



Town of West Newbury
Board of Selectmen
Tuesday, October 15, 2019 @ 6pm
381 Main Street, Town Office Building
www.wnewbury.org

RECEIVED
TOWN CLERK
WEST NEWBURY, MA
2019 OCT 10 PM 4:57

AGENDA

Executive Session: 6pm in the Town Manager's Office

- ❖ MGL Ch. 30A §21(a) 2: To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel (*personnel updates*);
- ❖ MGL Ch. 30A §21(a) 6: To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (*River Road Conservation Restriction; Brown Spring Farm updates; Middle Street property*);
- ❖ 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 (*consultation with Town Counsel*).

Open Session: 7pm in the First Floor Hearing Room

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet.
- Bicentennial Closing Ceremony: Sunday, October 20, 1-4:30 PM, Training Field
- Sale of historic, decorative Chairs at Town Hall, Saturday, November 2, 10am to 2pm
- Special Town Meeting, Monday, November 4, 2019 at 7pm
- A Capella Night! Northeastern's Nor'easters. Saturday, November 23 at 7 PM, Pentucket High School
- MassDPU approval of National Grid request to increase electric base distribution rates
- Opportunities for FY20 Committee appointments posted online at <https://www.wnewbury.org/board-selectmen/pages/2019-20-volunteer-opportunities>

Regular Business

- A. Discussion of Halloween 2019 and trick-or-treating guidelines including BOH updates regarding EEE
- B. Request for release of performance guarantee, off-site paving related to Sullivan's Court. *Thomas Neve*
- C. Review of proposed warrant articles for Special Town Meeting
 - a. Proposed CPC articles: Kitchen and Bath Modernization at West Newbury Housing Authority properties (Hills Court, Boynton Court) – *Tracy Watson, WNHA Executive Director*
- D. **7:30 PM** Joint meeting with the Town Moderator, Finance Committee, Town Counsel and Town Manager to review the 2019 Fall Town Warrant and Meeting set for November 4, 2019
- E. Announcement of upcoming vacancy on Parks & Recreation Commission; method of appointment of Interim Commissioner
- F. Vote to establish West Newbury Tree Committee Gift Account pursuant to MGL c.44 s.53A
- G. Request for authorization to submit grant application – *Tree Committee*
- H. Consider support letters for proposed legislation
- I. Execution of Conservation Restriction for Drake's Landing development
- J. Vote to sign warrant for Special Town Meeting on November 4, 2019
- K. Disclosure of appearance of conflict of interest
- L. Meeting minutes: September 30, 2019; September 23, 2019.

Town Manager Updates

- M. Stormwater (MS4) Year 1 Annual Report submitted to EPA and MassDEP on Sept. 30, 2019
- N. Update on Harbor Committee vendor contract to study potential to establish mooring field
- O. Update on proposed Reserve Fund Transfers
- P. Update on Middle/High School design process, anticipated permitting timelines, neighborhood meeting
- Q. Update on revisions to Building Inspector job description; job posting
- R. Execution of grant for Phase 2 of Historical Commission property survey
- S. Active project updates; Follow up meeting assignments; and Placing items for future agendas



Town of West Newbury Massachusetts

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[Home](#) > West Newbury Community Preservation Committee

West Newbury Community Preservation Committee

Public Informational Hearing on Thursday, October 17, 2019, at 8:00 PM

The West Newbury Community Preservation Committee (CPC) will hold a Public Informational Hearing on Thursday, October 17, 2019, at 8:00 PM in the First Floor Hearing Room, Town Office Building, 381 Main Street, West Newbury, MA.

The Public Hearing is held pursuant to M.G.L. Chapter 44B, Community Preservation Act, Section 5.b.(1), regarding the needs, possibilities and resources of the Town relative to the Act in the areas of Community Housing, Historic Preservation, and Open Space and Recreation. Application Forms and Guidelines will be available.

The public is welcome to attend!

Prior to the Public Hearing, beginning at 7:30 PM, the CPC will continue discussion and review of the Application for Funding for the Soldiers and Sailors Memorial Building (Carr Post). The Application is posted on the Community Preservation Committee webpage at <https://www.wnewbury.org/community-preservation-committee>

Source URL: <https://www.wnewbury.org/home/news/west-newbury-community-preservation-committee>



Town of
West Newbury
Massachusetts

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[Home](#) > West Newbury Bicentennial Closing Ceremony

West Newbury Bicentennial Closing Ceremony

Sunday, October 20th from 1:30 to 4 PM, Training Field



You are cordially invited to attend the

West Newbury Bicentennial Closing Ceremony

Sponsored by The West Newbury Bicentennial Committee

in collaboration with the

West Newbury Garden Club and

Historic District Commission

Sunday afternoon, October 20, 2019

West Newbury Training Field

1:30 to 4:00

- Town and Page School Time Capsule Ceremony
- West Newbury Garden Club Tree Dedication
- Reception following the ceremony at “Old” Town Hall (Directly across from the Training Field)

Please join us for

Cider and doughnuts from Long Hill Farm

and

Memories of West Newbury Bicentennial Slide Show.

Source URL: <https://www.wnewbury.org/home/news/west-newbury-bicentennial-closing-ceremony>



Town of West Newbury Massachusetts

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[Home](#) > Bicentennial Time Capsule

Bicentennial Time Capsule

Call for ideas!



The West Newbury Bicentennial Committee Wants Your Ideas!

At our closing ceremony on Oct. 20th (1:30-4pm on the Training Field) the Bicentennial Committee will bury two time capsules – one from the students at Page School and another from all of the citizens of West Newbury. What should we put in the time capsule? Items must be small to fit in the capsule.

Please respond to [**wnbirthday@wnewbury.org**](mailto:wnbirthday@wnewbury.org)!

And please act soon... time is of the essence!

Source URL: <https://www.wnewbury.org/home/news/bicentennial-time-capsule>



Town of West Newbury Massachusetts

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[Home](#) > Own a Piece of West Newbury History!

Own a Piece of West Newbury History!

Information regarding sale of Chairs: Residents Only on November 2



The West Newbury Historical Commission is selling approximately 100 2-seater and 7 4-seater solid maple Heywood Wakefield chair sets, used in Town Hall since 1923, now declared surplus by the Town. For more details, including how Dr. John C. Page precipitated the chairs' purchase, current market prices, and more, click [here](#).

When: November 2, 2019, 10 a.m.-2 p.m. for West Newbury residents only (1 chair set per household), and then if leftovers, November 9, 2019, 10 a.m.-2 p.m. for all comers.

Where: Old Town Hall, 491 Main St., West Newbury, MA

Price: \$50 for 2-seater sets; \$100 for 4-seater sets (these are sold on Etsy, eBay, Chairish, and other sites for porches, mudrooms, etc. for much, much more)

Terms: CHECKS MADE OUT TO TOWN OF WEST NEWBURY ONLY — no cash, no credit cards; sold as is, with all sales final

Source URL: <https://www.wnewbury.org/home/news/own-piece-west-newbury-history>

Town Manager

From: Municipal Room North Andover and Malden <MunicRmNAndMalden@nationalgrid.com>
Sent: Friday, October 4, 2019 12:21 PM
Subject: Electric Rate Increase Effective Nov. 1st



MA Electric Rate Case Order Announced

The Massachusetts DPU has approved National Grid's request to update our electric base distribution rates for the first time since 2016.

Please note the following background information & FAQs:

Background

- National Grid continues its commitment to connect customers with their energy needs today while leading in the creation of a 21st century electric distribution network for tomorrow. This requires constant investment in the infrastructure and resources it takes to move energy from where it's generated to our customers' doors – everything from poles to wires to the trained and qualified crews who maintain the network during blue skies and storms.
- We recover the cost of doing business through distribution rates. The “base distribution” rates that we charge customers – located in the “Delivery Services” section of the bill - have been static since 2016. These are based on the company's costs incurred during 2014/2015, despite a rise in the cost of doing business since that time.
- In November 2018, we filed a rate case with the MA Department of Public Utilities (MA DPU). The MA DPU reviewed our proposal for 10 months before issuing their decision this week.
- The new distribution rates, which go into effect November 1st, will have only a modest impact on bills. These rates will also allow for investment in clean energy technologies, improvements in infrastructure resiliency, clean energy technologies, service reliability and quality. The company will be calculating more exact bill impacts and communicating this information once determined; however, we currently estimate that the typical residential electric customer will see an average bill increase of approximately 2 percent.
- The DPU's order also includes approval of paths for future investments in both energy storage and electric vehicle charging infrastructure.
- The rates just approved are effective until September 30, 2024, helping create more bill predictability.

Frequently Asked Questions

Q. Why did National Grid seek approval to raise base electric distribution rates?

National Grid recognizes the challenges our customers face affording their electric bills. There's never a good time to raise rates. The company had not sought an increase to cover the costs of running our business -- operating and maintaining our electric system -- since 2015. Since that time, the actual costs of providing service to customers have increased. New electric base distribution rates will better reflect the cost of providing safe and reliable service to each of the 172 communities we serve.

Q. What are the bill impacts?

We currently estimate that the typical residential electric customer will see an average bill increase of approximately 2 percent, however, we will be calculating and communicating the exact bill impacts once determined.

Q. When will these new prices take effect?

Nov. 1, 2019

Q. What are some of the key components from the rate decision?

In addition to the adjustments to delivery charges, which reflect the increases in investments in our electric distribution system, operation and maintenance costs, property taxes, storm response activities, and other factors, the department approved proposals that will help accelerate the development of electric vehicle infrastructure and expressed support of National Grid's energy storage demonstration projects.

Q. Why did National Grid ask for this?

By law, we recover the cost of doing business through distribution rates. We had not sought an increase to cover the costs of operating and maintaining our electric system since 2015, and the current rates in effect are based on 2014/2015 costs. These rates are regulated by the Massachusetts Department of Public Utilities (DPU). The DPU closely reviews the company's expenditures and determines what costs are fair and reasonable to include in rates.

Q. What is covered within "base distribution" rates? What falls outside of "base distribution" rates?

The company's base distribution rates recover our costs of distributing electricity to our customers, including the opportunity to earn a reasonable return on our shareholders' investment in the company's business. These rates are determined by our regulator, the MA DPU. Simply put, base distribution rates recover the company's costs for constructing, owning, operating, and maintaining the electric distribution system and the related systems and personnel that are necessary to continue delivering safe and reliable service to customers. The company has other mechanisms for recovering certain types of costs outside of base distribution rates such as bill assistance provided to our income eligible customers, pension and post-retirement benefit costs, costs of its energy efficiency program, and costs associated with long term renewable generation contracts.

Q. How will your "Performance-Based Ratemaking (PBR) Mechanism" deliver customer benefits?

This mechanism will adjust revenue each year based upon a formula driven, in part, by the rate of inflation. Rates will be adjusted based upon a "revenue cap" formula. In addition, a 5-year "stay-out" provision was approved. This means the company has agreed not to reset base distribution rates for 5 years, which provides predictability for customers in what National Grid will charge for distribution service.

Q. Are there any benefits or help you provide to low income customers?

National Grid offers a variety of assistance to customers having difficulty paying their energy bills. The majority of our low-income customers will see bill decreases since the department approved an increase in the low-income *discount* from 29 percent to 32 percent. National Grid also administers a payment plan through which portions of past due balances may be forgiven if the customer stays current. The company also offers extensive energy efficiency programs to help customers reduce their energy use, thereby lowering the amount they are billed. [Visit ngrid.com/billhelp](http://www.ngrid.com/billhelp).

Q. Doesn't my electric bill already change twice a year. Is that the same thing?

This rate update is for electric *distribution* rates which are different and separate from electric *supply* rates (shown in the "Supply Services" section of electric bills.) For residential and small business customers, the rates for electric supply, referred to as "Basic Service" rates, are adjusted twice a year, and four times a year for medium and large business customers, when National Grid procures energy on our customers' behalves. Power supply – aka electricity supply – rates are market-based and customers are charged only what National Grid pays to procure that supply on behalf of customers.

If you have any questions please feel free to reach out to us.

Thank you,

MA North Jurisdiction Team

This e-mail, and any attachments are strictly confidential and intended for the addressee(s) only. The content may also contain legal, professional or other privileged information. If you are not the intended recipient, please notify the sender immediately and then delete the e-mail and any attachments. You should not disclose, copy or take any action in reliance on this transmission.

You may report the matter by contacting us via our [UK Contacts Page](#) or our [US Contacts Page](#) (accessed by clicking on the appropriate link)

Please ensure you have adequate virus protection before you open or detach any documents from this transmission. National Grid plc and its affiliates do not accept any liability for viruses. An e-mail reply to this address may be subject to monitoring for operational reasons or lawful business practices.

For the registered information on the UK operating companies within the National Grid group please use the attached link: <https://www.nationalgrid.com/group/about-us/corporate-registrations>

Town Manager

From: Paul Sevigny
Sent: Thursday, October 10, 2019 3:06 PM
To: Town Manager

Cc: [REDACTED]

Subject: [REDACTED]

The MA DPH still has West Newbury at a moderate risk for contracting EEE. This risk level will remain until after the first hard freeze. Based on the long range weather forecast, it does not appear that West Newbury will experience a hard freeze before Halloween. Residents need to continue to practice personal protective measures to avoid mosquito exposure now and in the future years to come. Practicing protective measures for mosquitos is no different than protecting ourselves from other public health concerns, such as, frost bite, sunburns, heat-stroke, dehydration, tick borne disease, etc.

The hours of Trick or Treat are being left up to each community to decide. There will always be a risk in West Newbury for contracting EEE. The temperature and time of year plays a role in the number of mosquitoes being present. Mosquito activities greatly decreases with temperatures below 55 degrees F. With that said, I would wait until we get closer to Halloween before setting a time.

Again, the most important message to residents and the community is that EEE is here and we need to practice protective measures to avoid mosquito bites.

Paul Sevigny, Health Agent
Town of West Newbury
381 Main Street
West Newbury, MA 01985
978-363-1100, x119

Town Manager

From: Town Manager
Sent: Monday, September 30, 2019 3:33 PM
To: David Archibald; Glenn Kemper; Rick Parker
Cc: Michael McCarron; dpwdirector@wnewbury.org
Subject: Sullivan's Court - complete bond release package - 9-30-19
Attachments: Sullivans Court - complete bond release package - 9-30-19.pdf

The Sullivan's Court developer Tom Neve has requested a release of bond the Board is holding for repaving a portion of Whetstone Street. He only submitted the letter today, but has asked that the Board consider voting to add this to tonight's agenda to approve release of the bond.

This work was completed last week and DPW inspected and has approved the work, as documented in the attached packet. There was a last-minute near-snafu early last week when the developer asserted that the paved width was to be 16', but we documented that the original approval was for 18', notified the developer, and the work as completed did satisfy this condition of the Street Opening Permit approved by the Board in 2015.

If the Board is comfortable voting to add this to tonight's agenda, I am prepared to recommend release of the full amount. The initial amount of the bond was \$30,000 and the balance as of today is \$30,123.87.

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

September 30, 2019
Board of Selectmen
Town Hall
West Newbury, MA 01985

RECEIVED
SEP 30 2019
TOWN MANAGER
TOWN OF WEST NEWBURY

Re: Sullivans Court Improvements by Walker Development

Dear Board Members,

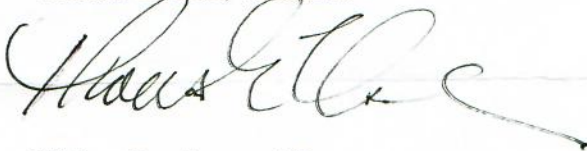
In conjunction with the building of a new subdivision and the extension of Sullivans Court Walker Development pledged to make certain improvements in the form of water extensions and pavement overlay to connect to a new subdivision. A cash bond was posted with the Town under the direction of the Board of Selectmen. The DPW supervised all work and all work has been satisfactorily completed.

At this time, I request the Board release all bond money. Please remit a check to Walker Development Corporation, Thomas E. Neve president, 7 Sullivans Court, West Newbury, MA 01985 at your earliest convenience.

I thank you, in advance, for your anticipated cooperation in this matter.

Sincerely,

Thomas E. Neve, President



Walker Development Corp.

Town Manager

From: DPW Director
Sent: Friday, September 27, 2019 5:31 PM
To: Thomas Neve
Cc: Leah Zambarnardi; Town Manager
Subject: RE: Sullivan's Court

Tom,
I think you have to put your request in writing to the Board of Selectmen.

FYI – DPW has approved the work on the street and will recommend approval from the selectmen.

Wayne

From: [REDACTED]
Sent: Wednesday, September 25, 2019 2:42 PM
To: Leah Zambarnardi <lzambarnardi@wnewbury.org>; DPW Director <dpwdirector@wnewbury.org>
Subject: Sullivan's Court

Good afternoon Wayne,
The work on the public way portion of Sullivan's Court is complete. Kindly ask the Board of Selectmen to release my cash bond at their earliest convenience. Please let me know if you have any questions or concerns. Thank you Tom Neve

STREET OPENING PERMIT

Permit No.: 2015-02

Date: June 29, 2015

The Board of Selectmen grants permission to install a new construction of Sullivans Court and Sullivans Court Extension. Constructing a Public Way including all utilities and also installing new water line, drain lines, and re-hab road including resurfacing on existing Sullivans Court and Whetstone St. intersection. See definitive subdivision decision and plans C-4 and DPW-1 Attached. See the attached plan. Said work to be done within one year from date of this permit in accordance with the Bylaw governing such work to the following conditions:

1. Application and Plan to become a part of Permit.
2. Application, permit and new plan to be in the possession of contractor at the site at time of construction.
3. List all underground utility services and show location on plan.
4. This permit does not provide authorization for the removal of trees.
5. Dig out and gravel new improved section of Sullivans Court as to Planning Board's conditions.
6. Install drainage to Planning Board's conditions.
7. Pave new improved section and up-grade rest of Sullivans Court and Whetstone Street to Planning Board's conditions, **EXCEPT: pave Sullivan's Court 18 Ft. wide.**
8. Widen Whetstone St. 2 Ft. by 100 Ft. location to be set in Field.
9. **Call DPW Director Gary Bill when doing work in Right-of-Way: 978-490-0146**

WATER: See page 2.

BOARD OF SELECTMEN

Glenn A. Kemper, Chairman

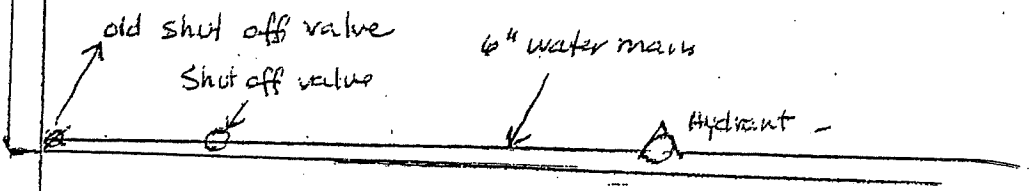
Joseph Anderson

David Archibald

I hereby certify that I will
adhere to the above conditions:

cc: Building Inspector, Highway Superintendent, Water Superintendent

WHEATSTONE STREET



SULLIVAN'S COURT

* WATER LINE IS OFF THE EDGE OF ROAD ON SULLIVAN'S COURT,

Superintendent of Streets
OKAY - Michael Foster
Water Department Superintendent

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

STREET OPENING PERMIT

Permit No.: 2015-01

Date: June 29, 2015

The Board of Selectmen grants permission to install a new driveway at 7 Sullivans Court, West Newbury, Mass., as shown on the attached plan. Said work to be done within one year from date of this permit in accordance with the Bylaw governing such work to the following conditions:

1. Application and Plan to become a part of Permit.
2. Application, permit and new plan to be in the possession of contractor at the site at time of construction.
3. List all underground utility services and show location on plan.
4. This permit does not provide authorization for the removal of trees.
5. Dig out and gravel with processed material as to subdivision plan.
6. Install culverts to plan
7. Pave driveway portion that is in the Town's Right-of-Way.
8. **Notify Gary Bill, DPW Director, when work is to start. (Gary's cell #: 978-490-0146)**

WATER: OK. Michael Gootee

BOARD OF SELECTMEN

Glenn A. Kemper, Chairman

Joseph Anderson

David Archibald

I hereby certify that I will
adhere to the above conditions:

cc: Building Inspector, Highway Superintendent, Water Superintendent

ager being paid
 issue from the
 put in place.
 Agreement.

and Mr. McCarron's letter should request the Capital plans; they should also provide all the schools' maintenance plan. It should be very specific. Mr. Anderson said that they should utilize the income from Children's Castle rent to keep-up the maintenance of the building. Mr. Bertino said all the income from the rent goes into the General Fund.

VII. Street Opening Permit for Sullivans Court and Whetstone St. improvements

The street was measured 18', not 16' as the Planning Board had indicated. Mr. Bill wants the street to be straightened-out. On Sullivans Ct. the inside corner is not going to be changed as discussed at an earlier meeting. Mr. Anderson made a motion to approve the Street Opening Permit for Sullivans Ct. and Sullivans Ct. Extension. The fee will be \$300.00 with a bond of \$30,000. Mr. Archibald seconded the motion, Approved, 3-0-0.

Mr. Kemper said that the Selectmen would like more communication with the Planning Board on subdivisions, and when a street is being designed. The Planning Board needs to discuss changes with the Selectmen; the Planning Board does not have jurisdiction regarding roads. When planning subdivision roads there should be better communication before there are changes made by the Planning Board. The Selectmen need to be part of the Planning Board's discussion. Mr. Kemper requested Ms. Pyle draft a letter to the Planning Board recapping these points.

Mr. Anderson said there should be "no parking" within one-hundred feet of the intersection forever, to be able to manipulate the turning of a fire truck. This will require a Public Hearing. Mr. McCarron will advise us to get the Public Hearing scheduled.

VIII. Street Opening Permit for #7 Sullivan Court for driveway and utilities

The fee is \$35.00. Mr. Kemper made a motion, seconded by Mr. Anderson. Approved, 3-0-0.

IX. Draft "Special Event Permit Guidelines"

Mr. Anderson added a change that says that just because the event is requested, does not mean that it will necessarily be approved. It all is up to the discretion of the Selectmen. Changes revised: Alcohol # of people, changed from 500 to 250. The second change is the minimum of 90 days, instead of 60 days in advance. Chief Holmes also added a sentence regarding the West Newbury Town Police will be required to have Police Details.

Fireworks are allowed only if there are licensed pyrotechnics and approved by the Board of Fire Engineers. Copies of the revised Special Event Policies will be kept in the Selectmen's Office and be distributed to all events to which those who are applicable (i.e., Riding and Driving, Pumpkin Fair, Apple Harvest Race, etc.); it will also be posted on the website. Mr. Anderson made a motion to approve the Special Event Policies, as revised. Mr. Kemper seconded. Approved, 3-0-0.



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

D

TO: Board of Selectmen
FROM: Angus Jennings, Town Manager
DATE: October 12, 2019
RE: Review of proposed Special Town Meeting Warrant for November 4, 2019

Please find attached the proposed Special Town Meeting warrant. I have included both a “clean” version (although still marked draft); as well as the same content but showing redlined edits since the last draft Warrant reviewed by both the Board and the Finance Committee. I have also enclosed a summary of the Finance Committee’s recommendations on the articles.

You’ll note that I’m recommending a warrant article with the figure of \$400,000 for proposed Free Cash transfer to offset the tax rate. (This amount had been blank in previous drafts, and was updated late this week to account for the latest information as we work with MassDOR, our Auditor and our finance personnel to close out FY19). As was the case last year, I am recommending this figure as a cap; in fact I think a lower figure will be sufficient to arrive at a tax rate in line with estimates during the FY20 budget process last spring. I will present this information in more detail on Tuesday,

I have enclosed only those supporting materials for proposed Articles that have not been included in previous Board of Selectmen meeting packets; including the financing proposal accompanying the proposed Soldiers & Sailors Restoration, which will be taken up at the CPC’s next meeting on Thursday October 17th; as well as additional backup for the BOH landfill and DPW high hazard tree articles.

Changes can be made to the language of the warrant, and the warrant will only be finalized with the approval of the Board of Selectmen.

The joint meeting with the Finance Committee, Town Moderator, Town Clerk/Counsel and me will begin at 7:30 PM Tuesday; the Board had requested that Tracy Watson present the WNHA CPC article, so the later start time for the joint meeting will allow the Board to hear this presentation first. The Finance Committee will meet at 7 PM as well, to consider its position on the proposed Free Cash transfer and requests for Reserve Fund transfers.

**TOWN OF WEST NEWBURY
COMMONWEALTH OF MASSACHUSETTS
WARRANT – SPECIAL TOWN MEETING – MONDAY, NOVEMBER 4, 2019**

Essex, ss.

To any of the Constables of the Town of West Newbury.

In the name of the Commonwealth, you are hereby required to notify and warn all the inhabitants of the Town of West Newbury, who are qualified to vote in the elections and Town affairs, to meet at the **Town Annex, 379 Main Street**, at 7:00 p.m. on Monday, **November 4, 2019** to act upon or take any other action relative to all of the following articles.

GENERAL GOVERNMENT MATTERS

ARTICLE 1. To hear and act upon the reports of Town officers and Committees.

APPROPRIATIONS

ARTICLE 2. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$11,500.00 to fund additional frequency of testing for the post-closure of the Steele Landfill. *By request of the Board of Health*

ARTICLE 3. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$66,000.00 to fund the planning, design and installation of a gas migration interceptor trench for the post-closure of the Steele Landfill, and all related costs. *By request of the Board of Health*

ARTICLE 4. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$50,000.00 to fund all costs associated with the initial implementation of a multi-year plan to remove or otherwise address high-hazard trees in West Newbury. *By request of DPW Director*

ARTICLE 5. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$9,500.00 to fund the purchase and installation of a small salter unit on an existing DPW vehicle. *By request of DPW Director*

ARTICLE 6. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$5,000.00 to fund all costs pertaining to the installation of two additional in-line dehumidifiers in the G.A.R. Memorial Library. *By request of DPW Director*

ARTICLE 7. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$2,600.00 to supplement the FY20 Town Building Operating expense budget to offset incurred expenses. *By request of DPW Director*

ARTICLE 8. To see if the town will vote to transfer from the Community Preservation Act funds, a total of \$363,367.00, comprised of \$280,978.95 from Community Housing Reserve, and \$82,388.05 from Undesignated Fund Balance, for Kitchen and Bath Modernization at 1-6 Hills Court and 1-6 Boynton Court, in conformity with the Application for Funding filed, or take any other action relative thereto. *By request of the West Newbury Housing Authority and the Community Preservation Committee*

ARTICLE 9. To see if the town will vote to transfer from the Community Preservation Act Funds, Historic Preservation Reserve, the sum of \$600.00 for the purchase and installation of a historical marker to recognize and commemorate former West Newbury resident Julian D. Steele, in conformity with the Application for Funding filed, or take any other action relative thereto. *By request of the Historical Commission and the Community Preservation Committee*

ARTICLE 10. To see if the Town will vote to appropriate \$1,500,000.00, or any other amount, to pay costs of preserving, restoring and making extraordinary repairs to the Soldiers and Sailors Memorial Building (Carr Post), including but not limited to, interior and exterior preservation and restoration of the building, installation of a subsurface sewage disposal system, installation of walkways and signage, hazardous materials remediation, replacement of electrical, plumbing, HVAC and fire alarm systems, and for the payment of all other costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, including amounts in the Community Preservation Fund, borrowing or otherwise, or to take any other action relative thereto. *By request of the Board of Selectmen and the Community Preservation Committee*

ARTICLE 11. To see if the town will vote to transfer from available funds the sum of \$15,000.00 to fund the Unemployment Insurance expense line in the approved FY20 budget to pay expenses resulting from assessments levied during FY20 by the Massachusetts Department of Unemployment Assistance. *By request of the Board of Selectmen*

ARTICLE 12. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$400,000.00 to reduce the current year tax rate. *By request of the Board of Selectmen*

BY-LAWS - OTHERS

ARTICLE 13. To see if the Town will vote to amend Section 2. Definitions of the West Newbury Zoning Bylaw by amending existing definitions or adding new definitions in the appropriate alphabetical order. *By request of the Planning Board*

ARTICLE 14. To see if the Town will vote to amend the existing term, “Massachusetts General Laws Chapter 131” each time it occurs in the West Newbury Zoning Bylaw, including abbreviations of said term, by adding a reference to “Section 40” to clarify its reference to the state Wetlands Protection Act. *By request of the Planning Board*

ARTICLE 15. To see if the Town will vote to amend Section 4.B Exempt Uses of the West Newbury Zoning Bylaw by deleting existing Section 4.B.1.b. regarding agriculture, horticulture, floriculture and viticulture, and replacing it with updated language better aligning with M.G.L. Ch.40A, S.3. *By request of the Planning Board*

ARTICLE 16. To see if the Town will vote to amend Section 5.A.4. Uses Permitted in the Residence B and C Districts on a Special Permit Granted by the Planning Board of the West Newbury Zoning Bylaw, by removing reference to “Section 8.A.” at the end of the first paragraph and replacing it with “Section 8”, to clarify that the uses are subject Section 8.B. Site Plan Review; and by deleting the words “not to exceed four (4) units” in Section 5.A.4.a. and replacing them with the words “three (3) or four (4) units” to correct a scrivener’s error. *By request of the Planning Board*

You are hereby directed to serve this warrant by posting attested copies thereof at least 14 days before the date of the Special Town Meeting.

LOCATIONS TO POST WARRANT:

Town Hall
1910 Town Office Building
G.A.R. Memorial Library
Post Office
Laurel Grange

Hereof fail not to make due return of this warrant with your doings thereon at the time and place of holding said meeting.

Given under our hands this 15th day of October, 2019.

BOARD OF SELECTMEN:

David W. Archibald, Chairman

Glenn A. Kemper

Richard Parker

A true copy, attested:

Michael P. McCarron, Town Clerk

West Newbury Finance Committee
Fall 2019 Town Meeting Article Votes

Article 2: Steele Landfill testing

- Approved 6-0
- Sunset: end of FY22
- Write-up: Jess

Article 3: Steele Landfill interceptor trench

- Approved 6-0
- Sunset: end of FY22
- Write-up: Jess

Article 4- High hazard tree removal

- Approved 6-0
- Sunset: end of FY20
- Write-up: Jess

Article 5- Salter unit

- Approved 6-0
- Sunset: end of FY20
- Write-up: Brad

Article 6- Library air quality

- Approved 6-0
- Sunset: end of FY20
- Write-up: Brad

Article 7: Library rug and duct cleaning

- Approved 6-0
- Sunset: end of FY20
- Write-up: Brad

Article 8- CPA funds for housing authority bathroom and kitchen renovations

- Approved 4-1-1 (Brad dissent, Gary abstained)

- Sunset: end of FY24
- Write-up: Nathan

Article 9- Julian D. Steele historical marker

- Approved 6-0
- Write-up: Nathan

Article 10- Carr Post

- Rejected 1-5 (Jim in favor)
- Write-up: Nathan

Article 11- Unemployment expense

- Approved 6-0
- Write-up: Forbes

Article 12- Current tax rate reduction

- Did not vote
- Write-up: Jim

Articles 13-16- Zoning cleanup language

- All approved 6-0
- Write ups: Jim

MEETING MINUTES-WEST NEWBURY
FINANCE COMMITTEE

Date & Time: Tuesday September 24th, 2019 7pm

Location : 1910 Building 1st Floor Hearing Room

Attendees: Gary L. Roberts Jr., Chairman, Forbes Durey, Nathan Kelly, Brad Beaudoin, Angus Jennings, Jim Sperelakis, Jessica Knezek

AGENDA

1. Call to Order.
2. Public Comment.
None.

3. Late File Items.
None.

4. Approval of Minutes.
Minutes from 9/10/19 approved 6:0

5. Review Articles for the Special Town Meeting.

Article #8- CPC request for ~\$360,000 for expenses related to renovation of kitchens and bathrooms of 1-6 Boynton Court. Tracy Watson, exec director of West Newbury Housing Authority notes that they are applying for a grant from the state, hoping for a 1\$/1\$ match. Forbes asked why this grant wasn't sought at the annual town meeting. Watson states that the grant became available in 4/2019. Watson also notes that this is a rolling grant, so the earlier applications are received the better chance of receiving funds. The project is expected to be completed in 2022-2023 if approved. CPC voting to approve this article.

Roberts recused with Forbes leading discussion.

Vote 4:1:1 approve, Beaudoin dissenting, Roberts abstains, sunset FY2024

DPW - four articles proposed; #4-7

Article #4, High hazard tree removal - \$50,000. Wayne Amaral present. Amaral performed an assessment of the Town's trees and created a list of high hazard trees that he feels should be removed.

Vote: 6:0 approved, sunset FY2020

Article #5, \$9,500 for salter unit to be placed on DPW trucks to allow for smaller salting applications.

Vote 6:0 approved, sunset FY2020

Article #6, \$5,000 for inline dehumidifiers in the Town Library

Vote 6:0 approved, sunset FY2020

Article #7, \$2,600 for to offset expenses related to renovation of the library to improve air quality of the library.

Vote 6:0 approved, sunset FY2020

Dept. of Health, Bob Janes present, Paul Sevigny.

Article #2, \$11,500 to fund EPA mandated testing of the Steele Landfill. Monitoring of gas vents has been increased to 12x per year.

Vote 6:0 approved, Sunset FY2022

Article #3 \$66,000 to fund methane gas migration trench project as mandated by the EPA following detection of elevated levels of methane from the Steele Landfill.

Vote 6:0 approved, Sunset FY2022

6. Discuss Bicentennial Committee remaining fund balance. There are roughly \$30,000 remaining from funds set aside for the Town's bicentennial celebration. The Bicentennial committee would like to use these funds to erect a memorial for the Town's bicentennial. Roberts notes that excess funds from articles are supposed to be returned to the community. Knezek notes that there was no mention of a memorial project in the original article request. Kelly notes that there was no mention of this project in the Bicentennial Committee until 6/2019 and it was never listed as an official agenda item.

7. Town Manager updates.

8. Communications.

Next meeting is 10/8/19. The joint meeting with the selectmen will be moved until after 10/8/19.

Town Manager

From: Paul Sevigny
Sent: Wednesday, October 9, 2019 10:48 AM
To: [REDACTED]
Cc: Michael McCarron; Town Manager
Subject: Landfill Approval
Attachments: WestNewburyLF_CAD_Approv_10_9_2019.pdf

Please see the attached approval from MA DEP. If you have any questions and/or concerns, please let me know ASAP so we can file an appeal, etc.

Thanks,

Paul Sevigny, Health Agent
Town of West Newbury
381 Main Street
West Newbury, MA 01985
978-363-1100, x119



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

Charles D. Baker
Governor

Kathleen A. Theoharides
Secretary

Karyn E. Polito
Lieutenant Governor

Martin Suuberg
Commissioner

October 9, 2019

Paul Sevigny
West Newbury Board of Health
381 Main Street
West Newbury, MA 01985

RE: WEST NEWBURY – Solid Waste Management
Steele Landfill
Middle Street/Georgetown Road
FMF Number: 39872

BAW SW25 / Corrective Action Design
Authorization Number: SW25-0000002

**Landfill Gas Vent Trench
Conditional Approval**

Dear Mr. Sevigny:

The Massachusetts Department of Environmental Protection, Northeast Regional Office, Bureau of Air and Waste, Solid Waste Management Section (MassDEP) has reviewed your application, category BWP SW25 *Corrective Action Design*, Application Number: 19-SW25-000003-APP (the Application), for the closed Steele Landfill located on Middle Street in West Newbury, Massachusetts (the Landfill). The Application was prepared and submitted to MassDEP on behalf of the Town of West Newbury (the Town) by Cornerstone Construction Services (Cornerstone) of Woburn, Massachusetts. On September 23, 2019, additional information was submitted by Cornerstone to support the Application.

The proposed Corrective Action Design (CAD) was prepared in response to MassDEP's notice regarding Landfill Gas Assessment and Corrective Action Requirements issued to the Town on April 12, 2019.

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

DISCUSSION

As described in the Application, the Town proposes the installation of a landfill gas vent trench (approximately 306 feet long) along the south side of Middle Street (the northern border of the Landfill site. The proposed trench will be 30 inches wide with a depth of approximately 5 feet below the ground surface (the anticipated depth to bedrock). A 6-inch diameter perforated polyvinyl chloride (PVC) pipe will be installed horizontally in the trench and surrounded by a minimum of 12 inches of 1.5-inch crushed stone on all sides and lined with geotextile fabric. The collection pipe will be installed with a minimum slope of approximately 1%.

Vertical vent riser pipes constructed of 4-inch PVC pipe will be connected to the horizontal collection pipe as shown on the design plans included with the Application. The vent riser pipes will be installed a minimum of 6 feet above the surface elevation and will be supported as detailed on the design plans. Vent caps with insect screens will be installed on each vent. A 12-inch thick concrete/bentonite collar will be placed around each riser to prevent movement of the vent pipe. Two concrete-filled bollards will be installed between each vent and the roadway.

DECISION

MassDEP has reviewed the CAD pursuant to 310 CMR 19.000, the Solid Waste Management Regulations, and for consistency with the guidelines of the Department's Landfill Technical Guidance Manual (DEP Publication No. SWMID: 001-91-G, Rev. 5/97). Based on this review, MassDEP approves the CAD subject to the Town's compliance with the conditions of this decision imposed by MassDEP pursuant to 310 CMR 19.043(1), *Items Subject to Conditions*.

This decision is issued by MassDEP pursuant to M.G.L. Chapter 111, § 150A and the implementing regulations thereunder at 310 CMR 19.000. This decision does not relieve the Town, or any other person, of the responsibility to comply with all other applicable federal, state and local statutes, regulations and requirements.

CONDITIONS

1. The Town shall comply with 310 CMR 19.000, the Solid Waste Management Regulations, including, but not limited to, the requirements established at 310 CMR 19.043(5), Standard Conditions.
2. The Town shall comply with 310 CMR 40.0000, the Massachusetts Contingency Plan including, but not limited to, section 310 CMR 40.0114: Solid Waste Management Facilities.
3. The Town shall ensure persons conducting activities at the Landfill are familiar with the applicable provisions of this permit and the approved plans, and that all work performed at the Landfill complies with 310 CMR 19.000 and the applicable requirements of this permit.

4. All work under this decision shall be completed and conducted under the supervision of an independent Massachusetts Registered Professional Engineer (Engineer of Record) who shall have sufficient qualified staff on-site to provide field supervision and quality assurance/quality control for all construction activities.
5. **Required Submittals:**
 - a. Notification of Construction Schedule: Not less than seven (7) days prior to commencing construction pursuant to the Application and this decision, the Town shall notify MassDEP and the West Newbury Board of Health (BOH) in writing of the scheduled date of the commencement of the work. In addition, the Town shall provide to MassDEP the following:
 - i. The projected schedule for completion of the project;
 - ii. The name and contact information of the Engineer of Record for the project;
 - iii. The name and contact information of an on-site contact for the project; and
 - iv. A Health and Safety Plan for the project. (Also refer to Condition 6, below.)
 - b. Construction Certification Report: On or before ninety (90) days after the date of completion of the project pursuant to the Application and this decision, the Town shall submit to MassDEP a construction certification report that includes, but is not limited to:
 - i. An “as-built” drawing showing the completed project, prepared by a Massachusetts Registered Professional Engineer;
 - ii. A report, prepared by the Engineer of Record that discusses in part, any modifications made to the design/approved project and documenting the proper disposal of waste material taken off-site, if any; and
 - iii. Certifications by the Town and the Engineer of Record pursuant to 310 CMR 19.011.
 - c. Interim Landfill Gas Monitoring and Reporting: Pursuant to the notice issued by MassDEP to the Town on April 12, 2019, the Town shall continue to conduct monthly landfill gas monitoring of on-site and off-site landfill gas monitoring wells. The Town shall continue to monitor all such locations on a monthly schedule unless and until such time as the Permittee submits to MassDEP a request for a reduction and MassDEP approves a reduction in such monitoring. The Town shall conduct all environmental monitoring at the Landfill, and report all monitoring results to MassDEP, in accordance with the requirements of 310 CMR 19.000, including, without limitation, the reporting and notification requirements of 310 CMR 19.132: *Environmental Monitoring Requirements*. Without limitation, the Town shall notify MassDEP and take appropriate action in accordance with the requirements of 310 CMR 19.132(2)(j) regarding surface water

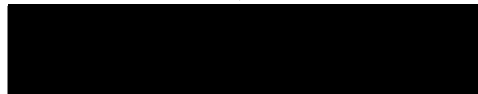
and groundwater monitoring and 310 CMR 19.132(5)(g) and (h) regarding the monitoring of explosive gasses.

- d. Landfill Gas Evaluation Report: No later than July 1, 2020, the Town shall submit to MassDEP a written evaluation report that assesses the control of landfill gas migration and the effectiveness of passive venting. Without limitation, this report shall include:
 - i. A site plan showing all landfill gas and groundwater monitoring wells, passive landfill gas vents and vent riser pipe locations, and relevant on-site and off-site structures, roads, and other features;
 - ii. A table summarizing landfill gas monitoring data;
 - iii. A discussion summarizing and evaluating the landfill gas monitoring data including an evaluation of landfill gas constituent concentrations and associated trends; and
 - iv. A recommendation supported by the available data to either continue passive venting or propose additional remedial action to address landfill gas migration.
6. The Town shall ensure that all necessary actions are taken to protect the health and safety of workers and the general public during the construction of the proposed project. The ambient air above excavations shall be monitored for volatile organic compounds (VOCs) and methane, and the observations of said monitoring shall be documented. A Health and Safety Plan for the project shall be developed and submitted to MassDEP, for the facility file that includes, but is not limited to, protocols for monitoring of landfill gas (methane, hydrogen sulfide, etc.).
7. The Town shall complete the proposed corrective action, as approved, within ninety (90) days of the date of this decision.
8. The Town shall limit all disturbance of the Landfill to the proposed improvements as depicted and described in the Application, Application Number: 19-SW25-000003-APP, and this decision. Any additional activities or modifications not described in the Application may require notification of MassDEP, and the preparation and submittal of a separate application for permit modification.
9. The Town and any other contractors performing work at the Landfill shall without delay notify the Engineer of Record or his/her on-site representative upon encountering waste at the site. In the event that waste is encountered, the Town shall notify MassDEP without delay and in no case later than the close of business of the next business day. This notification requirement is in addition to any other notifications required by statute or regulation including, but not limited to, 310 CMR 19.000 and 310 CMR 40.0000.
10. All materials excavated during the project and not returned to the excavation shall be managed pursuant to applicable state, and federal regulations including, but not limited to the management of solid waste pursuant to 310 CMR 19.000 and shall be disposed of off-site at a disposal facility permitted for the disposal of solid waste. In the event that the

materials excavated from the work area cannot be immediately transported off-site, the material shall be placed in a secure container for temporary storage. The Engineer of Record shall monitor the temporary containers to ensure they are properly maintained until the material can be transported for off-site disposal.

11. Any and all damage to the landfill cap shall be promptly repaired. The landfill cap shall be restored to the conditions as specified within the approved closure/post-closure plans. All work to restore the cap shall be completed and conducted under the supervision of the Engineer of Record who shall have sufficient qualified staff on-site to provide field supervision and quality assurance/quality control for all cap repair activities.
12. The Town shall comply with the notifications described in this decision and 310 CMR 19.043(5)(i), *Duty to Inform*. These notifications are in addition to, and shall not substitute for, any other notification(s) which are required pursuant to 310 CMR 40.0000, the Massachusetts Contingency Plan (the MCP), and 310 CMR 30.000, the Massachusetts Hazardous Waste Regulations or any other applicable state, federal, or local law or regulation.
 - a. The Town shall notify MassDEP and the West Newbury Board of Health within twenty-four (24) hours whenever possible, but in no case greater than within forty-eight (48) hours of the Town, the Engineer of Record or contractor(s), becoming aware of:
 - i. The occurrence of any conditions or events at the Landfill that result in off-site nuisance conditions or a threat to the public health, safety, welfare or the environment;
 - ii. The details of any incidents that resulted in the response of emergency personnel (fire, police, MassDEP Emergency Response personnel, the Occupational Health and Safety Administration, etc.) to the Landfill; and
 - iii. The receipt by the Town of any complaint of off-site nuisance conditions attributed to the project activities.
 - b. This written notification shall be made by email simultaneously to the Solid Waste Section Chief, Deputy Regional Director of the Bureau of Air & Waste and the Department's assigned environmental analyst at MassDEP's Northeast Regional Office. Currently these individuals are as follows:

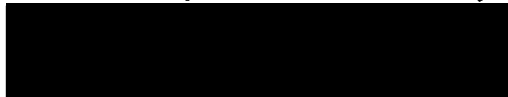
Mark Fairbrother, Solid Waste Section Chief



Susan Ruch, Deputy Regional Director, Bureau of Air & Waste



John Morey, Environmental Analyst



- c. This notice shall, at a minimum, include a description of the incident and/or complaint, the impact on the construction activities authorized by this decision, and a description of any corrective actions the Town has taken or intends to take to minimize the potential for a recurrence.
13. The activities subject to this decision shall be carried out in a sanitary, orderly and dependable manner.
14. MassDEP reserves the right to rescind, suspend or modify this approval based upon a determination that the project causes or contributes to the development of nuisance conditions, is not being operated safely or in accordance with this approval, or results in a threat to the public health, safety or the environment.

NOTICE OF RIGHT TO APPEAL

The Town of West Newbury (the Town) is hereby notified that it may within twenty-one (21) days file a request that this decision be deemed a provisional decision under 310 CMR 19.033(4)(b), by submitting a written statement of the basis on which the Town believes it is aggrieved, together with any supporting materials. Upon timely filing of such a request, the decision shall be deemed a provisional decision with an effective date twenty-one (21) days after the Department's receipt of the request. Such a request shall reopen the administrative record, and the Department may rescind, supplement, modify, or reaffirm its decision. Failure by the Town to exercise the right provided in this section shall constitute a waiver of the Town's right to appeal.

Appeal. Any person aggrieved by the issuance of this decision, except as provided for under 310 CMR 19.033(4)(b), may file an appeal for judicial review of said decision in accordance with the provisions of M.G.L. c. 111, s. 150A, and M.G.L. c. 30A, not later than thirty (30) days following the receipt of the final decision. The standing of a person to file an appeal and the procedures for filing such appeal shall be governed by the provisions of M.G.L. c. 30A. Unless the person requesting an appeal requests and is granted a stay of the terms and conditions of the decision by a court of competent jurisdiction, the decision shall remain effective.

Notice of Action. Any aggrieved person intending to appeal this decision to the Superior Court shall first provide notice to the Department of their intention to commence such action. Said notice of intention shall include the Department file number and shall identify with particularity the issues and reasons why it is believed the decision was not proper. Such notice shall be provided to the Office of General Counsel of the Department and the Regional Director for the regional office which processed the application. The appropriate addresses to which to send such notices are:

General Counsel
Department of Environmental Protection
One Winter Street - 3rd Floor
Boston, MA 02108

and

Eric Worrall, Regional Director
Department of Environmental Protection
205B Lowell Street
Wilmington, MA 01887

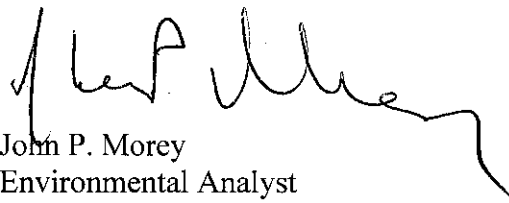
No allegation shall be made in any judicial appeal of this decision unless the matter complained of was raised at the appropriate point in the administrative review procedures established in those regulations, provided that a matter may be raised upon a showing that it is material and that it was not reasonably possible with due diligence to have been raised during such procedures or that matter sought to be raised is of critical importance to the environmental impact of the permitted activity.

If you have any questions regarding this matter, please contact John Morey at (978) 694-3297.

Sincerely,



Mark G. Fairbrother
Section Chief
Solid Waste Management



John P. Morey
Environmental Analyst
Solid Waste Management

MGF/JPM/jpm

Communication for Non-English Speaking Parties

cc: Susan Ruch, Deputy Regional Director, MassDEP-NERO/BAW
Email: susan.ruch@state.ma.us

Paul Sevigny (West Newbury Board of Health)
Email: psevigny@wnewbury.org

Richard Barthelmes, P.E. (Cornerstone)
Email: rbarthelmes@cornerstone-serv.com

Department of Public Works Publishes High Hazard Tree List

Over the past 12-18 months the Department of Public Works (DPW) has gathered a list of high hazard trees on the public way. This list was gathered from a town wide audit conducted by the DPW Director and from request received by the general public who are concerned about these trees causing property damage and potential public safety concerns. There is no doubt that there are more trees that could be classified as a high hazard tree and DPW encourages anyone who would like to report such a tree to contact the Tree Warden at 978-363-1100 extension 120 or by e-mail at DPWDirector@WNewbury.org.

To gain a better understanding of a High Hazard Tree, it is important to define this tree designation. Massachusetts General Laws, Chapter 87 - Shade Trees Law, it defines the limitations and responsibility of a Tree Warden. In Section 5 of this chapter it states, "*Nothing contained in this chapter shall prevent the trimming, cutting or removal of any tree which endangers persons traveling on a highway.*" A Tree Warden would describe this type of tree as a High Hazard Tree and can authorize the removal of any tree that meets the definition of a High Hazard Tree. I define such tree as a tree with one or more of these characteristics; A dead tree, a tree with major dieback (showing signs of 40% or greater), unbalanced, major trunk damage, insect infestation that has permanently degrades the health of a tree or any tree that shows signs of disease.

A town-wide audit was conducted in August of this year and a total number of 326 trees were inspected in greater detail for potential high hazard designation. It was observed that 248 of these 326 trees met the high hazard designation and should be removed within the next five years. State law does not require these trees to be removed immediately, but for a municipality to have a schedule to address these high hazard trees within a reasonable time frame and budget.

To calculate an estimated cost to remove these trees, an estimated Diameter Breast Height (DBH) must be calculated for each tree. The DBH is the diameter of the tree trunk measured from 4.5 feet from the ground. This was done for all 248 high hazard trees and almost totaled an astonishing 4,100 inches. (about 341 feet of tree trunk width) The estimated cost to remove all 248 trees (including the stump grinding of about 50% of the total number of stumps) is \$350,000.

The high hazard tree list is a working document that is updated on a daily basis. We will attempt to keep the most updated list posted on-line. Again, everyone who is concerned about the safety of a public tree is encourage to contact the Tree Warden and request such tree be inspected.

Town of West Newbury - Tree Removal List

Priority	Address / Location	Detailed Location	Number of Trees	DBH	Tree Species	Removal Cost	Stump Grinding Required	Removed By	Removal Date	Notes
3	Ash Street	between utility poles 74-78	22	392"	many	\$32,000.00				Article Request
3	Ash Street	between Bricket St - 189 Ash St	11	298"	many	\$25,000.00				Article Request
3	Ash Street	300'N of swamp / dirt gravel roadway	1	45"		\$3,000.00				Article Request
3	Ash Street	Front of #218	5	110"		\$7,500.00				Article Request
1	Bachelor St	at Walnut Cemetery and opp cemetery	2	67"		\$2,400.00		Iron Tree		Phase 2 - Aug 2019
1	Bachelor St	Front of #89	2	30"		\$700.00		Iron Tree		Phase 2 - Aug 2019
1	Brickett St	50' N of Ash St	1	44"		\$2,000.00		Iron Tree		Phase 2 - Aug 2019
3	Bridge St	opp #67	1	22"		\$2,000.00				Article Request
3	Bridge St	Hickory Lane	2	22"		\$3,000.00				Article Request
2	Browns Lane	many locations	8	138"		\$9,000.00				Article Request
3	Chase Street	at Middle St	2	17"		\$0.00				TOWN
3	Chase Street	opp utility pole #8	1	14"		\$2,000.00				Article Request
3	Chase Street	opp utility pole #5 - #6	2	34"		\$3,000.00				Article Request
3	Cherry Hill	at Indian Hill	1	10"		\$1,000.00				Article Request
3	Church Street	opp #11	1	32"		\$2,500.00				Article Request
3	Coffin Street	opp utility pole #22	1	32"		\$1,000.00				Article Request
3	Coffin Street	at driveway near utility pole #35	1	13"		\$1,500.00				Article Request
3	Coffin Street	at River Rd	3	42"		\$5,000.00				Article Request
3	Crane Neck St	opp #14	1	29"		\$2,500.00				Article Request
3	Crane Neck St	In front of #158	2	46"		\$2,500.00	No			Article Request
3	Crane Neck St	near #170	2	58"		\$6,000.00				Article Request
3	Crane Neck St	opp driveway to #194	1	11"		\$1,500.00				Article Request
3	Crane Neck St	Front of #194	3	74"		\$6,000.00				Article Request
1	Crescent Street	beside #7 Hilltop Circle	1	52"		\$2,500.00		Iron Tree		Phase 2 - Aug 2019
1	Crestnut Lane	at Chestnut St	1		PRUNE ONLY	\$500.00	No	Iron Tree		Phase 2 - Aug 2019
3	Farm Lane	north of utility pole #50/5	1	24"		\$2,000.00				Article Request
2	Garden Street	200' S of Middle St	1			\$2,000.00				Article Request

Town of West Newbury - Tree Removal List

2	Garden Street	Opp #41	1			\$2,000.00			Article Request
3	Georgetown Rd	at Dead End	2	38"		\$3,000.00			Article Request
3	Indian Hill St	between Kelly Brook and Middle St	25	152"		\$25,000.00			Article Request
3	Meeting House Hill	opp #24	1	8"		\$1,000.00			Article Request
3	Meeting House Hill	opp utility pole #6	3	38"		\$5,000.00			Article Request
3	Meeting House Hill	between utility poles #3-#4	1	14"		\$2,000.00			Article Request
3	Middle Street	Front of #2	2	8"					TOWN
1	Middle Street	Front of #37	4	125"		\$1,600.00	Iron Tree		Phase 2 - Aug 2019
3	Middle Street	Front of #42	1	11"		\$1,500.00			Article Request
3	Middle Street	100'W of mailbox to #223	1	14"		\$1,500.00			Article Request
3	Middle Street	Front of #157	1	26"		\$2,000.00			Article Request
3	Middle Street	Front of #163	4	25"		\$2,000.00			Article Request
3	Middle Street	Front of #167	1	26"		\$2,000.00			Article Request
3	Middle Street	between 229-230 (on both sides of driveway)	3	49"		\$6,000.00			Article Request
3	Middle Street	opp #86	1	23"		\$2,000.00			Article Request
3	Middle Street	opp #186	1	19"		\$2,000.00			Article Request
3	Middle Street	opp #246	1	15"		\$2,000.00			Article Request
3	Middle Street	opp #443	1	35"	Pine	\$4,000.00			Article Request
3	Middle Street	at Tea Bridge between Crance Neck and Ash St	1	16"		\$1,500.00			Article Request
3	Middle Street	350'W of Ash St	2	40"		\$3,500.00			Article Request
3	Middle Street	East of Archelaus Hill Rd	3	30"		\$5,000.00			Article Request
3	Middle Street	opp utility pole #57/2	1	22"		\$2,000.00			Article Request
3	Middle Street	opp utility pole #70	1	30"		\$3,000.00			Article Request
3	Middle Street	opp utility pole #89	2	63"		\$4,500.00			Article Request
3	Middle Street	opp utility pole #153	1	10"		\$1,500.00			Article Request
3	Middle Street	opp utility pole #155	1	18"		\$2,000.00			Article Request
3	Middle Street	opp utility pole #174	2	37"		\$3,000.00			Article Request
3	Middle Street	opp utility pole #186	2	21"		\$2,000.00			Article Request

Town of West Newbury - Tree Removal List

1	Middle Street	opp #199	1	36"		\$1,000.00		Iron Tree		Phase 2 - Aug 2019
1	Middle Street	70' E from Bachelor St	1	29"		\$700.00		Iron Tree		Phase 2 - Aug 2019
3	Middle Street	opp narrow bridge sign at approach to Plummer St Bridge	1	30"	Pine	\$4,000.00				Article Request
3	Middle Street	at utility pole #37	1	14"		\$2,000.00				Article Request
3	Middle Street	200'E of Garden St	3	52"		\$5,000.00				Article Request
3	Moulton Street	near #110-114	3	71"		\$6,000.00				Article Request
3	Moulton Street	opp between utility poles 21-22	2	38"		\$4,000.00				Article Request
3	Moulton Street	opp utility pole #14	1	26"		\$2,000.00				Article Request
3	Pleasant St	opp #11	3	58"		\$4,000.00				Article Request
2	Pleasant St	Front of #20	1	50"	Standing Log	\$1,000.00				Article Request
3	Pleasant St	opp #30	2	24"		\$2,500.00				Article Request
3	Pleasant St	opp #32	2	18"		\$2,500.00				Article Request
3	River Road	Front of #81 / near utility pole #29	1	18"	Ash	\$2,000.00				Article Request
3	River Road	opp #35	6	75"		\$8,000.00				Article Request
3	River Road	opp #83	7	130"		\$11,000.00				Article Request
3	River Road	opp #89	2	50"		\$5,000.00				Article Request
3	River Road	opp #109 / near utility pole 45/84	2	16"		\$4,000.00				Article Request
3	River Road	between utility poles 41-42	1	15"		\$2,000.00				Article Request
3	River Road	opp #131	1	14"		\$1,500.00				Article Request
2	River Road	Opp #173	1	40"	Dead Tree	\$1,500.00				Article Request
2	River Road	Opp #181	2	68"	2 Trees	\$4,000.00				Article Request
3	River Road	opp #241	3	45"		\$6,000.00				Article Request
3	River Road	opp #251	1	10"		\$1,000.00				Article Request
2	River Road	Between utility poles 58-59	4	46"		\$4,000.00				Article Request
1	Sawmill Brook Rd	100'W of Stewart St at pole #7	1	42"		\$4,000.00				Article Request
3	South Street	12'W of Indian Hill St	2	63"		\$4,000.00				Article Request

Town of West Newbury - Tree Removal List

3	South Street	at Main St - Newbury. Near Stop sign	1	25"		\$1,000.00				Article Request
3	Turkey Hill Rd	near utility pole #31/1	1	34"		\$2,500.00				Article Request
3	Turkey Hill Rd	near utility pole #5	1	26"		\$2,000.00				Article Request
3	Turkey Hill Rd	between utility pole 35-36	3	67"		\$6,000.00				Article Request
3	Turkey Hill Rd	Near utility pole #53	2	20"		\$2,000.00				Article Request
3	Turkey Hill Rd	near brook crossing & utility pole #14	4	76"		\$6,000.00				Article Request
2	Way to The River	Front of #7	1	22"		\$2,500.00				Article Request
2	Way to The River	In front of #19	2	30"		\$4,000.00				Article Request
3	Way to The River	opp #25	1	22"		\$1,500.00				Article Request
Z	Ash St	opp #20	1	36"		\$700.00		Iron Tree	Feb 2019	Phase 1 - Feb 2019
Z	Ash St	150'W of Montclair St	1	34"		\$550.00		Iron Tree	Feb 2019	Phase 1 - Feb 2019
Z	Ash St	In front of #70	1	31"				Contractor	July 2019	
Z	Cherry Hill St	70' and 150'E of Mail box to #40	2	20"		\$700.00		Iron Tree	Feb 2019	Phase 1 - Feb 2019
Z	Cherry Hill St	Front of #10	1	12"		\$300.00		Iron Tree	Feb 2019	Phase 1 - Feb 2019
Z	Crane Neck Rd	Front of #93	1	48"		\$2,500.00		Iron Tree	Feb 2019	Phase 1 - Feb 2019
Z	Garden St	160' & 170'N of Indian Hill St	2	44"		\$1,000.00		Iron Tree	Feb 2019	Phase 1 - Feb 2019
Z	Georgetown Rd	Front of #105	4	140"	pine	\$5,000.00		Iron Tree	Feb 2019	Phase 1 - Feb 2019
Z	Indian Hill St	Front of #128	1	16"		\$500.00		Iron Tree	Feb 2019	Phase 1 - Feb 2019
Z	Indian Hill St	Front of #110	2	87"		\$3,000.00	Yes - stump included in cost	Iron Tree	Feb 2019	Phase 1 - Feb 2019
Z	Kimball St	Front of #22	2	40"		\$1,400.00		Iron Tree	Feb 2019	Phase 1 - Feb 2019
Z	River Rd opp 101	Dead High Hazard Tree	1	14"	w.o. 2019-010	N/C		Town	April 2019	Emergency
Z	Stewart St	in front of #56	1	15"		\$900.00		Iron Tree	Feb 2019	Phase 1 - Feb 2019



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: Community Preservation Committee; Finance Committee
FROM: Angus Jennings, Town Manager
DATE: October 8, 2019
RE: Proposed funding, Soldiers & Sailors Memorial Building Preservation and Restoration

This memo is submitted to supplement the Application for Project Funding currently pending before the CPC, Project Name "Preservation and Restoration of the Soldiers & Sailors Memorial Building (Carr Post)."

At their regularly scheduled meeting on September 30th, the Board of Selectmen voted 3-0 to support a financing proposal comprised of \$250,000 from existing CPC funds with the balance of project costs proposed for borrowing. The source of proposed up-front funds will be proposed to comprise the entire balance in the CPA Historical reserve, as of June 30, 2019 (once that figure is verified by the Town Accountant), with the balance to come from CPA Undesignated funds. These numbers will be included in the Motion to be made at Town Meeting. As soon as I receive information regarding the June 30, 2019 balances I will provide them to the CPC and Finance Committee.

The Board's rationale for this funding structure is that the up-front funds would allow us to execute a contract for design services without waiting for the bonds to be issued, which at best would take a couple of months after the Town Meeting vote. Regarding borrowing the majority of funds, interest rates are low so it's a good time to borrow; and, the Board favors spreading the cost across a longer period of time so that future taxpayers are fairly charged for an asset/amenity that they would enjoy (rather than prior/current taxpayers bearing the full cost).

The enclosed amortization table was prepared by the Town's Financial Advisor Hilltop Securities, and estimates the annual debt service assuming 20-year borrowing at 2.5%.

The language of the proposed Town Meeting Warrant Article is attached, along with the latest draft of the Town Meeting Motion prepared by Bond Counsel and with edits by Town Counsel and the CPC Administrator.

Thank you for consideration of this proposal, which we understand will be taken up for continued consideration at the upcoming CPC meeting on Thursday, October 17th at 7:30 PM.

cc: Board of Selectmen; Carr Post Building Committee

DRAFT Town Meeting Warrant Article

ARTICLE 10. To see if the Town will vote to appropriate \$1,500,000.00, or any other amount, to pay costs of preserving, restoring and making extraordinary repairs to the Soldiers and Sailors Memorial Building (Carr Post), including but not limited to, interior and exterior preservation and restoration of the building, installation of a subsurface sewage disposal system, installation of walkways and signage, hazardous materials remediation, replacement of electrical, plumbing, HVAC and fire alarm systems, and for the payment of all other costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, including amounts in the Community Preservation Fund, borrowing or otherwise, or to take any other action relative thereto. By request of the Board of Selectmen and the Community Preservation Committee

DRAFT Town Meeting Motion

Motion: That the Town vote to appropriate \$1,500,000 to pay costs of preserving, restoring and making extraordinary repairs to the Soldiers and Sailors Memorial Building (Carr Post), including but not limited to, preservation and restoration of the building, installation of a subsurface sewage disposal system, installation of walkways and signage, hazardous materials remediation, replacement of electrical, plumbing, HVAC and fire alarm systems, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, (i) a total of \$250,000, comprised of \$____ from Historic Preservation Reserve, and \$____ from Undesignated Fund Balance, shall be transferred from amounts in the Community Preservation Fund, and (ii) the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,250,000 under and pursuant to M.G.L. c. 44, §7(1), M.G.L. c. 44B (the Community Preservation Act), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Town of West Newbury, Massachusetts

Projected Historic Building Costs:	\$ 1,500,000	(TBD)
Less: CPA Fund Balance Applied	250,000	
Total Borrowing:	\$ 1,250,000	
Projected Interest Rate on Bonds:	2.50%	
CPA Surcharge Receipts (FY 2019):	327,336	
10% Commitment to Open Space:	32,734	
10% Commitment to Historic Resource:	32,734	
10% Commitment to Affordable Housing:	32,734	
CPA State Matching Funds (FY 2018):	102,706	
Total CPA Revenues (FY 2018):	\$ 430,042	

Community Preservation Act Debt Model - Level Debt Service

Fiscal Year	A Existing Open Space Debt Service	B Plus: Existing Historic Resource Debt Service	C Plus: Existing Affordable Housing Debt Service	D Equals: Total Existing Debt Service Supported by CPA Revenues (A+B+C)	E Additional Commitment of Surcharge Receipts			F (\$327,336 Annual Surcharge - (D+E))	G Projected Debt Service (see page 2)	H Total Existing + Projected Debt Service Supported by CPA Revenues (D+G)	I Estimated Coverage of CPA Surcharge Revenues over (less) CPA Commitments + Projected Debt Service (Annual Surcharge - E - H)	Fiscal Year Ending
					Additional Open Space Surcharge Commitment to Meet 10% Requirement	Additional Historic Resource Surcharge Commitment to Meet 10% Requirement	Additional Affordable Housing Surcharge Commitment to Meet 10% Requirement					
2020	-	-	-	-	32,734	32,734	32,734	229,135	-	-	229,135	6/30/2020
2021	-	-	-	-	32,734	32,734	32,734	229,135	81,250	81,250	147,885	6/30/2021
2022	-	-	-	-	32,734	32,734	32,734	229,135	80,000	80,000	149,135	6/30/2022
2023	-	-	-	-	32,734	32,734	32,734	229,135	78,750	78,750	150,385	6/30/2023
2024	-	-	-	-	32,734	32,734	32,734	229,135	82,500	82,500	146,635	6/30/2024
2025	-	-	-	-	32,734	32,734	32,734	229,135	81,125	81,125	148,010	6/30/2025
2026	-	-	-	-	32,734	32,734	32,734	229,135	79,750	79,750	149,385	6/30/2026
2027	-	-	-	-	32,734	32,734	32,734	229,135	78,375	78,375	150,760	6/30/2027
2028	-	-	-	-	32,734	32,734	32,734	229,135	82,000	82,000	147,135	6/30/2028
2029	-	-	-	-	32,734	32,734	32,734	229,135	80,500	80,500	148,635	6/30/2029
2030	-	-	-	-	32,734	32,734	32,734	229,135	79,000	79,000	150,135	6/30/2030
2031	-	-	-	-	32,734	32,734	32,734	229,135	77,500	77,500	151,635	6/30/2031
2032	-	-	-	-	32,734	32,734	32,734	229,135	81,000	81,000	148,135	6/30/2032
2033	-	-	-	-	32,734	32,734	32,734	229,135	79,375	79,375	149,760	6/30/2033
2034	-	-	-	-	32,734	32,734	32,734	229,135	77,750	77,750	151,385	6/30/2034
2035	-	-	-	-	32,734	32,734	32,734	229,135	81,125	81,125	148,010	6/30/2035
2036	-	-	-	-	32,734	32,734	32,734	229,135	79,375	79,375	112,109	6/30/2036
2037	-	-	-	-	32,734	32,734	32,734	229,135	82,625	82,625	115,359	6/30/2037
2038	-	-	-	-	32,734	32,734	32,734	229,135	80,750	80,750	113,484	6/30/2038
2039	-	-	-	-	32,734	32,734	32,734	229,135	78,875	78,875	111,609	6/30/2039
2040	-	-	-	-	32,734	32,734	32,734	229,135	82,000	82,000	114,734	6/30/2040
Total	\$ -	\$ -	\$ -	\$ -					\$ 1,603,625	\$ 1,603,625		

Assumptions:

✦ Projections include CPA revenues for FY 2019.

Title:

Town of West Newbury, Massachusetts
 Community Preservation Act Debt Model - Level Debt Service
 General Obligation Bonds Dated 2/15/20

LEVEL DEBT SERVICE SCHEDULE

<u>Fiscal Year</u>	<u>Principal</u>	<u>Coupon</u>	<u>Interest</u>	<u>Total P+I</u>
6/30/2021	50,000	2.50%	31,250	81,250
6/30/2022	50,000	2.50%	30,000	80,000
6/30/2023	50,000	2.50%	28,750	78,750
6/30/2024	55,000	2.50%	27,500	82,500
6/30/2025	55,000	2.50%	26,125	81,125
6/30/2026	55,000	2.50%	24,750	79,750
6/30/2027	55,000	2.50%	23,375	78,375
6/30/2028	60,000	2.50%	22,000	82,000
6/30/2029	60,000	2.50%	20,500	80,500
6/30/2030	60,000	2.50%	19,000	79,000
6/30/2031	60,000	2.50%	17,500	77,500
6/30/2032	65,000	2.50%	16,000	81,000
6/30/2033	65,000	2.50%	14,375	79,375
6/30/2034	65,000	2.50%	12,750	77,750
6/30/2035	70,000	2.50%	11,125	81,125
6/30/2036	70,000	2.50%	9,375	79,375
6/30/2037	75,000	2.50%	7,625	82,625
6/30/2038	75,000	2.50%	5,750	80,750
6/30/2039	75,000	2.50%	3,875	78,875
6/30/2040	80,000	2.50%	2,000	82,000
Total	1,250,000		353,625	1,603,625

DRAFT updated 10/10/19

**TOWN OF WEST NEWBURY
COMMONWEALTH OF MASSACHUSETTS
WARRANT – SPECIAL TOWN MEETING – MONDAY, NOVEMBER 4, 2019**

Essex, ss.

To any of the Constables of the Town of West Newbury.

In the name of the Commonwealth, you are hereby required to notify and warn all the inhabitants of the Town of West Newbury, who are qualified to vote in the elections and Town affairs, to meet at the **Town Annex, 379 Main Street**, at 7:00 p.m. on Monday, **November 4, 2019** to act upon or take any other action relative to all of the following articles.

GENERAL GOVERNMENT MATTERS

ARTICLE 1. To hear and act upon the reports of Town officers and Committees.

APPROPRIATIONS

ARTICLE 2. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$11,500.00 to fund additional frequency of testing for the post-closure of the Steele Landfill. *By request of the Board of Health*

ARTICLE 3. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$66,000.00 to fund the planning, design and installation of a gas migration interceptor trench for the post-closure of the Steele Landfill, and all related costs. *By request of the Board of Health*

ARTICLE 4. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$50,000.00 to fund all costs associated with the initial implementation of a multi-year plan to remove or otherwise address high-hazard trees in West Newbury. *By request of DPW Director*

ARTICLE 5. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$9,500.00 to fund the purchase and installation of a small salter unit on an existing DPW vehicle. *By request of DPW Director*

ARTICLE 6. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$5,000.00 to fund all costs pertaining to the installation of two additional in-line dehumidifiers in the G.A.R. Memorial Library. *By request of DPW Director*

ARTICLE 7. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$2,600.00 to supplement the FY20 Town Building Operating expense budget to offset incurred expenses. *By request of DPW Director*

DRAFT updated 10/10/19

ARTICLE 8. To see if the town will vote to transfer from the Community Preservation Act funds, a total of \$363,367.00, comprised of \$280,978.95 from Community Housing Reserve, and \$82,388.05 from Undesignated Fund Balance, for Kitchen and Bath Modernization at 1-6 Hills Court and 1-6 Boynton Court, in conformity with the Application for Funding filed, or take any other action relative thereto. *By request of the West Newbury Housing Authority and the Community Preservation Committee*

Deleted: , the sum of \$280,979

Deleted: to transfer from the Community Preservation Act Funds,

Deleted: Reserve

Deleted: , the sum of \$82,388

Deleted: all expenses related to a k

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Deleted: modernization

Deleted: project for

ARTICLE 9. To see if the town will vote to transfer from the Community Preservation Act Funds, Historic Preservation Reserve, the sum of \$600.00 for the purchase and installation of a historical marker to recognize and commemorate former West Newbury resident Julian D. Steele, in conformity with the Application for Funding filed, or take any other action relative thereto. *By request of the Historical Commission and the Community Preservation Committee*

ARTICLE 10. To see if the Town will vote to appropriate \$1,500,000.00, or any other amount, to pay costs of preserving, restoring and making extraordinary repairs to the Soldiers and Sailors Memorial Building (Carr Post), including but not limited to, interior and exterior preservation and restoration of the building, installation of a subsurface sewage disposal system, installation of walkways and signage, hazardous materials remediation, replacement of electrical, plumbing, HVAC and fire alarm systems, and for the payment of all other costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, including amounts in the Community Preservation Fund, borrowing or otherwise, or to take any other action relative thereto. *By request of the Board of Selectmen and the Community Preservation Committee*

Deleted: reconstructing

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ARTICLE 11. To see if the town will vote to transfer from available funds the sum of \$15,000.00 to fund the Unemployment Insurance expense line in the approved FY20 budget to pay expenses resulting from assessments levied during FY20 by the Massachusetts Department of Unemployment Assistance. *By request of the Board of Selectmen*

ARTICLE 12. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$400,000.00 to reduce the current year tax rate. *By request of the Board of Selectmen*

BY-LAWS - OTHERS

ARTICLE 13. To see if the Town will vote to amend Section 2. Definitions of the West Newbury Zoning Bylaw by amending existing definitions or adding new definitions in the appropriate alphabetical order. *By request of the Planning Board*

ARTICLE 14. To see if the Town will vote to amend the existing term, “Massachusetts General Laws Chapter 131” each time it occurs in the West Newbury Zoning Bylaw, including abbreviations of said term, by adding a reference to “Section 40” to clarify its reference to the state Wetlands Protection Act. *By request of the Planning Board*

ARTICLE 15. To see if the Town will vote to amend Section 4.B Exempt Uses of the West Newbury Zoning Bylaw by deleting existing Section 4.B.1.b. regarding agriculture, horticulture, floriculture and viticulture, and replacing it with updated language better aligning with M.G.L. Ch.40A, S.3. *By request of the Planning Board*

DRAFT updated 10/10/19

ARTICLE 16. To see if the Town will vote to amend Section 5.A.4. Uses Permitted in the Residence B and C Districts on a Special Permit Granted by the Planning Board of the West Newbury Zoning Bylaw, by removing reference to “Section 8.A.” at the end of the first paragraph and replacing it with “Section 8”, to clarify that the uses are subject Section 8.B. Site Plan Review; and by deleting the words “not to exceed four (4) units” in Section 5.A.4.a. and replacing them with the words “three (3) or four (4) units” to correct a scrivener’s error. *By request of the Planning Board*

You are hereby directed to serve this warrant by posting attested copies thereof at least 14 days before the date of the Special Town Meeting.

LOCATIONS TO POST WARRANT:

Town Hall
1910 Town Office Building
G.A.R. Memorial Library
Post Office
Laurel Grange

Hereof fail not to make due return of this warrant with your doings thereon at the time and place of holding said meeting.

Given under our hands this 15th day of October, 2019.

BOARD OF SELECTMEN:

David W. Archibald, Chairman

Glenn A. Kemper

Richard Parker

A true copy, attested:

Michael P. McCarron, Town Clerk

MOTIONS FOR BOARD OF SELECTMEN

1. I move to establish the West Newbury Tree Committee Gift Account in accordance with the provisions of MGL c. 44 §53A; and
2. I move to accept gift funds for said West Newbury Tree Committee Gift Account and to authorize the expenditure of such funds for purposes consistent with the mission statement, goals, and objectives of the Tree Committee as contained in the Charge approved by the Board of Selectmen on August 5, 2019, including but not limited to (a) providing educational materials and related services to residents to promote the protection, preservation, and enhancement of West Newbury trees and forests; (b) creating and maintaining a data base of significant and remarkable trees in West Newbury; (c) providing assistance to the Tree Warden and other Town offices and boards as requested; and (d) carrying out other responsibilities in a manner consistent with said mission statement, goals, and objectives of the Committee.

NOTICE TO TOWN ACCOUNTANT

To: Town Accountant

Please be advised that on the 15th day of October, 2019 at a duly posted and convened meeting of the West Newbury Board of Selectmen, on motions duly made and seconded, it was voted, by a vote of three in favorite and none opposed, to:

1. Establish the West Newbury Tree Committee Gift Account in accordance with the provisions of MGL c. 44 §53A; and
2. Accept gift funds for said West Newbury Tree Committee Gift Account and authorize the expenditure of such funds in support of the purposes contained in the Charge approved by the Board of Selectmen on August 5, 2019, as amended.

Date

David Archibald, Chair
Board of Selectmen

Town Manager

From: [REDACTED]
Sent: Friday, October 11, 2019 4:31 PM
To: Town Manager
Cc: Fred Chanania; Molly Hawkins; Kathy Mandeville; Jane Martin; Claudia Woods; Barbara Haack; Francesca Pomerantz; DPW Director
Subject: Revised Tree Committee Grant Application for BOS Consideration
Attachments: Grant Application and Detailed Budget Request - Draft v.4.docx

Angus:

Attached for review by the Board of Selectmen is the revised draft application for the Tree Committee to obtain a matching grant from the DCR Urban and Community Forestry program. Based on discussions with the DCR Grant Coordinator, the scope of our request has been narrowed and now includes two basic aspects for which funding is being sought.

Please Note: Because this is a matching grant and funds from DCR are obtained by way of reimbursement after the fact, it is necessary to pay for certain items upfront out of either the FY 2020 or the FY 2021 budget. This is detailed below.

(1) Training for our Town Tree Warden, Wayne Amaral, to obtain accreditation as a Certified Arborist Municipal Specialist by the International Arborists Association (ISA).

- The Tree Warden Certification from the Massachusetts Tree Wardens Association is not available until Fall 2021, which is after the applicable grant period, but the ISA Municipal Specialist certification is an excellent substitute. This is universally recognized in the arborist world, and the training is tailored to Tree Wardens and other similar officials.
- The budgetary impacts on the Town are as follows:
 - DCR will pay (via 100% reimbursement) for ISA membership along with all registration and examination fees = \$380. This is expected to be funded initially from the FY 2021 Town budget for DPW prior to receiving the 100% reimbursement from DCR.
 - The Tree Warden's time for exam preparation and taking the exam itself is estimated to be 41.5 hours. The grant application would split the associated salary expense for this time on a 50-50 basis with DCR. At \$53/hour for Tree Warden time, the total salary expense is \$2120, and the Town's budget would ultimately pay \$1060 and the DCR would pay a matching \$1060.
 - Examination preparation can be done on a computer, as can taking the examination itself. This means that Wayne can pursue the ISA certification without travel expenses. Similar training opportunities in Massachusetts would involve travel expenses so the ISA certification appears to be a less expensive avenue for the Tree Warden.

(2) Training for and obtaining the equipment needed to begin creation of the Roster of Significant and Remarkable Trees of West Newbury.

- This is a major initiative set forth in BOS Charge to the Tree Committee from August, 2019.
- The equipment is for basic tree assessment equipment and site visit safety equipment, both of which would be used by Tree Committee members for evaluating trees for inclusion on the Roster. Note that the equipment can also be used by Wayne Amaral for other Tree Warden duties.

- The training for the Tree Committee members would essentially be basic forestry and tree stewardship training, which is offered by DCR every fall.
- The budgetary and staffing impacts on the Town are as follows:
 - Equipment procurement = \$595. The source of funds would be the current DPW budget for FY 2020, with 100% reimbursement from DCR at a later date. Tree Warden time involved = 1 hr. for which 100% reimbursement will be sought from DCR.
 - Training registration fees for Tree Committee Members = \$930, with 100% being reimbursed by DCR. We expect that the training registration fees would be initially paid from FY 2021 funds per a Tree Committee request for FY 2021 funding. As noted, 100% reimbursement would be received from DCR for these fees.
 - All other time and travel expenses associated with training of Tree Committee members would NOT involve any Town funds or staffing time, and would be borne by the individual Tree Committee members.

I am available to answer any questions that you or the Board of Selectmen may have.

Thanks very much,

Fred Chanania, Chair of the Tree Committee

Massachusetts DCR Urban and Community Forestry Challenge Grant Application Face Sheet

****Application Deadline: Post-marked on or before November 1****

Environmental Justice - no

Applicant (Entity Name):
(First-time applicant - yes)
 West Newbury Tree Committee

Mailing Address:
 West Newbury Town Offices
 ATTN: Tree Committee
 381 Main Street
 West Newbury, MA 01985

Contact Person:
 Fred Chanania, Chair, Tree Committee

Phone:
 [REDACTED]

Email:
 [REDACTED]

Short Project Title: (Seven words or less): Equipment and Training for Tree Committee

Project Summary: **In the following space**, briefly describe the project, including what you expect to be developed, produced, performed, and/or implemented. The project must relate to urban and community forestry:

On 8/5/19, the Town of West Newbury created a new Tree Committee consisting of five West Newbury citizens as full members, the Tree Warden, who serves ex officio, and two associate members. In our first year, the Committee intends to invite and engage community residents in various tree and forestry activities, one of which is the subject of this grant application. We plan to collect data and to begin to create an ongoing roster of "significant or remarkable" trees on public and private lands in West Newbury. Our first step will be to obtain the equipment and training needed for volunteers to make site visits and tree assessments on public and private lands, based on nominations from residents, public officials, and other members of the public. The end product will be the creation of an ongoing "Roster of Significant and Remarkable Trees in West Newbury," which will be published on the existing Tree

Please list any project partners: None identified as yet.

Grant Request (\$) +	Match (\$) +	Volunteer Value (\$) =	Total Project Cost
\$ 3,098	\$ 1,060	\$ 5,582	\$ 9,740

Please attach a more detailed budget indicating sources of match, details of expenses, etc.

This application has the support of the entity that is applying.

 Signature of Authorized Agent

 Date

 Printed Name and Title

Mail to: Julie Coop, DCR Urban Forestry Program, 251 Causeway St., Suite 600, Boston, MA 02114

WEST NEWBURY TREE COMMITTEE

Application for Urban and Community Forestry Challenge Grant

I. BACKGROUND

The Town of West Newbury is a semi-rural, residential town of 14.7 square miles that is comprised primarily of forests, wetlands, Merrimac river frontage, and private housing. Located some 35 miles due north of Boston, West Newbury has only a very small commercial area. West Newbury has 4,327 residents as of 2018, and its relatively low population density reflects our agricultural history, current landscape, and ongoing efforts to maintain open space and natural areas for recreational and aesthetic enjoyment. We are proud of, and typically seek to maintain, the natural character of our town.

On August 5, 2019, the Board of Selectmen created the West Newbury Tree Committee, which consists five appointed members, plus the Town Tree Warden and two appointed associate members. At that time, the Board of Selectmen formally adopted the Committee's Mission Statement, Long-Range Goals, and Initial Objectives.

Our Mission Statement states that the Tree Committee shall:

- Assist in the identification, protection, and preservation of significant and remarkable trees in West Newbury;
- Provide education to the Town and residents of West Newbury on measures that will help to protect and preserve significant and remarkable trees in West Newbury;
- Provide information and assistance generally regarding the values, protection, and preservation of the trees and forests in West Newbury.

Our Long-Range Goals are specified as:

- (1) maintain a data base inventory of significant and remarkable trees in West Newbury;
- (2) assist and educate residents of West Newbury on ways to protect the forest of West Newbury in a manner that promotes the goals of a Green Community and that helps to ameliorate the impact of necessary tree removal from the lands of West Newbury;
- (3) enhance the scenic value of West Newbury and advocate for the maintenance of a healthy and diverse West Newbury forest; and
- (4) help to preserve for future generations the aesthetic, cultural, and historic values associated with significant and remarkable trees in West Newbury and with a healthy and diverse West Newbury forest.

As a newly created Tree Committee, the list of our Initial Objectives is long and ambitious. Our most prominent priorities at this time are to:

- Provide information, assistance, and advice on the protection, preservation, and enhancement of West Newbury trees and forests to homeowners in West Newbury, including educational materials and events;
- Create a data base inventory of significant or remarkable trees in West Newbury, which will involve determining the criteria for a "significant" or "remarkable" tree and creating an informational survey to be made available to all residents of West Newbury asking for nominations of trees that would meet these criteria;
- Obtain the equipment and training necessary to conduct site visits on private and public lands to identify, evaluate, and catalog significant or remarkable trees;
- Coordinate with the Town Tree Warden and provide, upon his or her request, technical advice and assistance regarding trees on public thoroughfares and lands; and
- Provide information, assistance, and advice on West Newbury trees to various town Boards, Committees, and Commissions.

We have established the Tree Committee website to begin our efforts to provide information, assistance, and advice to West Newbury residents and town officials. The website can be found through the Tree Committee link located at www.wnewbury.org.

II. PROJECT DESCRIPTION

Our challenge grant funding proposal consists of needed preparatory steps for a project that will help us meet one of the Tree Committee's highest priorities, creation of the "Roster of Significant and Remarkable Trees of West Newbury." These preparatory steps will enable the Tree Committee to start on its mission of protecting, preserving, and enhancing the trees and forests of West Newbury. We also believe that enabling us to create this Roster will more broadly engage residents of West Newbury in the protection and preservation of the trees and forests that are at the heart of West Newbury's natural beauty and character.

Acquiring Equipment and Training Needed to Assess "Significant" or "Remarkable" Trees in West Newbury

As is evident from the preceding Goals and Objectives, the West Newbury Tree Committee gives high priority to establishing the Roster of Significant and Remarkable Trees in West Newbury. Because much of the land in West Newbury is owned by individuals, our plans to establish this Roster will involve reaching out to homeowners and visiting both public and private. We are seeking to use this Roster project as a vehicle to further educate homeowners on the importance of trees on their property and on public property, and to provide non-monetary incentives to preserve and maintain large trees on public and private properties. Not only will this protect the natural character of West Newbury, but it will also meet the Tree Committee's goal of preserving our forests as a means to ameliorate the impacts of future climate change, a subject of concern to residents of West Newbury. We also believe that identifying a significant or remarkable tree on public or private property will provide a source of pride and stewardship on the part of town residents and officials and residents that will extend well into the future.

To start this ongoing and multi-year project, several foundational activities need to take place. Some of these activities form the basis of our request for grant funds and include the following:

- (1) Establishing Criteria: *Note, this element is NOT part of this application for grant funds, The information below is provided as background to show the efforts leading up to the Roster itself.*

The Tree Committee needs to define what will constitute a "significant" or "remarkable" tree in West Newbury for purposes of inclusion on the Roster. An illustrative example might be that a remarkable tree is one that can garner 75% of the points that a Massachusetts champion tree has earned, or a tree that has served a particularly important role in West Newbury history or pageantry. We intend to use other recognized designations, such as Heritage and Champion trees, as a starting point but do NOT wish to be bound by their specific requirements. This more flexible approach is designed to allow us the maximum amount of encouragement to landowners to take notice of large or otherwise important trees on their properties and in West Newbury in general, and to become more educated about the protection and maintenance of important or unusual specimens in West Newbury. The purchase of equipment and training of Committee members (including the Town Tree Warden) is intended to be completed somewhat early in grant period, no later than the fall of 2021, so that site visits and tree assessments can begin by early winter 2020 and accelerate in the spring and summer of 2021.

- (2) Procedures: *Note, this element is NOT part of this application for grant funds, The information below is provided as background to show the efforts leading up to the Roster itself.*

After the Tree Committee designs a Nomination Form, the residents of West Newbury will be furnished this form by which they can nominate various trees for inclusion on the Roster of Significant and Remarkable Trees in West Newbury. This Nomination Form will be publicized

through electronic media, emails, and the Tree Committee website. We also to have the Nomination Form available for distribution at a Tree Day event in spring 2020. Once nominations are received, the Tree Committee members will arrange for site visits to evaluate the candidate tree(s). Subsequently, the Tree Committee will determine whether the candidate specimen meets pertinent criteria and warrants inclusion on the Roster of Significant and Remarkable Trees. The nomination process may begin during summer 2020, and site visits may begin as early as fall 2020. Both will be ongoing thereafter.

(3) Equipment Needs: *This element IS part of this application for grant funds.*

In preparation for site visits to evaluate nominated trees, members of the Tree Committee will need some basic equipment for measuring tree girth and height and recording the information gathered as part of its evaluation of any candidate tree. In addition, some identifying outerwear is needed for safety purposes and to assure homeowners and town personnel that anyone on a site visit is an authorized person affiliated with the Tree Committee. These items are included in this grant application and are specifically enumerated in the attached detailed budget request and will be needed by fall 2020.

(4) Training Needs: *This element IS part of this application for grant funds.*

At this point, members of the Tree Committee have limited experience with trees and forestry, but no one on the Committee is a trained or certified arborist (including our Tree Warden). Thus, to make this project work properly, members of the Tree Committee and our Tree Warden will need to receive training in tree identification, measurement, and relevant evaluation techniques in addition to basic methods of tree care and maintenance. Optimally, this training for a majority of the members of the Tree Committee should be completed by late fall 2020, when we hope that site visits will begin. We will seek the advice of DCR personnel to direct us to appropriate training opportunities, such as that provided by the Forestry and Tree Wardens Association, by the Green School, or by DCR's Urban and Community Forestry program. This training will involve registration and transportation costs at a minimum. Our estimates for this training are enumerated in the attached detailed budget request.

Please note that the Tree Warden for West Newbury, Mr. Wayne Amaral, is not a certified arborist nor has he been able to attend a Massachusetts Tree Warden training program. Thus, our grant request includes appropriate training and certification for our Tree Warden. In addition, please note that, because the Tree Committee is charged with assisting the Tree Warden, upon his request, in carrying out his official duties, the grant request also includes Tree Warden training for one Committee member, in this case the Committee Chair.

III. PERSONNEL INVOLVED

All of the members of the Tree Committee will be involved with determining the criteria for significant or remarkable tree designation during the winter of 2019 and spring of 2020. They will also all be involved in establishing procedures for nominating trees and evaluating candidates on subsequent site visits.

Specifically, for purposes of this grant application and the accompanying detailed budget request, the following persons will be responsible for specific tasks related to obtaining needed equipment and training for site visits. As mentioned above, please note that the budget request includes appropriate training for the Tree Warden. In addition, please note that also includes Tree Warden training for one Committee member, in this case the Committee Chair.

Fred Chanania, Chair:	Contacting DCR for training opportunities; equipment selection and ordering; MTWF Tree Warden training participant or, alternatively, Tree Stewardship (or similar) training participant
Jane Martin, Vice-Chair:	Coordinator for travel to training sites as needed; Tree Stewardship (or similar) training participant
Molly Hawkins, Secretary:	External affairs coordinator; training registration coordinator; Tree Stewardship (or similar) training participant
Kathy Mandeville:	Educational materials coordinator; Tree Stewardship (or similar) training participant
Claudia Woods:	Grant manager and reimbursement coordinator; Tree Stewardship (or similar) training participant
Wayne Amaral, Tree Warden:	Housing equipment; MTWF Tree Warden training participant
Francesca Pomeranz:	Tree Stewardship (or similar) Training participant
Barbara Haack:	Training participant

Incorporation of Diverse Members of Community:

The Tree Committee itself is made of members with very diverse backgrounds and interests, as are the West Newbury residents. However, to increase the diversity of members of the community involved in the project for which are seeking grant funding, we intend for the educational aspects of this project to be tailored to different age levels and interests. For example, the effort to reach out to landowners and their families for identifying significant and remarkable trees will span all ages. Second, we may have an outreach program in our local schools regarding the nomination and assessment of candidate trees for potential inclusion in the Roster. It is possible that some students may be enlisted to help create and maintain the Roster and any associated data base. However, at this early stage, the Committee has not yet fully discussed or determined how young adults might become involved with our multi-year effort to establish the ongoing Roster of Significant and Remarkable Trees of West Newbury.

IV. SUSTAINABILITY

Roster of Significant and Remarkable Trees - Needed Equipment and Training

Almost by definition, acquiring both (1) the equipment needed to evaluate candidate trees as well as (2) the training of Committee members in basic forestry techniques will provide us with a basis for continuing the Tree Committee's work well beyond this particular grant year. This grant request also will ensure that our Tree Warden and at least one other person has sufficient training to ensure that the duties of the Tree Warden can be carried out effectively and efficiently into future years.

In addition, the training will facilitate our ability to conduct site visits and establish the Roster of Significant and Remarkable Trees on both public and private lands. In turn, we fully anticipate that establishing the Roster will build a growing appreciation of important and noteworthy trees among the residents of West Newbury, not to mention West Newbury's multitude of public forest lands and tree-lined thoroughfares. As indicated earlier, we believe that having a significant or remarkable tree on either public or private property will provide a source of pride and stewardship on the part of town landowners that will extend into the future. As DCR is well aware, the protection, preservation, and enhancement of forests is a key element of offsetting climate change, so anything that can be done to increase the awareness among our residents should yield benefits for future tree and forest stewardship .

V. EVALUATION AND ACCOMPLISHMENTS

Equipment and Training for Site Visits and Tree Assessments

We will evaluate the success of this project by the following benchmarks:

1. Purchase of the equipment identified more specifically in the Budget attachment by late spring 2020.
2. Attendance at and successful completion of appropriate training opportunities during first half of the grant period by at least four members of the Tree Committee, and by all members of the Tree Committee by the end of the grant period.
3. Completion of MTWF Tree Warden training by Tree Warden and Committee Chair in Fall 2020.
4. Use of the purchased equipment successfully during one or more site visits during 2020 and 2021 (if any are able to be held during grant period).

Specific products to be submitted in the Accomplishment Report:

- List of equipment purchased
- Dates of use of purchased equipment during site visits (if any are able to be held within the grant period)
- Registration and attendance documentation for at least four members of Committee at one training session during the grant period, including dates and hours of attendance and certificates of completion (if any)
- Tree Warden and Committee Chair - registration and attendance documentation at Tree Warden training, including dates and hours of attendance and any documentation of successful completion.

VI. BUDGET SUMMARY

Below is a summary of the budget for our grant application. Please see "Detailed Budget for West Newbury Challenge Grant Application," which is attached to this application.

West Newbury Grant Application Budget	Estimated Cost	Requested DCR Funds	Matching Funds - Dollars Pending	Matching Funds - Dollars In Hand	Matching Funds - In Kind
Equipment Cost plus Time Associated with Ordering, Procurement, and Storage	679	648	0	0	31
Training for Tree Warden and Tree Committee Members	9,061	2,450	1,060	0	5,551
Total	\$ 9,740	\$ 3,098	\$ 1,060	0	\$ 5,582

VII. PROJECT TIMELINE

The following 12-month timeline assumes a grant award by March 1, 2020. The months will simply be extended if the grant award becomes effective later.

Subject or Task	Personnel	Start and Completion Dates	Evaluation / Documentation
1. Development of criteria for Roster - <i>not part of grant funding request</i>	All Committee Members	Start: 11/1/2019 Complete: 4/1/2020	Criteria developed and posted on website
2. Development of Nomination Form - <i>not part of grant funding request</i>	Kathy Mandeville	Start: 4/1/2020 Complete: 5/10/2020	Nomination form
3. Purchase and storage of equipment	Fred Chanania Wayne Amaral, Tree Warden	Start: 5/1/2020 Complete: 6/30/2020	Equipment delivered; invoices and payment records; ; volunteer timesheets
4. Outreach to Residents and Others about Roster - <i>not part of grant funding request</i>	Claudia Woods Francesca Pomeranz Barbara Haack	Start: 5/1/2020 Complete: 8/2020	Electronic media postings; emails; volunteer timesheets
5. Site Visits Begin per Nomination Forms - <i>not part of grant funding request</i>	All Committee Members	Start: 8/15/2020 Complete: 2/28/2021	Photos; tree evaluation forms and notes; volunteer timesheets
6. Use of Equipment on Site Visits	All Committee Members	Start: 8/15/2020 Complete: 2/28/2020	Photos; tree evaluation forms and notes; volunteer timesheets
7. Training Opportunities Identified; Registration and Travel Arrangements	Molly Hawkins Jane Martin Other Committee Members	Start: 3/1/2020 Complete: 2/28/2021	Registration confirmation; travel confirmations; volunteer timesheets
8. Attendance at Training Sessions	All Committee Members	Start: 3/1/2020 Complete: 2/28/2021	Certificates of attendance; volunteer timesheets and mileage records
9. Assemble Data for Grant Reporting	Claudia Woods	Start: 1/1/2021 Complete: 3/1/2021	Data spreadsheets; volunteer timesheets
10 and 11. Accomplishment Report and Reimbursement Request	Fred Chanania Claudia Woods	Start: 1/1/2021 Complete: 3/15/2021	The Report and Request themselves

TIMELINE OVERVIEW	3/20	4/20	5/20	6/20	7/20	8/20	9/20	10/20	11/20	12/20	1/20	2/20
Project: Equipment and Training												
1. Development of criteria for Roster	X	X										
2. Development of Nomination Form		X	X									
3. Purchase of equipment			X	X								
4. Outreach about Roster				X	X	X						
5. Site Visits Begin per Nomination Forms						X	X	X	X	X	X	X
6. Use of Equipment on Site Visits						X	X	X	X	X	X	X
7. Training Opportunities Identified	X	X	X	X	X	X	X	X	X	X	X	X
8. Attendance at Training Sessions	X	X	X	X	X	X	X	X	X	X	X	X
9. Assemble Data for Grant Reporting											X	X
10. Accomplishment Report												X
11. Reimbursement Request												X

VIII. LETTERS OF SUPPORT

- 1. West Newbury Tree Warden - attached
- 2. West Newbury Board of Selectmen Approval - attached
- 3. West Newbury Conservation Commission - attached
- 4. West Newbury Open Space Committee - attached

Respectfully submitted,

West Newbury Tree Committee

Dated:

_____	_____	_____
_____	_____	_____
_____	_____	_____

ATTACHMENT

**Detailed Budget Form
DCR Urban and Community Forestry Challenge Grant
West Newbury Project - Equipment and Training**



<u>CATEGORY</u>	<u>DCR GRANT</u>	<u>CASH MATCH</u>	<u>IN-KIND MATCH</u>	<u>DESCRIPTION / SOURCE</u>
SALARY				
Tree Warden	53	0	0	Time associated with procurement, delivery, and storage of equipment - 1 hr. @ \$53/hr (FY 2020 town initial funding)
Committee Chair	0	0	31	Time associated with procurement, delivery, and storage of tree assessment and safety equipment - 1 hr. @ \$31/hr
Tree Warden	1060	1060		Estimated 40 hours to prepare for Int'l Society of Arborists (ISA) examination to obtain certification as ISA Certified Arborist Municipal Specialist @ \$53/hr (initial funding from projected FY 2021 town budget)
Tree Warden	80	0	0	Time to take Computer-based examination for ISA certification 1.5 hrs @ \$53/hr (initial funding from projected FY 2021 town budget)
Committee Chair	0	0	1340	Estimated 40 hours to prepare for Int'l Society of Arborists (ISA) examination to obtain certification as ISA Certified Arborist @ \$31/hr
Committee Chair	0	0	47	Time needed to take computer-based examination for ISA certification 1.5 hrs @ \$31/hr
1 Committee Member	0	0	124	Time needed to identifying training opportunities - 4 hrs. @ \$31/hr
1 Committee Member	0	0	620	Time needed to handle training registrations and travel arrangements - 20 hrs. @ \$31/hr
5 Committee Members (not including Tree Warden or Committee Chair)	0	0	500	Registration fees @ estimated \$100/ registration per person - personal funds of Committee members used if Town funding not available
5 Committee Members (not including Tree Warden or Committee Chair)	0	0	1680	Time needed to attend training - 12 hours per training session per person (assumes 2-day training like DCR Stewardship training) - total 60 hrs. @ \$31/hr
5 Committee Members (not including Tree Warden or Committee Chair)	0	0	1240	Time needed to travel to training site - 4 hours round trip per person per day for 2 day training session - total 40 hrs @ \$31/ hr
SUBTOTAL	1193	1060	5582	
CONTRACTUAL				
Training - ISA Membership and Exam Registration Fees for Tree Warden	380	0	0	Cost of Int'l Society of Arborists (ISA) membership and exam registration fee (including computer exam fee) for Tree Warden to obtain ISA Certified Arborist Municipal

				Specialist certification (initial funding from projected FY 2021 town budget).
Training - ISA Membership and Exam Registration Fees for Committee Chair	430	0	0	Cost of Int'l Society of Arborists (ISA) membership and exam registration fee (including computer exam fee) for Tree Committee Chair to obtain ISA Certified Arborist certification (initial funding from projected FY 2021 town budget).
5 Committee Members (not including Tree Warden or Committee Chair)	500	0	0	Registration fees @ estimated \$100/ registration per person - personal funds of Committee members to be used if initial Town funding from projected FY 2021 town budget is not available.
SUBTOTAL	1310	0	0	
MATERIALS				
Forestry Equipment for Assessing Candidate Significant or Remarkable Trees	595	0	0	Nikon Rangefinder (hypsometer) for tree height @ \$399; 2 Tree girth cloth tapes (@45 = \$90; 4 Safety Vests @ \$12.50 = \$50; Imprint costs for vests @\$55; TOTAL = \$595 (FY 2020 budget) (hard hats borrowed from West Newbury DPW)
SUBTOTAL	595	0	0	
ADMINISTRATION				
TOTAL	\$ 3,098	\$ 1,060	\$ 5,582	TOTAL PROJECT COST = \$9,740

Town Manager

From: [REDACTED]
Sent: Wednesday, October 2, 2019 4:56 PM
To: Gabby Queenan
Subject: Request for support for sewage notification bill
Attachments: An Act promoting awareness of sewage pollution in public waters_2019_7.19.19.pdf; Elected officials sign on letter_sewage pollution notification bill_9.11.19.pdf; Somerville City Council supports H.3976.pdf

Hello,

My name is Gabby Queenan and I am the Policy Director of the Massachusetts Rivers Alliance. I am reaching out to you because we are in the process of connecting with local elected officials to solicit support for a bill that would notify the public about the presence of sewage in local waterways.

I hope you're willing to sign onto a letter in support of this legislation. If so, please click [here](#).

You may have heard of this legislation (H.3976) filed by Rep. Campbell (Methuen), Rep. Denise Provost (Somerville) and Sen. Jehlen (Somerville). Right now there is no required notification to the community or local electeds when there is a release of sewage into our rivers. This requirement has been implemented in fourteen other states and despite the fact the Massachusetts has approximately 3 billion gallons of sewage spilling into waterbodies every year, we have yet to make this a requirement in our state.

[H. 3976](#) would change that. It would require:

- That sewage system operators issue a public advisory within 2 hours of a sewage discharge and every 8 hours thereafter until the discharge has ended;
- A final advisory within 2 hours of the conclusion of the discharge
- Advisories be made available online; sent via email or text message to subscribed members of the public; submitted to the 2 largest local news organizations; and distributed to local boards of health, municipal officials, the state Department of Public Health, and MassDEP.

The bill has over 80 co-sponsors (details attached). Please note that the real long-term goal is *fixing* this problem with funding for infrastructure improvements, but building public awareness is an important first step to getting the necessary funding.

Please note that individual select board members and city councilors can sign on to the letter, but some towns and cities have decided to send letters of support from their entire elected body (see attached for Somerville City Council example). In addition, even if you do not represent a community that has combined sewer overflows, every community would benefit from this legislation because it covers all types of sewage discharges (including line breaks or treatment plant failures).

If you have any questions or need any additional information, please do not hesitate to contact me.

Best,

Gabby

--

An Act promoting awareness of sewage pollution in public waters (H.3976)

Sponsored by Senator Pat Jehlen, Representative Linda Dean Campbell and Representative Denise Provost

In 14 other states, the public is notified when there is a sewage spill in local waterways. Why not Massachusetts?

The Issue

- When it rains, stormwater floods our Commonwealth’s aging sewer systems. This mix of stormwater and wastewater can discharge into rivers and public waterways. These Combined Sewer Overflows (CSOs) often total millions of gallons of raw sewage per event.
- There are **181 active CSO outfalls** throughout the Commonwealth, which collectively discharged **2.8 billion gallons of sewage** into rivers and streams in 2011.
- Exposure to water contaminated by untreated sewage discharges can cause inflammation of the intestines; respiratory, eye and ear infections; skin rashes; hepatitis, and other diseases.



Combined sewer overflows in the Mystic River.

Current Requirements in Massachusetts

- Reporting requirements for CSO permittees vary by permit, but currently in Massachusetts there is no general public notification requirement for any CSOs.
- Downstream communities are currently not required to be notified if there is a sewage spill upstream from them.

What other states have passed notification requirements for sewage overflows?

- More than a dozen other states have general public notification reporting requirements for combined sewer overflows.

State or Region	Response requirement	Method of notification	Signage required at CSO outfall location	Signage required at public access points
Great Lakes Basin states	4 hours	Website or other electronic media	Yes	Yes
Maryland	24 hours	Newspaper, TV, radio	Yes	No
Michigan	24 hours	MiWater online system, website	No	No
New York	2 hours	NY-Alert e-mail or text to subscribers	Yes	No
Vermont	1 hour	E-mail or text to subscribers	Yes	Yes
Proposed for Massachusetts	2 hours	Email or text to subscribers	Yes	Yes

What are the costs associated with implementing a notification system?

- For communities that have CSO outfalls, costs to implement notification systems will be minimal. This legislation mirrors the requirements of the Great Lakes Basin states. According to EPA's *Analysis of Costs and Executive Orders for Public Notification Requirements for Combined Sewer Overflows to the Great Lakes Basin*, the average incremental cost per CSO permittee will be about **\$2,850 per year** for compliance with these measures.
- EPA concluded that the rulemaking costs would amount to **an increase of less than one percent of average small governments' revenue** in the region.
- In addition, Massachusetts legislative champions for sewage spill notifications secured **\$800,000 in the 2018 Environmental Bond** for grants to municipalities that need assistance in implementing notification systems.



Combined sewer overflow outfall at the Greater Lawrence Sanitary District.

Which demographics are most at risk during combined sewer overflows?

- Swimmers, canoeists, and others exposed to CSO contaminants are vulnerable to gastroenteritis, respiratory infections, eye or ear infections, skin rashes, hepatitis and other diseases.
- **Children, the elderly, and people with suppressed immune systems are especially vulnerable.**
- Wildlife and aquatic habitat are also adversely affected by CSO pollutants which lead to higher water temperatures, increased turbidity, toxins and reduced oxygen levels in the water.
- CSO discharges have widespread impacts across New England, causing beach closings, shellfishing restrictions and limiting fishing and other recreational activities.
- In some instances, CSOs discharge raw sewage into rivers that also serve as primary sources of drinking water, as is the case for some communities on the Merrimack river.

How will this legislation address these issues and benefit my community?

This legislation would institute a statewide sewage discharge notification system so that Massachusetts residents will know when CSO discharges make their rivers unsafe for recreation. This bill would institute the following practices:

1. All CSO operators must provide a **public notification alert within two hours** of a CSO discharge.
2. All CSO operators must alert **chief administrative officials, local boards of health and the Department of Public Health within two hours** of a sewage spill.
3. The Massachusetts Department of Environmental Protection will be required to **centralize CSO discharge data** on their website and provide an access point to sign up for subscriptions to public notifications for sewage spills.
4. Signage must be posted at all public access points near CSO outfalls using simple pictographic images to alert citizens about potential health implications of CSOs.

For questions and additional information, please contact:

Mark Martinez, Office of Sen. Jehlen, Mark.Martinez@masenate.gov, 617-722-1578

Brian McGahie, Office of Rep. Campbell, Brian.McGahie@mahouse.gov, 617-722-2380

Lucas Schaber, Office of Rep. Provost, Lucas.Schaber@mahouse.gov, 617-722-2263

Gabby Queenan, Massachusetts Rivers Alliance, gabbyqueenan@massriversalliance.org (617) 714-4272

Town Manager



To:



Town Manager

Subject:

Re: FW: Request for support for sewage notification bill

Hi Angus,

Just speaking for myself here, yes I think we should endorse this. We have other bills as well but we need to make this a priority.

Thanks,

Lenny

On Tue, Oct 8, 2019 at 10:14 AM Town Manager <townmanager@wnewbury.org> wrote:

Hi,

Do you both agree this support letter should be put to the BoS (and perhaps other local boards) for endorsement?

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



Sent: Wednesday, October 2, 2019 4:56 PM



COMMONWEALTH OF MASSACHUSETTS
THE GENERAL COURT
STATE HOUSE, BOSTON 02133-1053

The Honorable Michael Rodrigues
Chair, Senate Committee on Ways and Means
State House, Room 212
Boston, MA 02133

October 9, 2019

Dear Chairman Rodrigues:

We would like to thank you for your leadership in supporting regional school transportation reimbursement during the crafting of the FY20 State Budget. The 82.2% reimbursement rate that was included in the Senate budget, as well as the budget signed into law by the Governor, is higher than any year in recent memory. We respectfully request that the FY20 line item 7035-0006 be increased by \$2,626,023 to a total amount of \$78,482,529, representing a 85% reimbursement rate in an upcoming FY 20 supplemental budget.

Despite this increased amount, our regional schools are still underfunded as compared to the 100% reimbursement rate stipulated in statute. While full reimbursement is still the eventual goal, we respectfully request that the FY20 line item 7035-0006 be increased by \$2,626,023 to a total amount of \$78,482,529, representing a 85% reimbursement rate while helping our regional schools systems with costs associated with transportation.

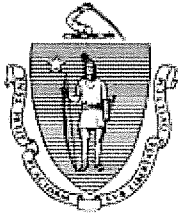
As was detailed in Auditor Suzanne Bump's report in October 2017, state reimbursement for regional school transportation remains a top concern for districts across the commonwealth. Costs associated with transportation in a regional school district represent a significant portion of a district's budget because of the geographical footprint associated with bus routes across numerous communities, often with low population densities. The mandate that regional school districts are required to transport all students to and from their homes places a significant financial burden on school districts, made especially difficult with reimbursement rates fluctuating from year to year. Over the years, regional school districts have made every effort to cut transportation costs and operate as efficiently as possible. It is the state's responsibility to fulfill its promise to cities and towns that have regionalized their school districts.

Thank you for your consideration of this request, and do not hesitate to contact our offices if you have any questions.

Sincerely,

Senator Anne M. Gobi
*Worcester, Hampden, Hampshire and Middlesex
District*

Senator Bruce E. Tarr
First Essex and Middlesex District



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
 100 Cambridge Street, Suite 900
 Boston, MA 02114

Charles D. Baker
 GOVERNOR

Karyn E. Polito
 LIEUTENANT GOVERNOR

Kathleen A. Theoharides
 SECRETARY

Tel: (617) 626-1000
 Fax: (617) 626-1181
<http://www.mass.gov/eea>

September 16, 2019

Melissa Robbins
 Deschenes & Farrell, PC
 515 Groton Rd
 Westford 01886-

Re: Draft Conservation Restriction Approved

CR Reference No.: 16507

CR Number: WEST NEWBURY #020

CR Address: 365 Main Street

Town: WEST NEWBURY

Dear Melissa:

Please find a copy of the conservation restriction that has been reviewed by EEA legal and cleared for local signatures attached to this email. Do not make any substantive changes without informing us. Minor changes such as formatting or to correct typos or misspellings do not require notification.

Please proceed with obtaining signatures of the Grantor, Grantee, and municipality. Once obtained, please return one hard copy of the CR to me - you may keep the original signature pages. Please ensure the final signature pages and exhibits are complete with all dates filled in and signatures properly notarized. Please also carefully review the MA Deed Indexing Standards (2018) to ensure the CR will be accepted for recording. For example, documents must be single-sided per standard 16-1. Once received, the CR will be forwarded to Secretary Theoharides for final review. Once signed, we will return the CR to you in the manner indicated on your original application form.

I look forward to finalizing this. Please remember to use the CR Reference Number and CR Number given above in all correspondence or inquiries.

Sincerely,
 John Gioia
Conservation Restriction Reviewer
 Division of Conservation Services
 100 Cambridge Street, Suite 900
 Boston, MA 02114

**Town of West Newbury
Board of Selectmen
Minutes of Meeting
Monday, September 30, 2019
First Floor Hearing Room**

ATTENDANCE

Board of Selectmen	David Archibald, Glenn Kemper, Richard Parker
Town Manager	Angus Jennings
Town Clerk/Town Counsel	Michael McCarron
DPW Director	Wayne Amaral
Board of Health	Robert Janes Chairman, Paul Sevigny Health Agent
Planning Board	Brian Murphey, Tim Cronin, Richard Bridges
Open Space Committee	John Dodge
Energy Advisory Committee	Elizabeth Callahan
Others in Attendance	Jennifer Solis, Stephanie Frontiera

The meeting was called to order at 7:11 p.m. by Chairman David Archibald.

ANNOUNCEMENTS

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet.
- Apple Harvest Road Race next Sunday, October 6, 2019 with several road closures, dinner on Saturday October 5, 2019 at the Annex, tickets will be available at the door.
- Water Department: Brake’s Hill Water Tank site work to begin Monday, September 30, 2019. Sample letter to residents contained in Agenda packets.
- Upcoming Events: Merrimack Valley Planning Commission – Smart Growth Summit October 29, 2019.
- Opportunities for FY 20 Committee appointments posted online at <https://www.wnewbury.org/board-selectmen/pages/2019-20-volunteer-oportunities>.
- FY 20 Senior Tax Work-off program: interested residents contact Theresa Woodbury at Council on Aging Office.

REGULAR BUSINESS

- A.) Request for authorization to install wayfinding signage within public rights-of-way – Dave Read East Coast Greenway.

B.) Request for DPW labor and materials to install wayfinding signage- Dave Read East Coast Greenway.

Discussion took place regarding this project. Dave Read explained that this project is bikeable and ADA accessible. The route from the Canadian border to Key West is a 3,000 mile trail. It contains both roadways and trails. Angus suggested authorizing the installation of signs with DPW labor and materials subject to DPW director and budget availability. Wayne Amaral DPW Director would contact Dig Safe and his staff would be available contingent on winter weather conditions. There would be an estimated 11 signs with a cost of \$1,150.00 for cost of signage and labor. This project is 30% complete. Selectman Parker suggested that this may be an opportunity for volunteer labor.

Motion was made by Selectman Kemper to authorize the signs and installation as per the direction of the DPW Director.

Yes 3, No 0

C.) Review of proposed warrant articles for Special Town Meeting

a.) Proposed DPW articles: high hazard trees; salter, library dehumidifiers; and Town Buildings operating costs.

DPW Director Wayne Amaral is seeking a 5 year plan with \$50,000.00 per year devoted to tree removal. He prepared a detailed report of the trees involved with ranking by condition of these trees. This list is contained in the Agenda packets. His current budget of \$20,000.00 is not sufficient to complete the list of affected trees.

The proposed salter for \$9,500.00 could be attached to the dump truck. This would not require a CDL license. Currently there are 3 CDL drivers in this department. This would allow 5 or 6 people to salt during inclement weather and would be used in smaller municipal parking lots and small areas.

\$7,600.00 for Library dehumidifiers and Town Buildings operating costs. The library was concerned about mold and air quality. Dehumidifiers were installed, duct work was cleaned and new rugs were installed. This request is to reimburse the DPW budget which was drained by these repairs. Selectman Parker requested a listing of new equipment and the date of installation. He also inquired about the increased energy usage due to the dehumidifiers. Wayne replied that the energy usage would most likely even out due to the lack of temperature adjustment. Angus reported that the duct cleaning and carpet installation were overdue. The dehumidifiers were an extra cost.

b.) Proposed Board of Health articles regarding Steele Landfill post-closure costs.

The DEP has issued a monthly gas testing at the landfill. This order was not issued until after the April, 2019 Town Meeting. If the Town were to fail complying with this order there is the potential of the DEP issuing fines for noncompliance. This request also contains funds to install

a gas vent stretch along Middle Street. Paul Sevigny stated that monthly testing will need to be conducted. Once the trench is installed if the data shows frequency of testing can be lowered DEP would allow that. He stated that he did not know how long that might be. The cutoff trench will vent the gas being omitted. He reported that the town has only been testing this site for 10 years and believes that gas omissions may be at their peak. DEP requirements letter and cost estimate spreadsheet are contained in the agenda packets.

c.) Proposed Zoning Bylaw amendments proposed by the Planning Board.

Chairman Archibald asked if the proposed changes were due to change in Massachusetts General Laws. Brian Murphey responded that there were not changes to the law but rather the Planning Board's wish to remove archaic language. Brian also reported that the Planning Board made adjustment to advertised language on the advice of Town Counsel. Proposed deletions and insertions are contained in the agenda packets.

D.) Meeting with Planning Board regarding public safety sign – requested by Planning Board.

Discussion took place regarding the illuminated sign at the Public Safety Complex. Brian Murphey informed the Board of Selectmen that the Planning Board was concerned that the sign does not meet the criteria in current bylaw. This board was also advised by Town Counsel that they would need to seek an outside opinion as he represents the Building Inspector. Chairman David Archibald reminded everyone that there were multiple public meetings prior to the sign being installed where any person could have voiced opposition. Angus reported that white text was now in use. The timing of turning the sign on and off had also been adjusted. The brightness of the sign was also turned down.

E.) Review of projects for potential Green Communities grant application – Energy Advisory Committee.

Liz Callahan was seeking the Board's input as to whether the committee should pursue streetlight replacement with LED lamps or an electric vehicle charging station. This input would then be taken into consideration with potential grant applications. Wayne Amaral stated that a larger number of lights would be necessary to realize a cost savings on the street light proposal. Selectman Kemper suggested that the town could replace part of the current fleet with electric vehicles. Discussion then took place as to which town property location might be advantageous. Suggested locations were the public safety complex, the library, Pipestave/DPW. The primary mission of this initiative would be to serve the town first and secondary access would be the public. Discussion took place as to how to curb abuse of this station. Selectman Parker stated that the applicable charge would be on a user's card. He also stated that there would be 11 charging stations at the new school and that conduit was being added to facilitate future installations.

F.) Interview with finalist candidate for Town Accountant/Business Manager position.

Angus gave background information on Stephanie Frontiera the finalist candidate for this position. The Board asked questions of the candidate and about her interest in this position. The job description and interview questions are contained in the agenda packet.

Motion made by Selectman Kemper, seconded by Selectman Parker to authorize the Town Manager to enter into negotiations for the position of Town Accountant/Business Manager.

Yes 3, No 0

G.) Review of Soldiers & Sailors Memorial (Carr Post) CPC proposal; discussion of financing options.

After discussion of various potential methods of financing this project the board settled on financing this project through Community Preservation Funds. Angus suggested that the costs that will need to be incurred would need to be estimated prior to bonding this project. Town Clerk/Town Counsel Michael McCarron estimated design costs at approximately \$200,000.00.

Motion made by Selectman Kemper that the \$250,000.00 up front funds needed to begin this project be taken from CPC funds as follows: \$150,000.00 Historical Preservation; \$100,000.00 in Undesignated Funds. The balance of the funds to be borrowed.

Yes 3, No 0

H.) Consideration to re-open Special Town Meeting warrant, and potential article to fund installation of tables and benches at Mill Pond to commemorate Bicentennial.

After discussion regarding this item and that the staff had an issue as they are adhering to Massachusetts General Law regarding appropriation and expenditure of funds the following motion was made:

Motion made by Selectman David Archibald to reopen the Special Town Meeting Warrant, seconded by Selectman Richard Parker.

Yes 1, No 2 (Selectman Archibald favorable)

I.) Review of draft warrant for Special Town Meeting.

A draft of the warrant for the Special Town Meeting was presented to the Board. This draft was contained in the agenda packets.

J.) Discussion of recommended bridge type for Middle Street Bridge.

Motion was made by Selectman Kemper, seconded by Selectman Parker that the Middle Street Bridge type should be the option with a sidewalk of the two types presented.

Yes 3, No 0

K.) Municipal Vulnerability Preparedness Working Group Update – Selectman Parker

Selectman Parker updated the board on this issue. He explained that understanding the risks and planning to mitigate them with a predefined state process is the goal. This will be completed by fiscal year end 6/30/2019.

L.) Appointment of EMA personnel, Police, ADA Coordinator and Deputy ADA Coordinator.

Selectman Glenn Kemper made a motion, seconded by Selectman Parker that Leeann Delp be appointed EMA Director with a term expiring 6/15/20.

Yes 3, No 0

Selectman Glenn Kemper made a motion, seconded by Selectman Parker to approve the list of appointees from the memo received 9/30/2019 with the EMA and ADA appointment list.

Yes 3, No 0

M.) Meeting Minutes September 16, 2016; September 9, 2019; January 30, 2019.

Motion was made by Selectman Kemper, seconded by Selectman Parker to approve the abovementioned minutes.

Yes 3, No 0

TOWN MANAGER UPDATES

N.) Updated Planning Board Fee Schedule approved September 3, 2019.

Angus brought forward a detailed fee schedule that had been previously approved by the Board. This schedule is contained in the agenda packets.

O.) Follow up meeting assignments.

Discussion took place regarding town business taking place on town emails rather than personal emails. There was a reported issue whereby people clicked the Open Space Committee Link and had an issue. Town Clerk/Town Counsel Michael McCarron mentioned that the Library and Police have their own webpages. Angus made sure that the issue was corrected.

Motion was made by Selectman Kemper, seconded by Selectman Parker to adjourn the meeting at 10:12 p.m.

Yes 3, No 0

Respectfully submitted, Mary DiPinto

Year 1 Annual Report

Massachusetts Small MS4 General Permit

Reporting Period: May 1, 2018-June 30, 2019

Please DO NOT attach any documents to this form. Instead, attach all requested documents to an email when submitting the form

Unless otherwise noted, all fields are required to be filled out. If a field is left blank, it will be assumed the requirement or task has not been completed.

Part I: Contact Information

Name of Municipality or Organization:

EPA NPDES Permit Number:

Primary MS4 Program Manager Contact Information

Name: Title:

Street Address Line 1:

Street Address Line 2:

City: State: Zip Code:

Email: Phone Number:

Fax Number:

Stormwater Management Program (SWMP) Information

SWMP Location (web address):

Date SWMP was Last Updated:

If the SWMP is not available on the web please provide the physical address and an explanation of why it is not posted on the web:

Part II: Self Assessment

First, in the box below, select the impairment(s) and/or TMDL(s) that are applicable to your MS4.

Impairment(s)

Bacteria/Pathogens
 Chloride
 Nitrogen
 Phosphorus
 Solids/ Oil/ Grease (Hydrocarbons)/ Metals

TMDL(s)

In State:

Assabet River Phosphorus
 Bacteria and Pathogen
 Cape Cod Nitrogen
 Charles River Watershed Phosphorus
 Lake and Pond Phosphorus

Out of State:

Bacteria/Pathogens
 Metals
 Nitrogen
 Phosphorus

Clear Impairments and TMDLs

*Next, check off all requirements below that have been completed. **By checking each box you are certifying that you have completed that permit requirement fully.** If you have not completed a requirement leave the box unchecked. Additional information will be requested in later sections.*

Year 1 Requirements

- Develop and begin public education and outreach program
- Identify and develop inventory of all known locations where SSOs have discharged to the MS4 in the last 5 years
 - The SSO inventory is attached to the email submission
 - The SSO inventory can be found at the following website:

Only sewer is at Regional High School - No SSOs in past 5 years
- Develop written IDDE plan including a procedure for screening and sampling outfalls
- IDDE ordinance complete
- Identify each outfall and interconnection discharging from MS4, classify into the relevant category, and priority rank each catchment for investigation
 - The priority ranking of outfalls/interconnections is attached to the email submission
 - The priority ranking of outfalls/interconnections can be found at the following website:

<https://www.wnewbury.org/department-public-works/pages/ms4-illicit-discharge-detection-and-elimination-idde-plan>
- Construction/ Erosion and Sediment Control (ESC) ordinance complete
- Develop written procedures for site inspections and enforcement of sediment and erosion control measures
- Develop written procedures for site plan review
- Keep a log of catch basins cleaned or inspected
- Complete inspection of all stormwater treatment structures

Annual Requirements

- Annual opportunity for public participation in review and implementation of SWMP
- Comply with State Public Notice requirements
- Keep records relating to the permit available for 5 years and make available to the public
- Properly store and dispose of catch basin cleanings and street sweepings so they do not discharge to receiving waters
- Annual training to employees involved in IDDE program
- All curbed roadways have been swept a minimum of one time per year

Bacteria/ Pathogens (Combination of Impaired Waters Requirements and TMDL Requirements as Applicable)

Annual Requirements

*Public Education and Outreach**

- Annual message encouraging the proper management of pet waste, including noting any existing ordinances where appropriate
- Permittee or its agents disseminate educational material to dog owners at the time of issuance or renewal of dog license, or other appropriate time
- Provide information to owners of septic systems about proper maintenance in any catchment that discharges to a water body impaired for bacteria

** Public education messages can be combined with other public education requirements as applicable (see Appendix H and F for more information)*

Use the box below to input additional details on any unchecked boxes above or any additional information you would like to share as part of your self assessment:

An opportunity for public participation in review and implementation of the SWMP was not provided before June 30, 2019 but was held on September 19, 2019. Notice of the meeting was done in compliance with State Public Notice Requirements.

Although the complete draft SWMP was not provided for review prior to the end of the plan year, between July 1, 2018 and June 30, 2019 (the plan year), the topic of MS4/stormwater was included on many posted agendas of the Board of Selectmen, the Planning Board and the Conservation Commission, each of which provided opportunity for public comment regarding the Town's compliance efforts.

Part III: Receiving Waters/Impaired Waters/TMDL

Have you made any changes to your lists of receiving waters, outfalls, or impairments since the NOI was submitted?

Yes No

If yes, describe below, including any relevant impairments or TMDLs:

Part IV: Minimum Control Measures

Please fill out all of the metrics below. If applicable, include in the description who completed the task if completed by a third party.

MCM1: Public Education

Number of educational messages completed during the reporting period:

Below, report on the educational messages completed during the first year. For the measurable goal(s) please describe the method/measures used to assess the overall effectiveness of the educational program.

BMP: Rain Garden Brochure

Message Description and Distribution Method:

Informational brochure on the function and importance of Rain Gardens and stormwater filtration. Construction instructions and plant suggestions also included.

Targeted Audience:

Responsible Department/Parties:

Measurable Goal(s):

500 made available in town hall. Approximately 150 distributed. Additional brochures distributed by Salem Sound Coastwatch and Ipswich River Watershed Association at many community events. PDF available for download at www.greenscapes.org/resources-brochures/

Message Date(s):

Message Completed for: Appendix F Requirements Appendix H Requirements

Was this message different than what was proposed in your NOI? Yes No

If yes, describe why the change was made:

BMP: LID Workshop

Message Description and Distribution Method:

Workshop/Seminar reintroduced the basics of low impact development and its importance. MS4 requirements, as they relate to LID were discussed and Fred Civian (MassDEP) provided tips for designing and passing municipal ordinances to promote LID.

Targeted Audience:

Responsible Department/Parties:

Measurable Goal(s):

Attended by 35. Presentation PDF and "Tip Sheet" sent to municipal contacts and was temporarily available

on Greenscapes website.

Message Date(s): Jan-17-19, 2019

Message Completed for: Appendix F Requirements Appendix H Requirements

Was this message different than what was proposed in your NOI? Yes No

If yes, describe why the change was made:

Not proposed in NOI - New BMP added through membership in the Greenscapes North Shore Coalition

BMP: "Keeping Water Clean" School Program

Message Description and Distribution Method:

Program engages 5th grade students in several activities designed to raise their stormwater and water conservation awareness. Students learn about what a watershed is, what stormwater, groundwater and wastewater are, how they can negatively or positively impact these water systems, along with more details about each system and how it should be protected/maintained. In West Newbury the program was presented at the John C. Page School.

Targeted Audience: Residents

Responsible Department/Parties: Greenscapes North Shore Coalition

Measurable Goal(s):

Conducted KWC at 27 different schools, reaching 2002 5th grade students and 300 adults across the North Shore.
West Newbury participation: 46 Students 6 Teachers 4 Volunteers

Message Date(s): Nov 21, 2018

Message Completed for: Appendix F Requirements Appendix H Requirements

Was this message different than what was proposed in your NOI? Yes No

If yes, describe why the change was made:

BMP: ThinkBlue "Fowl Water" Video

Message Description and Distribution Method:

Think Blue Massachusetts "Fowl Water" video defines stormwater and explains the impact that pollution like trash, oil, cigarettes and dog poop can have on stormwater and our waterways. The video was posted on the West Newbury DPW/Stormwater website and is available on the ThinkBlue website and the Greenscapes website at www.greencscapes.org/resources-videos/.

Targeted Audience: Residents

Responsible Department/Parties: ThinkBlue MA, Greenscapes North Shore Coalition, West Newbury DPW

Measurable Goal(s):

Outreach/"# of impressions" was evaluated in 9 out of 23 Greenscapes Communities. Results claimed that 121,520 impressions were made on Facebook or Youtube. The State Stormwater Coalition reported 5,584 social media impressions from residents of West Newbury. 403 people were reached through the West Newbury Facebook account.

Message Date(s): Spread by ThinkBlue June 23 - June 30, 2019. Shared further July 2019.

Message Completed for: Appendix F Requirements Appendix H Requirements

Was this message different than what was proposed in your NOI? Yes No

If yes, describe why the change was made:

Not proposed in NOI - New BMP added through membership in the Greenscapes North Shore Coalition and the State Stormwater Coalition.

BMP: Miscellaneous Greenscapes Tabling Events

Message Description and Distribution Method:

Informational table with Greenscapes demonstrations and materials at local community and school events, including: Grow Spring Expo, Essex STEM Night, Middleton Earth Day, STEAM Night Beverly, Ipswich Garden Club Plant Sale, MassAudubon Nature Fest, Cape Ann Farmer's Market, Rowley Farmer's Market, Beverly Farmer's Market, North Reading Farmer's Market, Billerica Farmer's Market, Waldorf School at Moraine Farm, Wilmington Farmer's Market, Underwater in Salem Sound Lecture Series, Beverly Public Library Lecture Series

Targeted Audience: Residents

Responsible Department/Parties: Greenscapes North Shore Coalition

Measurable Goal(s):

Variable event attendance

Message Date(s): Events held September '18 - May '19. Farmers markets held weekly in the spring/summer.

Message Completed for: Appendix F Requirements Appendix H Requirements

Was this message different than what was proposed in your NOI? Yes No

If yes, describe why the change was made:

Not proposed in NOI - New BMP added through membership in the Greenscapes North Shore Coalition

BMP: Leave grass clippings to fertilize lawn naturally; Know before you mow!

Message Description and Distribution Method:

Social media posts shared in the Spring time frame encouraging the proper use and disposal of grass clippings and encourages the proper use of slow-release fertilizers. Original post from Think Blue Massachusetts & NSRWA.

Targeted Audience: Businesses, institutions and commercial facilities; Residents

Responsible Department/Parties: DPW, Think Blue Massachusetts

Measurable Goal(s):

3,549 people reached through Think Blue Massachusetts Facebook post

Message Date(s): March 18, 2019; May 22, 2019

Message Completed for: Appendix F Requirements Appendix H Requirements

Was this message different than what was proposed in your NOI? Yes No

If yes, describe why the change was made:

Social Media not proposed in NOI - Available to community through benefit of Merrimack Valley & State Stormwater Coalition participation

BMP: Do your Doody for Clean Water

Message Description and Distribution Method:

Social media posts shared in the Summer time frame encouraging the proper management of pet waste. Original post from Think Blue Massachusetts.

Targeted Audience: Residents

Responsible Department/Parties: DPW, Think Blue Massachusetts

Measurable Goal(s):

7,170 people reached through Think Blue Massachusetts Facebook post

Message Date(s): June 7, 2019

Message Completed for: Appendix F Requirements Appendix H Requirements

Was this message different than what was proposed in your NOI? Yes No

If yes, describe why the change was made:

Social Media not proposed in NOI - Available to community through benefit of Merrimack Valley & State Stormwater Coalition participation

BMP: Town Hall Brochure Display

Message Description and Distribution Method:

The following brochures are available to the public at Town Hall: Creating a Healthy Yard, Why Should We Care?, Can you Reduce Your Daily Water Use by 5 Gallons?, Green Your Yard (magnet), Scoop It, What Washes into the Storm Drain and Annual Water Quality Report with Topics on how to Conserve Water

Targeted Audience: Residents

Responsible Department/Parties: DPW

Measurable Goal(s):

Approximate number of each brochure distributed (in order of above list - started with 500 of each): 250, 240, 100, 100, 300, 400, 100

Message Date(s): Brochures placed in November 2018

Message Completed for: Appendix F Requirements Appendix H Requirements

Was this message different than what was proposed in your NOI? Yes No

If yes, describe why the change was made:

Add an Educational Message

MCM2: Public Participation

Describe the opportunity provided for public involvement in the development of the Stormwater Management Program (SWMP) during the reporting period:

The West Newbury SWMP Team met 5 times during the reporting period. The SWMP has been posted on the DPW/Stormwater web page since June of 2019. A public meeting on the SWMP was held on September 19, 2019 which was outside of the reporting period. The meeting was properly noticed in accordance with state requirements. SWMP Team Meetings held on August 15, 2018; September 26, 2018; November 6, 2018; December 16 & 20, 2018; January 30, 2019; March 22, 2019; April 10, 2019 & June 3, 2019

Was this opportunity different than what was proposed in your NOI? Yes No

Describe any other public involvement or participation opportunities conducted during the reporting period:

Our municipality participated in the Massachusetts Statewide Municipal Stormwater Coalition (Statewide Coalition). The Statewide Coalition presented on the Think Blue Massachusetts public awareness campaign and regional collaboration on stormwater at the following public events:

- Metrowest/495 Partnership (October 4, 2018)
- MetroWest Stormwater Roundtable hosted by MetroWest Regional Collaborative (MWRC) of the Metropolitan Area Planning Council (MAPC) (November 20, 2018)
- Massachusetts Municipal Association (MMA) Meeting & Trade Show (Jan 18-19 2019)
- New England Water Environment Association Annual Conference (Jan 28 2019)
- Massachusetts Association of Conservation Commissions Annual Conference (March 2, 2019)
- Massachusetts Congress of Lake and Pond Associations Annual Workshop (April 12, 2019)
- New England American Public Works Association Spring Conference (April 17, 2019)
- Ecotarium Earth Day activities (April 16 – 19, 2019)

- New England Water Environment Association Spring Meeting (June 4, 2019)

Participated in meetings of Merrimack Valley Stormwater Coalition
 Participated in Greenscapes North Shore Coalition
 Household Hazard Waste Collection Day is held annually. Most recent collection was August 24, 2019 in conjunction with Newburyport
 West Newbury hosts Watershed Cleanup Days. Most recent was in spring of 2019. Approximately 25-30 bags of trash were collected by the DPW (filled 1-ton dump truck)

MCM3: Illicit Discharge Detection and Elimination (IDDE)

Sanitary Sewer Overflows (SSOs)

Below, report on the number of SSOs identified in the MS4 system and removed during this reporting period.

Number of SSOs identified:

Number of SSOs removed:

Below, report on the total number of SSOs identified in the MS4 system and removed to date. At a minimum, report SSOs identified since 2013.

Total number of SSOs identified:

Total number of SSOs removed:

MS4 System Mapping

Describe the status of your MS4 map, including any progress made during the reporting period (phase I map due in year 2):

MS4 Map has been completed and is posted on the West Newbury website at the following link:
https://www.wnewbury.org/sites/westnewburyma/files/uploads/outfallspipes_westnewbury_drainageinfrastructure_26x36.pdf

Screening of Outfalls/Interconnections

If conducted, please submit any outfall monitoring results from this reporting period. Outfall monitoring results should include the date, outfall/interconnection identifier, location, weather conditions at time of sampling, precipitation in previous 48 hours, field screening parameter results, and results from all analyses.

- The outfall screening data is attached to the email submission
 The outfall screening data can be found at the following website:

Below, report on the number of outfalls/interconnections screened during this reporting period.

Number of outfalls screened:

Below, report on the percent of total outfalls/ interconnections screened to date.

Percent of total outfalls screened: 0

Catchment Investigations

If conducted, please submit all data collected during this reporting period as part of the dry and wet weather investigations. Also include the presence or absence of System Vulnerability Factors for each catchment.

- The catchment investigation data is attached to the email submission
- The catchment investigation data can be found at the following website:

Below, report on the number of catchment investigations completed during this reporting period.

Number of catchment investigations completed this reporting period: 0

Below, report on the percent of catchments investigated to date.

Percent of total catchments investigated: 0

Optional: Provide any additional information for clarity regarding the catchment investigations below:

IDDE Progress

If illicit discharges were found, please submit a document describing work conducted over this reporting period, and cumulative to date, including location source; description of the discharge; method of discovery; date of discovery; and date of elimination, mitigation, or enforcement OR planned corrective measures and schedule of removal.

- The illicit discharge removal report is attached to the email submission
- The illicit discharge removal report can be found at the following website:

Below, report on the number of illicit discharges identified and removed, along with the volume of sewage removed during this reporting period.

Number of illicit discharges identified: 0

Number of illicit discharges removed: 0

Estimated volume of sewage removed: [UNITS]

Below, report on the total number of illicit discharges identified and removed to date. At a minimum, report on the number of illicit discharges identified and removed since the effective date of the permit.

Total number of illicit discharges identified: 0

Total number of illicit discharges removed: 0

Optional: Provide any additional information for clarity regarding illicit discharges identified, removed, or planned to be removed below:

Employee Training

Describe the frequency and type of employee training conducted during the reporting period:

Training on IDDE program implementation was provided to West Newbury DPW staff on June 26, 2019. Training was conducted by staff at Horsley Witten. 5 DPW employees attended. 4 West Newbury staff also attended EPA MS4 NOI Webinar on August 9, 2018

MCM4: Construction Site Stormwater Runoff Control

Below, report on the construction site plan reviews, inspections, and enforcement actions completed during this reporting period.

Number of site plan reviews completed:

Number of inspections completed:

Number of enforcement actions taken:

MCM5: Post-Construction Stormwater Management in New Development and Redevelopment

Ordinance Development

Describe the status of the post-construction ordinance required to be complete in year 2 of the permit term:

In process of reviewing/updating Stormwater Bylaw and associated Regulations to comply with year 2 permit requirements including those to meet sections 2.3.6 (a)(ii).

As-built Drawings

Describe the status of the measures the MS4 has utilized to require the submission of as-built drawings and ensure long term operation and maintenance of completed construction sites required to be complete in year 2 of the permit term:

In process of updating Stormwater Bylaw and associated Regulations to comply with year 2 permit requirements including those to meet sections 2.3.6 (a)(iii).

Street Design and Parking Lots Report

Describe the status of the street design and parking lots assessment due in year 4 of the permit term, including any planned or completed changes to local regulations and guidelines:

In process of updating Stormwater Bylaw and associated Regulations to comply with year 2 permit requirements including those to meet sections 2.3.6 (b).

Green Infrastructure Report

Describe the status of the green infrastructure report due in year 4 of the permit term, including the findings and progress towards making the practice allowable:

In process of updating relevant Bylaws and associated Regulations to comply with year 4 permit requirements including those to meet sections 2.3.6 (c)

Retrofit Properties Inventory

Describe the status of the inventory, due in year 4 of the permit term, of permittee-owned properties that could be modified or retrofitted with BMPs to mitigate impervious areas and report on any properties that have been modified or retrofitted:

West Newbury will work to identify 5 permittee-owned properties that could potentially be modified or retrofitted in accordance with section 2.3.6 (d) of the permit by the end of year four

MCM6: Good Housekeeping

Catch Basin Cleaning

Describe the status of the catch basin cleaning optimization plan:

ll catch basins are cleaned once per year. This was last completed in May 2019.

If complete, attach the catch basin cleaning optimization plan or the schedule to gather information to develop the optimization plan:

- The catch basin cleaning optimization plan or schedule is attached to the email submission
- The catch basin cleaning optimization plan or schedule can be found at the following website:

https://www.wnewbury.org/sites/westnewburyma/files/pages/2019_street_cleaning_program.pdf

Below, report on the number of catch basins inspected and cleaned, along with the total volume of material removed from the catch basins during this reporting period.

Number of catch basins inspected:

Number of catch basins cleaned:

Total volume or mass of material removed from all catch basins:

Below, report on the total number of catch basins in the MS4 system, if known.

Total number of catch basins:

If applicable:

Report on the actions taken if a catch basin sump is more than 50% full during two consecutive routine inspections/cleaning events:

Street Sweeping

Describe the status of the written procedures for sweeping streets and municipal-owned lots:

Report on street sweeping completed during the reporting period using one of the three metrics below.

Number of miles cleaned:

Volume of material removed:

Weight of material removed:

If applicable:

For rural uncurbed roadways with no catch basins, describe the progress of the inspection, documentation, and targeted sweeping plan:

Winter Road Maintenance

Describe the status of the written procedures for winter road maintenance including the storage of salt and sand:

between events.

Sand

Sand is used as an abrasive for traction on slick roadways. Approximately 900 tons are anticipated to be used per year and are ordered from Kingston Materials / Torromeo Industries prior to each deicing season. Sand is stored at our facility located at our DPW Facility. Loading areas and yards are swept after each event to prevent sand build-up and run-off.

Salt

Salt is used to expedite the melting of snow and ice from the street surface and also to keep the ice from forming a bond to the street surface. Approximately 1,900 tons of mixture salt are anticipated to be used per year and are ordered from Eastern Minerals during the winter season. Salt is stored in the covered facility located at the DPW Facility. Loading areas and yards are swept after each event to prevent salt build-up and run-off.

The full Standard Operating Procedure for Winter Road Maintenance can be found on the West Newbury DPW/Stormwater Website at the following link: https://www.wnewbury.org/sites/westnewburyma/files/pages/ms4_winter_road_maintenance_june_2019_0.pdf

Inventory of Permittee-Owned Properties

Describe the status of the inventory, due in year 2 of the permit term, of permittee-owned properties, including parks and open spaces, buildings and facilities, and vehicles and equipment, and include any updates:

By the end of permit year 2, West Newbury will inventory: all permittee owned facilities for Parks and Open Space, Buildings and Facilities where Pollutants are exposed to Stormwater Runoff, and Vehicles and Equipment within the MS4

O&M Procedures for Parks and Open Spaces, Buildings and Facilities, and Vehicles and Equipment

Describe the status of the operation and maintenance procedures, due in year 2 of the permit term, of permittee-owned properties (parks and open spaces, buildings and facilities, vehicles and equipment) and include maintenance activities associated with each:

By the end of permit year 2, West Newbury will establish operation and maintenance procedures in accordance with section 2.3.7 (a) ii of the permit for all permittee owned facilities for Parks and Open Space, Buildings and Facilities where Pollutants are exposed to Stormwater Runoff, and Vehicles and Equipment within the MS4.

Stormwater Pollution Prevention Plan (SWPPP)

Describe the status of any SWPPP, due in year 2 of the permit term, for permittee-owned or operated facilities including maintenance garages, public works yards, transfer stations, and other waste handling facilities where pollutants are exposed to stormwater:

By the end of permit year 2, West Newbury will develop and fully implement a SWPPP fore each of the following permittee-owned or operated facilities in accordance with section 2.3.7 (b) of the permit: maintenance garages, public work yards, transfer station and other waste handling facilities within the MS4 where pollutants are exposed to stormwater (where a SWPPP does not already exist).

Below, report on the number of site inspections for facilities that require a SWPPP completed during this reporting period.

Number of site inspections completed:

Describe any corrective actions taken at a facility with a SWPPP:

O&M Procedures for Stormwater Treatment Structures

Describe the status of the written procedure for stormwater treatment structure maintenance:

Written procedures for Stormwater Treatment Structures can be found on the West Newbury DPW/ Stormwater Website at the following link: https://www.wnewbury.org/sites/westnewburyma/files/pages/ms4_constructed_bmp_inspection_june_2019.pdf

Additional Information

Monitoring or Study Results

Results from any other stormwater or receiving water quality monitoring or studies conducted during the reporting period not otherwise mentioned above, where the data is being used to inform permit compliance or permit effectiveness must be attached.

- Not applicable
- The results from additional reports or studies are attached to the email submission
- The results from additional reports or studies can be found at the following website(s):

If such monitoring or studies were conducted on your behalf or if monitoring or studies conducted by other entities were reported to you, a brief description of the type of information gathered or received shall be described below:

Additional Information

Optional: Enter any additional information relevant to your stormwater management program implementation during the reporting period. Include any BMP modifications made by the MS4 if not already discussed above:

MCM-4 Site Plan Reviews conducted for Drakes Landing, Sullivans Court Extension, 87 Main Street, Dole Place and 48 Garden Street

Activities Planned for Next Reporting Period

Please confirm that your SWMP has been, or will be, updated to comply with all applicable permit requirements including but not limited to the year 2 requirements summarized below. (Note: impaired waters and TMDL requirements are not listed below)

Yes, I agree

- Complete system mapping Phase I
- Begin investigations of catchments associated with Problem Outfalls
- Develop or modify an ordinance or other regulatory mechanism for post-construction stormwater runoff from new development and redevelopment
- Establish and implement written procedures to require the submission of as-built drawings no later than two years after the completion of construction projects
- Develop, if not already developed, written operations and maintenance procedures
- Develop an inventory of all permittee owned facilities in the categories of parks and open space, buildings and facilities, and vehicles and equipment; review annually and update as necessary
- Establish a written program detailing the activities and procedures the permittee will implement so that the MS4 infrastructure is maintained in a timely manner
- Develop and implement a written SWPPP for maintenance garages, public works yards, transfer stations, and other waste handling facilities where pollutants are exposed to stormwater
- Enclose or cover storage piles of salt or piles containing salt used for deicing or other purposes
- Develop, if not already developed, written procedures for sweeping streets and municipal-owned lots
- Develop, if not already developed, written procedures for winter road maintenance including storage of salt and sand
- Develop, if not already developed, a schedule for catch basin cleaning
- Develop, if not already developed, a written procedure for stormwater treatment structure maintenance
- Develop a written catchment investigation procedure (*18 months*)

Annual Requirements

- Annual report submitted and available to the public
- Annual opportunity for public participation in review and implementation of SWMP
- Keep records relating to the permit available for 5 years and make available to the public
- Properly store and dispose of catch basin cleanings and street sweepings so they do not discharge to receiving waters
- Annual training to employees involved in IDDE program
- Update inventory of all known locations where SSOs have discharged to the MS4 in the last 5 years
- Continue public education and outreach program
- Update outfall and interconnection inventory and priority ranking and include data collected in connection with the dry weather screening and other relevant inspections conducted
- Implement IDDE program
- Review site plans of construction sites as part of the construction stormwater runoff control program
- Conduct site inspection of construction sites as necessary
- Inspect and maintain stormwater treatment structures
- Log catch basins cleaned or inspected
- Sweep all uncurbed streets at least annually

Provide any additional details on activities planned for permit year 2 below:

Part V: Certification of Small MS4 Annual Report 2019

40 CFR 144.32(d) Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: Title:

Signature: Date:

[Signatory may be a duly authorized representative]

Town Manager

To: [Redacted]
Town Manager
Cc: Terry Hartford
Subject: Re: Phase I GZA Proposal

Motion to move forward with GZA proposal dated September 25, 2019

I move that we authorize the Town Manager to enter into contract negotiations with GZA GeoEnvironmental, Inc. to initiate work on the Phase I "Desktop" Survey and Concept Plan as outlined in their September 25, 2019 proposal for the not-to-exceed amount of \$9,850.

Brad Dore, Assoc. AIA, LEED AP
Principal

[Redacted]

On Oct 3, 2019, at 10:21 AM, Town Manager <townmanager@wnewbury.org<mailto:townmanager@wnewbury.org>> wrote:

Terry,
When you get a chance, please email me the language of the motion approved 3-0 at last night's Harbor Committee meeting. Although the minutes won't be voted until the next mtg, I'd like to put the motion on file with the purchasing officer (Mike McCarron) as backup to move forward with executing a contract with GZA.

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<mailto:townmanager@wnewbury.org>

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

[Redacted]



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F: 978.834.6269
www.gza.com



SENT VIA ELECTRONIC MAIL SEPTEMBER 25, 2019
September 25, 2019
File No. 18.P000087.20

Mr. Brad Dore

[Redacted] Committee

Re: Proposed Preliminary Design Consulting Services
Proposed Town Mooring Field
Merrimack River
West Newbury, MA

Dear Mr. Dore:

GZA GeoEnvironmental, Inc., (GZA) is pleased to present this proposal for preliminary design and layout services for the above-referenced project. It is our understanding that the West Newbury Harbor Committee wishes to develop a mooring field at the approximate location from the eastern end of River Road to Way to the River Road, across from Davey Jones Marina within the West Newbury portion of the Merrimack River. Based on our conversation on Friday, September 20, 2019, the West Newbury Harbor Committee is exploring the feasibility/development of a mooring field to accommodate a location for residents to seasonally moor their recreational vessels.

BACKGROUND

The West Newbury Harbor Committee is looking to develop a seasonal mooring field for resident’s use in the Merrimack River along the West Newbury shoreline. One location under consideration is an area east of the end of River Road and west of Way to the River Road. This location is one of the widest areas on the River within West Newbury’s Town limits and is located the farthest distance away from the River’s navigable channel.

It is our understanding that the West Newbury Harbor Committee is seeking a consultant to perform initial, conceptual layout and design for the proposed mooring field.

SCOPE OF SERVICES

We have divided the work into tasks, with each phase of the work to proceed in a timely manner. Based on our understanding of the project, the following provides a description of the anticipated work tasks to implement the conceptual design and



layout work associated with the proposed mooring field at the above-referenced location within the Merrimack River:

Phase 1 – “Desktop” Survey/Concept Plans

Task 1: Project Review

GZA will meet with the West Newbury Harbor Committee to review the proposed project and project layout expectations, limits, and restrictions. GZA will review with and obtain design information from the Committee on the anticipated vessel sizes, mooring-anchorage options, and mooring hardware. Project review will also include review of regulatory requirements, geo-referenced base plans including Google Earth Pro aerial images or other available imagery from the Massachusetts Bureau of Geographic Information (MassGIS), US Army Corps of Engineer’s Federal Project Limit coordinates, prior bathymetry, and/or other readily available information associated with the site and review of other municipal mooring layouts and regulations associated with coastal north shore communities.

Task 2: “Desktop” Survey Layout

Based on information obtained under Task 1, GZA will provide up to four conceptual mooring field layouts within the subject area. Mooring field layout will consider alternate configurations considering single-point, with overlapping and non-overlapping circles of influence, and duel-point mooring layouts. GZA will develop a summary letter with accompanying conceptual drawing options, budgetary cost estimate, and recommendations, including permitting implications. GZA will meet with the Committee to review the concept options.

No shoreline access, improvement study, or landside facilities are included in this scope of work.

BASIS OF BILLINGS

Billings for the above described scope of services will be based on actual accrued time and expenses billed in accordance with the attached Schedule of Fees. Estimated charges for the scope of services outlined above is **\$9,850**, approximately broken down as follows:

TASK	AMOUNT
PHASE 1 – “DESKTOP” SURVEY/CONCEPT PLANS	
Task 1 – Project Review	\$ 2,700
Task 2 – “Desktop” Survey Layout	\$ 6,600
Expenses (Travel, Reproductions)	\$ 550
TOTAL LABOR AND EXPENSES	\$ 9,850



This estimate is based on our understanding of the project as described in the scope of services outlined herein. Actual billings may vary depending on the level of effort required. Additional efforts outside the scope of services presented herein and beyond the above fee limits will not be initiated without your approval.

SCHEDULE

GZA will complete the work within 3 to 5 weeks upon receipt of a signed agreement, pending availability of meeting schedule with the Committee.

CONDITIONS OF ENGAGEMENT

Conditions of engagement are described in the attached standard Terms and Conditions for Professional Services Including Site Investigation, Remediation, Geotechnical, Construction and Testing (08/08-Edition/05-9010).

ACCEPTANCE

This Proposal may be accepted by signing in the appropriate spaces and returning one copy to us. You may terminate this agreement at any time upon written notice to us, it being understood that you will remain liable for our fees and expenses accrued or incurred in accordance with the terms hereof up to the date of such termination. The executed agreement must be received prior to the initiation of the services described above. This Proposal for Services and Terms and Conditions shall constitute the entire agreement between the parties.

We appreciate the opportunity to submit this proposal and look forward to working with you on this project. Please call me if you have any questions or require any additional information. This proposal is valid for a period of 30 days from the date of issue.

Very truly yours,
GZA GEOENVIRONMENTAL, INC.

A handwritten signature in blue ink that reads "David A. Smith".

David A. Smith
Senior Project Manager

A handwritten signature in blue ink that reads "Anders Bjarngard".

Anders Bjarngard, P.E.
Principal-in-Charge

A handwritten signature in blue ink that reads "Peter J. Williams".

Peter J. Williams, P.E.
Consultant/Reviewer

Attachments: Terms and Conditions (08/08 Edition/05-9010)
Schedule of Fees

WEST NEWBURY HARBOR COMMITTEE

Meeting Minutes

Meeting Date: September 23, 2019

Meeting Time: The meeting was called to order at 4:00 pm

Meeting Place: 381 Main Street, Town Office Building, 1st Floor Meeting Room, West Newbury 01985

Meeting Attendee's: Brad Dore, Tom Goodwin, Angus Jennings, Terry Hartford, Steve Boyd, Ray Pike

1. Minutes Review and Approval: Steve Boyd had a question regarding the Enforcement section of the previous minutes. After a brief discussion, the parties agreed to address Steve's questions during this meeting and to not amend the draft minutes. Motion made by Tom Goodwin to approve previous meeting minutes from January 10, 2019 meeting. Terry Hartford seconded the motion. Passed unanimously.
2. Harbormaster Updates: Ray Pike began the meeting with a brief overview of No Wake zones along the Merrimack River. All zones are meant to be registered however this is not always the case and there is little to no enforcement of potentially unmarked (on a map) zones. If a No Wake sign is posted and is well placed, the sign is typically allowed to remain. Brad Dore asked a question about two no wake signs currently in place south of the Davy Zones Marina. Ray surmised these were likely installed by the marina owner although that is unknown at this time. Further discussion followed highlighted by the fact that provided a boat was 150' from a marina, a boat owner was not required to proceed with no wake, however, was responsible for their own wake in the event there was any damage caused by said wake. Steve Boyd questioned if it was possible to have a better system to ensure boaters were traveling at safer speeds. Tom Goodwin indicated Amesbury has not typically looked to enforce no wake. It was however agreed that the presence of the pumpout boat, in particular on weekends, had a material affect on boat speeds near the sand bar. It was unanimously agreed that the best way to ensure safer boat speeds and No Wake was through actual presence on the river.
3. West Newbury Pumpout Boat Repairs and Maintenance: Ray Pike described the situation with the pumpout boat (materials distributed previously). Based on the number of hours currently on the engine, and the estimate of \$6,000 for a new computer, it was his opinion and recommendation for West Newbury to go forward with a repair as opposed to procuring a new engine. The group discussed the possibility of CVA reimbursing West Newbury for a portion or up to 75% of the cost of the repair and it was agreed Ray would reach out to CVA and determine if that was possible. The group agreed to meet again in the near future (later agreed to be October 2nd) to determine best way forward with respect to repair.
4. New Business: The topic of a Town owned mooring field was raised. Based on an action from the last meeting, Brad Dore obtained a proposal from GZA to provide a proposal for Engineering and Design and Permitting Consulting Services for a Proposed Town Owned Mooring Field. The

location of the proposed mooring field is near the Indian River just to the south of Davy Jones Marina. The GZA proposal provides a high-level overview to identify parameters associated with a mooring field followed by detailed analysis to complete a formal design. Brad explained the current situation in that folks could secure mooring rights now uncettered and that providing a Town owned mooring field would result in a little more control over the area than what is currently in place. Currently there are approximately 7 moorings in that area including two houseboats. There was a general discussion about the need for a Town owned mooring field. Tom Goodwin explained that in order to utilize a mooring, one required river access. Alternate locations including at Rocks Village Bridge were discussed and agreed the area across from Davy Jones was likely best given width of river and the marina across the river in Amesbury. Steve Boyd raised concerns related to boaters potentially tying up to unused moorings and or establishing B&B type arrangements for potential houseboats. Ray Pike described the current situation in Salisbury with respect to houseboats being occupied by low utilization families and having little to no issues with them. Further discussion revolved around the need to be a resident of West Newbury in order to obtain a mooring permit. After more discussion, the group agreed to reach out to GZA in order to obtain pricing for the 1st phase of their proposal. Terry Hartford made a motion to secure pricing from GZA. Tom Goodwin seconded. Motion passed unanimously.

Existing No Wake Zone near Davy Jones Marina: The group discussed the current No Wake area near Davy Jones. All three Harbor Committee members expressed little support for extending the zone however felt that provided we could repair the pumpout boat and continue to provide this service would also serve as a commitment to on-river presence which was agreed to be the best form of enforcement of safe boating.

Next Meeting: The group agreed to the next meeting to be held on October 2, 2019 at 6:00 PM in the same location. The agenda was to focus on any information Ray Pike could obtain from CVA related to the pumpout boat repair and to review the GZA proposal assuming pricing was provided before the meeting.

Meeting adjourned at 5:15 pm.

Town Manager

From: [Redacted]
Sent: Wednesday, October 9, 2019 10:53 AM
To: Rebecca Oldham; Leah Zambarnardi
Cc: [Redacted]
Subject: Pentucket Permitting Schedule - Planning Board

Rebecca and Leah,

Our Planning Board permit schedule is currently set as follows:

- | | | |
|----------------------------------|---------|---|
| Tuesday, October 15, 2019 | WN-PB | West Newbury Planning Board Meeting: Review criteria for the Site Plan per the Dover Amendment |
| Wednesday, October 30, 2019 PRSD | | Neighborhood Meeting (date to be confirmed) |
| Wednesday, October 30, 2019 | WN+G PB | Submit Complete Site Plan Review Application and Plans, including supporting materials to Groveland and West Newbury. |
| | | Variances: |
| | | 1) Height at 35' (based on R1 zoning)-school building |
| | | 2) Land and Stormwater Disturbance Management |
| | | 3) Stadium Parking. |
| Wednesday, November 6 | WN PB | Pre-Application Conference with West Newbury Planning Board, Schedule Planning Board Public Hearing Date |
| Tuesday, December 3, 2019 | WN PB | West Newbury Planning Board Site Plan Review Public Hearing Date |

Please let me know if there are any changes we should consider.

Thank you,
Maria

María Fernández-Donovan AIA, LEED AP BD+C, MCPPO

DORE + WHITTIER

doreandwhittier.com

(978) 499-2999 x 304

Department: Inspectional Services
Date of Revision: FY 2020

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**COMMONWEALTH OF MASSACHUSETTS
TOWN OF WEST NEWBURY**

JOB TITLE: BUILDING INSPECTOR

DEFINITION

The Inspector of Buildings issues or withholds permits, reviews enforcement requests, ensures compliance with municipal regulations and administers the Massachusetts State Building Code (780 CMR). Pertinent laws within the direct jurisdiction of the Inspector of Buildings include but are not limited to:

- Local Zoning Regulations;
- The Subdivision Control Act;
- Mass. Gen. Law Ch. 40, & 54, governing water supply;
- Mass. Gen. Law Ch. 40, & 54A, governing former railroad rights of way;
- The Wetlands Act;
- The State Sanitary Code;
- Local Board of Health regulations.

JOB ENVIRONMENT

Works under the general direction of [the Town Manager](#).

Deleted: a three member Board of Selectmen

ESSENTIAL DUTIES AND RESPONSIBILITIES

Serves as Department Head.

The Inspector of Buildings serves as the Zoning Enforcement Officer. (Zoning By-Law Section 8.C.1)

Administrative, supervisory and technical work in connection with the interpretation and enforcement of the applicable building, electric, gas, plumbing, fire codes, zoning and town by-laws together with related work as required.

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The Inspector of Buildings is a voting member of the Site Plan Review Committee ¶
(Zoning By Law Section 8.B.6 Site Plan Review Committee Composition)¶

The responsibilities of the Inspector of Buildings are as follows, in accordance with the State Building Code:

The Inspector of Buildings shall enforce all provisions of the Massachusetts State Building Code (780 CMR), any additional codes approved by the Town of West Newbury, and all by-laws of the town relating to matters within the control of the Inspector of Buildings. The building official shall act on any question concerning the manner of construction, reconstruction, alteration, repair, demolition, removal, and occupancy of all buildings and structures. The Inspector of Buildings shall inspect the use, occupancy and maintenance of all buildings and structures as provided for in 780 CMR [110.7](#).

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Department: Inspectional Services
Date of Revision: FY 2020

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The Inspector shall receive applications and inspect new and existing buildings and structures to determine compliance with applicable building codes, local by-laws and approved plans and permits. The Inspector shall ensure that all zoning requirements and requirements of other applicable by-laws are met and permits obtained from all appropriate town boards/commissions before the issuance of a building permit. The Inspector shall investigate complaints of buildings and structures and vacant lands to determine compliance with applicable codes and bylaws.

The Inspector investigates complaints of buildings and structures and vacant lands to determine compliance with applicable codes and bylaws. The Inspector shall issue written reports of all violations of applicable codes, local by-laws and approved plans and permits; issue all necessary notices, stop work orders or other orders to removal illegal or unsafe conditions, require the necessary safeguards during construction; require adequate egress facilities in new and existing buildings and structures; and ensure compliance with all code requirements for the safety, health and general welfare of the public. All such notices, reports and orders shall be kept in writing and kept in the Inspector's office.

Moved (insertion) [1]

The Inspector shall attend required regional seminars and monthly educational meetings on the Massachusetts State Building Code, in accordance with M.G.L. 902, Act 1972, and M.G.L. Act 983, Section 99.

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The Inspector shall maintain and update the Massachusetts Building Code book whenever new codes are issued. The Inspector shall prepare and enforce such rules and regulations as necessary for the proper exercise of the department's responsibilities. The Inspector shall prepare departmental budget, maintain all departmental records, correspondence, permits, stop-work orders.

The Inspector shall coordinate permitting procedures among town boards and shall assist applicants and the town boards with information helpful to resolve issues before them. The Inspector shall act as liaison with and coordinator of building department activities with other departments, agencies and commissions. The Inspector shall develop and implement permit streamlining process and act as coordinator for application and issuance of all necessary permits by applicants for building permits. The Inspector shall serve on Town Committees at the direction of the Board of Selectmen. The Inspector shall review and make recommendations as to matters of form on all requests for variances submitted to the Zoning Board of Appeals and shall attend Zoning Board of Appeals hearings when so requested by the Board.

The Inspector supervises the coordination of all inspection services pertaining to construction or alteration of buildings and structures in the town and supervises the Alternate Inspector of Buildings, Wiring Inspector, Plumbing/Gas Inspector and Fire Inspector.

The Inspector keeps complete records, including a file of all permits issued for a project and the progress of construction on each new building, structure, and alteration for which a permit has been issued.

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Moved up [1]: The Inspector investigates complaints of buildings and structures and vacant lands to determine compliance with applicable codes and bylaws.

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Department: Inspectional Services
Date of Revision: FY 2020

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The Inspector provides support to Town Boards, Commissions and Committees as assigned by the Town Manager.

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Other duties as assigned.

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RECOMMENDED MINIMUM QUALIFICATIONS

Education and Experience

M.G.L., Chapter 143, Section 3, mandates the qualifications that a candidate for the office of Inspector of Buildings, Building Commissioner or Local Inspector (Building Officials) must possess at the time of application for the appointment.

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In accordance with M.G.L. Chapter 143, Section 3, each inspector of buildings or building commissioner shall have had at least five years of experience in the supervision of building construction or design or in the alternative a four year undergraduate degree in a field related to building construction or design or any combination of education and experience which would confer equivalent knowledge and ability, as determined by the board. In addition, such person shall have had a general knowledge of the quality and strength of building materials; a general knowledge of the accepted requirements for building construction, fire prevention, light, ventilation, safe exits and the requirements of section thirteen A of chapter twenty-two and the rules and regulations promulgated pursuant thereto pertaining to accessible design standards; and a general knowledge of other equipment and materials essential for safety, comfort, and convenience of the occupants of a building or structure.

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In addition, Chapter 168 of the Acts of 1992 authorized the Board of Building Regulations and Standards (BBRS) to develop regulations relative to the certification process. In accordance with the Rules and Regulations for the Certification of Inspectors of Building, Building Commissioner and Local Inspectors, all those who are certified as a building code enforcement official by the Board of Building Regulations and Standards, shall maintain said certification by attaining at least 45 hours of continuing education credit for each 3 year cycle following initial certification.

Deleted: (780 CMR 7)

The Inspector shall understand field inspection practices. He/she shall possess the ability to enforce and interpret regulations such as the State Building Code, the State Sanitary Code and the local Zoning-Bylaws firmly, tactfully and impartially and to maintain good relations with the general public and the various trades. The Inspector should have the ability to verbally communicate to explain rules, codes, and standards and to read and understand building codes and standards, technical manuals, layouts, contract specifications, blueprints and drawings and to use basic principles of mathematics.

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~~In accordance with the State Building Code, Section 107.3, the Building Inspector shall have at least five (5) years of experience in the supervision of building construction or design or, alternatively, a four year undergraduate degree in a field related to building construction or design. In addition, such persons shall have graduated high school and have general knowledge of the accepted requirements of building construction, fire prevention, light, ventilation, and safe egress; as well as a general knowledge of other equipment and materials essential for safety, comfort, and convenience of the occupants of building or structure. ¶~~

All references in this Job Description to specific laws and regulations shall be deemed to include all amendments, additions and successor laws and regulations, which may be enacted from time to time.

Department: Inspectional Services
Date of Revision: FY 2020

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Must possess and maintain a valid Drivers License and clean driving record.

Physical Requirements

Work is performed partially in the office and mostly in the field, involving walking, climbing, reaching, bending, balancing and other physical effort. Must be able to tolerate inclement weather. Should always present an appearance that commands the respect of associates and the general public and displays a professional representation of the Town and the Department.

He/she must be able to perform office work of answering the telephone, taking messages, sitting at a desk, reading regulations, writing reports and orders, effectively communicating with the public, lawyers, architects, engineers, town officials, state officials, town departments/boards and commissions.

Historic Sites Survey

Phase 2 of the Historic Sites Survey will get underway in mid-October, 2019, with historic preservation consultants Stacy Spies and Wendy Frontiero scouting old homes and structures on Maple Street and throughout town for the next several months. They will be working on foot and in their cars doing external examinations, taking photos and making notes about some of the older properties in town. They will be driving a red Toyota Prius and gray Subaru Forester. Please welcome them!

The Town's phase 1 Historic Sites Survey, which focuses primarily on Main Street, was completed in 2018. It describes three historic areas on that street: Manufacturers' Row Historic Area east of Elwell Square, the Training Field Historic District, and the Way to the River Historic Area. It also contains detailed photos and information about the architecture of inventoried antique homes, which range from First Period to Victorian, as well as the stories of the farmers, preachers, factory workers, teachers, craftsmen, inventors, philanthropists, and others who built and lived in them. Of the 116 primary buildings and thirty-one outbuildings reviewed, the Survey recommends the three areas and twenty-three individual properties for listing on the National Register of Historic Places.

To learn more about some of the historic areas, antique buildings, and storied characters that help make West Newbury special, please [click here](#). A hard copy of the Survey is available in the G.A.R. Library.

Voters approved use of Community Preservation Act funds for a phase 2 Historic Sites Survey in April, 2019. A grant from the Massachusetts Historical Commission will be sought to reimburse the Town for half of the \$25,000 allocated for this project.

Historic Sites Survey Committee

Name	Term	Title
Robert Janes	2019	Chairman
M. Dorothy Cavanaugh	2021	
Jennifer Conway	2020	
Elisa Grammer	2021	
Paul Knezek	2020	

