



TOWN OF WEST NEWBURY

POLICIES OF THE SELECT BOARD

INTRODUCTION. This is a collection of policies that have been adopted by the West Newbury Select Board and are currently in effect. The list of policies included in this booklet are listed in alphabetical order in the Table of Contents below (and, in the PDF version, are hyperlinked from the Table of Contents). Former policies that have been repealed and are no longer in effect are listed at the end of the booklet. Policies currently in effect but excluded from this publication are listed on page 2.

Table of Contents

- | | |
|---|---|
| 1. Annual Election of Officers Policy | 22. Personnel Appointments by Town Manager |
| 2. Ballot/Warrant Proof-Reading | 23. Public Access to documents drafted by or mail addressed to the Select Board |
| 3. Certificate of insurance and signed contracts for snow removal drivers | 24. Purchasing Products made of Recyclable Materials |
| 4. Disposal of Surplus Property Policy | 25. Reconciling Cash and Receivables Policy |
| 5. Electrically-powered Equipment Policy | 26. Request for review of an issue by Town Counsel |
| 6. Events requiring a police detail for public safety | 27. Requirements for Mass Electric (National Grid) Pole locations |
| 7. Explanations of overtime pay | 28. Review of new Insurance Companies |
| 8. Fair Labor Standards Act | 29. Review by the Town Manager of all accidents report forms filed |
| 9. Fall Special Town Meeting Schedule | 30. Severe Weather Policy |
| 10. Financial Operating Procedures | 31. Signs on Town Property |
| 11. Fuel Efficient Vehicle Policy | 32. Street Opening Applications |
| 12. Grant Applications | 33. Town Employees as Firefighters |
| 13. Grievance Policy for the General Public: Equal Access for Facilities and Activities | 34. Tree Replacement Policy |
| 14. Livery Service Letter | 35. Variable Message Board Placement |
| 15. Meeting Minutes | 36. Vehicle Replacement Plan |
| 16. Minors | 37. Warrant Articles |
| 17. Naming Streets | 38. West Newbury Town Square |
| 18. Naming Town Property and Placement of Memorials | 39. 911 Training |
| 19. Office Space in the 1910 Office Building | 40. Event Publicity |
| 20. OSHA Compliance | |
| 21. Permit Fees | |



TOWN OF WEST NEWBURY

POLICIES OF THE SELECT BOARD

All Select Board policies are on file with the Office of the Town Clerk, and at www.wnewbury.org

Disclaimer: Former Select Board policies that have been repealed and are no longer in effect are listed at the end of the booklet. This booklet does not include the following Board Policies, which are in effect and published separately:

Committee Handbook

Designer Selection Procedures

Financial Policies

Lodging House Regulations, 4 Lodgers and Over

Mailbox Policy

Memorial Day Parade Guidelines

Personnel Policies including:

- Appendix A: Affirmative Action Plan
- Appendix B: Safety Policy
- Appendix C: Commercial Driver's License Alcohol and Drug Testing Policy
- Appendix D: Policy and Procedures Concerning Sexual Harassment
- Appendix E: E-mail, Internet and Social Media Use Policy
- Appendix F: Massachusetts Commission Against Discrimination, MCAD Guidance
Pregnant Workers Fairness Act

Procedure for Chapter 61, 61A, 61B Right of First Refusals

Rental of Town Facilities Policy

Special Events Policy

Traffic Rules and Orders

Financial Policies including:

- Capital Planning Policy
- Credit Card Policy
- Debt Management Policy
- Disbursements Policy
- Financial Reserves Policy
- Forecasting Policy
- Indirect Costs Policy
- Investment Policy Statement
- Other Post Employment Benefits (OPEB) Policy
- Tax Enforcement Policy

Town staff have applied best efforts to prepare a complete booklet of policies, including notation of policies not included herein. Unintentional omission of Board policies from this booklet or the list above does not affect the validity or enforceability of any such policies. Updates will be made on an ongoing basis, as needed to reflect current or new policies, and policies as may be revised. All Select Board policies are on file with the Town Clerk, and online at www.wnewbury.org



Policies of the West Newbury Select Board

1. Annual Election of Officers Policy

Annually each town board, committee and commission shall elect a Chairperson & Clerk at their first meeting after July 1st each year or by statute, regulation or bylaw. The Chairperson will then communicate the vote to the Town Clerk's Office which will update the town's website.

Adopted: 5/29/2018

Amended: 11/25/2019

Amended: 10/2/2023



Policies of the West Newbury Select Board

2. Ballot/Warrant Proof-Reading

The draft of each item on the ballot of every election and every Town Meeting Warrant shall be reviewed for accuracy and content by the Select Board, Town Clerk, Town Manager, and Town Counsel before being sent to the printer.

Adopted: 7/31/2006

Amended: 8/6/2018



Policies of the West Newbury Select Board

3. Certificate of Insurance and Signed Contracts for Snow Removal Drivers

The Select Board requires that Snow Removal Drivers who plow for the Town of West Newbury are required to sign the Town's contract and to provide a Certificate of Insurance naming the Town as an additional insured, in the amount required by the Town Manager.

Adopted: 12/15/2014

Amended: 8/6/2018

Amended: 10/2/2023



Policies of the West Newbury Select Board

4. Disposal of Surplus Property Policy

This policy complies with Massachusetts general Laws Chapter 30B which requires municipalities to adopt a written policy regarding the disposal of surplus property.

From time to time the Town of West Newbury finds it necessary to dispose of materials, equipment, residue inventory or other items that are no longer required. The following procedures describe the process to be followed when disposing of surplus items. The intent is to establish reasonable control over usage, surplus and obsolete material handling, sale and disposition. This policy applies to all surplus items regardless of value. It does not apply to disposal of real estate. This policy applies to all Town departments, boards and committees.

Items taken into custody by the West Newbury Police Department through statutory procedures i.e. drug, criminal and civil forfeitures pursuant to MGL Chapter 94c and 18 USC §§ 981-87, will be disposed according to state and federal law. Unclaimed property taken into possession by the West Newbury Police Department will be auctioned according to MGL Chapter 135, § 8.

Procedures

The Department Head will submit a written recommendation to the Chief Procurement Officer (CPO) that the item(s) are surplus to department needs and may be disposed of.

The Select Board shall vote to designate the items surplus.

For surplus property valued at less than \$10,000 the CPO will advertise the items for sale on the Town website, or in the local newspaper, or by online auction as she or he deems in the best interest of the Town.

For surplus property valued at \$10,000 or more, the CPO shall dispose of the property in accordance with MGL Chapter 30B by sealed bids, or by public auction, including online auction.

Items that have only scrap value may be disposed of as the CPO deems appropriate.

At its discretion, the Town may either sell at less than fair market value or donate surplus property to a government entity or an organization which has Internal Revenue Service tax exempt status by reason of its charitable nature. For property valued at less than \$1,000 the CPO may exercise his own judgment. For property valued at \$1,000 or more the Select Board must first approve the disposition.

*Adopted: 9/3/2019
Amended 10/2/2023*



Policies of the West Newbury Select Board

5. Electrically-powered Equipment Policy

As of the beginning of FY 2024 (July 1, 2023), the Town will acquire no new fossil fuel powered equipment (e.g. vehicles, power tools, construction/agricultural implements, building HVAC changes or upgrades), but instead acquire electrically powered equipment alternatives, unless it can be demonstrated that there is currently no functionally viable and economically practical electric alternative available. Regarding vehicles, where application suitable pure EVs are not available, transition vehicles (e.g. hybrid, plug-in hybrid) should be prioritized over internal combustion engine (ICE) vehicles. Concurrently, opportunities to improve building envelope efficiency shall be an ongoing consideration and Town staff encouraged to make suggestions based on their daily experiences and observations. Since electricity can be produced renewably and is expected to be generated 100% renewably by 2035, any electrically powered new equipment or replacements for existing fossil fuel powered equipment will help the Town on its path to meet the 2050 net-zero GHG emission goal.

In the event that a Town department head or their designee believes that no electrically powered alternative is available, the case should be presented to the Town Manager, who will make a decision as to whether the policy can:

- 1) be immediately waived, with later discussion at the next available Select Board meeting to justify the fossil fuel powered equipment purchase.
- 2) be held for presentation and discussion at a timely future Select Board meeting, for decision to be made by the SB.

In the event that the Town Manager is not available (e.g. on vacation) and an immediate response is needed, the case can be presented to the Select Board Chair for similar decision process.

In the event of an immediate threat to human health and safety, or a threat to Town-owned or resident/taxpayer-owned assets, where there is not sufficient time for the above-stated process (e.g. a flooding event where a new gasoline-powered pump must be immediately acquired by the Fire Department to assist pumping out resident basements), a department head can make a unilateral decision to acquire that equipment with later explanation at an Open Session Select Board meeting.

Adopted: 9/6/2021



Policies of the West Newbury Select Board

6. Events Requiring a Police Detail for Public Safety

The Town shall require all parties, excluding municipal departments, working on public ways, or ways in which the public has a right of access, to have a police officer on duty in cases where the Chief of Police, his designee, or the appointing authority deems a potential hazard to the safety and welfare of the public is present. The Town shall also require that a police officer(s) be assigned to all public functions that involve dispensing of alcoholic beverages and any public function that charges its patrons for admission which in the opinion of the Chief of Police, his designee, or the appointing authority may pose a threat to the keeping of the peace.

Adopted: 2/20/2007



Policies of the West Newbury Select Board

7. Explanations of Overtime Pay

The Town Manager requires that Department Heads provide explanations when there are overtime hours on an employee's time sheet.

Adopted: 8/25/2014

Amended: 8/6/2018



Policies of the West Newbury Select Board

8. Fair Labor Standards Act

Town employees who work over 80% of their time in law enforcement are exempt from the provision of the Fair Labor Standards Act in the duties as call fire-fighters and will be paid on the same basis as any other firefighter.

Adopted: 9/21/1998



Policies of the West Newbury Select Board

9. Fall Special Town Meeting Schedule

If needed, the Fall Special Town meeting should be scheduled within the months of October or November; shall be announced six weeks prior to the meeting date; shall have a deadline for special article requests at a date to be specified by the Select Board; require that the special article requests must be submitted to the Town Clerk's Office and Select Board in writing by the set deadline; and the final drafts of the Warrant should be available for review by the Select Board, Finance Committee, Town Clerk, Town Counsel, Town Moderator, and the Town Manager one week prior to posting. For good cause or emergencies, deadlines may be changed by vote of the Select Board.

Adopted: 10/14/1998

Amended: 8/6/2018

Amended 10/2/2023



Policies of the West Newbury Select Board

10. Financial Operating Procedures

Pursuant to Sec. 8(a) of Chapter 97 of the Acts of 2017 (the Town Manager legislation), the Select Board voted to give the Town Manager the authority to establish and implement financial procedures and guidelines regarding day-to-day Town financial operations, as he or she so determines to be necessary and beneficial.

Adopted: 1/6/2020



Policies of the West Newbury Select Board

11. Fuel Efficient Vehicle Policy

(See also: [Vehicle Replacement Plan](#))

PURPOSE

The purpose of this policy is to establish a requirement that the Town of West Newbury purchase only fuel-efficient vehicles for municipal use whenever such vehicles are commercially available and practicable.

DEFINITIONS

Combined city and highway MPG (EPA combined fuel economy) means the fuel economy from driving a combination of 43% city and 57% highway miles and is calculated as follows:

Combine Fuel Economy = $1((0.43/\text{City MPG}) + (0.57/\text{highway MPG}))$

Drive System means the manner in which mechanical power is directly transmitted from the drive shaft to the wheels. The following codes are used in the drive field:

AWD= All Wheel Drive: four-wheel drive automatically controlled by the vehicle powertrain system

4WD= 4-Wheel Drive: driver selectable four-wheel drive with 2-wheel drive option

2WD=2-Wheel Drive

Heavy-duty vehicle means a vehicle with a manufacturer's gross vehicle weight rating (GVWR) of more than 8,500 pounds.

POLICY STATEMENT

In an effort to reduce the Town of West Newbury's fuel consumption and energy costs the Select Board hereby adopts a policy to purchase only fuel-efficient vehicles to replace those municipal vehicles that fall under this policy (i.e., non-exempt vehicles) to meet this goal.

APPLICABILITY

This policy applies to all municipal departments of the Town of West Newbury.

GUIDELINES

All departments shall purchase only fuel-efficient vehicles for municipal use whenever such vehicles are commercially available and practicable.

The Town of West Newbury will maintain an annual vehicle inventory for non-exempt vehicles and a plan for replacing these vehicles with vehicles that meet, at a minimum, the fuel efficiency ratings contained in the most recent guidance for Criterion 4 published by the Massachusetts Department of Energy Resources' Green Communities Division. The fuel efficiency ratings contained therein are based on the most recently published US Environmental Protection Agency combined city and highway MPG ratings for vehicles.

Exemptions

- Heavy-duty vehicles (GVWR > 8,500 pounds): examples include fire-trucks, ambulances, and some public works trucks that meet the definition of heavy-duty vehicle.



Policies of the West Newbury Select Board

- Police cruisers, passenger vans and cargo vans are exempt from this criterion since fuel efficient models are not currently available. However, we commit to purchasing fuel efficient police cruisers, passenger vans and cargo vans when they become commercially available. Police and fire department administrative vehicles are NOT exempt and must meet fuel efficient requirements.

Inventory

The following information shall be included in a vehicle inventory list and said list shall be updated on an annual basis and provided to the Green Communities Division:

Model	Make	Model Year	Drive System 2WD, 4WD, or AWD	Year/Month purchased	>8,500 Pounds? Y/N	Exempt? Y/N	MPG Rating	Vehicle Function

NOTE: MPG may use EPA combined MPG estimates or actual combined MPG.

FUEL EFFICIENT VEHICLE REPLACEMENT PLAN

The Town of West Newbury shall have a Fuel-Efficient Vehicle Replacement Plan that outlines the process by which the Town of West Newbury will replace vehicles with fuel efficient vehicles and review said plan on an annual basis.

All non-exempt vehicles shall be replaced with fuel-efficient vehicles that adhere to the most recent Green Communities Criterion 4 Guidance. Vehicles shall be replaced when they are no longer operable and will not be recycled from one municipal department to another unless the recycled replacement vehicle meets the fuel efficiency ratings outlined in the Policy. In addition, when replacing exempt vehicles, the function of the vehicle will be reviewed for potential replacement with a more fuel-efficient vehicle, including a fuel-efficient non-exempt vehicle.

QUESTIONS/ ENFORCEMENT

All other inquiries should be directed to the Select Board. This policy is enforced by the Chief Procurement Officer on behalf of the Select Board.

Adopted: 10/15/2013

Amended: 11/25/2019



Policies of the West Newbury Select Board

12. Grant Applications

Department Heads and Committee/Board Chairmen shall advise the Select Board and the Town Manager of any grant applications that the Department/Board/Committee may be considering. This requirement is made to allow the projection of future Town cost effects and staff time commitments that could result from the award of any grant we receive.

Before submitting any applications for grants, a summary, the Request for Proposals, and a submission schedule should be submitted to the Select Board and the Town Manager.

Adopted: 10/17/1994

Amended: 8/12/1997; 8/6/2018; 11/25/2019



Policies of the West Newbury Select Board

13. Grievance Policy for the General Public: Equal Access to Facilities and Activities

Maximum opportunity will be made available to receive citizen comments, complaints, and/or to resolve grievances or inquiries.

STEP 1: The Town Clerk or Assistant Town Clerk will be available to meet with citizens and employees during business hours.

When a complaint, grievance, request for program policy interpretation or clarification is received either in writing or through a meeting or telephone call, every effort will be made to create a record regarding the name, address, and telephone number of the person making the complaint, grievance, program policy interpretation or clarification. If the person desires to remain anonymous, he or she may.

A complaint, grievance, request for program policy interpretation or clarification will be responded to within ten working days (if the person making the complaint is identified) in a format that is sensitive to the needs of the recipient, (i.e. verbally, enlarged type face, etc.)

Copies of the complaint, grievance, request for program policy interpretation or clarification and response will be forwarded to the appropriate town agency (i.e. park commission, conservation commission). If the grievance is not resolved at this level it will be progressed to the next level.

STEP 2: A written grievance will be submitted to the ADA Coordinator. Assistance in writing the grievance will be available to all individuals. All written grievances will be responded to within ten working days by the ADA Coordinator in a format that is sensitive to the needs of the recipient, (i.e. verbally, enlarged type face, etc.) If the grievance is not resolved at this level it will be progressed to the next level.

STEP 3: If the grievance is not satisfactorily resolved, citizens will be informed of the opportunity to meet and speak with the Select Board, with whom local authority for final grievance resolution lies.

Adopted: 4/22/1997



Policies of the West Newbury Select Board

14. Livery service letter

This policy is in regards to obtaining a letter from the Town of West Newbury in order to operate commercial ground transportation service to and from Massachusetts Port Authority properties (i.e. airports and other public terminals) as required by the Authority's application. The Select Board grants the Town Clerk the authority to set forth a process for a resident to obtain a letter from the Town of the Town Clerk the authority to set forth a process for a resident to obtain a letter from the Town of West Newbury in order to operate commercial ground transportation service to and from Massachusetts Port Authority properties.

Adopted: 2/12/2024



Policies of the West Newbury Select Board

15. Meeting Minutes

In an effort to comply with the provision of the Public Records Law requiring that minutes be available for public review, all minutes are to be provided to the Town Clerk after they are approved. The Town Clerk shall maintain a central file where minutes will be readily available for public inspection during regular office hours.

A draft of minutes should be available by the next regular meeting of any board or committee, approved or revised at that meeting. Upon approval, minutes shall be promptly filed in the Town Clerk's Office where they become public record and are not to be removed from the Office or revised in any way. Any necessary revisions must be made at a subsequent meeting and recorded in the minutes of that meeting.

Adopted: 7/23/1996

Amended: 9/9/2003

Amended 10/2/2023



Policies of the West Newbury Select Board

16. Minors

No person under the age of eighteen (18) years shall be appointed to serve on any committee or board of the Town of West Newbury; and no person under the age of eighteen (18) years shall be permitted to operate any motorized equipment, water craft, or vehicle owned or controlled by the Town of West Newbury.

Adopted: 8/14/1998



Policies of the West Newbury Select Board

17. Naming Streets

When a preliminary plan comes before the Planning Board with a proposed street name, that name shall be submitted to the Select Board for their information and input. The Planning Board either directly or through its staff shall also consult with the Building Inspector, Police Chief, Fire Chief and EMA Director to ensure that the proposed street name is adequately different from existing street names in order to facilitate prompt response in the event of emergency.

Adopted: 12/12/1994

Amended: 8/6/2018

Amended 10/2/2023



Policies of the West Newbury Select Board

18. Naming Town Property and Placement of Memorials

It is the policy of the Select Board that the naming of publicly-owned property shall be done sparingly, for good cause shown.

Request for naming of any public property, such as buildings, rooms within buildings, playgrounds, recreational facilities, squares, parks and other public facilities shall be considered at an advertised public hearing before the Board or Committee responsible for operating the facility.

There will be a separate process for the naming of Conservation Lands. The name will be established as part of the process for approving the Management Plan.

The Board or Committee shall then refer a suggestion or suggestions to the Select Board with a record of the hearing and a Committee recommendation for approval. If the facility is not under the jurisdiction of a Town Board or Committee, the request shall be referred to the Select Board who shall hold said public hearing before making a decision.

It is the policy of the Select Board that the renaming of a property be done very sparingly, for compelling reasons. Renaming of a property already named for a person or family shall be undertaken only by Town Meeting.

It is the policy of the Select Board that public ways and public buildings and facilities shall not be named for living persons. Further, public ways shall not be given common first names such as "Jill's Way" or "Ruth's Street".

It shall be the policy of the Select Board that the placement of memorials for a deceased Town resident or to commemorate a significant regional or national event or to commemorate the history and contributions of an ethnic or racial group within the Town of West Newbury shall be done very sparingly, for compelling reasons. Memorials shall only be allowed for deceased residents who have made a significant contribution to the community.

Before any permanent memorial may be placed on Town property, the proposed site shall be reviewed by the Police, Fire and Department of Public Works for any public safety issues. Approval of the memorial shall require a vote of the Town Meeting.

Adopted: date unknown



Policies of the West Newbury Select Board

19. Office Space in the 1910 Office Building

The Town Manager is sole arbiter of space allocation in the building.

Adopted: 2/27/1995

Amended: 8/6/2018



Policies of the West Newbury Select Board

20. OSHA Compliance

The Select Board voted to adopt a policy to direct that, in accordance with newly established statutory requirements effective February 1, 2019, that all Town Departments (including but not limited to DPW, Police, Fire, Water, Library, Town Office, Council on Aging etc.) shall be organized to comply with OSHA standards and requirements; and further to authorize the Town Manager to oversee compliance with this policy, establish procedures, and assign responsibilities to personnel as necessary to achieve this objective.

Adopted: 1/7/2019



Policies of the West Newbury Select Board

21. Permit Fees

With the exception of large projects such as the School renovation project and the Housing Authority's construction project, Inspection Department fees shall be waived for Town Departments. Permits shall be required but the fee shall not be charged.

Adopted: date unknown



Policies of the West Newbury Select Board

22. Personnel Appointments by Town Manager

Whereas, it has been found that a section of the Town Manager Act, as applied, has resulted in inherent inefficiencies and operational problems, the Select Board as currently composed on the date of this vote hereby establishes the following policy:

The Board hereby waives the 15-day waiting period for personnel appointments made by the town manager pursuant to Sec. 10(a) of the Town Manager Act (Chapter 97 of the Acts of 2017). All such appointments shall take immediate effect provided that: the department head or staff position filled is included in the most recently approved Employee Compensation Schedule; that the applicant selected for the position meets or exceeds all minimum required qualifications; and that the salary or wage rate offered is within the approved range for that grade position, and is sufficiently budgeted to fund the position at the offered salary/wage through the remainder of the fiscal year.

This policy shall remain in effect until it may be revised or repealed in the future.

Adopted: 4/25/2022



Policies of the West Newbury Select Board

23. Public Access to Documents Drafted by the Select Board

The Select Board voted to adopt a policy stating that no mail or document drafted by the Select Board shall be considered public property until the Select Board has received and reviewed it as a Board in a public meeting.

*Adopted 8/25/2003
Amended 10/2/2023*



Policies of the West Newbury Select Board

24. Purchasing Products made of Recyclable Materials

Voted to establish a policy to buy products of recyclable materials in lieu of virgin products whenever possible, and when recycled products are available at comparable and competitive cost.

Adopted: 9/28/1998



Policies of the West Newbury Select Board

25. Reconciling Cash and Receivables Policy

Information pertaining to cash and receivables is kept by the Treasurer/Collector and the Town Accountant. A Treasurer is the custodian of revenues, tax titles, and tax possessions, while a Collector keeps listings of outstanding receivables due to the Town, and the Town Accountant is responsible for maintaining the accounting records. Prompt and frequent reconciliations between them are essential in order to maintain control and ensure checks and balances are in place.

It is the policy of the Town of West Newbury that within thirty days after the end of each month, the Treasurer/Collector shall internally reconcile the cashbook to all bank statements, and the Treasurer/Collector shall internally reconcile all receivable balances with the receivable control. The results of these activities shall be forwarded to the Accountant's office and compared to the general ledger records. If differences are determined, the Treasurer/Collector and Accountant shall reconcile the variances (e.g. missing information, errors and timing differences), with a copy of this final reconciliation maintained on file in the Finance Department.

Adopted: 5/29/2018

Amended 10/2/2023



Policies of the West Newbury Select Board

26. Request for Review of an Issue by Town Counsel

Pursuant to the Town Bylaws Sec. XIX, requests for services from Town Counsel may be initiated by:

- 1) Any elected board by majority vote of said board
- 2) Any elected single office holder
- 3) Any appointed office holder, board or committee upon majority vote of the appointing authority, or upon written consent of the moderator.

By policy, the Select Board also recognizes the ability of a Department Head to initiate a request for services from Town Counsel.

Any request to have Town Counsel review an issue or provide an opinion must be approved by the Town Manager or by the Chairperson of the Select Board. If the Chairperson is unavailable, another member of the Board may approve the request.

Upon request, Town Counsel will provide the Town Manager with an estimate of the anticipated fees that will be incurred in responding to a particular request for legal services. Actual fees incurred may vary from such estimate based upon factors beyond the control of Town Counsel. It shall be the responsibility of the Town Manager to ensure that incurred legal costs remain within budget for the fiscal year, including as may be modified within a fiscal year, as needed, by approval of Reserve Transfer Requests and/or Line-Item Transfer Requests.

The Town Manager shall provide periodic updates to the Select Board regarding amounts and bases for legal costs incurred.

*Adopted 11/6/2009
Amended 8/6/2018
Amended 7/28/2021*



Policies of the West Newbury Select Board

27. Requirements for Mass. Electric (National Grid) Pole Locations

On all petition plans the location of all utilities, including water lines and siren boxes, as well as all trees within the public way or on the boundary thereof shall be included. Public hearings shall be held prior to the approval of removal of any of these trees.

Adopted: 11/26/1998



Policies of the West Newbury Select Board

28. Review of New Insurance Companies

The Town Manager is authorized to review requests from new insurance companies and decide whether to consider them or not.

Adopted 11/6/2009

Amended 8/6/2018



Policies of the West Newbury Select Board

29. Review by the Town Manager of all Accident Report Forms

All Accident Report Forms filed involving property damage or personal injury of Town vehicles or Town employees will be submitted to the Town Manager as soon as possible after the accident, and forwarded to the Claims Department of the Town's insurance company for processing.

*Adopted: 9/18/06
Amended 8/6/2018
Amended 10/2/2023*



Policies of the West Newbury Select Board

30. Severe Weather Policy

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

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

After considering advice from at least the DPW Highway Superintendent and Police Chief, and taking into account the decision for closures and/or delayed opening or early dismissal of surrounding community schools, the Town Manager shall decide whether Town offices will be closed to the public or if there should be a delayed opening or early closure. If the Town Manager decides that there should be a closure, delayed opening or early closure, he or she shall notify the Select Board, and will notify the Executive Assistant to the Town Manager who will call or text Department Heads, based on advance agreement of notification method among staff. Department Heads will contact the employees in their departments to notify them of conditions of closure. The Executive Assistant to the Town Manager will promptly notify residents via local media outlets, Town website, and social media. The Library Director will post such notices with regard to closures of the Library. Under certain conditions, including severe weather, the Town Manager may direct employees not to report to work, delay arrival to work, or to leave work early. In these instances, employees shall be compensated for scheduled work hours.

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

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

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

Any other aspects or decisions affecting a delay or closing not covered in this policy will be at the discretion of the Town Manager.

Adopted: 1/20/2011

Amended: 10/29/2018; 11/25/2019

Amended: 1/8/2024



Policies of the West Newbury Select Board

31. Signs on Town Property

The Town of West Newbury prohibits all signs on public property without prior approval by the Select Board or designee.

The Board adopts the following requirements and limitations applicable to requests to install signs on public property (including within Town roadway rights-of-way):

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

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

Some examples of public property are rights-of-way (property running parallel to the roadway), traffic islands, utility poles, sidewalks and town-owned property. Please submit all requests to the Select Board either by email at selectboard@wnewbury.org or mail/drop off at 381 Main Street, West Newbury, MA 01985.

*Adopted: 9/18/2017
Amended: 11/13/2017
Amended: 7/26/2021
Amended 10/2/2023*



Policies of the West Newbury Select Board

32. Street Opening Applications

Applications must be submitted with a site plan showing the correct location of the driveway, existing trees within the public way or on the boundaries thereof, stone walls, bound stones, all utilities including water lines and siren boxes, grading back to original undisturbed ground, and 2' contours. Said work must be done within one year from date of permit. The plan becomes part of the permit. Application, permit, and plan are to be in the possession of the contractor at the site at time of construction. The permit does not provide authorization for the removal of trees.

Any stones removed from stone walls to be used for repair of existing stone wall and/or to finish off driveway. Contractor to locate and mark and/or replace as necessary any bound stones. Other conditions may be imposed by the Supt. Of Streets and/or Select Board. (Comments from Director of DPW and Supt. of Water Dept. should be added.)

Adopted: 12/14/1998



Policies of the West Newbury Select Board

33. Town Employees as Firefighters

In order to comply with the Fair Labor Standards Act, it was decided that Town Employees who also respond as call firefighters will not be additionally compensated for response to calls during their regular working hours. They will receive their regular Town hourly rate for these calls. Town employees who respond after hours and on weekends will be paid at one and one-half times a blended rate of \$18.43* per hour (or current training rate) and their hourly Town rate. This overtime rate will be used for hours worked over 40 hours per week, including drills.

Adopted: date unknown



Policies of the West Newbury Select Board

34. Tree Replacement Policy

Annual appropriation to be request to replace shade trees

Trees removed by Town or by the State on Route 113 to be replaced unless suitable specimen-type trees already exist in vicinity of removal:

On Town property if it will not interfere with roadway, overhead utilities, etc. Care shall be taken to avoid planting near roads because of salt and chemical contamination and traffic hazards;

or

Request permission of abutting land-owner to plant tree on property line.

Tree Warden to maintain list of all trees taken down.

Balance of funds to be used annually to plant trees along Main Street beginning in the Square and Town roads to replace trees taken down in previous years.

National Grid requirements for pole locations: On all petition plans, the location of all utilities including water lines and siren boxes, as well as all trees within the public way or on the boundary thereof shall be included. Public hearings shall be held prior to the approval of removal of any of these trees.

*Adopted: 5/27/1997
Amended: 11/26/1998*



Policies of the West Newbury Select Board

35. Variable Message Board Placement

The Variable Message Boards (VMBs) are intended to be used to communicate important messages to the community as it related to the Public Health, Public Safety and special town government events. This policy will ensure that these devices are only used in special situations that require greater outreach and immediate community attention.

The usage of such means of communications is authorized by the Select Board, Police Chief, Fire Chief, EMA Director, Health Agent, Water Superintendent, Town Manager and the DPW Director. The operation of these devices will be overseen by the Department of Public Works.

The message displayed on these devices must be related to the health and safety of the community. This would include the use of the VMBs for emergency situations, as well as for traffic control, such as to notify drivers of road closures or detours due to roadway paving. The devices should not be used for community events, advertising non-profit and profit organizations, school events and sporting events.

An approved VMB message should not be deployed for greater than ten calendar days at one time. In rare situations where public health and safety information is vital and may be on-going for an extended period of time, the VMB's deployment limit can be extended with prior approval by the Town Manager.

*Adopted: 6/28/2021
Amended 10/2/2023*



Policies of the West Newbury Select Board

36. Vehicle Replacement Plan

(See also: [Fuel Efficient Vehicle Policy](#))

Overview

The Town of West Newbury's Vehicle Replacement Plan applies to all departments within the Town of West Newbury. All departments shall replace all vehicles with fuel-efficient vehicles as described in the Town of West Newbury's Fuel-Efficient Vehicle Policy, adopted on October 15, 2013.

Replacement Process

Whenever a vehicle has reached the end of its useful life, the Town of West Newbury will examine the expected use of a replacement vehicle and choose one that best fits the intended use and meets the requirements of our policy of procuring the most fuel-efficient vehicle available. We will review the most recent Massachusetts Department of Energy Resources, (DOER), Green Communities Division guidance for Criteria 4 and adhere to it in the process of replacing any vehicle.

All non-exempt vehicles shall be replaced with fuel-efficient vehicles that meet the fuel efficiency ratings detailed in Town of West Newbury's fuel-efficient vehicle policy, which stipulates adhering to the most recent energy efficiency guidance as provided by DOER's Green Communities Division.

Vehicles shall be replaced when they are no longer operable and will not be recycled from one municipal department to another unless the recycled replacement vehicle meets the fuel efficiency ratings outlined in the Policy.

Annual Review

This Vehicle Replacement Plan shall be reviewed by the Town on an annual basis, as stipulated in Town of West Newbury's Fuel-Efficient Vehicle Policy.

Adopted: date unknown



Policies of the West Newbury Select Board

37. Warrant Articles

When writing warrant articles, the dollar amount should be requested rather than “a sum of money.”

Adopted: 9/12/1994



Policies of the West Newbury Select Board

38. West Newbury Town Square

No solicitations on the street are allowed in the West Newbury Square, in the business zone.

Adopted: 3/7/1995



Policies of the West Newbury Select Board

39. 911 Training

For Auxiliary Police, Reserve Police, Dispatchers, and full-time Police Officers: No candidates for these positions will be hired until he/she has successfully completed dispatch 911 training at such candidate's own expense, on such candidate's own time.

Adopted: 8/10/1998

Amended: 8/6/2018



Policies of the West Newbury Select Board

40. Use of Town Resources for Event Publicity

The Town uses virtual resources such as its list of email subscribers, its webpage and Facebook accounts, and the electronic sign at the Public Safety Building and other displays on Town Property to publicize events. Because this use may suggest that the Town approves and recommends these events, any use of Town resources for publicity must be for events managed by Town Departments, Boards, Committees or Commissions. Groups that are associated with Town Boards, Committees or Commissions or that have historically been recognized as being associated with the Town may use Town resources for publicity on the approval of the Town Manager or designee.

This policy applies to the Town's initiation of publicity via the means identified, and does not strictly apply to posting of event flyers on bulletin boards in the Town Offices or library. While the Town does not necessarily monitor the content posted on bulletin boards on a daily basis, the Town reserves the right to remove hard copy materials posted by others on public bulletin boards.

Adopted: 11/20/2023



Policies of the West Newbury Select Board

Select Board Policies Repealed

The following policies were repealed by the Select Board:

APPROVAL OF FACILITY REQUEST FORMS:

Selectmen's Assistant is authorized to approve routine Facilities Request Forms as long as availability, insurance, and cost have been accounted for.

*Adopted 11/6/2009
Repealed 08/6/2018*

NEW HIRES:

No candidates for auxiliary police, reserve police, dispatch or full-time police officer will be hired until he/she has successfully completed dispatch 911 training at such candidate's own expense on such candidate's own time.

*Adopted 8/10/1998
Repealed 8/6/2018*

RESERVE FUND TRANSFERS:

Departments and Committees all must follow procedure of submitting their request to the Board of Selectmen for approval, and then to the Finance Committee for approval. Reserve fund transfers made by the Finance Committee must first go to the Board of Selectmen, and transfers made by the Board of Selectmen must still be approved by the Finance Committee.

*Adopted: date unknown
Repealed 11/25/2019*

VACATION NOTICE AND NOTICE OF OTHER TIME AWAY:

All Department Heads are required to provide written notice of the dates to be absent and delegation of authority to the Board of Selectmen, stating the limits of responsibility where applicable.

*Adopted 4/11/1994
Repealed 8/6/2018*

AGENDA ITEMS

All items for the agenda or requests to be heard by the Select Board must be in the Office of the Select Board by 12:00 noon on the Wednesday prior to the following Monday meeting.

*Adopted: date unknown
Repealed 10/2/2023*

The topics above are now addressed elsewhere in Town policy.