



**Town of West Newbury
Board of Selectmen
Monday, December 9, 2019 @ 6pm**
381 Main Street, Town Office Building
www.wnewbury.org

RECEIVED
TOWN CLERK
WEST NEWBURY, MA
2019 DEC -5 PM 5:50

AGENDA

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

- ❖ MGL Ch. 30A §21(a) 2: To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel (*personnel updates*);
- ❖ MGL Ch. 30A §21(a) 7: To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements (*consultation with Town Counsel; draft MOU with Pentucket re Middle/High School permitting/inspections; draft SRO agreement with Pentucket; draft Verizon cable franchise agreement*).

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.
- Tree Lighting, this Thursday December 12th, 6:30 PM, Training Field – singing, cocoa, cookies – all are welcome!
- Planning Board public hearing on proposed Pentucket Middle/High School: Tuesday, Dec. 17 at 7 PM in Town Annex
- Draft Memorial Day Parade policy posted to Town website – invitation for public comment – Board of Selectmen review to take place on December 23, 2019
- Opportunities for FY20 Committee appointments posted online at <https://www.wnewbury.org/board-selectmen/pages/2019-20-volunteer-opportunities>

Regular Business

- A. Request for appointment of Emmanuel Terrero as Reserve Police Officer – *Police Chief Durand*
- B. Notification of appointment of Samantha Holt as part-time Dispatcher and request to waive 15-day waiting period
- C. Request for appointment of Susan Babb to Council on Aging Board
- D. Consideration of candidates for appointment to School Building Committee
- E. Update on prospective designer open house today (Dec. 9th) for Soldiers & Sailors Memorial Building
- F. Review and approval of draft updated Committee Charge, Carr Post Building Committee (Soldiers & Sailors Building)
- G. Review of public comments received to date on draft Memorial Day Parade policy; recommended revisions for continued Board review at meeting on December 23, 2019
- H. FY21 budget process and timeline
- I. Continued discussion of FY21 budget policy direction
- J. Request for Board direction regarding potential extension of Animal Control Officer contract with Newburyport for FY21
- K. Request for comment on Massachusetts Rural Policy Plan
- L. Meeting minutes: November 12, 2019.

Town Manager Updates

- M. Update on petitions to MassDOT for speed limit changes on Church Street and Bridge Street
- N. Update on work toward adoption of remaining Community Compact Financial Policies
- O. Update on actuary preparation of OPEB Financial Reporting and Disclosures; final report to be presented at Investment Policy Committee meeting on December 17, 2019
- P. Follow up meeting assignments
- Q. Placing items for future agendas



Town of West Newbury Massachusetts

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[Home](#) > Planning Board Public Hearing on Pentucket School Building Project Postposed to 12/17

Planning Board Public Hearing on Pentucket School Building Project Postposed to 12/17

The meeting of the West Newbury Planning Board scheduled for tonight, Tuesday, December 3, 2019 at 7:00 p.m. is cancelled due to the poor weather conditions.

The scheduled public hearing on the Pentucket Regional School Building Project is therefore postponed. The rescheduled hearing date is Tuesday, December 17, 2019 at 7:00 p.m. in the Town Annex.

Source URL: <https://www.wnewbury.org/planning-board/news/planning-board-public-hearing-pentucket-school-building-project-postposed-1217>

TO: Angus Jennings, Town Manager and the Board of Selectmen

FROM: Jeff Durand, Chief of Police

DATE: December 2, 2019

RE: Hiring of Reserve Officer Emmanuel Terrero

Gentlemen, I would like to have Emmanuel Terrero appointed as a Reserve Officer. Emmanuel currently lives in Methuen MA with his wife. He has completed the MPTC reserve officer academy, and other related training. Emmanuel currently works for the Town of Boxford as a school safety officer at Masconomet Regional High School. He also works as an auxiliary police officer for the city of Haverhill MA.

Emmanuel has passed his background check, as well as his psychological exam. He is also fluent in both English and Spanish. Emmanuel has a positive attitude and I believe he will be an asset for the Town.



WEST NEWBURY PUBLIC SAFETY DISPATCH

401 Main Street, West Newbury, MA 01985

Phone 978-363-1213

Fax 978-363-1114

Jeff Durand, Police Chief
durand@westnewburysafety.org

To: Town Manager Angus Jennings

From: Chief Jeff Durand

Date: November 22, 2019

Re: Part time dispatcher appointment approval of Samantha Holt

The department has been looking to hire more part time dispatchers to maintain a proper and adequate part time staff. After an interview and a completed background check, the department would like to hire Samantha Holt as a part time dispatcher.

Samantha attended Unity College in Maine where she graduated with a Bachelor's of Science in Parks and Forest Resources. She is currently enrolled in the Master's program at Unity College and will graduate with a Master's Degree in Sustainable Natural Resource Management. Currently, Samantha works for the Massachusetts Department of Conservation and Recreation where she works as a seasonal assistant forester.

Samantha is very well spoken and professional. She has shown a dedication to public service by working with West Newbury Emergency Management by volunteering her time to assist with town events such as road races and the bicentennial celebration. I feel that her personality and enthusiasm which she has shown, would be a great fit for this town and for the dispatch center.

A complete background check was performed, which resulted in no issues being found. I recommend that Samantha Holt be hired as a part time dispatcher and I have no reservations at this time.

Respectfully,

Chief Jeff Durand

RECEIVED

NOV 12 2019

TOWN MANAGER
TOWN OF WEST NEWBURY



TOWN OF WEST NEWBURY APPLICATION FOR APPOINTMENT

The Town appreciates your interest in serving. Please complete this form and return to: Board of Selectmen, 381 Main Street, West Newbury, MA 01985 or e-mail to: selectmen@wnewbury.org
For additional information please call 978-363-1100, ext. 115.

Name: [REDACTED]

Address: [REDACTED]
e-mail: [REDACTED]

Mobile phone: _____ Home phone: _____

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

Current or past committees served on: Community Center Comm.

Relevant skills, expertise and education: former Library Director

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

Signature: Susan C. Burt Date: 11-12-19



Town of West Newbury Massachusetts

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[Home](#) > Volunteer Opportunity

Volunteer Opportunity

School Building Committee

The **School Building Committee** was formed in 2015 to work with the community to review, understand, and prioritize the needs of Pentucket High School teachers and students, and to make recommendations regarding the future of the existing building. The volunteer Committee includes representatives from West Newbury, Groveland, and Merrimac. Members of community with architecture, engineering and/or construction experience are encouraged to apply.

If interested, please either drop off your **Application for Appointment** at the Office of the Town Manager or send it via email to the **Town Manager**.

Thank you!

Source URL: <https://www.wnewbury.org/home/news/volunteer-opportunity-3>

Town Manager

From: [REDACTED]
Sent: Monday, November 4, 2019 10:35 AM
To: Town Manager
Cc: Selectmen
Subject: School Building Committee Opening

Hi Angus,

I saw in the newspapers that the building committee has an opening with Joe Torrisi moving from town. I am willing to volunteer for the position, but will defer if a construction specialist steps forward with the construction qualifications being sought.

These are the qualifications I would bring to the committee:

Public Service

- 5 years School Committee experience including 2 years Chair, 2 years Vice Chair, and 1 year Assistant Treasurer
- 3 years Selectman experience including one year as Chair
- 6 years Conservation Commission experience that can provide insights regarding possible issues due to wetlands at the site
- 6 years Assessor (in case additional funds need to be sought... I hope that is not necessary).
- Was a School Committee representative to the building committee for the Page School and Bagnall School projects from 2006 to May 2009 when I left the School Committee to become Selectman.

Professional and Educational Experience

Finance

- 19 years finance industry experience with direct experience managing up to \$42 billion in assets, including 5 years direct accounting-related experience.
- Chartered Financial Analyst
- Graduated with a MBA in Finance from the Wharton School at the University of Pennsylvania.
- Graduated with a MS in Finance from the Carroll School of Management at Boston College.
- Graduated with a BS in Economics-Finance from Bentley College (now Bentley University).

Technology

- 8 years of experience in technology where I currently lead the technical operations for a publicly traded, security-focused company listed on NASDAQ.
- Currently completing a MS in Computer Science at the Whiting School of Engineering at The Johns Hopkins University in Baltimore.
- Previous technology industry experience includes being Director leading the project management team at Ingenico Group, a €6 billion market cap technology firm listed on the Paris Stock Exchange.
- Can provide feedback regarding implementation of hard-wired and wireless technology networks within the building as it directly relates to my current role. A construction specialist may not be able to provide feedback on these types of specifics.

Long-Term Community Perspective

My family and I are long-term residents of the Pentucket School District. As a 1988 graduate of Pentucket High School with my daughters being third-generation Pentucket graduates, I would bring long-term views and perspectives to the committee.

Please let me know if you have any questions.

Best,

Tom





TOWN OF WEST NEWBURY

APPLICATION FOR APPOINTMENT

The Town appreciates your interest in serving. Please complete this form and return to: Board of Selectmen, 381 Main Street, West Newbury, MA 01985 or e-mail to: selectmen@wnewbury.org
For additional information please call 978-363-1100, ext. 115.

[Redacted]

[Redacted]

e-mail: _____

Mobile phone: _____ Home phone: _____

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

Current or past committees served on: _____

Relevant skills, expertise and education: _____

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

Signature: _____ Date: _____



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

Angus Jennings, Town Manager
978-363-1100, Ext. 111 Fax 978-363-1826
townmanager@wnewbury.org

TO: Board of Selectmen
FROM: Angus Jennings, Town Manager
DATE: December 7, 2019
RE: Draft Memorial Day Parade policy

We received the enclosed written comments in response to the draft policy previously circulated. An updated draft will be prepared and re-posted to allow additional time for public review prior to presentation to the Board for consideration at its December 23rd meeting. The Board's comments are invited so as to inform Town Counsel and my office's work on the draft policy.

Town Manager

From: [REDACTED]
Sent: Monday, November 25, 2019 1:27 PM
To: Selectmen
Subject: Memorial Day Parade

Dear Selectmen,

After the inappropriate vehicle in last year's parade, we are glad you are seeking to preclude anything like that happening again.

One note: I think that candidates for elective office have traditionally been allowed to march with signs/buttons; I think there is no harm in that and that it should be allowed.

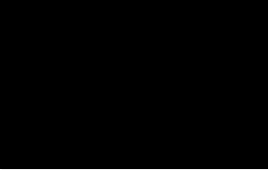
Thank you for doing this!

[REDACTED]

Town Manager

From: [REDACTED]
Sent: Saturday, November 23, 2019 3:33 PM
To: Selectmen
Subject: Memorial Day Parade

The draft looks good to me, Kathy



Town Manager

From: [REDACTED]
Sent: Friday, November 22, 2019 5:24 PM
To: Selectmen
Subject: Memorial Day Parade

You may wish to include prohibitions on **broadcasts** (such as with a megaphone or speaker system) of improper language etc.

Regards,
Tom Salvo

Town Manager

From: [REDACTED]
Sent: Saturday, November 23, 2019 7:56 AM
To: Selectmen
Subject: Memorial Day Parade

I appreciate this effort and have a couple of suggestions to ensure clarity and help the Parade Chairperson to meet their obligations.

All parade entries must be in good taste, suitable for a family event and show respect to other parade participants and the community in general. Improper use of the American flag is strictly prohibited. The Board confers upon the Parade Chairperson the right to reject any entry, at any time, deemed by the Chairperson to be inappropriate or not representative of this community celebration. This includes any and all organized groups that appear to be participating for the purpose of protesting for or against a cause. ▪ The use of **disparaging**, lewd or vulgar language is not allowed in the parade at any time. Improper language is not to be spoken, nor written on any banners or signs, during the procession of the parade, regardless of intent. ▪ Signs carried or on other items or persons must be specifically related to honoring our veterans. For example, you may say "ABC Company Honors those who Serve" or "XYZ Associates Honors our Fallen Heroes." ▪ Elected officials or candidates for public office cannot wear campaign attire, buttons or other advocacy paraphernalia nor can campaign signage be used to decorate any vehicle or other items; nor can campaign literature be passed out while marching in the Memorial Day Parade. ▪ **Parade participants will not display signs, banners or flags that communicate a political message.** Horses and dog units must clean up after the animals as the parade progresses. ▪ Each vehicle must be legally registered, insured and road safe.

disparaging - e.g. Anti-LGBTQ, anti-immigrant

The second suggested addition aims to ensure that regular participants, not only elected officials, cannot communicate a political message. I do not want to see a TRUMP MAGA flag in the back of a truck next to Old Glory.

Thank you for making sure our small town traditions and celebration of America and our veterans remains the focus of this parade.

Town Manager

From: [REDACTED]
Sent: Friday, November 22, 2019 12:52 PM
To: Selectmen
Subject: Fwd: Memorial Day Parade Policy DRAFT

I commend your efforts to make the Memorial Day Parade an event that is very welcoming to all and a tribute to the Armed Services. However, I believe you will run afoul with enforcing the 3rd bullet of your draft which i have included below...

"Signs carried or on other items or persons must be specifically related to honoring our veterans. For example, you may say "ABC Company Honors those who Serve" or "XYZ Associates Honors our Fallen Heroes."

Many of the groups, such as the Pentucket Marching Band, carry banners that identify the organization, but do not reference the event. And I don't think it would be fair to impose upon them the obligation to have a banner custom made for the Memorial Day Parade that makes reference to the troops or veterans. I don't believe that his the selectmen's intention(?), but that is how that bullet point would be applied to organizations such as the Marching Band.

I wish you success in your efforts and you can count on me and my family being there to watch the parade next year!

----- Forwarded message -----

From: **Town of West Newbury MA** <cmsmailer@civicplus.com>
Date: Fri, Nov 22, 2019 at 12:30 PM
Subject: Memorial Day Parade Policy DRAFT
[REDACTED]

Memorial Day Parade Policy DRAFT

Invitation for Public Comment

The Board of Selectmen is seeking public comment on the attached Memorial Day Parade policy.

Following the 2019 Memorial Day Parade, at its September 3rd and September 16th meetings, the Board discussed whether it would recommend adoption of rules to formalize the process for organizing and overseeing this annual Town tradition. Leading up to these meetings, the Board was provided copies of all public comments that had been received by Town personnel, as well as copies of various related discussion threads on social media. At the Board's direction, and based on citizen input and research regarding other communities' practices, the Town Counsel prepared an initial draft of Parade Rules which were reviewed at the Board of Selectmen meeting on November 12th.

The attached DRAFT Rules reflect the Board's discussion that evening, and are now circulated for broader public comment.

Once public comments are received, the Board will place this item on the December 23rd meeting agenda with the intent to adopt Rules that would take effect leading up to planning for the 2020 Parade.

Comments may be presented in person at the Board of Selectmen or Town Manager's office, and may be sent via email to selectmen@wnewbury.org.

Thank you for your assistance as we work toward a framework that will continue and enhance this annual event!

[Read more](#)

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[You can unsubscribe here.](#)

Town Manager

From: [REDACTED]
Sent: Tuesday, November 26, 2019 11:10 AM
To: Selectmen
Subject: Memorial Day Parade

Dear Town Manager and Selectmen

In the hopes of avoiding the nastiness and fighting from last year's parade, I thank you for asking other's opinions on this matter...

I am a proud American and respect and honor those who sacrifice their lives and time in military service....

I don't feel that a tank or military vehicle with confederate flag or sentiment helps this parade... It is offensive and just unnecessary to all those who fight for freedom. It offends those who respect the equality of everyone. It gives a sad reminder of days past and continues to offend and promote inequality in my opinion..

Perhaps those objects on the vehicle could be covered up as a show of understanding but I feel that the sponsors will probably not agree.

Thank you for the chance to give my opinion.

Ellen McGuigan
38 Pleasant Street
West Newbury Ma 01985

Sent from my iPhone



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

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

townmanager@wnewbury.org

TO: Board of Selectmen
FROM: Angus Jennings, Town Manager
DATE: December 7, 2019
RE: Animal Control Officer contract

As you know, my office worked closely with the Board of Selectmen, the Police Chief and Newburyport personnel and Mayor leading up to the execution of an updated ACO contract concurrent with the FY20 budget process. Article 3 of the contract provides for extension for up to two additional years beyond its current initial year. It would be helpful to confirm early in the FY21 budget season the Board's interest in extending the contract and on what terms.

CITY OF NEWBURYPORT AND TOWN OF WEST NEWBURY

INTERMUNICIPAL AGREEMENT FOR THE ADMINISTRATION OF SHARED ANIMAL CONTROL SERVICES

Article 1. Purpose

This agreement is entered into, pursuant to Massachusetts General Laws Chapter 40, Section 4A, by and between the City of Newburyport, as authorized by its City Council and approved by its Mayor, and the Town of West Newbury, as authorized by its Board of Selectmen.

WHEREAS, the City of Newburyport and the Town of West Newbury are each obligated to provide animal control services to their residents; and

WHEREAS, the City of Newburyport and the Town of West Newbury have determined that their residents can more efficiently and effectively be served with such services through a joint undertaking between the communities; and,

WHEREAS, the City of Newburyport and the Town of West Newbury have determined to join together to establish and administer a program of shared Animal Control Services.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree as follows:

Article 2. Definitions

Participating Governmental Units: the City of Newburyport and the Town of West Newbury. Animal Control Services: Any and all services as required of an Animal Control Officer under applicable Massachusetts Laws and regulations, including but not limited to MGL Chapter 140, Section 151 et seq. and MGL Chapter 129, Section 15 et seq.

Article 3. Term

This Agreement shall take effect on the 1st day of July 2019, for a one year term that may be extended by up to two additional one year terms commencing on July 1, 2020 and July 1, 2021. Any such extension term shall be subject to approval by the City of Newburyport, as authorized by its City Council and approved by its Mayor, and the Town of West Newbury, as authorized by its Board of Selectmen. The Participating Governmental Units shall give each other notice of whether or not they wish to extend this initial one year term at least ninety days prior to the annual Town Meeting of the Town of West Newbury but no later than ninety days prior to June 1st of the then-current term, unless another date is mutually agreed upon in writing. Should the parties fail to extend this Agreement by written addendum hereto, the agreement shall terminate upon the last day of the then-current term.

Article 4. Lead City

The City of Newburyport shall act as the "lead city" for the Participating Governmental Units, by employing the necessary officers and providing the necessary equipment, vehicles and kennel to perform said Animal Control Services. Said officers shall be considered employees of the City of Newburyport and be accorded all applicable benefits enjoyed by other Newburyport municipal employees as they are or shall be established. Each such officer must be a Massachusetts certified Animal Control Officer (excepting that new employees may acquire such certification within two years of the commencement of employment). Said certification must be maintained during the term of this Agreement. The office where such officers shall be primarily located will be in Newburyport.

Article 5. Funding Contribution

During the Fiscal Year 2020 (July 1, 2019- June 30, 2020), the Town of West Newbury shall pay the City of Newburyport for animal control services a total sum of \$24,050.00 to be paid in four equal quarterly payments of \$6,012.50 on or before August 1, November 1, February 1, and May 1 (provided that such sum will be prorated as of the date of approval of this Agreement by the Board of Selectmen of the Town of West Newbury and the Mayor of the City of Newburyport). This payment shall include all applicable expenses incurred by the City of Newburyport in providing Animal Control Services on behalf of the Participating Governmental Units, including, but not limited to, salaries, group health insurance, workers' compensation insurance, and all other applicable benefits. Nothing herein shall prevent the parties from mutually agreeing in writing to change the funding contribution during the initial term or any extended term of this agreement, subject to available appropriation.

Article 6 Financial Safeguards

Under the provisions of M.G.L. Chapter 40, §4A, the City of Newburyport Director of Public Health shall provide to the Town of West Newbury periodic financial statements that shall include: accurate and comprehensive records of the services performed under this agreement; the costs incurred; and the reimbursements and contributions received. Such reports shall be compiled and distributed by the Health Director on a quarterly basis. In addition, all bills and payrolls submitted for work done under this regional agreement shall be plainly marked to indicate that the work was done under the authority of this agreement.

The accounting records of the Newburyport Animal Control Services, working under the direction of the Newburyport Director of Public Health, shall be subject to the City's annual audit process and shall be subject to periodic audit by the Newburyport City Auditor as is current practice.

Article 7 Hours of Services and Service Requirements

The City of Newburyport shall provide Animal Control Services under this Agreement on an as-needed basis, seven days a week, twenty four hours a day. Animal Control Services shall be provided on an equal basis between the communities.

Article 8 Vehicle Usage

The Town of West Newbury shall provide a 2015 Ford Explorer. This vehicle shall be made available for the use of the Animal Control Officers. Collision and liability insurance for the vehicle shall continue to be paid by the Town of West Newbury. The City of Newburyport shall be responsible for the maintenance and upkeep of West Newbury's vehicle.

Article 9 Fines

Any fines, exempting boarding fees, collected will be collected on behalf of and returned to the Participating Governmental Unit from within the municipal boundaries of which the animal was taken, or in the case of an animal not taken, returned to the Participating Governmental Unit in which the animal resides or is kept.

Article 10 Indemnification

In the event that any claims, demands, suits, causes of action, costs, and expenses arise with respect to the services provided pursuant to this agreement, and to the extent permitted by Massachusetts General Laws chapter 258 and other applicable law, a Participating Governmental Unit shall indemnify, defend and hold harmless the other participating Government Unit from and against any such claims, demands, suits, causes of actions, costs and expends, including reasonable attorneys' fees and legal costs, but only to the extent that they arise from or relate to the negligent acts or omissions of the first Participating Governmental Unit, or its agents, servants, or employees, or from or in relation to actions taken by the Animal Control Officer on behalf of or at the direction of the first Participating Governmental Unit. By entering into this Agreement, neither of the parties has waived any governmental immunity or limitation of liability or damages which may be extended to them by operation of law. This Agreement is for the benefit of the parties hereto and is not intended to confer third party beneficiary status on any other person or entity.

Article 11 Operation of Animal Shelter Facilities

The City of Newburyport shall maintain and operate an Animal Shelter Facility under the following terms and conditions.

I. OPERATIONS:

- A. The Animal Shelter Facility shall be accessible to the citizens of each Participating Governmental Unit for the retrieval of impounded animals during normal business hours, Monday through Wednesday 8AM to 4PM, Thursday 8 AM to 8 AM, and Friday 8AM to 12PM by appointment. Weekend hours will be provided by appointment only. Notice shall be posted conspicuously and in a readily accessible format in the main municipal building of both Participating Governmental Units which states the hours of operation and an emergency telephone number for use by residents to retrieve their pets. Such information shall also be made available on each respective Participating Governmental Unit website. The animal shelter shall be able to accept impounded animals 24 hours a day, 365 days a year.
- B. Newburyport will provide daily supervision, food, water and humane care to animals boarded at the shelter.
- C. All Animal Control Officers will log in each time they enter the Animal Shelter Facility. The sign-in sheets will be submitted monthly to the Director of Public Health.
- D. The Animal Shelter Facility is to be solely used for the impounding of animals and to be used by Animal Control Officers only. There shall be no entry of other persons in the shelter without the consent of the City of Newburyport Director of Public Health.
- E. Newburyport will be responsible for the Animal Shelter Facility cleaning/sanitizing supplies, maintenance, heat, water, electric and other utility costs incurred in connection with the operation of the Facility.
- F. Newburyport will be responsible to keep the Animal Shelter Facility and associated kennels maintained, clean, and sanitary on a daily basis. Excreta and food waste shall be removed from primary enclosures daily and from under enclosures as often as necessary to prevent an excessive accumulation of feces and food waste, to prevent soiling of the animals contained in the enclosures, and to reduce disease, hazards, insects, pests, and odors. The condition of the kennels and quality of care is to be of a high caliber and performed to the standards established by the City of Newburyport Director of Public Health.
- G. Boarding facilities shall include a sheltered kennel unit with cages and/or runs that protect the animals from precipitation, and extreme hot (100°F or greater) and cold (45°F or less) conditions. Except in emergency situations, as determined by the Newburyport Animal Control Officer, no more than one adult animal shall be kept per cage.

H. Newburyport will be responsible for ensuring that an ill or injured animal is treated promptly by the respective Participating Governmental Unit's contracted licensed veterinarian, depending on the nature and/or seriousness of the illness or injury, and that any prescribed medication is promptly obtained and administered.

II. FEES:

- A. Owners who reclaim animal(s) shall make payment to the City of Newburyport prior to reclaiming their animal(s) for all boarding fees (\$35.00 per day for each animal) and all other fees related to shelter services provided per day per animal.
- B. Newburyport shall provide invoices, collect monies and keep records of all required fees received from owners. Invoices provided to owners who are retrieving their animal shall include the date that the animal was delivered to the shelter, the per day shelter rate, the number of days that the animal was sheltered, medical bills as applicable, and total fee due and collected.
- C. Each Participating Governmental Unit shall be responsible for the direct costs to care for the animals which originate from said community, including but not limited to flea treatments and any veterinary costs. For the purposes of this agreement, "veterinary costs" shall include rabies vaccinations, health evaluation, treatment of minor curable diseases and euthanasia.
- D. Each Participating Governmental Unit shall pay any additional costs associated with the transport and removal of animals from their community if an animal is not claimed or is injured.
- E. Newburyport may add a surcharge of up to ten (10) percent (not to exceed \$25.00) to medical bills to cover certain incidental costs relating to transportation of an animal to a veterinarian's office, telephone expenses incurred in connection with medical treatment, and any special care involved. Bills must support all medical charges and receipts bearing the name of the veterinarian or firm from whom they were obtained.
- F. Fees for animals that are unclaimed by the owner at the end of the maximum seven (7) day holding period shall be paid by the Participating Governmental Unit where the animal originated.
- G. All fees and receipts from boarding and all other services related to the shelter shall be submitted monthly to the City of Newburyport Health Department.

III. RECORD KEEPING: Each Participating Governmental Unit's Animal Control Officers shall maintain an impound record on each animal delivered to the Animal Shelter Facility. The impound record will be prepared and filled out by the appropriate Animal Control Officer and delivered to the Facility with the animal.

Upon discharge, one (1) copy of the animal's completed record shall be provided to the person claiming the animal and one (1) copy of each discharged animal's record shall be provided to Newburyport. If the agreement is terminated, all impound records shall be transmitted to the appropriate town.

IV. DISCHARGE:

- A. Claimed animals: Each Participating Governmental Unit will require the person claiming the animal to show identification (preferably a driver's license). In the case of a dog, a certificate of license is required of all dogs six (6) months of age or older for release.

In the event of non-licensure of a dog, the owner or person claiming the dog will be required to show proof of licensure prior to release by the Animal Control Officer. The Animal Control Officer will not be responsible for ensuring licensure of the dog.

In addition, the Animal Control Officer will provide the person claiming the animal with a full disclosure of any medical treatment rendered by a veterinarian and/or the Animal Shelter Facility and by whom it was rendered and a complete identification of any prescription or non-prescription medicine(s) administered to the animal while in custody. Finally, the Animal Shelter Facility must obtain the signature and the driver's license number of the person to whom the animal is released on the Impound Record.

- B. Unclaimed animals: Unless requested by the Newburyport Director of Public Health or West Newbury Police Chief to retain the animal for a longer period (2 to 4 additional days), animals will be picked up on or immediately following the seventh (7th) day of confinement by the Animal Control Officer. The written notice to extend shelter services from the Newburyport Director of Public Health or West Newbury Police Chief must accompany the reports to the city or town. The shelter may place such animals as are deemed suitable up for adoption in accordance with MGL Chapter 140, section 136A.

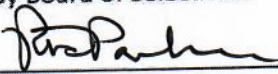
Article 12 Miscellaneous

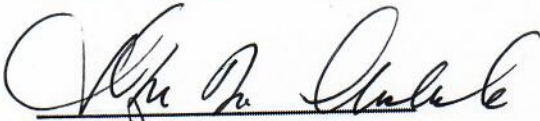
- a. This agreement may be amended in writing by vote of both of the Participating Governmental Units. Should additional municipalities seek to join this program of shared Animal Control Services, the terms agreed to herein, including apportionment of expenses, for such additional municipalities shall be negotiated and approved by both of the Participating Governmental Units.
- b. This agreement represents the entire understanding of the parties with respect to its subject matter.
- c. This agreement shall be governed by the laws of the Commonwealth of Massachusetts.

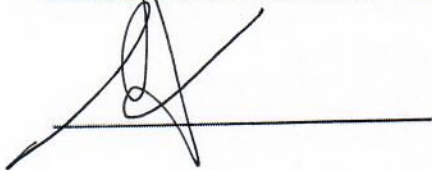
d. If any of the provisions of this agreement is declared to be illegal, unenforceable, or void, then both parties shall be relieved of all obligations under such provision, provided, however, that the remainder of the Agreement shall be enforced.

TOWN OF WEST NEWBURY

By Board of Selectmen



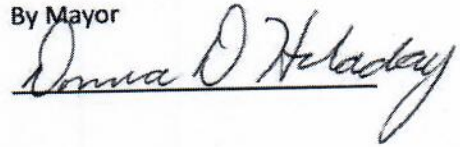




Dated: 6/24/19

CITY OF NEWBURYPORT

By Mayor



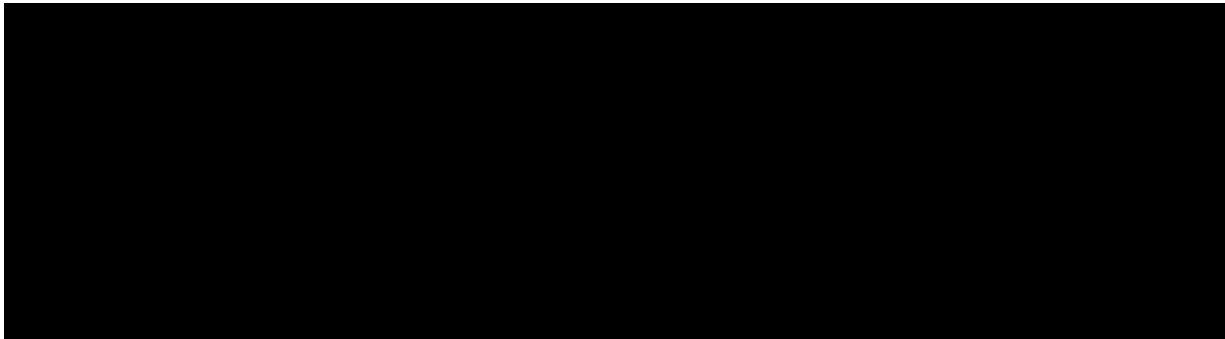
Dated: 6/28/19

Town Manager

From:
Sent:
To:

Cc:

Subject:



Good morning all –

The Rural Policy Advisory Commission, created by the MA Legislature in 2015 and governed under [M.G.L. Chapter 23A: Section 66](#), was charged with serving as a research body and producing a plan for issues critical to the welfare and vitality of rural communities across the Commonwealth. The Rural Policy Plan was presented last month, and the link to the document may be found below. It includes a report on the status of the 170 towns that meet the definition of “rural” (population density of less than 500 people per square mile), which in the MVPC realm includes Boxford, Newbury, Rowley and West Newbury.

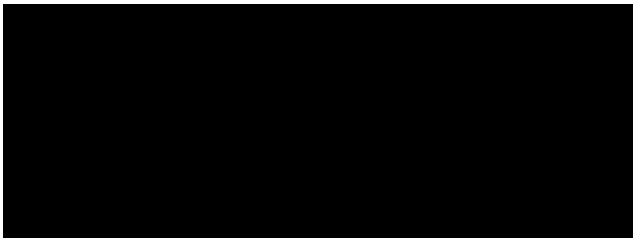
The goals of the Commission included advising the MA General Court and the Executive branch of the impact of existing and proposed state laws, policies and regulations on rural communities, advancing legislative and policy solutions that address rural needs, advocating to ensure that rural communities receive a fair share of state investment, promoting collaboration among rural communities to improve efficiency in delivery of services and develop and supporting new leadership in rural communities. The goals of the Plan include identifying rural assets and challenges, describing how rural areas differ within the state, highlighting best practices underway across the state and beyond, and identifying a series of action-oriented policy, investment and regulatory recommendations prioritized for implementation.

As one of the 13 Regional Planning Agencies that contributed a percentage of our District Local Technical Assistance funding (thank you to the Legislative Delegation for always supporting and prioritizing DLTA for us!) to create the Plan, please know that we will continue to play a role in this ongoing discussion and implementation process. We welcome your feedback.

<https://frcog.org/wp-content/uploads/2019/10/RPP-Final-Draft-10.10.19.pdf>

Best wishes and Happy Thanksgiving –
Karen

Karen Sawyer Conard
Executive Director



**Town of West Newbury
Board of Selectmen
Tuesday, November 12, 2019 @ 7p.m.
381 Main Street, Town Office Building
www.wnewbury.org
Minutes of Meeting**

Open Session: 7pm in the First Floor Hearing Room

The Meeting was called to order at 7:13 p.m. by Chairman David Archibald.

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet.
- Municipal Vulnerability Preparedness - resident survey now online, please participate!
- A Capella Night! Northeastern's Nor'easters. Saturday, November 23 at 7 PM, Pentucket High School
- Opportunities for FY20 Committee appointments posted online at <https://www.wnewbury.org/board-selectmen/pages/2019-20-volunteer-opportunities>

At the request of the Board of Selectmen, Police Chief Jeffrey Durand read a statement regarding an alleged threat by a student at the Pentucket Regional High School. Sgt. Johnson, School Resource Officer Dwyer and the School Administration concluded that there was no credible threat and that this was an unsubstantiated rumor. He reported that the investigation continues and he has placed a few extra patrol officers around the school. If anyone has any information regarding this incident they are requested to bring it forward to the West Newbury Police Department.

Regular Business

- A. Acknowledgement and thanks for contribution of \$4,155.79 to Carr Post Building Gift Account

The Board heard of previous fundraising efforts and expenditures related to the Carr Post Building. At the end of this groups efforts the abovementioned amount was contributed to the Carr Post Building Gift Account.

- B. Request to require one facility use charge, 5-session beekeeping class at Town Hall -*Black Birch Farm*

William Hamilton answered Selectmen's questions regarding this school. Rather than the normal Rental Fee of \$120.00 x 5 sessions for a total of \$600.00 he is requesting a one time rental fee of \$120.00 for all 5 sessions to make this class cost effective for him to run.

Motion was made by Selectman Richard Parker, seconded by Selectman Glenn Kemper for a one time fee of \$120.00 for a 5 session class.

Yes 3, No 0.

C. Update on Water Rate Study now underway -*Board of Water Commissioners*

Michael Gootee, Manager/Superintendent of the Board of Water Commissioners answered questions from the Board. An outside consultant has been hired to study the rate structure for the water rates for the next three years. Related information regarding the rates is contained in the Agenda Packets. Discussion took place regarding the current construction on the water tank and future upgrades/maintenance projects. Also discussed was the debt for these projects and the effect on the rates.

D. Review of draft policy regarding Memorial Day Parade

Town Counsel Michael McCarron prepared proposed Memorial Day Parade Rules which are contained in the Agenda Packets. This list of rules was for discussion purposes only and was not intended to be voted on at this meeting. This will be placed on the Towns website for public comment and will be placed on a future agenda for adoption when completed.

E. Discussion of November 4, 2019 Special Town Meeting and any follow-up items

Angus Jennings, Town Manager reported to the Board that he, Police Chief Jeffrey Durand, and Wayne Amaral DPW Director have corresponded with MassDOT about the possibility of on-street parking on Route 113 for the Soldiers and Sailors Building. Related memorandum is part of the Agenda Packet.

F. Presentation of FY20 Tax Recap Model and estimated tax rate

The Agenda Packets contain all related data for the Tax Recap Model and estimated tax rate prior to the actual tax rate hearing for the Board's information. The Board requested information from Angus Jennings, Town Manager regarding the changes in value in regard to other towns in the Region.

G. FY21 budget policy guidance and budget process

Angus Jennings, Town Manager supplied past policy and discussed the items of concern for the upcoming budget season. Discussion took place regarding the cost of solid waste hauling, solid waste tipping fees, recycling and health insurance. The agenda packets contain past policy and a memorandum from Angus listing items he wanted to bring to the attention of the Board.

H. Update on Middle/High School design process, anticipated permitting timelines, neighborhood meeting

The Agenda Packets contain Minutes of Meeting and proposed VE design changes to be voted on at the next School Building Committee meeting. Angus brought his concerns about the issues to be taken up at this meeting with the Board.

- I. Update on Designer Selection process for Soldiers & Sailors Memorial Building; designation of individual or group as Review Committee; review of insurance requirements, designer fee

The Agenda Packets contain a memorandum from Angus Jennings, Town Manager and Michael McCarron Procurement Officer regarding progress on this project that is ongoing for the Board's review.

Motion was made by Chairman David Archibald, seconded by Selectman Glenn Kemper to designate Michael McCarron to select the designer for this project.

Yes 3, No 0.

Discussion took place as to the charge of the Committee. It was decided that this subject would be taken up at a future meeting. It was determined that a draft of the charge of the Building Committee should be placed on the next Board Meeting.

Michael McCarron reported that the current timeline of the designer selection process would take place as follows:

December 9, 2019	Designers inspect the building
December 17, 2019	Selection Date

Insurance coverage would be set at \$1,000,000.00 for this project.

Motion was made by Selectman Glenn Kemper, seconded by Selectman Richard Parker to amend the Board Policy on this project to 3 finalists or such lesser number of finalists based on the number of proposals received from qualified respondents.

Yes 3, No 0.

- J. Review and approval of Conservation Restriction for River Road property

Motion was made by Selectman Glenn Kemper, seconded by Selectman Richard Parker to Approve the Conservation Restriction for River Road Property.

Yes 3, No 0.

- K. Review of draft Solid Waste Master Plan issued by MassDEP; preview of joint meeting with Board of Health on November 25, 2019

The Agenda Packets contain the draft material abovementioned. Informational. Discussion took place on this subject under Item G.

- L. Rescind 9/16/19 temporary designation of Board of Selectmen representative to approve A/P warrants

Motion was made by Selectman Glenn Kemper, seconded by Selectman Richard Parker to rescind the Temporary designation of Board of Selectmen representative to approve Accounts Payable Warrants.

Yes 3, No 0.

- M. Meeting minutes: November 4, 2019.

Item Tabled.

Town Manager Updates

- N. Review of proposed borrowing structure for water capital projects (water tank, and wellfield chemical building) and Soldiers & Sailors Memorial

Informational. Memorandum from Town Manger and proposed financing schedule are contained in the agenda packets.

- O. Recap of items reviewed with MIIA during annual review of insurance coverage and policies

Informational. Memorandum from Town Manager and related communications are contained in the Agenda Packets.

- P. Update on request to MA EOHED to release \$20,000 State funds for Page School ADA improvements

Informational. Related communications for release of funds from State are contained in the Agenda Packets.

- Q. Review of information prepared for Capital Improvement Committee meeting on November 13, 2019

Informational. Related memorandum from Town Manager, Minutes of Meeting and sample are contained in the Agenda Packets.

- R. Housing policy discussion upcoming at CPC meeting on November 21, 2019

Memorandum from Town Manager contained in Agenda Packets. Michael McCarron, Town Counsel advised that an item would need to be placed on the Spring Town Meeting if the Board wishes to pay 3rd party costs if needed to use inclusionary housing fund. Rules would need to be established for use of a housing fund and would need an appropriation.

S. Clarifications regarding FY20 holiday recognition schedule and departmental closures

Motion was made by Selectman Richard Parker, seconded by Selectman Glenn Kemper that in recognition of Christmas Eve departments would close at 12:00 p.m. This would be for non-essential, salaried employees.

Yes 3, No 0.

Motion was made by Selectman Richard Parker, seconded by Selectman Glenn Kemper that in recognition of the day before Thanksgiving departments would close at 2:00 p.m. This would be for non-essential, salaried employees.

Yes 3, No 0.

T. Follow up meeting assignments

Working Draft contained in Agenda Packets.

U. Placing items for future agendas

Motion made by Selectman Glenn Kemper, seconded by Selectman Richard Parker to adjourn at 10:04 p.m.

Yes 3, No 0.

Respectfully submitted, Mary DiPinto

Town Manager

From: Town Manager
Sent: Thursday, November 21, 2019 12:30 PM
To: David Archibald
Subject: RE: 11_25_2019 Agenda draft
Attachments: Bridge Street speed limit change sent to MDOT 11-7-19.pdf; Church Street speed limit change sent to MDOT 11-7-19.pdf

The Church Street and Bridge Street requests were sent to MDOT a couple of weeks ago following the BOS vote. I could add these under TM updates if you want; Wayne is out this week but if I'm remembering correctly it's typically at least a 90 day turnaround for MDOT response.

Re Chase Street, MDOT rejected the data that was provided. (It was based on speeds recorded by a police officer, and that's unreliable because the presence of a police officer affects speeds; also, when the officer makes a traffic stop he/she misses some amount of traffic during the stop, which undermines the data set). Therefore Wayne needs to do a new speed study on Chase Street, at which time he'll present recommendations to the Board, get Board approval, and re-submit the request to MDOT.

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

From: David Archibald <darchibald@wnewbury.org>
Sent: Thursday, November 21, 2019 12:12 PM
To: Town Manager <townmanager@wnewbury.org>
Subject: Re: 11_25_2019 Agenda draft

Angus : Final thought : do we have to do anything to get the speed limit changes discussed previously enacted?

Sent from my iPhone

On Nov 21, 2019, at 11:36 AM, Town Manager <townmanager@wnewbury.org> wrote:

Updated draft agenda attached, revised per your comments.

I left BoS policies with a question mark – if I can get that together before posting agenda I'd like to keep it on, just to get that crossed off the list, but if not I'll pull it.

Re middle/high school, two reasons to have on agenda:

- Update on front fields discussion. Tabled at November School Building Committee mtg but needs to be decided at 12/10 BC mtg.



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Wayne S. Amaral, Director of Public Works

978-363-1100, Ext. 120

DPWDirector@wnewbury.org

November 7, 2019



Re: Bridge Street Speed Zone Change Request

Dear Paul,

On behalf of the Board of Selectmen and the Town Manager, I have been requested to contact MassDOT to gain approval and MassDOT permit to modify the posted Speed Limit on Church Street in the Town of West Newbury.

Some months back the Board of Selectmen requested a review of the posted speed limits on Bridge Street based on a request from residents of the street. I have conducted a minor traffic engineering reviewing of the roadway and have determined the following;

Background:

Recently the town had been contacted by residents of Bridge Street expressing their concerns about the current vehicle speeds observed on their street. The main focus is the section of the roadway posted for 40 miles per hour. They believe this speed is unsafe and causes excessive noise.

There is currently a MassDOT permit Special Speed Regulation No. 6062 that established a 40 miles per hour speed limit on the majority of the roadway except where the roadway approaches Main Street and The Rock Village Bridge, where the speeds are reduced to 25 miles per hour.

Street Characteristic:

Bridge Street is about 4,000 feet in length with a recently repaved 28-foot wide roadway. The roadway is marked with a 12.5-foot wide travel lane in each direction with a 2.5-foot paved shoulder. This street connects the Town of Merrimac / City of Haverhill to Route 113 (Main Street) and is a major connector road with the majority of the vehicle volume trips being non-residents of the street.

There is a number of residential homes on the street that may seem to classify the roadway as thickly settled, but I believe the length does not meet the MassDOT definition. Most houses are set back from the roadway and the non-residential edge of roadway is tree lined farms and a cemetery.

There is a significant incline on the roadway that runs consistently on much of the length of Bridge Street. This incline is the main contributor to the noise complaints. As vehicles proceed up the steep incline their engines require more power and a result, more engine noise.

Data Collection:

I have collected three hours (AM peak, midday off-peak and PM peak) of speed data and sampled over 500 vehicles. The data showed an average 85-percentile speed of 42 miles per hour and a 50-percentile speed of 39 miles per hour. These speeds are within the permitted posted speed limit of the street.

Conclusion:

The majority of Main Street / Route 113 is posted 35 miles per hour and I see no reason why the speed limit on Bridge Street should be greater than Main Street / Route 113. I would like to request that the section of Bridge Street in the section covered in MassDOT permit Special Speed Regulation 6062 be reduced from 40 miles per hour to 35 miles per hour.

The reduction in speed would be more uniformed for the surrounding roads and increase the safety of the roadway.

If you or your staff have any question, please feel free to contact me at 978-992-8915 or by e-mail at DPWDirector@WNewbury.org. Thank you for taking the time to review our request.

Sincerely,



Wayne S. Amaral
Director of Public Works

cc: Angus Jennings, Town Manager
Jeff Durand, Police Chief

Attachments

Appendix A - Speed Data Collection Spreadsheet

West Newbury DPW - Speed Data Collection Summary

Recorded Speed in MPH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Sub-Total	
10																						
11																						
12																						
13																						
14																						
15																						
16																						
17																						
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20																						
21																						
22																						
23																						
24																						
25																						
26																						
27																						
28																						
29	X																					1
30	X	X	X																			3
31	X	X	X	X																		4
32	X	X																				2
33	X	X																				2
34	X	X	X	X	X																	5
35	X	X	X	X																		4
36	X	X	X	X	X	X	X															7
37	X	X	X	X	X	X	X	X														8
38	X	X	X	X	X	X	X	X	X	X	X	X	X									13
39	X	X	X	X	X	X	X															6
40	X	X	X	X	X	X	X	X														8
41	X																					1
42	X	X	X	X																		4
43	X	X																				2
44	X	X	X	X																		4
45																						0
46																						0
47	X																					1
48	X	X																				2
49																						0
50	X																					1
51																						0
Total																						78

85 Percentile Speed is 42 MPH
 50 Percentile Speed is 38 MPH
 Speed Data collected by WSA

Appendix A

West Newbury DPW - Speed Data Collection Summary

Recorded Speed in MPH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Sub-Total	
10																						
11																						
12																						
13																						
14																						
15																						
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26																						
27																						
28																						
29	X																					1
30																						0
31	X	X																				2
32	X																					1
33	X																					1
34	X	X	X	X																		4
35	X	X	X	X	X																	5
36	X	X	X	X	X	X																6
37	X	X	X																			3
38	X	X	X	X	X	X																6
39	X	X	X	X	X	X																6
40	X	X	X	X	X	X	X	X	X	X											10	
41	X	X	X	X	X	X	X															7
42	X	X	X	X																		4
43	X	X	X																			3
44	X	X	X	X	X	X																6
45	X	X	X	X																		4
46	X	X																				2
47	X																					1
48																						0
49																						0
50	X																					1
51																						
Total																						73

85 Percentile Speed is 44 MPH
 50 Percentile Speed is 40 MPH
 Speed Data collected by WGA

Appendix A

West Newbury DPW - Speed Data Collection Summary

TOWNS BRIDGE Street Name BRIDGE ST e STEPHEN AVE
 Direction NORTH Bound Date: 7-27-2019 Time 1PM-2PM

Recorded Speed in MPH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Sub-Total	
10																						
11																						
12																						
13																						
14																						
15																						
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24																						
25																						
26																						
27																						
28																						
29																						
30	X	X																				2
31	X	X	X	X	X	X																6
32	X	X	X	X																		5
33	X	X	X	X	X	X																6
34	X	X	X	X																		5
35	X	X	X	X	X	X	X															7
36	X	X	X	X	X																	5
37	X	X	X	X	X	X	X	X	X	X	X	X	X	X								14
38	X	X	X	X	X	X	X	X	X	X	X	X	X	X								13
39	X	X	X	X	X	X	X	X	X	X	X	X	X	X								11
40	X	X	X	X	X	X	X	X	X	X	X	X	X	X								14
41	X	X	X	X	X	X	X	X	X	X	X											10
42	X	X	X	X	X																	5
43	X	X	X	X	X	X	X															7
44	X																					1
45	X	X																				2
46	X																					1
47																						0
48																						0
49	X																					1
50	X																					1
51	X																					1
Total																						115

85 Percentile Speed is 42 MPH
 50 Percentile Speed is 38 MPH
 Speed Data collected by W. Smith

Appendix A

West Newbury DPW - Speed Data Collection Summary

TOWARD MAIN ST

Street Name BRIDGE STREET AVE

Direction SOUTH BOUND

Date: 7-24-2019

Time 1PM-2PM

Recorded Speed in MPH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Sub-Total	
10																						
11																						
12																						
13																						
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27																						
28																						
29																						
30																						
31	X																					1
32	X	X																				2
33	X	X																				2
34	X	X	X	X	X	X	X															7
35	X	X	X	X	X	X	X															6
36	X	X	X	X	X	X	X	X														7
37	X	X	X	X	X	X	X	X														7
38	X	X	X	X	X	X	X	X	X													8
39	X	X	X	X	X	X	X	X	X													5
40	X	X	X	X	X	X	X	X	X	X												9
41	X	X	X	X																		4
42	X	X	X	X																		3
43	X	X	X	X	X																	5
44	X	X																				2
45	X	X																				2
46	X																					1
47	X																					1
48																						
49																						
50																						
51																						
Total																						72

85 Percentile Speed is 42 MPH
 50 Percentile Speed is 30 MPH
 Speed Data collected by WJW

Appendix A

West Newbury DPW - Speed Data Collection Summary

DOWN HILL

TOWARD RIVER

Street Name BRIDGE ST @ STEED AVE

Direction NORTHBOUND

Date: 7-30-2019

Time 4PM-5PM

Recorded Speed in MPH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Sub-Total	
10																						
11																						
12																						
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24																						
25																						
26																						
27																						
28	X																					1
29	X																					1
30																						
31	X	X	X	X	X																	5
32	X	X	X	X	X																	2
33	X	X	X	X	X																	2
34	X	X	X	X	X	X																6
35	X	X	X	X	X	X																3
36	X	X	X	X	X																	4
37	X	X	X	X	X																	5
38	X	X	X	X	X																	5
39	X	X	X	X	X	X																6
40	X	X	X	X	X	X	X	X	X	X												10
41	X	X	X	X	X	X	X	X	X	X												9
42	X	X	X	X	X	X	X	X	X	X												6
43	X	X	X	X	X	X																5
44	X	X	X	X	X																	3
45	X	X	X	X	X																	3
46																						0
47																						0
48	X	X																				2
49																						
50																						
51																						
Total																					78	

85 Percentile Speed is 43 MPH
 50 Percentile Speed is 39 MPH
 Speed Data collected by WSA

Appendix A

UP HILL

West Newbury DPW - Speed Data Collection Summary

TOWARD ROUTE 113

Street Name BRIDGE ST & STEED AVE

Direction SOUTH BOUND

Date: 7-30-2019

Time 4PM-5PM

Recorded Speed in MPH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Sub-Total	
10																						
11																						
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29																						
30	X																					1
31	X	X	X																			3
32	X	X	X	X																		4
33	X	X	X	X																		4
34	X	X	X	X	X	X																7
35	X	X	X	X	X	X	X	X	X	X	X											11
36	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X					17
37	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X					16
38	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X					17
39	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			20
40	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		19
41	X	X	X	X	X	X	X	X	X	X	X											11
42	X	X	X	X	X	X	X	X	X	X	X	X										17
43	X	X	X	X	X	X	X	X	X			X										8
44	X	X	X	X	X	X	X	X	X													9
45	X	X																				2
46																						0
47	X																					1
48																						0
49																						0
50																						0
51	X	X																				2
Total																						164

85 Percentile Speed is 42 MPH
 50 Percentile Speed is 39 MPH
 Speed Data collected by WSA

Appendix A



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Wayne S. Amaral, Director of Public Works

978-363-1100, Ext. 120

DPWDirector@wnewbury.org

November 7, 2019

Paul Stedman, District 4 Highway Director
519 Appleton Street
Arlington, MA 02476

Re: Church Street Speed Zone Change Request

Dear Paul,

On behalf of the Board of Selectmen and the Town Manager, I have been requested to contact MassDOT to gain approval and MassDOT permit to modify the posted Speed Limit on Church Street in the Town of West Newbury.

Some months back the Board of Selectmen requested a review of the posted speed limits on Church Street based on a request from residents of the street. I have conducted a minor traffic engineering reviewing of the roadway and have determined the following

Background:

Recently the town had been contacted by residents of Church Street expressing their concerns about the current vehicle speeds observed on their street and the confusion regarding the various different speed limits on the roadway. The existing posted speed limits range from 25 miles per hour to 40 miles per hour and also varies on direction of travel.

Street Characteristic:

Church Street is about 5,200 feet in length with a paved 30-foot wide roadway. The roadway is marked with 11-foot wide travel lanes in each direction and a 4-foot paved shoulder. This street connects the Town of Merrimac / City of Haverhill by Bridge Street to Route 113 (Main Street) and is a major connector road with the majority of the vehicle volume trips being non-residents of the street.

There is a number of residential homes on the street that may seem to classify the roadway as thickly settled in some sections, but I believe the length does not meet the MassDOT definition. Most houses are set back from the roadway and some of the non-congested residential sections of the roadway are tree lined with little activity.

Data Collection:

I have collected three hours (AM peak, midday off-peak and PM peak) of speed data and sampled over 450 vehicles. The data showed an average 85-percentile speed of 42 miles per hour and a 50-percentile speed of 38 miles per hour. East bound vehicle speeds are within the permitted posted speed limit, while the west bound speeds were higher than the permitted posted speed limits of the street.

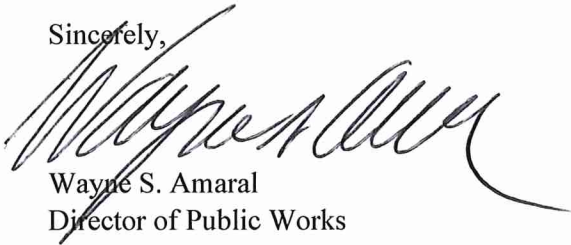
Conclusion:

The majority of Main Street / Route 113 is posted 35 miles per hour and with the recent request to post Bridge Street the same, I would like to petition MassDOT to rescind all the existing approved Special Speed Limits for Church Street and request 25 miles per hour zones at each approaches to Main Street and Bridge Street for a distance of 500 feet and the remaining section between these two zones be posted 35 miles per hours.

The uniformity in the speed limit will eliminate any confusion caused by multiple different speed limits on any one street and will increase the safety of the roadway.

If you or your staff have any question, please feel free to contact me at 978-992-8915 or by e-mail at DPWDirector@WNewbury.org. Thank you for taking the time to review our request.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne S. Amaral", written over a printed name and title.

Wayne S. Amaral
Director of Public Works

cc: Jeff Durand, Police Chief

Attachments

Appendix A - Speed Data Collection Spreadsheet

West Newbury DPW - Speed Data Collection Summary

TOWNSHIP BRIDGE

Street Name CHURCH ST e #50

Direction EAST BOUND

Date: 7-30-2019

Time 8AM-9AM

Recorded Speed in MPH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Sub-Total	
10																						
11																						
12																						
13																						
14																						
15																						
16																						
17																						
18																						
19																						
20																						
21																						
22																						
23																						
24																						
25																						
26																						
27																						
28																						
29																						
30																						
31																						
32	X	X																				2
33	X	X																				2
34	X	X	X	X																		4
35	X																					1
36	X	X	X	X	X	X																6
37	X	X	X	X	X	X	X	X														8
38	X	X	X	X	X	X	X	X														7
39	X	X	X	X	X	X	X	X	X	X	X	X	X									13
40	X	X	X	X	X	X	X	X	X	X	X	X	X									17
41	X	X	X	X	X	X	X	X														8
42	X	X	X	X	X																	5
43	X	X	X	X	X																	5
44	X	X	X																			3
45	X																					1
46																						0
47	X																					1
48																						
49																						
50																						
51																						
Total																						78

85 Percentile Speed is 42 MPH

50 Percentile Speed is 39 MPH

Speed Data collected by WSD

Appendix A

West Newbury DPW - Speed Data Collection Summary

TOWARD MAIN ST

Street Name CHURCH ST #50

Direction WEST BOUND

Date: 7-30-2019

Time 8AM-9AM

Recorded Speed in MPH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Sub-Total	
10																						
11																						
12																						
13																						
14																						
15																						
16																						
17																						
18																						
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22																						
23																						
24																						
25																						
26																						
27																						
28																						
29																						
30																						
31																						
32	X	X	X	X	X																	5
33	X	X	X	X	X	X																6
34	X	X	X																			3
35	X	X	X	X	X	X	X	X														8
36	X	X	X	X	X	X	X	X														8
37	X	X	X	X	X	X	X	X														8
38	X	X	X	X	X	X	X	X	X	X	X	X										12
39	X	X	X	X	X	X	X	X	X	X	X	X										12
40	X	X	X	X	X	X																6
41	X	X	X	X	X																	5
42	X	X	X	X	X	X	X	X														8
43	X	X																				2
44	X	X	X	X																		4
45	X	X																				2
46	X	X																				2
47																						
48																						
49																						
50																						
51																						
Total																						91

85 Percentile Speed is 42 MPH
 50 Percentile Speed is 38 MPH
 Speed Data collected by WSA

Appendix A

West Newbury DPW - Speed Data Collection Summary

TROWMAN BRIDGE

Street Name CHURCH ST e #50
 Direction EAST BOUND Date: 7-25-2019 Time 12:30-1:30PM

Recorded Speed in MPH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Sub-Total	
10																						
11																						
12																						
13																						
14																						
15																						
16																						
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18																						
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24																						
25																						
26																						
27																						
28																						
29	X																					
30																						1
31	X																					0
32	X	X																				1
33	X	X	X	X	X																	2
34	X	X	X	X	X																	5
35	X	X	X	X																		4
36	X	X	X	X	X	X	X															4
37	X	X	X	X	X	X	X	X														7
38	X	X	X	X	X	X	X	X	X													8
39	X	X	X	X	X	X	X	X	X													4
40	X	X	X	X	X	X																8
41	X	X	X	X	X																	5
42	X	X	X	X																		4
43	X	X	X	X																		3
44	X	X	X	X																		4
45																						2
46	X																					0
47	X																					1
48																						1
49																						0
50																						0
51	X	X																				0
Total																						66

85 Percentile Speed is 43 MPH
 50 Percentile Speed is 38 MPH
 Speed Data collected by WJA

Appendix A

West Newbury DPW - Speed Data Collection Summary

TOWNSEND MAIN ST

Street Name CHURCH ST #50

Direction WEST BOUND

Date: 7-25-2019

Time 12:30-1:30PM

Recorded Speed in MPH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Sub-Total	
10																						
11																						
12																						
13																						
14																						
15																						
16																						
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26																						
27																						
28																						
29																						
30																						
31	X																					1
32																						0
33	X																					1
34	X																					1
35	X	X	X	X																		4
36	X	X	X	X	X	X	X	X	X													8
37	X	X	X	X																		4
38	X	X	X	X	X	X	X															7
39	X	X																				2
40	X	X	X	X																		4
41	X	X	X	X	X																	5
42	X	X	X	X	X	X	X	X														8
43	X	X	X																			3
44	X																					1
45																						0
46	X																					1
47	X																					1
48	X																					1
49																						0
50	X																					1
51																						
Total																						53

85 Percentile Speed is 43 MPH

50 Percentile Speed is 39 MPH

Speed Data collected by WSR

Appendix A

West Newbury DPW - Speed Data Collection Summary

TOWARD BRIDGE

Street Name CHURCH ST E 50

Direction EAST BOUND

Date: 7-23-2019

Time 4PM - 5PM

Recorded Speed in MPH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Sub-Total	
10																						
11																						
12																						
13																						
14																						
15																						
16																						
17																						
18																						
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24																						
25																						
26																						
27																						
28																						
29																						
30	X																					1
31	X	X																				2
32	X																					1
33	X																					1
34	X	X	X	X	X	X																6
35	X	X																				2
36	X	X	X	X	X	X	X	X	X	X												10
37	X	X	X	X	X	X	X	X	X	X												7
38	X	X	X	X	X	X	X	X	X	X	X	X	X	X								14
39	X	X	X	X	X	X	X	X	X	X	X	X	X	X								12
40	X	X	X	X	X	X																6
41	X	X	X	X																		4
42	X	X	X	X																		4
43	X																					1
44	X	X	X																			3
45	X	X																				2
46																						
47																						
48																						
49																						
50	X																					1
51																						
Total																						75

85 Percentile Speed is 41 MPH
 50 Percentile Speed is 38 MPH
 Speed Data collected by WSA

Appendix A

West Newbury DPW - Speed Data Collection Summary

TOWARDS MAIN ST

Street Name CHURCH ST e #50

Direction WEST BOUND

Date: 7-23-2019

Time 4PM-5PM

Recorded Speed in MPH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Sub-Total	
10																						
11																						
12																						
13																						
14																						
15																						
16																						
17																						
18																						
19																						
20																						
21																						
22																						
23																						
24																						
25																						
26																						
27																						
28																						
29	X																					1
30																						0
31	X																					1
32																						0
33	X																					1
34	X	X	X																			2
35	X	X	X	X	X	X	X	X	X													9
36	X	X	X	X	X	X	X	X	X													6
37	X	X	X	X	X	X	X	X	X	X	X	X										12
38	X	X	X	X	X	X	X	X	X	X	X	X	X									12
39	X	X	X	X	X	X	X	X	X	X	X	X										10
40	X	X	X	X																		4
41	X	X	X	X	X																	5
42	X	X	X	X	X	X	X	X														8
43	X	X	X	X	X																	7
44	X	X	X	X	X																	5
45	X	X	X																			3
46																						0
47	X																					1
48	X																					1
49	X	X																				2
50																						
51																						
Total																						88

85 Percentile Speed is 43 MPH

50 Percentile Speed is 38 MPH

Speed Data collected by WSA

Appendix A



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

Angus Jennings, Town Manager
978-363-1100, Ext. 111 Fax 978-363-1826
townmanager@wnewbury.org

TO: Board of Selectmen
FROM: Angus Jennings, Town Manager
DATE: December 7, 2019
RE: Community Compact Financial Policies

The Board has previously approved six of the financial policies included in the MassDOR report completed in June 2018. The following policies have been approved:

- 1) Capital Planning
- 2) Debt Management
- 3) Financial Reserves
- 4) Forecasting
- 5) Indirect Cost Allocation
- 6) Other Post Employment Benefits Liability

In light of the change in composition of the Board of Selectmen since the Board's prior actions on these matters, I have enclosed the six adopted policies, as well as the table of contents from the initial MassDOR report with a list of the other recommended policies.

I will be working with finance personnel, the Finance Committee and others as appropriate to bring forward additional financial policies for review and approval by the Board of Selectmen.

CAPITAL PLANNING

PURPOSE

To effectively maintain the Town's infrastructure and protect the value of its capital assets, this policy outlines guidance for planning, reviewing, and coordinating capital improvements. Adherence to this policy will help the Town meet its capital needs despite limited resources.

APPLICABILITY

This policy applies to all current and proposed capital projects in the Town except for those that come under the authority of the Community Preservation Committee. It establishes a framework for long-term capital improvements, sets guidelines and expectations for all Town departments in planning for and requesting capital projects, and outlines consensus budgetary goals for the Board of Selectmen, Town Manager, and Finance Committee. It also applies to related job duties of the Town Accountant and Treasurer/Collector.

POLICY

The Town will maintain its physical assets by providing funding in the operating budget to protect its capital investments and minimize future maintenance and replacement costs. To provide and preserve the infrastructure needed for achieving the highest levels of public services and quality of life possible within available financial resources, the Town will maintain an annually updated, six-year plan for capital improvements. The Town will emphasize preventive maintenance as a cost-effective approach to capital reinvestment and replace exhausted goods as necessary.

The Town Manager, in consultation with the Capital Improvement Committee (CIC), is charged to oversee West Newbury's capital improvement program. The CIC's membership includes one member from the Board of Selectmen appointed by the Board for a one-year term, one member from the Finance Committee appointed by the Committee for a one-year term, and five citizens appointed by the Selectmen to three-year rotating terms. The objectives are to identify and prioritize projects, analyze funding, and create a long-term financial plan achievable within the Town's budget limitations.

A. Definition of a Capital Improvement

A capital improvement is a tangible asset or project estimated to cost over \$20,000, to have or extend at least five years of useful life, or to require an authorized borrowing. These include:

- Real property acquisitions, construction, and long-life capital equipment
- Major improvements to physical infrastructure, including streets, sidewalks, stormwater drains, and water distribution systems
- Major renovations of existing capital items that extend their useful lifespans, as distinguished from normal operating expenditures
- Planning, feasibility studies, and designs for potential capital projects
- Items obtained under a long-term capital lease
- Bulk purchases of similar items, like software or furniture, with expected useful lifespans of five or more years that, when aggregated, have total costs exceeding the capital threshold

B. Inventory

To support a systematic acquisition and replacement schedule, the Town Accountant will annually update and maintain a detailed inventory of all capital assets, which shall include dates built, acquired or last improved, original costs, current conditions, expected and remaining useful lifespans, depreciated values, extent of use, and any scheduled replacement or expansion dates.

C. Evaluation of Capital Projects

Only projects that have gone through the review process will be included in the CIP unless required by an emergency, in which case, a written report explaining the emergency must be provided to the Board of Selectmen. The Town Manager, with the CIC, will evaluate and prioritize the capital requests received from departments using the criteria below:

1. Public health or safety
2. State or federal laws or regulations
3. Available outside financing sources, such as grants
4. Preservation or replacement of an existing asset
5. Productivity or service impact
6. Adopted plans, goals, objectives, and policies of the Town
7. Benefit to the Town's economic base
8. Social, cultural, historic, economic, or aesthetic value
9. Operational or personnel cost impact
10. Community support

D. Multiyear Capital Plan

The Town Manager will annually develop a ten-year capital improvement plan (CIP) and provide it to the Board of Selectmen and Finance Committee by November 1. The CIP will include the upcoming fiscal year's capital budget proposal and a five-year projection of capital needs and expenditures. The plan will incorporate assets from the Town Accountant's capital inventory and provide estimated replacement dates and costs, descriptions, and anticipated funding sources, including all annual debt service requirements.

Throughout the year, the Town Accountant will monitor active capital projects to ensure they remain properly funded and will report any capital plan amendments or issues to the Town Manager.

E. Capital Financing

To provide reserve monies for the CIP, the Town will establish and maintain a capital improvement stabilization fund. Doing this enables the Town to pay outright for moderate-range capital and other maintenance expenditures and thereby preserve debt capacity for major, higher-dollar purchases or projects. This approach balances debt with pay-as-you-go practices and protects against unforeseen costs. In accordance with the Town's Financial Reserves policy, the target maintenance level for this reserve should be 15 percent of the Town's annual operating budget.

Annually, the Town will strive to maintain [three to five] percent of the general fund operating budget, net of debt, on capital investment allocations. Funding shall be derived from a combination

of property taxes and the general and capital improvement stabilization funds. Long-term debt is an appropriate funding source for certain types of projects, while short-term debt and current revenues should be used for assets with short useful lifespans.

The CIP shall be prepared and financed in accordance with the following principles:

- Special revenue sources (e.g., grants, trust funds) shall be evaluated as funding options whenever practical.
- The annual operating costs of each proposed capital project, as well its debt service costs, shall be identified before any long-term, bonded capital project is recommended.
- Short-term debt may be used to fully finance purchases with useful lifespans of less than 10 years.
- Major capital projects, such as new construction or major renovations to existing facilities, may be accomplished through capital or debt exclusions.
- Infrastructure or facility maintenance budgets built into the general operating budget will not be reduced to fund other departmental budgets.
- To the fullest extent feasible, all capital projects associated with the Town's water enterprise fund shall be financed from user fees.

F. Capital Project Closeouts

The Town will endeavor to close out all capital projects within six months of completion or discontinuation. When closing out any project with a residual balance, the Town Accountant will work with the Treasurer/Collector to do one of the following:

- If the project was funded by available revenue (tax levy or reserves), reallocate the balance to another capital project(s) or close it to the appropriate fund surplus.
- If the project was bond-funded and has a balance under \$50,000, propose that the Board of Selectmen apply the balance to debt service.
- If the project was bond-funded and has a balance over \$50,000, propose that the Board of Selectmen apply the balance to another capital project(s) for which the Town may borrow for an equal or greater term than the originally issued loan.

REFERENCES

[M.G.L. c. 44, § 20](#)

[M.G.L. c. 44, § 33B](#)

West Newbury bylaw Chapter IV, Capital Improvements Committee Bylaw

West Newbury policies on Debt Management and Financial Reserves

Division of Local Services (DLS) Best Practice: [Presenting and Funding Major Capital Projects](#) and [Special Purpose Stabilization Funds](#)

DLS Financial Management Guidance: [Capital Improvement Planning Manual](#) and [Capital Improvement Planning Guide – Developing a Comprehensive Community Program](#)

EFFECTIVE DATE

This policy was adopted on December 3, 2018.

DEBT MANAGEMENT

PURPOSE

To provide for the appropriate issuance and responsible use of debt, this policy defines the parameters and provisions governing debt management. Policy adherence will help the Town to responsibly address capital needs, provide flexibility in current and future operating budgets, control borrowing, sustain capital investment capacity, and maintain or enhance the Town's bond rating so as to achieve long-term interest savings.

APPLICABILITY

This policy applies to the budget decision-making duties of the Board of Selectmen, Town Manager, Finance Committee, and Water Commission. Further, it applies to the Treasurer/Collector's debt management responsibilities and Town Accountant's budget analysis and reporting duties.

POLICY

Under the requirements of federal and state laws, the Town may periodically issue debt obligations to finance the construction, reconstruction, or acquisition of infrastructure and other assets or to refinance existing debt. The Town will issue and manage debt obligations in such a manner as to obtain the best long-term financial advantage and will limit the amount of debt to minimize the impact on taxpayers. Debt obligations, which include general obligation bonds, revenue bonds, bond anticipation notes, lease/purchase agreements, and any other debt obligations permitted to be issued under Massachusetts law, will only be issued to construct, reconstruct, or purchase capital assets that cannot be acquired with current revenues.

A. Debt Financing

In financing with debt, the Town will:

1. Issue long-term debt only for purposes that are authorized by state law and qualify for tax-exempt bonds and only when the financing sources have been clearly identified.
2. Use available funds as practicable to reduce the amount of borrowing on all debt-financed projects.
3. Confine long-term borrowing to assets that cost at least \$200,000 and that have at least 10 years of useful life or whose useful lifespans will be prolonged by at least 10 years.
4. Refrain from using debt to fund any recurring purpose, such as current operating and maintenance expenditures.
5. Consider using revenue bonds, special assessment bonds, or other types of self-supporting bonds instead of general obligation bonds whenever possible.
6. Set user fees to cover capital costs for the water enterprise operation to the extent practicable.

B. Debt Limits

The Town will adhere to these debt parameters:

1. Total debt service, including debt exclusions and any self-supporting debt, shall be limited to 10 percent of general fund revenues.
2. As dictated by state statute, the Town's debt limit shall be five percent of its most recent equalized valuation.

C. Structure and Term of Debt

The following shall be the Town's guidelines on debt terms and structure:

1. The Town will attempt to maintain a long-term debt schedule such that at least [50] percent of outstanding principal will be paid within 10 years.
2. The term of any debt shall not exceed the expected useful life of the capital asset being financed and in no case shall it exceed the maximum allowed by law.
3. The Town will limit bond maturities to no more than [10] years, except for major buildings, water and water facility projects, land acquisitions, and other purposes in accordance with the useful life borrowing limit guidelines published by the Division of Local Services (DLS).
4. Any vote to authorize borrowing will include authorization to reduce the amount of the borrowing by the amount of the net premium and accrued interest.
5. The Town will work closely with its financial advisor to follow federal regulations and set time frames for spending borrowed funds to avoid committing arbitrage, paying rebates, fines and penalties to the federal government, and jeopardizing any debt issuance's tax-exempt status.

D. Bond Refunding

To achieve potential debt service savings on long-term, tax-exempt debt through bond refunding the Town will:

1. Issue debt with optional call dates no later than 10 years from issue.
2. Analyze potential refunding opportunities on outstanding debt as interest rates change.
3. Use any net premium and accrued interest to reduce the amount of the refunding.
4. Work with the Town's financial advisor to determine the optimal time and structure for bond refunding.

E. Protection of Bond Rating

To protect its bond rating, the Town will:

1. Maintain good communications with bond rating agencies, bond counsel, banks, financial advisors, and others involved in debt issuance and management.
2. Follow a policy of full disclosure on every financial report and bond prospectus, including data on total outstanding debt per capita, as a percentage of per capita personal income, and as a percentage of total assessed property value.

F. Reporting

1. The Town Accountant and Treasurer/Collector will report to the Board of Selectmen and Town Manager on the Town's debt status by September 30 each year.

2. The Town Accountant will include an indebtedness summary as part of a report on receipts and expenditures in West Newbury's Annual Town Report.
3. The Town Accountant, with the Town's financial advisor, will file the annual audit and official disclosure statement within 270 days (March 31) of the end of the fiscal year.

REFERENCES[M.G.L. c. 41, § 59](#)[M.G.L. c. 41, § 61](#)[M.G.L. c. 44, § 4](#)[M.G.L. c. 44, § 6](#)[M.G.L. c. 44, § 6A](#)[M.G.L. c. 44, § 7](#)[M.G.L. c. 44, § 8](#)[M.G.L. c. 44, § 17](#)[M.G.L. c. 44, § 19](#)[M.G.L. c. 44, § 20](#)[M.G.L. c. 44, § 21A](#)[26 USC § 148](#)

West Newbury Capital Planning policy

DLS Best Practice: [Understanding Municipal Debt](#)

DLS Borrowing Guidelines: [Asset Useful Life - Borrowing Limits](#)

DLS Informational Guideline Releases 17-21: [Borrowing](#) and 17-22: [Premiums and Surplus Proceeds for Proposition 2½ Excluded Debt](#)

Government Finance Officers Association Best Practice: [Refunding Municipal Bonds](#)

Internal Revenue Service Guidance: [Arbitrage Guidance for Tax-Exempt Bonds](#)

EFFECTIVE DATE

This policy was adopted on December 3, 2018.

FINANCIAL RESERVES

PURPOSE

To help the Town stabilize finances and maintain operations during difficult economic periods, this policy establishes prudent practices for appropriating to and expending reserve funds. With well-planned sustainability, West Newbury can use its reserves to finance emergencies and other unforeseen needs, to hold money for specific future purposes, or in limited instances, to serve as revenue sources for the annual budget. Reserve balances and policies can also positively impact the Town's credit rating and consequently its long-term cost to fund major projects.

APPLICABILITY

This policy pertains to short- and long-range budget decision making duties of the Board of Selectmen, Town Manager, Finance Committee, and Water Commission. It also applies to the related job duties of the Town Accountant and Board of Assessors.

POLICY

The Town is committed to building and maintaining its reserves so as to have budgetary flexibility for unexpected events and significant disruptions in revenue-expenditure patterns and to provide a source of available funds for future capital expenditures. The Town will strive to maintain overall general fund reserves in the level of [10 to 15] percent of the annual operating budget. Adherence to this policy will help the Town withstand periods of decreased revenues and control spending during periods of increased revenues. There are multiple types of reserves, including free cash, stabilization funds, retained earnings, and overlay surplus.

A. Free Cash

The Division of Local Services (DLS) defines free cash as "the remaining, unrestricted funds from operations of the previous fiscal year, including unexpended free cash from the previous year." DLS must certify free cash before the Town can appropriate it.

To generate free cash, the Town Manager will propose budgets with conservative revenue projections, and department heads will carefully manage their appropriations to produce excess income and budget turn backs. As much as practicable, the Town will limit free cash appropriations to the spring annual and special town meetings for the purpose of funding one-time expenditures (such as capital projects, snow and ice deficits, or emergencies).

The Town shall set a goal of maintaining its year-end unappropriated free cash balance in the range of five percent of the annual general fund budget. The Town will appropriate any excess above this target range to build reserves or offset unfunded liabilities.

B. Stabilization Funds

A stabilization fund is a reserve account allowed by state law to set aside monies to be available for future spending purposes, including emergencies or capital expenditures, although it may be appropriated for any lawful purpose. The Town has established five stabilizations as detailed below. All of them are accounted for and reported as trust funds, regardless of authorized use.

General Stabilization: The Town will endeavor to maintain a minimum balance of five percent of the current general fund operating budget in its general stabilization fund. Withdrawals from general stabilization should only be used to mitigate emergencies or other unanticipated events that cannot be supported by current general fund appropriations. When possible, any withdrawal of funds should be limited to the amount available above the five percent minimum reserve target level. If any necessary withdrawal drives the balance below the minimum level, the withdrawal should be limited to one-third of the general stabilization fund balance. Further, the Town Manager and Town Accountant will develop a detailed plan to replenish the fund to the minimum level within the next two fiscal years.

Special Purpose Stabilization Funds: The Town currently has [four] special purpose stabilization funds. Three are detailed below and the fourth in the next section, C. Retained Earnings.

Capital Improvement Stabilization Fund: The Town will appropriate annually to this fund so that over time it achieves a target balance sufficient to cover the Town's cash outlay for capital. The fund's target balance should be 15 percent – or 100% funding of the CIP based on a rolling five-year average – of the Town's annual operating budget.

School Building Stabilization Fund: At a minimum, the Town will annually appropriate the amount of the current year's retired debt to this fund until such time that the target balance is sufficient to cover capital cash outlays for the school building and mitigate future debt service.

Retirement Stabilization Fund: The Town should annually appropriate or transfer from available funds a target of 10 percent of the annual Essex Regional Retirement System pension assessment to this fund to offset future pension liabilities.

C. Retained Earnings

The Water Department's finances are managed under an enterprise fund, separately from the general fund, which allows the Town to effectively identify the utility's true delivery costs—direct, indirect, and capital—and set user fees at a level sufficient to recover them. Under this accounting, the Town may reserve the water operation's generated surplus (referred to as retained earnings) rather than closing the amount to the general fund at year-end.

For the water enterprise fund, the Town will maintain a minimum reserve amount of [20] percent of the operation's total budget to be used for rate stabilization. Retained earnings in excess of the [20] percent target will be reserved in the water stabilization fund to prepare for capital and major infrastructure improvements. To maintain the target reserve level for the enterprise fund requires the Water Commissioners to periodically review, and when necessary, adjust user rates.

Note: If Town Meeting ever votes to change the purpose of the water stabilization fund or to revoke it, any fund balance acquired through water enterprise revenues must be retained in the enterprise fund.

D. Overlay Surplus

The overlay is a reserve the Town uses to offset uncollected property taxes and other unrealized revenue resulting from property tax abatements and exemptions.

Prior to the conclusion of each fiscal year, the Board of Assessors will submit to the Town Manager and Town Accountant an update of the overlay reserve with data that includes, but is not limited to, the gross balance, potential abatement liabilities, and any transfers to surplus. If the balance exceeds the amount of potential liabilities, the Board of Selectmen may request the Board of Assessors vote to declare those balances surplus and available for use in the Town's capital improvement plan or any other one-time expense.

REFERENCES

[M.G.L. c. 40, § 5B](#)

[M.G.L. c. 59, § 25](#)

[M.G.L. c. 44, § 53F½](#)

West Newbury Capital Planning policy

DLS Best Practices: [Free Cash](#) and [Special Purpose Stabilization Funds](#)

DLS Departmental Procedure Manual: [Enterprise Funds](#)

DLS Informational Guideline Releases 17-20: [Stabilization Funds](#) and 17-23: [Overlay and Overlay Surplus](#)

Government Finance Officers Association Best Practices: [Fund Balance Guidelines for the General Fund](#) and [Working Capital Targets for Enterprise Funds](#)

EFFECTIVE DATE

This policy was adopted on December 3, 2018.

FORECASTING

PURPOSE

To assess the range of choices available to budget decision makers when determining how to allocate resources, this policy establishes guidelines for evaluating revenue sources and the requirement to determine an expenditure strategy as part of the annual budget process and longer range fiscal planning. Forecasting helps local officials understand the long-range implications of pending near-term decisions.

APPLICABILITY

This policy applies to the Board of Selectmen, Town Manager, and Finance Committee in their budget analysis and decision-making responsibilities. It also applies to the job duties of the Town Accountant and the managers of all revenue-generating departments, including the Water Department.

POLICY

A. Revenue Guidelines

The Town will continuously seek to diversify its revenue to improve the equity and stability of sources. Each year and whenever appropriate, the Town will reexamine existing revenues and explore potential new sources. A balance will be sought between elastic and inelastic revenues to minimize any adverse effects caused by inflation or other economic changes. Additionally, intergovernmental revenues (e.g., local aid, grants) will be reviewed annually to determine their short- and long-term stability in order to minimize detrimental impacts.

The Town will avoid using one-time revenues to fund ongoing or recurring operating expenditures. These one-time revenue sources can include, but are not limited to, free cash, overlay surplus, sale of municipal assets, legal settlements, insurance proceeds, and gifts. Additionally, the Town hereby establishes the following recommended order when appropriating one-time revenues:

- Snow and ice deficit
- Capital stabilization fund
- School building stabilization fund
- General stabilization fund
- Pension liability stabilization fund
- OPEB Trust Fund
- Other

Economic downturns or unanticipated fiscal stresses may compel reasonable exceptions to the use of one-time revenue. In such cases, the Town Manager, in consultation with the Town Accountant, can recommend to the Board of Selectmen its use for operational appropriations. Such use will trigger the Town Manager to develop an action plan with the Town Accountant to avoid continued reliance on one-time revenues.

State laws impose further restrictions on how certain types of one-time revenues may be used. The Town will consult the following General Laws when the revenue source is:

- Sale of real estate: [M.G.L. c. 44, § 63](#) and [M.G.L. c. 44, § 63A](#)
- Gifts and grants: [M.G.L. c. 44, § 53A](#) and [M.G.L. c. 44, § 53A½](#)

This policy further entails the following expectations regarding revenues:

- The Assessing Department will maintain property assessments for the purpose of taxation at full and fair cash value as prescribed by state law.
- Town departments that charge fees will by October 31 each year review their fee schedules and propose adjustments when needed to ensure coverage of service costs.
- The Building Inspector will notify the Town Manager of any moderate-to-large developments that could impact building permit volume.
- Department heads will seek out all available grants and other aid and will carefully consider any related restrictive covenants or matching requirements (both dollar and level-of-effort) to determine the cost-benefit of pursuing them.
- Revenue estimates will be adjusted throughout the budget cycle as more information becomes available.
- By January 31, to the extent feasible, the Board of Water Commissioners will set water rates sufficient to cover all fiscal year operating and capital improvement costs so as to minimize any general fund subsidies.

B. Expenditure Guidelines

Annually, the Town will determine a particular budget approach for forecasting expenditures, either maintenance (level service), level funded, or one that adjusts expenditures by specified increase or decrease percentages (either across the board or by department). A maintenance budget projects the costs needed to maintain the current staffing level and mix of services into the future. A level-funded budget appropriates the same amount of money to each municipal department as in the prior year and is tantamount to a budget cut because inflation in mandated costs and other fixed expenses still must be covered.

C. Financial Forecast Guidelines

To determine the Town's operating capacity for each forthcoming fiscal year, the Town Manager, with the Town Accountant's assistance, will annually create a detailed budget forecast, including a three-year projection of revenues and expenditures for all operating funds. These forecasts will be used as planning tools in developing the following year's operating budget and the six-year capital improvement plan. The Town Manager will provide the forecasts to the Finance Committee and Board of Selectmen for use in their budget decision making no later than the third week of January.

To ensure the Town's revenues are balanced and capable of supporting desired levels of services, forecasts for property taxes, local receipts, and state aid will be conservatively based on historical trend analyses and will use generally accepted forecasting techniques and appropriate data. To avoid potential revenue deficits, estimates for local receipts (e.g., inspection fees, investment income, license fees) should generally not exceed 95 percent of the prior year's actual collections without firm evidence that higher revenues are achievable.

Additionally, the Town's forecast model should assume that:

- The Town's current level of services will provide the projected baseline.
- Property taxes (absent overrides) will strive to grow less than the limits allowed by Proposition 2½.
- New growth will be projected conservatively, taking into account the Town's three- to five-year average by property class.
- Local receipts and state aid will reflect economic cycles.
- Historical trends in the growth of specific operating expenses and employee benefits will prevail.
- Debt service on existing debt will be paid, and the Town's Capital Planning and Debt Management policies will be followed.
- Annual pension contributions and appropriations to amortize other postemployment benefit liabilities will continue.
- Reserves will be built and maintained in compliance with the Town's Financial Reserves policy.
- The Water Department will reimburse the general fund for indirect costs.

REFERENCES

[M.G.L. c. 44, § 20](#)

[M.G.L. c. 44, § 53A](#)

[M.G.L. c. 44, § 53A½](#)

[M.G.L. c. 44, § 63](#)

[M.G.L. c. 44, § 63A](#)

West Newbury policies on Capital Planning, Debt Management, Financial Reserves, Grant Management, and Indirect Cost Allocation

DLS Best Practice: [Revenue and Expenditure Forecasting](#)

DLS Informational Guideline Release 17-21: [Borrowing](#)

Government Finance Officers Association article: [Structuring the Revenue Forecasting Process](#)

EFFECTIVE DATE

This policy was adopted on December 3, 2018.

INDIRECT COST ALLOCATION

PURPOSE

To apportion all the indirect costs associated with the Town's water enterprise fund in an equitable manner that reflects the operation's true shared costs, this policy provides guidelines for calculating, allocating, and reviewing those costs.

Under authority established in [M.G.L. c. 44 § 53F½](#), the water service is managed and accounted for separately from the general fund and has its own financial statements. Consolidating the program's direct and indirect costs, debt service, and capital expenditures into a segregated fund allows the Town to demonstrate to the public the true, total cost of providing the service.

APPLICABILITY

This policy applies to budgetary functions of the Finance Department/Town Accountant, the Water Department Superintendent and the Board of Water Commissioners. Further, it encompasses enterprise-related administrative functions of the Finance Department/Town Accountant, Treasurer/Collector, and Town Manager.

POLICY

As part of the annual budget process, the Town Accountant will calculate the Water Department's indirect costs to the general fund and will review the figures with the Water Department Superintendent. The calculations will take into account all the enterprise-related expenses of the Town departments that provide administrative services to the water operation, namely:

- Accounts payable, payroll, and general ledger services provided by the Town Accountant
- Turnover processing, banking, investment, tax title, and payroll services provided by the Treasurer/Collector Department
- Annual budget development and coordination services provided by the Town Manager

For these expenses and those listed below, the Town Accountant will calculate indirect costs using the most recent fiscal year's appropriations and based on the estimated support methodology, which is outlined as follows and takes into account:

- Benefits for active and retired employees, including insurances, Medicare tax, unemployment, workers' compensation
- Pensions
- Vehicle insurance
- Property insurance
- Independent audit services
- Actuarial services
- Legal services
- Information technology expenses
- Other costs that may be considered and agreed to and documented

The Town Accountant will maintain a written procedure detailing the costs and calculation methodologies used. Upon preparation of the calculated results for the subsequent fiscal year budget, the Finance Department will provide the calculated amount, with supporting methodology, to the Water Department Superintendent and the Board of Water Commissioners as early in the annual budgeting process as is feasible, based on when information becomes known regarding the indirect costs to be allocated. The Finance Department will make the Town Accountant, or other department representative, available to meet with the Water Superintendent and Water Commission if and as needed to review the calculated amount and methodology.

If the Water Commission wishes to contest the amount or methodology of the calculated amount, it may do so in writing to the Town Manager. The Town Manager shall have the authority, based on his/her review of the methodology and based on conferral with the parties, to authorize the calculated amount, or another amount if found to be a more accurate estimate, which will appear in the Water Department expense budget to be proposed to Town Meeting.

Upon approval of the Annual Town Budget, including a Water Department expense budget that incorporates the calculated amount, the Town Account will record transfers between the relevant funds by January 1 each year.

Methodology for Calculating Indirect Costs

The Finance Department will prepare a reasonable **estimate of support** (i.e., an estimate of the average time spent to support a particular service). For example, the Town Manager estimates he/she spends on average four hours weekly, or 10 percent of his/her time, on water-related activities (e.g., meetings, budgeting, clerical tasks). This percentage is applied against the department’s or official’s salary and benefits, including health and life insurance, Medicare, retirement and any workers’ compensation.

$$\frac{\text{Hours worked on enterprise activities per year by individual(s)}}{\text{Total hours worked per year by individual(s)}} \times \text{Salary and benefits of individual(s) working on enterprise activities} = \text{Indirect Departmental Salaries}$$

The sum total of all departments’ or officials’ expenses related to water operations will be included in the annual Water Department budget per the aforementioned process, then charged directly to the Water Department’s budget within the subsequent fiscal year.

REFERENCES

DLS Informational Guideline Release 08-101: [Enterprise Funds](#)
 Government Finance Officers Association Best Practices: [Indirect Cost Allocation](#) and [Full Cost Accounting for Government Services](#)

EFFECTIVE DATE

This policy was adopted on August 5, 2019.

OTHER POSTEMPLOYMENT BENEFITS LIABILITY

PURPOSE

To ensure fiscal sustainability, this policy sets guidelines for a responsible plan to meet the Town's obligation to provide other postemployment benefits for eligible current and future retirees. It is designed to achieve generational equity among those called upon to fund this liability and thereby avoid transferring costs into the future.

APPLICABILITY

This policy encompasses OPEB-related budget decisions, accounting, financial reporting, and investment. It applies to the Board of Selectmen and Finance Committee in their budget decision-making duties, the OPEB-related job duties of the Treasurer/Collector and Town Accountant, and the investment duties of the Investment Policy Committee.

BACKGROUND

In addition to salaries, the Town compensates employees in a variety of other forms. Many earn benefits over their years of service that they will not receive until after retirement. A pension is one such earned benefit. Another is a set of retirement insurance plans for health, dental, and life. These are collectively referred to as other postemployment benefits, or OPEBs. OPEBs represent a significant liability for the Town that must be properly measured, reported, and planned for financially.

POLICY

The Town is committed to funding the long-term cost of the benefits promised its employees. To do so, the Town will accumulate resources for future benefit payments in a disciplined, methodical manner during the active service life of employees. The Town will also periodically assess strategies to mitigate its OPEB liability. This involves evaluating the structure of offered benefits and their cost drivers while at the same time avoiding benefit reductions that would place undue burdens on employees or risk making the Town an uncompetitive employer.

A. Accounting for and Reporting the OPEB Liability

The Town Accountant will obtain actuarial analyses of the Town's OPEB liability every two years and will annually report the Town's OPEB obligations in financial statements that comply with the current guidelines of the Governmental Accounting Standards Board (GASB). The Town Manager will ensure the Town's independent audit firm reviews compliance with the accounting and reporting provisions of this policy as part of its annual audits and reports on these to the Board of Selectmen.

B. Trust Management and Investment

The Town has established an OPEB Trust Fund and designated the Treasurer/Collector to be its trustee. The Treasurer/Collector, in consultation with the Investment Policy Committee, will manage the OPEB Trust Fund in conformance with the Town's OPEB Investment Policy included in this manual's appendix and the state's prudent investor laws.

Annually by December 1, the Board of Selectmen, Treasurer/Collector, and Investment Committee will analyze their option to invest the OPEB trust with the [State Retiree Benefits Trust Fund](#).

C. Mitigation

On an ongoing basis, the Town will assess healthcare cost containment measures and evaluate strategies to mitigate its OPEB liability. The Town Accountant will monitor proposed laws affecting OPEBs and Medicare and analyze their impacts. The Treasurer/Collector will regularly audit the group insurance and retiree rolls and terminate any participants found to be ineligible based on work hours, active Medicare status, or other factors.

D. OPEB Funding Strategies

To address the OPEB liability, decision makers will analyze a variety of funding strategies and subsequently implement them as appropriate with the intention of fully funding the obligation. The Town will derive funding for the OPEB Trust Fund from taxation, free cash, and any other legal form. To ensure that the Town's water enterprise fund remains self-supporting, the Water Commissioners will factor its proportional OPEB contributions into the setting of user fees.

Achieving full funding of the liability requires the Town to commit to funding its actuarially determined contribution (ADC) each year, which is calculated based on actuarial projections. Among strategies to consider for funding the ADC:

- Transfer unexpended funds from insurance line items to the OPEB trust fund.
- Appropriate amounts equal to the Town's Medicare Part D reimbursements.
- Determine and commit to appropriating an annual portion of free cash.
- Appropriate an annually increasing percentage of yearly revenues.

REFERENCES

[M.G.L. c. 32B, § 20](#)

[M.G.L. c. 32B, § 20A](#)

[M.G.L. c. 44, § 54](#)

[M.G.L. c. 44, § 55](#)

[M.G.L. c. 203C](#)

West Newbury policies for Investment and OPEB investment

GASB Statements 75: [Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions](#) and 74: [Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans](#)

Government Finance Officers Association Best Practices: [Ensuring Other Postemployment Benefits \(OPEB\) Sustainability](#) and [Sustainable Funding Practices for Defined Benefit Pensions and Other Postemployment Benefits \(OPEB\)](#)

EFFECTIVE DATE

This policy was adopted on December 3, 2018.

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Town of West Newbury
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Angus Jennings, Town Manager
978-363-1100, Ext. 111 Fax 978-363-1826
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TO: Board of Selectmen
FROM: Angus Jennings, Town Manager
DATE: December 7, 2019
RE: OPEB

We received an initial report from the consultant actuary, conducted a conference call with key personnel to review its findings, and we expect to receive a final report on or before Tuesday, December 10th. The report will be circulated upon receipt.