



Town of West Newbury
Select Board
Monday, July 25, 2022 @ 5:30pm
381 Main Street, Town Office Building
www.wnewbury.org

RECD IN NEWBURY CLERK
22 JULY 21 PM 4:27

AGENDA

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

- ❖ MGL Ch. 30A §21(a) 6: To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (*0 Poorhouse Lane; 31 Dole Place*);
- ❖ 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*);
- ❖ 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 (*Town Accountant / Business Manager contract*);
- ❖ MGL Ch. 30A §21(a) 7: To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements (*Elliot 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.
- Purple Heart Community ceremony – Sunday, August 7 at 1pm, Bandstand (rain/heat location: Annex)
- Recent Grand Opening of CPA-funded Page School Playground - Now Open for Play!
- 2022 Summer Bandstand Concert Schedule– Thursdays through Aug. 25th, at 6:30pm: list of performers online!
- Call for volunteers! Open positions on Boards/Commissions/Committees. See www.wnewbury.org/volunteer
- Reminder to subscribe for emailed Town news/announcements at <https://www.wnewbury.org/subscribe>

Regular Business

- A. Update regarding Rocks Village Bridge – *Rep. Lenny Mirra*
- B. Notice of Standard & Poor's upgrade of West Newbury to AAA bond rating
- C. Requests for appointment
 - a. Karen Holmes to Affordable Housing Trust
 - b. Michael Dacey to Climate Change Resiliency Committee
 - c. David Parrott to Open Space Committee
- D. Review of Election calendar; Approval of election warrant; Approval of election workers and constables
- E. Discussion of COVID protocols, and whether time lost due to COVID-19 will count as sick time
- F. Cont'd discussion of date options for Fall 2022 Special Town Meeting; Set date for close of Fall Special Town Meeting warrant
- G. Updates regarding Soldiers & Sailors building
- H. Discussion of water / potential for study of regional opportunities
- I. Discussion of potential next steps from recent Page/Pipestave/Rte 113 safety audit, and potential to pursue Safe Routes to Schools grant
- J. Sample report from another town's review of public land for feasibility for ground-mounted solar
- K. Designate Board representative to attend regional meeting to review Pentucket Regional Agreement
- L. Meeting minutes: March 14, 2022; June 27, 2022

Town Manager Updates

- M. Preliminary update re FY22 year-end expense and revenue numbers (actual v. budgeted)
- N. Update on Water Dept. work toward filing for State Revolving Fund (SRF) funding for Prospect/Church Street water main replacements
- O. River Access Committee eligibility application to Community Preservation Committee
- P. Updates regarding Middle Street Bridge
- Q. Recap of recent meeting regarding Mill Pond All Access Trail conceptual design process
- R. Update on status of The Collins Center employee wage & classification study
- S. Mailing of affordable housing monitoring letters for Local Action Units under Local Initiative Program
- 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: 897 1383 8443
Passcode: 531035

Join at: <https://us06web.zoom.us/j/89713838443?pwd=Zmx3c2VpNnBHY3paU21ncUtENjFCQT09>

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.



Town of West Newbury Select Board

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

July 2022

Greetings Veterans,

We have an exciting opportunity for a West Newbury Veteran!

West Newbury is a member of the Eastern Essex District Department of Veteran Services, which consists of six towns. There is an open position on the Board of Directors for a West Newbury. The Board of Directors consists of one person from each town, either a Select Person or Designee. The Town of West Newbury Select Board has decided that having a Veteran on the Board would be beneficial to all the Veterans within the town.

The responsibility of the Board Member would be to attend the quarterly meetings, with at least 1 additional meeting regarding the budget. The Board Member will be the liaison between the Veterans, the District Director (Veteran Service Officer), and the Eastern Essex District Department of Veteran Services District Board of Directors.

If you think you might be interested in volunteering for this opportunity, please contact the Select Board at selectboard@wnewbury.org or call 978-363-1100 x110 for more information.

Very Respectfully,

David Archibald
Chair



Please join us
for a ceremony to designate
West Newbury
as a
*Purple Heart
Community*



Sunday, August 7 at 1:00 pm

at the Town Bandstand*

381 Main Street, West Newbury

NATIONAL PURPLE HEART DAY

*backup location: Town Offices Annex



381 Main Street, West Newbury | 978-363-1100

Packet for Select Board meeting on 7/25/22



Town of West Newbury Massachusetts

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

[Home](#) > [Page School Playground](#)

Page School Playground

Now Open for Play!





Thanks to all of the families and children who attended last week's ribbon-cutting for the new Page School Playground - the event was a big success!

This project was supported by a vote of Town Meeting in June, 2020, and funded by Community Preservation Act funds.

The community's main focus for this project was to create an inclusive playground that welcomes all types of users. As part of the design process, the community received hundreds of concept drawings and ideas from students in Page School Grades K-6. Drawing from this extensive community input, this objective has been achieved.

We look forward to seeing this playground become a gathering place for families and friends to play for many years to come.

West Newbury Summer Concert Series

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

June 23
Thomas Machine Works Band
Country/Rock

June 30
Rust Never Sleeps
Neil Young Tribute

July 7
Liz Frame and the Kickers
Original Americana

July 14
Idlewild :
A Celebration of the
Allman Brothers Band

July 21
Way Up South
Original Rock

July 28
Gary Backstrom Band
Original Rock

Aug 4
The Rum Runners String Band
Bluegrass/Americana

Aug 11
Live Dead
Grateful Dead Tribute

Aug 18
Ann Marie and Marquis
Guitar/Piano Duo

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!



SAGE CENTER
social | activities | growth | education

Please join us for the SAGE Center's

Ice Cream Socials

Thursday evenings

West Newbury Town Bandstand

July 21 and August 25 from 6:30 - 8:00 pm

Here's the scoop

All are welcome to enjoy an ice cream at
the Bandstand Summer Concerts.

Sponsored by the SAGE Center.



West Newbury Council on Aging | SAGE Center

Packet for Select Board meeting on 7/25/22 West Newbury
978-563-1104 | coa@wnewbury.org



Town of West Newbury Select Board

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

June 27, 2022

To: Secretary Jamey Tesler, MassDOT
 RE: Rocks Village Bridge -Truck Restrictions
 Dear Secretary Tesler,

On March 17, 2022 an over height truck struck the Rocks Village Bridge and since then the bridge has been closed to all vehicular and foot traffic. This is the third time in the last 4 years that the Rocks Village Bridge has been closed to all traffic due to an over height truck using and damaging the bridge. This recent collision has caused the most significant damage, with the timeline for repairs and reopening still uncertain.

The Select Board unanimously agreed that the MassDOT should designate a permanent truck restriction for the bridge. The Board also strongly urges the installation of height restriction warning signals, similar to that on Storrow Dr. and Soldier Field Rd., on both sides of the river crossing, and additional signage along Routes 110 and 113 informing drivers that truck travel over the bridge is restricted to vehicles under 12 feet 6 inches.

The problems resulting from this recent incident have been compounded by current gas prices. School buses now must take considerably longer routes to transport Merrimac students to and from Pentucket Regional Middle and High Schools and to transport Groveland and West Newbury students to and from the Whittier Regional Vocational Technical High School. Additionally, any shared employees between communities on both sides of the river are now extraordinarily affected by this additional travel time and cost. This is in addition to the significant inconvenience (and cost) to residents of West Newbury, Haverhill, and others within the region whose regular travel routes rely on use of the Rocks Village Bridge.

The Select Board is hopeful that the MassDOT will make the changes requested to prevent this from happening in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "David Archibald".

David Archibald, Chair
 West Newbury Select Board

CC: Mayor Fiorentini, Haverhill Council
 President Jordon, Senator Tarr,
 Senator DiZoglio, Representative
 Mirra, Representative Vargas, and
 Representative Kelcourse

Town Manager

From: Town Manager
Sent: Friday, July 15, 2022 4:53 PM
To: David Archibald; Rick Parker; Wendy Reed
Cc: Town Clerk; DPW Director
Subject: Fwd: Bridge Strike - Rocks Village Bridge over the Merrimack River
Attachments: Rocks village-3.pdf

Your guess (as to timing) is as good as mine.

Begin forwarded message:

From: "Fielding, Daniel (DOT)" [REDACTED]
Date: July 15, 2022 at 4:42:06 PM EDT
Subject: Re: Bridge Strike - Rocks Village Bridge over the Merrimack River

Good afternoon - the following is an update on the status of the Rocks Village Bridge in response to the over height vehicle strike that occurred on 3/17. As previously reported, the impact occurred mid span within the section of the bridge that swings open for marine traffic. Based on this, the repairs have been developed/completed in phases. The first phase, which incorporated temporary, interim work to add structural elements to act in place of the damaged components, was substantially completed and the swing span was safely swung open on May 27th. Since that time, the contractor has been working to temporarily support the swing span on the bridge fender system using timber blocking and jacks. That work, which is shown in the attached photo, was completed last week. The channel remains available for use by marine traffic that normally requires the bridge to be opened. The bridge will remain unavailable to pedestrians, bicyclists and vehicles until the permanent repairs are completed and the bridge is returned into service.

The jacking procedure, which will be used to remove the loading from the damaged components, has been approved. The shop drawings for the new structural steel elements were approved this week, allowing fabrication of the components to take place. Fabrication of the longer lead items will commence next week. We are estimating that fabrication and delivery of the new steel components to the site will take approximately 4 weeks. Installation of the new structural steel components would commence thereafter. In an effort to expedite the completion of the work, MassDOT worked with the contractor to modify the work plan to avoid the need for environmental permitting that could have delayed the start of the permanent repairs. MassDOT is working with the contractor to determine the feasibility of removing some of the damaged components ahead of the arrival of the new components to compress the schedule. MassDOT will also review the feasibility and benefits associated with utilizing extended work shifts during the installation of the new steel components in order to advance the final phase of work as quickly as possible so the bridge can safely be restored to normal operations.

Dan Fielding
Legislative Liaison
Massachusetts Department of Transportation
10 Park Plaza Suite 4160 | Boston, MA 02116
Office: [REDACTED]



Town Manager

From: Derricks, Tammy [REDACTED]
Sent: Monday, July 11, 2022 9:31 AM
To: Laurie Zywiak; Town Manager; Town Accountant; Town Treasurer;
[REDACTED]
Cc: [REDACTED]
Subject: S&P Global Rating Report - Town of West Newbury_MA (982483)
Attachments: West Newbury_Massachusetts_Jul-7-2022 (982483).PDF

Town of West Newbury,

Attached please find the rating report for the transaction reflected above.

Should you have any questions regarding the rating or contents, please contact the primary analyst.

If you need any further assistance, please don't hesitate to contact me.

Thank you for choosing S&P Global.

Regards,

Tammy Derricks, She/Her
Senior Ratings Operations Specialist

S&P Global Operations
Dallas, Texas
[REDACTED]
[REDACTED]



Please use our Ratings Request Platform at Platform.ratings360.spglobal.com. This easy-to-use tool allows you to share all the relevant transactional details and documentation, indicate time frames, and set up meetings directly with the ratings team. If you don't already have an ID and password, kindly visit <https://www.spglobalratings360.com/r360/requestaccess> to request one. A welcome letter with your credentials will be sent to you within 24 hours.

The information contained in this message is intended only for the recipient, and may be a confidential attorney-client communication or may otherwise be privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, please be aware that any dissemination or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by replying to the message and deleting it from your computer. S&P Global Inc. reserves the right, subject to applicable local law, to monitor, review and process the content of any electronic message or information sent to or from S&P Global Inc. e-mail

RatingsDirect®

Summary:

West Newbury, Massachusetts; General Obligation

Primary Credit Analyst:

Melissa Stoloff, Boston ([REDACTED]

Secondary Contact:

Christian Richards, Washington D.C. + [REDACTED]

Table Of Contents

Rating Action

Stable Outlook

Credit Opinion

Related Research

Summary:

West Newbury, Massachusetts; General Obligation

Credit Profile

West Newbury GO	AAA/Stable	Upgraded
<i>Long Term Rating</i>		

Rating Action

S&P Global Ratings raised its long-term rating on West Newbury, Mass.' existing general obligation (GO) debt by one notch to 'AAA' from 'AA+'. The outlook is stable.

The one-notch upgrade reflects the town's improved reserve levels from 28% of expenditures, or \$4.1 million, at fiscal year-end 2018 to 34% of expenditures (\$5.4 million) at FYE 2021. In addition, surplus operating performance over the last three fiscal years has resulted in reserves significantly higher than state-peers, which we expect it will maintain.

West Newbury's full-faith-and-credit pledge, subject to Proposition 2-1/2 limitations, secures the GO debt outstanding. Despite commonwealth levy-limit laws, we do not make a rating distinction between the town's limited-tax GO pledge and general creditworthiness because our analysis of the town's financial and economic conditions already includes the limitation imposed on the town's revenue-raising ability.

Credit overview

West Newbury's strong residential economy and consecutive budgetary surpluses support its credit profile. We expect the town will maintain the budgetary flexibility to address rising and fixed costs among ongoing economic uncertainty, and that the strong financial management environment will continue to adhere to the financial practices that have been implemented over the course of four years. We do not expect to revise the rating during the outlook period.

West Newbury is eligible to be rated above the sovereign because we believe the town can maintain better credit characteristics than the nation in a stress scenario. Under our criteria, "Ratings Above The Sovereign: Corporate And Government Ratings—Methodology And Assumptions", published Nov. 19, 2013, the town has a predominately locally derived revenue source that supports our view that debt repayment is at limited risk of negative sovereign intervention.

The rating reflects our opinion of the town's:

- Affluent residential economic base that benefits from participation in the broad and diverse Boston metropolitan statistical area (MSA);
- Implementation of additional financial policies and practices and a strong institutional framework score;
- Stable financial performance with five consecutive years of surpluses, bolstering very strong reserve levels; and

- Very manageable debt profile with potential medium-term debt plans, and pension and other postemployment benefits (OPEB) liabilities do not present a credit pressure.

Environmental, social, and governance

We assessed West Newbury's environmental, social, and governance (ESG) factors relative to its economy, management, financial measures, and debt and liability profile and determined they are neutral within our credit analysis. The town's location along the Merrimack River could expose it to potential flooding risks, however it maintains a climate change resiliency committee to evaluate potential impacts of sea level rise to the river. In addition, the town is a participant in the Municipal Vulnerability Preparedness (MVP) program which allows it to leverage grant funds to address environmental needs.

Stable Outlook

Downside scenario

We could consider a negative rating action if financial performance deteriorates, if reserves are significantly drawn down, or if additional debt issuances pressure the town's financial profile.

Credit Opinion

Stable residential economy with consistent growth

West Newbury is a small, affluent community 40 miles north of Boston in Essex County. Residents benefit from access to employment opportunities in and around the Boston MSA due to their proximity to a commuter rail line and Interstate 95. The community is predominantly residential, as residential properties make up 98% of its tax base. Tax base growth has been steady, with most recent new growth attributed to renovations and additions to existing structures. This trend is also demonstrated by the growth in assessed valuation (AV) of approximately 5% over the past three years. Overall, we expect the town's economy will remain at very strong levels.

Strong financial management environment with implementation of additional formal policies

The town began updating its policies in 2018 and has adopted additional financial policies over the past four years. The policies are well-embedded in its practices and the town adhered to them since implementation. Highlights of the financial policies and practices include:

- Strong revenue and expenditure assumptions when budgeting;
- Regular budget monitoring with monthly reporting to the board, as well as willingness to make adjustments as needed;
- Annual updates to a formal 10-year capital plan that identifies projects and funding sources;
- A formal investment policy with reporting provisions; and
- Debt management and reserve policies outlining minimum thresholds and targets.

The multiyear budget and capital plans provide a framework to discuss future capital expenditures and their overall effect on operations throughout the town's concurrent annual budget and capital planning process. The adopted debt

management policy limits debt service to a maximum of 10% of general fund revenue, which the town is well below. In addition, the adopted reserve policy targets maintaining overall reserves at 10% to 15% of annual budget, inclusive of 5% for free cash balances and 5% for general stabilization. Lastly, the town has measures in place to mitigate cybersecurity risks.

Stable financial performance bolstering very strong reserve levels

Since our last review, the town has demonstrated strong financial performance and has generated surpluses in each of the past five years. We attribute the surpluses to robust revenue performance and budgeting assumptions that have resulted in departments not expending their full budget appropriations. The town's revenue profile is consistent, with property tax at 88% and state aid at 3%, and collections of the tax levy have been stable. Despite rising health and pension costs, we do not expect material pressure to the town's budgetary performance.

In fiscal 2021, the town generated a surplus of \$923,000 primarily due to robust revenue collections coupled with expenditure returns. For fiscal 2022, West Newbury anticipates a surplus as a result of revenues outperforming the budget and the expectation that expenditures will remain relatively flat. The fiscal 2023 budget totals \$17.3 million and is an approximate 4% increase over the previous year; we expect that the town will generate at least breakeven results based on its past budgetary performance. The budget also appropriates approximately \$397,000 from fund balance for a portion of the Pentucket school project debt service.

The town has been allocated \$1.4 million in American Rescue Plan Act (ARPA) funds; the funds have not been appropriated, but management expects it will go toward infrastructure or other one-time capital needs.

West Newbury has consistently maintained available reserve balances above 30% for the past three fiscal years, which we expect will continue and adds significant budgetary flexibility relative to state peers. While it finances ongoing capital projects from the capital stabilization fund, which is accounted for in general reserves, and its community preservation trust fund outside the general fund, we do not expect the town will materially drawdown its balance due to its history of budgeting a line-item appropriation to reserves. The town also expects to appropriate about \$400,000 from its school stabilization fund, also housed in the general fund, each fiscal year through 2025, with a lesser amount projected in 2026, to support the high school construction project debt service. West Newbury also maintains roughly \$1.6 million in unused levy capacity, which is equivalent to about 10% of the fiscal 2022 general fund budget. We believe this additional tax levy capacity allows the town to incorporate rising costs without needing to seek a voter-approved override of Proposition 2 1/2. We also believe that the town's property tax rate of \$13.01 per \$1,000 of AV is somewhat lower than the state average. Overall, we believe budgetary flexibility will remain stable over the next several years given its consistent financial performance and maintenance of very strong reserve levels.

Lastly, West Newbury does not have any contingent liquidity risk from financial instruments with payment provisions that change on certain circumstances, nor does it use investment vehicles that we consider permissive.

Manageable debt profile, but potential for additional debt plans over the outlook period

West Newbury has \$3.3 million in direct debt outstanding, of which \$1.6 million is self-supported by user fees in the water fund. We understand the town has capital needs over the medium-term that could be bond-funded if other financing sources are not available. These plans include approximately \$1 million to complete the Middle Street bridge project in coordination with Newburyport, as well as a potential land acquisition to serve as a future water source. The

town is considering use of its community preservation fund and obtaining grants to fund the projects but could seek financing to complete the projects. These potential debt issuances could weaken debt ratios, but we do not expect it would materially pressure the rating.

Also of note is Pentucket Regional School District's outstanding debt of \$100 million, of which West Newbury's share is approximately 28%. The town has previously voted to exclude the debt service from Proposition 2 1/2 limitations and maintains a School Stabilization Fund to pay for a portion of the debt service.

Pension liabilities likely to increase, but maintenance of a well-funded OPEB plan

- We believe West Newbury's pension liabilities are manageable, but costs could rise as the retirement system has below-average funded ratios and somewhat optimistic assumptions.
- We also view the town's overfunded OPEB liability as a credit positive.

West Newbury participates in the following as of June 30, 2021:

- Essex Regional Retirement System: 59.7% funded using a 7.3% discount rate, with a net pension liability of \$7.5 million.
- A defined-benefit OPEB health care for retirees: 105% funded, with a \$125,000 net OPEB asset.

West Newbury has historically made its full actuarially determined contribution to its pension plan and has made its full contribution for fiscal 2022. Because of the county retirement system's low-funded ratios, we believe pension costs will likely increase over the next few years as the plan works to achieve full funding by 2035. However, the town's OPEB liability is minimal which we view as a credit positive. The OPEB trust fund was overfunded by \$125,000 as of the last actuarial valuation.

Strong institutional framework

The institutional framework score for Massachusetts municipalities is strong.

West Newbury Town, Massachusetts Key Credit Metrics				
	<u>Most recent</u>	<u>Historical information</u>		
		2021	2020	2019
Very strong economy				
Projected per capita EBI % of U.S.	182			
Market value per capita (\$)	212,952			
Population		4,704	4,665	
County unemployment rate(%)	6.4			
Market value (\$000)	1,001,724	1,001,724	977,745	
Ten largest taxpayers % of taxable value	3.7			
Strong budgetary performance				
Operating fund result % of expenditures	4.2	6.2	6.1	
Total governmental fund result % of expenditures	6.9	7.3	9.9	
Very strong budgetary flexibility				
Available reserves % of operating expenditures	38.8	37.8	38.4	

West Newbury Town, Massachusetts Key Credit Metrics (cont.)

	Most recent	Historical information		
		2021	2020	2019
Total available reserves (\$000)		6,222	5,672	5,677
Very strong liquidity				
Total government cash % of governmental fund expenditures		38	31	47
Total government cash % of governmental fund debt service		1718	1012	1451
Strong management				
Financial Management Assessment	Good			
Very strong debt & long-term liabilities				
Debt service % of governmental fund expenditures		2.2	3.0	3.2
Net direct debt % of governmental fund revenue	10			
Overall net debt % of market value	0.2			
Direct debt 10-year amortization (%)	32			
Required pension contribution % of governmental fund expenditures	4.3			
OPEB actual contribution % of governmental fund expenditures	0.5			
Strong institutional framework				

EBI--Effective buying income. OPEB--Other postemployment benefits. Data points and ratios may reflect analytical adjustments.

Related Research

Through The ESG Lens 3.0: The Intersection Of ESG Credit Factors And U.S. Public Finance Credit Factors, March 2, 2022

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.capitaliq.com. All ratings affected by this rating action can be found on S&P Global Ratings' public website at www.standardandpoors.com. Use the Ratings search box located in the left column.

Copyright © 2022 by Standard & Poor's Financial Services LLC. All rights reserved.

No content (including ratings, credit-related analyses and data, valuations, model, software or other application or output therefrom) or any part thereof (Content) may be modified, reverse engineered, reproduced or distributed in any form by any means, or stored in a database or retrieval system, without the prior written permission of Standard & Poor's Financial Services LLC or its affiliates (collectively, S&P). The Content shall not be used for any unlawful or unauthorized purposes. S&P and any third-party providers, as well as their directors, officers, shareholders, employees or agents (collectively S&P Parties) do not guarantee the accuracy, completeness, timeliness or availability of the Content. S&P Parties are not responsible for any errors or omissions (negligent or otherwise), regardless of the cause, for the results obtained from the use of the Content, or for the security or maintenance of any data input by the user. The Content is provided on an "as is" basis. S&P PARTIES DISCLAIM ANY AND ALL EXPRESS OR IMPLIED WARRANTIES, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE, FREEDOM FROM BUGS, SOFTWARE ERRORS OR DEFECTS, THAT THE CONTENT'S FUNCTIONING WILL BE UNINTERRUPTED OR THAT THE CONTENT WILL OPERATE WITH ANY SOFTWARE OR HARDWARE CONFIGURATION. In no event shall S&P Parties be liable to any party for any direct, indirect, incidental, exemplary, compensatory, punitive, special or consequential damages, costs, expenses, legal fees, or losses (including, without limitation, lost income or lost profits and opportunity costs or losses caused by negligence) in connection with any use of the Content even if advised of the possibility of such damages.

Credit-related and other analyses, including ratings, and statements in the Content are statements of opinion as of the date they are expressed and not statements of fact. S&P's opinions, analyses and rating acknowledgment decisions (described below) are not recommendations to purchase, hold, or sell any securities or to make any investment decisions, and do not address the suitability of any security. S&P assumes no obligation to update the Content following publication in any form or format. The Content should not be relied on and is not a substitute for the skill, judgment and experience of the user, its management, employees, advisors and/or clients when making investment and other business decisions. S&P does not act as a fiduciary or an investment advisor except where registered as such. While S&P has obtained information from sources it believes to be reliable, S&P does not perform an audit and undertakes no duty of due diligence or independent verification of any information it receives. Rating-related publications may be published for a variety of reasons that are not necessarily dependent on action by rating committees, including, but not limited to, the publication of a periodic update on a credit rating and related analyses.

To the extent that regulatory authorities allow a rating agency to acknowledge in one jurisdiction a rating issued in another jurisdiction for certain regulatory purposes, S&P reserves the right to assign, withdraw or suspend such acknowledgment at any time and in its sole discretion. S&P Parties disclaim any duty whatsoever arising out of the assignment, withdrawal or suspension of an acknowledgment as well as any liability for any damage alleged to have been suffered on account thereof.

S&P keeps certain activities of its business units separate from each other in order to preserve the independence and objectivity of their respective activities. As a result, certain business units of S&P may have information that is not available to other S&P business units. S&P has established policies and procedures to maintain the confidentiality of certain non-public information received in connection with each analytical process.

S&P may receive compensation for its ratings and certain analyses, normally from issuers or underwriters of securities or from obligors. S&P reserves the right to disseminate its opinions and analyses. S&P's public ratings and analyses are made available on its Web sites, www.standardandpoors.com (free of charge), and www.ratingsdirect.com (subscription), and may be distributed through other means, including via S&P publications and third-party redistributors. Additional information about our ratings fees is available at www.standardandpoors.com/usratingsfees.

STANDARD & POOR'S, S&P and RATINGS DIRECT are registered trademarks of Standard & Poor's Financial Services LLC.



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: Karen Holmes

Address: [REDACTED]

e-mail: [REDACTED]

Mobile phone: [REDACTED] Home phone: [REDACTED]

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

Affordable Housing Trust

Current or past committees served on: [REDACTED]

Relevant skills, expertise and education: I currently serve on the Board of Directors of Emmaus House in Haverhill, which provides housing, shelter and support for the homeless. I am a doctor of physical therapy and have an MBA. I owned a private practice for 15 years in Salisbury and am well aware that many people in this area have financial challenges.

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: _____

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: Michael Dacey

Address:

e-mail:

Mobile phor

Home phone:

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

Climate Change Resiliency Committee

Current or past committees served on: none

Relevant skills, expertise and education: I have a MS Degree in Geology with a focus in sedimentology and coasal processes. I am also a Professional Geologist (NH) and Licenced Site Professional (MA) and have been an environmental consultant for 35 years.

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: 7/14/22

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:

Home phone: [REDACTED]

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

Open Space Committee

Current or past committees served on: Conservation Commission

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: Dal N

Date: 7/7/2022

Board/Committee

Appointing Authority

Date of Appointment

Sworn in



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

James RW Blatchford,
Town Clerk

TO: Select Board and Town Manager
 FROM: Town Clerk
 DATE: July 15, 2022
 RE: Poll Worker Appointments

According the long standing MGL C.54 S.12. "The selectmen of every town shall annually, not earlier than July fifteenth nor later than August fifteenth, appoint as election officers for each voting place or precinct...".

With approval of this list, I will work to fill out the schedule for Early Voting and the September 6th Primary day. Under the newly passed VOTES ACT the Town/City Clerk has been granted additional appointing authority closer to the election date. In an emergency if I am unable to fill all shifts with the approved workers three weeks before an election, the clerk will be able to "fill vacancies by appointing any competent person, without regard to party, residence, or a list from a local party committee."

Additionally effective immediately, the law regarding assignment of police officers at polling places is amended to require the select board, town council, or city council to assign police officers and constables to polling places. Previously, this was the responsibility of the chief of police.

Date	Day	Hours	Description	Location
August 23, 2022	Tues.	10am & 2pm	Training for Election Workers	381 Main St.
August 27, 2022	Sat.	9am - 5pm	Last Day to Register to vote before Primary Election	381 Main St. - Clerk's Office
August 27, 2022	Sat.	9am - 4pm	First Day of Early Voting and Weekend Early Voting	381 Main St. - Annex
August 28, 2022	Sun.	9am - 4pm	Weekend Early Voting	381 Main St. - Annex
August 29, 2022	Mon.	9am - 4pm	Early Voting	381 Main St. - Annex
August 29, 2022	Mon.	8am - 5pm	Last day to request a ballot be mailed to your home	381 Main St. - Clerk's Office
August 30, 2022	Tues.	9am - 4pm	Early Voting	381 Main St. - Annex
August 30, 2022	Tues.	3pm - 7pm	Late Night for Early Voting	490 Main St - G.A.R. Library
August 31, 2022	Wed.	9am - 4pm	Early Voting	381 Main St. - Annex
September 1, 2022	Thurs.	9am - 4pm	Early Voting	381 Main St. - Annex
September 2, 2022	Fri.	9am - 4pm	Last day of Early Voting	381 Main St. - Annex
September 5, 2022	Mon.	Closed	Labor Day	
Septemeber 6, 2022	Tues.	7am - 8pm	Primary Election	381 Main St. - Annex

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

WARRANT FOR SEPTEMBER 6, 2022 STATE PRIMARY

SS.

To the Constables of the Town of West Newbury

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Primaries to vote at:

Precinct 1

Annex at the Town Offices, 381 Main Street

on **TUESDAY, THE SIXTHS DAY OF SEPTEMBER, 2022**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Primaries for the candidates of political parties for the following offices:

GOVERNOR.....	FOR THIS COMMONWEALTH
LIEUTENANT GOVERNOR.....	FOR THIS COMMONWEALTH
ATTORNEY GENERAL.....	FOR THIS COMMONWEALTH
SECRETARY OF STATE.....	„FOR THIS COMMONWEALTH
TREASURER.....	FOR THIS COMMONWEALTH
AUDITOR.....	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.....	SIXTH DISTRICT
COUNCILLOR.....	FIFTH DISTRICT
SENATOR IN GENERAL COURT.....	FIRST ESSEX AND MIDDLESEX DISTRICT
REPRESENTATIVE IN GENERAL COURT.....	14 TH ESSEX DISTRICT
DISTRICT ATTORNEY.....	EASTERN DISTRICT
SHERIFF	ESSEX COUNTY

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of _____, 2022.

Select Board for the Town of West Newbury

Pursuant to the Warrant, I have this day notified and warned the inhabitants of the Town of West Newbury as herein directed by posting six attested copies of the Warrant in said West Newbury, (Town Hall, 1910 Town Office Building, G.A.R. Memorial Library, West Newbury Post Office, Laurel Grange, and the West Newbury Public Safety Building) seven days at least before the time and calling of said election.

_____, 2022.
Constable (month and day)

Warrant must be posted no later than August 30, 2022, per MGL Chapter 39, Section 10; MGL Chapter 53, Section 63

First name	Last name	Party	Position
Sharon	Plummer	R	Warden
Dot	Cavanaugh	D	Clerk
Caleigh	Holden	D	Clerk-in-training
Mike	McCarron	R	Vote-by-mail Supervisor

Address



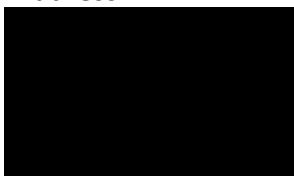
First name	Last name	Party	Position
Mona	Berkenbush	U	Election Worker
Katelyn	Bradstreet	D	Election Worker
Sandra	Capo	U	Election Worker
Christine	Clooney	R	Election Worker
Heather	Conner	U	Election Worker
Lynn	Delaney	U	Election Worker
Gail	Dinardo	U	Election Worker
Susan	Dougherty	D	Election Worker
Diane	Farnell	U	Election Worker
Dianne	Faulkner	R	Election Worker
Jennifer	Germain	R	Election Worker
John	McGrath	U	Election Worker
Leisa	Mingo	R	Election Worker
Jennifer	Pepper	D	Election Worker
Marge	Peterson	D	Election Worker
Jennifer	Poliseno	R	Election Worker
Mark	Powers	U	Election Worker
Deborah	Powers	U	Election Worker
Jennifer	Reardon	R	Election Worker
Marlene	Switzer	D	Election Worker
Nancy	Wile	U	Election Worker

Address



First name	Last name	Party	Position
Richard	Davies	U	Constable
Brian	Richard	U	Constable
Robin	Shively	U	Constable

Address



Town Manager

From: Paul Sevigny
Sent: Thursday, July 14, 2022 11:37 AM
To: Town Manager
Cc: Town Accountant; Finance Admin
Subject: RE: COVID-19 updates: DPH updated face covering advisory; and updated COVID protocols for 1910 Building

Sounds good. The only thing beyond CDC guidelines would be to continue to allow employees, not to use accrued sick time, for Covid related sickness/time off. Some of us have plenty of accrued sick time, however, there are many newer employees or veteran employees who are not that fortunate because of past medical conditions, etc.

From: Town Manager <townmanager@wnewbury.org>
Sent: Thursday, July 14, 2022 8:40 AM
To: Paul Sevigny <psevigny@wnewbury.org>
Cc: Town Accountant <townaccountant@wnewbury.org>; Finance Admin <finance.admin@wnewbury.org>
Subject: Re: COVID-19 updates: DPH updated face covering advisory; and updated COVID protocols for 1910 Building

The policy lapsed on 6/30 but could be restored. This will be on 7/25 agenda. What is your recommendation? In the meantime, sick time should be noted on payroll. If the policy ends up being restored the accruals could be revised at that time.

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

Sent from my mobile device

On Jul 14, 2022, at 7:38 AM, Paul Sevigny <psevigny@wnewbury.org> wrote:

Good Morning,

With Covid variants being highly contagious and wide spread, I would expect several more employees to be positive over the next several months. Has the Town's Covid policy been revised or allowed to expire? In particular, do we use our accrued sick time or put Covid on payroll?

From: Town Manager <townmanager@wnewbury.org>
Sent: Wednesday, February 16, 2022 8:34 PM
Subject: COVID-19 updates: DPH updated face covering advisory; and updated COVID protocols for 1910 Building

Hi all,

You may have heard about updated guidance, issued yesterday by the Dept of Public Health, regarding guidelines for wearing masks indoors. A copy is attached, along with (forwarded below) the DPH announcement received yesterday.

This is to affirm that there is a continued requirement that everyone entering Town buildings continues to be required to wear face masks in all public areas; maintain physical distance of 6 feet; and sanitize hands before and after touching services used by others.

In response to changes to CDC guidelines in January, revisions were made to the Employee COVID-19 Exposure Protocol. Among other changes, this updated version incorporates the CDC Quarantine and Isolation Guidelines as of January 20, 2022. The revised version of the protocol, which was prepared in collaboration with the Health Agent, is posted to the Town website [here](#), and is attached in Word format to illustrate which changes were approved.

As has been the case throughout the pandemic, the Town will make accommodations for employees who need or wish to work remotely. If you or any of your employees would like to know more about this, please contact me or Stephanie.

Thanks,
Angus

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

From: McCarthy-Licorish, Lisa N (DPH) <Lisa.N.McCarthy-Licorish@mass.gov>

Sent: Tuesday, February 15, 2022 11:08 AM

To: McCarthy-Licorish, Lisa N (DPH) <lisa.n.mccarthy-licorish@state.ma.us>

Subject: DPH updated face covering advisory

Good morning, everyone –

Today, the Department of Public Health (DPH) is releasing updated guidance regarding the use of face coverings and masks by individuals who are fully vaccinated against COVID-19.

Recognizing that Massachusetts is a national leader in vaccine acceptance, and in light of recent improvements in COVID-19 indicators, the DPH now advises that a fully vaccinated person should wear a mask or face covering when indoors (and not in your own home) if you have a weakened immune system, or if you are at increased risk for severe disease because of your age or an underlying medical condition, or if someone in your household has a weakened immune system, is at increased risk for severe disease or is unvaccinated.

Individuals who are not fully vaccinated should continue to wear a face covering or mask when indoors with others to help prevent spreading COVID-19 to other people.

Individuals who have tested positive or are a close contact of someone with COVID-19 must follow the [isolation and quarantine guidance](#) which includes wearing a mask in public for 5 more days after leaving isolation or quarantine on day 5, regardless of vaccination status.

All people in Massachusetts (regardless of vaccination status) are required to continue wearing face coverings in certain settings, including on public transportation and in health care facilities. Please see www.mass.gov/maskrules for a complete list of venues where face coverings have remained mandatory since May 29, 2021.

Jana Ferguson
Assistant Commissioner
MA Department of Public Health
Jana.Ferguson@mass.gov



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

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

Applicability

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

Vaccination

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

Hygiene, Face Masks and Distancing

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

COVID19 Symptoms

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

Isolation and Quarantine Guidelines

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

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

Compensation During Time Off

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

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

Non-Workplace Exposure

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

Sunset Date

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

Date of adoption: November 15, 2021

Amended: December 20, 2021

Amended: February 16, 2022

Amended: April 12, 2022

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

When to Stay Home

Calculating Quarantine

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

IF YOU Were exposed to COVID-19 and are NOT up to date on COVID-19 vaccinations	Quarantine for at least 5 days	After quarantine	Take precautions until day 10
	Stay home Stay home and quarantine for at least 5 full days. Wear a well-fitting mask if you must be around others in your home. Do not travel. Get tested Even if you don't develop symptoms, get tested at least 5 days after you last had close contact with someone with COVID-19.	Watch for symptoms Watch for symptoms until 10 days after you last had close contact with someone with COVID-19. Avoid travel It is best to avoid travel until a full 10 days after you last had close contact with someone with COVID-19. If you develop symptoms Isolate immediately and get tested . Continue to stay home until you know the results. Wear a well-fitting mask around others.	Wear a well-fitting mask Wear a well-fitting mask for 10 full days any time you are around others inside your home or in public. Do not go to places where you are unable to wear a well-fitting mask. If you must travel during days 6-10, take precautions. Avoid being around people who are more likely to get very sick from COVID-19.
IF YOU Were exposed to COVID-19 and are up to date on COVID-19 vaccinations	No quarantine You do not need to stay home unless you develop symptoms. Get tested Even if you don't develop symptoms, get tested at least 5 days after you last had close contact with someone with COVID-19.	Watch for symptoms Watch for symptoms until 10 days after you last had close contact with someone with COVID-19. If you develop symptoms Isolate immediately and get tested . Continue to stay home until you know the results. Wear a well-fitting mask around others.	Take precautions until day 10 Wear a well-fitting mask Wear a well-fitting mask for 10 full days any time you are around others inside your home or in public. Do not go to places where you are unable to wear a well-fitting mask. Take precautions if traveling Avoid being around people who are more likely to get very sick from COVID-19.

<p>IF YOU were exposed to COVID-19 and had confirmed COVID-19 within the past 90 days (you tested positive using a viral test)</p>	<p>No quarantine You do not need to stay home unless you develop symptoms.</p>	<p>Watch for symptoms Watch for symptoms until 10 days after you last had close contact with someone with COVID-19.</p> <p>If you develop symptoms Isolate immediately and get tested. Continue to stay home until you know the results. Wear a well-fitting mask around others.</p>	<p>Take precautions until day 10</p> <p>Wear a well-fitting mask Wear a well-fitting mask for 10 full days any time you are around others inside your home or in public. Do not go to places where you are unable to wear a well-fitting mask.</p> <p>Take precautions if traveling Avoid being around people who are more likely to get very sick from COVID-19.</p>
---	--	--	--

Calculating Isolation

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

<p>IF YOU Tested positive for COVID-19 or have symptoms, regardless of vaccination status</p>	<p>Stay home for at least 5 days Stay home for 5 days and isolate from others in your home. Wear a well-fitting mask if you must be around others in your home. Do not travel.</p>	<p>Ending isolation if you had symptoms End isolation after 5 full days if you are fever-free for 24 hours (without the use of fever-reducing medication) and your symptoms are improving.</p> <p>Ending isolation if you did NOT have symptoms End isolation after at least 5 full days after your positive test.</p> <p>If you got very sick from COVID-19 or have a weakened immune system You should isolate for at least 10 days. Consult your doctor before ending isolation.</p>	<p>Take precautions until day 10</p> <p>Wear a well-fitting mask Wear a well-fitting mask for 10 full days any time you are around others inside your home or in public. Do not go to places where you are unable to wear a mask.</p> <p>Do not travel Do not travel until a full 10 days after your symptoms started or the date your positive test was taken if you had no symptoms.</p> <p>Avoid being around people who are more likely to get very sick from COVID-19.</p>
--	---	--	--

DEFINITIONS

Exposure

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

Close Contact

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

Source:

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

Town Manager

From: Town Manager
Sent: Wednesday, June 8, 2022 8:25 PM
To: DPW Director
Subject: Re: Page School - SRTS next steps

Let's see how they wrap up the current contract first. We'll definitely pursue SRTS grant in fall, one way or another. But I'd rather not discuss w TEC til after July 1.

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

Sent from my mobile device

On Jun 8, 2022, at 7:14 PM, DPW Director <dpwdirector@wnewbury.org> wrote:

Angus,
What is your thoughts about having this as a fall article request? We will have to move fast – but they should be able to pull this off within a few weeks.

Wayne

From: Liz Oltman [REDACTED]
Sent: Wednesday, June 08, 2022 3:33 PM
To: DPW Director <dpwdirector@wnewbury.org>
Cc: Town Manager <townmanager@wnewbury.org>
Subject: RE: Page School next steps

Hi Wayne
It has not been announced as of yet. Last year it was opened in mid-October with a due date of December 1.
Liz

From: DPW Director <dpwdirector@wnewbury.org>
Sent: Wednesday, June 8, 2022 2:37 PM
To: Liz Oltman [REDACTED]
Cc: Town Manager <townmanager@wnewbury.org>
Subject: RE: Page School next steps

Liz,

Do you know the due date of the Fall SRTS application?

Wayne

From: Liz Oltman [REDACTED]

Sent: Wednesday, June 08, 2022 2:11 PM

To: DPW Director <dpwdirector@wnewbury.org>

Cc: Town Manager <townmanager@wnewbury.org>

Subject: Page School next steps

Hi Wayne and Angus,

The next step would occur when the next round of SRTS funding becomes available in the fall. Starting to solicit letters of support wouldn't hurt, though. Attached is our scope and fee to pull the application together.

I had a conversation with MassDOT District 4 planning engineer Tim Paris today to see if a sidewalk only project would be considered viable for the TIP. Unfortunately, he was not encouraging about this limited type of project moving forward. While there is a type of Complete Streets project that is "sidewalk only," he stated that the Complete Streets division of MassDOT has been requiring that all projects using state funds be designed to their full current bicycle and pedestrian standards, no matter how big or small. In the areas where the speed limit is 40 mph, they would require separated bicycle facilities, and it is likely that MassDOT would at a minimum require a 10-foot shared use path on one side of the roadway to accommodate both bikes and pedestrians. This speed limit occurs in the most challenging topography section of Main Street, where there is also a culvert crossing and wetlands concerns. I am hesitant to recommend moving forward with a TIP project without further feasibility review by highway and structural engineers.

However, he was positive about the SRTS application. The cap last year was \$1.5M for larger projects. I suggest that in addition to the preferred crossing concept, the proposal could include a wider sidewalk/narrower shared use path that extends toward the Mill Pond area driveway as a "first step" in the overall desired sidewalk planning that may be acceptable as bicycle infrastructure. This connection might gain some support from the equestrians who use the trails in the area in addition to the residents. I will note that a wider sidewalk may require a retaining wall, which gets expensive quickly, therefore the limited distance.

Happy to discuss further next week.

Best,

Liz

Elizabeth Oltman, P.E.

Transportation Planning & ITS Services Director

T [REDACTED]



From: DPW Director <dpwdirector@wnewbury.org>

Sent: Wednesday, June 8, 2022 8:55 AM

To: Liz Oltman [REDACTED]

Cc: Town Manager <townmanager@wnewbury.org>

Subject: RE: TEC May invoice

Liz,

Thanks for attending the meeting the other night. I think we are 99% there.

If the report is approved by the Select Board at our next meeting and your contract is closed out. What would be our next steps to get this on the SRTS future project list? Can you prepare a scope with cost estimates?

Thanks,

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



CLIENT AUTHORIZATION

New Contract

Project No.: _____

Amendment No.:

Date: June 8, 2022

Project Name: Safe Routes to School Grant Support; West Newbury, MA

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

Fee Proposal	
Estimated Labor	\$ 6,500.00
TOTAL	<hr/> \$ 6,500.00

Requested by: Client

Lump Sum Time & Expenses
 Cost + Fixed Fee Other

Estimated Date of Completion: One week prior to the announced SRTS grant application deadline.

Scope of Services:

The Town of West Newbury (Client) has retained TEC, Inc. (TEC) to provide engineering services to support the Town in preparing applications for a MassDOT Safe Routes To School (SRTS) infrastructure grant.

Task 1 – Application Support

\$6,500.00

- Prepare technical narratives for the proposed Safe Routes to School project based upon the Traffic Safety Audit findings and resulting preferred alternative improvement plans.
 - Prepare a site location map for the proposed Safe Routes to School project on available aerial mapping, including project location, limits, and general information to clarify the request.
 - Coordinate with the Town Manager and Page School Administration for school information and demographics required.
 - Prepare and assemble additional supporting documents, such as photographs, letters of support from Town stakeholders, the Traffic Safety Audit, and prior SRTS reports.
 - Prepare a planning-level cost estimate for the preferred alternative to determine the level of funding required.
 - Attend one (1) Select Board meeting to present the application for Town endorsement.
 - Provide all documents and narratives for submission by the Town through the MassDOT MapIT Portal (Project Intake Tool).

Additional services not listed above may be performed at the request of the Client and will be considered an amendment to this agreement. Services will begin upon signed authorization of this agreement. TEC will invoice the Client monthly on a percent complete basis for the services performed. This proposal is valid for a period of 45 days.

Project Manager and Approver: EMO

Please execute this Client Authorization for TEC, Inc. to proceed with the above scope of services at the stated estimated costs. No services will be provided until it is signed and returned to TEC.

- Subject to attached terms & conditions
 Subject to terms & conditions in our original agreement

TEC, Inc. Authorization



By:

Title: Principal/Director of Business Development Title

Date: June 8, 2022

Client Authorization

(Please sign original & return)

By

Date

Town Manager

From: Arielle Magliulo [REDACTED]
Sent: Thursday, July 21, 2022 1:18 AM
To: Rick Parker; Arthur Wallace
Cc: Town Manager
Subject: RE: [EXT] FW: West Newbury - Municipal Energy Technical Assistance

Hi Rick,

The Town of Concord has made the feasibility assessment we did for them in 2020 publicly available [here](#). I'll note that it is more heavily focused on energy storage rather than solar feasibility and the financial implications of different purchasing options, so may not be the best comparison, but hopefully helpful in at least getting a sense for the level of detail and comprehensible nature of our work. If you're interested in more relevant and recent analyses, you may consider reaching out to the Town of Andover or the Town of Amherst to see if they'd be willing to share their analyses with you. I'm also happy to answer any other questions the Select Board may have about what we can do to support West Newbury.

Best,
Arielle

From: Arielle Magliulo
Sent: Monday, July 18, 2022 4:43 PM
To: Rick Parker <rparker@wnewbury.org>; Arthur Wallace [REDACTED]
Cc: Town Manager <townmanager@wnewbury.org>
Subject: RE: [EXT] FW: West Newbury - Municipal Energy Technical Assistance

Hi Rick,
It's great to hear from you, and with such good news!
I'll check in with my team to see what can be shared for reference and get back to you soon.

Best,
Arielle

From: Rick Parker <rparker@wnewbury.org>
Sent: Friday, July 15, 2022 8:46 AM
To: Arthur Wallace [REDACTED]
Cc: Arielle Magliulo [REDACTED] Town Manager <townmanager@wnewbury.org>
Subject: FW: [EXT] FW: West Newbury - Municipal Energy Technical Assistance

Please note that I mistakenly used Arthur Wallace's (Chip's) old work email address when originally sending this message. The @perkinelmer.com address should be deleted.

Sorry - rick

From: Rick Parker
Sent: Friday, July 15, 2022 8:40 AM
To: Arielle Magliulo [REDACTED]

Cc: Wallace, Arthur (Chip) [REDACTED]; Town Manager <townmanager@wnewbury.org>
Subject: RE: [EXT] FW: West Newbury - Municipal Energy Technical Assistance

Hi Arielle,

Hope all is well.

West Newbury's May 14 Annual Town Meeting approved funding for a site solar feasibility analysis. We'll work to define a scope and identify sites of interest, likely discussing at the next Energy & Sustainability Committee (ESC) meeting. In the meantime, it was asked at this past Monday's Select Board meeting if any similar site solar feasibility analysis previously completed by Cadmus is available and could be provided for our review / reference.

Thank you – rick parker
Richard Parker – West Newbury Select Board and WNESC

From: Arielle Maglilio [REDACTED]
Sent: Wednesday, March 9, 2022 1:23 PM
To: Rick Parker <rpark@wnewbury.org>
Cc: Wallace, Arthur (Chip) [REDACTED]
Subject: RE: [EXT] FW: West Newbury - Municipal Energy Technical Assistance

Hi Rick,

We can definitely include an assessment of the utility infrastructure's ability to support the additional power generated. A relatively quick assessment will determine whether the lines are good and this can be covered by the \$7000 we quoted you before. Based on an initial look, hosting capacity does look decent in West Newbury, but depending on the specific location of the sites it might require additional analysis and direct coordination with the utility. It's difficult to determine exactly what level of effort would be required for that – it depends on how many sites require it, so perhaps that is something that can be addressed if needed at a later date.

Please let me know we can help answer any other questions. Thanks!

Best,
Arielle

From: Rick Parker <rpark@wnewbury.org>
Sent: Sunday, March 6, 2022 10:05 PM
To: Arielle Maglilio [REDACTED]
Cc: Wallace, Arthur (Chip) [REDACTED]
Subject: RE: [EXT] FW: West Newbury - Municipal Energy Technical Assistance

Hi Arielle,

Thanks, that's good info. We'll be looking to see which, if any, additional municipally-owned properties to include in a site solar feasibility analysis. Would a Cadmus analysis include the utility's 3-phase line capability to carry the additional power generated?

Thanks – rick parker

From: Arielle Maglilio [REDACTED]
Sent: Wednesday, March 2, 2022 3:28 PM

Solar and Energy Storage Feasibility Assessment

CONCORD, MA

May 22, 2020

Prepared for:

The Town of Concord, MA
Concord Municipal Light Plant

Ajey Pandey

Prepared by:

Stephen Treat
Nelson Lee

Table of Contents

Introduction 4

Solar and Energy Storage Benefits	4
Solar Only	4
Integrating Solar and Storage.....	4
Demand Charge Reductions	4
Energy Resilience.....	5
Energy Arbitrage.....	5
Participation in Demand Response Programs.....	5
Summary of Selected Town Building Energy Usage	6
Summary of Solar Feasibility	7
Summary of Storage Feasibility	7
CCHS and Beede Campus Solar and Storage Technical Feasibility	8
Solar Feasibility.....	8
Solar Shading Analysis.....	8
Solar Recommendations.....	11
Storage Feasibility	11
Optimization Analysis.....	11
Demand Response.....	14
Carbon Reduction.....	15
Resiliency Analysis.....	16
Library Solar and Storage Technical Feasibility	18
Harvey Wheeler Solar and Storage Technical Feasibility	20
Appendix A: Details of Individual Solar Installations.....	22
Concord-Carlisle High School Rooftop	22
Beede Swim & Fitness Center	22
CCHS Central Field.....	23
CCHS Solar Carport.....	24
CCHS East Field.....	24
Appendix B: Optimization Modeling Assumptions.....	25

Tables

Table 1: Solar Feasibility	7
Table 2: Storage Feasibility	7
Table 3: Summary of Solar Feasibility for CCHS and Beede.....	11
Table 4: Solar PV Feasibility Complete Campus.....	11
Table 5: Financial Summary CCHS and Beede.....	13
Table 6: Financial Summary CCHS and Beede with DR Program	14
Table 7: Financial Summary CCHS and Beede with DR and Socail Cost of Carbon Consideration	15
Table 9: Financial Analysis Library	19
Table 10: Financial Summary Harvey Wheeler	21

Figures

Figure 1: 2019 Electricity Usage at Selected Town Facilities	6
Figure 2: Annual Electricity Bills at Selected Town Facilities	6
Figure 3: Maximum Site Potential.....	8
Figure 4: Trees in the Parking lot of CCHS	9
Figure 5: Trees in the Parking lot of Beede.....	9
Figure 6: Trees on the SE Parameter of the Campus	9
Figure 7: Site Shading Analysis.....	10
Figure 8: CCHS and Beede Energy Use.....	12
Figure 9: CCHS Campus Energy Use – 450 kW DC Solar	13
Figure 10: CCHS Campus Energy Use. 638 kW Solar and 125 kWh Storage	15
Figure 13: CCHS Campus Energy Use. 1,000 kW Solar and 350 kWh Storage	16
Figure 14: CCHS's 150 kW Generator.....	16
Table 15: Resiliency Analysis.....	17
Figure 14: Google Street View of Concord Free Public Library.....	18
Figure 16: Conceptual PV Design Library	18
Figure 17: Base Load - Peak Day	19
Figure 18: Solar Production.....	19
Figure 19: Solar and Storage	19
Figure 20: Conceptual PV Design Harvey Wheeler	20

Figure 21: Harvey Wheeler Solar Production	20
Figure 22: Base Load - Peak Day	21
Figure 23: PV Solar	21
Figure 24: Conceptual PV Design CCHS Rooftop.....	22
Figure 25: Conceptual PV Design Beede Rooftop.....	22
Figure 26: Conceptual PV Design 1 Ground Mount CCHS Central Field	23
Figure 27: Conceptual PV Design 2 Ground Mount CCHS Central Field	23
Figure 28: Conceptual PV Design CCHS Solar Carport	24
Figure 29: Conceptual PV Design 1 CCHS East Field	24
Figure 30: Conceptual PV Design 2 CCHS East Field	24

Introduction

The Cadmus Group (Cadmus) has prepared this report for The Town of Concord (herein referred to as the “Town”) and the Concord Municipal Light and Power (CMLP) to evaluate the feasibility of solar and storage at selected town properties. This report contains the results of this assessment, a discussion of PV and storage technology basics, and financing and ownership models available to the Town.

The specific town properties analyzed are the Concord-Carlisle High School (CCHS), the Beede Swim & Fitness Center, the Free Public Library and the Harvey Wheeler Community Center. A desktop analysis of the solar and storage potential for each of these sites was performed using satellite images and monthly utility bills provided by the Town.

Cadmus created seven preliminary solar photovoltaic (PV) array designs for several municipal sites throughout Concord, MA. The designs illustrate configuration and electricity production potential based on publicly available satellite images, and additional information provided by the Town. The estimated annual production offered in this analysis can be used to project annual energy savings for the Town across all potential PV arrays. We would expect site specific energy savings to continue over a 25-year timeline with minimal (approximately 0.5%) annual performance degradation. With the savings and energy production from Cadmus’ site findings and preliminary design, we populated our economic pro-forma to project 25-year financial savings for each preliminary array to provide the Town with an overview of what to expect from each site.

Solar and Energy Storage Benefits

Solar Only

PV systems provided significant opportunities for the Town to produce its own energy and lower utility bills at all Town properties studied. Solar PV-only systems can reduce energy charges on electricity bills and depending on the energy use profile at individual sites and interconnection type, solar PV systems are also able to reduce demand charges.

Integrating Solar and Storage

Integrating storage systems with solar PV provides added benefits including augmented demand charge savings, added resilience, and environmental benefits. Generally, solar PV will alter a facility load shape from a broad mid-day peak to a narrower late-afternoon peak. Energy storage can be discharged during the narrower peak to achieve greater demand charge savings. Solar and storage resources can provide power for emergency loads during longer grid disruptions. Additionally, storage systems can be utilized to reduce grid export from PV systems. Finally, stakeholders may value the environmental benefits of charging the storage system from an on-site renewable energy source, rather than the electric grid. To maximize energy savings and revenue generation potential, storage developers try to deploy systems with multiple use cases.

Demand Charge Reductions

Solar PV and storage systems can reduce the demand charges for monthly peak energy consumption.

Depending on level of consumption and utility rate structure, demand charges can be as much as 70% of a building's electric bill. Based on the provided utility bills, CMLP's demand charges range from \$9.88/kW at to \$10.85/kW.

Energy Resilience

Solar PV systems can provide buildings with alternative energy generation options during grid interruptions. When combined, solar PV and storage can effectively provide backup power for critical facility functions during power outages. Storage increases the resiliency of a facility's power supply and can enable continuity of critical electric services in cases of power failure. Critical services might include heating and cooling, emergency lighting, and elevators, and can be determined on a per-facility basis.

Energy Arbitrage

Property owners subject to variable electricity pricing can leverage price gaps with the use of behind-the-meter energy storage to reduce their electric bill. By charging the storage system when utility electricity prices are low and discharging when prices are high, facilities can shift consumption to lower-cost electricity periods. CMLP's current rate structure does not differentiate between on peak and off-peak times for the selected sites. However, the marginal cost of purchasing energy from the ISO-NE grid is tied to the variable ISO-NE spot price of energy for Northeastern Massachusetts.

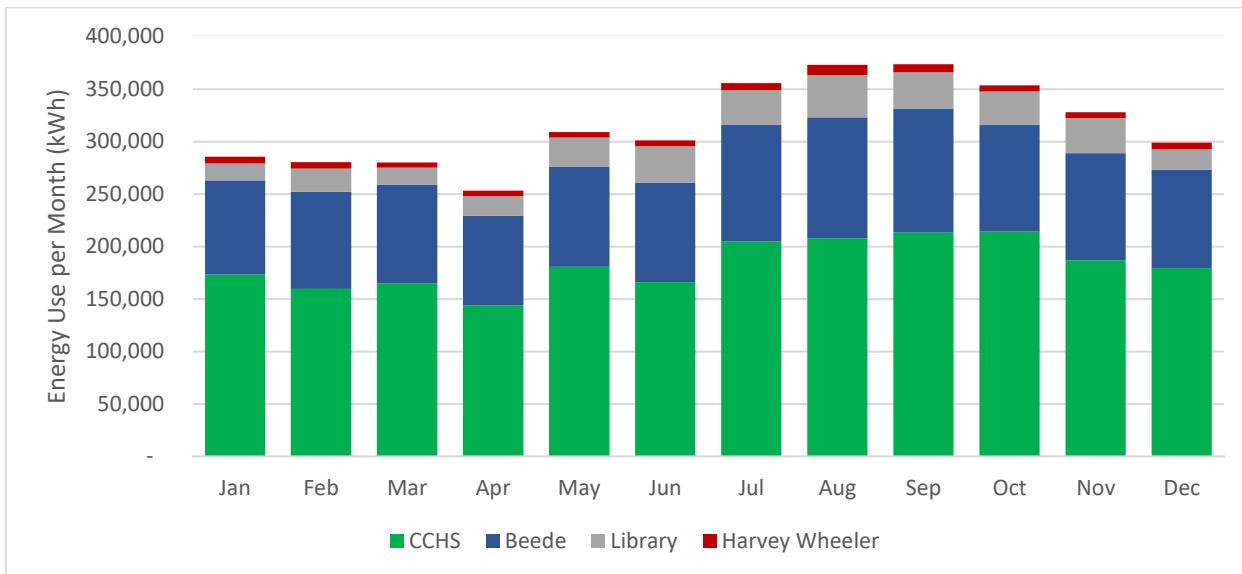
Participation in Demand Response Programs

Demand response (DR) programs compensate participants for energy they can export to the utility grid when utility-wide demand is high and system reliability is at risk. Demand response programs are one way for a utility to provide strong incentives for storage systems to help reduce system peak demand. Storage systems can enable owners to strategically manage energy usage to participate in these programs. CMLP currently has a voluntary demand response program but does not offer any monetary compensation for responding to DR events.

Summary of Selected Town Building Energy Usage

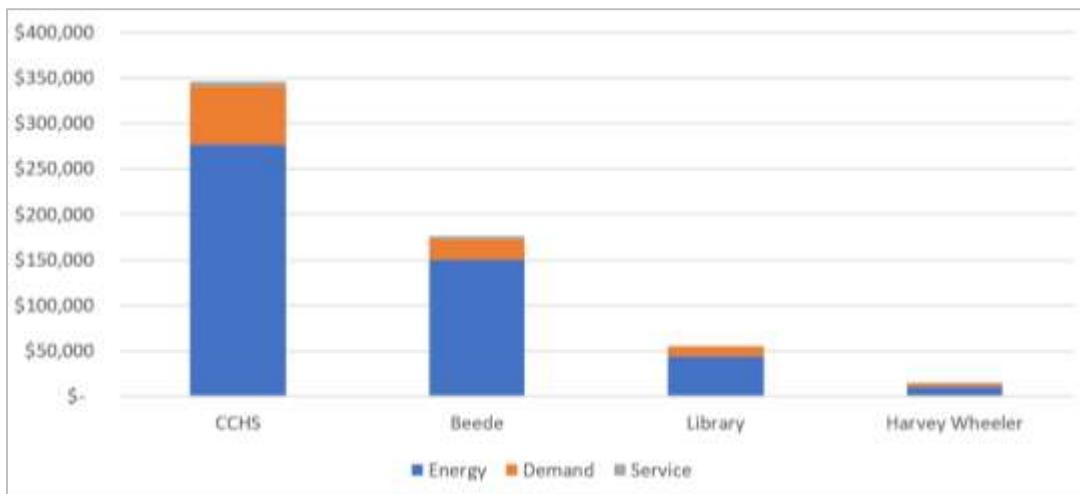
The Town of Concord provided electricity bills from 2019 for the Concord-Carlisle High School (CCHS), the Beede Swim and Fitness Center, the Free Public Library and the Harvey Wheeler Community Center. All sites have both energy and demand charges on their electricity bills. Figure 1 shows the monthly electric energy usage of each of the selected sites.

Figure 1: 2019 Electricity Usage at Selected Town Facilities



The total cost of electricity service for the four buildings in 2019 was \$1.2 million. Figure 2 shows the annual bill at each of the sites with component energy, demand and customer service charges. This study will focus most of its analysis on CCHS and the Beede Swim & Fitness Center as they have the largest electricity bills and the largest capacity for potential for solar installations.

Figure 2: Annual Electricity Bills at Selected Town Facilities



Summary of Solar Feasibility

The specific sites analyzed for solar technical and economic feasibility, and their estimated system capacities and annual productions, are listed in Table 1. Locations 1-6 are all located at the campus of the Concord-Carlisle High School (CCHS) and Beede Swim and Fitness Center, approximately 1.3 miles from the Town center. The Free Public Library is located in the Town center and the Harvey Wheeler Community Center is located in West Concord. Based on these initial results, locations 1 and 3 could be developed immediately.

Table 1: Solar Feasibility

Location	Type	Nameplate kW DC	Annual Production MWh	# Panels	Tree Removal
1 - CCHS	Rooftop	365	443,000	1000	No
2 - CCHS	Carport	323	425,000	885	Yes
3 - Beede Swim	Rooftop	90	111,200	247	No
4 - Beede Swim	Carport	167	222,200	484	Yes
5 - CCHS east field	Ground	236	308,000	684	No
6 - CCHS center field	Ground	354	479,000	970	Yes
7 - Library	Rooftop	9	11,300	32	No
8 - Harvey Wheeler	Rooftop	13	16,600	37	No
Total		1557	1,988,400	4,339	

Summary of Storage Feasibility

Battery energy storage systems (BESS) provide limited economic benefits to the individual sites under the current CMLP site specific tariffs. Introducing a Demand Response Program would greatly increase the economic feasibility of Battery Storage across all the sites studied. Additionally, Battery Prices are expected to continue to decline so the economic feasibility may change in the not too distant future.

We reviewed satellite photos and Google street view images to assess the physical feasibility of installing BESS at each of the selected sites. We found that the CCHS campus has ample space to accommodate a large outdoor battery installation while the library does not have an obvious location for an outdoor battery storage system, but it is believed a small battery could be mounted to an exterior wall on the west side of the building. The Harvey Wheeler community center could have an outdoor battery system installed in the rear parking lot. Large lithium ion batteries are not currently recommended for indoor installations per Fire Department standards.

Table 2: Storage Feasibility

Building	Nameplate kWh	Technical Feasibility	Site Specific Financial Benefit	Site Specific Financial Benefit with DR
CCHS & Beede Campus	290 - 1900	High	Low	Medium
Library	16	Medium	Medium	Medium
Harvey Wheeler	10	Medium	Low	Medium

CCHS and Beede Campus Solar and Storage Technical Feasibility

Solar Feasibility

A preliminary site assessment was performed to identify where solar panels could be installed on the Concord-Carlisle High School and Beede Swim & Fitness Center campus. Sport fields were not considered for solar installations; however, two empty fields were considered.

The maximum solar potential for the entire campus was modeled. The maximum potential does consider the impact of shading from trees on the property but does not consider the shading impact of trees on the property's perimeter. Figure 3 shows the solar potential for the entire property. The individual solar arrays are numbered one through six as identified in Figure 3.

Figure 3: Maximum Site Potential



These solar PV arrays would be able to generate approximately 87% of the electricity consumed by the high school and Beede. This initial analysis represents what is the maximum solar potential of the site, no considerations have been made for aesthetics, landscaping, slope. Additionally, the central and east lots are assumed to be fully acceptable for consideration of carport construction. This model has a name plate capacity of 2.3 MW and annual production of 2.9 GWh.

Solar Shading Analysis

Next, we performed a shading analysis to determine how the campus's tree population impacts the production potential of the solar arrays. The high school opened in 2015 and much of the initial landscaping and tree planting was performed around the same time. Figure 4 shows a photograph of the

parking lot with a tree next to a van for scale. These trees could be removed in exchange for other landscaping options if solar carport structures are pursued.

Figure 4: Trees in the Parking lot of CCHS



The parking lot of Beede (5) has several large mature trees, including the ones pictured in Figure 5, that shade parking lot. These trees would need to be removed to consider this site for development.

Figure 5: Trees in the Parking lot of Beede

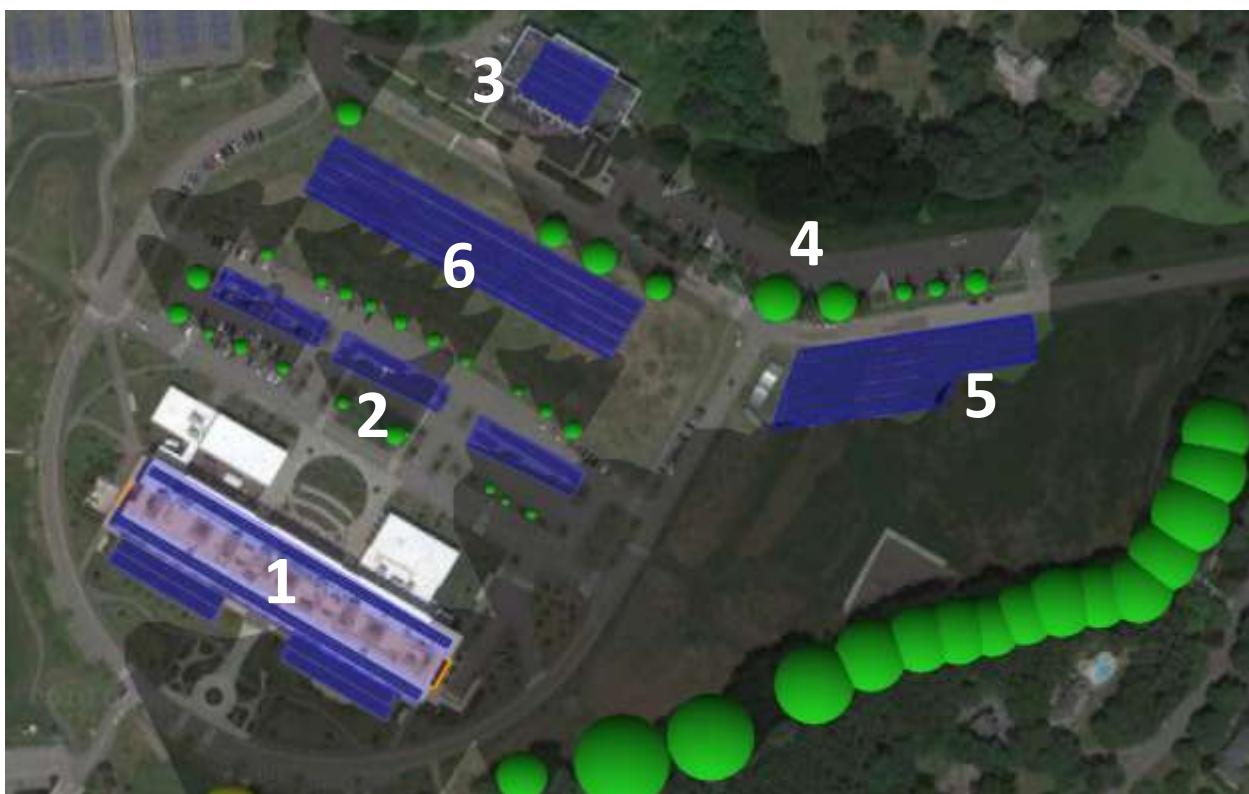


Additionally, the perimeter of the campus has large mature trees on top of a hill shown in Figure 6. These trees limit the size of an array on the east field of campus.

Figure 6: Trees on the SE Parameter of the Campus



When shading is considered, only about half of the solar PV panels identified in the maximum site potential analysis should be installed without tree removal.

Figure 7: Site Shading Analysis

The impact of the shading analysis on the feasibility of solar for the campus are discussed below.

1. The roofs of the high school are the best candidates for solar, and together could host 365 kW nameplate of PV modules. The roofs are free of significant shading from trees.
2. The central parking lot of the high school could host solar parking canopies that would support a 323-kW array. However, there are currently several trees within the parking lot that would have to be replaced with smaller vegetation for these solar canopies to be economically feasible.
3. The roof at Beede is an excellent candidate for solar, and together could host 90 kW nameplate of PV modules. The roof is free of significant shading from trees.
4. The parking lot at Beede has several large trees that would dramatically shade the parking PV array. This site is not recommended without significant tree removal. If these trees were replaced with shorter vegetation, this parking lot would provide space for a 167-kW array.
5. On the east side of the campus there is another large field that could host a PV array. However, the trees on the southeast corner of the property shade a substantial portion of the lot. Our preliminary desktop shading analysis indicates that 236 kW could be installed, which would still effectively produce energy year-round.
6. There is a large field in the central campus that is currently serving as stormwater management for runoff from the central parking lot. This field could potentially host a 350 kW PV array. The field has a row of young trees on the southern border with the parking lot which will grow to create more significant solar obstructions over time. If these trees were replaced with shorter shrubs or grasses then the array could be as large as 910 kW.

Solar Recommendations

Table 3 shows a summary of each of the solar arrays discussed above with the size of the recommended array size for each location. Additionally, information about each of these arrays is provided in Appendix A: Details of Individual Solar Installations on page 22.

Table 3: Summary of Solar Feasibility for CCHS and Beede

Building	Type	Nameplate kW DC	Annual Production MWh	# Panels	Tree Removal
1 - CCHS	Rooftop	365	443,000	1000	No
2 - CCHS	Carport	323	425,000	885	Yes
3 - Beede Swim	Rooftop	90	111,200	247	No
4 - Beede Swim	Carport	167	222,200	484	Yes
5 - CCHS east field	Ground Mount	236	308,000	684	No
6 - CCHS center field	Ground Mount	354	479,000	970	Yes
Total		1535	1,988,400	4,270	

Tree removal is a delicate subject for many stakeholders. Trees provided many benefits to the community. They create an aesthetically pleasing campus and provide shade in the summer, while allowing light through in the winter. This report does not attempt to quantify the value of the tree population on the campus, other than to say that the carbon reduction benefits of solar PV are greater than the carbon sequestration of trees, and thus tree removal and replacement with solar PV and shrubs would provide a net benefit for the Town's carbon reduction goals.

There are substantial solar PV opportunities with the current tree population, and the two best sites, the roofs of the CCHS and Beede, do not require any tree removal. Table 4, shows the site potential with and without tree removal.

Table 4: Solar PV Feasibility Complete Campus

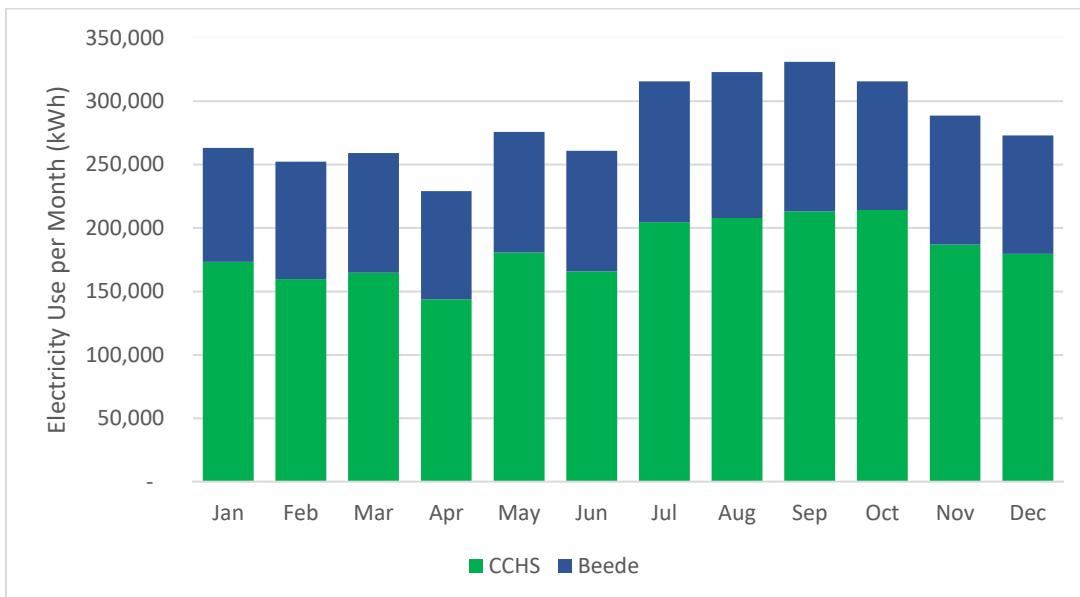
	Site Potential with Tree Removal	Site Potential without Tree Removal
DC Nameplate	1.5 MW	1.2 MW
Inverter AC Nameplate	1.2 MW	1.0 MW
Annual Production	1.9 GWh	1.6 GWh
Performance Ratio	84%	84%

Storage Feasibility

There is ample space for storage to be located on the property of the high school and the Beede center. Both facilities have space around the buildings where large outdoor energy storage systems could be installed.

Optimization Analysis

The CCHS and Beede Campus has been modeled together for the purposes of analyzing the financial benefits of solar and storage systems. Figure 8 shows the combined monthly energy consumption of the CCHS and Beede Swim & Fitness Center.

Figure 8: CCHS and Beede Electricity Use

Both facilities are subject to CLMP's LGS rate which includes a \$9.97/kW demand charge, and a flat \$0.126/kWh energy charge. The Town spends approximately \$522,000 per year for electricity service at these sites. The electricity consumed at these sites is responsible for an estimated 1,470 tons of CO₂ emissions per year¹.

A model was used to find the optimal size and configuration of solar PV projects paired with energy storage. There are many inputs to the model, including hourly generation from the preliminary design solar PV arrays, estimated costs of the solar PV arrays, estimated battery costs, and current utility rate. Additionally, the site was modeled with and without a social cost of carbon and a demand response program. A full list of the modeling assumption can be found in Appendix B: Optimization Modeling Assumptions on page 25.

The systems that create the most savings for the campus over a 25-year period were determined using the optimization model. This determination is made through a net present cost calculation. Table 5 shows a summary of the best performing systems for each combination of solar PV and storage.

¹[EPA Emissions & Generation Resource Integrated Database \(eGRID\) 2018](#)

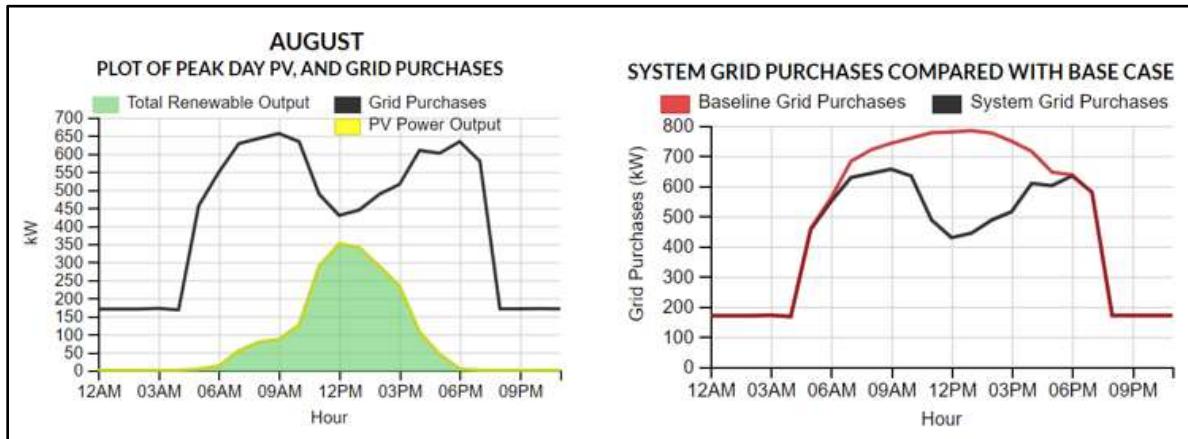
Table 5: Financial Summary CCHS and Beede

CCHS and Beede	Solar Size (kW DC)	Battery Size (kWh)	Operating Costs (\$/year)	Net Present Costs (25 year)	Capital Cost	IRR	Payback (years)
Current Incentives							
Base	0	0	\$522,000	\$9.97 M	\$0	0%	0
Solar PV	450	0	\$442,000	\$12,020,000	\$1.00 M	6.1%	13

Under the current CMPL tariff, the best performing system is the 450 kW solar PV-only system, which would consist of a rooftop array at CCHS and at the Beede Swim & Fitness Center. At current prices and under the current tariff, energy storage systems provide no added financial benefit to the campus. An estimated 97% of the electricity produced by the 450 kW system would be consumed onsite.

In this configuration the solar PV array is sized so that it rarely exceeds the campus' energy demand. Figure 9 shows the grid purchases and solar generation of the Campus with a 450 kW DC solar system. We see clearly that the system grid purchases dip significantly with solar production but stay positive throughout the day.

Figure 9: CCHS Campus Energy Use – 450 kW DC Solar



There are hours of the year where the PV arrays would generate more electricity than the campus uses. There are also hours of the year when the local distribution system cannot accommodate for electricity export to the grid from the PV Arrays. To accommodate for when these two periods overlap, a solar only system would need to curtail its output or have a large enough battery to store all excess PV production to prevent grid exports. Solar curtailment is much more cost effective than adding battery storage for this application.

There are several changes that would alter this financial analysis. The changes include:

- Changes to the tariff and incentive structure which could include time variant energy prices, demand response programs, and changes to the calculation of peak demand

- Declining battery costs
- Measured hourly or 15 minute energy use at the facility
- Including a Cost associated with Carbon emissions.

In the next sections we introduce demand response programs and consider a price on carbon. These programs help to capture additional benefits that solar and storage systems providesociety that are not considered by the current CMLP tariff.

Demand Response

A Demand Response Program can create the economic incentives needed to make Battery Storage cost effective. When a Demand Response program is included in the financial analysis, the system that performs best is a solar PV and storage system. We modeled two demand response programs with 10 events annually. One program has a three hour event length and the other has a two hour event length. In both programs the battery energy systems were awarded \$300/kW of average kW reduction across all event hours. The length of DR events should be partially determined by how accurately future system peaks can be predicted. Table 6 shows the optimal system under both Demand Response programs.

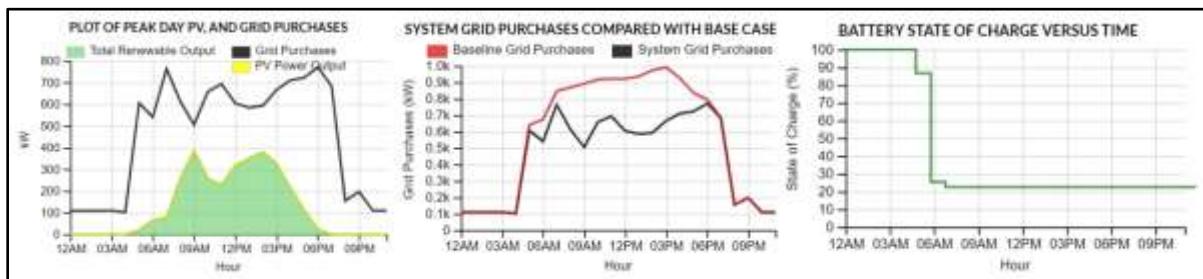
Table 6: Financial Summary CCHS and Beede with DR Program

CCHS and Beede	Solar Size (kW DC)	Battery Size (kWh)	Potential Costs (\$/year)	Net Present Costs (25 year)	Capital Cost	IRR	Payback (years)
Base	0	0	\$522,000	\$9.97 M	\$0	0%	0
3-hr DR Program with 10 events							
Solar PV and Storage	638	125	\$392,000	\$9.24 M	\$1.69 M	5.8%	13
2-hr DR Program with 10 events							
Solar PV and Storage	762	260	\$344,000	\$8.84 M	\$2.19 M	6.4%	12

Battery energy storage systems are more cost effective under a shorter event window. Additionally, they are able to store excess solar which allows for a larger solar installation. However, solar curtailment will still need to occur as it is not cost-effective to size the battery to be large enough to avoid all grid exports during critical system periods.

The energy load on the peak day in July is shown in Figure 10 for the 638 kW PV array with a 125 kWh battery.

Figure 10: CCHS Campus Energy Use. 638 kW Solar and 125 kWh Storage



Carbon Reduction

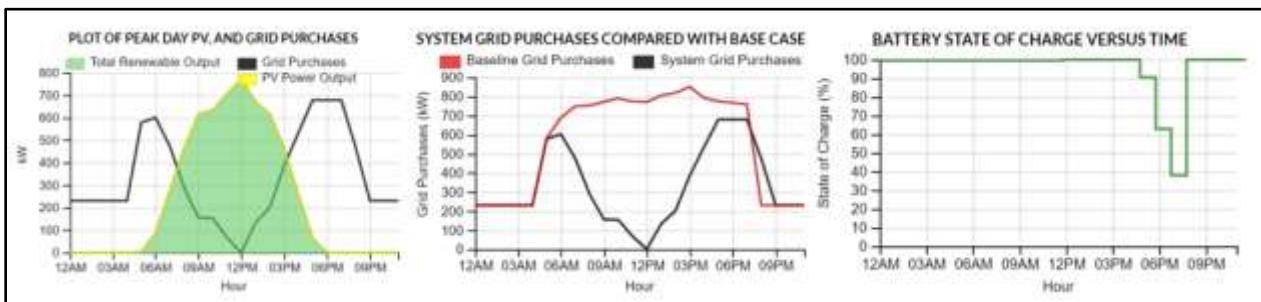
The town has a goal of reaching 100% carbon free electricity by 2030. A sensitivity analysis was performed on the price of carbon dioxide emissions to see the impacts on the sizing of solar PV and battery storage systems. We considered a price of \$68/ton Carbon Dioxide equivalence (CO₂e) and \$100/ton CO₂e. These prices on carbon emissions are used only to help size the system and are not reflected in the operating costs shown in the table below. Table 7 shows the expected operating costs of different system configurations. Additionally, Table 7 shows the largest recommended system that could be installed that would have a payback period of under 25 years.

Table 7: Financial Summary CCHS and Beede with DR and Social Cost of Carbon Consideration

CCHS and Beede	Solar Size (kW DC)	Battery Size (kWh)	Operating Costs (\$/year)	Net Present Costs (25 year)	Capital Cost	IRR	Payback (years)
Base	0	0	\$522,000	\$9.97 M	\$0	0%	0
Includes: 2-hr DR Program with 10 events Solar PV and Battery Energy Storage Systems (PV+BESS)							
PV+BESS (\$68/ton)	930	400	\$312,000	\$8.88 M	\$2.84 M	5.4%	13
PV+BESS (\$100/ton)	1000	350	\$305,000	\$8.90 M	\$3.01 M	5.2%	13
PV+BESS Max Rec.	1535	1900	\$246,000	\$11.1 M	\$5.97 M	0.76%	24

Our analysis shows that solar PV and storage are both technically and economically feasible on the campus of the CCHS and Beede Swim & Fitness Center if a Demand Response program is introduced, and that the sizing of the solar and storage system is flexible. The sizing of the solar and storage system could be adjusted to help meet the town's emissions reduction goals and still provide financial benefits. The maximum recommended system would develop the campus's full solar potential and pair it with a 1,900 kWh battery. This system would break even over a 25 year period. This study should not be used to identify an exact sizing of solar and storage as the exact size combination of solar and battery is sensitive to the assumed capital costs of solar and storage systems, which are declining rapidly year over year.

Figure 11: CCHS Campus Energy Use. 1,000 kW Solar and 350 kWh Storage



Resiliency Analysis

A large battery system could provide other valuable benefits to the Town. CMLP provides reliable energy to the campus, outages are generally few and of short duration. However, in the event of a natural disaster, a large battery, when combined with the high school's gas generator, could provide continuous energy for a prolonged time period, without grid-sourced energy.

Our resiliency analysis focuses on the high school's use as an emergency shelter. The high school currently has a Kohler Gas Generator that is estimated to be able to produce 150 kW. Combined with a battery system, it could provide power to the campus continually.

Figure 12: CCHS's 150 kW Generator



Based on utility bills provided by the Town, the high school has an annual peak load of approximately 667 kW in December. The average monthly peak is 530 kW. For this analysis we assume that a typical day has a peak near 500kW.

The current gas generator is only rated for 150 kW so there is a substantial portion of the load that would not be met during an emergency. Adding solar and energy storage would be able to provide continuous power to the high school typical operating levels continuously.

Table 13 compares the length of time that different systems could provide the high school during an emergency event.

Table 13: Resiliency Analysis

High School	Min Load of High School (63kW)	Moderate Load (200kW)	Full Load of High School (max 500 kW)
1900 kWh battery	24 hours	7.5 hours	3 hours
150 kW Gas generator	Indefinitely	Cannot meet	Cannot meet
Battery and generator	Indefinitely	30 hours	4.2 hours
Battery, generator, and Solar PV.	Indefinitely	Indefinitely	Week+

Library Solar and Storage Technical Feasibility

The Concord Free Public Library is currently on CMLP's Medium General Service tariff and uses approximately 329,000 kWh of electricity per year. In 2019 the Library used the most monthly energy in August, which likely corresponds with Increased electricity use for Air conditioning, however the library's peak hourly load in 2019 was in November. The operating hours of the library are generally weekdays between 9 am and 9 pm and limited weekend hours. The daily load profile of the library was modeled to peak in the evening.

The Library has the potential for a rooftop solar PV array. However, the library is surrounded by trees that will require a site visit to confirm the feasibility. During our analysis, tree heights were estimated to be 30 feet, but if tree height is closer to 40 ft at time of installation, then the PV array on the SW facing roof would likely be too shaded to be economically beneficial without trimming trees.

Figure 14: Google Street View of Concord Free Public Library



Based on our analysis, and review of the 2017 Solar Feasibility Assessment of the Concord Free Public Library, Cadmus estimates that the Concord Free Public Library would benefit from a solar PV array of up 17 kW DC. The 2017 Solar Feasibility Assessment included PV on two of the lower flat roofs of the library, however our analysis of the shading on site leads us to not recommend these locations. The array of this capacity would generate 21,700 kWh annually, which would supply 8% of the energy usage of the building.

Figure 15: Conceptual PV Design Library



DC Capacity (kW)	17.6
AC Capacity (kW)	15.1
No. Modules	63
PV Module	LG, LG365N2W-B3 (365W)
Inverter	Enphase Micro Inverter
Est. Annual Solar Production (kWh)	21,700

The solar installation would reduce the midday load of the library but would not significantly alter the library's load shape and are not able to reduce the library's estimated peak monthly demand. Battery energy storage systems are able to effectively reduce the peak demand of the Library.

The solar installation would benefit from being paired with a 16 kWh battery energy storage system. This paired system would be able to reduce the Library's monthly energy and demand charges.

Figure 16: Base Load - Peak Day

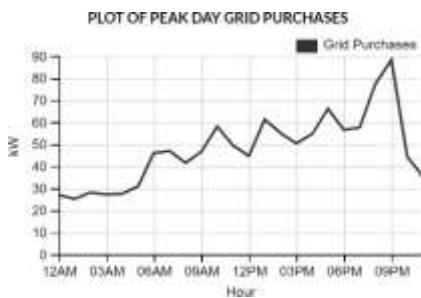


Figure 17: Solar Production

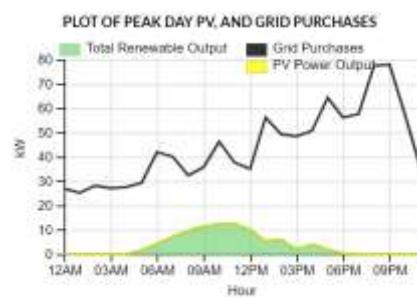
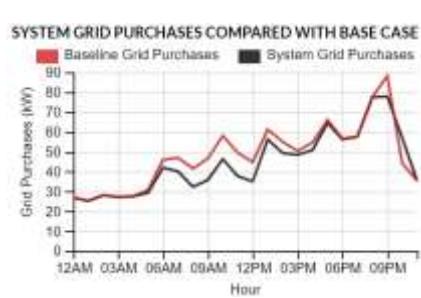


Figure 18: Solar and Storage



Our financial analysis indicates that the solar and the solar and storage system generate an internal rate of return of about 2.3% and 2.6% respectively. Table 8 presents more details of our financial analysis for the Library.

Table 8: Financial Analysis Library

Library	Solar Size (kW DC)	Battery Size (kWh)	Annual Electric Costs	Net Present Costs (25 year)	Capital Cost	IRR	Payback (years)
Base	0	0	\$52,100	\$1.10 M	\$0	0	0
Solar	17	0	\$49,300	\$1.10 M	\$15,200	2.3%	19
Storage	0	16	\$51,202	\$1.10 M	\$52,900	3.9%	12
Solar and Storage	17	16	\$48,400	\$1.09 M	\$68,100	2.6%	20

There are several changes thought would alter this financial analysis, these include:

- Changes to the tariff and incentive structure which could include time variant energy prices, demand response programs, and changes to the calculation of peak demand.
- Declining battery costs
- Measured hourly or 15 minute energy use at the facility

Harvey Wheeler Solar and Storage Technical Feasibility

The Harvey Wheeler Community Center uses 75,000 kWh of energy each year. In 2019 both the highest monthly load and the peak hourly load for the Harvey Wheeler Community Center occurred in August. This is likely due to air-conditioning load. The Community Center is generally open weekdays from 8:30 am to 4:30 pm. The daily load was modeled to peak between 12 pm and 3 pm.

The Harvey Wheeler Community Center is surrounded by trees on the SE and SW sides. Additionally, part of the roof is composed of clay tile, which would increase cost for a solar installation. The flat central roof is suitable for a limited fixed tilt array. Rooftop HVAC equipment, and other structures limits the potential size of the array. Additionally, shading from trees would have to be further assed. Based on our preliminary analysis Cadmus estimates that this building may support a PV array of approximately 14 kW DC. An array of this capacity would generate 16,600 kWh annually.

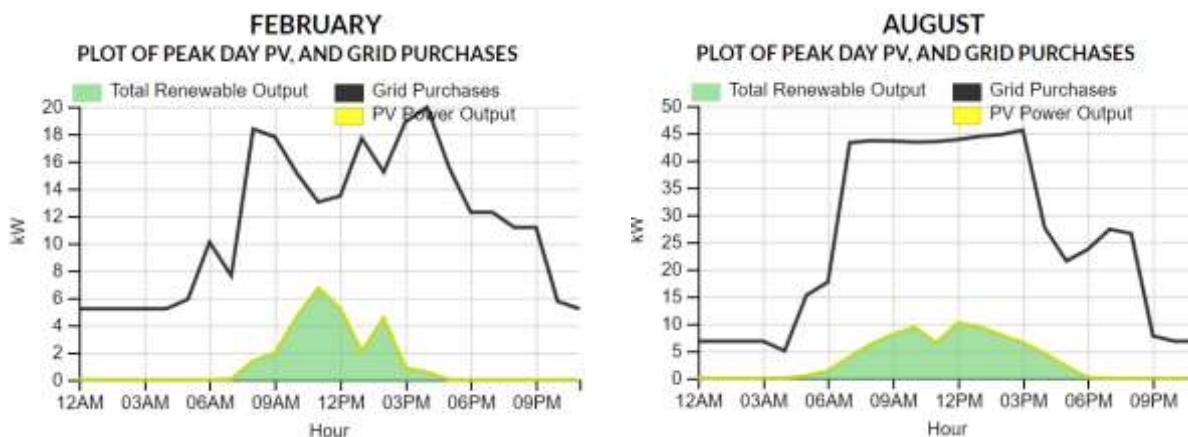
Figure 19: Conceptual PV Design Harvey Wheeler



DC Capacity (kW)	14
AC Capacity (kW)	12
No. Modules	37
PV Module	LG, LG365N2W-B3 (365W)
Inverter	XGI 1000-65/65-Solecatria
Est. Annual Solar Production (kWh)	16,600

The solar installation would reduce the midday load at the Harvey Wheeler Community Center and may help reduce the peak load. Figure 20 shows the solar production and resulting grid purchases when a 14 kW PV installation is added to the building on the peak day of February and August.

Figure 20: Harvey Wheeler Solar Production



The Solar PV system is able to reduce both the energy and demand requirements of the Community Center as shown in Figure 22. Based on our estimates of the load shape of the Harvey Wheeler Community Center, battery energy storage systems are not currently economically beneficial for the Harvey Wheeler Community Center. Using measured hourly load may alter the results.

Figure 21: Base Load - Peak Day

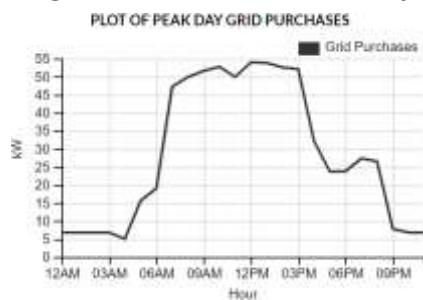


Figure 22: PV Solar



Our financial analysis indicates that a solar only system provides the most financial benefit to the facility and would generate a 3.3% return under a direct ownership model. Table 9 presents more details of our financial analysis for the Harvey Wheeler Community Center.

Table 9: Financial Summary Harvey Wheeler

Harvey Wheeler	Solar Size (kW DC)	Battery Size (kWh)	Annual Electric Costs	Net Present Costs (25 year)	Capital Cost	IRR	Payback (years)
Base	0	0	\$16,149	\$341,240	\$0	-	-
Solar	14	0	\$14,144	\$332,657	\$33,773	3.3%	17
Storage	0	10	\$15,885	\$345,173	\$9,511	-	-
Solar and Storage	14	10	\$13,717	\$333,157	\$43,273	2.8%	19

There are several changes that would alter this financial analysis, these include:

- Changes to the tariff and incentive structure which could include time variant energy prices, demand response programs, and changes to the calculation of peak demand
- Declining battery costs
- Measured hourly or 15 minute energy use at the facility

Appendix A: Details of Individual Solar Installations

Concord-Carlisle High School Rooftop

There are several rooftops at the Concord-Carlisle High School that are suitable for solar. Based on our preliminary analysis, Cadmus estimates that the high school can support PV arrays of approximately 365 kW DC. An array of this capacity would generate 438,000 kWh annually.

Figure 23: Conceptual PV Design CCHS Rooftop



DC Capacity (kW)	365
AC Capacity (kW)	300
No. Modules	1000
PV Module	LG, LG365N2W-B3 (365W)
Inverter	XGI 1000-65/65- Solectria
Est. Annual Solar Production (kWh)	443,000

Beede Swim & Fitness Center

The Beede Swim & Fitness Center has a flat roof that is suitable for rack mounted solar. The parking lots in the southeast section of the parcel could be suitable for potential solar PV parking canopy array development, however there are several large, 50ft+ trees that would dramatically shade the solar PV arrays. Cadmus estimates that the Beede Swim & Fitness Center can support solar PV arrays of approximately 90 kW DC. An array of this capacity would generate 111,200 kWh annually.

Figure 24: Conceptual PV Design Beede Rooftop



DC Capacity (kW)	90.2
AC Capacity (kW)	59.3
No. Modules	247
Module	LG, LG365N2W-B3 (365W)
Inverter	XGI 1000-65/65- Solectria
Est. Annual Solar Production (kWh)	111,200

CCHS Central Field

There is also a large field in between Beede and the high school. This field serves as a stormwater runoff catchment basin for the parking lot. There are several small trees on the south side of the lot that will eventually grow to shade the lot, the initial array modeled by Cadmus for a ground mount array accounts for a max tree height of 25 feet. If the trees were replaced with smaller shrubs, this array would approximately double in size. However, if these trees are planned to grow to 40+ feet, this lot would not be appropriate for ground mount solar.

Figure 25: Conceptual PV Design 1 Ground Mount CCHS Central Field



DC Capacity (kW)	354
AC Capacity (kW)	325
No. Modules	970
PV Module	LG, LG365N2W-B3 (365W)
Inverter	XGI 1000-65/65- Solectria
Est. Annual Solar Production (kWh)	479,000

Alternate orientation that account for the grade of the field. Will generate more energy in the afternoon, but less energy overall.

Figure 26: Conceptual PV Design 2 Ground Mount CCHS Central Field



CCHS Solar Carport

There is opportunity for solar canopies over the parking lot areas at the high school. Future growth of small trees will need to be considered for feasibility.

Figure 27: Conceptual PV Design CCHS Solar Carport



DC Capacity (kW)	323
AC Capacity (kW)	270
No. Modules	885
PV Module	LG, LG365N2W-B3 (365W)
Inverter	XGI 1000-65/65-Solectria
Est. Annual Solar Production (kWh)	425,000

CCHS East Field

There is also an opportunity to develop ground mounted solar on a large lot to the West of the School.

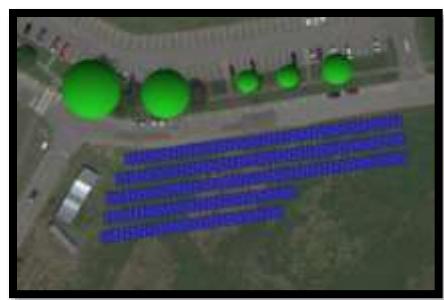
Figure 28: Conceptual PV Design 1 CCHS East Field



DC Capacity (kW)	236
AC Capacity (kW)	195
No. Modules	648
PV Module	LG, LG365N2W-B3 (365W)
Inverter	XGI 1000-65/65-Solectria
Est. Annual Solar Production (kWh)	308,000

Alternate Orientation, running parallel with the road. This array would generate more energy in the morning but less overall.

Figure 29: Conceptual PV Design 2 CCHS East Field



Appendix B: Optimization Modeling Assumptions

Cadmus uses a net present costs calculation to determine the best size of energy storage to be paired with the solar arrays. As part of these calculation several assumptions are needed to complete the modeling of future costs. These assumptions Include:

- Preliminary PV designs energy output
- Typical Meteorological Year from NASA Worldwide Energy Resource Data Base
- Building energy usage matched to 2019 building utility bills
- Simulated hourly electric load based on supplied town information.
- Real discount rate: 1.34%
- Project lifetime: 25 years
- Battery replacement: 10-15 years at 80% current cost
- Annual utility charge escalator: 2%
- Estimates for Battery Costs and Solar Costs from Cadmus's Massachusetts market insights
- Social Cost of Carbon: \$68/ton of CO₂ and \$100/ton of CO₂
- Direct purchase assumed
- Modeled with CMLP Net Metering credit of 0.029/kWh²
- Investment Tax Credit: Not eligible
- CMLP Large General Service (Rate G-3) and Medium General Service (Rate G-2) tariffs
- No value added for resiliency
- Basic Demand Response Program (\$30/kW reduction for ten 3-hour events between June 1st to July 30th 12 - 6 pm)

Concord currently has a voluntary demand response program. Cadmus believes that modeling a basic demand response (DR) program is important to the Town and has created a simple DR program that will help to optimize the battery selection.

"Thirty percent of your electric bill is directly related to the amount of electricity Concord uses for just one hour during the entire year. That one hour, the peak demand hour, occurs on a hot weekday afternoon during the summer months from June 1st to September 15th typically between the hours of 12PM – 6PM." (CMLP)

² 12-Month Average [CMLP Solar Net Metering Credit](#)

Town Manager

From: Town Manager
Sent: Monday, July 18, 2022 10:59 AM
To: David Archibald; Rick Parker; Wendy Reed
Cc: Town Accountant; Town Clerk; Finance Admin; Assistant Clerk
Subject: Pentucket Regional Agreement - proposed regional meeting
Attachments: Regional Agreement Final Approved 2019.pdf

Hi,

This is to let you know that, over the course of the past week or so, I have been in correspondence with my counterparts in Groveland (Rebecca Oldham, Town Administrator) and Carol McLeod (Finance Director) regarding a shared interest in scheduling a meeting regarding the Pentucket Regional Agreement.

The current regional agreement, approved by Town Meeting voters in all 3 towns in spring 2019, is attached. This provides (at Sec. XIV(C)) for review every 3 years. This section also provides the towns the option to appoint a Task Force for purposes of reviewing the Regional Agreement.

We'd like to get a meeting on the calendar, ideally in August, to include a designee from each town's Select Board and Finance Committee, as well as a member of the School Committee representing each of the 3 towns. The questions for review at the meeting would include:

- 1) Does anyone have any questions or proposed changes to the Regional Agreement? If not, let's discuss extending. If so, let's discuss so we can extend.
- 2) Given the failed override and no major changes to the State funding formula which would aid the school district, one or more of the Pentucket towns are likely heading to another operating budget override request for FY24. Following the failure of the override requests this spring, concerns (in Groveland, at least) were publicly stated regarding communication and transparency from both the Finance Committee and Select Board towards the School District and School Committee. The goal of a meeting, and whatever may follow from that, would be to bring the towns together, discuss information gaps, ensure those lines of communication are clear, and put our best foot forward together.

I would like for both the Select Board and Finance Committee to include this for discussion on your next agenda, and to designate a representative to participate in a meeting. Once we have people designated to participate, we can look for some dates/times that work for everyone.

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

**PENTUCKET REGIONAL SCHOOL DISTRICT
REGIONAL AGREEMENT**

**PreK-12 REGIONAL AGREEMENT OF APRIL 30, 1993
AS AMENDED JULY 1, 1997, JULY 1, 1998, JULY 1, 1999, JULY 1, 2005,
JULY 1, 2006, JULY 1, 2012, JULY 1, 2014, AND JULY 1, 2019**

For a Regional School District for the Towns of Groveland, Merrimac, and West Newbury, towns in the Commonwealth of Massachusetts hereinafter referred to as member towns.

Section I. MEMBERSHIP OF THE REGIONAL DISTRICT SCHOOL COMMITTEE

- A. The Regional District School Committee shall consist of nine members, three from each member town, who shall be elected by the voters of that town. Each member so elected shall serve a three year term. In the event that a town or towns separate from the Regional School District at the elementary level as stated in Section X, the three (3) elected members from said town or towns shall constitute the elementary school committee as well as represent their town at the regional level.
- B. Any vacancy occurring on the Regional District School Committee for any cause shall be filled by the local Board of Selectmen and the remaining School Committee members from the town where the vacancy occurs. Such replacement shall serve until the next annual town election.
- C. At the first scheduled meeting of the Regional District School Committee after the annual election of all member towns, the Regional District School Committee shall organize in accordance with Massachusetts General Laws, Chapter 71, Section 16A, known as "Regional School Committee, Organization". In addition, the Regional District School Committee shall fix the time and place for its regular meetings for the new term, provide for the calling of special meetings upon notice to all its members, and appoint appropriate sub-committees and other officers.
- D. The Chairmanship, Vice Chairmanship and Secretary positions shall be revolving with one position being from each town. No Town shall hold more than one office.

Section II. QUORUMS, VOTES AND GOVERNANCE

- A. A quorum to conduct business at regular meetings shall consist of a simple majority of its members and special meetings shall require not less than two members from each of the towns.
- B. On all issues requiring a vote of the Regional District School Committee, each member's vote will be weighted according to the respective town's population

based on the most recent decennial Federal census data, calculated out to two decimal places, and remain as such until the next official Federal census.

- C. Any action voted by the Regional District School Committee which directly and specifically affects the elementary school(s) in only one town shall require that two of the three members of the Regional District School Committee from the town in which the affected elementary school is located vote in support of that action. In order, however, for a school to be closed in any member town where there is more than one elementary school, all three committee members from the affected town are required to vote in favor of the proposed closure after a public hearing is held in the affected town.

Section III. TYPE OF SCHOOL

- A. The Regional School District shall include all grades from PK – 12.
- B. The secondary schools shall serve students in grades 6 or 7 – 12.
- C. The elementary schools shall serve students in grades PK – 5 or 6.
- D. In the agreement where “preschool” is mentioned it is done so for future purposes to permit the Regional District School Committee with the approval of all member towns at their respective Town Meetings, at some future date, to include preschool classes. Until such time all preschool expenses shall be on a self supporting basis, except those excluded by law.

Section IV. LOCATION OF SCHOOLS

- A. The Regional District secondary school buildings shall be located on sites owned by the District.
- B. There shall be not less than one elementary school in each member town. Students in grades PK – 5 or 6 shall attend schools in their towns of residence, except in cases of emergency as defined by the Regional District School Committee, children attending special education low incidence classes, regional “magnet” classes, or intradistrict school choice. In such instances of emergency, refer to the Pentucket Regional School District “Contingency Plan” as approved by the Pentucket Regional School Committee, and as may be amended from time to time.
- C. Each member town shall retain ownership of all elementary school buildings and related grounds, including any new elementary school buildings constructed in the future. Each member town shall lease each elementary school building and related grounds to the Pentucket Regional School District for the sum of one dollar. Each lease shall be for a term not greater than the term permitted by either general or special State law. The initial term of each lease shall commence

on the date that the Regional District School Committee assumes jurisdiction over the pupils in grades PK-12 or as otherwise provided in such lease. Each lease may contain provisions for an extension of the lease term at the option of the Regional District School Committee. Responsibilities for maintenance of elementary school buildings shall be uniform across all District elementary school leases. A lease shall not prevent the use of the elementary school buildings or premises by the respective owner towns with the approval of the School Committee, which shall not withhold such approval unless educationally necessary. If permitted by either general or special State law, a lease may provide that it shall terminate and the leased property shall revert to the member town if the town should no longer be a member of the Pentucket Regional School District or if the Regional District School Committee should determine that the land, with the building and other improvements thereon, is no longer needed for the educational program of the District. Each lease may include such other terms as may be agreed upon by the Board of Selectmen of a member town and the Regional District School Committee. A lease shall be executed by the Board of Selectmen on behalf of the member town and the Regional District School Committee on behalf of the District.

- D. Said requirements to lease land and buildings shall not include portions of land and buildings already under separate lease at the time of the effective date of this agreement until such time as the existing lease terms expire.
- E. Payments from present leases and future leases shall be paid to the Regional School District in accordance with the lease agreement by and between the District and the Town.
- F. When necessary to implement due to an emergency as described in Section IV (B), the Pentucket Regional School District "Contingency Plan" will be in place for not more than one year, or until all towns have convened a special town meeting for the purpose of reviewing any amendments as may be proposed to the Regional Agreement, whichever comes first.

Section V. TRANSPORTATION

Transportation shall be provided by the Regional School District. The Regional District School Committee shall set District transportation policy.

Section VI. DEFINITIONS

The budget for construction and operation of the District's Schools including payments of principal and interest on bonds and other evidence of indebtedness issued by the District shall be apportioned to the member towns subject to the following definitions:

A. Budget

As defined by this document, the budget is the amount of dollars voted by the Regional District School Committee to finance the District schools to be paid from the general revenues of the Regional School District.

The budget shall be comprised of two parts: operating costs and debt service, each as herein defined.

1. DEBT SERVICE and CAPITAL COSTS include all costs that are used for payment of principal and interest on bonds or other obligations issued by the District. Capital projects shall be defined as costing not less than \$10,000 and having a depreciable life of not less than 5 years.
2. OPERATING COSTS include all costs not included in Debt Service and Capital Costs as defined in 1, but includes interest and principal on revenue anticipation notes.

Section VII. METHOD OF ASSESSING COSTS OF THE REGIONAL SCHOOL DISTRICT

- A. All operating costs shall be assessed to the three towns on the basis of M.G.L. Chapter 71, Section 16B.
1. The district assessment will be calculated and reported to the member towns by using the two – step method. The District shall list all general fund revenues, including but not limited to Chapter 70 and Transportation Aid, and reduce the member assessment as it relates to the approved operating budget by said amount. The remaining member assessments shall be calculated by charging each member Town its net minimum spending amount as approved by the Department of Elementary and Secondary Education for the Fiscal Year being assessed. Should the requested member assessments exceed the net minimum spending required then the remaining amount shall be charged to each member Town based upon its percentage of the entire District enrollment calculated to 4 decimal places as of October 1 of the prior Fiscal Year for grades K to 12, including out of District placements, as reported to the Massachusetts Department of Elementary and Secondary Education on the statewide pupil census. All Debt Service and Capital Costs not associated directly to one member community's Elementary School(s) shall be allocated and assessed annually using the calculation stated above for any amount over the net minimum spending requirement.
2. Should all member Towns agree on an alternative method of assessment the District shall be notified in writing by each member community's Board of Selectmen Chair on the agreed procedure on or before March 1 of the year

prior to the Fiscal year budget start date. If the per pupil method of assessment is chosen then the calculation shall be the same as the amount over net minimum spending stated in Part 1 of this section.

- B. Debt Service, incurred by the District for an elementary school building of a member town, less applicable Chapter 70B MSBA aid, shall be assessed to the member town in which the elementary school is located.
- C. The payment of the assessed share of operating costs and debt service by each member town, as computed by the Regional District School Committee according to the methods specified in Sections VI, and VII, shall be made by each member town's Treasurer by check payable to the Regional School District in twelve equal installments by the fifteenth of each month.

Section VIII. RESPONSIBILITY FOR ADDITIONS, MAJOR REPLACEMENTS AND MAINTENANCE OF SECONDARY AND ELEMENTARY SCHOOLS

- A. The District shall develop a 5 year capital plan for each building that will be provided to each member town by January 15th. This plan shall include; item descriptions, estimated costs, and the projected depreciable life. Capital projects shall be defined as costing not less than \$10,000 and having a depreciable life of not less than 5 years. Capital projects shall be scheduled and approved by the member Town. Emergency repair procedures shall be defined by the member Town lease agreement.

In addition, the District shall provide the member towns with a maintenance plan for each of its buildings. The District shall include a line item in its budget to fully fund this plan. A year end maintenance report shall be provided to the member towns identifying the cost of all maintenance performed.

- B. Each member town shall be responsible for payment of costs associated with the construction of new buildings, renovations, or making extraordinary repairs to the elementary school building/s located in that member town so long as they meet the requirements of a capital project as described in VIII A.
- C. The costs of on-going maintenance for those items not included in paragraph VIII B. for the elementary schools and all costs for the secondary schools shall be borne by the Regional School District.

Section IX. ADMISSION OF ADDITIONAL TOWNS

By an amendment of this agreement adopted by each member town in accordance with Section XIV and complying with the provision therein contained,

any other town or towns may be admitted to the Regional School District upon adoption as herein provided of such amendment and upon acceptance of the agreement as so amended, and also upon compliance with the provision of law as may be applicable and such terms as may be set forth in such amendment.

A new member may be admitted to the Regional School District as of July 1 of any fiscal year, provided that all requisite approvals for such admission, including the Commissioner's approval, shall be obtained no later than the preceding December 31. The authorizing votes may provide for the deferral of said admission until July 1 of a subsequent fiscal year.

Section X. WITHDRAWAL OF MEMBER TOWNS FROM THE REGIONAL SCHOOL DISTRICT

- A. Any town withdrawing from the District must first pay all its share of total debt and current operating expenses. All withdrawals are subject to the approval of the Commissioner of Elementary and Secondary Education and must be approved by two thirds of the member Towns.

Any member town may withdraw from the regional school district in total or at the elementary level if accepted by a majority vote of the voters present and voting on the question at its Annual Town meeting called for the purpose, such withdrawal to become effective on June 30th of the year named in the question, provided: (1) that in pursuance of such vote, the withdrawing town gives the regional school district at least one years written notice of its intention to withdraw, (2) that the said town has paid over to the District any costs which have been certified by the District Treasurer to the Treasurer of the withdrawing town.

Section XI. ANNUAL REPORT

- A. The Regional District School Committee shall submit to each member town an annual report containing a detailed financial statement and a statement showing methods by which the annual charges assessed against each town were computed, together with such additional information relating to the operation and maintenance of the secondary schools and each elementary school as may be deemed necessary by the Regional District Committee or by the Selectmen and/or the Finance Committee of any member town. This report shall contain a detailed listing of salaries by individual employee.

Section XII. BUDGET

The Regional Advisory Committee will meet, from time to time, with the Regional District School Committee Chair, the Superintendent and/or Business Manager to discuss matters that may impact the District and/or the towns, including budget calendars and timelines, content and detail of budgets, revenue estimates and other revenue matters, capital budget items and use of Excess and Deficiency funds. The Committee shall prepare reports to be read into the School Committee minutes.

- A. The Regional District School Committee shall prepare a budget on a fiscal year basis for the District in the following manner:
 1. The budget process shall be initiated annually in December and shall provide an opportunity for the Selectmen and Finance Committee of each member town to have input into its preparation. The Regional District School Committee shall complete its proposed budget for the ensuing year, and said proposed budget shall be posted in the Town Hall of each member town, shall be provided to each member town's public library, and shall be submitted to the Selectmen, Finance Directors and Finance Committee members of each member town.
 2. The proposed budget shall contain a notice stating when and where a public hearing will be held. The public hearing shall be held in any District school building. The notice of the public hearing shall be posted in all three towns. Said hearing shall be held at least ten (10) days prior to final adoption of the proposed budget. Upon request of the Finance Committee and/or the Board of Selectmen of any member town, the Regional District School Committee shall arrange to meet with such Finance Committee and/or Board of Selectmen for the purpose of discussing the proposed budget. Said proposed budget shall be submitted in the template approved by the School Committee, itemized at least as follows: central administration; expenses of instruction; transportation; operation of school plant; maintenance of school plant; outlay, debt and interest charges; the last named to specify all items costing \$1,000.00 or more. All non-recurring expenditures shall be itemized. Enrollment, staffing, total expenditures and assessments for the past five years shall be included. The Chair of any member Board of Selectmen or Finance Committee may request further information.
 3. 45 days prior to the date of the earliest member Annual Town Meeting the Regional District School Committee shall adopt by a two-thirds vote of all its members a budget with such changes as may have resulted from conferences and an open hearing. This budget shall be presented in two parts as outlined in the attached template (Exhibit A). No later than 30 days from the date of the approval vote, but within 10 days if possible, the

Treasurer of the District shall certify to the Treasurer of each member town its assessed share of such budget.

4. The budget and assessment shall be so constructed as to show debt service, capital and operating costs. It shall also list all general fund revenue used to reduce member assessments as described in VII. A. This budget should also identify the costs of any programs not uniformly offered at all District elementary schools.
5. Budget approval will be in accordance with M.G.L. Chapter 71, Section 16B.
6. If, in the opinion of the Board of Selectmen and/or Finance Committee of any of the towns, the Regional School District budget will not fit the budgetary capabilities of their town, they can request of the Regional District School Committee a special meeting to discuss the budget.

This meeting shall be called within seven (7) days of the presentation of the budget to the member towns.

The meeting shall be attended by six members of the Regional District School Committee (two members from each member town), as well as two representatives of the Board of Selectmen and two representatives of the Finance Committee from each member town.

The purpose of this meeting will be to discuss the ability of the town or towns to meet the financial obligation brought forth by their assessment of the submitted Regional School District budget.

The charge of this group will be to recommend to the Regional District School Committee a reduced budget that least affects the educational integrity of the District and meets the financial capabilities of the town(s).

7. If a member town fails to hold a meeting within forty-five (45) days from the date on which an amended assessment was adopted by the Regional District School Committee, the member town shall be deemed to have voted affirmatively regardless of whether the town had previously approved an amount equal to or greater than the revised assessment. No action by the town constitutes approval.

Section XIII. INCURRING OF DEBT

- A. The Regional District School Committee shall have authority to develop plans for District schools. According to Chapter 71, S.16d. the Regional District School Committee shall not incur any debt for the school until the expiration of sixty (60)

days from the date said debt is authorized by the Regional District School Committee. Prior to the expiration of said period each member town will be notified of the intent to incur debt. Each member town which would bear a financial responsibility for the debt through the assessment of all or a portion of the principal and interest on such debt shall hold a Town Meeting for the purpose of expressing approval or disapproval of the amount of debt authorized by the Regional District School Committee by a majority of voters present and voting on the question. If the debt is disapproved by any member town, the debt shall not be incurred, and the Regional District School Committee shall then prepare an alternative proposal and a new or revised authorization to incur debt. The only exception to the restrictions in this paragraph shall be the incurring of debt in anticipation of revenues.

- B. In the event that a member town should determine, prior to the issuance by the District of long term indebtedness to finance a Capital Cost, to make an upfront cash contribution to pay all of its allocable share of such Capital Cost, then the total borrowing authorized to pay costs of such Capital Cost shall be reduced by the amount of such upfront cash contribution. A member town's share of Capital Costs for purposes of this section shall be determined in the same manner as used in determining the allocation of Capital Costs for the fiscal year in which the District's borrowing for a particular Capital Cost is authorized.

When a member town has paid its entire share of such Capital Cost, then such member town shall not be assessed for any portion of Debt Service incurred by the District to finance the balance of such Capital Cost. Then, notwithstanding the provisions of Section VII(A) to the contrary, Debt Service on the amount to be borrowed shall be assessed upon the member town or towns that did not determine to make an upfront cash contribution on account of such Capital Cost, as if the District's total enrollment consisted solely of the students from the noncontributing town or towns.

Any upfront cash contribution on account of a Capital Cost shall be paid to the District prior to the issuance of long term bonds by the District to finance such capital cost.

Section XIV. AMENDMENTS

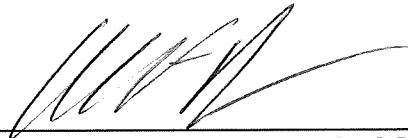
- A. Amendments to the agreement must receive a majority vote of approval by each member town at a Town Meeting. Amendments may be initiated by the Regional District School Committee or by the Board of Selectmen of any one of the member towns.
- B. No such amendment shall be made which shall substantially impair the rights of the holders of any of the District's bonds or notes of the District then outstanding or the rights of the District to procure the means for payment thereof.

- C. This agreement shall be reviewed every three years by a group comprised of the Chief Financial Officer of each town (or person holding such position by whichever title it may be known), the PRSD Business Manager, and the PRSD Superintendent, who will jointly make recommendations for changes to the member Town's Board of Selectmen. Each town's Chief Financial Officer shall participate on behalf of their respective Board of Selectmen, and shall be responsible to keep their Board apprised of communications and related meetings, and to provide their respective Board regular opportunities to initiate any potential amendments to this agreement or respond to any amendments as may be initiated by others. At any time the Towns may also appoint a task force to review the Regional Agreement. This task force will be made up of a member from each Town's Board of Selectmen, the member town's Finance Directors, the Chairman of the School Committee, the Superintendent and a citizen from each member town.
- D. All amendments are subject to the approval of the Commissioner of Elementary and Secondary Education.

Section XV. SEVERABILITY OF SECTIONS

According to Chapter 71.S.16I., in the event that any provision of this Regional School District Agreement shall be held invalid in any circumstance, such invalidity shall not affect any other provisions or circumstances.

Approval Signatures

		
Chair, Groveland Board of Selectmen Duly authorized	5/28/19 Date	
Chair, Merrimac Board of Selectmen Duly authorized	6/6/19 Date	
Chair, West Newbury Board of Selectmen Duly authorized	6/20/19 Date	



**Town of West Newbury
Select Board**
Monday, March 14, 2022 @ 5:30pm
 381 Main Street, Town Office Building
www.wnewbury.org
Meeting Minutes- Draft

Open Session: The meeting was called to order at 7:15 by Chairperson Parker.

Participation at the meeting:

Richard Parker, David Archibald, and Wendy Reed *Select Board Members*
 Angus Jennings, *Town Manager*
 James Blatchford, *Town Clerk*
 Susan Dougherty, *Applicant for Appointment (Tree Committee)*
 Christopher Bernier, *Newburyport Half Marathon Special Event Request*
 Liz Armano, *Port Players*
 Leah Zambernardi, *Town Planner*
 Tim Zessin, *Town Counsel*
 John Dodge
 Judy Mizner, *Conservation Commission Chairperson*
 Michelle Greene, *Conservation Agent*
 Carol Decker
 Nancy Pau

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).
- Council on Aging meals, events and activities – see Town website for details.
- Call for other volunteers: current opportunities at <https://www.wnewbury.org/volunteer>
- Elected position on the Parks & Recreation Commission available. Deadline to pull nomination papers has passed, but candidates welcome to run a write-in campaign for the upcoming election.
- Reminder to subscribe for emailed Town news/announcements at <https://www.wnewbury.org/subscribe>

Regular Business

A. Request for appointment of Susan Dougherty to the Tree Committee

Susan Dougherty appeared before the Select Board for this request (see exhibit A pages 3-4 for details). Parker read a poem, entitled *Tree*, written by Dougherty. Dougherty expressed passion for trees and future plans of writing a book about the trees in town. **Parker made a motion to appoint Susan Dougherty to the Tree Committee through June 30, 2024.**

Archibald seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0). Jennings stated the Blatchford would send communication surrounding getting sworn in.

B. Special Event Permit Request – Newburyport Half Marathon, April 24, 2022

Christopher Bernier appeared virtually before the Select Board (see exhibit B pages 5-10 for details). Bernier stated the 800-1000 participants were expected to participate in the event and the same route would be used as the marathon from the previous November. Bernier stated that due to the same route, and similar number of participants from the November race, the West Newbury Police Department did not require additional supports other than the police details listed on the application. The Select Board and Bernier discussed the use of private streets, signage, portable toilets, and consideration of contributing a donation to a local non-profit organization. The applicant stated support of contributing a donation to a local non-profit group. It was noted a correction for the location of the portable toilets on the application would require correction as the street listed was incorrect.

Archibald made a motion to approve the Special Event Permit for the Newburyport Half Marathon, April 24, 2022, with the condition the portable toilets would be removed as soon as possible after the race, and the correction of the location of the portable toilets on application. Parker seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).

C. Request for fee waiver/reduction for rental of Town Hall for youth theatre rehearsals – Port Players

Liz Armano appeared before the Select Board for this request (see exhibit C pages 11- 17 for details). Port Players was described as a small youth performance organization, conceived 3 years ago, that had been brought to a halt for the past two years due to COVID-19. Armano stated the previous rehearsal location, the youth center in Newburyport, was unexpectedly condemned and the organization was looking for a temporary rehearsal space until a permanent location could be found. Armano requested a total of 7 Thursday evenings, from 5:30-7:30pm, in the Annex to accommodate auditions and rehearsals for a reduced fee of \$25 per evening. The Select Board compared waiving the first 6 dates, under the non-profit guidelines, and charging full price of \$180 for the seventh date. As the price difference was \$5, it was suggested either approve or deny the \$25 fee per day listed on the request form. **Parker made a motion to approve 7 evening dates requested. Archibald seconded.** Jennings stated the minutes would reflect the circumstances of this request to clarify the reduction of prices would not occur on a regular basis. Reed reviewed the policy for the rental of the Annex and stated the organization should be waived the first 6 days under the non-profit guidelines. After a brief discussion, Parker stated the fee would be \$180 as the first 6 dates fall under a non-profit organization guideline. **Parker asked if the second still stands. Archibald seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).**

D. Discussion of MBTA Communities legislation; potential One Stop grant funding to support evaluation; review of draft comment letter to State for submittal within public comment period (due by late March) – Leah Zambernardi, AICP, Town Planner; and Planning Board representative(s)

Leah Zambernardi appeared before the Select Board and presented a summary of the MBTA legislation and the zoning bylaw requirement (see exhibit D pages 18-32 for details). Zambernardi stated the legislation was a zoning district mandate, not a housing production mandate, and if the town did not comply with the legislation, it would not be eligible for state grant programs. Zambernardi presented the timeline of deadlines of each step for the implementation of the legislation and discussed the option of submitting an expression of interest to engage a consultant to provide technical assistance.

Tim Zessin, Town Counsel, appeared before the Select Board and discussed the minimum acreage required for the zoning district and how areas for non-residential use (i.e., wetlands, rights-of-way, recreation, etc.) within the zoning district would not count toward the acreage requirement. Zessin presented the draft comment letter for Select Board input before submission to the state. John Dodge addressed the Select Board and asked how the legislation related to affordable housing. Zessin stated this was not clearly defined. Discussion continued concerning the impact on schools and safety services with an increase of population if a multi-family development did occur.

The Select Board discussed co-signing the draft comment letter with the addition of comments surrounding affordable housing. **Parker made a motion for the Select Board to endorse the draft comment letter produced by the Planning Board. Reed seconded.** Motion unanimously passed (Yes 3, No 0, Abstain 0). Parker made a motion to submit an expression of interest for technical assistance regarding the MBTA legislation. Reed seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0). Zambernardi stated the town would receive a report regarding MS4 bylaws and would like to submit an expression of interest regarding stormwater handling. **Parker made a motion to support the second expression of interest regarding stormwater. Reed seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).**

E. Presentation of proposed Wetlands Bylaw – Conservation Commission representative(s)

Judy Mizner appeared before the Select Board and stated communication was received regarding the proposed Wetlands Bylaw and concerns that the bylaw would violate state statutes and constitutional provisions of the Commonwealth. Mizner reviewed the Constitution Amendment and Massachusetts General Laws that allowed for local communities to adopt bylaws with more stringent controls than the minimum listed in the state law. Additionally, the Attorney General would be required to review all bylaws adopted to ensure constitutional and statutory procedures.

Michelle Greene, Conservation Agent, and Mizner presented a slide presentation regarding the proposed bylaw and the area in which the bylaw would protect (see exhibit E pages 33-51 for details). Greene and Mizner stated the proposed bylaw was in line with other communities in the area and based on the Massachusetts Association Conservation Commission Bylaw Model.

The Select Board discussed potential constrictions on the rights of property owners, potential additional costs associated with property upkeep, the approval and appeals process, and the language used within the draft concerning incremental activity. Mizner stated the rights of the property owners were not in jeopardy and the bylaw would give the Commission the chance to review planned projects near protected lands/water sources.

Carol Decker appeared before the Select Board and raised concerns for previously exempt activities that appeared to have been removed from the bylaw. Discussion as to whether specific invasive plant removal could be added to the bylaw commenced. Nancy Pau appeared before the Select Board virtually and expressed concern that the strict regulations would cause an additional burden on residents and potentially deter some people from following the proposed protocols. **No motions were made at this time.** Jennings stated the draft bylaw was currently being reviewed by Town Counsel and a revised version would be available to the Select Board at the next meeting.

H. Review of the proposed warrant articles for Spring Annual and Special Town Meetings scheduled for May 14, 2022 at 9am.

Jennings reviewed the article numbered 23 in the packet (see exhibit H pages 63-70 for details). Wayne Amaral appeared before the Select Board and stated the DPW required additional space to complete projects and storage equipment. The space at the former Highway Garage could be utilized if repairs could be completed. Amaral stated the building was in pretty good shape but would need a new roof and the building could last another 10-15 years. Archibald questioned why the Select Board was cautioned to stop repairing the facility years prior. The Select Board discussed other items for repair listed within the proposed article. **No motions were made at this time.**

L. Cont'd discussion re Middle Street Bridge; recent change order due to MassDEP Ch91 permitting

Jennings presented the schedule of fee for services proposal from the BSC Group, Inc. (see exhibit L pages 94-98 for details). The Select Board discussed the minor modification fee listed on the proposal and how to move forward in the process in order to start the project as soon as the funds were released by the Federal government. It was stated that a one-year extension could be granted as long as the project was active in the permitting stage.

Parker made a motion to authorize BSC Group to proceed with the chapter 91 permitting work as described in the proposal. Archibald seconded. Motion passed (Yes 2, No 1, Abstain 0).

F. Presentation of updates to FY23 operating budget, including any changes (if any) resulting from Pentucket School Committee meeting on March 10th – Angus Jennings, Town Manager

Jennings stated the Pentucket budget was formally voted on Friday night and was roughly \$200,000 lower than the initial assessment. This reduction was reflected on the FY23 budget document and could be found on the West Newbury website (see exhibit F pages 53-56). **No motions were made at this time.**

G. Referral of proposed ballot question re Agricultural Equipment Excise Tax to annual election ballot (see exhibit G pages 57-62 for details)

Archibald made a motion to approve the agricultural equipment excise tax exemption to the annual election ballot. Parker seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).

H. Review of proposed warrant articles for spring Annual and Special Town Meetings scheduled for Saturday, May 14, 2022 at 9am

Jennings stated the draft of the warrant provided in the packet had not yet been reviewed by Town Counsel (see exhibit H pages 63-70 for details). At this stage of the draft, Jennings suggested reviewing the draft for language and punctuation edits as no further action was needed at this time. **After brief discussion, Parker made a motion to strike the OPEB article from the warrant. Archibald seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).** The Select Board and Jennings discussed the Soldiers & Sailors building, the zoning issues surrounding the property, and the status of the preservation restriction guidelines. The Select

Board reviewed areas of the draft warrant that would need further work and areas where firm financial numbers would need to be inserted. **No motions were made at this time.**

I. Review and discussion of proposed Affordable Housing Trust Bylaw

The Select Board discussed the proposed bylaw and the benefit of developing an action plan for the committee in order to provide the most information to the voters (see exhibit I pages 71-81 for details). **No motions were made at this time.**

J. Vote intention to lay out Sullivan's Court Extension as a public way, and to referral to Planning Board for review

Jennings stated this was a procedural step in order for the Planning Board to complete a review (see exhibit J page 82 for details). **Parker made a motion of intention to lay out Sullivan's Court Extension as a public way, and to refer to the planning Board for review. Archibald seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).**

K. Discussion/review of Town of West Newbury COVID-19 Exposure Protocol

Jennings stated opposing comments had been received from staff (see exhibit K pages 83-93 for details). Jennings suggested to continue with current COVID-19 protocols within the Town Offices and to revisit the protocols in a few weeks. **No motions were made at this time.**

M. Potential referral of proposed amendments to the Personnel Policy for future public hearing

Jennings briefly reviewed the proposed amendments to the Personnel Policy (see exhibit M pages 99-100 for details). **Reed made a motion to refer the proposed amendments to the Personnel Policy for a public hearing March 28, 2022. Parker seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).**

N. Meeting minutes: October 4, 2021 (see exhibit N pages 101-111 for details)

The Select Board decided to table this item until March 28, 2022.

Town Manager Updates

O. Updates regarding stormwater working group / MS4 permit compliance

Jennings gave a brief informational update, and stated the Stormwater Bylaw had been approved by the Attorney General (see exhibit O pages 112- 120 for details). **No motions were made at this time.**

P. Updates re Summer Rec Program and buildout of new platform for online registration and payment

Jennings gave a brief update on the new platform and stated it should be publicly available in the upcoming weeks (see exhibit P page 121 for details). The Select Board and Jennings discussed the various capabilities of the new platform. It was stated an update would be provided at the following meeting. **No motions were made at this time.**

Q. FY23 Chapter 90 funds allocation (see exhibit Q pages 122 for details)
This item was not discussed at this time.

R. Follow up meeting assignment; placing items for future agendas
This item was not discussed at this time.

Parker made a motion to adjourn open session. Archibald seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0). Open Session adjourned at 11:46pm.



**Town of West Newbury
Select Board
Monday, June 27, 2022 @ 7:00pm
381 Main Street, Town Office Building
www.wnewbury.org**

Open Session Meeting Minutes- Draft

Open Session: The meeting was called to order at 7:03pm by Chairperson Archibald.

Participation at the Meeting:

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

Angus Jennings, *Town Manager*

James Blatchford, *Town Clerk*

Fred Chanania, *Tree Committee*

Karen Tyler, *Veterans' Agent*

Liz Oltman, *TEC Consultants*

Elisa Grammer (virtually), Rob Phillips, Barry LaCroix *River Access Committee*

Brad Dore, *Harbor Committee*

Mike Dwyer *Police Chief*

John Haley

Jill Eichhorst

Stephanie Frontiera, *Town Accountant*

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.
- SAGE Center Open House, Thursday, June 30th from 4:30-6:30pm – All are welcome! (See pages 2-8 for details)
- 2022 Summer Bandstand Concert Schedule– Thursdays (6/23-8/25) at 6:30pm: list of performers now online! (See page 9 for details)
- 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. Presentation of Tree City USA Plaque – Fred Chanania, Tree Committee

Fred Chanania appeared before the Select Board and presented the Tree City USA plaque to be displayed in the Town Offices Building (see exhibit A page 10 for details). Additionally, the town received two Tree City signs and a large Tree City flag to display within town. Chanania stated West Newbury was the only new town designated as a Tree City this year. Chanania updated the Select Board on the Tree Trail at Mill Pond and stated the trail should be completed this summer. Additionally, the Tree Committee planned to apply for a grant to plant 20 native trees at the Page School and Action Cove the following year. **No motions were made at this time.**

B. Discussion of Town representation on Eastern Essex Veterans' Board – Karen Tyler, Veterans' Agent

Karen Tyler appeared before the Select Board and described the Eastern Essex Veteran's Board as comprised of six towns with equal representation from either a Select Board member or designee (see exhibit B pages 11-20 for details). The Select Board and Tyler discussed the importance of a representative of either veteran status or a person with strong ties to the veteran community. It was decided to call for volunteer veteran to serve as the representative for the town. Jennings suggested sending a letter to the veterans of the community to inform them of the service the Eastern Essex Veterans' Board can provide as well as recruit a representative. Until a representative could be appointed, Chairperson Archibald would stand-in as the representative of West Newbury starting of July 1, 2022. Jennings stated the Purple Heart Proclamation would appear on the next meeting agenda July 11, 2022.

C. Updated draft Page/Pipestave/113 safety audit and concept plans – Liz Oltman, TEC Consultants

Liz Oltman appeared before the Select Board virtually and presented the final concept plan (see exhibit C pages 1-140 in the supplemental packet). Oltman stated the maximum funding available from Safe Routes to School Grant was currently \$1.5 million. As the Select Board had discussed submitting a project as close to the maximum amount of the grant, Oltman stated a 1200 linear foot sidewalk could be constructed from Page School down the south side of Rt 113 to Mill Pond. Oltman believed with the need for retaining walls along a portion of Rt 113, the cost of the project would be close to the maximum grant allowance of \$1.5 million. **Parker made a motion to accept the final report as presented. Reed seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).**

D. Request for support to file CPA application for design and permitting services associated with proposed boat dock or ramp, in coordination with Essex County Greenbelt, on Parcel R24-5 (River Road) – River Access Committee

Elisa Grammer appeared virtually while Rob Phillips and Barry LaCroix appeared before the Select Board in person. Phillips presented a revised proposal requesting support to file a CPA application for design and permitting services associated with river access, in coordination with Essex County Greenbelt, on Parcel R24-5 River Road (see exhibit D pages 21-29 for details). Phillips stated the committee was not yet at a stage to propose a boat ramp or dock, but was seeking support from the Select Board to file the CPA application in order to secure funding for design and permitting services. Phillips added the River Access Committee would reach out to the Open Space Committee, Fire & Rescue, Conservation Commission, community members, and other stakeholders for input. Phillips stated the boundaries for the area would need to be flagged in order for the public to visually see the area in question. Further, the committee would like to identify where parking could occur, how much parking, and where a pathway to the water could be located. **Parker made a motion to support to file CPA application for design and permitting services associated with river access, in coordination with Essex County Greenbelt, on Parcel R24-5 (River Road). Reed seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).**

E. Discussion of FY23 work plan for Harbor Committee – Brad Dore, Harbor Committee Chair

Brad Dore appeared in person before the Select Board and discussed the duties of the Harbor Committee (see exhibit E pages 30-51 for details). Dore stated that in prior years, the committee had completed a feasibility study for a mooring field but were unable to move forward as it had been denied for CPA funding. Dore and the Select Board discussed the limitations of the Harbor Committee as the town did not officially have a harbor and the conservation commission ultimately approved/denied dock and mooring permits. The Select Board discussed the current moorings and docks on the river and creating a map to assist with the enforcement of registration. **No motions were made at this time.**

A. Vote to accept donation from Natalie S. Hobson of land located off River Road (Parcel 120-0-120)

Jennings stated the intent of the owner was to donate the land to the town but the deed had never been executed (see exhibit F pages 52-53 for details). Archibald recalled this item had been discussed at a Select Board meeting years prior but could not recall if the Select Board members had made a decision. Blatchford stated the minutes from the Select Board meeting could be reviewed during which the donation letter was written. **No motions were made at this time.**

B. Requests for appointment:

a. Request for appointment of Rich Parenteau as acting Police Sergeant

Chief Dwyer appeared in person before the Select Board and gave a brief overview of the applicant's education and professional background (see exhibit Ba page 54 for details). **Parker made a motion to appoint Rich Parenteau as acting Police Sergeant effective July 1, 2022 until it is no longer necessary to hold that position. Reed seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).** The Select Board asked Chief Dwyer to congratulate Jessica Eng for graduating the police academy.

b. Request for appointment of Rob Phillips to Finance Committee

Rob Phillips appeared before the Select Board for the requested appointment to the Finance Committee (see exhibit Bb pages 55-56 for details). The Select Board stated Phillips would need to resign from the River Access Committee if appointed to the Finance Committee. **No motion was made at this time (see item Bd for the motion).**

c. Request for appointment of John Haley as Associate Member of Conservation Commission

John Haley appeared before the Select Board for the requested appointment as Associate Member of the Conservation Commission (see exhibit Bc pages 57-60 for details). Haley stated the desire for appointment came after attending many Conservation Commission meetings and a desire to be engaged in the community. Blatchford stated a full position would be available in August due to a member's planned resignation. **Parker made a motion to appoint John Haley as Associate Member of the Conservation Commission effective July 1, 2022 through June 30, 2023, subject to change if Haley decided to apply for the full position in August. Reed seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).**

Jill Eichhorst appeared before the Select Board virtually for the requested appointment to the Cultural Council. Eichhorst, a resident of West Newbury for over 50yrs, described previous experience serving on committees over the years and interest in serving the community. **No motion was made at this time (see item Bd for the motion).**

d. Board / Commission / Committee reappointments for FY23

Blatchford reviewed the slate of re-appointments and new applicants for appointment (see exhibit Bd pages 61-62 for details). The staggering of the terms for the Harbor Committee and the Mill Pond Committee were discussed. **Parker made a motion to appoint the entire slate as presented with Thomas Goodwin for a 1-year term, Terry Hartford for a 3-year term, Zip Corning for a 1-year term, Ryan Goodwin for a 2-**

year term, Deb Hamilton for a 3-year term, Robin Pendergast for a 2 year term, and Matthew Shwom for a 3-year term. The appointment to include Rob Phillips to the Finance Committee and Jill Eichhorst to the Cultural Council. Archibald seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).

Blatchford stated the CPC positions were to be appointed by the individual committees and the terms should be staggered. The Select Board discussed the possibility of modifying the bylaws to require staggered terms for consistency. Jennings stated the bylaw for the Harbor Committee should be modified to formalize the inclusion of alternate members.

e. Staff reappointments for FY23

Jennings reviewed edits to the appointment list with the Select Board and reviewed the statutory basis for approval of the reappointments (see exhibit Ge page 63 for details). Reed volunteered to be the other sexual harassment and grievance officer alongside Jennings. **Parker made a motion to appoint all staff as shown on the revised list with the modification of the full-time patrol officers Dan Dorgan, Jessica Eng, and Kyle Roy with a through date of June 30, 2023. Archibald seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).** Jennings stated follow-up would occur with Reed concerning the details of being a sexual harassment and grievance officer.

C. Review of proposed FY22 Line-Item Transfer requests

Jennings stated in accordance with the statute, detailed expense for the lines proposed for transfer had been included (see exhibit H pages 64-83 for details). It was stated that additional transfers would be brought forward at the July 11, 2022 meeting as some invoices would be received after June 30, 2022. Jennings stated the Finance Committee was scheduled to meet June 30, 2022 to vote on the line transfers presented. **Archibald made a motion to approve the listed line-item transfer requests. Parker seconded.** The Select Board reviewed the public relations consultant annual expense and discussed Public Safety and the Town website as two separate entities. Stephanie Frontiera, Town Accountant, appeared before the Select Board and stated the Police and Fire Department annual rate for the public relations consultant services was billed separately for each department. It was suggested to consult Chief Dwyer for an update on the services and whether the Chief must sign off on the statements before they are released to the public. **Motion unanimously passed (Yes 3, No 0, Abstain 0).** Jennings stated the line-item transfer requests would be taken up before the Finance Committee June 30, 2022.

D. Approval and signing of the borrowing paperwork in connection with the Town's \$1,060,000 Bond Anticipation Note dated July 13, 2022, payable July 13, 2023

Jennings stated if the Select Board found the document agreeable, the motion would need to approve the vote as written (see exhibit I pages 142-259 in the supplemental packet). **Parker made a motion to approve the vote as written in the provided document. Archibald seconded.** Jennings clarified for the viewers at home the Select Board was being asked to approve the sale of the bond anticipation notes to be used to finance water capital projects. The \$1.1 million would be converted to long-term debt. **Motion unanimously passed (Yes 3, No 0, Abstain 0).**

E. Request for authorization of ARPA funds to contract for study of Page School water lines

Frontiera advised the Select Board to declare the lump sum of the ARPA funds as revenue loss and to take a separate vote to move forward with the project (see exhibit J pages 84-99 for details). The Select Board discussed declaring revenue loss versus the standard deduction and the difference between calculating the actual revenue loss. **Archibald made a motion to categorize the Town's ARPA funding under the category as standard revenue loss. Reed seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0).** Jennings presented a sample of the proposal if the Select Board chose to move forward. The Select Board discussed the study of the Page School water lines and requested more information surrounding this project. Jennings suggested inviting Wayne Amaral and John Savage to the next meeting to discuss as they had more collective knowledge on the subject. The Select Board discussed other potential areas where the ARPA funds could be utilized. Frontiera informed the Select Board that the reporting would be extensive on all the expenditures and contracts the town entered into. It was stated that multiple smaller projects would require the same extensive reporting as moving forward with one larger project. **This item was tabled until the July 11, 2022 meeting.**

F. Review of draft letter to MassDOT regarding Rocks Village Bridge

Jennings presented the draft letter to MassDOT for Select Board comment and approval (see exhibit K pages 100-101 for details). The Select Board discussed the height restriction for travel on the bridge and that a "no truck" policy could restrict vehicles that would meet the height restriction requirements. The placement of the current height restriction sign and the possibility of adding additional warning systems were discussed. Rob Phillips suggested contacting Merrimack Valley Planning Commission for assistance with the draft. Jennings agreed and stated the draft letter would be submitted to MVPC for additional comment and the final version would then be presented to the Select Board for approval. Blatchford informed the Select Board the Haverhill City Council had submitted a letter to the Mayor of Haverhill concerning a truck restriction on the bridge, but was unsure if the mayor had submitted the letter to MassDOT per the City Council's request. **No motion was made at this time.**

G. Review and approval of FY23 employee wage range schedule (cont'd)

Jennings presented the FY23 wage range schedule for approval in accordance under the salary compensation bylaw (see exhibit L page 102 for details). After brief discussion, **Reed made a motion to accept the salary and wage calculations for FY2023. Parker seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0)**. Jennings asked if the intent of the motion was to include the wage ranges for acceptance. Reed confirmed that was the intent of the motion.

H. Review and approval of FY23 employee wage schedule
See item G for details.

I. Review and approval of FY23 holiday recognition dates

Jennings made a revision to the open hours listed for the library. The Select Board discussed the Thanksgiving holiday and whether to include the following day (Friday) on the holiday recognition list (see exhibit N pages 103-104 for details). After brief discussion, it was decided to strike the Friday following Thanksgiving from the FY23 holiday/ Town Office closure list and the corresponding footnote. **Parker made a motion to accept the FY23 holiday recognition dates as revised. Archibald seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0)**.

J. Meeting minutes: May 23, 2022; June 6, 2022

Parker was not present for the May 23, 2022 meeting. The Select Board reviewed clerical errors in the spelling of a participant's name (see exhibit O pages 105-12 for details). **Reed made a motion to approve the meeting minutes of May 23, 2022 as amended. Archibald seconded. Motion passed (Yes 2, No 0, Abstain 1)**. The Select Board reviewed a spelling clerical error. **Reed made a motion to approve the meeting minutes of June 6, 2022 as amended. Parker seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0)**.

Town Manager Updates

K. Notice of Intent regarding Artichoke Spillway project

Jennings informed the Select Board the joint site meeting with Newburyport had gone well, concerns were discussed, and there was constructive dialogue between both Water Departments (see exhibit P pages 113-115 for details). **No motion was made at this time**.

L. Contract with Horsley Witten Group for Bylaw/Regulations review regarding stormwater management (see exhibit Q pages 116-120 for details)

Jennings stated the contract took several months as the town had searched for the right group to fit the town's needs. One goal of the regulations would be to provide clear guidance to applicants of the requirements and the order in which to do them. **No motion was made at this time**.

M. List of projects/initiatives, DPW (see exhibit R pages 121-122 for details)

Jennings presented the current project list for review and stated the current DPW workload only allows for 5 hours per week to be allocated to the projects. Jennings commended the DPW staff for all of their hard work and stated a few applications have been received for the assistant position. **No motion was made at this time**.

N. Staffing updates, Planning and Conservation (see exhibit S pages 123-131 for details)

Jennings informed the Select Board that Katelyn Bradstreet had been hired as the planning support administrator. The Select Board and Jennings discussed revisiting the hiring of a Conservation Commission Administrator in the fall. **No motion was made at this time**.

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

Jennings stated the Planning Board would be setting up a working group for the Soldiers & Sailors Building. A meeting between the Building Inspector, the Town Planner, the Town Manager, and a Reed would be scheduled to discuss zoning modifications. Jennings stated the Town Manager Act was not completed yet but would appear on a future agenda.

Archibald made a motion to adjourn. Parker seconded. Motion unanimously passed (Yes 3, No 0, Abstain 0). Open session adjourned at 10:23pm



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Stephanie Frontiera, Town Accountant/Business Manager

978-363-1100, Ext. 112 Fax 978-363-1826

townaccountant@wnewbury.org

TO: Honorable Select Board
 FROM: Stephanie Frontiera, Town Accountant/Business Manager
 CC: Angus Jennings, Town Manager
 DATE: July 20, 2022
 RE: Preliminary FY22 financial closeout

This is a brief update on the FY22 financial closeout. All FY22 accounts payable and payroll warrants have been completed as of July 15th.

General Fund Expenses:

- The amount expended in the general fund is \$16,370,662.42 with an ending available balance of \$458,070 which is 97% not including encumbrances
- General Fund encumbrance to be carried over to FY23 are \$30,437
- Expenditure to close out to free cash will be \$427,633
- Town Meeting special articles will return \$83,265 to free cash
- FY22 line-item transfers were approved by the BOS and Finance Committee

General Fund Revenue:

- FY22 Real Estate collections are at \$14.5 million or 99% of the tax commitment
- Motor Vehicle Excise collected is \$858,791
- Investment interest for June is currently pending until all bank statements are received YTD through May we have only gained \$7,231
- Local receipts came in at \$193,555 over estimated

Filter by: Segment 1: 01

Group as: **-111-****-*****

Parameters: Fiscal Year: 2022

Start Date: 7/1/2021

end: 6/30/2022

Ledger History - Allocated Summary - Expenditure Ledger

Account Number	Name	Allocated	Expended	Ending	% Var.
Group 1: Segment 2: Department	Code: 114 - Moderator				
01-114-5111-000000	Moderators Salary	200.00	-200.00	0.00	100.00
01-114-5400-000000	Moderators Expenses	60.00	-30.00	30.00	50.00
Total Group 1: Segment 2: Department	Code: 114 - Moderator	260.00	-230.00	30.00	88.46
Group 1: Segment 2: Department	Code: 122 - Select Board				
01-122-5300-000000	Professional & Tech Services	11,500.00	-4,000.00	7,500.00	34.78
01-122-5301-000000	Salary and Wages	34,162.00	-29,821.06	4,340.94	87.29
01-122-5400-000000	Selectmens Operating Expenses	14,000.00	-6,787.81	7,212.19	48.48
Total Group 1: Segment 2: Department	Code: 122 - Select Board	59,662.00	-40,608.87	19,053.13	68.06
Group 1: Segment 2: Department	Code: 123 - Town Manager				
01-123-5110-000000	Town Manager Salary	153,875.00	-153,875.00	0.00	100.00
01-123-5112-000000	Salary and Wages	72,092.00	-72,092.00	0.00	100.00
01-123-5306-000000	Technology Expense	53,426.74	-53,426.73	0.01	100.00
01-123-5400-000000	Town Manager Expenses	46,493.26	-38,616.45	7,876.81	83.06
01-123-5710-000000	Vehicle Allowance	3,600.00	-3,600.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 123 - Town Manager	329,487.00	-321,610.18	7,876.82	97.61
Group 1: Segment 2: Department	Code: 131 - Finance Committee				
01-131-5400-000000	Finance Committee Expenses	2,000.00	-1,312.25	687.75	65.61
Total Group 1: Segment 2: Department	Code: 131 - Finance Committee	2,000.00	-1,312.25	687.75	65.61
Group 1: Segment 2: Department	Code: 132 - Reserve Fund				
01-132-5780-000000	Reserve Fund	76,000.00	0.00	76,000.00	0.00
Total Group 1: Segment 2: Department	Code: 132 - Reserve Fund	76,000.00	0.00	76,000.00	0.00
Group 1: Segment 2: Department	Code: 135 - Accountant				
01-135-5112-000000	Finance Dept Salaries & Wages	247,918.00	-193,217.59	54,700.41	77.94
01-135-5201-000000	Annual Audit	20,500.00	-20,500.00	0.00	100.00
01-135-5300-000000	Tax Title And Foreclosure	1,000.00	0.00	1,000.00	0.00
01-135-5341-000000	Postage Expenses	15,400.00	-14,436.69	963.31	93.74
01-135-5400-000000	Finance Dept Expenses	28,884.38	-24,748.34	4,136.04	85.68
01-135-5710-000000	Travel	2,127.00	-1,612.83	514.17	75.83
Total Group 1: Segment 2: Department	Code: 135 - Accountant	315,829.38	-254,515.45	61,313.93	80.59
Group 1: Segment 2: Department	Code: 141 - Assessors				
01-141-5111-000000	Assessors Salaries	129,410.00	-127,108.71	2,301.29	98.22
01-141-5400-000000	Assessors Expenses	54,013.31	-46,778.54	7,234.77	86.61
01-141-5710-000000	Assessor Vehicle Allowance	500.00	0.00	500.00	0.00
Total Group 1: Segment 2: Department	Code: 141 - Assessors	183,923.31	-173,887.25	10,036.06	94.54
Group 1: Segment 2: Department	Code: 151 - Legal				

Group as: **-111-****_*****

Parameters: Fiscal Year: 2022

Start Date: 7/1/2021

end: 6/30/2022

Ledger History - Allocated Summary - Expenditure Ledger

Account Number	Name	Allocated	Expended	Ending	% Var.
01-151-5200-000000	Legal Fees	58,000.00	-53,676.62	4,323.38	92.55
Total Group 1: Segment 2: Department	Code: 151 - Legal	58,000.00	-53,676.62	4,323.38	92.55
Group 1: Segment 2: Department	Code: 161 - Town Clerk				
01-161-5112-000000	Town Clerk Salary & Wages	136,793.00	-112,968.64	23,824.36	82.58
01-161-5340-000000	Operation Of Fax/Copier Machine	5,650.00	-5,506.63	143.37	97.46
01-161-5400-000000	Town Clerks Expenses	7,000.00	-6,824.24	175.76	97.49
Total Group 1: Segment 2: Department	Code: 161 - Town Clerk	149,443.00	-125,299.51	24,143.49	83.84
Group 1: Segment 2: Department	Code: 162 - Elections Registrations				
01-162-5111-000000	Town Clerk Compensation	200.00	-200.00	0.00	100.00
01-162-5112-000000	Bd of Registrars Salary & Wages	4,550.00	-2,965.00	1,585.00	65.16
01-162-5400-000000	Bd Of Registrars Expenses	7,800.00	-7,800.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 162 - Elections Registrations	12,550.00	-10,965.00	1,585.00	87.37
Group 1: Segment 2: Department	Code: 171 - Conservation				
01-171-5112-000000	Conservation Com Salary & Wages	38,864.00	-25,713.35	13,150.65	66.16
01-171-5114-000000	Conservation Land Agent	0.00	0.00	0.00	0.00
01-171-5400-000000	Conservation Com Expenses	6,310.00	-6,181.13	128.87	97.96
01-171-5710-000000	Con Com Vehicle Allowance	0.00	0.00	0.00	0.00
Total Group 1: Segment 2: Department	Code: 171 - Conservation	45,174.00	-31,894.48	13,279.52	70.60
Group 1: Segment 2: Department	Code: 175 - Planning Board				
01-175-5112-000000	Planning Bd Salary & Wages	59,319.46	-59,319.46	0.00	100.00
01-175-5400-000000	Planning Board Expenses	6,151.24	-6,151.24	0.00	100.00
01-175-5690-000000	MVPC Assessment	1,705.00	-1,704.71	0.29	99.98
Total Group 1: Segment 2: Department	Code: 175 - Planning Board	67,175.70	-67,175.41	0.29	100.00
Group 1: Segment 2: Department	Code: 176 - Zoning Board of Appeals				
01-176-5400-000000	ZBA Expenses	700.00	-700.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 176 - Zoning Board of Appeals	700.00	-700.00	0.00	100.00
Group 1: Segment 2: Department	Code: 179 - Open Space				
01-179-5400-000000	Open Space Expenses	750.00	-69.23	680.77	9.23
Total Group 1: Segment 2: Department	Code: 179 - Open Space	750.00	-69.23	680.77	9.23
Group 1: Segment 2: Department	Code: 210 - Police				
01-210-5111-000000	School Resource Officer	68,845.00	-68,845.00	0.00	100.00
01-210-5112-000000	Police Salaries & Wages	914,897.33	-885,784.81	29,112.52	96.82
01-210-5113-000000	Police OT Wages	101,300.67	-101,300.67	0.00	100.00
01-210-5114-000000	Police Reform Other Wages	0.00	0.00	0.00	0.00
01-210-5400-000000	Police Expenses	104,947.04	-99,983.74	4,963.30	95.27
01-210-5853-000000	Police Cruiser	40,000.00	-40,000.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 210 - Police	1,229,990.04	-1,195,914.22	34,075.82	97.23

Group as: **-111-****-*****

Parameters: Fiscal Year: 2022

Start Date: 7/1/2021

end: 6/30/2022

Ledger History - Allocated Summary - Expenditure Ledger

Account Number	Name	Allocated	Expended	Ending	% Var.
Group 1: Segment 2: Department	Code: 220 - Fire				
01-220-5112-000000	Fire Alarm Wages	81,054.64	-68,212.92	12,841.72	84.16
01-220-5113-000000	Fire Drills	26,501.27	-20,486.27	6,015.00	77.30
01-220-5114-000000	Fire Dept Other Wages	26,010.00	-18,405.39	7,604.61	70.76
01-220-5115-000000	Fire Administration Wages	27,613.73	-27,613.73	0.00	100.00
01-220-5200-000000	Fire Dept - Medical Exam	3,000.00	-2,400.00	600.00	80.00
01-220-5240-000000	Hydrant Mapping Maint/Repair	77,207.00	-77,207.00	0.00	100.00
01-220-5340-000000	Fire Alarm & Communications	11,600.63	-11,600.63	0.00	100.00
01-220-5400-000000	Fire Expenses	56,940.73	-56,940.73	0.00	100.00
Total Group 1: Segment 2: Department	Code: 220 - Fire	309,928.00	-282,866.67	27,061.33	91.27
Group 1: Segment 2: Department	Code: 230 - Dispatch				
01-230-5112-000000	Municipal Dispatch Salaries & Wages	278,515.00	-219,916.62	58,598.38	78.96
01-230-5113-000000	Municipal Dispatch OT Wages	25,792.00	-22,853.49	2,938.51	88.61
01-230-5400-000000	Municipal Dispatch Expenses	27,175.00	-23,232.20	3,942.80	85.49
Total Group 1: Segment 2: Department	Code: 230 - Dispatch	331,482.00	-266,002.31	65,479.69	80.25
Group 1: Segment 2: Department	Code: 240 - Inspectional Services				
01-240-5112-000000	Inspectors Salaries & Wages	126,392.00	-125,700.48	691.52	99.45
01-240-5400-000000	Inspectors Expenses	9,019.16	-7,019.42	1,999.74	77.83
01-240-5710-000000	Inspectors Vehicle Allowance	5,880.00	-5,760.00	120.00	97.96
Total Group 1: Segment 2: Department	Code: 240 - Inspectional Services	141,291.16	-138,479.90	2,811.26	98.01
Group 1: Segment 2: Department	Code: 291 - Emergency Management				
01-291-5112-000000	Emergency Mgmt Salary & Wages	8,959.00	-7,770.43	1,188.57	86.73
01-291-5400-000000	Emergency Mgmt Expenses	3,000.00	-2,999.00	1.00	99.97
Total Group 1: Segment 2: Department	Code: 291 - Emergency Management	11,959.00	-10,769.43	1,189.57	90.05
Group 1: Segment 2: Department	Code: 292 - Animal Control				
01-292-5112-000000	Animal Control Professional Services	25,898.00	-25,898.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 292 - Animal Control	25,898.00	-25,898.00	0.00	100.00
Group 1: Segment 2: Department	Code: 295 - Harbormaster				
01-295-5300-000000	Harbormaster Contracted Services	3,500.00	-2,500.00	1,000.00	71.43
Total Group 1: Segment 2: Department	Code: 295 - Harbormaster	3,500.00	-2,500.00	1,000.00	71.43
Group 1: Segment 2: Department	Code: 304 - Pentucket Regional				
01-304-5690-000000	Pentucket Regional Sch Assessm	7,242,985.00	-7,242,985.00	0.00	100.00
01-304-5692-000000	Pentucket Capital Assessment	1,196,556.00	-1,196,556.00	0.00	100.00
01-304-5693-000000	Pentucket Asmnt Page Phase II	493,338.00	-493,338.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 304 - Pentucket Regional	8,932,879.00	-8,932,879.00	0.00	100.00
Group 1: Segment 2: Department	Code: 305 - Whittier Regional				
01-305-5690-000000	Whittier Minimum Contribution	136,998.00	-136,998.00	0.00	100.00

Group as: **-111-****_*****

Parameters: Fiscal Year: 2022

Start Date: 7/1/2021

end: 6/30/2022

Ledger History - Allocated Summary - Expenditure Ledger

Account Number	Name	Allocated	Expended	Ending	% Var.
01-305-5691-000000	Whittier Other Assessments	18,727.00	-18,727.00	0.00	100.00
01-305-5692-000000	Whittier Debt/Capital Assess	21,602.00	-21,602.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 305 - Whittier Regional	177,327.00	-177,327.00	0.00	100.00
Group 1: Segment 2: Department	Code: 310 - Essex North Shore				
01-310-5690-000000	Essex North Shore Agricultural Tech	42,581.56	-41,234.00	1,347.56	96.84
Total Group 1: Segment 2: Department	Code: 310 - Essex North Shore	42,581.56	-41,234.00	1,347.56	96.84
Group 1: Segment 2: Department	Code: 420 - DPW				
01-420-5112-000000	DPW Salary & Wages	483,532.57	-483,532.57	0.00	100.00
01-420-5113-000000	DPW Overtime Wages	17,299.03	-17,299.03	0.00	100.00
01-420-5200-000000	Snow & Ice Removal	247,244.81	-247,244.81	0.00	100.00
01-420-5210-000000	Town Bldgs Operating Expenses	143,869.39	-143,869.39	0.00	100.00
01-420-5240-000000	Town Bldgs Improvements	41,733.22	-41,438.22	295.00	99.29
01-420-5243-000000	Street Paving/Repairs	59,692.87	-59,692.87	0.00	100.00
01-420-5380-000000	Highway Sidewalk & Trees	203,126.23	-203,126.23	0.00	100.00
01-420-5385-000000	Stormwater Management	13,273.30	-10,225.90	3,047.40	77.04
01-420-5400-000000	DPW Expenses	12,080.40	-12,080.40	0.00	100.00
01-420-5405-000000	Parks Expenses	14,884.20	-14,884.20	0.00	100.00
01-420-5415-000000	Electricity	80,885.89	-80,885.89	0.00	100.00
01-420-5530-000000	Road Machinery Op Expenses	42,739.84	-41,441.84	1,298.00	96.96
01-420-5710-000000	DPW Vehicle Allowance	6,000.00	-6,000.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 420 - DPW	1,366,361.75	-1,361,721.35	4,640.40	99.66
Group 1: Segment 2: Department	Code: 424 - Street Lighting				
01-424-5410-000000	Public Street Lights	6,942.55	-6,942.54	0.01	100.00
Total Group 1: Segment 2: Department	Code: 424 - Street Lighting	6,942.55	-6,942.54	0.01	100.00
Group 1: Segment 2: Department	Code: 510 - Board of Health				
01-510-5111-000000	Board of Health Salary & Wages	127,084.00	-126,497.55	586.45	99.54
01-510-5200-000000	Public Health Nurse	8,175.00	-5,700.00	2,475.00	69.72
01-510-5290-000000	Waste Collection	401,940.00	-375,998.05	25,941.95	93.55
01-510-5291-000000	Recycling	45,000.00	-1,669.84	43,330.16	3.71
01-510-5292-000000	Hazardous Waste Expenses	2,000.00	-1,797.84	202.16	89.89
01-510-5293-000000	Steele Landfill Monitoring	35,390.00	-29,708.00	5,682.00	83.94
01-510-5400-000000	Bd of Health Expenses	7,374.33	-7,174.33	200.00	97.29
Total Group 1: Segment 2: Department	Code: 510 - Board of Health	626,963.33	-548,545.61	78,417.72	87.49
Group 1: Segment 2: Department	Code: 541 - Council on Aging				
01-541-5112-000000	Council On Aging Salary & Wages	81,682.00	-71,523.70	10,158.30	87.56
01-541-5400-000000	Council On Aging Expenses	22,500.00	-21,807.53	692.47	96.92
Total Group 1: Segment 2: Department	Code: 541 - Council on Aging	104,182.00	-93,331.23	10,850.77	89.58

Group as: **-111-****-*****

Parameters: Fiscal Year: 2022

Start Date: 7/1/2021

end: 6/30/2022

Ledger History - Allocated Summary - Expenditure Ledger

Account Number	Name	Allocated	Expended	Ending	% Var.
Group 1: Segment 2: Department	Code: 543 - Veterans Services				
01-543-5460-000000	Soldiers Grave Expenses	3,632.00	-3,632.00	0.00	100.00
01-543-5499-000000	Memorial Day Expenses	1,740.00	-1,660.65	79.35	95.44
01-543-5689-000000	Veterans Benefits & Expenses	6,368.00	-5,816.30	551.70	91.34
01-543-5770-000000	Northern Essex Veterans Services	21,695.00	-21,694.97	0.03	100.00
Total Group 1: Segment 2: Department	Code: 543 - Veterans Services	33,435.00	-32,803.92	631.08	98.11
Group 1: Segment 2: Department	Code: 610 - Library				
01-610-5112-000000	Library Salaries & Wages	263,492.00	-260,012.63	3,479.37	98.68
01-610-5400-000000	Library Expenses	38,500.00	-38,460.57	39.43	99.90
01-610-5580-000000	Library Books & Periodicals	71,500.00	-71,240.91	259.09	99.64
Total Group 1: Segment 2: Department	Code: 610 - Library	373,492.00	-369,714.11	3,777.89	98.99
Group 1: Segment 2: Department	Code: 630 - Recreation				
01-630-5112-000000	Recreation Dept Salaries & Wages	2,445.00	-1,334.89	1,110.11	54.60
01-630-5400-000000	Recreation Expenses	16,000.00	-16,000.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 630 - Recreation	18,445.00	-17,334.89	1,110.11	93.98
Group 1: Segment 2: Department	Code: 631 - Mill Pond				
01-631-5400-000000	Mill Pond Operating Expenses	2,100.00	-187.92	1,912.08	8.95
Total Group 1: Segment 2: Department	Code: 631 - Mill Pond	2,100.00	-187.92	1,912.08	8.95
Group 1: Segment 2: Department	Code: 635 - Bandstand				
01-635-5200-000000	Bandstand Expenses	6,000.00	-6,000.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 635 - Bandstand	6,000.00	-6,000.00	0.00	100.00
Group 1: Segment 2: Department	Code: 637 - Action Cove				
01-637-5400-000000	Action Cove Expenses	3,000.00	-1,826.00	1,174.00	60.87
Total Group 1: Segment 2: Department	Code: 637 - Action Cove	3,000.00	-1,826.00	1,174.00	60.87
Group 1: Segment 2: Department	Code: 691 - Historical Commission				
01-691-5400-000000	Historical Commission Expenses	600.00	0.00	600.00	0.00
Total Group 1: Segment 2: Department	Code: 691 - Historical Commission	600.00	0.00	600.00	0.00
Group 1: Segment 2: Department	Code: 695 - Cultural Council				
01-695-5400-000000	Cultural Council Expenses	100.00	0.00	100.00	0.00
Total Group 1: Segment 2: Department	Code: 695 - Cultural Council	100.00	0.00	100.00	0.00
Group 1: Segment 2: Department	Code: 710 - Debt				
01-710-5910-000000	Maturing Debt	305,000.00	-305,000.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 710 - Debt	305,000.00	-305,000.00	0.00	100.00
Group 1: Segment 2: Department	Code: 750 - Interest				
01-750-5915-000000	Interest & Paydowns on Debt	8,950.00	-8,950.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 750 - Interest	8,950.00	-8,950.00	0.00	100.00
Group 1: Segment 2: Department	Code: 820 - State & County Assessments				

Group as: **-111-****-*****

Parameters: Fiscal Year: 2022

Start Date: 7/1/2021

end: 6/30/2022

Ledger History - Allocated Summary - Expenditure Ledger

Account Number	Name	Allocated	Expended	Ending	% Var.
01-820-5639-000000	Mosquito Contrl C.S.	49,118.00	-49,118.00	0.00	100.00
01-820-5640-000000	Air Pollution Control District	1,741.00	-1,741.00	0.00	100.00
01-820-5646-000000	M. V. Excise Tax Bills	1,100.00	-1,040.00	60.00	94.55
01-820-5661-000000	Mass Bay Trans Auth Assessmt	29,391.00	-29,391.00	0.00	100.00
01-820-5663-000000	C.S. Regional Transit Authorit	2,918.00	-2,918.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 820 - State & County Assessments	84,268.00	-84,208.00	60.00	99.93
Group 1: Segment 2: Department	Code: 911 - County Retirement				
01-911-5170-000000	Essex Regnl Retirement Assess	731,433.00	-731,432.46	0.54	100.00
Total Group 1: Segment 2: Department	Code: 911 - County Retirement	731,433.00	-731,432.46	0.54	100.00
Group 1: Segment 2: Department	Code: 913 - Workers Compensation				
01-913-5171-000000	Unemployment Insurance	1,500.00	-438.81	1,061.19	29.25
Total Group 1: Segment 2: Department	Code: 913 - Workers Compensation	1,500.00	-438.81	1,061.19	29.25
Group 1: Segment 2: Department	Code: 914 - Health Insurance				
01-914-5172-000000	Group Insurance	408,755.00	-406,996.74	1,758.26	99.57
Total Group 1: Segment 2: Department	Code: 914 - Health Insurance	408,755.00	-406,996.74	1,758.26	99.57
Group 1: Segment 2: Department	Code: 916 - Medicare				
01-916-5173-000000	F.I.C.A. Insurance	52,411.62	-52,411.62	0.00	100.00
Total Group 1: Segment 2: Department	Code: 916 - Medicare	52,411.62	-52,411.62	0.00	100.00
Group 1: Segment 2: Department	Code: 919 - OPEB				
01-919-5174-000000	OPEB Contribution (xfr out)	1.00	0.00	1.00	0.00
Total Group 1: Segment 2: Department	Code: 919 - OPEB	1.00	0.00	1.00	0.00
Group 1: Segment 2: Department	Code: 945 - Insurance				
01-945-5740-000000	Insurance & Bonds	187,002.44	-187,002.44	0.00	100.00
Total Group 1: Segment 2: Department	Code: 945 - Insurance	187,002.44	-187,002.44	0.00	100.00
Group 1: Segment 2: Department	Code: 990 - Transfers				
01-990-5962-000000	Transfers to Special Articles	142,845.00	-142,845.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 990 - Transfers	142,845.00	-142,845.00	0.00	100.00
Group 1: Segment 2: Department	Code: 992 - Transfers Out				
01-992-5960-000000	Transfers to Stabilization	1,200,000.00	-1,200,000.00	0.00	100.00
01-992-5961-000000	Transfer to OPEB	15,000.00	-15,000.00	0.00	100.00
01-992-5964-000000	Transfer to Stabilization Pension	76,261.00	-76,261.00	0.00	100.00
Total Group 1: Segment 2: Department	Code: 992 - Transfers Out	1,291,261.00	-1,291,261.00	0.00	100.00
		122 Account(s) totaling:	18,262,838.84	-17,804,768.42	458,070.42
					97.49

Filter by: Segment 1: 01

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

Ledger History - Allocated Summary - Revenue Ledger

Account Number	Name	Allocated	Expended	Ending	% Var.
01-123-4841-618001	Indirect costs water	0.00	52,896.00	52,896.00	0.00
01-135-4860-010001	EV Charging Station Page School	0.00	0.00	0.00	0.00
01-135-4860-010002	EV Charging Stations Town Hall	0.00	0.00	0.00	0.00
01-145-4110-201500	PP Tax Revenue 2015	0.00	17.56	17.56	0.00
01-145-4110-201600	PP Tax Revenue 2016	0.00	-49.02	-49.02	0.00
01-145-4110-202000	PP Tax Revenue 2020	0.00	-130.30	-130.30	0.00
01-145-4110-202100	PP Tax Revenue 2021	0.00	16.34	16.34	0.00
01-145-4110-202200	PP Tax Revenue 2022	-280,535.67	280,453.29	-82.38	99.97
01-145-4120-201500	Real Estate Tax Revenue - 2015	0.00	-3,484.22	-3,484.22	0.00
01-145-4120-201800	Real Estate Tax Revenue - 2018	0.00	-1,639.73	-1,639.73	0.00
01-145-4120-201900	Real Estate Tax Revenue - 2019	0.00	-137.34	-137.34	0.00
01-145-4120-202000	Real Estate Tax Revenue - 2020	0.00	-1,613.23	-1,613.23	0.00
01-145-4120-202100	Real Estate Tax Revenue- 2021	0.00	117,608.84	117,608.84	0.00
01-145-4120-202200	Real Estate Tax Revenue- 2022	-14,673,455.62	14,584,956.77	-88,498.85	99.40
01-145-4142-000000	Tax Liens Redeemed	0.00	64,206.40	64,206.40	0.00
01-145-4150-201700	Motor Vehicle 2017	0.00	-73.00	-73.00	0.00
01-145-4150-201800	Motor Vehicle 2018	0.00	77.81	77.81	0.00
01-145-4150-201900	Motor Vehicle 2019	0.00	570.12	570.12	0.00
01-145-4150-202000	Motor Vehicle 2020	0.00	7,830.14	7,830.14	0.00
01-145-4150-202100	Motor Vehicle 2021	0.00	162,443.84	162,443.84	0.00
01-145-4150-202200	Motor Vehicle 2022	-775,000.00	687,942.42	-87,057.58	88.77
01-145-4161-201600	Boat Excise Revenue 2016	0.00	30.00	30.00	0.00
01-145-4161-201800	Boat Excise Revenue 2018	0.00	30.00	30.00	0.00
01-145-4161-201900	Boat Excise Revenue 2019	0.00	40.89	40.89	0.00
01-145-4161-202000	Boat Excise Revenue 2020	0.00	75.00	75.00	0.00
01-145-4161-202100	Boat Excise Revenue 2021	0.00	70.00	70.00	0.00
01-145-4161-202200	Boat Excise Revenue 2022	-1,600.00	1,830.00	230.00	114.38
01-145-4170-000000	Penalties And Interest on Taxes	-45,000.00	46,340.57	1,340.57	102.98
01-145-4171-000000	Penalties And Interest On Excise	0.00	24,655.19	24,655.19	0.00
01-145-4180-000000	In Lieu Of Taxes	-42,443.00	9,262.88	-33,180.12	21.82
01-145-4190-000000	Ch 61A Rollback Taxes	0.00	77,315.94	77,315.94	0.00
01-145-4321-000000	Municipal Lien Certificates	0.00	3,250.00	3,250.00	0.00
01-145-4360-000000	Rental - Town Other	0.00	2,070.00	2,070.00	0.00
01-145-4361-000000	Rental - Childrens Castle	-160,625.28	145,662.00	-14,963.28	90.68
01-145-4362-000000	Rental - Learning Tree	0.00	13,282.14	13,282.14	0.00
01-145-4820-000000	Earnings On Investments	-20,000.00	7,231.12	-12,768.88	36.16

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

Ledger History - Allocated Summary - Revenue Ledger

Account Number	Name	Allocated	Expended	Ending	% Var.
01-145-4840-000000	Other Misc Revenue	-50,750.00	31,791.08	-18,958.92	62.64
01-145-4841-000000	Non-Recurring Misc Revenue	0.00	47,407.17	47,407.17	0.00
01-161-4324-000000	Misc Town Clerk Rev	0.00	3,330.00	3,330.00	0.00
01-161-4325-000000	Filing Fees	0.00	3,742.28	3,742.28	0.00
01-161-4370-000000	Other Departmental Revenue	0.00	978.32	978.32	0.00
01-161-4410-000000	Alcoholic Beverage Licenses	0.00	850.00	850.00	0.00
01-161-4420-000000	Other Licenses	0.00	885.00	885.00	0.00
01-161-4421-000000	Dog Licenses & Fees	0.00	7,600.00	7,600.00	0.00
01-161-4456-000000	Other Misc Permits	0.00	60.00	60.00	0.00
01-161-4770-000000	Non-Criminal Disposition Fines	0.00	965.00	965.00	0.00
01-210-4322-000000	Police Reports	0.00	85.00	85.00	0.00
01-210-4323-000000	Police Serv Chg O/S Detail	0.00	6,659.31	6,659.31	0.00
01-210-4450-000000	Firearm & Related Permits	0.00	1,675.00	1,675.00	0.00
01-210-4770-000000	Court & Parking Fines	-10,000.00	12,639.18	2,639.18	126.39
01-220-4451-000000	Fire Inspection/Permit Fees	0.00	6,575.00	6,575.00	0.00
01-240-4452-000000	Building & Occupancy	-200,000.00	125,865.00	-74,135.00	62.93
01-240-4453-000000	Wiring Permits	0.00	25,293.00	25,293.00	0.00
01-240-4454-000000	Plumbing & Gas Permits	0.00	13,719.00	13,719.00	0.00
01-240-4458-000000	Trench Excavation Permits	0.00	1,230.00	1,230.00	0.00
01-510-4455-000000	Septic- Perc- Wells- Misc Bd	0.00	17,686.47	17,686.47	0.00
01-820-4610-000000	C.S. Elderly Exempt-C59/S5/41C	0.00	502.00	502.00	0.00
01-820-4611-000000	C.S. State Owned Land	-49,661.00	49,661.00	0.00	100.00
01-820-4661-000000	C.S. Lottery- Beano- Charity	-325,654.00	339,582.00	13,928.00	104.28
01-820-4662-000000	C.S. Veterans Blind Survig Sp	-20,140.00	30,923.00	10,783.00	153.54
01-820-4663-000000	C.S. Veterans Benfts Reimb	0.00	2,889.00	2,889.00	0.00
01-820-4670-000000	C.S. Chapter 70	-5,263.00	5,263.00	0.00	100.00
01-990-4974-000000	Transfers from Special Purpose Trust Funds	-397,325.00	397,325.00	0.00	100.00
63 Account(s) totaling:		-17,057,452.57	17,418,219.23	360,766.66	102.12

Account Number	Name	FY22 Allocated matches Recap	Received	FY2 2	Over / (Under) Estimated Receipts Recap
01-123-4841-618001	Indirect costs water	0.00	52,896.00	52,896.00	
01-145-4110-201500	PP Tax Revenue 2015	0.00	17.56	17.56	
01-145-4110-201600	PP Tax Revenue 2016	0.00	-49.02	-49.02	
01-145-4110-202000	PP Tax Revenue 2020	0.00	-130.30	-130.30	
01-145-4110-202100	PP Tax Revenue 2021	0.00	16.34	16.34	
01-145-4110-202101	PP Tax Revenue 2022	-280,535.67	280,453.29	-82.38	
	Total YTD PP Tax	-280,535.67	280,307.87		(227.80)
01-145-4142	Tax Lien Redeemed	0.00	64,206.40		
01-145-4120-201500	Real Estate Tax Revenue -	0.00	-3,484.22		
01-145-4120-201800	Real Estate Tax Revenue -	0.00	-1,639.73		
01-145-4120-201900	Real Estate Tax Revenue -	0.00	-137.34	-137.34	
01-145-4120-202000	Real Estate Tax Revenue -	0.00	-1,613.23	-1,613.23	
01-145-4120-202100	Real Estate Tax Revenue -	0.00	117,608.84		
01-145-4120-202200	Real Estate Tax Revenue -	-14,953,991.29	14,584,956.77	-369,034.52	
	Total YTD RE Tax	-14,953,991.29	14,759,897.49		(194,093.80)
01-145-4150-201700	Motor Vehicle Exc. Rev	0.00	-73.00	-73.00	
01-145-4150-201800	Motor Vehicle Exc. Rev	0.00	77.81	77.81	
01-145-4150-201900	Motor Vehicle Exc. Rev	0.00	570.12	570.12	
01-145-4150-202000	Motor Vehicle Exc. Rev	0.00	7,830.14	7,830.14	
01-145-4150-202100	Motor Vehicle Exc. Rev	0.00	162,443.84	162,443.84	
01-145-4150-202200	Motor Vehicle Exc. Rev	-775,000.00	687,942.42	-87,057.58	
	Total YTD MVX	-775,000.00	858,791.33		83,791.33
01-145-4161-201600	BOAT EXCISE REVENUE	0.00	30.00	30.00	
01-145-4161-201800	BOAT EXCISE REVENUE	0.00	30.00	30.00	
01-145-4161-201900	BOAT EXCISE REVENUE	0.00	40.89	40.89	
01-145-4161-202000	BOAT EXCISE REVENUE	0.00	75.00	75.00	
01-145-4161-202100	BOAT EXCISE REVENUE	0.00	70.00	70.00	
01-145-4161-202102	BOAT EXCISE REVENUE	-1,600.00	1,830.00	230.00	
	Total YTD Other Excise	-1,600.00	2,075.89		475.89
01-145-4170-000000	Penalties And Interest on	-45,000.00	46,340.57	1,340.57	
01-145-4171-000000	Penalties And Interest On	0.00	24,655.19	24,655.19	
	Total YTD Penalties and Interest on Taxes and	-45,000.00	70,995.76		25,995.76
01-145-4180-000000	In Lieu Of Taxes	-42,443.00	9,262.88	-33,180.12	
01-145-4190-000000	Ch 61A Rollback Taxes	0.00	77,315.94	77,315.94	
01-145-4321-000000	Municipal Lien Certificates	0.00	3,250.00	3,250.00	
	Total YTD Payments in Lieu of Taxes	-42,443.00	89,828.82		47,385.82
01-145-4360-000000	Rental - Town Other	-160,625.28	2,070.00	-158,555.28	
01-145-4361-000000	Rental- Children's Castle		145,662.00		
01-145-4362-000000	Rental- Learning Tree		13,282.14		
	Total YTD Rentals	-160,625.28	161,014.14		388.86
01-145-4820-000000	Earnings On Investments	-20,000.00	7,231.12	-12,768.88	
	Total YTD EOI	-20,000.00	7,231.12		(12,768.88)
01-145-4840-000000	Other Misc. Revenue	-50,750.00	31,791.08	-18,958.92	
01-161-4324-000000	Misc. Town Clerk Revenue	0.00	3,330.00	3,330.00	
01-161-4325-000000	Filing Fees	0.00	3,742.28	3,742.28	
01-161-4370-000000	Other Departmental	0.00	978.32	978.32	
01-161-4410-000000	Alcoholic Beverage	0.00	850.00	850.00	
01-161-4420-000000	Other Licenses	0.00	885.00	885.00	
01-161-4421-000000	Dog Licenses & Fees	0.00	7,600.00	7,600.00	
01-161-4456-000000	Other Misc. Permits	0.00	60.00	60.00	
01-210-4322-000000	Police Reports	0.00	85.00	85.00	
01-210-4323-000000	Police Serv Chg O/S Detail	0.00	6,659.31	6,659.31	
	Total YTD Other Dept Revenue and Misc.	-50,750.00	55,980.99		5,230.99
01-161-4770-000000	Non-Criminal Disposition	0.00	965.00	965.00	
01-210-4770-000000	Court & Parking Fines	-10,000.00	12,639.18	2,639.18	
	Total YTD Fines and	-10,000.00	13,604.18		3,604.18
01-145-4841-000000	Non-Recurring Misc.	0.00	47,407.17	47,407.17	
01-820-4682-000000	Extended Polling Elections-	0.00	0.00	0.00	
	Total YTD Non-Recurring	0.00	47,407.17		47,407.17
01-210-4450-000000	Firearm & Related Permits	0.00	1,675.00	1,675.00	
01-220-4451-000000	Fire Inspection/Permit Fees	0.00	6,575.00	6,575.00	
01-240-4452-000000	Building And Occupancy	-200,000.00	125,865.00	-74,135.00	
01-240-4453-000000	Wiring Permits	0.00	25,293.00	25,293.00	
01-240-4454-000000	Plumbing & Gas Permits	0.00	13,719.00	13,719.00	
01-240-4458-000000	Trench Excavation Permits	0.00	1,230.00	1,230.00	
01-510-4455-000000	Septic- Perc- Wells- Misc.	0.00	17,686.47	17,686.47	
	Total YTD Licenses and	-200,000.00	192,043.47		(7,956.53)
	Tax Rate Recap FY22	-1,305,418.28	1,498,972.87		193,554.59
01-820-4610-000000	C.S. Elderly Exempt-	0.00	502.00	502.00	
01-820-4611-000000	C.S. State Owned Land	0.00	49,661.00	49,661.00	
01-820-4661-000000	C.S. Lottery- Beano-	0.00	339,582.00	339,582.00	
01-820-4662-000000	C.S. Veterans Blind Survig	0.00	30,923.00	30,923.00	
01-820-4663-000000	C.S. Veterans Benfts	0.00	2,889.00	2,889.00	
01-820-4670-000000	C.S. CHAPTER 70	0.00	5,263.00	5,263.00	
	Total YTD Cherry Sheet		428,820.00		

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

O

APPLICATION FOR PROJECT ELIGIBILITY

This application may be completed electronically and emailed to cpc@wnewbury.org or printed and completed by hand and submitted to the CPC Administrator. All applications must be received by the CPC Office at least 2 weeks prior to a scheduled meeting in order to be considered by the Committee. For more information contact 978-363-1100 X131.

APPLICANT INFORMATION:

Project Name:	River Road Cartop Merrimack River Access
Project Address:	River Road
Map/Lot:	R24-5
Applicant Name: (Group or Committee Affiliation)	River Access Committee
Contact Person:	Barry LaCroix, Secretary Alternate: Elisa Grammar [REDACTED]
Telephone:	[REDACTED]
Address:	[REDACTED]
Email:	[REDACTED]
Date of Application:	July 15, 2022

COMMUNITY PRESERVATION CATEGORY: (*Consult guidelines on following page and check all that apply*)

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | Open Space |
| <input checked="" type="checkbox"/> | Recreation |
| <input type="checkbox"/> | Historic Preservation <ul style="list-style-type: none">• Eligible/On State Registry• Designated by Historic Commission |
| <input type="checkbox"/> | Community Housing |

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR PROJECT ELIGIBILITY

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR PROJECT ELIGIBILITY

CPA ELIGIBILITY REQUIREMENTS				
	Open Space	Recreation	Historic	Housing
Acquire	Yes	Yes	Yes	Yes
Create	Yes	Yes	No	Yes
Preserve	Yes	Yes	Yes	Yes
Support	No	No	No	Yes
Rehabilitate and/or Restore	Yes, if acquired or created with CPA funds	Yes (New 7/8/2012)	Yes	Yes If acquired or created with CPA funds
Adapted from "Recent Developments in Municipal Law", Massachusetts Department of Revenue, October 2012				

General Criteria

The Community Preservation Committee will give preference to proposals which address as many of the following general criteria as possible:

- Are consistent with the planning documents that have received wide scrutiny, public input and have been adopted by the Town such as the Open Space and Recreation Plan, Capital Improvement Plan and Master Plan;
- Preserve and enhance the character of the town;
- Save resources that would otherwise be threatened;
- Serves a currently under-served population;
- Either serve more than one CPA purpose (especially in linking open space, recreation and community housing) or demonstrate why serving multiple needs is not feasible;
- Demonstrate practicality and feasibility; demonstrate that the project can be implemented expeditiously and within budget;
- Produce an advantageous cost/benefit value;
- Leverage additional public and/or private funds;
- Preserve or utilize current town-owned assets; and
- Receive endorsement by other municipal boards or departments as well as community groups.

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR PROJECT ELIGIBILITY

PROJECT DESCRIPTION:

Provide a description of the project:

THE RIVER ACCESS COMMITTEE (RAC) IS AN ADVISORY COMMITTEE CREATED TO SUPPORT THE SELECTBOARD IN DEVELOPING ACCESS TO THE MERRIMACK RIVER. THE TOWN OF WEST NEWBURY (TOWN) IN PARTNERSHIP WITH THE ESSEX COUNTY GREENBELT ASSOCIATION (ECGA) ACQUIRED THE HUFNAGEL PROPERTY ON RIVER ROAD WITH THE TOWN HOLDING A CONSERVATION RESTRICTION (CR), WHICH EXPRESSLY CONTEMPLATES RIVER ACCESS. PURSUANT TO THE AGREEMENT WITH ECGA, THE TOWN IS RESPONSIBLE FOR "IMPROVING" THE PROPERTY. THE INITIAL FUNDING REQUEST IS FOR A STUDY ENABLING DEVELOPMENT OF A PLAN FOR PROVIDING CAR TOP BOATS RIVER ACCESS. AFTER THE PLANNING PHASE IS COMPLETE, THE RAC EXPECTS TO SEEK FURTHER CPA FUNDING FOR THE ACTUAL IMPLEMENTATION.

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR PROJECT ELIGIBILITY

How is this project consistent with the goals of the CPA?

THIS PROJECT:

IS CONSISTENT WITH TOWN PLANNING DOCUMENTS BECAUSE IT ALIGNS WITH THE OPEN SPACE AND RECREATION PLAN (OSRP) AS ACCESS TO THE RIVER IS SPECIFICALLY NOTED AND WITH THE INFORMATION AND DOCUMENTS ASSOCIATED WITH THE TOWN'S ACQUISITION OF THIS PROPERTY, AS APPROVED AT TOWN MEETING.

WILL UTILIZE CURRENT TOWN ASSETS BECAUSE RIVER ACCESS WOULD EXTEND THE USE OF THE PROPERTY (WHICH NOW HAS TRAILS AND ASSOCIATED PARKING) FOR RECREATIONAL PURPOSES INCLUDING CANOEING, KAYAKING AND PADDLEBOARDING.

WILL SERVE AN UNDER-SERVED POPULATION, VIZ. THE MAJORITY OF WEST NEWBURY RESIDENTS WHO WOULD LIKE TO BOAT ON THE MERRIMACK RIVER BUT DO NOT OWN RIVERFRONT PROPERTY.

IS PRACTICAL AND FEASIBLE BECAUSE ITS PURPOSE IS TO ENSURE THAT THE FINAL PROJECT IS VIABLE AND MEETS THE RAC OBJECTIVES OF MINIMAL IMPACTS COMPRISING A FEW PARKING SPOTS, SIGNAGE, AND A PATH TO THE RIVER.

IS EXPECTED TO BE LOW COST BECAUSE THE INTENT IS TO HAVE MINIMAL IMPACT RIVER ACCESS, THEREBY CREATING A FAVORABLE COST TO BENEFIT RATIO.

WILL LEVERAGE PRIVATE FUNDS BECAUSE THE PROPERTY WAS ACQUIRED WITH SIGNIFICANT FUNDING FROM ECGA,.

WILL INVOLVE CONSULTATION WITH MULTIPLE BOARDS AND DEPARTMENTS INCLUDING FIRE AND RESCUE, OPEN SPACE, CONSERVATION COMMISSION, HARBOR COMMITTEE, SELECT BOARD, ECGA AND NEIGHBORS.

What is the intended timeline of the project?

ASSUMING FUNDING IS APPROVED, THE STUDY/PLANNING PHASE WOULD COMMENCE IN THE FALL OF 2022 AND COMPLETE IN THE SPRING OF 2023

FUNDING:

**TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR PROJECT ELIGIBILITY

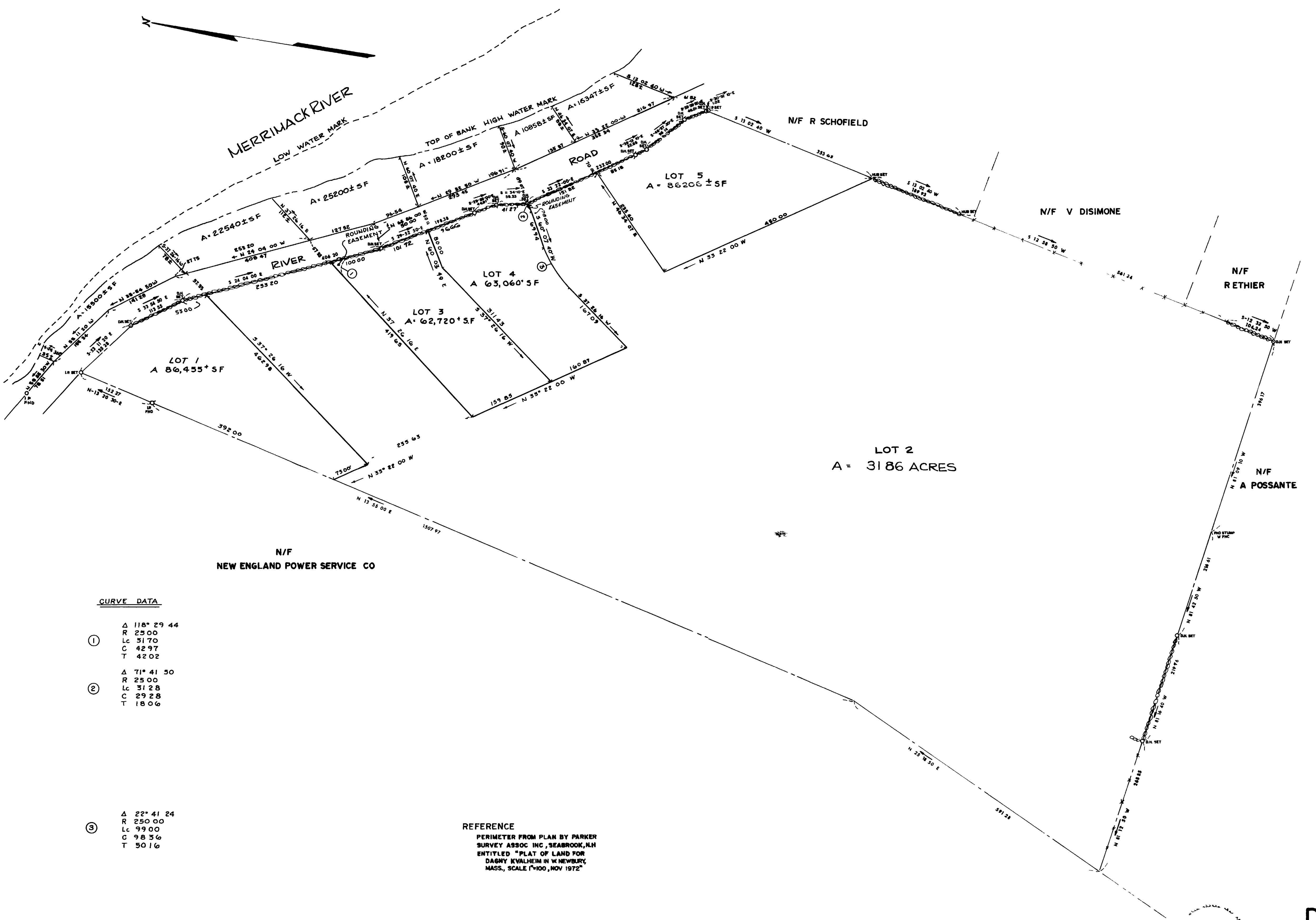
Estimated funding needed for this project:	\$15,000
CP funding requested:	\$15,000

OTHER:

Please attach any other information which you think would be useful for the CPC to consider when evaluating this project's eligibility for funding.

PLEASE SEE THE

- 1) PROPERTY PLANS. THE RIVER ACCESS SITE WOULD BE ON THE PORTION OF THE RIVERFRONT PROPERTY CLOSEST TO HAVERHILL AND
- 2) CONSERVATION RESTRICTION. SECTION II.B.9. ON PAGE 5 EXPRESSLY CONTEMPLATES IMPROVEMENTS DIRECTLY RELATED TO "THE LAUNCH OF CARTOP WATERCRAFT."



APPROVAL UNDER SUBDIVISION CONTROL
LAW NOT REQUIRED
TOWN OF WEST NEWBURY PLANNING BOARD
Constance O. Hogan DATE *April 22, 1974*
CLERK
WEST Newbury Planning Board
Charles Apelrod

PLAN BOOK 129 PLAN 65
ESSEX REGISTRY OF DEEDS SA 2457
SHEET 100
Received Apr. 23 1974
on Behalf of Dagny I.
Kvalheim to James Kambska and
testified to by
ATTEST *Leo F. Jones*
Registered Deed

PLAN OF LAND
FOR
DAGNY I. KVALHEIM
IN
WEST NEWBURY, MASS.
COUNTY OF ESSEX
SCALE 1"=100'
JANUARY 1974

GRANTOR: Essex County Greenbelt Association, Inc.

GRANTEE: Town of West Newbury

FOR GRANTOR'S TITLE SEE: Southern Essex District Registry of Deeds at Book 37890 Page 3

Address of Premises: River Road, West Newbury, MA

CONSERVATION RESTRICTION

The undersigned, ESSEX COUNTY GREENBELT ASSOCIATION, INC., a Massachusetts not for profit corporation having its principal office at 82 Eastern Avenue, Essex, Essex County, Massachusetts 01929, being the sole owner of the Premises as herein defined, for our successors and assigns ("Grantor"), acting pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws, hereby grants, with QUITCLAIM COVENANTS to the TOWN OF WEST NEWBURY, a Massachusetts municipal corporation, acting by and through its Conservation Commission by authority of Section 8C of Chapter 40 of the Massachusetts General Laws, having its principal office at 381 Main Street, West Newbury, Essex County, Massachusetts 01860, and its permitted successors and assigns ("Grantee"), for consideration of \$75,000.00, IN PERPETUITY AND EXCLUSIVELY FOR CONSERVATION PURPOSES, the following Conservation Restriction (the "Conservation Restriction" or the "Restriction") on 31+- acres of land located on River Road in the Town of West Newbury, Essex County, Massachusetts (the "Premises"), which Premises is more particularly described in Exhibit A.

I. PURPOSES

This Conservation Restriction is defined in and authorized by Sections 31-33 of Chapter 184 of the General Laws and otherwise by law. The purpose of this Conservation Restriction is to assure that the Premises will be maintained in perpetuity for conservation purposes, in a natural, scenic and undeveloped condition, and to prevent any use or change that would impair or interfere with its conservation and preservation values ("conservation values").

The Premises was acquired using M.G.L. c. 44B Community Preservation Act funds, and a copy of the Town Meeting Vote authorizing the use of said funds is attached hereto as Exhibit B.

The conservation values include the following:

- A. The Premises contributes to the protection of the scenic and natural character of West Newbury, and the protection of the Premises will enhance the open-space value of the Premises and nearby lands; and

- B. The Grantor has purchased the Premises for conservation purposes and for public enjoyment of this natural area, and intends to open the Premises to the public for passive recreation, including creating footpaths to further public access; and
- C. Protection of the Premises will further Goals in the 2018 West Newbury Open Space & Recreation Plan to “preserve the rural character, charm and sense of community,” “protect and manage natural resources, including water resources and large, contiguous tracts of undeveloped land,” and to provide accessible passive recreational activities; and
- D. The Premises contains areas of Prime 1 and Prime 3 Forest Land, as identified by the Prime Forest Land data created by MassGIS and the USDA Natural Resources Conservation Service, thus this Restriction preserves an important forest resource; and
- E. Those portions of the Premises on the Merrimack River are within an area mapped as BioMap2 Core Aquatic Habitat and Critical Natural Landscape for Upland Buffer of Aquatic Core, as defined by the Massachusetts Natural Heritage and Endangered Species Program (2010). BioMap2 was designed to guide strategic biodiversity conservation in Massachusetts by focusing land protection and stewardship on the areas that are most critical for ensuring the long-term persistence of rare and other native species and their habitats, exemplary natural communities, and a diversity of ecosystems. BioMap2 is also designed to include the habitats and species of conservation concern identified in the State Wildlife Action Plan. Preserving the Core Aquatic Habitat and Upland Buffer of Aquatic Core is critical to the long-term health of the aquatic ecosystem; and
- F. Protection of the Premises will further protection of the Merrimack River’s water quality by maintaining intact forests and wetlands; and
- G. The Premises contains “Slightly Above Average Landscape Diversity” and “Average” Resilience as mapped by the Resilient and Connected Landscapes for Terrestrial Conservation dataset produced by The Nature Conservancy in 2016, which study identified sites that have the conditions necessary to support wildlife as species respond to climate change; and
- H. These and other conservation values of the Premises, as well as its current uses and state of improvement, are described in a Baseline Documentation Report (“Baseline Report”) prepared by Grantor with the cooperation of the Grantee, consisting of maps, photographs, and other documents and on file with the Grantee and referenced herein. The Baseline Report (i) is acknowledged by Grantor and Grantee to be a complete and accurate representation of the condition and values of the Premises as of the date of this Conservation Restriction, (ii) is intended to fully comply with applicable Treasury Regulations, and (iii) is intended to serve as an objective information baseline for subsequent monitoring of compliance with the terms of this Conservation Restriction as described herein. Notwithstanding the foregoing, the parties may utilize other evidence of the condition of the Premises at the time of this grant other than the Baseline Report, should the Baseline Report be unavailable or if it does not adequately address the issues presented.

II. PROHIBITED ACTS AND USES, EXCEPTIONS THERETO, AND PERMITTED USES

- A. **Prohibited Acts and Uses.** Subject to the exceptions set forth herein, the Grantor will not perform or allow others to perform the following acts and uses which are prohibited on, above, and below the Premises:

1. Constructing, placing or allowing to remain any temporary or permanent building, structure, facility, or improvement, including but not limited to tennis courts, landing strips, mobile homes, swimming pools, asphalt or concrete pavement, signs, fences, billboards or other advertising displays, antennae, utility poles, towers, solar panels, solar arrays, conduits, lines or other temporary or permanent structures, facilities, or improvements on, above or under the Premises.
2. Mining, excavating, dredging or removing from the Premises of soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposit or otherwise making topographical changes to the area.
3. Placing, filling, storing or dumping of soil, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, tree and other vegetation cuttings generated off-site, waste or other substances or material whatsoever or the installation of underground storage tanks.
4. Cutting, removing or otherwise destroying native trees, grasses or other vegetation;
5. Planting, broadcasting, placement, disposal, transfer, destruction, composting, dumping, or otherwise preventable introduction of “invasive” plant species or any other nuisance or disease carrying species, as defined in *A Guide to Invasive Plants in Massachusetts* (Somers P. et al. 2006) or as amended or contained in a similar professionally acceptable publication available in the future.
6. Activities detrimental to drainage, flood control, water conservation, water quality, erosion control, soil conservation, wildlife habitat, or archaeological conservation.
7. Use, parking or storage of vehicles including cars, trucks, motorcycles, mopeds, all-terrain vehicles, trail bikes, or any other motorized vehicles on the Premises except as provided in Section II(B)7 below, and for vehicles necessary for public safety (i.e., fire, police, ambulance, other government officials) in carrying out their official duties or as necessary for the mobility impaired.
8. Subdivision or conveyance of a part or portion of the Premises alone, or division or subdivision of the Premises (as compared to conveyance of the Premises in its entirety which shall be permitted), and no portion of the Premises may be used towards building or development requirements on this or any other parcel.
9. The use of the Premises for business, residential or industrial use, or for more than *de minimis* commercial recreation as defined in Section 2031(c) of the Internal Revenue Code of 1986, as amended, and regulations promulgated thereunder or any successor statute or regulation.
10. The disruption, removal, or destruction of the stone walls or granite fence posts on the Premises.
11. Any other use of the Premises or activity which is inconsistent with the purpose of this Conservation Restriction or which would impair the conservation values unless such use or activity is necessary in an emergency in the opinion of the Grantee and at the Grantee’s sole discretion for the protection of the conservation values that are the subject of this Conservation Restriction.

B. Reserved Rights and Exceptions to Prohibited Acts and Uses. The Grantor reserves the right to conduct or permit the following activities and uses on the Premises, but only if such uses and activities do not materially impair the conservation values or purposes of this Conservation Restriction.

1. **Vegetation Management.** The selective minimal removal, pruning and cutting of vegetation to prevent, control or remove hazards, disease, insect or fire damage, or to preserve the present condition of the Premises, including woods roads, trails, stone walls, and meadows, and the right to plant and maintain native vegetation, provided that vegetation management activities impacting greater than one (1) contiguous acre shall require prior notice to the Grantee.
2. **Invasive Species Management.** The removal of non-native or invasive species, and the control of species in a manner that minimizes damage to surrounding, non-target species and preserves water quality, provided that invasive species management activities impacting greater than one (1) contiguous acre shall require prior notice to the Grantee. For the purposes of this Conservation Restriction, the term “invasive” shall be defined as a species that is non-native or alien to the ecosystem under consideration, and which is likely to cause economic or environmental harm (including the crowding out of native species) or harm to human health.
3. **Composting.** The stockpiling and / or composting of stumps, trees, brush, limbs, and similar biodegradable materials originating on the Premises, provided that such stockpiling and composting is in locations where the presence of such activities will not impair the conservation values (including scenic values) of this Conservation Restriction. No such activities will take place closer than one hundred (100) feet from any wetland, waterbody or stream. Exercise of this reserved right shall take into account sensitive areas.
4. **Habitat Improvement.** Measures designed to restore native biotic communities, or to maintain, enhance or restore wildlife, wildlife habitat, or rare or endangered species of flora or fauna, including selective planting of native trees, shrubs and plant species, temporary fencing, and placement of bird nesting boxes. Habitat Improvement impacting greater than one (1) contiguous acre shall require prior notice to the Grantee.
5. **Passive Recreational Activities.** Any and all recreational activities that do not materially alter the surface of the Premises or require any other development of the land (other than as permitted under Section II(B) herein), do not degrade environmental quality and do not involve the use of motors or motorized vehicles (other than power-driven mobility devices whose accommodation may be required in accordance with the Americans with Disabilities Act and similar legislation), such as, but not limited to, walking, jogging, hiking, snowshoeing, cross-country skiing, canoeing, kayaking, stand-up paddle-boarding, and fishing (collectively, “Passive Recreational Activities”).
6. **Trails.** The marking, construction, clearing, maintenance and relocation of unpaved trails for Passive Recreational Activities by the public, provided said trails are not to exceed six (6) feet in width, and provided that the creation of new trails shall be with prior approval of the Grantee. Trails may be constructed of dirt, stone dust, gravel or other natural and pervious material; in no case may they be paved.
7. **Parking Area.** With prior approval of the Grantee, the construction, repair, maintenance and replacement of one unpaved parking area for up to six (6) cars to accommodate public use of

the Premises, and thereafter without prior approval of the Grantee, the parking of vehicles in said parking area to accommodate such public use of the Premises.

8. **Signage**. The installation, maintenance, and replacement of signs and kiosks with respect to trail access, the location of boundary lines, the Grantor's and Grantee's interest in the Premises and the protected conservation values, permitted and prohibited uses and other regulations with respect to public use, as well as interpretive, informational or other similar signs designed to enhance public use.
 9. **Outdoor Recreational Structures and/or Improvements**. The construction, use, maintenance, repair and/or replacement of structures and improvements directly related to or in support of Passive Recreation Activities, including, but not limited to, boardwalks, wildlife viewing platforms, fences, benches, and docks and/or ramps intended for the launch of cartop watercraft which, if motorized, use solely an electric motor, which motor shall not be greater than 2.5 horsepower.
 10. **Archaeological Investigations**. The right to conduct archaeological activities, including without limitation archaeological research, surveys, excavation and artifact retrieval, but only (a) after written notification to and approval by Grantee, and (b) in accordance with an archaeological field investigation plan prepared by or on behalf of the Grantor and approved in advance of such activity, in writing, by the Massachusetts Historic Commission ("MHC") State Archaeologist as required by Massachusetts General Laws. A copy of the results of any scientific investigation on the Premises is to be provided to the Grantee. Plans for restoration of the site of any archaeological activity shall be submitted to the Grantee in advance of restoration, and such restoration shall be conducted only in accordance with a plan approved by the Grantee.
 11. **Site Restoration**. Any work undertaken in conjunction with the Reserved Rights described in this Paragraph B shall seek to minimize disturbance to the conservation values and other natural features within the Premises that may be impacted as a result of exercising of any of the Reserved Rights described herein. Upon completion of any site work performed in conjunction with the Reserved Rights described in this Paragraph B, any disturbed areas shall be restored substantially to the condition with respect to soil material, grade, and vegetated ground cover as documented in the Baseline Report, as applicable, or in conformance with the condition with respect to soil material, grade, and vegetated ground cover that existed prior to said work, if said work is done in any area not documented in the Baseline Report.
 12. **Other Activities**. Such other non-prohibited activities or uses of the Premises may be permitted with the prior approval of the Grantee provided that the Grantee has made a finding, such finding to be documented in writing and kept on file at the office of the Grantee, that such activities are consistent with the Reserved Rights, do not impair the conservation values and purposes of this Conservation Restriction, and, where feasible, result in a net gain in conservation value of the Premises.
- C. Best Management Practices.** Prior to exercising any right reserved by Grantor under Section II, Paragraph B that may result in more than *de minimis* surface alterations, the Grantor shall consult, if available, established, up to date, and regionally-applicable Best Management Practices or similar standards developed by a governmental agency such as the Massachusetts Dept. of Conservation and Recreation (DCR), or other entity with known expertise in the area of practice and designed to protect the natural features potentially affected by the action(s).

D. Permits, Regulations, Laws. The exercise of any right reserved by Grantor under Section II, Paragraph B shall be in compliance with then-current building, zoning, planning, and conservation regulations, bylaws, or ordinances applicable to the Premises, the Wetlands Protection Act (MGL Chapter 131, Section 40), and all other applicable federal, state and local laws, rules, regulations, and permits. The inclusion of any reserved right requiring a permit from a public agency does not imply that the Grantee or the Commonwealth of Massachusetts takes any position whether such permit should be issued.

E. Notice and Approval.

1. Whenever notice to or approval by Grantee is required, Grantor shall notify Grantee, by a method requiring proof of receipt, in writing not less than 60 days prior to the date Grantor intends to undertake the activity in question. The notice shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity in sufficient detail to permit the Grantee to make an informed judgment as to its consistency with the purposes of this Conservation Restriction. Where Grantee's approval is required, Grantee shall grant or withhold approval in writing within 60 days of receipt of Grantor's request. Grantee's approval shall not be unreasonably withheld, conditioned, or delayed, but shall only be granted upon a showing that the proposed activity shall not impair the purposes of this Conservation Restriction.
2. Subject to any applicable law or regulation, failure of Grantee to respond in writing within 60 days shall be deemed to constitute approval by Grantee of the request as submitted, so long as the request sets forth the provisions of this section relating to deemed approval after 60 days in the notice, the requested activity is not prohibited herein, and the activity will not materially impair the conservation values or purposes of this Conservation Restriction.

III. AFFIRMATIVE RIGHT OF THE GRANTEE

Right to Construct Boat Dock or Ramp. Subject to Grantor's prior written approval, which approval shall not be unreasonably withheld, and which approval shall be to confirm, among other considerations, that plans for said dock or ramp are consistent with the uses permitted in this Conservation Restriction, the amount of parking provided, and that the conservation values of the Premises are not adversely impaired, the Grantee, at Grantee's sole expense, shall have the right to install, construct, use, maintain, repair and/or replace one (1) dock or ramp on the Premises intended for the launch of cartop watercraft (the "Boat Launch"), provided that such structure or improvement is sited and designed so as to minimize any adverse impact on sensitive habitat and/or other natural resources located on the Premises, is supported by no more than minimal footings, piers or sonotubes, and does not have a slab, and further provided that Grantee, at its sole expense, covenants and agrees to (i) obtain any and all required permits and comply with all applicable federal, state and local statutes, laws, rules and regulations, with Grantor agreeing to sign off on such permit application as required, (ii) inspect the Boat Launch at least once in each calendar year, (iii) maintain the Boat Launch in good repair and safe and operable condition, and, if Grantee fails to do so and fails to provide a plan to the Grantor to restore the Boat Launch to such condition, which plan shall be provided to Grantor within thirty (30) calendar days of Grantor's written request, Grantee agrees that Grantor shall have the right to make any repairs that Grantor reasonably believes necessary to restore the Boat Launch to good repair and safe and operable condition, and Grantee agrees to reimburse Grantor for the cost of such repairs promptly upon Grantor's written request for the same, which written request shall be accompanied by documentation of said repairs, and (iv) at Grantor's request, enter into an unrecorded construction and maintenance agreement with Grantor. Notwithstanding the foregoing, however, during any period of time in which Grantor has constructed and is maintaining a substantially

similar dock or ramp on the Premises pursuant to II.B(9) above available for use by the general public subject to reasonable rules and regulations, Grantee's rights under this paragraph shall be suspended.

IV. LEGAL RIGHTS AND REMEDIES OF THE GRANTEE

- A. Legal and Injunctive Relief.** The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including, without limitation, relief requiring restoration of the Premises to their condition prior to the time of the injury complained of (it being agreed that the Grantee will have no adequate remedy at law). The rights hereby granted shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee for the enforcement of this Conservation Restriction. Grantee agrees to cooperate for a reasonable period of time prior to resorting to legal means in resolving issues concerning violations provided Grantor ceases objectionable actions and Grantee determines there is no ongoing diminution of the conservation values of the Conservation Restriction.
- B. Reimbursement of Costs of Enforcement.** Grantor covenants and agrees to reimburse to Grantee all reasonable costs and expenses (including reasonable counsel fees) incurred in enforcing this Conservation Restriction or in taking reasonable measures to remedy, abate or correct any violation thereof, provided that a violation of this Conservation Restriction is acknowledged by Grantor or determined by a court of competent jurisdiction to have occurred.
- C. Non-Waiver.** Enforcement of the terms of this Conservation Restriction shall be at the discretion of Grantee. Any election by the Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.
- D. Disclaimer of Liability.** By acceptance of this Conservation Restriction, the Grantee does not undertake any liability or obligation relating to the condition of the Premises pertaining to compliance with and including, but not limited to, hazardous materials, zoning, environmental laws and regulations, or acts not caused by the Grantee or its agents.
- E. Acts Beyond the Grantor's Control.** Nothing contained in this Conservation Restriction shall be construed to entitle the Grantee to bring any actions against the Grantor for any injury to or change in the Premises resulting from causes beyond the Grantor's control, including but not limited to fire, flood, storm and natural earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Premises resulting from such causes.
- F. Actions to Prevent or Remedy Violations.** The Grantee shall have the right to take appropriate actions to prevent, abate, or remedy violations of this Conservation Restriction, including violations by non-parties.

V. ACCESS

- A. Access by the Grantee.** The Grantor hereby grants to the Grantee, or its duly authorized agents or representatives, the right to enter the Premises upon reasonable notice and at reasonable times, for the purpose of inspecting the Premises to determine compliance with or to enforce this Conservation Restriction. The Grantor also grants to the Grantee, after notice of a violation and failure of the Grantor to cure said violation, the right to enter the Premises for the purpose of taking any and all actions with respect to the Premises as may be necessary or appropriate to

remedy or abate any violation hereof, including but not limited to the right to perform a survey of boundary lines. The Grantee shall have the right to erect and from time to time replace, at appropriate locations near the boundaries of the Premises, suitable signs identifying the Grantee as the holder of this Conservation Restriction.

- B. **Access by the Public.** This Conservation Restriction also grants to the general public the right to enter upon any future trails and other improvements developed by the Grantor, and to use the Boat Launch that the Grantee may construct pursuant to Section III hereof, for the sole purpose of engaging in Passive Recreational Activities on the Premises. The Grantor and its successors and assigns shall permit the continuance of such entry by the public, provided that, in connection therewith, (1) any such activity shall be limited to daylight hours only unless Grantor provides permission for an exception; (2) all such activities shall be confined to the limits of designated trails and other specific areas, such as the Boat Launch; (3) no motor vehicles of any kind shall be permitted except for motor vehicles used solely within the parking area described in Paragraph II(B)(7); (4) no hunting, trapping or discharge of firearms shall be conducted; (5) no dumping, waste disposal, or littering of any kind is allowed; (6) no activity of more than a *de minimis* commercial nature is allowed; and (7) the public shall adhere to such reasonable rules and regulations as the Grantor or Grantee may establish and post from time to time regarding the access provided in this paragraph. Grantor may temporarily close trails from time-to-time as may be necessary in order to conduct property and trail maintenance, vegetation management, and other reserved rights that may be incompatible with public use. To the extent permitted by law, the Grantor and the Grantee hereby expressly disclaim any duty to maintain the Premises or warn persons who may enter upon the same. Pursuant to M.G.L. Chapter 21, Section 17C, neither the Grantor nor the Grantee is liable to any member of the public for injuries to person or property sustained by such person or property while on the Premises in the absence of willful, wanton, or reckless conduct.

VI. EXTINGUISHMENT

- A. **Termination only by Judicial Proceeding and Grantee's Right to Recover Proportional Value.** If circumstances arise in the future such as render the purpose of this Conservation Restriction impossible to accomplish, this Restriction can only be terminated or extinguished, whether in whole or in part, by a court of competent jurisdiction under applicable law after review and approval by the Commonwealth of Massachusetts Secretary of Energy and Environmental Affairs. If any change in conditions ever gives rise to extinguishment or other release of the Conservation Restriction under applicable law, then Grantee, on a subsequent sale, exchange, or involuntary conversion of the Premises, shall be entitled to a portion of the proceeds in accordance with Paragraph B below, subject, however, to any applicable law which expressly provides for a different disposition of the proceeds and after complying with the terms of any gift, grant, or funding requirements. Grantee shall use its share of the proceeds in a manner consistent with the conservation purposes set forth herein.
- B. **Proceeds.** Grantor and Grantee agree that the grant of this Conservation Restriction gives rise to a real property right, immediately vested in the Grantee, with a fair market value that is at least equal to the proportionate value that this Conservation Restriction bears to the value of the unrestricted Premises determined at the time of conveyance and represents all land development rights associated with the Premises, except as such rights may have been specifically retained pursuant to this Conservation Restriction. Such proportionate value of the Grantee's property right shall remain constant. Any proceeds will be distributed only after complying with the terms of any gift, grant, or other funding requirements.

- C. Grantor/Grantee Cooperation Regarding Public Action.** Whenever all or any part of the Premises or any interest therein is taken by public authority under power of eminent domain or other act of public authority, then the Grantor and the Grantee shall cooperate in recovering the full value of all direct and consequential damages resulting from such action. All related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds shall be distributed between the Grantor and Grantee in accordance with Paragraph B above, after complying with the terms of any law, gift, grant, or funding requirements. If less than a fee interest is taken, the proceeds shall be equitably allocated according to the nature of the interest taken. The Grantee shall use its share of the proceeds like a continuing trust in a manner consistent with the conservation purposes of this grant.

VII. DURATION & ASSIGNABILITY

- A. Running of the Burden.** The burdens of this Conservation Restriction shall run with the Premises in perpetuity, and shall be enforceable in perpetuity against the Grantor and the successors and assigns of the Grantor holding any interest in the Premises, by the Grantee, its successors and assigns acting by and through its duly designated boards, commissions, employees, representatives or agents as holders of this Restriction.
- B. Execution of Instruments.** The Grantee is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction; the Grantor, on behalf of itself and its successors and assigns, appoints the Grantee its attorney-in-fact to execute, acknowledge and deliver any such instruments on its behalf. Without limiting the foregoing, the Grantor and its successors and assigns agree themselves to execute any such instruments upon request.
- C. Assignability; Running of the Benefit.** The benefits of this Conservation Restriction shall run to the Grantee, shall be deemed to be in gross and shall not be assignable by the Grantee, except the Grantee and its successors and assigns shall have the right to assign all or a portion of its right, title and interest hereunder to a “Qualified Organization” as defined in Section 170(h)(3) of the Internal Revenue Code provided that such assignee shall also be an eligible grantee of a conservation restriction as set forth in Chapter 184, Section 32 of the General Laws of Massachusetts, that such assignee is not an owner of the fee in the Premises, and provided further that, as a condition of such assignment, the assignee is required to hold this Conservation Restriction and enforce its terms for conservation purposes and ensure that the purposes of this Conservation Restriction continue to be carried out. Any assignment will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

VIII. SUBSEQUENT TRANSFERS

- A. Reference to Conservation Restriction in Future Deeds and Required Notification of Transfers.** The Grantor agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument which divests any interest in all or a portion of the Premises, including any leasehold interest or option, and to notify the Grantee in writing not less than thirty (30) days prior to the execution of such transfer. Any transfers shall receive prior approval by Grantee to assure that the Premises is transferred to a qualified conservation organization. Failure to do any of the above shall not impair the validity or enforceability of this Conservation Restriction. Any transfer will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

B. Termination of Rights and Obligations. The Grantor shall not be liable for violations occurring after their ownership. Liability for any acts or omissions occurring prior to any transfer and liability for any transfer if in violation of this Conservation Restriction shall survive the transfer. Any new owner shall cooperate in the restoration of the Premises or removal of violations caused by prior owner(s) and may be held responsible for any continuing violations.

IX. ESTOPPEL CERTIFICATES

Upon request by the Grantor, the Grantee shall, within sixty (60) days execute and deliver to the Grantor any document, including an estoppel certificate, which certifies the Grantor's compliance or non-compliance with any obligation of the Grantor contained in this Conservation Restriction.

X. NON MERGER

The parties intend that any future acquisition of the Premises shall not result in a merger of the Conservation Restriction into the fee. The Grantor agrees that it will not grant, and the Grantee agrees that it will not take title to, any part of the Premises without having first assigned this Conservation Restriction to a non-fee owner that is qualified under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder and is eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the General Laws of Massachusetts in order to ensure that merger does not occur and that this Conservation Restriction continues to be enforceable by a non-fee owner.

XI. AMENDMENT

If circumstances arise under which an amendment to or modification of this Conservation Restriction would be appropriate, Grantor and Grantee may jointly amend this Conservation Restriction; provided that no amendment shall be allowed that will affect the qualification of this Conservation Restriction or the status of Grantee under any applicable laws, including Section 170(h) of the Internal Revenue Code of 1986, as amended, or Sections 31-33 of Chapter 184 of the General Laws of Massachusetts. Any amendments to this Conservation Restriction shall occur only in exceptional circumstances. The Grantee will consider amendments only to correct an error or oversight, to clarify an ambiguity, or where there is a net gain in conservation value. All expenses of all parties in considering and/or implementing an amendment shall be borne by the persons or entity seeking the amendment. Any amendment shall be consistent with the purposes of this Conservation Restriction, shall not affect its perpetual duration, shall be approved by the Secretary of Energy and Environmental Affairs and if applicable, shall comply with the provisions of Article 97 of the Amendments to the Massachusetts Constitution, and any gifts, grants or funding requirements. Any amendment shall be recorded in the Essex South District Registry of Deeds.

XII. EFFECTIVE DATE

This Conservation Restriction shall be effective when the Grantor and the Grantee have executed it, the administrative approvals required by Section 32 of Chapter 184 of the General Laws have been obtained, and it has been recorded in a timely manner in the Essex South District Registry of Deeds.

XIII. NOTICES

Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage pre-paid, addressed as follows:

To Grantor: Essex County Greenbelt Association, Inc.
ATTN: Director of Stewardship
82 Eastern Avenue
Essex, MA 01929
Phone: 978-768-7241

To Grantee: Town of West Newbury
Town Manager (with copy to Conservation Agent)
381 Main Street
West Newbury, MA 01985
Phone: 978-363-1100

or to such other address as any of the above parties shall designate from time to time by written notice to the other or, if notice is returned to sender, to an address that is reasonably ascertainable by the parties.

XIV. GENERAL PROVISIONS

- A. **Controlling Law.** The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.
- B. **Liberal Construction.** Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in favor of the grant to effect the purpose of this Conservation Restriction and the policy and purposes of Chapter 184, Sections 31, 32, and 33 of the Massachusetts General Laws. If any provision in this instrument is found to be ambiguous, any interpretation consistent with the purpose of this Conservation Restriction that would render the provision valid shall be favored over any interpretation that would render it invalid.
- C. **Severability.** If any provision of this Conservation Restriction or the application thereof to any person or circumstance is found to be invalid, the remainder of this Conservation Restriction shall not be affected thereby.
- D. **Entire Agreement.** This instrument sets forth the entire agreement of the parties with respect to this Conservation Restriction and supersedes all prior discussions, negotiations, understandings or agreements relating to the Conservation Restriction, all of which are merged herein.

XV. AFFIRMATIVE COVENANTS OF THE GRANTOR

- A. **Payment of Taxes.** The Grantor shall pay before delinquency all taxes, assessments, betterments, liens, fees and charges levied on or assessed against the Premises by any federal, state, or local government authority or other competent authority or entity (collectively "taxes"), and shall furnish the Grantee with satisfactory evidence of payment upon request.
- B. **Subordination of Mortgage.**
The Grantor attests that there is no mortgage, promissory note, loan, lien, equity credit line, refinance assignment of mortgage, lease, financing statement or any other agreement which gives rise to a surety interest affecting the Premises
- C. **Adverse Possession.** The Grantor represents and warrants that to the best of its knowledge no person has occupied or used the Premises without the Grantor's permission or has openly claimed ownership of the Premises as against the Grantor or the Grantor's predecessors in title

or has conducted continuous activities or uses on the Premises (such as, but not limited to, logging, camping or similar uses). The Grantor agrees that if any such activity is observed now or in the future, the Grantor shall immediately notify the Grantee and shall cooperate with the Grantee to notify such persons of their wrongful entry onto the Premises.

XVI. MISCELLANEOUS

- A. **Pre-existing Public Rights.** Approval of this Conservation Restriction pursuant to Chapter 184, Section 32 of the Massachusetts General Laws by any municipal officials and by the Secretary of Energy and Environmental Affairs is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.
- B. **Representations of the Grantee.** The Grantee represents that it is a “Qualified Organization” as that term is defined in Section 170(h)(3) of the Internal Revenue Code of 1986, as amended, and that it is an eligible donee of a conservation restriction as set forth in Chapter 184, Section 32 of the General Laws of Massachusetts, as amended.
- C. **Prior Encumbrances.** This Conservation Restriction shall be in addition to and not in substitution of any other restrictions or easements of record affecting the Premises.
- D. **Signature Pages and Exhibits.** Attached hereto and incorporated herein by reference are the following:

Grantor: Essex County Greenbelt Association, Inc.

Grantee: Town of West Newbury Conservation Commission

Approval by Town of West Newbury Board of Selectmen

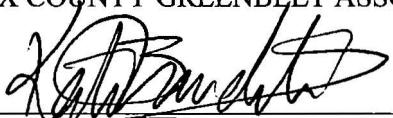
Approval of the Secretary of Energy and Environmental Affairs

Exhibit A: Description of Premises

Exhibit B: Certified Copy of Town Vote for Purchase of Conservation Restriction

WITNESS our hand and seal this 19th day of November, 2019,

ESSEX COUNTY GREENBELT ASSOCIATION, INC.

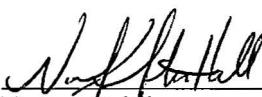
By: 
Name: Katherine Bowditch
Title: President
Hereunto duly authorized

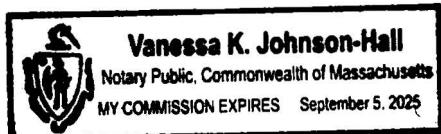
By: 
Name: Kent Wosepka
Title: Treasurer
Hereunto duly authorized

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss:

On this 19th day of November, 2019, before me, the undersigned notary public, personally appeared Katherine Bowditch, and proved to me through satisfactory evidence of identification which was known personally to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose on behalf of Essex County Greenbelt Association, Inc.


Notary Public
My Commission Expires: 9/15/25



COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss:

On this 19th day of November, 2019, before me, the undersigned notary public, personally appeared Kent Wosepka, and proved to me through satisfactory evidence of identification which was known personally to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of Essex County Greenbelt Association, Inc.


Notary Public
My Commission Expires: 9/15/25



**ACCEPTANCE OF GRANT BY TOWN OF WEST NEWBURY CONSERVATION
COMMISSION**

We, the undersigned, being a majority of the Conservation Commission of the Town of West Newbury, Massachusetts, hereby certify that at a public meeting duly held on October 28, 2019, the Conservation Commission voted to approve and accept the foregoing Conservation Restriction from Essex County Greenbelt Association, Inc. pursuant to M.G.L. Chapter 184 Section 32 and Chapter 40 Section 8C and do hereby accept the foregoing Conservation Restriction.

TOWN OF WEST NEWBURY CONSERVATION COMMISSION:

Dawn Fusco, Chair

Melody Reed

Wendy Reed, Clerk

Judith Mizner

Margaret Hawkins

Margaret Hawkins

Thomas Atwood

Thomas Atwood

COMMONWEALTH OF MASSACHUSETTS

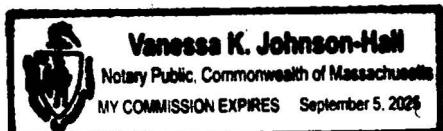
ESSEX, ss:

On this 18th day of October, 2019, before me, the undersigned notary public, personally appeared Wendy Reed, Chair of the West Newbury Conservation Commission, and proved to me through satisfactory evidence of identification which was Known personally to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Vanessa K. Johnson-Hall

Notary Public

My Commission Expires: 9/15/25



APPROVAL OF WEST NEWBURY BOARD OF SELECTMEN

We, the undersigned, being a majority of the Board of Selectmen of the Town of West Newbury, hereby certify that at a public meeting duly held on November 12, 2019, the Board of Selectmen voted to approve the foregoing Conservation Restriction from Essex County Greenbelt Association, Inc. to the Town of West Newbury acting by and through its Conservation Commission in the public interest pursuant to Section 32 of Chapter 184 of the General Laws of Massachusetts.

BOARD OF SELECTMEN:

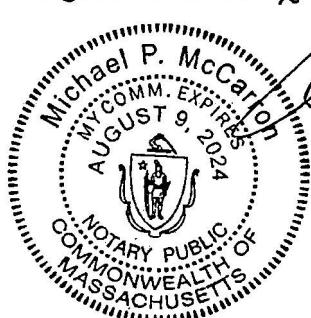
David W. Archibald, Chairman
Glenn A. Kemper

Richard Parker

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss:

On this 18 day of November, 2019, before me, the undersigned notary public, personally appeared Richard Parker, Chair of the West Newbury Board of Selectmen, and proved to me through satisfactory evidence of identification which was personally known to me to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.



Michael P. McCarron
Notary Public
My Commission Expires: 08/09/2024

APPROVAL BY SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
COMMONWEALTH OF MASSACHUSETTS

The undersigned, Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts, hereby certifies that the foregoing Conservation Restriction from Essex County Greenbelt Association, Inc. to the Town of West Newbury acting by and through its Conservation Commission has been approved in the public interest pursuant to Massachusetts General Laws, Chapter 184, Section 32.

Dated: 11/22, 2019



KATHLEEN A. THEOHARIDES
Secretary of Energy and Environmental Affairs

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss:

On this day of November 22, 2019, before me, the undersigned notary public, personally appeared KATHLEEN A. THEOHARIDES, and proved to me through satisfactory evidence of identification which was personal knowledge to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.


Notary Public
My Commission Expires: 12/28/23

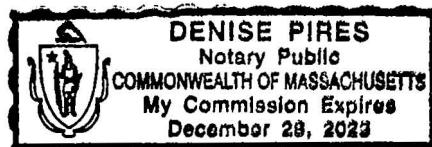


EXHIBIT A:
Description of Premises

The land subject to this Conservation Restriction, referred to herein as the Premises, is that certain land off River Road, together with any and all improvements located thereon, in West Newbury, Essex County, Massachusetts, shown as Lot 2, the parcel marked "A=22540± SF," and the parcel marked "A=10858± SF" on that certain plan entitled "Plan of Land for Dagny I. Kvalheim in West Newbury, Mass., County of Essex," dated January 1974, prepared by Town Planning and Engineering Associates, Inc., and recorded in the Southern Essex District Registry of Deeds in Plan Book 129, Plan 65, but excluding those portions of said Lot 2 and said parcel marked "A=10858± SF" as is contained within the parcels shown on that certain plan entitled "Plan of Land in West Newbury for Thomas Joyce," dated August 20, 1978, prepared by C.F.K. Associates and recorded in the Southern Essex District Registry of Deeds in Plan Book 150, Plan 44.

Excluding, however, from this Conservation Restriction, that certain portion of the above-described real property shown as "Deed Overlap" on that certain plan entitled "Plan of Land in West Newbury prepared for Mariana A. Morse," dated September 14, 1994, prepared by Pembroke Land Survey Company, and recorded in the Southern Essex District Registry of Deeds in Plan Book 307, Plan 56.

EXHIBIT B:
Certified Copy of Town Vote for Purchase of Conservation Restriction



TOWN OF WEST NEWBURY

Michael P. McCarron
Town Clerk

381 Main Street
West Newbury, MA 01985
978-363-1100 ext. 110
978-363-1826 (Fax)
mmccarron@wnewbury.org

July 16, 2019

RE: Results of April 29, 2019 Special Town Meeting

I, Michael P. McCarron, Town Clerk of the Town of West Newbury, hereby certify that the following is a true, accurate and complete extract of the Minutes of the April 29, 2019 Special Town Meeting of the Town of West Newbury concerning Article 5:

ARTICLE 5. The Finance Committee recommended approval of this Article.

Open Space Committee Chairperson Patricia Reeser moved to transfer from Community Preservation Act funds the sum of \$75,000.00 from the Open Space and Recreation Reserve Account for the purchase of a conservation restriction on two parcels of land located off River Road shown on Assessors' Map R-24 as Parcels 5 and 7, containing approximately 25.3 acres and 6.64 acres of land respectively, which lots are also described in the deed recorded with the Essex South District Registry of Deeds in Book 6668, Page 158; and that the Board of Selectmen be authorized to enter into all agreements and execute all instruments, including but not limited to the conservation restriction, in accordance with Massachusetts General Laws Chapter 184 or any other applicable statute or regulation, as may be necessary on behalf of the Town of West Newbury to effect the purchase of said conservation restriction

The Moderator declared the Motion passed unanimously.

Attest:

Michael P. McCarron
Town Clerk



- Conservation Project Area
- Greenbelt Property
- Proposed Trail
- P Proposed Parking Area



Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Bethany A. Card
Secretary

Martin Suuberg
Commissioner

June 16, 2022

Sara Kreisel, BSC Group
803 Summer Street
Boston, MA 02127

Re: Denial of Request for a Minor Project Modification pursuant to 310 CMR 9.22(3)
Upper Artichoke River Bridge Replacement Project, West Newbury/Newburyport, Essex County

Dear Ms. Kreisel,

The Massachusetts Department of Environmental Protection Waterways Regulation Program (the “Department”) has received the request for a Minor Project Modification submitted on May 18, 2022 and the supplemental information submitted on June 3, 2022. The submittals include:

- Letter in support of the request;
- Environmental Resources Map;
- Tearsheets;
- Newburyport Water resource Protection District Ordinance;
- Middle Street/Plummer Spring Road over Upper Artichoke Reservoir Project Plans;
- Supplemental letter in support of the request;
- Highlighted Impact Construction Plan and Profile Sheet.

Based on the information in the submittals and as acknowledged therein, the proposed scope of work is not limited to structural alterations which are confined to the existing footprint of the fill or structures being altered, and therefore the project exceeds the thresholds at 310 CMR 9.05(3)(a) and is not eligible for an administrative approval through a Minor Project Modification. The regulations at 310 CMR 9.05(3)(b) which allows for certain changes of use is not applicable to this project, as the scope of work involves installation of fill/structures and is not limited to a change in use.

The Department will retain this correspondence along with the referenced submittal in our records. If you have any questions concerning this matter, please contact us at DEP.Waterways@mass.gov.

Sincerely,

Daniel Padien
Program Chief
Waterways Regulation Program

cc: Diana Walden

This information is available in alternate format. Contact Glynis Bugg at 617-348-4040.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep