSED**

COLA 1.020

Grade	Minimum Hourly Rate	Midpoint Hourly Rate	Maximum Hourly Rate	Annualized Est. (full-time)		
				Minimum	Midpoint	Maximum
				40 hrs/wk		
1	Minimum Wage*	13.24	14.49			
2	12.90	15.31	17.72	26,823	31,841	36,859
3	16.12	18.53	20.94	33,529	38,547	43,564
4	19.31	21.74	24.17	40,166	45,218	50,270
5	22.56	24.97	27.39	46,917	51,947	56,976
6	25.78	28.20	30.62	53,623	58,652	63,682
7	28.98	32.21	35.43	60,283	66,989	73,694
8	32.18	37.03	41.87	66,943	77,013	87,083
9	38.65	43.48	48.30	80,400	90,436	100,471
10	45.09	49.92	54.74	93,789	103,824	113,860
11	51.53	57.96	64.40	107,177	120,566	133,954
12	61.20	67.63	74.06	127,294	140,671	154,048

Massachusetts minimum wage
\$12.00 effective January 1, 2019

Source: Angus Jennings, Town Manager, June 2019

**TOWN OF WEST NEWBURY
EMPLOYEE COMPENSATION SCHEDULE
WAGE CALCULATIONS
FISCAL YEAR 2020 - PROPOSED**

Department	Personnel (as of 7/1/19)	Position	Grade	H-Hourly /	Hrs/Wk	FY19	FY20	% Change	BoS
				E-Exempt /		Approved			
				S-Stipend		Rate			Approval
Town Manager	Angus Jennings	Town Manager	12	E	contract	\$ 145,000.00	\$ 147,900.00	2.0%	1/8/2018
	Vacant	Assistant to Town Manager / Clerk of Committees (tent.)	(6 or 7)	H	40	\$ -	\$ 32.2060	n/a	
	Annie Sterling	Residents Administrator	5	H	8	\$ 24.24	\$ 24.7199	2.0%	
Selectmen	Vacant	Executive Administrator	8	E	36	\$ 36.51	\$ -	-100.0%	
	Vacant	Temporary Assistant				\$ 5,000.00	\$ -	-100.0%	
Assessors	Meredith Stone	Chief Assessor/GIS Coordinator	9	E	40	\$ 41.82	\$ 42.6564	2.0%	
	Maureen Curtin	Assessors Clerk	4	H	28	\$ 22.44	\$ 22.8888	2.0%	
	Varies	Office coverage		H		\$ 2,185.00	\$ 2,185.00	0.0%	
Finance Department	Laurie Zywiak	Town Accountant	8 (FY19); 9 (FY20)	E	40	\$ 40.01	\$ 40.8102	2.0%	
	<i>Note: 2% is placeholder amount for Town Accountant, pending proposal/approval of new job description & wage rate for FY20.</i>								
	Susan Yeames	Treasurer/Collector	7	E	40	\$ 33.66	\$ 34.3332	2.0%	
	Annie Sterling	Finance Assistant	5	H	18	\$ 24.24	\$ 24.7199	2.0%	
	Varies	Office coverage		H	2		\$ 24.7199		
Town Clerk	Michael McCarron	Town Clerk/Town Counsel	9 (FY19); 10 (FY20)	E	40	\$ 44.42	\$ 45.3084	2.0%	
	Dianne Faulkner	Assistant Town Clerk	4 (FY19); 5 (FY20)	H	16	\$ 20.13	\$ 22.2200	10.4%	
	Varies	Office coverage				\$ 20.13	\$ 20.5326	2.0%	
Conservation	Albert Comins	Conservation Agent	6	H	20	\$ 27.54	\$ 25.27	-8.2%	
Planning	Leah Zambernardi	Town Planner	8	H	25	\$ 34.68	\$ 36.7885	6.1%	
	Vacant	Admin Asst to Town Planner / Planning Board	(3 or 4)	H	6	n/a	\$ 22.89	n/a	

Department	Personnel (as of 7/1/19)	Position	Grade	H-Hourly / E-Exempt / S-Stipend		FY19	FY20	% Change	BoS Approval
				Hrs/Wk	Rate	Approved Rate	Budgeted Rate		
Police	Jeffrey Durand	Police Chief	11	E	contract	\$ 105,062.00	\$ 120,000.00	14.2%	6/10/2019
	Susan Curry	Administrative Assistant	7	H	32	\$ 28.59	\$ 29.16	2.0%	
	Dan Cena	Sergeant	Union	H	37.5	\$ 46.25	\$ 47.41	2.5%	
	Vacant	Interim Sergeant	Union (proposed)	H	37.5		per contract	n/a	
	Royster Johnson	Patrol Officer	Union	H	37.5	\$ 32.66	\$ 33.48	2.5%	
	Michael Dwyer	SRO / Patrol Officer	Union	H	37.5	\$ 40.83	\$ 41.85	2.5%	
	Rich Parenteau	Patrol Officer	Union	H	37.5	\$ 32.66	\$ 33.48	2.5%	
	Eric Forni	Patrol Officer	Union	H	37.5	\$ 35.93	\$ 36.83	2.5%	
	Danielle Burrill	Patrol Officer	Union	H	37.5	\$ 32.66	\$ 33.48	2.5%	
	Kyle Roy	Patrol Officer	Union	H	37.5	\$ 26.36	\$ 27.02	2.5%	
Robert Joyce	Patrol Officer	Union	H	37.5	\$ 26.36	\$ 28.82	9.3%		
Police Stipends	Certified Accreditation Officer						per contract		
	Certified Field Training Officer						per contract		
	Certified Firearms Instructor						per contract		
	CJIS Stipend						per contract		
	Educational Incentive, Associates Degree						per contract		
	Educational Incentive, Bachelor's Degree						per contract		
	Educational Incentive, Master's Degree						per contract		
	Lead Dispatcher						per contract		
	Longevity						per contract		
	Rank Premium						per contract		
	Shift Differential						per contract		
	Court Time						per contract		
	Overtime						per contract		
	Holiday Pay						per contract		
Clothing Allowance						per contract			
Outside Details/Open Shifts						per contract			
Reserve officers: Commit to work a minimum of (4) shifts per month									
	Varies	Reserve Officer		H		\$ 20.13	\$ 20.53	2.0%	
	Varies	Reserve Officer (Trainee)		H		\$ 15.30	\$ 15.61	2.0%	
Harbormaster	Ray Pike (Salisbury)	Harbormaster	n/a	S			per contract		6/24/2019

Reflected in hourly wage

Department	Personnel of 7/1/19	Position	Grade	H-Hourly / E-Exempt /		FY19		FY20 Budgeted Rate	% Change	BoS Approval
				S-Stipend	Hrs/Wk	Approved Rate	Rate			
Animal Control	Newburyport	Animal Control Officer	n/a	S				per contract		6/24/2019
Fire	Michael Dwyer	Fire Chief	8	H			\$ 36.96	\$ 37.70	2.0%	
	Benjamin Jennell	Assistant Fire Chief	7	H			\$ 28.62	\$ 29.19	2.0%	
	David Evans	Deputy Fire Chief	7	H			\$ 28.62	\$ 29.19	2.0%	
	Lisa Duxbury	Lieutenant	4	H			\$ 20.45	\$ 20.86	2.0%	
	Mark Marlowe	Lieutenant & Mechanic	4	H			\$ 30.68	\$ 31.29	2.0%	
	Benjamin Jennell	Inspector	6	H			\$ 28.62	\$ 29.19	2.0%	
	Varies	Steward - Garden Street	2	H			\$ 12.92	\$ 13.18	2.0%	
	Varies	Steward - Central Station	2	H			\$ 12.92	\$ 13.18	2.0%	
	Varies	Training Officer	7	H			\$ 28.62	\$ 29.19	2.0%	
	Varies	Alarm Operator	4	H			\$ 20.45	\$ 20.86	2.0%	
	Varies	General Administration	4	H			\$ 20.45	\$ 20.86	2.0%	
	Varies	Fire Alarms		H			\$ 20.45	\$ 20.86	2.0%	
	Varies	Fire Drills		S			\$ 20.45	\$ 20.86	2.0%	
Emergency Mgmt	Lee Ann Delp	EMA Director					\$ 33.51	\$ 34.1802	2.0%	
	Benjamin Jennell	EMA Deputy Director, Transportation					\$ 22.21	\$ 22.65	2.0%	
Dispatch	Judith Romano	Dispatcher	Union	H	40		\$ 22.79	per contract		
	Kara Percival	Dispatcher	Union	H	40		\$ 20.42	per contract		
	Matthew Walsh	Dispatcher	Union	H	40		\$ 20.42	per contract		
	Robert Pierce	Dispatcher	Union	H	40		\$ 21.00	per contract		
		Shift Differential	Union					per contract		
Part Time Dispatch	Varies	Dispatcher, Part-Time		H	varies		\$ 19.74			
Inspectional Services	Glenn Clohecy	Building Inspector	8	H (FY19); E (FY20)	30 (FY19); 27 (FY20)		\$ 35.51	\$ 41.8700	17.9%	
	<i>Note: gross budgeted wage for B.I. proposed to increase 6.9% from \$55,390 (FY19) to \$59,238 (FY20). Hourly proposed top of Grade 8 scale.</i>									
	Tom Tombarello	Electrical Inspector	6	H			\$ 27.04	\$ 27.5808	2.0%	
	Stan Kulacz	Plumbing Inspector	6	H			\$ 27.04	\$ 27.5808	2.0%	
	Joan Croteau	Administrative Assistant	4	H			\$ 23.81	\$ 24.2862	2.0%	
	Varies	Alternate Inspector	7	H			\$ 27.04	\$ 27.5808	2.0%	

Department	Personnel (as of 7/1/19)	Position	Grade	H-Hourly / E-Exempt /		FY19	FY20	% Change	BoS
				S-Stipend	Hrs/Wk	Approved Rate	Budgeted Rate		Approval
ZBA	Joan Croteau	Administrative Assistant	4	S	n/a	\$ 1,000.00	\$ 1,000.00	0.0%	
DPW	Wayne Amaral	DPW Director	10	E	40	\$ 53.67	\$ 54.7434	2.0%	
	Richard Hills	Lead Operator	union	H	40	\$ 29.69	\$ 30.58	3.0%	
	John Spaulding	Experienced Operator	union	H	40	\$ 27.06	\$ 27.87	3.0%	
	Tom Costa	Experienced Operator	union	H	40	\$ 27.06	\$ 27.87	3.0%	
	Brian Richard	Buildings & Grounds Foreman	6	H	40	\$ 29.97	\$ 31.1688	4.0%	
	John Savage	Buildings & Grounds Custodian	4	H	40	\$ 22.30	\$ 22.9690	3.0%	
	Jodi Bertrand	Administrative Assistant	4	H	10	\$ 24.24	\$ 24.7248	2.0%	
	Varies	Seasonal/Part-time/Overtime	n/a	H		\$ 17.32	\$ 17.6664	2.0%	
DPW Stipends (union)	Clothing					\$ 600.00	\$750 (per contract)		
	Certifications					n/a	\$500 (per contract)		
	Longevity					per contract	per contract		
	On Call					\$ 300.00	\$300 (per contract)		
	Telephone					\$ 45.00	\$ 45.00		
B&G stipends	Clothing					n/a	\$ 750.00		
Health	Paul Sevigny	Health Agent	8	H	40	\$ 41.85	\$ 42.6870	2.0%	
	Jane Krafton	Administrative Assistant	4	H	24	\$ 22.22	\$ 22.6644	2.0%	
	Fred Faulkner	Recycling Coordinator	2	H	4 (FY19); 5 (FY20)	\$ 17.39	\$ 17.7200	1.9%	
Council on Aging	Theresa Woodbury	COA Director	5 (FY19); 7 (FY20)	H (FY19); E (FY20)	37 (FY19); 40 (FY20)	\$ 27.92	\$ 29.6175		
	Henry Cross	Van Driver	2	H	15	\$ 13.56	\$ 13.8312	2.0%	
	Jennifer Vincent	COA Meals	1	H	grant	\$ 12.48	\$ 12.7296	2.0%	

Department	Personnel (as of 7/1/19)	Position	Grade	H-Hourly / E-Exempt / S-Stipend		FY19 Approved Rate		FY20 Budgeted Rate % Change		BoS Approval
Library	Corinne Flaherty	Library Director	8	E	40	\$ 39.84	\$ 36.0600	-9.5%		
	Kate Gove	Children's Librarian	7	H	40	\$ 30.73	\$ 31.3446	2.0%		
	Dawn Watson	Staff Librarian	5	H	31	\$ 22.95	\$ 23.4090	2.0%		
	Kristen Young	Staff Librarian	4	H	28	\$ 19.75	\$ 20.1450	2.0%		
	Tracy Larrabee	Staff Librarian	4	H	27	\$ 17.25	\$ 18.2500	5.8%		
	Jean Berkenbush	Assistant Librarian	2	H	10	\$ 14.08	\$ 15.7800	12.1%		
	Elizabeth Torrisi	Assistant Librarian	2	H	10	\$ 14.08	\$ 15.7800	12.1%		
	Varies	Coverage					\$ 3,000.00			
Water	Michael Gootée	Water Superintendent	9	E	40	\$ 40.05	\$ 41.93	4.7%		
		On call pay (every other week)				\$ 200.00	\$ 200.00			
	Mark Marlowe	Licensed Operator	5	H	40	\$ 26.10	\$ 27.21	4.3%		
		On call pay (every other week)				\$ 150.00	\$ 150.00			
	Jodi Bertrand	Administrative Assistant	5	H	24	\$ 24.24	\$ 24.73	2.0%		
	Varies	Seasonal labor/Overtime		H		\$ 10,316.05	\$ 10,785.09	4.5%		
Recreation	Amy Wilson	Recreation Director	contract	S		\$ 10,500.00	\$ 10,700.00	1.9%		
	Krista Niles	Assistant Recreation Director	contract	S		\$ 6,000.00	\$ 6,200.00	3.3%		
	Varies	Counselors (new)		H		\$ 10.00	\$ 12.00	20.0%		
	Varies	Counselors (3+ years)		H		\$ 11.00	\$ 12.50	13.6%		
	Varies	Counselors (5+ years)		H		\$ 12.00	\$ 14.50	20.8%		
CPC	Jean Nelson	Administrative Assistant	5	H	8	\$ 26.44	\$ 26.9688	2.0%		

TOWN OF WEST NEWBURY
BOARD/COMMISSION/COMMITTEE COMPENSATION SCHEDULE
WAGE CALCULATIONS
FISCAL YEAR 2020 - PROPOSED

<u>Department</u>	<u>Personnel (as of 7/1/19)</u>	<u>Position</u>	<u>Grade</u>	<u>H-Hourly / E-Exempt / S-Stipend</u>	<u>Hrs/Wk</u>	<u>FY19 Approved Rate</u>	<u>FY20 Budgeted Rate</u>	<u>% Change</u>	<u>BoS Approval</u>
Moderator	Kathleen Swallow	Moderator	n/a	S (annual)	n/a	\$ 200.00	\$ 200.00	0.0%	
Finance Committee	None	Minutes Taker				\$ 40.00	\$ -		
Registrars of Voters	Margaret Duchemin	Board of Registrars		S		\$ 500.00	\$ 500.00		
	Rosamond Veator	Board of Registrars		S		\$ 500.00	\$ 500.00		
	Vacant	Board of Registrars		S		\$ 500.00	\$ 500.00		
	Varies	Poll Workers		H		\$ 2,700.00	\$ 1,100.00		
	Varies	Warden and Clerk		H		\$ 800.00	\$ 800.00		
	Varies	Early Vote Workers		H					
	Varies	Part-Time		H		\$ 2,700.00	\$ 1,100.00		
	Brian Richard	Constable		H		\$ 15.00	\$ 15.00		
	Michael McCarron	Town Clerk		S		\$ 150.00	\$ 150.00	0.0%	
Board of Assessors	Richard Baker	Board of Assessors	elected	S		\$ -	\$ -		
	Tom Atwood	Board of Assessors	elected	S		\$ -	\$ -		
	Jenn Polisenio	Board of Assessors	elected	S		\$ -	\$ -		
Water Commission	Bob Janes	Water Commission, Chair	elected	S		\$ 700.00	\$ 700.00	0.0%	
		Water Commission	elected	S		\$ 500.00	\$ 500.00	0.0%	
		Water Commission	elected	S		\$ 500.00	\$ 500.00	0.0%	

TOWN COUNSEL MEMO

TO: Town Manager
FROM: Michael P. McCarron
SUBJECT: Use of CPA funds
DATE: June 26, 2019
CC:

This is a confidential communication subject to the attorney client privilege. This communication is exempt from disclosure pursuant to the Public Records Act.

Question Presented: Whether Community Preservation Act administrative funds can be used to study the conditions of the Carr Post?

Answer: In accordance with the provisions of MGL c. 44B §6, “In each fiscal year, the legislative body shall make appropriations from the Community Preservation Funds as it deems necessary for the administrative and operating expenses of the community preservation committee and such appropriations shall not exceed 5 per cent of the annual revenues in the Community Preservation Fund.” The term “administrative and operating expenses” is not defined in the Act. It has universally been accepted as applicable for the payment of staff, office supplies and appraisals. The question before us is whether expenses pertaining to the study of the condition of the Carr Post can be paid for with such the administrative appropriation of the CPA.

The Community Preservation Act provides two charges to the Community Preservation Committee. In MGL c. 44B §6(b)(2), “The community preservation committee shall make recommendations to the legislative body for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created as provide in the section;” This is the standard by which the committee reviews potential projects for acceptance and appropriation from town meeting. The other charge is set for in MGL c. 44B §6(b)(1) which states, “The community preservation committee shall study the needs, possibilities and resources of the city or town regarding community preservation, ...” Separate and apart from its obligations to recommend projects to town meeting, the committee is vested by the Act with the authority to study the “needs, possibilities and resources” of the Town. In the case of the Carr Post, it has already been

determined to be of historical significance to the Town and the Town has already appropriated monies for its preservation. The requirement that the Committee “study” the needs of the Town is independent of the provision to make recommendations to the town meeting. It follows, therefore, that the administrative and operating appropriation can be used to pursue studies and needs assessment in accordance with MGL c. 44B §6(b)(1).

The Town has utilized administrative and operating expenses for the study of the Carr Post in the past. In 2014, the Town used \$9,830.00 of CPA administrative funds to pay Spencer & Vogt, Inc for needs assessment for the Carr Post. (Contract and RFP attached)

The one caveat is that administrative and operating costs are capped and I find no provision for expanding more than the 5% set forth in the statute.



25 June 2019

Angus Jennings, Town Manager
Town of West Newbury

Re: Soldiers and Sailors Memorial Building, or the Carr Post

Dear Angus,

We have discussed the need for an updated assessment of the Memorial Building, with the understanding that there are critical concerns about its structural stability. Our initial involvement was in 2014 with conditions assessment followed by limited emergency stabilization in 2015. With the continuing passage of time and the effects of weather and an aged structural and envelope, you have now asked for advice on how to stabilize and protect the building. We understand that an action plan is being requested, with a view for phasing, looking forward to the ultimate reuse of the building for community purposes.

We will start with a visit on Wednesday, June 26, at 3:30 in the afternoon, attended by Doug Manley and me from our firm, along with John Wathne of Structures North. We will visit the building and begin a dialogue of the next steps to protect and stabilize the building.

We propose hourly billing to a limit of \$2,200 to identify immediate needs and budget with the objective of creating the first phase of work, and an outline of future needs.

We appreciate the opportunity to assist with the assessment and preservation of the Soldiers and Sailors Memorial Building, also known as the Carr Post.

Yours truly,

A handwritten signature in black ink, appearing to read 'Lynne Spencer'.

Lynne Spencer
President & Principal, Historic Preservation

Agreed by with no personal liability

A handwritten signature in black ink, appearing to read 'Angus Jennings'.

Authorized Signature

6/26/19

Date

SSV Terms and Conditions

Standard Hourly Rates: Spencer, Sullivan & Vogt

- *Principal – Architect \$165.00/Hr.
- *Project Architect..... \$135.00/Hr.
- *Architectural Designer..... \$100.00/Hr.

These rates will remain in effect for the Agreement to which this Schedule of Charges is attached, for one year. For services performed in subsequent years, the Architect's then current rates will apply.

Consultants

Services and expenses of consultants will be charged 1.10 times actual cost to Spencer & Vogt Group. Such consultants, if so required and approved in advance by the client, include mechanical, electrical, structural and civil engineers; acoustical, lighting, elevator, traffic, parking, food service, environmental and other consultants of whatever type or nature.

Photographs

The Client agrees to allow the Spencer, Sullivan & Vogt to take photographs of the Work while in progress and at the completion of construction for professional publications.

Payment Schedule

Invoices are rendered in accordance with the rates and charges set forth in this document and are due within thirty (30) days after invoice date. If Client fails to pay any invoice in full within thirty (30) days after invoice date, Spencer & Vogt Group may, at any time, and without waiving any other rights or claims against Client and without thereby incurring any liability to Client, elect to terminate performance of Services upon twenty-one (21) days prior written notice to Client.

The laws of the Commonwealth of Massachusetts shall apply to this Agreement. Any controversy or claim arising out of or related to the Contract, or the breach thereof, shall proceed to agree upon mediation before restoring to the Courts of the Commonwealth. Parties shall mutually agree to an acceptable mediation group.

Ownership of Documents

All drawings, specifications, project manuals, reports, field data and notes, estimates and other documents, prepared as instruments of service, shall remain our property. You agree that all work we furnish to you or your agents, which are not paid for, will be returned upon demand and will not be used for any purpose whatsoever. We will retain all pertinent records relating to the services performed for a period of six years following completion of our contract, during which period the records will be made available to you at all reasonable times.

Insurance

We are protected by Worker's Compensation Insurance, Professional Liability Insurance, and General Business Liability Insurance. Certificates shall be furnished prior to execution of this contract. We will not be responsible for any loss, damage, or liability beyond the amount limits and conditions stipulated. We will not be responsible for any loss, damage, or liability arising from your negligent acts, errors, and omissions and those by your staff, consultants, subcontractors, and agents, or from those of any person for whose conduct we are not legally responsible.

Standard of Care

In accepting this agreement for architectural services, you acknowledge the inherent risks associated with construction. In performing our professional services, we will use the degree of care and skill ordinarily exercised, under similar circumstances by members of the profession practicing in the same or similar locality.

.....



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/26/2019

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

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

PRODUCER Ames & Gough 859 Willard Street Suite 320 Quincy, MA 02169	CONTACT <div style="background-color: black; width: 100%; height: 100%; min-height: 100px;"></div>
INSURED Spencer, Sullivan & Vogt, Inc. 1 [REDACTED]	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		680-5K838440	4/30/2019	4/30/2020	EACH OCCURRENCE \$ 2,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 2,000,000
							GENERAL AGGREGATE \$ 4,000,000
							PRODUCTS - COMP/OP AGG \$ 4,000,000
							\$
A	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			680-5K838440	4/30/2019	4/30/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			CUP-6K278859	4/30/2019	4/30/2020	EACH OCCURRENCE \$ 5,000,000
							AGGREGATE \$ 5,000,000
							\$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	UB-6K211745	4/30/2019	4/30/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
							E.L. EACH ACCIDENT \$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	Prof Liability			RDP0033495	7/15/2018	7/15/2019	Per Claim Limit 2,000,000
D				RDP0033495	7/15/2018	7/15/2019	Aggregate Limit 3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
All coverages are in accordance with the policy terms and conditions.

The Town of West Newbury shall be included as additional insured with respects to General Liability where required by written contract

CERTIFICATE HOLDER Town of West Newbury 381 Main Street West Newbury, MA 01985	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Jared Maxwell</i>
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Town Manager

From: Town Manager
Sent: Monday, June 24, 2019 1:00 PM
To: David Archibald; Glenn Kemper; Rick Parker
Cc: Michael McCarron
Subject: FW: West Newbury Carr Post
Attachments: Glenn C memo re Carr Post chimney 6-24-19.pdf

Importance: High

Board,

This is to make you aware of Glenn Clohecy's memo received this morning. I had requested that Glenn again inspect the building and provide me an updated report. As you can see there is urgency to his direction.

Wayne is looking at obtaining the fencing as directed in Glenn's letter; and I've asked Glenn to advise re additional safety precautions that need to be taken for access to/around the building (i.e. hardhats, any applicable OSHA requirements etc.).

After several weeks of phone tag, I was able to connect with Lynne Spencer of Sullivan, Spencer & Vogt (the firm that did the 2014 study), and we're scheduling a meeting/site visit later this week to include her and the principal from Structures North, the structural engineer that worked on the 2014 report. I've also asked them for advice re how to secure the building in light of Glenn's memo, to insure public safety and minimize any potential liability concerns.

We have an available FY19 balance of \$1,690 in the BoS professional/technical services line which I'll use to support their work. In FY20 we'll be looking at available operating budgets (limited) and in all likelihood recommending to seek CPC funds to support work moving forward. There is a CPC mtg on July 18 and if the Board agrees I'd like to get them a proposal for additional soft costs no later than July 15.

This can all be talked over further at tonight's meeting.

Thanks,
Angus

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

From: Town Manager
Sent: Tuesday, June 18, 2019 1:19 PM
To: [REDACTED]
Subject: RE: West Newbury Carr Post

Hi Lynne,

I'm hoping to connect by phone this week. We're working to re-tool the Committee Charge for the Carr Post Building Committee, to better delineate roles between my office/DPW, and the Committee. (Attached provides some background). In the meantime, the Building Commissioner is increasingly concerned about the stability of the building turret.



Town of West Newbury

Town Office Building - 381 Main Street
West Newbury, Massachusetts 01985
Phone 978-363-1100 ext. 122

Inspection Department

6/24/2019

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

RECEIVED

JUN 24 2019

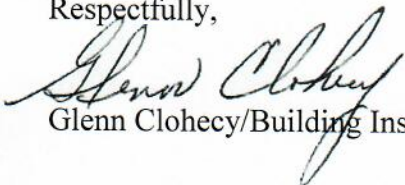
TOWN MANAGER
TOWN OF WEST NEWBURY

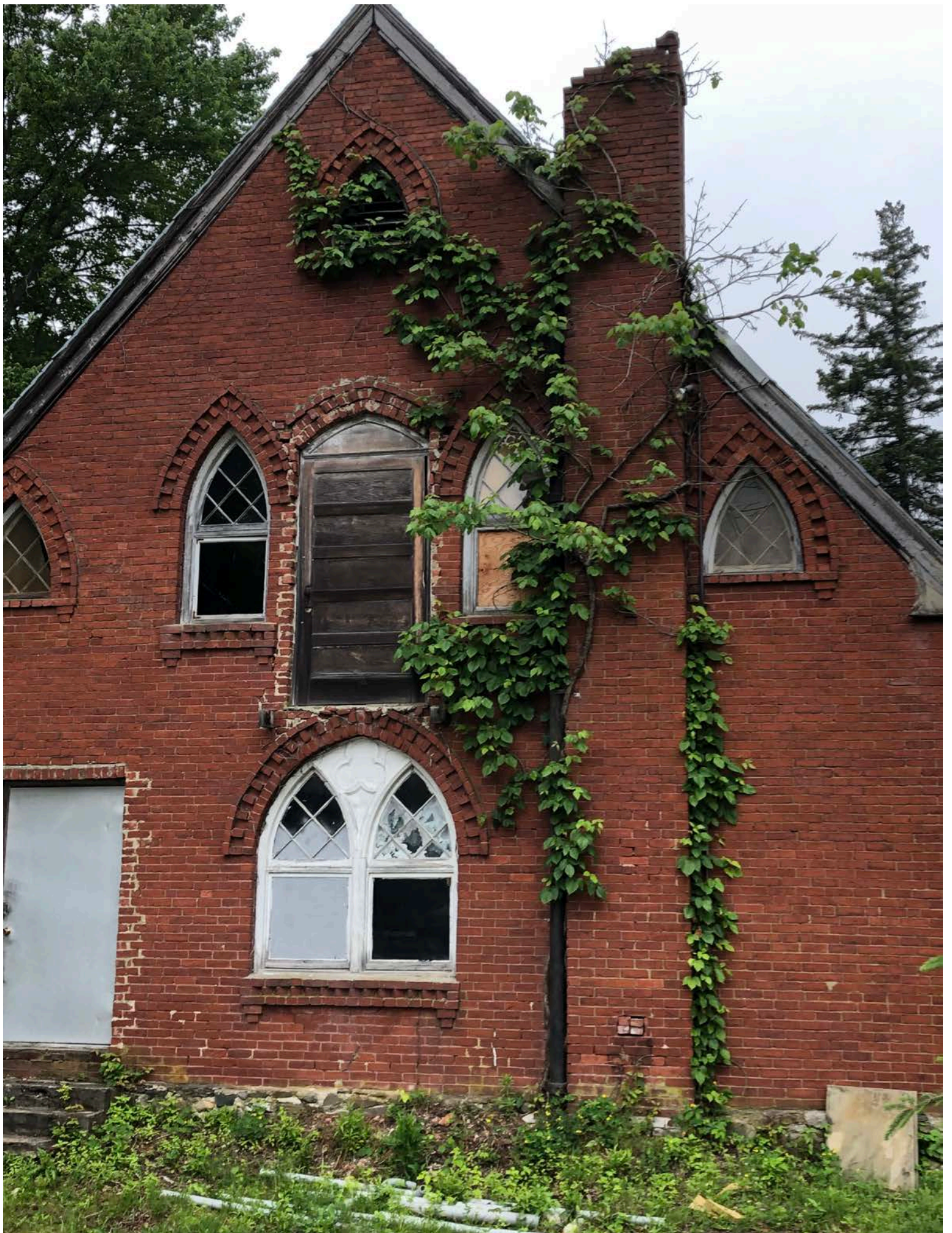
RE: Carr Post

Angus, as evidenced by the photos, the chimney at the building known as the Carr Post, 363 Main Street, has deteriorated to the point where there is a significant danger to anyone that walks near that area. Several bricks have already fallen and been picked up by the construction workers on the Drake's Landing project. Immediate action needs to be taken to minimize the risk to the public and/or a complete failure of the chimney. The area should be fenced (to include a fall zone) to protect the public. If the area is fenced, there needs to be restricted access and only people escorted by a designated town employee(s) should be allowed in that area.

An alternative to fencing would be to remove the portion of the chimney that extends beyond the roof line. If this is done, the chimney should be removed to a point where the mortar joints are intact and any vines on the chimney should be removed.

Respectfully,


Glenn Clohecy/Building Inspector





Town Manager

From: [REDACTED]
Sent: Wednesday, June 26, 2019 10:15 AM
To: Town Manager; Atwood, Thomas; Bob Janes; Fay Gill; Flink, Joan; John McGrath; Kevin Bowe; Marlene Switzer; Peter Ringenbach; Polly McDowell; Swallow, KC
Subject: meeting notes

We met last Thursday, my apologies for any confusion about whether the meeting was on or off, I will certainly avoid Thursdays now that band season has kicked in!

We reviewed the history of the appointment of the Building Committee based on information provided by Angus and decided that it would be a good idea to formulate a mission statement of sorts and approach the BofS about reinvigorating this committee. The minutes indicate that a 5-person committee was approved, with the make up being 2 members of the Historical Commission and 3 people at large. Comments regarding experts in the building field and/or a veteran as part of the at-large group were in the minutes but don't seem to be a requirement. We thought we should recruit individuals with appropriate experience and present a plan to the Board. Obviously, the Board would need to request input/applications from the public but if we can get the ball rolling with strong appointee options, we agreed that would be best.

Angus is currently working with the consulting group that did the first assessment to get a proposal for an updated assessment. The funds for such an update may be hard to come by, so Jane Wild and I will meet with Jean Nelson, who is the CPC Administrator to review the CPC activity to date on the building and discuss with her the option of using administrative CPC funds to cover the cost of the updated report. Angus indicated that Mike McCarron wasn't sure those funds would be available to use for this purpose, but both Jane and I believe this report can fall within the CPC scope for investigating future projects before they are formally proposed to the CPC.

We will defer meeting until Angus has more information on what the consulting group proposes as the next steps.

Best,
Ann