



Town of West Newbury
Select Board

Monday, September 18, 2023 @ 5:30pm

381 Main Street, Town Office Building

www.wnewbury.org

AGENDA

PLEASE NOTE:
Open Session
scheduled to begin at
5:30pm (not the usual
7pm start time).

Open Session: 5:30pm 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.
- Fall Special Town Meeting to take place on Monday, Oct. 23, 2023 at 7pm in the Annex
- Call for volunteers! FY24 positions on Boards/Commissions/Committees. See www.wnewbury.org/volunteer
- Reminder to subscribe for emailed Town agendas/news/announcements at www.wnewbury.org/subscribe

Regular Business

- Request for installation of temporary sign to promote Jeanne Geiger’s 32nd Annual Walk Against Domestic Abuse on October 1st in Newburyport – *Jeanne Geiger Crisis Center*
- Applications for Committee appointments
 - Applications for appointment to Cultural Council: Cynthia Coburn; Yetti Frenkel; Brian Kitley; Kimberly Scott; Mia (Flaminia) Thurlow
 - Paul Niman to Capital Improvements Committee
- Presentation of conceptual plans & route options for Indian Hill Water Pump Station & Pipeline project expected to be proposed by the City of Newburyport – *N’port Dept. of Public Services/Water Dept.*
- Discussion of Sea Level Rise design parameter for potential new public water supply site, incl. cont’d discussion from Sept. 8 mtg regarding draft Weston and Sampson peer review of 31 Dole Place

6:45pm: Convene Joint Session with Finance Committee regarding proposed STM Warrant Articles

- Consideration of recommendations regarding proposed Warrant Articles for fall Special Town Meeting
 - Discussion of potential priority locations and costs for 2024 invasive species management, related to proposed fall Special Town Meeting Article – *ad hoc invasive species working group*
 - Presentation of Article regarding process and costs associated with Assessing FY25 Certification (including Town-wide Revaluation) – *Christian Kuhn, Chief Assessor*
 - Other Articles included on draft Special Town Meeting warrant

- Review/approve MESA checklist for submittal to MA Dept. of Fish & Wildlife regarding Ash Street management; including vote to authorize Town Manager to sign application on Board’s behalf
- Authorize Town Manager to sign and submit Request for Determination of Applicability (RDA) to Conservation Commission for removal of invasive water chestnut from Mill Pond
- Updated proposed schedule, and revised project approach, for Church/Prospect water main replacements
- Review of letter from Merrimac Select Board regarding PRSD Regional Agreement
- Request for authorization to apply for Community Compact Municipal Best Practices grant to fund new software for budgeting, personnel budgeting and capital budgeting
- Discussion of Personnel Policy vacation policy; potential referral for future public hearing
- Review/confirm Select Board mtg schedule for last part of 2023 through April 2024
- Meeting minutes: August 21, 2023; September 5, 2023

Town Manager Updates

- Update regarding paving contract, including confirmation of roads and sites included in paving scope
- Updates on other ongoing/active projects/initiatives
- Follow up meeting assignment; placing items for future agendas

Executive Session: Following recess of Open Session, in 1910 Building: Town Manager’s office

- ❖ 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*);
- ❖ 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 (*review of draft job descriptions and position grade classification for proposed DPW restructure; EMA staffing transition plan*);
- ❖ MGL Ch. 30A §21(a) 3: To discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (*review of draft job descriptions and position grade classification for proposed DPW restructure*);
- ❖ MGL Ch. 30A §21(a) 3: To discuss strategy with respect to 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 (*Daniel Cena v. Town of West Newbury, Essex Superior Court CA No. 2377CV00744*).

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: 844 7132 1992
Passcode: 754315

Join at: <https://us06web.zoom.us/j/84471321992?pwd=ITgSlk51yZM3vgbxjdET88vTcA7PdU.1>

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

Posted Agenda on 9/14/2023 at the Town Offices and the Town’s Official Website www.wnewbury.org

Executive Assistant

From: Rachel Fowler [REDACTED]
Sent: Thursday, September 14, 2023 2:53 PM
To: Executive Assistant; Town Manager
Cc: Kelly Majewski
Subject: RE: West Newbury Sign Policy
Attachments: 163ACB3D-8F2B-43CF-9731-ED8DBFD2A48B.jpg

Good afternoon Rebecca,

Thank you so much for all of your assistance with this! Please see attached photo of what the banner looks like and our reasoning below:

reason: Advertising for Jeanne Geiger’s 32nd Annual Walk Against Domestic Abuse on October 1st in Newburyport
location: Pipestave
duration: 2 Weeks – day of approval until October 2nd

Thank you so much and I look forward to joining the zoom. Have a great weekend!

Warmly,
Rachel Fowler

Rachel Fowler
Events and Fundraising Coordinator
My pronouns: she/her



www.jeannegeigercrisiscenter.org



Our 2023 Walk Against Domestic Violence is October 1st!
[Click Here to Sign Up & Learn More!](#)

From: Executive Assistant <exec.assistant@wnewbury.org>
Sent: Monday, September 11, 2023 2:12 PM
To: Rachel Fowler <[REDACTED]>
Subject: West Newbury Sign Policy

Good afternoon,

Please see the Town of West Newbury sign policy below....

Signs on Town Property

The Town of West Newbury prohibits all signs on public property without prior approval by the Select Board or designee. The Board adopts the following requirements and limitations applicable to requests to install signs on public property (including within Town roadway rights-of-way):

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

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

Some examples of public property are rights-of-way (property running parallel to the roadway), traffic islands, utility poles, sidewalks and town-owned property.

Please send a written request to exec.assistant@wnewbury.org and Townmanager@wnewbury.org

The next Select Board meeting will be held September 18th but we will need the written request no later than Thursday, September 14th at noon to include the request on the agenda.

Thank you, and please let me know if you have any further questions.

Rebecca Ambra, Executive Assistant
Office of the Town Manager
Town of West Newbury
381 Main Street
West Newbury, MA 01985
978-363-1100 x115
Exec.Assistant@wnewbury.org



YOU GOT THIS

YOU GOT THIS!

YOU GOT THIS

MENDO'S LIFE CONSULTANTS, INC.

MENDO'S LIFE CONSULTANTS, INC.


JEANNE GEIGER
 CRISIS CENTER
Sunday, October 2nd
Register 8AM | Walk 9AM
Sign up: jeannegeiger.org


 Presenting Sponsor

 INSTITUTION
BUILDING STRENGTHENING COMMUNITY



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: Cynthia Coburn
Address: [REDACTED]
e-mail: [REDACTED]
Mobile phone: [REDACTED] Home phone: _____

Board(s) or committee(s) you are interested in volunteering on:
West Newbury Cultural Council

Current or past committees served on: none

Relevant skills, expertise and education: BFA Indiana University, painting
MFA Boston University, painting
volunteer, Denver Urban Gardens
taught watercolor, S. Carolina Governor's School for the Arts

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: Cynthia Coburn Date: 8 September 2023

Board/Committee _____

Appointing Authority _____

Date of Appointment _____ Sworn in _____

REC'D IN NEWBURY CLERK
23 SEP 11 PM 12:00



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: Yetti Frenkel

Address: [Redacted]

e-mail: [Redacted]

Mobile phone: [Redacted] Home phone: same

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

Current or past committees served on: _____

Relevant skills, expertise and education: Professional Muralist and Mosaicist, Arts Educator

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: Yetti Frenkel Date: 8/31/23

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: Brian Kiteley

Address: [REDACTED]

e-mail: [REDACTED]

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

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

The Cultural Council

Current or past committees served on: none

Relevant skills, expertise and education: Taught at the University of Denver 1994-2022;

Dir. of creative writing PhD program at University of Denver for 12 years; served on faculty

senate at U of Denver for 7 years; published 3 novels, published 2 books about writing,

MFA from CCNY 1985

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: 9/1/2023

Board/Committee

Appointing Authority

Date of Appointment _____ Sworn in _____



Town of West Newbury Application for Appointment

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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: Kimberly Scott
Address: [REDACTED]
e-mail: [REDACTED]
Mobile phone: [REDACTED] Home phone: —

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

Cultural Council

Current or past committees served on: School auction committees + art development for said auctions

Relevant skills, expertise and education:

BFA - Interior Design from NESAD @ Suffolk Univ.

Practicing designer for engineering firm - Boston

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: Kimberly Scott Date: September 05, 2023

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: Mia (Flaminia) Thurlow

Address: [REDACTED]

e-mail: [REDACTED]

Mobile phone [REDACTED] Home phone [REDACTED]

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

Current or past committees served on: Strong Women Strong Girls Communication Committee
Our Neighbors Table (communications)

Relevant skills, expertise and education: BFA from Rochester Institute of Tech, I am an Art Director for Stackpole, a small advertising agency in NBPT. I am also a painter. I've shown at Chameleon gallery, The Newburyport Art Association, AKE a gallery in Cortland NY, Solo shows at Zume's Coffee Shop in Charlestown, Rowley Library. I work in mixed media

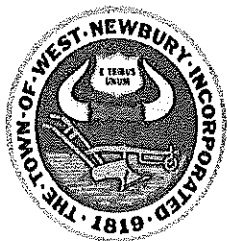
All board or committee vacancies will be filled by citizens deemed most qualified to serve in a particular capacity. I also understand that in the event that I am appointed to a position, my activities will be governed by the Massachusetts Conflict of Interest Law, Open Meeting Law, Public Records Law,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

Signature: [Handwritten Signature] Date: 9/7/23

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: PAUL S. NIMAN

Address: [REDACTED]

e-mail: [REDACTED]

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

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

CAPITAL IMPROVEMENT COMM

Current or past committees served on: _____

Relevant skills, expertise and education: _____

FORMER PUBLIC WORKS DIR & ENVIA ENG
AT MASS DEP DRINKING WATER PROGRAM

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: Paul S Niman Date: 9/6/2023

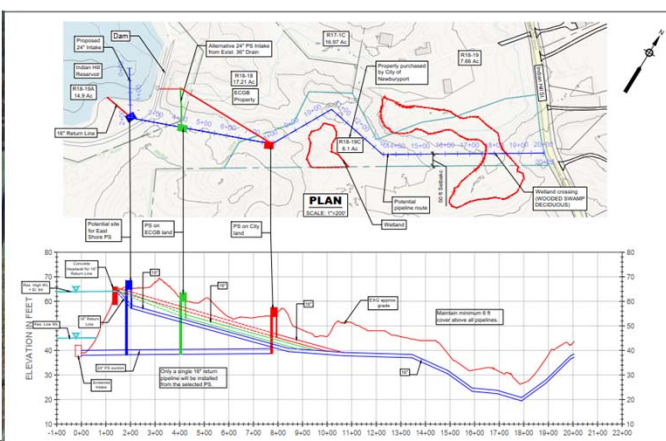
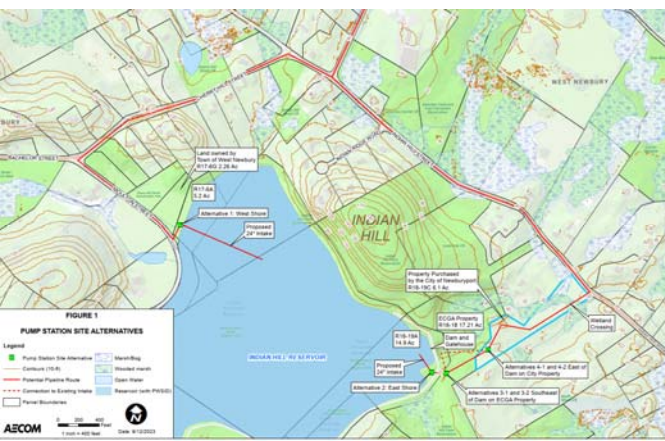
Board/Committee _____

Appointing Authority _____

Date of Appointment _____ Sworn in _____

Indian Hill Raw Water Transmission Line and Pump Station – Project Update for West Newbury

City of Newburyport
September 18, 2023



AECOM

PROJECT
City of Newburyport, Massachusetts
Indian Hill Pump Station and
Transmission Main

OWNER/CLIENT
City of Newburyport, Massachusetts
60 Pleasant St., Newburyport, MA 01950
United States
+1 978-365-8111 ext. 100

CONSULTANT
AECOM TECHNICAL SERVICES, INC.
600 ANDOVER STREET
CHELSEA, MA 02156
PHONE: 617.969.2200

ISSUE

PRELIMINARY COPY
NOTE: This document is preliminary
only and is not intended for any
purpose except review and comment by
the owner and its agents.

PROJECT NUMBER
60692560

Designed By: **BS**

Drawn By: **MV**

Checked By: **BS**

Proj. Check: **DC**

Date: **NOVEMBER 2022**

Status: **AS NOTED**

DISCIPLINE
CIVIL

SHEET TITLE



Agenda

1. Project Need
2. Project Overview
3. Indian Hill Pump Station Site Alternatives
4. Update on Field Work
5. Pipeline from Upper Artichoke Reservoir to Lower Artichoke Reservoir
6. Upgrades to Existing Pump Station
7. Next Steps

1

Project Need



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Project Need

- The existing water supply system is experiencing challenges that impact water quality, including algae blooms
- Current issue of unprecedented Manganese and Iron levels at the Upper and Lower Artichoke Reservoirs, while this is not an issue for Indian Hill Reservoir
- The water supply system is also threatened by rising sea levels, higher temperatures, droughts, and more intense storms
- Important to protect this drinking water system that was developed to serve West Newbury, Newbury, and Newburyport



An algae bloom in August 2020 nearly resulted in a complete shutdown of the water supply system

Project Need

- City of Newburyport's goal: Provide a direct pipe connection from the Indian Hill Reservoir to the Upper Artichoke Reservoir and Lower Artichoke Reservoir, and existing Lower Artichoke Reservoir pump station to provide redundancy, reliability, and the ability for mixing of all three water sources
- Provides mitigation for a back water event from the Merrimack and Artichoke Rivers
- Provides mitigation for drought conditions by enabling transfer of water from Upper and Lower Artichoke Reservoirs to the Indian Hill Reservoir and increasing firm yield
- The project has been part of the City's Water Department Master Plan since 2002



2

Project Overview



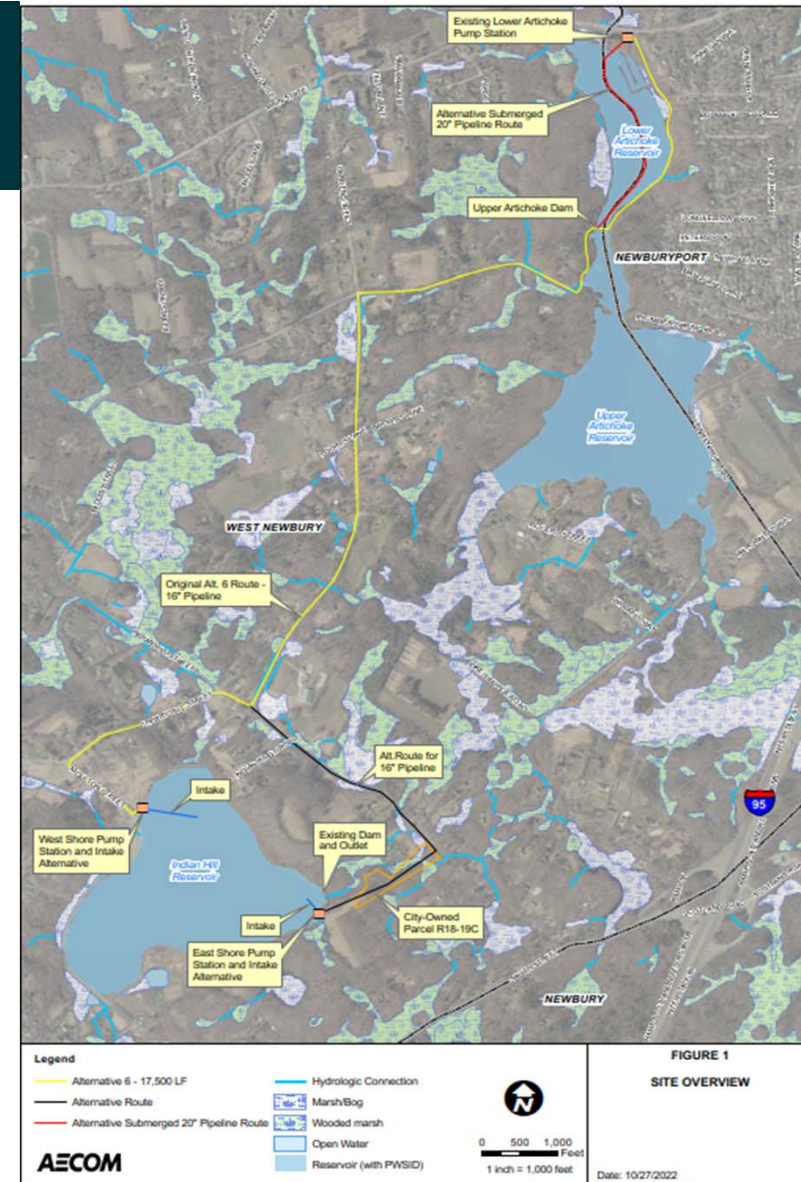
Delivering a better world

Project Overview

- Four key objectives:
 - To supply flow from the Indian Hill Reservoir directly to the water treatment plant
 - To deliver flow by gravity from the Upper Artichoke Reservoir to the Lower Artichoke Pump Station
 - To return excess water from Lower Artichoke Reservoir to Indian Hill Reservoir
 - Assess the condition of the Lower Artichoke Pump Station and its ability to function with the proposed transmission pipeline
- Scope of work includes:
 - Stakeholder meetings
 - Data collection
 - Survey
 - Conceptual design and preliminary design report
 - Project schedule
 - Construction cost estimate

Major Project Components

1. Indian Hill Reservoir Raw Water Pump Station
2. Transmission pipeline from Indian Hill Reservoir Pump Station to Lower Artichoke Pump Station
 - a. Pipeline along existing roadways and access roads to the Upper Artichoke Reservoir Dam
 - b. Pipeline from the Upper Artichoke Reservoir Dam to the Lower Artichoke Pump Station
3. Three phase power to Indian Hill Reservoir Pump Station
4. Access road and pipeline across city-owned parcel (R18-19C) on Indian Hill Street (if the east shore location south of dam site is the selected location of the Indian Hill Reservoir Pump Station)
5. Raw water intake pipeline in Indian Hill Reservoir



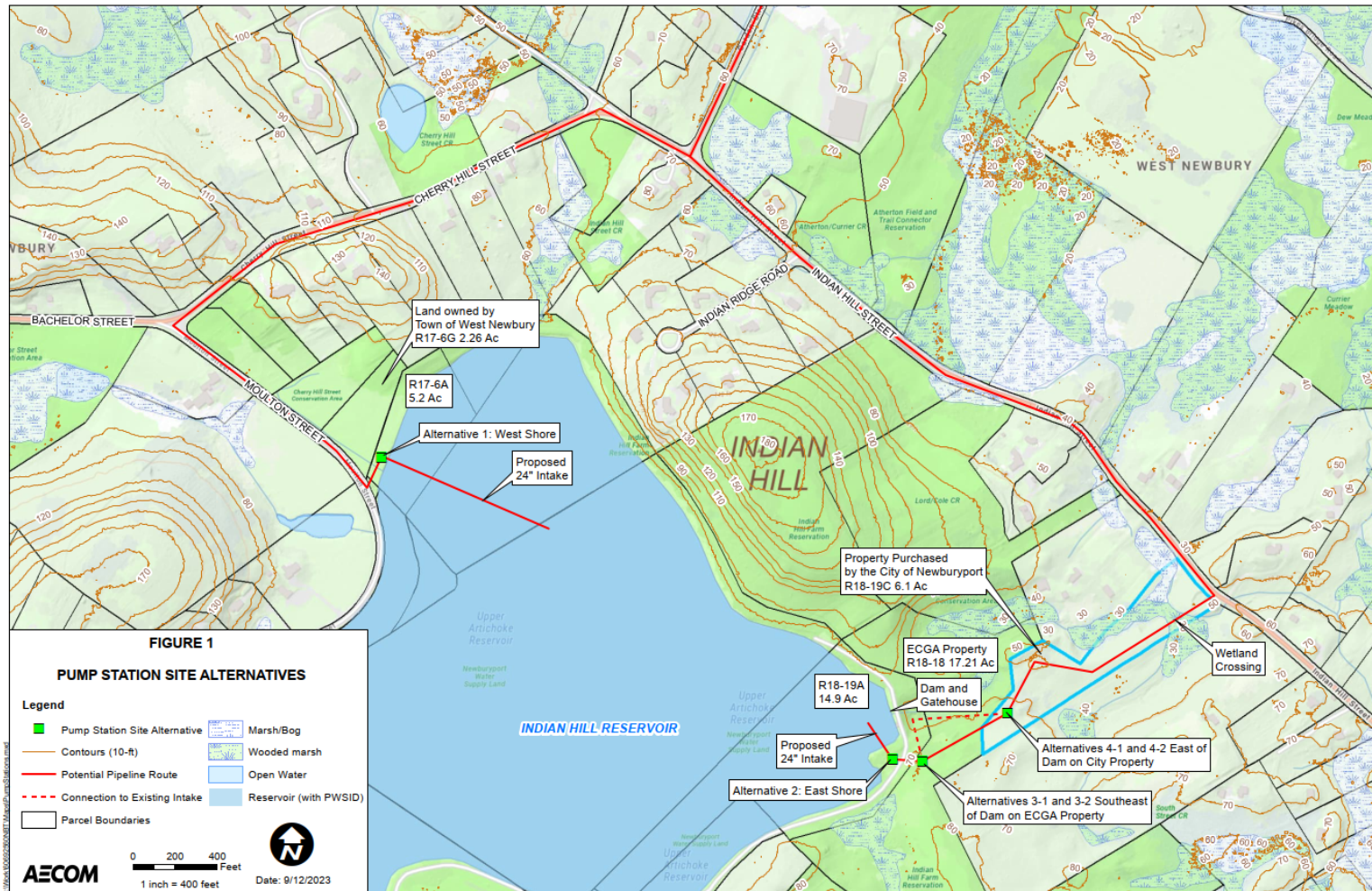
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Indian Hill Reservoir Pump Station Site Alternatives

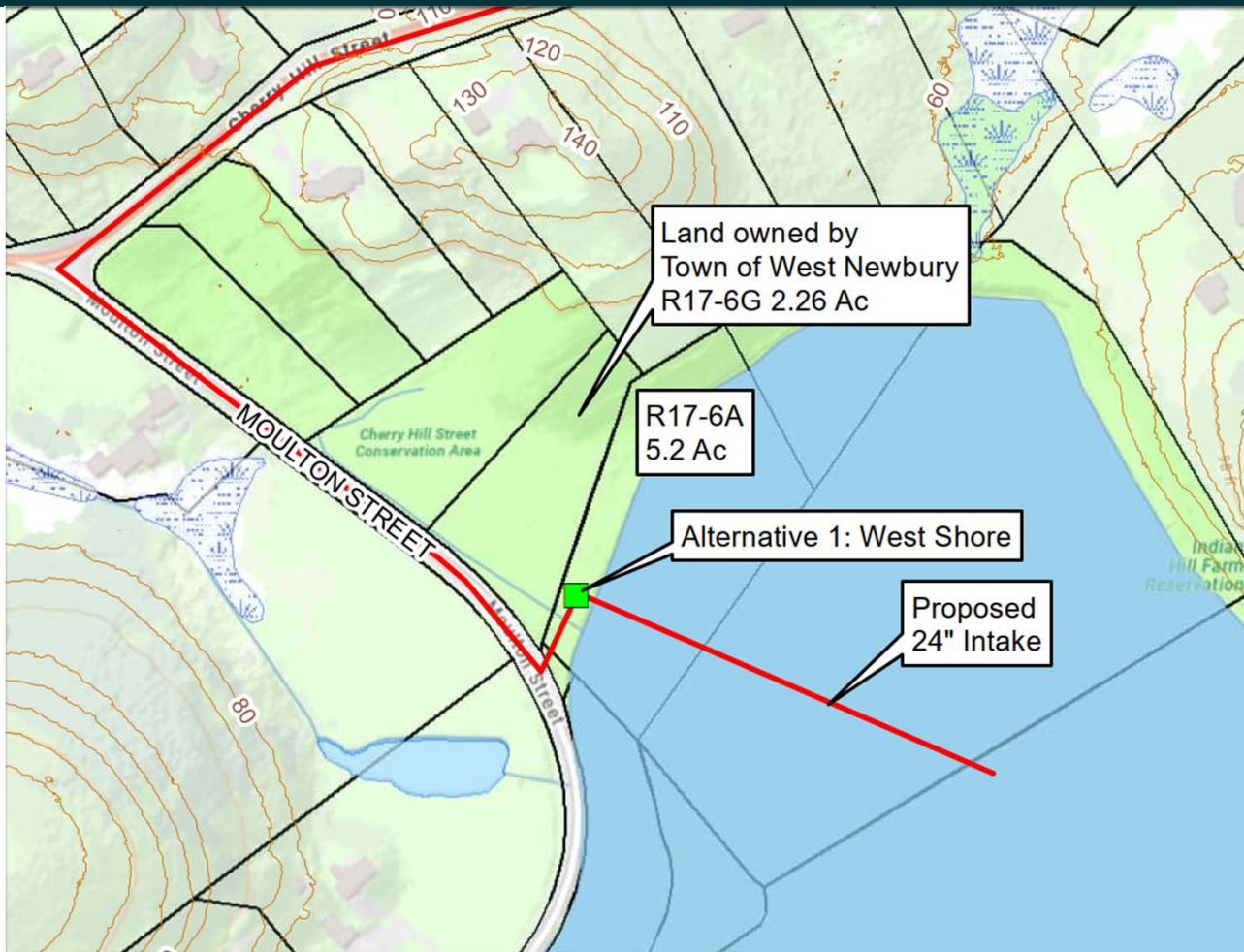


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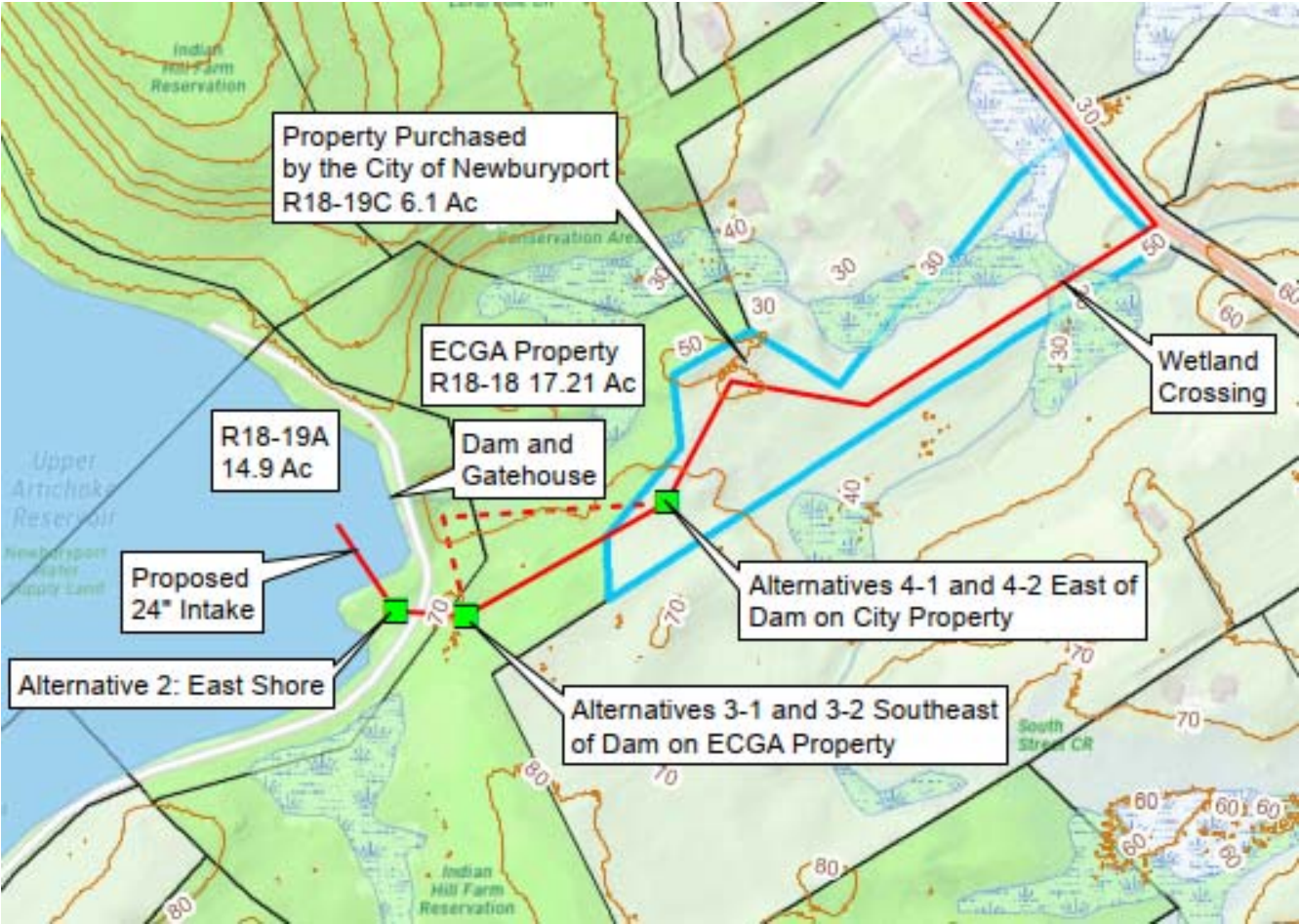
Alternative Pump Station Locations at Indian Hill Res.



West Shore Location at Moulton Street



East Shore Location South of Dam Site



Comparison of Pump Station Site Alternatives

- Prepared a draft pump station site alternatives comparison memo that examined key components and following considerations for each site:
 - Proximity to reservoir shoreline
 - Permitting
 - Available land for pump station
 - Planning Department approvals
 - Transmission pipeline route
 - Intake pipeline from reservoir to pump station
 - Indian Hill Reservoir recharge pipeline
 - Pipeline shoring and dewatering
 - Site access for construction
 - Site access for operation and maintenance
 - Public access
 - Pump operating head
 - Construction risks
 - Comparative construction cost estimates

AECOM

AECOM
250 Apollo Drive
Cherhill, MA 01824
aecom.com

Project name:
NBPT Water Line and PS Preliminary Design
Project ref:
0505200

From:
AECOM

Date:
September 23, 2022
REV: December 19, 2022

To:
Newburyport Department of Public Services

CC:
File

Indian Hill Reservoir Pump Station Site Alternatives Comparison Memo - Draft

The purpose of this memo is to provide a comparison of the four sites that are currently under consideration for the proposed Indian Hill Reservoir Pump Station (see Attachment A, Figure 1). Table 1 provides particulars of the Pump Station sites and associated pipelines that are applicable to all four sites, and Table 2 provides a side-by-side comparison of key considerations for each site. All elevations are in NAVD88.

Table 1. Indian Hill Reservoir Pump Station (PS) Site Requirements

Component	Description	Particulars
Pump station site	PS will pump raw water from the existing Indian Hill Reservoir, through proposed transmission pipelines, to the existing Lower Artichoke PS and/or the existing WTP, for the purpose of providing safe, potable water for consumption.	<ol style="list-style-type: none"> 1. PS will be a 35 ft x 40 ft permanent structure to be designed to blend with the surrounding neighborhood architecture. 2. PS will be equipped with a standby generator supplied with "hospital" standard sound attenuation system. 3. Construction adjacent to the shoreline will require sheeting and dewatering activities. Dewatering discharge will be collected and treated in accordance with applicable regulations. 4. Aesthetics of the pump station structure will be considered during design to blend into surrounding area as applicable.
Permitting / Approvals	Project will be subject to both State of Massachusetts Wetlands Protection Act and proposed Wetlands Protection Bylaw in the Town of West Newbury. Project will also need to comply with local planning board review process, including zoning bylaw and special permit, as applicable.	<ol style="list-style-type: none"> 1. See permitting considerations in comparison table below. 2. Property ownership for the permanent structure and pipelines and during construction should be considered.

1/8

Comparison of Pump Station Site Alternatives

- Initiated a paired comparison of the alternative sites that included the following evaluation criteria:
 - Ability to Drawdown Indian Hill Reservoir
 - Ability to Discharge to Indian Hill Reservoir Stream
 - Ability to Obtain Environmental Permits
 - Legal / Property Challenges
 - Security of Site
 - Operability
 - Access for Maintenance and Operation
 - West Newbury Approval
 - Ability to Use Existing Infrastructure
 - Public Perception
 - Capital Cost
 - Project Unknowns

Paired Comparison Analysis for Indian Hill Reservoir Pump Station Site Alternatives

Newburyport Team: Please compare each of the Blue criteria to each of the Red criteria by asking the question: How much more important is the blue to the red. For example, how much more important is Ability to Drawdown IHR compared to Ability to Discharge to IHR Stream? Assign a numerical value from 1 to 5 in each blue cell corresponding to the Importance Factors listed below. Then ask how much more important is Ability to Drawdown IHR to Ability to Obtain Environmental Permits, to Legal / Property Challenges, to Security of Site, to Operability, to Access for Maintenance and Operation, to Ability to Get West Newbury to Approve, to Ability to Use Existing Infrastructure, to Public Perception, to Capital Cost, to Project Unknowns. The higher the sum (weighting factor) in the far right column, the more important the particular criteria is. An expanded description of the criteria is provided below the table.

Evaluation Criteria	Ability to Drawdown IHR	Ability to Discharge to IHR Stream	Ability to Obtain Environmental Permits	Legal / Property Challenges	Security of Site	Operability	Access for Maintenance and Operation	Ability to Get West Newbury to Approve	Ability to Use Existing Infrastructure	Public Perception	Capital Cost	Project Unknowns	Sum (Weighting Factor)
	Ability to Drawdown IHR		3	3	3	3	3	3	3	3	3	3	3
Ability to Discharge to IHR Stream	3		3	3	3	3	3	3	3	3	3	3	33
Ability to Obtain Environmental Permits	3	3		3	3	3	3	3	4	4	4	4	37
Legal / Property Challenges	3	3	3		3	2	2	3	3	4	3	3	32
Security of Site	3	3	3	3		2	3	2	2	3	3	3	30
Operability	3	3	3	4	4		3	4	4	4	4	4	40
Access for Maintenance and Operation	3	3	3	4	3	3		3	4	4	3	3	36
Ability to Get West Newbury to Approve	3	3	3	3	4	2	3		3	3	3	3	33
Ability to Use Existing Infrastructure	3	3	2	3	4	2	2	3		3	3	3	31
Public Perception	3	3	2	2	3	2	2	3	3		3	3	29
Capital Cost	3	3	2	3	3	2	3	3	3	3		3	31
Project Unknowns	3	3	2	3	3	2	3	3	3	3	3		31

4

Update on Field Work



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Field Work

- **Indian Hill Reservoir Gatehouse Condition Assessment (completed)**
 - Corrosion Probe, Inc. performed a visual inspection of the gatehouse and sluice gates to determine if the structure is suitable for use as the intake for a new pump station. Also performed hammer sounding and probing at selected locations.
 - Preliminary inspection results indicate that the gatehouse concrete structure is sound and capable of containing water up to the elevation of the reservoir water surface, when used for providing suction supply for a proposed pump station.
- **Underwater Inspection of Existing High Level and Low Level Intake Headwalls and Exposed Concrete Intake Pipes at the Indian Hill Reservoir Gatehouse (completed)**
 - Frogmen Divers performed an underwater inspection of exposed concrete surfaces for evidence of deterioration. Took photographs and video recording.
 - Initial inspection reveals that the intake pipes and concrete headwalls are intact. Engineering is required to design intake screen structures for the two intakes.
- **Soil Borings (potential activity)**
 - Borings are proposed to identify soil types and determine depth to bedrock at the West Shore pump station site alternative.

5

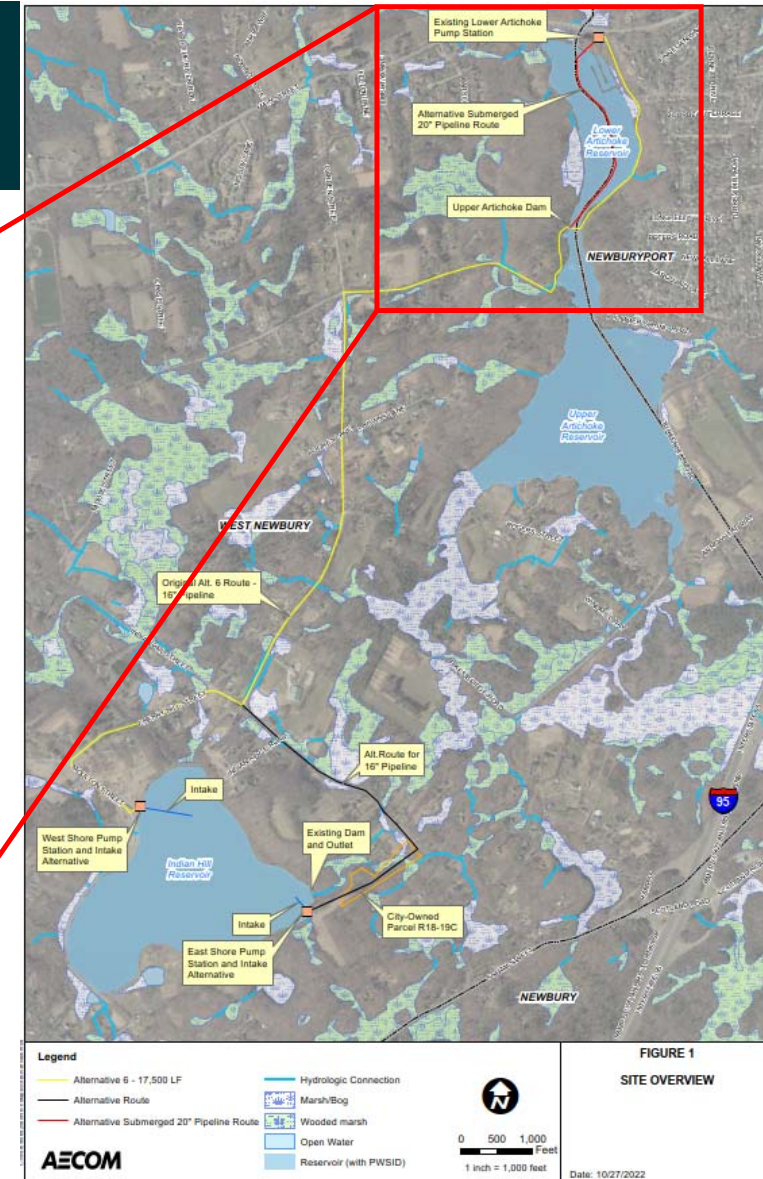
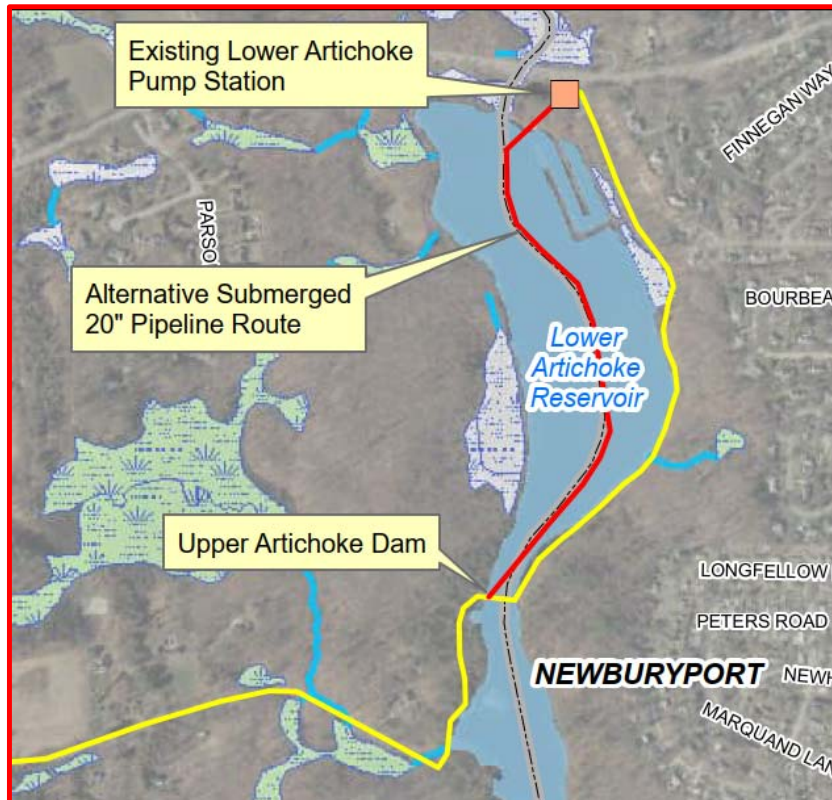
Pipeline from Upper Artichoke Reservoir to Lower Artichoke Reservoir



Delivering a better world

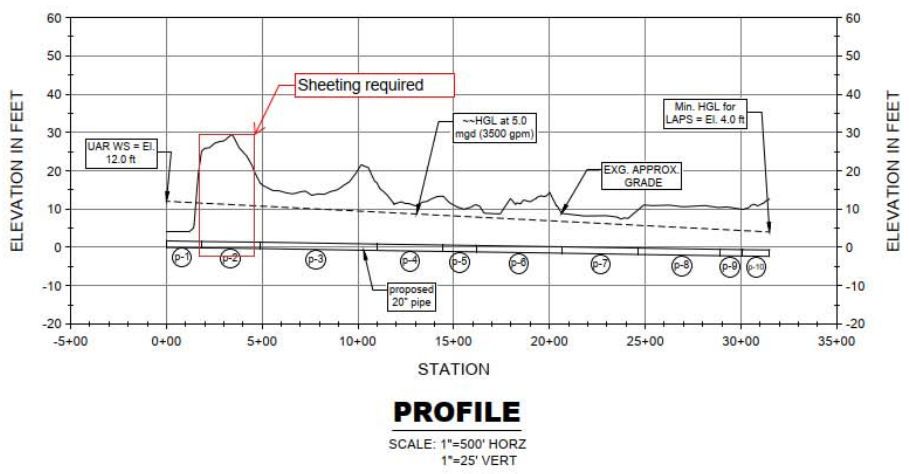
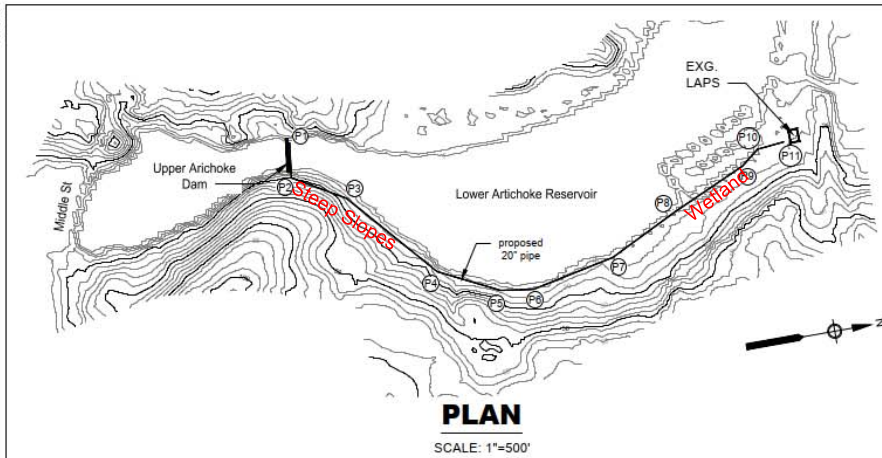
Pipeline from UAR to LAR

- Evaluating a land-based alternative and submerged alternative



Pipeline from UAR to LAR: Land-Based Alternative

PLOT DATE: Friday, September 16, 2022 11:41:57 AM LAST UPDATE: Friday, September 16, 2022 11:41:48 AM
 PATH FILE NAME: C:\USERS\VERDE\DESKTOP\WORK\2\PROJECTS\INDIAN HILL RAW WATER TRANSMISSION LINE AND PUMP STATION\UAR - LAPS LAND ALT. 25FT.DWG



Alternative Conceptual Land Side Pipeline Route (25 ft from shoreline)		
Point	Section	Details
P1	p-1	183.38' of 20" @ 0.08%
P2	p-2	306.73' of 20" @ 0.06%
P3	p-3	608.79' of 20" @ 0.08%
P4	p-4	345.12' of 20" @ 0.08%
P5	p-5	172.91' of 20" @ 0.08%
P6	p-6	446.55' of 20" @ 0.08%
P7	p-7	398.56' of 20" @ 0.08%
P8	p-8	428.09' of 20" @ 0.08%
P9	p-9	118.93' of 20" @ 0.08%
P10	p-10	140.60' of 20" @ 0.08%
Total Length		≈ 3150 LF



AECOM
 PROJECT
 City of Newburyport, Massachusetts
 Indian Hill Pump Station and
 Transmission Main

OWNER/CLIENT
 City of Newburyport, Massachusetts
 80 Pleasant St, Newburyport, MA 01950,
 United States
 +1 978-465-4413 tel

CONSULTANT
 AECOM TECHNICAL SERVICES, INC.
 250 APOLLO DRIVE
 CHELMSFORD, MA 01824
 PHONE: (978) 905-2100

ISSUE

PRELIMINARY COPY

NOTE: This document is preliminary only and is not intended for any purpose except review and comment by the owner and its agents.

PROJECT NUMBER

XXXX

Designed By: **BS**

Drawn By: **MV**

Dept Check: **BS**

Proj Check: **DG**

Date: **SEPTEMBER 2022**

Scale: **AS NOTED**

DISCIPLINE

CIVIL

SHEET TITLE

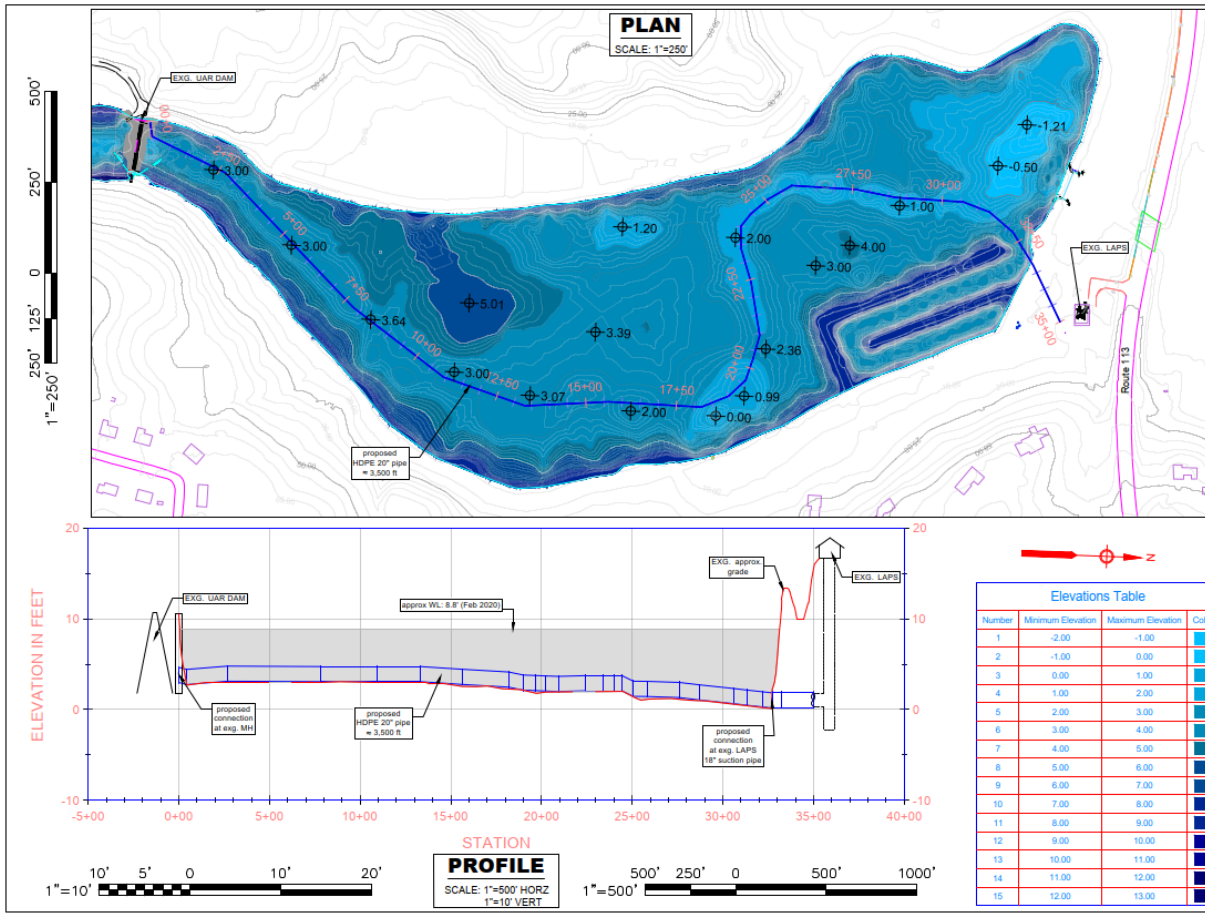
Lower Arichoke Reservoir Pressure/
 Gravity Main
 Alternative Conceptual Land Side
 Pipeline Route
SHEET NUMBER

SK-2



Pipeline from UAR to LAR: Submerged Alternative

PLOT DATE: Wednesday, November 30, 2022 04:28:42 PM LAST UPDATE: Wednesday, November 30, 2022 04:24:18 PM
 PATH FILE NAME: C:\USERS\VERDES\DESKTOP\WORK\2 PROJECTS\INDIAN HILL RAW WATER TRANSMISSION LINE AND PUMP STATION\UAR-PS - SUBMERGED PIPELINE ROUTE.DWG ANSI B



Elevations Table			
Number	Minimum Elevation	Maximum Elevation	Color
1	-2.00	-1.00	Blue
2	-1.00	0.00	Blue
3	0.00	1.00	Blue
4	1.00	2.00	Blue
5	2.00	3.00	Blue
6	3.00	4.00	Blue
7	4.00	5.00	Blue
8	5.00	6.00	Blue
9	6.00	7.00	Blue
10	7.00	8.00	Blue
11	8.00	9.00	Blue
12	9.00	10.00	Blue
13	10.00	11.00	Blue
14	11.00	12.00	Blue
15	12.00	13.00	Blue

AECOM

PROJECT
 City of Newburyport, Massachusetts
 Indian Hill Pump Station and
 Transmission Main

OWNER/CLIENT
 City of Newburyport, Massachusetts
 60 Pleasant St. Newburyport, MA 01950,
 United States
 +1 978-465-4413 tel

CONSULTANT
 AECOM TECHNICAL SERVICES, INC.
 250 APOLLO DRIVE
 CHELMSFORD, MA 01824
 PHONE: (978) 905-2100

ISSUE

PRELIMINARY COPY

NOTE: This document is preliminary only and is not intended for any purpose except review and comment by the owner and its agents.

PROJECT NUMBER
60692560

Designed By: **BS**

Drawn By: **MV**

Dept Check: **BS**

Proj Check: **DG**

Date: **NOVEMBER 2022**

Scale: **AS NOTED**

DISCIPLINE

CIVIL

SHEET TITLE
 Lower Artichoke Reservoir Pressure/
 Gravity Main
 Alternative Conceptual Submerged
 Pipeline Route
SHEET NUMBER

SK-4



6

Upgrades to Existing Lower Artichoke Pump Station



Delivering a better world

Upgrades to Existing Lower Artichoke Pump Station

All alternative piping and pumping scenarios require connecting the proposed transmission piping to the discharge piping and to the pump suction piping of the Lower Artichoke Pump Station.

- Pumping from the Indian Hill Reservoir directly to the Water Treatment Plant. Lower Artichoke Pump Station off and the Lower Artichoke Reservoir isolated.
- Pumping from the Upper Artichoke Reservoir directly to the Water Treatment Plant, pump suction via the proposed submerged pipeline across the Lower Artichoke Reservoir, using one or two Lower Artichoke Pump Station pumps as required. Lower Artichoke Reservoir isolated and the Indian Hill Pump Station off.
- Blending flows from both the Indian Hill Reservoir and the Lower Artichoke Reservoir and discharging to the Water Treatment Plant. Typically one pump at the Indian Hill Pump Station on and one pump at the Lower Artichoke Pump Station on. Pump speeds and flowrates for each station controlled to provide the selected flowrate from each.
- Pumping from the Lower Artichoke Reservoir only with two Lower Artichoke Pump Station pumps on. Dividing flows to both the Water Treatment Plant and back to the Indian Hill Reservoir to capture excess volume in the Lower Artichoke Reservoir. Required flowrate to the Water Treatment Plant will be throttled and excess flow pumped back to the Indian Hill Reservoir.

7

Next Steps



Delivering a better world

Next Steps

- Finalize Indian Hill Reservoir Gatehouse Condition Assessment and Underwater Inspection Condition Assessment
- Continue engagement with Town of West Newbury, Essex County Greenbelt Association, and other stakeholders to inform selection of a recommended pump station site
- Continue coordination with the City of Newburyport's Lower Artichoke Reservoir Dam project
- Continue evaluation of Lower Artichoke Reservoir pipeline alignment
- Revisit funding opportunities

QUESTIONS

Delivering a better world

Town Manager

From: Bounty Ridyard, Sarah [REDACTED]
Sent: Friday, September 8, 2023 4:53 PM
To: Town Manager
Cc: MacKinnon, Kevin
Subject: Slides from 2023-09-08
Attachments: Selectboard Mtg 9.8.23.pdf

Hello Angus, Please see attached for the slides from today's meeting.

Sarah Bounty Ridyard, PE
PROJECT MANAGER
[REDACTED]



Weston & Sampson
[REDACTED]

westonandsampson.com

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Dole Place Wellfield

Sea Level Rise



Newburyport Climate Resiliency Plan

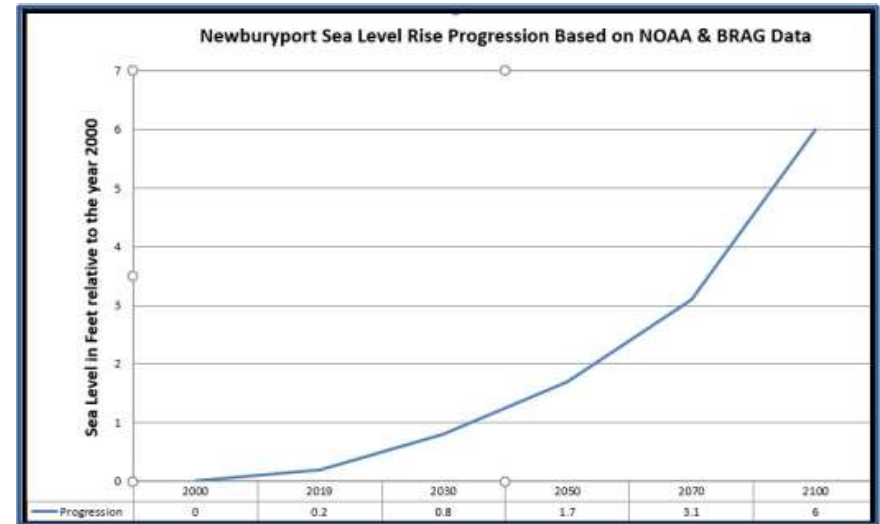
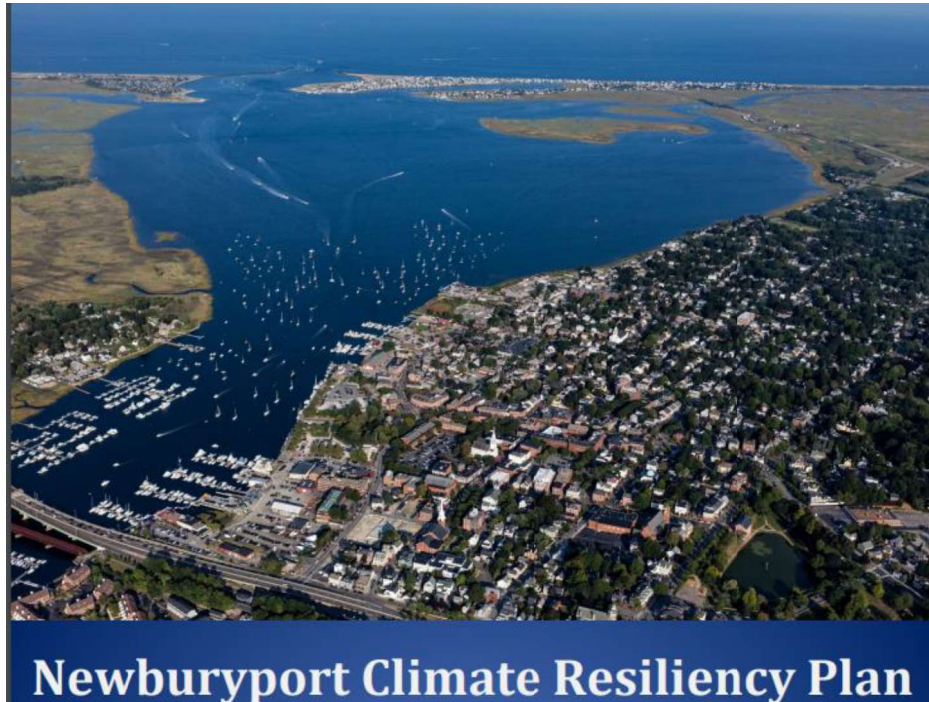


Figure 9. Sea Level Rise Progression for Newburyport

¹ Global and Regional Sea Level Rise Scenarios for the United States. Sweet, W. V., R. E. Kopp, C. P. Weaver, J. Obeysekera, R. M. Horton, E. R. Thieler, and C. Zervas, 2017. NOAA, National Ocean Service.

² Climate Change and Sea Level Rise Projections for Boston. The BRAG Report June 1, 2016.



Massachusetts State Hazard Mitigation & Climate Adaptation Plan (2018)



Relative mean sea level (feet NAVD88)	
Scenario	Cross-walked probabilistic projections
Intermediate	<p>Unlikely to exceed (83% probability) given a high emissions pathway (RCP 8.5)</p> <ul style="list-style-type: none"> Extremely unlikely to exceed (95% probability) given a medium emissions pathway (RCP 4.5) Unlikely to exceed (83% probability) given a medium emissions pathway (RCP 4.5) About as likely as not to exceed (50% probability) given a medium emissions pathway (RCP 4.5) when accounting for possible higher ice sheet contributions to sea level rise
Intermediate - High	<p>Extremely unlikely to exceed (95% probability) given a high emissions pathway (RCP 8.5)</p> <ul style="list-style-type: none"> Unlikely to exceed (83% probability) given a medium emissions pathway (RCP 4.5) when accounting for possible higher ice sheet contributions to sea level rise About as likely as not to exceed (50% probability) given a high emissions pathway (RCP 8.5) when accounting for higher possible ice sheet contributions to sea level rise
High	<p>Extremely unlikely to exceed (99.5% probability) given a high emissions pathway (RCP 8.5)</p> <ul style="list-style-type: none"> Unlikely to exceed (83% probability) given a high emissions pathway (RCP 8.5) when accounting for possible higher ice sheet contributions to sea level rise Extremely unlikely to exceed (95% probability) given a medium emissions pathway (RCP 4.5) when accounting for possible higher ice sheet contributions to sea level rise

Relative mean sea level (feet NAVD88) for Boston, MA					
Scenario	Probabilistic projections	2030	2050	2070	2100
Intermediate	Unlikely to exceed (83% probability) given a high emissions pathway (RCP 8.5)	0.7	1.4	2.3	4.0
Intermediate- High	Extremely unlikely to exceed (95% probability) given a high emissions pathway (RCP 8.5)	0.8	1.7	2.9	5.0
High	Extremely unlikely to exceed (99.5% probability) given a high emissions pathway (RCP 8.5)	1.2	2.4	4.2	7.6
Extreme (Maximum physically plausible)	Exceptionally unlikely to exceed (99.9% probability) given a high emissions pathway (RCP 8.5)	1.4	3.1	5.4	10.2

Weston (&) Sampson

SLR Model Comparisons

Prediction Year	Model	
	Global and Regional Sea Level Rise Scenarios for the United States (2017)	Mass State Hazard Mitigation & Climate Adaptation Plan (2018)
2020	0.2	-
2030	0.8	1.5
2050	1.7	2.7
2070	3.1	4.5
2100	6	7.9



Design Horizon?

RESILIENT MASSACHUSETTS ACTION TEAM (RMAT)

CLIMATE RESILIENCE DESIGN STANDARDS & GUIDANCE

SECTION 4: CLIMATE RESILIENCE DESIGN STANDARDS

DATE: JULY 2022

VERSION 1.2

Table 4.3. Recommended Target and Intermediate Planning Horizons Provided by the Tool, based on the Asset's Useful Life and Construction Start Year

END OF USEFUL LIFE ¹	RECOMMENDED TARGET PLANNING HORIZON OUTPUT	RECOMMENDED INTERMEDIATE PLANNING HORIZON OUTPUT
2021 - 2029	2030	Not Applicable
2030 - 2039	2030	Not Applicable
2040 - 2049	2050	Not Applicable
2050 - 2059	2050	Not Applicable
2060 - 2069	2070	2050
2070 - 2079	2070	2050
2080 - 2089	2070	2050
2090 - 2099	2070 ²	2050 ²

1. Calculated by adding the asset's useful life in years, to the estimated year construction of the asset will start.
 2. MC-FRM currently does not cover 2100 scenarios, so the 2070 planning horizon is recommended until 2100 results are available.

CONTRACT NUMBER:

ENV 19 CC 02

OWNER:

Massachusetts Executive Office of Energy and Environmental Affairs (EEA)

IN PARTNERSHIP WITH:

Massachusetts Emergency Management Agency (MEMA)

CONSULTANT TEAM:

Weston & Sampson, Woods Hole Group, Dr. Jennifer Jacobs,

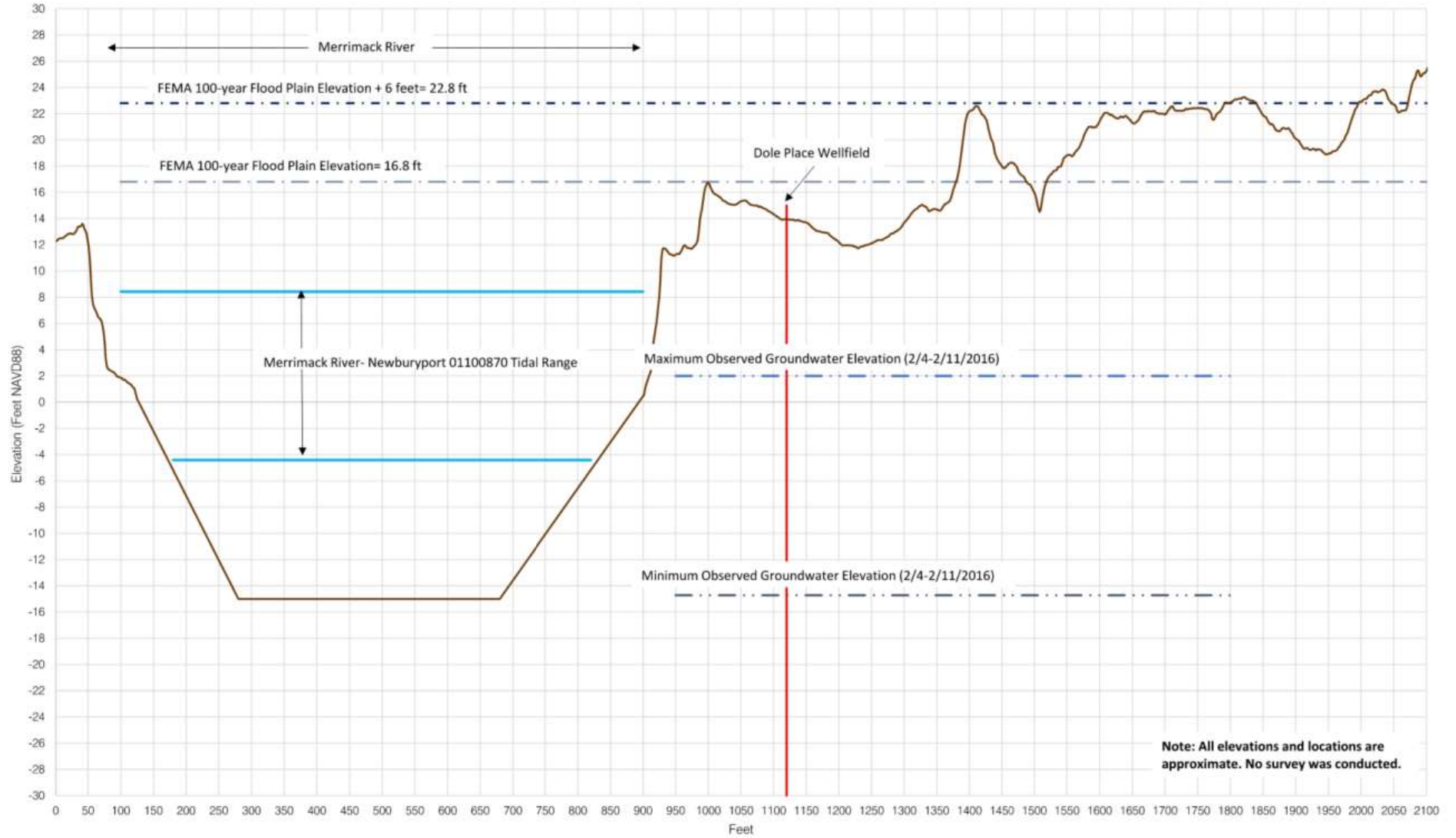
BSC Group (EEA IT Vendor & Tool Developer)



NW

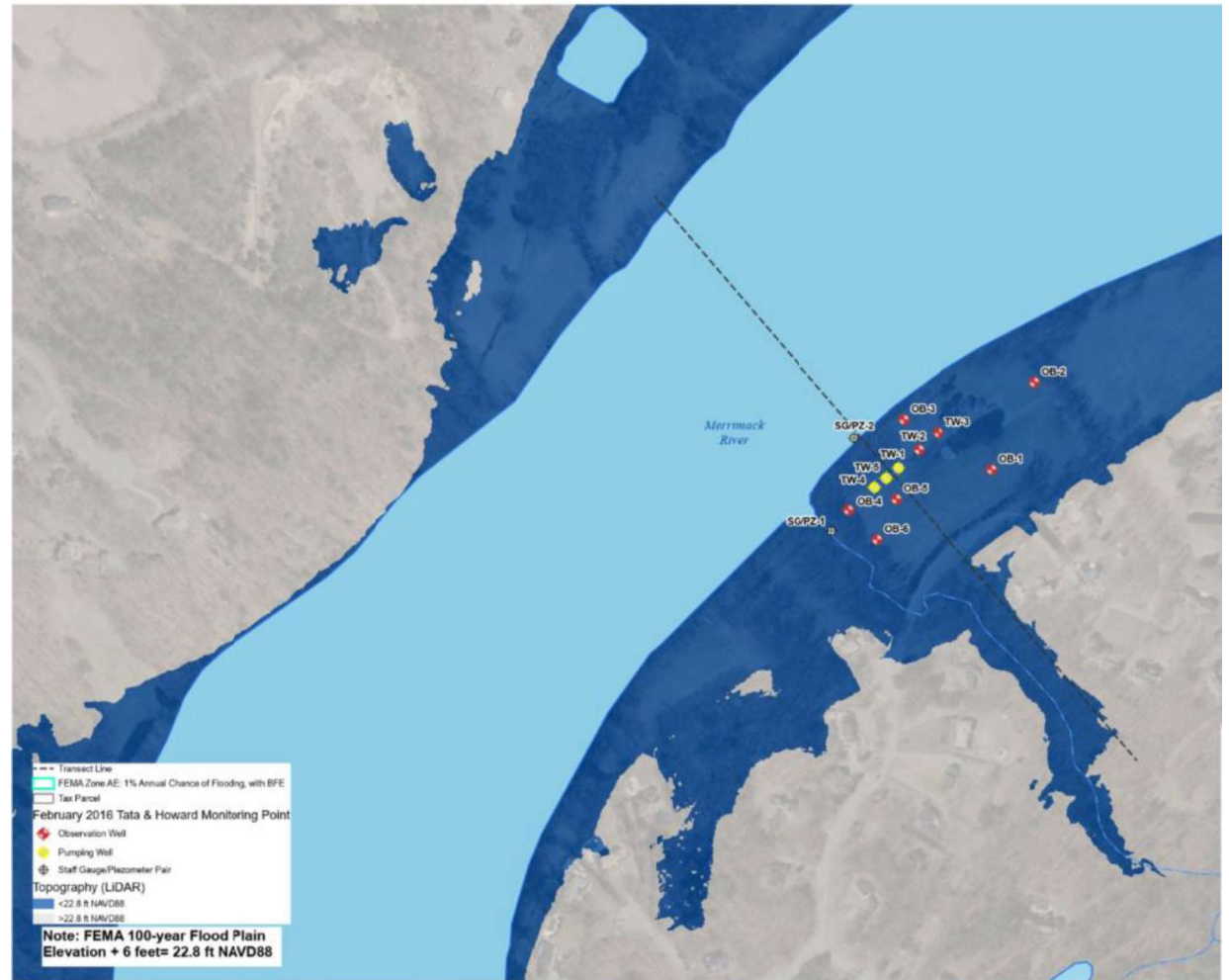
Figure 2. Dole Place Wellfield Cross-Section

SE



Note: All elevations and locations are approximate. No survey was conducted.

Areas inundated in 2100+



thank you
westonandsampson.com



Town Manager

From: MacKinnon, Kevin [REDACTED]
Sent: Thursday, September 14, 2023 5:04 PM
To: Town Manager; Bounty Ridyard, Sarah
Subject: RE: Weston & Sampson report

Angus,

I can answer that here for you to forward to Rick. We can also make it more clear in the final report.

'Ambient (pre long term pumping test) water level / potentiometric fluctuation trends' should be monitored for approximately the same length of time as the pumping test. In this case, the pretest data should have been provided so the reviewer (Weston & Sampson) can understand the ambient aquifer trend outside the influence of pumping. Typically, the aquifer is either rising or falling in response to seasonal trends or large precipitation events. This trend should be removed from the dataset of the pumping test to reveal only the impacts from pumping and not any other outside influences. Without the pretest data, this can't be accomplished.

Regards,
Kevin

From: Town Manager <townmanager@wnewbury.org>
Sent: Thursday, September 14, 2023 7:32 AM
To: Bounty Ridyard, Sarah [REDACTED]; MacKinnon, Kevin [REDACTED]
Subject: Fwd: Weston & Sampson report

Begin forwarded message:

From: Rick Parker <rparker@wnewbury.org>
Date: September 13, 2023 at 8:10:30 PM EDT
To: Town Manager <townmanager@wnewbury.org>, Wendy Reed <wreed@wnewbury.org>, Chris Wile <cwile@wnewbury.org>
Cc: Town Clerk <townclerk@wnewbury.org>, Assistant Clerk <assistantclerk@wnewbury.org>
Subject: RE: Weston & Sampson report

My interest was in understanding some of the characteristics mentioned in Section 2 of the W&S draft report under "missing report contents and deficiencies". After rereading and a bit of online searching, I now understand better, with one question. As far as I can tell, to address the first item, "Ambient (pre long term pumping test) water level / potentiometric fluctuation trends" would require observing season-to-season and/or year-to-year fluctuation of the aquifer level (possibly for multiple test wells?). Would this have been possible given the available time frame and the well test plan that was implemented?

From: Town Manager <townmanager@wnewbury.org>
Sent: Wednesday, September 13, 2023 11:11 AM
To: Wendy Reed <wreed@wnewbury.org>; Rick Parker <rparker@wnewbury.org>; Chris Wile <cwile@wnewbury.org>

Cc: Town Clerk <townclerk@wnewbury.org>; Assistant Clerk <assistantclerk@wnewbury.org>

Subject: Weston & Sampson report

Are there specifics we can provide?

Max when writing the 9/8 SB minutes please jot down the Board members' comments; I seem to recall Rick made at least 1 specific suggestion re where the addition of a definition would help readers understand the report. Thanks!

Begin forwarded message:

From: "Bounty Ridyard, Sarah" [REDACTED]
Date: September 13, 2023 at 10:57:14 AM EDT
To: Town Manager <townmanager@wnewbury.org>
Cc: "MacKinnon, Kevin" [REDACTED]
Subject: RE: Slides from 2023-09-08

Hello Angus,

Following up from this meeting last week – one of the Select Board members had a question regarding adding more definitions to the memo and indicated he had notes regarding the definitions he would like to see included.

Could you please provide these notes to be incorporated into the memo?

Thank you,

Sarah

Sarah Bounty Ridyard, PE
PROJECT MANAGER



Weston & Sampson
55 Walkers Brook Drive, [REDACTED] | Reading, MA 01867

westonandsampson.com

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Town Manager

From: Rowden, Michelle (EEA) <Michelle.Rowden@mass.gov>
Sent: Friday, September 15, 2023 11:59 AM
To: Rick Parker
Cc: Town Manager
Subject: RE: Town of West Newbury - wondering if you have insight on expected release date of new Mass State SLR scenarios

Hi Rick,

Great question! I have forwarded this on to our newly formed Office of Climate Science for their input. I will send you their response when I get it. I will let you know that I'm out all next week, so it might not be immediately, but I will have an answer.

Best,
Michelle

Michelle Rowden


From: Rick Parker <rparker@wnewbury.org>
Sent: Thursday, September 14, 2023 2:53 PM
To: Rowden, Michelle (EEA) <Michelle.Rowden@mass.gov>
Cc: Town Manager <townmanager@wnewbury.org>
Subject: Town of West Newbury - wondering if you have insight on expected release date of new Mass State SLR scenarios

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

Hello Michelle,

The Town of West Newbury is currently looking at possible new water wellfield sites and is considering potential SLR impacts on those sites. Do you have any insight on a likely release date for an update to the Mass State Hazard Mitigation and Climate Adaptation Plan SLR scenarios or do you have a suggestion as to who might be a good contact for that question? We were advised by an engineering firm working with the Town that an update was expected in 2023 and would like to work with the most current information possible. Timing is an issue due to consideration of proposing a site study funding article for our Fall Special Town Meeting.

Thank you,
Richard Parker – West Newbury Select Board
(also member of WN MVP Team and Climate Change Resiliency Committee)

MEETING NOTICE-WEST NEWBURY
FINANCE COMMITTEE
JOINT MEETING WITH SELECT BOARD

Date & Time: Thursday, September 18, 2023. 6:45pm
Location: 1910 Building 1st Floor Hearing Room
In-person attendance or remote participation (instructions below)
By: Rob Phillips, Chair

AGENDA

1. Convene Joint Session with Finance Committee regarding proposed STM Warrant Articles
2. Consideration of recommendations regarding proposed Warrant Articles for fall Special Town Meeting
 - a. Discussion of potential priority locations and costs for 2024 invasive species management, related to proposed fall Special Town Meeting Article – *ad hoc invasive species working group*
 - b. Presentation of Article regarding process and costs associated with Assessing FY25 Certification (including Town-wide Revaluation) – *Christian Kuhn, Chief Assessor*
 - c. Other Articles included on draft Special Town Meeting warrant
3. Adjournment

Addendum to Meeting Notice regarding Remote Participation

Public participation in this meeting of the West Newbury Finance Committee 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: 844 7132 1992
Passcode: 754315

Join at:

<https://us06web.zoom.us/j/84471321992?pwd=ITgSlk51yZM3vgbxjdET88vTcA7PdU.1>

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.

Special Warrant Articles - Fall 2023 Town Meeting						Recommendations	
# (DRAFT)	Article	Sunset/Funding Source	Amt (if \$)	Sponsor	Date of FinCom review	Select Board	FinCom
2	Transfer funds to reduce current year tax rate		TBD	Select Board	9/18 or 9/27/23		
3	Amend Line Items from 2024 Town Omnibus Budget (see lines below)			Town Manager	9/14/2023	3-0-0	4-0-0
	Amend Item Line 3- TM Tech Expenses	Raise & appropriate	\$ 6,423	"	"	"	"
	Amend Item Line 9- Board of Registrars Salary & Wages		\$ 1,600	"	"	"	"
	Amend Item Line 9- Board of Registrars Expenses		\$ 1,920	"	"	"	"
	Amend Item Line 22- Essex North Shore Ag & Tech		\$ 47,783	"	"	"	"
	Amend Item Line 25- BOH (Steele Landfill monitoring costs)		\$ 600	"	"	"	"
4	Amend Expense Line FY24 Water Dept Budget	No Sunset	\$ (70,000)	BOWC	9/14/2023	3-0-0	4-0-0
5	Transfer funds for Pension Liability Stabilization Fund	Free Cash	\$ 67,514	Select Board	9/14/2023	3-0-0	4-0-0
6	Water Site Testing		TBD	Select Board	9/27/2023		
7	FY25 Assessing Revaluation Consultant		\$ 25,000	Board of Assessors	9/18/2023		
8	Police/Fire audio recording (911)	Sunset FY25 Free Cash	\$ 28,000	Police Chief	9/14/2023	3-0-0	4-0-0
9	Gas Meters for Fire and First Responders	Free Cash FY24	\$ 7,400	Fire Chief Engineer	9/14/2023	3-0-0	4-0-0
10	Portable Speed Monitoring Trailer	Free Cash FY24	\$ 15,000	Police Chief	9/14/2023	3-0-0	4-0-0
11	Stormwater Drainage		TBD	Town Manager	9/27/2023		
12	Invasive Species Management		\$ 25,000	Conservation Agent	9/18/2023		
13	Invasive Species Intern Program		\$ 3,500	Conservation Agent	9/18/2023		
14	Interior Building Scan Page School		\$ 11,700	?	9/18/2023		
15	Acquisition of CR (114 Ash Street) Pending CPC Approval	Free Cash FY24	TBD	Open Space	9/27/2023	3-0-0	4-0-0
16	Unpaid FY23 Bills		\$ 2,430	Town Manager	9/14/2023	3-0-0	4-0-0
17	ADU Zoning Bylaw		n/a	Planning Board	9/27/2023		
18	Nonconforming Uses and Structures		n/a	Planning Board	9/27/2023		
19	Establish COA Revolving Fund	No Sunset	n/a	Council on Aging	9/14/2023	3-0-0	4-0-0
20	Authorize use of COA Revolving Fund	No Sunset	n/a	Council on Aging	9/14/2023	3-0-0	4-0-0
21	Repeal Short Term Rental Bylaw	No Sunset	n/a	Select Board	9/14/2023	3-0-0	4-0-0
22	Repeal Personnel Bylaw		n/a	Select Board	9/27/2023		
23	Certification Stipend Assessors	No Sunset		Town Manager	9/14/2023	3-0-0	4-0-0
24	Certification Stipend Town Clerk	No Sunset		Town Manager	9/14/2023	3-0-0	4-0-0
25	Certification Stipend Treasurer/Collector	No Sunset		Town Manager	9/14/2023	3-0-0	4-0-0
26	Opioid Settlement Stabilization Account		n/a	Town Accountant	9/27/2023		

Notes:

Numbering may not correspond to order or numbering that will appear on Town Meeting warrant.



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

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

townmanager@wnewbury.org

TO: Select Board
FROM: Angus Jennings, Town Manager
DATE: September 15, 2023
RE: STM warrant articles

Draft warrant, proposed articles, and article backup can all be found in the separate meeting packet previously circulated to the Board and Finance Committee on September 1st, with an updated packet circulated on September 13th. Article materials included in the present Select Board packet only include materials newly-received since the September 13th packet was sent around.

The September 13th packet – and the present Select Board packet for the September 18th meeting – can be found on the Town website under Select Board / Select Board Open Session meeting packets.

Town Manager

From: carol decker [REDACTED]
Sent: Friday, September 15, 2023 2:51 PM
To: Town Manager
Cc: Conservation; Patricia Reeser; Graham Bacheller; NPau; Rick Parker
Subject: Invasive Plant Working Group Proposal - Final

The Invasive Plant Working Group proposes continued professional invasive plant management in 2024 and concentrating efforts at four West Newbury Open Space properties.

Cherry Hill/ Moulton Street Reservoir Fields

Removing invasive plants has been successful at the Cherry Hill/Moulton Street fields through work conducted by summer interns and a number of community invasive work groups. However, there are large invasive autumn olive trees that need to be professionally removed and treated so their berries do not continue spreading throughout the fields. Treatment of the invasive Phragmites grass in the lower field is scheduled for September/October of this year. Success of treatment will be reviewed in spring/summer 2024 and an additional treatment in late summer/early fall 2024 may be needed to eradicate the population.

Indian Hill and Middle Street Fields

The fields at Indian Hill and Middle Street are diverse and important pollinator fields, but have a large number of invasive species on the perimeter of the fields that have potential for degrading this important habitat. Likewise, the invasive plants threaten the integrity of native trees on the perimeter that provide important shade, air quality benefits, and reduce storm runoff. With professional management, the invasive species will be cut and treated allowing the native trees to flourish. Additionally, phragmites treatment in this field is scheduled for September/October of this year. Success of treatment will be reviewed in spring/summer 2024 and an additional treatment in late summer/early fall 2024 may be needed to eradicate the population.

Mill Pond

The Mill Pond fields woodland perimeters have extensive invasive plant species that threaten the integrity of the native trees. As native trees are pulled down by invasive vines (bittersweet) they often fall towards the field creating obstacles to field mowing operations and this allows brush and woody invasives to encroach into the fields. With professional invasive management work beginning in the Lower Field, invasives would be cut back and treated and the field edges restored. As time allows, invasive work would continue in the Middle Field edges and invasive plants in fields cut and treated.

Mill Pond also has an extensive population of Japanese knotweed. We would work with the professional invasive plant management team on a multi-year plan to begin eradicating this population in Mill Pond.

Riverbend and Tupelo Trails

We would like to include a second round of woody invasive management work along the Riverbend and Tupelo Trails. The work being done this fall-spring most likely will not eradicate all the invasive species and additional work will be needed. Emphasis was placed on these trails for funding as they receive considerable public use, which makes them valuable learning/demonstration areas on invasive removal and restoration work. Invasive control will also restore critical wildlife habitat along the river.

This proposal would also include restoration work on sites where invasives have been removed. This would include the planting of native shrubs such as silky or gray dogwoods that will help secure the soils and provide food for birds and pollinator species. Native species will be chosen based on the growing conditions at the site. Replanting would also be an opportunity to engage the public to assist in restoration work.

We are requesting \$50,000 which would include \$40,000 for invasive management work, \$5,000 for permitting and \$5,000 for restoration work. If the entire funding amount is not needed for either permitting or restoration, the monies would be re-directed toward invasive management work.



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

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

townmanager@wnewbury.org

TO: Select Board
FROM: Angus Jennings, Town Manager
DATE: September 15, 2023
RE: Potential add'l STM article

The enclosed article request form was not received timely for the closing of the STM warrant on Sept. 5th; but was sent over late yesterday following brief discussion at the Board's joint session with the Finance Committee.

Jim spoke with Chief Dwyer regarding this item this morning. It is my understanding that, if the Edward J. Byrne grant application submitted over the summer is successful, these computer replacements can go forward with that funding. If that grant application is unsuccessful, a different funding source would need to be identified. It was Jim's impression in speaking with Chief Dwyer that, if the grant is not awarded, a local funding appropriation could wait until the April 2024 Special Town Meeting; however, I include the enclosed materials for the Board's consideration. If the Board did prefer to re-open the Fall STM warrant to include this item, the reopening of the warrant, and Select Board and FinCom votes to recommend (or not), could be agenda'd for the joint Board/FinCom meeting to take place on September 27th.

Town Manager

From: Michael Dwyer <dwyer@westnewburysafety.org>
Sent: Thursday, September 14, 2023 8:36 PM
To: Town Clerk
Cc: Town Manager
Subject: Computers Special article
Attachments: Police Special Article Request Fall STM - Police Vehicle Computers.pdf

Jim,

Attached is the computer special article request paperwork. This is the placeholder for the technology grant I applied for in August.

Mike

ARTICLE REQUEST FORM

ARTICLE: Police Vehicle Computers

AMOUNT REQUESTED: \$31,200

CONTACT PERSON: Chief Michael Dwyer

PHONE NUMBER: 978-363-1213

Why should the Town make this purchase? What needs will be met? Who will benefit?

The West Newbury Police Department has applied for the FY2024 Edward J. Byrne Memorial Justice Assistance Grant Program through the Executive Office of Public Safety and Security's Office of Grants and Research. Local police departments are eligible to apply for up to \$50,000 in funding to address local law enforcement prevention, intervention, and suppression programming needs. The WNPD applied for funding to replace our vehicle mounted computers and wireless technology. We continue to look at various funding opportunities to offset the cost to the taxpayers. Technology and related equipment are one of the priority funding categories in this year's grant program. Anticipated Award Announcements will begin in September 2023.

What factors affect the timing of this purchase?

Equipment is due for replacement.

When should this Article be sunsetted - how long will the project take? 2 years

What ancillary costs do you anticipate? (Maintenance, Insurance, Training, etc.) None

Does this Article involve improvement, preservation or creation of tangible Town-owned assets and projects which 1) have useful life of at least five years; 2) cost over \$20,000 and or 3) for which the Town is authorized to borrow funds? If so, please confirm that this item is on the Capital Improvements Committee Schedule for future capital investments.

Please attach additional pages or other supporting documentation

Haywood Associates Incorporated
 dba TransCOR Info Technologies
 124 Jewett Street
 Georgetown, MA 01833



QUOTATION

Quote Number: **23-0823**
 Quote Date: Aug 18, 2023
 Page: 1

Voice: (978) 352-3100
 Fax: (978) 352-9199
 FEIN: 04-3223372

Quoted To:
West Newbury Police Dept. 403 Main Street Rte 113 West Newbury, MA 01985

Customer ID	Good Thru	Payment Terms	Sales Rep
WNB01	9/17/23	1% 20, Net 30 Days	RRH

Quantity	Item	Description	Unit Price	Amount
1.00	COMMENT A	ATTN: Chief Mike Dwyer E-M: dwyer@westnewburysafety.org TEL: -----		
1.00	COMMENT	CF-55 computer including installation and mount parts for 5 Ford Utility. -----		
5.00	FZ-55F2601KM	Win10 Pro (11 DG), Intel Core i5-1145G7 vPro up to 4.4GHz,14" FHD 1000nit Glvd Multi Tch,512GB SSD,16GB, Wi-Fi 6, BT,InfDwbcM,No USB C, Std Batt, with pro +	2,824.25	14,121.25
1.00	COMMENT	----- Mount parts -----		
5.00	LD-DS-PAN-434	Docking Station for Panasonic's Toughbook 54 and 55 Rugged Laptop **No HDMI**	641.90	3,209.50
5.00	GJ-7160-0220	Gamber Locking 9" Slide Arm w/ Motion Attachment. 0-90 X 180. Requires Center Upper Pole.	250.56	1,252.80
5.00	GJ-7160-0178	7" Center Upper Pole. Inserts Into Any Gamber Lower Tube.	73.55	367.75
5.00	GJ-DS-LOWER-9	9" Pole - Base Only	50.83	254.15
5.00	GJ-7160-1336	Gamber Johnson 2020 Ford Police Interceptor Utility Vehicle Base.	138.14	690.70
			Subtotal	Continued
			Sales Tax	Continued
			Freight	
			TOTAL	Continued

Authorized Signature _____

Rugged Computers for Tough Workers

Haywood Associates Incorporated
 dba TransCOR Info Technologies
 124 Jewett Street
 Georgetown, MA 01833



QUOTATION

Quote Number: **23-0823**
 Quote Date: Aug 18, 2023
 Page: 2

Voice: (978) 352-3100
 Fax: (978) 352-9199
 FEIN: 04-3223372

Quoted To:
 West Newbury Police Dept.
 403 Main Street
 Rte 113
 West Newbury, MA 01985

Customer ID	Good Thru	Payment Terms	Sales Rep
WNB01	9/17/23	1% 20, Net 30 Days	RRH

Quantity	Item	Description	Unit Price	Amount
5.00	GJ-7160-0230	Gamber Adjustable Support Brace/Stanchion. Short Version. Attaches to Lower Tube. 10.3"-16.3" [LAC-02W/U-DS]	63.98	319.90
1.00	COMMENT	----- Electrical Components -----		
5.00	LN-SDT1230-057	Lind Shut Down Timer Vehicle Battery Protection Unit for Vehicles 12VDC, including Surge, Sag & Reverse Polarity Protection. 0-2 hours. 2 FUSED 15 Amp Outputs.	96.25	481.25
5.00	LN-PA1580-3772	120W Auto Adapter for Panasonic CF19/31/53/74, Output -10' Shen Ming , Input 1' Stripped /Tinned, Auto Reset, Output Short Circuit, Lo Input Volt Protection	153.13	765.65
1.00	COMMENT	----- Sierra RV55 Router -----		
5.00	AL-1104302	Sierra Wireless AirLink RV55 - LTE-Advanced Pro / HSPA+, WiFi - North America, DC Cable. Includes 1 year AirLink Complete.	830.38	4,151.88
5.00	TC-PGM-MDM	New Wireless Modem Setup, Programming, Service Administration & Bench Testing [One Time Only]	61.25	306.25
5.00	AL-9010324	Sierra Wireless AirLink Complete to remotely	161.50	807.50
			Subtotal	Continued
			Sales Tax	Continued
			Freight	
			TOTAL	Continued

Authorized Signature _____

Rugged Computers for Tough Workers

Haywood Associates Incorporated
 dba TransCOR Info Technologies
 124 Jewett Street
 Georgetown, MA 01833



QUOTATION

Quote Number: **23-0823**
 Quote Date: Aug 18, 2023
 Page: 3

Voice: (978) 352-3100
 Fax: (978) 352-9199
 FEIN: 04-3223372

Quoted To:
 West Newbury Police Dept.
 403 Main Street
 Rte 113
 West Newbury, MA 01985

Customer ID	Good Thru	Payment Terms	Sales Rep
WNB01	9/17/23	1% 20, Net 30 Days	RRH

Quantity	Item	Description	Unit Price	Amount
5.00	APMMFCCWWGQS^2RP34	manage devices AP-MMF-CCWWG-Q-S22222-RP34-BL: Double Cellular/LTE, Double WiFi, GNSS. Bolt on, Sharkfin, Black, 15ft	275.63	1,378.13
5.00	CB-00839	CAT 6E Snagless Shielded Molded Ethernet Patch Cable Green - 25 Foot	28.87	144.33
1.00	COMMENT	----- Installation Services -----		
5.00	INSTL-TSV-EMW	Vehicle Installation - Computers, Mounts, Electrical, Shut Down Timer, Antenna and/or Modems - 90 Day Warranty	525.00	2,625.00
5.00	S & H-C	Shipping & Handling Computers	15.00	75.00
5.00	S & H-M	Shipping, Handling Mounts	30.02	150.10
			Subtotal	31,101.14
			Sales Tax	
			Freight	
			TOTAL	31,101.14

Authorized Signature _____

Rugged Computers for Tough Workers



TOUGHBOOK Product Portfolio

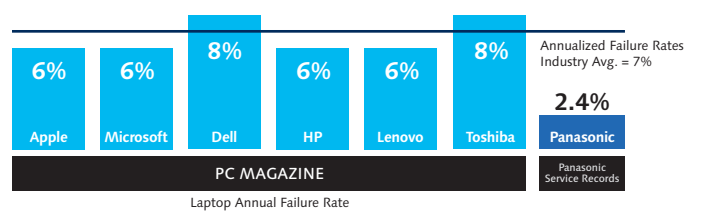
From military bases to patrol cars, on the shop floor or in a lab, on the road or in the field, Panasonic is helping to keep organizations moving forward.

Engineered to withstand drips, drops, dust and grime TOUGHBOOK® computers thrive and survive in the hardest of environments. Panasonic is committed to delivering mobile computing solutions that help you get the job done, wherever it takes you.

- Select TOUGHBOOK mobile devices go beyond the standard safety testing to achieve Hazardous Locations Class 1 Div 2 certification, TPM 2.0 and are TAA-compliant, approved for government deployment.
- Panasonic and its partners design a wide assortment of heavy-duty docks, mounts and other peripherals including barcode readers, printers and magstripe readers—to expand and enhance the TOUGHBOOK capabilities.
- Panasonic values keeping backward compatibility to allow customers to save the expense and hassle of replacing vehicle docks every time a new model is introduced.
- Panasonic is the only major manufacturer that designs, builds and tests its mobile devices in its own factory—allowing quality control, consistency and parts availability to be monitored every step of the way.

INDUSTRY AVERAGE FAILURE RATE

Panasonic devices are over five times more reliable than the average laptop used by businesses across America.*

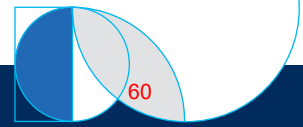


*Comparing 2019 Panasonic actual data for TOUGHBOOK family of devices to PC Magazine reader-reported data for competitors in the same time period.

Not only is a TOUGHBOOK purpose-built to withstand extreme mobile environments, but it has the exclusive Panasonic ProServices support team standing behind it. To help ensure uninterrupted worker productivity and efficiency, Panasonic offers support and services throughout the lifecycle of your mobile computing device.

Panasonic ProServices for TOUGHBOOK include:

- Pre-deployment consulting
- Engineering design and field engineering expertise
- Deployment services (imaging, asset tagging, etc.)
- Warranty coverage and maintenance services
- Hard drive replacement
- End of life recycling





TOUGHBOOK 55

14" Semi-rugged Win 11 & 10* | 810H | 3' Drop | IP53

- Optional 1000 nit gloved multi touch model
- Innovative modular design & user-removable accessory expansion packs (xPAK's) offer unparalleled customization
- Intel® Core™ i5 processor (i7, 64GB & vPro® optional)
- Vehicle & desktop dock backwards compatibility
- Infrared 2MP webcam w/tetra-array microphones & privacy cover
- Optional FirstNet Ready™ 4G modem (up to 600Mbps)
- Up to 19-hour battery life (38 w/optional 2nd battery)



TOUGHBOOK 40

14" Fully-rugged Win 11 & 10* | 810H | 6' Drop | IP66 | C1D2

- 1200 nit gloved multi touch display
- Innovative modular design & user-removable accessory expansion packs (xPAK's) offer unparalleled customization
- Intel® Core™ i5 vPro® processor (i7 & 64GB opt.); opt. AMD dGPU
- Infrared 5MP webcam w/tetra-array microphones & privacy cover
- Opt. FirstNet Ready™ 5G (Sub6+mmWave) modem or 4G modem (up to 2Gbps)
- 18-hour battery life (36 w/optional 2nd battery)



TOUGHBOOK 33

12" Fully-rugged Win 11 & 10* | 810G | 4-5' Drop | IP65 | C1D2

- 1200 nit gloved multi touch + digitizer display
- Intel® Core™ i5 vPro® processor (i7 & 32GB optional)
- 2-in-1 with optional keyboard
- Optional quick-release SSD & rubber keyboard
- Vehicle dock backwards compatibility with VDA
- Optional FirstNet Ready™ 4G modem (up to 600Mbps)
- 10-hour battery life (20 w/optional long life battery)

Keyboard sold separately



TOUGHBOOK G2

10.1" Fully-rugged Win 11 & 10* | 810H | 6' Drop | IP65 | C1D2

- 1000 nit gloved multi touch + digitizer display
- User-removable expansion packs (xPAK's) including thermal camera, barcode reader, CAC reader and more
- Intel® Core™ i5 vPro® processor (i7 & 32GB optional)
- 2-in-1 with optional keyboard
- Quick-release SSD
- Opt. FirstNet Ready™ 5G (Sub6+mmWave) modem or 4G modem (up to 600Mbps)
- 18.5-hour battery life

Keyboard sold separately



TOUGHBOOK A3

10.1" Fully-rugged Android™ 11 | 810H | 6' Drop | IP65

- 950 nit max gloved multi touch display
- Qualcomm® octa-core processor
- NFC & optional 2nd USB-A or barcode or insertable SmartCard reader
- Optional FirstNet Ready™ 4G modem & NIAP certification
- 9-hour battery life (15.5 w/opt long life battery) & hot swappable



TOUGHBOOK S1

7" Fully-rugged Android™ 11 | 810H | 5' Drop | IP65 & IP67

- 750 nit gloved multi touch display
- Qualcomm® octa-core processor
- NFC & optional 2nd USB-A, portrait or landscape barcode reader
- Optional FirstNet Ready™ 4G modem & NIAP certification
- 8-hour battery life [14 w/opt long life battery] & warm swappable



TOUGHBOOK N1

4.7" Fully-rugged Android™ 11 | 810G | 7' Drop | IP66 & IP68

- 550 nit gloved multi touch display
- Qualcomm® octa-core processor, 4GB RAM, 64GB Flash
- NFC & barcode reader
- Optional dual SIM & cellular voice capability
- Optional FirstNet Ready™ 4G modem & NIAP certification
- 12-hour battery life (19 w/opt long life battery) & warm swappable



TOUGHBOOK N1 Tactical

4.7" Fully-rugged Android™ 11 | 810G | 7' Drop | IP66 & IP68

- 550 nit gloved multi touch display
- Qualcomm® octa-core processor, 4GB RAM, 64GB Flash
- NFC & camera with barcode scanning capability
- Dual SIM & cellular voice capability
- FirstNet Ready™ 4G modem & optional NIAP certification
- 12-hour battery life & warm swappable

Town Manager

From: Town Manager
Sent: Wednesday, September 6, 2023 11:05 AM
To: McGuire, Timothy (FWE)
Cc: Jones, Michael T (FWE); Huckery, Pat (FWE); Selectboard; Highway; Michael Dwyer; Conservation
Subject: RE: Ash Street Swamp

Tim,

This is to provide an update. We are working to prepare the MESA checklist and will have this ready for review by the Select Board (in their capacity as roadway commissioners) at their next mtg on 9/18. Upon their approval, this will be submitted to your office to initiate the formal review process.

In the meantime, we have significantly reduced the frequency of routine maintenance and, as expected, the ruts and potholes are serving as a natural traffic calming strategy. However, the roadway condition has now deteriorated to where it is becoming a public safety concern. That is the trigger the Select Board had set at a meeting in August – that once the condition becomes a safety concern, as determined by our Police Chief and Highway Foreman, regrading would be justified.

I'm sending this email as notice that our Highway Dept. intends to undertake regrading tomorrow. While we of course recognize that the 2006 MESA approval has long since lapsed, this is sent as notice in the spirit of that earlier permit. It was our understanding from our zoom meeting with you a couple of weeks ago that, until a new MESA checklist is filed and a formal review complete, it would be acceptable for us to continue with as-needed maintenance, with advance notice to your office.

Please confirm, or let us know if any concerns.

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: McGuire, Timothy (FWE) <Timothy.McGuire2@mass.gov>
Sent: Friday, August 11, 2023 2:02 PM
To: Conservation <conservation@wnewbury.org>
Cc: Jones, Michael T (FWE) <michael.t.jones@mass.gov>; Huckery, Pat (FWE) <pat.huckery@mass.gov>; Wendy Reed <wreed@wnewbury.org>; Town Manager <townmanager@wnewbury.org>
Subject: RE: Ash Street Swamp

Hi Michelle,

I think Mike is out this week so let's check back in to confirm a date when he is able to confirm a time too. For those dates listed, 8/23 would work best for me.

On another note, I have attached a screenshot of some of the items that the Town discussed with John Regosin back around 2006; I was not able to locate a hard copy of the file at this time. As a reminder, the maintenance of gravel roads is not exempt from MESA review. The last approval seems to be from 2006, which has now lapsed the 5 year window in which that permit stands. In order to bring maintenance activities into compliance with MESA, I recommend that the town file a MESA checklist with our office for maintenance activities on Ash Street. This approval would last for 5 years, and in that time frame the Town could similarly advise us of ongoing activities. Happy to discuss this in more detail.

Thank you,

Tim McGuire

Endangered Species Review Biologist
Massachusetts Division of Fisheries & Wildlife
1 Rabbit Hill Road, Westborough, MA 01581
Phone: [REDACTED] Email: timothy.mcguire2@mass.gov
mass.gov/masswildlife | facebook.com/masswildlife

From: Conservation <conservation@wnewbury.org>
Sent: Friday, August 11, 2023 10:41 AM
To: McGuire, Timothy (FWE) <Timothy.McGuire2@mass.gov>
Cc: Jones, Michael T (FWE) <michael.t.jones@mass.gov>; Huckery, Pat (FWE) <pat.huckery@mass.gov>; Wendy Reed <wreed@wnewbury.org>; Town Manager <townmanager@wnewbury.org>
Subject: RE: Ash Street Swamp

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

Hi Tim & all,

The town has been discussing the spring turtle survey and is interested in continuing conversations about improving crossings on Ash Street swamp to inform future decisions that may be made. There is curiosity from the town on how the partnership between the town and the state regarding labor and material costs would look for both the turtle survey and then for any future grant applications or actual crossing improvement work. I was wondering if there would be time in the next few weeks to get on a Zoom together to discuss this further. Our fall town meeting warrant articles are due the end of this month and there is a possibility that one be for the turtle survey so that funding is available come May when the turtles are active if it is the town who would be conducting the survey.

I'd be available the following dates and times for a Zoom:

- 8/15: 9AM -1:30 PM
- 8/16: 2PM -4PM
- 8/17: 9AM -12PM
- 8/21: 9AM – 5PM
- 8/22: 9AM-1:30PM
- 8/23: 12:30-4PM

Thank you,

Michelle Greene
Conservation Agent
Town of West Newbury
381 Main Street

West Newbury, MA 01985
Office: (978) 363-1100 x126
Mobile: (978) 891-0238
conservation@wnewbury.org

The full moon on August 1st is dubbed the sturgeon moon as it rose when the fish were abundant and most easily caught by Native American tribes. Today, fishing for sturgeon is prohibited in Massachusetts as the fish are in danger of becoming extinct. The Merrimack River supports two species of sturgeon, the Shortnose sturgeon and the Atlantic sturgeon. Learn more about these prehistoric looking fish [here](#) and [here](#).

From: McGuire, Timothy (FWE) <Timothy.McGuire2@mass.gov>
Sent: Friday, July 28, 2023 4:15 PM
To: Jones, Michael T (FWE) <michael.t.jones@mass.gov>; Conservation <conservation@wnewbury.org>
Subject: RE: Ash Street Swamp

Thanks Mike, glad to hear that you had the chance to check it out too. I understand that after our meeting that the only hydrologic connection between the wetland (apart from overtopping the road in flooding events) is through three 8" pipes that run under the road, and regularly clog up. I agree that regularly surveying the road next nesting season would be crucial, as any infrastructure change out there would likely turn out costly.

We discussed the road closure option with the Town Manager and Police/Fire Chief who expressed opposition to the idea for safety and emergency access concerns, even with a gate that can be opened and closed. Perhaps this could be discussed more at a later date. Mike: lets continue to touch base on this site next week if you are available.

Thank you both and have a good weekend,

Tim McGuire

Endangered Species Review Biologist
Massachusetts Division of Fisheries & Wildlife
1 Rabbit Hill Road, Westborough, MA 01581
Phone: [REDACTED] | Email: timothy.mcguire2@mass.gov
mass.gov/masswildlife | facebook.com/masswildlife

From: Jones, Michael T (FWE) <michael.t.jones@mass.gov>
Sent: Friday, July 28, 2023 3:12 PM
To: Conservation <conservation@wnewbury.org>; McGuire, Timothy (FWE) <Timothy.McGuire2@mass.gov>
Subject: Ash Street Swamp

Tim and Michelle: responding directly to the two of you, but feel free to share my comments if helpful. I wanted to debrief on the site visit yesterday. I'm sorry I couldn't join you (Tim and Michelle) at 11 AM yesterday. However, I did make it to the Ash Street causeway site just after 4 PM.

I didn't search for animals killed on the roadway, but I could see how it would be more difficult than usual to find them at this site. Along more elevated causeways with better visibility and greater distance to the wetland you can find turtles that were killed earlier in the season. I would expect there is a high level of turtle, amphibian, and possibly bird mortality at this site if there is a high volume of commuter traffic (especially April–June).

Aerial photographs had given me a good indication as to why this road segment is problematic for turtles and wetland wildlife - but seeing it on the ground was helpful. There are areas of high-quality emergent wetland on both sides of the road and within a few feet of the roadbed, and at present there is essentially no elevation between the wetland and the roadbed. The aquatic/emergent habitat on both sides looks good for both Blanding's Turtle (state Threatened) and Spotted Turtle (a federally-petitioned ESA species). I didn't notice a passable culvert along the unpaved causeway - Tim and Michelle, did you notice one with any headspace? Without any good passage structure under the road, barriers may be of limited effectiveness. Speed bumps might help some, but I don't think that additional signage will necessarily help.

In any case, I think it would be helpful to survey this road segment regularly in May and June 2024 to document wildlife on the roadway. If Blanding's or Spotted Turtles are detected, or other turtle species in high numbers, we should continue to explore different possibilities, perhaps with MassDOT.

Road closure in April, May, and June would substantially reduce turtle roadway mortality. But it would be helpful to know the magnitude and extent of the problem before implementing any expensive solution so that we can be sure it will have the intended effect. Ideally, the Phragmites lining the roadway would be evaluated for potential control, if feasible, as part of any new roadway project.

I regret that I couldn't meet you onsite yesterday, but I do feel that I have a clearer sense of the issue and look forward to discussing next steps.

Mike Jones

Michael T. Jones, Ph.D.

State Herpetologist
Massachusetts Division of Fisheries & Wildlife
1 Rabbit Hill Road, Westborough, MA 01581
p: [REDACTED] | e: michael.t.jones@state.ma.us
mass.gov/masswildlife | facebook.com/masswildlife

From: Jones, Michael T (FWE) <michael.t.jones@mass.gov>
Sent: Thursday, July 27, 2023 7:50 AM
To: Conservation <conservation@wnewbury.org>; McGuire, Timothy (FWE) <Timothy.McGuire2@mass.gov>
Cc: Town Manager <townmanager@wnewbury.org>; Executive Assistant <exec.assistant@wnewbury.org>; Wendy Reed <wreed@wnewbury.org>
Subject: Re: Site visit for Ash Street swamp and roadkill survey 7/14/2023

Hi Tim and Michelle:

I probably can't quite make it to the meeting at 11 today, but I should be able to visit the site before the end of the day, likely around 5 or 6—so I will be able to debrief with Tim after your meeting.

Apologies! But thank you for both for meeting this AM.

Mike

Town Manager

From: Town Manager
Sent: Thursday, September 7, 2023 12:56 PM
To: McGuire, Timothy (FWE)
Cc: Jones, Michael T (FWE); Huckery, Pat (FWE); Selectboard; Highway; Michael Dwyer; Conservation; Marold, Misty-Anne (FWE)
Subject: RE: Ash Street Swamp

Tim,
I appreciate your call earlier today and this follow-up. As we discussed, I'll huddle with Butch (Highway), Michelle (Conservation Agent) and Wendy (Select Board chair) as soon as we can arrange it and will circle back with how we would intend to proceed.

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: McGuire, Timothy (FWE) <Timothy.McGuire2@mass.gov>
Sent: Thursday, September 7, 2023 12:30 PM
To: Town Manager <townmanager@wnewbury.org>
Cc: Jones, Michael T (FWE) <michael.t.jones@mass.gov>; Huckery, Pat (FWE) <pat.huckery@mass.gov>; Selectboard <selectboard@wnewbury.org>; Highway <highway@wnewbury.org>; Michael Dwyer <dwyer@westnewburysafety.org>; Conservation <conservation@wnewbury.org>; Marold, Misty-Anne (FWE) <misty-anne.marold@mass.gov>
Subject: RE: Ash Street Swamp

Angus,

Thank you for taking the time to discuss this with me over the phone. As a recap, we need to ensure that your proposal to repair the road does not result in a direct take of Blanding's turtles. This time of year, we have a particular concern regarding hatchlings along the road edges. Our data is indicating that hatchlings should be into the wetland by about the third week of September which is rapidly approaching. With the understanding that a MESA checklist is forthcoming, for this year alone we can discuss an approach such as filing in potholes selectively in order to abate some of the Town's safety concerns, and finalize a checklist bringing the site into compliance within the coming weeks. Please provide us with some more specific information regarding the location of the potholes to be filled in, and we can review.

As a reminder, I am off tomorrow. In order to make sure that my absence doesn't result in any delays for you, I have CC'd and brought up to speed one of our senior reviewers, Misty-Anne. If anything comes up on this tomorrow that needs our office's attention, Misty-Anne will assist.

Thank you,

Town Manager

From: Conservation
Sent: Friday, September 15, 2023 1:56 PM
To: Marold, Misty-Anne (FWE); Town Manager; McGuire, Timothy (FWE)
Cc: Jones, Michael T (FWE); Huckery, Pat (FWE); Selectboard; Highway; Michael Dwyer; Cheeseman, Melany (FWE)
Subject: RE: Ash Street Swamp
Attachments: Pictures of work and completed site.pdf

Hi Misty-Anne,

I wanted to send a final update on this. Please let me know if anything else is needed.

On Friday September 8th after my survey of the roadway, the West Newbury Highway Dept. performed maintenance to the gravel section of Ash Street to fill in pot holes which were deemed hazardous by the Police Chief and Highway Superintendent. A mixture of 1 ½ inch and 3/8 inch gravel was applied with the town's Cat 420 XE backhoe. To prevent encroachment to wetlands and potential impacts turtles nesting in roadway shoulders, work was limited to the center of the roadway staying approximately 2-feet off the edge of the shoulders. Once the material was spread, compaction was achieved by driving the backhoe over the material in an overlapping patten. This minimized vibrations in the area. The Highway Dept. was able to fill a majority of the holes improving the safety of the road and the work used 27 yards of material and took 3.5 hours to complete.

Attached are a few pictures taken during work and at the completion of work.

Thank you,

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

Meadows and forest edges are ablaze with goldenrod in late summer and early fall. The plant supports many insects including native bees, beetles, and over 100 species of moths and butterflies. Its also not responsible for seasonal allergies as its pollen is too heavy to be airborne and must be carried by insects. Learn more about this native perennial [here](#).

From: Conservation
Sent: Friday, September 8, 2023 1:11 PM
To: Marold, Misty-Anne (FWE) <misty-anne.marold@mass.gov>; Town Manager <townmanager@wnewbury.org>; McGuire, Timothy (FWE) <Timothy.McGuire2@mass.gov>
Cc: Jones, Michael T (FWE) <michael.t.jones@mass.gov>; Huckery, Pat (FWE) <pat.huckery@mass.gov>; Selectboard <selectboard@wnewbury.org>; Highway <highway@wnewbury.org>; Michael Dwyer <dwyer@westnewburysafety.org>; Cheeseman, Melany (FWE) <Melany.Cheeseman@mass.gov>
Subject: RE: Ash Street Swamp

Hi Misty-Anne,

I completed the survey and left the site around 11:50 AM and work was getting underway in the area of the road that I had already surveyed around 11:45 AM. As the work is limited (filling the pot holes in the center most portion of the road) I did not stay on site to continue monitoring as I expect the work will complete quickly and that the noise of the work will help keep wildlife off the road while the work occurs.

I did not find any state-listed species or other turtle species, alive or dead, during my survey. While surveying I paid close attention to the shoulders for the possibility of turtles hatching from nests in the shoulders and also close attention to the potholes for the possibility of turtles basking and seeking cover in these areas.

I'm having issues with my work phone so I apologize for the limited and poor quality pictures but please find attached a picture showing the condition of the road before filling the pot holes and a picture showing the work beginning to occur. Additional pictures and a write up of the work done today will be sent the beginning of next week.

If there are any questions, please reach out. Please note if anyone needs to contact me, email is best as my phone is currently not working.

Thank you,

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

The full moon on August 1st is dubbed the sturgeon moon as it rose when the fish were abundant and most easily caught by Native American tribes. Today, fishing for sturgeon is prohibited in Massachusetts as the fish are in danger of becoming extinct. The Merrimack River supports two species of sturgeon, the Shortnose sturgeon and the Atlantic sturgeon. Learn more about these prehistoric looking fish [here](#) and [here](#).

From: Marold, Misty-Anne (FWE) <misty-anne.marold@mass.gov>
Sent: Friday, September 8, 2023 12:52 PM
To: Town Manager <townmanager@wnewbury.org>; McGuire, Timothy (FWE) <Timothy.McGuire2@mass.gov>
Cc: Jones, Michael T (FWE) <michael.t.jones@mass.gov>; Huckery, Pat (FWE) <pat.huckery@mass.gov>; Selectboard <selectboard@wnewbury.org>; Highway <highway@wnewbury.org>; Michael Dwyer <dwyer@westnewburysafety.org>; Conservation <conservation@wnewbury.org>; Cheeseman, Melany (FWE) <Melany.Cheeseman@mass.gov>
Subject: RE: Ash Street Swamp

Angus,

Thank you for the update and being responsive to NHESP's concerns for this site. If you and Michelle can let your crew know that hatchlings will be small (1.5"+, about the length of a AA battery or typical guitar pick) and rather dark in color. So, they might look like a dirty, but smoothed rock. That will help them keep their eyes out for them and avoid inadvertent impacts.

Michelle – If you find any state-listed species, can you let us know?

~if it is alive and uninjured, you can just remain nearby and direct vehicles/work around it until its safely into the wood/wetlands

~If it is not alive, you can put the carcass in a fridge or freezer, wrapped in a ziplock or plastic bag for temporary storage, that is great. We'll arrange for the turtle to be picked-up or for you to drop off in Westborough.

Best, Misty-Anne

Misty-Anne R. Marold, Senior Endangered Species Review Biologist

Massachusetts Division of Fisheries & Wildlife
Natural Heritage Endangered Species Program
1 North Drive, Rabbit Hill Road
Westborough, MA 01581
[REDACTED]

From: Town Manager <townmanager@wnewbury.org>

Sent: Friday, September 8, 2023 11:00 AM

To: McGuire, Timothy (FWE) <Timothy.McGuire2@mass.gov>; Marold, Misty-Anne (FWE) <misty-anne.marold@mass.gov>

Cc: Jones, Michael T (FWE) <michael.t.jones@mass.gov>; Huckery, Pat (FWE) <pat.huckery@mass.gov>; Selectboard <selectboard@wnewbury.org>; Highway <highway@wnewbury.org>; Dwyer, Michael <dwyer@westnewburysafety.org>; Conservation <conservation@wnewbury.org>

Subject: RE: Ash Street Swamp

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

Tim and Misty-Anne,

This morning, we had a meeting including Butch Hills (Highway), Michelle Greene (Conservation), Wendy Reed (Select Board Chair) and myself. Given the deteriorating conditions on the Ash Street, our intent is as follows:

- Later today, we're mobilizing the Highway crew to selectively fill potholes within the road layout, but completely avoiding roadway edges. This is to bring the road back into a safe condition for travel, but will be less than the prior regradings so as to avoid any potential impact to any nesting that may be present. Compaction will be driving over patched areas with vehicles; no use of vibrating compaction equipment.
- Prior to work, Michelle will walk the length of the road to document any mortality, and to move any living animals, if any, off the road surface into the swamp.
- Photos will be taken before, during and after work to document pre- and post- conditions and the work done.

We remain on track to get the MESA checklist complete timely for Select Board review/approval at their mtg on 9/18, after which it will be sent to your office to initiate the formal review process.

Please let us know if questions or concerns -

Thanks,
Angus

Angus Jennings, Town Manager

Completed work viewed looking northwest from end of gravel road at southeast connection to paved road



Looking southeast at material spread to be compacted and a pile of material to spread



>aa| [^ Y` adZi WfSf ebdSV_ SfWqS^fa TWa_ bSfW





DRAFT for Select Board Review

MASSACHUSETTS PROJECT REVIEW CHECKLIST

Massachusetts Endangered Species Act M.G.L. c.131A and Regulations (321 CMR 10.00)

Project Details

*Project or Site Name: _____

*Street Address/Location: _____

*Town(s): _____

*Total Site Acreage: _____

*Acreage of Disturbance¹: _____

Parcel/lot number: _____

Assessors map/plat number: _____

Project Description (If necessary, a project/site description can also be provided as an attachment): _____

Registry of deeds information²

Registry: _____

Certificate # (if registered land): _____

Book: _____

Page Number: _____

Do you have a previous NHESP Tracking number? (Yes / No) If yes, please provide: _____

Will this project require a filing with the Conservation Commission and/or DEP pursuant to the Wetlands Protection Act (WPA)? (Yes / No) Roadway resurfacing exempt under 310 CMR 10.02(2)(b)2.p.; culvert clearing to be done under WPA emergency certificate issued as needed.

Map

*Required: Enclose a map with the site location clearly marked and centered on the page.

Landowner Info

*Are you the Record Owner³ of the property? (Yes / No)

*If No, are you a representative of the Record Owner or do you have permission from the Record Owner to submit this request or filing?⁴ (Yes / No)

*Landowner Name _____ Organization (if applicable) _____

*Street Address/Location _____ *City/Town _____ *State _____ *Zip Code _____

Email _____ Telephone _____

Comments/Purpose of request⁵: _____

¹ Please disclose the full acreage of disturbance associated with the project, including areas outside of Priority Habitat.

² If your project contains more than one registered property, please attach a document listing the Registry information for each.

³ Record Owner means any person or entity holding a legal or equitable interest, right or title to real property, as reflected in a written instrument or recorded deed, or any person authorized in writing by such person.

⁴ If you are not the record owner, a statement or proof that you are authorized by the record owner must be attached.

⁵ Provide the authorization you have to submit this request if you are not the record owner and not a representative of the record owner.

Applicant Info

Applicant Name (if different from Landowner)		Organization (if applicable)	
Street Address/Location	City/Town	State	Zip Code
Email (if available)		Telephone	

Representative Info

Representative Name (if different from Landowner)		Organization (if applicable)	
Street Address/Location	City/Town	State	Zip Code
Email (if available)		Telephone	

*Required Documents

- USGS map (1:24,000 or 1:25,000) with property boundary clearly outlined
- Project plans for entire site (including wetland Resource Areas, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work) Work narrative attached.
- Assessor's map or right-of-way plan of site
- Statement/proof that applicant is the Record Owner or that applicant is a person authorized in writing by the record owner to submit this filing
- Photographs representative of the site

Projects altering 10 or more acres, must also submit:

- A vegetation cover type map of the site
- Project plans showing Priority Habitat boundaries

The Division will notify you within 30 days if the materials submitted do not satisfy the filing requirements under 321 CMR 10.20. The Division may request additional information, such as, but not limited to, species and habitat surveys. A request for additional information would come within 30 days of receiving a complete filing.

*Filing Fee

Fee schedule is available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>

***Total MESA Fee Enclosed:** _____ Payable via check to **Comm. of MA - NHESP**

*Required Signatures

I hereby certify under the pains and penalties of perjury that the information contained is true and complete to the best of my knowledge.	
Signature of Property Owner/Record Owner of Property	Date
Signature of Applicant (if different from Owner)	Date

Please mail this completed form, with the required document and fee to:
NHESP Regulatory Review | MassWildlife Field Headquarters | 1 Rabbit Hill Road | Westborough, MA 01581

Ash Street Gravel Road Maintenance Narrative

West Newbury DPW shall perform maintenance of the gravel portion of Ash Street as needed when the roadway is deemed hazardous to vehicular travel by the West Newbury Highway Superintendent and Fire Chief due to potholes or roadway flooding jeopardizing vehicle travel.

Roadway Resurfacing

When roadway resurfacing is deemed to be necessary, a mixture of 1 ½-inch and 3/8-inch gravel shall be spread by the DPW's backhoe to fill in potholes / low spots and restore the roadway. The gravel will be compacted by driving the backhoe over it, in an overlapping pattern. Vibratory compaction will not be used. The DPW shall ensure that gravel is spread in the roadway only and that no expansion of the roadway width occurs by ensuring material stays within the bounds of the existing white markers installed along the roadway surface.

This work is exempt from a Wetlands Protection Act filing under 310 CMR 10.02(2)(b)2.p.

Roadway Flooding / Culvert Clearing

Three plastic culverts pass under the gravel portion of Ash Street and water flows through these culverts from the northeast to the southwest. Due to muskrat and beaver activity, the culverts occasionally become blocked and this blockage results in roadway flooding. When it is deemed necessary to clear the culverts, the DPW shall use the bucket of their backhoe to reach into the inlet of the culvert (northeast site of the roadway) and "fling" the material out of the inlet and back into the swamp. At no time will equipment enter the wetland and all equipment shall remain on the gravel roadway with care taken to not destabilize the road shoulders.

As this work is not exempt from a Wetlands Protection Act filing, prior to clearing the material from these culverts the Highway Superintendent shall inform the Conservation Agent of the threat to public safety (roadway flooding) and an emergency certificate to breach the dammed material at the culvert inlet shall be issued to the West Newbury DPW with a copy sent to MA DEP.

Ash Street ROW through swamp

09/08/2023



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of West Newbury & MassGIS. MVPC AND THE TOWN OF WEST NEWBURY MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF WEST NEWBURY AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION




<ul style="list-style-type: none"> MVPC Boundary Building Footprints 	<ul style="list-style-type: none"> Parcels Trails 	<ul style="list-style-type: none"> Roads Easements 	Legend <ul style="list-style-type: none"> Interstate Major Road Local Road Streams Wetlands
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USGS Map with Ash Street ROW shown in yellow



NHESP Map with approximate Ash Street gravel road area shown in red box











MASSACHUSETTS
DEPARTMENT OF FISHERIES & WILDLIFE

Natural Heritage & Endangered Species Program
100 Water Street, 10th Floor, Boston, MA 02109
(617) 253-3300, www.mass.gov/dfw

WEST NEWBURY
Priority Habitats and Estimated Habitats
Priority Habitats, for use with the MA Endangered Species Act Regulations (321 CMR 10)
Estimated Habitats, for use with the MA Wetlands Protection Act Regulations (310 CMR 10)
Effective August 1, 2021



<p>Priority Habitat of Rare Species</p> <p>Project or Activity falls within Priority Habitat only: - You must file directly with NHESP pursuant to Massachusetts Endangered Species Act (MESA)</p> <p>Examples of projects: single family home, subdivision, commercial building, widening of driveway/road, beaver dam removal, etc.</p> <p>Some projects or activities may be exempt from MESA filing: see 321 CMR 10.14</p>	<p>Priority Habitat of Rare Species and also Estimated Habitat of Rare Wildlife</p> <p>Project or Activity is within BOTH Estimated Habitat and Priority Habitat: - Is a Notice of Intent (NOI) under wetlands regulations required? -Yes Send copy of NOI to NHESP and must also file under MESA (streamlined MESA/NOI filing option available) -No MESA filing only (see 'Priority Habitat' details at left)</p> <p><small>For more information, see our website at: www.mass.gov/dfw</small></p>	<p>Certified Vernal Pools (as of July 20, 2021)</p> <p>Town Boundary</p> <p>Transportation:  Interstate  U.S. Highway  State Route  Non-numbered Route  Railroad</p>
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Data Sources:
Priority Habitats and Endangered Species: Created by NHESP 2021
Wetlands: National Wetlands Inventory, updated by NHESP, July 20, 2021
Town Boundaries: U.S. Census Bureau, Decennial Census, 2010
Certified Vernal Pools: NHESP, updated 2021
MESA: NHESP, updated 2021
NOI: NHESP, updated 2021

Commonwealth of Massachusetts | State Police, Sheriff's Office, State Police, Lt. Governor
Department of Energy & Environmental Affairs | Division of Fisheries & Wildlife

Existing Condition Photo 1: Gravel portion of Ash Street 9/8/2023



Existing Condition Photo 2: Gravel road meets paved road looking northwest. Area that appears "disturbed" is freshly spread gravel from 9/8/2023 emergency work.



Existing Condition Photo 3: Gravel portion of road meets paved looking southeast



Existing Condition Photo 4: Area of culvert inlets



Existing Condition Photo 5: Area of culvert outlets.





FINAL REPORT

LOCAL ROADS

INVENTORY

PROJECT

March 1994

Town of West Newbury

Massachusetts

Hayden | Wegman
Consulting Engineers

LOCAL ROADWAY RESEARCH ANALYSIS

The initial step to determine ownership of local roads began in the Town Assessor's office. It was here that right-of-way (ROW) boundary lines were examined to determine their link, if any, with private property lines. If this search revealed a narrow right-of-way and there was any indication of private property boundary lines within the right-of-way, additional research was required at the County Engineer's office.

After all available data was obtained from the County office, a needs list was prepared. This list included those roads for which further research was required at the Registry of Deeds in order to clarify ownership. Registry plans of those property owners abutting the ROW in question were examined. The intent was to identify owners and recorded plans in order to determine any evidence of private property within the ROW. If this review did not indicate any evidence of private property within the ROW, the road was then determined to be Town-owned. Conversely, if the Registry plans could not confirm Town ownership, the road in question was then classified as questionable and would therefore require further clarification by the town attorney.

**WEST NEWBURY, MASS.
CHAPTER 90 ROADWAY STATE AID FUNDING
ROADWAY INVENTORY**

EXHIBIT B

STREET NAME	BASE MAP INDEX	COUNTY INFORMATION		DWG. LIMITS	SOURCE OF INFO.	OWNERSHIP	WIDTH OF ROW (ft)	COMMENTS
		DWG. NO.	DWG. DATE					
Ablain Ln.	27	N/A	N/A	Entire Length	TOWN	TAPW**	50	Sub-div dated 4/3/60, Research Complete. NEPPI - ROW*
Appleton Ct.	28	N/A	N/A	Parallel to Main St	R-13	TAPW**	30	Research complete, NEPPI - ROW*
Appleton Ct.	28	N/A	N/A	Perpendicular to Main St	R-13	TAPW**	40	Research complete, NEPPI - ROW*
Archeaus Hill Rd.	30	N/A	N/A	Entire Length	TOWN & R-15	TAPW**	50	Town street acceptance plan for sub-division dated Feb. 1978. Research complete, NEPPI - ROW*
Archeaus Pl.	29	N/A	N/A	Entire Length	R-14	TAPW**	35-50	Research complete, NEPPI - ROW*
Arrowhead Way	80	N/A	N/A	Entire Length	TOWN	PRIVATE WAY	VARIABLE	Town subdiv. plan, NEPPI - ROW*
Ash St.	17	N/A	1836	Entire Length	COUNTY	TAPW**	40.5	Research complete, NEPPI - ROW*
Avon Ln.	31	N/A	N/A	Entire Length	TOWN	TAPW**	50	Town street acceptance plan for sub-division, Research complete. NEPPI - ROW*
Bachelor St.	1	2847	27-Sep-55	Meetinghouse Intersection 350 Ft.	COUNTY	TAPW**	50	Research complete, NEPPI - ROW*
Bachelor St.	1	N/A	N/A	Entire Length	R-14,15,16	TAPW**	50-80	Research complete, NEPPI - ROW*
Bailey's Ln.	18	N/A	N/A	Entire Length	R-13	TAPW**	20-50	Research at Reg. of Deeds completed, area between parcel 70C
Break Hill Terrace	78	N/A	N/A	Entire Length	TOWN	PRIVATE WAY	50	Town subdiv. plan, NEPPI - ROW*
Brickett St.	32	N/A	1828 pg. 18	Entire Length	COUNTY	TAPW**	40.5	Research complete, NEPPI - ROW*
Bridge St.	2	3049	28-May-68	Entire Length	COUNTY	TAPW**	50	Research complete, NEPPI - ROW*
Brown's Lane	33	N/A	N/A	Entire Length	R-6	TAPW**	40	Research complete, NEPPI - ROW*
Chase St.	19	N/A	N/A	Entire Length	R-26	TAPW**	50-60	Research complete, NEPPI - ROW*
Cherry Hill St.	3	N/A	N/A	Entire Length	R-16	TAPW**	40-50	Research complete, NEPPI - ROW*
Chestnut Hill St.	35	N/A	N/A	Entire Length	TOWN & R-1	TAPW**	50	Town accepted as new public way 1/2/67. Research complete. NEPPI - ROW*
Chestnut St.	34	N/A	N/A	Entire Length	R-1	TAPW**	50	Research complete, NEPPI - ROW*
Church St.	4	2892	07-Dec-58	Entire Length	COUNTY	TAPW**	40.5	Research complete, NEPPI - ROW*

*No Evidence of Private Property in Right of Way (NEPPI - ROW)

** Town Accepted Public Way (TAPW)

Note: The roadways which are underlined do not appear on the Town's chapter 90 list, but are included in this summary for Town's information.

TOWN ACCEPTED PUBLIC WAY

Albion Lane - Town of West Newbury subdivision plan dated June 9, 1960. Review indicates that Albion Lane is a public way with a 50 foot ROW; no evidence of any private land ownership inside the Town's ROW. **OWNERSHIP: TOWN ACCEPTED PUBLIC WAY**

Appleton Court - Town of West Newbury Assessor's drawing R-13. Review indicates that Appleton Court is a public way with a variable width ROW of 30 to 40 feet; no evidence of any private land ownership inside the Town's ROW. **OWNERSHIP: TOWN ACCEPTED PUBLIC WAY**

Archelaus Place - Town of West Newbury Assessor's drawing R-14. Review indicates that Archelaus Place is a public way with a variable width ROW of 35 to 50 feet; no evidence of any private land ownership inside the Town's ROW. **OWNERSHIP: TOWN ACCEPTED PUBLIC WAY**

Archelaus Hill Road - Town of West Newbury Assessor's drawing R-15 and Town's subdivision plan dated February 1978. Review indicates that Archelaus Hill Road is a public way with a 50 foot ROW; no evidence of any private land ownership inside the Town's ROW. **OWNERSHIP: TOWN ACCEPTED PUBLIC WAY**

Ash Street - Essex County Engineer record dated 1836. Review indicates that Ash Street is a public way with a ROW of 49.5 feet; no evidence of any private land ownership inside the Town's ROW. **OWNERSHIP: TOWN ACCEPTED PUBLIC WAY**

Avon Lane - Town of West Newbury subdivision plan. Review indicates that Avon Lane is a public way with a 50 foot ROW; no evidence of any private land ownership inside the Town's ROW. **OWNERSHIP: TOWN ACCEPTED PUBLIC WAY**

Bachelor Street - Essex County Engineer drawing number 2847 dated September 27, 1955 and Town Assessor's drawings R-14, R-15, and R-16. Review indicates that the Town of West Newbury owns a variable width right-of-way (ROW) 50 feet to 80 feet throughout the length of the roadway; no evidence of private land ownership inside the Town's ROW. **OWNERSHIP: TOWN ACCEPTED PUBLIC WAY**

Bailey's Lane - Town of West Newbury subdivision plan dated 12/12/88 and Town Assessor's drawing R-13. Review indicates that Bailey's Lane is a public way with a variable width; no evidence of any private land ownership inside the Town's ROW. **OWNERSHIP: TOWN ACCEPTED PUBLIC WAY**

Inventory of Roads in West Newbury

B/C=bituminous
 concrete
 O/S=oil & sand
 D =dirt

<u>Street name</u>	<u>Miles surface</u>		<u>Surface type</u>		<u>Width</u>
		<u>Sub-totl</u>	<u>% total</u>		
Federal:					
Route 95	.6	.6	.3%	B/C	8-lane
State:					
Route 113 (Main St)	5.1			B/C	34'
Rocks Village Bridge	<u>Bridge</u> .1	<u>5.2</u>	<u>10.8%</u>	B/C	24'
Town - Chapter 90:					
Bachelor St	2.05			O/S	21'
Bridge St	.94			B/C	30'
Cherry Hill St	.47			O/S	18'
Church St	1.0			B/C	25'
Crane Neck St (west)	1.0			B/C	24'
Garden St (Main to Brown's)	.82			B/C	21'
(Brown's to Indian H)	.9			O/S	20'
Georgetown Rd	1.45			O/S	22'
Indian Hill St	1.73			O/S	20'
Maple St	.63			B/C & O/S	22'
Meetinghouse Hill Rd	.5			B/C & O/S	22'
South St	.89	<u>12.38</u>	<u>25.8%</u>	O/S	
Town - proposed for Ch. 90:					
Pleasant St	.58			O/S	16'
Harrison Ave.	.13			O/S	16'
Middle St (Bach.to Ind.H.)	.82			O/S	16'
Stewart St	1.27			O/S	16'
Moulton St (South to Brick.)	.97	<u>3.77</u>	<u>7.9%</u>	O/S	16'
Long Town roads (over .5 mile):					
Ash St (Maple to swamp)	1.3			O/S	17'
(swamp)	.4			D	
(swamp to Brickett)	.1			O/S	
(Brickett east to D)	.25			B/C	20'
(D to Byfield line)	.27			D	
Bailey's Lane	.55			O/S & D	
Chase St	.52			O/S	
Coffin St	.9			O/S	16'
Crane Neck St (East to D)	1.0			O/S	
(D to turnaround)	.3			D	
Middle St (Grove.to Ash)	1.3			D	
(Ash to Bach.)	.4			O/S	13'
(Ind.H.to Turk)	<u>Bridge</u> 1.9			D & O/S	
Pikes Bridge Rd	<u>Bridge</u> .66			D	
Prospect St	.55			O/S	
River Rd	3.27			O/S	16'
Rogers St	<u>Bridge</u> .95			O/S	
Turkey Hill Rd	1.61			O/S	
Way to the River	.62	<u>16.85</u>	<u>35.1%</u>	O/S & D	16'

Town Manager

From: Conservation
Sent: Tuesday, September 12, 2023 8:41 AM
To: Ryan Goodwin; Town Manager
Subject: Invasive water chestnut at Mill Pond
Attachments: Mill Pond Water Chestnut Removal RDA.docx; RDA Attachments.pdf

Hi Ryan,

I hope all is well. When conducting a site review of Mill Pond after the DPW stabilized the banking around the dike which overtopped during the 8/18/2022 rain event, I observed invasive water chestnut in both the wetland and in front of the outlet of the dike in Mill Pond, pictures can be found in the attachments document.

I'm not sure how familiar you or the MPC is with water chestnut but it's a pretty aggressive aquatic invasive and if left unchecked, can form dense floating mats of vegetation over 100% of a water body's surface. This creates an obvious issue to fishing and kayaking, can lead block light to native aquatic vegetation, and can cause low oxygen levels in the water when plants die back in winter leading to fish kills. The seeds of the plant float and have long, sharp barbs which can penetrate shoes and pose injury to human and pet feet.

I brought this up last Thursday to Angus and our invasive plant working group and because this is currently such a small population of water chestnut, there's hope that by removing the plants ASAP, then monitoring and removing any additional visible plants through fall 2025, that water chestnut can be eradicated at Mill Pond before there are any major impacts. It sounds like hand pulling by kayak/canoe is work that the invasives working group is willing to complete.

Because the work is in wetland resource areas (land under water) it must be permitted through ConCom before it can get started. Angus will be seeking the Select Board's authorization for him to sign the attached Request for Determination of Applicability (RDA) at the SB meeting on 9/18. Once signed, the legal notice can be placed with the Daily News and this will be on the ConCom's 10/2 meeting agenda for their review and hopefully approval, with working group members ready to start hand pulling as soon as 10/3.

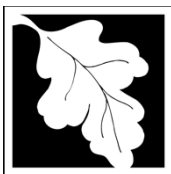
As MPC is in charge of the Mill Pond management plan, I'd like to ensure they are supportive of this work. Would you mind sharing this with the MPC? I'm happy to answer any questions ahead of the ConCom meeting and members of MPC are welcome to come and ask questions and offer comments at the ConCom meeting on 10/2.

Some information on water chestnut can be found at the following links:

- <https://www.mass.gov/doc/water-chestnut-0/download>
- <https://www.oars3rivers.org/our-work/water-chestnut>
- <https://www.nashuariverwatershed.org/what-we-do/protect-water-and-land/invasive-species-overview/plants-water-chestnut.html>

Please reach out if you have any questions.

Michelle Greene
Conservation Agent
Town of West Newbury
381 Main Street
West Newbury, MA 01985
Office: (978) 363-1100 x126



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability West Newbury
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 Municipality

A. General Information

Important:

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



1. Applicant:

Angus Jennings, Town Manager

First Name

Last Name

381 Main Street

Address

West Newbury

City/Town

MA

State

01985

Zip Code

978-363-1100 x111

Phone Number

townmanager@wnewbury.org

Email Address

2. Property Owner (if different from Applicant):

Town of West Newbury

First Name

Last Name

381 Main Street

Address

West Newbury

City/Town

MA

State

01985

Zip Code

Phone Number

Email Address (if known)

3. Representative (if any)

N/A

First Name

Last Name

Company Name

Address

City/Town

State

Zip Code

Phone Number

Email Address (if known)

B. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

693 Main Street

Street Address

West Newbury

City/Town

42.80317

Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX)

-70.97605

Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)

R22

Assessors' Map Number

3

Assessors' Lot/Parcel Number

b. Area Description (use additional paper, if necessary):

Mill Pond and BVW that adjoins Mill Pond via a manmade dike.

c. Plan and/or Map Reference(s): (use additional paper if necessary)

Aerial Map of Mill Pond

Title

09/11/2023

Date

Title

Date

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability West Newbury Municipality

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

B. Project Description (cont.)

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

Using kayaks and canoes entering the pond via dock and wetland via access adjacent to the trail town volunteers will enter Mill Pond and the adjoining wetland and hand pull visible European water chestnut, an aggressive invasive plant. Pulling will be done Fall 2023 with subsequent monitoring and hand removal to occur as needed Spring 2024 - Fall 2025. Removed plants will be brought to a town site where they can be dried before being composted at the town DPW yard. The drying site will be located in an area where introduction of water chestnut to a new water body is not possible (i.e. a flat area away from any wetland resource area).

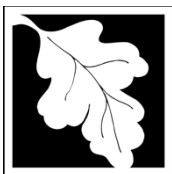
b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

The work is minor & should not result in impacts to wetland resource areas. Volunteers will be trained to ensure only water chestnut is removed. Access for kayaks/canoes will limit bank disturbance.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



C. Determinations

1. I request the West Newbury Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.
- c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance** or **bylaw** of:

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

Date

Signature of Representative (if any)

Date

Mill Pond -693 Main Street West Newbury

9/11/2023



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of West Newbury & MassIT/MassGIS. MVPC AND THE TOWN OF WEST NEWBURY MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF WEST NEWBURY AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.

Legend				
MVPC Boundary	Parcels	Roads	Interstate	Major Road
Building Footprints	Easements	Streams	Local Road	



Water chestnut in pond side of the dike 8/22/2023



Water chestnut in wetland side of dike observed 8/22/2023





Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

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

townmanager@wnewbury.org

H

TO: Select Board
FROM: Angus Jennings, Town Manager
DATE: September 15, 2023
RE: Church & Prospect Street water main replacements

At a recent Board meeting, there was discussion as to the pros and cons, and risk factors, associated with the potential project approach of separately procuring the materials and the labor associated with the above project.

Since that time, I connected with Jon Gregory at Tata & Howard to talk this through, and he agreed that there were risks with either approach, but that given the smaller “lead time” associated with pipe procurement/delivery, this was worth reconsideration. I met with Mark and Bob to talk this over, and on Sept. 6th a working meeting was held including Tata & Howard (via zoom), Mark, Jack Duggan, Chris Wile, and me.

After discussion, all agreed it makes sense to bid the entire project at once. We received an updated timeline from T&H, reflecting this, and that is enclosed.

Work ahead includes getting an updated scope/contract/fee in place, and bringing to the Select Board and BOWC an updated MOU to formalize the agreement for use of \$625,000 of ARPA funds toward this project. Due in part to the number of parties involved, and overall workload/bandwidth, this will not be ready for Board action on Monday. We may be able to get this ready for 10/2, but even if it takes a bit longer than that it won't negatively affect the timeline for Church/Prospect (i.e. breaking ground next spring).

Town Manager

From: Steven Daunais [REDACTED]
Sent: Monday, September 11, 2023 1:16 PM
To: Water Superintendent; WNWater; Town Manager
Cc: Jon Gregory
Subject: West Newbury Church and Prospect Street Bid Schedule
Attachments: Church and Prospect Street proposed bidding and construction schedule.pdf

All,

Our proposed bid and construction schedule for the Church Street and Prospect Street water mains is attached. Let us know if you have any questions.

Steven Daunais, P.E. (MA)

Project Manager



TATA & HOWARD

67 Forest Street
Marlborough, MA 01752
[REDACTED]

Help save the environment: think before you print.

Confidentiality Notice: *This message, including any attachments is intended only for the designated recipient(s). It may contain confidential or proprietary information and may be subject to legal privileges. If you are not the intended recipient, you may not use, distribute, or copy any portion of or attachment to this message. If you have received this message in error, please notify the sender, delete the message, and destroy any copies. Thank you.*

**Proposed Bidding and Construction Schedule
Church Street and Prospect Street Water Main Replacement
West Newbury, Massachusetts**

<u>Date</u>	<u>Milestone</u>
10/12/2023	Submit advertisement to Central Register
10/12/2023	Submit advertisement to local newspaper
10/18/2023	Town to submit advertisement to COMMBUYS
10/18/2023	Bid Advertisement appears in Central Register and newspaper
10/19/2023	Plans and specifications available to prospective bidders
11/09/2023	Bid opening
12/15/2023	Contract Award/Notice to Proceed
04/15/2024	Start construction
09/13/2024	Complete water main installation
05/15/2025	Complete final paving



TOWN OF MERRIMAC
OFFICE OF THE SELECT BOARD
2-8 School Street, Merrimac, MA 01860
TEL (978) 346-8862
E-MAIL selectmen@townofmerrimac.com

I

August 22, 2023

RECEIVED

SEP 05 2023

TOWN MANAGER
TOWN OF WEST NEWBURY

West Newbury Select Board
381 Main St.
West Newbury, MA 01985

Groveland Select Board
183 Main Street
Groveland, MA 01834

Dear Honorable Board Members,

The Merrimac Select Board reviewed the proposed amendments to the PRSD Regional Agreement at their regular meeting on August 21, 2023. We agree with the edits presented, but wanted a better understanding of the intent of the language related to Section IV. LOCATION OF SCHOOLS

B. There may shall be not less than one or more elementary school in each member town provided, however, that the towns may decide to share or consolidate elementary schools in the future. Unless and until any such consolidation, students 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.

During discussion, Board Member Gorzynski expressed concern whether this language presented the possibility of eliminating an elementary school in a member town. Dr. Justin Bartholomew was in attendance and offered that he understood it to provide the possibility for two towns to consolidate if they wish. To that end, the Merrimac Select Board would like further clarification on the language and its intent.

Sincerely,

Chris Manni
Chairman

Benjamin S. Beaulieu

Irina Gorzynski

cc. Carol McLeod
Rebecca Oldham
Angus Jennings
Dr. Justin Bartholomew
Greg Labrecque
Julie King



MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

August 15, 2023

Dear Municipal Executive:

The Healey-Driscoll Administration is pleased to announce that the FY24 Community Compact program will begin on August 21. Our Administration thanks our partners in the Legislature for providing funding for each of the following Community Compact programs:

- Best Practices
- IT Grant
- Efficiency & Regionalization (E&R)
- Municipal Fiber

The Healey-Driscoll administration recognizes that the health of the Commonwealth's 351 cities and towns underpins the overall success of Massachusetts and its people. That's why this administration is committed to ensuring that every municipality, from Provincetown to Pittsfield, has the resources it needs to succeed – the Community Compact program is an important part of those resources. We are excited to continue – and refresh – this impactful, popular program.

Best Practices Program

Beginning **August 21**, applications for the [Best Practices](#) program can be submitted by those municipalities *who did not apply in FY23 for a Compact*. **Applications are accepted on a rolling basis** and will be reviewed within one month of submission. Eligible applicants can choose up to two best practices. Click [here](#) for the complete set of best practices.

We are excited to share that this year's program includes an updated list of best practices designed to simply available options, add new subject areas – including veteran services and mental health, and add new best practices to align with and advance the Administration's goals and objectives, particularly in the areas of housing and transportation.

You may access the application page [here](#). Applications cannot be saved once they are started and should be completed all at once. Your community can only submit one application.

IT Grant Program

The [Community Compact IT Grant Program](#) is a competitive grant program focused on driving innovation and transformation at the local level via investments in technology. Using the transformative

powers of IT, we can drive innovation, make government more efficient, save taxpayer money, and make it easier for residents to interact and transact with their local government.

The application period will run from **September 11, 2023 to noon on October 13, 2023**. *Cities and towns that were awarded an IT Grant Program grant in FY23 are not be eligible in FY24.* You may access the application page [here](#). Applications cannot be saved once they are started and should be completed all at once.

Efficiency and Regionalization Grant Program

The purpose of the [Efficiency and Regionalization](#) (E&R) competitive grant program is to provide financial support for governmental entities interested in implementing regionalization and other efficiency initiatives that allow for long-term sustainability. These grants will provide funds for one-time or transition costs for municipalities, regional school districts, school districts considering forming a regional school district or regionalizing services, regional planning agencies and councils of governments interested in such projects.

The application period will run from **January 8, 2024 to noon on February 9, 2024**. You may access the application page [here](#). Applications cannot be saved once they are started and should be completed all at once.

Municipal Fiber Grant Program

The Municipal Fiber Grant program is a competitive, matching grant program to assist municipalities with the construction of municipal fiber broadband infrastructure and related projects and expenditures.

The application period will run from **March 11, 2024 to noon on April 12, 2024**. You may access the application page [here](#). Applications cannot be saved once they are started and should be completed all at once.

If you have any questions, contact Sean Cronin, Senior Deputy Commissioner of Local Services, at croninse@dor.state.ma.us.

Sincerely,



Kimberley Driscoll
Lieutenant Governor



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

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

townmanager@wnewbury.org

TO: Select Board
FROM: Angus Jennings, Town Manager
DATE: September 15, 2023
RE: Request for authorization to pursue Community Compact Best Practices grant

Following research regarding multiple platforms, the Town Accountant and I recommend going forward with new budgeting and personnel software in the following areas:

- Budgeting
- Personnel Budgeting
- Capital Budgeting
- HR / Personnel Evaluations

We are both enthusiastic in our support to proceed with ClearGov. We have an additional meeting with them next week to consider additional modules – which we have not yet had time to fully explore – regarding their Digital Budget Book, Transparency, and Strategic Planning (ClearPlans).

We are also looking into multiple potential platforms to streamline/facilitate the completion of personnel evaluations, based on a consistent timeline/format. Given the number of supervisors in the organization, and the fact that some Boards are direct supervisors of personnel, we believe it will be of great value to set up a platform with these specific capabilities. Given bandwidth issues, this may prove necessary in order to move forward with the Board's objective to see performance evaluations undertaken in a consistent and timely manner across the organization.

Community Compact grants are awarded on a rolling basis, and based on information from the State program administrators, the average grant award is \$25-35k. While Jenny and I are still refining/ fine-tuning our specific objectives for a potential grant application, we do seek the Board's authorization to proceed with a grant application at this time. Given the rolling award of grants, we expect our chances to improve if we can file a grant application sooner than later.

It is important to understand that, if we do proceed with ClearGov and an additional HR platform, this would increase costs in future budget years (since the grant would only cover onboarding and the initial year). Based on how impressed we are with the ClearGov platform and capabilities, we feel confident that Department Heads, BCCs involved with the budgeting process, the Select Board, Finance Committee, Capital Improvements Committee, and residents would see clear improvements in the budgeting processes once we are successfully onboarded. Also of importance: we fully expect these platforms to greatly improve our efficiency during the budgeting processes (i.e. require less time, esp. senior staff time, during the roughly 4-6 month operating and capital budgeting processes); and reduce the potential for human error that exists within our current Excel-based operating, personnel and capital budget methods.

Budget Cycle Management Suite

PRODUCT BRIEF

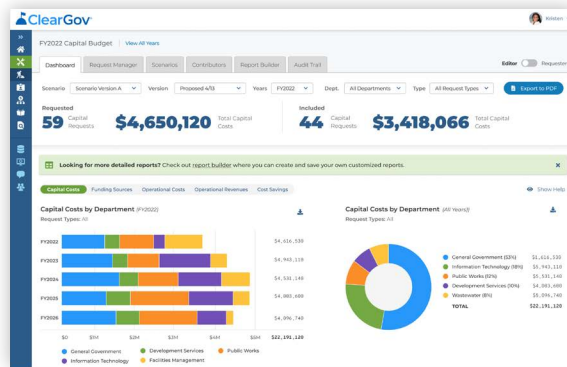
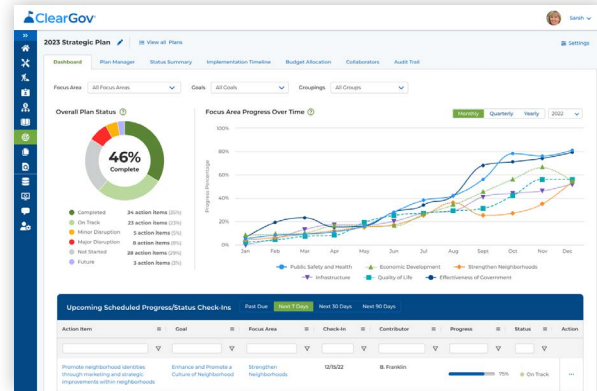


Let's face it, budgeting with spreadsheets is inefficient - it's time to budget better. ClearGov helps local governments streamline the annual budgeting process by improving the collection, creation, and communication of their budgets.

ClearPlans

Drive collaborative progress, real-time insights, and budget impact for your strategic plans.

- ✔ Plan, execute and track your strategic plan with seamless collaboration across multiple departments.
- ✔ Assign ownership, set KPIs, allocate budget, and communicate the progress in real-time.
- ✔ Transform your strategic plan into a polished website. Plans can easily be downloaded as a PDF for accessibility, and sharing.



Capital Budgeting

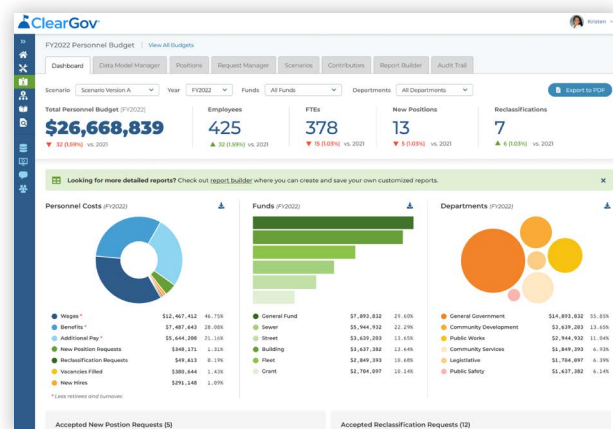
Automate the way you collect capital requests and prioritize projects to streamline your CIP process.

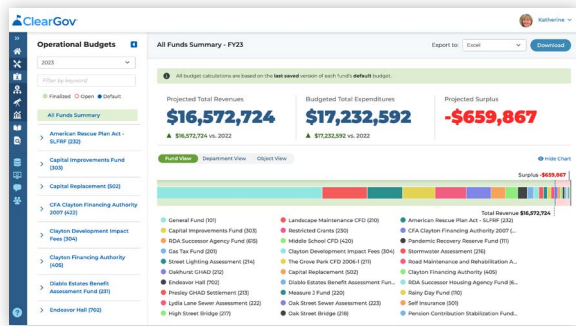
- ✔ Eliminate manual spreadsheet work with web-based request forms and scenario planning tools.
- ✔ Collaborate with contributors directly in the budget - the audit trail is automatic.
- ✔ Turn capital request data into detailed pages instantly with auto-generated graphs.

Personnel Budgeting

Build your personnel budget with powerful cloud-native tools that ensure you've calculated every layer of cost.

- ✔ Easily manage salaries, benefits, vacancies, and inform union negotiations.
- ✔ Plan future scenarios and analyze how each impacts your budget at multiple levels.
- ✔ Streamline position requests from department heads.





Operational Budgeting

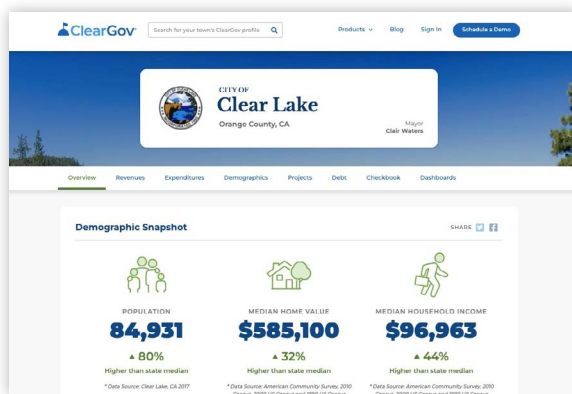
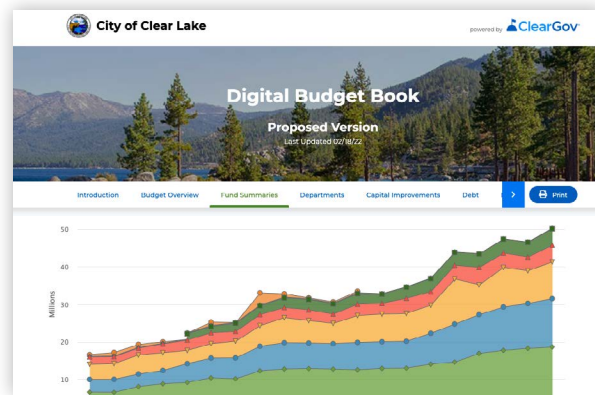
Eliminate spreadsheet errors and version control issues with cloud-native budgeting.

- ✓ Build your budget with ease as requests flow in from departments automatically for approval.
- ✓ Supports biennial budgeting, ERP export, and import data directly from Personnel and Capital budgeting.
- ✓ Collaborate with contributors as you edit line items - the audit trail is automatic.

Digital Budget Book

The industry's first website-based solution that builds a budget book in a fraction of the time.

- ✓ Automate the creation of fund summary pages, charts, tables and more.
- ✓ Invite contributors to create new pages quickly with easy-to-use templates.
- ✓ Meet GFOA award criteria with built-in guidelines.
- ✓ Share online or print with just one click.



Transparency

Tell your financial story in a way everyone can understand, and that's ADA-optimized by design.

- ✓ This turnkey, website-based solution is pre-populated with state-available data using dynamic infographics.
- ✓ Customize your profile with charts, department dashboards, project pages, and more.
- ✓ Add narrative to the numbers that help stakeholders understand your finances and performance.



"The communication with our taxpayers and citizens is much clearer, and the time my staff puts in during the budget cycle has been reduced by 100 hours over the three month process."

Amy Dent, Auditor of Christian County, MO



GET A DEMO

Created by	David Misasi
Created for	West Newbury, MA

Prepared on	Sep 7, 2023
Pricing Valid Until	Oct 31, 2023

Subscription Option #1: Full Product Suite		
One-Time Setup Fee	Tier	Quote
Setup: Includes activation, onboarding and training for ClearGov solutions	Tier 2	\$ 16,200.00
Bundle Discount: Discount for bundled ClearGov solutions	Tier 2	\$ (4,725.00)
Total ClearGov Setup Service Fee - Billed ONE-TIME		\$ 11,475.00
Subscription Services	Tier	Quote
Operational Budgeting	Tier 2	\$ 13,300.00
Personnel Budgeting	Tier 2	\$ 12,100.00
Capital Budgeting	Tier 2	\$ 9,800.00
Digital Budget Book	Tier 2	\$ 8,100.00
Transparency	Tier 2	\$ 7,300.00
ClearPlans	Tier 2	\$ 8,100.00
Bundle Discount: Discount for bundled ClearGov solutions	Tier 2	\$ (17,710.00)
Total Annual Subscription		\$ 40,990.00

Subscription Option #2: Build & Display Budget Book		
One-Time Setup Fee	Tier	Quote
Setup: Includes activation, onboarding and training for ClearGov solutions	Tier 2	\$ 10,800.00
Bundle Discount: Discount for bundled ClearGov solutions	Tier 2	\$ (3,780.00)
Total ClearGov Setup Service Fee - Billed ONE-TIME		\$ 7,020.00
Subscription Services	Tier	Quote
Operational Budgeting	Tier 2	\$ 13,300.00
Personnel Budgeting	Tier 2	\$ 12,100.00
Capital Budgeting	Tier 2	\$ 9,800.00
Digital Budget Book	Tier 2	\$ 8,100.00
Bundle Discount: Discount for bundled ClearGov solutions	Tier 2	\$ (15,155.00)
Total Annual Subscription		\$ 28,145.00

Subscription Option #3: ClearPlans Only		
One-Time Setup Fee	Tier	Quote
Setup: Includes activation, onboarding and training for ClearGov solutions	Tier 2	\$ 2,700.00
Total ClearGov Setup Service Fee - Billed ONE-TIME		\$ 2,700.00
Subscription Services	Tier	Quote
ClearPlans	Tier 2	\$ 8,100.00
Total Annual Subscription		\$ 8,100.00



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

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

townmanager@wnewbury.org

TO: Select Board

FROM: Angus Jennings, Town Manager

DATE: September 15, 2023

RE: Vacation policy / Personnel Policy

The Personnel Policy at Sec. 5.1.3 requires that vacation leave “shall be taken within 120 calendar days following the end of the fiscal year in which it is first available.”

Relevant language is also included in the policy at Sec. 5.1.1, excerpted as follows:

The Town of West Newbury believes it is healthy and important for employees to take advantage of time off work so they are encouraged to use the full vacation allowance available. As an incentive to use all vacation days, the Town has adopted a use it or lose it policy, where unused vacation days cannot be carried beyond the days specified in this policy.

The Finance Department carefully tracks all benefitted employees’ leave accruals and use, and around this time of year provides notice to Department Heads regarding employees carrying prior year vacation balances due to expire at the end of October. In 2022, the Select Board approved an extension of the deadline for prior year vacation use until December 7, 2022.

Based on some employees’ balances, the amount of time remaining before the end of October and, in some instances, the mission-critical nature of some affected positions (which we know or expect will result in it being effectively impossible for some employees to use their earned time within the 120-days), we do anticipate some number of requests for the Board to consider an extension of this timeline this fall.

At this time, I am not requesting the Board take any action on this matter. However, I wanted to raise this issue at this time, so it does not come as a surprise if/when extension requests may be brought before the Board in October. In anticipation of potential future Board consideration, we are undertaking research regarding other towns’ policies and practices regarding allowances for use of vacation time.

Personnel Policy – unrelated to Vacation Time

In coordination with the pending proposal, as set out in a proposed STM warrant article, to repeal the Personnel Bylaw, we are working to prepare potential revisions to the Personnel Policy that would incorporate some of the Bylaw language (or its intent) into the Personnel Policy. While the Bylaw, as a whole, is not reflective of the Town’s form of government – so, is unhelpful – there are aspects of the Bylaw that do have value. If draft revisions can be prepared timely for Monday night’s meeting, the Board may be asked to refer these to future public hearing at that time. (Amendments to the Personnel Policy must be posted for 10 days prior to Board action). If not ready for Sept. 18, draft amendments would be brought forward on Oct. 2 with request for referral to hearing on Oct. 16th.



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

L

James RW Blatchford,
Town Clerk

TO: Select Board
FROM: Town Clerk, Town Manager
DATE: 9/18/2023
RE: Potential future Select Board meeting dates

Looking forward past the Special Town Meeting on Monday October 23rd the Town Manager and I had discussed possible dates for future Select Board meetings with the idea of planning out toward the Annual Town Meeting assuming the date to be Monday April 29th unless the Board decides on a different date for the Annual Town Meeting. The potential schedule is as follows:

Monday Nov. 6, 2023
Monday Nov. 20, 2023
Monday Dec. 4, 2023
Monday Dec. 18, 2023
Tuesday Jan. 2, 2024 (Monday prior is New Years Day)
Tuesday Jan. 16, 2024 (Monday prior is Martin Luther King Jr. Day)
Monday Jan. 29, 2024
Monday Feb. 12, 2024
Monday Feb. 26, 2024
Monday Mar. 11, 2024
Monday Mar. 25, 2024
Monday Apr. 8, 2024
Monday Apr. 22, 2024
Monday Apr. 29, 2024 (Annual Town Meeting)



**Town of West Newbury
Select Board
Monday, August 21, 2023 @ 7:00pm
381 Main Street, Town Office Building
www.wnewbury.org
Meeting Minutes**

Open Session: Chairwoman Reed opened the session at 7:01pm.

Participation at the Meeting:

- Rick Parker, Wendy Reed, Chris Wile- Select Board
- Angus Jennings- Town Manager
- Jim Blatchford- Town Clerk
- Chris Wilde- Investment Policy Committee representative
- Arthur “Chip” Wallace- Energy and Sustainability Committee representative
- Fred Chanania- Tree Committee representative
- Rob Phillips- Finance Committee representative
- Graham Bacheller- Open Space Committee representative
- Mark Capadonna, Denise Allard – Colonial Power Group

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.
- 2023 Summer Bandstand Concert Series-Thursdays at 6:30pm- list of performers located on Town website
- Fall Special Town Meeting warrant to close on Tuesday, Sept. 5th. Proposed warrant articles due to be submitted to Town Clerk's office no later than Thursday, August 31st! Blank article request forms posted online and available on request.
- Call for volunteers! FY24 positions on Boards/Commissions/Committees. See www.wnewbury.org/volunteer
- Reminder to subscribe for emailed Town agendas/news/announcements at www.wnewbury.org/subscribe

Regular Business

- A. Public hearing to consider proposed Municipal Energy Aggregation Plan**
(See Exhibit A, p. 3-32). The Chair invited the two representatives from Colonial Power Group to address questions from the public and the Select Board. Reed asked for clarification on the Department of Public Utilities' investigation into streamlining the process of approving municipal energy aggregation. The investigation and subsequent changes to the process mean a slowdown in the process across the board. Capadonna talked to the Board about changes and behaviors of the state regulators, and what challenges it is posing to consumers and communities. Despite the challenges, **Parker motioned to endorse the Aggregation Plan including the recommendations made by the Town Counsel. Reed seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**
- B. Select Board review of Committees' charge/ function: Investment Policy Committee**
(See Exhibit B, p. 33-38). Reed reiterated the Committee had five members including Select Board and Finance Committee representatives. Reed invited Wilde to comment on the role of the IPC in investment guidance beyond their quarterly meetings. Wilde said that the Committee's activities took place three to four times of year per their charge. Wilde said that the Committee was not looking to increase oversight, but would respond to as-needed requests for guidance from the Town. Reed reminded the Committee emailing serially within a quorum is not equivalent to a meeting under Open Meeting Law guidelines. **No motion was made at this time.**
- C. Request for reappointment of Chris Wilde to Investment Policy Committee**
(See Exhibit C, p. 39). **Parker motioned to reappoint Wilde to a three-year term. Reed seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**
- D. Review of draft Solar Feasibility Study**
(See Exhibit D, p. 40-44). Wallace briefly recapped the contents of the study. Parker, given

Select Board Open Session Meeting August 21, 2023.

Minutes approved XXXX

Posted Agenda on August 18, 2023 at the Town's Offices and the Town's Official Website www.wnewbury.org

his presence on the Energy and Sustainability Committee, offered insight on the potential locations for the future solar array and how the project would benefit the Town in future. Wile noted that the Town should be aware of any restrictions (conservation or otherwise) on potential sites. The group discussed priorities for placement (i.e. so that it would be benefit public housing in West Newbury). **No motion was made at this time.**

Item G was taken out of order at this time.

Subsequently, Item L was taken out of order.

E. Review of updated draft Memorandum of Understanding with Board of Water Commissioners re use of ARPA funds for Church/Prospect water main replacement project

(See Exhibit E, p. 45-58). The updated MOU was reviewed by the Board, with Jennings stating that it had been well-received by the Board of Water Commissioners. The Select Board discussed that reconsideration of aspects of project funding might be in order, given the lessening pressure of supply chain shortages and their related costs. Under this reconsideration, rather than purchasing piping material now and contracting the labor at a later time, it might be desirable to procure contracting services and let them purchase the pipe. ARPA funds would still be used to fund the portion of the project that includes piping materials. **No motion was made at this time.**

F. Discussion of draft Water rate study and Water Distribution System Study Update ("hydraulic study")

(See Exhibit F, p. 59-70). Reed questioned why the Study had taken so long to receive, and was curious what led to increases (p. 311 of Study). A lack of summary tables was particularly frustrating to the Town Manager. Reed asked if the Town would be switching over to cubic feet as a measure of volume as most other communities use. Jennings relayed what the Water Commissioners had told him, namely, that other Towns were switching to gallons per minute since it was less confusing for consumers. Rob Phillips relayed that the Water Commissioners were in agreement that there were issues with the report. **No motion was made at this time.**

G. Discussion of proposal for follow-up evaluation of ash trees receiving inoculation against Emerald Ash Borer (EAB)

(See Exhibit G, p. 71-82). The Board had previously been supportive of an additional treatment follow-up program. Bartlett Tree Service provided an expensive quote with little room for negotiation. Jennings wanted to make sure the Board evaluated the inoculations and the cost before going forward. Fred Chanania was asked to provide clarity on the numbers put forward by Bartlett, but was unable to offer much clarity on why the fee per tree was chosen, and what made a "grouping of trees". He suggested additional expenses might have been incurred by bringing in arborists to make professional analyses. The group debated whether they should continue with the proposed analysis or go out to bid on another service. Wile pointed out that the work had to be done regardless, and that the timing was very tight. **Wile motioned to accept the proposal specifically for the follow-up evaluation of 177 trees at a cost of \$9,075. Reed seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

H. Review of proposed extension of Learning Tree lease, FY24-25

(See Exhibit H, p. 83-98). Jennings admitted that the due date for these discussions had slipped past. He suggested that a rate increase would be reasonable, because it had not been done in nearly a decade. Other commercial leases Jennings researched that had a similar profile to the Learning Tree fell between \$15.15/sq/ft and \$17.17 per sq/ft, which he felt would be an appropriate range for the Board to aim for. The Board discussed that the expense to the Town was very close to what was being taken in in rent from the business, but they wanted to know more about the expense in utilities to the Town. Reed suggested that in the coming years a separate electric meter correlated to the Tree would be of use in helping to determine rent rates. The Board determined they should keep the rate the same but establish that the Learning Tree pay utilities in the future. **Wile motioned to renew the lease of \$1,207.44/month with notice that for the subsequent renewal, utilities would no longer be paid for by the Town. Reed seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

I. Preview of known/potential articles for Fall 2023 Special Town Meeting; and review of STM timeline

(See Exhibit I, p. 99-100). The Board looked at the list of Articles:

- Reed confirmed with Phillips that the Finance Committee could evaluate an Article for the Warrant regarding the usage of CPC funds for a Conservation Restriction at a Greenbelt acquisition, despite not having the appraised value of the land to hand at the time of their evaluation.
- Inspector Sam Joslin was confirmed to have drafted a bylaw for Nonconforming Uses but Jennings told the group he was not sure where it would fall in the order of Special Town Meeting proceedings. The bylaw was under Town Counsel review, and a public hearing was occurring on September 19th.
- Parker returned to the idea of using public opinion polling system FlashVote with respect to community issues, though he personally did not yet fully support its rollout in West Newbury. Mainly he was curious on what funding requirements might be necessary to keep such a platform running.
- The Board agreed to defer to the Annual Town Meeting any Articles related to radar trailers and other issues surrounding Ash Street.
- The Board reaffirmed their support for repealing the Personnel Committee Bylaw with reinstatement/revisiting if ever necessary.
- Parker asked about the Page School 3D interior scan. Jennings explained details regarding the scan (where it was to be uploaded, the purpose, the cost) and had wanted the Board to evaluate whether there was benefit to doing the scan. Parker said that the scan would be a valuable tool to supplement the contractor's report, but wanted to know how much it would cost (Jennings confirmed it was in the hundreds of dollars to access and then maintain in per year). The group expressed concern about the potential security issues that a 3D scan available to the public might pose.
- The wrap-up for this Item closed with discussion on what date would be appropriate for a joint Select Board-Finance Committee meeting regarding warrant articles (to be alternately hosted by the Committee and Board on 9/14, 9/17, and 9/27), and proposed deadlines for Town Meeting materials. **No motion was made at this time.**

J. Discussion of timing/process for Pentucket presentation of FY25 budget to 3 Pentucket towns

The group expressed their preference for a more focused, personal meeting with the Pentucket Regional School District representatives, versus in a large group including people from Merrimac and Groveland, as had been done before. Phillips suggested a preliminary meeting among West Newbury municipal officials to present a united front when meeting with School District representatives and the Board and Manager liked this idea. **No motion was made at this time.**

K. Discussion of potential to hold land use planning event to facilitate public engagement regarding multiple ongoing major planning projects/ initiatives; or, alternatively, to hold separate events

(See Exhibit K, p. 101-102). The Board and Town Manager discussed what to include on the agenda for the planning event (such as the MBTA Communities Act housing, Route 113 safety improvements, and others as specified in Exhibit K). They also debated what a good date for the event would be (determined to be early Fall or later in the year). **No motion was made at this time.**

L. Discussion of process by which decisions are made regarding location, construction of new trails/parking on town-owned land

Jennings provided background on this Item. As Land Agent, Conservation Agent Greene needs to be allowed better control over the process of new trails and parking on Town-owned land so as not to create issues with landowners and other stakeholders- a thorny issue with many active voices in Town all eager to be helpful and execute projects, but sometimes sidestepping proper procedure. This flowed into the general understanding that better communication and protocol needed to be established in Town with respect to the development, control, and establishment of Town-owned land (with regard to permitting, mapping, fundraising, access, etc.) The group discussed historical cases where such issues posed problems (such as at Sullivans Ct.) The Select Board determined it would be good to have a meeting with the Open Space Committee to help hash these issues out. **No motion was made at this time.**

M. Discussion of potential to post semi-regular Select Board mtgs to facilitate discussions/deliberations to supplement regular meeting schedule

(See Exhibit M, p. 103). The Board debated the merits of adding a "non-agenda" meeting related to Select Board business, to supplement their standard bimonthly meetings. This idea was met with limited enthusiasm by the majority of the Board.

Phillips opined that the ways in which the Town conducted its executive activities needed to be examined to improve efficiency, leaning toward a stronger Town Manager form of government. Reed said she felt that potentially hiring a management consultant might be a good idea to examine things like the Board's Agendas, workflows, and priorities. Wile stated that the relative stability of the Town's staff and finances meant that the number of projects that could be taken on increased, which had contributed to an over-burdening of the Manager and Board. The perpetual feeling of "putting things off" was rued by the three Select Board members. Jennings told the Board about a previous experience he had working with a management consultant during his tenure in Westford, MA. When this was received with a positive Board response, Jennings promised to look into the consultant. **No motion was made at this time.**

N. Town Manager recommendations draft Select Board/Town Manager Goals/ Priorities for FY24

(See Exhibit N, p. 104-110). **No motion was made at this time.**

O. Discussion of designating Select Board liaisons to different Boards/ Commissions/ Committees

(See Exhibit O, p. 111). The Board finished assigning themselves to the BCCs. **No motion was made at this time.**

P. Meeting minutes: July 17, 2023; July 24, 2023

(See Exhibit P, p. 112-116). **Reed motioned to approve the Minutes as amended for July 17, 2024. Parker seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). Reed motioned to approve the Minutes as amended. Parker seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

Town Manager Updates

Q. Receipt of Route 113 base maps to solicit public input re corridor planning effort

(See Exhibit Q, p. 117-120). Jennings said that drafts of base maps had been received by the Town. He further explained that the idea was to get good base maps with sidewalks and crosswalks on them for the benefit of the public during events/forums with minimal extraneous information. Closing out the update on this Item, Manager Jennings relayed that West Newbury had officially submitted paperwork to the Massachusetts Department of Transportation for 25% Design Permitting. **No motion was made at this time.**

R. Update from recent check-in meetings with Gienapp Architects re Page School study

(See Exhibit S, p. 121-137). Jennings provided details on the laudable, collaborative work between the Page School and Town staff, and the architecture firm. Jennings expressed the Town felt the firm was right on target in terms of the project's scope, and that an additional contract for work on sills/lintels was being floated to move things forward. September 19th had been selected as the date for a presentation from Gienapp Architects to the Select Board. **No motion was made at this time.**

S. Recap of recent Town Clerks' meeting re anticipated Whittier Election (re MSBA project)

Sharing notes from the Assistant Clerk who had attended an initial meeting for election planning, Blatchford walked the Board through the special election for school building funding. A follow-up meeting was to take place on October 9th. The District would be reimbursing the municipality for expenses incurred running the election (but the total they could give each Town is not clear). Jennings stated he would investigate with the Whittier Technical High Business Office what the latest cost projections for the building would be, and how it would impact the Town. **No motion was made at this time.**

T. Invasives Management contract - MEPA filing and effect on schedule for contractor management of invasive species at Cherry Hill site

(See Exhibit T, p. 138-211). As a result of bureaucratic holdups and the permitting process, the work on the invasive plants would not be fully underway until later in September. Jennings stated Greene had taken on much of the work in the process in addition to her regular duties. **No motion was made at this time.**

U. Water consultant report re MBTA Communities planning initiative

The Town Manager said one thing he hoped the Town would be getting its hands on soon was a model created by Tata and Howard based on their hydraulic study, and in turn this model would enable West Newbury to do its own modeling. Reed wanted clarification on whether the Town would actually be able to use said model or if Tata and Howard would run the model for the Town. **No motion was made at this time.**

V. Updates on other ongoing/active projects/initiatives

(See Exhibit V, p. 212-250). Jennings said the off-street parking that had been requested for conservation land (Artichoke Trail) off of 28 Middle Street had been rejected.

Additionally, Jennings said the MVP Grant process was humming along, and the required signatures from State officials were hustling to be applied to fast-track the project.

No motion was made at this time.

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

Wile suggested the need to put in “No Parking” signage on Farm Ln. The installation of a new guardrail eliminated previously existing parking space on the Lane’s shoulder. Jennings said he would talk to the Highway Superintendent and check out the issue. **No motion was made at this time.**

Parker motioned to adjourn the session. Reed seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). The session adjourned at 11:00pm.

To access a video recording of the meeting, use the link below:

https://www.youtube.com/watch?v=Ut5ee_A4XEc



Town of West Newbury
Select Board
Tuesday September 5, 2023 @ 7:00pm
381 Main Street, Town Office Building
www.wnewbury.org
Meeting Minutes

Open Session: Chairwoman Reed opened the session at 7:04pm.

Participation at the Meeting:

- Rick Parker, Wendy Reed, Chris Wile- Select Board
- Angus Jennings- Town Manager
- Jim Blatchford- Town Clerk
- Jenny Walsh- Town Accountant
- Robert Janes- Water Commissioners representative
- Allison, Jamie- Apple Harvest Road Race representatives
- Dennis Unger, Phyllis Unger- Owner of 21 Maple St.

Regular Business:

A. Request to recognize Pregnancy and Infant Loss Remembrance Day, Oct. 15th

See Exhibit A, p. 17-22. Reed explained the purpose of the commemoration (accompanied by a display of blue and pink lights on public buildings). Jennings briefed the Board on what the Town could do, within reason, to meet the lighting requirements. He said they had reached out to Pentucket to see what they could do with respect to illuminating the school buildings, and also stated that promotional posts could be put up on social media. Following the brief back and forth, Jennings clarified the next steps: that the Select Board could vote to recognize the Day, and the Town would execute an appropriate tribute with existing infrastructure. **Parker motioned to recognize the Remembrance Day. Reed seconded.** The Board continued discussion. Parker inquired whether the recognition should be recurring, and Reed said she preferred revisiting the holiday each year. **Parker amended his motion to state they would recognize the Remembrance Day on October 15th, 2023, and reconsider next year.** Wile suggested developing a list of criteria a policy for displays on Town property. Reed suggested Wile be charge of developing this policy. **The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

B. Requests for Special Event Permits:

a. Apple Harvest Road Race – Oct. 15, 2023 from 8am to 3pm

See Exhibit Ba, p. 23-28. With new maps in hand, the Board was curious about whether alcohol would be served. The Clerk stated that at the time of the meeting it would not be provided during the event. A member of the Apple Harvest team testified to this. The discussion concluded with who the Apple Harvest representatives needed to speak with to get signage at certain Town properties, confirmation of police details, and whether or not a certificate of insurance was on its way to the Board. Parker and Reed encouraged the representatives to provide the documents in future as if it was a “brand new” event and the Board “knew nothing” so that all details would be covered from the get-go in the initial application. **Wile motioned to approve the event contingent upon the organizers getting permission to put in signage, further information on police details, and receipt at Town Offices of proof of insurance. Reed seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

b. Myopia Hunt Club fox hunts, Oct. 14 2:30 to 4:30, Oct. 31 10am to 12pm, Nov. 11 1 to 3pm

See Exhibit Bb, p. 29-40. The event applications covered a trio of dates for the Board to review. The Board established that the certificate of insurance Myopia Hunt Club provided covered all of these events. Reed got clarification that the volunteer crossing guards provided by the Club were acceptable to the West Newbury Police Department, and if it opened the Town to any insurance liability. Jennings told them the Department had been agreeable. Parker requested an improved route map as he had in previous years. The Board hoped for a similar approach they had suggested to Apple Harvest- brand new materials and maps for each year. **Reed motioned to approve the permit contingent on map submittals and signatures. Parker seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

C. Public Hearing regarding Short Term Rental application, 12 Maple St.

See Exhibit C, p. 41. The application had made for a nuanced ongoing issue, and the Select Board meeting gave the applicants a chance to speak to the Board directly. The Building Inspector had made it known that the proposed use was unacceptable under local ordinances. Jennings and Reed then explained their reasoning for not sending out abutter’s notices which would have encouraged neighbors to speak during the meeting, though Wile felt that this had not been the best course of action. Jennings

and Reed also reiterated the purpose of having the hearing despite the previous judgement made by the Inspector. Dennis Unger then testified to the Board, providing documentation from prior court cases, and a history of the property and its infrastructure. He highlighted the environmental friendliness of his proposed construction, and the proposed usage of the property as a “five star” AirBnB. Wile suggested returning to the issue following the upcoming Fall Town Meeting and its legislation related Accessory Dwelling Units (and potential abolition of the Short Term Rental Bylaw). The proposed Town Meeting Article would clarify vague language and allow for a 900 sq.ft. building: with the anticipated Town Meeting action, the restrictions on zoning that plagued the Unger project would be eliminated. The Board and the Ungers went back and forth on the next course of action- Reed pointing out that the application was framed in the context of the possibly soon-to-be-defunct Short Term Rental Bylaw. Reed presented options to the room: 1. Deny the application based on the Inspector’s opinion 2. Approve the proposal contingent on occupancy and septic permits, or 3. Defer the application to a future meeting. The Ungers hoped the Board would select option 2. The Select Board debated extensively, largely framing their decision on what would happen if the Short Term Rental Bylaw would be eliminated. **Wile motioned to continue the Item at the next meeting in order to prepare a written draft of the options for the Ungers. Reed seconded.** Parker stated that he felt pushing the discussion to the next meeting would not bring the needed clarity- only after Fall Town Meeting would things be clearer. **The original motion failed. (1 Yes, Reed and Parker No, 0 Abstain). Parker motioned to return to the Item at the first Board meeting after Special Town Meeting. Reed seconded. The motion passed. (2 Yes, Wile No, 0 Abstain).**

D. Select Board review of Committees’ charge/function: Finance Committee

See Exhibit D, p. 42-43. Reed asked Wile if the Committee had discussed the charge/function, and he reported he thought they had. Parker said he thought that the materials were excellent. Reed thought the collaborative direction trending between the Select Board and the Finance Committee was ideal. **No motion was made at this time.**

E. Receipt of draft Weston & Sampson report regarding potential water testing at 31 Dole Pl.

See Exhibit E, p. 44-60. Reed stated she wanted to establish whether the community should continue to utilize the “six foot benchmark” for potential flooding of the site in the future, which would render it useless to the Town. She intimated that Weston & Sampson needed guidance from the Town on whether that metric was being maintained in order to best chart a course for their future work (or whether it would make sense to continue doing work). The Board discussed Newburyport’s approach to flood preparation based on their careful research and their metric (100-year flood level plus six feet). The Board aired their hope that a representative from Weston & Sampson would attend a Board meeting to help guide the Board’s analysis. Parker stated that the Town should proceed conservatively, keeping in mind the cost of the project (\$20,000,000) and the Town’s potential dependency on the water source, a source which could become unviable in the future. Given the pitfalls, Bob Janes offered his opinion that other sites in Town the Water Commissioners were engaged with might be better sites. Reed asked Jennings what the appropriate course of action would be with respect to Weston & Sampson- if the consultants desired feedback or other materials from the Select Board. Jennings told the Board they would need to “own” their decision with regard to the “six foot benchmark”, so that an appropriate course could be charted with Weston & Sampson such as a revised scope or consideration of other sites for wellfields. The Board agreed to schedule a meeting for future with Weston & Sampson and the Water Commissioners. **No motion was made at this time.**

F. Vote to close Warrant for Fall Special Town Meeting

See Exhibit F, p. 60. Parker motioned to close the Warrant. Reed seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).

G. Review of requests for Warrant Articles for Fall Special Town Meeting, and determination of which Articles to include on Special Town Meeting Warrant

Reed suggested that prior to determining what to approve for inclusion, parameters should be established for the process, since tradition usually meant the inclusion of emergency funding items. Wile stated he was in favor of bringing anything to the Fall Special Town Meeting. The Board then turned to the proposed Warrant. Reed had no items she wanted to withdraw, neither did Wile. Parker did not opine. Jennings jumped in and asked the Board to weigh in on Article 11- the replacement of flooring in the Town Offices Annex- and whether it was appropriate to pursue the funding at Special Town Meeting (versus Annual). Blatchford suggested it might be wise to take into consideration all of the shortcomings of the Annex into one Article for a future date, versus pursuing just the flooring at STM. The group decided to discuss the matter with the Finance Committee. Wile then raised concerns about Articles 26-28 on certification stipends which he thought should be included as part of the job-holder’s background. Blatchford explained, with respect to Town Clerk’s certifications, that certain certifications would not be available without clerking experience (a situation similar to those for other municipal roles). Jennings stated he brought the three Articles forward to codify what the Town was already doing- when hired many positions had incentives to get certification in their fields. **Wile motioned to accept all the Warrant Articles as presented except for Article 11 which would be removed. Reed seconded. The**

motion unanimously passed. (3 Yes, 0 No, 0 Abstain). The Board and Manager wrapped the discussion by conversing about joint Finance Committee-Select Board meetings to review the Articles. The first of such meetings would take place on September 14th. The Board and Manager also touched on the purpose of Article 12, which proposes to solve a drainage problem from private land impacting public and private land. At present, the stormwater causes a public safety issue and nuisance to homeowners. The Board expressed their reservations on funding private land improvements/studies, but also agreed on the potential necessity of addressing the flooding. Parker described it as a “Pandora’s Box” to open. Homeowners on Zoom testified to the problems in their neighborhood, and hoped that MassDOT would be pulled in to help by the Town. **No motion was made at this time.**

H. Consideration of draft Elliot Fund form of application (continued from July 24)

See Exhibit H, p. 61-64.

Wile and Reed discussed edits that had been made to the application. Wile requested that the sentence stating the borrower would repay funds be underlined or bolded. Parker suggested assorted grammatical changes. **Wile motioned to approve the application. Parker seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).**

Items J-P were taken out of order at this time. Subsequent to Item P, the Board return to Item I.

I. Town manager recommendations re draft Select Board/Town Manager Goals and Priorities for FY24

Jennings walked the Board through his matrix, focusing on a handful of items. He underlined the importance of interdepartmental working groups to enhance efficiency, though he admitted there is still much work to be done. Jennings said wanted to assign more internal project managers, and establish better clarity on staff support roles for Boards, Committees, and Commissions to provide regular assistance to them. Jennings also reiterated his hope that the Town could finish the “projects” portion of the Town webpage, and complete the reorganization of Town computer servers. He lauded the Select Board’s liaising with Town BCCs. The discussion continued, touching on other priorities on the matrix (DPW restructuring, meeting packets, Town Manager’s time constraints). Reed asked if the Manager’s priorities (in his opinion) matched up with the Board’s, and he tentatively agreed. **No motion was made at this time.**

J. Meeting Minutes: August 7, 2023

See Exhibit J, p. 65-68. Reed motioned to approve the Minutes as amended. Parker seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain).

Town Manager Updates

K. Discussion of draft water rate study

See Exhibit K, p. 69-81. This portion of the meeting begins at 2 hours 20 minutes in West Newbury Cable recording. Jennings stated he had ideas on how the study could be improved. He had hoped it would dig into policy questions underlying the rate structure, for example, the threshold for very high conservation rate. The rates were not employed in hypothetical contexts about usage and revenues at differing levels. The hope had been that the study would be able to prompt Board of Water Commissioner examination of how the Commissioners set their rates. The study did not do this, and was also imbued with other flaws (such as incorrect numbers and others which were supplied without citation). Reed, Parker, and Wile offered their own critiques of the numbers and the study’s content and lack of answers to pressing questions (Reed citing the arbitrary number set as the rate used in the study, a sentiment Wile echoed. Parker looking at Table 1 was curious about the imposition of a semi-annual base charge and what it would accomplish, and had the same curiosity about the gallonage rate. Parker wondered if a fixed based rate would pay for the operation of the system, and a variable rate on gallonage cover additional expenses in an effort to keep the budget as stable as possible). Reed asked if the Water Commissioners were going to accept the finished product, to which Jennings responded that he hoped Manager and Board comments would be taken into account as part of a revised study by the contractor prior to the subcontractor being paid for the work. **No motion was made at this time.**

L. Update from recent meeting with Mayor Reardon and Newburyport personnel re water projects

At a prior Monday meeting attended by Rick Parker, Mark Marlowe, Jennings, and infrastructure/government officials from Newburyport the group discussed numerous topics. Among them was the pipeline project and the need for a public presentation on the endeavor. Jennings admitted he felt it would be hard to get the City’s attention on issues due to the fragmented nature of their operations. Parker suggested to pick one or two priorities to push the City on with regard to water projects. The group discussed the distribution of a memo from Ivria Glass-Fried, Special Counsel, on water issues pertinent to West Newbury. **No motion was made at this time.**

M. Hazard Mitigation Plan, process update

See Exhibit M, p. 82. No motion was made at this time.

N. Notice of Free Cash and Water Retained Earnings certification by MassDOR

See Exhibit N, p. 83-88. Jennings wondered aloud if the accumulation of Free Cash was so substantial

if it ought to be put toward tax relief at some juncture. **No motion was made at this time.**

O. Town Planner Report, September

See Exhibit O, p. 89-90. No motion was made at this time.

P. Updates on other ongoing/active projects and initiatives

See Exhibit P, p. 91-105. The group looked at a notice received from Pentucket that they had over-borrowed (as a result of conscious choices in prior years). Jennings said he had been told but wanted to confirm that this resulted in the Town being able to expend this fund on other Page School capital projects without further appropriation. Reed suggested putting the funds toward a need that had already been identified- Jennings agreeing. Some ideas included the Page School HVAC upgrade. Next, Jennings brought up an email sent to the Town and several other communities from Colonial Power Group, with whom West Newbury is working on municipal energy aggregation. The email lays out the objections (see p. 92-93) CPG has to new approaches from the Department of Public Utilities, and encourages West Newbury government officials to attend meetings to address the Group's concerns and search for alternatives. Jennings said he would not be attending the meeting. Jennings stated he would plan to attend an information session on the Bipartisan Infrastructure Law (see p. 94-105) since it could be potentially relevant to West Newbury. Parker was curious if anything in the Law/session would be relevant to the fight to repair West Newbury's bridges. **No motion was made at this time.**

Q. Follow up on meeting assignments; place items for future agendas

No motion was made at this time.

Parker motioned to adjourn the session. Wile seconded. The motion unanimously passed. (3 Yes, 0 No, 0 Abstain). The session adjourned at 11:00pm.

To access a video recording of the meeting, use the link below:

<https://www.youtube.com/watch?v=FULHFoYUfik>



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

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

townmanager@wnewbury.org

TO: Select Board
 FROM: Angus Jennings, Town Manager
 DATE: September 15, 2023
 RE: Paving contract

In late August, following a procurement process (#2024-DPW-001), we awarded the paving contract to Brox Industries, Inc., based in Dracut. The total amount of the contract is for \$626,450, payable from Ch. 90 funds.

The original scope of paving included River Road. Prior to awarding the contract, in light of the recent award of the MVP Action Grant and associated planning ahead related to this location, we revised the scope to exclude River Road. If, for instance, the MVP work were to result in recommendations for, say, increased culvert sizes, it did not make sense to pave the road at this time.

The revised scope for paving in the upcoming cycle includes:

- Crane Neck Street – from Main Street to River Road
- Merrill Street
- Bachelor Street – from #43 to 600' north of Meetinghouse Hill Road
- Hickory Lane
- Coffin Street
- Town Hall parking

All locations, other than Coffin Street and the Town Hall parking lot, had been previously approved by MassDOT for payment from Ch. 90 funds. More recently, Katelyn Bradstreet led the work to file updated paperwork with MassDOT and, on September 12th, secured MassDOT approval to include these locations. Butch is working with Brox to review the project scope in the field, and to get a prep and paving schedule set up. It is anticipated that prep work will take place this fall, with paving to begin next spring.

The contract with Brox is for a term of 1 year, with options for up to two additional 1-year extensions. This would allow the Town to proceed with additional paving work, beyond the present scope, subject to funding availability and satisfaction with the vendor's work.