

Annual OR Special Warrant Articles - Spring 2023 Town Meeting			
# (DRAFT) Article	Amt (if \$)	Sponsor	Form Received?
1	n/a	Select Board	N/A
2	n/a	Select Board	N/A
3	\$ 200,000	Select Board	Y
4	TBD	Select Board	N/A
5	n/a	Select Board	<b><u>N</u></b>
6	TBD	BOWC	Y
7	\$ 625,000	BOWC	Y
8	\$ 140,000	BOWC	Y
9	\$ 3,865	BOWC	Y
10	\$ 19,900	BOWC	Y
11	\$ 7,340	BOWC	Y
12	\$ 16,610	BOWC	Y

Annual OR Special Warrant Articles - Spring 2023 Town Meeting				
# (DRAFT) Article		Amt (if \$)	Sponsor	Form Received?
13	Water - Clean Wellheads at Wellfield #1	\$ 9,975	BOWC	Y
14	Water - Valves hydrants water mains meter pits	\$ 30,000	BOWC	Y
15	Funds for study of 31 Dole Place	\$ 50,000	Select Board	Y
16	To see if the Town will vote to transfer the sum of \$10,364 from the Septic Loan Revolving Account for the repayment of debt service, or take any other action related thereto.	\$ 10,364	Board of Health	Y
17	To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$67,514 for the Pension Liability Stabilization Fund, or take any other action related thereto.	\$ 67,514	Select Board	Y
18	To see if the Town will vote to transfer from available funds an amount for contribution to the Other Post-Employment Benefits (OPEB) Stabilization Fund, or take any other action related thereto.	\$ 6,868	Select Board	Y
19	Snow & Ice deficit	TBD	DPW Director	Y
20	Appropriation of PEG Reserved Revenues under MGL c.44 s.53F3/4	\$ 90,000	Cable Ad Comm	Y
21	<p>To see if the Town, in accordance with Massachusetts General Laws Chapter 44, Sec. 53E1/2, and Section XL of the Bylaws of the Town of West Newbury, will fix the maximum amounts that may be spent during the fiscal year beginning on July 1, 2023 for the revolving funds established in town bylaws, as set forth below for certain departments, boards, committees, agencies or officers, with such expenditure limits to be applicable for each fiscal year until such time as Town Meeting votes, prior to July 1 for the ensuing fiscal year, to revise the same; or take any other action relative thereto:</p> <ul style="list-style-type: none"> <li>▪ Section 5.1 Summer Recreation Revolving Fund \$ 75,000</li> <li>▪ Section 5.2 GAR Library Fines and Penalties Revolving Fund \$ 10,000</li> <li>▪ Section 5.3 Police Vehicle Revolving Fund \$ 20,000</li> <li>▪ Section 5.4 Pipestave/Mill Pond Care and Maintenance Revolving Fund \$ 5,000</li> <li>▪ Section 5.5 Electric Vehicle Charging Stations Revolving Fund \$ 10,000</li> <li>▪ Section 5.6 Curbside Collection of Trash, Recycling and Food Waste Revolving Fund \$ 50,000</li> </ul>	\$ -	Select Board	N/A

Annual OR Special Warrant Articles - Spring 2023 Town Meeting				
# (DRAFT) Article		Amt (if \$)	Sponsor	Form Received?
22	<p>To see if the Town will vote to allocate and/or reserve from the Community Preservation Fund annual revenues, the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2023, with each item to be considered a separate appropriation, or take any other action related thereto.</p> <ul style="list-style-type: none"> <li>▪ Appropriate \$30,452 from FY 2023 estimated revenues for Committee Administrative Expenses.</li> <li>▪ Reserve \$60,904 from FY 2023 estimated revenues for Community Housing Reserve.</li> <li>▪ Reserve \$60,904 from FY 2023 estimated revenues for Historic Resources Reserve.</li> <li>▪ Reserve \$60,904 from FY 2023 estimated revenues for Open Space &amp; Recreation Reserve.</li> <li>▪ Reserve \$395,873 from FY 2023 estimated revenues for Budgeted Reserve</li> </ul>	\$ 609,037	CPC	Y
23	Sawmill Brook (Poorhouse Lane) land acquisition	\$ 350,000	CPC/SB	CPA funding app
24	Transfer CPC funds to Affordable Housing Trust	\$ 172,174	CPC/SB	CPA funding app
25	DPW Sidewalk Plow replacement - CAPITAL ARTICLE	\$ 172,000	DPW Director	Y
26	Fire Pickup Truck replacement - CAPITAL ARTICLE	\$ 117,000	DPW Director	Y
27	Page School HVAC - CAPITAL ARTICLE	\$ 115,000	DPW Director	Y
28	Police Cruiser purchase, supplemental funding (FY23 vehicle)	\$ 25,000	Police Chief	Y
29	Ash Tree Treatments (Multi-Year Funding Program)	\$ 60,180	DPW Director	Y
30	Page School security cameras	\$ 8,300	DPW Director	Y
31	Funds for Route 113 Corridor Planning (pedestrian safety)	\$ 59,500	Select Board	Y
32	Purchase infield grader	\$ 4,425	Parks & Rec Comm	Y

<b>Annual OR Special Warrant Articles - Spring 2023 Town Meeting</b>			
<u># (DRAFT) Article</u>	<u>Amt (if \$)</u>	<u>Sponsor</u>	<u>Form Received?</u>
33 Pipestave Field 6 Restoration	\$ 15,000	Parks & Rec Comm	Y
34 Pipestave fencing	\$ 9,960	DPW Director	Y
35 Funding for cemetery cleanup	\$ 4,150	Historical Commission	Y
37 MBTA Communities grant matching funds	\$ 7,500	Select Board	Y
38 Invasive Species management	\$ 20,000	Open Space Comm	Y
39 Adoption of MGL Ch. 166, Sec. 32A (Wiring Inspectors)	n/a	Select Board	Y
40 Solar Bylaw amendments	n/a	Planning Board	Y
42 Zoning Bylaw Recodification	n/a	Planning Board/ Bldg Inspector	Y

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.

PETITION FOR INSERTION OF THE FOLLOWING ARTICLE  
 IN THE WARRANT FOR THE West Newbury TOWN  
 MEETING DATE OF: \_\_\_\_\_

We, the undersigned Registered Voters of the Town, hereby petition your honorable board to insert the following Article in the Warrant for the West Newbury Annual/Special Town Meeting of

**Resolution in Support of Changing the State Flag & Seal of Massachusetts**

Whereas the history of the Commonwealth of Massachusetts is replete with instances of conflict between the European Colonists and the Native Nations of the region, who first extended the hand of friendship to the Colonists on their shores in 1620, and helped them to survive starvation during the settlers' first winters on their land;

Whereas members of the Native Nation for whom the Commonwealth of Massachusetts is named were ambushed and killed by Myles Standish, first commander of the Plymouth Colony, at Wessagusset (now Weymouth) in April of 1623, barely two years after the Pilgrims arrived;

Whereas the Colonial broadsword held by a white hand above the head of the Indigenous person on the Massachusetts Flag and Seal is modeled after Myles Standish's own broadsword, borrowed for that purpose from the Pilgrim Hall in Plymouth by the illustrator Edmund Garrett in 1884;

Whereas the belt binding the Native's cloak on the Flag and Seal is modeled after a belt worn by Metacomet, known to the English as King Philip, who was among the Indigenous leaders that resorted to a mutually destructive war in 1675-76 in defense of Native lands against Colonial encroachment;

Whereas the proportions of the body of the Indigenous person on the Flag and Seal were taken from (Continued on Back)

**INSTRUCTIONS TO SIGNERS**

For your signature to be valid, you must be a registered voter in the town of West Newbury, and your signature must be written substantially as registered.

If you are prevented by physical disability from writing you may authorize some person to write your name and residence in your presence.

**SIGNER'S STATEMENT**

We, the undersigned, are qualified voters of the Town of West Newbury and in accordance with the provisions of law, request the above article be inserted in the warrant for the meeting of: \_\_\_\_\_

	CHECK	I SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	II NOW REGISTERED AT (street, number and apartment number, if any) (city or town will be the same as stated above)
1	✓	Robert Gerzon	6 River Meadow Dr.
2	✓	Jack Grossman	90 Maple St.
3	✓	Sheila Grossman	90 Maple St.
4	✓	Dianna Bogel	4 Upland Lane
5	✓	Ella Fogel	4 Upland Lane
6		Anne G. Menden	50 South St.
7	✓	Christine Gerzon	6 River Meadow Dr.
8		Martin Madden	50 South St. Wn
9		Annie Amato	105 Georgetown Rd
10		Bernadette Hamilton	109 Georgetown Rd
11		Carl Spender	131 Tucksbury Lane
12		Rita Kramer (Kathryn)	13 Tucksbury Lane
13		Cummins Walsh	28 Baileys Lane
14		Adrian Walsh	28 Baileys Lane
15		Charlie Walsh	28 Baileys Lane
16		Kathleen Long Stebbins	396 MAIN STREET
17		Michael Stebbins	396 MAIN ST.

ATTENTION VOTERS: Before signing, read signer information on other side.

ATTENTION REGISTRARS: Before certifying signatures, see instructions to registrars below

**West Newbury**

TOWN

	CHECK	I SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	II NOW REGISTERED AT (street, number and apartment number, if any)  (city or town will be the same as stated above)
18			
19			
20			

(CONTINUED) the skeleton of an Indigenous person unearthed in Winthrop, the bow modeled after a bow taken from an Indigenous man shot and killed by a colonist in Sudbury in 1665, and the facial features taken from a photograph of an Ojibwe chief from Great Falls, Montana, considered by the illustrator to be a "fine specimen of an Indian," though not from Massachusetts;

Whereas the history of relations between Massachusetts since Colonial times and the Native Nations who continue to live within its borders includes the forced internment of thousands of so-called "praying Indians" on Deer Island, in Boston Harbor, where they died by the hundreds of exposure in the winter of 1675, the enslavement of Indigenous people in Boston, Bermuda, and the Caribbean Islands, the offering of 40 pounds sterling as bounty for the scalps of Indigenous men, women and children in Massachusetts beginning in 1686, increased to 100 pounds sterling for the scalps of Indigenous adult males by 1722, half that amount for Indigenous women and children;

Whereas Indigenous people were legally prohibited from even stepping foot into Boston from 1675 until 2004, when that Colonial law was finally repealed;

Whereas the 400<sup>th</sup> anniversary of the landing of the Colonists at Plymouth Plantation, which gave rise to the long chain of genocidal wars and deliberate government policies of cultural destruction against Native Nations of this continent, occurred in the year 2020, affording every citizen of the Commonwealth a chance to reflect upon this history and come to an appreciation of the need for better relations between the descendants of the Colonial immigrants and the Native Nations of the Commonwealth;

Whereas the land area once now known as the Town of West Newbury, shares a rich Native history with modern tribal Nations such as the Abenaki and the Mi'kmaq, who have lived here for thousands of years before the first colonial settlers arrived, in 1635;

Now, therefore, **BE IT RESOLVED** that the Town of West Newbury hereby adopts this resolution in support of the work of the Special Commission Relative to the Seal and Motto of the Commonwealth, established by a Resolve of the General Court in 2021 and appointed by the Governor to recommend changes to the current flag and seal of Massachusetts, and in support of a new seal and motto for the Commonwealth that may better reflect our aspirations for harmonious and respectful relations between all people who now call Massachusetts home. The town clerk shall forward a copy of this resolution to Sen. Marc Pacheco and Rep. Antonio Cabral, co-chairs of the Joint Committee on State Administration, who serve as members of the Special Commission Relative to the Seal and Motto of the Commonwealth, and to Rep. Leonard Mirra and Sen. Bruce Tarr, with the request that they support the work of the aforementioned Special Commission and a new flag and seal for the Commonwealth.

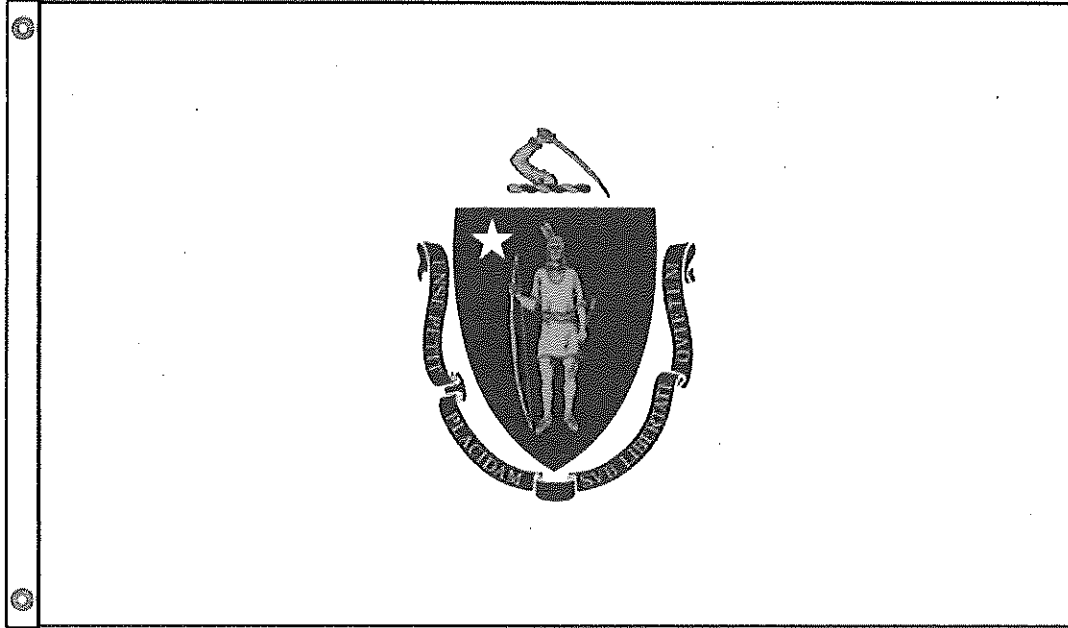
**WARNING** – criminal penalty for unlawfully signing, altering, defacing, mutilating, destroying or suppressing this petition: fine of up to \$1,000 or imprisonment for up to 1 year.

*ADRIANNE RAMOS*

**INSTRUCTIONS TO REGISTRARS**

- You must time stamp or write in date and time these papers are received
  - Check this  against the name of each qualified voter to be certified. For names not certified use the code at the right.
  - Draw a line through any blank spaces not containing signatures. Each sheet must be certified by at least three registrars. A facsimile stamp is acceptable.
  - For names not certified use the code to the right.
- N – No such registered voter at that address
  - S – unable to identify signature or address as that of voter because form of signature or address
  - T – already signed this petition

<p><b>CERTIFICATION OF NAMES</b></p> <p>West NEWBURY</p> <p>We certify that _____</p> <p>number of names certified - use numbers and words</p> <p>above signatures checked <input checked="" type="checkbox"/> are the names of qualified voters from this town.</p>	<p>At least three Registrars names must be signed or stamped below.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p><b>Registrars of voters of West Newbury</b></p>
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## ARTICLE REQUEST FORM

**ARTICLE:** To see if the Town will vote to appropriate the sum of \$200,000 from the special purpose municipal stabilization fund established pursuant to Massachusetts General Laws c. 40 §5B in order to offset West Newbury's FY24 capital assessment from the Pentucket Regional School District for the Middle/High School building project.

**AMOUNT REQUESTED:** \$200,000

**CONTACT PERSON:** Angus Jennings, Town Manager

**PHONE NUMBER:** 978-363-1100 ext. 111

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

The purpose of the Special Purpose Education Stabilization Fund is to offset the debt resulting from the new PRSD Middle/High School to minimize the impact on tax rates.

**What factors affect the timing of this purchase?**

If approved by voters at Town Meeting, the amount authorized from School Stabilization would be reduced from the proposed FY24 operating budget for Pentucket capital assessments.

**What ancillary costs do you anticipate? (Maintenance, Insurance, Training, etc.)**  
None.

**Please attach additional pages or other supporting documentation.**



# Draft Article 6

## **SPECIAL ARTICLE REQUEST FORM**

(To be presented at the Fiscal Year 2024 **Annual** Town Meeting.)

### **ARTICLE:**

To see if the Town will vote to appropriate, in anticipation of Water Department revenue, the sum of \$0,000,000.00 of which \$000,000.00 for Salaries and Wages which include \$0,000.00 for Water Commissioners stipends, \$00,000.00 for Insurances, \$000,000.00 for Expenses, \$000,000.00 for Debt Service, \$00,000.00 for Extraordinary and Unforeseen and \$00,000.00 for Indirect Cost.

**AMOUNT REQUESTED:** \$ 0,000,000.00

**CONTACT PERSON:** Mike Gootée

**PHONE NUMBER:** 363-1100 x128

**Why should the town make this purchase? What needs will be met? Who will benefit?** This will give us funds to operate for fiscal year 2024.

**What factors affect the timing of this purchase?** N/A

**What ancillary costs do you anticipate? (Maintenance, Insurance, Training, etc.)** N/A

RECEIVED

FEB 03 2023

TOWN MANAGER  
TOWN OF WEST WILSBURY

## SPECIAL ARTICLE REQUEST FORM

**ARTICLE:** (To be presented at the Fiscal Year 2024 Special Town Meeting.)

To see if the town will vote to raise and appropriate and/or transfer available funds from the Water Enterprise Fund Free Cash Account and/or from the Water Enterprise Stabilization Fund Account the amount of \$625,000.00 to purchase water main for the Water Main Project on Church and Prospect Street, engineering for the Bid Process and staging rental for the storage of the water main.

**AMOUNT REQUESTED:** \$625,000.00

**CONTACT PERSON:** Mark Marlowe

**PHONE NUMBER:** 363-1100 ext. 128

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

The original plan was to start the water main replacement in FY 2024. The BOWC'S decided that it would be best to purchase the water main in CY 2023 after the pipe company informed the department that there would be a 30-week lead time before we would see a delivery. Other municipalities are following the same process with the backlog of the supply chains.

**What factors affect the timing of this purchase?**

The plan is to borrow funds for the water main project and ask for approval at the FY 2025 Town Meeting. By purchasing the water main in CY 2023 the water main replacement project would be able to move forward once approved at Town Meeting. If we don't purchase the water main in CY 2023 and wait until CY 2024 the project would need to be pushed off for an additional year.

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

Once the water main is installed the department would continue its yearly flushing schedule to remove sediment and maintain good water quality.



WEST NEWBURY WATER DEPARTMENT  
381 MAIN STREET  
WEST NEWBURY, MA

TEAM EJP Middleton, MA  
162 No. Main Street Rte 114  
P O Box 761  
Middleton, MA

01985

01949

Telephone: 978-777-7738

2/13/23 Bid ID: 5499806 WEST NEWBURY, MA - WNWD CHURCH PROS Bid expires on 03/15/23 Page 2

Quantity	Sell Per	Description	Unit Price	Extended Price
		NEED SERVICE SADDLE SIZE		

water main cost  
Pipe - \$559,053.50  
10% Contingency - \$55,905.35  
Fencing - \$10,040.00  

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\$624,998.85  
\$625,000

Subtotal: 559,053.50  
Tax: .00  
Bid Total: 559,053.50

WEST NEWBURY WATER DEPARTMENT  
 381 MAIN STREET  
 WEST NEWBURY, MA

TEAM EJP Middleton, MA  
 162 No. Main Street Rte 114  
 P O Box 761  
 Middleton, MA

01985

01949

Telephone: 978-777-7738

2/13/23 Bid ID: 5499806 WEST NEWBURY, MA - WNWD CHURCH PROS Bid expires on 03/15/23 Page 1

Quantity	Sell Per	Description	Unit Price	Extended Price
60	FT	12 FST PIPE DUCTILE 52 CL	78.00	4,680.00
20	FT	10 FST PIPE DUCTILE 52 CL	66.00	1,320.00
7320	FT	8 FST PIPE DUCTILE 52 CL	48.00	351,360.00
240	FT	6 FST PIPE DUCTILE 52 CL	34.50	8,280.00
1300	FT	1X100 K COPPER TUBE	10.50	13,650.00
60	FT	1X60 K COPPER TUBE	10.50	630.00
14	EA	5 B62 HYD 6-0 OR 6MJNSTB41-3WAY	3,550.00	49,700.00
4	EA	12 MJ DI RS VALVE OL	3,350.00	13,400.00
16	EA	8 MJ DI RS VALVE OL	1,685.00	26,960.00
15	EA	6 MJ DI RS VALVE OL	1,075.00	16,125.00
45	EA	26/36 TF VALVE BOX BELL W/CVR	175.00	7,875.00
55	EA	1 BALL CORP CCXQUICK LEAD FREE	122.00	6,710.00
55	EA	1 BALL CURB QUICK W/DRAIN LF	205.00	11,275.00
2	EA	8 202S SADDLE 1CC 863980	180.00	360.00
55	EA	4-1/2-5-1/2 SERVICE BOX L/C	50.00	2,750.00
55	EA	1/2X30 SERVICE BOX ROD STAINLESS	28.00	1,540.00
55	EA	1 SERVICE BOX PLUG COVER ROPE	14.50	797.50
33	EA	8 MJ DI 45 BEND CL	210.00	6,930.00
1	EA	8 MJ DI 22-1/2 BEND CL	205.00	205.00
2	EA	6 MJ DI 45 BEND CL	150.00	300.00
2	EA	12X8 MJ DI TEE CL	590.00	1,180.00
3	EA	8 MJ DI TEE CL	380.00	1,140.00
1	EA	8X6 MJ DI TEE CL	320.00	320.00
14	EA	8X6 MJ DI HYD TEE CL	365.00	5,110.00
4	EA	12X10 MJ DI REDUCER CL	290.00	1,160.00
2	EA	8X6 MJ DI REDUCER CL	152.00	304.00
15	EA	6 MJ DI SOLID CAP CL	75.00	1,125.00
2	EA	8X12 MJ DI SOLID SLEEVE CL	255.00	510.00
4	EA	10X6 DUCT CPLG 10891140 201-11401140600	350.00	1,400.00
1	EA	6X5 DUCT CPLG 686720 201-07200720500	200.00	200.00
1	EA	6X8 MACRO CPLG 660760	455.00	455.00
16	EA	12 ONE-LOK PACK DI	188.00	3,008.00
4	EA	10 ONE-LOK PACK DI	145.00	580.00
147	EA	8 ONE-LOK PACK DI	94.00	13,818.00
52	EA	6 ONE-LOK PACK DI	68.00	3,536.00
10	EA	1X3/4 CPLG QUICK LEAD FREE	36.00	360.00

NO 5/8 COUPLINGS

WEST NEWBURY WATER DEPARTMENT  
381 MAIN STREET  
WEST NEWBURY, MA

TEAM EJP Middleton, MA  
162 No. Main Street Rte 114  
P O Box 761  
Middleton, MA

01985

01949

Telephone: 978-777-7738

2/13/23 Bid ID: 5499806 WEST NEWBURY, MA - WNWD CHURCH PROS Bid expires on 03/15/23 Page 2

Quantity	Sell Per	Description	Unit Price	Extended Price
		NEED SERVICE SADDLE SIZE		

Subtotal: 559,053.50  
Tax: .00  
Bid Total: 559,053.50

Town of West Newbury Capital Improvement Program - Project Request summary

CIP CODE WTR-001



**Date:** 12/27/2019 with updates through 10/28/22 **Dept. Priority (1 of 3, etc.):** 1

**Department:** Water Department **Est. Funding Request:** \$1,663,200

**Project Title:** Church Street Water Main Improvements **Est. Useful Life (Years):** 75-100 years

**Contact:** Mike Gootée, Water Superintendent

**Previously Presented?**  Yes  No **If Yes, when? (FY):**

Project Type: Check All That Apply -					
Scheduled Replacement	<input checked="" type="checkbox"/>	Expanded Service	<input type="checkbox"/>	Deemed Critical by Dept.	<input checked="" type="checkbox"/>
Present Equipment Obsolete	<input checked="" type="checkbox"/>	New Operation	<input type="checkbox"/>	Regulatory Requirement	<input type="checkbox"/>
Replace Worn-out Equipment	<input checked="" type="checkbox"/>	Improved Efficiency/Procedures	<input type="checkbox"/>	Other	<input type="checkbox"/>
Health and Life Safety	<input checked="" type="checkbox"/>	New Revenue	<input type="checkbox"/>		

**Project Description:**

Church Street Water Main Improvements, from Main Street to Ferry Point. Replace an estimated 4,752 linear feet of 6" water main with 8" water main.

This is a turberculated 6" cast iron water main that is estimated at 80 years old. The flow rate is too low for fire protection and the water is discolored at times.

Town Meeting authorized funds in Spring 2022 and project engineering/design is ongoing. This project has been submitted to the 2022 State Revolving Loan Fund (SRF) program for consideration for low-interest financing. To be approved, it must be added to the State Intended Use Plan in early calendar year 2023.

**Photo (click image to insert):**

**Project Financing:**

Total Project Cost: \$1,663,200 Stabilization Funding: \$0

Amount & Type of Other Local Funding (ie. CPC, bond, op. budget): \$0 Comments:

Amount and Type of Non-Local Funding Sources (ie. Grant): \$0 Comments:

**Future Costs & Operating Expenses:**

Estimated Annual Cost of Operation & Maintenance: \$0 Comments:

Estimated Net Effect on Operating Cost, Revenues, Staffing? \$0 Comments:

**Project Planning:**

Proposed Start Date of Project:

How was estimated cost determined?

Is Funding Necessary for Further Plans/Estimating?

Can the Project be Phased? If yes, expenditure by year

	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30+	TOTAL
<b>PROPOSED</b>	\$	\$	\$	\$1,663,200	\$	\$	\$	\$	\$	\$	\$1,663,200
<b>CIC RECC.</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$0
<b>APPROVED</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$0

**Town of West Newbury Capital Improvement Program - Project Request summary**

CIP CODE WTR-002



**Date:** 12/27/2019 with updates through 10/28/22 **Dept. Priority (1 of 3, etc.):** 1

**Department:** Water Department **Est. Funding Request:** \$960,750

**Project Title:** Prospect Street Water Main Improvements **Est. Useful Life (Years):** 75-100 years

**Contact:** Mike Gootée, Water Superintendent

**Previously Presented?**  Yes  No **If Yes, when? (FY):**

**Project Type: Check All That Apply -**

Scheduled Replacement	<input checked="" type="checkbox"/>	Expanded Service	<input type="checkbox"/>	Deemed Critical by Dept.	<input checked="" type="checkbox"/>
Present Equipment Obsolete	<input checked="" type="checkbox"/>	New Operation	<input type="checkbox"/>	Regulatory Requirement	<input type="checkbox"/>
Replace Worn-out Equipment	<input checked="" type="checkbox"/>	Improved Efficiency/Procedures	<input type="checkbox"/>	Other	<input type="checkbox"/>
Health and Life Safety	<input checked="" type="checkbox"/>	New Revenue	<input type="checkbox"/>		

**Project Description:**

Prospect Street Water Main Improvements, from Main Street to Church Street. Replace an estimated 2,745 linear feet of 6" cast iron water main with 8" water main.

This is a turberculated 6" cast iron water main that is estimated at 80 years old. The flow rate is too low for fire protection and the water is discolored at times.

Town Meeting authorized funds in Spring 2022 and project engineering/design is ongoing. This project has been submitted to the 2022 State Revolving Loan Fund (SRF) program for consideration for low-interest financing. To be approved, it must be added to the State Intended Use Plan in early calendar year 2023.

**Photo (click image to insert):**



**Project Financing:**

Total Project Cost:	\$960,750	Stabilization Funding:	\$0
Amount & Type of Other Local Funding (ie. CPC, bond, op. budget):	\$0	Comments:	
Amount and Type of Non-Local Funding Sources (ie. Grant):	\$0	Comments:	
<b>Future Costs &amp; Operating Expenses:</b>			
Estimated Annual Cost of Operation & Maintenance	\$0	Comments:	
Estimated Net Effect on Operating Cost, Revenues, Staffing?	\$0	Comments:	

**Project Planning:**

Proposed Start Date of Project: \_\_\_\_\_

How was estimated cost determined? \_\_\_\_\_

Is Funding Necessary for Further Plans/Estimating? \_\_\_\_\_

Can the Project be Phased? If yes, expenditure by year \_\_\_\_\_

	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30+	TOTAL
<b>PROPOSED</b>	\$	\$	\$	\$960,750	\$	\$	\$	\$	\$	\$	\$960,750
<b>CIC RECC.</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$0
<b>APPROVED</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$0



## Town Manager

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**From:** Town Manager  
**Sent:** Saturday, March 4, 2023 4:10 PM  
**To:** hoopoe1@juno.com; Polly mcdowell; Elisa Grammar; Rick Parker; Julia Boria; Ross Capolupo  
**Cc:** DPW Director  
**Subject:** Add'l info re proposed Church/Prospect water main replacements (for March 9 CIC mtg)  
**Attachments:** ARPA application.pdf

CIC: Attached FYI re the proposed Church/Prospect water main replacement article to be reviewed at next Thursday's (3/9) CIC mtg. I've told Mark/BOWC this will be added to the Select Board's March 13 mtg date. If the SB funds this request from ARPA (which is certainly possible) it would not need Town Mtg vote and the attached article request would be withdrawn. However, I'm sending this to CIC members since this won't be known when you meet on Thursday. I would recommend that, on 3/9, the CIC vote its ranking of this proposed capital project, as planned. If it ends up coming off the Town Mtg warrant, perhaps the CIC rankings could be adjusted to eliminate this so it doesn't cause confusion.

At this time I don't have add'l backup materials for proposed capital articles beyond what has already been circulated. I do expect we'll receive something add'l re the Water building exterior replacements next week, so will forward that upon receipt (as well as any other new info, if any, re the proposed capital articles).

Thanks,  
Angus

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**From:** Water Superintendent <water.superintendent@wnewbury.org>  
**Sent:** Friday, March 3, 2023 1:17 PM  
**To:** Town Manager <townmanager@wnewbury.org>; Selectboard <selectboard@wnewbury.org>  
**Cc:** icepick185@gmail.com; fuzz1967@comcast.net; John Duggan <jduggan1@endicott.edu>; Mike Gootee <mgootee@wnewbury.org>; WNWater <wnwater@wnewbury.org>; Finance Admin <finance.admin@wnewbury.org>  
**Subject:** Request for ARPA funds for watermain

Select Board and Town Manager,

Please see the attached ARPA application for the water main purchase.

Mark Marlowe  
Water Manager/Superintendent  
Town of West Newbury  
381 Main Street  
West Newbury, MA 01985  
(978) 363-1100 X-128



**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.

<b>Date:</b>	3/3/2023
<b>Project Name:</b>	Church and Prospect Street Water Main Project
<b>Project ID: (accounting use only)</b>	
<b>Expense Category:</b>	ARPA or Water Department Stabilization and Free Cash
<p><b>Description of Project:</b> Water main pipe replacement on Church and Prospect Street. The original plan was to start the water main replacement in FY 2024. The BOWC'S decided that it would be best to purchase the water main in CY 2023 after the pipe company informed the department that there would be a 30-week lead time before we would see a delivery. Other municipalities have successfully followed the same process with the backlog of the supply chains. The plan is to borrow funds for the water main project and ask for approval of the installation cost (estimated to be \$2M+) at the FY 2025 Town Meeting. By purchasing the water main in CY 2023 the water main replacement project would be able to move forward once approved at next year's Town Meeting. If we don't purchase the water main in CY 2023 and wait until CY 2024 the project would need to be pushed off for an additional year. <b>Please Note:</b> The BOWC would like to receive approval to use ARPA funds to purchase the water main this year. We plan to present eight articles at Town Meeting totaling \$853,276. That would leave \$0.51 in Stabilization and \$255,686 Free Cash. If the Select Board would be willing to appropriate \$625,000 out of ARPA funds for the water main purchase this year the Water Department would be more comfortable having the additional funds to pay the loan payments starting in FY 2025 (water rate increase required). That loan will be in the ballpark of \$2M-\$2.5M at this point. If the ARPA funds are not available this year the Water Department would deplete most of their available funds. We are not sure what the ARPA funds are allowed to be used for. We did put a 10% contingency on the water main cost for any cost increases in the future.</p>	
<b>Estimated Project cost</b>	<b>water main=\$625,000.</b> The total project including the \$625,000 for the water main at this time is around 3M.
<b>Status of completion:</b>	The Water main project should be completed by the end of CY 2024 if the water main is purchased in CY 2023.
<b>Which FY will these expenses occur:</b>	FY 2024

Dept head approval/Date

MARCH 3, 2023

BOS approval/Date

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Accounting approval/Date

\_\_\_\_\_

## ARTICLE REQUEST FORM

(To be presented at the Fiscal Year 2024 **Special** Town Meeting.)

### **ARTICLE:**

To see if the town will vote to transfer the sum of \$140,000.00 from the Water Enterprise Fund Free Cash Account to purchase water from the City of Newburyport and to replenish the line items within the FY 2023 Operating Budget that needed to be used to pay the water bills.

**AMOUNT REQUESTED:** \$140,000.00

**CONTACT PERSON:** Mark Marlowe

**PHONE NUMBER:** 363-1100 ext. 128

### **Why should the town make this purchase? What needs will be met? Who will benefit?**

Last July the City of Newburyport increased their water rate by 10% with no advanced notice to the West Newbury Water Department. Because of the severe drought conditions, we experienced last summer and fall the existing wellfield water levels were very low and we were not able to yield our normal daily volume. We depleted 100% of those funds in just 7-months because of those drought conditions and additional cost of water. During CY 2023 we had to purchase over 5-million more gallons of water than the previous year.

We anticipated purchasing less water from Newburyport than the year before because the new Bedrock Well was put in to service which could blend with the Driven Wells. The problem was that the Driven Wells reached their trigger points so we needed to purchase water from Newburyport to keep up with demand.

We have been moving funds around within the FY 2023 Operating Budget to pay for the water and we need additional funds to replenish the funds from other line items.

We will also be purchasing a large volume of water from Newburyport when we need to take the Pipestave Water Tank off-line for repairs. The repairs to the tank are estimated to take 6-8 weeks to complete. During that time, we will be purchasing all our water from Newburyport.

### **What factors affect the timing of this purchase?**

Those funds are needed to pay for the additional water needed to keep up with demand and replenish the funds that are used to pay the Newburyport water bills.

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

n/a

## SPECIAL ARTICLE REQUEST FORM

**ARTICLE:** (To be presented at the Fiscal Year 2024 **Special** Town Meeting.)

To see if the town will vote to transfer the sum of \$3,865.00 from the Water Enterprise Stabilization Fund Account to purchase a new Krone Magnetic Master Meter located at the Pipestave Booster Station.

**AMOUNT REQUESTED:** \$3,865.00

**CONTACT PERSON:** Mark Marlowe

**PHONE NUMBER:** 363-1100 ext. 128

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

The Krone Magnetic Master Meter calculates how much water is pumped to the Brake Hill Water Tank. The meter is over 20-years old and has now failed to calculate the volume of water correctly.

**What factors affect the timing of this purchase?**

We will be able to calculate water pumped.

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

None other than yearly calibrations which are part of the water operating budget.

KROHNE Inc., 55 Cherry Hill Drive, Beverly MA (USA) 01915

02/14/2023

WEST NEWBURY WATER DEPARTMENT  
 381 MAIN STREET  
 WEST NEWBURY, MA 01985  
 United States of America

Inside Sales Engineer

Joe Godfrey  
 Tel: 978-535-6060 ext. 1113  
 Mail: [j.godfrey@krohne.com](mailto:j.godfrey@krohne.com)

District Sales Manager

Chris Riordan  
 Tel: 518-419-7905  
 Mail: [c.riordan@krohne.com](mailto:c.riordan@krohne.com)

**Quotation** : 270 - 046373  
 Your Inquiry :  
 Your Ref. :

Dear Sir/Madam,

We appreciate your interest in our products and are pleased to quote under our general terms and conditions.

Quotation Overview

Total Net Amount	USD 3,513.00
Sales Tax	
Terms and Conditions	
Delivery	EXW (Ex Works)
Payment	
Estimated shipdate	1-2 weeks
Quotation valid until	03/15/2023

Best regards  
 KROHNE Inc.

# 3,513.00  
 + # 351.30 → 10%  
 Contingency  
 #3864.30

Each KROHNE instrument comes with free 24/7 phone or email Technical Support & Service Assistance

This optional startup service package which includes the following scope of work, when ordered at time of instrument purchase, will automatically extend the product warranty to 36 months from the date of shipment: <sup>1</sup>

- Instrument installation/parameter configuration verification
- Device display and output performance check
- Instrument commissioning under process conditions
- Plant personnel training

Contact us for detailed pricing on:

- Optional startup service package
- Factory or On-site Technical Service Training
- Factory Certified Calibration Services
- On site field service

<sup>1</sup> For all details associated with this services offer please visit our website for services offering details at:

<https://us.krohne.com/en/company/krohne-usa/about-us/krohne-usa-startup-services-offering/>

KROHNE Standard Terms and Conditions:

<https://us.krohne.com/en/company/krohne-usa/krohne-inc-terms-and-conditions-of-sale/>

**Quotation**

Quotation Number 270 - 046373

Page 3 / 3  
Date 02/14/2023

Position	Item	Quantity	QU	Price	PU	Discount	Amount
	VN314NA0460010100003						

Shipment Warehouse	United States of America
Commodity Code	90261021
Country of Origin	Germany

The selection of materials associated with the combination of process fluid properties, operating process and environment is entirely the responsibility of the user.

**Quantity Unit (QU):**pcs = pieces ro = coil  
m = meter l = literset = set  
h = hourkm = kilometer  
kg = kilogram

mm = millimeter Price Unit (PU):

2 = 10 4 = 1000  
3 = 100 5 = 10000

Quotation  
 Quotation Number 270 - 046373

Page 2 / 3  
 Date 02/14/2023

Position	Item	Quantity	QU	Price	PU	Discount	Amount
10	<b>ENVIROMAG 2000, DN 10-150</b>	1	pcs	USD 2,095.00	pcs		USD 2,095.00
	KROHNE-Magnetic inductive flowmeter						
	Type	ENVIROMAG 2100 W					
		Primary head ENVIROMAG 2000 F					
	Separate model						
	Meter size	DN 150 / 6"					
	Connection	6" ASME B 16.5 150 lb RF					
	Mounting length	300 mm   11.81", excl.gaskets & rings					
	Flange material	Steel ASTM A 105 N					
	Housing	Sheet metal					
	Lining	hard rubber					
	Fluid temperature	max. 80 °C / 176 °F					
		depending on pressure.					
	Electrodes	Hastelloy C22					
		interchangeable / exchangeable					
	Insulation class of coi	H					
	Protection class	IP 66/67 (NEMA 4X/6) acc. EN 60 529					
	Cable (signal)	5 m / 15 ft DS					
	Cable connection	terminal box die-cast aluminium					
	Threaded connection	1/2" NPT					
	Installation instruction	multi-language					
	Calibration	GKL					
	E-P ring/set	Ring no.1					
		Stainless steel 1.4404 / 316 L					

**VB144DA0440B21000060000000**

Shipment Warehouse United States of America  
 Commodity Code 90261021  
 Country of Origin Brazil

11	<b>IFC 100</b>	1	pcs	USD 1,418.00	pcs		USD 1,418.00
	KROHNE flow converter						
	Type	IFC 100 W					
	Wall housing for wallmounting						
	Empty pipe detection, conductivity						
	Incl. software	PACTWARE					
	Accuracy	see TDS					
	Power supply	100-230 V AC, 50/60 Hz					
		(85-250 V) - [8 VA]					
	Threaded connection	4 x 1/2" NPT					
	Operation manual	English					
	Programming	English					
	Process diagnostic	Standard					
	Gas content, function of electrodes, temperature.						
	Converter housing	Standard, aluminum					
	Communication	Basic I/O					
	1. Current output	HART, active / passive					
	2. Pulse / status outp.	passive					
	3. Status output	passive					

Quantity Unit (QU): pcs = pieces ro = coil set = set km = kilometer mm = millimeter Price Unit (PU): 2 = 10 4 = 1000  
 m = meter l = liter h = hour kg = kilogram 3 = 100 5 = 10000



## SPECIAL ARTICLE REQUEST FORM

**ARTICLE:** (To be presented at the Fiscal Year 2024 Special Town Meeting.)

To see if the town will vote to transfer the sum of \$19,900.00 from the Water Enterprise Stabilization Fund Account to purchase a continuous chlorine monitoring system.

**AMOUNT REQUESTED:** \$19,900.00

**CONTACT PERSON:** Mark Marlowe

**PHONE NUMBER:** 363-1100 ext. 128

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

The Department of Environmental Protection requires the water department to continuously 24/7 monitor chlorine and pH residuals.

**What factors affect the timing of this purchase?**

The existing chlorine analyzer is over 15-years old and repair parts are no longer available.

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

Normal daily and yearly maintenance is required. Normal yearly maintenance cost around \$3,000/year.



Be Right™

# Quotation

Quote Number: 100882039v1  
Use quote number at time of order to ensure that you receive prices quoted

Hach  
PO Box 608  
Loveland, CO 80539-0608  
Phone: (800) 227-4224  
Email: quotes@hach.com  
Website: www.hach.com

Quote Date: 20-Feb-2023

Quote Expiration: 21-Apr-2023

WEST NEWBURY WATER DEPT

Name: Mark Marlowe  
Phone: 9784237418  
Email: water.superintendent@wnewbury.org

Sales Contact: Andrea Anson Email: andrea.anson@hach.com Phone: 970-556-5490

\$18,918  
+ 982 contingency  
\$19,900

## INTRODUCTION

## PRICING QUOTATION

Line	Part Number	Description	Qty	Net Unit Price	Extended Price
<b>W/ pH</b>					
1	LXV45A.99.13022	CLF10 sc Free Chlorine Analyzer (Panel Only) with pHD Differential Sensor	1	6,978.00	6,978.00
<b>W/Out pH</b>					
2	LXV45A.99.11022	CLF10 sc Free Chlorine Analyzer (Panel Only) Grab Sample	1	5,884.00	5,884.00
<b>Controller</b>					
3	LXV525.99AA1551	SC4500 Controller, Claros-enabled, 5x mA Output, 2 digital Sensors, 100-240 VAC, without power cord. Standard lead time 10 days.	1	3,056.00	3,056.00
<b>Optional Service</b>					
4	WRTUPGSC4500	WarrantyPlus Partnership provides full coverage, including parts, labor, and travel for instrument startup or one preventative maintenance visit, and on-site repairs with priority status.	1	274.00	274.00
5	WRTUPGCLT10SC	WarrantyPlus Service Agreement includes instrument start-up, all parts, labor, and travel for on-site repairs, 1 on-site calibration per year, factory recommended maintenance (including required parts), unlimited technical support calls, and free firmware updates. Coverage does not include the sc200 or optional pH probe.	1	1,435.00	1,435.00

Line	Part Number	Description	Qty	Net Unit Price	Extended Price
6	WRTUPGGLPHORP	WarrantyPlus Service Agreement includes: One start-up OR one PM/Calibration on site per year; all parts, labor, and travel for on-site, factory recommended maintenance (including required parts), unlimited technical support calls, and free firmware updates.	1	256.00	256.00
7	FLDSVC-SURCHARGE	Surcharge added to a field service contract to meet the eligibility threshold.	1	1,035.00	1,035.00
Grand Total					\$ 18,918.00

## TERMS OF SALE

**Freight:** Ground Prepay and Add

**FCA:** Hach's facility

**ALL LEAD TIMES ARE ESTIMATED AND NOT GUARANTEED.**

All purchases of Hach Company products and/or services are expressly and without limitation subject to Hach Company's Terms & Conditions of Sale ("Hach TCS"), incorporated herein by reference and published on Hach Company's website at [www.hach.com/terms](http://www.hach.com/terms). Hach TCS are contained directly and/or by reference in Hach's offer, order acknowledgment, and invoice documents. The first of the following acts constitutes an acceptance of Hach's offer and not a counteroffer and creates a contract of sale "Contract" in accordance with the Hach TCS: (i) Buyer's issuance of a purchase order document against Hach's offer; (ii) acknowledgement of Buyer's order by Hach; or (iii) commencement of any performance by Hach pursuant to Buyer's order. Provisions contained in Buyer's purchase documents (including electronic commerce interfaces) that materially alter, add to or subtract

from the provisions of the Hach TCS are not part of the Contract.

Due to International regulations, a U.S. Department of Commerce Export License may be required. Hach reserves the right to approve specific shipping agents. Wooden boxes suitable for ocean shipment are extra. Specify final destination to ensure proper documentation and packing suitable for International transport. In addition, Hach may require : 1). A statement of intended end-use; 2). Certification that the intended end-use does not relate to proliferation of weapons of mass destruction (prohibited nuclear end use, chemical / biological weapons, missile technology); and 3). Certification that the goods will not be diverted contrary to U.S. and/or applicable laws in force in Buyer's jurisdiction.

**ORDER TERMS:**

Terms are Subject to Credit Review

In order for Hach to process the order as quickly as possible, please provide the following information.

- Complete Billing address.
- Complete Shipping address.
- Part numbers and quantities of items being ordered.
- Please reference the quotation number on your purchase order

If the order is over \$25,000 Hach will also require the following additional information.

- Pricing
- Purchase Order Number
- Freight terms and INCO term FOB Origin or FCA Shipping Point
- Required delivery date
- Vendor name should specify "Hach Company" with the Loveland address:
  - o Hach, PO Box 389, Loveland, CO 80539
- Credit terms of payment. Default payment terms are Net 30.
- Indicate if order needs to ship complete or if it can ship partial.
- Tax status
- Special invoicing instructions

Sales tax is not included on quote. Applicable sales tax will be added to the invoice based on the U.S. destination, if applicable provide a resale/exemption certificate.

Shipments will be prepaid and added to invoices unless otherwise specified.

Equipment quoted operates with standard U.S. supply voltage.

Hach standard terms and conditions apply to all sales.

Additional terms and conditions apply to orders for service partnerships.

Prices do not include delivery of product. Reference attached Freight Charge Schedule and Collect Handling Fees.

Standard lead time is 30 days.

This Quote is good for a one time purchase

Virtual and/or on-site training must be scheduled/completed within 30 days of order, or the price will be subject to change.

**Sales Contact:**

Name: Andrea Anson  
 Title: Account Representative  
 Phone: 970-556-5490  
 Email: andrea.anson@hach.com

**SPECIAL ARTICLE REQUEST FORM**

**ARTICLE:** (To be presented at the Fiscal Year 2024 **Special** Town Meeting.)

To see if the town will vote to transfer the sum of \$7,340.00 from the Water Enterprise Stabilization Fund Account to purchase SCADA Remote Terminal Units (RTU's).

**AMOUNT REQUESTED:** \$7,340.00  
**CONTACT PERSON:** Mark Marlowe  
**PHONE NUMBER:** 363-1100 ext.128

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

The RTU acts as the primary control system with the Supervisory Control and Data Acquisition (SCADA) system. RTUs are configured to control specific functions within the SCADA system, which can be modified as necessary through the user interface.

**What factors affect the timing of this purchase?**

The 10-year-old RTUs are dropping out communications more frequently.

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

The new RTUs should communicate without issues for about 5-years.

Northeast System Controls  
PO Box 1017  
Belmont NH 03220  
Phone:978-265-1201

PROPOSAL

FILE NUMBER: West Newbury Routers Estimate  
PROJECT NAME: West Newbury Routers  
PREPARED FOR: West Newbury Water Department  
AUTHORIZED BY: Joe Sullivan

DATE: 1/13/2023

Item	Part/Tag Number	Qty	Description	Manufacturer	Total
<b>1 FIELD EQUIPMENT</b>					
		3	ROUTERS		
<b>2 SPARE PARTS</b>					
		1	ROUTER		
<b>3 ENGINEERING LABOR INCLUDING:</b>					
		1	ROUTER CONFIGURATION		
		1	ONSITE INSTALLATION		
		1	ONSITE TESTING		
<b>4 TOTAL PRICE FOR ABOVE:</b>					<b>\$6,670.00</b>

**5 NOTATIONS**

- 1 PAYMENT TERMS ARE NET 30 DAYS FROM DATE OF NSC INVOICE.

- Plus 10% Contingency  
\$ 6,670.00  
+ \$ 670.00 ←  
-----  
\$ 7,340.00

## SPECIAL ARTICLE REQUEST FORM

**ARTICLE:** (To be presented at the Fiscal Year 2024 **Special** Town Meeting.)

To see if the town will vote to transfer the sum of \$16,610.00 from the Water Enterprise Stabilization Fund Account to make exterior repairs to the original Wellfield #1 building.

**AMOUNT REQUESTED:** \$16,610.00

**CONTACT PERSON:** Mark Marlowe

**PHONE NUMBER:** 363-1100 ext. 128

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

The Wellfield #1 building needs the exterior stucco stripped and refinished. During the process the old stucco would be stripped, pressure washed, two coats of Basecoat mash imbedded and one coat of Finish.

**What factors affect the timing of this purchase?**

This is the last remaining building maintenance needed at the Wellfield.

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

Pressure washing any algae growth periodically.



## Elk Construction Corp

Wellington Damiao  
**Business Number** 9782102997  
5 Roman Ave Danvers MA 01923  
9782102997  
elkconstructioncorp.com  
elkconstructioncorp@hotmail.com

ESTIMATE

EST0169

DATE

01/18/2023

TOTAL

USD \$15,100.00

TO

### Mark Marlowe

Mark Marlowe - Water Manager/Superintendet  
381 Main ST  
West Newbury MA 01985  
9783631100  
mgootee@wnewbury.org

DESCRIPTION	RATE	QTY	AMOUNT
999 Main ST Wesr Newbury MA Stucco	\$15,100.00	1	\$15,100.00
•Wall Press washer •Two Coats of Basecoat mash imbedeed •One Coat of finish •Color need to be choose			
<b>TOTAL</b>			<b>USD \$15,100.00</b>

Plus 10% Contingency  
\$ 15,100.00  
\$ 1,510.00  

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\$ 16,610

Town of West Newbury Capital Improvement Program - Project Request summary

CIP CODE WTR-031



**Date:** December 27, 2019 updated 10/28/2022, updated March 7, 2023 **Dept. Priority (1 of 3, etc.):** 1

**Department:** Water Department **Est. Funding Request:** \$16,610

**Project Title:** Wellfield Building #1 Exterior Maintenance **Est. Useful Life (Years):** 15 YEARS

**Contact:** Mark Marlowe, Incoming Water Superintendent

**Previously Presented?**  Yes  No **If Yes, when? (FY):**

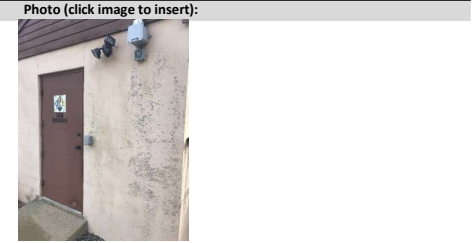
**Project Type: Check All That Apply -**

Scheduled Replacement	<input checked="" type="checkbox"/>	Expanded Service	<input type="checkbox"/>	Deemed Critical by Dept.	<input type="checkbox"/>
Present Equipment Obsolete	<input checked="" type="checkbox"/>	New Operation	<input type="checkbox"/>	Regulatory Requirement	<input type="checkbox"/>
Replace Worn-out Equipment	<input checked="" type="checkbox"/>	Improved Efficiency/Procedures	<input type="checkbox"/>	Other	<input type="checkbox"/>
Health and Life Safety	<input type="checkbox"/>	New Revenue	<input type="checkbox"/>		

**Project Description:**

The exterior of the wellfield building #1 is starting to show signs of wear. To protect our water infrastructure investment, the building should be sealed and painted. Exterior woodwork is also starting to wear and should be repaired and painted.

Funding sources expected to be Water Stabilization funds.



**Project Financing:**

Total Project Cost: \_\_\_\_\_ \$16,610 Stabilization Funding: \_\_\_\_\_ \$0

Amount & Type of Other Local Funding (ie. CPC, bond, op. budget): \_\_\_\_\_ \$0 Comments: \_\_\_\_\_

Amount and Type of Non-Local Funding Sources (ie. Grant): \_\_\_\_\_ \$0 Comments: \_\_\_\_\_

**Future Costs & Operating Expenses:**

Estimated Annual Cost of Operation & Maintenance \_\_\_\_\_ \$0 Comments: \_\_\_\_\_

Estimated Net Effect on Operating Cost, Revenues, Staffing? \_\_\_\_\_ \$0 Comments: \_\_\_\_\_

**Project Planning:**

Proposed Start Date of Project: Summer/fall 2023

How was estimated cost determined? Quote from Elk Construction Corp., January 2023

Is Funding Necessary for Further Plans/Estimating? \_\_\_\_\_

Can the Project be Phased? If yes, expenditure by year \_\_\_\_\_

	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30+	TOTAL
PROPOSED	\$	\$	\$	\$16,610	\$	\$	\$	\$	\$	\$	\$16,610
CIC RECC.	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$0
APPROVED	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$0



## SPECIAL ARTICLE REQUEST FORM

**ARTICLE:** (To be presented at the Fiscal Year 2024 Special Town Meeting.)

To see if the town will vote to transfer the sum of \$9,975.00 from the Water Enterprise Fund Free Cash Account to clean the wellheads located at Wellfield #1.

**AMOUNT REQUESTED:** \$9,975.00

**CONTACT PERSON:** Mark Marlowe

**PHONE NUMBER:** 363-1100 ext. 128

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

Every two or three years the wellheads need to be surged, chemically treated and cleaned.

**What factors affect the timing of this purchase?**

The Wellfield is experiencing normal buildup of sediment and Manganese.

This process scours the wellhead pipe to remove as much sediment and Manganese as possible.

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

This is required to do maintain good water quality.

# Maher Services, Inc.

71 Concord Street  
 North reading, MA 01864  
 Tel: 978-664-WELL (9355) Fax: 978-664-9356

# Proposal

MS-5159

2/22/23  Mike Gootee West Newbury Water Department 381 Main St. West Newbury, MA 01985- mgootee@wnewbury.org Phone - (978) 363-1110 Fax - (978) 363-1117	Project:	<b>Artichoke Well Field          West Newbury, MA</b>
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Item	Description	Estimated Quantity	Unit Cost	Tax able	Total
1	Mobilization and demobilization	1 ls	\$ 1,400.00	\$	1,400.00
2	Develop six 2.5" well and one 2" well	7 ea	\$ 650.00	\$	4,550.00
3	Develop one 6" gravel packed well	1 ea	\$ 3,400.00	\$	3,400.00
4	Muriatic Acid	50 gal	\$ 10.00	\$	500.00
5	Calcium Hypochlorite	5 lbs	\$ 25.00	\$	125.00

Estimated SubTotal		\$ 9,975.00
Estimated Sales Tax	6.25%	\$ -
<b>Estimated Total</b>		<b>\$ 9,975.00</b>

## **ARTICLE REQUEST FORM**

(To be presented at the Fiscal Year 2024 *Special* Town Meeting.)

**ARTICLE:** To see if the town will vote to transfer the sum of \$30,000 from the Water Enterprise Fund Stabilization Account to purchase and/or repair valves, hydrants, water main, meter pits, meters or any other devices that are associated with the water distribution system.

**AMOUNT REQUESTED:** \$30,000.00

**CONTACT PERSON:** Mark Marlowe

**PHONE NUMBER:** 363-1100 ext. 128

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

Over the last 25-years the department has been able to maintain the older Corey and Rensselaer hydrants. The main manufacturing company for those type of hydrants has now gone out of business since the COVID pandemic surfaced. Replacement parts are very hard to find anymore. We now need more funds than we normally carry for maintenance within the yearly Operating Budget to replace the aging hydrants and valves. When the original water system was installed most isolation valves were installed at the beginning and end of most roads with no isolation valves in between. We need to continue to install more valves to be able to isolate shorter sections of water main to be able to repair or replace older valves. During flushing season, these new valves will also help the department isolate sections of water main so they can uni-directional (opposite of normal flow) flush. Hydrants that are on roads that are scheduled for water main replacement within the near future will not be replaced unless it is an emergency situation. There are also long water services (over 150') to dwellings that were installed many years ago and we now need to install meter pits to capture any unaccounted water that may be leaking from those services.

**What factors affect the timing of this purchase?**

Having funds available when supplies are needed.

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

Minimal cost with a good flushing program that the department currently has. New hydrants will last 80+ years maintained properly.

## ARTICLE REQUEST FORM

**ARTICLE:**

Appropriate funds toward continuing study of the potential land acquisition at 31 Dole Place

**AMOUNT REQUESTED:** \$50,000.00

**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 continues to consider proposing the acquisition of property at 31 Dole Place. The site was previously tested and found to be a potentially productive public well site, and is included as an authorized public water source in the Town's Water Management Act permit. The Select Board, Town Manager and Board of Water Commissioners have been in continuing discussions, as well as in correspondence with the landowner, regarding its continuing interest in potentially proposing acquisition of this property. Through this Article, the Select Board proposes funding to conduct additional study of the property and associated design/engineering, regulatory, and infrastructure costs and financing questions. It is expected that this investment of funds will provide the Town the information it needs in order to make a fully informed decision regarding whether proposed acquisition of the property is in the public interest.

**What factors affect the timing of this purchase?**

Appropriation of funding at the 2023 Special Town Meeting will allow necessary studies to go forward. The Select Board anticipates either proposing the acquisition of this property in Fiscal Year 2024, or determining (on the basis of additional studies) that the potential for land acquisition is not viable and/or in the public interest.

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

FY24

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

The Town continues to invest significant staff and Board time toward this matter. Some continuing legal costs will be incurred, but these are budgeted and payable from the Legal Counsel line in the operating budget. If the Town were to decide to propose acquisition of this property in the future, and its development as a public water source, this would come with significant infrastructure and operational costs.

**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, not at this time. However, the potential to pursue development of a public well site at the Dole Place property is included in the Water section of the Capital Improvements Program.

**Please attach additional pages or other supporting documentation.**

## ARTICLE REQUEST FORM

**ARTICLE:** To see if the Town will vote to transfer the sum of \$10,364 from the Septic Loan Revolving Account for the repayment of debt service.

**AMOUNT REQUESTED:** \$10,364.00

**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?**

In 2001 the Town enrolled in a twenty-year state-financed program to loan residents money to help them rebuild septic systems that do not conform to Title V. This State program offers 0% loans to communities, which in turn provide low-interest betterment loans to eligible homeowners with failed septic systems through the local Board of Health. The Town loaned money at a rate of 3% (to cover the cost of administration). The homeowners repay the loan money to the Town, which in turn reimburses the State. Neither the Town nor the State profits from this transaction. The Town has been making these payments since 2001 with the amount based on the number of borrowers. This program is no longer open to new participants.

**What factors affect the timing of this purchase?**

For FY24 the loan amount due is \$10,364.

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

FY24

**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

**Please attach additional pages or other supporting documentation.**

---

**Town of West Newbury, Massachusetts**

*\$196,900 MA Water Pollution Abatement Loan*

*Dated : October 31, 2005*

*Pool 11 Title V, series 7 00-1001-1*

**Debt Service Schedule**

---

Date	Principal	Coupon	Total P+I	Fiscal Total
10/31/2005	-	-	-	-
07/15/2006	10,363.00	-	10,363.00	-
06/30/2007	-	-	-	10,363.00
07/15/2007	10,363.00	-	10,363.00	-
06/30/2008	-	-	-	10,363.00
07/15/2008	10,363.00	-	10,363.00	-
06/30/2009	-	-	-	10,363.00
07/15/2009	10,363.00	-	10,363.00	-
06/30/2010	-	-	-	10,363.00
07/15/2010	10,363.00	-	10,363.00	-
06/30/2011	-	-	-	10,363.00
07/15/2011	10,363.00	-	10,363.00	-
06/30/2012	-	-	-	10,363.00
07/15/2012	10,363.00	-	10,363.00	-
06/30/2013	-	-	-	10,363.00
07/15/2013	10,363.00	-	10,363.00	-
06/30/2014	-	-	-	10,363.00
07/15/2014	10,363.00	-	10,363.00	-
06/30/2015	-	-	-	10,363.00
07/15/2015	10,363.00	-	10,363.00	-
06/30/2016	-	-	-	10,363.00
07/15/2016	10,363.00	-	10,363.00	-
06/30/2017	-	-	-	10,363.00
07/15/2017	10,363.00	-	10,363.00	-
06/30/2018	-	-	-	10,363.00
07/15/2018	10,363.00	-	10,363.00	-
06/30/2019	-	-	-	10,363.00
07/15/2019	10,363.00	-	10,363.00	-
06/30/2020	-	-	-	10,363.00
07/15/2020	10,363.00	-	10,363.00	-
06/30/2021	-	-	-	10,363.00
07/15/2021	10,363.00	-	10,363.00	-
06/30/2022	-	-	-	10,363.00
07/15/2022	10,364.00	-	10,364.00	-
06/30/2023	-	-	-	10,364.00
07/15/2023	10,364.00	-	10,364.00	-
06/30/2024	-	-	-	10,364.00
07/15/2024	10,364.00	-	10,364.00	-
06/30/2025	-	-	-	10,364.00
Total	\$196,900.00	-	\$196,900.00	-

**Yield Statistics**

Bond Year Dollars.....	\$1,911.59
Average Life.....	9.708 Years
Average Coupon.....	-
Net Interest Cost (NIC).....	-
True Interest Cost (TIC).....	-1.20E-11
Bond Yield for Arbitrage Purposes.....	-1.20E-11
All Inclusive Cost (AIC).....	-1.20E-11

**IRS Form 8038**

Net Interest Cost.....	-
Weighted Average Maturity.....	9.708 Years

ARTICLE REQUEST FORM

**ARTICLE:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$67,514 for the Pension Liability stabilization fund, or take any other action related thereto.

**AMOUNT REQUESTED:** \$67,514.00

**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?**

This Article proposes transfer of \$67,514 from Free Cash into the Pension Liability Stabilization Fund. This fund is intended to set aside money to pay for the Town’s unfunded pension obligations. The Town's Financial Reserves policy recommends annual appropriation of 10% of the following year's Pension Assessment toward this Stabilization Fund, and the Town has made these recommended appropriations annually for the past several years.

**What factors affect the timing of this purchase?**

This will allow the Town to plan and save ahead to meet this obligation when the Town finances permit, thereby avoiding the need for abrupt tax increases.

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

FY24

**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

**Please attach additional pages or other supporting documentation.**

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## FINANCIAL RESERVES

### PURPOSE

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

### APPLICABILITY

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

### POLICY

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

#### A. Free Cash

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

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

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

#### B. Stabilization Funds

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



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

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

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

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

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

### C. Retained Earnings

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

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

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

#### D. Overlay Surplus

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

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

#### **REFERENCES**

[M.G.L. c. 40, § 5B](#)

[M.G.L. c. 59, § 25](#)

[M.G.L. c. 44, § 53F½](#)

West Newbury Capital Planning policy

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

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

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

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

#### **EFFECTIVE DATE**

This policy was adopted on December 3, 2018.

## Town Manager

---

**From:** Town Accountant  
**Sent:** Thursday, February 16, 2023 2:38 PM  
**To:** Christopher Wile; Rob Phillips; Daniel Innes (daninnes@yahoo.com); James Sperelakis; WALTER BURMEISTER; Ross Capolupo (fincommross@gmail.com); ross@primecoatingsma.com  
**Cc:** Town Manager  
**Subject:** ERRS Funding Schedule  
**Attachments:** actuarial\_valuation\_and\_review\_-\_final.01012022.pdf

Hello Finance Committee Members,

As a follow up to last night's discussion regarding pension liability, I am sharing the actuarial valuation study done for ERRS.

*ERRS is required by statute to conduct a valuation study every two years. The valuation study shows the assets and the unfunded liability of the system. The funding schedule, including the annual appropriation information, are included in the valuation study as well. Details on the system's demographics and the assumptions made by the actuary in the performance of the valuation study are also included.*

The funding schedule below is projected to fully fund the System by June 30, 2035 if all assumptions are met and there are no changes in the plan benefits or actuarial assumptions. The appropriation increases 6.5% per year through fiscal 2029, and 4.0% per year thereafter.

As Angus mentioned, it is in the Town's financial policies to annually appropriate or transfer from available funds a target of 10 percent of the annual ERRS pension assessment to the Pension Liability Fund to offset any future unfunded liabilities. When we are through budget season and after Town Meeting, we will be bringing the financial policies in front of the Select Board as part of our annual review and re-evaluation.

## 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)	To Be Fi
2023	\$9,856,270	\$10,049	\$9,333	\$34,637,093	\$44,512,745	\$43
2024	10,165,422	10,501	9,753	37,220,397	47,406,073	42
2025	10,484,183	10,974	10,191	39,982,120	50,487,468	41
2026	10,812,848	11,468	10,650	42,934,187	53,769,153	40
2027	11,151,722	11,984	11,129	46,089,313	57,264,148	38
2028	11,501,123	12,523	11,630	49,461,042	60,986,318	36
2029	11,861,372	0	0	53,089,057	64,950,429	33
2030	12,232,806	0	0	55,315,640	67,548,446	30
2031	12,615,768	0	0	57,634,616	70,250,384	26
2032	13,010,614	0	0	60,049,785	73,060,399	21
2033	13,417,709	0	0	62,565,106	75,982,815	16
2034	13,837,432	0	0	65,184,696	79,022,128	11
2035	14,270,171	0	0	52,793,011	67,063,182	5
2036	14,716,326	0	0	0	14,716,326	

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 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

Best,

Jenny Walsh  
 Town Accountant  
 Town of West Newbury  
 381 Main Street  
 West Newbury, MA 01985  
 (978) 363-1100 x112

## ARTICLE REQUEST FORM

**ARTICLE:** To see if the Town will vote to transfer from available funds an amount for contribution to the Other Post-Employment Benefits (OPEB) Stabilization Fund, or take any other action related

**AMOUNT REQUESTED:** \$34,338.00

**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?**

Established at April 2010 Town Meeting, West Newbury's Other Postemployment Benefits (OPEB) Stabilization Fund is designed to provide benefits to the Town's eligible current and future retirees. This year's transfer to the fund is recommended at 10% of the June 30, 2022 OPEB liability as calculated by the Town's OPEB Actuary. An annual financial commitment to OPEB to ensure resources are available to meet the Town's future obligations is considered a "best financial practice" by the Massachusetts Department of Revenue and is recommended in the Town's Financial Policies.

**What factors affect the timing of this purchase?**

This will allow the Town to plan and save ahead to meet this obligation when the Town finances permit, thereby avoiding the need for abrupt tax increases.

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

FY24

**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

**Please attach additional pages or other supporting documentation.**

## OTHER POSTEMPLOYMENT BENEFITS LIABILITY

### PURPOSE

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

### APPLICABILITY

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

### BACKGROUND

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

### POLICY

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

#### A. Accounting for and Reporting the OPEB Liability

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

#### B. Trust Management and Investment

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

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

### C. Mitigation

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

### D. OPEB Funding Strategies

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

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

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

### **REFERENCES**

[M.G.L. c. 32B, § 20](#)

[M.G.L. c. 32B, § 20A](#)

[M.G.L. c. 44, § 54](#)

[M.G.L. c. 44, § 55](#)

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

West Newbury policies for Investment and OPEB investment

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

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

### **EFFECTIVE DATE**

This policy was adopted on December 3, 2018.



August 29, 2022

Mr. Angus Jennings  
Town Manager  
Town of West Newbury  
Town Office Building  
381 Main Street  
West Newbury, MA 01985

Dear Angus:

We are pleased to present the enclosed report of the July 1, 2020 actuarial valuation of the retiree health care benefits for the Town of West Newbury. The valuation was prepared in accordance with and for the purpose of financial reporting and disclosures as of June 30, 2022 under the following Governmental Accounting Standards Board (GASB) Statements:

- ◆ GASB Statement No. 74, Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans (GASB 74)
- ◆ GASB Statement No. 75, Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions (GASB 75)

Results are based on liabilities developed in an actuarial valuation performed as of July 1, 2020 and rolled forward to the plan's measurement date of June 30, 2022.

The Principal Valuation Results, including assets, liabilities and the development of future contributions, are provided in Section 1. The Notes to the Financial Statements and the Required Supplementary Information are provided in Sections 2 and 3, respectively. Employer Reporting Amounts under GASB 75 are provided in Section 4. The Summary of Plan Provisions and Actuarial Assumptions and Methods are shown in Sections 5 and 6, respectively. Section 7 summarizes the demographic profile of active members and retired members, covered spouses and survivors. Finally, a Glossary of Terms is provided in Section 8.

Our calculations are based on member census data and other information provided by the Town of West Newbury as well as health plan rates provided by the Town. Although we did not audit the data used in the valuation and disclosure calculations, we believe that the information is complete and reliable.

Liabilities presented in this report are based on a discount rate of 6%, the rate that reflects the long-term expected rate of return on OPEB plan assets. The long-term expected rate of return is based on the target allocations provided in the investment policy statement and long-term expected rates of return by asset class provided by Cambridge Trust and other reliable sources.



Mr. Angus Jennings

August 29, 2022

Page 2

This report was completed in accordance with generally accepted actuarial standards and procedures, and conforms to the Code of Professional Conduct of the American Academy of Actuaries. The actuarial assumptions other than those explicitly applicable to the postemployment benefit plans are consistent with those used by the Essex Regional Retirement System's actuaries for the Retirement System pension valuations.

Future actuarial valuation results may differ significantly from the current results presented in this report. Examples of potential sources of volatility include plan experience differing from that anticipated by the economic or demographic assumptions, the effect of new entrants, changes in economic or demographic assumptions, the effect of law changes and the delayed effect of smoothing techniques.

Our valuation follows generally accepted actuarial methods and we perform such tests as we consider necessary to assure the accuracy of the results. The amounts presented in this report have been appropriately determined according to the actuarial assumptions and methods stated herein.

This report is intended for the sole use of the Town of West Newbury and is intended to provide information to comply with the stated purpose of the report. It may not be appropriate for other purposes.

The expected claims, cost trend rates, and analysis of regulatory changes have been developed based on the expertise of the undersigned health and welfare actuary, Christopher E. Bean, ASA, MAAA. The undersigned credentialed actuaries are Members of the American Academy of Actuaries and together meet the Qualification Standards of the American Academy of Actuaries necessary to render the actuarial opinion contained herein. They are available to answer any questions with regard to this report.

KMS Actuaries is completely independent of the Town of West Newbury and any of its officers or key personnel. None of the actuaries signing this report or anyone closely associated with them has a relationship with the Town of West Newbury, other than as consulting actuary for this assignment, that would impair our independence.

Respectfully submitted,



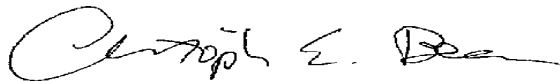
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Linda L. Bournival, FSA, EA  
Member, American Academy of Actuaries  
(603) 792-9494



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Amanda J. Makarevich, FSA  
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Christopher E. Bean, ASA  
Member, American Academy of Actuaries  
(508) 628-9022

K M S A C T U A R I E S

52 Hunt Road • Kingston, New Hampshire 03848-3456 • phone: (603) 792-9494 • kmsactuaries.com

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# EXECUTIVE SUMMARY

## Purpose of Report

This report presents the results of the actuarial valuation of the Town of West Newbury's retiree health care benefits as of July 1, 2020. The valuation was prepared in accordance with and for the purpose of financial reporting and disclosures as of June 30, 2022 under the following Governmental Accounting Standards Board (GASB) Statements:

- ◆ GASB Statement No. 74, Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans (GASB 74)
- ◆ GASB Statement No. 75, Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions (GASB 75)

The results as of the measurement date are based on a roll forward of the liabilities developed in the most recent actuarial valuation.

## GASB Accounting Standards

In June 2015, the GASB approved two related Statements that significantly changed the way other postemployment benefits (OPEB) plans and governments account and report OPEB liabilities. GASB Statement No. 74 (GASB 74), *Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans*, replaced the requirements of Statement No. 43 and GASB Statement No. 75 (GASB 75), *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, replaced the requirements of Statement No. 45.

The effective date for GASB 74 is for plan years beginning after June 15, 2016, which is the plan year ending June 30, 2017 for the Town of West Newbury. The effective date for GASB 75 is for fiscal years beginning after June 15, 2017, which is the fiscal year ending June 30, 2018 for the Town of West Newbury.

GASB 74 requires OPEB plans to present a statement of fiduciary net position (OPEB plan assets) and a statement of changes in fiduciary net position. Further, the statement requires that notes to financial statements include descriptive information such as the types of benefits provided, the classes of plan members covered and the authority under which benefit terms are established or may be amended. Finally, GASB 74 requires OPEB plans to present in required supplementary information the sources of the changes in the net OPEB liability and information about the actuarially determined contributions compared with the actual contributions made to the plan and related ratios.

GASB 74 and GASB 75 require projected benefit payments be discounted to their actuarial present value using the single rate that reflects (1) a long-term expected rate of return on OPEB plan investments to the extent that the OPEB plan's assets are sufficient to pay benefits and OPEB plan assets are expected to be invested using a strategy to achieve that return and (2) a tax-exempt, high-quality municipal bond rate to the extent that the conditions for use of the long-term expected rate of return are not met.

GASB 75 establishes standards for measuring and recognizing liabilities, deferred outflows of resources, deferred inflows of resources and OPEB expense by state and local governments.

## EXECUTIVE SUMMARY

### Town of West Newbury Other Postemployment Benefits Program

The Town of West Newbury administers the retiree health care benefits program - a single-employer defined benefit plan that is used to provide postemployment benefits other than pensions (OPEB) for all permanent full-time employees. The Town provides health care benefits for retirees and their dependents. Benefits are provided through the Massachusetts Interlocal Insurance Association, and the full cost of benefits is shared between the Town and retirees.

### Summary of Principal Results

A summary of principal results from the current and prior measurement dates follows:

Disclosure Date	June 30, 2022	June 30, 2021	% Change
<b>Valuation Date</b>	<b>July 1, 2020</b>	<b>July 1, 2020</b>	
<b>Membership Data</b>			
Active Plan Members	44	46	(4.3%)
Inactive Plan Members (excludes covered spouses)	18	20	(10.0%)
Total Plan Members	62	66	(6.1%)
Covered Spouses	6	6	0.0%
Covered Payroll	\$3,029,899	\$2,835,247	6.9%
<b>Net OPEB Liability</b>			
Discount Rate	6.00%	6.00%	
Total OPEB Liability (TOL)	\$2,907,896	\$2,730,258	6.5%
Fiduciary Net Position (FNP)	\$2,564,519	\$2,855,222	(10.2%)
Net OPEB Liability	\$343,377	(\$124,964)	(374.8%)
FNP as % of TOL	88.2%	104.6%	
<b>OPEB Expense</b>			
OPEB Expense	\$192,144	\$101,813	88.7%
Deferred Outflows	\$490,787	\$399,884	
Deferred Inflows	\$201,704	\$502,822	
Recognition Period	7.47	7.47	

# EXECUTIVE SUMMARY

## Experience Gain and Loss

In developing the Total OPEB Liability, various assumptions are made regarding future premium rates, mortality, retirement, disability and turnover rates. A comparison of the results of the current and prior measurements is made to determine how closely actual experience relates to expected. For the current measurement period, there is no experience gain or loss as the Total OPEB liability was developed from a roll forward of results of the most recent valuation.

## Changes of Assumptions

The inflation rate was updated in this valuation. A summary of the impact on the Total OPEB Liability (TOL) of each assumption change is provided below:

◆ Decrease due to change in Inflation Assumption	(11,000)
Total	\$ (11,000)

All of the assumptions used in this valuation are shown in Section 6, Actuarial Assumptions and Methods.

## Changes of Benefit Terms

All benefit terms are the same as those used in the prior measurement. A Summary of the Principal Plan Provisions is provided in Section 5.

## Total OPEB Liability

The Total OPEB Liability as of the current measurement date, June 30, 2022, is \$2,907,896. The Total OPEB Liability as of the prior measurement date, June 30, 2021, was \$2,730,258. During the current measurement period ending June 30, 2022, the Total OPEB Liability increased by \$177,638, or 6.5%. The development of the Total OPEB Liability for the current measurement period is shown in Section 1, Exhibit 1.2.

## Fiduciary Net Position

The Fiduciary Net Position is equal to the market value of assets and as of the current measurement date, June 30, 2022, is \$2,564,519. The Fiduciary Net Position as of the prior measurement date, June 30, 2021, was \$2,855,222. During the plan years ended June 30, 2022 and June 30, 2021, the actual rates of return were -10.66% and 19.97%, respectively. The expected long-term rate of return is 6.00%. The Fiduciary Net Position is shown in Section 1, Exhibit 1.1.

## Employer Future Period Contributions

The Town will analyze a variety of funding strategies and subsequently implement them as appropriate with the intention of fully funding the obligation.

## EXECUTIVE SUMMARY

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### Discount Rate

As of the June 30, 2022 measurement date, the OPEB plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on OPEB plan investments was applied to all periods of projected benefit payments to determine the total OPEB liability. Projected benefit payments are discounted to their actuarial present value using a single discount rate of 6%.

### OPEB Expense

The OPEB Expense for the current measurement period ending June 30, 2022, is \$192,144. Benefit changes are recognized immediately and experience gains and losses and assumption changes developed in this valuation are recognized over 7.47 years. Investment gains and losses are recognized over 5 years. The OPEB Expense for the prior measurement period was \$101,813. The development of the OPEB expense for the current measurement period is shown in Section 4, Exhibit 4.2.

### COVID-19 Pandemic

The assumptions in this report do not reflect the potential impact of the COVID-19 pandemic on the OPEB program. Especially in the short range, the pandemic is likely to materially affect the economic, demographic and healthcare-specific experience in a way not anticipated by the assumptions on which the projections are based.

ARTICLE REQUEST FORM

**ARTICLE:** *DPW request additional funds for the Snow and Ice Removal Program.*

**AMOUNT REQUESTED:** Placeholder: number to be reviewed/ revised as Board gets closer to posting and signing of Warrant

**CONTACT PERSON:** Wayne S. Amaral, DPW Director

**PHONE NUMBER:** (978) 363-1100 x120

**Date:** 2/3/23

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

*As mild as this winter season has been for DPW, we have had fewer than normal snow and ice events as of early February 2023. An estimated \$36,700 is all that has been expended YTD leaving a remaining balance of approximately \$113,000 in the available budget line. Winter is about 50% over, but we do expect some larger scale events to occur. Prior complete year Snow and Ice total spending (including overages approved at prior Town Meetings) show expenditures of \$227,245 (FY22), \$224,021 (FY21), and \$211,087 (FY20). As a result, I request additional funds to allow DPW to perform this important operation to the degree of satisfaction expected by the residents of our Town.*

**What factors affect the timing of this purchase?**

*This is considered operations and the funds are needed to complete our snow and ice work for this season. This request is proposed for inclusion on the Special Town Meeting warrant in order to make funds available during the current fiscal year 2023.*

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

*Recommended sunset date of June 30, 2023*

**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.**

*This is an operational expense.*

**Please attach additional pages or other supporting documentation.**



## Snow Time Like the Present to Discuss Budgeting for Winter

Jared Curtis - Bureau of Accounts Field Representative  
Tony Rassias - Bureau of Accounts Deputy Director

September 6th, 2018

### In this issue:

- [Snow Time Like the Present to Discuss Budgeting for Winter](#)
- [Ask DLS: Betterments and Special Assessments](#)
- [Data Highlight of the Month: Municipal Debt](#)

### Important Dates & Information

#### Send Us Your Questions! 2018 "What's New in Municipal Law" to Feature Morning Q&A

The Division of Local Services Legal Staff will offer its annual seminar "What's New in Municipal Law" for local officials on Thursday, September 27, 2018 at The Lantana in Randolph and Thursday, October 4, 2018 at the Log Cabin Banquet & Meeting House in Holyoke.

Please click the following for the [agenda](#) and [registration form](#). Registrations must be received

According to Mark Twain, "If you don't like the weather in New England, just wait a few minutes." At DLS we spend much more time focused on financial rather than atmospheric forecasting, but we can say with some certainty that there will likely be snow and ice in Massachusetts in a few months. While no city or town department may incur a liability or expend in excess of appropriation for the fiscal year ([G.L. c. 44, § 31](#)), we want to take some time before the first snowflakes hit the ground to highlight the one exception to this rule.

[G.L. c. 44, § 31D](#) allows cities and towns to expend funds in excess of appropriation for snow and ice removal provided certain preconditions are met. The following article will provide a brief history of how the current snow and ice removal law came to be, will illustrate an example of the current law, and will look at budget and expenditure data obtained from annual reports submitted to the Bureau of Accounts.

### Chapter 33 of 1976

In 1976, the General Court of Massachusetts passed Chapter 33, *An Act Providing for Certain Emergency Snow and Ice Removal in Cities and Towns*. This act added [M.G.L. Chapter 44, §31D](#) and gave cities and town's the authority to deficit spend their snow and ice removal appropriations and to include the deficit on the next annual tax rate without appropriation provided the following two conditions were met.

1. The appropriation for snow and ice removal in the year the deficit occurred equaled or exceeded the appropriation for snow and ice removal in the prior fiscal year.
2. The deficit spending was approved by the town manager and finance committee in a town having a town manager, selectmen and finance or advisory committee in any other town, city manager and city council in a city having a city manager or the mayor and city council in any other city.

This new law gave municipalities added flexibility to manage their snow and ice removal expenditures provided they met the legal conditions.



by Wednesday, September 19, 2018. Pre-registration is required. Attendees with questions for the DLS legal staff related to municipal tax or finance should submit them by Wednesday, September 19, 2018 to [dlsregistration@dor.state.ma.us](mailto:dlsregistration@dor.state.ma.us)

The Massachusetts Association of Assessing Officers (MAAO) will grant four (4) hours of continuing education credits to assessors attending this program.

### **New Signature Requirements for Tax Rate Submission**

The DLS Bureau of Accounts (BOA) now requires a majority of the Board of Assessors to electronically sign both the LA-5 form and the Tax Rate Recap form. Attaching a scanned copy of the paper form is no longer permitted.

Please contact your local Gateway Administrator or [DLS Gateway Support](#) to open a Gateway account. Contact your BOA Field Representative with questions about the form submission requirements. To view the DLS Staff Directory, please [click here](#).

### **If You've Adopted the CPA, Don't Forget to Submit to DLS!**

Communities that have adopted the CPA must complete and submit both the CP-1 Surcharge Commitment Report and CP-3 Project Inventory by September 15th in order to receive the CPA state match in November. If you need assistance or have questions, please contact the Municipal Databank at [databank@dor.state.ma.us](mailto:databank@dor.state.ma.us) or (617) 626-2384.

**IG's Office Offers Certified Public Purchasing Official**

### **Chapter 45 of 1996**

After an exceptionally heavy snowfall during the winter of 1995/96, Chapter 45 of 1996, a supplemental appropriations bill, included the first revision to G.L. c. 44, § 31D. Among other provisions, Chapter (1) authorized \$21 million of additional municipal aid for snow and ice removal and (2) required every city and town to submit an annual snow and ice report to the Division of Local Services (DLS).

### **Chapter 10, § 58 of 2015**

After another exceptionally heavy snowfall during the winter of 2014/15, another supplemental appropriation bill, Chapter 10 of 2015, included temporary authorization for cities and towns to amortize their FY2015 snow and ice removal account deficits for up to three fiscal years beginning in FY2016. Twenty-eight communities adopted an amortization schedule totaling \$50.6 million while all other communities with such a deficit provided for it in FY2016.

### **Chapter 218 of 2016 (Municipal Modernization Bill)**

In an effort to further simplify the snow and ice deficit spending process, the Municipal Modernization Act provided the second and most recent revision to [G.L. c. 44, § 31D](#) in 2016. This act modified the approval procedure for snow and ice deficit spending so that only the community's chief administrative officer (CAO) is required to approve deficit spending for snow and ice removal. For the purposes of this act, the CAO is defined as the "mayor of a city and the board of selectmen in a town unless some other local office is designated to be the chief administrative officer under the provisions of a local charter."

### **The Current Law - Chapter 44, § 31D**

Under current law, if a city or town appropriation for snow and ice removal in the year of a proposed deficit equals or exceeds the appropriation for snow and ice removal in the prior fiscal year, the city or town appropriation may legally be deficit spent for snow and ice removal upon approval of the city or town's CAO and the deficit must be included in the next tax rate without appropriation, unless otherwise provided for.

An annual snow and ice report must be submitted to the Bureau of Accounts by the municipality by September 30th.

If the conditions required to permit deficit spending under [G.L. c. 44, § 31D](#) are not met, then the fundamental rule of municipal finance under [G.L. c. 44, § 31](#) applies and liabilities and expenditures in excess of appropriation (deficit spending) are prohibited.

**Illustrated example:**

### **(MCPPO) Program**

The Massachusetts Certified Public Purchasing Official (MCPPO) program class schedule for fall 2018 is available at [www.mass.gov/trainingmcpo](http://www.mass.gov/trainingmcpo). The classes are designed to educate public purchasing officials about excellence in public procurement and compliance with state and local bidding laws. The Office provides a variety of classes on public contracting, design and construction laws, and boards and commissions.

Please note that some classes are eligible for continuing professional education credits, professional development points, or American Institute of Architects credits. For more information, please contact the Office of the Inspector General at (617) 727-9140.

### **AG'S Office Providing Refreshers on Open Meeting Law**

Hoping to better educate elected officials and the public on the requirements of the state's open meeting law, Attorney General Maura Healey announced Wednesday that her office will hold five training sessions on the law this fall, as well as online trainings. The sessions are open to the public and are being offered without charge.

The trainings will be held in Natick on Wednesday, Sept. 12; in Orange on Monday, Sept. 24; in Winchester on Wednesday, Oct. 10; in Spencer on Thursday, Oct. 18; and in Harvard on Thursday, Nov. 15. Online webinars will be held Thursday, Sept. 20 and Tuesday, Oct. 16.

Those interested in attending

The accounting officer informs the CAO that the snow and ice removal budget may need an extra \$100,000 by fiscal year end. The CAO asks whether this year's total snow and ice removal appropriation is equal to or more than last year's and determines that this fiscal year's annual budget appropriation for snow and ice removal was \$1,000,000, supplemented with an additional appropriation of \$50,000 during the fiscal year and that last fiscal year's annual budget appropriation was also \$1,000,000, supplemented with an additional appropriation of \$200,000 during the fiscal year.

The accounting officer explains that it is the position of the Division of Local Services (DLS) that it is the previous fiscal year's original appropriation for snow and ice removal that must be equaled or exceeded by this year's original appropriation. The CAO then grants approval to deficit spend by the \$100,000. The actual amount deficit spent as of June 30th is \$95,000. Because the deficit spending is authorized under [G.L. c. 44, § 31D](#), the legal \$95,000 deficit is reported by the accounting officer to the assessors to be raised on the Tax Rate Recapitulation (tax recap) for the next fiscal year, if not otherwise provided for.

Had the current fiscal year's appropriation been less than \$1,000,000, the \$95,000 deficit would not have been authorized under [G.L. c. 44, § 31D](#) and would have been an illegal appropriation deficit. In the case of an illegal appropriation deficit, unless corrected prior to year-end through transfer or appropriation of unexpended reserves, the deficit would be reported by the accounting officer to the assessors to be raised on the tax recap for the next fiscal year and it would also be a reduction to the community's next free cash calculation. (For more information, see the DLS publication [Revenue and Appropriation Deficits](#).) The annual snow and ice report is submitted to the Bureau of Accounts by September 30th.

In the above example, note that:

- The accounting officer requested permission from the CAO to deficit spend
- After determining that the amount of the current fiscal year's appropriation for snow and ice removal was equal to or exceeded the previous fiscal year's appropriation, the CAO granted approval to deficit spend up to a certain amount.
- The original fiscal year's annual budget appropriation for snow and ice removal was compared to last fiscal year's original annual budget appropriation without including any supplemental appropriations
- The accounting officer reported the \$95,000 deficit to the assessors for inclusion in the next fiscal year's tax rate without appropriation (if the \$95,000 deficit is otherwise provided for, the accounting officer would have also reported this to the assessors, however ***the amount***

the sessions or participating in the webinars are asked to register in advance by calling (617) 963-2925 or by emailing [OMLTraining@state.ma.us](mailto:OMLTraining@state.ma.us). A complete list of training sessions is available at the Attorney General's [website](#).



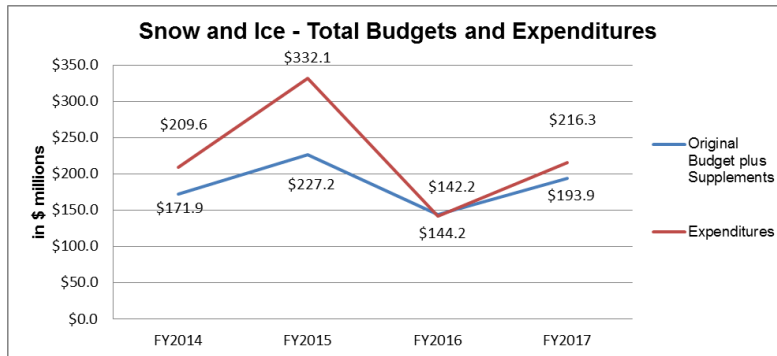
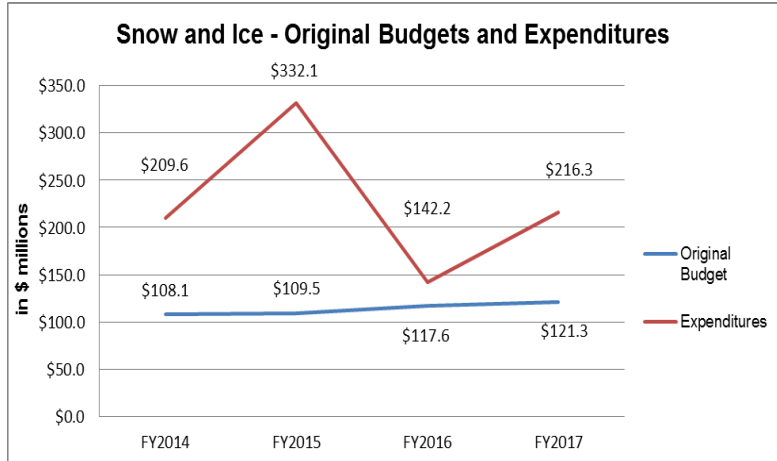
**Other DLS Links:**

- [Local Officials Directory](#)
- [Information Guideline Releases \(IGRs\)](#)
- [Bulletins](#)
- [Publications & Training Center](#)
- [Tools and Financial Calculators](#)

**would not be added to the tax recap** by the assessors when setting the next year's tax rate.

**Snow and Ice Removal Dollars: Budgeted and Spent**

The following two graphs display FY2014 through FY2017 snow and ice removal dollars budgeted and spent. The first graph compares amounts originally budgeted to expenditures. The second graph compares amounts originally budgeted plus supplemental appropriations to expenditures.



In the first graph, the total original budgets remained relatively flat and were millions of dollars below expenditures. However, in the second graph, after supplemental appropriations, the variance between totals is millions of dollars less. In FY2016, original budgets and supplemental appropriations exceeded expenditures by only approximately \$2 million.

**Snow and Ice Removal Deficits**

Cities and towns that do not sufficiently supplement their original snow and ice appropriation may end the fiscal year with an appropriation deficit that must be eliminated prior to the setting of the next tax rate.

The following Table shows for all cities and towns that had a deficit as of June 30<sup>th</sup> the total dollar value of the deficit, including deficit amounts remaining to be amortized from FY2015, if applicable.

<b>Snow and Ice Removal Account Deficits</b>				
	<u>FY2014</u>	<u>FY2015</u>	<u>FY2016</u>	<u>FY2017</u>
	(\$ shown in millions)			
<b>\$ Deficit on June 30</b>	<b>\$39.2</b>	<b>\$107.5*</b>	<b>\$22.6</b>	<b>\$28.8</b>
<b># of Cities and Towns with Deficit</b>	<b>111</b>	<b>149*</b>	<b>76</b>	<b>92</b>

Source: DLS Databank (\*includes deficit prior to amortization allowed by Chapter 10, § 58 of 2015, and FEMA reimbursement)

Deficits that were not eliminated by appropriating a revenue source to offset it, or by applying a federal or state grant distributed for this specific purpose, must be provided for on the next Tax Rate Recap without appropriation. Over the last four fiscal years, the number of municipalities providing for a snow and ice removal deficit on the next fiscal year's Tax Rate Recap without appropriation ranged from a low of 73 in FY2017 to a high of 120 in FY2016.

Using data from FY2018 Tax Rate Recaps, we determined that of the 92 cities and towns with snow and ice removal account deficits as of June 30, 2017, four eliminated the deficit prior to setting the FY2018 tax rate and 88 provided for it without appropriation on the FY2018 Tax Rate Recap. Of the 88 deficits, seven were greater than \$1 million, eight were between \$500,000 and \$1 million, 44 were between \$100,000 and \$500,000, and 29 were less than \$100,000.

### **Conclusion**

Whether it ends up snowing this winter at a record level or not, your city or town benefits greatly from a formal snow and ice removal policy. The policy's goal should be to clearly communicate to employees and citizens what their responsibilities will be in the event of a storm. In this context, it's also extremely important to establish a shared understanding of how to properly fund weather-impacted snow and ice budgets.

If you have any questions regarding your municipality's snow and ice budget, please contact your Bureau of Accounts (BOA) representative. For a full list of BOA representatives, please [click here](#).

**ARTICLE REQUEST FORM**

**ARTICLE:** To see if the Town will vote to appropriate a sum of money from the PEG Access and Cable Related Fund for the purposes of funding its FY24 cable-related expenses; or take any other action relative thereto.

**AMOUNT REQUESTED:** \$90,000

**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?**

ARTICLE \_\_: PEG Access Receipt Reserved for Appropriation

Summary: A vote taken at the 2015 Annual Town Meeting established a Receipt Reserved for Appropriation fund for the cable access agreement pertaining to the Verizon and Comcast licensing agreements. This account was created in accordance with DOR guidelines. Monies accrued in this account are proposed to be appropriated to fund cable operations. The Town receives quarterly franchise fees from Verizon and Comcast for eligible Public/Educational/Governmental (PEG) costs.

At its meeting Feb. 27th, the Select Board requested input from the Cable Advisory Committee regarding the recommended maximum amount for FY24 expenditures out of this account. At its meeting on March 2, 2023, the CAC voted 2-0-0 to recommend an amount of \$90,000 for FY24.

A majority vote is required for the passage of this article.

**What factors affect the timing of this purchase?**

Annual article to appropriate PEG funds.

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

N/A

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

Cable operations and related costs would continue to be funded entirely from PEG revenues.

**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

**Please attach additional pages or other supporting documentation.**

<b>CABLE PEG (44 53F 3/4)</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>	<b>YTD 1-31-23</b>
Beginning Balance	68,048.76	117,017.06	168,711.72	204,896.43
<b>Revenue</b>				
Comcast and Verizon	62,901.27	63,499.88	53,900.41	34,658.96
	62,901.27	63,499.88	53,900.41	34,658.96
<b>Expenses</b>				
Adam Stone	13,932.97	11,805.22	15,216.70	7,360.00
Meeting Owl Prol x1			949.00	
Timothy Mark Friend			500.00	
Russell Cohen (OSC Speaker Series)			250.00	
Wild Seed Project (OSC Speaker Series)			400.00	
Catherine Rachel Banks Hone (OSC Speaker Series)			150.00	
Elizabeth Jane Slade Moran (OSC Speaker Series)			250.00	
Daniel Jaffe Wilder (Kill Your Lawn Lecture)				350.00
	13,932.97	11,805.22	17,715.70	7,710.00
Ending Balance	117,017.06	168,711.72	204,896.43	231,845.39

**2017 Annual Town Meeting: Excerpt of Finance Committee Booklet:**

*Town of West Newbury  
Commonwealth of Massachusetts*

*Warrant – Annual Town Meeting  
Monday, April 24, 2017*

*The program begins in June and continues through the summer. Participant fees are deposited into the Summer Recreation Program revolving account and used for program-related expenses. Under this Article expenditures are capped at \$42,000 for FY 2018.*

***Funding source:*** *Summer Recreation Revolving Account.*

**ARTICLE 16.** To see if the Town will vote to re-authorize a Revolving Fund for FY 2018 for the Cable Advisory Committee as described in Chapter 44, Sections 53E½ and 53F¾ of the Massachusetts General Laws. This revolving fund would be to accept funds received in connection with a franchise agreement between a cable operator and a municipality commonly referred to as PEG (Public Education and Government). The receipts would be expended, not to exceed \$75,000 in FY 2018 by the Cable Advisory Committee for the payment of program-related wages, expenses, and equipment or such other purposes as permitted by the statute, or to take any other action relative thereto. By request of the Cable Advisory Committee.

**Selectmen Recommendation:**

Approve: 3-0-0

**FinCom Recommendation:**

Approve: 5-0-0

***Rationale:*** *This Article requests the re-authorization of the Cable Advisory Committee Revolving Fund account that was established at the April, 2015 Town Meeting in accordance with M.G.L. c. 44, §§ 53E½ and 53F¾. Until Town adoption of the new Revolving Fund Bylaw, this account must be re-authorized every year. The revolving account allows for the acceptance of funds received pursuant to the franchise agreement between the Town's cable providers and the Town, commonly referred to as PEG (Public Education and Government) funds, and ensures that these funds are segregated from the Town's General Fund (Free Cash) so that they may be used for the purposes for which they have been collected, such as program related wages, expenses and equipment. Expenditures from this fund would be capped at \$75,000 for FY 2018 under this Article.*

***Funding source:*** *Cable Advisory Revolving Fund.*

**ARTICLE REQUEST FORM**

**ARTICLE:** Set maximum receipts and expenditures from Revolving Funds in FY24  
**AMOUNT REQUESTED:** N/A. (Costs are expended from non-tax receipts into the Revolving Funds)  
**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?**

This is a required annual vote. Revolving Funds are established by vote of Town Meeting, and are set forth in the Town Bylaws Sec. XL Departmental Revolving Funds (see Town Website / Bylaws and Policies link / Town Bylaws). The Town Accountant prepared an analysis of revenues into, and costs out of, each revolving fund, and this is enclosed for review. The enclosed IGR from MassDOR also details procedures and requirements regarding Revolving Funds. The proposed article, with proposed amounts, follows:

To see if the Town, in accordance with Massachusetts General Laws Chapter 44, Sec. 53E1/2, and Section XL of the Bylaws of the Town of West Newbury, will fix the maximum amounts that may be spent during the fiscal year beginning on July 1, 2023 for the revolving funds established in town bylaws, as set forth below for certain departments, boards, committees, agencies or officers, with such expenditure limits to be applicable for each fiscal year until such time as Town Meeting votes, prior to July 1 for the ensuing fiscal year, to revise the same; or take any other action relative thereto:

- Section 5.1 Summer Recreation Revolving Fund \$ 75,000 (unchanged from FY23)
- Section 5.2 GAR Library Fines and Penalties Revolving Fund \$ 10,000 (unchanged from FY23)
- Section 5.3 Police Vehicle Revolving Fund \$ 20,000 (unchanged from FY23)
- Section 5.4 Pipestave/Mill Pond Care and Maintenance Revolving Fund \$ 5,000 (unchanged from FY23)
- Section 5.5 Electric Vehicle Charging Stations Revolving Fund \$ 10,000 (unchanged from FY23)
- Section 5.6 Curbside Collection of Trash, Recycling and Food Waste Revolving Fund \$ 50,000 (unchanged from FY23)

**What factors affect the timing of this purchase?**

This is a required annual Town Meeting vote.

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

N/A. Per MGL, this vote would apply to FY24.

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

In some cases, expenses paid from Revolving Funds offset costs that may otherwise be paid from the Operating Budget. Examples include the Police Cruiser Revolving Fund, which has been drawn on annually to offset the expense to maintain the Police Cruiser fleet (and directly reduces the proposed Operating Budget). Please note: unlike the Revolving Funds included in the proposed Article, the Park & Rec Revolving Fund does not require Town Meeting appropriation. This Revolving Fund was adopted by Town Meeting on 4/26/99 and, per MGL Ch. 44 Sec. 53D, these funds may be expended at the direction of the Parks & Rec Commission, with Town Manager approval, but without further appropriation (i.e. no Town Meeting vote).

**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.

**Please attach additional pages or other supporting documentation.**



YTD FY2023  
As of 2/17/23

**ELECTRICAL VEHICLE CHARGING STATIONS**

	FY2020	FY2021	FY2022	YTD FY2023 As of 2/17/23
<b>Beginning Balance</b>	-	-	-	<b>793.29</b>
<b>Revenue</b>				
Town Hall	-	-	775.34	762.47
Page School	-	-	17.95	19.14
	-	-	793.29	781.61
<b>Expenses</b>				
	-	-	-	-
	-	-	-	-
<b>Ending Balance</b>	<b>-</b>	<b>-</b>	<b>793.29</b>	<b>1,574.90</b>


**POLICE CRUISER DETAIL FEES**

	FY2020	FY2021	FY2022	YTD
<b>Beginning Balance</b>	<b>5,961.10</b>	<b>7,336.35</b>	<b>10,950.85</b>	<b>9,516.19</b>
<b>Revenue</b>				
Police Detail Fees	1,606.50	3,614.50	3,647.50	377.50
	1,606.50	3,614.50	3,647.50	377.50
<b>Expenses</b>				
MHQ Municipal Vehicles	231.25	-	5,082.16	-
	231.25	-	5,082.16	-
<b>Ending Balance</b>	<b>7,336.35</b>	<b>10,950.85</b>	<b>9,516.19</b>	<b>9,893.69</b>

Source: Jennifer Walsh, Town Accountant, 2/17/23

CURBSIDE COLLECTION OF TRASH RECYCLING & FOOD WA	FY2020	FY2021	FY2022	YTD FY2023 As of 2/17/23
<b>Beginning Balance</b>	-	-	-	15,548.64
<b>Revenue</b>				
	-	-	17,636.70	9,550.00
	-	-	17,636.70	9,550.00
<b>Expenses</b>				
G. Mello Disposal Corp.	-	-	1,500.00	2,800.00
Minuteman Press of Newburyport	-	-	588.06	-
	-	-	2,088.06	2,800.00
<b>Ending Balance</b>	-	-	15,548.64	22,298.64

LIBRARY REVOLVING	FY2020	FY2021	FY2022	YTD
<b>Beginning Balance</b>	302.51	439.28	372.64	1,219.13
<b>Revenue</b>				
Library Fees	636.01	156.42	1,443.51	1,109.39
	636.01	156.42	1,443.51	1,109.39
<b>Expenses</b>				
Ingram	499.24	29.51	386.11	41.25
Baker & Taylor	-	20.37	-	-
Friends of the West Newbury Library	-	173.18	-	-
Massachusetts Library System, Inc.	-	-	25.00	-
Demco Inc.	-	-	185.91	-
Amazon Credit Plan	-	-	-	482.80
	499.24	223.06	597.02	524.05
<b>Ending Balance</b>	439.28	372.64	1,219.13	1,804.47

MILL POND REVOLVING	FY2020	FY2021	FY2022	YTD
<b>Beginning Balance</b>	5,237.85	5,237.85	5,237.85	5,167.63
<b>Revenue</b>				
	-	-	-	-
	-	-	-	-
<b>Expenses</b>				
Town of West Newbury Water Dept.	-	-	70.22	-
	-	-	70.22	-
<b>Ending Balance</b>	5,237.85	5,237.85	5,167.63	5,167.63

EQUESTRIAN REVOLVING	FY2020	FY2021	FY2022	YTD
<b>Beginning Balance</b>	16.38	16.38	16.38	16.38
<b>Revenue</b>				
	-	-	-	-
	-	-	-	-
<b>Expenses</b>				
	-	-	-	-
	-	-	-	-
<b>Ending Balance</b>	16.38	16.38	16.38	16.38

Source: Jennifer Walsh, Town Accountant, 2/17/23



# Informational Guideline Release

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Bureau of Municipal Finance Law  
Informational Guideline Release (IGR) No. 21-23  
September 2021

## **DEPARTMENTAL REVOLVING FUNDS**

**(G.L. c. 44, § 53E½)**

This Informational Guideline Release (IGR) informs local officials about the procedures and requirements of departmental revolving funds.

Topical Index Key:

Special Funds

Distribution:

Assessors  
Collectors  
Treasurers  
Clerks  
Accountants/Auditors  
Mayors/Selectboards  
Managers/Administrators/Exec. Secys.  
Finance Directors  
City/Town Councils  
City Solicitors/Town Counsels

**DEPARTMENTAL REVOLVING FUNDS**  
**(G.L. c. 44, § 53E½)**

**SUMMARY:**

A departmental revolving fund is a special fund that permits a community to reserve certain fees, charges or other receipts to pay, without appropriation, for the cost of departmental programs or activities from which the fees, charges or other receipts were derived.

The departmental revolving fund is intended for use in connection with ongoing (or seasonal) departmental programs or activities offered to the public on a discretionary basis. In essence, the community would like to offer a program or activity as an amenity but will only do so if it is self-supporting or the cost can be significantly defrayed, i.e., can be paid for by the users. The fee that is charged to users is received specifically to fund the program or activity. These programs or activities have expenses that typically fluctuate with demand, but they can usually be easily segregated from other departmental expenses and paid for with supporting revenues received and on hand during the fiscal year. In other words, there is a match between specific program expenses and revenues attributable to a fiscal year and a direct connection or nexus between the fee and the program or activity. Further, a revolving fund is typically used because the program or activity is often difficult to budget for in the ordinary manner because the extent of the expenditures depends on the demand of the program or activity. Therefore, while the statute is intended to give communities flexibility and allow them to reserve what would otherwise be general revenues to particular purposes and spend them without appropriation, it is not necessarily a vehicle to dedicate every estimated receipt that comes into the community.

For general information about the varying types of revolving funds please see DLS publications “[Revolving Funds Chart - Non-School Department Program](#)” and “[Revolving Funds for School Departments](#).”

**GUIDELINES:**

**I. AVAILABILITY OF A DEPARTMENT REVOLVING FUND**

**A. Municipal Departments**

A departmental revolving fund may be established under [G.L. c. 44, § 53E½](#) for the specific receipts, fees or charges of a particular program or activity of any municipal department. The revolving fund allows fees, charges or other receipts received in connection with a departmental program or activity to be applied directly, without further appropriation, to support that program or activity. Before the enactment of this law, only a limited number of revolving funds were available for particular programs or activities (e.g., school athletics and self-supporting park and recreation programs).

A key feature of the departmental revolving fund provision is that **each fund must be authorized by ordinance or by-law**. The ordinance or by-law establishing a departmental revolving fund must specifically identify the program or activity receipt to be credited to the revolving fund and clearly specify the purposes for which monies in the revolving fund may be spent.

There is no limit on the number of departmental revolving funds that may be authorized and a single department may have more than one revolving fund. There is no longer an aggregate limitation on amounts that may be expended from each fund.

A departmental revolving fund should prove especially suitable in budgeting and providing for special programs or activities where the necessary level of expenditures fluctuates directly in relation to demand (whether by participation, applications or enrollment) and the demand may prove difficult to predict. For this type of program or activity, a departmental revolving fund should offer the flexibility to operate on an “as-needed” basis by allowing the department head to apply all receipts directly to program expenses. However, certain limitations do exist with respect to the use of a departmental revolving fund as discussed below.

Further, a departmental revolving fund is not available to supplement a department's ordinary operating expenses by earmarking any receipt that comes into that department during the year. It is intended for user, participation or activity fees charged to users for the purpose of providing specific, largely self-supporting fee-based programs or activities. It is not for ordinary revenue generated in the regular course of departmental operations. In limited circumstances, regulatory fees charged to members of the public in return for a particular or special privilege, such as a license or permit, may be the subject of a departmental revolving fund if the fees can be matched with specific expenses.

**B. Statutory Exceptions**

No revolving fund may be established for:

1. receipts of a municipal water or sewer department;
2. receipts of a municipal hospital;
3. receipts of a cable television access service or facility;
4. receipts of districts; or
5. receipts reserved by law, or as authorized by law, for expenditure for a particular purpose.

**C. Fees, Charges or Other Receipts**

Generally, “user fees” are an allowable receipt to be dedicated to a departmental revolving fund. These fees are commonly generated by on-going (or seasonal) departmental programs or activities offered to the public with regular expenditures and corresponding revenues that can be matched within the fiscal year and are likely to be ones that are discretionary and self-supporting.

Fines or penalties, in limited circumstances, may be permissible receipts but the applicable by-law or ordinance provisions should be very tailored and demonstrate a direct connection or nexus to proposed expenditures. This is because fines and penalties

are generally not charged for the specific purpose of recovering expenses. By definition, they are imposed to penalize or deter certain conduct. In the case of libraries, for example, to the extent that fines for lost books are charged for the specific purpose of being able to replace them, i.e., more as restitution, they can be the subject of a departmental revolving fund and can be used for new or replacement books but not to supplement the general operating budget of the library. On the other hand, citation revenues that derive from regulatory activities are not in the nature of "user fees" and do not qualify as receipts of a departmental program or activity within the scope of the statute.

The same caution should be exercised when considering regulatory fees. A departmental revolving fund is typically for the benefit of the public at large, not an individual. Further, enforcement activities are usually part of ongoing operations and difficult to segregate expenses. Fees for regular governmental activities are also paid regardless of demand. As such, they are not typically charged directly to support departmental programs. However, exceptions have seemed in conformity with the statute when, for example, a health department revolving fund is used to fund payments to their health agent who is paid the same amount on a per inspection basis.

**D. Programs or Activities**

Generally, there is no departmental program or activity from revenues derived from:

1. the sale or lease of property or assets;
2. governmental transactions (access to public records, tax collection);
3. fundraisers (sale of goods, tickets, concessions, promotional items);
4. taxes (excise/betterments);
5. intergovernmental reimbursements;
6. regulatory exactions (mitigation or buy-out payments, infrastructure or impact fees or other exactions from property owners); or
7. with rare exception, fines or penalties.

A departmental revolving fund is meant to aggregate fees charged to all participants or customers of a program or activity so the municipality can pay on-going operating expenses of that program or activity. As such, the fund is generally not intended for individualized fees or deposits, where the amount paid is related to a particular applicant and can only be spent in connection with that individual's application or project as is permitted pursuant to [G.L. c. 44, § 53G](#) for consultant fees.

**E. Interaction with other Revolving Funds**

A departmental revolving fund may be implemented in addition to or in conjunction with other existing statutory revolving funds, provided that the funds function in a harmonious manner. A departmental revolving fund may not be used to supersede or limit provisions of other statutory revolving funds. For example, [G.L. c. 71, § 47](#) authorizes a school committee to expend without appropriation all participation fees received in connection with certain athletic programs. A municipality may not establish a departmental revolving fund under [G.L. c. 44, § 53E½](#) for those receipts and thereby restrict or impair the school

committee's pre-existing statutory authority. Care should be taken, therefore, when implementing a departmental revolving fund for receipts that may already be governed by special provisions of other municipal finance laws.

## **II. IMPLEMENTATION OF A DEPARTMENTAL REVOLVING FUND**

### **A. Establishment by By-law or Ordinance**

A departmental revolving fund must be authorized by by-law or ordinance. [G.L. c. 44, § 53E½](#).

### **B. Requisite Elements of a Revolving Fund By-Law or Ordinance**

The establishment of any departmental revolving fund must be made not later than the beginning of the fiscal year in which the fund shall begin. The by-law or ordinance establishing a departmental revolving fund must specify:

1. the fees, charges or other revenues generated by the program or activity to be credited to the revolving fund;
2. the board, department or officer authorized to spend from the revolving fund;
3. the departmental program or activity expenses for which monies from the revolving fund may be expended without appropriation; and
4. any reporting requirements the city or town may impose.

**It is the language of the by-law or ordinance that determines the scope of, and restrictions upon, each proposed departmental revolving fund. Care should be exercised to ensure that the language is sufficiently specific to implement the revolving fund without confusion.**

If, during the course of the fiscal year, a new revenue source becomes available for the establishment of a revolving fund, such a fund may be established by by-law or ordinance upon certification by the city auditor, town accountant, or other officer having similar duties that the revenue source was not used in computing the most recent tax levy.

### **C. Model By-Law or Ordinance Establishing a Departmental Revolving Fund**

For various models concerning the establishment of a departmental revolving fund by-law or ordinance, please see DLS [Bulletin 2017-01B](#).

### **D. Annual Vote on Spending Authority**

A city or town must, on or before July 1 of each year, vote the limit on the total amount that may be expended from each revolving fund established under [G.L. c. 44, § 53E½](#). In any fiscal year, the limit on the amount that may be spent from a revolving fund may be increased with the approval of the city council and mayor in a city, or with the approval of the selectboard and finance committee in a town. During the course of a fiscal year, only the dollar limit may be adjusted and not the general scope or spending purposes of the by-law or ordinance, which must be amended in accordance with city or town authority.

**Legislative Body Vote Sample**

**(Samples should not be used without the advice of municipal counsel)**

**ARTICLE/ORDER:** To see if the city/town shall authorize a spending limit of \$ \_\_\_\_\_ to be expended from the \_\_\_\_\_ revolving fund for the fiscal year \_\_\_\_\_ beginning on July 1, \_\_\_\_\_ or take any other action relative thereto.

**MOTION:** Moved/ordered that the city/town shall authorize a spending limit of \$ \_\_\_\_\_ to be expended from the \_\_\_\_\_ revolving fund for the fiscal year \_\_\_\_\_ beginning on July 1, \_\_\_\_\_.

**Legislative Body Vote Sample**

**(Samples should not be used without the advice of municipal counsel)**

**ARTICLE/ORDER:** To see if the city/town will vote to fix the maximum amount that may be spent during fiscal year \_\_\_\_\_ beginning on July 1, \_\_\_\_\_ for the revolving funds established in city ordinances/town by-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½, or take any other action relative thereto.

**MOTION:** Moved/ordered that the city/town fix the maximum amount that may be spent during fiscal year beginning on July 1, \_\_\_\_\_ for the revolving funds established in city ordinances/town by-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½, as follows:

<b>Revolving Fund</b>	<b>Department, Board, Committee, Agency or Officer</b>	<b>FY2022 Spending Limit</b>
Hazardous Materials	Fire Chief	\$15,000
Inspectional Services	Building Inspector	\$50,000
Teen Center	Director of Teen Center within the Public Facilities Department	\$10,000

**III. LIMITATIONS AND RESTRICTIONS UPON DEPARTMENTAL REVOLVING FUNDS**

**A. Per Department Spending Limitation**

The total spending that may be authorized in a fiscal year for a particular department's revolving funds established under [G.L. c. 44, § 53E½](#) is no longer limited to one percent



(1%) of the amount of the most recent established tax levy of the municipality. Instead a municipality must, as noted above, by July 1, vote on the limit of the total amount that may be expended from each revolving fund.

**B. Cumulative Spending Limitation**

The legislature repealed the limit on total fiscal year spending that may be authorized by a municipality for all its departmental revolving funds established under [G.L. c. 44, § 53E½](#). The overall ceiling is no longer at 10% of the most recently established tax levy of the municipality.

**C. Payment of Full-Time Salaries Limitation**

Expenditures may not be made from a departmental revolving fund established under [G.L. c. 44, § 53E½](#) to pay the wages or salaries of full-time municipal employees, unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries paid. There is an exception to this prohibition, with other stipulations, for wages or salaries paid to full-time or part-time employees who are employed as drivers providing transportation for public school students.

As the employment of full-time employees usually entails other expenses in addition to direct payments (e.g., health insurance, retirement contributions), which costs may be borne within the general town budget, the compensation of full-time employees should be provided for by regular budgetary appropriation. For purposes of a departmental revolving fund under [G.L. c. 44, § 53E½](#), a “full-time employee” should be considered to be a person who, by virtue of the weekly hours required of their position, qualifies for the regular package of employee benefits. Payments from a departmental revolving fund to temporary or part-time employees and independent contractors are generally permissible.

**IV. OPERATION OF DEPARTMENTAL REVOLVING FUND**

**A. Receipts**

For each particular program or activity for which a departmental revolving fund is authorized, an account will be established and the charges, fees and receipts described in the authorization vote will be credited directly to the account, rather than local estimated receipts. The municipal treasurer will have custody of all monies in the fund, and interest earned on the monies will accrue to the general fund.

**B. Expenditures**

After receipt, monies credited to a departmental revolving fund may be spent by the board, department or officer having control of the fund. The actual cash balances in the fund at a given time are a ceiling on expenditures and contractual obligations. Only cash on hand may be spent. In no event may expenditures be made or obligations incurred in excess of the actual cash balances available in the revolving fund. Expenditures may be made without further appropriation in support of the program or activity that generated the receipts, but only for those purposes authorized in the annual vote establishing the revolving fund. The regular warrant process must be adhered to in making payments from

departmental revolving funds. Accordingly, in cities, absent a charter provision to the contrary, all payments must be approved by the city auditor, and in towns, absent a charter provision to the contrary, all payments must be approved by the town accountant and selectboard.

**C. Year-End Balances**

A departmental revolving fund is subject to the terms of the by-law or ordinance that created it. Previously, the balance of a revolving fund, if reauthorized on an annual basis, was carried over to the revolving fund for use in the following year. Now, the balance of a revolving fund carries over from year to year, unless the by-law or ordinance that created the revolving fund is repealed. If a by-law or ordinance creating a revolving fund is repealed, the balance in the fund reverts to surplus revenue at the close of the fiscal year.

**V. REPORTING REQUIREMENTS**

**A. Annual Report**

A board, department or officer having control of a departmental revolving fund is required to submit an annual report on the operation of the fund. In a town, this report must be submitted to annual town meeting and the selectboard, and in a city to the city council and the mayor or city manager. For each revolving fund, the report must show (1) the total receipts and (2) the total expenditures of the fund for the full prior fiscal year and for the first six months of the current fiscal year. Additional reporting requirements may be established by vote of town meeting or the city council.

**B. Town Clerk - Reporting Appropriations**

A city or town clerk should include the amounts specified in the annual vote establishing the limit that may be expended from each revolving fund to appear on the tax rate recapitulation. A report of departmental revolving fund authorizations may be separately requested by the Division of Local Services Bureau of Accounts.

**ARTICLE REQUEST FORM**

**ARTICLE: Community Preservation Act, Annual Budget Article for CPA Funding for Fiscal Year 2024, Annual Town Meeting Warrant**

**AMOUNT REQUESTED: \$609,037**

**CONTACT PERSON: Barbara Gard, CPC Administrator**

**PHONE NUMBER: 978-363-1100 x131, cpc@wnewbury.org**

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

ARTICLE: To see if the Town will vote to appropriate or reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee (CPC) for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2024, with each item to be considered a separate appropriation.

**Appropriations:**

From FY 2024 estimated revenues for Committee Administrative Expenses: \$30,452

**Reserves:**

From FY 2024 estimated revenues for Community Housing Reserve \$60,904

From FY 2024 estimated revenues for Historic Resources Reserve \$60,904

From FY 2024 estimated revenues for Open Space & Recreation Reserve \$60,904

From FY 2024 estimated revenues for Budgeted Reserve \$395,873

Sponsored by the Community Preservation Committee

The Community Preservation Committee voted on February 16, 2023 to approve this Article and to submit it to the Town Manager for inclusion on the Annual Town Meeting Warrant. Present and voting were, Wendy Reed, Bob Janes, Gary Bill, Brad Buschur and Ray Cook.

Please note that if the Department of Revenue releases estimates of a state match prior to the posting of the Warrant, or a date specified by the Town Manager, the CPC may submit updated estimates for the Warrant article.

**What factors affect the timing of this purchase? N/A**

**When should this Article be ended; how long with the project take? N/A**

**What ancillary costs do you anticipate? (Maintenance, Insurance, Training, etc.) N/A**

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 Improvement Schedule for future capital investments. **N/A**

**Please attach additional pages or other supporting documentation.**

**TOWN OF WEST NEWBURY  
COMMUNITY PRESERVATION COMMITTEE**

# Draft Article 23

**APPLICATION FOR PROJECT FUNDING**

This application may be completed electronically and emailed to [cpc@wnewbury.org](mailto:cpc@wnewbury.org) or printed and completed by hand and submitted to the CPC Administrator. All applications must be received by the CPC Office at least 2 weeks prior to a scheduled meeting in order to be considered by the Committee. For more information contact 978-363-1100 X131.

**APPLICANT INFORMATION**

Project Name:	<b>Sawmill Brook Conservation Project</b>
Project Address:	<b>Archelaus Place and Poor House Lane</b>
Map/Lot:	<b>Map R14, Lots 30 and 30F</b>
Applicant Name: (Group or Committee Affiliation)	<b>Essex County Greenbelt Association, Inc. and West Newbury Open Space Committee</b>
Contact Person:	<b>Vanessa Johnson-Hall</b>
Telephone:	<b>978-768-8310</b>
Address:	<b>P.O. Box 1026, Essex, MA 01929</b>
Email:	<a href="mailto:vkjohnson@ecga.org">vkjohnson@ecga.org</a>
Date of Application:	<b>January 2023</b>

**PROJECT ELIGIBILITY**

Community Preservation Category (ies)	
Date Approved by CPC	

**TOWN OF WEST NEWBURY  
COMMUNITY PRESERVATION COMMITTEE**

**APPLICATION FOR PROJECT FUNDING**

**PROJECT NARRATIVE**

Provide information for the following project components, providing attachments where necessary which clearly reference the heading. All project components listed must be addressed in order for the project to be considered by the CPC.

**PROJECT SUMMARY** - Provide a description of the Project, including the property involved and its proposed use.

The Town's acquisition of the two parcels of land comprising the Sawmill Brook Conservation Project, with assistance from Greenbelt, will permanently preserve 32 acres of important open space and wildlife habitat on the western side of the Town's Mill Pond / Pipestave Hill Conservation and Recreation Area. CPA funds would be 100% matched by either a state grant and/or fundraising by Greenbelt. Greenbelt will facilitate the real estate portion of the transaction, including holding the Purchase & Sale Agreement, and conducting due diligence (appraisal, title exam, and environmental site assessment). Greenbelt would hold the conservation restriction on the property as is required for municipal lands acquired with CPA funds. The acquisition would be for passive recreational use, expanding the Town's Pipestave Hill / Mill Pond conservation area, and allowing for trail expansion and the opportunity to enhance public access from Archelaus Place.

**TOWN OF WEST NEWBURY  
COMMUNITY PRESERVATION COMMITTEE**

**APPLICATION FOR PROJECT FUNDING**

**PUBLIC BENEFIT** – Describe in detail the benefits West Newbury will receive from the Project and how the Project meets the Community Preservation Committee’s Project Evaluation Criteria.

The addition of the property to Pipestave Hill / Mill Pond would have numerous public benefits:

- **Buffer and expand a popular public recreation area:** Sawmill Brook parcels would connect Pipestave Hill / Mill Pond to the open space component of the Deer Run development, expanding the natural area corridor.
- **Allow for trail expansion:** Trails are established on the southern Sawmill Brook parcel, though the current owner does permit public access. Acquiring this land will allow for public access to these parcels. Poor House Lane is currently frequented by walkers coming from Archelaus Place to access Mill Pond / Pipestave Hill.
- **Create opportunity for formal public access to the conservation area from Archelaus Place**
- **Protect water quality of Mill Pond and maintain integrity of high-quality wildlife habitat:**
  - The acquisition would protect Sawmill Brook and associated wetlands. Sawmill Brook is a perennial stream that flows into Mill Pond and ultimately the Merrimack River. Intact forests help filter pollutants out of water, and slow the surface flow of rainfall to reduce erosion and flooding. Preserving these 32 acres of forest will therefore further protect the water quality of Sawmill Brook, Mill Pond, and ultimately the Merrimack.
  - The Commonwealth’s new BioMap study, released in December 2022, shows the Sawmill Brook property as almost entirely within a large area mapped Core Habitat for Rare Species. This means that habitat on the property (which includes the stream corridor and wetlands) is extremely high quality and able to support wildlife whose habitat is dwindling elsewhere.

**TOWN OF WEST NEWBURY  
COMMUNITY PRESERVATION COMMITTEE**

**APPLICATION FOR PROJECT FUNDING**

**CONTROL OF SITE** - Indicate whether the applicant owns or has a purchase agreement for the Project site. If the property is under agreement, include a description of the agreement and the timing and conditions of the purchase. If the applicant does not have site control, explain how the project will go forward.

Essex County Greenbelt has a signed purchase & sale agreement with Austin Realty Trust to acquire the 32 acres for \$705,000. The agreement is contingent upon obtaining sufficient funding and satisfaction with due diligence. The funding contingency deadline is the end of July 2023, and the closing deadline is December 15, 2023.

**FEASIBILITY** - List all steps that may be required for completion of the Project, such as environmental assessment, zoning or other approvals, agreement on terms of any required conservation, affordability or historic preservation restrictions, and any other known issues. For projects that may affect abutters or the neighborhood, describe methods used to notify abutters of the proposal, and support or objections from those affected.

- Appraisal - complete
- Title Exam - complete
- Environmental Site Assessment – in progress
- Town Meeting Approval to authorize \$350,000 in CPA funds – April 24, 2023
- LAND grant application due from Town: early July 2023
- Funding Contingency Deadline – July 31, 2023
- LAND grant awards announced – typically October
- Closing deadline: December 15, 2023

**SUPPORT** – Seek input from relevant Town entities and members of the community. Provide documentation of their response.

Documentation of the following approvals will be submitted to the CPC prior to the January 19<sup>th</sup> meeting.

- Essex County Greenbelt Association Board of Directors approval to submit CPC application with West Newbury Open Space Committee – anticipated 2<sup>nd</sup> week of January 2023
- West Newbury Open Space Committee approval to submit CPC application with Greenbelt – anticipated 1/18/2023
- Verification that the W. Newbury Conservation Commission supports the project as presented and will oversee the project if funded – anticipated 1/9/2023

**TOWN OF WEST NEWBURY  
COMMUNITY PRESERVATION COMMITTEE**

**APPLICATION FOR PROJECT FUNDING**

**SCOPE OF WORK** - A scope of work is required to fully develop a time and cost plan for recommendation to Town Meeting. The scope is to be prepared by the Applicant and be detailed enough, in the opinion of the CPC, that a professional qualified to perform the work will be able to provide an estimate of the time and cost necessary to complete the proposed work. Attach the scope of work to this application.

N/A

**PROJECT TIMELINE** - Describe the anticipated steps or phases for completion of the Project. State whether the Project will be ready to proceed in the coming fiscal year. Will this be a multi-year project?

- Appraisal - complete
- Title Exam - complete
- Environmental Site Assessment – in progress
- Town Meeting Approval to authorize \$350,000 in CPA funds – April 24, 2023
- Greenbelt fundraising: May – December, 2023
- LAND grant application due from Town: early July 2023
- EEA grant awards announced – typically October
- Closing: December 15, 2023

**FUNDING** - Include a full budget, including itemization of major components and breakdown of construction costs. Describe The estimated annual cost of operating and maintaining the site/project after completion. Describe the basis for your budget and the sources of information you used.

*Please see attached budget.*



**TOWN OF WEST NEWBURY  
COMMUNITY PRESERVATION COMMITTEE**

**APPLICATION FOR PROJECT FUNDING**

**OTHER** - Please provide any other information which you think would be useful for the CPC to consider when evaluating this project's eligibility for funding (attach additional pages if needed):

**TOWN OF WEST NEWBURY  
COMMUNITY PRESERVATION COMMITTEE**

**APPLICATION FOR PROJECT FUNDING**

**APPLICATION CHECKLIST:**

To be completed by Applicant and approved by CPC Administrator prior to the application being reviewed by the CPC.

<b>Y</b>	<b>N/A</b>	<b>Application Requirement</b>
Y		Proof of ownership or control of the site, structure, or subject of Application.
by 1/19		Proof of authorization by the public agency, board, committee, or any entity governed by a board, trustees, corporation etc., showing a vote by the entity to submit the Applications and take responsibility for the project.
by 1/19		If the project involves public property, verification that the applicable public agency or department supports the project as presented and will oversee the project if funded.
Y		Assessor's map showing location of the Project.
Y		Photographs, including aerial photographs if available.
	N/A	Detailed scope of work for the project prepared by the Applicant.
	N/A	Recent cost and time to complete estimates from professionals qualified to complete the project.
	N/A	Proposed oversight and management plan for the Project.
	N/A	If the project involves a historic resource, evidence (date of listing on the state register or a letter from the West Newbury Historical Commission confirming its determination of significance) with the application that it meets these criteria.
	N/A	Architectural plans and specifications, for new construction or rehabilitation.
Y		Maps, renderings, site plans.
	N/A	Historic structures report, existing conditions report.
	N/A	Names and addresses of project architects, contractors and consultants.
by 1/19		Documentation of support from Town entities and Community.
	N/A	Permission from the property owner to display a CPC funded project sign.

**Approval by CPC Administrator:**

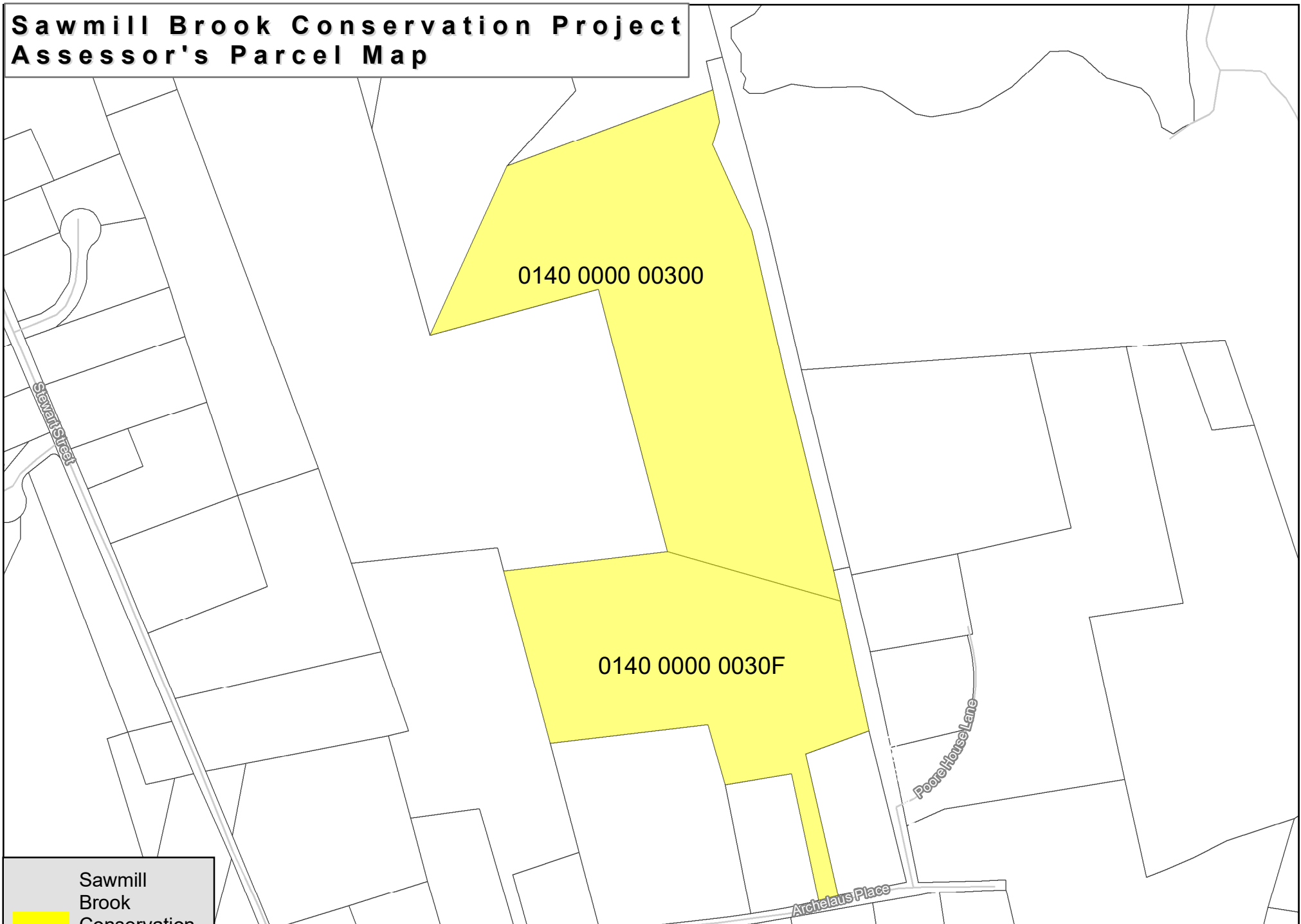
Signature	
Date	

## Project Budget: Sawmill Brook Conservation Acquisition

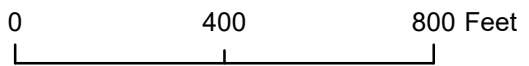
Project Expenses		Deadline / Status
<b>Acquisition Cost</b>	<b>\$705,000</b>	December 15, 2023
<b>Transaction Costs (paid by Greenbelt)</b>		
Title	\$1,300	complete
Phase 1 ESA	\$2,500	in progress
Appraisal	\$4,800	complete
Closing Costs	\$750	(estimated)
Legal Fees	\$5,000	(estimated)
<b>Total Transaction</b>	<b>\$14,350</b>	approved
<b>Total Project Cost</b>	<b>\$719,350</b>	
<b>Funding Sources - Cost Scenarios</b>		
Scenario 1: W. Newbury awarded LAND grant		
EEA LAND grant (W. Newbury)	\$394,800	
W Newbury Community Preservation Act fund	\$210,200	
Greenbelt private fundraising	\$100,000	
EEA Conservation Partnership Grant (Greenbelt)	\$0	
Greenbelt - transaction costs	\$14,350	approved
<b>Total Funding</b>	<b>\$719,350</b>	
Scenario 2: W. Newbury not awarded LAND grant		
EEA LAND grant (W. Newbury)	\$0	
W Newbury Community Preservation Act fund	\$350,000	
Greenbelt private fundraising	\$180,000	
EEA Conservation Partnership Grant (Greenbelt)*	\$175,000	
Greenbelt - transaction costs	\$14,350	approved
<b>Total Funding</b>	<b>\$705,000</b>	

*\*Greenbelt will apply for the EEA Conservation Partnership Grant concurrently with W. Newbury applying for EEA LAND Grant, and will notify EEA that the preference is for EEA to award the LAND grant to W. Newbury. Only one EEA grant is typically awarded per project*

# Sawmill Brook Conservation Project Assessor's Parcel Map



Sawmill  
Brook  
Conservation  
Project  
(proposed)

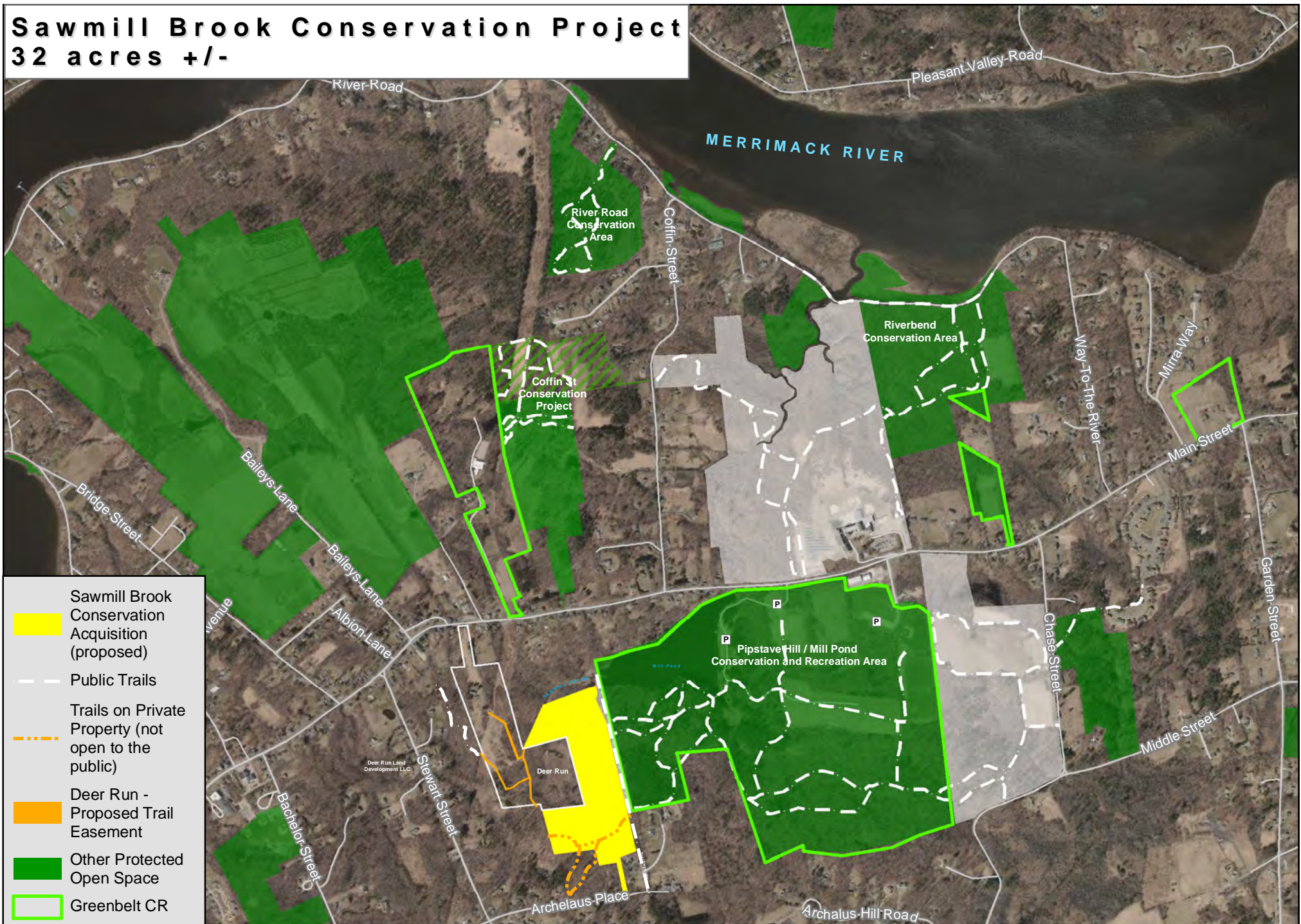


Map for illustrative purposes only. Boundaries are approximate and based on most currently-available assessor's data. 2019 Orthophotos; 1:5,000. All data other than Greenbelt properties from MassGIS. Map by Greenbelt, dated 12.29.22

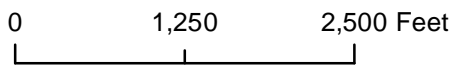


# Sawmill Brook Conservation Project

## 32 acres +/-



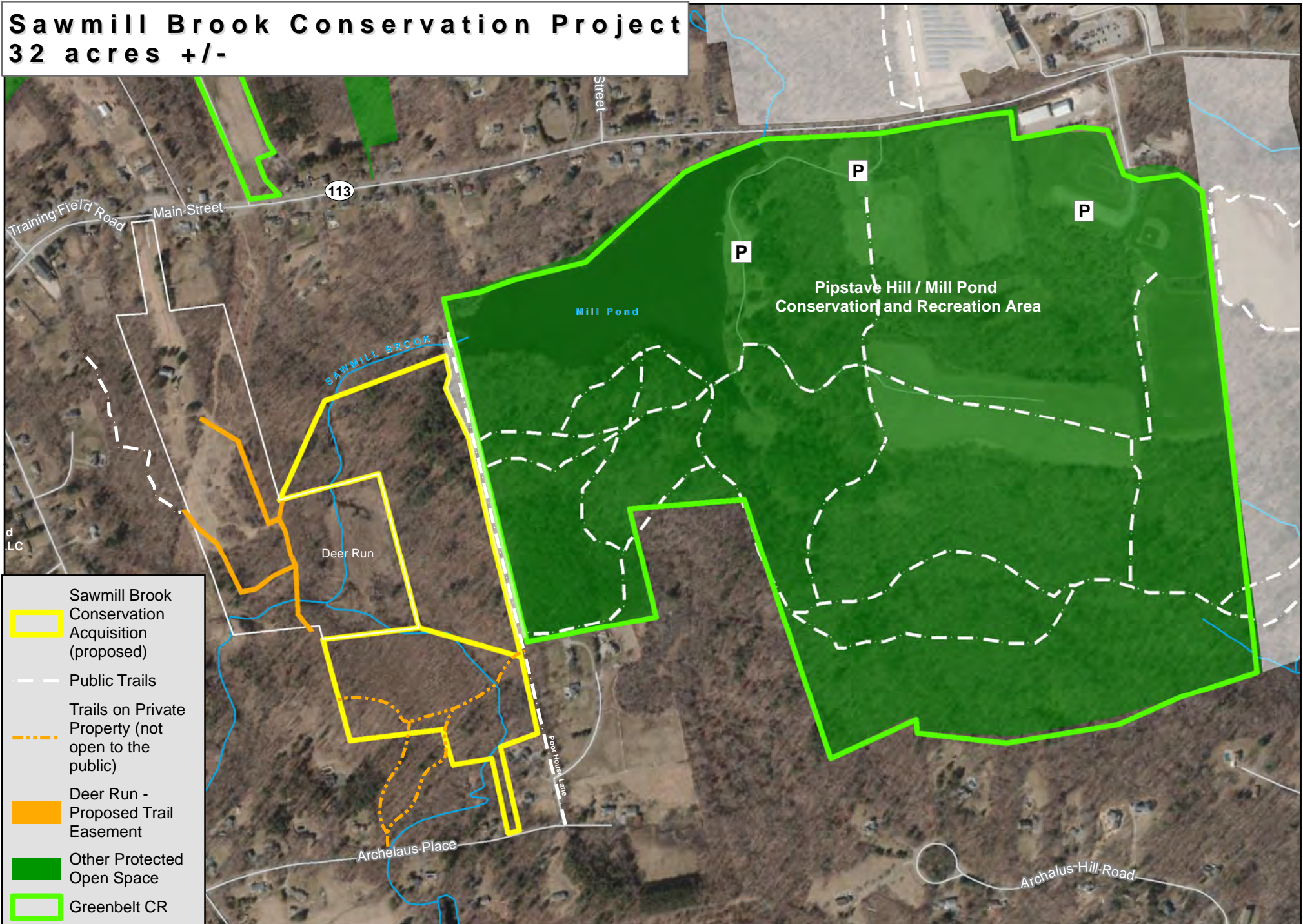
- Sawmill Brook Conservation Acquisition (proposed)
- Public Trails
- Trails on Private Property (not open to the public)
- Deer Run - Proposed Trail Easement
- Other Protected Open Space
- Greenbelt CR
- Other Municipal Land (not Article 97 protected)








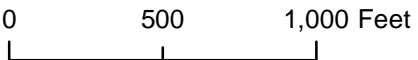
Map for illustrative purposes only. Boundaries are approximate and based on most currently-available assessor's data. 2019 Orthophotos; 1:5,000. All data other than Greenbelt properties from MassGIS. Map by Greenbelt, dated 12.29.22



# Sawmill Brook Conservation Project 32 acres +/-

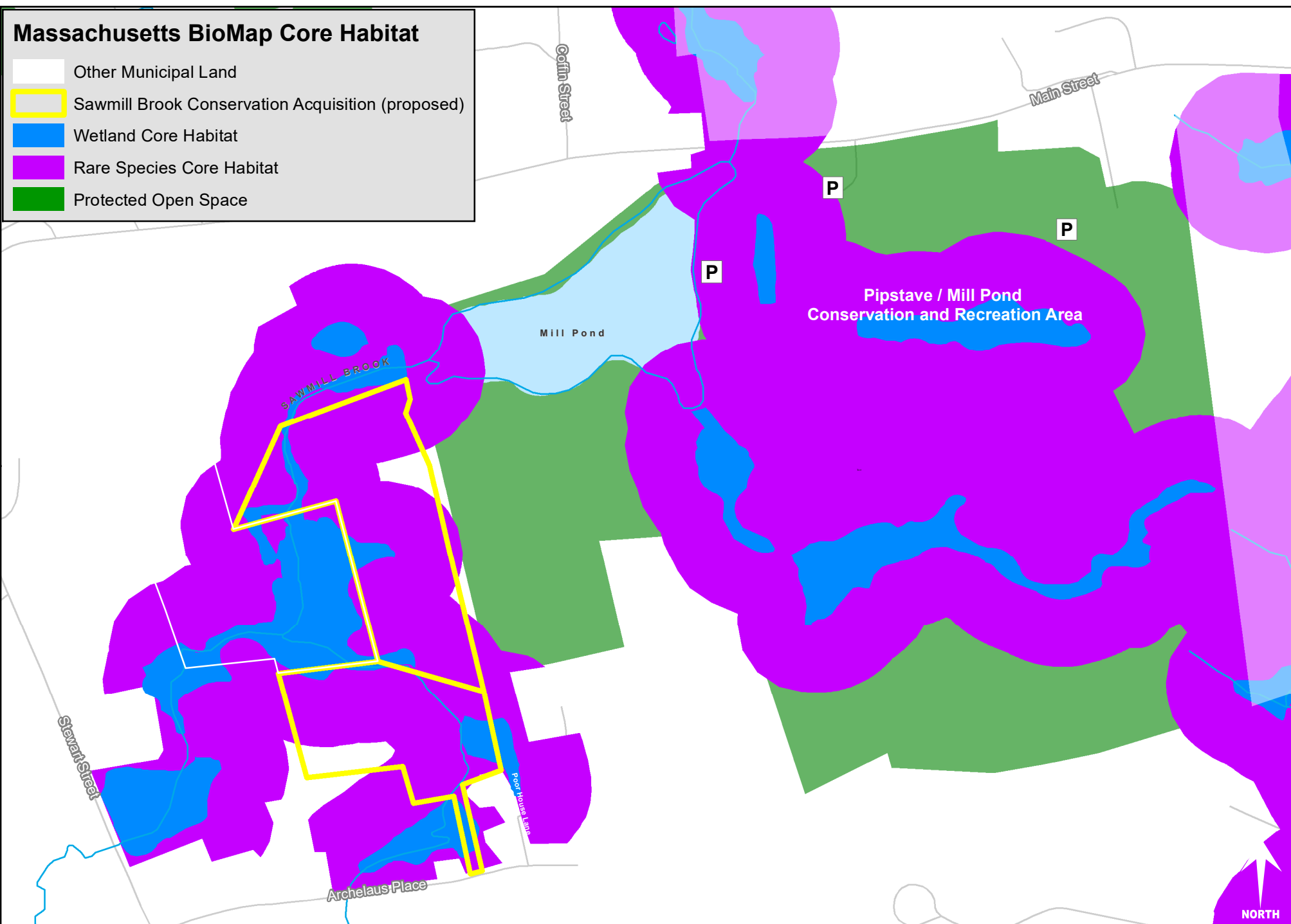


-  Sawmill Brook Conservation Acquisition (proposed)
-  Public Trails
-  Trails on Private Property (not open to the public)
-  Deer Run - Proposed Trail Easement
-  Other Protected Open Space
-  Greenbelt CR
-  Other Municipal Land (not Article 97 protected)



Map for illustrative purposes only. Boundaries are approximate and based on most currently-available assessor's data. 2019 Orthophotos; 1:5,000. All data other than Greenbelt properties from MassGIS. Map by Greenbelt, dated 12.29.22





# Sawmill Brook Conservation Project

32 acres +/-

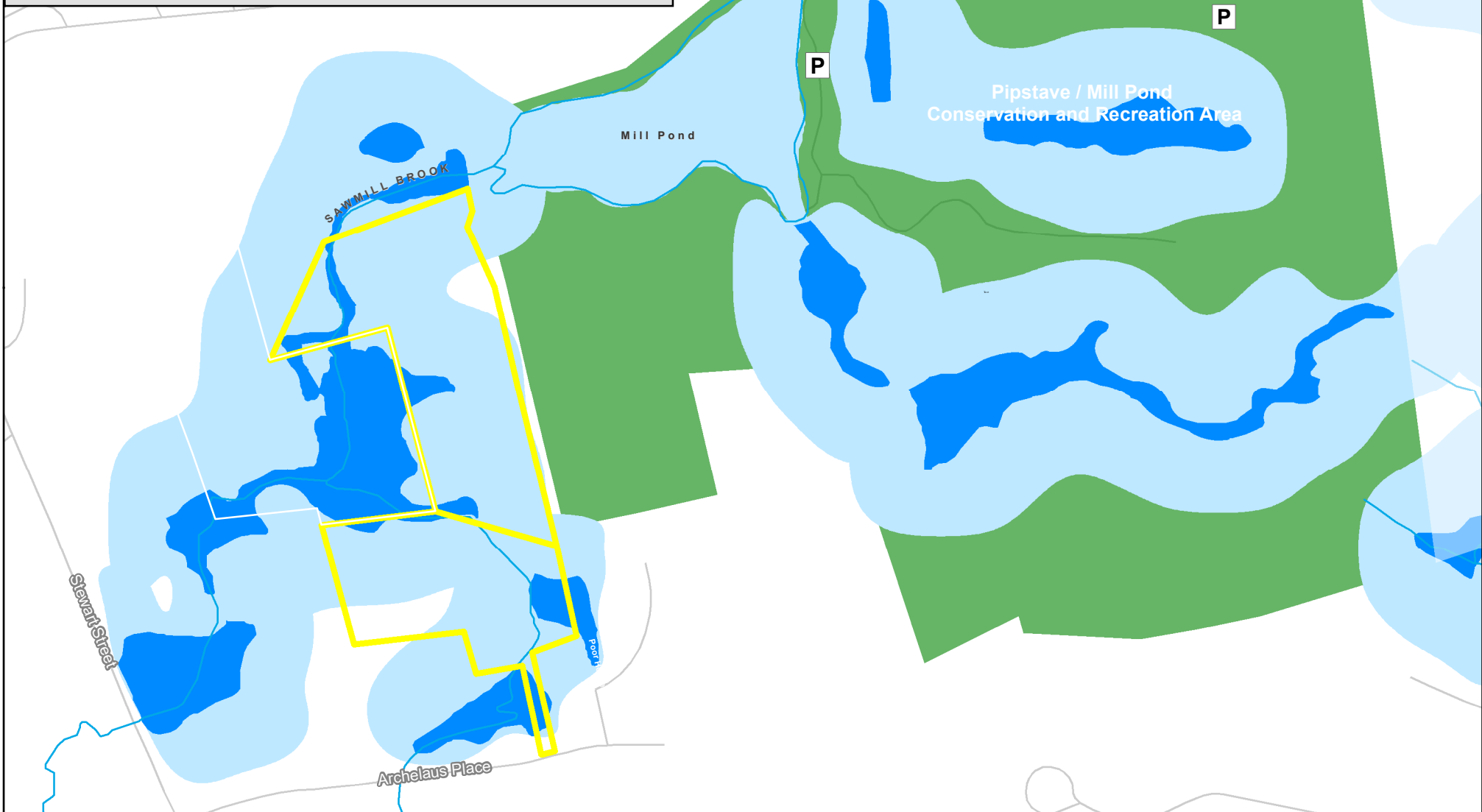
Map for illustrative purposes only. Boundaries are approximate and based on most currently-available assessor's data. 2019 Orthophotos; 1:5,000. All data other than Greenbelt properties from MassGIS. Map by Greenbelt, dated 12.5.22

0 500 1,000 Feet

**Greenbelt**  
Essex County's Land Trust

# Massachusetts BioMap Critical Natural Landscape

- Wetland Core Buffers
- Wetland Core Habitat
- Sawmill Brook Conservation Acquisition (proposed)
- Protected Open Space
- Other Municipal Land



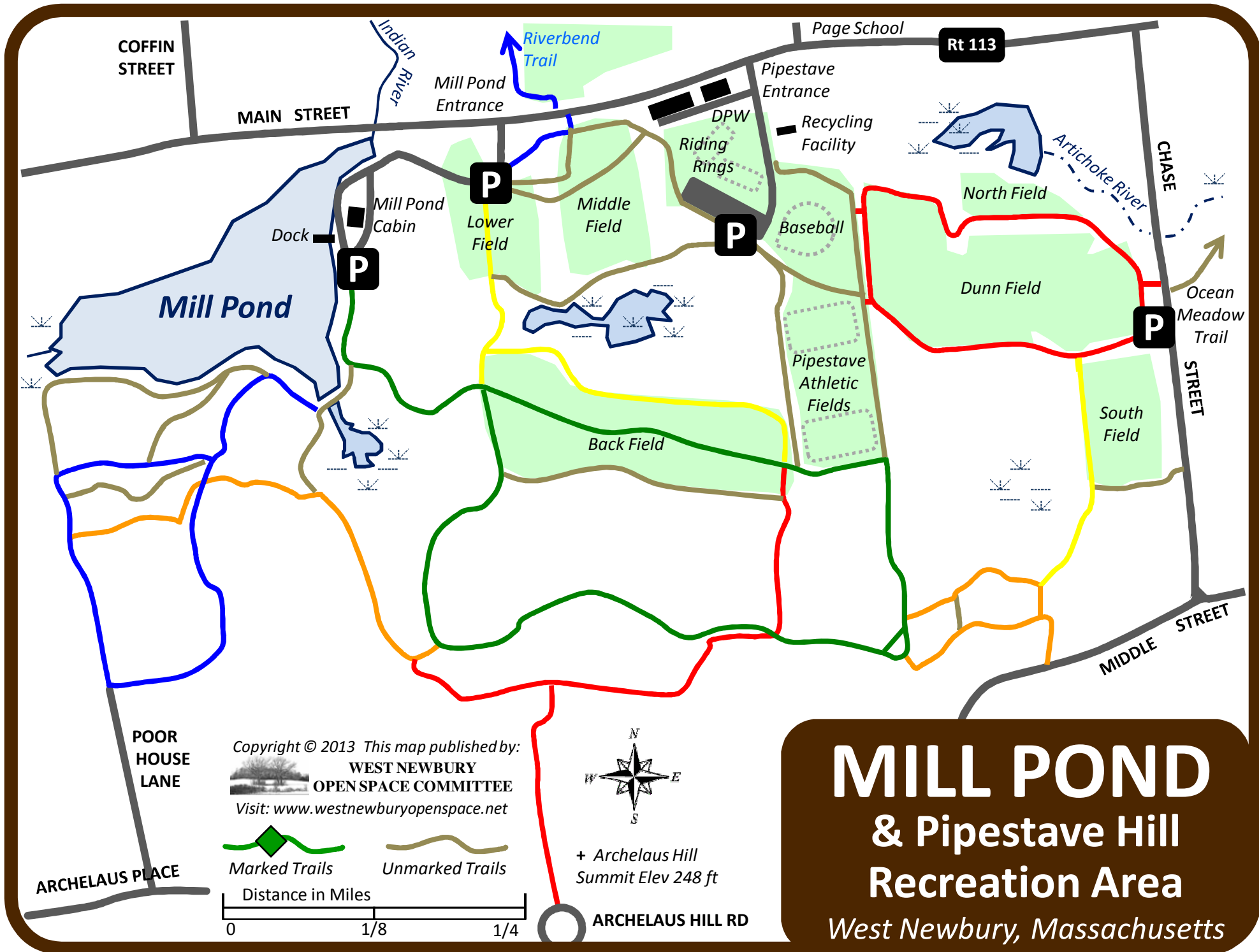
## Sawmill Brook Conservation Project 32 acres +/-



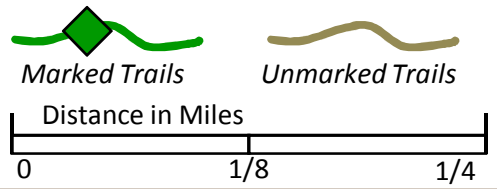
Map for illustrative purposes only. Boundaries are approximate and based on most currently-available assessor's data. 2019 Orthophotos; 1:5,000. All data other than Greenbelt properties from MassGIS. Map by Greenbelt, dated 12.5.22







Copyright © 2013 This map published by:  
**WEST NEWBURY  
 OPEN SPACE COMMITTEE**  
 Visit: [www.westnewburyopenspace.net](http://www.westnewburyopenspace.net)



+ Archelaus Hill  
 Summit Elev 248 ft

ARCHELAUS HILL RD

# MILL POND & Pipestave Hill Recreation Area

West Newbury, Massachusetts



Sawmill Brook in winter.



The Almshouse Cemetery from Poor House Lane. The proposed conservation acquisition is immediately behind the photographer.



Mill Pond from  
Northern portion  
of Poor House  
Lane.



Poor House Lane. Sawmill  
Brook property is on the  
right.

**TOWN OF WEST NEWBURY  
COMMUNITY PRESERVATION COMMITTEE**

# Draft Article 24

**APPLICATION FOR PROJECT FUNDING**

This application may be completed electronically and emailed to [cpc@wnewbury.org](mailto:cpc@wnewbury.org) or printed and completed by hand and submitted to the CPC Administrator. All applications must be received by the CPC Office at least 2 weeks prior to a scheduled meeting in order to be considered by the Committee. For more information contact 978-363-1100 X131.

**APPLICANT INFORMATION**

Project Name:	Affordable Housing Trust Initial and Annual Transfer
Project Address:	n/a
Map/Lot:	n/a
Applicant Name: (Group or Committee Affiliation)	West Newbury Select Board
Contact Person:	Angus Jennings, Town Manager
Telephone:	978-363-1100 x111
Address:	Town Office Building 381 Main Street West Newbury, MA
Email:	townmanager@wnewbury.org
Date of Application:	January 10, 2023

**PROJECT ELIGIBILITY**

Community Preservation Category (ies)	Community Housing
Date Approved by CPC	

**TOWN OF WEST NEWBURY  
COMMUNITY PRESERVATION COMMITTEE**

**APPLICATION FOR PROJECT FUNDING**

**PROJECT NARRATIVE**

Provide information for the following project components, providing attachments where necessary which clearly reference the heading. All project components listed must be addressed in order for the project to be considered by the CPC.

**PROJECT SUMMARY** - Provide a description of the Project, including the property involved and its proposed use.

The Select Board requests that the remaining balance of the CPA Community Housing Reserve, as well as the FY 2023 distribution to the reserve, be transferred to the newly formed Affordable Housing Trust. These funds will be used to support efforts to Acquire, Create, Preserve and Support Affordable Housing in West Newbury. All such uses will be in accordance with CPA requirements and the CPC/Affordable Housing Trust Grant Agreement (currently being drafted).

**PUBLIC BENEFIT** – Describe in detail the benefits West Newbury will receive from the Project and how the Project meets the Community Preservation Committee’s Project Evaluation Criteria.

Use of these funds will benefit residents in need of affordable housing in West Newbury.

**CONTROL OF SITE** - Indicate whether the applicant owns or has a purchase agreement for the Project site. If the property is under agreement, include a description of the agreement and the timing and conditions of the purchase. If the applicant does not have site control, explain how the project will go forward.

n/a

**TOWN OF WEST NEWBURY  
COMMUNITY PRESERVATION COMMITTEE**

**APPLICATION FOR PROJECT FUNDING**

**FEASIBILITY** - List all steps that may be required for completion of the Project, such as environmental assessment, zoning or other approvals, agreement on terms of any required conservation, affordability or historic preservation restrictions, and any other known issues. For projects that may affect abutters or the neighborhood, describe methods used to notify abutters of the proposal, and support or objections from those affected.

n/a

**SUPPORT** – Seek input from relevant Town entities and members of the community. Provide documentation of their response.

The Affordable Housing Trust supports this transfer request and is drafting a Grant Agreement that will outline the restrictions and potential uses of these funds.

**SCOPE OF WORK** - A scope of work is required to fully develop a time and cost plan for recommendation to Town Meeting. The scope is to be prepared by the Applicant and be detailed enough, in the opinion of the CPC, that a professional qualified to perform the work will be able to provide an estimate of the time and cost necessary to complete the proposed work. Attach the scope of work to this application.

n/a

**TOWN OF WEST NEWBURY  
COMMUNITY PRESERVATION COMMITTEE**

**APPLICATION FOR PROJECT FUNDING**

<p><b>PROJECT TIMELINE</b> - Describe the anticipated steps or phases for completion of the Project. State whether the Project will be ready to proceed in the coming fiscal year. Will this be a multi-year project?</p> <p>n/a</p>							
<p><b>FUNDING</b> - Include a full budget, including itemization of major components and breakdown of construction costs. Describe The estimated annual cost of operating and maintaining the site/project after completion. Describe the basis for your budget and the sources of information you used.</p>							
<p>CPA Community Housing Balance:</p> <p>FY 2023 CPA Community Housing Allocation:</p> <p>Total:</p> <p>*Current as of 11/30/22</p>	<table style="width: 100%;"><tr><td style="width: 50%;"></td><td style="text-align: right;">\$ 172,174</td></tr><tr><td></td><td style="text-align: right;">\$</td></tr><tr><td></td><td style="text-align: right;">\$</td></tr></table>		\$ 172,174		\$		\$
	\$ 172,174						
	\$						
	\$						
<p><b>OTHER</b> - Please provide any other information which you think would be useful for the CPC to consider when evaluating this project's eligibility for funding (attach additional pages if needed):</p>							

**TOWN OF WEST NEWBURY  
COMMUNITY PRESERVATION COMMITTEE**

**APPLICATION FOR PROJECT FUNDING**

**APPLICATION CHECKLIST:**

To be completed by Applicant and approved by CPC Administrator prior to the application being reviewed by the CPC.

<b>Y</b>	<b>N/A</b>	<b>Application Requirement</b>
	X	Proof of ownership or control of the site, structure, or subject of Application.
	X	Proof of authorization by the public agency, board, committee, or any entity governed by a board, trustees, corporation etc., showing a vote by the entity to submit the Applications and take responsibility for the project.
	X	If the project involves public property, verification that the applicable public agency or department supports the project as presented and will oversee the project if funded.
	X	Assessor's map showing location of the Project.
	X	Photographs, including aerial photographs if available.
	X	Detailed scope of work for the project prepared by the Applicant.
	X	Recent cost and time to complete estimates from professionals qualified to complete the project.
	X	Proposed oversight and management plan for the Project.
	X	If the project involves a historic resource, evidence (date of listing on the state register or a letter from the West Newbury Historical Commission confirming its determination of significance) with the application that it meets these criteria.
	X	Architectural plans and specifications, for new construction or rehabilitation.
	X	Maps, renderings, site plans.
	X	Historic structures report, existing conditions report.
	X	Names and addresses of project architects, contractors and consultants.
	X	Documentation of support from Town entities and Community.
	X	Permission from the property owner to display a CPC funded project sign.

**Approval by CPC Administrator:**

Signature	
Date	



## ARTICLE REQUEST FORM

**ARTICLE:** *Replace 15-year old sidewalk snow clearing equipment with new Bombardier.*

**AMOUNT REQUESTED:** \$172,000 (Capital Request)

**CONTACT PERSON:** Wayne S. Amaral, DPW Director

**PHONE NUMBER:** (978) 363-1100 x120

**Date:** 1/17/2023

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

*The existing 15-year old sidewalk plow is showing signs of aging and limitations. In 2007 we chose not to spend the higher cost on a bombardier and instead chose to purchase a less quality brand Holder type of snow clearing equipment. This equipment is adequate for this type of work, but at times is unable to push during heavy snow events once the state has packed all the snow onto the sidewalk. The Bombardier type equipment is a track type of machine that has no limitations in snow clearing operations. Replacing the existing Holder with a newer piece of equipment would allow DPW to clear the sidewalks quicker after a snow event in one pass with less impact to traffic and pedestrians.*

**What factors affect the timing of this purchase?**

*DPW has taken on more sidewalks and town facilities in the past few years and having a piece of equipment that can do this work more efficient and safer is vital to our success.*

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

*Recommended sunset date of June 30, 2025*

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

*Annual \$3,000 - \$4,000.*

**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.**

*This article is a free cash request and meets the criteria for a capital project. (DPW-011)*

**Please attach additional pages or other supporting documentation.**

**Town of West Newbury Capital Improvement Program - Project Request summary**

CIP CODE DPW-011



Date: 12/27/2019 UPDATED 10/28/22 Dept. Priority (1 of 3, etc.): 1  
 Department: DEPARTMENT OF PUBLIC WORKS Est. Funding Request: \$172,000  
 Project Title: PURCHASE REPLACEMENT sidewalk plow and blower Est. Useful Life (Years): 15 YEARS  
 Contact: WAYNE S. AMARAL DPW DIRECTOR

Previously Presented?  Yes  No If Yes, when? (FY):  
**Project Type: Check All That Apply -**  
 Scheduled Replacement  Expanded Service  Deemed Critical by Dept.   
 Present Equipment Obsolete  New Operation  Regulatory Requirement   
 Replace Worn-out Equipment  Improved Efficiency/Procedures  Other   
 Health and Life Safety  New Revenue

**Project Description:**  
 As scheduled for replacement in the Capital Improvement Plan of FY2019, DPW would like to request the replacement of a 2008 Holder Sidewalk Plow and Blower vehicle (Truck #31) which is used after each snow storm to clear the sidewalks on Main Street. This 15-year old machine is showing signs of wear and tear with some major rusting occurring and is one of our most important pieces of snow equipment.



**Project Financing:**  
 Total Project Cost: \$172,000 Stabilization Funding: \$172,000  
 Amount & Type of Other Local Funding (ie. CPC, bond, op. budget): \$0 Comments:  
 Amount and Type of Non-Local Funding Sources (ie. Grant): \$0 Comments:  
**Future Costs & Operating Expenses:**  
 Estimated Annual Cost of Operation & Maintenance: \$4,000 Comments:  
 Estimated Net Effect on Operating Cost, Revenues, Staffing? \$0 Comments:

**Project Planning:**  
 Proposed Start Date of Project: **Would order this Equipment in Summer of 2023 with est delivery of Fall 2023.**  
 How was estimated cost determined? Estimated  
 Is Funding Necessary for Further Plans/Estimating?  
 Can the Project be Phased? If yes, expenditure by year

	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30+	TOTAL
PROPOSED	\$	\$	\$	\$172,000	\$	\$	\$	\$	\$	\$	\$172,000
CIP RECC.	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
APPROVED	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$



October 17, 2022

W. NEWBURY DEPT OF PUBLIC WORKS  
 381 MAIN ST  
 WEST NEWBURY, MASS 01985  
 ATTN WAYE AMARAL

**PRINOTH SW 50 MUNICIPALVEHICLE( also referred to as a Bombardier)-** Engineered and designed for snow r sidewalks. A quick-mount attachment system Allows the SW50 to be equipped with a wide variety of standard skid-steer implements, Such as a snow blower, front blade, v-plow, etc. The powerful tracked vehicle can accomplish the most demanding snow and ice clearing jobs in tight areas even in the worst of storms. Cab with heat, microcontroller, steering wheel and progressive speed control.

**ENGINE-** CAT 3.6 L 100 HP/ Maximum speed- 19MPH/ weight- 6749 lbs

**DIMENSIONS-**Width-50.5" / Total Length- 127"/ Total Height- 92"

**FACTORY EQUIPPED-** Quick attach system/ High Flow Hydraulics and Amber Strobe  
 One year warranty/1000 Hours

<b>PRINOTH SW50 BASE PRICE</b>	<b>\$ 141,000.00</b>
<b>OPTIONS:</b>	
<b>HEAVY DUTY HIGH FLOW SNOW BLOWER-</b> Fully hydrostatic, 5 tons/minute capacity/54" cut/51" ht 48" chute with 245 degree roatation and removable	<b>\$ 25,689.00</b>
<b>V-Plow</b>	\$ 4,912.00
<b>Sander</b>	<del>\$ 6,350.00</del>
<b>TRACTOR PRICE WITH OPTIONS</b>	<b>\$ 177,951.00</b>
<b>LESS MAS CONTRACT 2%</b>	<b>- \$3559.00</b>
<b>TOTAL</b>	<b>\$ 174,392.00</b>

*\$168,042.00*

15 Katrina Road, Chelmsford, MA 01824 ~ 800.804.0775 Toll Free – 978.256.8802 Fax

Leigh C Burrall  
Municipal Sales Manager  
978-288-9752 cell

Authorized Holder Dealer/ PRINOTH DEALER/ on Massachusetts State Contract

**15 Katrina Road, Chelmsford, MA 01824 ~ 800.804.0775 Toll Free – 978.256.8802 Fax**



# SW50

## TECHNICAL SPECIFICATIONS

*Pinotti*

## ARTICLE REQUEST FORM

**ARTICLE:** *Replace 21-year old F250 Fire Pick-up Truck (Engine #27) with new F350 4x4 Fire Pick-up Truck including all safety equipment.*

**AMOUNT REQUESTED:** \$117,000 (Capital Request)

**CONTACT PERSON:** Michael Dwyer, Fire Chief

**PHONE NUMBER:** 978-363-1212

**Date:** 1/20/2023

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

*The West Newbury Fire Department is requesting funding to replace our Ford F250 pick up truck. This vehicle is housed in the Garden Street fire station and serves two functions and a EMS vehicle and off road vehicle for wildfire response.*

**What factors affect the timing of this purchase?**

*The current vehicle is over 21 years old is beyond its service life. The current water pump, tank and mounted equipment has been reused on multiple vehicles and are no longer serviceable and will need to be replaced.*

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

*Recommended sunset date of June 30, 2025*

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

*Annual \$3,000 - \$4,000.*

**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.**

*This article is a free cash request and meets the criteria for a capital project. (FD-006)*

**Please attach additional pages or other supporting documentation.**

**Town of West Newbury Capital Improvement Program - Project Request summary**

CIP CODE FD-006



Date: 12/27/2019 with updates through 10/28/22 Dept. Priority (1 of 3, etc.): 1  
 Department: Fire Department Est. Funding Request: \$117,000  
 Project Title: Replace 2001 Pickup Truck (Engine #27) Est. Useful Life (Years): 10-15 YEARS  
 Contact: Michael Dwyer, FIRE CHIEF

Previously Presented?  Yes  No If Yes, when? (FY): \_\_\_\_\_

**Project Type: Check All That Apply -**

Scheduled Replacement	<input checked="" type="checkbox"/>	Expanded Service	<input type="checkbox"/>	Deemed Critical by Dept.	<input checked="" type="checkbox"/>
Present Equipment Obsolete	<input checked="" type="checkbox"/>	New Operation	<input type="checkbox"/>	Regulatory Requirement	<input type="checkbox"/>
Replace Worn-out Equipment	<input checked="" type="checkbox"/>	Improved Efficiency/Procedures	<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>
Health and Life Safety	<input checked="" type="checkbox"/>	New Revenue	<input type="checkbox"/>		

**Project Description:**

Request to replace a 2001 F250 Pickup Truck (Engine #27) used as for off road firefighting and EMS response out of Garden Street Station. This vehicle will be a new vehicle of the same specification or if available accept an older DPW that has been recently replaced. The vehicle would be replaced with a F350 4x4 Pick-up with new fire response equipment included in the cost. Equipment included but not limited to; pump equipment, storage compartments, tow set-up, emergency lighting, radio and lettering

**Photo (click image to insert):**

**Project Financing:**

Total Project Cost:	\$117,000	Stabilization Funding:	\$117,000
Amount & Type of Other Local Funding (ie. CPC, bond, op. budget):	\$0	Comments:	
Amount and Type of Non-Local Funding Sources (ie. Grant):	\$0	Comments:	

**Future Costs & Operating Expenses:**

Estimated Annual Cost of Operation & Maintenance	\$4,000	Comments:	
Estimated Net Effect on Operating Cost, Revenues, Staffing?	\$0	Comments:	

**Project Planning:**

Proposed Start Date of Project: unknown

How was estimated cost determined? Actual Quote from MHQ - on state contract

Is Funding Necessary for Further Plans/Estimating? no

Can the Project be Phased? If yes, expenditure by year no

	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30+	TOTAL
<b>PROPOSED</b>	\$	\$	\$	\$117,000	\$	\$	\$	\$	\$	\$	\$117,000
<b>CIC RECC.</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>APPROVED</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$



# Purchase and Sales Agreement

## West Newbury, MA

Contact Name: Michael Dwyer, Chief of Department  
 Company/Dept: Fire  
 Street Address: 403 Main St  
 City, State, Zip: West Newbury, MA 01985  
 Phone: (978) 363-1111(s.) (978) 609-5354(c.)  
 E-Mail: [dwyer@westnewburysafety.org](mailto:dwyer@westnewburysafety.org)

## Whelen

Date: 12.7.2022  
 Valid Through: 60 days \*  
 Customer #: \_\_\_\_\_  
 Contract: PCC 22-26  
 Sales Rep: Steven Anderson

CONTRACT LINE REFERENCE	LINE DESCRIPTION	UNIT PRICE	QTY.	EXTENDED PRICE
X3B/610A	[Fleet] 2023 Ford Super Duty F-350 SRW (X3B) XL 4WD SuperCab 8' Box	\$ 48,217.00	1	\$ 48,217.00
99A	Engine: 6.8L 2V DEVCT NA PFI V8 Gas	\$ -	1	\$ -
44F	Transmission: TorqShift-G 10-Speed Automatic	\$ -	1	\$ -
64F	Wheels: 18" Argent Painted Steel	\$ 445.90	1	\$ 445.90
X4M	Electronic-Locking w/4.30 Axle Ratio	\$ 421.40	1	\$ 421.40
TDX	Tires: LT275/70Rx18E BSW A/T (4)	\$ 259.70	1	\$ 259.70
PQ	Exterior 1:Race Red	\$ -	1	\$ -
AS	Interior:Medium Earth Gray, HD Vinyl 40/20/40 Split Bench Seat	\$ -	1	\$ -
96V	XL Chrome Package	\$ 220.50	1	\$ 220.50
17X	FX4 Off-Road Package	\$ 485.10	1	\$ 485.10
67B	410 Amp Dual Alternators	\$ 112.70	1	\$ 112.70
86M	Dual 68 AH/65 AGM Batteries	\$ 205.80	1	\$ 205.80
	GVWR: 11,500 lb Payload Package	\$ -	1	\$ -
473	Snow Plow Prep Package	\$ 245.00	1	\$ 245.00
61S	Front Splash Guards/Mud Flaps (Pre-Installed)	\$ 127.40	1	\$ 127.40
18B	Platform Running Boards	\$ 436.10	1	\$ 436.10
61L	Front Wheel Well Liners (Pre-Installed)	\$ 176.40	1	\$ 176.40
66S	Upfitter Switches (6)	\$ 161.70	1	\$ 161.70
76C	Exterior Backup Alarm (Pre-Installed)	\$ 147.00	1	\$ 147.00
43C	110V/400W Outlet	\$ 171.50	1	\$ 171.50
	Potential 2024MY Increase	\$ 7,500.00	1	\$ 7,500.00
	<b>Estimated Total :</b>			<b>\$ 59,333.20</b>
1974	VentVisor 4 piece VentShades	\$ 95.00	1	\$ 95.00
1975	Tint Front Door Glass - 40%	\$ 195.00	1	\$ 195.00
1977	Aftermarket Remote Starter (2 FOBs) also provides Keyless Entry START2	\$ 395.00	1	\$ 395.00
	MHQ Graphics Package "A" - Chevron	\$ 395.00	1	\$ 395.00
	MHQ Graphics Package "C" (does not include full/high int. chevron)	\$ 695.00	1	\$ 695.00
	MHQ Graphics - "Door Jamb Kit" - High Intensity	\$ 210.00	1	\$ 210.00
1227	Tough Country "Rancher" Front Push Bar	\$ 3,060.00	1	\$ 3,060.00
95	Whelen ION DUO Series LED Lights (each) front facing on PB I2*	\$ 180.00	2	\$ 360.00
99	Whelen M4 DUO w/L bracket (each) front/side on PB M4DW* / M4LBKT, Rear LO/HI	\$ 255.00	8	\$ 2,040.00
114	Whelen Full (2 piece) DUO Front Inner Edge FST FSTD MHQ*	\$ 1,295.00	1	\$ 1,295.00
	Whelen CORE Siren/Switch Controller C399	\$ 1,075.00	1	\$ 1,075.00
ADD9	Whelen CORE 2020 Ford Utility Gateway Kit C399K5	\$ 45.00	1	\$ 45.00
	Whelen CORE CCT6 3 Section Control Head and 8 Push-Buttons, 4-Position Slide Switch with a 7-Position Rotary Knob.	\$ 255.00	1	\$ 255.00
ADD4	Whelen WeCanX Expansion Module CEM16	\$ 165.00	3	\$ 495.00



% off MSRP	Whelen "Photo-Cell" (needed on "Slicktop" with CanTrol) - CANLITEB	\$ 42.90	1	\$ 42.90
hourly	Whelen wig wag	\$ 125.00	1	\$ 125.00
294	Whelen Vertex hide away light-headlights	\$ 250.00	1	\$ 250.00
% off MSRP	WHELEN TRACER 6 LAMP DUO PAIR / INSTALLED	\$ 1,975.00	1	\$ 1,975.00
95	Whelen ION DUO Series LED Lights (4 / side, 2 rear) TL12*	\$ 180.00	10	\$ 1,800.00
416	Whelen 100W Composite Siren Speaker SA315p / SAK*	\$ 240.00	1	\$ 240.00
% off MSRP	Magnetic Mic Clip(s) #MMSU1	\$ 41.00	2	\$ 82.00
1020	Central Wiring Harness/Power Distribution System CH27120	\$ 750.00	1	\$ 750.00
	Whelen DUO LED Dome Lights (ea.) - front seats 3SRCCDCR / PLSW30	\$ 95.00	2	\$ 190.00
1085	Pro-Gard "SafeStop" Anti-Theft Device S0009	\$ 285.00	1	\$ 285.00
	Havis #C-2410 & C-TMW-24, 24" console with 24" track mount F150-550/Exped	\$ 525.00	1	\$ 525.00
% off MSRP	Dual 12v outlets w/dual USB CLP2PS1USB	\$ 125.00	1	\$ 125.00
797	Havis Side Mount Arm Rest CARM102	\$ 80.00	2	\$ 160.00
% off MSRP	Havis Adjustable Dual Internal Cup Holder CUP21001	\$ 55.00	1	\$ 55.00
% off MSRP	Tapered Aluminum Flatbed Body with cab guard per customer spec.	\$ 11,875.00	1	\$ 11,875.00
1801	Reinforced Plate Mounted Receiver Hitch	\$ 595.00	1	\$ 595.00
% off MSRP	Warn 12,000LB Winch - Synthetic	\$ 2,950.00	1	\$ 2,950.00
% off MSRP	Warn Universal 2" Receiver Winch Mount	\$ 179.75	1	\$ 179.75
Hourly	Topside Toolboxes - left/Right	\$ 1,558.60	2	\$ 3,117.20
% off MSRP	Kimtek Firefighting Skid w/Foam, 200ga tank	\$ 12,888.50	1	\$ 12,888.50
Hourly	Paint Roof and Pillars Single-Stage (YZ) White	\$ 105.00	8	\$ 840.00
1411	Install / Transfer Cust. Supplied 2-way Radio(s) EACH	\$ 235.00	1	\$ 235.00
	<b>PCC AfterMarket Equipment Contract Total :</b>			<b>\$ 49,895.35</b>

Cost per Unit : \$ 109,228.55

Qty. :	1.00
Trade :	\$ -
<b>TOTAL:</b>	<b>\$ 109,228.55</b>

109,228.55 x 7%  
2023 INCREASE = 116,874.55 ~~117,000.00~~

**TERMS AND CONDITIONS**

\*This quote is valid for 60 days from the date of quote. Any purchase orders or approved quotes received outside of the 60 day quote period may be subject to price adjustments. By signing this quote, the customer is agreeing to pay, in full, for all items listed above. Any requests for changes, modifications, replacements, removals or additional items may be subject to additional fees and/or adjusted delivery dates.

M.G.L c. 30B applies to the procurement of all commodities quoted. Contract items have been collectively purchased pursuant to M.G.L c 30B sec 1c and M.G.L c.7 sec 22B. The government body is responsible to determine the applicability of M.G.L. c30B to off contract items, but not limited to, off contract items that have already been properly procured under M.G.L. c30B sec 1c and M.G.L. c7 sec 22A (purchases from a vendor on contract with the Commonwealth), other contracts procured under M.G.L. c30B sec 1c and M.G.L. c. 30B contract between the vendor and the jurisdiction. All off contract items must be procured under M.G.L. c. 30B.

The terms and conditions stated herein and the provisions of any agreement between MHQ and Buyer, if applicable, shall constitute the complete and only terms and conditions applicable to any and all purchases by Buyer from MHQ. Any additional and/or different terms and/or conditions printed anywhere including on, or with, Buyer's order shall be inapplicable in regard to any purchase by Buyer from MHQ.

**ORDER ACKNOWLEDGEMENT**

By signing this document you are agreeing to the above terms and conditions of this order from MHQ, Inc.

x \_\_\_\_\_  
PRINT NAME

x \_\_\_\_\_  
1

x \_\_\_\_\_  
SIGNATURE

x \_\_\_\_\_  
DATE

## ARTICLE REQUEST FORM

**ARTICLE:** *Replace broken HVAC compressor and four split heating/cooling units at the Page School Main Office and Entry Area*

**AMOUNT REQUESTED:** \$115,000 (Capital Request)

**CONTACT PERSON:** Wayne S. Amaral, DPW Director and School Facility Manager

**PHONE NUMBER:** (978) 363-1100 x120

**Date:** 3/17/2023

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

*The existing broken HVAC system was install 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.*

**What factors affect the timing of this purchase?**

*This unit should be considered a replacement priority due to potential health safety issues.*

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

*Recommended sunset date of June 30, 2025*

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

*Annual \$800 - \$1,000.*

**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.**

*Yes, this article meets the criteria for a capital project and is included in the Capital Improvements Program. (PGE-016)*

**Please attach additional pages or other supporting documentation.**

## Town Manager

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**From:** DPW Projects  
**Sent:** Friday, January 13, 2023 11:21 AM  
**To:** DPW Director; Town Manager  
**Subject:** FW: Page School project look back discussion notes

One comment on the notes – see in red below

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**From:** DPW Director <dpwdirector@wnewbury.org>  
**Sent:** Friday, January 13, 2023 10:14 AM  
**To:** Town Manager <townmanager@wnewbury.org>  
**Cc:** DPW Projects <dpwprojects@wnewbury.org>  
**Subject:** Page School project look back discussion notes

Angus,

My notes from today's meeting. is below. We also recorded the zoom meeting on the laptop about 5 minutes in.

Attendees: Angus, Christine, Greg H., Bob D. Wayne.

**1. Main Office – HVAC Problems.**

Done during the Green Initiative Program (\$3.5M) – HVAC was not the Green program, other than the boiler. Green Program was "Phase I" and was roof, windows, boiler. Correct it was \$3.5 mil and MSBA paid 50%. HVAC was part of "Phase 2" (gym, cafetorium, admin/staff room, and that's when they put in the Samsung unit) and part of the \$10 mil paid by voters. There was also a "Phase 3" completed in 2016 which was the ventilation duct replacement.

Architect spec unit and school facility committee with architect guidance approved unit type.

This HVAC unit covers the main office area and the staff break room across the hall.

Unit discontinued right after or during the installation process.

No supporting parts for the system available.

Samsung unit.

**2. Kitchen.**

The best solution at the time – but not optimal.

The cafeteria had to be moved from beside the kitchen to make way for the new Administration Offices that had to be relocated from the non-ADA compliant and leak infested historic front entrance.

As a result, the old gym became the cafeteria and a new gym was installed.

**3. Windows**

Specified by the architect and spec sheet agreed upon by the school facility committee with guidance from the architect.

475 total windows.

Paid for in part with some MSBA funds.

Green Initiative Program

Opened when they were installed without issues, but if not operated correctly, they would break.

Much too heavy to open.

School Facility Committee Work Group. 8-10 people.

Members

Gary B.  
Greg H.  
School Committee Member  
Residents

Is the building on any historic registration>

Wayne S. Amaral  
Director of Public Works / CPO

Town of West Newbury  
381 Main Street  
West Newbury, MA 01985  
(978) 363-1100 x120  
[dpwdirector@wnewbury.org](mailto:dpwdirector@wnewbury.org)

## Town Manager

---

**From:** DPW Director  
**Sent:** Thursday, January 12, 2023 1:34 PM  
**To:** Town Manager  
**Cc:** Michael Dwyer; DPW Projects  
**Subject:** FW: Page School Fire Alarm - Update and clarification

Angus,  
Just wanting to follow up with you regarding the Page School Fire Alarm System.

Our \$337,000 Fire Alarm equipment upgrade project was completed on time and on budget. The project was inspected by the West Newbury Fire Department, School Facility Staff and the DPW Director in late February 2022 and passed all Fire Department inspection protocol. The final invoices for this work was paid to Johnson Controls on 3/22/2022.

Within a few months after this final inspection, we did receive a fault alarm in the NEW Children's Castle Fire Alarm Panel. This alarm also sent the same warning alarm to the Page School Fire Alarm Panel. (Which is one of the main reasons why we upgraded the system if the first place to get both facilities to communicate with each other.) After about a month long of trouble shooting from Johnson Control and our own vendor the problem was found in the NEW Fire Alarm Panel in the Children's Castle. The battery back up card was faulty and needed replacement. The card was ordered from the one and only company that manufactures this card and had taken over 6-months to received. Once the card arrived, Johnson Controls immediately installed the card (still under warrantee) and fault alarm problem was solved.

There were some minor other fire alarm equipment improvements / repairs found by the Fire Department during their February 2022 inspection and Bob Danforth, Pentucket Facility Manager was able to address some of them immediately and as of a conversation with him today, he is working on the others with his Fire Alarm contractor.

I did have a conversation with Bob today and he stated that the actuator is working correctly. He thinks there may have been a misunderstanding. There is a problem that was discovered during the Fire Department pre-start of school fire alarm safety inspection done in September 2022. The NAC Booster Panel, which was not a part of the upgrade project had a faulty terminal and not working as designed on the top floor. Bob and I are working with Johnson Control to resolve this issue. I don't believe this is related to the recent upgrade project.

The Fire Chief is aware of these issues and is updated as we progress. Due to the redundancy of this complex system - at no time have or has the fire safety of the building been compromised.

We will continue to work to resolve this last item of concern.

Wayne

Wayne S. Amaral  
Director of Public Works / CPO

Town of West Newbury  
381 Main Street  
West Newbury, MA 01985  
(978) 363-1100 x120  
[dpwdirector@wnewbury.org](mailto:dpwdirector@wnewbury.org)

## ARTICLE REQUEST FORM

**ARTICLE:** 2023 Ford Police Cruiser

**AMOUNT REQUESTED:** \$25,000

**CONTACT PERSON:** Chief Michael Dwyer

**PHONE NUMBER:** 978-363-1213

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

The police department is replacing a 2018 Ford utility vehicle with 106,000 miles.

**What factors affect the timing of this purchase?**

The funding for replacement cruisers have been included in the fiscal year budget at \$40,000. The police department collects administrative fees for traffic details when a police vehicle is used. This account offsets the remaining cost of the purchase. There have been significant increases in costs by Ford and equipment manufacturers which are driving up costs. I am requesting to pause the FY24 cruiser line for one budget cycle. The next replacement cruiser is in relatively good shape and has low milage. We currently have 2 hybrid cruisers in operation, and I feel it is important to see how they will impact our replacement schedule moving forward.

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

30-Jun-24

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

The current vehicle will be removed from service and traded in to the dealer. All current equipment that can be used in the new vehicle will be transferred over.

**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.

**Please attach additional pages or other supporting documentation**



# QUOTE

## CUSTOMER

**Contact Name:** Chief Jeff Durand  
**Company/Dept.:** West Newbury Police Dept.  
**Street Address:** 401 Main St.  
**City, State, Zip:** West Newbury, MA. Ma. 01985  
**Phone:** 978 363 1213  
**E-Mail:** [dwyer@westnewburysafety.org](mailto:dwyer@westnewburysafety.org)

**Date:** 12/16/2022  
**Valid for:** 60 Days\*  
**Customer #:**  
**Contract:** MAPC/GBPC  
**Sales Rep:** Chad Page

## Vehicle & Equipment:

CONTRACT LINE	LINE DESCRIPTION	UNIT PRICE	QTY.	EXTENDED PRICE
K8A	2023 Ford PIU AWD - Hybrid Engine	\$ 44,452.00	1	\$44,452.00
99W	3.3L Hybrid Engine	\$ -	1	\$0.00
500A	Order Code 500A	\$ -	1	\$0.00
UA	Exterior Color: Black	\$ -	1	\$0.00
96	Interior : Charcoal Black Cloth	\$ -	1	\$0.00
44B	10 Speed Automatic Transmission	\$ -	1	\$0.00
153	Front Plate Bracket	\$ -	1	\$0.00
18D	Global Lock / Unlock	\$ -	1	\$0.00
52P	Hidden Plungers with Rear Door In Ops	\$ 156.80	1	\$156.80
43D	Courtesy Lamp Disabled	\$ 24.50	1	\$24.50
51R	Driver Side Spot Light	\$ 387.10	1	\$387.10
549	Power Heated Rearview Mirrors	\$ 59.00	1	\$59.00
76R	Reverse Sensing system	\$ 269.50	1	\$269.50
87R	Rear Camera in Rear view Mirror	\$ -	1	\$0.00
<b>Vehicle Total:</b>				<b>\$45,348.90</b>

MHQ Paint	PAINT : Roof and 4 Doors White	\$ 108.00	13	\$1,404.00
MHQ Labor	Fleet Key MHQ Non Factory Code : 1284x	\$ 108.00	2	\$216.00
MHQ Graphics	Graphics Pkg B	\$ 550.00	1	\$550.00
MHQ Labor	Activate Head Light Flashers	\$ 108.00	0.5	\$54.00
Services Tab	Front and Rear Vent Shades	\$ 160.00	1	\$160.00
PES4	Whelen Liberty DUO WeCan X lightbar packaged w/ Core siren	\$ 3,850.00	1	\$3,850.00
CY1892	Whelen Wecan Expansion Module	\$ 250.00	1	\$250.00
PES4	Core Control Head - customer choice - TBD	\$ -	1	\$0.00
CY1415	Whelen LED V Series Mirror Beams MBIONVB	\$ 183.00	2	\$366.00
CY1403	ION MIRROR-BEAM HSGS UTILITY	\$ 450.00	1	\$450.00
CY1038	Whelen TLIB LED's In Lower Lift Gate	\$ 175.00	2	\$350.00
CY892	Whelen I2E DUO LED's in Front Grill, B/W	\$ 211.00	2	\$422.00
CY1038	Whelen TLIB LED's in Rear Quarter Glass, B	\$ 175.00	2	\$350.00
CY1038	Whelen TLIB LED's in Upper Rear Gate, B	\$ 175.00	4	\$700.00
PES49	(2) Whelen Vertex in Front Corners, B	\$ 265.00	1	\$265.00
PES50	(4) Whelen Vertex Hide a Ways in Rear Corners, R / W	\$ 515.00	1	\$515.00
CY1972	Whelen SA315 Siren Speaker on Push Bumper	\$ 350.00	1	\$350.00
BR35	Pro-Guard PRPSP4714UINT - Vinyl Center Slide Window w/ Screen and Recessed Panel	\$ 1,244.00	1	\$1,244.00
BR59	Pro-Guard Rear transport Seat w/ Poly rear Barrier and OBS Belt System	\$ 1,931.00	1	\$1,931.00

BR66	Pro-Gard Steel window bars	\$ 302.00	1	\$302.00
AL645	Havis CVS1012INUT Console	\$ 525.00	1	\$525.00
AL41	Havis Flip up Arm Rest / 103	\$ 135.00	1	\$135.00
AL625	Havis Self Adjusting Dual Cupholder	\$ 78.00	1	\$78.00
B1	911 Power Management Distribution System	\$ 750.00	1	\$750.00
AV307	Maglight ML150LR-7019	\$ 209.00	1	\$209.00
PES110	Transfer / 2 Way Radio with Antenna	\$ 275.00	1	\$275.00
PES110	Transfer / 2 Way Radio with Antenna	\$ 275.00	1	\$275.00
PES222	Transfer Radar	\$ 187.50	1	\$187.50
PES201	Transfer Gun Rack	\$ 95.00	1	\$95.00
PES141	Transfer MDT / Computer system	\$ 406.25	1	\$406.25
CY508	Whelen 3SRC Dome Lights 2 in Lower Lift Gate 1 Front Cockpit Area	\$ 144.00	3	\$432.00
H29	Antenna / Cell / GPS NEW # APMMFCCWQSMARP3BL19	\$ 381.58	1	\$381.58
PES91	Magnetic Mic Clips	\$ 49.00	2	\$98.00
CY1377	Whelen STUD MOUNT MICRON BLUE	\$ 181.00	2	\$362.00
<b>Equipment Total</b>				<b>\$17,938.33</b>

**Non-Contract Items:**

	ITEM DESCRIPTION	UNIT PRICE	QTY.	PRICE
	MHQ0010 Electronics cover	\$145.00	1	\$145.00
<b>Non-Contract TOTAL</b>				<b>\$145.00</b>

<b>Grand Total of Quote</b>	<b>\$63,432.23</b>
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**TERMS AND CONDITIONS**

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**ORDER ACKNOWLEDGEMENT**

**By signing this document you are agreeing to the above terms and conditions of this order from MHQ, Inc.**

x \_\_\_\_\_  
**PRINT NAME**

x \_\_\_\_\_  
**TITLE**

x \_\_\_\_\_  
**SIGNATURE**



## ARTICLE REQUEST FORM

**ARTICLE:** Ash Tree treatments

**AMOUNT REQUESTED:** \$60,180.00

**CONTACT PERSON:** Wayne Amaral, DPW Director / Tree Warden

**PHONE NUMBER:** 978-363-1100 x120

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

DPW Director and Tree Committee Chair have discussed and agreed on the options below.

1. Do Nothing. (Strongly not recommended)
2. Treat all 177 “Canopy Rating 1 and Rating 2” trees at a cost of \$60,180 every other year. (Strongly recommended)
3. Treat only the 55 “Canopy Rating 1” trees at a cost of \$18,700 every odd fiscal year (FY25). (Recommended – but more risk)
4. Treat only the 122 “Canopy Rating 2” trees at a cost of \$41,480.00 every even fiscal year (FY24). (Recommended – but more risk)
5. Treat only the 55 “Canopy Rating 1” trees at a cost of \$18,700 every even fiscal year (FY24).
6. Treat only the 122 “Canopy Rating 2” trees at a cost of \$41,480.00 every odd fiscal year (FY25).

**What factors affect the timing of this purchase?**

Options three to six have risk in both Rating 1 and Rating 2 trees.

Option two listed above requires a funding request every other year, while options three to six require a funding request every year and also has more risk involved.

Treatment program expected to take at least 3 and as many as 15 years or more. Once we commit to the program we should continue to fund until EAB is diminished below a level that EAB is no longer a public nuisance or safety concern, which could be 3, 10, 15 plus years from now.

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

FY24 for current proposed funding; additional funding to be proposed in and for future fiscal years.

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

Failure to see the program through to the end would undermine the expenditure of any funds toward this purpose. While the town can't formally commit to a multiple year program – but we should only fund now if we feel confident that we would fund one of the programs listed in options two to six (above). If after three years we no longer think the program is worth the funds, the project could be abandoned, which would render moot the treatment applications up to that point.

**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.

**Please attach additional pages or other supporting documentation.**

<https://www.wnewbury.org/tree-committee/pages/combating-emerald-ash-borer-eab>

## ARTICLE REQUEST FORM

**ARTICLE:** *Install Security Cameras on the exterior of the Page School.*

**AMOUNT REQUESTED:** \$ 8,300.00 (Non-Capital Request)

**CONTACT PERSON:** Michael Dwyer, Police Chief and Wayne S. Amaral, DPW Director

**PHONE NUMBER:** (978) 363-1100 x120

**Date:** 1/27/2023

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

*This request is to purchase and install 4 new external video cameras and a network video recorder. This equipment will be utilized by staff members in the main office of the school. The purpose of this purchase is to increase security in key exterior locations of this public building. During the school day the main entrance is the single point of access for staff and visitors, all other perimeter doors are closed and secured. Currently there is one camera mounted at the main entrance door with a push button to request access. This device provides limited field of view and during some times of day, lighting and environmental conditions limit its effectiveness. By adding additional cameras to the exterior of the building this will give staff a better view of the individual and the main entrance of the school.*

**What factors affect the timing of this purchase?**

*This purchase will improve physical security at the schools main entrance with improvements to access control.*

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

*Recommended sunset date of June 30, 2025*

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

*\$300 a year*

**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.**

*This article is a free cash request and not a capital request.*

**Please attach additional pages or other supporting documentation.**

# PHOTO & VIDEO Hunt's

100 main St  
Melrose, MA 02176  
1-617-680-4627 Cell 978-535-1185 FAX  
Stanley Goldberg sgoldberg@huntsphoto.com

DATE:	January 17, 2023
QUOTED BY:	Stanley Goldberg
TO:	Town Of West Newbury Page Elementary Camera System
Attention	Chief Mike Dwyer/Wayne Amaral

QUOTE# 3508

## PRICE QUOTATION

QUANTITY	PRODUCT DESCRIPTION	UNIT PRICE	EXTENSION
<b>EQUIPMENT ONLY</b>			
2	4MP Dome Cmeras for Front and Rear Door	\$162.50	\$325.00
2	8MP 180 degree camera For Front and Rear Door	\$1,399.00	\$2,798.00
1	8 Ch 8TB Recorder		\$1,099.00
1	Wall Mount 24" Monitor For NVR		\$250.00
1	Mount cameras, Set Up NVR and Monitor		\$950.00
1	Wiring from Office to 4 Camera Locations		\$2,000.00

**Internal Cat Wiring on Separate Quote**

ESTIMATED SHIPPING:

ALL PRICES QUOTED ARE VALID FOR 30 DAYS

**TOTAL:** \$7,422.00

## 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.: T1191.03

Amendment No.:

Date: March 17, 2023

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

<b>Client:</b>	Town of West Newbury Attn: Angus Jennings Town Manager 381 Main Street West Newbury, MA 01985	<b>Fee Proposal</b>	
		Task 3	\$ 23,000.00
		Task 4	\$ 36,500.00
		Expenses	<u>Included above</u>
		<b>TOTAL</b>	<b>\$59,500.00</b>

Requested by: Client

Lump Sum

Time & Expenses

Cost + Fixed Fee

Other

Estimated Date of Completion: Approximately 20 weeks following authorization

### Scope of Services:

The Town of West Newbury (Client) has retained TEC, Inc. (TEC) to provide supplemental Town-funded engineering services to support the final design services associated with the Pipestave / Page School Pedestrian Crossing design at the Page School.

This contract also includes the preliminary planning of transportation improvements along Main Street (Route 113) within the Town of West Newbury limits, a distance of approximately five miles. This scope of services aligns with an approach to pursue future design and construction funding through the state's Transportation Improvement Program (TIP). The scope of improvements is expected to include roadway reconstruction with a cross section that is consistent with MassDOT's Complete Streets guidelines and provide multi-modal connectivity from east to west, possibly with a strategy for project phasing. The following services will support the commencement of MassDOT's project initiation process through the Massachusetts Project Intake Tool (MaPIT) for one identified key segment of the Main Street corridor:

#### **Task 3 – Pipestave / Page School Pedestrian Crossing - Final Design Submission**

The services under this task include the preparation of final design plans (an assumed combined 75/100% set), specifications, and an itemized construction cost estimate to be included in the bid documents and include the following services:

- Site Meeting – Attend a site meeting to perform a detailed constructability review of the preliminary layout and existing conditions.
- Geometric Design & 3-D Modeling – Based on comments from MassDOT, refine the design of the horizontal and 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. Cut roadway cross sections every 50' and at driveways.
- Sidewalk / ADA Compliance Design – Design an asphalt sidewalk with curbing, accessible curb ramps and driveway aprons to conform with all ADA/AAB requirements. It is assumed that an AAB Variance will not be required.
- Stormwater Improvements – Design limited modifications to the existing drainage infrastructure to accommodate the proposed curb-line locations. It is assumed that the existing drainage system will be maintained and will not be impacted by the project.

- Traffic Sign/Pavement Marking Design – Layout traffic signs and pavement markings to conform with MUTCD. TEC will solicit MassDOT’s approval for a rectangular rapid flash beacon (RRFB).
- Limited Right-of-Way Support – Identify the location of any temporary/grading impacts to assist the Town in securing temporary easements or rights of entry, if necessary. It is assumed that the proposed sidewalk will fit within the existing public right-of-way, and there will be no permanent impacts to the State Highway Layout (SHLO) or abutting properties requiring easements. Depict the limits of any temporary easements or rights of entry on the plans. TEC assumes that Town staff will take a lead role in coordinating with the abutting property owners.

Deliverables:

- Final Design Plans – The plan set shall include the following plan sheets and will include one (1) round of revisions to address any comments from the Client:
  - Title Sheet, Index, Legend, General Notes
  - Typical Sections and Pavement Notes
  - Construction Plans
  - Signing & Striping Plans & Sign Summary Chart
  - Temporary Traffic Control Plans
  - Construction Details
  - Cross Sections (50-foot & driveways) in area of improvements
- Specifications – Prepare special provisions for any non-standard items to supplement the MassDOT Standard Specifications
- Construction Cost Estimate – Prepare an itemized construction cost estimate per MassDOT’s Standard Bid Item Nomenclature List and trending average unit bid prices.
- Meetings – Attend two (2) meetings with MassDOT and Town staff to review the design.

TEC has assumed a combined final design submission at the 75/100% design stage and assumes one PS&E level submission to address final comments from MassDOT. Any additional submissions will require an amendment to this agreement.

*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.*

*The Town will prepare all bid documents and perform all bidding procedures. This contract does not include construction phase services. TEC will prepare an amendment for those services as the design phase progresses and TEC and the Town can review the needs for outside inspection services.*

#### **Task 4 – Conceptual Development & MaPIT PN Submittal**

---

Traffic Data Collection

- Turning Movement Counts (TMCs) – Perform intersection TMCs during a weekday morning (7:00 to 9:00 AM) and weekday evening period (4:00 to 6:00 PM) at the three following intersections:
  - Main Street (Route 113) at Maple Street
  - Main Street (Route 113) at Church Street
  - Main Street (Route 113) at Bridge Street
- Automatic Traffic Recorder (ATR) counts – Collect roadway segment traffic data for a 48-hour period at two locations on Route 113 in the project area (west of Maple Street and west of Bridge Street) to document traffic volume, speed, and classification. This assumes that the Town will authorize the traffic counts near the Pipestave Recreation Area under a separate agreement.

Limited Traffic Capacity Analysis – Perform limited analysis to determine the existing roadway and intersection capacity conditions to establish project need.

Crash Data Compilation – Review the MassDOT crash database for Main Street for the most recent five-year period and assess the major crash trends at key intersections and along major roadway segments within the Town limits. The major crash numbers will be depicted on a corridor graphic.

Agency Coordination – Facilitate a meeting with Town staff, the Merrimack Valley Planning Commission (MVPC) and MassDOT staff to discuss the corridor needs and scope of conceptual design prior to starting the MaPIT project initiation process.

Conceptual Design Development – Provide a recommended conceptual design that is consistent with the field reconnaissance, input from the Town, cross sectional needs that consider the latest MassDOT Complete Streets design standards.

Conceptual Roadway Design: Prepare a 2-Dimensional layout of the recommended option with representative typical sections on compiled base mapping in AutoCAD Civil 3D. TEC will add detailed notes and/or initial linework for up to seven key intersections or focus areas along the corridor.

Cost Estimating: Prepare a planning-level construction cost estimate utilizing trending MassDOT average unit bid prices and their recently adopted SARPET construction pricing tool.

Public Outreach Meetings - TEC will lead up to two (2) public outreach meetings to review preliminary recommendations for the Main Street corridor and solicit public input. TEC has assumed one in-person meeting and one virtual meeting. TEC will provide a summary of the comments received for the Town’s files.

Project Need Form – Prepare and submit the Project Need (PN) documentation on behalf of the Town via the MaPIT Project Intake Tool for review and approval by the MassDOT District 4 Office.

Given that Main Street lies under the jurisdiction of MassDOT as part of their State Highway network, TEC will solicit MassDOT for their support for State funding for subsequent planning (Project Scoping Phase) and design phases for the corridor, or targeted segments of the corridor for successive phased improvements.

Deliverables: Submittal of Project Need form to MassDOT, Color Concept Roll Plan and related exhibits, and Preliminary Construction Cost Estimate.

This assignment does not include the preparation of a detailed corridor study document or right-of-way research, but will research the underlying roadway and intersection characteristics and needs to support the MassDOT Project Need MaPIT submission process.

*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:** L. Aho

**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 of Transportation Planning

Title

Date: March 17, 2023

Date



Maura Healey, Governor  
Kimberley Driscoll, Lieutenant Governor  
Gina Fiandaca, Secretary & CEO



February 1, 2023

Angus Jennings  
Town Manager  
381 Main Street  
West Newbury, MA 01985  
Via email: [townmanager@wnewbury.org](mailto:townmanager@wnewbury.org); [DPWdirector@wnewbury.org](mailto:DPWdirector@wnewbury.org)

Dear Mr. Jennings:

Thank you for applying to the Massachusetts Department of Transportation's (MassDOT) solicitation process for the 2022-2023 Safe Routes to School (SRTS) Infrastructure Project Grant Program on behalf of the Town of West Newbury and the Dr. John C. Page School.

MassDOT's SRTS Project Selection Committee met on December 22, 2022, to review and score project applications. A large number of competitive applications were received, and unfortunately, your application was not selected at this time.

Your interest in the SRTS Program is greatly appreciated, and we hope that you will consider re-applying when the next project solicitation period is announced. Please visit the [SRTS website](#) for more information on other upcoming grant opportunities, and if you have any questions, please contact Miranda Briseño, SRTS Program Coordinator, at [Miranda.E.Briseno@dot.state.ma.us](mailto:Miranda.E.Briseno@dot.state.ma.us).

Sincerely,

David J. Mohler  
Executive Director  
Office of Transportation Planning



## ARTICLE REQUEST FORM

**ARTICLE:**

**AMOUNT REQUESTED:**

**CONTACT PERSON:**

**PHONE NUMBER:**

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

**What factors affect the timing of this purchase?**

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

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

**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.**

**Please attach additional pages or other supporting documentation.**



ABI Attachments, Inc.  
520 S Byrkit St.  
Mishawaka IN 46544  
United States  
877-788-7253  
www.ABIattachments.com

Quote #QO401094

ID #: 424010 Alex Niles  
Quote Date: 12/6/2022

**Bill To**

Alex Niles  
978-994-2040  
16 Merrill St  
West Newbury MA 01985  
United States

**Ship To**

Alex Niles  
978-994-2040  
16 Merrill St  
West Newbury MA 01985  
United States

**Quote Details**

Expires - End Of Month Quoted  
Terms -  
Quoted By - Cory Stoneburner

**Notes:**

Quantity	Items	Weight	Price	Amount
1	<b>10-99086 ABI Infield Grader</b> ABI Infield Grader - 48" (4') Infield Surfaces Grader for traction limited tow vehicles such as lawn tractors, zero-turn mowers, and small ATVs. Includes an adjustable grader box w/reversible smooth or serrated blade edge, loosening teeth, rear stabilizing wheels, wireless remote, electric actuator, and vehicle wiring harness. (Battery and charger not included)   Made in the USA   Limited Warranty: 36-Month Non-commercial, 12-Month Commercial (See Warranty Documentation For Details)   Unit Weight 283 lbs., Min. 18 h. p. / 400cc / 20 h.p. (Customer Assembly Required - Tooth bar ships with every other tooth installed. Install provided extra set for additional precision.) Rear finishing broom or drag mat sold separately.	287	\$3,699.00	\$3,699.00
1	<b>10-90315 6' x 1.5' XD Flexible Drag Mat for Infield Grader</b> The XD Flexible Steel Mesh Drag Mat is 6' wide by 1.5' long. Extreme duty design. (Customer Assembly Required)	45	\$599.00	\$599.00

<b>Subtotal</b>	<b>\$4,298.00</b>
Tool Discount (-)	<b>(\$300.00)</b>
Shipping Cost	\$420.70
Tax Total (%)	\$249.87
<b>Total</b>	<b>\$4,668.57</b>
	<b>Total Savings: \$300.00</b>

**Freight Carrier:** XPO - Confirmation #: BG551997422 (Not A Tracking #)

**Freight Accessorials Ordered:** - Residential with Notify - - Liftgate - - Limited Access -

**Customer Support:** Phone Support 877-788-7253, Mon-Fri, 9am-5pm EST or [ABIsupport.com](http://ABIsupport.com) for product manuals, parts, and self-help.

**Return Policy:** Product(s) sold with limited product warranty, standard return policy (shown here), and (when eligible) a conditional AttachMatch money-back guarantee. Review Details: <https://www.abiattachments.com/abi-company/policies/return-policy/> ABI's Standard 30-Day Return Policy: ABI will consider a refund on returns initiated within thirty (30) days of delivery of UNUSED products. ABI encourages customers to use caution when placing an order, as once shipped, the item may only be returned or exchanged if ABI expressly consents. Refunds are for the product's purchase price only; shipping and handling charges are not refundable. The customer is responsible for all shipping expenses associated with the transaction; these expenses include those incurred to deliver the product to the customer by ABI and shipping expenses incurred to return the product to ABI from the customer. If the product(s) has been used or otherwise reduced in resale value, up to a twenty-five percent (25%) restocking fee may be applied to items returned. If the customer utilized financing or otherwise has not paid ABI monies sufficient enough to cover the aforementioned expenses, the customer will be asked to pay these expenses before a return will be issued. When the purchaser receives the product(s), please keep the shipping pallet and packing material, as it will be required to return the product. Refunds are not made until all products are returned to ABI's possession. The customer shall not be responsible for damage caused by the shipping company delivering the product, provided such damage is noted on the delivery receipt at the time of delivery, or the shipment is refused. Applicable warranties cover defects in material and workmanship. ABI retains the exclusive and sole right to determine if an item is eligible for a return, exchange, or cancellation once shipped. ABI must approve in writing to obtain a return, refund, or exchange.

**Critical Delivery Responsibilities:**

If your order is not a parcel being shipped via UPS or FedEx, please consider the following to avoid additional charges. **Critical Inspection Process:** Upon delivery, you will need to thoroughly inspect your purchase for any damages or shortages. ABI nor the carrier will be responsible for damages or shortages if they are not indicated on the delivery document the driver asks you to sign. **Unloading The Truck:** Most ABI equipment requires the assistance of a forklift, tractor with front-end loader, or a lift gate to offload. We have already discussed an offloading plan with you and ordered the freight accessorials listed above at your direction. If this offloading plan is not clear to you, please contact us immediately. **Terminal Or Customer Pick Up:** If selected, the carrier or ABI will contact you with additional instructions when the unit is available for pickup.

Thank you for your purchase. All payments must be received in US dollars. Payment in full before shipment is required unless otherwise approved for financing through one of our partners or approved for corporate/government terms with ABI. If state and local sales or use taxes are not included in your quote or sales order, you may still be responsible for paying taxes on this purchase. Please consult with your tax advisor or the Department of Revenue for any tax liabilities. All orders sold by ABI Attachments, Inc. Orders subject to management approval. Product(s) sold with the condition of stated limited warranties, standard return policy, and (when applicable) conditional money-back guarantee. Return Policy: [abiattachments.com/policy/return/](http://abiattachments.com/policy/return/) By you placing this order, whether ABI does or does not deliver this order as expected, ABI shall not be liable in any event for incidental or consequential or other special damages under any theory of strict liability or negligence or expenses of any kind, including, but not limited to, personal injury, damage to property, cost of equipment rentals, loss of profit, loss of time, loss of wages, or cost of hiring services to perform tasks normally performed by this product. If sold in Alabama: Seller has collected the simplified sellers use tax on taxable transactions delivered into Alabama, and the tax will be remitted on the customer's behalf to the Alabama Department of Revenue. The seller's program account number is SSU-R010220629.



# Draft Article 33

## ARTICLE REQUEST FORM

**ARTICLE:** Funds for Field 6 Restoration (Pipestave)

**AMOUNT REQUESTED:** \$15,000.00

**CONTACT PERSON:** Brad Buschur, Parks & Rec Commission Chair

**PHONE NUMBER:** 617-874-6498

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

Restoration scope includes slice seeding, fertilization, starter, loam to fill low spots. The exact scope will be determined by the town's turf consultant in the summer of 2023. This investment will benefit the town's youth sports by restoring a heavily utilized field.

**What factors affect the timing of this purchase?**

Field 6 received heavy use in the fall of 2022 because the town rested field 7 and the HS fields had limited availability due to construction. This spring the commission has requested user groups to avoid scheduling games on field 6-- the field will be open for practice because of the high demand for field space during the spring season. We anticipate a significant reduction in field use starting in the fall of 2023 when the new PRMHS fields come online and Pipestave won't be used by JV soccer and JV lacrosse programs. This will also open earlier time slots for WN and Pentucket youth sports groups looking for earlier practice times.

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

FY24

**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

**Please attach additional pages or other supporting documentation.**

## ARTICLE REQUEST FORM

**ARTICLE:** *Replace and repair soccer field fencing at the Pipe Stave Athletic Field*

**AMOUNT REQUESTED:** \$9,960.00 (Non-Capital Request)

**CONTACT PERSON:** Wayne S. Amaral, DPW Director (P&R Request)

**PHONE NUMBER:** (978) 363-1100 x120

**Date:** 1/27/2023

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

*The existing fence located on the west side of the soccer field that was installed many years ago was installed with non-commercial graded materials and post supports. As a result, the fencing has started to bow and no longer offers the designed protection that would stop balls from exiting the athletic field in the wetland areas. This article proposal will replace the fencing top and bottom support poles and replace the fencing with a heavier grade material.*

**What factors affect the timing of this purchase?**

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

*Recommended sunset date of June 30, 2024*

**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.**

*This article is a free cash request and not a capital request.*

**Please attach additional pages or other supporting documentation.**

# Town of West Newbury

12/20/2022



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of West Newbury & MassIT/MassGIS. MVPC AND THE TOWN OF WEST NEWBURY MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF WEST NEWBURY AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.

- |                     |         |           |                       |            |            |
|---------------------|---------|-----------|-----------------------|------------|------------|
| MVPC Boundary       | Parcels | Roads     | Interstate            | Major Road | Local Road |
| Building Footprints | Trails  | Easements | Hydrographic Features | Streams    | Wetlands   |



# Olympic Fence Company

81 Garden St, West Newbury, MA 01985  
 Fax & Phone: (978) 499-0484  
 jlapierre@olympicfencema.com

1/25/2023

**TO**  
 Wayne Amaral  
 DPW Director  
 381 Main St  
 West Newbury, MA 01985  
 dpwdirector@wnewbury.org  
 (978) 992-8915



SALESPERSON	JOB	PAYMENT TERMS	DUE DATE
James LaPierre	Pipestave Soccer Field Chain-link Changeover	Net 30	NA

DESCRIPTION	UNIT PRICE	AMOUNT	LINE TOTAL
Remove existing fabric from 420 LF of chain-link fence and replace with new 72"x2"x8F black fuse bonded vinyl coated chain link and add PP20 black swedged top rail and new 6g bottom black tension wire. All wages based off prevailing wage rate for "Fence and Guardrail Erectors - Laborers Zone II"	23.80	420.00	\$9,996.00

SUBTOTAL	\$9,996.00
Sales Tax	EXEMPT
TOTAL	\$9,996.00

If you have any questions or concerns regarding this invoice please contact us at [jlapierre@olympicfencema.com](mailto:jlapierre@olympicfencema.com) at your earliest convenience.

THANK YOU FOR YOUR BUSINESS!

# ARTICLE REQUEST FORM

**ARTICLE:** Clean up of Town-owned Cemeteries

**AMOUNT REQUESTED:** \$4,150

**CONTACT PERSON:** Elisa Grammer

**PHONE NUMBER:** 703-855-5406

## Draft Article 35

### **Why should the town make this purchase? What needs will be met? Who will benefit?**

A program for maintenance of the Town-owned [Almshouse](#) and [Quaker](#) Cemeteries will benefit the Town by preserving a physical record of the Town's earlier residents. Both date from the 19th century, qualifying as ancient burial places protected under [MGL ch 114 §17](#) and both have been declared "[Historically Significant](#)" by the Historical Commission. Volunteers cannot be relied upon to maintain these cemeteries: volunteers undertook a major cleanup of the Quaker Cemetery in 2010, and now it is again in serious need of restoration. The plan for a [Town maintenance program](#), which was developed in consultation with the Department of Public Works and the Conservation Commission, involves an initial major cleanup of the Quaker Cemetery to remove large limbs and downed/dangerous trees as well as ongoing annual maintenance of the now-restored Almshouse and Quaker Cemetery using landscape services contracted in coordination with DPW, at a one-time cost estimated at \$4,000 by DPW. Ongoing maintenance (\$800-2,000/yr) will entail removal of brush, saplings, vines, etc. as well as downed limbs and trees on a twice-yearly basis in spring and fall, ideally when the ground is frozen and landscapers are in slow periods. Natural leaf litter and groundcover will be retained—the ground will neither be planted nor mown. The Historical Commission will supervise this work. Because the Quaker Cemetery borders the Artichoke Reservoir, the Historical Commission will draft a Request for Determination to be filed with the Conservation Commission on a triennial basis, at a cost of about \$150 to provide legal newspaper notice of the filing. The Select Board approved this plan at its [November 7, 2022 meeting](#).

### **What factors affect the timing of this purchase?**

Ongoing removal of saplings, brush, vines, etc. should begin as soon as possible to prevent and remediate further overgrowth and damage to the cemeteries. As a practical matter, heavy work removing large downed limbs, trees, etc. at the Quaker Cemetery may need to wait until fall of 2023, when funds become available and the ground is again frozen.

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

The initial cemetery work for which \$4,000 is sought (plus \$150 in connection with the Conservation Commission filing) should be completed by the end of FY24.

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

Once the initial major cleanup is done, DPW estimates \$800-2,000/yr will be needed for ongoing removal of vines, saplings, brush, downed trees, limbs, etc. Additionally, to maintain compliance with Conservation Commission requirements, \$150 will be needed every three years.

**Does this Article involve improvement, preservation or creation of tangible 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.

**Please attach additional pages or other supporting documentation.** *See attached presentation to the Select Board*

**HISTORICAL COMMISSION:  
TOWN-OWNED CEMETERY  
MAINTENANCE PROGRAM**

*AND REQUEST TO INSTALL ELMER BURNHAM PLAQUE*

---



# WHY THE TOWN SHOULD MAINTAIN THE ALMSHOUSE & QUAKER CEMETERIES

- Cemeteries physically tell the stories of those those who came before and need preservation.
- Volunteers can't be counted on—the Quaker Cemetery was restored by volunteers in 2010 and now requires a major repeat cleanup.
- Municipalities in Massachusetts are expected to maintain cemeteries they own.

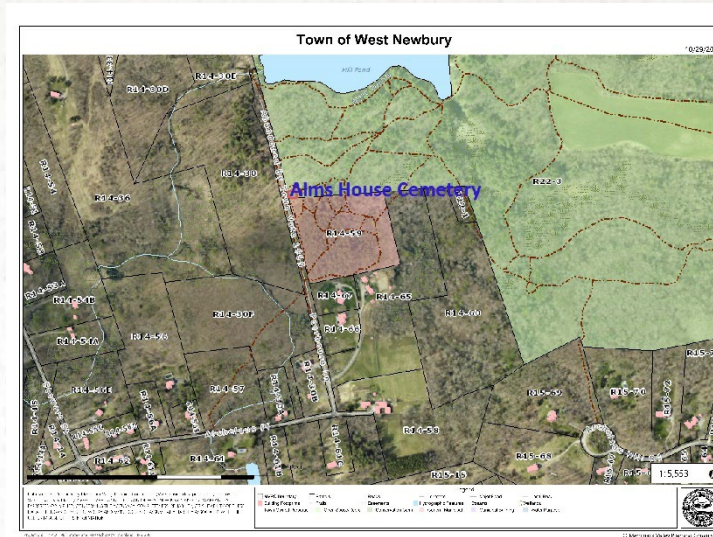
PRESERVATION GUIDELINES  
FOR MUNICIPALLY OWNED  
HISTORIC BURIAL GROUNDS AND CEMETERIES  
THIRD EDITION



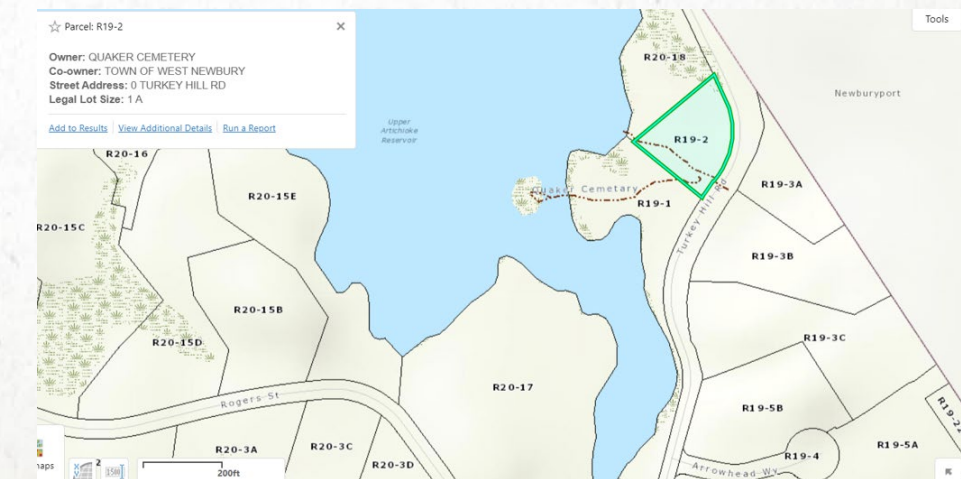
# PROPOSED MAINTENANCE PROGRAM

- Annual 2 x/year cleanup for the two cemeteries:
  - Remove downed trees & limbs
  - Address leaning/threatening trees
  - Cut & remove saplings, vines, bushes etc
  - Retain leaf litter/pine needle/native groundcover (no grass)
- Work to be done in early spring and late fall—slow time for landscapers—under Town supervision, perhaps Historical Commission
- DPW prefers establishing a budget for contractors for this—estimated annually at \$800-\$2,000; DPW would lead the contract

Almshouse Cemetery Location



Quaker Cemetery Location



# QUAKER CEMETERY CLEANUP

- The Quaker Cemetery requires an initial cleanup like that done for the Almshouse Cemetery.
- Heavy work such as removing downed trees and limbs should occur sometime between November and March when the ground is frozen—estimated cost is \$4,000.
- Once the heavy work is done, clearing of brush, saplings, vines, etc can occur.
- Because the Quaker Cemetery borders the Artichoke Reservoir, Conservation Commission approval is needed.



Extent of work



Current conditions

# REQUEST FOR SELECT BOARD APPROVAL

- Authorize budget and contracting for Quaker Cemetery cleanup (\$4,000) and annual maintenance program for both cemeteries (\$2,000/year).
- Authorize Historical Commission to draft and submit (subject to prior Town review and editing) a Request for Determination of Applicability to the Conservation Commission for Quaker Cemetery cleanup and ongoing annual maintenance, to be re-filed every 3 years. Assuming waiver of filing fee, cost is about \$150 for legal notice in newspaper.



# Draft Article 37

## ARTICLE REQUEST FORM

**ARTICLE:** Matching funds (10%) for \$67,500 One Stop for Growth grant awarded to the Town of West Newbury for study, planning and zoning as required by MBTA Communities Act.

**AMOUNT REQUESTED:** \$7,500.00

**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 of West Newbury seeks a Planning Consultant to lead the town in an effort to achieve compliance with the MBTA Communities As-Of-Right Multi-Family Zoning District requirements.

West Newbury is identified as an MBTA "Adjacent Small Community" as there are no MBTA stations in Town or within ½ mile of its border. It is therefore necessary that the Town undertake a study examining the feasibility of creating a zoning district or districts that allows a minimum of 87 multi-family units as of right. In order to successfully sponsor a zoning amendment for Town Meeting approval, it will be necessary to undertake an iterative public process that involves all town residents and stakeholders.

The Town has received a Rural and Small Town Grant and proposes these matching local funds to support this Initiative and will be selecting a consultant from the State's PRF76 Approved Consultants List through this targeted solicitation for qualifications.

**What factors affect the timing of this purchase?**

Required matching funds for grant awarded this fall.

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

FY25

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

Continued staff efforts by several Town departments, but no direct \$ costs anticipated.

**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

**Please attach additional pages or other supporting documentation.**



Commonwealth of Massachusetts  
**EXECUTIVE OFFICE OF  
HOUSING & ECONOMIC DEVELOPMENT**  
ONE ASHBURTON PLACE, ROOM 2101  
BOSTON, MA 02108

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[www.mass.gov/eohed](http://www.mass.gov/eohed)

**RECEIVED**

NOV 03 2022

TOWN MANAGER  
TOWN OF WEST NEWBURY

October 26, 2022

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

Dear Town Manager Jennings:

Thank you for submitting an application to the FY2023 round of the Community One Stop for Growth. We are very pleased to announce that, in its second round, the One Stop provided grant awards to 335 projects in 169 communities across the Commonwealth, totaling over \$143 million in economic development support.

On behalf of the Baker-Polito Administration, I would like to congratulate you on the success of your application, **FULL-FY23-West Newbury-West Newbu-01115**, which resulted in an award through the **Rural and Small Town Development Fund**.

Our economic development plan, Partnerships for Growth, holds “building vibrant communities” as a key pillar of the Commonwealth’s economic prosperity. These grants underscore the commitment of the Baker-Polito Administration to partner with cities and towns, large and small, to realize their economic potential and to ensure that residents live, work, and play in thriving communities. In addition, the plan highlights our belief that state government should be accessible to all communities – a principle we hope you experienced firsthand through the Community One Stop for Growth.

We look forward to continuing this momentum as we head into the FY2024 Round of the One Stop. Please be on the lookout for communications from EOHD staff related to the launch of the FY2024 Round and information on how to submit an Expression of Interest.

Again, thank you for your participation in the Community One Stop for Growth. Forming strong partnerships with cities and towns to help economic development visions come to life is of the utmost importance to me, my office, and the Administration. We look forward to working with you to advance the economic growth of your community and the Commonwealth.

Sincerely,

Mike Kennealy  
Secretary

# Draft Article 38

**\*\*THIS IS A PLACEHOLDER; ADDITIONAL INFORMATION WILL BE PROVIDED\*\***

## ARTICLE REQUEST FORM

**ARTICLE:** Request for funding for professional invasive species management on town owned land

**AMOUNT REQUESTED:** \$20,000 (this amount was approved as an “up to amount” by the Open Space Committee, an amount once proposals from invasive plant management companies are received will be provided)

**CONTACT PERSON:** Carol Decker, Open Space Committee or Michelle Greene, Conservation Agent

**PHONE NUMBER:** Carol – (978) 468-4995, Michelle - (978) 363-1100 x126

**Why should the Town make this purchase or adopt this article? What needs will be met? Who will benefit?**

The Town has invested approximately \$6-\$7 million on the acquisition of land for open space to date with no money invested for management.

The open space land acquired by West Newbury is currently being degraded by invasive plants which have been increasing in population size and density due to a changing climate.

This investment is an effort to manage and preserve this open space, continuing the efforts started in summer of 2022 with the hiring of invasive plant interns, for the current and future residents of West Newbury, the current and future members of other communities who enjoy and use this open space, and for native wildlife and pollinator habitat.

**What factors affect the timing of this purchase or this request?**

Treatment of invasive plants during periods where the plants are not dormant have been proven to be most effective. Approving this funding now will allow treatment to begin as soon as end of summer / early fall 2023.

This timing will also coincide professional management with the completion of the summer 2023 invasive plant interns continuing their efforts and focusing on management of areas which may require more professional treatment using methods and equipment which the interns will not be able to employ.

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

No ancillary costs are anticipated. The final requested amount will cover management of invasive plants in a defined area and will include the costs of listing the Town on the company’s insurance policy.

**Please attach any supporting materials.**

Supporting materials including proposals from invasive species management companies will follow.

## **Additional Information for Article**

### **Locations:**

Three parcels have been eyed for professional invasive plant management they are:

- Cherry Hill Conservation Land at the corner of Cherry Hill & Moulton Street - ~8.85 acres
- The Indian Hill Fields at the corner of Indian Hill Street & Middle Street – ~19.92 acres
- Along the Riverbend Trail from River Rd to Way to the River - ~11 acres

### **Quick points:**

- Management is proposed on a total of approximately 39 acres of town owned land
- If professional treatment costs \$20,000 each acre will cost approximately \$513 to treat
- The town has invested approximately \$6-\$7 million on land acquisition to date with no money to date spent on land management
- \$20,000 to manage this land is an investment of less than 0.5% of the cost that West Newbury has spent to date to acquire the land.
- The up to \$20,000 amount was determined based by information provided by an invasive species management company who has done similar municipal work and conversations with Nancy Pau of USFW who has managed contracts for invasive management work at the Parker River Refuge. A final number will be provided to FinCom/SB/to be included in the meeting packet based on the proposals received. The amount requested will not be more than \$20,000
- Top three invasive species to be targeted at these sites are phragmites, autumn olive, and multiflora rose. These species are high aggressive and rapidly degrade an area.

### **Why were the locations selected:**

- All locations have very straightforward and easy access from either roadways or trails. This will likely reduce labor costs allowing more of the funding to be focused on the treatment of invasive plants at these properties rather than for time spent trekking to remote locations.
- The parcels are highly visible and easily accessible allowing the opportunity for the public to view the management progress on the land they have invested into
- Invasive species management has been ongoing at the Cherry Hill Conservation Land. Since August 2022 there have been two invasive plant management days where volunteers have made substantial improvements in reclaiming the field edge. Including this parcel builds off the existing momentum for managing this area.
- All parcels were mapped by the Town's invasive plant interns in Summer 2022. Mapping can be done in Summer 2024, post professional management, to review efficacy of treatment and inform future management decisions on these and other parcels in town.
- If properly managed, the fields at Cherry Hill and Indian Hill offer almost 30 acres of pollinator habitat and potential habitat for grassland birds. These habitats are becoming increasingly scarce in Massachusetts and a decline in pollinators impacts not only biodiversity but also threatens food security



- The phragmites patch at Indian Hill field is very small. The cost of treating this patch should be nominal and if treated successfully, will likely eradicate phragmites from this spot.

#### **Considerations regarding timing of the request:**

- Timing treatment correctly based on a plant's life cycle is very important to effectively manage invasive plants. Treatment of invasive plants during periods where the plants are not dormant have been proven to be most effective. Approving this funding now will allow treatment to begin as soon as end of summer / early fall 2023.
- As the town has approved hiring invasive plant interns for summer 2023, the interns can map the phragmites population at these parcels as phragmites were not previously mapped creating a benchmark to determine efficacy of phragmites management
- Planning professional treatment to begin end of summer/early fall 2023 will continue the management efforts of the interns with methods and equipment the interns will not be able to deploy
- Community members are working to submit a letter of interest for a north shore community pollinator habitat grant which could be used in part to fund seeds, plugs, and native shrubs to replant and restore treated areas which will help ensure invasive plants to not easily repopulate the treated areas.

#### **Why invasive plant management:**

- Invasive plants threaten to outcompete native plants. This has a multitude of impacts from reducing plant biodiversity at a location, to reducing suitable habitat for pollinators and birds, to altering soil chemistry and the hydrology of a site making restoration efforts in the future more difficult.
- Dense populations of invasive plants detract from the public values of open space parcels by creating impassable thickets, harboring ticks, and detracting from the aesthetics of the parcel by blocking viewpoints.

#### **Why are herbicides proposed:**

- Responsible application of herbicides approved for use in wetland areas applied by licensed professionals often offer they only meaningful management option for aggressive invasive plants.
  - Herbicides are effective in reaching plant roots and rhizomes killing the "powerhouse" of the plant while cutting or pulling often only removes the visible portions of the plan leaving the roots and rhizomes to send out new plants, sometimes with increased vigor, in the spring.
  - Mowing or burning can sometimes reduce the density of an invasive plant population but do nothing to kill the plant roots or rhizomes. Additionally, mowing can sometimes help an invasive plant population to spread by spreading seeds and plant matter which can sprout new populations.

#### **Items that are still pending:**

- Work on these parcels will require permitting through the conservation commission under the wetlands protection act. Michelle Greene, Conservation Agent, can assist in permitting and as the applicant will be the town, there will be no permitting fees associated with the fillings.
  - **TIMELINE:** Can work to draft preliminary filings to be ready to submit to ConCom MA DEP immediately after warrant article is passed to allow time for permits to be issued over the summer ahead of late summer/early fall start date
- Request for proposals from at least 3 companies that perform this work
  - **TIMELINE:** Pending a favorable vote for the article from FinCom, will plan to send this request out ASAP in the next week / 2 weeks to have project estimates in before town meeting. Info to update FinCom/SB/and meeting packet to follow.
- Communicating the proposed management with herbicides at Cherry Hill with Newburyport as the work would be in close proximity to the reservoir:
  - **TIMELINE:** Pending a favorable vote for the article from FinCom, will plan to send notice to Newburyport out ASAP in the next week / 2 weeks to understand their permitting process for, if any, for herbicide application near the reservoir. Info to update FinCom/SB/and meeting packet to follow.
- Communicating the proposed work to the Conservation Commission and any other town entities or land trusts who either own or hold through a conservation restriction the land these activities are proposed on.
  - **TIMELINE:** Pending a favorable vote for the article from FinCom, will plan to begin these conversation ASAP in the next week / 2 weeks. Info to update FinCom/SB/and meeting packet to follow.

# Cherry Hill Conservation Land ~ 8.85 acres

02/22/2023



1:2,400

Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of West Newbury & MassIT/MassGIS. MVPC AND THE TOWN OF WEST NEWBURY MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF WEST NEWBURY AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION



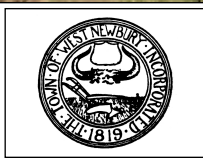
<ul style="list-style-type: none"> <li><span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px; margin-right: 5px;"></span> MVPC Boundary</li> <li><span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px; margin-right: 5px;"></span> Parcels</li> <li><span style="border-bottom: 1px solid black; width: 10px; margin-right: 5px;"></span> Roads</li> <li><span style="border-bottom: 1px dashed black; width: 10px; margin-right: 5px;"></span> Easements</li> </ul>	<p><b>Legend</b></p> <ul style="list-style-type: none"> <li><span style="border-bottom: 1px solid black; width: 10px; margin-right: 5px;"></span> Interstate</li> <li><span style="border-bottom: 1px solid black; width: 10px; margin-right: 5px;"></span> Major Road</li> <li><span style="border-bottom: 1px solid black; width: 10px; margin-right: 5px;"></span> Local Road</li> </ul>
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# Indian Hill Fields ~19.92 acres

02/22/2023



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<input type="checkbox"/> MVPC Boundary	<input type="checkbox"/> Parcels	<b>Legend</b>
<input type="checkbox"/> Easements		— Interstate
		— Major Road
		— Local Road

# Riverbend Trail ~11 acres

02/22/2023



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□ MVPC Boundary	□ Parcels	Legend		
— Easements		— Interstate	— Major Road	— Local Road
		— Roads		

# Common Reed: An Invasive Wetland Plant

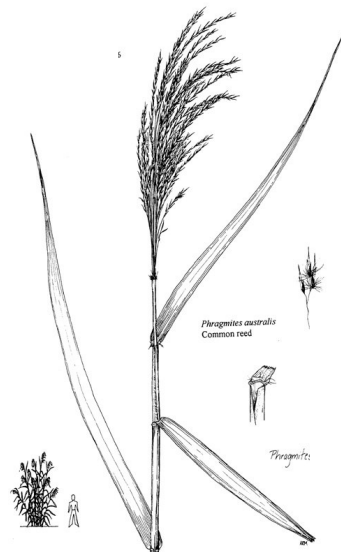
## *Phragmites australis*



### Description

- *Phragmites* is a tall perennial monocot (grass) and is an aggressive wetland invader.
- *Phragmites* can reach 16 feet high and form dense impenetrable monocultures.
- The silky flower head is initially purplish in color but turns white and fluffy as it matures. The plume grows 1 - 2.5 inches long, often drooping to one side.
- The leaves are green/gray in color, strap-like and taper to a point. Leaves are up to 2" wide and 24" long and are located alternately on the stem. An appendage (ligule) is present where the base of the leaf attaches to the stem. (see photo on last page)
- Rhizomes (under ground roots) can extend down over 2 meters to reach deep ground water, and rhizomes often form dense mats on the earth's surface that deter other plants from becoming established.

### Common Reed

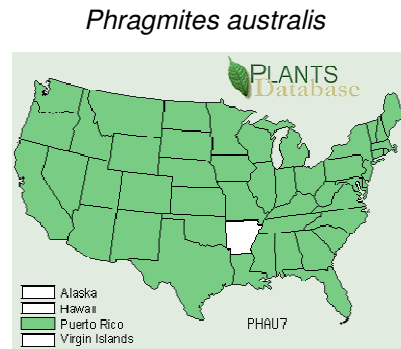


### Habitat

*Phragmites* is a very hardy and persistent species that can grow in a variety of conditions.

- Thrives in fresh water or brackish water and can tolerate high salinity and a wide pH range of 4.8 – 8.2.
- Prefers compact mineral clays with water fluctuations ranging between 15 cm above to 15 cm below the surface. It is often the first species to invade disturbed sites, including irrigation ditches and road sides.
- Prefers calm waters since fast flowing water and wave action can break the stems.
- Survives in stagnant and poorly aerated waters due to the presence of air spaces in the aboveground section of the roots and in the rhizomes, which allow fresh air to be transported down to the roots.

## Distribution Map



States where Common Reed occurs

## Reproduction

*Phragmites* reproduces by vegetative methods (primarily) and by seed formation.

- Vegetatively, *Phragmites* reproduces by rhizomes and as vertical shoots fall over they can become horizontal runners. Rhizome fragments can be transported and re-grow in new locations.
- Seeds that form between July and September are released from November through January. Seeds are dispersed by wind, water and wildlife but germination is often inhibited by environmental factors including water depth, salinity and temperature.

## Impacts and Threats Posed by Common Reed

Common Reed is a highly competitive plant that is capable of rapid growth and spread. Common Reed displaces native species, reduces biodiversity, offers little value for wildlife and chokes waterways.

- Once established, *Phragmites* can negatively impact native vegetation and wildlife. *Phragmites* can form very dense impenetrable monospecific stands that may exclude native vegetation and not provide ideal shelter or food for wildlife.
- As *Phragmites* spreads rapidly and fills in wetlands, water flow is reduced and the flood retention of the wetland is decreased.
- *Phragmites* stems can trap sediments, causing the waterbody to become increasingly shallow.

## Management Methods

There are many management methods that have been attempted to control *Phragmites*, including burning, cutting and mowing, altering the water table or salinity and application of herbicides. No known biological controls exist. (Gall-forming and stem boring insects have been noted to have an impact on wild populations, but no species-specific insects have been identified.)

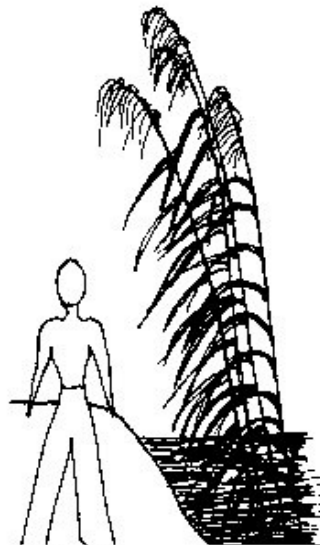
- Although burning can greatly reduce the biomass it usually does not impact the underground rhizomes and *Phragmites* can re-grow from these rhizomes. Burning can be dangerous and is not species specific; however, the reduction in biomass can give other species an opportunity to germinate.
- Mowing or cutting prior to the end of July when most of the food reserves are stored in the plants upper portion, can knock *Phragmites* back, however, re-growth from rhizome fragments continues.
- Treating the plants with a glyphosate product, such as Round-Up or Rodeo has proven to be effective. The glyphosate will kill leaves, stems and most importantly, the underground rhizomes, however, glyphosate is not species specific and will impact other broadleaf plants.
- Increasing the salinity and tidal action to the area has shown to cause a decline in *Phragmites* and an increase in abundance of other native plants.
- In all cases, replanting with native species following a treatment is recommended.

**Other Information**

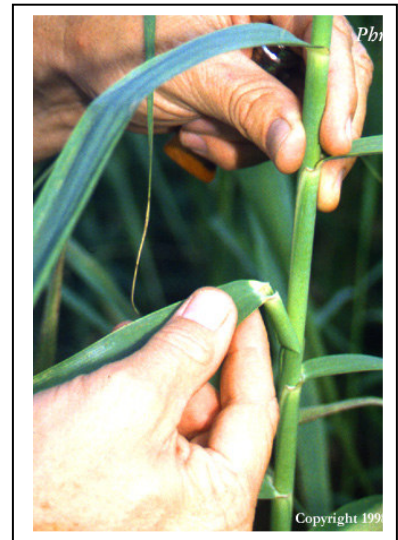
- *Phragmites* is on the Massachusetts Prohibited Plant List (as of January 1, 2006)
- It is uncertain whether *Phragmites* is native or non-native to the US. *Phragmites* remains were found in 3000 year old peat moss samples in Connecticut and also in Colorado, in 600-900 A.D old archeological artifacts. Recently, due to the discovery of two genetically different populations, it has been speculated that a newer, aggressive genotype was recently introduced to North America from the Old World.  
(for more information: <http://tncweeds.ucdavis.edu/esadocs/documnts/phraaus.html>)
- *Phragmites* comes from the Greek word phragma, which means fence.
- *Phragmites*' flowering stalks can be used in upholstery and stalks or leaves can be used for thatching, sandals, baskets, brooms, and mats.
- Informational websites:  
<http://aquat1.ifas.ufl.edu/welcome.html> (Center for Aquatic Invasive Species, Florida)  
<http://plants.usda.gov/> (USDA Nature Conservancy Site)  
[www.ProtectYourWaters.net](http://www.ProtectYourWaters.net) (Aquatic Nuisance Species national web site)
- There are really no plants that *Phragmites* can be easily confused with due to its unusual height, conspicuous silky plumes and ligule.



Distinct silvery plume



Heights of up to 16 feet



Ligule present

**References:**

- 1) Literature sources:  
<http://plants.ifas.ufl.edu/phraus.html> (Center for Aquatic and Invasive Species)  
<http://tncweeds.ucdavis.edu/esadocs/documnts/phraaus.html> (Nature Conservancy's ESA)  
<http://www.epa.gov/OGWDW/dwh/c-soc/glyphosa.html> (EPA Glyphosate fact sheet)
- 2) Photographs were obtained from:  
<http://aquat1.ifas.ufl.edu/welcome.html> (line drawings and photos of Common Reed)
- 3) The distribution map was taken from:  
[http://plants.usda.gov/cgi\\_bin/topics.cgi](http://plants.usda.gov/cgi_bin/topics.cgi) (USDA Plant Data Base)

**For more information please contact:**

D.C.R. Office of Water Resources, Lakes and Ponds Program  
 Michelle Robinson at: [michelle.robinson@state.ma.us](mailto:michelle.robinson@state.ma.us)  
 Or visit the Lakes and Ponds web site at: [www.mass.gov/lakesandponds](http://www.mass.gov/lakesandponds)  
 Prepared by Michelle Robinson: November 2002



# Autumn Olive



## Background, Life History

Autumn olive (*Elaeagnus umbellata*) is a nitrogen-fixing shrub or small tree native to East Asia. First introduced into North America in the 1830s, it was originally used for strip mine reclamation and to provide food and cover for wildlife. It continues to be planted as an ornamental shrub and for windbreaks.

This shrub grows in sand, loam or clay-based soils and prefers substrates with a neutral pH. It often grows in poor soils due to its nitrogen-fixing roots. While it can grow in light shade, it prefers full sun. It is drought tolerant and invades grasslands and sparse woodlands, though it is more prevalent in disturbed areas, pastures and fields.

Autumn olive is a rapid growing, deciduous shrub that can reach a height of 20 feet. It has dark green, alternate leaves that are oval to lance shape with smooth, wavy margins. The underside is covered with distinctive silver-white scales, and brown dots that are especially evident in the spring. Young twigs also are densely covered with silvery scales and brown dots. Older branches sometimes develop thorns.

When the plant is 2 to 3 years old, it produces yellow flowers in April and May. The fruit is small, reddish pink and is readily consumed by birds and some small mammals. Each plant can produce several pounds of fruit. Animals, especially birds, disperse the seed after they eat the fruit.



James R. Allison, Georgia Department of Natural Resources, Bugwood.org

## Impacts

Autumn olive grows rapidly, thrives in poor soil and its prolific fruit is widely dispersed by birds. Due to its nitrogen-fixing capabilities, it can adversely affect the nitrogen cycle of the native communities that depend on infertile soils. These characteristics make it an aggressive and competitive threat to native species in open communities such as prairies, savannahs and woodlands. Due to its large size, it interferes with natural succession by creating dense shade that prohibits native plants from growing.



Pennsylvania Department of Conservation and Natural Resources - Forestry Archive, Bugwood.org



Nancy Loewenstein, Auburn University, Bugwood.org



James R. Allison, Georgia Department of Natural Resources, Bugwood.org

The prolific fruit is widely spread by birds.

Yellow flowers appear in April and May.

Autumn olive grows quickly and shades out native plants.

## Control

Autumn olive is easily identified in the spring because its leaves appear while most native vegetation is still dormant. When the plant is small and the ground is moist, it may be removed by hand pulling.

The most effective way to control this plant is with a combination of mechanical and chemical treatment. Cut the plant off at the main stem, and apply a solution of 10 to 20 percent glyphosate directly on the cut stump to kill the root system. Apply 1 to 2 percent triclopyr or glyphosate to resprouting leaves with a hand sprayer. The best time for the cut-stump method is July through September during the late growing season, although it also may be used when the plant is dormant. Cutting alone should be avoided because it can lead to a thicker, denser stand.

In low-quality plant communities, basal bark treatments can be effective and requires less effort. Apply a narrow band of active ingredient triclopyr, diluted in diesel oil at a 1:3 ratio around the trunk 6 to 12 inches above the ground. Basal bark applications can be made with a hand sprayer and should be performed during the dormant season to minimize risk to nontarget species. Use a hand sprayer to apply 1 to 2 percent triclopyr or glyphosate the following spring to control resprouting.

## Identifying Autumn Olive

- up to 20 feet tall
- dark green, alternate leaves that are oval to lance shape with smooth, wavy margins
- distinctive silver-white scales, and brown dots underneath leaves that are especially evident in spring
- silvery scales and brown dots densely cover young twigs
- sometimes thorns on older branches
- yellow flowers in April and May
- small, reddish pink fruit

## Native Look-alikes

Native gum (*Bumelia lanuginosa*) also has leaves with silvery undersides and thorny twigs that are whitened, but its leaf tips are much more rounded and do not have brown dots.

## Replacing Autumn Olive

As a replacement for autumn olive, plant these environmentally friendly native species: hawthorns, plums, ninebark, hazelnut, serviceberry and dogwoods.

## For Additional Information

[www.na.fs.fed.us/fhp/invasive\\_plants/weeds/autumn-olive.pdf](http://www.na.fs.fed.us/fhp/invasive_plants/weeds/autumn-olive.pdf)

[www.invasive.org/eastern/srs/AO.html](http://www.invasive.org/eastern/srs/AO.html)

[www.invasive.org/eastern/midatlantic/elum.html](http://www.invasive.org/eastern/midatlantic/elum.html)

[www.inhs.uiuc.edu/chf/outreach/VMG/autolive.html](http://www.inhs.uiuc.edu/chf/outreach/VMG/autolive.html)

[www.MissouriConservation.org](http://www.MissouriConservation.org)

For more information or to report a population, contact your local Missouri Department of Conservation office, e-mail [WildlifeDivision@mdc.mo.gov](mailto:WildlifeDivision@mdc.mo.gov), or write:

**Autumn Olive**  
**Missouri Department of Conservation**  
**Invasive Species Coordinator**  
**P.O. Box 180**  
**Jefferson City, MO 65102-0180**





# Invasive Species

## Leaflet

Excerpted with permission from "Invasive Exotic Plants of North Carolina"  
A publication of N.C. Department of Transportation



No. 03 March 2010

### *Rosa multiflora* (Multiflora Rose)

#### Initial Introduction and Expansion in Range

Native to Japan, Korea and China, *Rosa multiflora* was introduced to the United States in the 1860s as rootstock for ornamental roses. In the 1930s, the Soil Conservation Service (renamed the Natural Resource Conservation Service in 1994) promoted this plant for erosion control and living fences for containing livestock. Various conservation organizations have also promoted its use for wildlife cover and food. In some states, *R. multiflora* was planted within highway medians as a crash barrier and as a means to reduce headlight glare from oncoming vehicles. It is now found throughout North Carolina.

*Rosa multiflora* reproduces by rooting at the tips of its arching branches and by seed. In a good year, an average size *R. multiflora* shrub can produce 500,000 to 1,000,000 seeds. This plant has become a serious threat to natural areas not only because its seeds are widely dispersed by birds, but because of its ability to grow in diverse light, soil and moisture conditions.



#### Description and Biology

- Medium-sized, deciduous, thorny shrub up to 10 feet in height.
- Stems distinctly arching in form.
- Compound leaves composed of 5 to 11 leaflets alternately arranged along the stem with a terminal leaflet. Each leaflet broadly oval with a serrate (toothed) margin. A feathery stipule (green, leaf-like structure) is found at the base of each leaf.
- Clusters of fragrant, white to pinkish-white, 5-petaled flowers bloom in May or June.
- Small red fruits called "rose hips" develop during the summer and can persist on the plant through winter.
- Distinguished from other native species of roses by arching stems and feathery stipule.

## Habitats Susceptible to Invasion

*Rosa multiflora* forms dense impenetrable thickets that can choke out native understory species. Roadsides, pastures, wetlands (i.e. mountain bogs) and other non-forested areas are particularly susceptible to invasion. Disturbed right of ways provide the ideal conditions for the spread of this plant.

## Prevention and Control

Cutting or mowing *R. multiflora* at least once during the growing season will control but not eradicate this plant. Small plants can be dug out by hand. Large plants can be pulled from the ground by tractors or trucks using strong ropes or chains.

*Rosa multiflora* can be effectively controlled from spring through fall with a foliar solution of 2 percent glyphosate or triclopyr plus a 0.5 percent non-ionic surfactant that thoroughly wets the leaves. The most successful chemical control can be achieved with a foliar solution of 1 ounce Metsulfuron per 100 gallons water, plus a 0.5 percent non-ionic surfactant. This solution will treat an area approximately the size of an acre.

If foliar spraying is not an option because of proximity to sensitive areas, *R. multiflora* can be effectively controlled with the cut stump method any time of year as long as the ground is not frozen. Once the plant is cut to the ground, immediately apply a 25 percent solution of triclopyr to the stumps taking care to cover the entire surface. All treatments should be followed up the next year to monitor and control sprouts

## **THE LABEL IS THE LAW! WHEN USING ANY PESTICIDE, FOLLOW ALL LABEL INSTRUCTIONS**

### Citations:

Smith, Cherri. 2008. Invasive Exotic Plants of North Carolina. N.C. Department of Transportation. Raleigh, NC.

*Rosa multiflora* photography by Mike Kunz, NC Botanical Garden (*left*) and James H. Miller, USDA Forest Service, Bugwood.org (*right*).

This publication printed in cooperation between the NC Dept. of Transportation, and North Carolina Forest Service, with funding from the USDA Forest Service.

6000 of this document were printed at a cost of \$812.58 or 0.136 per copy.

The North Carolina Forest Service is an equal opportunity/affirmative action employer. Its programs, activities and employment practices are available to all people regardless of race, color, religion, sex, age, national origin, handicap or political affiliation.



# Draft Article 39

## ARTICLE REQUEST FORM

**ARTICLE:** Propose to accept the provisions of M.G.L. c.166, §32A related to Assistant Electrical Inspectors

**AMOUNT REQUESTED:** n/a

**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 adoption of this section of Mass. General Laws (M.G.L.) is to ensure the allowance for an Assistant Electrical Inspector employed by the town to perform private work in the same town, provided that the work is inspected by either an assistant inspector or an inspector from another municipality.

**What factors affect the timing of this purchase?**

This is consistent with past and current practice, but a record of prior Town Meeting adoption of this section of M.G.L. has not been found.

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

N/A

**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.

**Please attach additional pages or other supporting documentation.**

<b>Part I</b>	ADMINISTRATION OF THE GOVERNMENT
<b>Title XXII</b>	CORPORATIONS
<b>Chapter 166</b>	TELEPHONE AND TELEGRAPH COMPANIES, AND LINES FOR THE TRANSMISSION OF ELECTRICITY
<b>Section 32A</b>	INSPECTOR OF WIRES WORKING AS ELECTRICIAN; INSPECTION BY ASSISTANT INSPECTOR

---

Section 32A. In a city, town or district which accepts this section, a licensed electrician who is appointed inspector of wires may practice for hire or engage in the business for which licensed under the applicable provisions of chapter one hundred and forty-one while serving as such inspector; provided, however, that within the area over which he has jurisdiction as wiring inspector he shall not exercise any of his powers and duties as such inspector, including those of enforcement officer of the state electrical code, over wiring or electrical work done by himself, his employer, employee or one employed with him. Any such city, town or district may in the manner provided in the preceding section appoint an assistant inspector of wires who shall exercise the duties of inspector of wires, including those of enforcement officer of the state electrical code, over work so done. Said assistant inspector may act in absence or disability of the local inspector and for his services shall receive like compensation as the city, town or district shall determine.

This section shall take effect upon its acceptance in a city, by vote of the city council, subject to the provisions of the charter of such city; in a town, by vote of the board of selectmen; in a municipality having a town council form of government, by a vote of the town council, subject to the provisions of the charter of such municipality and in a district, by vote as above provided of the cities and towns of the district.

# Draft Article 40

## ARTICLE REQUEST FORM

**ARTICLE:** Large-Scale Ground-Mounted Solar Photovoltaic Installations Overlay District Bylaw Amendment

**AMOUNT REQUESTED:** \$0.00

**CONTACT PERSON:** Sue Brown, Town Planner

**PHONE NUMBER:** 978-363-11000 X 125

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

There is no cost for this project beyond staff time and Town Counsel review. The Planning Board is looking to update the Large-Scale Ground-Mounted Solar Photovoltaic Installations Overlay District Bylaw to allow installations throughout Town, provided they meet identified criteria. Town Counsel has opined that based on recent case law, the current LGSPI Overlay District may be too restrictive to meet the requirements of the Town's Green Communities Designation. The identified amendment to the Zoning Bylaw is expected to protect the town from a potential zoning challenge and the costs associated with defending such a challenge.

**What factors affect the timing of this purchase?**

The Planning Board recommends acting on this project now to reduce the Town's exposure to a potential challenge.

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

The Draft Zoning Amendment and new Zoning Map is expected to be finalized by early-March.

**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

**Please attach additional pages or other supporting documentation.**





**TOWN OF WEST NEWBURY  
OFFICE OF THE PLANNING BOARD  
381 MAIN STREET  
WEST NEWBURY MA 01985  
978-363-1100 X125 Fax: 978-363-1119  
e-mail: [townplanner@wnewbury.org](mailto:townplanner@wnewbury.org)**

REC'D W. NEWBURY CLERK  
23 FEB 14 AM 11:43

**Legal Notice  
West Newbury Planning Board**

The West Newbury Planning Board will hold a Public Hearing on Tuesday March 7<sup>th</sup>, 2023 during a meeting that begins at 7:00 p.m. to consider the Board's recommendations for the following changes to the Town of West Newbury Zoning Bylaw: 1) to recodify and renumber the Town of West Newbury Zoning By-laws in their entirety, including all internal citations in order to improve the organization of the Bylaws and allow future changes within the appropriate subsections; 2) to Amend Section 5G Large-Scale Ground Mounted Solar Photovoltaic Installations Overlay District by replacing the existing District with locational criteria for the installation of LGSPI and other minor amendments to definitions and design standards; and 3) to delete Section 3.A.1 and Section 3.B.1 pertaining to the mapping of the current LGSPI District.

To view the proposed changes visit: <https://www.wnewbury.org/planning-board/pages/current-documents> or contact [planning.admin@wnewbury.org](mailto:planning.admin@wnewbury.org).

Interested persons may participate in the meeting by joining from computer, tablet or smartphone using: <https://us06web.zoom.us/j/81038167346?pwd=UVRGQVNXd3ZEUEhWOWhxQWdXYVBuQT09>

OR by calling: +1-646-558-8656. Enter Meeting ID: 810 3816 7346

Passcode: 176504

Timothy N. Cronin, Clerk

## Solar Bylaw Related Amendments

### Section 3.A.1 – strike “Large-Scale Ground-Mounted Solar Photovoltaic Installations Overlay Districts”

Section 3.B.1 - Said districts are hereby established as shown, located, defined and bounded on a map entitled “Town of West Newbury Zoning Map, based on Zoning Map dated September 1, 1967, adopted at Special Town Meeting of October 25, 2010”, amended at the 2023 Annual Town Meeting, filed with the office of the Town Clerk, which map, together with all explanatory matter thereon, and amendments thereto, is hereby incorporated and made a part of this by-law.

### **Section 5.G. LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS ~~OVERLAY DISTRICT~~**

*[Section 5.G. adopted by Amendment effective May 3, 2012 by vote of Annual Town Meeting, Article 18, and approved by the Attorney General on August 30, 2012, and posted according to law on September 7, 2012]*

#### 5.G.1. Purpose

The purpose of this ~~Bylaw Section 5.G~~ is to ~~regulate~~ allow for the development of Large-Scale Ground-Mounted Solar Photovoltaic Installations (LGSPI) while balancing the needs of the Town to protect public health, safety or welfare. in an established district(s) where they are allowed. To that end, this Section ~~The Bylaw~~ provides standards for the placement, design, and construction of ~~LPGSIs~~ LGSPI such installations. ~~The standards aim to address public safety, and minimize impacts on scenic, natural, and historic resources.~~

#### 5.G.2. Definitions

**Large-Scale Ground-Mounted Solar Photovoltaic Installation (LGSPI):** A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.

~~**Large Scale Ground Mounted Solar Photovoltaic Installation (LGSPI) Overlay District:** The location[s] designated by a Town Meeting vote in accordance with Massachusetts General Laws Chapter 40A, §5., where LGSPI are a permitted use. Any designated location[s] [is/are] shown on the Town of West Newbury Zoning Map pursuant to Massachusetts General Laws Chapter 40A §4. A plan of an approved Overlay District delineated by metes and bounds shall be recorded at the Southern Essex Registry of Deeds. These plans shall also be filed in the Office of the Town Clerk.~~

**On-Site Solar Photovoltaic Installation:** A solar photovoltaic installation that is constructed at a location where other uses of the underlying property occur.

**Rated Nameplate Capacity:** The nominal rated output of electric power production of the Photovoltaic system in Direct Current (DC).

**Solar Photovoltaic Array:** an arrangement of solar photovoltaic panels.

### 5.G.3. Applicability

~~This Section applies to LGSPI proposed to be constructed after the effective date of this Section. This Section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.~~ The provisions set forth in this Section shall apply to the construction, operation, and/or repair of LGSPI as well as to any physical modifications that materially alter the type, configuration, or size of an LGSPI or related equipment.

### 5.G.4. General Requirements for all ~~Large~~ Large-Scale Ground-Mounted Solar Photovoltaic

Installations The following requirements are common to all LGSPI to be sited in designated locations:

a. A LGSPI may be constructed as of right on any Lot that is located within 1,000 feet of necessary supportive infrastructure as mapped by National Grid ~~the electric utility company servicing the town so long as that Lot is not located on a High Conservation Value parcel as mapped by the Commonwealth's SMART tool.~~ defined as having 50% or more of parcel identified as BioMap Core Habitat or Critical Natural Landscapes as mapped by MassWildlife and the Nature Conservancy at the time of application.

a.b. Compliance with Laws, Ordinances and Regulations. The construction and operation of all LGSPI shall be consistent with all applicable local, state and federal requirements, including all applicable environmental, safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code. Acting pursuant to G.L. c. 44, §53G, the Planning Board may require an applicant to pay the cost of peer review services to inspect the installation of any LGSPI.

b.c. Building Permit and Building Inspection. A Building Permit is required for construction, installation, or modification of LGSPI as provided in this Section. An Application for a Building Permit for LGSPI must be submitted with all documents required by the Building Inspector's Office and the requirements of the Site Plan Review Decision.

e.d. Site Plan Review. LGSPI are subject to Site Plan Review, Zoning Bylaw Section 8.B., by the Planning Board prior to construction, installation or modification as provided in this Section. In addition to the requirements of Section 8.B., Site Plan Review, and Planning Board Regulations, the Applicant shall submit the following:

- i. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property Owners, if any
- ii. The name, address, contact information and signature of any agents representing the project proponent, and
- iii. Documentation of actual or prospective access and control of the project site. The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation
- iv. Zoning district designation for the parcel(s) of land comprising the project site, Street Address, Assessors' Map and Lot Number, North Arrow, and Locus Map
- iv.v. A map showing the parcel in relationship to the allowable area criteria

- v.vi. An aerial photograph showing the existing property and structures, abutting properties, structures and streets. The proposed LGSPI, appurtenant structures, driveways and other proposed improvements shall be superimposed upon the aerial photograph.
- vi.vii. Blueprints or drawings of the solar photovoltaic installation signed by a Registered Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures.
- vii.viii. A description of the type of mounting system.

Waiver Authority. The Planning Board may waive documentary requirements of Site Plan Review as it deems appropriate.

e. In addition to that set forth in Section 8.B, the following standard shall apply to a LGSPI:

5.G.5. Dimensional Requirements.

- a. All LGSPI and Appurtenant Structures shall conform with the Table of Dimensional Control below.

**Table of Dimensional Control for Large- Scale Ground-Mounted Solar Photovoltaic Installations ~~Overlay District~~**

Structures	Mini - mum Lot Area In feet	Lot Frontage In feet	Percent of Required Lot area as Contiguous and Buildable (6.A.2)	Distance from Overlay District <del>Parcel</del> Boundary In feet	Maximum Lot Coverage %	Maximum Building Coverage %	Maximu m Height in feet (6.A.3.)
Solar Photovoltaic Array <del>PV Array</del>	n/a	n/a	n/a	50	n/aAs per District	n/aAs per District	15
Appurtenant Structures	n/a	n/a	n/a	40	n/aAs per District	n/aAs per District	35

- b. Appurtenant Structures. All appurtenant structures, including equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be screened from view by vegetation and/or fencing, and/or joined or clustered to avoid adverse visual impacts.

5.G.6. Design Standards

- a. Lighting. Lighting of solar photovoltaic installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
- b. Signage. Signs on LGSPI shall comply with Section 7.C. of the Zoning Bylaw. A sign consistent with the Zoning Bylaw shall be required to identify the Owner and Operator and provide a 24-hour emergency contact phone number. Reasonable identification of the manufacturer or Operator of the solar photovoltaic installation may be provided.

Solar photovoltaic installations shall not be used for displaying any advertising.

c. Utility Connections. Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

d. Safety and Security. Appropriate measures shall be proposed to secure the facility from unauthorized entry.

#### 5.G.7. Environmental Standards

a. Wetlands. LSGPI shall comply with the requirements of M.G.L. Chapter 130, as amended as well as the Town's local wetland Bylaw.

b. Stormwater Management. Stormwater Management shall comply with the Town's Stormwater Management Bylaw and Regulations and the Department of Environmental Protection Stormwater Management Policy, as amended.

c. Noise. LSGPI and equipment shall comply with Section 7.A.4. of the Zoning Bylaw, and the provisions of the Department of Environmental Protection's Division of Air Quality Noise Regulations, (310 CMR 7.10., as amended).

d. Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the facility or otherwise prescribed by applicable laws, regulations, and bylaws.

#### 5.G.8. Monitoring and Maintenance.

The Large-Scale Ground-Mounted Solar Photovoltaic Installation Owner or Operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures.

#### 5.G.9. Modifications

The Building Inspector shall determine if a proposed Modification to an LGSPI made after issuance of the required Building Permit shall require the filing and approval of a new Site Plan and Application with the Planning Board-

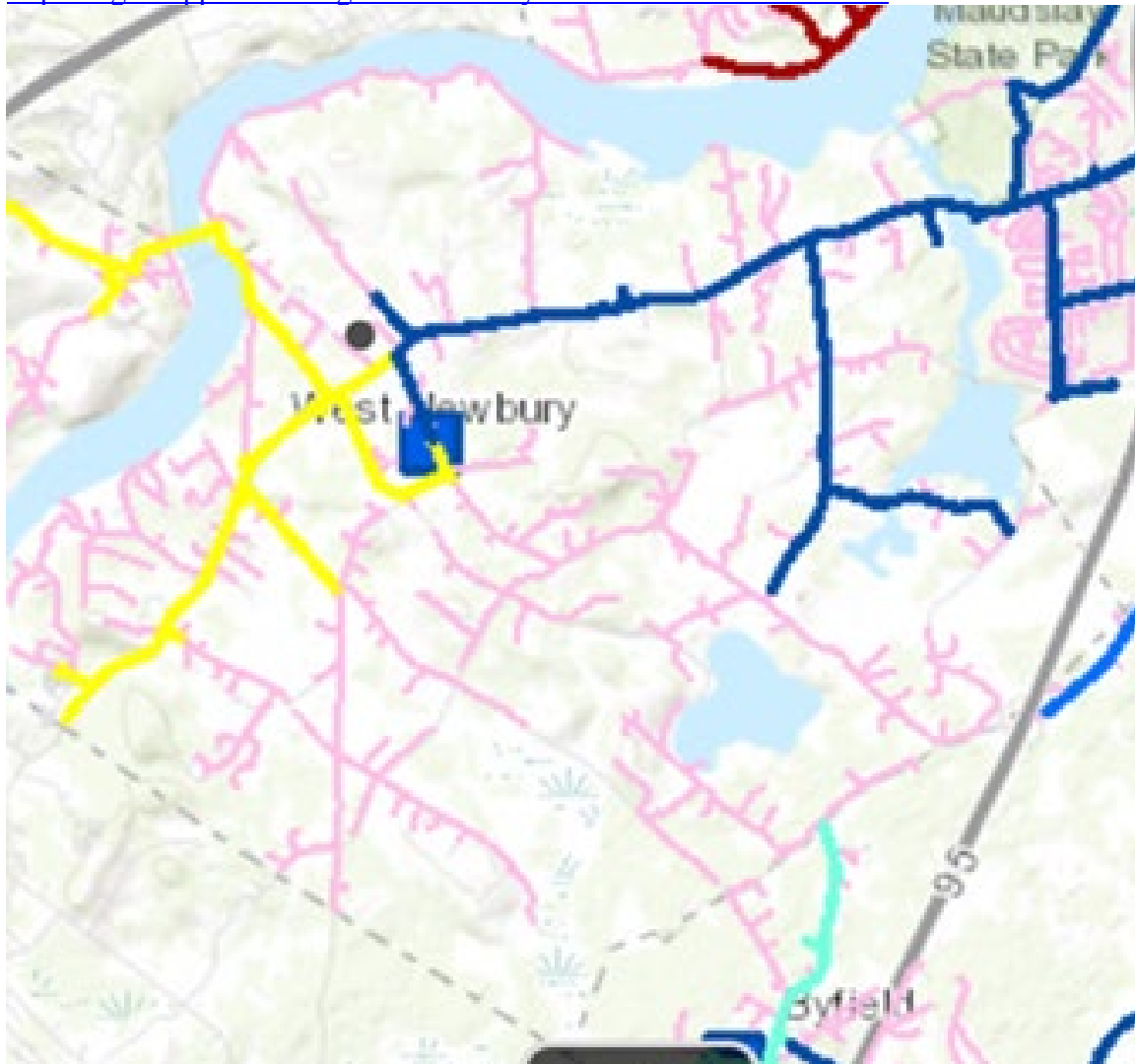
## Supportive Infrastructure Map for

The following map shows the hosting capacity for Large Scale Photovoltaic Installations in West Newbury.

Blue indicates (3-phase) capacity ,  
Yellow indicates a bit less capacity  
Pink indicates insufficient capacity

National Grid - Massachusetts System Data Portal

<https://ngrid.apps.nationalgrid.com/NGSysDataPortal/MA/index.html>



An official Town Map representing the location of supportive infrastructure and all properties within 1000 feet of supporting infrastructure is being prepared.

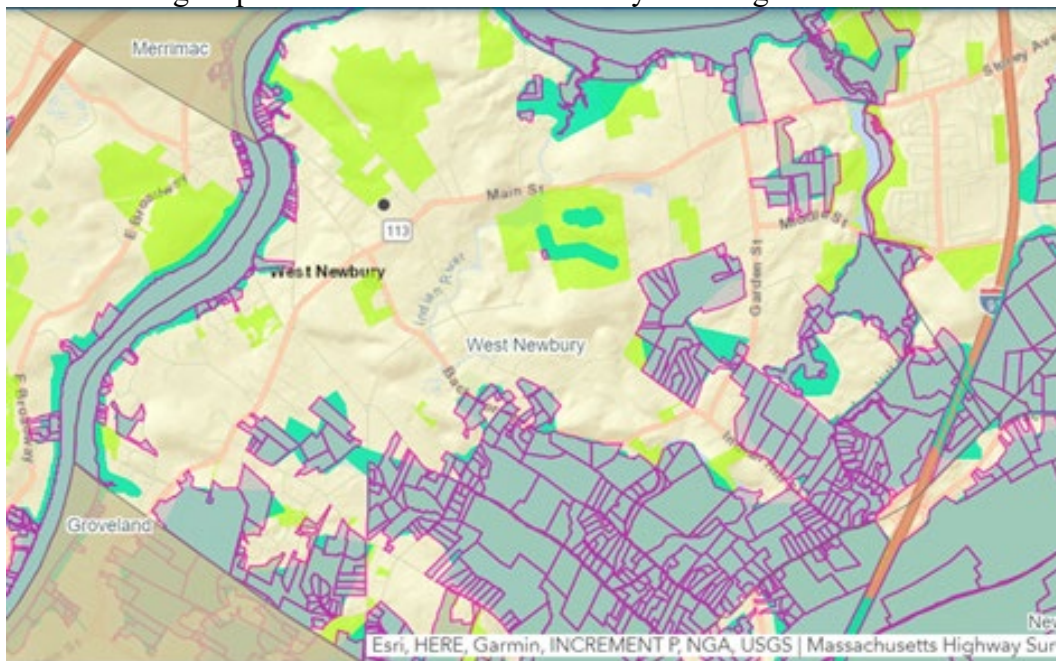
## High Conservation Value Map

**High Conservation Value** is defined as parcels with 50% or more of their land mapped as *BioMap2* and/or *Priority Habitat* parcels.

**BioMap** (developed by MassWildlife and The Nature Conservancy) is an important tool to guide strategic protection and stewardship of lands and waters that are most important for conserving biological diversity in Massachusetts and includes area identified as Core Habitat and Critical Natural Landscapes. [What Is BioMap? \(arcgis.com\)](http://arcgis.com)

**Priority Habitats** are habitat of state-listed rare species in Massachusetts based on observations documented within the last 25 years in the database of the Natural Heritage & Endangered Species Program (NHESP). [Natural Heritage GIS Resources | Mass.gov](http://Mass.gov)

The following map shows areas in West Newbury with High Conservation Value.



Parcels with 50% or more BioMap2 and/or Priority Habitat



NHESP BioMap2 and Priority Habitat



Land Protected through Article 97



An official Town Map representing the location of supportive infrastructure and all properties within 1000 feet of supporting infrastructure is being prepared.

# Draft Article 42

## ARTICLE REQUEST FORM

**ARTICLE:** Zoning reorganization

**AMOUNT REQUESTED:** \$0

**CONTACT PERSON:** Sam Joslin

**PHONE NUMBER:** 978-618-4430

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

This project is being proposed by the Building Inspector and Planning Board to reorganise the existing zoning bylaw to a more usable format in anticipation of further updates and edits. The reorganization will make the zoning bylaw more user friendly for citizens and will allow changes and updates to be completed with less man hours of personell.

**What factors affect the timing of this purchase?**

Passing this article with expedite the timeline in which the Town can make more impactful and meaning full changes to bring the document up to current standards and address local concerns as they relate to zoning.

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

Project will take effect immediately upon approval at Town Meeting

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

None. The more organised document sould reduce time spent by municipal workers to locate zoning regulations.

**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.**

**Please attach additional pages or other supporting documentation.**



**ARTICLE XX:** To see if the Town will vote to recodify, amend and renumber the Town of West Newbury Zoning By-law, including all internal citations therein a copy of which is on file with the Town of West Newbury Town Clerk and is updated through May 14, 2022 (the “Existing Zoning By-law”), as set forth below and as depicted in the proposed revised Zoning By-law or on file with the Town Clerk (the “Revised Zoning By-law”)

1. Delete the Table of Contents in the Existing Zoning By-law and replace it with the Table of Contents as contained in the Revised Zoning By-law;
2. Delete Section 1 of the Existing Zoning By-law and replace it with Section 1 contained in the Revised Zoning By-law;
3. Recodify, renumber and amend Section 2 of the Existing Zoning By-law by deleting that Section and replacing it with Section 2 as contained in the Revised Zoning By-law;
4. Recodify, renumber and amend Section 3 of the Existing Zoning By-law by deleting that Section and replacing it with Section 3 as contained in the Revised Zoning By-law;
5. Amend Section 4.A. Non-conforming Uses of the Existing Zoning Bylaw to read Non-Conforming Uses and Structures;
6. Recodify, renumber and amend Section 4.A, 4.A.1, 4.A.2, 4.A.3 and 4.A.4 of the Existing Zoning By-law by deleting that Section and replacing it with Section 7.1, 7.1.1, 7.1.2, 7.1.3 and 7.1.4 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 4.B and 4.B.1 of the Existing Zoning By-law by deleting that Section and replacing it with Section 4.1 and 4.1.1 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 4.C, 4.C.1 and 4.C.2 of the Existing Zoning By-law by deleting that Section and replacing it with Section 4.2, 4.2.1 and 4.2.2 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 4.D and 4.D.1 of the Existing Zoning By-law by deleting that Section and replacing it with Section 9.2 and 9.2.1 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 4.E of the Existing Zoning By-law by deleting that Section and replacing it with Section 9.9 as contained in the Revised Zoning By-law;
7. Recodify, renumber and amend Section 5.A, Residence A, B and C Districts of the Existing Zoning By-law by deleting that Section and replacing it with Section 4.3, Uses Permitted in Residential A, B and C Districts as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 5.A.1, 5.A.2, 5.A.3 and 5.A.4 of the Existing Zoning Bylaw by deleting that Section and replacing it with Sections 4.3.1, 4.3.2, 4.3.3 and 4.3.4 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 5.B, 5.B.1 and 5.B.2 of the Existing Zoning By-law by deleting that Section and replacing it with Sections 4.4, 4.4.1 and 4.4.2 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 5.C, 5.C.1, and 5.C.2 of the Existing Zoning By-law by deleting that Section and replacing it with Sections 4.5, 4.5.1 and 4.5.2 as contained in the Revised Zoning By-law;
8. Recodify, renumber and amend Section 5.D Floodplain Overlay of the Existing Zoning By-law by deleting that Section and replacing it with Section 8.1 Floodplain Overlay District as contained in the Revised Zoning By-law;
9. Recodify, renumber and amend Section 5.D.17 of the Existing Zoning By-law entitled “Uses” by deleting that Section and replacing it with Section 8.1.17 as contained in the Revised Zoning By-law entitled “Permitted Uses”; Recodify, renumber and amend Section 5.E of the Existing Zoning By-law by deleting that Section and replacing it with Section 9.6 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 5.F of the Existing Zoning By-law by deleting that section and replacing it with Section 6.1 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 5.G of the Existing Zoning By-law by deleting that Section and replacing it with Section 8.3 as contained in the Revised Zoning Bylaw;
10. Recodify, renumber and amend Section 6 of the Existing Zoning By-law, entitled “Intensity of Use” by deleting that Section and replacing it with Section 5 as contained in the Revised Zoning By-law entitled

- “Dimensional Requirements”; Recodify, renumber and amend Section 6.B of the Existing Zoning By-law by deleting that Section and replacing it with Section 9.1 as contained in the Revised Zoning By-law;
11. Recodify, renumber and amend Section 7 of the Existing Zoning By-law entitled “Conditions for Use” by deleting that Section and replacing it with Section 6.2 as contained in the Revised Zoning By-law entitled “Performance Standards”; Recodify, renumber and amend Section 7.B of the Existing Zoning By-law entitled “Off-Street Parking and Loading” by deleting that Section and replacing it with Section 6.3 as contained in the Revised Zoning-Bylaw entitled “Parking and Loading Spaces”; Recodify, renumber and amend Section 7.C of the Existing Zoning By-law by deleting that Section and replacing it with Section 6.4 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 7.C.2.I.2 of the Existing Zoning By-law by deleting that Section and replacing it with Section 6.4.3 as contained in Revised Zoning By-law; Recodify Section 7.D of the Existing Zoning By-law by deleting that Section and replacing it with Section 9.8 as contained in the Revised Zoning By-law; Recodify Section 7.E of the Existing Zoning By-law as Section 9.7 of the Revised Zoning By-law;
  12. Recodify, renumber and amend Section 8, 8.A.1 and 8.A.2 of the Existing Zoning By-law by deleting that Section and replacing it with Sections 11, 11.1 and 11.2 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 8.B of the Existing Zoning By-law by deleting that Section and replacing it with as Section 11.3 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 8.C, 8.D and 8.E of the Existing Zoning By-law by deleting that Section and replacing it with Sections 11.4, 11.5 and 1.5 as contained in the Revised Zoning By-law;
  13. Recodify, renumber and amend the remainder of Section 9 of the Existing Zoning By-law entitled “Personal Wireless Service Facilities” by deleting that Section and replacing it with Section 9.5 as contained in the Revised Zoning By-law, entitled “Wireless Communication Facilities”;
  14. Recodify, renumber and amend Section 10 of the Existing Zoning By-law by deleting that Section and replacing it with Section 8.2 as contained in the Revised Zoning By-law;
  15. Recodify, renumber and amend Section 11 of the Existing Zoning By-law by deleting that Section and replacing it with as Section 9.4 as contained in the Revised Zoning By-law;
  16. Recodify, renumber and amend Section 12 of the Existing Zoning By-law by deleting that Section and replacing it with as Section 9.3 as contained in the Revised Zoning By-law;
  17. Recodify, renumber and amend Section 13-19 of the Existing Zoning By-law, by deleting that Section and replacing it with as Section 10 as contained in the Revised Zoning By-law;
  18. Recodify Appendix A, Zoning District Map and Appendix B, Overlay District Map(s) of the Existing Zoning Bylaw as Appendix A, Zoning District Map and Appendix B, Overlay District Map(s) of the Revised Zoning By-law; Recodify and amend Appendix One of the Existing Zoning By-law as Appendix C of the Revised Zoning By-law; Recodify Appendix Two of the Existing Zoning By-law as Appendix D of the Revised Zoning Bylaw.
  19. Authorize the Town Clerk to correct any scribner’s errors and to renumber any Section or internal Section references in the Revised Zoning Bylaw consistent with this Article.

Or take any other action relative thereto.

**Note: Draft Zoning Recodification language provided under separate cover.**