



**Town of West Newbury
Select Board**

Monday, March 27, 2023 @ 5:30pm
381 Main Street, Town Office Building
www.wnewbury.org

REC'D W. NEWBURY CLERK
23 MAR 28 PM 5:14

AGENDA

Executive Session: 5:30pm in 1910 Building, 381 Main Street: 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 (*FY24 non-union wage budgeting*);
- ❖ MGL Ch. 30A §21(a) 6: To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (*31 Dole Place*);
- ❖ 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 (*legal expenses, year-to-date; citizen-of-the-year*).

The Board may take a brief recess between the Executive Session and the Open Session beginning at 7 PM.

Open Session: 7:00pm by in-person attendance or remote participation (instructions below)

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Meeting also accessible by remote participation; instructions below.
- Annual & Special Town Meeting: Monday, April 24, 2023 at 7pm
- Town Election Monday, May 1st
- Staffing updates: Town Manager's and Town Clerks' offices
- Call for volunteers! Open positions on Boards/Commissions/Committees. See www.wnewbury.org/volunteer
- Reminder to subscribe for emailed Town agendas/news/announcements at www.wnewbury.org/subscribe

Regular Business

- A. Special Event Permit Application – use of Action Cove, June 8 from 11:30am-2pm – *Bresnahan Elementary School*
- B. Special Event Permit Application – Newburyport Half Marathon, Oct. 29 at 10:30am – *Millennium Running*
- C. Petition to install new utility pole at 190 Crane Neck Street – *National Grid & Verizon*
- D. Review of letter from Senator Tarr re FY24 State Budget priorities
- E. Updates regarding proposed FY24 Town Operating Budget incl. Finance Committee reviews to date
- F. Proposed scope/contract with TEC for Page/Pipestave work, and Rte. 113 corridor concept planning
- G. Updated draft language for Church/Prospect water main replacements, incl. prelim. est. debt service
- H. Discussion of Water capital planning/budgeting, and potential to pursue updated Intermunicipal Agreement with Newburyport
- I. Proposed EPA rule re PFAS – public comment period; EPA public hearing on May 4th; comment period
- J. Request for allocation of ARPA funds for Page School HVAC replacement
- K. Review of proposed warrant articles for spring Annual and Special Town Meetings
- L. Review schedule for joint Select Board/Finance Committee/Moderator/Town Counsel/Town Manager/Town Clerk mtg re ATM/STM Motions
- M. Reappointment of Animal Control Officer for FY24
- N. Cont'd review of ERRS request to consider 5% Retiree COLA for FY24
- O. Meeting minutes: January 31, 2022; February 7, 2022

Town Manager Updates

- P. Updates from recent mtgs with MVPC re TIP process, ped safety planning (3/16); new District Atty. Paul Tucker (3/21); Rep. Ramos (3/22); MassDOT re Safe Routes to Schools application (3/22)
- Q. Update from Hazard Mitigation Planning kick-off workshop on 3/21
- R. Update from Affordable Housing Trust listening session on 3/21
- S. Update from Housing Production Plan stakeholder mtg on 3/24
- T. Finance Dept. filing of FY22 Continuing Disclosure Report for General Obligation Bonds, 3/22
- U. Letter from DHCD re MBTA Communities Act, Interim Compliance
- V. Letter from MA Dept. of Telecommunications and Cable re Verizon Cable License Agreement
- W. Letter from National Grid re vegetation management activities
- X. Updates on ongoing/active projects/initiatives
- Y. Follow up meeting assignment; placing items for future agendas

Addendum to Meeting Notice regarding Remote Participation

Public participation in this meeting of the West Newbury Select Board will be available via remote participation. For this meeting, members of the public who wish to listen to the meeting may do so in the following manner:

Zoom Meeting

Phone: (646) 558 8656
Meeting ID: 895 0612 4467
Passcode: 596728

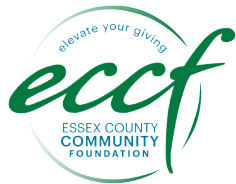
Join at: <https://us06web.zoom.us/j/89506124467?pwd=RFdQMUNJMEdGT2JVtkY2RXBUcmgxZz09>

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

Posted Agenda on 3/23/2023 at the Town Offices and the Town's Official Website www.wnewbury.org

Town Manager

From: Essex County Community Foundation <communications@eccf.ccsend.com> on behalf of Essex County Community Foundation <communications@eccf.org>
Sent: Friday, March 24, 2023 10:05 AM
To: Town Manager
Subject: You're Invited: The State of Essex County



THE STATE OF ESSEX COUNTY

Elevating Community & Collaboration

Thursday, June 1, 2023
Endicott College
Beverly, MA
4PM – 7PM

Join ECCF on June 1 as we bring together leaders from the public, private and social sectors to take a closer look at Essex County through the lens of the latest Impact Essex County data release. From big picture trends to what the indicators mean to each of our cities and towns, we'll explore what's next for our region. We'll also celebrate the partnerships that are working right now, to build a more vibrant, more resilient Essex County.

This is an opportunity to connect and network as we learn from and are inspired by the coalitions forming across the region that are creating a sense of community that makes our county stronger.

By joining this convening you'll:

- Gain insight from ECCF's data website: www.ImpactEssexCounty.org
- Hear from our public officials about our strengths and opportunities on the horizon
- Network with cross-sector leaders who care about the health and wellbeing of our region
- Develop a deeper understanding of how partnership work impacts Essex County residents

REGISTER TODAY

Special Event Application

Organization or Group _____

Person Making Reservation _____

Mailing Address _____

Phone _____ e-mail _____

Event Date: _____ Start Time _____ End _____

Time _____

Reason for Event _____

Number of attendees _____

****Please contact Sandra Schwarzkopf (PTO)
for any questions re: Special Events Application**

Check Appropriate Block:

***** Additional Rain Date: June 12, 2023**

____ Resident ____ Non-resident

____ Fund Raising Group ____ Non-Profit ____ Commercial ____ Other

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

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

1. The location of the event on the property _____

2. For road or walk race, a detailed map of the route _____

3. Features and attractions _____

4. Participant circulation _____

5. Proposed parking including how you will handle overflow parking _____

6. Any proposed road closures _____

7. Location of trash receptacles and dumpsters _____

8. Location of temporary toilet facilities _____

9. Accessible routes for the disabled or mobility impaired _____

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

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

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

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

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



Name: Jamie Sokolowski, Bresnahan Principal Event: Bresnahan Third Grade Celebration

I/we agree and hold harmless and/or indemnify the said Town of West Newbury against any and all claims or liabilities for personal injury or property damage arising out of use of said property. If the application is submitted less than 60 days before the event, the applicant must pay a \$100 administrative fee or has the option of changing the date. The administrative fee applies to all for profit and nonprofit persons or organizations.

Jamie Sokolowski 2/27/23
Individual/Authorized Signature for Group Date

Chief of Police's Signature: _____ Date: _____

Requests and comments:

Fire Chief's Signature: _____ Date: _____

Requests and comments:

Approval granted if signed here by Select Board: _____ Date: _____

Requests and comments:

Town Clerk

From: Michael Dwyer <dwyer@westnewburysafety.org>
Sent: Thursday, March 16, 2023 2:22 PM
To: Town Clerk; Paul Sevigny
Subject: Re: Special Event Permit for Action Cove Playground

Approved no comments

From: Town Clerk <townclerk@wnewbury.org>
Date: Thursday, March 16, 2023 at 1:52 PM
To: Paul Sevigny <psevigny@wnewbury.org>, Michael Dwyer <dwyer@westnewburysafety.org>
Subject: FW: Special Event Permit for Action Cove Playground

Hello All,

This is on the agenda for the March 27th select board meeting, if you have any comments please let me know.

Best,

James RW Blatchford

Town Clerk
Town of West Newbury
Phone 978-363-1100 X 110
Mobile 978-891-0039
www.WNewbury.org



Town Clerk

From: Paul Sevigny
Sent: Thursday, March 16, 2023 2:02 PM
To: Town Clerk; Michael Dwyer
Subject: RE: Special Event Permit for Action Cove Playground

Sounds good. BOH has no concerns at this time. I have spoken to organizer and food vendor (Kona Ice) and they are all set with us.

From: Town Clerk <townclerk@wnewbury.org>
Sent: Thursday, March 16, 2023 1:52 PM
To: Paul Sevigny <psevigny@wnewbury.org>; Michael Dwyer <dwyer@westnewburysafety.org>
Subject: FW: Special Event Permit for Action Cove Playground

Hello All,

This is on the agenda for the March 27th select board meeting, if you have any comments please let me know.

Best,

James RW Blatchford

Town Clerk
Town of West Newbury
Phone 978-363-1100 X 110
Mobile 978-891-0039
www.WNewbury.org



Special Event Application

Organization or Group Millennium Running

Person Making Reservation John Mortimer

Mailing Address [REDACTED]

Phone [REDACTED] e-mail [REDACTED]

Event Date: 10/29/2023 Start Time 9AM End Time 10:30AM

Reason for Event Road Race - Newburyport Half Marathon

Number of attendees 1000

Check Appropriate Block:

Resident Non-resident

Fund Raising Group Non-Profit Commercial Other

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

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

1. The location of the event on the property The Newburyport Half Marathon has a start in Newburyport. The event has 3 miles in West Newbury using Middle St., Garden St
Re
2. For road or walk race, a detailed map of the route Interactive Map Link: <https://www.mapmyrun.com/routes/view/5272696006>
3. Features and attractions none
4. Participant circulation
5. Proposed parking including how you will handle overflow parking n/a
6. Any proposed road closures Middle St., 1 lane of Garden St. and Rogers St.
Relay exchange zone on corner of Brown and Garden.

7. Location of trash receptacles and dumpsters Trash can on at Brown/Rogers

8. Location of temporary toilet facilities 2 Portojohns at Brown/Rogers

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

10. Locations, size and number of any tents, trailers or temporary structures
n/a

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

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

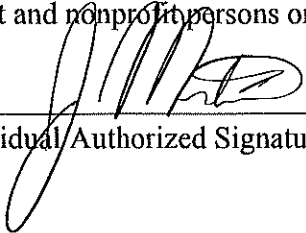
n/a

13. If Police Details and/or Firefighters/EMTs will be required, contact the West Newbury Police Department and West Newbury Fire Department to secure services. Only Police Officers may direct traffic on town streets. Evidence that Police and/or Fire Personnel have been secured must be presented before the approval of the final Special Event Permit. West Newbury Police detail hired for: 1. Garden / Middle, 2. Garden / Rogers, 3 Rogers / Turkey Hill

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

Name: John Mortimer Event: Newburyport Half Marathon

I/we agree and hold harmless and/or indemnify the said Town of West Newbury against any and all claims or liabilities for personal injury or property damage arising out of use of said property. If the application is submitted less than 60 days before the event, the applicant must pay a \$100 administrative fee or has the option of changing the date. The administrative fee applies to all for profit and non profit persons or organizations.



Individual/Authorized Signature for Group 3/7/23
Date

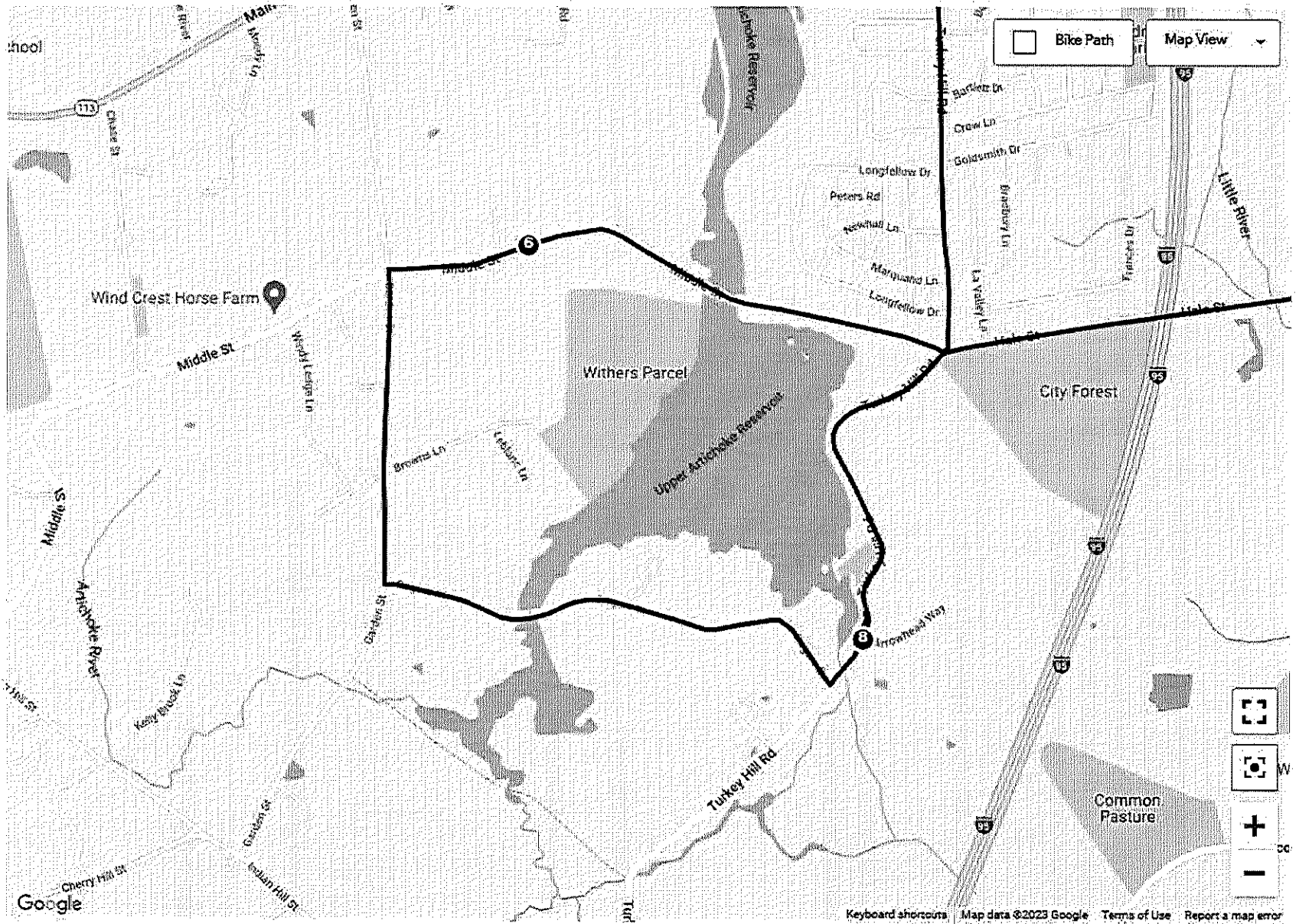
Chief of Police's Signature: _____ Date: _____
Requests and comments:

Fire Chief's Signature: _____ Date: _____

Requests and comments:

Approval granted if signed here by Select Board: Date: _____

Requests and comments:



Town Clerk

From: Michael Dwyer <dwyer@westnewburysafety.org>
Sent: Thursday, March 16, 2023 2:21 PM
To: Town Clerk
Subject: Re: Town of West Newbury Special Events Application - Newburyport Half Marathon (10/29)

Jim,

I will approve this event and we will need 3 detail officers. No concerns regarding Fire/EMS.

Thanks,
Mike

Michael Dwyer
Police Chief
West Newbury Police Department
401 Main Street
West Newbury, Ma 01985
978-363-1213
dwyer@westnewburysafety.org



February 27, 2023

Town of West Newbury

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit please contact:

Please notify National Grid's Vincent LoGuidice of the hearing date / time.

If this petition meets with your approval, please return an executed copy to each of the above named Companies.

National Grid Contact: Vincent LoGuidice; 1101 Turnpike Street; North Andover, MA 01845. Phone

Very truly yours,

Dave Johnson
Supervisor, Distribution Design

Enclosures

Questions contact – John Butler [REDACTED]

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the Board of Selectmen
Of West Newbury, Massachusetts

Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Crane Neck St - National Grid to install 1 JO Pole on Crane Neck St beginning at a point approximately 40 feet easterly from existing Pole # 75 in order to provide electric service to new home at 190 Crane Neck St. Install new jointly owned Pole # 75-3 across the street from existing Pole # 75 in order to provide electric service to new home at 190 Crane St.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Crane Neck St - West Newbury - Massachusetts.

No. 30704239 February 6, 2023

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Dave Johnson*

BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.

BY _____
Manager / Right of Way

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the Board of Selectmen - West Newbury, Massachusetts

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 6th day of February, 2023.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Crane Neck St - West Newbury - Massachusetts.

No. 30704239 Dated February 6, 2023. Filed with this order

There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Crane Neck St - National Grid to install 1 JO Pole on Crane Neck St beginning at a point approximately 40 feet easterly from existing Pole # 75 in order to provide electric service to new home at 190 Crane Neck St. Install new jointly owned Pole # 75-3 across the street from existing Pole # 75 in order to provide electric service to new home at 190 Crane St.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the of the City/Town of _____, Massachusetts held on the _____ day of _____ 20 _____.

Massachusetts City/Town Clerk.
20 _____

Received and entered in the records of location orders of the City/Town of _____
Book _____ Page _____

Attest:
City/Town Clerk

I hereby certify that on _____, 20____, at _____ o'clock, M
at _____ a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the _____ of the City of _____ Massachusetts, on the _____ day of _____, 20____, and recorded with the records of location orders of the said City, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the Board of Selectmen - West Newbury, Massachusetts

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 6th day of February, 2023.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Crane Neck St - West Newbury - Massachusetts.

No. 30704239 Dated February 6, 2023. Filed with this order

There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Crane Neck St - National Grid to install 1 JO Pole on Crane Neck St beginning at a point approximately 40 feet easterly from existing Pole # 75 in order to provide electric service to new home at 190 Crane Neck St. Install new jointly owned Pole # 75-3 across the street from existing Pole # 75 in order to provide electric service to new home at 190 Crane St.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the of the City/Town of _____, Massachusetts held on the _____ day of _____ 20 ____.

Massachusetts City/Town Clerk.
20 ____

Received and entered in the records of location orders of the City/Town of _____
Book _____ Page _____

Attest:

City/Town Clerk

I hereby certify that on _____, 20____, at _____ o'clock, M
at _____ a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

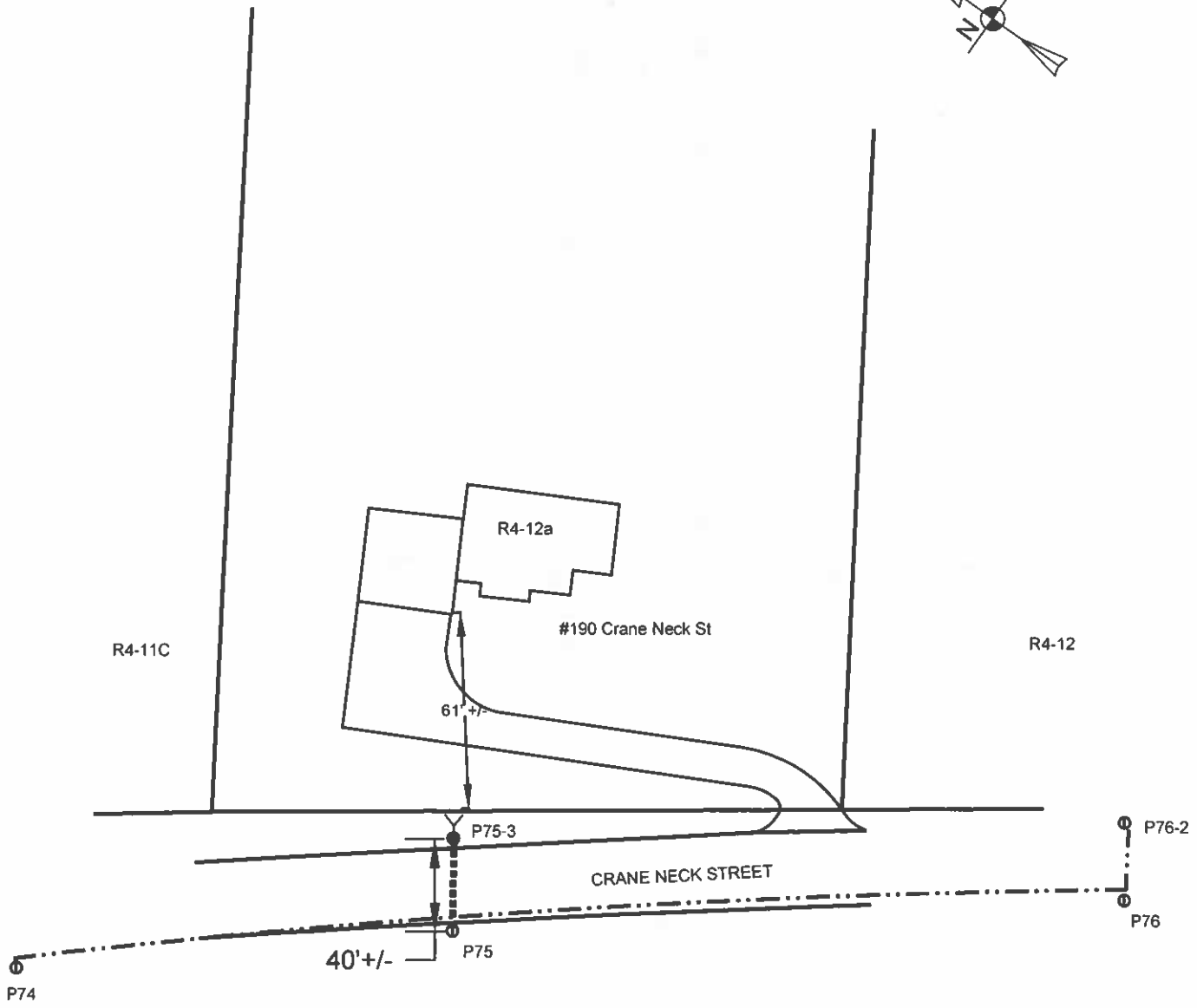
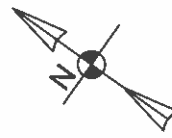
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Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the _____ of the City of _____ Massachusetts, on the _____ day of _____, 20____, and recorded with the records of location orders of the said City, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk



JOINTLY OWNED POLE PETITION



- ⓪ J.O. POLE (EXISTING) ● PROPOSED J.O. POLE
- ⌵ ANCHOR LOCATION PROPOSED OVERHEAD WIRE
- EXISTING OVERHEAD WIRE

Date: 2/4/23

Nationalgrid proposes to install new jointly owned Pole 75-3 across the street from existing Pole 75 in order to provide electric service to new home at 190 Crane Neck St, West, Newbury, MA.

WORK REQUEST: 30704239

To The: **Town** Of **West Newbury**

For Proposed: **POLE 75-3** Location: **190 Crane Neck St**

Drawn By: **S. Steeves**

DISTANCES ARE APPROXIMATE



TOWN OF WEST NEWBURY

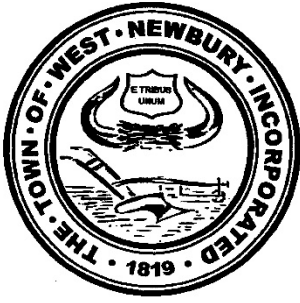
381 Main Street
West Newbury, MA 01985
978-363-1100 ext. 110
978-363-1826 (Fax)

PUBLIC HEARING NOTICE

**Re: Crane Neck St, Pole Relocations
Massachusetts Electric Company & Verizon
Pole Petition Plan #30704239**

The Town of West Newbury Select Board shall hold a public hearing on Monday March 27, 2023 at 7:00 P.M, in-person and virtually, on the request by Mass. Electric Company (National Grid) and Verizon to install one (1) JO Pole on Crane Neck St approximately 40 feet easterly from existing Pole #75 and install new jointly owned Pole #75-3 across the street from existing Pole #75 – both to provide electric service to a new home at 190 Crane Neck St. The meeting will be held in-person in the First Floor Hearing Room in the 1910 Building located at 381 Main Street, West Newbury, MA or virtually via Zoom. The Zoom link will be posted on the agenda on Thursday March 23, 2023 and can be located at www.wnewbury.org

Town of West Newbury Select Board



TOWN OF WEST NEWBURY

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

NOTICE TO ABUTTERS Re: Crane Neck St., Pole Relocations

**Massachusetts Electric Company (National Grid)
Verizon
Pole Petition Plan #30704239**

In accordance with the provisions of Section 22 of Chapter 166 of Massachusetts General Law, a public hearing before the Select Board will be held at 7:00 P.M on Monday March 21, 2023 in the First Floor Hearing Room of the 1910 Building at 381 Main Street, West Newbury, MA. The Petition of Massachusetts Electric Company (National Grid) and Verizon, regarding the Pole Petition located on Crane Neck Street is described as follows:

Crane Neck St – National Grid to install (1) JO Pole on Crane Neck St beginning at point approximately 40 feet easterly from existing Pole #75 in order to provide electric service to a new home at 190 Crane Neck St. Install new jointly owned Pole #75-3 across the street from existing Pole #75-3 across the street from existing Pole #75 in order to provide electric service to new home at 190 Crane Neck St.

The public is invited to participate and hear the petition of National Grid. Additionally, in an effort to maximize public engagement opportunities, citizens will be able to participate remotely via phone or Zoom. The Zoom link will be posted on the agenda on Thursday March 23, 2023 and can be located at www.wnewbury.org

Copies of the Notice of Intent (change to plans/maps of pole locations) may be examined or obtained at the office of the West Newbury Town Clerk located at 381 Main St. West Newbury. Regular business hours of the Town Clerks office are 8:00 A.M – 4:00 P.M Monday – Thursday and 8:00 A.M – 12:00 P.M on Friday. The Town Clerks office can be reached at 978-363-1100 ext. 133

Additional information can be found on our town website, WNewbury.org or by calling the Town Clerk's Office at 978-363-1100 ext. 110

Town of West Newbury Select Board

CC: National Grid
Verizon

Town Manager

From: DPW Director
Sent: Tuesday, March 14, 2023 2:08 PM
To: Town Clerk
Cc: Town Manager; DPW Admin
Subject: #190 Crane Neck Street - Pole Petition Packet
Attachments: CraneNeckBinder.pdf

Jim,
Please see the attach request for a new utility pole installation for #190 Crane Neck Street. Can this item be place on the Select Board March 27th meeting?

I have reviewed the location in the field and met with the owner. I recommend that this new pole installation be approved by the Select Board.

Please review and confirm that we did this correctly. We would like to get the abutter notices out tomorrow.

Thanks,
Wayne

Katelyn – once we get the OK from Jim, please send out the notices and contact National Grid about the meeting.

From: DPW Admin <DPWAdmin@wnewbury.org>
Sent: Tuesday, March 14, 2023 12:11 PM
To: DPW Director <dpwdirector@wnewbury.org>
Subject: Crane Neck St Pole Petition Packet

Katelyn Bradstreet
Business Administrator
Purchasing Assistant
DPW & Planning
Town of West Newbury
(978) 363-1100 ext. 135



The Commonwealth of Massachusetts
Office of The Senate Minority Leader
Senator Bruce Tarr
State House, Boston, MA 02133-1054

D

To: Municipal Officials
From: Senator Bruce Tarr
Re: FY'24 State Budget Priorities

The Senate is in the process of developing its version of the Fiscal Year 2024 General Appropriations Bill (budget), which provides funding for the operations of state government, including such things as Chapter 70 school aid and local aid. In order to inform this process, I am seeking input as to state spending priorities as they relate to your municipality.

Attached are two forms, through which I am hoping you will provide me with some valuable information. The first is intended to facilitate reporting of general priorities for state spending, while the second is focused on specific local funding priorities, such as specific projects that should be considered for state support.

Thank you for your consideration of this request, and please do not hesitate to contact me with any questions, concerns or comments. Please return by email to my legal counsel Hirak Shah at: Hirak.shah@masenate.gov by Friday, March 31st at 5 pm.

**Municipal Priority Reporting Form
FY 2024 State Budget
General Priorities**

Municipality _____

Official completing form: _____

Title: _____ **Phone:** _____ **Email:** _____

For each item please include costs (if any), a descriptive summary, and any other helpful details.

Email to: hirak.shah@masenate.gov

**Municipal Priority Reporting Form
FY 2024 State Budget
Local Priorities**

Municipality _____

Official completing form: _____

Title: _____ **Phone:** _____ **Email:** _____

For each item please include costs (if any), a descriptive summary, and any other helpful details.

Email to: hirak.shah@masenate.gov



Town of West Newbury

381 Main Street

West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

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

townmanager@wnewbury.org

TO: Select Board
 FROM: Angus Jennings, Town Manager
 DATE: March 24, 2023
 RE: Proposed FY24 Operating Budget

The enclosed DRAFT proposed FY24 operating budget has been updated to reflect FinCom recommendations through their process to date. Through their scheduled meetings from February 15 through March 22, they have reviewed and recommended each section of the proposed budget, as shown.

I have shaded in yellow those sections reflecting a difference between the initial Select Board numbers and the recommended FinCom numbers. In almost all instances, these result from more current information available at the time of FinCom review (relative to date of initial Board referral).

At the meeting on Monday, the Board will be asked to either update its numbers to match the FinCom recommendations; and for those numbers that remain different, the FinCom will be asked – at its March 29 meeting – to consider revising its recommendations to match the Board’s. I want to ensure that, if there are differences in these columns within the budget taken up by Town Meeting, these differences indicate intentional variations in the two entities’ recommendations.

Please note: the attached budget numbers have not yet been adjusted to reflect the cost impact of the Board’s March 13th vote to set FY24 non-union COLA at 3% (instead of the 2% built into the initial proposed budget). The addition of the 1% is estimated to add \$20,698 to the bottom line of the General Fund operating budget, with an additional \$2,934 to the Water budget, and \$117 to the CPC staffing budget. In order to get all positions on “steps” in FY24 (incl. those positions filled during the second half of 2022, for which initial hired wages were not placed on steps), it was necessary to make specific adjustments to some positions’ FY24 budgeted wages. Upon verification that these calculations reflect the Board’s policy intent re FY24 salary/wages, the updated salary/wage numbers will be added to the budget numbers in time for the Finance Committee review at their meeting on March 29th, and these revised numbers would be what is presented to Town Meeting.

TOWN OF WEST NEWBURY



FY24 Operating Budget

	FY 2021	FY 2022	FY 2022	FY 2023	YTD thru 2/1/2023		FY 2024	TM proposed	Proposed Change		FY 2024
	Expended	Amended	Expended	Approved	\$	%	TM proposed	/ SB referred	\$	%	FinCom rec.
	6/30/2021	10/23/2021	6/30/2022	5/14/2022	Percent of yr: 58.9%						
GENERAL GOVERNMENT											
Moderator's Salary	200	200	200	200	100	50.0%	200	200	-	0.0%	200
Moderator's Expenses	-	60	30	60	-	0.0%	60	60	-	0.0%	60
114 Total Moderator	200	260	230	260	100	38.5%	260	260	-	0.0%	260
Select Board Appointed Salary & Wages	31,069	34,162	29,821	30,116	9,669	32.1%	-	-	(30,116)	-100.0%	-
Professional and Technical Services	8,500	10,000	4,000	10,000	1,246	12.5%	10,000	10,000	-	0.0%	10,000
Operating Expenses	8,286	14,000	6,788	14,000	1,709	12.2%	3,940	3,940	(10,060)	-71.9%	3,940
122 Total Select Board	47,854	58,162	40,609	54,116	12,624	23.3%	13,940	13,940	(40,176)	-74.2%	13,940
Town Manager Salary	150,858	153,875	153,875	156,952	90,202	57.5%	160,091	160,091	3,139	2.0%	160,091
Town Manager Office Wages	70,679	72,092	72,092	73,541	-	0.0%	69,500	71,837	(1,704)	-2.3%	69,500
Technology Expenses	48,342	51,865	53,427	67,061	43,326	64.6%	70,032	68,976	1,915	2.9%	70,032
Town Manager Expenses	17,695	33,055	38,616	24,553	10,440	42.5%	23,035	23,035	(1,518)	-6.2%	23,035
Vehicle Allowance	3,600	3,600	3,600	3,600	2,400	66.7%	3,600	3,600	-	0.0%	3,600
123 Total Town Manager	291,174	314,487	321,610	325,707	146,369	44.9%	326,258	327,539	1,832	0.6%	326,258
Finance Dept Salaries & Wages	195,647	237,918	193,218	270,594	131,998	48.8%	258,580	258,580	(12,014)	-4.4%	258,580
Annual Audit	20,500	20,500	20,500	20,500	20,500	100.0%	22,000	22,000	1,500	7.3%	22,000
Tax Title and Foreclosure	478	1,000	-	800	3,590	448.7%	2,050	1,250	450	56.3%	2,050
Postage Expense	14,847	15,400	14,437	16,430	13,039	79.4%	16,200	16,200	(230)	-1.4%	16,200
Finance Dept Expenses	23,157	27,955	24,748	27,280	12,557	46.0%	24,945	24,945	(2,335)	-8.6%	24,945
Travel	518	2,000	1,613	2,000	622	31.1%	2,000	2,000	-	0.0%	2,000
135 Total Finance	255,148	304,773	254,515	337,604	182,306	54.0%	325,775	324,975	(12,629)	-3.7%	325,775
Finance Committee Expenses	751	2,000	1,312	2,000	439	22.0%	2,000	2,000	-	0.0%	2,000
Reserve Fund	-	76,000	-	80,000	-	0.0%	60,000	60,000	(20,000)	-25.0%	40,000
131 Total Finance Committee	751	78,000	1,312	82,000	439	0.5%	62,000	62,000	(20,000)	-24.4%	42,000
Assessors Appt'd Pers Salaries	95,260	129,410	127,109	132,081	74,608	56.5%	137,545	137,545	5,464	4.1%	137,545
Assessors Expenses	47,272	54,483	46,779	51,699	21,412	41.4%	26,580	26,580	(25,119)	-48.6%	26,580
141 Total Assessors	142,714	184,393	173,887	183,780	96,020	52.2%	164,125	164,125	(19,655)	-10.7%	164,125
General/Labor/Land Use Counsel	20,558	58,000	53,677	65,124	33,073	50.8%	58,599	58,599	(6,525)	-10.0%	58,599
Special Counsel	-	-	-	-	-	-	23,750	23,750	-	-	23,750
151 Total Legal Counsel	20,558	58,000	53,677	65,124	33,073	50.8%	82,349	82,349	17,225	26.4%	82,349

TOWN OF WEST NEWBURY



FY24 Operating Budget

	FY 2021	FY 2022	FY 2022	FY 2023	YTD thru 2/1/2023		FY 2024	TM proposed	Proposed Change		FY 2024
	Expended	Amended	Expended	Approved	\$	%	TM proposed	/ SB referred	\$	%	FinCom rec.
	<u>6/30/2021</u>	<u>10/23/2021</u>	<u>6/30/2022</u>	<u>5/14/2022</u>	Percent of yr: 58.9%						
Town Clerk Salary & Wages	118,757	136,793	112,969	135,144	78,134	57.8%	<u>2/6/2023</u> 140,494	<u>2/6/2023</u> 140,494	5,350	4.0%	<u>2/22/2023</u> 140,494
Operation of Fax/Photo Machine	4,604	5,650	5,507	6,370	2,728	42.8%	6,620	6,620	250	3.9%	6,620
Town Clerk's Expenses	3,482	7,000	6,824	7,500	3,020	40.3%	8,225	8,225	725	9.7%	8,225
161 Total Town Clerk	126,843	149,443	125,300	149,014	83,882	56.3%	155,339	155,339	6,325	4.2%	155,339
Town Clerk Compensation	200	200	200	200	-	0.0%	<u>3/24/2023</u> 200	<u>2/6/2023</u> 200	-	0.0%	<u>2/22/2023</u> 200
Bd of Registrars Salary & Wages	7,889	4,550	2,965	9,900	9,330	94.2%	6,800	6,600	(3,300)	-33.3%	6,600
Bd of Registrars Expenses	4,808	7,800	7,800	8,000	5,378	67.2%	8,250	8,250	250	3.1%	8,250
162 Total Registrars	12,897	12,550	10,965	18,100	14,708	81.3%	15,250	15,050	(3,050)	-16.9%	15,050
Conservation Com Salary & Wages	24,529	38,864	25,713	60,281	15,286	25.4%	<u>2/6/2023</u> 68,600	<u>2/6/2023</u> 68,600	8,319	13.8%	<u>2/22/2023</u> 68,600
Conservation Com Expenses	5,911	6,310	6,181	6,351	2,743	43.2%	7,226	7,226	875	13.8%	7,226
171 Total Conservation	32,898	45,174	31,894	66,632	18,029	27.1%	75,826	75,826	9,194	13.8%	75,826
Planning Bd Salary & Wages	54,921	57,402	59,319	66,155	32,017	48.4%	<u>2/6/2023</u> 72,609	<u>2/6/2023</u> 72,609	6,454	9.8%	<u>2/22/2023</u> 72,609
Planning Bd Expenses	5,950	6,600	6,151	9,220	722	7.8%	5,300	5,300	(3,920)	-42.5%	5,300
MVPC Assessment	1,663	1,705	1,705	1,748	1,747	100.0%	1,792	1,792	44	2.5%	1,792
175 Total Planning	62,534	65,707	67,175	77,123	34,486	44.7%	79,701	79,701	2,578	3.3%	79,701
ZBA Expenses	292	700	700	700	-	0.0%	<u>2/6/2023</u> 700	<u>2/6/2023</u> 700	-	0.0%	<u>3/1/2023</u> 700
176 Total Board of Appeals	292	700	700	700	-	0.0%	700	700	-	0.0%	700
Open Space Expenses	-	750	69	750	-	0.0%	<u>2/6/2023</u> 750	<u>2/6/2023</u> 750	-	0.0%	<u>2/22/2023</u> 750
179 Total Open Space	-	750	69	750	-	0.0%	750	750	-	0.0%	750
TOTAL GENERAL GOVERNMENT:	993,861	1,272,400	1,081,944	1,360,910	622,034	45.7%	1,302,272	1,302,554	(58,356)	-4.3%	1,282,073

TOWN OF WEST NEWBURY



FY24 Operating Budget

	FY 2021	FY 2022	FY 2022	FY 2023	YTD thru 2/1/2023		FY 2024	TM proposed	Proposed Change		FY 2024
	Expended	Amended	Expended	Approved	\$	%	TM proposed	/ SB referred	\$	%	FinCom rec.
	6/30/2021	10/23/2021	6/30/2022	5/14/2022	Percent of yr: 58.9%						
PUBLIC SAFETY											
School Resource Officer	67,495	68,845	68,845	69,883	4,611	6.6%	3/15/2023	3/13/2023	(69,883)	-100.0%	3/15/2023
Police Salaries & Wages	882,496	944,191	885,785	955,220	536,246	56.1%	1,010,658	1,010,658	55,438	5.8%	1,010,658
Police OT Wages	67,775	47,007	101,301	63,427	77,123	121.6%	71,468	71,468	8,041	12.7%	71,468
Police Expenses	67,473	102,204	99,984	105,560	63,407	60.1%	108,560	108,560	3,000	2.8%	108,560
Police Cruiser	38,903	40,000	40,000	40,000	-	0.0%	-	60,000	20,000	50.0%	
210 Total Police	1,124,141	1,227,246	1,195,914	1,234,090	681,387	55.2%	1,190,686	1,250,686	16,596	1.3%	1,190,686
Fire Alarm Wages	73,090	92,596	68,213	94,448	28,634	30.3%	2/6/2023	2/6/2023	-	0.0%	3/15/2023
Fire Training/Drills	9,710	27,346	20,486	27,893	4,596	16.5%	27,893	27,893	-	0.0%	27,893
Fire Dept Other Wages	26,166	26,010	18,405	26,530	11,124	41.9%	26,530	26,530	-	0.0%	26,530
Fire Administration Wages	26,245	26,769	27,614	27,305	15,825	58.0%	27,305	27,305	-	0.0%	27,305
Fire Dept. Medical Exam	972	3,000	2,400	3,000	-	0.0%	3,000	3,000	-	0.0%	3,000
Hydrant/Fire Protection (to Water Dept)	77,207	77,207	77,207	77,207	77,207	100.0%	81,510	81,510	4,303	5.6%	81,510
Fire Alarm Communications	10,977	11,000	11,601	11,000	2,975	27.0%	12,500	12,500	1,500	13.6%	12,500
Fire Expenses	45,039	46,000	56,941	46,000	30,220	65.7%	46,000	46,000	-	0.0%	46,000
220 Total Fire	269,406	309,928	282,867	313,383	170,581	54.4%	319,186	319,186	5,803	1.9%	319,186
Municipal Dispatch Salaries & Wages	222,564	278,515	219,917	285,034	132,711	46.6%	2/6/2023	2/6/2023	(14,604)	-5.1%	3/15/2023
Municipal Dispatch OT Wages	28,370	25,792	22,853	25,765	13,147	51.0%	26,480	26,480	715	2.8%	270,430
Municipal Dispatch Expenses	21,800	27,175	23,552	27,590	20,184	73.2%	30,590	30,590	3,000	10.9%	26,480
230 Total Municipal Dispatch	272,734	331,482	266,322	338,389	166,043	49.1%	327,500	327,500	(10,889)	-3.2%	327,500
Inspectors Salaries & Wages	123,448	126,392	125,700	129,962	73,534	56.6%	2/6/2023	2/6/2023	4,460	3.4%	3/1/2023
Inspectors Expenses	13,307	9,000	7,019	9,000	5,647	62.7%	134,422	134,422	-	0.0%	134,422
Inspectors' Vehicle Allowances	5,880	5,880	5,760	5,880	3,840	65.3%	9,000	9,000	1,320	22.4%	9,000
240 Total Inspectors	142,635	141,272	138,480	144,842	83,021	57.3%	150,622	150,622	5,780	4.0%	150,622
Emergency Mgmt Salary & Wages	7,913	8,959	7,770	9,138	2,067	22.6%	2/6/2023	2/6/2023	183	2.0%	3/15/2023
Emergency Mgmt Expenses	686	3,000	2,999	3,000	-	0.0%	9,321	9,321	-	0.0%	9,321
291 Total Emergency Management	8,599	11,959	10,769	12,138	2,067	17.0%	12,321	12,321	183	1.5%	12,321
Animal Control Expenses	26,246	25,898	25,898	26,858	20,144	75.0%	2/6/2023	2/6/2023	645	2.4%	3/22/2023
292 Total Animal Control	26,246	25,898	25,898	26,858	20,144	75.0%	27,503	27,503	645	2.4%	27,503
Harbormaster Salary & Wages	2,000	-	-	-	-	-	2/6/2023	2/6/2023	-	-	3/22/2023
Harbormaster Exp (contracted services)	-	3,500	2,500	4,000	3,038	76.0%	-	4,000	-	0.0%	4,000
295 Total Harbormaster	2,000	3,500	2,500	4,000	3,038	76.0%	4,000	4,000	-	0.0%	4,000
TOTAL PUBLIC SAFETY:	1,845,760	2,051,285	1,922,751	2,073,700	1,126,281	54.3%	2,031,818	2,091,818	18,118	0.9%	2,031,818

TOWN OF WEST NEWBURY



FY24 Operating Budget

	FY 2021	FY 2022	FY 2022	FY 2023	YTD thru 2/1/2023		FY 2024	TM proposed	Proposed Change		FY 2024
	Expended	Amended	Expended	Approved	\$	%	TM proposed	/ SB referred	\$	%	FinCom rec.
	6/30/2021	10/23/2021	6/30/2022	5/14/2022	Percent of yr: 58.9%						

EDUCATION											
Pentucket Regional Sch Assessment	7,387,515	7,242,985	7,242,985	7,408,673	4,939,115	66.7%	<u>3/8/2023</u>	<u>3/13/2023</u>	463,085	6.3%	<u>3/8/2023</u>
Pentucket Capital Assessment	710,567	799,231	1,196,556	835,497	821,881	98.4%	7,871,758	7,871,758	287,573	34.4%	7,871,758
Pentucket Assessment Page Phase II	501,438	493,338	493,338	485,238	323,492	66.7%	1,123,070	1,123,070	(5,400)	-1.1%	479,838
304 Total Pentucket	8,599,520	8,535,554	8,932,879	8,729,408	6,084,489	69.7%	9,474,666	9,474,666	745,258	8.5%	9,474,666
Whittier Minimum Contribution	146,262	136,998	136,998	219,455	186,537	85.0%	<u>3/16/2023</u>	<u>2/6/2023</u>	14,516	6.6%	<u>3/22/2023</u>
Whittier Other Assessments	22,570	18,727	18,727	27,420	23,307	85.0%	217,901	233,971	5,484	20.0%	217,901
Whittier Debt/Capital Assessment	21,781	21,602	21,602	23,860	20,281	85.0%	23,624	32,904	-	0.0%	23,392
305 Total Whittier	190,613	177,327	177,327	270,735	230,125	85.0%	262,917	290,735	20,000	7.4%	262,917
Essex North Shore Agricultural	38,167	44,125	41,234	43,213	21,889	50.7%	<u>2/6/2023</u>	<u>2/6/2023</u>	3,114	7.2%	<u>3/22/2023</u>
310 Total Essex North Shore Agricultural	38,167	44,125	41,234	43,213	21,889	50.7%	46,327	46,327	3,114	7.2%	46,327
TOTAL EDUCATION:	8,828,300	8,757,006	9,151,440	9,043,356	6,336,503	70.1%	9,783,910	9,811,728	768,372	8.5%	9,783,910

TOWN OF WEST NEWBURY



FY24 Operating Budget

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	6/30/2021	10/23/2021	6/30/2022	5/14/2022	Percent of yr: 58.9%						
DEPARTMENT OF PUBLIC WORKS											
							<u>2/6/2023</u>	<u>2/6/2023</u>			<u>3/1/2023</u>
DPW Salaries & Wages	471,302	483,196	483,533	567,397	318,548	56.1%	633,808	633,808	66,411	11.7%	633,808
DPW Overtime Wages	16,225	13,000	17,299	16,000	7,704	48.1%	18,000	18,000	2,000	12.5%	18,000
Snow & Ice Removal	224,021	150,000	247,245	150,000	36,698	24.5%	200,000	200,000	50,000	33.3%	200,000
Town Bldgs Operating Expenses	134,462	130,830	143,869	150,830	84,431	56.0%	158,030	158,030	7,200	4.8%	158,030
Town Bldgs Improvements	45,075	51,000	41,438	51,000	18,489	36.3%	51,000	51,000	-	0.0%	51,000
Street/Paving Repairs	16,534	70,000	59,693	55,000	558	1.0%	55,000	55,000	-	0.0%	55,000
Highway, Sidewalk & Trees	142,398	196,395	203,126	205,215	37,162	18.1%	219,580	219,580	14,365	7.0%	219,580
Stormwater management	14,265	15,500	10,226	15,500	6,398	41.3%	15,500	15,500	-	0.0%	15,500
DPW Expenses	12,469	14,250	12,080	14,250	17,643	123.8%	16,485	16,485	2,235	15.7%	16,485
Parks Expense	16,637	15,000	14,884	15,000	13,081	87.2%	28,790	28,790	13,790	91.9%	28,790
Electricity	70,000	70,000	80,886	70,000	30,020	42.9%	84,000	84,000	14,000	20.0%	84,000
Road Machinery Operating Expen	40,456	51,000	41,442	51,000	46,175	90.5%	54,060	54,060	3,060	6.0%	54,060
DPW Vehicle Allowance	6,000	6,000	6,000	6,000	4,000	66.7%	6,000	6,000	-	0.0%	6,000
Public Street Lights	6,421	7,000	6,943	7,000	4,653	66.5%	8,400	8,400	1,400	20.0%	8,400
420/424 Total Department of Public Works	1,216,265	1,273,171	1,368,664	1,374,192	625,559	45.5%	1,548,653	1,548,653	174,461	12.7%	1,548,653
TOTAL PUBLIC WORKS:	1,216,265	1,273,171	1,368,664	1,374,192	625,559	45.5%	1,548,653	1,548,653	174,461	12.7%	1,548,653

TOWN OF WEST NEWBURY



FY24 Operating Budget

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	6/30/2021	10/23/2021	6/30/2022	5/14/2022	Percent of yr: 58.9%						
HUMAN SERVICES											
Board of Health Salary & Wages	124,592	127,084	126,498	129,621	73,673	56.8%	<u>2/6/2023</u>	<u>2/6/2023</u>	5,837	4.5%	<u>2/22/2023</u>
Public Health Nurse	7,775	8,175	5,700	8,175	1,600	19.6%	135,458	135,458	(2,175)	-26.6%	6,000
Waste Collection & Disposal	375,680	401,940	375,998	401,940	198,854	49.5%	6,000	6,000	19,460	4.8%	421,400
Recycling	21,159	45,000	1,670	10,000	14,236	142.4%	421,400	421,400	35,000	350.0%	45,000
Hazardous Waste Expense	1,899	2,000	1,798	2,000	1,814	90.7%	45,000	45,000	-	0.0%	2,000
Steele landfill monitoring	22,450	35,390	29,708	33,555	16,000	47.7%	2,000	2,000	2,760	8.2%	36,315
Bd of Health Expenses	5,583	7,000	7,174	7,000	3,219	46.0%	36,315	36,315	-	0.0%	7,000
510 Total Board of Health	559,138	626,589	548,546	592,291	309,396	52.2%	653,173	653,173	60,882	10.3%	653,173
Council on Aging Salary & Wages	55,905	81,682	71,524	100,308	53,597	53.4%	<u>3/13/2023</u>	<u>3/13/2023</u>	2,600	2.6%	<u>2/15/2023</u>
Council on Aging Expenses	16,097	19,500	21,808	19,500	10,323	52.9%	102,908	102,908	-	0.0%	19,500
541 Total Council on Aging	72,002	101,182	93,331	119,808	63,920	53.4%	122,408	122,408	2,600	2.2%	122,408
Soldiers Grave Expense	3,161	2,600	3,632	3,592	1,592	44.3%	<u>3/24/2023</u>	<u>3/13/2023</u>	-	0.0%	<u>3/15/2022</u>
Memorial Day Expenses	-	1,740	1,661	2,200	-	0.0%	3,592	3,592	120	5.5%	2,320
Veterans benefits & expenses	21,112	7,400	5,816	4,400	2,831	64.3%	2,320	2,320	19,840	450.9%	24,240
Eastern Essex Veterans Services	3,976	21,695	21,695	21,096	21,095	100.0%	6,000	24,240	1,864	8.8%	22,960
543 Total Veterans	28,248	33,435	32,804	31,288	25,518	81.6%	34,872	53,112	21,824	69.8%	53,112
TOTAL HUMAN SERVICES:	659,389	761,206	674,681	743,387	398,834	53.7%	810,453	828,693	85,306	11.5%	828,693

TOWN OF WEST NEWBURY



FY24 Operating Budget

	FY 2021	FY 2022	FY 2022	FY 2023	YTD thru 2/1/2023		FY 2024	TM proposed	Proposed Change		FY 2024
	Expended	Amended	Expended	Approved	\$	%	TM proposed	/ SB referred	\$	%	FinCom rec.
	6/30/2021	10/23/2021	6/30/2022	5/14/2022	Percent of yr: 58.9%						

CULTURE & RECREATION											
Library Salaries & Wages	260,408	263,492	260,013	282,899	166,362	58.8%	<u>2/6/2023</u>	<u>2/6/2023</u>	20,942	7.4%	<u>3/15/2023</u>
Library Expenses	32,894	38,500	38,461	33,000	28,377	86.0%	33,000	33,000	-	0.0%	33,000
Library Books and Periodicals	67,144	71,500	71,241	78,000	44,377	56.9%	81,569	81,569	3,569	4.6%	81,569
610 Total Library	360,446	373,492	369,714	393,899	239,116	60.7%	418,410	418,410	24,511	6.2%	418,410
Recreation Wages	239	2,445	1,335	2,700	1,358	50.3%	<u>3/1/2023</u>	<u>3/13/2023</u>	2,372	87.9%	<u>3/1/2023</u>
Recreation Expenses	16,415	16,000	16,000	19,085	3,375	17.7%	5,072	5,072	14,115	74.0%	-
Action Cove Expenses	1,320	3,000	1,826	3,000	-	0.0%	33,200	33,200	(3,000)	-100.0%	33,200
630/637 Total Recreation	17,974	21,445	19,161	24,785	4,733	19.1%	38,272	38,272	13,487	54.4%	33,200
Mill Pond Operating Expenses	-	2,100	188	2,100	-	0.0%	<u>2/6/2023</u>	<u>2/6/2023</u>	-	0.0%	<u>3/1/2023</u>
631 Total Mill Pond	-	2,100	188	2,100	-	0.0%	2,100	2,100	-	0.0%	2,100
Bandstand Expense	-	6,000	6,000	6,000	4,446	74.1%	<u>2/6/2023</u>	<u>2/6/2023</u>	2,000	33.3%	<u>2/22/2023</u>
635 Total Bandstand	-	6,000	6,000	6,000	4,446	74.1%	8,000	8,000	2,000	33.3%	8,000
Historical Commission Expenses	312	600	-	600	493	82.1%	<u>2/6/2023</u>	<u>2/6/2023</u>	-	0.0%	<u>2/22/2023</u>
691 Total Historical Commission	312	600	-	600	493	82.1%	600	600	-	0.0%	600
Cultural Council Expense	-	100	-	100	-	0.0%	<u>2/6/2023</u>	<u>2/6/2023</u>	-	0.0%	<u>2/22/2023</u>
695 Total Cultural Council	-	100	-	100	-	0.0%	100	100	-	0.0%	100
TOTAL CULTURE & RECREATION:	378,733	403,137	395,063	427,484	248,787	58.2%	467,482	467,482	39,998	9.4%	462,410

TOWN OF WEST NEWBURY



FY24 Operating Budget

	FY 2021	FY 2022	FY 2022	FY 2023	YTD thru 2/1/2023		FY 2024	TM proposed	Proposed Change		FY 2024
	Expended	Amended	Expended	Approved	\$	%	TM proposed	/ SB referred	\$	%	FinCom rec.
	6/30/2021	10/23/2021	6/30/2022	5/14/2022	Percent of yr: 58.9%						

DEBT SERVICE											
Debt Service (Principal)	340,500	305,000	305,000	295,000	295,000	100.0%	2/6/2023	2/6/2023	(295,000)	-100.0%	2/15/2023
Debt Service (Interest)	15,400	8,950	8,950	5,900	2,950	50.0%	-	-	(5,900)	-100.0%	-
710/750 Total Debt Service	355,900	313,950	313,950	300,900	297,950	99.0%	-	-	(300,900)	-100.0%	-
TOTAL DEBT SERVICE:	355,900	313,950	313,950	300,900	297,950	99.0%	-	-	(300,900)	-100.0%	-

BENEFITS											
Essex Regional Retirement Assessment	687,493	731,433	731,432	805,420	805,419	100.0%	2/6/2023	2/6/2023	(130,285)	-16.2%	2/15/2023
911 Total Essex Regional Retirement	687,493	731,433	731,432	805,420	805,419	100.0%	675,135	675,135	(130,285)	-16.2%	675,135
Unemployment Insurance & Benefits	-	1,500	439	1,500	-	0.0%	2/6/2023	2/6/2023	(300)	-20.0%	2/15/2023
913 Total Unemployment Insurance	-	1,500	439	1,500	-	0.0%	1,200	1,200	(300)	-20.0%	1,200
Group Insurance	394,029	408,755	406,997	481,857	270,952	56.2%	2/25/2023	3/13/2023	46,008	9.5%	3/1/2023
914 Total Group Insurance	394,029	408,755	406,997	481,857	270,952	56.2%	527,865	527,865	46,008	9.5%	527,865
FICA Insurance	46,737	50,476	52,412	51,485	28,587	55.5%	3/17/2023	2/6/2023	4,921	9.6%	3/22/2023
916 Total FICA Insurance	46,737	50,476	52,412	51,485	28,587	55.5%	57,331	56,406	4,921	9.6%	57,331
Insurance and Bonds	174,508	185,081	187,002	199,865	186,972	93.5%	3/6/2023	2/6/2023	17,784	8.9%	3/22/2023
945 Total Insurance and Bonds	174,508	185,081	187,002	199,865	186,972	93.5%	219,643	217,649	17,784	8.9%	219,643
TOTAL BENEFITS:	1,302,767	1,377,246	1,378,282	1,540,127	1,291,930	83.9%	1,481,174	1,478,255	(61,872)	-4.0%	1,481,174

TRANSFERS OUT - STABILIZATION											
Transfers Out - to Capital Stabilization	500,000	500,000	500,000	500,000	500,000	100.0%	3/9/2023	3/13/2023	100,000	20.0%	3/22/2023
992 Total Transfers Out	500,000	500,000	500,000	500,000	500,000	100.0%	600,000	600,000	100,000	20.0%	600,000
TOTAL TRANSFERS OUT:	500,000	500,000	500,000	500,000	500,000	100.0%	600,000	600,000	100,000	20.0%	600,000

1000 Total General Fund	16,080,976	16,709,999	16,786,774	17,364,056	11,447,878	65.9%	18,025,762	18,129,183	765,127	4.4%	18,018,731
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ARTICLE REQUEST FORM

ARTICLE: Funding to advance planning and design efforts for pedestrian safety improvements on Route 113 (Main Street), including but not limited to the Page/Pipestave/113 intersection and crosswalk

AMOUNT REQUESTED: \$59,500.00

CONTACT PERSON: Angus Jennings, Town Manager

PHONE NUMBER: 978-363-1100 x111

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

The Town has long expressed its interest in additional sidewalks along Route 113, including in proximity to Page School. In winter/spring 2022, the Town undertook a Safety Audit of the Page/Pipestave/113 intersection. Following on the results of the study, including a preferred intersection redesign report, the Town pursued a Safe Routes to Schools (SRTS) grant application in the late fall of 2022. Unfortunately, despite strong community support and a good application, the grant application was not approved. Through this article, the Select Board seeks to propose funding at the Spring Town Meeting in order to undertake additional planning and design (engineering) to further advance this initiative, and other pedestrian/cycling safety initiatives along the Route 113 corridor. This work, more fully scoped out in the enclosed proposal/scope from TEC, is expected to result in conceptual planning for the corridor, with a particular focus on specific nodes with greater pedestrian activity, and is expected to better position these projects for future local, State and/or Federal infrastructure funding.

What factors affect the timing of this purchase?

The Town learned recently (February 2023) that the SRTS grant funds would not be awarded in the current round. The Town is in active discussions with its design engineer regarding proposed additional work to 1) pursue the engineering necessary to secure MassDOT permitting approval of targeted improvements to the Pipestave/Page/113 crosswalk (which will be funded with an earmark in the FY23 State Budget); and to undertake broader corridor planning to develop a conceptual plan of Complete Streets improvements (incl. sidewalks and crosswalks) for a portion of Rte. 113.

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

FY25

What ancillary costs do you anticipate? (Maintenance, Insurance, Training, etc.)

None

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

No. Route 113 is a State-owned road, not a Town asset.

Please see link below for additional supporting documentation.

<https://www.wnewbury.org/home/town-projects/pages/safety-improvements-route-113-page-school-pipestave-intersection-and>

CLIENT AUTHORIZATION

New Contract

Project No.: T1191.02

Amendment No.:

Date: March 17, 2023

Project Name: Main Street (Rt 113) Initial Transportation Planning & Design Support
West Newbury, MA

Client:	Town of West Newbury	Fee Proposal		
	Attn: Angus Jennings		Task 1	\$ 21,500.00
	Town Manager		Task 2	\$ 8,500.00
	381 Main Street		Estimated Expenses	<u>Included above</u>
	West Newbury, MA 01985		TOTAL	\$30,000.00

Requested by: Client

Lump Sum

Time & Expenses

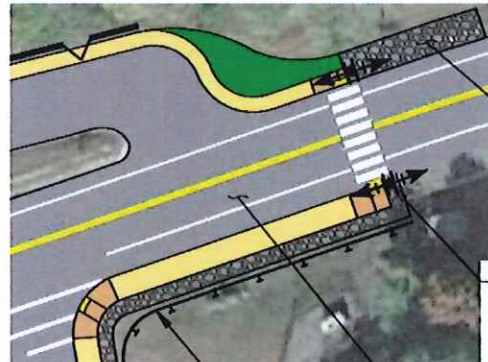
Cost + Fixed Fee

Other

Estimated Date of Completion: by June 30, 2023

Scope of Services:

The Town of West Newbury (Client) has retained TEC, Inc. (TEC) to provide grant-funded engineering services to support the design of pedestrian crossing improvements identified within the recent grant application to MassDOT. This project is expected to be a locally-funded improvement to Route 113 (State Highway) as part of a MassDOT Access Permit project. The project area will focus on the Route 113 crosswalk location and limited approach to create a roadside refuge and a short sidewalk connection to the Pipestave Recreation Area access road and the John C. Page Elementary School. TEC will solicit MassDOT for approval of a rectangular rapid flash beacon (RRFB) or similar device to improve the safety characteristics of the crosswalk area.



This contract also includes an introductory task for the initial mapping and public outreach to establish existing multi-modal corridor needs along Main Street (Route 113) within the Town of West Newbury limits, a distance of approximately five miles.

TEC will perform the following services outlined in the tasks below:

Task 1 – Pipestave / Page School Pedestrian Crossing - Survey & Preliminary Design

- Existing Conditions Survey & Base Map Preparation – The survey limits will include the following approximate areas:
 - 250' along Main Street (Route 113)
 - 50' along John C. Page School Driveway
 - 100' along Pipestave Recreation Area Access Driveway

The survey will include the following detailed information:

- Establish horizontal / vertical control (NAD 83 / NAVD 88) and tie survey into visible monuments
- Topographic survey information will include, but is not limited to, location of all curb-lines, edge

- o of pavement, driveways, sidewalks, private walkways, pavement markings, signage, visible surface utilities, stonewalls, fences, street trees ($\geq 8''$), and other above ground features
 - o Utility information will be plotted based on field verification of visible structures, drain/sewer inverts and available record information from the Town and private utility companies.
 - o Right-of-Way (ROW) will be researched, and a determination will be performed along the streets listed above, property lines and buildings will be shown as approximate based on GIS/Assessor's maps.
 - o The survey will also include vertical data and an existing surface for 3-D modeling and/or grading of the sidewalk improvements.
- Deliverables – Base plan will be prepared at a scale of 1" = 20' and be stamped/sealed by a Massachusetts PLS. Base plan electronic files will be submitted to include: AutoCAD with all points, Civil 3D TIN surface, right-of-way, property lines and all survey control.
- Traffic Data Collection – TEC will prepare a turning movement counts (TMCs) during a weekday morning (7:00 to 9:00 AM) and weekday afternoon/evening period (2:00 to 6:00 PM) at the two following intersections near the crosswalk:
 - o Main Street (Route 113) at Pipestave Recreation Driveway / DPW Access Driveway
 - o Main Street (Route 113) at John C. Page School Driveway
 Install an automatic traffic recorder (ATR) on Route 113 in the vicinity of the project area to document traffic volume, speed, and classification for a 48-hour period.
- Limited Functional Design Report Memorandum – TEC will prepare a technical memorandum to document the traffic data, crash data, and TEC's recommendations for the crossing improvements within State Highway.
- Preliminary/25% Layout – Prepare a preliminary design plan over the existing conditions base mapping. Review the layout with the Town to confirm/approve the scope of work prior to starting Task 2.
- Initial Geometric Design & 3-D Modeling – Perform an initial design the horizontal / vertical alignment of the crossing improvements and prepare a 3-Dimensional model to limit impacts beyond the back of sidewalk and verify proper intersection grading. This initial preparation work will be used primarily during a subsequent final design phase (separate contract). This initial task may include a critical cross section in an area of proposed slope modification.
- Public Informational Meeting – TEC will participate in a virtual public informational meeting with Town representatives to review the preliminary design features of the project.
- MassDOT Access Permit Application – TEC will prepare the access permit application and submit plans to the State Highway Access Permit System (SHAPS).
- Permit Plan Review Meeting – Coordinate a field meeting or virtual meeting to review the scope of improvements and preliminary design detail with MassDOT and Town staff.

Note: Based on TEC's recent field review, TEC has not included labor or expenses related to environmental permitting given the visible absence of wetland resource areas or impacts that would exceed thresholds for the Massachusetts Environmental Policy Act (MEPA) process.

This contract does not include final design, environmental permitting, and bidding / construction phase services. TEC will prepare a separate contract for those services as the design phase progresses and TEC and the Town can review the needs for outside inspection services.

Task 2 – Main Street (Route 113) Multi-modal Corridor Needs

- Field Reconnaissance & Base Map Compilation
 - Compile aerial mapping with approximate right of way and property lines from MassGIS, as available, to create a base plan suitable for a conceptual plan.
 - Perform field reconnaissance of the entire corridor to confirm existing conditions, key features (wetlands, utility poles, areas/segments with large trees adjacent to the road, etc.), intersection geometrics and roadway cross sectional dimensions.
- Public Outreach Meeting – TEC will lead an initial public outreach meeting at a Town meeting facility to present the initial observations about the existing multi-modal needs along the roadway corridor and solicit feedback from stakeholders and residents about their opinions of the transportation needs along Main Street.

This task is limited to an assessment of the existing conditions and does not include other transportation planning for improvement options or cost estimating.

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

This proposal is valid for a period of 45 days.

Project Manager: S. Gregorio

Approver: K. Dandrade

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

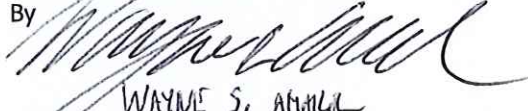
Subject to attached terms & conditions

Subject to terms & conditions in our original agreement

TEC, Inc. Authorization

Client Authorization *(Please sign original & return)*

By: 

By: 

Title: Principal/Director

Title: DPW DISTRICT/CPO

Date: March 17, 2023

Date: 3-17-2023

Town Manager

From: DPW Projects
Sent: Monday, March 20, 2023 1:37 PM
To: Kevin Dandrade; Town Manager; DPW Director
Subject: RE: Route 113 Contracts

Hi Kevin,

Wayne and I talked about traffic counts. He thought we would want additional traffic counts at the High School, and then at the Town lines perhaps. But, if additional counts will raise the cost of the contract, maybe it's easiest to just say the number of counts for now and not specific locations. If we need more counts later, we can see what MVPC might be able to help us with.

Also – for the SRTS meeting on Wednesday, will you be at a computer, just in case we need to share any drawings on the screen? It's MS Teams and we don't have it here other than on browsers, and even that can be hit or miss.

Thanks.

Christine Wallace, P.E.
DPW Program and Project Manager
Town of West Newbury
381 Main Street
West Newbury, MA 01985
978-363-1100 x130
978-409-8009 (cell)
dpwprojects@wnewbury.org

From: Kevin Dandrade [REDACTED]
Sent: Friday, March 17, 2023 11:49 AM
To: DPW Projects <dpwprojects@wnewbury.org>; Town Manager <townmanager@wnewbury.org>; DPW Director <dpwdirector@wnewbury.org>
Subject: RE: Route 113 Contracts

See my responses below in red.

Kevin R. Dandrade, P.E., PTOE, Principal

[REDACTED]
[REDACTED]



From: DPW Projects <dpwprojects@wnewbury.org>
Sent: Friday, March 17, 2023 11:38 AM
To: Kevin Dandrade [REDACTED]; Town Manager <townmanager@wnewbury.org>; DPW Director <dpwdirector@wnewbury.org>
Subject: RE: Route 113 Contracts

Thanks so much Kevin. I reviewed both scopes and they look great, you captured I think exactly what we are looking for. Contract #1 I have no further comments. Contract #2 a few questions:

- Just want to confirm – the bid docs for the crossing are now lumped in with the final design task. TEC provides all the PS&E specs, estimates, plans but the Town does all the bid work, correct? **Yes, we would only provide the pieces you note above, but the Town would be putting together the project manual and other bid docs based on Wayne’s request. We can add that back in if desired since we often perform that for other municipalities.**
- In contract #2, I would want Wayne or Angus to weigh in on locations of traffic counts. This would essentially give us counts for the Pipestave crossing (contract #1), the “downtown” (Maple and Church) and then next to Bridge street? I couldn’t remember if that was one of the focus areas we would be looking at, or it’s just a count you are going to need anyway? Oh, I see now you have up to seven (7) key intersections. Will we have all the counts we will need, or is that potentially an add-on for later depending which key locations we choose? **This task is not envisioned to include a full corridor traffic study, but only enough data to give an idea of the relative volumes at a few key locations. If desired, we could simply indicate the number of assumed TMC and ATR counts and wait to define the specific locations as you noted above. For other intersections or focus areas, we would put together some recommendations without necessarily having the traffic data (highly conceptual). MVPC’s data services could fill in the remaining gaps too.**

We had a great meeting with Tony Collins and Patrick Reed from MVPC yesterday. They said they could do counts here and there if we need to fill in any gaps in the future. They are also excited to hear about these projects and offered to help coordinate meetings with MassDOT. In fact they have already reached out to the SRTS coordinators. I will forward that to you. Thank you so much, this is really exciting and will tie in well with other planning initiatives going on in town.

Christine

Christine Wallace, P.E.
DPW Program and Project Manager
Town of West Newbury
381 Main Street
West Newbury, MA 01985
978-363-1100 x130
978-409-8009 (cell)
dpwprojects@wnewbury.org

From: Kevin Dandrade [REDACTED]
Sent: Friday, March 17, 2023 11:06 AM
To: Town Manager <townmanager@wnewbury.org>; DPW Director <dpwdirector@wnewbury.org>; DPW Projects <dpwprojects@wnewbury.org>
Subject: RE: Route 113 Contracts
Importance: High

Good morning, Angus, Wayne and Christine.

Here are the two adjusted contracts that split out the grant funded versus locally funded tasks. I kept them in sequential task numbers to make sense of it. I removed the bidding services for Pipestave/Page and added a public meetings line for each project based on my discussion with Wayne and Christine last week.

Please let me know if you have any questions.

Thank you.

Town of West Newbury, Massachusetts
Suggested Forms of Article and Motion

Article: To see if the Town will appropriate a sum of money to pay a portion of the costs of replacing water mains, including the payment of costs incidental or related thereto, and to determine whether this amount shall be raised by borrowing, taxation, transfer from available fund transfers or otherwise provided; or take any other action relative thereto.

Motion: That the Town appropriates \$2,500,000 to pay a portion of the costs of replacing water mains, including the payment of costs incidental or related thereto; and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7 or §8, or pursuant to any other enabling authority, including borrowing all or a portion of such funds from the Massachusetts Clean Water Trust pursuant to M.G.L. c. 29C, and to issue bonds or notes of the Town therefor; and that the Board of Selectmen is authorized to take any other action necessary or convenient to carry out such projects.

132323577v.1

DRAFT

Town Manager

From: Adams, Kara [REDACTED]
Sent: Friday, March 17, 2023 4:10 PM
To: Town Manager; Abby Jeffers (HTS)
Cc: Peter Frazier (HTS); McDonough, Brenda; Manley, Richard; Town Accountant; Town Clerk; Assistant Clerk
Subject: RE: West Newbury borrowing: Church/Prospect water main replacement project language needed

It is standard language in an article, intended to allow flexibility at Town Meeting to source funds from any available source if needed; as the motion cannot be outside of the scope of the article, the aim is to keep the article broad in scope. The motion is what controls, as it says it's a borrowing. Having said that, you can certainly take the language out if you think it will cause you political problems.

Kara

From: Town Manager <townmanager@wnewbury.org>
Sent: Friday, March 17, 2023 3:46 PM
To: Adams, Kara [REDACTED]; Abby Jeffers (HTS) [REDACTED]
Cc: Peter Frazier (HTS) [REDACTED]; McDonough, Brenda [REDACTED]; Manley, Richard [REDACTED]; Town Accountant <townaccountant@wnewbury.org>; Town Clerk <townclerk@wnewbury.org>; Assistant Clerk <assistantclerk@wnewbury.org>
Subject: RE: West Newbury borrowing: Church/Prospect water main replacement project language needed

**** External Email -- Sender: townmanager@wnewbury.org ****

Thank you! I should have specified – the debt service would be payable from Water Enterprise Fund revenues (rate payers), not tax payers. (While I understand that this would be G.O. debt, so the Town would ultimately be responsible, every intent and understanding is that this would be paid from Water funds, and their rates would be adjusted accordingly to absorb this new expense). I'm not sure if this would affect the recommended form of Article... but I could well imagine the inclusion of "raised by... taxation" in the draft Article language becoming a flashpoint. So if it does need to be included, I'll need a good explanation I can offer to FinCom and Town Meeting voters. Thanks again!

Angus

From: Adams, Kara [REDACTED]
Sent: Friday, March 17, 2023 3:38 PM
To: Abby Jeffers (HTS) [REDACTED]
Cc: Peter Frazier (HTS) [REDACTED]; Town Manager <townmanager@wnewbury.org>; McDonough, Brenda [REDACTED]; Manley, Richard [REDACTED]; Town Accountant <townaccountant@wnewbury.org>; Town Clerk <townclerk@wnewbury.org>; Assistant Clerk <assistantclerk@wnewbury.org>
Subject: RE: West Newbury borrowing: Church/Prospect water main replacement project language needed

Hello, Please see the attached form of draft article and motion to authorize a borrowing of \$2.5M for replacing water mains.

Thank you,

Kara

Kara K. Adams
Partner
Locke Lord LLP
111 Huntington Avenue
Boston, MA 02199

View My [BIO](#) | Connect on [LinkedIn](#) | Visit [lockelord.com](#)

From: Abby Jeffers (HTS) [REDACTED]
Sent: Friday, March 17, 2023 3:19 PM
To: Manley, Richard [REDACTED]; McDonough, Brenda [REDACTED]; Adams, Kara [REDACTED]
Cc: Peter Frazier (HTS) [REDACTED]
Subject: West Newbury borrowing: Church/Prospect water main replacement project language needed

**** External Email -- [REDACTED] ****

Good Afternoon,

The Town requested draft language for the Church/Prospect water main replacement project (see attached and below). Would you be possible to provide the requested language no later than April 6th?

The Town stated the project may be eligible for Trust financing, however the Trust ranked them low on the list of projects so they may need to issue this as a conventional general obligation bond issue.

Please let us know if you need anything else.

Thanks,
Abby

Abby Jeffers
Hilltop Securities Inc.
Senior Vice President | Investment Banker
54 Canal Street, Suite 320 | Boston, MA 02114

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From: Town Manager <townmanager@wnewbury.org>

Sent: Friday, March 17, 2023 3:13 PM

To: Abby Jeffers (HTS) [REDACTED]; Peter Frazier (HTS) [REDACTED] >

Cc: Town Treasurer <treasurer@wnewbury.org>; Town Accountant <townaccountant@wnewbury.org>; Town Clerk <townclerk@wnewbury.org>; Assistant Clerk <assistantclerk@wnewbury.org>

Subject: RE: Update re West Newbury borrowing: Church/Prospect water main replacement project

**EXTERNAL
SENDER**

Attached FYI

The engineering firm Tata & Howard is presently working to prepare an updated opinion-of-probable-cost. The last number we have, which is a year old, showed the project at a total cost of about \$2.7M.

From: Town Manager <townmanager@wnewbury.org>

Sent: Friday, March 17, 2023 2:56 PM

To: Abby Jeffers (HTS) [REDACTED] Peter Frazier (HTS) [REDACTED]

Cc: Town Treasurer <treasurer@wnewbury.org>; Town Accountant <townaccountant@wnewbury.org>; Town Clerk <townclerk@wnewbury.org>; Assistant Clerk <assistantclerk@wnewbury.org>

Subject: Update re West Newbury borrowing: Church/Prospect water main replacement project

**EXTERNAL
SENDER**

Hi Abby, Peter,

This is to provide a brief update re the Church/Prospect water main replacement project.

At the Select Board mtg earlier this week, two decisions were made:

- To allocate \$625,000 of ARPA funds toward this project; and
- To seek Town Meeting borrowing authorization (at the April 24 Town Meeting) for \$2.5M of borrowing to fund the balance of estimated costs for this project

We do not anticipate actually going out to borrow until next spring (2024), and at that time would roll the \$1.1M BANS into the bond issue.

We will need to work with your office and bond counsel on the wording for the April Town Meeting warrant article. The warrant must be signed and posted no later than Monday, April 10th, though of course we'd like to finalize the language ahead of then. We're thinking it should be pretty straightforward.

We'd also like to get an estimate of potential debt service based on new borrowing of \$2.5M; obviously, this will be an estimate, and any assumptions re future interest rates/terms would only be best guesses.

Please let us know if you'd like to schedule a call next week so we can give you a fuller briefing on this initiative.

Thanks,
Angus

Town Manager

From: Water Superintendent
Sent: Friday, March 24, 2023 1:42 PM
To: Town Manager
Subject: RE: West Newbury borrowing: Church/Prospect water main replacement project language needed

Good afternoon

I have passed this on to Jon

Thank you

From: Town Manager <townmanager@wnewbury.org>
Sent: Friday, March 24, 2023 10:50 AM
To: Water Superintendent <water.superintendent@wnewbury.org>; Bob Janes [REDACTED]; Corcoran, Larry [REDACTED]; John Duggan [REDACTED]
Cc: Mike Gootee <mgootee@wnewbury.org>; WNWater <wnwater@wnewbury.org>; Town Treasurer <treasurer@wnewbury.org>; Town Accountant <townaccountant@wnewbury.org>
Subject: RE: West Newbury borrowing: Church/Prospect water main replacement project language needed

Quick follow-up: we are working with our financial advisors Hilltop Securities to explore our potential eligibility for lower-interest financing through the USDA Rural Development program. We’re working to schedule a call with USDA next week and once we have a better handle on whether we may be eligible, we could provide update estimated financing schedules based on these more favorable interest rates. The USDA program – if we’re eligible – also allows financing for up to 40 years (which is longer than the typical max 30 years for municipal bonds) which spreads the costs over a longer period but reduces the costs per year.

Please confirm you’ve provided the info I sent on Wednesday to Jon Gregory so this can be taken into account in their rate study.

I did see the invoice from Tata & Howard yesterday showing the work on the hydraulic study is 85% complete. It would be good to receive an update, on substance (not billing) regarding work completed to date, and what to expect re timeline for completion. Will a draft final report be circulated for comment before the end product is finalized?

Thanks,
Angus

From: Town Manager
Sent: Wednesday, March 22, 2023 2:22 PM
To: Mark Marlowe <water.superintendent@wnewbury.org>; Bob Janes [REDACTED]; Corcoran, Larry [REDACTED]; John Duggan [REDACTED]
Cc: Mike Gootee <mgootee@wnewbury.org>; WNWater <wnwater@wnewbury.org>; Town Treasurer <treasurer@wnewbury.org>; Walsh, Jennifer <townaccountant@wnewbury.org>
Subject: FW: West Newbury borrowing: Church/Prospect water main replacement project language needed

Water Dept/BOWC,

We have been working with our financial advisors to keep them apprised of the updated direction re the Church/Prospect project (i.e. to seek voter authorization of borrowing this spring, with the intent to actually break ground and borrow roughly next spring 2024).

We had asked them to prepare an estimate of potential debt service based on new borrowing of \$2.5M; obviously, this is only an estimate, and any assumptions re future interest rates/terms is only their best guess at this time. Their estimates are attached, showing estimated annual debt service of ~\$165k (30-yr term); \$173k (25-yr term); or \$190k (20-yr term). All of these numbers will change as we move forward, and wouldn't be known until the Town actually borrows roughly 12-16 months from now. However, I send these to you now so you have these ballpark estimates, and ask that you share these with Tata & Howard to inform their work on the rate study. Obviously, taking on this kind of debt would necessitate a rate increase.

We would of course work closely with the Water Dept/BOWC on the timing of any future borrowing. If the borrowing were to occur before June 30, 2024, a principal payment would be required in FY25 (in addition to the BAN payment that would come due in FY25) – so this would not be ideal. More likely, we would borrow after July 1, 2024, so that the first principal payment on the debt wouldn't come due until FY26.

It may be advisable for the BOWC to consider a rate increase sooner than later, so as to better account for this and other future financial obligations.

Thanks,
Angus

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

From: Abby Jeffers (HTS) [REDACTED]
Sent: Wednesday, March 22, 2023 1:52 PM
To: Town Manager <townmanager@wnewbury.org>
Cc: Peter Frazier (HTS) [REDACTED]; Town Accountant <townaccountant@wnewbury.org>;
Town Treasurer <treasurer@wnewbury.org>
Subject: RE: West Newbury borrowing: Church/Prospect water main replacement project language needed

Good Afternoon,

Thanks again for your time this afternoon. Attached are the estimated debt service schedules in connection with the proposed water project. We've provided 30yrs, 25yrs, and 20yrs amortized on a level debt service basis. The rates incorporated are estimated and subject to change.

Please let us know if you need anything else.

Thanks,
Abby

Abby Jeffers

Hilltop Securities Inc.
Senior Vice President | Investment Banker
54 Canal Street, Suite 320 | Boston, MA 02114
[REDACTED]

Town of West Newbury, Massachusetts
\$2,500,000 General Water Bonds; Dated May 15, 2024
30 years - Level Debt Service
Interest Estimated, Subject to Change

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
05/15/2024	-	-	-	-	-
11/15/2024	-	-	62,500.00	62,500.00	-
05/15/2025	40,000.00	5.000%	62,500.00	102,500.00	-
06/30/2025	-	-	-	-	165,000.00
11/15/2025	-	-	61,500.00	61,500.00	-
05/15/2026	40,000.00	5.000%	61,500.00	101,500.00	-
06/30/2026	-	-	-	-	163,000.00
11/15/2026	-	-	60,500.00	60,500.00	-
05/15/2027	40,000.00	5.000%	60,500.00	100,500.00	-
06/30/2027	-	-	-	-	161,000.00
11/15/2027	-	-	59,500.00	59,500.00	-
05/15/2028	45,000.00	5.000%	59,500.00	104,500.00	-
06/30/2028	-	-	-	-	164,000.00
11/15/2028	-	-	58,375.00	58,375.00	-
05/15/2029	45,000.00	5.000%	58,375.00	103,375.00	-
06/30/2029	-	-	-	-	161,750.00
11/15/2029	-	-	57,250.00	57,250.00	-
05/15/2030	50,000.00	5.000%	57,250.00	107,250.00	-
06/30/2030	-	-	-	-	164,500.00
11/15/2030	-	-	56,000.00	56,000.00	-
05/15/2031	50,000.00	5.000%	56,000.00	106,000.00	-
06/30/2031	-	-	-	-	162,000.00
11/15/2031	-	-	54,750.00	54,750.00	-
05/15/2032	55,000.00	5.000%	54,750.00	109,750.00	-
06/30/2032	-	-	-	-	164,500.00
11/15/2032	-	-	53,375.00	53,375.00	-
05/15/2033	55,000.00	5.000%	53,375.00	108,375.00	-
06/30/2033	-	-	-	-	161,750.00
11/15/2033	-	-	52,000.00	52,000.00	-
05/15/2034	60,000.00	5.000%	52,000.00	112,000.00	-
06/30/2034	-	-	-	-	164,000.00
11/15/2034	-	-	50,500.00	50,500.00	-
05/15/2035	60,000.00	5.000%	50,500.00	110,500.00	-
06/30/2035	-	-	-	-	161,000.00
11/15/2035	-	-	49,000.00	49,000.00	-
05/15/2036	65,000.00	5.000%	49,000.00	114,000.00	-
06/30/2036	-	-	-	-	163,000.00
11/15/2036	-	-	47,375.00	47,375.00	-
05/15/2037	70,000.00	5.000%	47,375.00	117,375.00	-
06/30/2037	-	-	-	-	164,750.00
11/15/2037	-	-	45,625.00	45,625.00	-
05/15/2038	70,000.00	5.000%	45,625.00	115,625.00	-
06/30/2038	-	-	-	-	161,250.00
11/15/2038	-	-	43,875.00	43,875.00	-
05/15/2039	75,000.00	5.000%	43,875.00	118,875.00	-
06/30/2039	-	-	-	-	162,750.00
11/15/2039	-	-	42,000.00	42,000.00	-
05/15/2040	80,000.00	5.000%	42,000.00	122,000.00	-
06/30/2040	-	-	-	-	164,000.00
11/15/2040	-	-	40,000.00	40,000.00	-
05/15/2041	80,000.00	5.000%	40,000.00	120,000.00	-
06/30/2041	-	-	-	-	160,000.00
11/15/2041	-	-	38,000.00	38,000.00	-
05/15/2042	85,000.00	5.000%	38,000.00	123,000.00	-
06/30/2042	-	-	-	-	161,000.00
11/15/2042	-	-	35,875.00	35,875.00	-
05/15/2043	90,000.00	5.000%	35,875.00	125,875.00	-
06/30/2043	-	-	-	-	161,750.00
11/15/2043	-	-	33,625.00	33,625.00	-
05/15/2044	95,000.00	5.000%	33,625.00	128,625.00	-
06/30/2044	-	-	-	-	162,250.00
11/15/2044	-	-	31,250.00	31,250.00	-
05/15/2045	100,000.00	5.000%	31,250.00	131,250.00	-
06/30/2045	-	-	-	-	162,500.00
11/15/2045	-	-	28,750.00	28,750.00	-
05/15/2046	105,000.00	5.000%	28,750.00	133,750.00	-
06/30/2046	-	-	-	-	162,500.00
11/15/2046	-	-	26,125.00	26,125.00	-
05/15/2047	110,000.00	5.000%	26,125.00	136,125.00	-
06/30/2047	-	-	-	-	162,250.00
11/15/2047	-	-	23,375.00	23,375.00	-
05/15/2048	115,000.00	5.000%	23,375.00	138,375.00	-
06/30/2048	-	-	-	-	161,750.00
11/15/2048	-	-	20,500.00	20,500.00	-
05/15/2049	120,000.00	5.000%	20,500.00	140,500.00	-
06/30/2049	-	-	-	-	161,000.00
11/15/2049	-	-	17,500.00	17,500.00	-
05/15/2050	125,000.00	5.000%	17,500.00	142,500.00	-
06/30/2050	-	-	-	-	160,000.00
11/15/2050	-	-	14,375.00	14,375.00	-
05/15/2051	135,000.00	5.000%	14,375.00	149,375.00	-
06/30/2051	-	-	-	-	163,750.00
11/15/2051	-	-	11,000.00	11,000.00	-
05/15/2052	140,000.00	5.000%	11,000.00	151,000.00	-
06/30/2052	-	-	-	-	162,000.00
11/15/2052	-	-	7,500.00	7,500.00	-
05/15/2053	145,000.00	5.000%	7,500.00	152,500.00	-
06/30/2053	-	-	-	-	160,000.00
11/15/2053	-	-	3,875.00	3,875.00	-
05/15/2054	155,000.00	5.000%	3,875.00	158,875.00	-
06/30/2054	-	-	-	-	162,750.00
Total	\$2,500,000.00	-	\$2,371,750.00	\$4,871,750.00	-

Yield Statistics

Bond Year Dollars.....	\$47,435.00
Average Life.....	18.974 Years
Average Coupon.....	5.0000000%
Net Interest Cost (NIC).....	5.0000000%
True Interest Cost (TIC).....	5.0000000%
Bond Yield for Arbitrage Purposes.....	4.7753273%
All Inclusive Cost (AIC).....	5.0000000%
IRS Form 8038	
Net Interest Cost.....	5.0000000%
Weighted Average Maturity.....	18.974 Years

Hilltop Securities
Public Finance

Town of West Newbury, Massachusetts
\$2,500,000 General Water Bonds; Dated May 15, 2024
25 years - Level Debt Service
Interest Estimated, Subject to Change

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
05/15/2024	-	-	-	-	-
11/15/2024	-	-	59,375.00	59,375.00	-
05/15/2025	55,000.00	4.750%	59,375.00	114,375.00	-
06/30/2025	-	-	-	-	173,750.00
11/15/2025	-	-	58,068.75	58,068.75	-
05/15/2026	55,000.00	4.750%	58,068.75	113,068.75	-
06/30/2026	-	-	-	-	171,137.50
11/15/2026	-	-	56,762.50	56,762.50	-
05/15/2027	60,000.00	4.750%	56,762.50	116,762.50	-
06/30/2027	-	-	-	-	173,525.00
11/15/2027	-	-	55,337.50	55,337.50	-
05/15/2028	60,000.00	4.750%	55,337.50	115,337.50	-
06/30/2028	-	-	-	-	170,675.00
11/15/2028	-	-	53,912.50	53,912.50	-
05/15/2029	65,000.00	4.750%	53,912.50	118,912.50	-
06/30/2029	-	-	-	-	172,825.00
11/15/2029	-	-	52,368.75	52,368.75	-
05/15/2030	70,000.00	4.750%	52,368.75	122,368.75	-
06/30/2030	-	-	-	-	174,737.50
11/15/2030	-	-	50,706.25	50,706.25	-
05/15/2031	70,000.00	4.750%	50,706.25	120,706.25	-
06/30/2031	-	-	-	-	171,412.50
11/15/2031	-	-	49,043.75	49,043.75	-
05/15/2032	75,000.00	4.750%	49,043.75	124,043.75	-
06/30/2032	-	-	-	-	173,087.50
11/15/2032	-	-	47,262.50	47,262.50	-
05/15/2033	80,000.00	4.750%	47,262.50	127,262.50	-
06/30/2033	-	-	-	-	174,525.00
11/15/2033	-	-	45,362.50	45,362.50	-
05/15/2034	80,000.00	4.750%	45,362.50	125,362.50	-
06/30/2034	-	-	-	-	170,725.00
11/15/2034	-	-	43,462.50	43,462.50	-
05/15/2035	85,000.00	4.750%	43,462.50	128,462.50	-
06/30/2035	-	-	-	-	171,925.00
11/15/2035	-	-	41,443.75	41,443.75	-
05/15/2036	90,000.00	4.750%	41,443.75	131,443.75	-
06/30/2036	-	-	-	-	172,887.50
11/15/2036	-	-	39,306.25	39,306.25	-
05/15/2037	95,000.00	4.750%	39,306.25	134,306.25	-
06/30/2037	-	-	-	-	173,612.50
11/15/2037	-	-	37,050.00	37,050.00	-
05/15/2038	100,000.00	4.750%	37,050.00	137,050.00	-
06/30/2038	-	-	-	-	174,100.00
11/15/2038	-	-	34,675.00	34,675.00	-
05/15/2039	105,000.00	4.750%	34,675.00	139,675.00	-
06/30/2039	-	-	-	-	174,350.00
11/15/2039	-	-	32,181.25	32,181.25	-
05/15/2040	110,000.00	4.750%	32,181.25	142,181.25	-
06/30/2040	-	-	-	-	174,362.50
11/15/2040	-	-	29,568.75	29,568.75	-
05/15/2041	115,000.00	4.750%	29,568.75	144,568.75	-
06/30/2041	-	-	-	-	174,137.50
11/15/2041	-	-	26,837.50	26,837.50	-
05/15/2042	120,000.00	4.750%	26,837.50	146,837.50	-
06/30/2042	-	-	-	-	173,675.00
11/15/2042	-	-	23,987.50	23,987.50	-
05/15/2043	125,000.00	4.750%	23,987.50	148,987.50	-
06/30/2043	-	-	-	-	172,975.00
11/15/2043	-	-	21,018.75	21,018.75	-
05/15/2044	130,000.00	4.750%	21,018.75	151,018.75	-
06/30/2044	-	-	-	-	172,037.50
11/15/2044	-	-	17,931.25	17,931.25	-
05/15/2045	135,000.00	4.750%	17,931.25	152,931.25	-
06/30/2045	-	-	-	-	170,862.50
11/15/2045	-	-	14,725.00	14,725.00	-
05/15/2046	145,000.00	4.750%	14,725.00	159,725.00	-
06/30/2046	-	-	-	-	174,450.00
11/15/2046	-	-	11,281.25	11,281.25	-
05/15/2047	150,000.00	4.750%	11,281.25	161,281.25	-
06/30/2047	-	-	-	-	172,562.50
11/15/2047	-	-	7,718.75	7,718.75	-
05/15/2048	160,000.00	4.750%	7,718.75	167,718.75	-
06/30/2048	-	-	-	-	175,437.50
11/15/2048	-	-	3,918.75	3,918.75	-
05/15/2049	165,000.00	4.750%	3,918.75	168,918.75	-
06/30/2049	-	-	-	-	172,837.50
Total	\$2,500,000.00	-	\$1,826,612.50	\$4,326,612.50	-

Yield Statistics

Bond Year Dollars.....	\$38,455.00
Average Life.....	15.382 Years
Average Coupon.....	4.7500000%
Net Interest Cost (NIC).....	4.7500000%
True Interest Cost (TIC).....	4.7500000%
Bond Yield for Arbitrage Purposes.....	4.7753273%
All Inclusive Cost (AIC).....	4.7500000%

IRS Form 8038

Net Interest Cost.....	4.7500000%
Weighted Average Maturity.....	15.382 Years

Hilltop Securities
Public Finance

Town of West Newbury, Massachusetts
\$2,500,000 General Water Bonds; Dated May 15, 2024
20 years - Level Debt Service
Interest Estimated, Subject to Change

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
05/15/2024	-	-	-	-	-
11/15/2024	-	-	56,250.00	56,250.00	-
05/15/2025	80,000.00	4.500%	56,250.00	136,250.00	-
06/30/2025	-	-	-	-	192,500.00
11/15/2025	-	-	54,450.00	54,450.00	-
05/15/2026	80,000.00	4.500%	54,450.00	134,450.00	-
06/30/2026	-	-	-	-	188,900.00
11/15/2026	-	-	52,650.00	52,650.00	-
05/15/2027	85,000.00	4.500%	52,650.00	137,650.00	-
06/30/2027	-	-	-	-	190,300.00
11/15/2027	-	-	50,737.50	50,737.50	-
05/15/2028	90,000.00	4.500%	50,737.50	140,737.50	-
06/30/2028	-	-	-	-	191,475.00
11/15/2028	-	-	48,712.50	48,712.50	-
05/15/2029	95,000.00	4.500%	48,712.50	143,712.50	-
06/30/2029	-	-	-	-	192,425.00
11/15/2029	-	-	46,575.00	46,575.00	-
05/15/2030	100,000.00	4.500%	46,575.00	146,575.00	-
06/30/2030	-	-	-	-	193,150.00
11/15/2030	-	-	44,325.00	44,325.00	-
05/15/2031	105,000.00	4.500%	44,325.00	149,325.00	-
06/30/2031	-	-	-	-	193,650.00
11/15/2031	-	-	41,962.50	41,962.50	-
05/15/2032	110,000.00	4.500%	41,962.50	151,962.50	-
06/30/2032	-	-	-	-	193,925.00
11/15/2032	-	-	39,487.50	39,487.50	-
05/15/2033	115,000.00	4.500%	39,487.50	154,487.50	-
06/30/2033	-	-	-	-	193,975.00
11/15/2033	-	-	36,900.00	36,900.00	-
05/15/2034	120,000.00	4.500%	36,900.00	156,900.00	-
06/30/2034	-	-	-	-	193,800.00
11/15/2034	-	-	34,200.00	34,200.00	-
05/15/2035	125,000.00	4.500%	34,200.00	159,200.00	-
06/30/2035	-	-	-	-	193,400.00
11/15/2035	-	-	31,387.50	31,387.50	-
05/15/2036	130,000.00	4.500%	31,387.50	161,387.50	-
06/30/2036	-	-	-	-	192,775.00
11/15/2036	-	-	28,462.50	28,462.50	-
05/15/2037	135,000.00	4.500%	28,462.50	163,462.50	-
06/30/2037	-	-	-	-	191,925.00
11/15/2037	-	-	25,425.00	25,425.00	-
05/15/2038	140,000.00	4.500%	25,425.00	165,425.00	-
06/30/2038	-	-	-	-	190,850.00
11/15/2038	-	-	22,275.00	22,275.00	-
05/15/2039	145,000.00	4.500%	22,275.00	167,275.00	-
06/30/2039	-	-	-	-	189,550.00
11/15/2039	-	-	19,012.50	19,012.50	-
05/15/2040	155,000.00	4.500%	19,012.50	174,012.50	-
06/30/2040	-	-	-	-	193,025.00
11/15/2040	-	-	15,525.00	15,525.00	-
05/15/2041	160,000.00	4.500%	15,525.00	175,525.00	-
06/30/2041	-	-	-	-	191,050.00
11/15/2041	-	-	11,925.00	11,925.00	-
05/15/2042	170,000.00	4.500%	11,925.00	181,925.00	-
06/30/2042	-	-	-	-	193,850.00
11/15/2042	-	-	8,100.00	8,100.00	-
05/15/2043	175,000.00	4.500%	8,100.00	183,100.00	-
06/30/2043	-	-	-	-	191,200.00
11/15/2043	-	-	4,162.50	4,162.50	-
05/15/2044	185,000.00	4.500%	4,162.50	189,162.50	-
06/30/2044	-	-	-	-	193,325.00
Total	\$2,500,000.00	-	\$1,345,050.00	\$3,845,050.00	-

Yield Statistics

Bond Year Dollars.....	\$29,890.00
Average Life.....	11.956 Years
Average Coupon.....	4.5000000%
Net Interest Cost (NIC).....	4.5000000%
True Interest Cost (TIC).....	4.5000000%
Bond Yield for Arbitrage Purposes.....	4.7753273%
All Inclusive Cost (AIC).....	4.5000000%

IRS Form 8038

Net Interest Cost.....	4.5000000%
Weighted Average Maturity.....	11.956 Years

Hilltop Securities
Public Finance

**WEST NEWBURY WATER DEPARTMENT
(WATER MAIN REPLACEMENT FROM HYDRAULIC STUDY)
PLAN TO START IN FY 2025
Cost Estimates Revised on 3/6/2023**

Please Note; By the time we go out to bid for the water main construction, the cost will most likely be more and we will need to adjust the cost estimates.

2	Phase (Priority)	Description/Location	From	To	Proposed Diameter	Length Feet	FY2024-WHENEVER Estimated Cost	COMMENTS
3	1	Church Street	Church Street	Ferry Point	R(8)	4752	\$ 1,663,200	The new 8-inch water main cost estimate on Church and Prospect is now \$2,623,950
4	1	Prospect Street	Main Street	Church Street	R(8)	2745	\$ 960,750	
5	1	Chase Street	Main Street	End of 2-inch on Chase St.	R(6)	470	\$ 141,000	
6	1	Chestnut Hill	Chestnut Street	End of Chestnut Hill Street	R(6)	528	\$ 184,800	
7	1	Maple Street	Main Street	Georgetown Rd. (Mud Pt.)	C&L(8)	3432	\$ 943,800	
8	2	Main Street	1 Main Street	Hydrant #76	C&L(8)	1594	\$ 438,350	
9	2	Main Street	Hydrant #76	117 Main Street	R(8)	1125	\$ 393,750	
10	3	Whetstone Street	Follinsbee Lane	End of main	C&L(6)	1361	\$ 306,225	physically measured in field
11	3	Sullivan Court	Whetstone Street	New main on Sullivan Ct.	C&L(6)	282	\$ 77,550	physically measured in field
12	3	Harrison Avenue	Main Street	Existing 8" Main	R(8)	658	\$ 230,300	physically measured in field
13	3	Bailey's Lane	Main Street	1st Hydrant on Bailey's Ln.	C&L(6)	1688	\$ 379,800	
14	3	Bailey's Lane	1st Hydrant	End (only 2" Main)	R(6)	1125	\$ 337,500	
15	3	Training Field	Bailey's Lane	Main Street (only 2" Main)	R(6)	564	\$ 183,300	
16	3	Mechanic Street	Hydrant	End (only 2" Main)	R(6)	520	\$ 169,000	physically measured in field
17	3	Merrill Street	Main Street	Hydrant	C&L(6)	580	\$ 130,500	physically measured in field
18	3	Merrill Street	Hydrant	End (only 2" Main)	R(6)	240	\$ 78,000	physically measured in field
19	3	Crane Neck Street	Main Street	Existing 8" AC main	R(8)	938	\$ 375,200	
20	3	Crane Neck Street	Existing 8" AC Main	End	R(8)	3938	\$ 1,378,300	
21	4	Main Street	Bailey's Lane	Coffin Street	R(12)	2670	\$ 1,068,000	
22	4	Garden Street	Main Street	End of existing main	R(8)	1530	\$ 535,500	
23	4	Main Street	117 Main Street	Bachelor Street	R(16)	5870	\$ 2,494,750	
24	4	Main Street	Bachelor St	Training Field Rd	R(12)	1990	\$ 796,000	
25								
26	DIAMETER	NEW DI PIPE	NEW DI PIPE LESS THAN 1,000 FEET	CLEAN AND LINE	TOTAL FEET =	38600		
27	6	\$300	\$325	\$225				
28	8	\$350	\$400	\$275		TOTAL COST =	\$ 13,265,575	COST INCLUDES ENGINEERING
29	12	\$400	\$450	\$325				
30	16	\$425	\$475					

C&L=(Clean & Line). R=(Replace). DI=(Ductile Iron).

WATER DEPARTMENT CAPITAL PLAN INFORMATION

Description/Location	FUNDING SOURCE	FY2024	FY2025	FY2026	FY2027	FY2024 - WHENEVER 2028	COMMENTS
FUNDS FROM BORROWING OVER A PERIOD OF TIME							
Build new Water Treatment Facility on new Dole Place Well Site if Town or Water Department buy's the land.	BORROW					\$5,000,000 ???	The cost is an estimate and the year it is built depends on the year purchased and available funds
Purchase Land at Dole Place (Hopefully Town Will Commit to purchase land) Water Department = ? Town = ?	BORROW					?	The cost and the year to purchase is unknown. The BOS are negotiating with owner
CHURCH AND PROSPECT STREET WATER MAIN CONSTRUCTION	BORROW		\$2,000,000	CONTINUE TO FOLLOW THE WATER MAIN REPLACEMENT SCHEDULE.			THE WATER MAIN CONSTRUCTION COST MAY COST MUCH MORE THAN 2M
FUNDS FROM FREE CASH (FC) OR STABILIZATION FUND (S)							
WELLHEAD CLEANING	S	\$9,975					
OLD WELLFIELD BUILDING REHAB	S	\$16,610					
DISTRIBUTIONS SUPPLIES	S	\$30,000					
SCADA RTU COMUNICATIONS	S	\$7,340					
NEWBURYPORT ETC.	S	\$140,000					
CHLORINE CONTINUOUS	S	\$19,900					
BOOSTER STATING MAG METER	S	\$3,865					
CHURCH AND PROSPECT STREET WATER MAIN	S-FC OR ARPA	\$625,000					
TOTAL =		\$852,690	\$2,000,000	\$0	\$0	\$0	

Water Fund Balance Trends, FY16-FY22			
Fiscal Year	Water Retained Earnings¹		Water Stabilization²
FY16	\$ 175,000	\$ 199,802	
FY17	\$ 200,000	\$ 102,766	
FY18	\$ 389,468	\$ 8,072	
FY19	\$ 763,662	\$ 15,359	
FY20	\$ 1,037,726	\$ 15,359	
FY21	\$ 731,245	\$ 520,479	
FY22	\$ 657,454	\$ 454,620	

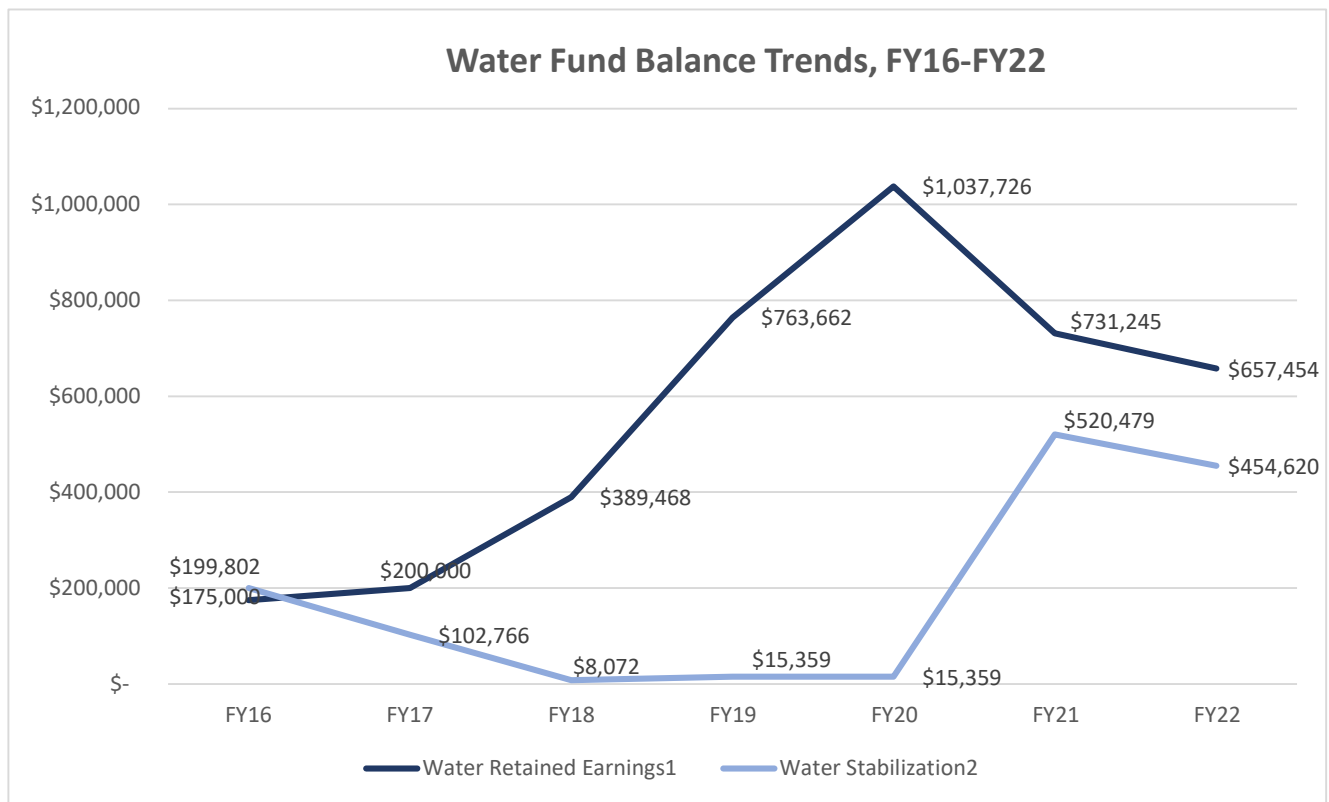
Water Stabilization + Retained Earnings	
\$	374,802
\$	302,766
\$	397,540
\$	779,021
\$	1,053,085
\$	1,251,724
\$	1,112,074

Avg (FY16-FY22)	\$564,936	\$188,065
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\$	753,002
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¹ Source: MA DOR Retained Earnings Calculations, FY18-FY22; Finance Committee Town Meeting booklets, FY16-17.

² Source: Finance Committee Town Meeting booklets, FY16-22.



Source: Angus Jennings, Town Manager - WORKING DRAFT



Town of West Newbury

381 Main Street

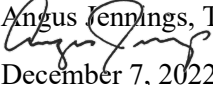
West Newbury, Massachusetts 01985

Angus Jennings, Town Manager

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

townmanager@wnewbury.org

TO: Bobbi-Jo Colburn, MassDOR

FROM:  Angus Jennings, Town Manager

DATE: December 7, 2022

RE: FY23 Water Enterprise budget

You have requested backup regarding the approved FY23 Water enterprise budget, and the amount budgeted relative to prior year water revenues.

The FY23 Water budget included, for the first time, a budgeted transfer of anticipated water revenues into the Water Stabilization fund, in the amount of \$100,000.00.

This amount was proposed in anticipation that actual FY23 water revenues may support all budgeted Water Department expenses (\$950,948) in addition to the budgeted transfer of up to \$100,000 to Water Stabilization. This projection is based on recent years' water revenues (relative to expenses), summarized as follows:

Fiscal Year	Actual Revenues ¹	Budgeted Operating Expenses ²	Actual Operating Expenses ³
FY22	\$1,000,711.63	\$863,649.00	\$791,561.43
FY21	\$1,178,737.00	\$861,446.00	\$722,372.45
FY20	\$ 994,810.00	\$795,099.00	\$726,285.58
¹ Source: Schedule A-2s, FY21-23.			
² Source: Town Meeting reports.			
³ Source: Town Accounting records.			

These numbers illustrate that, in recent years, budgeted water expenses have been less than actual revenues; and actual operating expenses have been less than budgeted expenses. This led to the decision, during the FY23 budgeting process, to specifically budget anticipated revenues (above expenses) for the purpose of transferring to Water Stabilization. (This is analogous to the Town's long-standing practice to budget, within the General Fund operating budget, funds for transfer into the town's Stabilization Fund).

Obviously, there is year-to-year variability in both water revenues, and water expenses (incl. related to conditions outside the Town's control, or ability to accurately forecast, such as annual precipitation). Therefore, when the FY23 Water budget was brought to Town Meeting, we wanted to ensure that an actual transfer of funds from the Water operating budget into Water Stabilization would not be made until we know that the FY23 water revenues will be sufficient to cover this transfer. We therefore included language in the Motion approved by Town Meeting voters, as follows (*emphasis added*):

ARTICLE 5.

The Finance Committee recommended approval of this Article 5-0-0.

Select Board member Richard Parker moved that the Town appropriate in anticipation of Water Department revenues, the sum of \$1,050,948 of which \$319,297 for salaries and wages, which include \$1,700 for Water Commissioners' Stipends; \$73,196 for insurances; \$340,313 for expenses; \$144,188 for debt services; \$20,000 for extraordinary and unforeseen expenses; and \$53,954 for indirect costs; and \$100,000 for transfer into Water Stabilization, provided, however, that the transfer of said \$100,000 from the Water Enterprise Account into the Water Stabilization Account not take place until after a specific request for such transfer is provided by the Board of Water Commissioners to the Treasurer/Collector.

The motion was seconded by Select Board member David Archibald.

With there being no discussion, the Town Moderator called for a vote and declared that the Motion carried unanimously.

In the event that actual FY23 water revenues do not reach the total budgeted amount of \$1,050,948.00, the transfer to Water Stabilization either would not be made, or would be made in a lesser amount in order to ensure that actual FY23 water expenses do not exceed FY23 water revenues.

Please feel free to contact me if you have any questions.



OFFICE OF
WATER COMMISSIONERS
CITY HALL
NEWBURYPORT, MASSACHUSETTS 01950

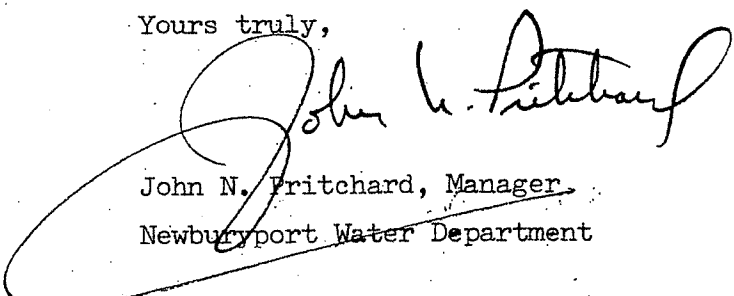
March 20, 1980

Mr. Charles D. Courtemanche
Board of Water Commissioners
Town Hall
West Newbury, Ma. 01830

Dear Mr. Courtemanche,

Enclosed please find two (2) copies of the contract for the sale of water from the City of Newburyport to the Town of West Newbury. If there are any questions with regard to this matter, please feel free to call or contact the Water Department Office. (462-2991)

Yours truly,


John N. Fritchard, Manager
Newburyport Water Department

dbh/JNP

AGREEMENT
BETWEEN
CITY OF NEWBURYPORT
AND
TOWN OF WEST NEWBURY

1. The City of Newburyport, hereinafter called the CITY, and the Town of West Newbury, hereinafter called the TOWN, mutually agree to the terms and conditions of this Contract for the sale of water for public use and consumption.

2. The CITY hereby agrees to sell not more than 175,000 gallons of water per day to the TOWN until the Artichoke Reservoir Expansion Project is complete and in use, and subject to the availability of such water. After said completion date, the CITY further agrees to adjust the present limit of 175,000 gallons of water per day based upon the increased availability of water from said Reservoir expansion. The sale of said water shall be at a negotiable rate not to exceed the commercial rate set for CITY users and established by the CITY BOARD OF WATER COMMISSIONERS.

3. All necessary pipelines, meters, meter pits and related appurtenances necessary to provide interconnection between the CITY and the TOWN distribution system shall be subject to the standard of the CITY and cost thereof shall be borne by the TOWN.

4. A meter and meter pit shall be provided at approximately the CITY-TOWN line within the boundaries of the CITY and shall be owned and controlled by the CITY.

5. Monthly billing shall be made to the TOWN by the CITY based on readings taken by the CITY and verified by the TOWN at their option.

6. As future available supplies increase or decrease, and the demand for said supplies to the TOWN increases or decreases, the limit of 175,000 gallons of water per day may be adjusted based on mutual agreement by both parties, and pursuant to the provisions contained in paragraph (2) above.

7. In the event adequate water is not available as a result of emergency or drought or any other conditions, water will be supplied proportionally to all users, however, with priority given to CITY residents, with a minimum quantity supplied for all customers and emergency users.

8. The TOWN agrees to save harmless the CITY from future loss or damage caused as a result of any misfeasance, malfeasance, or non-feasance of said TOWN within the boundaries of said TOWN.

9. In the event either party fails to satisfy any provision of this agreement, said party shall have thirty (30) days in which to satisfy said provision.

10. The term of this agreement shall be five (5) years, and thereafter shall continue for succeeding three-year periods unless one party notifies the other party in writing at least sixty (60) days before the expiration date of any three-year period, of its desire to terminate the contract on that expiration date.

11. This agreement shall terminate prior to the completion of the first five-year period upon the following:

- a) upon mutual agreement of the CITY and TOWN;
- b) at the option of either the CITY or TOWN, if the other fails to comply with provisions of this agreement.

12. The contract may be amended at any time by mutual agreement of the CITY BOARD OF WATER COMMISSIONERS and the TOWN BOARD OF WATER COMMISSIONERS.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this tenth (10th) day of March 1980.

TOWN OF WEST NEWBURY
BOARD OF WATER COMMISSIONERS:

CITY OF NEWBURYPORT
BOARD OF WATER COMMISSIONERS

Charles D. Carutemarche

Arthur P. Costan

Derek W. Jennell

Norman P. Smith

R. Flower, III

Robert H. Murphy

Everett J. Kelly

Witnessed:

John S. Bill

Witnessed:

John H. Fitch

Town Manager

From: KP Law, P.C. <KPLAW@k-plaw.com>
Sent: Wednesday, March 15, 2023 5:43 PM
To: KP Law, P.C.
Subject: KP Law eUpdate - URGENT - PFAS Informational Webinar TOMORROW - March 16, 2023 @ 2:00 p.m.

Importance: High

IMPORTANT PFAS UPDATE:

ON MARCH 14, 2023, THE EPA PROPOSED STRINGENT NEW MANDATORY PFAS MAXIMUM CONTAMINANT LEVELS (MCLs) IN WATER:

Why is this important? Among other reasons:

- PFAS contaminants (PFOA and PFOS) will be subject to a Maximum Contaminant Level (MCL) of 4 ppt (parts per trillion). This will be determined by a running annual average. The MCLG for PFOA and PFOS will be zero.
- Four additional PFAS contaminants (PFNA, PFHxS, PFBS, and GenX) will be subject to a MCL determined by a unitless "hazard index" which will be the sum of the individual ratios of these four PFAS. This is intended to regulate the individual chemicals plus a mixture of these chemicals.
- The rule contains standard monitoring, public notice, and treatment requirements.
- EPA is taking comments for 60 days on the proposed rule, as well as its decision to regulate the four additional PFAS. The rule is expected to be finalized at the end of 2023 or the beginning of 2024. Compliance will begin three years after the final rule is promulgated.

KP LAW AND NAPOLI SHKOLNIK HAVE PARTNERED TO HELP MUNICIPALITIES ACCESS FUNDS TO PAY FOR REMEDIATION COSTS THAT MAY BE INCURRED DUE TO THIS NEW RULE.

As a service to our clients where we serve as Town Counsel/Town Attorney/City Attorney/City Solicitor, as well as those where we serve as Labor and Employment Counsel or as special counsel, we are offering a free webinar TOMORROW, March 16, 2023 at 2:00 p.m. We invite you all to join the firm of Napoli Shkolnik, as well as Hank Naughton, to learn about this important subject.

KP Law and Napoli Shkolnik Environmental invite you to a scheduled Zoom meeting to discuss:

Topic: PFAS Cost Recovery Program

Time: Mar 16, 2023 02:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87665652917?pwd=UURnNzhhZlhJSkZDOW9icFBTZklsUT09>

Meeting ID: 876 6565 2917

Passcode: 607482

One tap mobile

+19292056099,,87665652917#,,,,*607482# US (New York)

+16469313860,,87665652917#,,,,*607482# US

KP | LAW

101 Arch Street, 12th Floor
Boston, MA 02110

J



Town of West Newbury SLFRF - state and local fiscal recovery funds ARPA Project Request Form

Please complete this form and attach any additional paperwork to support your request.

Date:	3/23/2023
Project Name:	Page School HVAC Unit Replacement
Project ID: (accounting use only)	ARPA-03
Expense Category:	6.1 Provision of Government Services
Description of Project: (50-250 words)	The existing broken HVAC system was installed in 2014. It was discovered shortly after the installation of the system that it had been discontinued. The system has been down for many years and replacement parts are no longer available. Some of these areas have no exterior doors or windows and the cooling part of the system is the only resource to cool the air during the warmer months. Our most recent cost estimate was \$85,000 to replace the system including labor, plus \$15,000 for the electrical work and additional \$15,000 contingency. This work will be put out to bid with the contract being awarded to the lowest cost responsible bidder.
Estimated Project cost	\$115,000
Status of completion:	Procurement not yet initiated; estimated budget amount.
Which FY will these expenses occur:	FY23 - 24

Dept head approval/Date

Angus Jennings, Town Manager, March 23, 2023

Select Board approval/Date

Accounting approval/Date

Town Manager

From: Murray, Kayleigh [REDACTED] >
Sent: Friday, March 24, 2023 6:00 AM
To: Town Manager
Cc: Town Accountant
Subject: RE: [External] Request for ARPA funds for HVAC repairs at elementary school

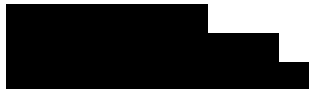
Good morning Angus,

Yes HVAC projects would be eligible under Revenue Loss 6.1. I believe your plan was to apply all funds under revenue loss as they would be under the \$10 million cap so this may be a moot point, but HVAC would also be eligible under 1.4 Congregate Settings Prevention as the proper ventilation can reduce the spread of COVID. There are a couple additional requirements with this category so revenue loss would be the most straightforward.

Best,
Kayleigh



Kayleigh Murray
BizOps Associate
State and Local Government



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Investment advisory services are offered through CliftonLarsonAllen Wealth Advisors, LLC, an SEC-registered investment advisor.

CLA is an independent member of Nexia International. See [member firm disclaimer](#) for details.

From: Town Manager <townmanager@wnewbury.org>
Sent: Thursday, March 23, 2023 7:06 PM
To: Murray, Kayleigh [REDACTED]
Cc: Town Accountant <townaccountant@wnewbury.org>
Subject: [External] Request for ARPA funds for HVAC repairs at elementary school

Think Security – This email originated from an external source. Be cautious with any links or attachments.

Hi Kayleigh,

A funding proposal is scheduled to be brought to our Town Meeting in late April, to replace a failed HVAC unit (and related ductwork and electrical) in our Page Elementary School.

We are interested in, instead, proposing this for ARPA funding. We have prepared the attached draft ARPA funding proposal. Would you agree that this project is eligible for ARPA funding, and if so that we've correctly identified the Expenditure Category as 6.1 Provision of Government Services? I didn't see another EC that seemed to clearly fit.

Please get back to us when you can. If our Select Board supports funding this from ARPA, we could remove the proposed funding article from the Town Meeting warrant prior to the warrant being finalized and posted.

Thanks!

Angus

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



Annual OR Special Warrant Articles - Spring 2023 Town Meeting				Recommendations	
# (DRAFT) Article	Amt (if \$)	Sponsor	Date of FinCom review	Select Board (may not be up to date)	FinCom
1	n/a	Select Board	n/a	n/a	n/a
2	n/a	Select Board	n/a	n/a	n/a
39	n/a	Select Board	n/a	3-0 on 2/13	no recc.
42	n/a	Planning Board	n/a	3-0 on 2/27	no recc.
3	\$ 200,000	Select Board	2/15/2023	3-0 on 2/13	6-0 on 2/15
18	\$ 6,868	Select Board	2/15/2023	3-0 on 2/13	6-0 on 2/15
37	\$ 7,500	Select Board	2/15/2023	3-0 on 2/13	4-2 on 2/15
16	\$ 10,364	Board of Health	2/22/2023	3-0 on 2/27	6-0 on 2/22
22	\$ 609,037	CPC	2/22/2023	3-0 on 2/27	6-0 on 2/22
23	\$ 350,000	CPC/SB	2/22/2023	3-0 on 3/13	6-0 on 2/22
24	\$ 172,178	CPC/SB	2/22/2023		6-0 on 2/22
29	\$ 60,180	DPW Director	2/22/2023	3-0 on 2/13	2-3-1 on 2/22
<i>NOTE: At its meeting on Feb. 22nd, following discussion, the FinCom voted 3-2-1 IN FAVOR of appropriating \$18,700 for this purpose. Its vote for the amount proposed FAILED</i>					
30	\$ 8,300	DPW Director	2/22/2023	3-0 on 2/27	6-0 on 2/22
35	\$ 4,150	Hist. Comm.	2/22/2023	3-0 on 2/27	6-0 on 2/22
38	\$ 20,000	Open Space Comm.	2/22/2023	2-1 on 2/27	6-0 on 2/22
17	\$ 67,514	Select Board	3/1/2023	3-0 on 2/13	1-5 on 3/1
21	\$ -	Select Board	3/1/2023	3-0 on 3/13	6-0 on 3/1
<i>NOTE: At its meeting on March 1st, following discussion, the FinCom voted 6-0 in favor of Revolving Funds 5.1-5.5; and tabled action on Fund 5.6 (Curbside Collection & Recycling)</i>					
32	\$ 4,425	P&R Comm	3/1/2023	2-1 on 2/27	6-0 on 3/1
33	\$ 15,000	P&R Comm	3/1/2023	2-1 on 2/27	6-0 on 3/1
34	\$ 9,960	DPW Director	3/1/2023	3-0 on 2/27	6-0 on 3/1
21	\$ -	Select Board	3/15/2023	3-0 on 3/13	5-0 on 3/15
6	\$ 1,048,532	BOWC	3/15/2023	2-0-1 on 3/13	5-0 on 3/15
7		BOWC	3/15/2023	3-0 on 3/13	5-0 on 3/15
<i>NOTE: At its meeting on March 13th, the Select Board voted to appropriate ARPA funds for the pipe purchase; and to modify the proposed Article request to instead seek Town Meeting vote to authorize borrowing for the remainder of the overall Church/Prospect project costs (estimated - conservatively, we hope - at up to \$2.5M). While borrowing would not be anticipated until, at earliest, spring 2024, securing voter authorization would ensure that ARPA funds would be committed to an actual project, and avoid the risk of purchasing pipe (with ARPA funds) to only later have Town Meeting voters reject the overall project.</i>					
8	\$ 140,000	BOWC	3/15/2023	3-0 on 3/13	5-0 on 3/15
9	\$ 3,865	BOWC	3/15/2023	3-0 on 3/13	5-0 on 3/15
10	\$ 19,900	BOWC	3/15/2023	3-0 on 3/13	5-0 on 3/15
11	\$ 7,340	BOWC	3/15/2023	3-0 on 3/13	5-0 on 3/15
12	\$ 16,610	BOWC	3/15/2023	3-0 on 3/13	5-0 on 3/15
13	\$ 9,975	BOWC	3/15/2023	3-0 on 3/13	5-0 on 3/15
14	\$ 30,000	BOWC	3/15/2023	3-0 on 3/13	5-0 on 3/15
26	\$ 117,000	Board of Fire Engineers	3/22/2023	3-0 on 3/13	5-0 on 3/15
28	\$ 25,000	Police Chief	3/22/2023		5-0 on 3/15

Annual OR Special Warrant Articles - Spring 2023 Town Meeting				Recommendations	
# (DRAFT) Article	Amt (if \$)	Sponsor	Date of FinCom review	Select Board (may not be up to date)	FinCom
25 DPW Sidewalk Plow replacement - CAPITAL ARTICLE	\$ 172,000	DPW Director	3/22/2023		6-0 on 3/22
27 Page School HVAC - CAPITAL ARTICLE	\$ 115,000	DPW Director	3/22/2023		6-0 on 3/22
15 Funds for study of 31 Dole Place	\$ 50,000	Select Board	3/22/2023	3-0 on 3/13	6-0 on 3/22
20 Appropriation of PEG Reserved Revenues under MGL c.44 s.53F3/4	\$ 90,000	Select Board	3/22/2023		6-0 on 3/22
31 Funds for Route 113 Corridor Planning (pedestrian safety)	\$ 59,500	Select Board	3/22/2023		6-0 on 3/22
5 Instructions, Rules and Regulations for Board of Water Commissioners	n/a	Select Board	3/29/2023		
40 Solar Bylaw amendments	n/a	Planning Board	3/29/2023		
19 Snow & Ice deficit	TBD	DPW Director	3/29/2023	3-0 on 3/13	
4 FY24 Town Operating Budget	TBD	Select Board	3/29/2023		

Notes:

Numbering does not correspond to order or numbering that will appear on Town Meeting warrants.

Cells shaded in blue are recommended/requested for STM, not ATM.

Annual OR Special Warrant Articles - Spring 2023 Town Meeting		Proposed Funding Source (DRAFT)						
# (DRAFT) Article		Free Cash	Stabilization	School Stabilization	CPA	Water Retained Earnings	Water Stabilization	Other
1	To give votes to the election of the public offices							
2	Reports of Town Officers and Committees							
39	Adoption of MGL Ch. 166, Sec. 32A (Wiring Inspectors)							
42	Zoning Bylaw Recodification							
3	School Stabilization Fund transfer			\$ 200,000				
18	Transfer funds to Other Post-Employment Benefits (OPEB) Stabilization Fund	\$ 6,868						
37	MBTA Communities grant matching funds	\$ 7,500						
16	Appropriation from Septic Loan Revolving Fund							\$ 10,364
22	Allocate and/or reserve Community Preservation Fund annual revenues				\$ 609,037			
23	Sawmill Brook (Poorhouse Lane) land acquisition				\$ 350,000			
24	Transfer CPC funds to Affordable Housing Trust				\$ 172,178			
29	Ash Tree Treatments (Multi-Year Funding Program)	\$ 60,180						
30	Page School security cameras	\$ 8,300						
35	Funding for cemetery cleanup	\$ 4,150						
38	Invasive Species management	\$ 20,000						
17	Transfer funds for Pension Liability Stabilization Fund	\$ 67,514						
21	Fix FY24 max amounts that may be spent from revolving funds 5.1 to 5.5							\$ -
32	Purchase infield grader	\$ 4,425						
33	Pipestave Field 6 Restoration	\$ 15,000						
34	Pipestave fencing	\$ 9,960						
21	Fix FY24 max amounts that may be spent from revolving fund 5.6 (Curbside/Recycling)							\$ -
6	FY24 Water Operating Budget							
7	Church/Prospect Water Main Replacements - BOND AUTHORIZATION					\$ -	\$ -	
8	Appropriation of Water Retained Earnings for FY23 purchase of water					\$ 140,000		
9	Water - purchase new Master Meter at Pipestave Booster Station						\$ 3,865	
10	Water - purchase Continuous Chlorine Monitoring System						\$ 19,900	
11	Water - purchase SCADA Remote Terminal Units						\$ 7,340	
12	Water - Exterior Repairs to Wellfield #1 Building						\$ 16,610	
13	Water - Clean Wellheads at Wellfield #1					\$ 9,975		
14	Water - Valves hydrants water mains meter pits					\$ 30,000		
26	Fire Pickup Truck replacement - CAPITAL ARTICLE		\$ 117,000					
28	Police Cruiser purchase, supplemental funding (FY23 vehicle)	\$ 25,000						
25	DPW Sidewalk Plow replacement - CAPITAL ARTICLE		\$ 172,000					
27	Page School HVAC - CAPITAL ARTICLE		\$ 115,000					
15	Funds for study of 31 Dole Place	\$ 50,000						
20	Appropriation of PEG Reserved Revenues under MGL c.44 s.53F3/4							\$ 90,000
31	Funds for Route 113 Corridor Planning (pedestrian safety)	\$ 59,500						

Annual OR Special Warrant Articles - Spring 2023 Town Meeting		Proposed Funding Source (DRAFT)						
# (DRAFT) Article		Free Cash	Stabilization	School Stabilization	CPA	Water Retained Earnings	Water Stabilization	Other
5	Instructions, Rules and Regulations for Board of Water Commissioners							
40	Solar Bylaw amendments							
19	Snow & Ice deficit							
4	FY24 Town Operating Budget							
Sub-Totals (Preliminary and Incomplete):		\$ 338,397	\$ 404,000	\$ 200,000	\$ 1,131,215	\$ 179,975	\$ 47,715	\$ 100,364

Notes:

Numbering does not correspond to order or numbering that will appear on Town Meeting warrants.
 Articles will be assigned to Annual or Special Town Meeting warrants at a later 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: Select Board
FROM: Angus Jennings, Town Manager
DATE: March 24, 2023
RE: Schedule for joint FinCom/Moderator/Town Counsel etc. mtg

The Board's regular schedule of upcoming meetings includes Monday, April 10; Monday, May 8; and Monday, May 22.

Due to Town Meeting on April 24, the Board's regular meeting that would normally fall on that date will not take place.

I recommend that the Board instead hold a meeting on Monday, April 17, which would include the joint meeting with FinCom, Moderator, etc., to review draft Town Meeting Motions.

Please note: I have not checked others' availability for this date, and this does fall on a School Vacation week. In case this date doesn't work well, the Board may wish to look at alternate meeting dates for the joint meeting during the week of April 10th.

Town Manager

From: Timothy D. Zessin [REDACTED] >
Sent: Tuesday, March 21, 2023 4:02 PM
To: Town Clerk
Cc: Town Manager
Subject: RE: Temporary Town Moderator
Attachments: KP-#856125-v1-WNEW_ATM_-_script_for_electing_temporary_moderator.DOC

Jim

If K.C. is going to be absent from the Annual Town Meeting, the Town Clerk opens and presides over the meeting until a temporary moderator is elected. Although nominations for temporary moderator may be made from the floor, the identity of the temporary moderator is usually decided in advance. A sample script for the Town Clerk is attached. In my opinion, this procedure must be followed at the start of both the special and annual town meetings – a vote to appoint a temporary moderator is only effective for that meeting

Please let me know if you would like to discuss.

tim

Timothy D. Zessin, Esq.

KP | LAW

101 Arch Street

12th Floor

Boston, MA 02110

[REDACTED]

This message and the documents attached to it, if any, are intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL and/or may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and its attachments, if any, and destroy any hard copies you may have created and notify me immediately.

From: Town Clerk <townclerk@wnewbury.org>
Sent: Tuesday, March 21, 2023 11:42 AM
To: Timothy D. Zessin [REDACTED]
Cc: Town Manager <townmanager@wnewbury.org>
Subject: Temporary Town Moderator

Hi Tim,

Quick question, K.C. Swallow our Town Moderator will be unable to attend this years meeting. So I had a question since we have to elect a temporary moderator do we need to hold multiple elections because we will start the annual recess, convene the special, and then returning to the annual. I just wanted to get clarification on whether I need to precede over the just the start of the annual town meeting and elect the temporary moderator for the day (which we can make clear in the election) or do I need to then convene the special as well and elect the temporary moderator again.

Let me know,

James RW Blatchford

Town Clerk

Town of West Newbury

Phone 978-363-1100 X 110

Mobile 978-891-0039

www.WNewbury.org



ELECTION OF A TEMPORARY TOWN MODERATOR

Town Clerk Script

1. Call the meeting to order;
2. Announce that a quorum is present;
3. Since the Moderator is absent, the first order of business is to elect by ballot a Temporary Moderator pursuant to G.L. c. 39, §14. The Temporary Moderator will preside over this Town Meeting.
4. It is my understanding that _____ has graciously offered to perform the duties of the Moderator. Additionally, you should be aware that in elections, the person receiving the majority of votes of those present and voting is declared the winner. Accordingly, if there is only one person nominated, only one vote will be required to “elect” the Temporary Moderator.
5. Do I have a nomination for _____ to act as Temporary Moderator for purposes of this meeting?

[At this time, a predetermined Town official, such as the Chair of the Select Board, should rise to nominate that person, and the motion should be seconded.]

6. Are there additional nominations?

[If only one nomination has been made, continue to Paragraph 7; if more than one nomination is made, skip to Paragraph #11.]

7. Hearing none, nominations are closed. Further, hearing no objections, I declare that _____ is the sole nominee for the position of Temporary Moderator for this meeting.
8. Do I hear a motion that the Chair of the Board of Selectmen cast one ballot for _____?

[Someone should indicate, “So moved”]

Is there a Second?

[Someone should indicate, “Seconded”]

9. I will ask for a vote on the motion that the Chair of the Select Board cast one ballot. We will use a show of hands. If the vote is “close”, meaning it is apparent to me that there are a significant number of “no” votes, then we will have a counted vote. If it appears there is a clear majority, however, I will simply declare the vote.

[If the vote is “yes” to have the Chair cast a single ballot, then the Chair will cast the ballot for _____].

[The Select Board then reviews the ballot cast by the Chair and reports the same to the Town Clerk].

10. The Town Clerk then declares the election of the Temporary Moderator and administers the oath of office.

[The Town Clerk should immediately make a record of this election].

11. If more than one person has been nominated, you will need to use “ballots.” The ballots may be blank pieces of paper on which each voter writes the name of the person for whom he or she votes. In preparation for this possibility, the Town Clerk should bring a special colored paper to the meeting, already cut into fourths, one of which shall be given to each registered voter at check in. The “ballots” should be distributed, collected, and counted using the process the Town uses for secret ballots. The following statement may be made:

[One blank slip of paper was provided at the check-in table to each registered voter eligible to vote. Because this is an election, the person receiving the highest number of votes will be elected. Please mark the name of the nominated individual for whom you wish to vote, and place the ballot [in the ballot box or other receptacle to be used for collecting ballots]. After everyone is finished voting, the Town Clerk will receive and count the votes and declare the election of the Temporary Moderator].

[Town Clerk counts the votes and announces the result. The Town Clerk declares the election of the Temporary Moderator and administers the oath of office. The Town Clerk should immediately make a record of this election].

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



Maura T. Healey
GOVERNOR

Kimberley Driscoll
LIEUTENANT
GOVERNOR

Rebecca L. Tepper
SECRETARY

John Lebeaux
COMMISSIONER

March 3, 2023

RE: NOMINATION OF INSPECTOR OF ANIMALS

RECEIVED

MAR 13 2023

TOWN MANAGER
TOWN OF WEST NEWBOROUGH

Nominating Authority:

Enclosed is the nomination form for the Inspector of Animals for your city or town. **This form is due back to the Division of Animal Health by April 1, 2023.** The appointment will run from May 1, 2023 until April 30, 2024. If more than one inspector was appointed for your city or town, there is a separate form for each. If you are nominating the same inspector(s) this year, **be sure that all of the contact information is complete and still correct.** Any corrections should be made in the space provided on the right. If you will be nominating a new inspector, that person's information should be entered in the space provided on the right. Submit a separate form for each inspector nominated. Also, be sure that all of your (nominating authority) information is complete and correct. Any changes to your information should be made in the space provided to the right.

Once all of the contact information is confirmed to be correct, all that is needed is to **have the nominee sign the form**, accepting the nomination and swearing to faithfully perform the duties of that office. **The nominee's signature must be notarized.** In many cases the city or town clerk is a notary.

Your municipality can have as many animal inspectors appointed as you feel are needed to fulfill the duties. Please note, a duty of the municipal animal inspector is the annual "barn inspection". An inspector is not able to perform an inspection on their own property. If your inspector keeps animals in your town, then the municipality will require an additional inspector to perform that inspection.

After the nominee's signature has been notarized, simply **return the form to the Division of Animal Health at the address listed at the top of the form.** The Division of Animal Health will send back confirmation of the inspector's appointment. **Please note that regardless of when the most recent appointment was made, it is only valid through April 30, 2023.** This nomination will cover the year starting May 1, 2023 and run until April 30, 2024.

If you have any questions, please call Ashley Kraft at (617) 626-1810 or email Ashley.Kraft@mass.gov.

Thank you,

Michael Cahill, Director
Division of Animal Health



The Commonwealth of Massachusetts

Department of Agricultural Resources

Division of Animal Health

251 Causeway Street, Suite 500

Boston, MA 02114-2151

Nomination of Inspector of Animals

In accordance with the Massachusetts General Laws Chapter 129, sections 15 and 16, nominating authorities of each city and town are required to nominate one or more inspectors of animals by April 1, 2023. Please complete or make necessary changes and return this form to the above address. The Director will review your nomination and, assuming appointment is confirmed, will return to you a Certificate of Appointment. Please submit one form for each person nominated. Any city or town not in compliance is subject to a penalty of \$500.

City or Town of West Newbury

3/3/2023

To the Director, Division of Animal Health, Department of Agricultural Resources

In accordance with the provisions of section 15 of Chapter 129, General Laws, as amended, the following nomination of inspector of animals for the year ending April 30, 2024 is sent for your approval:

Inspector of Animals

Name: Kayla Provencher
Mail Address: 60 Pleasant St
Newburyport, MA - 01950
Phone: (978) 979-1249 Fax:(978) 363-1826
Email: kprovencher@cityofnewburyport.com

Inspector: (Note all changes here)

Name: _____
Mail: _____
Phone: _____ Fax: _____
Email: _____

Nominating Authority

Contact: Angus Jennings Town Manager
Office: Board of Selectmen
Mail: 381 Main St.
West Newbury, MA - 01985
P: (978) 363-1100 F: (978) 363-1119
Email: townmanager@wnewbury.org

Nominating Authority: (Note all changes here)

Contact: _____
Office: _____
Mail: _____
Phone: _____ Fax: _____
Email: _____

Acceptance of Nomination of Inspector of Animals (must be notarized)

I hereby accept my nomination as Inspector of Animals for the City or Town of West Newbury, and if and when I am appointed, I solemnly swear to faithfully perform the duties of that office, all of which are listed in General Laws Chapter 129, and Massachusetts Regulations 330 CMR 10.00-10.10 (rabies regulations).

Name (print) _____ Signed _____

COMMONWEALTH OF MASSACHUSETTS

Essex,ss

Date: _____

Then personally appeared the above-named _____ and acknowledged the foregoing instrument to be his or her free act and deed, before me.

Notary Public

My commission Expires: _____

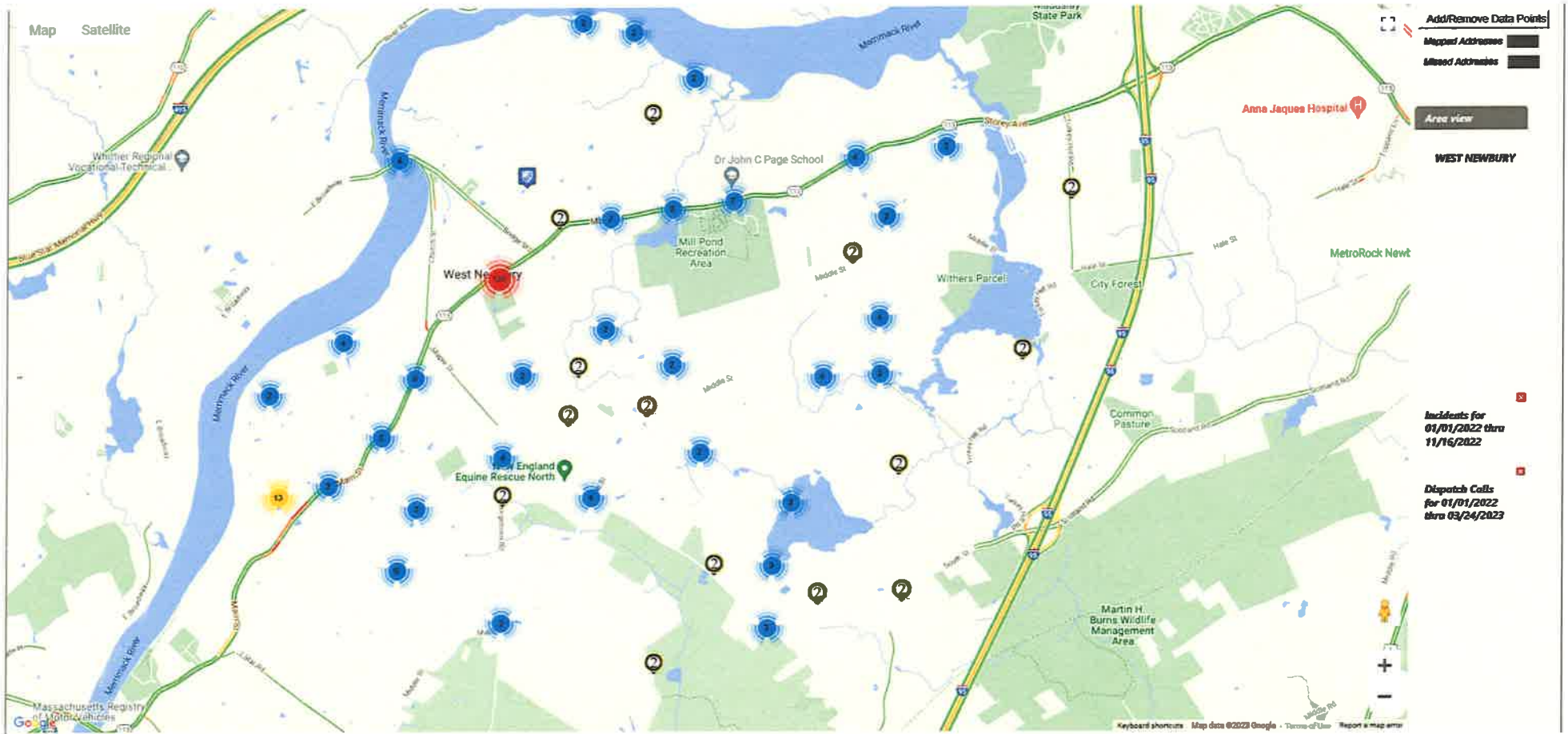
Appointment of Inspector of Animals (Division of Animal Health use only)

Notice is hereby given that I, Michael Cahill acting under authority of sections 15 and 16 of Chapter 129 of the General Laws, as amended, hereby approve the nomination of _____ as Inspector of Animals for the City or Town of West Newbury, Massachusetts.

Date Approved: _____

Director, Division of Animal Health

Animal Control Calls for Service 01/01/2022 – 03/24/2023



Red Cluster – Calls into Public Safety Dispatch, questions, requests for call backs, etc.

Yellow and Blue Clusters – Grouping based on close proximity based on the location of the incident.

West Newbury Police Department
 Call Analysis by Time and Day of Week for 2023 vs 2022

Date Range: Thru
 Selected Personnel: All
 Selected Duty: All
 Selected Post: All

	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Totals	
	Calls	Day%	Calls	Day%	Calls	Day%	Calls	Day%	Calls	Day%	Calls	Day%	Calls	Day%	Calls	Tot%
2023																
Hour: 0	1	25.0													1	3.4
Hour: 1							1	25.0							1	3.4
Hour: 7							1	25.0					1	33.3	2	6.9
Hour: 9			1	50.0	1	14.3	1	25.0							3	10.3
Hour: 10	1	25.0					1	25.0							2	6.9
Hour: 11					1	14.3			3	60.0	1	25.0			5	17.2
Hour: 12			1	50.0	1	14.3			2	40.0	1	25.0			5	17.2
Hour: 13	1	25.0			1	14.3							1	33.3	3	10.3
Hour: 14											1	25.0			1	3.4
Hour: 15	1	25.0													1	3.4
Hour: 16					1	14.3							1	33.3	2	6.9
Hour: 18					1	14.3									1	3.4
Hour: 20											1	25.0			1	3.4
Hour: 21					1	14.3									1	3.4
Totals:	4	13.8	2	6.9	7	24.1	4	13.8	5	17.2	4	13.8	3	10.3	29	

West Newbury Police Department
Call Analysis by Time and Day of Week for 2023 vs 2022

Date Range: Thru
 Selected Personnel: All
 Selected Duty: All
 Selected Post: All

	Sunday Calls Day%	Monday Calls Day%	Tuesday Calls Day%	Wednesday Calls Day%	Thursday Calls Day%	Friday Calls Day%	Saturday Calls Day%	Totals Calls Tot%
2022								
Hour: 0		1 3.0						1 0.3
Hour: 1			1 1.7		1 1.8			2 0.6
Hour: 2						1 2.4		1 0.3
Hour: 3						1 2.4	1 2.8	2 0.6
Hour: 5	1 2.5			2 3.5	1 1.8	1 2.4		5 1.6
Hour: 6	1 2.5		1 1.7	4 7.0		1 2.4		7 2.2
Hour: 7	3 7.5	1 3.0	1 1.7	1 1.8	4 7.1	2 4.9	4 11.1	16 5.0
Hour: 8		4 12.1	3 5.2	4 7.0	3 5.4	5 12.2	4 11.1	23 7.2
Hour: 9	3 7.5	4 12.1	8 13.8	5 8.8	6 10.7	8 19.5	3 8.3	37 11.5
Hour: 10	3 7.5	1 3.0	4 6.9	8 14.0	4 7.1	1 2.4	2 5.6	23 7.2
Hour: 11	4 10.0	3 9.1	4 6.9	5 8.8	4 7.1	5 12.2	2 5.6	27 8.4
Hour: 12	5 12.5	5 15.2	5 8.6	8 14.0	7 12.5	2 4.9	3 8.3	35 10.9
Hour: 13	1 2.5	1 3.0	4 6.9	3 5.3	5 8.9	1 2.4	3 8.3	18 5.6
Hour: 14	5 12.5	3 9.1	5 8.6	3 5.3	4 7.1	2 4.9	2 5.6	24 7.5
Hour: 15	5 12.5	2 6.1	2 3.4	2 3.5	9 16.1	2 4.9	6 16.7	28 8.7
Hour: 16	4 10.0	3 9.1	6 10.3	2 3.5	2 3.6	3 7.3	2 5.6	22 6.9
Hour: 17	2 5.0	2 6.1	4 6.9	3 5.3	2 3.6	5 12.2	2 5.6	20 6.2
Hour: 18	1 2.5	1 3.0	1 1.7	3 5.3	1 1.8		2 5.6	9 2.8
Hour: 19	1 2.5	1 3.0	1 1.7	1 1.8	1 1.8	1 2.4		6 1.9
Hour: 20			1 1.7					1 0.3
Hour: 21	1 2.5		1 1.7	2 3.5				4 1.2
Hour: 22		1 3.0	5 8.6	1 1.8				7 2.2
Hour: 23			1 1.7		2 3.6			3 0.9
Totals:	40 12.5	33 10.3	58 18.1	57 17.8	56 17.4	41 12.8	36 11.2	321

West Newbury Police Department
 Call Analysis by Call Reasons for 2023 vs 2022

Date Range: Thru
 Selected Personnel: All
 Selected Duty: All
 Selected Post: All

January	February	March	April	May	June	July	August	September	October	November	December
Calls Day%	Calls Day%	Calls Day%	Calls Day%	Calls Day%	Calls Day%	Calls Day%	Calls Day%	Calls Day%	Calls Day%	Calls Day%	Calls Day%
2022											
ANIMAL INCIDENT/ACO		Total:	321 100 %								
32 100	12 100	23 100	28 100	28 100	41 100	31 100	33 100	32 100	11 100	25 100	25 100
Grand Total: 321											
32 10.0	12 3.7	23 7.2	28 8.7	28 8.7	41 12.8	31 9.7	33 10.3	32 10.0	11 3.4	25 7.8	25 7.8


West Newbury Police Department
 Call Analysis by Call Reasons for 2023 vs 2022

Date Range: Thru
 Selected Personnel: All
 Selected Duty: All
 Selected Post: All

January Calls Day%	February Calls Day%	March Calls Day%	April Calls Day%	May Calls Day%	June Calls Day%	July Calls Day%	August Calls Day%	September Calls Day%	October Calls Day%	November Calls Day%	December Calls Day%
2023											
ANIMAL INCIDENT/ACO		Total:	29	100 %							
12	17										
41.4	58.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grand Total: 29											
12	17	0	0	0	0	0	0	0	0	0	0
41.4	58.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

MEMORANDUM

TO: All Retirement Boards

FROM: John W. Parsons, Esq., Executive Director 

RE: 5% Local COLA option

DATE: November 18, 2022

RECEIVED

JAN 23 2023

TOWN MANAGER
TOWN OF WEST NEWBURGH

On November 16, 2022, the Governor signed Chapter 269 of the Acts of 2022 into law. This act provides the local retirement systems with a local option to increase the Cost of Living Adjustment (“COLA”) for Fiscal Year 2023 to up to 5 percent on the base amount specified pursuant to G.L. c. 32, § 103. The approval of the increase can occur at any time during the fiscal year and will take effect as of July 1, 2022.

The local approval mechanism is different than traditional COLA increases and COLA base increases. In order for a system to adopt a COLA increase pursuant to this act, **the retirement board must vote for the increased amount and then it must also receive local approval.**

For purposes of this act, local approval means:

- In a city, the mayor must recommend the increase to the city council and the council must vote in favor.
- In a city having a Plan D or Plan E charter, the city manager must recommend the increase to the city council and the council must vote in favor.
- In a town, the chief executive officer¹ - the select board in nearly all cases - must vote in favor to accept the increase rather than the town meeting as is the case for COLA base increases.
- In a district, or other political subdivision, the governing board, commission or committee must vote in favor to accept the COLA increase.

¹ As defined in G.L. c. 4, § 7, "chief executive officer", when used in connection with the operation of municipal governments shall include the mayor in a city and the select board in a town unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.



MEMORANDUM - Page Two

TO: All Retirement Boards
FROM: John W. Parsons, Esq., Executive Director
RE: 5% Local COLA option
DATE: November 18, 2022

- In a regional system, two-thirds of the cities and towns within the system must approve the increase. This is done in the same fashion as stated above for municipalities: in a city, by the city council upon recommendation by the mayor or, in a city with a Plan D or Plan E charter, the city manager; or, in a town, by approval of the chief executive officer (likely the select board) as defined by G.L. c. 4, § 7.
- In a county, the county commissioners, who normally do not have a role in COLAs nor COLA base increases, must vote to accept **and** two-thirds of the cities and towns within the system must approve the increase in the same manner as stated above for regional systems.

Though many local systems are comprised of multiple units such as housing authorities and districts, the two-thirds language only applies to regional and county systems as the approval specified in the statute only refers to cities and towns as voting political subdivisions.

Section 2 of the act provides that a COLA increase pursuant to this act is retroactive to July 1, 2022. Any COLA increase, in addition to any COLA previously adopted for FY 23, will become part of the fixed amount of a retirees' retirement allowance in the same manner as all COLAs granted pursuant to section 103.

PERAC has already received questions about estimating the cost of the enhanced COLA. PERAC Actuary John Boorack has provided the following formula for a conservative full-cost estimate, not a one-year estimate, to assist boards in their planning:

$$(0.2) \times (\text{COLA base}) \times (\# \text{ of retirees/beneficiaries})$$

If you have any questions about this memo, please contact PERAC's General Counsel, Judith Corrigan, at (617) 591-8904 or at judith.a.corrigan@mass.gov.

ESSEX REGIONAL RETIREMENT SYSTEM

491 Maple Street, Suite 202, Danvers MA 01923

Telephone: 978-739-9151

Email: info@essexrrs.org

www.essexregional.com

Charles E. Kostro
Executive Director

Board Members:
Andrew J. Sheehan
Kevin A. Merz
Katherine E. Carleton
Susan J. Yaskell
Vincent R. Malgeri

January 18, 2023

Angus Jennings
Town Manager
Town of West Newbury
Town Hall
381 Main Street
West Newbury, MA 01985

RECEIVED

JAN 23 2023

TOWN MANAGER
TOWN OF WEST NEWBURY

Dear Mr. Jennings:

On November 16, 2022, the Governor signed into law Chapter 269 of the Acts of 2022. This act provides that retirement boards may increase the Cost-of-Living Adjustment (“COLA”) for Fiscal Year 2023 (“FY2023”) up to five percent on the base amount for eligible members of the Essex Regional Retirement System (“ERRS”). The COLA base amount for ERRS is \$16,000.

At their meeting on December 19, 2022, the Essex Regional Retirement Board (“Board”) voted four members in favor, and one opposed, to increase the COLA for FY2023 to five percent. This would add an additional two percent to the previously approved three percent increase approved by the Board at their meeting on April 25, 2022. The three percent increase in the COLA was effective as of July 1, 2022. The additional two percent increase in the COLA would be retroactive to that date.

However, the additional two percent increase in the COLA cannot take effect unless it is approved by two thirds of the select boards of the municipal units of ERRS. Enclosed please find a copy of the memo outlining this process which was distributed by the Public Employee Retirement Administration Commission (PERAC).

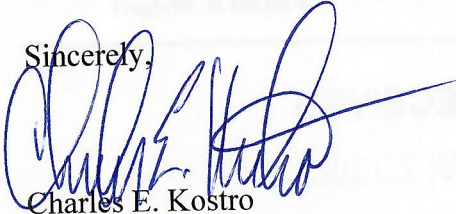
There are nineteen municipal units that are members of ERRS. Therefore, the increase in the COLA to five percent will not be effective unless it is approved by a majority vote of the select board in thirteen municipal units.

The Board respectfully requests that such a vote be taken, and the retirement system notified of the results, on or before April 1, 2023. Should thirteen municipal units approve this additional increase, receiving notice of the votes on or before April 1, 2023, will permit sufficient time for the additional COLA to be calculated and correctly applied to the benefit payments of eligible recipients. The application of this additional increase must be done within this fiscal year, which ends on June 30, 2023. Upon a vote of your Select Board, please submit a certified copy of the vote to ERRS.

If you have any questions regarding this notice, please do not hesitate to contact me at (978) 739-9151, extension 105, or via email at ckostro@essexrrs.org. You may also submit a copy of your certified board vote to me at this email address.

Thank you for your cooperation in this matter.

Sincerely,



Charles E. Kostro
Executive Director

On November 18, 2022, the Governor signed into law Chapter 269 of the Acts of 2022. This act provides that retirement boards may increase the Cost-of-Living Adjustment ("COLA") for fiscal year 2023 ("FY 2023") up to the amount on the base amount for eligible members of the Essex Regional Retirement System ("ERRS"). The COLA base amount for ERRS is \$1,000.

At their meeting on November 18, 2022, the Essex Regional Retirement Board ("Board") voted four members in favor and one opposed to increase the COLA for FY2023 to five percent. This would add an additional two percent to the previously approved three percent increase approved by the Board at their meeting on April 25, 2022. The two percent increase in the COLA was effective as of July 1, 2022. The additional two percent increase in the COLA would be retroactive to that date.

However, the additional two percent increase in the COLA cannot take effect unless it is approved by the Board. The Board is currently reviewing the proposal and will hold a public hearing on the proposal on or before April 1, 2023. Should the Board approve the proposal, the Board will submit a certified copy of the proposal to the Retirement Administration Commission (RAC).

There are nineteen municipal units that are members of ERRS. Therefore, the increase in the COLA to five percent will not be effective unless it is approved by a majority vote of the Board. The Board will hold a public hearing on the proposal on or before April 1, 2023.

The Board respectfully requests that such a vote be taken and the retirement system notified of the results on or before April 1, 2023. Should the Board approve the proposal, the Board will submit a certified copy of the proposal to the RAC. The application of this additional increase will be done when this fiscal year, which ends on June 30, 2023. Upon a vote of your Board, please submit a certified copy of the vote to ERRS.

Town Manager

From: Charles Kostro [REDACTED] >
Sent: Wednesday, March 15, 2023 11:53 AM
To: Town Manager
Cc: Finance Admin
Subject: RE: Estimating cost of potential 5% ERRS COLA

Angus – Thank you for the update. The only new information that I can think of since January is that the Town of Merrimac is the only Select Board to notify us of a vote thus far. The Merrimac Select Board voted unanimously against the additional 2% increase. If you need any additional information prior to the vote, please do not hesitate to contact me.

Chuck

From: Town Manager <townmanager@wnewbury.org>
Sent: Wednesday, March 15, 2023 11:45 AM
To: Charles Kostro [REDACTED]
Cc: Finance Admin <finance.admin@wnewbury.org>
Subject: RE: Estimating cost of potential 5% ERRS COLA

[CAUTION:] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Chuck,

Hope you are well. This is to update you on the matter below. The Select Board did discuss this request back in January, but tabled it as they wanted more time to consider it, and also have had very lengthy meeting agendas in Jan/Feb/March as we're in the thick of budget and Town Meeting season.

The Board will take this up again on March 27th, in order to provide your office a response ahead of the April 1 deadline.

Please let us know if there is any new information the Board should consider at that time. In either case, we will communicate the results of the Board's March 27th vote ahead of the April 1 deadline.

Thanks,
Angus

From: Charles Kostro [REDACTED] >
Sent: Wednesday, January 25, 2023 9:19 AM
To: Town Manager <townmanager@wnewbury.org>
Cc: Finance Admin <finance.admin@wnewbury.org>
Subject: RE: Estimating cost of potential 5% ERRS COLA

Angus – What you wrote below is correct. Approving the extra 2% COLA does not require a change in the FY2024 appropriation. The cost will become an obligation of the retirement system which will be part of the overall future cost allocated among all units in the normal course of the appropriation process.

I would just note that there have been times in the past when either the overall appropriation was changed after the initial notice, or a particular unit's appropriation was changed. A change in the overall appropriation

after the initial notice is sent is very rare (it has happened only once that I can recall in my 12 years at ERRS and on that occasion it was done in order to reduce the amount of the appropriation.) The only time I recall there being a change in an individual unit's appropriation was when West Newbury's appropriation was adjusted as a result of an error that was discovered in the salary survey. (That too is rare, and that example is the only time I can recall it happening in my 12 years as well.)

Just for your information, in the past, individual units of the retirement system had the option to adopt an Early Retirement Incentive (ERI). If a unit adopted the ERI, that unit did pay a special appropriation over and above their regular appropriation amount. For instance, if you look at the FY2024 appropriation letter, you will see a charge of \$9,753 for the Town of Groveland. That is a payment for the cost of an ERI adopted by Groveland when that option was made available in the early 2000's. But the ERI process is different from the 5% COLA. The 5% COLA, if adopted, will be applied system-wide. The ERI was specific to only those units that voted to adopt it.

I hope this helps but if you need anything further, just let me know.

Thanks –

Chuck

From: Town Manager <townmanager@wnewbury.org>
Sent: Tuesday, January 24, 2023 4:46 PM
To: Charles Kostro [REDACTED]
Cc: Finance Admin <finance.admin@wnewbury.org>
Subject: Re: Estimating cost of potential 5% ERRS COLA

[CAUTION:] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,

I'm not looking to belabor this, but I want to be sure I'm clear prior to bringing to Select Board for a vote. Is it accurate to say that the increased COLA would become a financial obligation of ERRS, and while there would be no direct assessment to municipalities, that the costs would be built into the formulas for future years' ERRS assessments? And, that our FY24 ERRS assessment, already provided to us, would be unchanged?

That is my understanding from what you wrote, but I want to confirm. (I think the inclusion of the cost estimating formula in the PERAC memo will lead to questions about the town's direct costs from this increased COLA).

Thanks,
Angus

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

Sent from my mobile device

On Jan 23, 2023, at 2:46 PM, Charles Kostro [REDACTED] wrote:

Angus – There would be no change in the FY2023 assessment, nor is there any supplemental assessment planned if the 5% COLA is adopted. The cost associated with the additional 2% COLA for FY2023, would become part of the overall liabilities of the retirement system as calculated in future valuation studies. This cost would be funded through the regular funding schedule and appropriation process. I hope this helps but if you need anything further, just let me know. Thanks –

Chuck

From: Town Manager <townmanager@wnewbury.org>
Sent: Monday, January 23, 2023 2:23 PM
To: Charles Kostro [REDACTED]
Cc: Finance Admin <finance.admin@wnewbury.org>
Subject: FW: Estimating cost of potential 5% ERRS COLA

[CAUTION:] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Chuck,

Based on the info in the attached memos, and below, I'm estimating West Newbury's cost (if COLA goes to 5%) at \$80,000 as follows:

$$0.2 \times 16,000 \text{ (COLA base)} \times 25 \text{ (\# of retirees/beneficiaries)} = \$80,000$$

Would this be added to the Town's ERRS assessment for FY24 budgeting? The reference in the memos to this being retroactive to also cover FY23 isn't clear. Would there also be a supplemental assessment to towns in the current fiscal year?

Thanks,
Angus

From: Town Treasurer <treasurer@wnewbury.org>
Sent: Monday, January 23, 2023 2:04 PM
To: Town Manager <townmanager@wnewbury.org>
Subject: RE: Estimating cost of potential 5% ERRS COLA

Hi Angus

As of right now we have 25 active retirees and/or spouses on the town's health insurance. I don't know if there will be anyone else retiring before the end of the fiscal year.

Very truly yours,

Kaitlin Gilbert, CMMT
Treasurer/Collector
Town of West Newbury
Town Office Building

381 Main Street
West Newbury, MA 01985
978-363-1100 ext 114

The Secretary of the Commonwealth's Office has determined that most e-mails to and from municipal offices and officials are public records. Consequently, confidentiality should not be expected.

From: Town Manager <townmanager@wnewbury.org>
Sent: Monday, January 23, 2023 10:52 AM
To: Town Treasurer <treasurer@wnewbury.org>
Cc: Finance Admin <finance.admin@wnewbury.org>
Subject: Estimating cost of potential 5% ERRS COLA

Kaitlin,

Please see attached. What is the number of retirees/beneficiaries we would use to estimate this cost? (See bottom of pg. 2 of the first memo in the attachment). The math would be:

$$0.2 \times 16,000 \text{ (COLA base)} \times \# \text{ of retirees/beneficiaries} = ?$$

Once I have a cost estimate I'll bring this to a future Select Board mtg for their review.

If you have questions we can talk this over or reach out to ERRS or PERAC.

Thanks,
Angus



Town of West Newbury
Select Board



Monday, January 31, 2022 @ 7:00pm

381 Main Street, Town Office Building

www.wnewbury.org

Open Session Meeting Minutes-DRAFT

Open Session: Open session was called to order at 7:21pm by Chairperson Parker.

Participation at the Meeting:

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

Angus Jennings, *Town Manager*

James Blatchford, *Town Clerk*

Gail DiNaro

Christian Kuhn, *Chief Assessor*

Sgt. Michael Dwyer, *West Newbury Police Department*

Vanessa Johnson-Hall, *Essex County Greenbelt Association*

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Meeting also accessible by remote participation; <https://www.youtube.com/watch?v=2-VbUwdjJfA>
- Regional Vaccination Clinics for COVID vaccination and booster shots. Town website for dates/details.
- Council on Aging meals, events and activities – see Town website or pages 3-9 for details.
- **Urgent call for residents interested in appointment to Finance Committee!** See page 10 for details. Call for other volunteers: current opportunities at <https://www.wnewbury.org/volunteer>
- Reminder to subscribe for emailed Town news/announcements at <https://www.wnewbury.org/subscribe>

Regular Business

A. Special Event Permit Request: Annual Plant & Bake Sale May 21, 8am-12pm – WN Garden Club

Gail DiNaro appeared before the Select Board remotely for this request (see exhibit A pages 11-14 for details). Although the Garden Club had been grandfathered in to allow for a banner to be displayed on the Training Field, Archibald requested for the display time to be limited. After discussion, the Select Board decided to approve the banner to be hung for one week prior to the event. Parker stated that if the sign had been displayed for a long period of time in prior years the display time for the banner could be adjusted. **Archibald made a motion to approve the special event permit for the West Newbury Garden Club for the plant sale, May 21, 2022, with the sign posted at the Training Field for one week prior to the sale, subject to change if found the sign was displayed for a longer period the prior year. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

B. Proposed ballot question regarding farm equipment excise tax – Christian Kuhn, Chief Assessor

Christian Kuhn, Chief Assessor, appeared before the Select Board on behalf of the Board of Assessors for the proposed ballot question (see exhibit B pages 15-16 for details). Kuhn stated the ballot question would refer to Local Option Chapter 59 §8a that would exempt all personal property used for farm activity to be exempt from the tax rolls. Kuhn stated that currently \$140,000 of personal property was taxed across six properties, equaling roughly \$1800 of tax dollars. The personal property included machinery and equipment, but could extend to livestock if the local option was not adopted. **Archibald made a motion for the Select Board support the Local Option eliminate farm excise taxes and include the proposed ballot question on the ballot. Parker seconded.** Blatchford stated the ballot question would appear at the bottom of the ballot after all candidates. Blatchford suggested including pending language approval. The Select Board agreed language would need to be approved before appearing on the ballot. No further discussion. **Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

C. Interview of Michael Dwyer as candidate for Police Chief

Michael Dwyer appeared before the Select Board in person (see exhibit C pages 17- 27 for details). Parker stated prior to the meeting, each Select Board member had reviewed the candidate’s resume, qualifications, and had conducted an individual interview. The Select Board asked an additional round of interview questions that addressed the Police Reform Act of 2021, policing in a small community, training of officers, and the transition from peer to management within the department. Upon the conclusion of the question-and-answer round with Dwyer, **Parker made a motion to enter into contract negotiations with Sgt. Dwyer. Reed seconded.** The Select Board commended Dwyer for his continued service to the town. Dwyer thanked the Select Board for the opportunity to continue to serve the town in the role of Police Chief. **Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

D. Review of proposed Conservation Restriction (CR) and CR Stewardship Memorandum of Agreement for Coffin Street conservation area – Vanessa Johnson-Hall, Essex County Greenbelt

Select Board Open Session Meeting January 31, 2022 Minutes Approved March XX, 2023
Posted Agenda on 1/27/2022 at the Town Offices and the Town’s Official Website www.wnewbury.org

Vanessa Johnson-Hall, Land Conservation Division Director of Essex County Greenbelt, appeared before the Select Board remotely (see exhibit D pages 28-88 for details). Jennings stated late communications had been received from Patricia Reeser and Judy Mizner and read the messages to the Select Board. Reeser noted housekeeping language to be edited. Mizner agreed with the edits and supported the submission of the conservation restrictions. Johnson-Hall discussed the edits requested and requested authorization to submit the documents for EEA review as there was currently a two month turn-around time. Johnson-Hall stated the conservation restrictions would be brought back before the Conservation Commission and the Select Board for final approval and signatures. Parker asked for clarification on how the removal of invasive species could be handled. Johnson-Hall stated the language used in the conservation restriction was intentionally broad to allow for a means necessary to remove invasive species. Johnson-Hall noted that any removal over ½ acre would require approval from Greenbelt. The Select Board, Johnson-Hall, and Jennings discussed if a formal vote was required to submit the documents. It was decided a formal vote was not needed and Johnson-Hall could submit the documents to the EEA for review. **No motion was made at this time.**

F. Update on work toward preparing proposed FY23 operating budget and capital proposals

Jennings stated this item would be postponed until the following week as the proposed Pentucket budget would be received the following day at the School Committee meeting and stated the likelihood of a significant increase to Town budget. The Select Board and Jennings briefly discussed the Select Board & Town Manager Retreat date of February 5, 2022 at 9am and if there would be enough time to assemble the materials needed for the packet for the February 7th Select Board meeting. Jennings stated it was a short timeframe but did not foresee a problem completing the packet for the meeting. **No motion was made at this time.**

G. Confirm date spring Annual and Special Town Meetings (ATM/STM)

It was stated that Park & Recreation had confirmed there were no scheduled games on May 14th (see pages 89-90 for details). **Parker made a motion to schedule the Annual and Special Town Meeting for Saturday, May 14, 2022. Reed seconded.** The Select Board and Jennings discussed the time needed to set up the outdoor area by DPW and holding a short Select Board Meeting prior to the Special and Annual Town meeting. **Parker amended the motion to schedule the Annual and Special Town meeting for Saturday, May 14, 2022 at 9:00am. Reed seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

H. Review referral from Parks & Rec Commission re 2022 Summer Rec Program budget/wages

Jennings stated Park & Recreation had voted in support of the staffing change for the Summer Recreation Program to include two Co-Director positions and one Assistant Director position. Jennings reviewed the proposed wage for each of the Co-Director positions was \$10,000. The proposed wage for the Assistant Director position was \$22 per hour based on a budget of \$4,620 for 35-hour week for 6 weeks. Jennings stated a vote was requested as the Select Board was required to approve all wage changes. It was clarified the camp counselor rates of \$14.25-\$16.00 per hour would need to be included in the vote. **Parker made a motion to approve the wage schedule of \$10,000 for each of the co-directors, \$22 per hour for the assistant director, and the proposed rate range of \$14.25-\$16.00 per hour for the camp counselors for the six-week program. Archibald seconded.**

I. Recap of Affordable Housing Trust Bylaw Committee listening session held on Jan. 26, 2022

Reed stated roughly 25 people attended the listening session and comments had been received subsequent to the listening session (see pages 91-108 for details). The Select Board and Jennings discussed the authority the Trust would have in statute and where some oversight could be built in surrounding financial borrowing and land acquisition. Conversation continued as to what types of activities should require Select Board authorization. The Select Board, Jennings, and Blatchford briefly discussed a member of the Select Board, the CPC, and Planning Board would be required for the composition of the Trust, as well as volunteers with skill levels in finance and/or legal services. **No motion was made at this time.**

J. Review of Municipal Vulnerability Program (MVP) Action Grant, Letter of Intent

Jennings stated the letter of intent was a non-binding letter and feedback from the grant administrators was anticipated (see pages 109-122 for details). Reed asked if anyone from the school was aware of the intention to review the section of the Merrimack River behind Pentucket. Parker was uncertain if any dialogue had taken place and stated the proposed review would not have any implications for the daily operations of the school. Parker explained that the review would focus on the stream that flowed through the campus and if there would be any implications from construction or activity upslope. Reed offered make the school building committee aware of the letter of intent at the next meeting. **No motion was made at this time.**

K. Discussion of plantings at Middle/High School

The Select Board and Jennings discussed the draft letter that supported alternative plantings of native species plants on the Pentucket Middle/High School grounds (see page 123 for details). **Parker made a motion for the Select Board to endorse the letter and for the Select Board Chairperson (Parker) to sign on behalf of the Select Board. Archibald seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

L. Discussion of dog waste near the Reservoir

Archibald discussed the large amount of dog waste at the Moulton Street Reservoir and stated the addition of signage to encourage members of the community to pick up after their dogs had not been effective (see page 124 for details). Archibald thanked the DPW as they had gone to the location and cleaned up the waste. The Select Board discussed the importance of cleaning up dog waste at that location as it was the drinking water reservoir. Blatchford suggested distributing an informational pamphlet that highlighted how dog waste could affect the water supply if not cleaned up with each dog registration that was processed in the town. The Select Board and Jennings agreed to try that strategy. **No motion was made at this time.**

M. Discussion of 2022 Memorial Day Parade

Jennings and the Select Board discussed whether a Memorial Day Parade should be organized that year as Covid-19 was still a factor. Jennings stated the Health Agent, Paul Sevigny, did not have any objection to holding this outdoor event. The Select Board and Jennings discussed creating a working group to organize the parade and how the addition of a Parade Czar had proved beneficial the previous parade. It was decided the town would organize a Memorial Day Parade that year. **No motion was taken at this time.**

N. Request for authorization to seek MIIA Wellness Grant – Stephanie Frontiera, Town Acct./Bus. Mgr.

Jennings stated authorization to submit the MIIA Wellness Grant application was requested (see page 125-131 for details). **Reed made a motion to approve the Town Account Business Manager’s request to submit the application for the MIIA Wellness Grant. Parker seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain).**

O. Meeting minutes: September 7, 2021

Archibald and Parker noted two sections to be amended (see pages 132-140 for details). **Archibald made a motion to accept the minutes from September 7, 2021 as amended. Parker seconded. Motion passed (2 Yes, 0 No, 1 Abstain).**

Town Manager Updates

P. Recent meeting between Town Manager and Newburyport Mayor Sean Reardon

Jennings gave an overview of the meeting that took place with Newburyport Mayor Sean Reardon. Jennings stated that over the course of an hour discussion concerning items of common interest had been discussed, which included the Middle Street Bridge, water supply, and climate resiliency. Jennings stated the intermunicipal agreement for the shared Animal Control Officer was working well and potential expanded collaboration between the Newburyport and West Newbury had been discussed. Jennings thanked Blatchford for scheduling the meeting and opening the line of communication between the two municipalities. **No motion was made at this time.**

Q. Update on Middle Street Bridge; recent engineering change order due to MassDEP Ch. 91 permitting

Jennings stated the consultant for the town had submitted comment to Department of Environmental Protection disputing the reservoir as a navigable waterway due to Newburyport ordinance prohibiting boating in entirety. The consultant argued due to the prohibition of boating, the reservoir was non-navigable by the public and thus should be considered non-jurisdictional under Chapter 91. The response received stated the department did not agree with the consultant’s interpretation of Chapter 91 and that the regulations and the MEEPA comments would remain as submitted. It was noted the town could file a request for determination of applicability if they chose to do so. Jennings informed the Select Board the permitting process for Chapter 91 could take upwards of one year to complete. Archibald asked if the grant would automatically get extended due to the Chapter 91 requirement. Jennings stated it would not automatically get extended, but the grant administrator at MassWorks believed the Town’s request to extend the grant funding through the current fiscal year would be supported. The Select Board and Jennings discussed the soft costs associated with the Chapter 91 permitting process estimated at \$35,800 (see pages 141-144 for details). Discussion continued surrounding the DOT Small Bridge Grant of \$500,000 Newburyport had been awarded where half had been put toward engineering and half had been earmarked for the construction. After further discussion, it was decided to table this item until a future meeting. **No motion was made at this time.**

R. Update on project kickoff and timeline for Mill Pond All Persons Trail site analysis/conceptual planning

Jennings stated the kickoff meeting had been penciled in for February 14, 2022. Jennings stated the landscape architect planned to hold individual meetings with the Mill Pond Committee, Open Space Committee, Park and Recreation Commission, Planning Board, and Select Board to gather feedback and brainstorm ideas for the Mill Pond project (see pages 145-147 for details). The Select Board and Jennings discussed the timeline outlined in the landscape architect’s proposal and the need for a meeting where all members of the committees listed could attend. **No motion was made at this time.**

S. Informational update regarding Federal Infrastructure Bill and potential applicability

Jennings briefly reviewed this item and stated the presentation was much shorter than anticipated (see exhibit R pages 148-155 for details). **No motion was made at this time.**

T. Upcoming process/timeline for MPO updates to regional Transportation Improvement Plan (TIP)

Jennings and the Select Board reviewed the list of ongoing TIPS projects within the Merrimack Valley (see pages 156-159 for details). Jennings stated projects of a certain scale, with sound cost estimates and at minimum 25% design completion, would meet the competitive threshold for TIP projects. **No motion was made at this time.**

U. Bids received for Pipestave water tank rehabilitation

Jennings stated the town had received two bids for the Pipestave water tank rehabilitation and they were currently vetting the two proposals to ensure they met all qualifications. Jennings informed the Select Board that both bids were under the \$270,000 appropriated for the project with the higher bid of the two proposals around \$220,000. **No motion was made at this time.**

V. Notice of Finance Committee approval of FY22 Reserve Fund transfer request (legal counsel costs)

Jennings discussed the two Reserve Fund requests (see pages 160-164 for details). The Select Board and Jennings discussed the expended dollars on legal fees due to the change to General Counsel as opposed to Special/Outside Counsel. Jennings discussed how an average monthly cost of General Counsel could not be determined at this point as a number of backlogged one-time expenses, complex land use matters, and numerous personnel matters had been addressed since the change. The Select Board discussed how the current legal costs were an anomaly and were not thought to be reoccurring costs going forward. **No motion was made at this time.**

W. Invitation to Lappin Foundation Virtual Summit on March 28: Two Steps Forward against Antisemitism

Jennings informed the Select Board of the intention to attend the summit in March and invited the Select Board members to sign up if any of them wished to attend (see pages 165-166 for details). **No motion was made at this time.**

X. Notification of Town Manager vacation, Feb. 22-25, 2022

Jennings informed the Select Board of the intention to take vacation time February 22-February 25, 2022. **No motion was made at this time.**

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

Parker informed the Select Board of a planned absence for the meeting May 23, 2022.

Parker made a motion to adjourn. Archibald seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain). Open session adjourned at 10:39pm.



Town of West Newbury Select Board

Monday, February 7, 2022 @ 6:00pm

381 Main Street, Town Office Building

First Floor Hearing Room

www.wnewbury.org

Open Session Meeting Minutes- DRAFT

Open Session: Open session was called to order at 6:05pm by Chairperson Parker.

Participation at the Meeting:

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

Angus Jennings, *Town Manager*

James Blatchford, *Town Clerk*

Stephanie Fronteira, *Town Accountant*

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet. Meeting also accessible by remote participation; see agenda for details;
<https://www.youtube.com/watch?v=5PO9vpGehyo>
- Town Election Monday, May 2nd. Last day to obtain nomination papers from Town Clerk: March 10th at 5pm. Nomination papers due to Town Clerk by March 14th at 5pm.
- Annual & Special Town Meeting: Saturday, May 14, 2022. **Warrant articles due by/on Mon., Feb. 14**
- Regional Vaccination Clinics for COVID vaccination and booster shots. Town website for dates/details.
- Council on Aging meals, events and activities – see Town website for details.
- **Urgent call for residents interested in appointment to Finance Committee!** Call for other volunteers: current opportunities at <https://www.wnewbury.org/volunteer>
- Reminder to subscribe for emailed Town news/announcements at <https://www.wnewbury.org/subscribe>

Regular Business

A. Presentation of proposed FY23 Town Operating Budget – Angus Jennings, Town Manager

Jennings presented a working draft of the FY23 Town Operating Budget that included staffing proposals submitted by department heads of all departments, boards, and committees. Jennings stated a vote of approval was not being sought that evening and welcomed direction for refinement from the board members. Jennings informed the Select Board the numbers presented were the exact proposals submitted by the departments and numbers endorsed by the Town Manager would be presented at the February 14th meeting.

Jennings reviewed the budget direction, set forth by the Select Board, to increase the budget not greater than 2.5%, not including education or the middle school/high school project. Jennings discussed the continued efforts to match the capacity of staffing to the work demands of various departments, proposed staffing position additions, and the wage study classification that was currently in progress. Jennings made note of the intermunicipal agreement with Merrimac for the shared Conservation Agent and that the town would get reimbursed on a quarterly basis from Merrimac for their portion of the wages.

The Select Board and Jennings reviewed the numbers broken down by department and the FY21 turnbacks. The Select Board and Jennings discussed the change from in-house Town Counsel to contracted Town Counsel and the costs associated with personnel and backlog issues from prior years. Discussion continued surrounding school stabilization transfer request of \$395,325 to be brought before Town Meeting for approval to offset taxpayer impact. Jennings stated the same rate of draw down could continue for FY24 and FY25 with roughly \$68,000 to offset the FY26 costs. Jennings informed the Select Board of the enrollment of

two students at Essex Tech and five additional student enrollments at Whittier Tech that would increase the education line budget.

The Select Board and Jennings discussed the recreation budget, the fee schedule surrounding field rentals, and how the MyRec platform would assist with a consistent and automated fee structure system. Discussion continued surrounding the need for revenues generated to cover the expenses associated with portable toilet rentals and cleanings so the expense did not land on the taxpayer. Jennings informed the Select Board Blatchford was in the process of restructuring fees for the Town Clerk's Office in order to be more in line with surrounding communities. Another area of future potential revenue was through the COA where lunches provided to the community would have a suggested donation dollar amount for the meal.

Jennings discussed the significant increase in Essex Retirement fund and stated a member from the Essex Retirement was scheduled to appear at an upcoming meeting. Jennings reviewed the number listed for health insurance and explained the number would change as information surrounding the percentage increase on the premiums became available. Jennings stated contingency was built into the health insurance number in the event an employee changed from individual insurance to a family plan, or a new employee was hired that required health insurance.

Jennings stated the draft budget presented that evening was an overview of where the budget process was starting from. A detailed draft broken down by line would be presented or Select Board endorsement before submission to the Finance Committee. Jennings stated the Finance Committee meetings were scheduled for March 1st, 15th, 22nd, and 29th where they would review each section of the budget in detail and the deadline to post the warrant was April 31st.

B. Follow up meeting assignments; placing items for future agendas

No items were discussed at this time.

Parker made a motion to recess to executive session in accordance with 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 (FY23 staffing/wages). Reed seconded. Motion to recess unanimously passed by a roll call vote. Open session recessed at 8:37pm.

Parker made a motion to return to open session. Reed seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain). Parker made a motion to adjourn. Reed seconded. Motion unanimously passed (3 Yes, 0 No, 0 Abstain). Open session adjourned at 10:58pm.

Town Manager

From: Johnson, Glen (EAS) [REDACTED] >
Sent: Wednesday, March 1, 2023 3:17 PM
To: Town Manager
Subject: Meeting with DA Paul Tucker

Hi Angus.

As I mentioned on the phone, I'm part of Paul Tucker's senior management team and am working to schedule meetings across our county.

The DA is interested in sitting down with town administrators, police chiefs and school superintendents, to hear about their concerns and ways his office can help them in their respective missions.

We'd like to visit the W. Newbury, Merrimac and Groveland area as soon as possible as we work through all 34 cities and towns, and appreciate your offer to spread the word within the Pentucket community and see if we can find a common date in the near future.

I'm reachable by this email and the cell and other contact information below.

Thanks for your consideration.

Glen



Glen Johnson
Chief of Communications
& External Affairs
Essex County DA Paul F. Tucker

Office: 978-745-6610
[REDACTED]
[REDACTED]

Ten Federal Street
Salem, MA 01970

www.mass.gov/EssexDA

The preceding email message (including any attachments) contains information that may be confidential, may be protected by the attorney-client or other applicable privileges, or may constitute non-public information. It is intended to be conveyed only to the designated recipient(s) named above. If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete all copies of it from your computer system. Any use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

Town Manager

From: Tony Collins [REDACTED]
Sent: Thursday, March 16, 2023 4:06 PM
To: DPW Director; Town Manager; DPW Projects
Cc: Patrick Reed
Subject: West Newbury Transportation

Good Afternoon,

Thank you for meeting with Patrick and I this afternoon. We greatly enjoyed our conversation, and we are excited to work with you all.

Following up on immediate next steps:

- We will reach out to the regional SRTS liaison to set up a meeting to review how you all can put together a stronger application for future funding opportunities. If you have the application on hand, please send it along so I can review it ahead of the meeting.
- We will also reach out to our MassDOT liaison to introduce them to your potential projects. For this item, it would be great to have all relevant information (scope, project location, etc.) for the projects you may want to have go through [Project Review Committee \(PRC\)](#).

Also, please keep us in the loop as the transportation projects move forward. We would like to plug in where we can and provide another perspective as things progress.

Best,
Tony



Tony Collins
Transportation Planer
Merrimack Valley Planning Commission
160 Main Street, Haverhill, MA 01830
He/Him
Office: 978.374.0519 [REDACTED]
[MVPC.org](#) | [WeAreMV.com](#)



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: Representative Adrienne Ramos
FROM: Angus Jennings, Town Manager
DATE: March 22, 2023
RE: Notes for West Newbury background meeting

Characteristics / Dynamics

- Change to new form of government (adoption of Town Manager Act in fall 2017) / absence of a Town Charter
- Small town evolving from Boards/Committees running everything to more responsibilities handled by professional staff
- Many (30+) elected/appointed Boards/Commissions/Committees indicative of significant and active public engagement with local government
- Strong team of Department Heads; high level of diligence, professionalism, and attention to public concerns
- Increased staff capacity in recent years, incl. in Town Clerks' office (incl. communications); DPW (project management, purchasing); and COA (greater outreach, programming, staff utilization). Very recently, increased staff support in Town Manager's office.
- Water system (and customers) under financial pressure
- Managing many grants, pursuing others
- Complete retooling of capital planning has improved public understanding of needs, assisted in local discussions of priorities/funding, and will enhance competitiveness for non-local funding
- West Newbury has benefited from several State earmarks within the annual budgeting process (incl. re Page playground, Page/Pipestave/113 traffic safety audit; Page/Pipestave ped crossing; Town Center traffic calming design).

Significant Initiatives

- Middle Street Bridge (with Newburyport) (\$2.6M+)
 - o Most permits in-hand. Some State permitting processes have taken 3+ years (and counting). Only 2 outstanding permits: Ch. 85 (MDOT) – close; Ch. 91 (MDEP) – timeline unclear.
 - o Efforts to date funded by 2 State grants: MDOT Small Bridge grant (\$500k) to Newburyport; and Massworks grant (\$1M) to West Newbury. MassWorks funding at risk of being lost at the end of June, 2023. Goal, if we can't get a(nother) extension, is to complete permitting so project is "shovel ready." The biggest impediment to this goal is

the DEP Ch. 91 waterways license. Our consultant is pushing this as hard as they can, but still finding that DEP staff is taking weeks, or more, to reply to routine correspondences.

- Ongoing negotiations with Newburyport (through Mayor Reardon's office) regarding allocation of local costs between the two communities. Former MOU assigned 50% each.
- New Middle / High School (Pentucket) (\$155M)
- Recent Water capital projects (\$2.8M)
 - New Brake Hill water tank
 - New chemical building to bring bedrock well online
 - Increasing share of water produced locally, rather than purchased from Newburyport
- Upcoming Water capital projects
 - Church/Prospect water main replacements (~\$3.2M)
 - Backlog of other water main replacement projects; insufficient funding, and efforts to secure low-interest borrowing through State Revolving Loan Fund have been unsuccessful; very limited grant funding available for water main replacement projects.
 - Increasing concern about recently-proposed EPA standards for PFAS, and potential implications for local costs
- Potential land acquisition for future development of new water source
 - Negotiations with landowner(s) ongoing
 - Additional due diligence underway
 - If land proposed for acquisition, unclear how the development of the site as a wellfield could be financed without non-local funding

Policy Priorities (Ongoing/Near-Term)

- Changes to Ch. 70 Ed funding formula, which has disproportionately harmed regional districts such as Pentucket, and is placing tremendous strain on education funding and – by extension – all other local services
- Middle Street Bridge: permitting; and (if possible) extension of MassWorks grant
- Climate change resiliency/adaptation, incl. River Road MVP grant; and also optimizing opportunities for add'l local generation of renewable energy
- Page School Assessment; and decision regarding longer-term plans for elementary school
- Expanded regional collaboration on various matters, incl. water
- Sustainable long-term plan for Water capital/infrastructure needs
- Potential acquisition/development of new local water source
- Continue to improve planning/policy re affordable housing; incl. MBTA Communities Act
- Pedestrian/cycling safety/improvements, esp. along Route 113
- Establish public access to the Merrimack River
- Resolve public plans for Soldiers & Sailors Building, whether by authorizing disposition to a third party (subject to historic preservation restriction) or otherwise
- Potential future consideration of adopting a Town Charter

Website Resources

Many Town resources online:

<https://www.wnewbury.org/>

and

<https://www.facebook.com/TownOfWNewbury/>

Select Board meeting materials at:

<https://www.wnewbury.org/select-board/pages/select-board-open-session-meeting-packets>

Council on Aging / SAGE Center:

<https://www.wnewbury.org/council-aging-senior-center>

Capital Improvements Program at:

<https://www.wnewbury.org/capital-improvements-committee>

Climate Change Resiliency Committee:

<https://www.wnewbury.org/climate-change-resiliency-committee>

Affordable Housing Trust:

<https://www.wnewbury.org/affordable-housing-trust>

Energy & Sustainability Committee:

<https://www.wnewbury.org/energy-and-sustainability-committee>

Project Summaries (work-in-progress) at:

<https://www.wnewbury.org/home/town-projects>

Subscribe to “Town News and Announcement” at <https://www.wnewbury.org/subscribe>

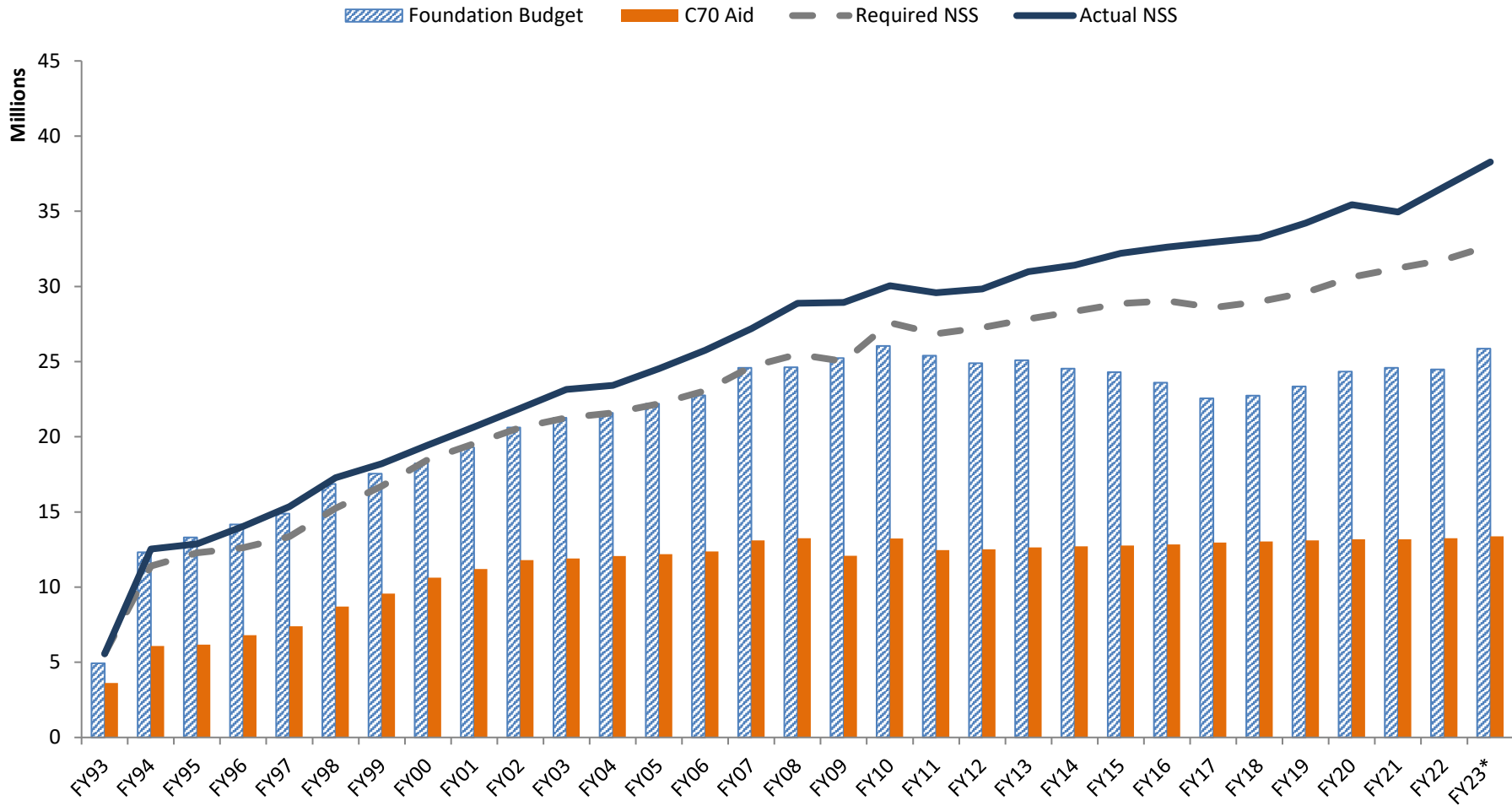
Can also subscribe to Meeting Agendas, Meeting Minutes, etc.



Massachusetts Department of Elementary and Secondary Education Chapter 70 District Profile

2/10/2023

0745 Pentucket





Massachusetts Department of Elementary and Secondary Education
Chapter 70 District Profile

2/10/23

Select a district

0745 Pentucket

	Foundation Enrollment		Foundation Budget		Required Local Contribution		Chapter 70 Aid		Required Net School Spending		Required NSS		Actual NSS		Dollars Over/Under Requirement		% Over/Under	
	Enrollment	% Chg	Budget	% Chg	Contribution	Reflects Penalties, where applicable	% Chg	Aid + Local Contribution	Required NSS	% Chg	Actual NSS	% Chg	Requirement	% Over/Under				
FY08	3,195	-4.1%	24,625,431	0.1%	12,223,789	13,258,787	1.2%	25,482,576	25,482,576	3.3%	28,883,283	6.2%	3,400,707	13.3%				
FY09	3,119	-2.4%	25,233,854	2.5%	12,938,684	12,077,530	-8.9%	26,435,608	25,016,214	-1.8%	28,938,874	0.2%	3,922,660	15.7%				
FY10	3,092	-0.9%	26,043,318	3.2%	14,358,256	13,226,986	9.5%	27,585,242	27,585,242	10.3%	30,054,605	3.9%	2,469,363	9.0%				
FY11	3,055	-1.2%	25,398,255	-2.5%	14,404,858	12,454,267	-5.8%	26,859,125	26,859,125	-2.6%	29,580,693	-1.6%	2,721,568	10.1%				
FY12	2,947	-3.5%	24,895,122	-2.0%	14,749,468	12,521,127	0.5%	27,270,595	27,270,595	1.5%	29,829,046	0.8%	2,558,451	9.4%				
FY13	2,850	-3.3%	25,088,106	0.8%	15,200,680	12,635,127	0.9%	27,835,807	27,835,807	2.1%	30,984,142	3.9%	3,148,335	11.3%				
FY14	2,742	-3.8%	24,540,719	-2.2%	15,640,639	12,703,677	0.5%	28,344,316	28,344,316	1.8%	31,419,110	1.4%	3,074,794	10.8%				
FY15	2,674	-2.5%	24,290,785	-1.0%	16,086,295	12,770,527	0.5%	28,856,822	28,856,822	1.8%	32,210,528	2.5%	3,353,706	11.6%				
FY16	2,573	-3.8%	23,602,673	-2.8%	16,203,424	12,834,852	0.5%	29,038,276	29,038,276	0.6%	32,610,093	1.2%	3,571,817	12.3%				
FY17	2,426	-5.7%	22,548,383	-4.5%	15,627,476	12,968,282	1.0%	28,595,758	28,595,758	-1.5%	32,933,687	1.0%	4,337,929	15.2%				
FY18	2,394	-1.3%	22,740,653	0.9%	15,945,385	13,040,102	0.6%	28,985,487	28,985,487	1.4%	33,243,660	0.9%	4,258,173	14.7%				
FY19	2,373	-0.9%	23,352,744	2.7%	16,491,919	13,111,292	0.5%	29,603,211	29,603,211	2.1%	34,211,203	2.9%	4,607,992	15.6%				
FY20	2,360	-0.5%	24,330,802	4.2%	17,437,199	13,182,092	0.5%	30,619,291	30,619,291	3.4%	35,444,961	3.6%	4,825,670	15.8%				
FY21	2,337	-1.0%	24,591,001	1.1%	18,039,518	13,182,092	0.0%	31,221,610	31,221,610	2.0%	34,954,197	-1.4%	3,732,587	12.0%				
FY22	2,269	-2.9%	24,481,014	-0.4%	18,526,892	13,250,162	0.5%	31,777,054	31,777,054	1.8%	36,620,796	4.8%	4,843,742	15.2%				
FY23*	2,250	-0.8%	25,863,556	5.6%	19,335,867	13,385,162	1.0%	32,721,029	32,721,029	3.0%	38,280,256	4.5%	5,559,227	17.0%				

Dollars Per Foundation Enrollment

Percentage of Foundation

Chapter 70 Pct of

	Foundation Budget	Ch 70 Aid	Actual NSS	Ch 70	Required NSS	Actual NSS	Chapter 70 Pct of Actual NSS
FY08	7,707	4,150	9,040	54%	103%	117%	46%
FY09	8,090	3,872	9,278	48%	99%	115%	42%
FY10	8,423	4,278	9,720	51%	106%	115%	44%
FY11	8,314	4,077	9,683	49%	106%	116%	42%
FY12	8,448	4,249	10,122	50%	110%	120%	42%
FY13	8,803	4,433	10,872	50%	111%	124%	41%
FY14	8,950	4,633	11,458	52%	115%	128%	40%
FY15	9,084	4,776	12,046	53%	119%	133%	40%
FY16	9,173	4,988	12,674	54%	123%	138%	39%
FY17	9,294	5,346	13,575	58%	127%	146%	39%
FY18	9,499	5,447	13,886	57%	127%	146%	39%
FY19	9,841	5,525	14,417	56%	127%	146%	38%
FY20	10,310	5,586	15,019	54%	126%	146%	37%
FY21	10,522	5,641	14,957	54%	127%	142%	38%
FY22	10,789	5,840	16,140	54%	130%	150%	36%
FY23*	11,495	5,949	17,013	52%	127%	148%	35%

* Budgeted

To see earlier years back to FY93, unhide rows 7 to 21 and 40 to 54.

Foundation enrollment is reported in October of the prior fiscal year (e.g. FY20 enrollment = Oct 1, 2018 headcount).

Foundation budget is the state's estimate of the minimum amount needed in each district to provide an adequate educational program.

Required Net School Spending is the annual minimum that must be spent on schools, including carryovers from prior years.

Net School Spending includes municipal indirect spending for schools but excludes capital expenditures, transportation, grants and revolving funds.

Federal SFSF grants in FY09, FY10, FY11, and FY12 and federal Education Jobs grants in FY11, FY12 and FY13 are not included in these calculations. Net school spending is limited to Chapter 70 aid and appropriated local contributions. However, the SFSF and Education Jobs calculations were directly based upon the Chapter 70 formula and helped districts spend at foundation budget levels.

In FY09, this district received an SFSF grant of	1,419,394	In FY12 the combined SFSF/Ed Jobs amount was	416,981
In FY10, this district's SFSF grant entitlement was	0	In FY13 the Education Jobs amount was	0
In FY11, the combined SFSF and Educ Jobs entitlement was	849,094		



Hazard Mitigation Plan

Module 2: Engagement Plan & Natural Hazard Identification



Agenda

Welcome and Introductions

Overview of HMP Update Process

Administrative Requirement: In-kind Match

Community Engagement and Outreach

Natural Hazard Identification

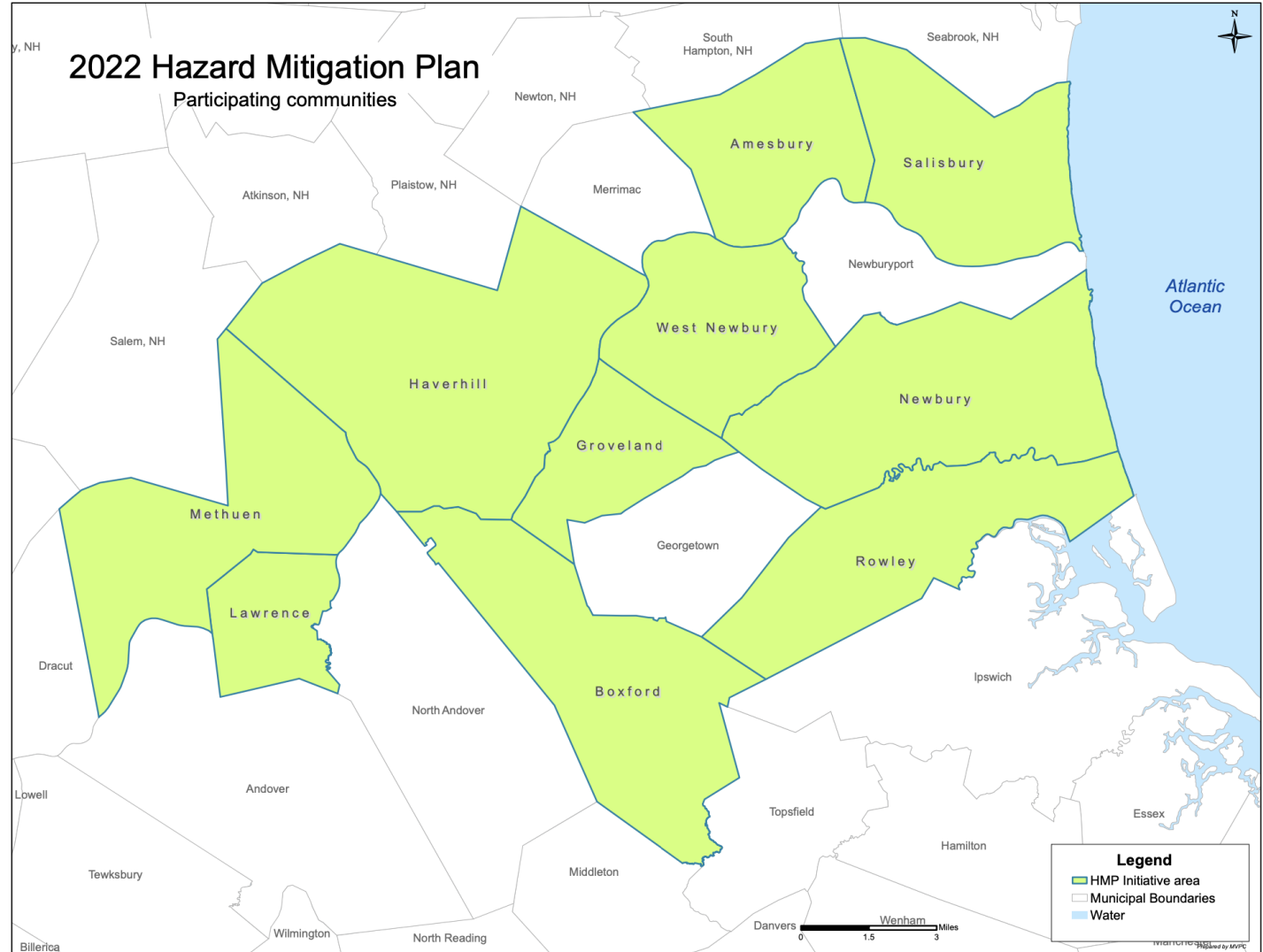
Guiding Factors in the HMP Update Process

Mission Statement:

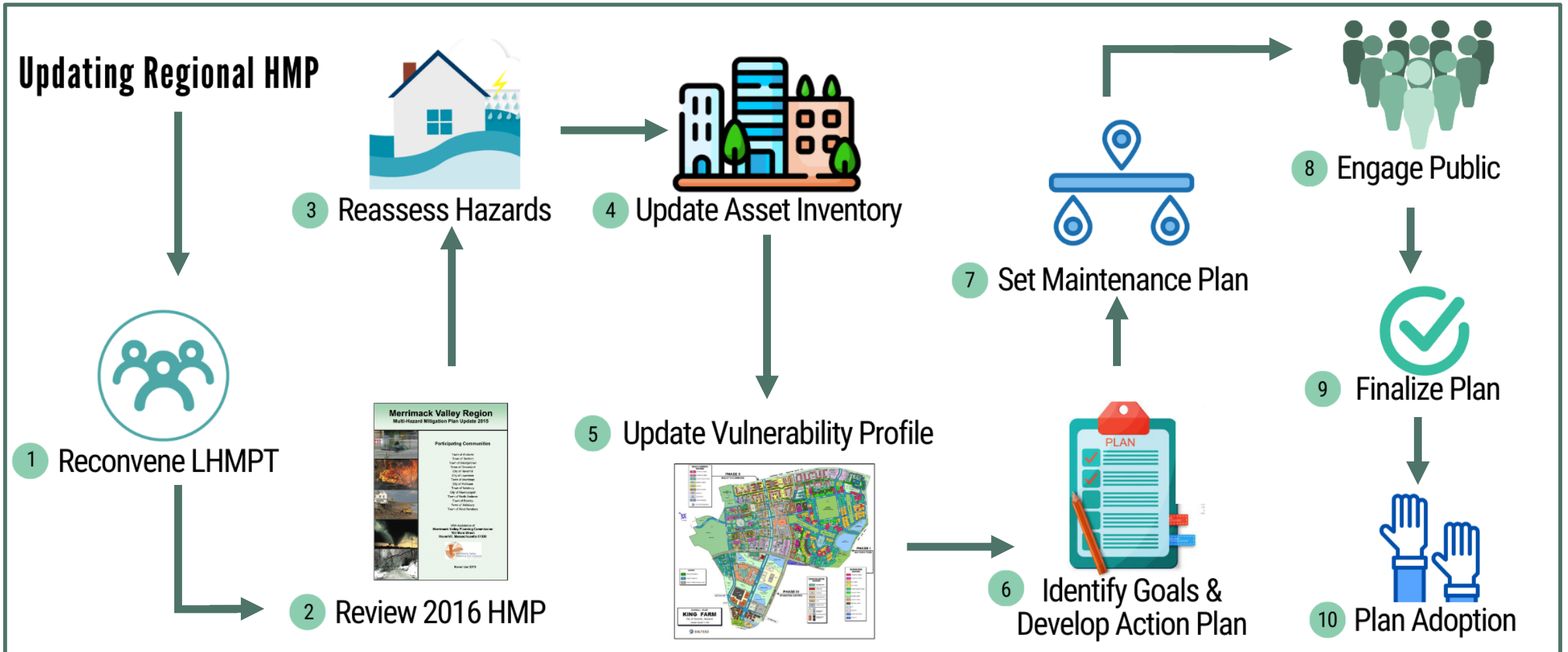
Reduce regional vulnerability to natural hazards through comprehensive planning that protects and bolsters our communities, natural systems, and built infrastructure.

2023 FEMA Focus:

- Equity
- Climate change impacts



Scope of HMP Update



Administrative Requirements

- Funding to support our regional update secured by the City of Lawrence through Building Resilient Infrastructure and Communities (BRIC) funding.
- Match requirement: In-kind ~\$2,000 per community



Action Required

- Letter of Commitment
- Tracking Lead Representative Time
- Municipal Certification of in-Kind Match

Letter of Commitment

1. MVPC will e-mail Lead Representative letter template
2. Fill out form with municipal information
3. Complete table with Lead Representative information
4. Secure authorized signature
5. E-mail as PDF attachment and email to MVPC (Cece & Hanna)

[Community Letterhead]

[Date]

Mayor Brian DePeña
City of Lawrence
Lawrence City Hall
200 Common Street
Lawrence, MA 01840

RE: Non-Federal Cost Share Commitment for BRIC20-0018
Merrimack Valley Regional Multi-Jurisdictional Planning Grant

Dear Mayor DePeña:

Through this letter, the [Town of/City of] commits to provide non-federal cost share of at least \$1,915 comprised of staff time during the planning process. Please see detailed budget below.

Name	Job Title	Hours	Hourly Rate	Fringe Rate (may be added)	Subtotal (Salary + Fringe)	Employee Total
					Community Total:	

Thank you for leading this effort on behalf of our community.

Regards,

[Name & Signature of Authorized Signatory, i.e. Mayor, Town Administrator/Manager, Selectboard Chair, Chief Financial Officer]

CC: Cece Gerstenbacher – Environmental Program Coordinator – Merrimack Valley Planning Commission
Hanna Mogensen – Coastal Resource Planner - Merrimack Valley Planning Commission
[Others as needed]

Tracking LR Time

1. MVPC will e-mail Lead Representative Excel tracking sheet & authorization form
2. Lead Reps will track time towards HMP efforts up to \$2,000
3. Once match is reached, Lead Reps will fill out Certification Form and obtain authorized signatory
4. Finalized tracking sheets and certification forms can be e-mailed to MVPC (Cece & Hanna)

Sub-Recipient Payment Request Task Summary

Request #1	Sub-Recipient - City/Town of:	Grant #: BRIC20-0018	Dates	From	To	
Staff Name	Date	Task from Approved Budget	Work Performed	Hours	Rate	Total
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
Total						\$0.00

SUB-RECIPIENT COST SHARE SUMMARY MUNICIPAL STAFF AND/OR VOLUNTEERS

PROJECT # **BRIC20-0018** FOR PERIOD OF _____ TO _____ MUNICIPALITY: _____

(A) NAME	(B) TITLE OR COMMITTEE ROLE	(C) HOURS	(D) HRLY WAGE + FRINGE (if applicable)	(E) VOLUNTEER RATE USED	(F) TOTAL MATCH
				TOTAL MATCH USED FOR THIS PERIOD	\$

- 1) Column D applies only to Municipal Employees. Show the total of the hourly wage plus fringe (if including fringe). **On an additional page, provide the fringe rate % and the calculation of the total rate shown.**
- 2) Column E, Volunteer Rate. On an additional page, please **provide a statement of the calculations** used to obtain the volunteer rate.
- 3) For each person listed above, attach the meeting sign-in sheets showing date and time, meeting description, attendees name and title and number of hours.
- 4) For Municipal Employees listed, attach proof of payment (time sheets, payroll, etc.)

MUNICIPAL CERTIFICATION: I hereby certify that the Sub-Recipient Cost Share shown above is accurate. The above staff members are not paid by a federal source and are eligible to be used as cost share by my organization for a federal grant.

Authorized Signatory: _____ Date: _____

Printed Name and Title: _____

Community Engagement

FEMA Requirements

Element A Requirements

A2. Does the plan document an opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, and agencies that have the authority to regulate development, as well as businesses, academia and other private and non-profit interests to be involved in the planning process? (Requirement 44 CFR § 201.6(b)(2))

The plan **MUST** provide an opportunity for the following stakeholders to be included in the planning process:

An Opportunity to **be involved** means that stakeholders are invited to be engaged or are asked to provide information /input to inform the plan's content.

1. Local and regional agencies involved in hazard mitigation activities
2. Agencies that have the authority to regulate development
3. Neighboring Communities
4. Representatives of business, academia, and other private organizations
5. Representatives of nonprofit organizations, including community-based organizations

Community Engagement

FEMA Requirements

An Opportunity to be involved means that stakeholders are invited to be engaged or are asked to provide information /input to inform the plan's content.




Element A Requirements

A3. Does the plan document how the public was involved in the planning process during the drafting stage and prior to plan approval? (Requirement 44 CFR § 201.6(b)(1))

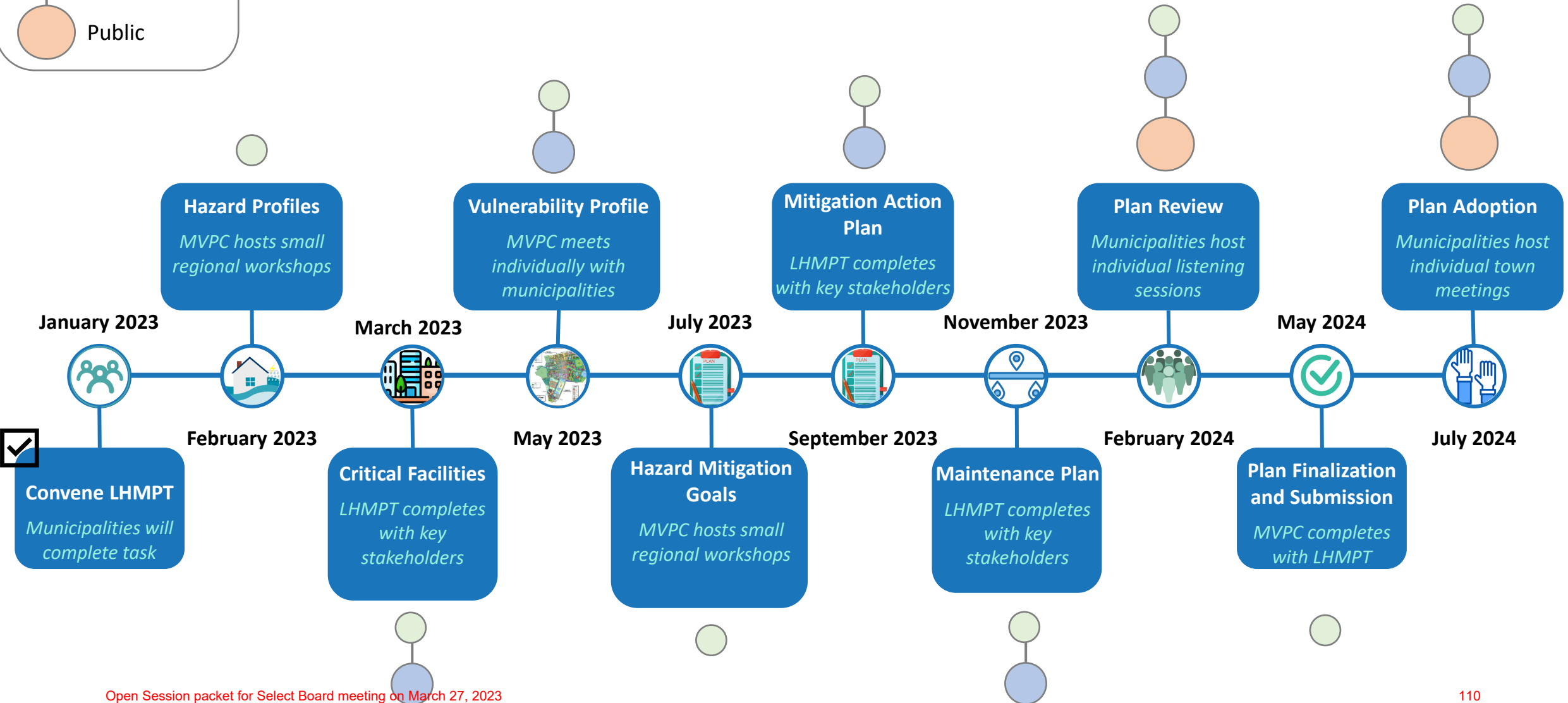
A3-a. The plan must document how the public had an opportunity to be involved in the current planning process, and what that participation entailed, including how underserved communities and vulnerable populations within the planning area were provided an opportunity to be involved. The opportunity must occur during the plan's development, which means prior to the plan's submission for formal review. In addition, the plan must document how public feedback was included throughout the planning process.

Examples of documentation include, but are not limited to, narratives, materials from open meetings, screenshots of social media postings and/or interactive websites with drafts for public review and comment, questionnaires or surveys through utility bills, etc.

Engagement Key

-  LHMPT
-  Stakeholders
-  Public

HMP Update Timeline





2022 Hazard Mitigation Plan

Module 2: Engagement Planning



1. Convene Local Hazard Mitigation Planning Team

Engagement	Task Goals	Timeline
LHMPT	<ul style="list-style-type: none"> Determine members of LHMPT Establish Lead Representative 	January 2023



2. Identify Natural Hazards

Engagement	Task Goals	Timeline
LHMPT	<ul style="list-style-type: none"> Determine engagement plan Discuss match tracking Update natural hazards (location, extent, previous occurrences, future probability, vulnerability, impacts) 	MVPC hosts small regional workshops with LHMPTs February 2023



3. Update Critical Facilities List (Community Lifelines)

Engagement	Task Goals	Timeline
LHMPT Stakeholders	<ul style="list-style-type: none"> Review and update 2016 list and map of critical facilities (add, remove, and confirm) Provide updated community information around community partners, land-use changes, growth, demographics, and development 	Individual LHMPTs complete task with stakeholders March 2023
Stakeholder Engagement <i>Use the list on page 6 to consider stakeholders to engage for this task</i>	<ul style="list-style-type: none"> 	

Community Engagement

Workshop Activity I

Please take 15 minutes to complete

Work as a LHMPT to walk through each component of the HMP update process and brainstorm other groups to engage.

Use list on last page (6) for ideas of different groups.

Please plan to leave us one comprehensive completed worksheet that we can scan and send Lead Reps.

Natural Hazard Identification

Natural Hazards

Natural events that threaten lives, property and other assets. Often, natural hazards can be predicted. They tend to occur repeatedly in the same geographical locations because they are related to weather patterns or physical characteristics of an area

(SHMCAP, 2018)



Massachusetts State Hazard Mitigation and Climate Adaptation Plan



September 2018

Open Session packet for Select Board meeting on March 27, 2023

Proposed: 2023 Regional Hazard Mitigation Plan

Changes in Precipitation

Inland Flooding

Ice jams/ Dam failures ★

Droughts

Landslides

Sea Level Rise

Coastal Flooding

Coastal Erosion ★

Tsunamis ★

Earthquakes

Rising Temperatures

Average/ Extreme temperatures

Extreme cold/ Extreme heat

Wildfires

Invasive Species ★

Extreme Weather

Hurricane/ Tropical storm

Severe winter storms

Ice storms/ nor'easter

Tornadoes

Other severe weather (thunderstorms, high wind)

Across participating communities:

121 NFIP Repetitive Loss sites

16 Severe Repetitive Loss sites



Legend

FEMA 100 Year Flood

 FEMA 100 Year Flood

FEMA 500 Year Flood

 FEMA 500 Year Flood

89 Flood Events

in Essex County since 1950

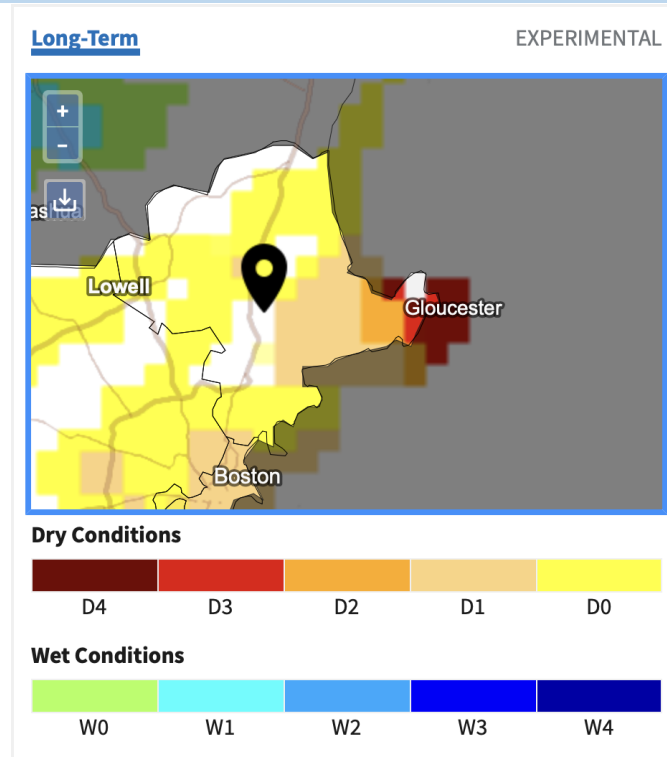
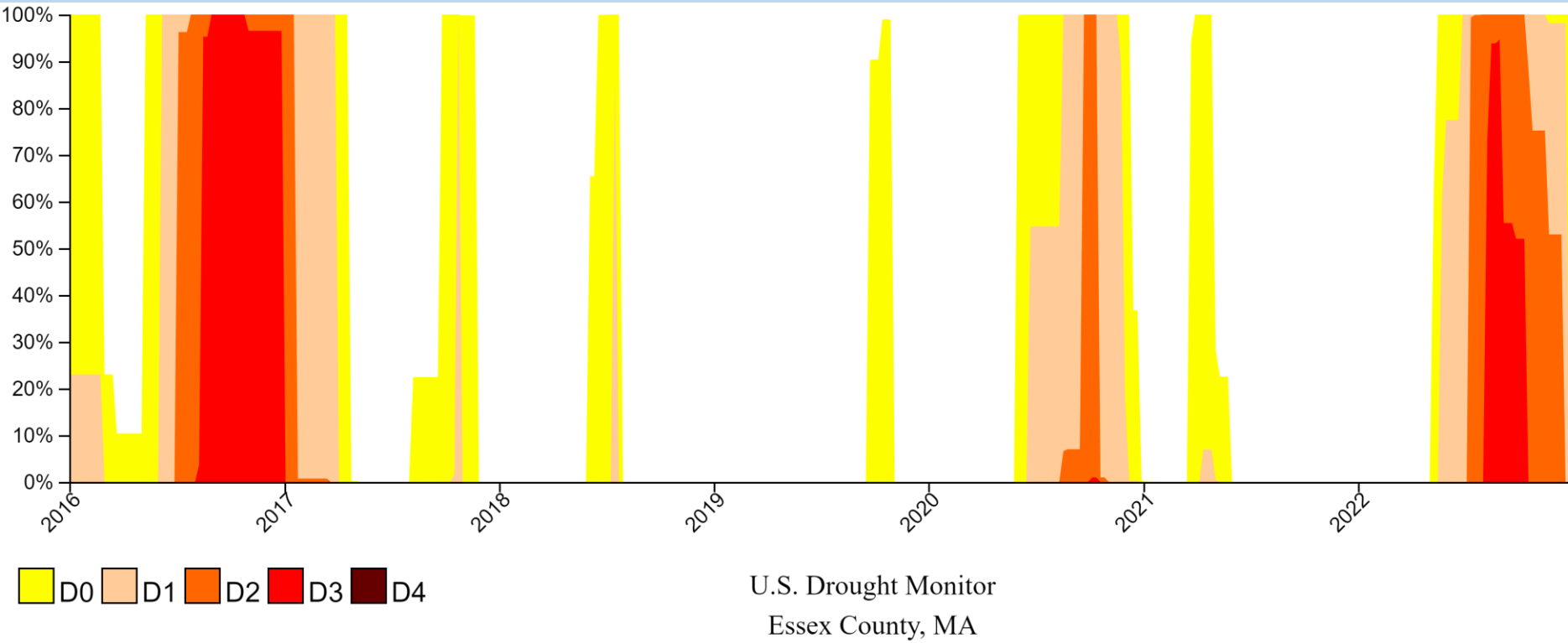
~20 million in property damages

44 Flood Events

Since 2016 update

Changes in precipitation

Drought



Open Session packet for Select Board meeting on March 27, 2023

Sea Level Rise

Coastal Flooding + Erosion

**14 Coastal
Flood Events**
in Essex County since 2016

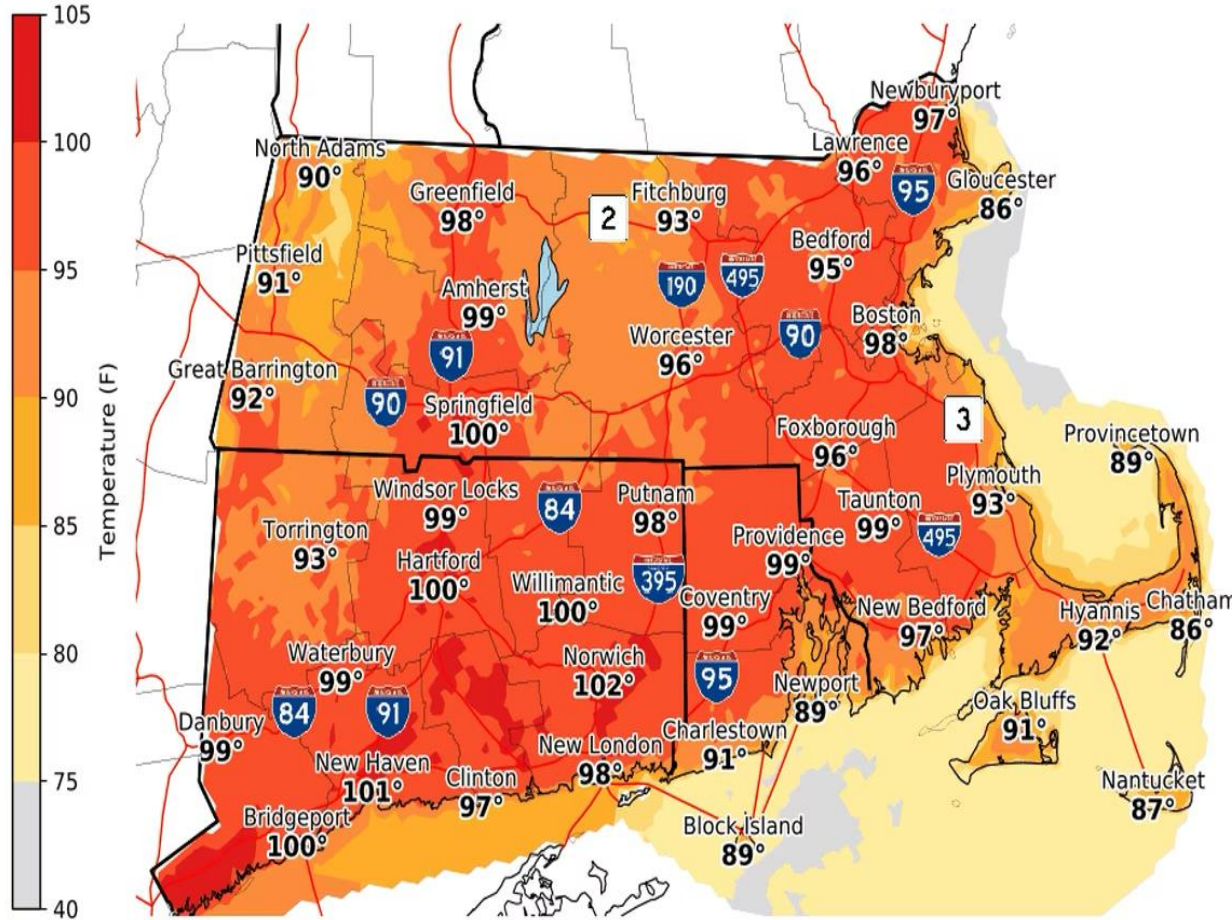


Rising Temperatures

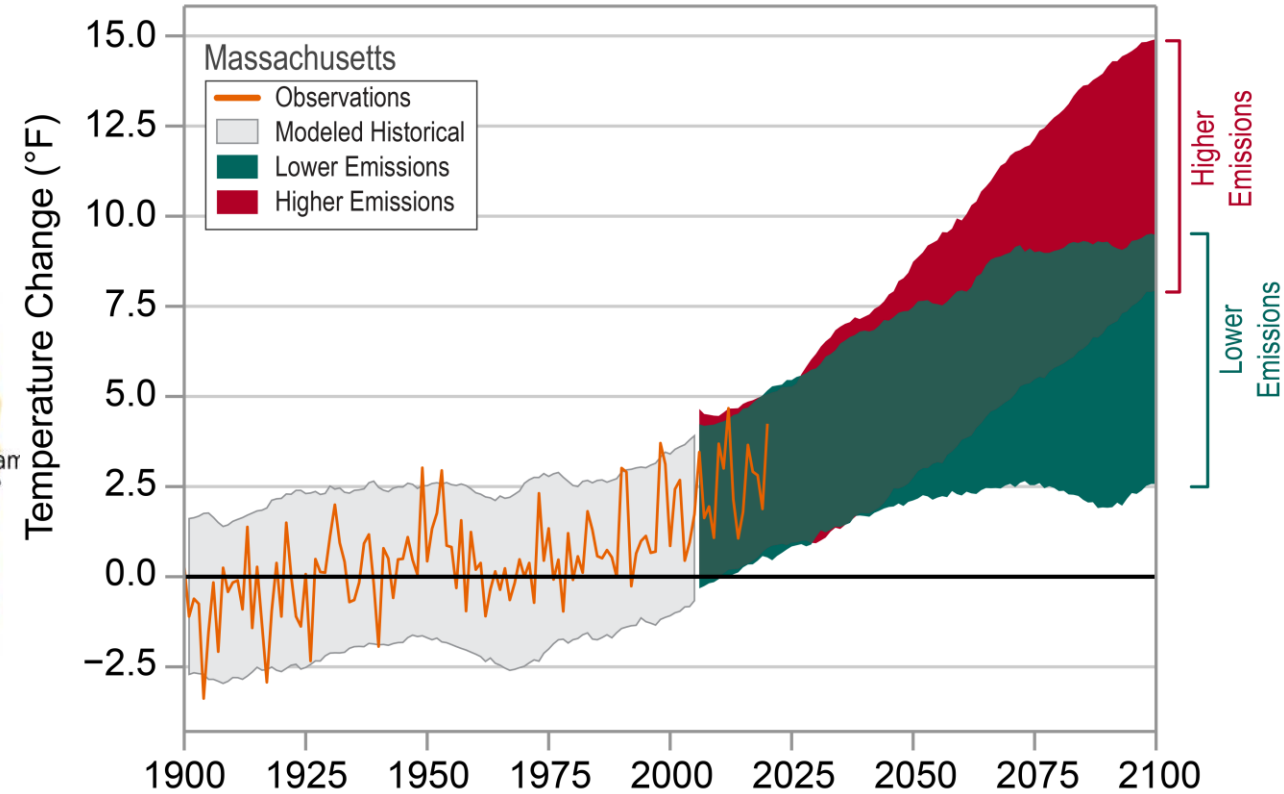
Extreme Temperatures

Max Apparent Temperature

Valid: Wed July 20



Observed and Projected Temperature Change



National Weather Service
Boston/Norton, MA
07/20/2022 02:52 AM EDT

Follow Us:   
weather.gov/Boston

Extreme Weather

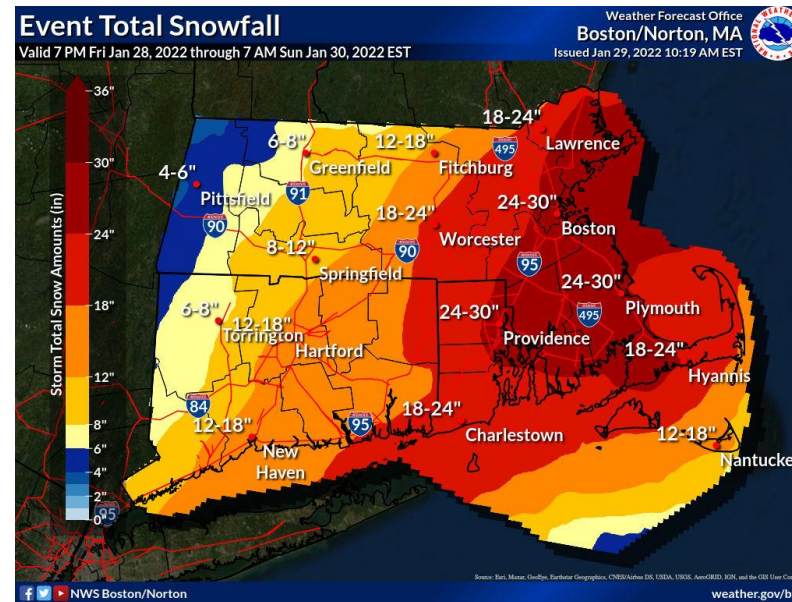
Winter Storms

7 Blizzard Events

Since 1950

4 Events

since 2016 Update



61 Nor'easters
Since 1950

22 Events
since 2016 Update

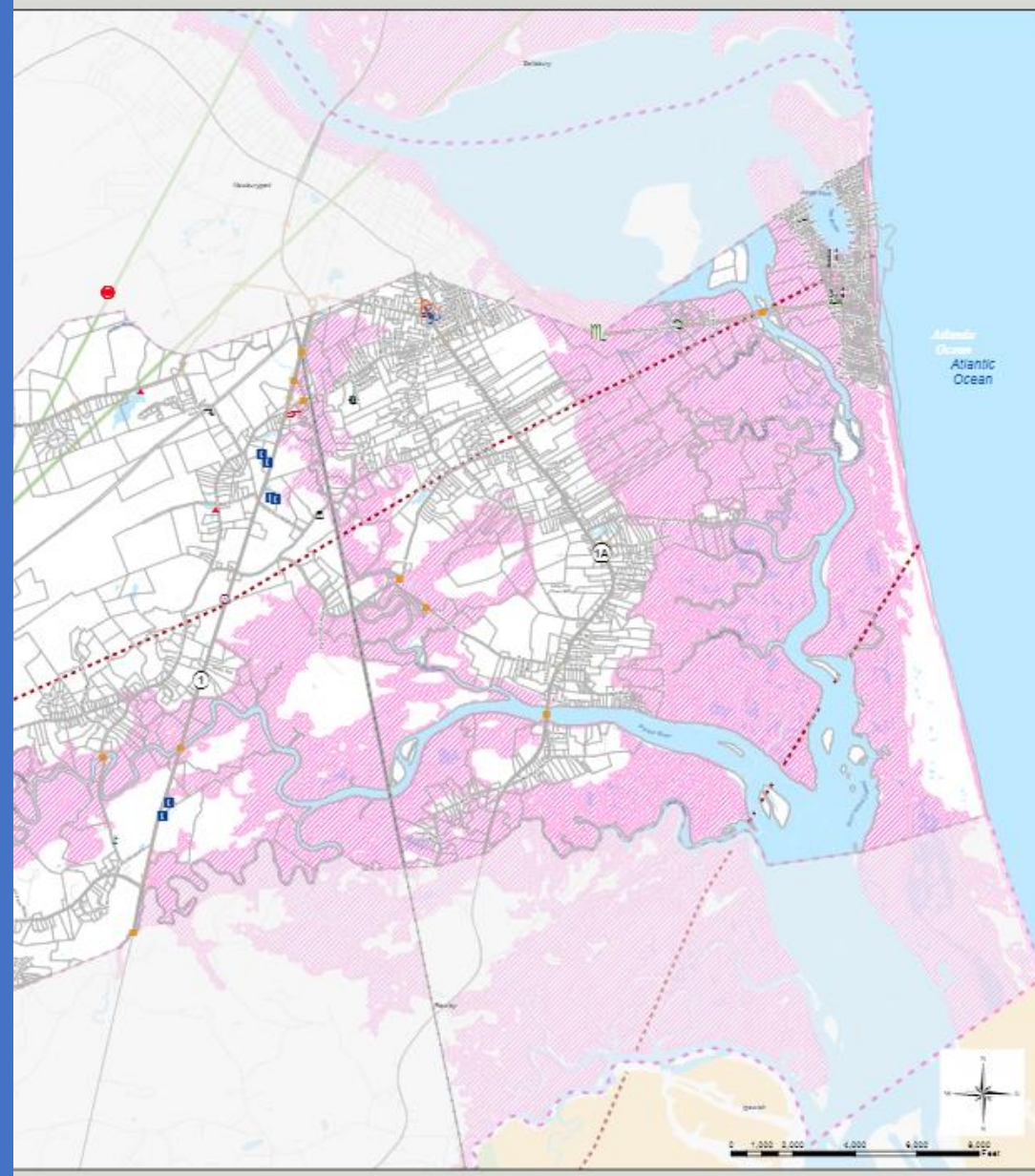
Natural Hazards

Workshop Activity II

Please take remaining time to complete

Work as a LHMPT to walk through each component of the Natural Hazard Assessment and identify risk for your community

- Community Maps
- Regional Maps
- Extra information (2016 HMP and MVP)



Preparation of this Plan was funded in part by HMP 2022-2025 from the Massachusetts Emergency Management Agency (EMMA) in cooperation with the Department of Homeland Security/Federal Emergency Management Agency (FEMA). Planning was also provided by MHP.

This map is for informational purposes only. It is not intended to be used as a legal document. The information on this map is for planning purposes only. It may be used as a reference for local government and other agencies.

© State Department of Regional Service Center
"Mapping the Commonwealth's Resilience"
Merrimack Valley Planning Commission
100 North Street, Newbury, MA 01950
781-938-1100

FEMA Requirements

4.2. Element B: Risk Assessment

Overall Intent. The Risk Assessment identifies the hazards that can affect jurisdictions participating in the mitigation plan. It analyzes each of these hazards with respect to: where each hazard might affect the planning area (location); its potential magnitude (extent); how often events have happened in the past (previous occurrences); how likely they are to occur in the future (future probability); what parts of the community are most likely to be affected (vulnerability); and the potential consequences (impacts).

1: Assess Natural Hazards within your Community

Part 1. Assessing Natural Hazards within your Community

Use the table below to identify natural hazards in your community. Before completing, review the *Terms of Reference* above, which define each term within the table: *Local Risk*, *Location*, *Previous Occurrences*, *Severity/Extent*, *Future Probability*.

Natural Hazard Assessment Worksheet

Natural Hazard	Local Risk (Y/N)	Location	Previous Occurrences	Severity/Extent	Future Probability
Changes in Precipitation					
Inland Flooding					
Drought					
Landslide					
Sea Level Rise					
Coastal Flooding					
Coastal Erosion					
Tsunami					
Earthquake					
Rising Temperatures					
Extreme Temperatures					
Wildfires					120

FEMA Requirements

4.2. Element B: Risk Assessment

Overall Intent. The Risk Assessment identifies the hazards that can affect jurisdictions participating in the mitigation plan. It analyzes each of these hazards with respect to: where each hazard might affect the planning area (location); its potential magnitude (extent); how often events have happened in the past (previous occurrences); how likely they are to occur in the future (future probability); what parts of the community are most likely to be affected (vulnerability); and the potential consequences (impacts).

2: Assessing Overall Risk

Please plan to leave us one comprehensive completed worksheet that we can scan and send Lead Reps.

Table 5.14-3. West Newbury Natural Hazards Risk Assessment

Natural Hazard	Community Risk Rating
Floods	HIGH
Winter Storms (blizzard/snow/ice)	HIGH
Northeasters	HIGH
Hurricanes	Moderate
Drought	Moderate
Wildfire/Brush Fires	Moderate
Dam Failure	Moderate
Power Outages	Moderate
Tornadoes	Low
Earthquakes	Low
Landslides	Low

Next Steps

- **Please leave maps on the table (for future workshops)**
- **Leave us 1 comprehensive completed worksheet (community engagement & natural Hazards). We will scan and send Lead Reps a copy**
- **Stay tuned for follow-up survey**
- **We'll provide information over next few weeks about next module: Mapping Community Lifelines**



West Newbury Affordable Housing Trust

ACTION PLAN FY2024-2026



Adopted:

Prepared for
West Newbury Affordable Housing Trust

Prepared by
Elizabeth Rust, ECR Enterprises

PURPOSE

The purpose of the West Newbury Affordable Housing Trust is to provide for the preservation and creation of affordable and community housing in the Town of West Newbury for the benefit of low- and moderate-income households.

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GOALS AND INITIATIVE DETAIL.....9

EXECUTIVE SUMMARY

The Board of Trustees of the West Newbury Affordable Housing Trust, adopt this Action Plan to guide Trust initiatives over the next three years (fiscal years 2024-2026).

The Trust mission is to expand housing opportunities in West Newbury for people in need by facilitating the creation of affordable units and connecting residents to housing assistance.

Through the mission, the Trust aims to increase housing opportunities and promote diversity, equity and inclusion in West Newbury while also advancing the town's progress toward State housing mandates.

Trust Goals and Strategies

- 1) GOAL: INCREASE HOUSING OPPORTUNITIES.
 - A. STRATEGY: ADVOCATE FOR ZONING AND PLANNING INITIATIVES THAT SUPPORT HOUSING DIVERSITY AND AFFORDABILITY.
 - B. STRATEGY: ASSESS MUNICIPAL AND PRIVATE LAND FOR HOUSING.
 - C. STRATEGY: ADVOCATE FOR INCREASED AFFORDABLE HOUSING IN PRIVATE DEVELOPMENTS.
- 2) GOAL: PROVIDE WEST NEWBURY RESIDENTS WITH HOUSING ASSISTANCE.
 - A. STRATEGY: ESTABLISH A SMALL GRANT PROGRAM.
 - B. STRATEGY: PROVIDE INFORMATION AND REFERRALS ON AVAILABLE ASSISTANCE.
 - C. STRATEGY: INVESTIGATE PROVIDING TAX ASSISTANCE TO ELIGIBLE OWNERS.
- 3) GOAL: FOSTER STRENGTH OF HOUSING OPTIONS THROUGH A PUBLIC RELATIONS CAMPAIGN.
 - A. STRATEGY: PUBLISH AND MAINTAIN CURRENT HOUSING INFORMATION.
 - B. STRATEGY: SPONSOR TRAININGS, FORUMS, INFORMATION SESSIONS.
 - C. STRATEGY: IMPLEMENT A PROFESSIONAL MARKETING STRATEGY.
- 4) GOAL: STRENGTHEN PARTNERSHIPS WITH ORGANIZATIONS.
 - A. STRATEGY: SOLICIT STRATEGIC PARTNERS AND REGIONAL COLLABORATION.
- 5) GOAL: GROW THE CAPACITY OF THE HOUSING TRUST.
 - A. STRATEGY: OBTAIN STAFF ASSISTANCE.
 - B. STRATEGY: CONTINUE TO FUND THE TRUST.

INTRODUCTION

What is the West Newbury Affordable Housing Trust?

A housing trust allows municipalities to collect funds for affordable housing, segregate them out of the general municipal budget into a trust fund, and use the funds for local initiatives to create and preserve affordable housing.

On October 23, 2021 West Newbury voters authorized the Select Board to establish the West Newbury Affordable Housing Trust under Massachusetts General Laws Chapter 44, Section 55C for the purpose of creating and preserving affordable housing in West Newbury for the benefit of low- and moderate-income households, and for the funding of community housing.

On November 15th, the Select Board adopted a Charge to establish a new Affordable Housing Trust Bylaw Committee, in order to advise the Select Board on development of a draft bylaw for consideration at the 2022 Annual Town Meeting. On December 6th, the Select Board appointed 5 members to the Affordable Housing Trust Bylaw Committee. Through their hard work and dedication, on May 14, 2022 West Newbury voters authorized the establishment of the Affordable Housing Trust for the benefit of low- and moderate-income households, through approval of the presented bylaw.

The Declaration of Trust is recorded at So. Essex #197 Bk 41431 Pg:1 and the bylaw is posted on the town website:

[Affordable Housing Trust Bylaw](#)

What does the Board of Trustees do?

The Town bylaw created the Board of Trustees to oversee the West Newbury Affordable Housing Trust funds and is composed of one ex officio non-voting member and seven voting members. The Town Manager serves as the ex officio member. The Board of Trustees also must include one member of the Select Board. The Select Board has the authority to appoint the other six members. The voting members shall have relevant experience in the fields of affordable housing, zoning, real estate, banking, finance, law architecture, social services or other areas of expertise applicable to advancing the purpose and goals of the trust.

The Trust powers and authority are set forth in accordance with MGL c.44 s.55C and the bylaw. Select Board approval is required to purchase or retain any interest in real property. Select Board and Town Meeting approval is required to incur any debt, borrow any money, grant any mortgage, or pledge trust assets. The Trust must submit an annual report to the Select Board reporting on all activities.

It is the Trust's fiduciary responsibility, bestowed upon the Trust by the Town of West Newbury, to ensure that the Housing Trust funds are used in a responsible manner. In fact, the impetus for initiating this Action Plan is to establish a deliberate focus to the work and the use of the Housing Trust's resources.

Furthermore, the Trust recognizes that their work is but one facet of the Town's work to maintain a high quality of life for its current and future residents. It is the responsibility of the Trust to establish and maintain open dialogues and coordinate the work of the Trust with other town officials, boards, and commissions.

**West Newbury Affordable Housing Trust
Board of Trustees (2022)**

Kevin Bowe
Donna Garcia
Deborah Hamilton
Karen Holmes
Derek Mitchell
Wendy Reed (SB Appointee)
Pamela Shaffer

Staff Support

How was this Action Plan developed?

In November 2022, the Town of West Newbury contracted with planning consultant Elizabeth Rust of ECR Enterprises to develop an Action Plan, budget, program descriptions, and supporting documents for the West Newbury Affordable Housing Trust.

Working with the planning consultant, the Board of Trustees identified and assessed West Newbury's housing needs. The planning consultant updated and supplemented the information provided through this review to create materials for the action plan.

It is the intent of the Trust to update the action plan in three years' time, as it reflects on their accomplishments and opportunities.

WEST NEWBURY'S AFFORDABLE HOUSING NEEDS

This brief description of West Newbury's affordable housing needs is based on the detailed housing needs analysis completed in 2017 through the Housing Production Plan, with some updated figures provided by the Trust's planning consultant. In this analysis, the trust considered the needs of low-income¹ and moderate-income² households, families, elderly, and special needs populations, in addition to availability of affordable rental and homeownership units and programs.

Low-Income and Moderate-Income Households

Low-income households are households with incomes at or below 80% of the Area Median Income (AMI). Households with this level of income often include young professional singles and couples just entering the workforce, families, single-parents, elderly individuals, disabled individuals, as well as teachers and municipal employees. For example, a four-person household making at or below \$79,900 (gross income) annually is considered a low-income household.

For housing to be counted on the state's Subsidized Housing Inventory, it must be restricted to low-income households (80% AMI or lower) through a property restriction or deed rider, and marketed using an Affirmative Fair Housing Marketing Plan. Individual units within housing programs often have income limits for the residents. In this way, the governmental agencies that provide the required subsidy and grant amounts ensure that the housing developed benefits the intended residents.

The West Newbury specific limits for 2022 are listed below. These limits are published by the federal Housing and Urban Development agency (HUD) annually for Metropolitan Statistical area in the country.

Household Size Income Limits 2022, Lawrence MSA	1	2	3	4	5	6
<u>50% – Very Low Income</u>	<u>36,050</u>	<u>41,200</u>	<u>46,350</u>	<u>51,450</u>	<u>55,600</u>	<u>59,700</u>
<u>80% - Low Income</u>	<u>55,950</u>	<u>63,950</u>	<u>71,950</u>	<u>79,900</u>	<u>86,300</u>	<u>92,700</u>
<u>100% - Moderate Income</u>	<u>79,800</u>	<u>91,200</u>	<u>102,600</u>	<u>114,000</u>	<u>123,120</u>	<u>132,240</u>

According to the 2019 American Community Survey data, West Newbury has 1,680 households of which 92% are owners and 8% renters. Of the 135 renter households, 78% (105) are of low and moderate incomes, while 24% (365) of the 1,540 owner households are low and moderate income. Overall, 28% of households, or 1 in 4, are low and moderate income. One measure of affordability is to look at the

Low income = household income at or below 80% of the area median income (AMI). In West Newbury, which is part of the Lawrence Area, a four-person household with low-income has an income at or below \$79,900. This Metro FMR Area includes the Towns of Andover, Boxford, Georgetown, Groveland, Haverhill, Lawrence, Merrimac, Methuen, North Andover and West Newbury.

Moderate income = household income of up to 100% of the area median. In West Newbury, a four-person household with moderate-income has an income of up to \$114,000.

cost burden figures. As defined by the US Department of Housing and urban Development (HUD), housing cost burden' occurs when a household spends more than 30% of their gross income on housing costs. When a household is cost burdened, it has less income to spend on other necessities and to circulate into the local economy – this is especially challenging for low and moderate income households. In West Newbury, 18% of low- and moderate-income owners and 30% of low- and moderate-income renters are cost burdened.

There a very low inventory of low and moderately priced homes in West Newbury, either for sale or rent. There are 30 rental units operated by the West Newbury Housing Authority, and 13 affordable deed restricted ownership units. There are currently no homes for sale or rent in West Newbury (2/3/2023), at any price point, much less affordable to a low- or moderate-income household.

From 2019 information (pre-COVID) to capture the affordability gap, the estimated median house in 2019 was \$704,401, requiring an annual income of \$190,000. However, the median household income for the same period was \$150,844, able to purchase a home in the \$560,000 range.

(<https://www.city-data.com/city/West-Newbury-Massachusetts.html>)

GOALS AND INITIATIVE DETAIL

The Trust goals respond strategically to West Newbury's housing needs. There is a particular need to provide affordable rental and homeownership housing for low-income households, including families and young professionals, and to assist low- and moderate-income elderly homeowners.

The Trust advocates a clear call to execute a proactive and intentional housing agenda to create affordable units and to help people, to promote and fund affordable housing as a centralized municipal service, and to use the Housing Trust as a repository for CPA housing funds.

1) GOAL: INCREASE HOUSING OPPORTUNITIES. Promote and create new affordable units through new development or redevelopment, advocating for diversity of housing prices and styles. Support healthy aging in the community by expanding the range of affordable and intergenerational housing options.

A. STRATEGY: ADVOCATE FOR ZONING AND PLANNING INITIATIVES THAT SUPPORT HOUSING DIVERSITY AND AFFORDABILITY. Promote and advocate for Planning Board initiatives, including adding Accessory Dwelling Units to existing housing, and supporting the MBTA/3A zoning initiatives.

B. STRATEGY: ASSESS MUNICIPAL AND PRIVATE LAND FOR HOUSING. This includes reviewing municipal properties, including potential tax takings, and performing initial feasibility studies. The assessor's office can generate a list of municipal properties, and the Trust can filter out the potential parcels. The Trust can actively search for property with development or redevelopment potential by working with a real estate broker to research land on the market, land about to come on the market, and underutilized sites.

Once a property meets physical feasibility review (environmental, survey, soil testing, access) then a zoning analysis can be completed, to create a project proforma (a financial projection of project costs and revenue) based on a preliminary determination of how many units the site could accommodate. The proforma would estimate how much the development would cost, projected revenue, and potential subsidy needs and sources. Often the target income levels and populations, rent/own options, density and other parameters are discussed and conceptually agreed to at this point.

The Trust, with public support could then petition the Select Board to transfer the parcel to the Trust at Town Meeting. The Trust may hire consultants and subject matter experts to formalize a potential project proposal.

Once a parcel is acquired, the Trust can proceed with conceptual site plans to assist in the assessment of density, building type, and other project details to include in a Request for Proposals (RFP) for disposition and/or construction.

The Massachusetts Housing Partnership's *Developing Affordable Housing on Public Land: A Guide for Massachusetts Communities* provides instruction for assessing sites, setting goals, preparing an RFP, and other information. Download a free copy at:

https://www.mhp.net/writable/resources/documents/mhp_public_land_guide2.pdf

C. STRATEGY: ADVOCATE FOR INCREASED AFFORDABLE HOUSING IN PRIVATE

DEVELOPMENTS. The Trust will become involved in private housing proposals before the Planning Board or Zoning Board, taking the seat at the table for future residents. The Trust can advocate for equitable layouts and disbursement, parking and access to amenities, as well as potentially increasing the number of affordable units, or the level of affordability. The Trust can request local preferences in developments from the subsidizing agency (MassHousing or DHCD), within the regulatory requirements, at most 70% of the units at initial purchase or leasing.

Ideally, the permit issuing board (Planning and ZBA) will develop a policy to ask the Trust for their comments on each development project before issuing a decision. The Trust can invite developers to make presentations at their meeting, focusing on the affordable housing element of the proposal.

2) GOAL: PROVIDE WEST NEWBURY RESIDENTS WITH HOUSING ASSISTANCE.

Assist low and moderate-income residents, including seniors, with financial assistance to allow them to stay in their homes, and lessen the 18% of households that are cost-burdened. Older adults and other households can face challenges in single-family housing situations, such as routine maintenance and upkeep, cost of property taxes, access to services, and transportation.

A. STRATEGY: ESTABLISH A SMALL GRANT PROGRAM. Implement a Small Grants Program for eligible homeowners to address health and safety repairs in their homes, modeled from successful programs in Bedford, Concord and Sudbury. This program provides a limited amount of funding to modest value homes for health and safety purposes. The programs use standards for eligibility – income under 80% or 100% AMI, home valued under the median assessment – and award up to \$5,000 twice a year to qualified applicants. The applicant provides estimates from qualified contractors, signs a grant agreement upon the award, and the funds are paid directly to the contractor at the verified completion of the work.

For more information, download Sudbury’s program description and application at:
<http://www.sudbury.ma.us/committees> and click on “Sudbury Housing Trust.”

B. STRATEGY: PROVIDE INFORMATION AND REFERRALS ON AVAILABLE ASSISTANCE.

Provide current and accessible information on available assistance through an easy-to-locate place on the town website as well through Council on Aging outreach.

C. STRATEGY: INVESTIGATE PROVIDING TAX ASSISTANCE TO ELIGIBLE OWNERS.

Investigate filing legislation for a senior means tested exemption, using examples from other communities that have implemented such programs – Sudbury and Concord for example. The Sudbury and Concord Means Tested Senior Exemption Programs reduce real property taxes for some low to moderate-income senior citizens through a redistribution of the property tax burden within the residential class. The programs requires residency for a minimum of 10 years prior to eligibility. This program relies on the annual income criteria established by the Massachusetts State Income Tax Refundable Credit known as the Circuit Breaker. The program includes requirements that the resident is over age 65, income eligible, and there are asset and home assessment limits. As with any special legislation, the Town Meeting first approves the filing, then onto the state. The process takes some number of years.

3) GOAL: FOSTER STRENGTH OF HOUSING OPTIONS THROUGH A PUBLIC RELATIONS CAMPAIGN.

Foster diversity, equity, and inclusion in the community through a positive public relations campaign. Increasing outreach and education about local and regional affordable housing needs will strengthen the base of knowledge and support for affordable housing. Through a concerted effort, the Trust will provide ongoing outreach to increase awareness of existing affordable housing programs and assistance at local and state levels.

A. STRATEGY: PUBLISH AND MAINTAIN CURRENT HOUSING INFORMATION. The Trust, as a town entity, has access to a wide range of communication channels to promote and educate the public on housing concerns. The following list outlines actions for a comprehensive communication strategy:

- Maintain up-to-date information on the town website on programs, eligibility requirements, deadlines, and links to external housing resources;
- Distribute hardcopy program literature and information at the library and/or town offices;
- Publish regular articles about affordable housing, at least quarterly, and publish on social media, email blasts, Facebook, Town Meeting;

- Send quarterly housing updates, and other timely information to a developed outreach list comprised of the following:
 - Town Boards and Committees, Council on Aging;
 - Regional networks;
 - Nearby organizations serving people of color, immigrant groups, low-income families, veterans, and other protected classes;
 - Faith-based organizations;
 - Educational institutions, school social workers and parent- teacher organizations;
 - Local hospitals and employers.
- Submit editorials and press releases and housing opportunities to local news agencies.

B. STRATEGY: SPONSOR TRAININGS, FORUMS, INFORMATION SESSIONS. With the robust outreach list developed above, the Trust can sponsor public forums and training. This is an opportunity to collaborate with other regional entities.

- Sponsor fair housing training, and other relevant topics, for municipal boards/committees, real estate and professionals, civic groups and general public. CHAPA offers programs to the public – <https://www.chapa.org>.
- Staff tables at community events, town meeting and other gatherings bringing brochures, pictures of local housing developments, and other visual materials.
- Host public forums and panels (annually) with housing experts and advocates.

C. STRATEGY: IMPLEMENT A PROFESSIONAL MARKETING STRATEGY. A professional marketing strategy can elevate awareness and support for affordable housing. There may be some grants to assist with funding such an approach. One example is the Lower Cape Community Housing Partnership’s public education media campaign, which features three videos and accompanying print ads, emphasizing the diverse members of the community who benefit from affordable housing.

(<https://capecdp.org/affordable-housing/community-housing-partnership/media-campaign>)



4) GOAL: STRENGTHEN PARTNERSHIPS WITH ORGANIZATIONS. Strengthen partnerships with organizations focused on addressing housing needs in West Newbury and the region.

A. STRATEGY: SOLICIT STRATEGIC PARTNERS AND REGIONAL COLLABORATION. By working collaboratively with its local and regional housing partners, the Town can enhance and promote community education while advancing its affordable housing goals. Proactively soliciting strategic partners, responding to inquiries, identifying properties and resources can strengthen collaborative strategies, including working together with the West Newbury Housing Authority. Partners such as Habitat for Humanity (for smaller scale), Harborlight Community Partners (for larger scales), and YWCA in Newburyport are some examples, as well as churches and other entities with changes of use on their land. Land Protection agencies such as Essex County Greenbelt may be interested in creating joint housing and open space projects. West Newbury is a member in the North Shore HOME Consortium ([Peabody - North Shore Home Consortium \(peabody-ma.gov\)](http://peabody-north-shore-home-consortium.peabody-ma.gov)) and has access to specialized HUD funds through this regional group. There are other local and regional housing development agencies which may offer opportunities to create housing, demonstrating public and private partnerships.

5) GOAL: GROW THE CAPACITY OF THE HOUSING TRUST. Growing the capacity of the Trust is critical to the effectiveness of the Town's efforts to implement community priorities as established through the housing planning efforts. This includes both professional staff capacity and funding.

A. STRATEGY: OBTAIN STAFF ASSISTANCE. Staff assistance is needed to both provide greater technical expertise as well as more dedicated time. The Trust is comprised of volunteers that have limited availability for the initiatives identified in this action plan. The work of the trust includes administrative activities (agendas, minutes, reporting) and the array of project details listed. Another staffing dimension to consider is the need to procure assistance with the technical complexity of housing work.

The Trust can work with the town staff to develop a staffing strategy. Options include arranging some support from existing town staff, collaborating with nearby municipalities to share housing resources, hiring a consultant – or a combination of a number of these approaches. One model of shared resources is the Regional Housing Services Office (www.RHSOhousing.org).

B. STRATEGY: CONTINUE TO FUND THE TRUST. A key attribute of the Trust is to isolate and dedicate funds to affordable housing. The Trust has two current sources of revenue – CPA funds

and funds from inclusionary housing payments. These are estimated below over the plan period, including the appropriation of accumulated CPA reserves to be requested at the 2023 Annual Town Meeting. Additional CPA funds will be requested for specific projects. Note that the Trust can also accept private donations.

On the expense side, placeholders are shown for staffing, monitoring, project feasibility, and marketing/outreach – as well as the Small Grant Program outlined above, and \$400,000 for unit creation through any of the strategies identified in this plan.

	FY24	FY25	FY26
Opening balance	\$193,909	\$359,991	\$127,991
CPA Housing Reserves	\$172,178		
CPA Annual 10%	\$60,904	\$55,000	\$55,000
Inclusionary Payments		\$40,000	\$40,000
CPA Project Specific Funds			
Total Revenue	\$227,178	\$95,000	\$95,000
Consulting/Staffing	\$20,000	\$20,000	\$20,000
Monitoring	\$2,000	\$2,000	\$2,000
Feasibility	\$15,000	\$25,000	\$15,000
Marketing	\$5,000	\$5,000	\$5,000
Program: Small Grants	\$25,000	\$25,000	\$25,000
Program: Unit Creation		\$250,000	\$100,000
Total Expenses	\$67,000	\$327,000	\$167,000
Ending balance	\$359,991	\$127,991	\$55,991



West Newbury HPP Stakeholder Meeting #1*March 24, 2023 | 11:30 a.m. – 1:00 p.m.*

West Newbury Town Hall

Purpose: To introduce the Housing Production Plan (HPP) update process, as well as review and discuss strategies from the previous iteration of West Newbury’s HPP to orient the group to housing work that has been accomplished, in progress, or completed in the Town.

Meeting Objectives:

- 1) Introduce the HPP process
- 2) Review and discuss existing housing production goals and strategies from the previous iteration of the plan

Agenda:

- 1) Welcome & introductions
- 2) HPP Process Overview
- 3) Review of 2018 HPP Strategies
- 4) Next Steps
 - a. Schedule next meeting
 - b. Begin to consider priority outreach populations and public engagement strategies



RULE 15c2-12 FILING COVER SHEET

This cover sheet is sent with all submissions to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") pursuant to Securities and Exchange Commission (SEC) Rule 15c2-12 or any analogous state statutes.

Issuer Name: Town of West Newbury, Massachusetts

Issue(s):

\$ 1,700,000 General Obligation Municipal Purpose Loan of 2017 Bonds, Dated 9/28/17

Filing Format electronic paper; If available on the Internet, give URL: _____

CUSIP Numbers to which the information filed relates (optional):

Nine-digit number(s) (see following page(s)):

Six-digit number if information filed relates to all securities of the issuer

Financial & Operating Data Disclosure Information

Annual Financial Report or ACFR

Financial Information & Operating Data

Other (describe) _____

Fiscal Period Covered: FYE 2022

Monthly Quarterly Annual Other: _____

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature: /s/ Kaitlin Gilbert

Name: Kaitlin Gilbert Title: Treasurer

Employer: Town of West Newbury, Massachusetts

Telephone Number: 978-363-1100

Email Address: treasurer@wnewbury.org

DESCRIPTION OF ISSUES COVERED BY THIS REPORT

General Obligation Municipal Purpose Loan of 2017 Bonds, Dated 9/28/17

Date	Principal	CUSIP
09/15/23	\$ 40,000	954736HU1
09/15/24	40,000	954736HV9
09/15/25	45,000	954736HW7
09/15/26	45,000	954736HX5
09/15/27	45,000	954736HY3
09/15/32	260,000	954736JD7
09/15/37	300,000	954736JJ4
09/15/42	350,000	954736JP0
09/15/47	410,000	954736JU9
	<u>\$ 1,535,000</u>	

CONTINUING DISCLOSURE REPORT
FOR THE
FISCAL YEAR ENDED JUNE 30, 2022

TOWN OF WEST NEWBURY, MASSACHUSETTS

GENERAL OBLIGATION



FINANCIAL STATEMENTS

The audited financial statements for the Town for the fiscal year ended June 30, 2022 are being filed directly with the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA"), and are hereby incorporated by reference into this Annual Continuing Disclosure Report.

SIGNATURE OF ISSUER

The information set forth herein has been obtained from the Town and other sources believed to be reliable, but such information is not guaranteed as to accuracy or completeness and is not to be construed as a promise or guarantee. This Annual Continuing Disclosure Report may contain, in part, estimates and matters of opinion which are not intended as statements of fact, and no representation is made as to the correctness of such estimates and opinions, or that they will be realized. The information and expressions of opinion contained herein are subject to change without notice, and the delivery of this Annual Continuing Disclosure Report will not, under any circumstances, create any implication that there has been no change in the affairs of the Town or other matters described.

Town of West Newbury, Massachusetts

/s/ Kaitlin Gilbert

Kaitlin Gilbert

Treasurer

Approved for Submission:

03/22/2023

Date

CERTIFICATE OF SUBMISSION OF ANNUAL REPORT

Subject to the continuing disclosure requirements of SEC Rule 15c2-12, this Annual Continuing Disclosure Report for the Town of West Newbury, Massachusetts with respect to the issues listed on the report cover was submitted directly to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") listed below.

Municipal Securities Rulemaking Board ("MSRB")
via the Electronic Municipal Market Access ("EMMA") system

HTS Continuing Disclosure Services, A Division of Hilltop Securities Inc.

Signed by:

/s/ Henriqueta Teixeira DaCosta

Annual Report

TOWN OF WEST NEWBURY, MASSACHUSETTS

**For Fiscal Year Ended
June 30, 2022**

Town of West Newbury, Massachusetts
/s/ Kaitlin Gilbert, Treasurer

March 22, 2023

TOWN OF WEST NEWBURY, MASSACHUSETTS

General

The Town of West Newbury, Massachusetts (the "Town") is located in Essex County about 40 miles north of Boston. It is bordered by Newburyport on the east, Newbury and Groveland on the south, separated from Haverhill by the Merrimack River on the west, and separated from Merrimac and Amesbury by the Merrimack River on the north. West Newbury has a population of 4,500 according to the 2020 Federal Census and occupies a land area of 13.9 square miles. Incorporated as a town in 1819, West Newbury is governed by a Town Manager form of government.

The following table sets forth the principal executive officers of the Town.

PRINCIPAL TOWN OFFICIALS

<u>Title</u>	<u>Name</u>	<u>Selection/Term</u>	<u>Term Expires</u>
Select Board Member	David Archibald	Elected/3 years	2023
Select Board Member	Richard Parker	Elected/3 years	2025
Select Board Member	Wendy Reed	Elected/3 years	2024
Treasurer	Kaitlin Gilbert	Appointed/1 year	2023
Town Accountant	Jennifer Walsh	Appointed/3 years	2025
Town Clerk	James Blatchford	Appointed/1 year	2023
Town Counsel	Timothy Zessin	Appointed/1 year	2023
Town Manager	Angus Jennings	Appointed/3 years	2026

Municipal Services

The Town provides governmental services for the territory within its boundaries, including police and fire protection, facilities for the disposal of rubbish, water, street maintenance, parks and recreational facilities. Public education in grades kindergarten through twelve is provided by the Pentucket Regional School District, while vocational and technical education in grades 9-12 is provided by the Whittier Regional Vocational Technical High School. The West Newbury Housing Authority provides limited housing for the elderly and low income residents of West Newbury.

The West Newbury Water Department was established in 1936 as a self-supporting entity and is accounted for in the Town's water enterprise fund. Approximately 62% of the Town is served by the Department. The Town purchases water from the City of Newburyport. Water rates charged by the Water Department are sufficient to cover the costs of the water, operating expenses and debt service of the Water Department (see "TOWN FINANCES-Revenues Water Rates and Services").

Corona Virus (COVID-19)

COVID-19 is a respiratory disease caused by a novel coronavirus that has not previously been seen in humans. On March 10, 2020, the Governor of The Commonwealth of Massachusetts declared a state of emergency to support the Commonwealth's response to the outbreak of the virus. On March 11, 2020 the World Health Organization declared COVID-19 a pandemic. On March 13, 2020, the President declared a national emergency due to the outbreak, which has enabled disaster funds to be made available to states to fight the pandemic. The Governor has removed the remaining COVID-19 restrictions and the state of emergency in The Commonwealth expired on June 15, 2021.

In response to the COVID-19 pandemic, federal and state legislation was signed into law that provides various forms of financial assistance and other relief to state and local governments. For example, the U.S. Congress enacted the CARES Act which includes various forms of financial relief. The Town was eligible to receive up to \$413,595 from the CARES Act and to date has incurred \$145,405 in COVID expenses. In addition to CARES Act funding, the Town also received COVID-19 funding from FEMA in the amount of \$70,257.

Another action at the federal level was the American Rescue Plan Act of 2021 ("ARPA"). Among other provisions, ARPA provides \$350 billion to state and local governments to mitigate the fiscal disruptions created by the pandemic. Such funds may be used to replace revenues lost or reduced as a result of the pandemic and fund COVID-related costs, among other purposes. Through June 30, 2022, the Town had received a total allocation of \$1,409,047 of ARPA funds.

Pursuant to M.G.L. Chapter 44, Section 31, the Town can set up a fund specifically related to COVID-19 expenses. This fund can be used to capture all unbudgeted costs related to the COVID-19 pandemic and deficit spending for these costs,

including but not limited to, overtime, cleaning and medical supplies, and IT equipment would be allowed, with the approval of the Commonwealth’s Department of Revenue.

The virus, its variants and the resulting actions by national, state and local governments are altering the behavior of businesses and people in a manner that may have negative impacts on global and local economies. There can be no assurances regarding the extent to which COVID-19 will impact the national and state economies and, accordingly, how it will adversely impact municipalities, including the Town.

The Town did not find that the continuing impacts of COVID-19 affected the fiscal 2022 year-end operating results. Incremental costs incurred as a result of COVID-19 primarily affected fiscal years 2020 and 2021, and these costs were largely if not fully offset by CARES Act and FEMA funding. During fiscal year 2023, the Town undertook a process to allocate the ARPA funds it received toward eligible projects and expenses. The Town is prioritizing ARPA funds toward one-time expenses, with an emphasis on improvements to the public drinking water infrastructure.

Education

The Pentucket Regional School District, of which West Newbury is a member, provides public education for students enrolled in grades kindergarten through twelve. In addition, the Whittier Regional Vocational School District consisting of thirteen member communities, including West Newbury provides vocational and technical education for students enrolled in grades 9-12.

The table below sets forth the trend in public school enrollment of West Newbury students for the following years.

PUBLIC SCHOOL ENROLLMENTS - OCTOBER 1,

	Actual				
	2018	2019	2020	2021	2022
Elementary (K-6)	345	313	277	280	302
Junior High(7-8)	108	93	85	100	93
Senior High(9-12)	176	196	172	154	145
Totals (1)	629	602	534	534	540

(1) Does not include approximately 52 students in charter schools or other out of district placements.

Climate Resiliency

West Newbury is undertaking several concurrent efforts toward climate change preparedness/resiliency. The Town has been designated by the Commonwealth of Massachusetts as a Municipal Vulnerability Preparedness (MVP) community, expanding its eligibility for grants and technical assistance. The Town secured a \$50,000 funding commitment at Fall Town Meeting for the required local match for a grant it will pursue in the upcoming (2023) grant round to undertake a study of vulnerability of River Road to erosion due impacts of sea level rise on Merrimack River, and based on overland stormwater flows. The Town is working closely with the neighboring City of Newburyport regarding ongoing planning and capital improvements to ensure the resiliency of the local water supply (including a proposed increase in dam elevation, proposed installation of new sub-surface water pipeline, etc.). The Town is also undertaking a feasibility study of potential to add ground-mounted solar to up to 5 additional town-owned sites (in addition to current solar installations at the Page Elementary School and at the Public Works garage). The Town has added Electric Vehicle charging stations at Town Offices and the Page School. The Town has undertaken a Microgrid Feasibility Study regarding the Town Offices/Public Safety Complex. Town Meeting voters approved updates to the Flood Plain Bylaw in 2022 to reference the latest FEMA Flood Insurance Rate Maps and review standards. Also, the Town is engaged in a planning process to update its town-wide Hazard Mitigation Plan, with an expected completion in FY24.

Cybersecurity

The Town has not been targeted nor impacted by any cyber-attacks that have affected its assets, finances or operations. During calendar year 2022, town personnel participated in a Cyber Security Awareness Grant program through the Commonwealth of Massachusetts. In recent years, the Town has increased staff responsibilities for cyber security training and administration.

Industry and Commerce

West Newbury is a residential suburb of Boston. The following table lists the major categories of income and employment from 2017-2021.

Industry	Calendar Year Average				
	2017	2018	2019	2020	2021
Construction	43	47	53	52	52
Trade, Transportation and Utilities	42	41	44	37	39
Information	-	-	-	10	11
Financial Activities	17	18	18	21	30
Professional and Business Services	60	64	64	59	64
Education and Health Services	464	469	471	415	395
Leisure and Hospitality	-	-	21	18	-
Other Services	16	17	22	23	25
Total Employment	642	656	693	635	616
Number of Establishments	93	98	104	102	110
Average Weekly Wages	\$ 931	\$ 974	\$ 986	\$ 1,086	\$ 1,169
Total Wages	\$ 34,043,222	\$ 36,421,941	\$ 37,798,009	\$ 38,011,764	\$ 40,742,224

Source: Massachusetts Department of Education and Training. Data based upon place of employment, not place of residence. Due to the reclassification the U.S. Department of Labor now uses the North American Industry Classification System (NAICS) as the basis for the assignment and tabulation of economic data by industry.

Labor Force, Employment and Unemployment

According to the Massachusetts Department of Employment and Training preliminary data in November 2022, the Town had a total labor force of 2,498 of which 2,450 were employed and 48 or 1.9% were unemployed as compared to 2.9% for the Commonwealth of Massachusetts, although it is likely that the COVID-19 pandemic will adversely affect unemployment levels nationwide.

The following table sets forth the Town's average labor force and unemployment rates for calendar years 2017 through 2021 and also the unemployment rates for the Commonwealth of Massachusetts and the United States for the same period.

UNEMPLOYMENT RATES

Calendar Year	Town of West Newbury		Massachusetts	United States
	Labor Force	Unemployment Rate	Unemployment Rate	Unemployment Rate
2021	2,523	3.6 %	5.7 %	3.7 %
2020	2,409	6.0	8.9	8.1
2019	2,545	1.9	2.8	3.7
2018	2,535	2.4	3.3	3.9
2017	2,446	2.7	3.7	4.4

SOURCE: Mass. Department of Employment and Training, Federal Reserve Bank of Boston and U.S. Bureau of Labor Statistics. Data based upon place of residence, not place of employment. Monthly data for Town are unadjusted.

Building Permits

The table below sets forth the number of building permits issued and the estimated dollar value of new construction and alterations for the following fiscal years. Permits are filed for both private construction as well as for Town projects.

Fiscal Year	New Construction		Additions/Alterations		Total	
	Number	Value	Number	Value	Number	Value
2022	10	\$ 5,668,285	268	\$ 8,952,890	278	\$ 14,621,175
2021	12	3,381,311	285	9,658,015	297	13,039,326
2020	19	5,140,321	237	7,147,392	256	12,287,713
2019	30	8,558,318	252	4,516,713	282	13,075,031
2018	9	3,360,270	232	4,810,370	241	8,170,640

SOURCE: Report of the Building Inspector.

In addition to the building permits shown above, the Town issued three permits for the construction of a new Middle/High School, the construction of which is now underway. Three permits were issued for the single building because the permits were issued in phases. The total value of the new Middle/High School is \$146,123,410. This value is not reported in the table above because, as a public building, it will not generate new tax revenue. If that value and those three permits were included, the total number of permits issued in fiscal year 2020 would be 259 with a value of \$158,411,123.

It is likely that the COVID-19 pandemic will negatively affect the total number and dollar value of building permits issued in the current calendar year.

Transportation and Utilities

The principal highways serving the Town are State Route 113 and Interstate 95. Interstate 495 is less than three miles from West Newbury. Established trucking lines provide competitive service locally and to long distance points. The Town is within commuting distance of the airport facilities of Boston’s Logan International Airport.

Gas and telephone services are provided by established private utilities.

Population and Income

The following chart compares census year averages for the Town, the Commonwealth, and the United States.

	<u>West Newbury</u>	<u>Massachusetts</u>	<u>United States</u>
Median Age:			
2010	44.9	39.1	37.2
2000	39.6	36.5	35.3
1990	36.3	33.6	32.9
1980	32.0	31.2	30.0
Median Family Income:			
2010	\$135,568	\$81,165	\$51,144
2000	99,050	61,664	50,046
1990	60,381	44,367	35,225
1980	25,927	21,166	19,908
Per Capita Income:			
2010	\$49,485	\$33,966	\$27,334
2000	35,323	25,952	21,587
1990	20,450	17,224	14,420
1980	8,140	7,459	7,313

SOURCE: Federal Bureau of the Census.

On the basis of the 2020 Federal Census, the Town has a population density of approximately 323 persons per square mile.

POPULATION TRENDS

<u>2020</u>	<u>2010</u>	<u>2000</u>	<u>1990</u>	<u>1980</u>
4,500	4,235	4,149	3,421	2,861

SOURCE: Federal Census.

PROPERTY TAXATION

Tax Levy Computation

The principal revenue source of the Town is the tax on real and personal property. The amount to be levied in each year is the amount appropriated or required by law to be raised for municipal expenditures less estimated receipts from other sources and less appropriations voted from funds on hand. The total amount levied is subject to certain limits prescribed by law; for a description of those limits, see "Tax Limitations" below. The estimated receipts for a fiscal year from sources other than the property tax may not exceed the actual receipts during the preceding fiscal year from the same sources unless approved by the State Commissioner of Revenue. Excepting special funds the use of which is otherwise provided for by law, the deduction for appropriations voted from funds on hand for a fiscal year cannot exceed the "free cash" as of the beginning of the prior fiscal year as certified by the State Director of Accounts plus up to nine months' collections and receipts on account of earlier years' taxes after that date. Subject to certain adjustments, free cash is surplus revenue less uncollected overdue property taxes from earlier years. Although an allowance is made in the tax levy for abatements (see "Overlay" below) no reserve is generally provided for uncollectible real property taxes. Since some of the levy is inevitably not collected, this creates a cash deficiency which may or may not be offset by other items (See "Taxation to Meet Deficits").

The table below illustrates the manner in which the tax levy was determined for the following fiscal years.

TAX LEVY COMPUTATION

	Fiscal 2019	Fiscal 2020	Fiscal 2021	Fiscal 2022	Fiscal 2023
Total Appropriations(1)	\$17,667,271	\$18,832,692	\$19,849,773	\$21,818,586	\$20,354,948
Additions:					
State and County Assess.	7,378	80,191	82,578	84,268	84,882
Overlay Reserve	77,954	165,001	101,824	118,755	10,000
Other Additions	138,279	7,604	9,152	9,403	9,893
Total Additions	<u>223,611</u>	<u>252,796</u>	<u>193,554</u>	<u>212,426</u>	<u>104,775</u>
Gross Amount to be Raised	<u>17,890,882</u>	<u>19,085,488</u>	<u>20,043,327</u>	<u>22,031,011</u>	<u>20,459,723</u>
Deductions:					
Local Estimated Receipts:	2,663,930	3,444,559	3,302,401	4,025,005	3,095,692
State Aid(2):					
Current Year	382,276	387,119	391,732	410,121	438,821
Available Funds(3):					
Free Cash	563,620	296,100	289,275	1,131,206	542,532
Other	491,727	458,622	1,154,265	1,310,688	796,089
Free Cash & Other Funds used to reduce the Tax Rate	<u>-</u>	<u>-</u>	<u>-</u>	<u>200,000</u>	<u>250,000</u>
Total Deductions	<u>4,101,553</u>	<u>4,586,400</u>	<u>5,137,673</u>	<u>7,077,020</u>	<u>5,123,133</u>
Net Amount to be Raised (Tax Levy)	<u>\$13,789,329</u>	<u>\$14,499,088</u>	<u>\$14,905,654</u>	<u>\$14,953,991</u>	<u>\$15,336,589</u>

- (1) Includes annual appropriations from taxation voted subsequent to adoption of the annual budget but prior to setting the tax rate.
- (2) Estimated by the State Department of Revenue and required by law to be used in setting of the tax rate. Actual state aid payments may vary upward or downward from said estimates, and the State may withhold payments pending receipt of State and County assessments.
- (3) Transfers from available funds, including "Free Cash" (see "Free Cash"), generally made as an offset to a particular appropriation item.

Assessed Valuations and Tax Levies

Property is classified for the purpose of taxation according to its use. The legislature has in substance created four classes of taxable property: (1) residential real property, (2) open space land, (3) commercial and (4) industrial. Within limits, cities and towns are given the option of determining the share of the annual levy to be borne by each of the three categories. The share required to be borne by residential real property is at least 50 per cent of its share of the total taxable valuation; the effective rate for open space must be at least 75 per cent of the effective rate for residential real property; and the share of commercial, industrial and personal property must not exceed 175 percent of their share of the total valuation. A city or town may also exempt up to 35 percent of the valuation of residential real property (where used as the taxpayer's principal residence) and up to 10 percent of the valuation of commercial real property (where occupied by certain small businesses). Property may not be classified in a city or town until the State Commissioner of Revenue certifies that all property in the city or town has been assessed at its fair cash value. Such certification must take place every five years or pursuant to a revised schedule as may be issued by the Commissioner.

Related statutes provide that certain agricultural or horticultural land (assessed at the value it has for these purposes) and recreational land (assessed on the basis of its use at a maximum of 25 percent of its fair cash value) are all to be taxed at the rate applicable to commercial property.

A professional revaluation of all real and personal property in the Town to full and fair cash value was completed for use in fiscal 2020. The table below sets forth the trend in the Town's assessed valuations, tax rates, tax levies, and tax levies per capita.

Fiscal Year	Real Estate Valuation	Personal Property Valuation	Total Assessed Valuation	Tax Rate Per \$1,000 Valuation	Tax Levy	Tax Levy Per Capita(1)
2023	\$1,367,780,641	\$22,662,650	\$1,390,443,291	\$11.03	\$15,336,589	\$3,408
2022	1,127,859,771	21,563,080	1,149,422,851	13.01	14,953,991	3,323
2021	982,672,801	19,051,250	1,001,724,051	14.88	14,905,654	3,312
2020 (2)	961,841,231	15,904,090	977,745,321	14.42	14,099,088	3,133
2019	930,604,678	15,814,620	946,419,298	14.57	13,789,329	3,064

(1) Based on the 2020 Federal Census.

(2) Revaluation year.

Classification of Property

The following is a breakdown of the Town's assessed valuation in fiscal years 2021, 2022 and 2023.

Property Type	2021		2022		2023	
	Amount	% of Total	Amount	% of Total	Amount	% of Total
Residential	\$972,156,346	97.0 %	\$1,115,586,363	97.1 %	\$1,353,610,071	97.4 %
Commercial	8,415,055	0.8	9,968,808	0.9	11,333,470	0.8
Industrial	2,101,400	0.2	2,304,600	0.2	2,837,100	0.2
Personal	19,051,250	1.9	21,563,080	1.9	22,662,650	1.6
Total	\$1,001,724,051	100.0 %	\$1,149,422,851	100.0 %	\$1,390,443,291	100.0 %

(1) Revaluation year.

LARGEST TAXPAYERS

The following table lists the ten largest taxpayers in the Town based upon assessed valuation for fiscal 2023. All taxpayers are current in their payments with the exception of Jacalyn Realty Nominee Trust, which owes real estate taxes.

Name	Nature of Business	Valuation for Fiscal 2023	% of Total Value
Massachusetts Electric	Utility	\$ 11,570,950	0.83 %
New England Power Co.	Utility	7,995,290	0.58
Jacalyn Realty Nominee Trust	Residential	5,812,890	0.42
Mark Bilodeau	Residential	5,270,800	0.38
Newbury Land Holdings LLC	Residential	4,686,800	0.34
Kerry C. Glance Revocable Trust	Residential	2,985,600	0.21
Cherry Hill Nominee Trust	Residential	2,885,100	0.21
Verizon New England Inc. Utility	Utility	2,540,600	0.18
Albert Ting & Nancy Pau Residential	Residential	2,523,881	0.18
River Road Realty Trust Residential	Residential	2,364,700	0.17
Totals		\$ 48,636,611	3.50 %

State Equalized Valuation

In order to determine appropriate relative values for the purposes of certain distributions to and assessments upon cities and towns, the Commissioner of Revenue biennially makes a redetermination of the fair cash value of the taxable property in each municipality. This is known as the "equalized value".

The following table sets forth the trend in equalized valuations of the Town of West Newbury.

January 1,	State Equalized Valuation
2022	\$ 1,189,426,700
2020	1,027,055,700
2018	955,510,900
2016	878,936,100
2014	804,289,500
2012	761,418,600

Abatements and Overlay

The Town is authorized to increase each tax levy by an amount approved by the Commissioner of Revenue as an "overlay" to provide for tax abatements. If abatements are granted in excess of the applicable overlay, the resultant "overlay deficit" is required to be added to the next tax levy. Abatements are granted where exempt real or personal property has been assessed or where taxable real or personal property has been overvalued or disproportionately valued. The assessors may also abate uncollectible personal property taxes. They may abate real and personal property taxes on broad grounds (including inability to pay) with the approval of the State Commissioner of Revenue.

The table below sets forth the amount of the overlay reserve for the following fiscal years and actual abatements granted as of June 30, 2022.

Fiscal Year	Net Tax Levy(1)	Overlay Reserve		Abatements & Exemptions Granted through June 30, 2022
		Dollar Amount	As a % of Net Levy	
2022	\$14,835,236	\$118,755	0.80 %	\$40,221
2021	14,803,830	101,824	0.69	58,005
2020	13,934,087	165,001	1.18	45,547
2019	13,711,375	77,954	0.57	76,199 (2)
2018	12,949,632	74,255	0.57	45,784

(1) Net of overlay.

(2) Includes ATB ruling of \$30,890.

Tax Collections

Property tax bills are payable quarterly on August 1, November 1, February 1, and May 1 of each fiscal year. The Town delayed the payment date of the fourth quarter fiscal 2020 taxes from May 1 to June 1, 2020. Interest accrues on delinquent taxes at the rate of 14 percent per annum. Real property (land and buildings) is subject to a lien for the taxes assessed upon it, subject to any paramount federal lien and subject to bankruptcy and insolvency laws. If the property has been transferred, an unenforced lien expires on the fourth December 31 after the end of the fiscal year to which the tax relates. If the property has not been transferred by the fourth December 31, an unenforced lien expires upon a later transfer of the property. Provision is made, however, for continuation of the lien where it could not be enforced because of a legal impediment. The persons against whom real or personal property taxes are assessed are personally liable for the tax (subject to bankruptcy and insolvency laws). In the case of real property, this personal liability is effectively extinguished by sale or taking of the property as described below.

The following table compares the Town's net tax collections with its net (gross tax levy less overlay reserve for abatements) tax levies for each of the last five fiscal years.

Fiscal Year	Gross Tax Levy	Overlay Reserve for Abatements	Net Levy	Collections During Fiscal Year Payable (1)(2)	
				Dollar Amount	% of Net Levy
2022	\$ 14,953,991	\$ 118,755	\$ 14,835,236	\$ 14,820,768	99.9 %
2021	14,905,654	101,824	14,803,830	14,746,448	99.6
2020	14,099,088	165,001	13,934,087	13,911,642	99.8
2019	13,789,329	77,954	13,711,375	13,615,383	99.3
2018	13,023,887	74,255	12,949,632	12,908,451	99.7

(1) Actual collections. Does not include, abatements, proceeds of tax titles or tax possessions attributable to each levy or other non-cash credits.

(2) Collections for the current fiscal year are comparable to previous fiscal years.

Tax Titles and Possessions

Massachusetts law permits a municipality either to sell by public sale (at which the municipality may become the purchaser) or to take real property for non-payment of taxes. In either case the property owner can redeem the property by paying the unpaid taxes, with interest and other charges, but if the right of redemption is not exercised within six months (which may be extended an additional year in the case of certain installment payments) it can be foreclosed by petition to the Land Court.

Upon such foreclosure, a tax title purchased or taken by the municipality becomes a "tax possession" and may be held and disposed of in the same manner as other land held for municipal purposes. Uncollectible real property taxes are ordinarily not written off until they become municipal tax titles by purchase at the public sale or by taking, at which time the tax is written off in full by reserving the amount of tax and charging surplus. Legislation enacted in 1996 authorizes public sales by cities and towns of delinquent property tax receivables, either individually or in bulk.

The table below sets forth the amount of tax titles and possessions outstanding at the end of the following fiscal years.

Fiscal Year	Tax Title & Possessions	
	Tax Title	Foreclosure
2022	\$63,315	\$35,606
2021	95,288	35,606
2020	77,588	35,606
2019	94,216	35,606
2018	59,186	35,606

Taxation to Meet Deficits

Overlay deficits, i.e., tax abatements in excess of the overlay included in the tax levy to cover abatements, are required to be added to the next tax levy. It is generally understood that revenue deficits, i.e., those resulting from non-property tax revenues being less than anticipated, are also required to be added to the tax levy (at least to the extent not covered by surplus revenue).

Amounts lawfully expended since the prior tax levy and not included therein are also required to be included in the annual tax levy. The circumstances under which this can arise are limited since municipal departments are generally prohibited from incurring liabilities in excess of appropriations except for major disasters, mandated items, contracts in aid of housing and renewal projects and other long-term contracts. In addition, utilities must be paid at established rates, and certain established salaries, e.g. civil service, must legally be paid for work actually performed, whether or not covered by appropriations.

Cities and towns are authorized to appropriate sums, and thus to levy taxes, to cover deficits arising from other causes, such as "free cash" deficits arising from a failure to collect taxes. This is not generally understood, however, and it has not been the practice to levy taxes to cover free cash deficits. Except to the extent that such deficits have been reduced or eliminated by subsequent collections of uncollected taxes (including sales of tax titles and tax possessions), lapsed appropriations, non-property tax revenues in excess of estimates, other miscellaneous items or funding loans authorized by special act, they remain in existence.

Tax Limitations

Chapter 59, Section 21C of the General Laws, also known as Proposition 2½, imposes two separate limits on the annual tax levy of a city or town.

The primary limitation is that the tax levy cannot exceed 2½ percent of the full and fair cash value. If a city or town exceeds the primary limitation, it must reduce its tax levy by at least 15 percent annually until it is in compliance, provided that the reduction can be reduced in any year to not less than 7½ percent by majority vote of the voters, or to less than 7½ percent by two-thirds vote of the voters.

For cities and towns at or below the primary limit, a secondary limitation is that the tax levy cannot exceed the maximum levy limit for the preceding fiscal year as determined by the State Commissioner of Revenue by more than 2½ percent, subject to exceptions for property added to the tax rolls or property which has had an increase, other than as part of a general revaluation, in its assessed valuation over the prior year's valuation.

This "growth" limit on the tax levy may be exceeded in any year by a majority vote of the voters, but an increase in the secondary or growth limit under this procedure does not permit a tax levy in excess of the primary limitation, since the two limitations apply independently. In addition, if the voters vote to approve taxes in excess of the "growth" limit for the purpose of funding a stabilization fund, such increased amount may only be taken into account for purposes of calculating the maximum levy limit in each subsequent year if the board of selectmen or select board of a town or the city council of a city votes by a two-thirds vote to appropriate such increased amount in such subsequent year to the stabilization fund.

The applicable tax limits may also be reduced in any year by a majority vote of the voters.

The Commonwealth's Commissioner of Revenue may adjust any tax limit "to counterbalance the effects of extraordinary, non-recurring events which occurred during the base year".

The statute further provides that the voters may exclude from the taxes subject to the tax limits and from the calculation of the maximum tax levy (a) the amount required to pay debt service on bonds and notes issued before November 4, 1980, if the exclusion is approved by a majority vote of the voters, and (b) the amount required to pay debt service on any specific subsequent issue for which similar approval is obtained. Even with voter approval, the holders of the obligations for which unlimited taxes may be assessed do not have a statutory priority or security interest in the portion of the tax levy attributable to such obligations. It should be noted that Massachusetts General Laws Chapter 44, Section 20 requires that the taxes excluded from the levy limit to pay debt service on any such bonds and notes be calculated based on the true interest cost of the issue.

Voters may also exclude from the Proposition 2½ limits the amount required to pay specified capital outlay expenditures or for the city or town's apportioned share for certain capital outlay expenditures by a regional governmental unit. In addition,

the city council of a city, with the approval of the mayor if required, or the board of selectmen, select board, or the town council of a town may vote to exclude from the Proposition 2½ limits taxes raised in lieu of sewer or water charges to pay debt service on bonds or notes issued by the municipality (or by an independent authority, commission or district) for water or sewer purposes, provided that the municipality's sewer or water charges are reduced accordingly.

In addition, Proposition 2½ limits the annual increase in the total assessments on cities and towns by any county, district, authority, the Commonwealth or any other governmental entity (except regional school districts, the MWRA and certain districts for which special legislation provides otherwise) to the sum of (a) 2½ percent of the prior year's assessments and (b) "any increases in costs, charges or fees for services customarily provided locally or for services subscribed to at local option". Regional water districts, regional sewerage districts and regional veterans districts may exceed these limitations under statutory procedures requiring a two-thirds vote of the district's governing body and either approval of the local appropriating authorities (by two-thirds vote in districts with more than two members or by majority vote in two-member districts) or approval of the registered voters in a local election (in the case of two-member districts). Under Proposition 2½ any State law to take effect on or after January 1, 1981 imposing a direct service or cost obligation on a city or town will become effective only if accepted or voluntarily funded by the city or town or if State funding is provided. Similarly, State rules or regulations imposing additional costs on a city or town or laws granting or increasing local tax exemptions are to take effect only if adequate State appropriations are provided. These statutory provisions do not apply to costs resulting from judicial decisions.

Listed in the table below are debt exclusion overrides passed by the Town.

Principal		Issue Date	Authorization
Page School Renovation - Phase I	(1)	11/1/2011	\$ 1,679,960
Page School Renovation - Phase II	(1)	9/28/2012	6,701,000
Land Preservation/Growth Management		12/15/2005	1,005,000
Land Preservation/Growth Management		5/1/2003	1,750,000
Mill Pond Dredging		9/1/2002	85,000
Ball Fields		9/1/2002	600,000
Middle/High School Construction	(1)(2)	4/29/2019	146,332,328

(1) Pentucket Regional School District. A portion of the debt (approximately \$47M) has been issued. Another bond issue took place in early fall of 2020. The debt service will be allocated proportionally to all three towns. Debt service allocation is proportional to student enrollment. The issuance is expected to impact fiscal year 2021 and subsequent fiscal years.

(2) The District expects to receive approximately 57.63% reimbursement on eligible project costs from the MSBA.

Unused Levy Capacity (1)

The following table shows the calculation of levy limits for the most recent fiscal years:

	Fiscal Year				
	2023	2022	2021	2020	2019
Primary Levy Limit (2)	\$ 34,761,082	\$ 28,735,571	\$ 25,043,101	\$ 24,443,633	\$ 23,660,482
Prior Fiscal Year Levy Limit	15,339,296	14,732,479	14,138,156	13,653,481	13,212,301
2.5% Levy Growth	383,482	368,312	353,454	341,337	330,308
New Growth (3)	167,734	238,505	240,869	143,338	110,872
Overrides	-	-	-	-	-
Growth Levy Limit	15,890,512	15,339,296	14,732,479	14,138,156	13,653,481
Debt Exclusions	1,311,703	1,194,433	1,268,041	627,864	624,548
Capital Expenditure Exclusions	-	-	-	-	-
Other Adjustments	-	-	-	-	-
Tax Levy Limit	17,202,215	16,533,729	16,000,520	14,766,020	14,278,029
Tax Levy	15,336,589	14,953,991	14,905,654	14,099,088	13,789,329
Unused Levy Capacity (4)	1,865,626	1,579,738	1,094,866	666,932	488,700
Unused Primary Levy Capacity (5)	\$ 18,870,570	\$ 13,396,275	\$ 10,310,622	\$ 10,305,477	\$ 10,007,001

(1) Source: Massachusetts Department of Revenue.

(2) 2.5% of assessed valuation.

(3) Allowed increase for new valuations (or required reduction) - certified by the Department of Revenue.

(4) Tax Levy Limit less Tax Levy.

(5) Primary Levy Limit less Growth Levy Limit.

Sale of Tax Receivables

Cities and towns are authorized to sell delinquent property tax receivables by public sale or auction, either individually or in bulk.

Pledged Taxes

Taxes on the increased value of certain property in designated development districts may be pledged for the payment of costs of economic development projects within such districts and may therefore be unavailable for other municipal purposes.

Community Preservation Act

The Massachusetts Community Preservation Act (the "CPA") permits cities and towns that accept its provisions to levy a surcharge on its real property tax levy, dedicate revenue (other than state or federal funds), and to receive state matching funds for (i) the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use, open space, and community housing and (ii) the acquisition, preservation, rehabilitation and restoration of historic resources. The provisions of the CPA must be accepted by the voters of the city or town at an election after such provisions have first been accepted by either a vote of the legislative body of the city or town or an initiative petition signed by 5% of its registered voters.

A city or town may approve a surcharge of up to 3% (but not less than 1% under certain circumstances) and may make an additional commitment of funds by dedicating revenue other than state or federal funds, provided that the total funds collected do not exceed 3% of the real property tax levy, less any exemptions adopted (such as an exemption for low-income individuals and families and for low and moderate-income senior citizens, an exemption for \$100,000 of the value of each taxable parcel of residential real property or \$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in Chapter 59, Section 2A of the General Laws, and an exemption for commercial and industrial properties in cities and towns with classified tax rates). In the event that the municipality shall no longer dedicate all or part of the additional funds to community preservation, the surcharge on the real property tax levy of not less than 1% shall remain in effect, provided that any such change must be approved pursuant to the same process as acceptance of the CPA. The surcharge is not counted in the total taxes assessed for the purpose of determining the permitted levy amount under Proposition 2½ (see "Tax Limitations" under "PROPERTY TAXATION" above). A city or town may revoke its acceptance of the provisions of the CPA at any time after 5 years from the date of such acceptance and may change the amount of the surcharge or the exemptions to the surcharge at any time, including reducing the surcharge to 1% and committing additional municipal funds as outlined above, provided that any such revocation or change must be approved pursuant to the same process as acceptance of the CPA.

Any city or town that accepts the provisions of the CPA will receive annual state matching grants to supplement amounts raised by its surcharge and dedication of revenue. The state matching funds are raised from certain recording and filing

fees of the registers of deeds. Those amounts are deposited into a state trust fund and are distributed to cities and towns that have accepted the provisions of the CPA, which distributions are not subject to annual appropriation by the state legislature. The amount distributed to each city and town is based on a statutory formula and the total state distribution made to any city or town may not exceed 100% of the amount raised locally by the surcharge on the real property tax levy.

The amounts raised by the surcharge on taxes, the amounts of other dedicated revenues and the amounts received in state matching funds are required to be deposited in a dedicated community preservation fund. Each city or town that accepts the provisions of the CPA is required to establish a community preservation committee to study the community preservation needs of the community and to make recommendations to the legislative body of the city or town regarding the community preservation projects that should be funded from the community preservation fund. Upon the recommendations of the committee, the legislative body of the city or town may appropriate amounts from the fund for permitted community preservation purposes or may reserve amounts for spending in future fiscal years, provided that at least 10% of the total annual revenues to the fund must be spent or set aside for open space purposes, 10% for historic resource purposes and 10% for community housing purposes.

The CPA authorizes cities and towns that accept its provisions to issue bonds and notes in anticipation of the receipt of surcharge and other dedicated revenues to finance community preservation projects approved under the provisions of the CPA. Bonds and notes issued under the CPA are general obligations of the city or town and are payable from amounts on deposit in the community preservation fund. In the event that a city or town revokes its acceptance of the provisions of the CPA, the surcharge shall remain in effect until all contractual obligations incurred by the city or town prior to such revocation, including the payment of bonds or notes issued under the CPA, have been fully discharged.

The Town adopted the Community Preservation Act at the October 17, 2005 Special Town Meeting and is currently charging a 3% surcharge. In fiscal 2022, the Town received revenues of \$342,531 in matching funds from the Commonwealth of Massachusetts as well as \$369,708 received in surcharge revenue. As of June 30, 2022, the CPA Fund Balance was \$3,484,215.

TOWN FINANCES

Budget and Appropriation Process

Town Meeting: The annual appropriations of the Town are ordinarily made at the annual meeting which takes place in April. Appropriations may also be voted at special meetings. The Town has a finance committee which submits reports and recommendations on proposed expenditures at town meetings.

Water department expenditures are included in the budgets adopted by town meetings. Under certain legislation any city or town which accepts the legislation may provide that the appropriation for the operating costs of any department may be offset, in whole or in part, by estimated receipts from fees charged for services provided by the department. It is assumed that this general provision does not alter the pre-existing power of an electric or gas department to appropriate its own receipts. The school budget is limited to the total amount appropriated by the town meeting, but the school committee retains full power to allocate the funds appropriated.

Mandatory Items: Mandatory items, such as state and county assessments, the overlay for abatements, abatements in excess of overlays, principal and interest not otherwise provided for and final judgments are included in the tax levy whether or not included in the budget.

Revenues: Revenues are not required to be set forth in the budget but estimated non-tax revenues are taken into account by the assessors in fixing the tax levy. (See "PROPERTY TAXATION—Tax Levy Computation".)

Budget Trends

The following table sets forth the trend in operating budgets for fiscal years 2019 through 2023 as voted at town meeting. As such, said budgets reflect neither revenues nor state and county assessments and other mandatory items. Also said budgets do not reflect expenditures authorized for non-recurring (generally capital) purposes under "special" warrant articles or transfers occurring subsequent to the annual town meeting.

BUDGET COMPARISON

	Fiscal 2019	Fiscal 2020	Fiscal 2021	Fiscal 2022	Fiscal 2023 (2)
General Government	\$1,007,214	\$1,052,020	\$1,171,472	\$1,272,400	\$1,360,910
Public Safety	1,878,649	1,964,662	2,013,506	2,051,285	2,073,700
Education	8,074,422	8,246,189	8,496,185	8,757,006	9,043,446
Public Works	1,109,847	1,145,525	1,258,043	1,273,171	1,374,192
Human Services	657,362	658,693	775,853	761,206	743,387
Culture & Recreation	377,412	382,313	395,646	403,737	427,484
Intergovernmental (1)	300,000	500,000	500,000	500,000	500,000
Debt Service	369,000	372,814	356,000	313,950	300,900
Employee Benefits and Insurance (1)	1,279,520	1,346,680	1,351,216	1,377,246	1,540,127
Total Expenditures	<u>\$15,053,426</u>	<u>\$15,668,896</u>	<u>\$16,317,921</u>	<u>\$16,710,001</u>	<u>\$17,364,146</u>

(1) Beginning in fiscal 2019 the Essex Regional Retirement System assessment was reclassified from intergovernmental to employment benefits. Intergovernmental for FY19 & FY20 represents the amount transferred to the Stabilization Fund.

(2) Town meeting authorized a \$397,325 payment from the School Stabilization Fund for a portion of the FY23 Pentucket Middle/High School debt service.

Revenues

Property Taxes: Property taxes are the major source of revenue for the Town. The total amount levied is subject to certain limits prescribed by law; for a description of those limits see "PROPERTY TAXATION--Tax Limitations" above.

State Aid: In addition to grants for specified capital purposes (some of which are payable over the life of the bonds issued for the projects), the Commonwealth provides financial assistance to cities and towns for current purposes. Payments to cities and towns are derived primarily from a percentage of the State's personal income, sales and use, and corporate excise tax receipts, together with the net receipts from the State Lottery. A municipality's state aid entitlement is based on a number of different formulas, of which the "schools" and "lottery" formulas are the most important. Both of the major formulas tend to provide more state aid to poorer communities. The formulas for determining a municipality's state aid entitlement are subject to amendment by the state legislature and, while a formula might indicate that a particular amount

of state aid is owed, the amount of state aid actually paid is limited to the amount appropriated by the state legislature. The state annually estimates state aid, but the actual state aid payments may vary from the estimate.

In the fall of 1986, legislation was enacted placing limits on the growth of state tax revenues. In essence, the growth in state tax revenue is limited to the average rate of growth in wages and salaries in the Commonwealth over the previous three calendar years. The effect of this legislation could be to restrict the amount of state tax revenue available to provide state financial assistance to the Commonwealth's cities, towns and regional school districts.

The state annually estimates state aid, but the actual state aid payments may vary from the estimate. In fiscal 2022, distributions from state to the Town's general fund totaled \$410,121. The Town estimates to receive approximately \$438,821 in fiscal 2023.

See "Coronavirus ("COVID-19") above regarding the effect of the pandemic on revenues of the Town.

Education Reform

State legislation known as the Education Reform Act of 1993, as amended, imposes certain minimum expenditure requirements on municipalities with respect to funding for education. The requirements are determined on the basis of formulas affected by various measures of wealth and income, enrollments, prior levels of local spending and state aid, and other factors. Since its inception, the Town has funded its school operations at the level mandated by the Act.

Motor Vehicle Excise: An excise is imposed on the registration of motor vehicles (subject to exemptions) at a rate of \$25 per \$1,000 of valuation. Valuations are determined by a statutory formula based on manufacturer's list price and year of manufacture. Bills not paid when due bear interest at 12 per cent per annum. Provision is also made for non-renewal of license and registration by the registrar of motor vehicles. In fiscal 2022 the Town's motor vehicle excise receipts totaled \$858,791.

Water Rates and Service: The West Newbury Water Department is currently charging \$14.43 per 1,000 gallons of water from 0-35,000 gallons plus \$17.48 per 1,000 gallons over 35,000. Ordinarily, water revenues are sufficient to cover the costs of the water and all water operating costs, including debt service.

In the fiscal year ended June 30, 2022 water operating revenues were \$1,000,318 and expenditures, including debt service, were \$855,098. The Town appropriates funds from its water reserve fund to pay any expenses greater than its annual revenues.

Other: Other major sources of revenue in fiscal 2022 included investment income \$7,765, rental of excess property \$161,014, penalties and interest on taxes \$70,988, and licenses and permits \$192,043.

State School Building Assistance

Under its school building assistance program, The Commonwealth of Massachusetts provides grants to cities, towns and regional school districts for school construction projects. Until July 26, 2004, the State Board of Education was responsible for approving grants for school projects and otherwise administering the program. Grant amounts ranged from 50% to 90% of approved project costs. Municipalities generally issued bonds to finance the entire project cost, and the Commonwealth disbursed the grants in equal annual installments over the term of the related bonds.

Pursuant to legislation which became effective on July 26, 2004, the state legislature created the Massachusetts School Building Authority (the "Authority") to finance and administer the school building assistance program. The Authority has assumed all powers and obligations of the Board of Education with respect to the program. In addition to certain other amounts, the legislation dedicates a portion of Commonwealth sales tax receipts to the Authority to finance the program.

The range of reimbursement rates for new project grant applications submitted to the Authority is between 31% and 80% of approved project costs. The Authority promulgated new regulations with respect to the application and approval process for projects submitted after July 1, 2007. The Authority expects to pay grants for such projects as project costs are incurred pursuant to project funding agreements between the Authority and the municipalities. None of the interest expense incurred on debt issued by municipalities to finance their portion of the costs of new projects will be included in the approved project costs eligible for reimbursement.

Post Closure Landfill Monitoring Plan

The Town owns a closed landfill and is fully implementing a post-closure monitoring plan approved by the Massachusetts Department of Environmental Protection (MassDEP). Following the issuance of a notice of non-compliance issued by MassDEP in 2018, the Town expended \$22,646 in fiscal 2020, expended \$22,450 in fiscal 2021, expended \$29,708 in fiscal 2022 and budgeted \$33,555 in fiscal 2023 for additional resources as required to establish and maintain compliance with the post-closure monitoring plan.

Investment of Town Funds

Investments of funds of cities and towns, except for trust funds, are generally restricted by Massachusetts General Laws Chapter 44, §55. That statute permits investments of available revenue funds and bond and note proceeds in term deposits and certificates of deposits of banks and trust companies, in obligations issued or unconditionally guaranteed by the federal government or an agency thereof with a maturity of not more than one year, in repurchase agreements with a maturity of not more than 90 days secured by federal or federal agency securities, in participation units in the Massachusetts Municipal Depository Trust ("MMDT"), or in shares in SEC-registered money market funds with the highest possible rating from at least one nationally recognized rating organization.

MMDT is an investment pool created by the Commonwealth. The State Treasurer is the sole trustee, and the funds are managed under contract by an investment firm under the supervision of the State Treasurer's office. According to the State Treasurer the Trust's investment policy is designed to maintain an average weighted maturity of 90 days or less and is limited to high-quality, readily marketable fixed income instruments, including U.S. Government obligations and highly-rated corporate securities with maturities of one year or less.

Trust funds, unless otherwise provided by the donor, may be invested in accordance with §54 of Chapter 44, which permits a broader range of investments than §55, including any bonds or notes that are legal investments for savings banks in the Commonwealth. The restrictions imposed by §54 and §55 do not apply to city and town retirement systems.

Breakdown of the above investments may be obtained from the Finance Director. Pension funds are under the jurisdiction of the Essex Regional Retirement System. Investments and the retirement system are discussed in Appendix A.

Annual Audits

The Town's financial statements have been audited annually by Roselli, Clark & Associates, Certified Public Accountants. A copy of the fiscal 2022 audit is attached hereto as Appendix A.

The attached report speaks only as of its date, and only to the matters expressly set forth therein. The auditors have not been engaged to review this Annual Report or to perform audit procedures regarding the post-audit period, nor have the auditors been requested to give their consent to the inclusion of their report in Appendix A. Except as stated in their report, the auditors have not been engaged to verify the financial information set out in Appendix A and are not passing upon and do not assume responsibility for the sufficiency, accuracy or completeness of the financial information presented in that appendix.

Financial Statements

Set forth on the following pages are Governmental Funds Balance Sheets for fiscal years ended June 30, 2022, June 30, 2021 and June 30, 2020, and Statement of Revenues, Expenditures, and Changes in Fund Balances for fiscal year ended June 30, 2022, June 30, 2021, June 30, 2020, June 30, 2019 and June 30, 2018. All such financial statements have been compiled or extracted from the Town's annual audited financial statements.

**TOWN OF WEST NEWBURY, MASSACHUSETTS
GOVERNMENTAL FUNDS BALANCE SHEET
JUNE 30, 2022 (1)**

	General	Community Preservation	Library Trust Fund	Nonmajor Governmental Funds	Total Governmental Funds
Assets:					
Cash and cash equivalents	\$ 4,011,527	\$ 3,054,162	\$ 198,073	\$ 1,655,324	\$ 8,919,086
Investments	3,331,397	455,928	1,076,862	75,283	4,939,470
Receivables, net of allowance for uncollectibles					
Property taxes	82,787	137	-	-	82,924
Departmental and other	153,198	-	-	4,820	158,018
Intergovernmental	-	-	-	43,805	43,805
Total Assets	<u>7,578,909</u>	<u>3,510,227</u>	<u>1,274,935</u>	<u>1,779,232</u>	<u>14,143,303</u>
Total Deferred Outflows of Resources	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Assets and Deferred Outflows of Resources	<u>\$ 7,578,909</u>	<u>\$ 3,510,227</u>	<u>\$ 1,274,935</u>	<u>\$ 1,779,232</u>	<u>\$ 14,143,303</u>
Liabilities:					
Warrants and accounts payable	\$ 365,247	\$ -	\$ -	\$ -	\$ 365,247
Accrued payroll and withholdings	52,283	-	-	-	52,283
Other liabilities	43,669	-	-	-	43,669
Unearned revenues	-	-	-	704,523	704,523
Total Liabilities	<u>461,199</u>	<u>-</u>	<u>-</u>	<u>704,523</u>	<u>1,165,722</u>
Deferred Inflows of Resources:					
Unavailable revenues - property taxes	82,787	137	-	-	82,924
Unavailable revenues - other	153,198	-	-	4,820	158,018
Total Deferred Inflows of Resources	<u>235,985</u>	<u>137</u>	<u>-</u>	<u>4,820</u>	<u>240,942</u>
Fund Balances:					
Nonspendable	-	-	7,500	10,620	18,120
Restricted	38,316	3,510,090	1,267,435	1,059,269	5,875,110
Committed	996,657	-	-	-	996,657
Assigned	222,779	-	-	-	222,779
Unassigned	5,623,973	-	-	-	5,623,973
Total Fund Balances	<u>6,881,725</u>	<u>3,510,090</u>	<u>1,274,935</u>	<u>1,069,889</u>	<u>12,736,639</u>
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	<u>\$ 7,578,909</u>	<u>\$ 3,510,227</u>	<u>\$ 1,274,935</u>	<u>\$ 1,779,232</u>	<u>\$ 14,143,303</u>

(1) Extracted from audited financial statements of the Town.

**TOWN OF WEST NEWBURY, MASSACHUSETTS
GOVERNMENTAL FUNDS BALANCE SHEET
JUNE 30, 2021 (1)**

	General	Community Preservation	Library Trust Fund	Nonmajor Governmental Funds	Total Governmental Funds
Assets:					
Cash and cash equivalents	\$ 4,501,703	\$ 3,479,864	\$ 197,576	\$ 792,669	\$ 8,971,812
Investments	3,314,345	-	1,070,535	-	4,384,880
Receivables, net of allowance for uncollectibles					
Property taxes	180,075	2,934	-	-	183,009
Departmental and other	291,106	1,457	-	11,622	304,185
Intergovernmental	-	-	-	78,400	78,400
Total Assets	<u>8,287,229</u>	<u>3,484,255</u>	<u>1,268,111</u>	<u>882,691</u>	<u>13,922,286</u>
Total Deferred Outflows of Resources	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Assets and Deferred Outflows of Resources	<u>\$ 8,287,229</u>	<u>\$ 3,484,255</u>	<u>\$ 1,268,111</u>	<u>\$ 882,691</u>	<u>\$ 13,922,286</u>
Liabilities:					
Warrants and accounts payable	\$ 379,026	\$ 54,521	\$ -	\$ -	\$ 433,547
Accrued payroll and withholdings	34,900	-	-	-	34,900
Other liabilities	62,864	-	-	-	62,864
Total Liabilities	<u>476,790</u>	<u>54,521</u>	<u>-</u>	<u>-</u>	<u>531,311</u>
Deferred Inflows of Resources:					
Unavailable revenues - property taxes	180,075	2,934	-	-	183,009
Unavailable revenues - other	291,106	1,457	-	11,622	304,185
Total Deferred Inflows of Resources	<u>471,181</u>	<u>4,391</u>	<u>-</u>	<u>11,622</u>	<u>487,194</u>
Fund Balances:					
Nonspendable	-	-	7,500	10,620	18,120
Restricted	38,316	3,425,343	1,260,611	922,888	5,647,158
Committed	1,077,867	-	-	-	1,077,867
Assigned	831,155	-	-	-	831,155
Unassigned	5,391,920	-	-	(62,439)	5,329,481
Total Fund Balances	<u>7,339,258</u>	<u>3,425,343</u>	<u>1,268,111</u>	<u>871,069</u>	<u>12,903,781</u>
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	<u>\$ 8,287,229</u>	<u>\$ 3,484,255</u>	<u>\$ 1,268,111</u>	<u>\$ 882,691</u>	<u>\$ 13,922,286</u>

(1) Extracted from audited financial statements of the Town.

**TOWN OF WEST NEWBURY, MASSACHUSETTS
GOVERNMENTAL FUNDS BALANCE SHEET
JUNE 30, 2020 (1)**

	General	Community Preservation	Library Trust Fund	Nonmajor Governmental Funds	Total Governmental Funds
Assets:					
Cash and cash equivalents	\$ 2,956,030	\$ 3,131,992	\$ 131,551	\$ 702,529	\$ 6,922,102
Investments	3,956,825	-	1,008,921	78,378	5,044,124
Receivables, net of allowance for uncollectibles					
Property taxes	186,297	3,539	-	-	189,836
Departmental and other	233,063	560	-	15,772	249,395
Intergovernmental	-	-	-	14,892	14,892
Total Assets	<u>7,332,215</u>	<u>3,136,091</u>	<u>1,140,472</u>	<u>811,571</u>	<u>12,420,349</u>
Total Deferred Outflows of Resources	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Assets and Deferred Outflows of Resources	<u>\$ 7,332,215</u>	<u>\$ 3,136,091</u>	<u>\$ 1,140,472</u>	<u>\$ 811,571</u>	<u>\$ 12,420,349</u>
Liabilities:					
Warrants and accounts payable	\$ 224,176	\$ -	\$ -	\$ -	\$ 224,176
Accrued payroll and withholdings	17,766	-	-	-	17,766
Other liabilities	2,599	-	-	-	2,599
Total Liabilities	<u>244,541</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>244,541</u>
Deferred Inflows of Resources:					
Unavailable revenues - property taxes	186,297	3,539	-	-	189,836
Unavailable revenues - other	233,063	560	-	15,772	249,395
Total Deferred Inflows of Resources	<u>419,360</u>	<u>4,099</u>	<u>-</u>	<u>15,772</u>	<u>439,231</u>
Fund Balances:					
Nonspendable	-	-	7,500	10,620	18,120
Restricted	43,777	3,131,992	1,132,972	785,179	5,093,920
Committed	952,498	-	-	-	952,498
Assigned	117,985	-	-	-	117,985
Unassigned	5,554,054	-	-	-	5,554,054
Total Fund Balances	<u>6,668,314</u>	<u>3,131,992</u>	<u>1,140,472</u>	<u>795,799</u>	<u>11,736,577</u>
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	<u>\$ 7,332,215</u>	<u>\$ 3,136,091</u>	<u>\$ 1,140,472</u>	<u>\$ 811,571</u>	<u>\$ 12,420,349</u>

(1) Extracted from audited financial statements of the Town.

**TOWN OF WEST NEWBURY, MASSACHUSETTS
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
JUNE 30, 2022 (1)**

	General	Community Preservation	Library Trust Fund	Nonmajor Governmental Funds	Total Governmental Funds
Revenues:					
Property taxes	\$ 15,114,834	\$ 371,423	\$ -	\$ -	\$ 15,486,257
Intergovernmental	428,820	342,531	-	667,663	1,439,014
Excise taxes	859,952	-	-	915	860,867
License and permits	201,438	-	-	-	201,438
Departmental and other revenue	268,829	-	-	169,214	438,043
Penalties and interest on taxes	70,988	-	-	-	70,988
Fines and forfeitures	13,604	-	-	-	13,604
Investment income	(191,370)	3,929	21,824	(3,522)	(169,139)
Contributions and donations	-	-	-	24,660	24,660
Total Revenues	<u>16,767,095</u>	<u>717,883</u>	<u>21,824</u>	<u>858,930</u>	<u>18,365,732</u>
Expenditures:					
Current:					
General government	1,325,918	11,853	-	22,908	1,360,679
Public safety	1,999,234	-	-	152,068	2,151,302
Education	9,151,440	-	-	-	9,151,440
Public works	2,073,854	-	-	381,132	2,454,986
Health and human services	674,681	363,367	-	30,067	1,068,115
Culture and recreation	395,063	257,916	15,000	63,572	731,551
Pension and other fringe benefits	1,206,280	-	-	-	1,206,280
State and county tax assessments	84,208	-	-	-	84,208
Debt service:					
Principal	305,000	-	-	10,363	315,363
Interest	8,950	-	-	-	8,950
Total Expenditures	<u>17,224,628</u>	<u>633,136</u>	<u>15,000</u>	<u>660,110</u>	<u>18,532,874</u>
Net Change in Fund Balances	<u>(457,533)</u>	<u>84,747</u>	<u>6,824</u>	<u>198,820</u>	<u>(167,142)</u>
Fund Balances - Beginning	<u>7,339,258</u>	<u>3,425,343</u>	<u>1,268,111</u>	<u>871,069</u>	<u>12,903,781</u>
Fund Balances - Ending	<u>\$ 6,881,725</u>	<u>\$ 3,510,090</u>	<u>\$ 1,274,935</u>	<u>\$ 1,069,889</u>	<u>\$ 12,736,639</u>

(1) Extracted from audited financial statements of the Town.

**TOWN OF WEST NEWBURY, MASSACHUSETTS
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
JUNE 30, 2021 (1)**

	General	Community Preservation	Library Trust Fund	Nonmajor Governmental Funds	Total Governmental Funds
Revenues:					
Property taxes	\$ 14,885,002	\$ 358,207	\$ -	\$ -	\$ 15,243,209
Intergovernmental	380,025	224,429	-	457,392	1,061,846
Excise taxes	815,171	-	-	-	815,171
License and permits	233,413	-	-	-	233,413
Departmental and other revenue	245,593	1,775	-	135,106	382,474
Penalties and interest on taxes	59,004	-	-	-	59,004
Fines and forfeitures	9,070	-	-	-	9,070
Investment income	34,137	8,525	140,639	361	183,662
Contributions and donations	-	-	-	166,650	166,650
Total Revenues	<u>16,661,415</u>	<u>592,936</u>	<u>140,639</u>	<u>759,509</u>	<u>18,154,499</u>
Expenditures:					
Current:					
General government	1,155,298	289,263	-	133,550	1,578,111
Public safety	2,104,573	-	-	200,553	2,305,126
Education	8,828,300	-	-	-	8,828,300
Public works	1,280,561	-	-	176,926	1,457,487
Health and human services	702,783	-	-	93,642	796,425
Culture and recreation	378,732	10,322	13,000	31,642	433,696
Pension and other fringe benefits	1,128,259	-	-	-	1,128,259
State and county tax assessments	82,578	-	-	-	82,578
Debt service:					
Principal	340,000	-	-	21,413	361,413
Interest	15,900	-	-	-	15,900
Total Expenditures	<u>16,016,984</u>	<u>299,585</u>	<u>13,000</u>	<u>657,726</u>	<u>16,987,295</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	644,431	293,351	127,639	101,783	1,167,204
Other Financing Sources (Uses):					
Transfers in	30,749	-	-	4,236	34,985
Transfers out	(4,236)	-	-	(30,749)	(34,985)
Total Other Financing Sources (Uses)	<u>26,513</u>	<u>-</u>	<u>-</u>	<u>(26,513)</u>	<u>-</u>
Net Change in Fund Balances	670,944	293,351	127,639	75,270	1,167,204
Fund Balances - Beginning	6,668,314	3,131,992	1,140,472	795,799	11,736,577
Fund Balances - Ending	<u>\$ 7,339,258</u>	<u>\$ 3,425,343</u>	<u>\$ 1,268,111</u>	<u>\$ 871,069</u>	<u>\$ 12,903,781</u>

(1) Extracted from audited financial statements of the Town.

**TOWN OF WEST NEWBURY, MASSACHUSETTS
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
JUNE 30, 2020 (1)**

	General	Community Preservation	Library Trust Fund	Nonmajor Governmental Funds	Total Governmental Funds
Revenues:					
Property taxes	\$ 14,037,744	\$ 337,816	\$ -	\$ -	\$ 14,375,560
Intergovernmental	391,999	169,258	-	202,123	763,380
Excise taxes	784,960	-	-	874	785,834
License and permits	267,024	-	-	-	267,024
Departmental and other revenue	176,248	1,005	-	145,673	322,926
Penalties and interest on taxes	55,885	-	-	-	55,885
Fines and forfeitures	12,097	-	-	-	12,097
Investment income	188,543	28,725	84,688	2,561	304,517
Contributions and donations	-	-	-	38,252	38,252
Total Revenues	<u>15,914,500</u>	<u>536,804</u>	<u>84,688</u>	<u>389,483</u>	<u>16,925,475</u>
Expenditures:					
Current:					
General government	1,107,674	292,858	-	138,010	1,538,542
Public safety	1,787,945	-	-	104,553	1,892,498
Education	8,262,254	-	-	19,036	8,281,290
Public works	1,278,583	-	-	2,025	1,280,608
Health and human services	632,166	-	-	43,704	675,870
Culture and recreation	373,459	28,280	-	52,106	453,845
Community preservation	-	-	-	-	-
Pension and other fringe benefits	1,091,456	-	-	-	1,091,456
State and county tax assessments	85,801	-	-	-	85,801
Debt service:					
Principal	350,614	-	-	105,578	456,192
Interest	20,825	-	-	950	21,775
Total Expenditures	<u>14,990,777</u>	<u>321,138</u>	<u>-</u>	<u>465,962</u>	<u>15,777,877</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	923,723	215,666	84,688	(76,479)	1,147,598
Net Change in Fund Balances	923,723	215,666	84,688	(76,479)	1,147,598
Fund Balances - Beginning	5,744,591	2,916,326	1,055,784	872,278	10,588,979
Fund Balances - Ending	<u>\$ 6,668,314</u>	<u>\$ 3,131,992</u>	<u>\$ 1,140,472</u>	<u>\$ 795,799</u>	<u>\$ 11,736,577</u>

(1) Extracted from audited financial statements of the Town.

TOWN OF WEST NEWBURY, MASSACHUSETTS
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
JUNE 30, 2019 (1)

	General	Community Preservation Act Fund	Library Trust Fund	Nonmajor Governmental Funds	Total Governmental Funds
Revenues					
Property taxes	\$ 13,739,453	\$ 327,337	\$ -	\$ -	\$ 14,066,790
Intergovernmental	463,299	144,418	-	126,365	734,082
Excise taxes	808,025	-	-	-	808,025
Licenses and permits	253,113	-	-	-	253,113
Departmental and other revenue	237,219	298	-	155,628	393,145
Penalties and interest on taxes	40,657	-	-	-	40,657
Fines and forfeitures	12,631	-	-	-	12,631
Investment Income	174,844	24,832	106,960	2,429	309,065
Contributions and donations	-	-	-	138,997	138,997
Total Revenues	\$ 15,729,241	\$ 496,885	\$ 106,960	\$ 423,419	\$ 16,756,505
Expenditures					
Current:					
General government	\$ 1,107,431	\$ -	\$ -	\$ 17,200	\$ 1,124,631
Public safety	1,900,210	-	-	62,180	1,962,390
Education	8,054,848	-	-	57,929	8,112,777
Public works	1,095,476	-	-	127	1,095,603
Health and human services	614,219	-	-	14,365	628,584
Culture and recreation	372,746	-	-	149,126	521,872
Community Preservation	-	139,368	-	-	139,368
Pension and other fringe benefits	1,100,000	-	-	-	1,100,000
State and county tax assessments	71,455	-	-	-	71,455
Debt Service:					
Principal	440,000	-	-	21,231	461,231
Interest	31,900	-	-	-	31,900
Total Expenditures	14,788,285	139,368	-	322,158	15,249,811
Excess (Deficiency) of Revenues Over Expenditures	\$ 940,956	\$ 357,517	\$ 106,960	\$ 101,261	\$ 1,506,694
Other Financing Sources (Uses):					
Transfers In	102,900	-	-	140,000	242,900
Transfers Out	(140,000)	-	-	(102,900)	(242,900)
Total Other Financing Sources (Uses)	(37,100)	-	-	37,100	-
Net Change in Fund Balances	903,856	357,517	106,960	138,361	1,506,694
Fund Balances - Beginning	4,840,735	2,558,809	948,824	733,917	9,082,285
Fund Balances - Ending	\$ 5,744,591	\$ 2,916,326	\$ 1,055,784	\$ 872,278	\$ 10,588,979

(1) Extracted from audited financial statements of the Town.

TOWN OF WEST NEWBURY, MASSACHUSETTS
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
JUNE 30, 2018 (1)

	General	Community Preservation Act Fund	Library Trust Fund	Nonmajor Governmental Funds	Total Governmental Funds
Revenues					
Property taxes	\$ 13,039,154	\$ 307,466	\$ -	\$ -	\$ 13,346,620
Intergovernmental	365,877	102,706	-	402,332	870,915
Excise taxes	776,894	-	-	-	776,894
Licenses and permits	156,494	-	-	-	156,494
Departmental and other revenue	264,434	299	-	119,330	384,063
Penalties and interest on taxes	46,203	-	-	-	46,203
Fines and forfeitures	17,278	-	-	-	17,278
Investment Income	37,845	12,512	(16,638)	(150)	33,569
Contributions and donations	-	-	-	9,840	9,840
Total Revenues	\$ 14,704,179	\$ 422,983	\$ (16,638)	\$ 531,352	\$ 15,641,876
Expenditures					
Current:					
General government	\$ 1,051,906	\$ 33,411	\$ -	\$ 194,472	\$ 1,279,789
Public safety	1,977,035	-	-	34,684	2,011,719
Education	7,759,992	-	-	-	7,759,992
Public works	1,267,816	-	-	216,492	1,484,308
Health and human services	570,104	-	-	12,365	582,469
Culture and recreation	359,826	22,380	-	64,084	446,290
Community Preservation	-	-	-	-	-
Pension and other fringe benefits	978,128	-	-	-	978,128
State and county tax assessments	91,460	-	-	-	91,460
Debt Service:					
Principal	470,000	-	-	21,192	491,192
Interest	41,000	-	-	-	41,000
Total Expenditures	14,567,267	55,791	-	543,289	15,166,347
Excess (Deficiency) of Revenues Over Expenditures	\$ 136,912	\$ 367,192	\$ (16,638)	\$ (11,937)	\$ 475,529
Other Financing Sources (Uses):					
Transfers In	104,900	-	-	18,126	123,026
Transfers Out	(18,126)	-	-	(104,900)	(123,026)
Total Other Financing Sources (Uses)	86,774	-	-	(86,774)	-
Net Change in Fund Balances	223,686	367,192	(16,638)	(98,711)	475,529
Fund Balances - Beginning, as restated	4,617,049	2,191,617	965,462	832,628	8,606,756
Fund Balances - Ending	\$ 4,840,735	\$ 2,558,809	\$ 948,824	\$ 733,917	\$ 9,082,285

(1) Extracted from audited financial statements of the Town.

Unassigned General Fund Balances and Free Cash

Under Massachusetts law an amount known as "free cash" is certified as of the beginning of each fiscal year by the State Bureau of Accounts and this, together with certain subsequent tax receipts, is used as the basis for subsequent appropriations from available funds, which are not required to be included in the annual tax levy. Subject to certain adjustments, free cash is surplus revenue less uncollected and overdue property taxes from prior years.

The following table sets forth the unassigned general fund balance and certified free cash for the most recent fiscal years:

<u>July 1,</u>	<u>Unassigned General Fund Balance</u>	<u>Free Cash</u>
2022	\$5,623,973	\$2,128,806
2021	5,391,920	1,749,980
2020	5,554,054	1,954,878
2019	5,330,174	2,102,586
2018	4,139,580	1,718,985

Stabilization Fund

The Town maintains a stabilization fund which is accounted for in the Trust Funds. Funded by one or more annual appropriations, the stabilization fund plus interest income may be appropriated at an annual or special town meeting for any eligible municipal purpose.

<u>Fiscal Year (as of June 30)</u>	<u>Stabilization Fund</u>
2022	\$4,003,021
2021	3,835,414
2020	3,959,962
2019	2,942,598
2018	2,434,577

Tax Increment Financing for Development Districts

Under recent legislation, cities and towns are authorized to establish development districts to encourage increased residential, industrial and commercial activity. All or a portion of the taxes on growth in assessed value in such districts may be pledged and used solely to finance economic development projects pursuant to the city or town's development program for the district. This includes pledging such "tax increments" for the payment of bonds issued to finance such projects. As a result of any such pledge, tax increments raised from new growth properties in development districts are not available for other municipal purposes. Tax increments are taken into account in determining the total taxes assessed for the purpose of calculating the maximum permitted tax levy under Proposition 2 ½ (see "Property Tax Limitation" under "PROPERTY TAXATION" above.)

The Town currently has no such districts.

INDEBTEDNESS

Authorization of General Obligation Bonds and Notes

Serial bonds and notes are authorized by vote of two-thirds of all the members of the city council (subject to the mayor's veto where the mayor has a veto power) or a two-thirds vote of the town meeting. Provision is made in some cities and towns for a referendum on the borrowing authorization if there is a timely filing of a petition bearing the requisite number of signatures. Refunding bonds and notes are authorized by the city council, the selectmen or either the prudential committee or the commissioners of a district if there is no prudential committee. Borrowings for some purposes require State administrative approval.

When serial bonds or notes have been authorized, bond anticipation notes may be issued by the officers authorized to issue the serial bonds or notes. Temporary loans in anticipation of revenue of the fiscal year in which the debt is incurred or in anticipation of authorized federal and state aid generally may be incurred by the Treasurer with the approval of the selectmen.

Debt Limits

General Debt Limit. The general debt limit of the Town consists of a normal debt limit and a double debt limit. The normal debt limit is 5 percent of the valuation of taxable property as last equalized by the State Department of Revenue. The Town can authorize debt up to this amount without State approval. It can authorize debt up to twice this amount (the double debt limit) with the approval of the State Municipal Finance Oversight Board.

There are many categories of general obligation debt which are exempt from and do not count against the General Debt Limit if such debt is authorized by a two-thirds vote of the city or town and such debt is payable within the periods so specified in Mass. Gen. Laws. c. 44, §8. Among others, these exempt categories include revenue anticipation notes and grant anticipation notes; emergency loans; loans exempted by special laws; certain school bonds, certain sewer bonds, solid waste disposal facility bonds and economic development bonds supported by tax increment financing, bonds for water, housing, urban renewal and economic development (subject to various debt limits), and electric, gas, community antenna television systems, and telecommunications systems. Revenue bonds are not subject to these debt limits. The General Debt Limit applies at the time the debt is authorized. The special debt limits generally apply at the time the debt is incurred.

Revenue Anticipation Notes. The amount borrowed in each fiscal year by the issue of revenue anticipation notes is limited to the tax levy of the prior fiscal year, together with the net receipts in the prior fiscal year from the motor vehicle excise and certain payments made by the Commonwealth in lieu of taxes. The fiscal year ends on June 30. Notes may mature in the following fiscal year, and notes may be refunded into the following fiscal year to the extent of the uncollected, unabated current tax levy and certain other items, including revenue deficits, overlay deficits, final judgments and lawful unappropriated expenditures, which are to be added to the next tax levy, but excluding deficits arising from a failure to collect taxes of earlier years. (See "Taxation to Meet Deficits" above.) In any event, the period from an original borrowing to its final maturity cannot exceed one year.

Types Of Obligations

General Obligations. Massachusetts cities and towns are authorized to issue general obligation indebtedness of these types:

Serial Bonds and Notes. These are generally required to be payable in annual principal amounts beginning no later than the end of the next fiscal year commencing after the date of issue and ending within the terms permitted by law. A level debt service schedule, or a schedule that provides for a more rapid amortization of principal than level debt service, is permitted. The principal amounts of certain economic development bonds supported by tax increment financing may be payable in equal, diminishing or increasing amounts beginning within 5 years after the date of issue. The maximum terms of serial bonds and notes vary from one year to 40 years, depending on the purpose of the issue. The maximum terms permitted are set forth in the statutes. In addition, for many projects, the maximum term may be determined in accordance with useful life guidelines promulgated by the State Department of Revenue ("DOR"). Serial bonds and notes may be issued for the purposes set forth in the statutes. In addition, serial bonds and notes may be issued for any other public work improvement or asset not specifically listed in the Statutes that has a useful life of at least 5 years. Bonds or notes may be made callable and redeemed prior to their maturity, and a redemption premium may be paid. Refunding bonds or notes may be issued subject to the maximum applicable term measured from the date of the original bonds or notes and must produce present value savings over the debt service of the refunded bonds. Generally, the first required annual payment of principal of the refunding bonds cannot be later than the end of the fiscal year in which any of the bonds or notes being refunded thereby is payable, however, principal payments made before the first principal payment of any of the bonds or notes being refunded thereby may be in any amount.

Serial bonds may be issued as "qualified bonds" with the approval of the state Municipal Finance Oversight Board composed of the State Treasurer, the State Auditor, the Attorney General and the Director of Accounts, subject to such conditions and

limitations (including restrictions on future indebtedness) as may be required by the Board. Qualified bonds may mature not less than 10 nor more than 30 years from their dates and are not subject to the amortization requirements described above. The State Treasurer is required to pay the debt service on qualified bonds and thereafter to withhold the amount of the debt service paid by the State from state aid or other state payments; administrative costs and any loss of interest income to the State are to be assessed upon the city or town.

Tax Credit Bonds or Notes. Subject to certain provisions and conditions, the officers authorized to issue bonds or notes may designate any duly authorized issue of bonds or notes as "tax credit bonds" to the extent such bonds and notes are otherwise permitted to be issued with federal tax credits or other similar subsidies for all or a portion of the borrowing costs. Tax credit bonds may be made payable without regard to the annual installments required by any other law, and a sinking fund may be established for the payment of such bonds. Any investment that is part of such a sinking fund may mature not later than the date fixed for payment or redemption of the applicable bonds.

Bond Anticipation Notes. These generally must mature within two years of their original dates of issuance but may be refunded from time to time for a period not to exceed ten years from their original dates of issuance, provided that for each year that the notes are refunded beyond the second year they must be paid in part from revenue funds in an amount at least equal to the minimum annual payment that would have been required if the bonds had been issued at the end of the second year. The maximum term of bonds issued to refund bond anticipation notes is measured from the date of the original issue of the notes.

Revenue Anticipation Notes. These are issued to meet current expenses in anticipation of taxes and other revenues. They must mature within one year but, if payable in less than one year, may be refunded from time to time up to one year from the original date of issue.

Grant Anticipation Notes. These are issued for temporary financing in anticipation of federal grants and state and county reimbursements for any purpose for which the city or town may incur debt that may be payable over a term of five years or longer. Generally, they must mature within two years but may be refunded from time to time as long as the municipality remains entitled to the grant or reimbursement.

Revenue Bonds. Cities and towns may issue revenue bonds for solid waste disposal facilities and for projects financed under the Commonwealth's Clean Water or Drinking Water Revolving Loan Programs and for certain economic development projects supported by tax increment financing. In addition to general obligation bonds and notes, cities and towns which are members of the New England Power Pool may issue electric revenue bonds, and notes in anticipation of such bonds, subject to the approval of the Department of Public Utilities.

The Town has not issued revenue anticipation notes during the past six fiscal years and does not anticipate any issuance during the current fiscal year.

**TOWN OF WEST NEWBURY, MASSACHUSETTS
DIRECT DEBT SUMMARY
As of June 30, 2022 (1)**

Long-Term Debt Outstanding:

Land Acquisition (2)	\$	150,000	
Water (3)		1,570,000	
General		145,000	
MCWT (4)		31,092	
Total Outstanding		1,896,092	\$ 1,896,092

Temporary Debt:

Bond Anticipation Notes (5)		1,060,000	
Total Temporary Debt		1,060,000	1,060,000

Total Direct Debt: \$ 2,956,092

- (1) Excludes lease and installment purchase obligations, overlapping debt, unfunded pension liability, and other post-employment benefits liability.
(2) \$150,000 is exempt from Proposition 2 ½
(3) Subject to a special debt limit of 10% of the Town's equalized valuation.
(4) Not subject to the debt limit and exempt from Proposition 2 ½.
(5) Payable July 13, 2023.

Debt Ratios

The following table sets forth the percentage of debt to assessed valuation and per capita debt at the end of the five most recent fiscal years. The table considers the principal amount of general obligation bonds of the Town of West Newbury only and does not reflect the issuance of the Bonds. The table does not deduct anticipated state grant payments applicable to the principal amount of outstanding bonds or debt that may be supported in whole, or part, by non-tax revenues.

Fiscal Year End	General Obligation Bonds Outstanding	State Equalized Valuation (1)	Per Capita Debt (2)	Debt as a % of Equalized Valuation
2022	\$ 1,896,092	\$ 1,027,055,700	\$ 421	0.18 %
2021	2,258,484	1,027,055,700	502	0.22
2020	2,666,926	955,510,900	593	0.28
2019	3,165,146	955,510,900	703	0.33
2018	3,669,367	878,936,100	815	0.42

- (1) 2016 equalized valuation used for fiscal year 2018; 2018 equalized valuation used for fiscal years 2019 and 2020; 2020 equalized valuation used for fiscal years 2021 and 2022.
(2) Based on the 2020 Federal census of 4,500.

Principal Payments by Purpose

The following table sets forth the principal payments by purpose for the Town's outstanding debt as of June 30, 2022.

GENERAL OBLIGATION BONDS PRINCIPAL PAYMENTS BY PURPOSE As of June 30, 2022 (1)

Fiscal Year	Land Acquisition	Water (2)	General	MCWT	Total
2023	\$ 150,000	\$ 35,000	\$ 145,000	\$ 10,364	\$ 340,364
2024	-	40,000	-	10,364	50,364
2025	-	40,000	-	10,364	50,364
2026	-	45,000	-	-	45,000
2027	-	45,000	-	-	45,000
2028	-	45,000	-	-	45,000
2029	-	50,000	-	-	50,000
2030	-	50,000	-	-	50,000
2031	-	50,000	-	-	50,000
2032	-	55,000	-	-	55,000
2033	-	55,000	-	-	55,000
2034	-	55,000	-	-	55,000
2035	-	60,000	-	-	60,000
2036	-	60,000	-	-	60,000
2037	-	60,000	-	-	60,000
2038	-	65,000	-	-	65,000
2039	-	65,000	-	-	65,000
2040	-	70,000	-	-	70,000
2041	-	70,000	-	-	70,000
2042	-	70,000	-	-	70,000
2043	-	75,000	-	-	75,000
2044	-	75,000	-	-	75,000
2045	-	80,000	-	-	80,000
2046	-	80,000	-	-	80,000
2047	-	85,000	-	-	85,000
2048	-	90,000	-	-	90,000
Total	<u>\$ 150,000</u>	<u>\$ 1,570,000</u>	<u>\$ 145,000</u>	<u>\$ 31,092</u>	<u>\$ 1,896,092</u>

- (1) Excludes lease and installment purchase obligations, overlapping debt, unfunded pension liability, and other post-employment benefits liability.
- (2) The Town anticipates that all debt service will be paid from departmental revenues.

Debt Service Requirements

The following table sets forth the required principal and interest payments on outstanding general obligation bonds of the Town of West Newbury.

**GENERAL OBLIGATION DEBT
As of June 30, 2022**

Fiscal Year	Total Principal	Total Interest	Total Principal & Interest
2023	\$340,364	\$55,638	\$396,002
2024	50,364	50,813	101,177
2025	50,364	48,813	99,177
2026	45,000	46,688	91,688
2027	45,000	44,438	89,438
2028	45,000	42,188	87,188
2029	50,000	40,313	90,313
2030	50,000	38,813	88,813
2031	50,000	37,313	87,313
2032	55,000	35,738	90,738
2033	55,000	34,088	89,088
2034	55,000	32,438	87,438
2035	60,000	30,713	90,713
2036	60,000	28,913	88,913
2037	60,000	27,113	87,113
2038	65,000	25,238	90,238
2039	65,000	23,247	88,247
2040	70,000	21,138	91,138
2041	70,000	18,950	88,950
2042	70,000	16,763	86,763
2043	75,000	14,497	89,497
2044	75,000	12,106	87,106
2045	80,000	9,588	89,588
2046	80,000	6,988	86,988
2047	85,000	4,306	89,306
2048	90,000	1,463	91,463
Total	\$1,896,091	\$748,294	\$2,644,386

Authorized Unissued Debt

The Town currently has approximately \$1,068,011 of authorized unissued debt for the balance for a water tank (\$1,060,000) and the balance for various municipal projects.

Overlapping Debt

The Town of West Newbury is a member of the Pentucket Regional School District and the Whittier Regional Vocational Technical School District. The following table sets forth the outstanding bonded debt, exclusive of temporary loans in anticipation of bonds or current revenue, of each of the overlapping entities, the Town of West Newbury's estimated gross share of such debt, and the fiscal 2023 dollar assessment for each.

Overlapping Entity	Outstanding Debt 6/30/22	West Newbury Estimated Share(1)	Fiscal 2023 Dollar Assessment(2)
Pentucket Regional School District(3)	\$97,169,841	30.28%	\$9,126,733
Whittier Regional Vocational Technical School District(4)	0	0.00%	270,734

(1) Estimated share based on debt service only.

(2) Estimated dollar assessment based upon total net operating expenses, inclusive (where applicable) of debt service.

(3) SOURCE: Pentucket Regional School District. Cities and Towns may organize regional school districts to carryout general or specialized educational functions. Pursuant to special laws a number of cities may also participate in regional school district, primarily for vocational education. The operating expenses and debt service of regional school districts are apportioned among the member municipalities in accordance with the agreements establishing the district. The municipal share is based on the ratio of that member's pupil enrollment to the total pupil enrollment from all the member municipalities in the regional school district as of October 1 of the year proceeding the year for which the apportionment is being determined. The Town pays 100% of the assessment for the Pentucket Regional School District's Page School project. The District authorized \$146,332,328 of which they expect to receive approximately 57.63% reimbursement on eligible project costs from the Massachusetts School Building Authority. The District plans to issue bonds in fiscal years 2021 & 2022 for the estimated remaining share of project costs (\$42,156,000).

(4) SOURCE: Whittier Regional Vocational School District. Cities and Towns may organize regional school districts to carry out general or specialized educational functions. Pursuant to special laws a number of cities may also participate in regional school district, primarily for vocational education. The operating expenses and debt service of regional school districts are apportioned among the member municipalities in accordance with the agreements establishing the district. The municipal share is based on the ratio of that member's pupil enrollment to the total pupil enrollment from all the member municipalities in the regional school district as of October 1 of the year proceeding the year for which the apportionment is being determined.

Contractual Obligations

Municipal contracts are generally limited to currently available appropriations. A city or town generally has authority to enter into contracts for the exercise of any of its corporate powers for any period of time deemed to serve its best interests, but generally only when funds are available for the first fiscal year; obligations for succeeding fiscal years generally are expressly subject to availability and appropriation of funds. Municipalities have specific authority in relatively few cases to enter long-term contractual obligations that are not subject to annual appropriation, including contracts for refuse disposal and sewage treatment and disposal. Municipalities may also enter into long-term contracts in aid of housing and renewal projects. There may be implied authority to make other long-term contracts required to carry out authorized municipal functions, such as contracts to purchase water from private water companies.

Municipal contracts relating to solid waste disposal facilities may contain provisions requiring the delivery of minimum amounts of waste and payments based thereon and requiring payments in certain circumstances without regard to the operational status of the facilities. Municipal electric departments have statutory power to enter into long-term contracts for joint ownership and operation of generating and transmission facilities and for the purchase or sale of capacity, including contracts requiring payments without regard to the operational status of the facilities.

Pursuant to the Home Rule Amendment to the Massachusetts Constitution, (see "CONSTITUTIONAL STATUS AND FORM OF GOVERNMENT" above), cities and towns may also be empowered to make other contracts and leases.

The Town of West Newbury, at present, has a limited number of contractual obligations. The Town has a solid waste disposal agreement to dispose of their municipal waste through June 30, 2023 at the Covanta Resource Recovery Facility in Haverhill, MA. The Town is reviewing proposed contract terms, including consideration of potential alternate vendors/proposals, for approval once the fiscal 2024 operating budget has been approved. The agreement does not contain any guaranteed annual tonnage provisions (formally known as GAT), so it is strictly a pay-as-you-go contract for the actual tons delivered.

The Town has a separate contract for solid waste disposal hauling with G. Mello that runs through June 30, 2025. The solid waste hauling disposal cost for fiscal 2022 was \$375,998 and \$401,940 is budgeted for fiscal 2023. The recycling contract cost for fiscal 2022 was \$1,670 and budgeted \$10,000 for fiscal 2023.

RETIREMENT PLAN

The Massachusetts General Laws provide for the establishment of contributory retirement systems for state employees, for teachers and for county, city and town employees other than teachers. Teachers are assigned to a separate statewide teachers' system and not to the city and town systems. For all employees other than teachers, this law is subject to acceptance in each city and town. Substantially all employees of an accepting city or town are covered. If a town has a population of less than 10,000 when it accepts the statute, its non-teacher employees participate through the county system and its share of the county cost is proportionate to the aggregate annual rate of regular compensation of its covered employees. In addition to the contributory systems, cities and towns provide non-contributory pensions to a limited number of employees, primarily persons who entered service prior to July 1, 1937 and their dependents. The Public Employee Retirement Administration Commission ("PERAC") provides oversight and guidance for and regulates all state and local retirement systems.

The obligations of a city or town, whether direct or through a county system, are contractual legal obligations and are required to be included in the annual tax levy. If a city or town, or the county system of which it is a member, has not established a retirement system funding schedule as described below, the city or town is required to provide for the payment of the portion of its current pension obligations which is not otherwise covered by employee contributions and investment income. "Excess earnings," or earnings on individual employees' retirement accounts in excess of a predetermined rate, are required to be set aside in a pension reserve fund for future, not current, pension liabilities. Cities and towns may voluntarily appropriate to their system's pension reserve fund in any given year up to five percent of the preceding year's tax levy. The aggregate amount in the fund may not exceed ten percent of the equalized valuation of the city or town.

If a city or town, or each member city and town of a county retirement system, has accepted the applicable law, it is required to annually appropriate an amount sufficient to pay not only its current pension obligations, but also a portion of its future pension liability. The portion of each such annual payment allocable to future pension obligations is required to be deposited in the pension reserve fund. The amount of the annual city or town appropriation for each such system is prescribed by a retirement system funding schedule which is periodically reviewed and approved by PERAC. A system (other than the state employees' retirement system and the teachers' retirement system) which conducts an actuarial valuation as of January 1, 2009, or later, may establish a revised schedule which reduces the unfunded actuarial liability to zero by not later than June 30, 2040, subject to certain conditions. If the schedule is so extended under such provisions and a later updated valuation allows for the development of a revised schedule with reduced payments, the revised schedule shall be adjusted to provide that the appropriation for each year shall not be less than that for such year under the prior schedule, thus providing for a shorter schedule rather than reduced payments.

City, town and county systems may choose to participate in the Pension Reserves Investment Trust Fund (the "PRIT Fund"), which receives additional state funds to offset future pension costs of participating state and local systems. If a local system participates in the PRIT Fund, it must transfer ownership and control of all assets of its system to the Pension Reserves Investment Management Board, which manages the investment and reinvestment of the PRIT Fund. Cities and towns with systems participating in the PRIT Fund continue to be obligated to fund their pension obligations in the manner described above. The additional state appropriations to offset future pension liabilities of state and local systems participating in the PRIT Fund are required to total at least 1.3 percent of state payroll. Such additional state appropriations are deposited in the PRIT Fund and shared by all participating systems in proportion to their interests in the assets of the PRIT Fund as of July 1 for each fiscal year.

Cost-of-living increases for each local retirement system may be granted and funded only by the local system, and only if it has established a funding schedule. Those statutory provisions are subject to acceptance by the local retirement board and approval by the local legislative body, which acceptance may not be revoked.

The Town participates in the Essex Regional Contributory Retirement System (the "System") that is partially funded by employee contributions. The Town's method of funding for the contributory plan is a combination of required pay-as-you-go contributions determined by the Public Employee Retirement Administration of the Commonwealth and optional funding of certain past service costs based on an actuarial valuation prepared for the Retirement system. Funding for the non-contributory pension plan is primarily on a pay-as-you-go basis. The pay-as-you-go amounts are legal obligations of the municipality and are required to be included in its annual tax levy. The System covers substantially all municipal employees except school teachers, whose pensions are paid by the Commonwealth.

The annual required contributions of the Town to the system for the current and last five fiscal years are as follows:

Year Ending June 30,	Contributory
2023 (Budgeted)	\$ 866,935
2022	778,764
2021	687,493
2020	660,171
2019	641,424
2018	563,649

As of January 1, 2022, the Essex Regional Retirement System had an actuarial accrued liability of \$1,052,734,165 less an actuarial value of assets of approximately \$634,937,450, which resulted in an estimated unfunded actuarial accrued liability of approximately \$417,796,715, assuming a 7.0% discount rate. The Town's estimated share of the unfunded actuarial accrued liability is approximately 1.958%. Additional information about the Essex Regional Retirement System may be obtained by contacting The Dahab Associates, Falmouth, Massachusetts.

The County expects to reduce the unfunded actuarial pension liability of the system to zero by not later than June 30, 2035. Please see the funding schedule below.

Essex Regional Retirement System Funding Schedule

(1) Fiscal Year Ended June 30	(2) Employer Normal Cost	(3) Amortization of ERI (2002) Liability	(4) Amortization of ERI (2003) Liability	(5) Amortization of Remaining Liability	(6) Actuarially Determined Contribution (ADC): (2)+(3)+(4)+(5)	(7) Total UAL at Beginning of Fiscal Year	(8) Percent Increase in ADC Over Prior Year
2023	\$9,856,270	\$10,049	\$9,333	\$34,637,093	\$44,512,745	\$432,172,282	--
2024	10,165,422	10,501	9,753	37,220,397	47,406,073	425,341,913	6.50%
2025	10,484,183	10,974	10,191	39,982,120	50,487,468	415,268,350	6.50%
2026	10,812,848	11,468	10,650	42,934,187	53,769,153	401,533,620	6.50%
2027	11,151,722	11,984	11,129	46,089,313	57,264,148	383,677,727	6.50%
2028	11,501,123	12,523	11,630	49,461,042	60,986,318	361,194,872	6.50%
2029	11,861,372	0	0	53,089,057	64,950,429	333,529,354	6.50%
2030	12,232,806	0	0	55,315,640	67,548,446	300,071,118	4.00%
2031	12,615,768	0	0	57,634,616	70,250,384	261,888,361	4.00%
2032	13,010,614	0	0	60,049,785	73,060,399	218,551,507	4.00%
2033	13,417,709	0	0	62,565,106	75,982,815	169,596,843	4.00%
2034	13,837,432	0	0	65,184,696	79,022,128	114,523,959	4.00%
2035	14,270,171	0	0	52,793,011	67,063,182	52,793,011	-15.13%
2036	14,716,326	0	0	0	14,716,326	0	-78.06%

Notes:

Fiscal 2023 Actuarially Determined Contribution set equal to budgeted amount

Actuarially Determined Contributions are assumed to be paid on July 1

Item (2) reflects 2.75% growth in payroll, plus an additional 0.15% adjustment to total normal cost to reflect the effects of mortality improvement due to generational mortality assumption

Projected normal cost does not reflect the impact of pension reform for future hires

Projected unfunded actuarial accrued liability does not reflect the recognition of deferred investment gains/losses

Other Post-Employment Benefits

In addition to pension benefits, cities and towns may provide retired employees with health care and life insurance benefits. The portion of the cost of such benefits paid by cities or towns is generally provided on a pay-as-you-go basis. The pay-as-you-go cost to the Town for such benefits in recent years has been as follows:

<u>Fiscal Year</u>	<u>Benefit Costs</u>
2023	\$ 60,798
2022	100,824
2021	87,769
2020	91,712
2019	84,924

The Governmental Accounting Standards Board (“GASB”) promulgated accounting standards that require public sector entities to report the future costs of these non-pension, post-employment benefits in their financial statements. These accounting standards do not require pre-funding the payment of these costs as the liability for such costs accrues, but the basis applied by the standards for measurement of costs and liabilities for these benefits is conservative if they continue to be funded on a pay-as-you-go basis and will result in larger yearly cost and liability accruals than if the cost of such benefits were pre-funded in a trust fund in the same manner as traditional pension benefits. Cities and towns that choose to self-insure all or a portion of the cost of the health care benefits they provide to employees and retirees may establish a trust fund for the purpose of paying claims. In addition, cities and towns may establish a trust fund for the purpose of pre-funding other post-employment benefits liability in the same manner as traditional pension benefits.

The Town has performed an actuarial valuation study of its non-pension, post-employment benefits. As of June 30, 2022, the total OPEB liability was \$2,907,896 and the fiduciary net position was \$2,564,519 resulting in a net OPEB of \$343,377, assuming a 6.0% investment rate of return. The Town maintains an OPEB Trust fund which had a balance of \$2,564,519 at June 30, 2022.

EMPLOYEE RELATIONS

The Town employs approximately 80 full-time and part-time workers, 17 of whom are employed by the police department, 7 by the DPW and the balance by various other town departments. Town employees (other than managerial and confidential employees) are entitled to join unions and to bargain collectively on questions of wages, hours and other terms and conditions of employment. Approximately 16 Town employees are represented by unions, including police, dispatchers and DPW employees. The police, dispatchers and DPW contracts expire June 30, 2025.

LITIGATION

At present there are various cases pending in various courts throughout the Commonwealth where the Town of West Newbury is a defendant. In the opinion of the Town, none of the pending litigation is likely to result, either individually or in the aggregate, in final judgments against the Town that would materially affect its financial position or its ability to pay its obligations.

Town of West Newbury, Massachusetts
/s/ Kaitlin Gilbert, Treasurer

March 22, 2023



Commonwealth of Massachusetts
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT



Maura T. Healey, Governor ♦ Kimberley Driscoll, Lieutenant Governor ♦ Jennifer D. Maddox, Undersecretary

March 10, 2023

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

RE: Determination of Interim Compliance under MGL c. 40A, Section 3A

Dear Manager Jennings:

The Department of Housing and Community Development (DHCD) is in receipt of the Action Plan submitted by West Newbury on January 19, 2023. Thank you for taking this step as outlined in the Compliance Guidelines.

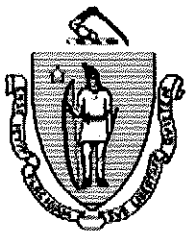
I am pleased to inform you that DHCD approved the Action Plan, and that West Newbury has achieved Interim Compliance. This Interim Compliance is valid until your due date for District Compliance, which is 12/31/2025. Please be advised that pursuant to Section 9(a)(iii) of the guidelines, a community's progress in implementing their Action Plan may be independently evaluated as part of the application review process for any of the funding sources that are subject to compliance with Section 3A.

We appreciate submittal of the Action Plan describing West Newbury's planning efforts related to Section 3A District Compliance and wish your community the best in implementation of its components. If you have any questions regarding this determination, please contact Nate Carlucci at nathan.carlucci@mass.gov.

Sincerely,

Jennifer D. Maddox
Undersecretary

cc: Nathan Carlucci, MBTA Communities Compliance Coordinator



**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

1000 Washington Street, Suite 600
Boston, MA 02118-6500
Telephone: (617) 305-3580
www.mass.gov/dtc



MAURA HEALEY
GOVERNOR
KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT
EDWARD A. PALLESCHI
UNDERSECRETARY
KAREN CHARLES
COMMISSIONER

March 7, 2023
Chairman Board of Selectmen
Town Hall
381 Main Street
West Newbury MA 01985

RECEIVED
MAR 20 2023
TOWN MANAGER
TOWN OF WEST NEWBURY

Re: License Expiration Notice

Dear Chairman:

Six months ago, the Department of Telecommunications and Cable (Department) notified you that your cable television license (license) with Verizon New England, Inc. expires on 9/7/2025. If either you as the Issuing Authority or Verizon New England, Inc. invoked the formal renewal process, you should have started the ascertainment process to determine your community's cable-related needs and review Verizon New England, Inc.'s performance under the current license.

Even if you and Verizon New England, Inc. have agreed to forgo the formal renewal process, you should have an ascertainment process. By ascertaining your cable needs early in the renewal process, you will benefit from sufficient time to review the proposal submitted by Verizon New England, Inc.. The Department recommends that the Issuing Authority complete its ascertainment process at least twelve months, and no later than six months, prior to the expiration of its cable license.

The Department is available to advise you regarding your duties and rights during the renewal process. While we cannot assist you with substantive negotiations, we would be happy to meet with you and/or your Cable Advisory Committee to discuss procedural requirements. If you would like to schedule a meeting or if you have any questions, please contact the Department at 617-305-3580 or dtc.efiling@mass.gov.

Sincerely,

Shonda D. Green
Department Secretary

30 month



111 Main Street, 6th Floor
White Plains, NY 10601

Pamela N. Goldstein
Associate General Counsel
Video Franchising
Verizon Consumer Group
(914) 821-9702
pamela.goldstein@verizon.com

By U.S. Postal Service Certified Mail

January 24, 2023

Town of West Newbury
381 Main Street
West Newbury, MA 01985
Attention: Select Board

RECEIVED
JAN 27 2023
TOWN MANAGER
TOWN OF WEST NEWBURY

**Re: Franchise Renewal Notice Requesting Commencement of Formal
Renewal Proceedings under Section 626 of the Communications Act**

Dear Select Board members:

Verizon New England Inc. ("Verizon") appreciates the opportunity to provide competitive cable service in the Town of West Newbury (the "Town"). Our records indicate that the cable television renewal license granted by the Town and held by Verizon expires on September 7, 2025. Section 626 of the Communications Act of 1934, as amended, delineates formal procedures to be followed to renew cable television licenses that must be invoked 30 – 36 months prior to license expiration or certain protections may be lost. As we are now in that time frame, by way of this letter Verizon gives notice that it seeks renewal of its cable television renewal license and respectfully requests that the Town commence renewal proceedings pursuant to Section 626(a).

While Verizon seeks to preserve its rights under the formal renewal process, the Communications Act also authorizes franchise renewal through good faith, informal negotiations. Section 626(h) contemplates an alternative renewal process that also affords public notice and opportunity for comment but does not require strict adherence to the substantive and procedural requirements outlined in the statute. I have enclosed a copy of Section 626 of the Communications Act for your review. The informal approach may be mutually beneficial. With the understanding that proceeding in this manner will not waive any of the rights of the parties under the formal process, Verizon is agreeable to discussing the terms of a renewal agreement with the Town on an informal basis at a mutually convenient time.

Verizon is proud to serve the residents of West Newbury. We will contact you shortly to schedule a meeting to determine how best to proceed. We look forward to meeting with you and working with you on the license renewal.

Yours sincerely,

Pamela N. Goldstein

Enclosure: Communications Act Section 626 (47 U.S.C. § 546)

(B) in the event of a final decision of the franchising authority denying the renewal proposal, the operator has demonstrated that the adverse finding of the franchising authority with respect to each of the factors described in subparagraphs (A) through (D) of subsection (c)(1) of this section on which the denial is based is not supported by a preponderance of the evidence, based on the record of the proceeding conducted under subsection (c) of this section.

(f) Finality of administrative decision

Any decision of a franchising authority on a proposal for renewal shall not be considered final unless all administrative review by the State has occurred or the opportunity therefor has lapsed.

(g) "Franchise expiration" defined

For purposes of this section, the term "franchise expiration" means the date of the expiration of the term of the franchise, as provided under the franchise, as it was in effect on October 30, 1984.

(h) Alternative renewal procedures

Notwithstanding the provisions of subsections (a) through (g) of this section, a cable operator may submit a proposal for the renewal of a franchise pursuant to this subsection at any time, and a franchising authority may, after affording the public adequate notice and opportunity for comment, grant or deny such proposal at any time (including after proceedings pursuant to this section have commenced). The provisions of subsections (a) through (g) of this section shall not apply to a decision to grant or deny a proposal under this subsection. The denial of a renewal pursuant to this subsection shall not affect action on a renewal proposal that is submitted in accordance with subsections (a) through (g) of this section.

(i) Effect of renewal procedures upon action to revoke franchise for cause

Notwithstanding the provisions of subsections (a) through (h) of this section, any lawful action to revoke a cable operator's franchise for cause shall not be negated by the subsequent initiation of renewal proceedings by the cable operator under this section.

(June 19, 1934, ch 652, title VI, § 626, as added Pub. L. 98-549, § 2, Oct. 30, 1984, 98 Stat. 2791; amended Pub. L. 102-385, § 18, Oct. 5, 1992, 106 Stat. 1493.)

REFERENCES IN TEXT

For "the effective date of this subchapter", referred to in subsec. (d), as 60 days after Oct. 30, 1984, except where otherwise expressly provided, see section 9(a) of Pub. L. 98-549, set out as an Effective Date note under section 521 of this title.

AMENDMENTS

1992—Subsec. (a), Pub. L. 102-385, § 18(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: "During the 6-month period which begins with the 36th month before the franchise expiration, the franchising authority may on its own initiative, and shall at the request of the cable operator, commence proceedings which afford the public in the franchise area appropriate notice and participation for the purpose of

"(1) identifying the future cable-related community needs and interests; and

"(2) reviewing the performance of the cable operator under the franchise during the then current franchise term."

Subsec. (c)(1), Pub. L. 102-385, § 18(b), inserted "pursuant to subsection (b) of this section" after "renewal of a franchise" and substituted "date of the submission of the cable operator's proposal pursuant to subsection (b) of this section" for "completion of any proceedings under subsection (a) of this section".

Subsec. (c)(1)(B), Pub. L. 102-385, § 18(c), substituted "mix or quality" for "mix, quality, or level".

Subsec. (d), Pub. L. 102-385, § 18(d), inserted "that has been submitted in compliance with subsection (b) of this section" after "Any denial of a proposal for renewal" and substituted "or the cable operator gives written notice of a failure or inability to cure and the franchising authority fails to object within a reasonable time after receipt of such notice" for "or has effectively acquiesced".

Subsec. (e)(2)(A), Pub. L. 102-385, § 18(e), inserted "other than harmless error," after "franchising authority".

Subsec. (i), Pub. L. 102-385, § 18(f), added subsec. (i).

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-385 effective 60 days after Oct. 5, 1992, see section 28 of Pub. L. 102-385, set out as a note under section 325 of this title.

EFFECTIVE DATE

Section effective 60 days after Oct. 30, 1984, except where otherwise expressly provided, see section 9(a) of Pub. L. 98-549, set out as a note under section 521 of this title.

§ 546. Renewal**(a) Commencement of proceedings; public notice and participation**

(1) A franchising authority may, on its own initiative during the 6-month period which begins with the 36th month before the franchise expiration, commence a proceeding which affords the public in the franchise area appropriate notice and participation for the purpose of (A) identifying the future cable-related community needs and interests, and (B) reviewing the performance of the cable operator under the franchise during the then current franchise term. If the cable operator submits, during such 6-month period, a written renewal notice requesting the commencement of such a proceeding, the franchising authority shall commence such a proceeding not later than 6 months after the date such notice is submitted.

(2) The cable operator may not invoke the renewal procedures set forth in subsections (b) through (g) of this section unless—

(A) such a proceeding is requested by the cable operator by timely submission of such notice; or

(B) such a proceeding is commenced by the franchising authority on its own initiative.

(b) Submission of renewal proposals; contents; time

(1) Upon completion of a proceeding under subsection (a) of this section, a cable operator seeking renewal of a franchise may, on its own initiative or at the request of a franchising authority, submit a proposal for renewal.

(2) Subject to section 544 of this title, any such proposal shall contain such material as the franchising authority may require, including proposals for an upgrade of the cable system.

(3) The franchising authority may establish a date by which such proposal shall be submitted.

(c) Notice of proposal; renewal; preliminary assessment of nonrenewal; administrative review; issues; notice and opportunity for hearing; transcript; written decision

(1) Upon submittal by a cable operator of a proposal to the franchising authority for the renewal of a franchise pursuant to subsection (b) of this section, the franchising authority shall provide prompt public notice of such proposal and, during the 4-month period which begins on the date of the submission of the cable operator's proposal pursuant to subsection (b) of this section, renew the franchise or, issue a preliminary assessment that the franchise should not be renewed and, at the request of the operator or on its own initiative, commence an administrative proceeding, after providing prompt public notice of such proceeding, in accordance with paragraph (2) to consider whether—

(A) the cable operator has substantially complied with the material terms of the existing franchise and with applicable law;

(B) the quality of the operator's service, including signal quality, response to consumer complaints, and billing practices, but without regard to the mix or quality of cable services

or other services provided over the system, has been reasonable in light of community needs;

(C) the operator has the financial, legal, and technical ability to provide the services, facilities, and equipment as set forth in the operator's proposal; and

(D) the operator's proposal is reasonable to meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

(2) In any proceeding under paragraph (1), the cable operator shall be afforded adequate notice and the cable operator and the franchising authority, or its designee, shall be afforded fair opportunity for full participation, including the right to introduce evidence (including evidence related to issues raised in the proceeding under subsection (a) of this section), to require the production of evidence, and to question witnesses. A transcript shall be made of any such proceeding.

(3) At the completion of a proceeding under this subsection, the franchising authority shall issue a written decision granting or denying the proposal for renewal based upon the record of such proceeding, and transmit a copy of such decision to the cable operator. Such decision shall state the reasons therefor.

(d) Basis for denial

Any denial of a proposal for renewal that has been submitted in compliance with subsection (b) of this section shall be based on one or more adverse findings made with respect to the factors described in subparagraphs (A) through (D) of subsection (c)(1) of this section, pursuant to the record of the proceeding under subsection (c) of this section. A franchising authority may not base a denial of renewal on a failure to substantially comply with the material terms of the franchise under subsection (c)(1)(A) of this section or on events considered under subsection (c)(1)(B) of this section in any case in which a violation of the franchise or the events considered under subsection (c)(1)(B) of this section occur after the effective date of this subchapter unless the franchising authority has provided the operator with notice and the opportunity to cure, or in any case in which it is documented that the franchising authority has waived its right to object, or the cable operator gives written notice of a failure or inability to cure and the franchising authority fails to object within a reasonable time after receipt of such notice.

(e) Judicial review; grounds for relief

(1) Any cable operator whose proposal for renewal has been denied by a final decision of a franchising authority made pursuant to this section, or has been adversely affected by a failure of the franchising authority to act in accordance with the procedural requirements of this section, may appeal such final decision or failure pursuant to the provisions of section 555 of this title.

(2) The court shall grant appropriate relief if the court finds that—

(A) any action of the franchising authority, other than harmless error, is not in compliance with the procedural requirements of this section; or



3/15/2023

Via First Class and Electronic Mail

David W Archibald
Board of Selectmen Chairman
381 Main St
West Newbury, MA 01985

Email: selectboard@wnewbury.org

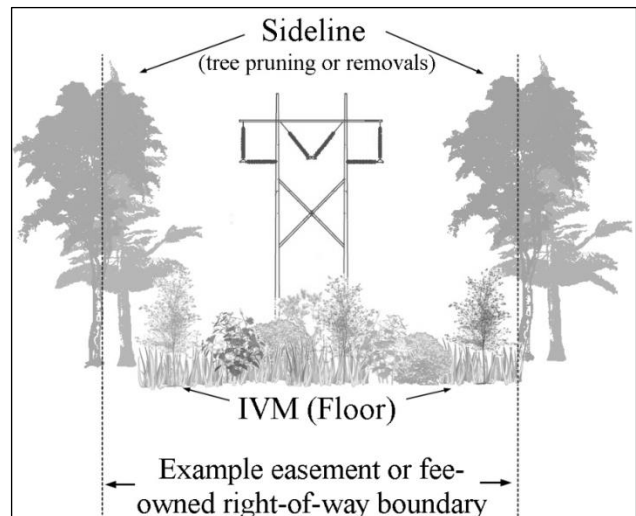
Dear David W Archibald

In accordance with the transmission notification requirements set forth in 220 C.M.R. §§ 22, National Grid (New England Power Company and/or Massachusetts Electric Company) is providing 30 day notification of upcoming sideline vegetation management activities within your community. Specifically, National Grid intends to perform tree pruning and tree removals within the electric transmission right-of-way easement. Please note that this notification is separate from any notifications you would receive for herbicide maintenance.

Enclosed are map(s) that locate the right-of-way corridor(s) where the vegetation management activities will be performed. The sideline work will be conducted between 30 days from the letter date above and March 31, 2024. Please note that you may receive additional letters through the year if scheduling allows for additional work.

Also, please forward this notice on to other departments within your municipality that may want to review the notification.

If you have any questions about our vegetation management programs, please contact me at 508-860-6282 or by email mariclaire.rigby@nationalgrid.com. Additional information about National Grid's Transmission Vegetation Maintenance Program can also be found at: https://www.nationalgridus.com/transmission/c3-8_standocs.asp



Sincerely,

Mariclaire Rigby
Lead Vegetation Strategy Specialist

CC: Mark D. Marini, Secretary, Massachusetts Department of Public Utilities

Municipality: WEST NEWBURY
ROW Numbers: 1277

Right-of-Way 1277

West Newbury, MA



National Grid intends to perform selective side pruning and/or danger tree removal along the right-of-way shown above

-  Town
-  Wetland

