



## Town of West Newbury Board of Selectmen

Monday, October 29, 2018 @ 6pm  
381 Main Street, Town Office Building  
[www.wnewbury.org](http://www.wnewbury.org)

### AGENDA

#### Executive Session: 6pm in the Town Manager/Selectmen Office

- MGL Chapter 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;
- MGL Chapter 30A §21(a) 3: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.
- Executive Session Minutes dated September 24, 2018 and October 1, 2018.

#### 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.

- Early Voting during regular business hours commencing on October 22<sup>nd</sup> and ending November 2<sup>nd</sup>.
- Trick or Treating, October 31<sup>st</sup> from 5:30pm to 7:30pm
- Town Offices will be closed on Monday, November 12<sup>th</sup> in observance of Veteran's Day
- Rural Policy Advisory Committee Listening Session, Nov. 14<sup>th</sup> from 6-8pm at the Newbury Town Offices, 12 Kent Way, Newbury, MA
- FY2019 Tax Classification Hearing, Tuesday, November 13, 2018 at 7pm

#### Regular Business

- A. Cynthia Quinn: request to place Holiday Fair signs on town property
- B. Police Department: Chief's retirement and appointment of Interim Police Chief as of effective date of retirement
- C. Review of West Newbury financing options for proposed new school construction
- D. Myopia Hunt Special Event Application, November 6, 2018
- E. Cottages Advisors/Drake's Landing
  - a. Endorsement of application and all attachments, including deed restriction and affirmative fair marketing plan to DHCD for acceptance of Local Action Units in West Newbury Subsidized Housing Inventory
  - b. Approve authority to sign the Regulatory Agreement once approved as to form by DHCD
- F. Acceptance of Meeting minutes dated September 24, 2018 and October 1, 2018

#### Town Manager Updates

- G. Proposed revisions to FY19 Wage Classification Plan
- H. Proposed amendments to Severe Weather Policy
- I. Treasurer's report on improved interest rates on large balance accounts
- J. Proposed review and evaluation of Town Offices' layout, administrative needs and staffing
- K. Update on work with Essex County Greenbelt to improve accuracy of Pipestave Hill/Mill Pond Conservation Restriction GIS shapefile
- L. Discussion on process for proposing amendments to Pipestave/Mill Pond Management Plan
- M. Review of stormwater management MS4 Notice of Intent (NOI) filed with EPA on 9/30/2018; discussion of required work, deadlines, impact on staff time, and use of LTA hours from MVPC
- N. Review of communication protocols between Board and staff between meetings (cont'd from 8/2/18)
- O. Personnel Update: hiring of a minutes clerk for the Planning Board and Board of Selectmen
- P. Follow up meeting assignments
- Q. Placing items for future agendas

**From:** [Nancy Lavallee](#)  
**Cc:** [Karen Conard](#)  
**Subject:** RPAC Listening Session Nov 14 2018 Agenda  
**Date:** Monday, October 22, 2018 1:16:03 PM  
**Attachments:** [RPAC listening session Nov 14 2018 agenda.docx](#)

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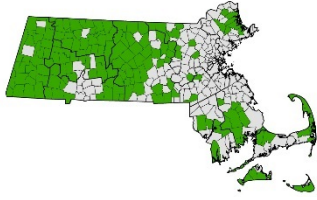
Please see attached the agenda for the Rural Policy Advisory Commission's Listening Session to be held on Wednesday, November 14<sup>th</sup> from 6-8 pm at the Newbury Town Offices, 12 Kent Way, Newbury.

FYI – the definition of “rural” in this context is fewer than 500 residents per square mile. In the MVPC region, Boxford, Newbury, Rowley and West Newbury (or parts thereof) meet this definition. We are also including the Essex County communities of Essex, Ipswich and Topsfield (which are served by the Metropolitan Area Planning Council) as a way to provide a regional listening session.

This invitation is meant to include all members of the community that may be interested in thinking about the components and priorities of a MA Rural Plan. To this end, please feel free to share this invitation with other interested parties.

Karen Sawyer Conard  
Executive Director  
Merrimack Valley Planning Commission  
160 Main Street  
Haverhill, MA 01830  
(978) 374-0519 x12  
[www.mvpc.org](http://www.mvpc.org)

***Planning: Managing Our Co-Existence in Shared Space***



170 Rural Towns in Massachusetts

## Rural Policy Advisory Commission



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### Essex County Listening Session

Wednesday, November 14, 2018 ♦ 6 - 8 pm  
Newbury Town Offices  
12 Kent Way, Newbury

Please RSVP to Nancy Lavallee at [nlavallee@mvpcc.org](mailto:nlavallee@mvpcc.org)

### Goal

*The goal of this series of listening sessions is to gather input from community leaders regarding the suggested focus areas to be included in the development the Massachusetts Rural Policy Plan. Listening sessions will be held in several regions across the Commonwealth.*

A survey is available to provide input at the [RPAC SURVEY](https://www.surveymonkey.com/r/RPAC2018) - <https://www.surveymonkey.com/r/RPAC2018>

Additional Listening Sessions locations & dates can be found at <https://www.mass.gov/service-details/rural-policy-advisory-commission-rpac>

### Draft Agenda

1. Welcome
2. Overview of The Rural Policy Advisory Commission
3. An Overview of Demographic and Socio-Economic Trends in Massachusetts Rural Towns, Including:
  - a. Comparisons of The Aggregate of Rural Towns to The State
  - b. Comparisons of Regional Differences Among Rural Towns
4. Introduction to Massachusetts Rural Policy Plan
5. Discussion of Proposed Plan Focus Areas

<http://www.cmrpc.org/rural-policy-advisory-commission-listening-session>

NEWBURYPORT DAILY NEWS  
ATTN: LEGAL DEPARTMENT

October 25, 2018

TOWN OF WEST NEWBURY  
PUBLIC NOTICE  
FY2019 TAX CLASSIFICATION HEARING

The Board of Selectmen will conduct a public hearing, in accordance with MGL Chapter 40, Section 56, on Tuesday, November 13, 2018, at 7:00 P.M., in the First Floor Hearing Room at the 1910 Town Office Building, 381 Main Street, for the purpose of determining the minimum residential factor and rates for all classes of properties: Residential, Commercial, Industrial, Open Space, and Personal Properties.

**Publish:** Newburyport Daily News – November 1, 2018

**Posted:** Town Website – October 26, 2018

**Post:** Town Hall Bulletin Board – November 1, 2018  
Town of West Newbury Website [www.wnewbury.org](http://www.wnewbury.org)  
Town Clerk

Cc: Board of Selectmen  
Board of Assessors  
Treasurer/Collector  
Town Accountant  
File



**From:** [Cindy Quinn](#)  
**To:** [Selectmen](#)  
**Cc:** [REDACTED]  
**Subject:**  
**Date:** Monday, October 08, 2018 11:17:02 AM

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Dear Selectman,

I am seeking permission to place 2 wooden signs on town owned property. The signs are to advertise the HOLIDAY FAIR of Holy Redeemer Parish. I would like the signs to be placed on the TRAINING FIELD near the library and the PARK across from the BOAT RAMP on Church Street. The signs would be placed on Friday, November 2nd and removed Sunday, November 18th.

Thank you for your consideration,  
Cindy Quinn

[REDACTED]  
Sent from my iPad



# WEST NEWBURY POLICE DEPARTMENT

401 Main Street, West Newbury, MA 01985

Phone 978-363-1213

Fax 978-363-1114

Art Reed, Police Chief  
areed@westnewburysafety.org

October 11, 2018

Town of West Newbury  
Town Manager Angus Jennings  
401 Main Street  
West Newbury, Ma 01985

RECEIVED

OCT 11 2018

TOWN MANAGER  
TOWN OF WEST NEWBURY

Dear Angus,

Please accept this letter as my intent not to renew my contract as the West Newbury Police Chief which will expire on January 24, 2019. After much discussion with my family I have decided to retire after 34 years of service. I appreciate the opportunity the Board and Town gave me three years ago as their new police chief.

Sincerely,

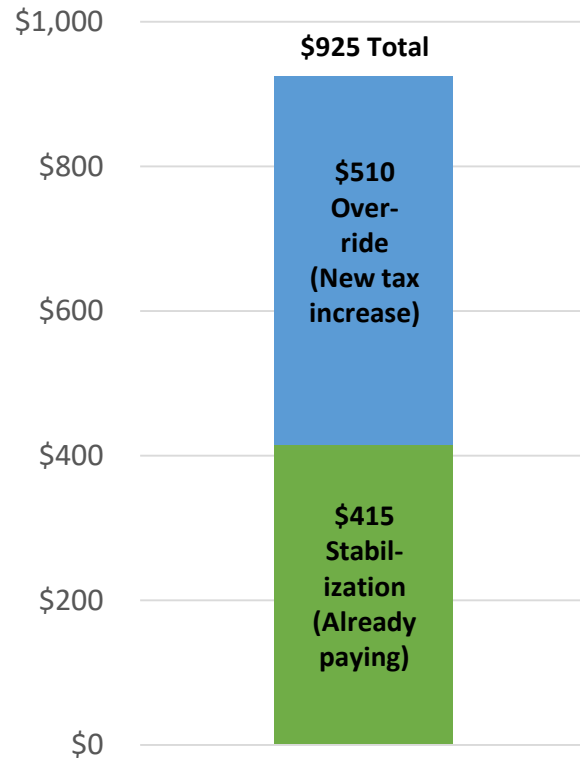
Art Reed  
Police Chief

# West Newbury School Capital Funding – DRAFT

Pentucket Has Not Voted a Final Building Cost - **Numbers Will Change**

This is a projection of the potential West Newbury impact,  
based on PRSD's published amounts

## Median Single Family Tax Impact



## West Newbury's Taxes Estimated to Increase An Average of \$510

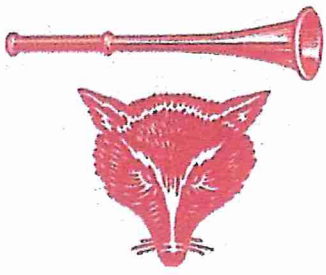
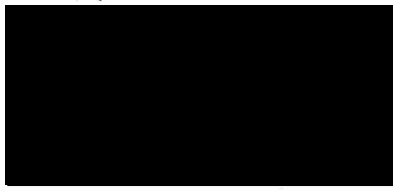
You can ballpark your property tax increase by multiplying your assessed value by 0.001

### Assumptions:

- Median value home of \$531,350 (October 2018)
- Town Meeting will continue to contribute retiring debt to the school stabilization fund
- Does not include projection of future non-school debt
- Total project cost of \$151.1 MM
  - District share of \$95.2 MM
  - West Newbury share of \$25.0 MM
- West Newbury annual debt service of \$1.6 MM
  - 30 year bond, with a 5% interest rate

\* attachment

Cindy Foote



April 5, 2018

Dear West Newbury Landowners,

On behalf of the Myopia Hunt and Joint Masters Ms. Wendy Wood and Mr. Nicholas White, we thank you for your contribution to another successful year of foxhunting in 2018. Our Huntsman Mr. Phillip Headdon will again be leading our field with several "couples" of hounds.

Phillip and our group of volunteers will be busy clearing trails soon on our riding routes. The winter was not good to the terrain and we have some serious work to do removing downed trees and repairing jumps. Please let me know as soon as possible if you have any notable damage on the areas of your property you so graciously allow us to use.

We look forward to another great season, especially our meets in West Newbury. Please look over the dates below to see when we would be crossing your property (if we are crossing your property it will be checked on the right side). If there are any conflicts with these dates please me know.

Date	Start Location	Time	Across (or near) your property
Tuesday, May 8 <sup>th</sup>	Maudslay State Park	8:00 AM	_____
Saturday, May 19 <sup>th</sup>	New Meadow Farm	8:00 AM	_____
Tuesday, May 29 <sup>th</sup>	Pipestave parking Lot	8:00 AM	_____
Tuesday, Sept. 25 <sup>th</sup>	Pipestave parking Lot	8:00 AM	_____
Saturday, Oct. 6 <sup>th</sup>	New Meadow Farm	2:30 PM	_____
Tuesday, Oct. 23 <sup>rd</sup>	Maudslay State Park	8:00 AM	_____
Tuesday, Nov. 6 <sup>th</sup>	NEER North	10:00 AM	_____

facility app

We also welcome you to join us for the Landowner's Picnic and the Blessing of the Hounds on Monday, October 8<sup>th</sup> at 12:30 PM. This annual event is our opportunity to thank you for your support and is a great opportunity to see the horses and hounds up close while enjoying great food and drink. Location:

Please feel free to call or email me at any time with questions or concerns. Thank you again- this tradition would not be possible without your generosity.

Best Regards,

Cindy Foote





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
08/07/2018

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

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

PRODUCER Allen Financial Insurance Group		AZ 85032		INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED Myopia Hunt Club Inc South Hamilton		MA 01982-1922		INSURER A : Capitol Indemnity Corporation		10472
				INSURER B :		
				INSURER C :		
				INSURER D :		
				INSURER E :		
				INSURER F :		

COVERAGES CERTIFICATE NUMBER: CL188741167 REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL	SUBR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
		INSD	WVD				
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			PR02404029	07/01/2018	07/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y					
	<b>AUTOMOBILE LIABILITY</b> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/>						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/>						EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder is additional insured as premises owner with respect to the operations of the insured for coverages afforded under this policy.

### CERTIFICATE HOLDER

### CANCELLATION

Town of West Newbury Pipestave  
694 Main Street

West Newbury

MA 01985-1225

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Nov 6

# Special Event Application

Organization or Group Myopia Hunt

Person Making Reservation Cindy Foote



Event Date: Nov 6 '18 Start Time 10 AM End

Time 12 PM

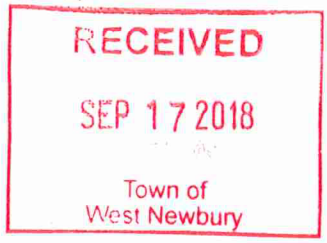
Reason for Event fox hunt - drag scent

Number of attendees 10-15 riders + horses + approx 12 hounds

### Check Appropriate Block:

Resident  Non-resident

Fund Raising Group  Non-Profit  Commercial  Other



Submit your application (with all maps, diagrams and attachments as required).

Provide a Schedule of Events along with a Sketch Plan which addresses:

1. The location of the event on the property \_\_\_\_\_

2. For road or walk race, a detailed map of the route on digital file

3. Features and attractions n/a

4. Participant circulation see map & description

5. Proposed parking including how you will handle overflow parking private property

6. Any proposed road closures NO



7. Location of trash receptacles and dumpsters n/A

8. Location of temporary toilet facilities n/A

9. Accessible routes for the disabled or mobility impaired n/A

10. Locations, size and number of any tents, trailers or temporary structures  
approx 10 horse trailers

11. Location, size, and description of any signage or banners  
n/A

12. If food will be served or sold at the event, you must contact the West Newbury Board of Health to discuss Food and Beverage regulations before you submit your application. If required, your food permit must be submitted before final approval of the Special Event.  
n/A

13. If Police Details and/or Firefighters/EMTs will be required, contact the West Newbury Police Department and West Newbury Fire Department to secure services. Only Police Officers may direct traffic on town streets. Evidence that Police and/or Fire Personnel have been secured must be presented before the approval of the final Special Event Permit.  
we will provide road guide

14. Provide a Certificate of Insurance to the Town Manager's Office no later than ten (10) business days before the event. Final Special Event Permits will not be issued without submission of a Certificate of Insurance on file

Name: Myopia Hunt Event: fox hunt

I/we agree and hold harmless and/or indemnify the said Town of West Newbury against any and all claims or liabilities for personal injury or property damage arising out of use of said property.

[Signature] Individual/Authorized Signature for Group Date: 9/17/18

Chief of Police's Signature: [Signature] Date: 9/26/18

Requests and comments: MUST provide crossing stewards @ Moulton & Bracket. ALSO Bracket & Ash as well as Ash street & Evergreen Tree farm. ALSO Middle Street @ trail crossing. Bachelors St @ power line, Stewart street both ends. All stewards MUST be wearing OSHA green vest & usable in road to all vehicle traffic

Fire Chief's Signature: [Signature] Date: 9/28/18

Requests and comments: none

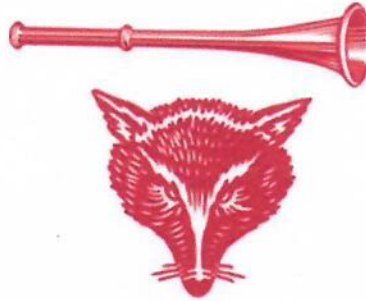
Approval granted if signed here by Board of Selectmen: \_\_\_\_\_ Date: \_\_\_\_\_

Requests and comments: \_\_\_\_\_





Cindy Foote



RECEIVED

OCT 26 2018

BOARD OF SELECTMEN  
TOWN OF WEST NEWBURY

October 24, 2018

MAP DIRECTIONS FROM 52 ASH STREET ON TUESDAY, NOVEMBER 6<sup>TH</sup> 2018  
10:AM-NOON

Approximately 15 horses and hounds will leave #52 Ash St at 10:am

We will proceed through woods and cross Middle St at # 157 10:15

We will come out just after #114 Ash Street and proceed down road to Brickett. 10:30

Cross over Brickett into #102 Moulton st. 11:00

Proceed through woods to Green Belt parking lot on Indian Hill St. 11:15

Cross Indian Hill St traveling along Garden St. 11:30

Cross at corn field on Middle St to Stewart St 11:45

Cross Bechelor St below power lines travel back to #52 Ash St. noon

## Town Manager

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**From:** Melissa Robbins` [REDACTED]  
**Sent:** Monday, October 22, 2018 3:27 PM  
**To:** Michael McCarron; Leah Zambenardi; Mary Winglass  
**Cc:** Town Manager; Howard Chip Hall; Cheryl Stangle; Patricia Gagne  
**Subject:** Local Action application--Drakes Landing  
**Attachments:** Drakes 1 of 2.pdf; Drakes 2 of 2.pdf

Good afternoon,

Attached please find the Local Action Application for Drakes landing. This is a standard application for counting units created through non-40B developments throughout the Commonwealth. This is exactly the same process we used for the units at Cottages at River Hill. This application along with the standard Regulatory Agreement (Which I have redlined their form and attached it along with the application) and lottery plan will be submitted to DHCD for their review and approval. (Kindly disregard the typo on Page 2 where David Hedison's signature is also indicated, that has since been removed).

The only signature I need is on page 2 of the application. Kindly schedule this matter for you next BOS hearing for signature. Should you require any further information please let me know.

Please let me know what the date of the next hearing will be.

Thank you,

-Melissa

Melissa E. Robbins, Esq.

The information contained in this electronic message is legally privileged and confidential under applicable law, and is intended only for the use of the individual or entity named above. If you are not the intended recipient of this message, you are hereby notified that any use, distribution, copying or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify Deschenes & Farrell, P.C. at (978) 496-1177 or by return e-mail to [REDACTED] and purge the communication immediately without making any copy or distribution.

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<https://www.facebook.com/pages/Deschenes-Farrell-PC/119613508052307>





## Town of West Newbury Board of Selectmen

Monday, September 24, 2018 @ 6:30pm  
381 Main Street, Town Office Building  
[www.wnewbury.org](http://www.wnewbury.org)

### Open Session Minutes

Chairman Kemper called the meeting to order at 6:30pm. Selectmen in attendance were Glenn A. Kemper, Chairman, David W. Archibald and Joseph H. Anderson, Jr.

**Chairman Kemper motioned to go into Executive Session under MGL Chapter 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. Second by Selectman Anderson with a unanimous roll call vote: Kemper – aye, Anderson – aye, Archibald – aye.**

Chairman Kemper called the open session back to order at 7pm. Others in attendance were Town Counsel Michael McCarron, Town Manager Angus Jennings, Town Accountant Laurie Zywiak, Town Moderator KC Swallow and members of the Finance Committee: Gary Roberts, Forbes Durey, Nathan Kelly, Brad Beaudoin and Jessica Knezek.

Chairman Kemper announced that this meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Chairman Kemper added that tonight there is a missing 14-year old girl in West Newbury so please keep a watch out and call dispatch with any information.

#### Regular Business

- A. Review of easement for Carr Post Property from Cottage Advisors, and consideration of adding an article to the Fall Town Meeting warrant

Town Manager Jennings request to the Board of Selectmen to open the Fall Town Meeting warrant to include an article for consideration to accept an easement already approved by the Board for the Drakes Landing development but also requiring Town Meeting approval. The easement is a condition on the approval of the development allowing access to the Carr Post to include public parking in that location. Until the easement is accepted and recorded the developer is not allowed to do any work in the DOT right of way therefore time is of the essence.

**Selectman Anderson motioned to open the Town Meeting Warrant. Second by Chairman Kemper with a unanimous vote, 3-0-0.**

**Selectman Anderson motioned to add to the Town Meeting Warrant the article to authorize the Board of Selectmen to accept by gift, donation or otherwise an easement for access and parking purposes and for the installation of utilities to be appurtenant to the land commonly referred to as “The Carr Post” as described in deed recorded with the Essex South District Registry of Deed in Book 35514 Page 162 from Cottage Advisors MA, LLC and to take any other action in furtherance thereof. Second by Chairman Kemper with a unanimous vote, 3-0-0.**

Town Manager Jennings explained that the Annual Town Meeting warrant included an estimated FY19 tax rate of \$14.60. Although the methodology to generate this estimate is not clear, and current finance staff were not

“in the loop” on the preparation of this estimate, it appears clear that this estimate relied upon an anticipated (but unstated) Fall Town Meeting transfer of Free Cash in an unknown amount, and/or a substantial (but also unknown) amount of New Growth.

In each of the 2017 and 2016 October Special Town Meetings, an article was approved to transfer Free Cash to reduce that year’s tax rate. The same will be necessary this year, although likely a greater amount. Obviously, the actual tax rate will be a moving target until New Growth is certified; this is our top priority moving forward. Furthermore, Free Cash will also need to be certified in order to authorize its use or transfer at the Special Town Meeting; we are on track to submit this to DOR on Monday or Tuesday.

To ensure that the tax levy can remain within the allowable range under any reasonably probable New Growth scenario, and understanding that, once advertised, an amount printed in the Warrant may decrease but cannot increase, I recommend a warrant article with an amount high enough to cover any scenario.

Therefore, I am respectfully requesting that the Board of Selectmen sponsor the following article: To see if the town will vote to transfer from Free Cash the sum of \$400,000 to reduce the current year tax rate.

Selectman Anderson added that if not approved will create a structural deficit for next year’s budget.

**Selectman Anderson moved to add to the special town meeting warrant an article to see if the town will vote to transfer from Free Cash the sum of \$400,000 to reduce the current year tax rate. Second by Chairman Kemper with a unanimous vote, 3-0-0.**

*Documentation:*

*Memo from Town Manager Re: Town Meeting action necessary for acceptance of Carr Post easement and Easement Deed*

*Memo from Town Manager Re: Proposed Special Town Meeting article to Raise and Appropriate Free Cash*

- B. Joint meeting with the Town Moderator, Finance Committee, Town Counsel and Town Manager to review the 2018 Fall Town Warrant and Meeting set for October 22, 2018.

ARTICLE 2. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$30,000 to fund the installation of additional monitoring devices and additional frequency of testing for the post-closure of the Steele Landfill. By request of the Board of Health

Finance Committee vote to recommend 5-0-0

**Selectman Anderson moved to recommend article 2. Second by Selectman Archibald with a unanimous vote 3-0-0.** Funding from free cash.

ARTICLE 3. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$50,000 to fund additional costs for disposal of recycled materials. By request of the Board of Health

Finance Committee vote to recommend 4-0-1

**Selectman Anderson moved to recommend article 3. Second by Selectman Archibald with a unanimous vote, 3-0-0.** Funding from free cash.

ARTICLE 4. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$4,000 to fund architectural and/or engineering services to review proposed or potential Annex designs, offer recommendations regarding feasibility and cost, and/or prepare visual representations. By request of the Community Center Committee

Finance Committee vote to recommend 3-2-0. Split vote is due to procedurally felt this is not an emergency. **Selectman Anderson move to approve article 4. Second by Chairman Kemper with a unanimous vote, 3-0-0.** Funding from free cash.

ARTICLE 5. To see if the town will vote to transfer from the Community Preservation Act Funds, Open Space and Recreation Reserve, the sum of \$51,500 for Engineering Services and related expenses to prepare a Conceptual Master Plan for Pipestave Hill Active Recreational Area Expansion to include the Dunn Municipal Owned Land. By request of the Parks and Recreation Commission

Finance Committee vote to recommend 5-0-0

**Selectman Anderson moved to approve article 5 as amended. Second by Selectman Archibald. Selectman Kemper questioned the wording “master plan” and after a discussion changed it to “study”. Motion passed with a unanimous vote, 3-0-0.**

ARTICLE 6. To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$2,500 to fund temporary office support in the Town Manager/Selectmen Office. By request of the Board of Selectmen

Finance Committee vote to recommend 5-0-0

**Selectman Anderson moved to approve article 6. Second by Selectman Archibald with a unanimous vote, 3-0-0.** Funding from free cash.

ARTICLE 7. To see if the Town will vote to amend Section 5.G. Large-Scale Ground-Mounted Solar Photovoltaic Overlay District of the West Newbury Zoning Bylaw as follows:

1. By establishing parameters for the size and scale of Large-Scale Ground-Mounted Solar Photovoltaic Installations (LGSPI) utilizing minimum and maximum surface area requirements;
2. By distinguishing commercial LGSPI from Municipal LGSPI;
3. By requiring a special permit for LGSPI projects within an established LGSPI Overlay District where the underlying Zoning District is Residence-A, -B, or -C, or Business;
4. By adding new submission requirements for Site Plan Review Applications regarding utility company notification, operation & maintenance, landscaping plan and visualizations;
5. By increasing setbacks, as measured from the LGSPI to the Overlay District Boundary, from 50 feet to 150-feet for PV Arrays and from 40 feet to 150 feet for appurtenant structures;
6. By reducing the maximum height of Appurtenant Structures from 35-feet to 15-feet.
7. By adding new Design Standards for LGSPI including siting criteria and landscaping & screening;
8. By allowing that the Planning Board hire consultants to assist in project review at the expense of Applicants;
9. By establishing new provisions for abandonment and decommissioning;
10. By establishing new requirements for Applicant’s to provide financial surety.

By request of the Planning Board

Discussion took place on setbacks, limitations on size, very restrictive and could negate the town’s status as a Green Community. The Planning Board addressed concerns discussed at the Spring Annual Town Meeting and the Board asked to invite the Planning Board to the Selectmen’s October 1, 2018 before making their recommendation. Gary Roberts, Chair of the Finance Committee added that the Finance Committee was unanimous in supporting the Planning Board’s proactive approach.

ARTICLE 8. To see if the Town will vote to amend Section 6.B.8 Open Space Preservation Development (OSPD) of the West Newbury Zoning Bylaw as follows:

To amend the OSPD Bylaw for the purpose of clarifying the following provisions:

1. Basic Maximum Number (S. 6.B.8.iii)
2. Modification of Dimensional Requirements (S.6.B.9)
3. Contiguity of Open Space (S.6.B.10.a.ii)
4. Buffer Areas (S.6.B.11.b.iii.)
5. Density bonuses and Affordable Housing Units (S.6.B.13.d)

To amend Section S.6.B.11.b.iv of the Open Space Preservation Development Bylaw to increase the distance between residential buildings in the development by adding the following provision:

1. Minimum distance between residential buildings of 20-feet (S.6.B.11.b.iv.)

By request of the Planning Board

Finance Committee vote to recommend 5-0-0

**Selectman Anderson moved to recommend article 8. Second by Selectman Archibald.** Chairman Kemper stated that he would prefer to meet with the Planning Board and all agreed they were uncomfortable voting before the Planning Board public hearing. **Selectman Anderson withdrew his motion and second by Selectman Archibald.**

ARTICLE 9. To see if the Town will vote to accept the provisions of Massachusetts General Law Ch. 32B, § 20 to establish a GASB-compliant OPEB Trust Fund. By request of the Board of Selectmen

This article was withdrawn, see notes under article 11.

ARTICLE 10. To see if the Town will vote to accept the provisions of Massachusetts General Law Ch. 203C to adopt the Massachusetts Prudent Investment Act to make available the options required to meet the investment goals of the OPEB trust. By request of the Board of Selectmen

Finance Committee vote to recommend 5-0-0

**Selectman Anderson moved to approve article 10. Second by Chairman Kemper with a unanimous vote, 3-0-0.**

ARTICLE 11. To see if the Town will vote to accept the provisions of Massachusetts General Law Ch. 32B, §20 to designate a trustee or board of trustees which shall have the general supervision of the management, investment and reinvestment of the OPEB Fund. By request of the Board of Selectmen

Finance Committee vote to recommend 5-0-0

Selectman Anderson stated that the Investment Policy Committee did not want to be the Board of Trustees and felt the Board needed time to investigate this further. Town Clerk Michael McCarron added that in the 1950's the Board of Selectmen were voted to ace as the Trust Commissioners.

**Selectman Anderson moved to remove article 9 from the warrant. Second by Chairman Kemper with a unanimous vote, 3-0-0.**

ARTICLE 12. To see if the Town will vote to accept the provisions of Massachusetts General Law Ch. 200A, §9A to establish procedures for the disposition of abandoned funds.

By request of the Board of Selectmen

Finance Committee vote to recommend 5-0-0

**Selectman Anderson moved to recommend article 12. Second by Selectman Archibald with a unanimous vote, 3-0-0.**

ARTICLE 13. To see if the Town will vote to accept the provisions of Massachusetts General Law Ch. 60, §62A to authorize the establishment of payment agreements for properties in tax title. By request of the Board of Selectmen

Finance Committee vote to recommend 5-0-0

**Selectman Anderson moved to recommend article 13. Second by Selectman Archibald with a unanimous vote, 3-0-0.**

ARTICLE 14. To authorize the Board of Selectmen to accept by gift, donation or otherwise an easement for access and parking purposes and for the installation of utilities to be appurtenant to the land commonly referred to as "The Carr Post" as described in deed recorded with the Essex South District Registry of Deed in Book 35514 Page 162 from Cottage Advisors MA, LLC and to take any other action in furtherance thereof.

**Selectman Anderson moved to recommend article 14. Second by Selectman Archibald with a unanimous vote, 3-0-0.**

ARTICLE 15. To see if the town will vote to transfer from Free Cash the sum of \$400,000 to reduce the current year tax rate.

**Selectman Anderson moved to recommend article 15. Second by Selectman Archibald with a unanimous vote, 3-0-0.**

Mr. Durey of the Finance Committee asked if there if any direction on whether article 7 or 8 will stay on the warrant. The Board responded they will decide on October 1, 2018.

*Documentation: Draft Warrant and Finance Committee Minutes dated September 17, 2018*

### C. High School Building Project

Discussion took place on two recent significant comments from the Massachusetts School Building Authority (MSBA). First, the MSBA asked to change the wording to emphasize that the reimbursement rate of 40% is an estimate as the final reimbursement rate will not be known until schematic design is completed and approved. This estimate came from the initial % MSBA gave of around 53%, and was conservatively adjusted as many required items are not considered reimbursable which leaves the % well below 53%. Second, the MSBA also shared that, contrary to their past practice, they would participate and reimburse a percentage on a "Repair Only" project for the high school. The Repair Only option addresses mechanical systems, windows, roof, etc., but does not renovate or move walls to improve the building design to align with Educational Objectives.

The School Committee and Building Committee have scheduled a meeting to review, discuss and reaffirm the selection considering this new information. The meeting will be Tuesday, September 25th at 6:30pm in the HS Cafeteria. In preparation for this meeting, an email and survey has gone out to the community.

*Documentation: Email from Superintendent Jonathan Seymour and Pentucket School District survey*

**Selectman Anderson moved to adjourn. Second by Chairman Kemper with a unanimous vote, 3-0-0.**

*Board of Selectmen Meeting, September 24, 2018*

*Page 5 of 6*



Respectfully Submitted,

*Mary Winglass, Executive Administrator*



## Town of West Newbury Board of Selectmen

Monday, October 1, 2018 @ 6pm  
381 Main Street, Town Office Building  
[www.wnewbury.org](http://www.wnewbury.org)

### Open Session Minutes

Chairman Kemper called the meeting to order at 6pm. Selectmen in attendance were Glenn A. Kemper, Chairman, David W. Archibald and Joseph H. Anderson, Jr.

Others in attendance were Town Counsel Michael McCarron, Town Manager Angus Jennings and Police Chief Art Reed.

**Chairman Kemper motioned to go into Executive Session per MGL Chapter 30A §21(a) 1: To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual; MGL Chapter 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; MGL Chapter 30A §21(a) 3: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; Executive Session Minutes dated June 11, 2018, June 25, 2018, July 16, 2018, July 30, 2018, August 6, 2018 and September 4, 2018. Second by Selectman Archibald with a unanimous roll call vote: Kemper – aye, Anderson – aye, Archibald – aye.**

Chairman Kemper called the open session back to order at 7:10pm and made the following announcements:

This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet.

- Planning Board Public Hearing on proposed zoning amendments - change of date to October 16, 2018 at 7:45pm (Solar Bylaw) and 8:15pm (Open Space Preservation Development Bylaw)
- Parks & Rec Commission Public Forum on proposed Town Meeting article, Oct. 9, 2018 at 7:30 PM
- Community Preservation Committee Public Hearing, October 18, 2018 at 7:30 PM
- Special Town Meeting, Monday, October 22, 2018 at 7pm
- Early Voting October 22<sup>nd</sup>-November 2<sup>nd</sup> in the front foyer at the 1910 Building for the State Election. November 6, 2018 is Election Day held in the Town Annex, 7am-8pm; absentee ballots are available at the Town Clerk's Office.

Selectman Anderson announced the Water Department is conducting hydrant flushing October 6<sup>th</sup> – 19<sup>th</sup> and the Police Department will be holding a Fall National Drug take back day on Saturday, Oct. 27<sup>th</sup> from 10 a.m. to 2 p.m., officers will be available at the West Newbury Police Station, 401 Main Street. Trick or Treat will take place on Halloween during the hours of 5:30-7:30pm.

Selectman Anderson added for all departments to give information on current events to go out under News and Announcements to the residents who have signed up to receive email notifications.

### Regular Business

#### A. Special Events and Licenses

- a. Apple Harvest Run: One-Day Liquor License

Michelle Card was present to request a one-day liquor license for the Apple Harvest Run pasta dinner on October 13, 2018 from 4pm to 10pm in the Town Annex.

**Selectman Anderson moved to approve a one-day liquor license to Michelle Card for the Apple Harvest Run pasta dinner on October 13, 2018 from 4pm to 10pm. Second by Selectman Archibald. The fee is waived for non-profit organizations. Motion passed with a unanimous vote.**

*Documentation: One-day liquor license application*

b. Nourishing the North Shore's Annual Harvest Party: One-Day Liquor License

Kailey Burke was present to request a one-day liquor license for Nourishing the North Shore's Annual Harvest Party on October 20, 2018 from 1pm to 3pm at 914 West Main Street. This event is sponsored by the YMCA of Newburyport held at the Emery House property.

**Selectman Anderson moved to approve a one-day liquor license on October 20, 2018 from 1pm to 3pm at 914 West Main Street. Second by Chairman Kemper with a unanimous vote.**

*Documentation: One-day liquor license application*

c. Pentucket Athletic Association 5K Road Race: Special Event Application

Barbara Sullivan was present to request approval for a special event on Sunday, November 18, 2018 to hold the Pentucket Athletic Association (PTA) 5K Road Race. The event takes place at the Pentucket High School and affects residential areas of Farm Lane and Rt.113 with no road closures.

**Selectman Anderson moved to approve the Pentucket Athletic Association 5K Road Race on November 18, 2018. Second by Chairman Kemper with a unanimous vote.**

*Documentation: Special Event Application from the Pentucket Athletic Association*

d. Green Stride: Special Event Application

Eli Bailin was present to request approval for a special event on Sunday, October 21, 2018 to hold the Newburyport Half Marathon which utilizes approximately 3 miles of roads around the reservoir in West Newbury. Mr. Bailin apologized for the late submittal as he was working with Newburyport on the route of the race. The Board explained the West Newbury 60-day notice requirement that must be adhered to even if all the details have not been finalized. Green Stride is a for profit organization and it was suggested for donations to go the Page School PTO.

**Selectman Anderson moved to approve the Green Stride application for the Newburyport Half Marathon on Sunday, October 21, 2018 with the conditions as outlined by the Police Chief. Second by Chairman Kemper with a unanimous vote.**

*Documentation: Special Event Application from Green Stride*

e. Myopia Hunt: Special Event Applications (3)

**Selectman Anderson moved to approve the special event request for the Myopia Hunt Club for events on October 6<sup>th</sup> and October 23<sup>rd</sup> Myopia Fox Hunt with the requirements of crossing stewarts as directed by the Police Chief clearly outlined in the special event application and must be adhered too. Second by Chairman Kemper with a unanimous vote.** Myopia must submit a complete application for the November 6<sup>th</sup> event before receiving approval.

*Documentation: Special Event Application from Myopia Hunt (3)*

B. Pentucket Regional School District: Request for Town sponsorship of FY19 IT Grant

Justin Bartholomew, Superintendent and Brent Conway, Assistant Superintendent were present to request the Town of West Newbury to partner with the Pentucket School District for a grant through the MA Community Compact Program. The grant funds will allow the district to update the infrastructure so that, regionally, their communication and data management systems are unified under one system instead of several different systems. Under the Community Compact Program only municipalities can apply which requires that the district partner with the town as the lead sponsor.

**Selectman Anderson motioned to approve the grant application for the Pentucket Regional School District through the MA Community Compact Program. Second by Chairman Kemper with a unanimous vote.**

*Documentation: Emails and documentation on the Community Compact Program and application*

C. Update from Community Center Committee (CCC)

Vanessa Graham, Chair of the Community Center Committee gave an update on the needs assessment for an intergenerational community center and a review of town property and input from committees, it was determined that the Town Annex can be repurposed to provide for this purpose.

Therefore, the committee decided to place an article on the Fall Town Meeting requesting \$4,000 to fund architectural and/or engineering services to review proposed or potential Annex designs, offer recommendations regarding feasibility and costs, and/or prepare visual representations.

*Documentation: Report from the Community Center Committee dated February 2018*

D. Final review of articles and motions and to sign warrant for Special Town Meeting on Oct. 22, 2018

Planning Board members Ann Bardeen, Brian Murphey and Town Planner Leah Zambarnardi were present to review the two proposed articles from the Planning Board for the Fall Special Town Meeting. Concerns regarding article 8 from the Selectmen included the late date of the Planning Board public hearing, meeting the green community standard and the elimination of the solar overlay district due to the limitation of size/set-backs.

The Board conducted a final review and changes to the warrant and reviewed proposed motions for each article.

**Article 7 – Selectman Anderson moved to approve article 7 with a revised number of \$220,000. Second by Selectman Archibald and funding to come from Free Cash. Vote: 3-0-0**

Finance Committee member Forbes Durey informed the Board that the Finance Committee recommended both article 8 and article 9 with a unanimous vote 4-0-0.

**Selectman Anderson motioned to include article 8 and article 9 on the Fall Special Town Warrant. Second by Selectman Archibald. Vote: 3-0-0.**

**Selectman Anderson moved to recommend article 8. Second by Chairman Kemper. Motion failed by a vote of 0-3-0.**

**Selectman Anderson moved to recommend article 9. Second by Chairman Kemper. Motion failed by a vote of 0-2-1 with Selectman Archibald abstaining.**

Motions: The Board clarified what department will make the motions for each article. Articles 2, 3,4,5 and 6 will include in the motion that any remaining funds will be closed out to the undesignated fund balance at the close of Fiscal Year 2019.

Selectman Anderson moved to approve the motions as written. Second by Chairman Kemper with a unanimous vote.

Chairman Kemper stated for each article to include sunset clauses to all money articles and all end in one year unless otherwise stipulated by the person/department presenting the article. Town Manager Jennings asked the Board to reconsider article 5 to extend it to the close of Fiscal Year 2020; the Board concurred.

*Documentation: Memo from Town Manager Re: Updated estimate of FY19 tax rate and financial analysis; Draft Warrant and Motions for Fall Special Town Meeting*

E. Discussion of assessing a fine for late filing of a Special Event Application

Selectman Anderson explained that filing a late application requires additional office work and recommends assessing a late fee if the application is filed less than the 60-day requirement.

**Selectman Anderson moved to impose a \$100 administrative fee if the special event application is not filed following the 60-day deadline or the applicant has the option of moving the event. The application filed needs to be substantially complete. Second by Selectman Archibald with a unanimous vote.** This fee applies to all to include non-profit and is effective immediately.

F. Selectmen's Meeting minutes dated September 17, 2018

**Selectman Anderson moved to approve the minutes dated September 17, 2018 with one amendment to a term expiration date change to 2019. Second by Chairman Kemper with a unanimous vote.**

*Documentation: Draft September 17, 2018 minutes*

**Town Manager Updates**

A. Proposed schedule of FY19 Holiday Closings for Town Departments and Library

The Board reviewed a list of schedule closing for FY'19 as defined in the town's Personnel Policy with two variables that have happened in the past, the day before and the day after Thanksgiving and Christmas Eve.

**Selectman Anderson moved to close the day after Thanksgiving and to close at 1pm on Monday, December 24, 2018. Second by Chairman Kemper with a unanimous vote.**

*Documentation: Memo from Town Manager Re: Proposed schedule of FY19 Holiday closing for Town Department and Library with attached schedule*

B. Status update, 90-days in office: Goals, "baseline" responsibilities and policy priorities

Town Manager Jennings gave the Board a status update, 90 days in office.

*Documentation: Memo from Town Manager with status update, 90 days in office: “baseline” responsibilities and policy priorities*

C. Follow up meeting assignments

Fall Special Town Meeting posting

Update Use of Facility application

D. Placing items for future agendas

Funding of proposed new school

FY'2010 Budget priorities

River Access Committee

Regional Advisory Committee

DLS Forecasting

**Chairman Kemper motioned to adjourn at 9:11pm. Second by Selectman Anderson with a unanimous vote.**

Respectfully Submitted,

Mary Winglass, Executive Administrator



# 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](mailto:townmanager@wnewbury.org)

TO: Board of Selectmen  
FROM: Angus Jennings, Town Manager  
DATE: October 25, 2018  
RE: Proposed revisions to FY19 Wage Classification Plan

---

At its September 4<sup>th</sup> meeting, the Board endorsed the FY19 Wage Classification Plan (enclosed). The document relied upon the same methodology used in prior years' Wage Classification Plans.

The hourly rates included in the endorsed document are correct and accurate.

However, upon closer review, I noted that the annualized pay (based on a 40 hour work week) relied upon a different methodology than I have used for similar work in the past. The endorsed version multiplied the hourly rates times 40 times 52.2 (which I understand was based on the fact that 52 weeks times 7 days is 364 – one day less than a full year).

In my opinion, a more appropriate formula to annualize an hourly rate is to multiply the rate by 2080. (52 weeks x 40 hrs/wk = 2080).

I have therefore prepared an updated FY19 Wage Classification Plan, and request your endorsement in place of the former document. Both are attached for your reference.

**TOWN OF WEST NEWBURY  
EMPLOYEE COMPENSATION POLICY  
SALARY RANGES  
FISCAL YEAR 2019 - REVISED DRAFT 10/29/18**

Cola

1.02

Grade	Minimum Hourly Rate	Midpoint Hourly Rate	Maximum Hourly Rate	Hours per week		
				Minimum	Midpoint	Maximum
				40		
1	Minimum Wage*	12.60	14.20			
2	12.64	15.01	17.37	26,297	31,216	36,136
3	15.80	18.17	20.53	32,871	37,791	42,710
4	18.93	21.31	23.69	39,378	44,331	49,284
5	22.11	24.48	26.86	45,997	50,928	55,859
6	25.27	27.65	30.02	52,572	57,502	62,433
7	28.41	31.57	34.74	59,101	65,675	72,249
8	31.55	36.30	41.05	65,630	75,503	85,375
9	37.90	42.63	47.36	78,824	88,662	98,501
10	44.21	48.94	53.67	91,950	101,788	111,627
11	50.52	56.83	63.14	105,076	118,202	131,328
12	60.00	66.30	72.61	124,798	137,913	151,028

Massachusetts minimum wage

\$11.00 effective January 1, 2017

Source: Angus Jennings, Town Manager, August 2018, updated October 2018



**TOWN OF WEST NEWBURY  
EMPLOYEE COMPENSATION POLICY  
SALARY RANGES  
FISCAL YEAR 2019**

Cola

1.02

Grade	Minimum Hourly Rate	Midpoint Hourly Rate	Maximum Hourly Rate	Hours per week		
				Minimum	Midpoint	Maximum
				40		
1	Minimum Wage*	12.60	14.20			
2	12.64	15.01	17.37	26,398	31,337	36,275
3	15.80	18.17	20.53	32,998	37,936	42,874
4	18.93	21.31	23.69	39,529	44,502	49,474
5	22.11	24.48	26.86	46,174	51,124	56,074
6	25.27	27.65	30.02	52,774	57,723	62,673
7	28.41	31.57	34.74	59,328	65,928	72,527
8	31.55	36.30	41.05	65,882	75,793	85,704
9	37.90	42.63	47.36	79,127	89,003	98,880
10	44.21	48.94	53.67	92,303	102,180	112,057
11	50.52	56.83	63.14	105,480	118,656	131,833
12	60.00	66.30	72.61	125,278	138,444	151,609

Massachusetts minimum wage

\$11.00 effective January 1, 2017

Source: Angus Jennings, Town Manager, August 2018



# 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](mailto:townmanager@wnewbury.org)

TO: Board of Selectmen  
FROM: Angus Jennings, Town Manager  
DATE: October 25, 2018  
RE: Proposed amendments to Severe Weather Policy

---

Please find attached proposed “housekeeping” amendments intended to further implement the transition to a Town Manager form of government.

## SEVERE WEATHER POLICY

The West Newbury Board of Selectmen recognizes that severe weather may make it unsafe for staff to travel to work. While this is unavoidable for essential personnel (such as emergency personnel and highway department personnel) the Board has instituted this policy so non-essential personnel can avoid unsafe conditions. This policy applies to administrative and office staff at the Town Offices and Library.

Essential personnel includes Police, Fire, EMA, Dispatch, and Highway Departments whose work is necessary for public safety. Department heads will designate essential personnel in these departments.

~~After considering advice from at least the DPW Director and Police Chief, the Chairman\* of the Board of Selectmen~~ Town Manager shall decide whether Town offices will be closed to the public or if there should be a delayed opening or early closure. If the ~~Chairman\*~~ Town Manager decides that there should be a closure ~~or~~ delayed opening or early closure, he or she shall notify the Selectmen's Assistant who will call or text Department Heads, based on advance agreement of notification method among staff. Department Heads will ~~call~~ contact the employees in their departments to notify them of conditions of closure. The Selectmen's Assistant will promptly notify residents via local media outlets, Town website, and social media. The Library Director will post such notices with regard to closures of the Library.

Under certain conditions, including severe weather, the ~~Board of Selectmen~~ Town Manager may direct employees not to report to work, delay arrival to work, or to leave work early. In these instances, employees shall be compensated for scheduled work hours.

If offices are not officially closed or delayed from opening, employees who feel that the roads are not safe for travel may choose to use vacation or personal time equal to the time missed. Once the roads are cleared, employees should make a reasonable effort to safely report to work. Department Heads must be informed about the employee's intended plans for coming in or staying home as close to the normal opening time as possible.

If conditions develop during the work day and no decision is made to close early, any employee who feels they need to leave before conditions worsen should do so and will be required to use vacation or personal time or to make-up the time at a later date approved by the Town Manager. If the building is closed because of the decision of the ~~Chairman\* of the Board of Selectmen~~ Town Manager, employees will receive their normal pay for the balance of the day.

Any employee who is already scheduled for vacation time, sick time, or otherwise not scheduled to work during the affected period of time is not eligible to be paid under this policy.

Any other aspects or decisions affecting a delay or closing not covered in this policy will be at the discretion of the ~~Chairman\* of the Board of Selectmen~~ Town Manager.

Revised 10/29/2018

~~\* If the Chairman is not available to make the decision, another Selectmen will.~~



# 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](mailto:townmanager@wnewbury.org)

TO: Board of Selectmen  
FROM: Angus Jennings, Town Manager  
DATE: October 25, 2018  
RE: Treasurer's report on improved interest rates on large balance accounts

---

In the past few months, Treasurer Sue Yeames and I have met with representatives of the banks that handle the Town's various accounts. At these meetings, Sue proposed improved interest rates to reflect current market conditions, and we were successful in securing a number of changes.

At my request, the Treasurer provided the following summary:

<u>Bank</u>	<u>Interest rate</u> 6/30/2018	<u>Interest rate</u> 10/1/2018	<u>Balance</u> 10/16/18
Blue Hills Bank	1.25	1.8	\$153,650.88
Blue Hills Bank	1.25	1.8	\$566,613.70
Century Bank	0.7	1.26	\$1,930,257.20
East Boston Savings	1.91	2.01	\$782,684.17
Institution for Savings Money Market Account	1.41	2.25	\$2,146,678.72
Institution for Savings Water Enterprise Account	1.41	2.25	\$2,247,930.01

The Treasurer will continue to look for ways to strengthen the Town's finances, including through relationships with our banks. In the meantime, I'm pleased to report on progress to date, and look forward to the increased yields we will realize.

cc: Sue Yeames, Treasurer  
Mike Gootee, Water Superintendent



# 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](mailto:townmanager@wnewbury.org)

TO: Board of Selectmen  
FROM: Angus Jennings, Town Manager  
DATE: October 25, 2018  
RE: Update on creation of Mill Pond/Pipestave Hill Conservation Restriction GIS shapefile

---

During my office's work over the summer relative to Pipestave Hill, it became known that the Town GIS data layer for Conservation Restrictions (CRs) does not include a shapefile delineating the Mill Pond/Pipestave Hill CR. This appears to have been an inadvertent oversight, over the years.

The Town has an interest in an accurate GIS depiction of the CR, including the Municipal Use Area (MUA), in order to inform future planning efforts, and to produce accurate mapping with our GIS system including for inclusion in an update to the Open Space & Recreation Plan, now underway.

In August, my office contacted Essex County Greenbelt to see if they maintain a shapefile that could be provided to the Town for incorporation into our GIS. They did have a shapefile, but upon review it differed in material respects from the Town's understanding of the boundaries – specifically, the delineation of the MUA did not appear to be accurate relative to CR Exhibit D (attached), which offers the best available representation of the MUA. (The GIS shapefile was generally illustrative of the MUA boundaries, but was adequately different as to justify an effort to improve its accuracy).

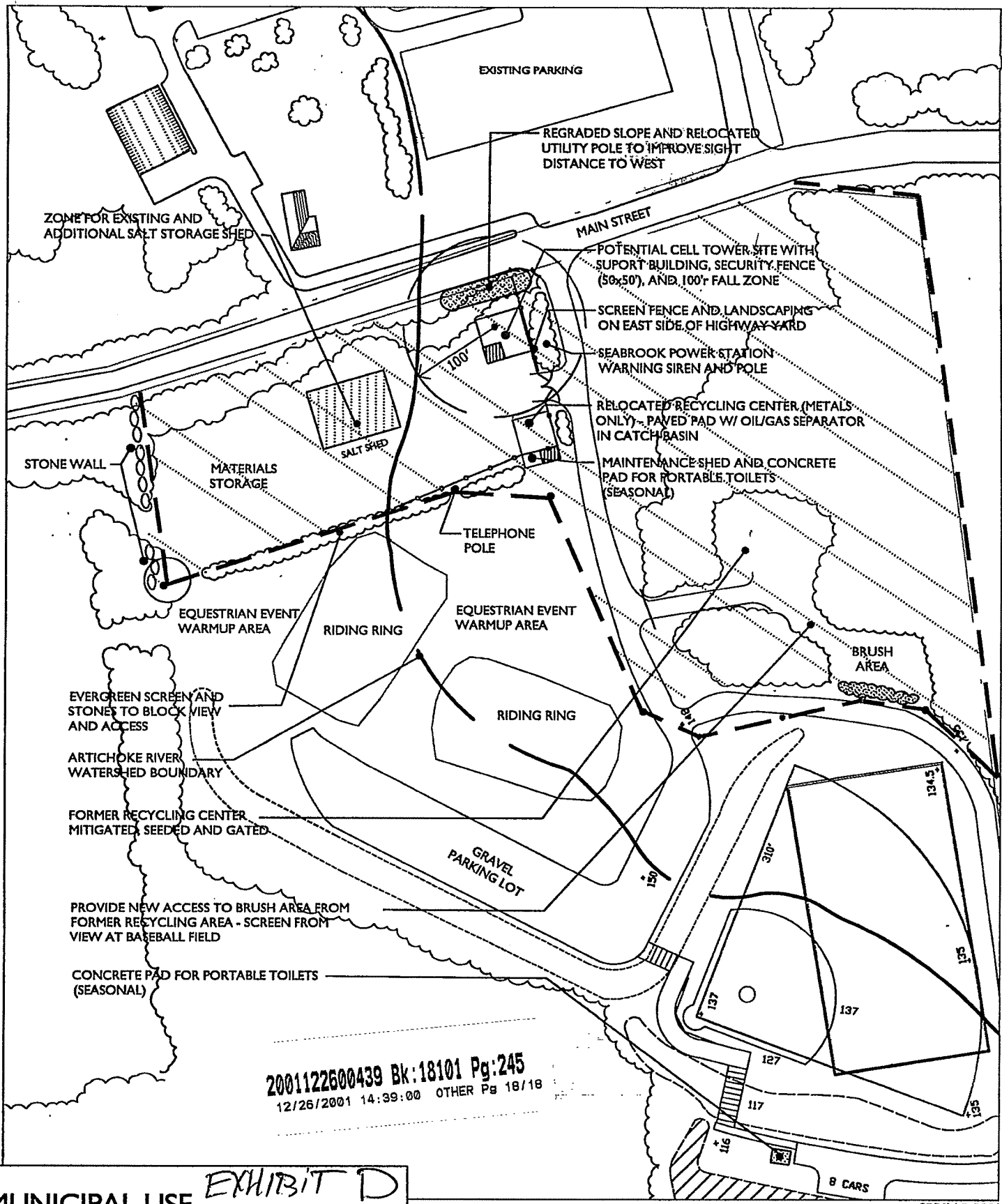
Since that time, I have been working closely with Dave Rimmer and Abby Hardy-Moss, the Greenbelt GIS staff person, to arrive at an updated GIS shapefile. Greenbelt conducted a site visit to establish GPS data points for certain ground features, and prepared an exhibit. However, it did not address the complete MUA bounds – only certain boundary points.

After some deliberation, last Friday Dave suggested meeting on site to field locate the MUA boundary, which Greenbelt would establish using GPS for conversion to a GIS shapefile. On Tuesday, Gary Bill and I met Dave and Abby on site, and drove stakes to delineate what represented our collective best judgment of the MUA boundary shown in CR Exhibit D. Greenbelt will prepare a GIS shapefile and provide to the Town for review. Setting field bounds is also recommended.

Once a delineation is arrived at that reflects both Grantor and Grantee agreement, Dave and I have agreed that it would make sense to bring this forward for formal approval by both parties. You will receive notice when a delineation is proposed. This may end up being considered concurrent with potential changes to the Management Plan, as discussed in my related memo of the same date.

Please let me know if you have any questions.

cc: *Dave Rimmer, Director of Land Stewardship, Essex County Greenbelt; Mill Pond Committee; Conservation Commission; Parks and Recreation Commission; Open Space Committee*

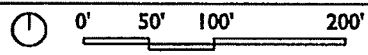


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 12/26/2001 14:39:00 OTHER Pg 18/18

SPRING 2001

**MUNICIPAL USE**  
**AREA ENVELOPE**  
 (excluded from Conservation Restriction)  
 Pipestave Hill/Mill Pond Area  
 Conservation Restriction

--- = CONSERVATION RESTRICTION BOUNDARY  
**MUNICIPAL USE AREA ENLARGEMENT**





# 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](mailto:townmanager@wnewbury.org)

TO: Board of Selectmen, Mill Pond Committee, Conservation Commission, Parks and Recreation Commission

FROM: Angus Jennings, Town Manager

DATE: October 25, 2018

RE: Process for proposing amendments to Pipestave/Mill Pond Management Plan

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The Board of Selectmen has stated its interest in revisiting and updating the Pipestave/Mill Pond Management Plan, based on its own initiative and input received from other interested parties. The Mill Pond Committee has expressed the same interest, and will take up this matter at its October 30<sup>th</sup> meeting. This memo is intended to set out for all parties the process for amendment as set out in the Management Plan, and how this can be expected to proceed.

The Management Plan was adopted in 2001 and updated in 2007. However, until recently the 2007 amendments had not been on file with Essex County Greenbelt, nor is there a record that they had been approved by Greenbelt at that time. My office provided a copy of the 2007 amendments to Greenbelt in August. Director of Land Stewardship Dave Rimmer, while he did not speak directly for the Greenbelt Board of Directors, advised that, based upon his initial review, there did not appear to be anything in the changes that was inconsistent with the intent of the Conservation Restriction (CR).

Understanding that new changes are likely to be proposed in the relatively near term, Dave and I agreed at that time that it made sense to hold off on seeking formal approval of the 2007 version by Greenbelt (the Grantee of the CR) until further updates are brought forward by the Town.

The process for amendment is set forth in paragraph A.16., **General Management / Review and Amendment of Management Plan**. Para. A.16. in the 2007 Management Plan differs from the 2001 version. *However, the 2001 language governs.* This is because the 2001 version specifies that “Any change to the terms of [paragraph A.16.] must be approved by a two-thirds vote of Town Meeting as well as by the Grantee.” A review of Town Meeting warrants does not show that such vote was taken.

The 2001 para. A.16. is attached in its entirety, and excerpted in relevant part as follows:

“The Management Plan may be amended as needed, by a process involving the Board of Selectmen, Mill Pond Committee, the Parks and Recreation Commission, the Conservation Commission, and any other elected or duly appointed municipal board, committee, or commission recognized by the Grantor as charged with effectuating this Management Plan or the Conservation Restriction. Each board, committee, or commission will have one vote. Any amendment must be approved by a two-thirds (2/3rds) vote of the participating municipal boards, committees or commissions. The Grantee must approve any change to the Management plan

before it goes into effect. The approval of the Grantee shall not be unreasonably withheld. Any change to the terms of this paragraph must be approved by a two-thirds vote of Town Meeting as well as by the Grantee.”

The CR Grantor (Board of Selectmen) and Grantee may reasonably move forward in considering other changes as may be proposed, but the process for amendment will remain as set forth in the 2001 version unless and until it is amended by Town Meeting (in addition to the other required approvals).

On behalf of the Board of Selectmen, I am inviting your Commission/Committee to review and consider whether there are changes you would like to propose to the Management Plan. Although the 2007 version was never formally approved by Greenbelt, it has guided the Town’s activities on this land, as a practical matter, for more than a decade. The 2007 Management Plan should, therefore, be the basis of any proposed changes. If/when any such changes are eventually brought forward to Greenbelt for formal approval, I’ll work with Dave Rimmer to ensure that any action taken by their Board either specifically enumerates all changes since 2001 or, alternatively, is considered as a “delete and replace” action relative to the 2001 version.

The Board of Selectmen would also like to invite representatives (or, at your option, full Commission/Committee) to a future meeting. We would like to allow enough time for advance review and deliberation on your part, but would also like to have a good sense of what may be proposed by around the first of the year, to allow time to finalize any changes that may be proposed to para. A.16. for a Town Meeting warrant article in April 2019.

Therefore, please let me know whether your Commission/Committee could be represented at meetings on any of the following dates (as well as whether some or all of these dates would allow adequate advance time for consideration by your Commission/Committee):

- Monday, November 26<sup>th</sup> at 7 pm
- Monday, December 3<sup>rd</sup> at 7 pm
- Wednesday, December 26<sup>th</sup> at 7 pm

Once we have heard back from all named parties, the Board will schedule a meeting date and time that matches everyone’s convenience. One or more additional meetings may be scheduled, as needed.

Please understand that the Board will welcome suggested revisions that may be received from any West Newbury resident, Greenbelt, etc.; however this initial outreach is sent to your Commission/Committee to ensure that, as we move forward, all necessary votes may be secured in order to arrive at an updated Management Plan.

This matter will also be placed on the agenda for discussion at the Board of Selectmen meeting this Monday, October 29<sup>th</sup>. The amendment process is expected to be the focus of Monday’s discussion.

Please feel free to contact me with any questions.

cc: *Dave Rimmer, Director of Land Stewardship, Essex County Greenbelt  
Open Space Committee*



Pipestave Hill Land Use Study Committee  
Town of West Newbury  
Main Street, West Newbury, MA 01985

Board of Selectmen  
Town of West Newbury  
Main Street  
West Newbury, MA 01985

November 8, 2001

Honorable Selectmen,

Attached please find the Pipestave Hill / Mill Pond Area Management Plan which has been discussed in reference to the recently voted Pipestave Hill Conservation Restriction.

Per discussion at Town Meeting, we have made one change to this document which you will find on page 4, paragraph 16, Review and Amendment of Management Plan. We have added the final sentence of that paragraph which reads: "Any change to the terms of this paragraph must be approved by a two-thirds vote of Town Meeting as well as by the Grantee." This change has been approved by Ed Becker of Greenbelt.

A signature page has been added to the end of the Plan. In all other respects, this document is as previously presented.

It is my understanding that this matter is on your agenda for your meeting of November 26<sup>th</sup>. We look forward to discussing this with you at that time.

Sincerely,



Annie Madden

### **13. OTHER PROHIBITED ACTIVITIES**

The use of any weapons, paint guns or bows and arrows for any purpose is strictly prohibited.

### **14. HOURS OF USE**

The area is open from dawn to dusk every day. The gates at the lower entrance may be locked by the Mill Pond Committee or the West Newbury Police Department if necessary to prevent access in the evening hours or because of hazardous conditions. The West Newbury Police Department has the authority to patrol the roadways at any hour. The quiet period is from 9 PM to 8 AM daily for permitted evening uses (refer to Section C, Paragraphs 9 and 14).

### **15. PROCEDURES FOR APPROVALS AND ARBITRATION**

Throughout this Management Plan, particular committees and organizations are specified as having responsibilities and control over different aspects of management. These committees/organizations will not unreasonably withhold approval so long as the proposed action meets the terms and conditions of this Management Plan and the Conservation Restriction. Except where some other procedure is provided by law, should a disagreement arise between two committees or organizations, or between a committee or organization and a private party, the Selectmen shall act as arbitrators. Should the Selectman be a party to any dispute, an independent arbitrator acceptable to all parties will resolve the dispute.

### **16. REVIEW AND AMENDMENT OF MANAGEMENT PLAN**

All organizational groups and committees of the Grantor involved in this Management Plan or the Conservation Restriction will submit implementation plans for the year to be reviewed at an annual meeting. All boards, committees and commissions of the Grantor involved in this Management Plan or the Conservation Restriction will meet at least every two (2) years to review and amend the plan as needed. Any change to the Management Plan must be consistent with the terms and conditions of the Conservation Restriction. The Management Plan may be amended as needed, by a process involving the Board of Selectmen, Mill Pond Committee, the Parks and Recreation Commission, the Conservation Commission, and any other elected or duly appointed municipal board, committee, or commission recognized by the Grantor as charged with effectuating this Management Plan or the Conservation Restriction. Each board, committee, or commission will have one vote. Any amendment must be approved by a two thirds (2/3rds) vote of the participating municipal boards, committees or commissions. The Grantee must approve any change to the Management plan before it goes into effect. The approval of the Grantee shall not be unreasonably withheld. Any change to the terms of this paragraph must be approved by a two-thirds vote of Town Meeting as well as by the Grantee.

## **B. FORESTED AND WETLAND AREAS**

### **1. DESCRIPTION OF FORESTED AREAS**

Forested areas have an enclosed canopy of native hardwood and softwood trees, often with some growth of understory shrubs and woody vines. The forested areas also include the Town Forest, which is adjacent to the Mill Pond/Pipestave Hill area and is also owned by the Town of West Newbury (refer to Exhibits B and D). Forest will be maintained primarily for wildlife habitat



# 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](mailto:townmanager@wnewbury.org)

TO: Board of Selectmen  
FROM: Angus Jennings, Town Manager  
DATE: October 25, 2018  
RE: Review of stormwater management MS4 Notice of Intent (NOI) filed with EPA

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As previously reported, prior to the September 30<sup>th</sup> deadline, the Town submitted its NOI to EPA for work under the new MS4 Stormwater Management permit. The NOI was prepared through a collaborative effort among a local staff stormwater working group (including me, DPW Director, Town Planner, Conservation Agent, and Health Agent), and with substantial contracted assistance from the Merrimack Valley Planning Commission (MVPC).

I have enclosed a copy of the NOI, as it will be important for the Board to understand the number and extent of responsibilities, especially those that must be complete by June 30, 2019. Needless to say, this work will divert staff time away from other Town priorities. In addition to a host of smaller items, four major work products are needed this fiscal year to meet our permit requirements:

1. Prepare a Stormwater Management Plan;
2. Create an IDDE (Illicit Discharge Detection & Elimination) program, and implement same;
3. Adopt Erosion and Sediment Control requirements, both during and post construction, and enforce same;
4. Amend Site Plan Review Bylaw, and probably Subdivision Regulations as well, to either incorporate these new standards or cross reference them if they're separately adopted (i.e. if Erosion & Sediment Control, etc., is adopted as Regulations instead of a Bylaw).

Of necessity, I expect we will do a lot of the work in-house, although I've been working with MVPC and Brian Murphey, our representative to MVPC, to arrive at a scope of work to dedicate most of our allocated LTA hours toward filling any gaps in our capability or capacity.

With the recent hire of Wayne Amaral as the new DPW Director, I'm confident that his office will provide leadership and will "quarterback" this effort. However, work will be required of several departments, and our compliance will be helped by various support from Boards/Committees/Commissions. In addition to the work itself, coordination will require significant time and focus.

Among others, the Planning Board will have a major role in enforcing such new requirements, both through permit conditions, construction inspections, and longer-term monitoring of condition compliance. Leah and I are in coordination on this. Our near-term priority is to determine which items necessary for FY19 permit compliance will require Town Meeting approval in April. Obviously, we'll need to carve out time to get these done timely for preparation of any warrant articles.

*cc (w/o attachments): Stormwater Working Group; Karen Conard, MVPC; Brian Murphey*

# Notice of Intent (NOI) for coverage under Small MS4 General Permit Page 1 of 20

## Part I: General Conditions

### General Information

Name of Municipality or Organization:  State:

EPA NPDES Permit Number (if applicable):

### 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:

### Other Information

Stormwater Management Program (SWMP) Location (web address or physical location, if already completed):

### Eligibility Determination

Endangered Species Act (ESA) Determination Complete?

Eligibility Criteria (check all that apply):  A  B  C

National Historic Preservation Act (NHPA) Determination Complete?

Eligibility Criteria (check all that apply):  A  B  C

Check the box if your municipality or organization was covered under the 2003 MS4 General Permit

### MS4 Infrastructure (if covered under the 2003 permit)

Estimated Percent of Outfall Map Complete?  If 100% of 2003 requirements not met, enter an estimated date of completion (MM/DD/YY):

Web address where MS4 map is published:   
If outfall map is unavailable on the internet an electronic or paper copy of the outfall map must be included with NOI submission (see section V for submission options)

### Regulatory Authorities (if covered under the 2003 permit)

Illicit Discharge Detection and Elimination (IDDE) Authority Adopted?  Effective Date or Estimated Date of Adoption (MM/DD/YY):

Construction/Erosion and Sediment Control (ESC) Authority Adopted?  Effective Date or Estimated Date of Adoption (MM/DD/YY):

Post- Construction Stormwater Management Adopted?  Effective Date or Estimated Date of Adoption (MM/DD/YY):



Waterbody segment that receives flow from the MS4	Number of outfalls into receiving water segment	Chloride	Chlorophyll-a	Dissolved Oxygen/ DO Saturation	Nitrogen	Oil & Grease/ PAH	Phosphorus	Solids/ TSS/ Turbidity	E. coli	Enterococcus	Other pollutant(s) causing impairments
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## Notice of Intent (NOI) for coverage under Small MS4 General Permit

### Part III: Stormwater Management Program Summary

Identify the Best Management Practices (BMPs) that will be employed to address each of the six Minimum Control Measures (MCMs). For municipalities/organizations whose MS4 discharges into a receiving water with an approved Total Maximum Daily Load (TMDL) and an applicable waste load allocation (WLA), identify any additional BMPs employed to specifically support the achievement of the WLA in the TMDL section at the end of part III.

For each MCM, list each existing or proposed BMP by category and provide a brief description, responsible parties/departments, measurable goals, and the year the BMP will be employed (public education and outreach BMPs also requires a target audience). **Use the drop-down menus in each table or enter your own text to override the drop down menu.**

#### MCM 1: Public Education and Outreach

<b>BMP Media/Category</b> (enter your own text to override the drop down menu)	<b>BMP Description</b>	<b>Targeted Audience</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b>	<b>Beginning Year of BMP Implementation</b>
Displays/Posters/Kiosks	Stormwater management system info displays at various public spaces/ events on pollution prevention	Residents/Businesses/Developers	DPW/MVPC Merrimack Valley Stormwater Collaborative/Greenscapes	Informational Posters & Display boards at locations to include Town Hall, community building	2019
Brochures/Pamphlets	Public education print materials	Residents/Businesses/Developers	DPW/MVPC Merrimack Valley Stormwater Collaborative/Greenscapes	2 messages over 5 years to each of the three targeted audience. (Note that West Newbury does not have significant industry; targeted audiences are residents; commercial businesses & institutions; and developers.	2019
Special Events	Civic outreach events including display tables/info booth at Earth Day in Spring and Town Meeting.	Residents	Stormwater Working Group made up of Town Manager, Health Direc	2 events per year	2019
School Curricula/Programs--Greenscapes	Incorporate stormwater pollution prevention education into school curricula	Residents	Page School/Greenscapes North Shore Coalition	1 day workshop annually to elementary school pupil audience @	2019





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### Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 2: Public Involvement and Participation

<b>BMP Categorization</b>	<b>Brief BMP Description</b> (enter your own text to override the drop down menu)	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Additional Description/ Measurable Goal</b>	<b>Beginning Year of BMP Imple- mentation</b>
Public Review	SWMP Review	Stormwater Working Group/MVPC	Allow annual review of stormwater management plan and posting of stormwater management plan on website	2019
Public Participation	Household haz. waste/used oil collection	Board of Health; Coordination with City of Newburyport	1 town collection event each year in collaboration with City of Newburyport	2018
Public Participation	Catch Basin Stenciling/Markers	DPW	Restenciling operation, as needed	2019
Public Review	Bylaw Review and Update	Stormwater Working Group, Conservation Commission, Planning Board DPW, B	Allow public and departments opportunity to provide feedback on effectiveness of existing bylaw and potential update for compliance with new MS4 permit	2019
Public Participation	Stream Clean Up Day/Earth Day/Garden Club	Stormwater Working Group/DPW	Annual event with outreach opportunity to citizen volunteers in community day clean-up	2019



## Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

**MCM 3: Illicit Discharge Detection and Elimination (IDDE)**

<b>BMP Categorization</b> (enter your own text to override the drop down menu)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)	<b>Beginning Year of BMP Implementation</b>
Storm Sewer Outfall inventory	Develop SSO inventory in accordance of permit conditions	DPW	Complete within 1 year of effective date of permit	2018
Storm sewer system map	Create map and update during IDDE program completion	DPW/ with MVPC	Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit	2018
Written IDDE program	Create written IDDE program	DPW/Stormwater Working Group	Complete within 1 year of the effective date of permit and update as required	2019
Implement IDDE program	Implement catchment investigations according to program and permit conditions	DPW	Complete 10 years after effective date of permit	2020
Employee training	Train employees on IDDE implementation	DPW/Public Safety/Health/Conservation with MVPC Stormwater Collabc	Train annually	2019
Conduct dry weather screening	Conduct in accordance with outfall screening procedure and permit conditions	DPW/Health	Complete 3 years after effective date of permit	2020
Conduct wet weather screening	Conduct in accordance with outfall screening procedure	DPW/Health	Complete 10 years after effective date of permit	2021
Ongoing screening	Conduct dry weather and wet weather screening (as necessary)	DPW/Health	Complete ongoing outfall screening upon completion of IDDE program	2022



### Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 4: Construction Site Stormwater Runoff Control

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)	<b>Beginning Year of BMP Implementation</b>
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Complete written procedures of site inspections and enforcement procedures	Planning/Conservation Commission/ Inspectional Services/3rd Party inspectors	Complete within 1 year of the effective date of permit	2019
Site plan review	Complete written procedures of site plan review and begin implementation	Planning/Town Meeting	Complete within 1 year of the effective date of permit	2019
Erosion and Sediment Control	Adoption of requirements for construction operators to implement a sediment and erosion control program	Planning/Conservation Commission/Inspectional Services	Complete within 1 year of the effective date of permit	2019
Waste Control	Adoption of requirements to control wastes, including but not limited to, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes	Planning Board/DPW/Board of Health	Complete within 1 year of the effective date of permit	2019





### Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 5: Post-Construction Stormwater Management in New Development and Redevelopment

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)	<b>Beginning Year of BMP Implementation</b>
As-built plans for on-site stormwater control	The procedures to require submission of as-built drawings and ensure long term operation and maintenance will be a part of the SWMP	Planning Board/Building Dept./DPW	Require submission of as-built plans for completed projects	2019
Target properties to reduce impervious areas (NOTE: Town has fewer than five municipal-owned properties within the MS4 area and as part of this BMP activity planning will determine appropriate # and location of properties to target)	Identify permittee-owned properties that could be modified or retrofitted with BMPs to reduce impervious areas and update annually	DPW/Stormwater Working Group	Complete 4 years after effective date of permit	2021
Allow green infrastructure	Develop a report assessing existing local regulations to determine the feasibility of making green infrastructure practices allowable when appropriate site conditions exist	Stormwater Working Group	Complete 4 years after effective date of permit	2021
Street design and parking lot guidelines	Develop a report assessing requirements that affect the creation of impervious cover. The assessment will help determine if changes to design standards for streets and parking lots can be modified to support low impact design options.	Stormwater Working Group	Complete 4 years after effective date of permit	2021



## Notice of Intent (NOI) for coverage under Small MS4 General Permit

### Part III: Stormwater Management Program Summary (continued)

#### MCM 6: Municipal Good Housekeeping and Pollution Prevention

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)	<b>Beginning Year of BMP Implementation</b>
O&M procedures	Create written O&M procedures including all requirements contained in 2.3.7.a.ii for parks and open spaces, buildings and facilities, and vehicles and equipment	DPW	Complete and implement 2 years after effective date of permit	2019
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory	DPW	Complete 2 years after effective date of permit and implement annually	2019
Infrastructure O&M	Establish and implement program for repair and rehabilitation of MS4 infrastructure	DPW	Complete 2 years after effective date of permit	2019
Stormwater Pollution Prevention Plan (SWPPP) (Note: DPW maintenance facilities are not located in the MS4. Facilities within the MS4 that may be appropriate for a SWPPP is the Fire Station/Public Safety Building.)	Create SWPPPs for maintenance garages, transfer stations, and other waste-handling facilities located in MS4 area	Police/Fire (if applicable)	Complete and implement 2 years after effective date of permit if determined impact on MS4 resources	2019
Catch basin cleaning	Establish schedule for catch basin cleaning such that each catch basin is no more than 50% full and clean catch basins on that schedule	DPW	Clean catch basins on established schedule and report number of catch basins cleaned and volume of material moved annually	2019
Street sweeping program	Sweep all streets and permittee-owned parking lots in accordance with permit conditions	DPW	Sweep all streets and permittee-owned parking lots once per year in the spring	2019
Road salt use optimization program	Establish and implement a program to minimize the use of road salt	DPW	Implement salt use optimization during deicing season	2019









# Notice of Intent (NOI) for coverage under Small MS4 General Permit

## Part IV: Notes and additional information

Use the space below to indicate the part(s) of 2.2.1 and 2.2.2 that you have identified as not applicable to your MS4 because you do not discharge to the impaired water body or a tributary to an impaired water body due to nitrogen or phosphorus. Provide all supporting documentation below or attach additional documents if necessary. Also, provide any additional information about your MS4 program below.

Evaluation of Historic Effects

Assessment of Endangered Species Impact and EPA Consultation with U.S. Fish & Wildlife

Greenscapes North Shore MCM1 Public Education & Outreach Program Outline

# Notice of Intent (NOI) for coverage under Small MS4 General Permit

## Part V: 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:  Digitally signed by Angus Jennings  
Date: 2018.09.27 20:25:24 -04'00'

Date:

*[To be signed according to Appendix B, Subparagraph B.11, Standard Conditions]*

Note: When prompted during signing, save the document under a new file name

# GREENSCAPES NORTH SHORE COALITION

## MCM 1: Public Education and Outreach - NOI FORM

\* All literature and media will be available online at [www.greenscapes.org](http://www.greenscapes.org) and can be shared with member communities at any time.

\*\* Community can decide how to address Greenscapes' involvement. They may choose to list GS as an external contractor, or can list whomever in their town GS communicated with for each BMP, respectively.

BMP Media/ Category	BMP Description*	Targeted Audience	Responsible Parties/ Depts**	Measurable Goal	Implementation Year
Brochure/ Pamphlets	Brochure will consist of a 'how-to-guide' for residents on how rain gardens work and how to install them at their home.	Residents	Greenscapes North Shore Coalition	- Number distributed - Resident testimonials	2018 (Fall)
Brochure/ Pamphlets	An updated version of comprehensive literature, discussing the importance of "greenscaping", small-scale stormwater management practices, sewer/septic system maintenance and other ways to avoid illicit discharge.	Residents	Greenscapes North Shore Coalition	- Number distributed - Resident testimonials	2019 (Spring)
Workshop/ Info Sheet	Workshop and associated literature will cover LID options for reducing runoff and promoting on-site infiltration. Pricing, maintenance and ordinances will also be discussed.	Developers (Construction)	Greenscapes North Shore Coalition and Town of West Newbury	- Number of attendees - Increase in LID use	2019 (Winter)
Displays/ Posters/ Kiosks	Informational poster will be placed in area with heavy dog/walker traffic. Poster will describe proper pet waste management and disposal.	Residents	Greenscapes North Shore Coalition	- Pilot surveys may be conducted before and after message posting	2019 (Spring)
Brochure/ Pamphlets	Pet Waste literature is available in two forms (one page info sheet or rack card) and can be redistributed as necessary.	Residents	Greenscapes North Shore Coalition	- Number distributed - Resident testimonials	2018
Social Media Post	Greenscapes will provide content for a social media "blast" on town Facebooks etc. Ex. Autumnal facebook post describing proper disposal of leaf collection, and springtime post about proper lawn/fertilizer maintenance.	Residents	Greenscapes North Shore Coalition and Town of West Newbury	- Number of views/ likes/ comments - Resident testimonials before and after posting	2018
School Curriculae/ Programs	The Page Elementary School will host Greenscapes "Keeping Water Clean" Program.	Residents	Greenscapes North Shore Coalition	- Number of students/ teachers/ volunteers in attendance - Subset of students evaluated before and after program	2018
Brochure/ Pamphlets	Brochure will include general info on LIDs that can assist in stormwater management and pollution prevention. Content will be targeted to "environmental contacts" at industrial facilities, or property managers where applicable.	Industrial Facilities	Greenscapes North Shore Coalition	- Number distributed - Phone call followup	FY2020
Workshop	Stormwater presentation will discuss specific BMPs for parking lots; how to reduce impervious surfaces, and maintain the space more sustainably.	Businesses/ Institutions and Commercial Facilities	Greenscapes North Shore Coalition and Town of West Newbury	- Number of attendees - Number of presentations re-distributed to commercial representatives.	FY2020
Displays/ Posters/ Kiosks	An updated version of informational display, discussing the importance of "greenscaping", small-scale stormwater management practices, sewer/septic system maintenance and other ways to avoid illicit discharge.	Residents	Greenscapes North Shore Coalition	- Number distributed - Resident testimonials	FY2020
Brochure/ Pamphlets	Pet Waste literature is available in two forms (one page info sheet or rack card) and can be redistributed as necessary.	Residents	Greenscapes North Shore Coalition	- Number distributed - Resident testimonials	FY2020
Social Media Post	Greenscapes will provide content for a social media "blast" on town Facebooks etc. Ex. Autumnal facebook post describing proper disposal of leaf collection, and springtime post about proper lawn/fertilizer maintenance.	Residents	Greenscapes North Shore Coalition and Town of West Newbury	- Number of views/ likes/ comments - Resident testimonials before and after posting	FY2020
School Curriculae/ Programs	The Page Elementary School will host Greenscapes "Keeping Water Clean" Presentation.	Residents	Greenscapes North Shore Coalition	- Number of students/ teachers/ volunteers in attendance - Subset of students evaluated before and after program	FY2020

<b>Workshop</b>	Workshop and literature will go into greater detail, following the workshop regarding low impact development held in year one. City ordinances and associated incentives will be outlined.	<b>Developers (Construction)</b>	Greenscapes North Shore Coalition and Town of West Newbury	- Number of attendees	<b>FY2021</b>
<b>Web Page</b>	Story Map will outline and describe different examples of existing low-impact-developments in the North Shore Community.	<b>Residents</b>	Greenscapes North Shore Coalition	- Number of map views - Resident testimonials on LID awareness	<b>FY2021</b>
<b>Brochure/ Pamphlets</b>	Pet Waste literature is available in two forms (one page info sheet or rack card) and can be redistributed as necessary.	<b>Residents</b>	Greenscapes North Shore Coalition	- Number distributed - Resident testimonials	<b>FY2021</b>
<b>Social Media Post</b>	Greenscapes will provide content for a social media "blast" on town Facebooks etc. Ex. Autumnal facebook post describing proper disposal of leaf collection, and springtime post about proper lawn/fertilizer maintenance.	<b>Residents</b>	Greenscapes North Shore Coalition and Town of West Newbury	- Number of views/ likes/ comments - Resident testimonials before and after posting	<b>FY2021</b>
<b>School Curriculae/ Programs</b>	The Page Elementary School will host Greenscapes "Keeping Water Clean" Program.	<b>Residents</b>	Greenscapes North Shore Coalition	- Number of students/ teachers/ volunteers in attendance - Subset of students evaluated before and after program	<b>FY2021</b>
<b>Meeting/ Presentation</b>	Presentation will discuss proper "greenscaping" practices on a business/commercial level. Content will be targeted to property managers and will include sand/salt storage and landscape management.	<b>Businesses/ Institutions and Commercial Facilities</b>	Greenscapes North Shore Coalition and Town of West Newbury	- Number of attendees	<b>FY2022</b>
<b>Meeting/ Presentation</b>	Presentation will discuss proper "greenscaping" practices on an industrial level. Content will be targeted to property managers and will include sand/salt storage and landscape management.	<b>Industrial Facilities</b>	Greenscapes North Shore Coalition and Town of West Newbury	- Number of attendees	<b>FY2022</b>
<b>Brochure/ Pamphlets</b>	"What not to Flush" rack card will raise resident awareness of the damages of flushing things like wipes and grease in their toilets/sinks.	<b>Residents</b>	Greenscapes North Shore Coalition	- Number distributed - Resident testimonials	<b>FY2022</b>
<b>Brochure/ Pamphlets</b>	Pet Waste literature is available in two forms (one page info sheet or rack card) and can be redistributed as necessary.	<b>Residents</b>	Greenscapes North Shore Coalition	- Number distributed - Resident testimonials	<b>FY2022</b>
<b>Social Media Post</b>	Greenscapes will provide content for a social media "blast" on town Facebooks etc. Ex. Autumnal facebook post describing proper disposal of leaf collection, and springtime post about proper lawn/fertilizer maintenance.	<b>Residents</b>	Greenscapes North Shore Coalition and Town of West Newbury	- Number of views/ likes/ comments - Resident testimonials before and after posting	<b>FY2022</b>
<b>School Curriculae/ Programs</b>	The Page Elementary School will host Greenscapes "Keeping Water Clean" Program.	<b>Residents</b>	Greenscapes North Shore Coalition	- Number of students/ teachers/ volunteers in attendance - Subset of students evaluated before and after program	<b>FY2022</b>
<b>Meeting/ Presentation</b>	Greenscapes NS will conduct a "Greenscapes 101" presentation for residents at a meeting of the Board of Selectmen. Presentation will discuss the importance of clean and plentiful water.	<b>Residents</b>	Greenscapes North Shore Coalition	- Number of attendees - Resident testimonials	<b>FY2023</b>
<b>Special Events/ Festivals/ Fairs</b>	Greenscapes representatives will attend a trade show expo, with the intent of sharing "Greenscaping" practices and the importance of LIDs with Landscapers and Developers.	<b>Developers (Construction)</b>	Greenscapes North Shore Coalition	- Number of materials distributed - Number of contacts made - Developer testimonials	<b>FY2023</b>
<b>Brochure/ Pamphlets</b>	Pet Waste literature is available in two forms (one page info sheet or rack card) and can be redistributed as necessary.	<b>Residents</b>	Greenscapes North Shore Coalition	- Number distributed - Resident testimonials	<b>FY2023</b>
<b>Social Media Post</b>	Greenscapes will provide content for a social media "blast" on town Facebooks etc. Ex. Autumnal facebook post describing proper disposal of leaf collection, and springtime post about proper lawn/fertilizer maintenance.	<b>Residents</b>	Greenscapes North Shore Coalition and Town of West Newbury	- Number of views/ likes/ comments - Resident testimonials before and after posting	<b>FY2023</b>
<b>School Curriculae/ Programs</b>	The Page Elementary School will host Greenscapes "Keeping Water Clean" Program.	<b>Residents</b>	Greenscapes North Shore Coalition	- Number of students/ teachers/ volunteers in attendance - Subset of students evaluated before and after program	<b>FY2023</b>



# 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](mailto:townmanager@wnewbury.org)

To: File

From: Angus Jennings, Town Manager

Date: September 6, 2018

Re: Documentation of Town of West Newbury's Determination of "No Effect" on Endangered Species or Critical Habitat of West Newbury's MS4 Stormwater Management Program

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The Town of West Newbury is planning an updated Stormwater Management program for compliance with the Municipal Separate Storm Sewer System (MS4) Permit issued by EPA and MassDEP effective July 2018 for urbanized communities in the Commonwealth.

As part of the planning review of five-year activities, the Town of West Newbury through its Stormwater Working Group has reviewed resource lists provided by the U.S. Fish and Wildlife Service ("USFWS") and has determined that the Town's Stormwater program meets Criteria C for coverage by the MS4 Permit.

- 1) The Town's MS4 area contains the Northern Long-Eared Bat, one of the USFWS listed species;
- 2) The Town's Stormwater Working Group in its program assessment has determined the stormwater facilities managed under the permit are existing facilities authorized by the previous permit and that activities proposed under the Town's MS4 management & maintenance program are not anticipated to impact endangered species or critical habitat. EPA has documented consultation on the Massachusetts MS4 Program by letter from the USFWS New England Field Office dated January 8, 2018; and
- 3) The Town agrees that during the MS4 permit term, if the Town plans to install a structural BMP not identified in the Program Notice of Intent, the Town will conduct an endangered species screening for the proposed site and contact the USFWS if a proposed new activity "may affect" or is "not likely to adversely affect" listed species or critical habitat under the jurisdiction of the USFWS.

Based on the Stormwater Working Group's review as documented in the NOI preparation, I certify on behalf of the Town of West Newbury the eligibility of the Town's MS4 Program Permit to use Eligibility Criterion C in our Notice of Intent for MS4 permit coverage for Endangered Species Act Determination.

Signed,

Angus Jennings  
Town Manager



# 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](mailto:townmanager@wnewbury.org)

To: File

From: Angus Jennings, Town Manager

Date: September 26, 2018

Re: Historic Properties Effect Determination of West Newbury's MS4 Stormwater Management Program

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The Town of West Newbury is planning an updated Stormwater Management program for compliance with the Municipal Separate Storm Sewer System (MS4) Permit issued by EPA and MassDEP, effective July 2018 for urbanized communities in the Commonwealth.

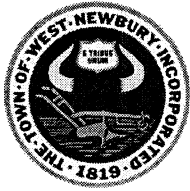
As part of the planning review of five-year activities, the Town of West Newbury through its Stormwater Working Group, and in consultation with the West Newbury Historical Commission, based on their review at a meeting on September 19, has determined that all stormwater facilities managed under the permit are existing facilities authorized by the previous permit. Activities proposed under the Town's MS4 management and maintenance program are not anticipated to involve subsurface land disturbance.

Based on our review, I certify on behalf of the Town of West Newbury the eligibility of the Town's MS4 Program Permit to use Criterion A in our Notice of Intent for MS4 permit coverage, based on our knowledge that municipal stormwater discharges do not have the potential to affect historic properties.

Signed,

Angus Jennings  
Town Manager





# 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](mailto:townmanager@wnewbury.org)

TO: Board of Selectmen  
FROM: Angus Jennings, Town Manager  
DATE: August 2, 2018  
RE: Discussion of communication protocols between Board and staff between meetings

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I am seeking Board direction regarding protocol regarding sharing of information and correspondence between meetings:

Prior to my tenure, the Board's Executive Administrator would routinely forward correspondence to the Board upon receipt. For the time being, I have directed that information be reviewed with me prior to forwarding.

My preference would be to forward information in real time only to the extent that it is time-sensitive, is responsive to an area of active Board interest or inquiry, or otherwise at my discretion. Because the Board cannot take action nor set policy direction outside of a public meeting, I do not wish to inadvertently invite deliberation other than in a public meeting. Also, I want to be sensitive to information/email overload, which I think can result in important correspondence being "lost in the shuffle" – even if only temporarily – due to the volume of correspondence we receive.

Forwarding information in real time can also create challenges relative to time management, since Board member responses or questions may demand immediate action on my part. On multiple occasions, this has caused me to set aside other work in order to be fully responsive to Board members. It is easy to see how this could (and would) negatively affect my productivity, and my ability to manage my time and to meet my work commitments.

We will of course proceed as the Board wishes, but I do wish to express my recommendation that information be shared between meetings only if it is time-sensitive, is responsive to an area of active Board interest or inquiry, or otherwise at my discretion.

If the Board provides me some direction regarding what type of correspondences you feel should be forwarded in real time, I believe I can exercise sound judgement to make decisions that strike a balance among the considerations outlined above.

A related but distinct question relates to clarifying Board expectations regarding notification of routine public safety activities between meetings. This past Saturday I received notice from Chief Reed regarding a state police helicopter over town. I provided this information to the Board via email within five minutes of ending my phone call with the Chief. A request was made that in the future all Board members should be notified at the same time that I receive such notice. It will be helpful to clarify the Board's expectations in this regard.

3. Clarify authority for administrative oversight of personnel, including signing timesheets, approving vacation requests, performance evaluations, approval of vacation carry-forwards and extensions, etc.

Town Manager Jennings will bring his written recommendation to the Board at a future meeting.

*Documentation: Memo from Town Manager dated August 3, 2018*

4. Discussion of communication protocols between Board and staff between meetings, including Board expectations regarding notification of routine public safety activities between meetings

Discussion took place on protocol with notifications and expectations from the Board.

**Selectman Anderson moved to a trial and promise to put this back on the agenda October 29<sup>th</sup> to revisit this item. Second by Archibald with a unanimous vote.**

*Documentation: Memo from Town Manager dated August 3, 2018*

5. Report on FY'18 financial closeout

Town Manager Jennings updated the Board on the progress and timeline of the FY'18 year-end reports and audit.

*Documentation: Memo from Town Manager dated August 3, 2018*

Follow up meeting assignments  
Placing items for future agendas

- DSL meeting on Monday with the Finance Committee to implement and approve policy.

**Chairman Kemper motioned to adjourn at 9:54pm. Second by Selectman Archibald with a unanimous vote.**

Respectfully Submitted,

Mary Winglass, Executive Administrator