



**Annual Report**

**of the**

**RECEIPTS AND EXPENDITURES**

**of the**

**TOWN OF NEWBURY**

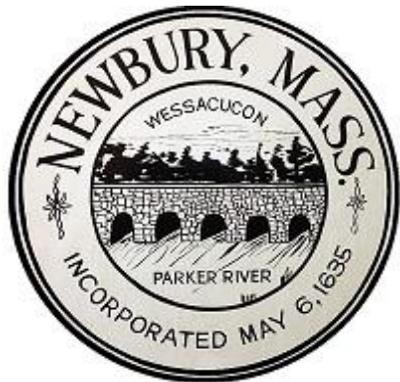
**And the Annual Report**

**of the**

**SCHOOL COMMITTEE**

**For the Fiscal Year**

**2022**



## **TOWN OF NEWBURY**

12 Kent Way  
NEWBURY, MA 01922  
Phone: 978-465-0862  
Fax: 978-479-0186

# **IN MEMORIAM**

### **Ruth Yesair**

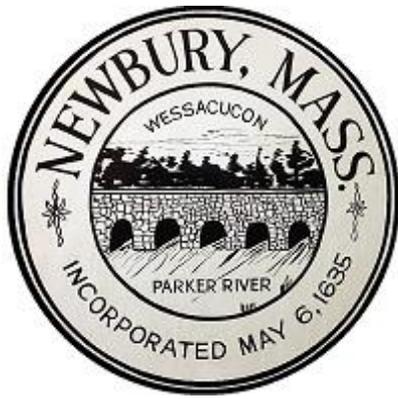
Library Trustee; Historical Commission; Historical Records Commission

### **Alix Mcardle**

Board of Directors COA; Election Worker

### **Joyce Davis**

Election Worker



## **TOWN OF NEWBURY**

12 Kent Way  
Newbury, MA 01922  
Phone: 978-465-0862  
Fax: 978-479-0186

### **FY2022 ELECTED TOWN OFFICIALS**

#### **BOARD OF ASSESSORS (978-465-0862 X318)**

Frank N. "Budd" Kelley III, Chair (2024)  
Linda McCamic (2025)  
Sandy Wechsler (2023)

#### **BOARD OF HEALTH (978-465-0862 x316)**

Steve Fram, Chair (2023)  
Ginny King (2025)  
Elaine Byrne (2024)

#### **CONSTABLES**

Charles Colby, Jr. (2026)  
R. Perry Collins (2025)  
William DiMaio, (2023)  
Thomas Howard (2024)

#### **FISH COMMISSIONERS**

J Peter Fotino, Chair (2024)  
Charles A. Colby (2025)  
Jeffrey Janvrin (2023)

#### **MODERATOR**

Dick Bazirgan (2023)

#### **PLANNING BOARD (978-465-0862 X312)**

Peter Paicos, Chair (2026)  
George Morse (2024)  
Leslie Matthews, Vice Chair (2025)  
Lawrence Murphy, Vice Chair (2027)  
Woody Knight (2023)  
Mary Stohn, Associate Member (2023)

**SELECT BOARD (978-465-0862 X301)**

J. R. Colby, Chair (2023)  
Alicia Greco (2024)  
Geoffrey H. Walker (2024)  
Dana Packer (2025)  
Geraldine Heavey (2023)

**TOWN CLERK (978-465-0862 X314/315)**

Leslie Haley (2024)

**TREE WARDEN**

Timothy Lamprey (2023)

**TRITON REGIONAL SCHOOL COMMITTEE**

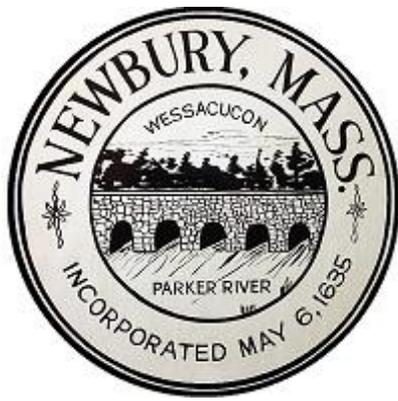
Matthew Landers (2025)  
Paul Myette (2023)  
Paul Goldner (2024)

**TRUSTEES OF THE FIRST SETTLERS BURIAL GROUND**

Anthony John Matthews, Jr (2023)  
Patrick Gormley (2024)  
Bruce Ilsley (2025)

**TRUSTEES OF THE PUBLIC LIBRARY**

Beth Cennami (2025)  
Margaret Grimes, Secretary (2023)  
Terry Litterst (2024)  
Richard Ravin (2024)  
Alexander B. Burke (2023)



## **TOWN OF NEWBURY**

12 Kent Way  
BYFIELD, MA 01922  
Phone: 978-465-0862  
Fax: 978-572-1228

### **FY2022 APPOINTED TOWN OFFICIALS**

#### **ACCOUNTANT/ASSISTANT FINANCE DIRECTOR**

Eileen DeVeau (2022)

#### **ASSISTANT ACCOUNTANT**

Lillian Craig (2022)

#### **AGRICULTURAL COMMISSION**

Kathryn O'Brien, Chair (2022)  
John Nutile, Vice Chair (2022)  
William Colby (2022)  
Eva Jackman (2024)  
Matthew Kozazcki (2022)  
Lisa Colby (Alt) (2022)

#### **ANIMAL CONTROL OFFICER**

Carol Larocque (2022)

#### **ANIMAL CONTROL OFFICER ASSISTANT**

Reed Wilson (2022)

#### **ANIMAL INSPECTOR/POUND KEEPER**

Carol Larocque (2022)

#### **PRINCIPAL ASSESSOR**

Jason DiScipio (2022)

#### **ASSESSORS CLERK**

Stephanie Sergi (2022)

#### **BOARD OF HEALTH**

Deborah Rogers, Agent (2023)  
Virginia Bacon, Inspector (2023)

#### **BOARD OF REGISTRARS**

Cary Boyd (2023)  
Patricia Keys (2022)  
Douglas Kuhlmann (2024)

#### **SELECT BOARD**

Julie O'Brien, Executive Administrator (2022)

**BUILDING COMMISSIONER & ADA ADMINISTRATOR/COMPLIANCE OFFICER**

Peter Binette (2023)

**CAPITAL PLANNING COMMITTEE**

Marshall Jespersen, FinComm Rep, Chair (2024)

Thomas Howard (2024)

Nicholas Orem (2023)

Stuart Meurer (2023)

Tracy Blais, Town Administrator

**CONSERVATION AGENT**

Samantha Holt (2022)

**CONSERVATION COMMISSION**

Ben Gahagan, Co-Chair (2022)

Brian Colleran, Chair (2022)

Brad Duffin (2024)

Dan Streeter (2024)

Frank Wetenkamp (2024)

Mary Rimmer (2024)

**COUNCIL ON AGING**

Cindy Currier, Director (2022)

Joyce Machiros (2024)

Damon Jespersen (2022)

Chuck Bear (2023)

William DiMaio (2024)

Christine Howe (2023)

Susan Grillo (2022)

**CULTURAL COUNCIL**

Amy Thurlow (2023)

Jeanne Anderson (2023)

Michelle Ouellette (2023)

Marguerite Flanagan (2024)

Lloyd Hamovit (2024)

Margaret Russell (2024)

Bart Bracken (2022)

**DPW DIRECTOR & FACILITIES MANAGER**

James Sarette, DPW Director (2022)

**ELECTION WORKERS**

Maxine Balkus

Johanna Barry

Esta Bernier

Nancy Burke

Alexander Burke

Donna Callahan

Carolyn Casey

Deb Casey

Wanda Crowe

Jeanine Cunningham

Elaine Demers  
Lisa Dorval  
John Elwell  
Susan Emanuelson  
Heidi Fram  
Wendy Kaminske  
Marlene Koslow  
Terry Litterst  
Jessica McHale  
Wilma McDonald  
Kathy Muse  
Dave O'Neill  
Bernadette Powers  
Molly Shamas  
Nancy Thurlow  
Irene Troy  
Martha Webb  
Joan Weyburn  
Kristin Zarkades

#### **ELECTRICAL WIRING INSPECTOR**

William Robitaille (2022)  
James Soffron, Assistant (2022)

#### **FINANCE COMMITTEE**

Marshall Jespersen, Chair (2022)  
Linda Allen, Co-Chair (2023)  
Joseph Ali, (2024)  
Eugene Case (2022)  
Thomas Howard (2022)  
Erica Jacobsen (2023)  
Frank Visconti (2024)

#### **FIRE DEPARTMENT**

Douglas Janvrin, Jr., Fire Chief (2025)  
Wallace Ziehler, Deputy Fire Chief (2022)

#### **MUNICIPAL FIREFIGHTERS**

James Chadbourne, Lieutenant, Deputy EMS Coordinator (2022)  
Keith Grant, Lieutenant (2022)  
Curtis Walton, EMS Coordinator (2022)  
Richard Lucius, Paramedic (2022)

#### **MUNICIPAL CALL FIREFIGHTERS**

Brandon Ivone, Captain (2022)  
Terrance Martin, Captain (2022)  
Justin Webb, Captain (2022)  
Jonathan Baker, Lieutenant (2022)  
Jonathan R. Kelley, Lieutenant (2022)  
David Stracher, Lieutenant (2022)  
Corey Albrecht (2022)  
Jonathan Andrews (2022)  
Richard Barnes (2022)  
Anthony Bossi (2022)  
Marco Carnovale (2022)  
Mira Clark, Paramedic (2022)

Nick Cox (2022)  
James F. Daly (2022)  
Stephen Dash (2022)  
Dylan P. Fitzgerald (2021)  
Karl Granoth (2021)  
Jeffery A. Greene (2022)  
Gregory Habgood, Paramedic (2022)  
George Houghton (2022)  
Sierra Johnson (2022)  
Caroline Koeberl (2022)  
Kenneth Labonte (2022)  
Kevin Ladd (2022)  
Connor MacLean, Paramedic (2022)  
Max Madden (2022)  
Kevin Moore, Paramedic (2022)  
Janet Nicolaisen (2022)  
Maria Nixon (2022)  
Ashley Noyes (2022)  
Brian Padellaro, EMS Responder (2022)  
Channing Howard, Mechanic (2022)  
John Pearson, Jr. (2021)  
Jacklyn Sarette, EMS Responder (2021)  
Douglas Lecolst, (2022)  
Anthony Theriault (2022)  
Jane Theriault (2022)  
Heather Palardy/EMS Responder (2022)

#### **FOREST WARDEN**

Douglas Janvrin, Jr., Fire Chief (2022)

#### **DEPUTY FOREST WARDENS**

Wallace J. Ziehler, Sr., Deputy Chief (2022)

#### **GAS PIPE AND PLUMBING INSPECTOR**

Gerry Downs (2022)  
Charles Laudani, Alternate (2022)

#### **HARBORMASTER**

John Lucey Jr., Harbormaster  
James Velonis, Sergeant Harbormaster (2024)  
Daniel Brown, Assistant Harbormaster (2024)  
Joshua Brown, Assistant Harbormaster (2024)  
Matthew Velonis, Assistant Harbormaster (2024)  
Cassidy Brown, Harbormaster Helper (2022)  
Zachary Vatcher, Harbormaster Helper (2022)  
Anthony Papoulias, Harbormaster Assistant (2024)

#### **HISTORICAL COMMISSION**

Channing Howard, Chair (2023)  
Jan Forrest (2022)  
Rebecca Fuller (2024)  
Lon Hachmeister (2024)  
Eva Jackman (2022)  
Nancy Thurlow, Assoc Member (2024)  
Rich Morin (2024)

**HUMAN RESOURCES**

Mark Gleckman, Chair (2023)  
Anthony P. Antico (2022)  
John Nelson Ferrara (2022)  
Diane Doyle, (Employee Representative) (2022)  
John Lucey, Jr., Deputy Chief of Police,  
(Employee Representative) (2023)

**INSPECTIONAL SERVICES ADMINISTRATIVE ASSISTANT**

Christine Beaupre (2022)

**IT/COMMUNICATIONS OPERATIONS MANAGER**

Matthew Cooper (2022)

**LIBRARY DIRECTOR**

Erin Ouimet (2023)

**MERRIMACK VALLEY PLANNING COMMISSION**

Martha Taylor, (2022)  
Lawrence Murphy, Alternate (2022)

**MUNICIPAL VULNERABILITY TASK FORCE**

Tracy Blais (2022)  
Kristen Grubbs (2022)  
Douglas Janvrin, Jr. (2022)  
Peter Binette (2022)  
Samantha Holt (2022)  
John O'Connell (2022)  
Deborah Rogers (2022)  
James Sarette (2022)  
Martha Taylor (2022)  
Geoffrey Walker (2022)

**OPEN SPACE COMMITTEE**

Mike Carbone (2022)  
Martha Taylor (2022)  
McDonough Scanlon (2022)  
Julie Marion (2022)

**PARKING CLERK**

Susan Noyes (2022)

**TOWN PLANNER**

Martha Taylor (2022)

**PLANNING CLERK**

Emily Noble (2022)

**POLICE DEPARTMENT**

John Lucey Jr., Chief of Police (2023)  
Patricia Fisher, Deputy Chief of Police (2023)  
Stephen Jenkins, Police Sergeant (2022)  
Jay Routhier, Police Sergeant (2022)  
Aaron Wojtkowski, Police Detective (2022)  
Michael Croteau, Police Patrolman (2022)  
Jason daCunha, Police Patrolman (2022)

Daniel Jenkins, Police Patrolman (2022)  
John Lucey, III, Police Patrolman (2022)  
Mark Smigielski, Police Patrolman (2022)  
Stephen Smith, Police Patrolman (2022)  
John Baker, Reserve Police Patrolman (2022)  
Brad DiCenzo, Reserve Patrolman/Emer Comm Officer (2022)  
Jason Laing, Emergency Comm Officer (2022)  
Ross Lane, Emergency Comm Officer (2022)  
Wallace Ziehler, Deputy Emer Mngmnt Dir (2022)  
Charles Colby Jr., Reserve Police Patrolman (2022)  
Nathan Hunter, Reserve Police Patrolman (2022)  
Michael Mailhot, Reserve Police Patrolman (2022)  
James Velonis, Reserve Police Patrolman (2022)  
Roger Merry, Special Police Office (2022)  
Michael Nary, Special Police Officer (2022)  
Leahey Martha, Administrative Assistant (2022)  
Leahey Martha, Police Dept Chaplain (2022)  
Rev Robert Hagopian, Police Dept Chaplain (2022)

#### **PRODUCTION OPERATIONS SPECIALIST**

Ethan Cohen (2022)

#### **RECORDS ACCESS OFFICERS**

Leslie Haley, Records Access Officer (2022)  
Eileen DeVeau, Finance Records Officer (2022)  
John R. Lucey, Jr., Police Dept Records Access Officer (2022)

#### **RECREATION COMMITTEE**

Michael Volpone, Chair (2022)  
David Broll (2022)  
David Dempsey (2022)  
Celine Muldowney (2022)  
Mark Sandt, (2022)  
Alicia Greco (Select Board Rep)  
Cindy Currier (COA Rep)  
Lucian Densmore (Triton HS)

#### **SHELLFISH CONSTABLE**

Paul Thistlewood (2022)

#### **SPECIAL MUNICIPAL EMPLOYEE CONSULTANT**

Tom Hughes (2022)  
Timothy Meehan (2022)

#### **STORMWATER MANAGEMENT TEAM**

John O'Connell, Chair (2023)  
Tracy Blais, Town Administrator (2023)  
Julie O'Brien (2023)  
William Holt (2023)  
Deborah Rogers (2023)  
James Sarette (2023)  
Martha Taylor (2023)

#### **TOWN ADMINISTRATOR**

Tracy Blais (2025)

**EXECUTIVE ADMINISTRATOR TO TOWN ADMINISTRATOR**

Julie O'Brien (2022)

**ASSISTANT TOWN CLERK**

Gretchen Girard (2022)

**TOWN COUNSEL**

Lisa Mead, Esq., Mead, Tallerman & Costa, LLC (2022)

**TREASURER/COLLECTOR**

Diane Doyle (2022)

**ASSISTANT TREASURER/COLLECTOR**

Lindsay Turner (2022)

**VETERANS' SERVICE AGENT**

Karen Tyler (2024)

**VETERANS' GRAVE OFFICER**

William DiMaio (2024)

**WHITTIER SCHOOL COMMITTEE**

Johanna True, Triton School Committee Representative (2023)

**ZONING BOARD OF APPEALS**

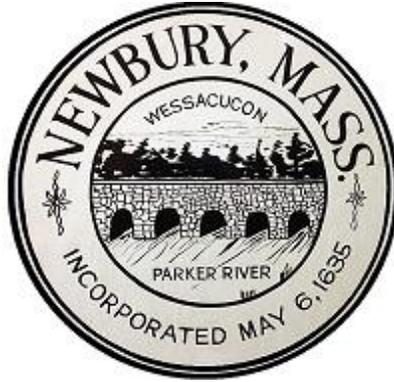
Eric P. Svahn (2022)

Elaine Baker (2023)

Mario Carnovale, (2024)

Michelle Weidler, Assoc. Member (2022)

Jack Kelly, Assoc. Member (2022)



**TOWN OF NEWBURY  
SELECT BOARD  
ANNUAL REPORT  
July 1, 2021 – June 30, 2022**

To the Citizens of Newbury:

The Select Board thanks you for allowing us to serve you during the past year.

During Fiscal Year 2022, the Board has continued supporting many important projects focusing on the infrastructure and the residents of the Town of Newbury.

In October 2021, the Board voted to move the Council On Aging out of its location at Newbury Elementary School into a new location to be constructed at 12 Kent Way. Construction was completed in June of 2022 and the COA moved into its new location with expanded programming and the intent to serve more Newbury seniors.

Also, in October of 2021 the Board directed the Town Administrator and Planning Director to update the Town Hall Space needs assessment which began to address the Town Hall construction project. In June, Jeff Shaw (with Context Architecture) presented conceptual design plans to the Select Board. The Board soon thereafter appointed the Municipal Building Committee who is currently working toward a Town Hall building solution.

In December of 2021, the Town of Newbury implemented a new educational program to allow interested students to work as paid interns under the direction of the town PEG Production/Operation specialist working in the Triton/Newbury community videotaping, producing and broadcasting material.

Also, in December the Larkin Road Dam removal project was accepted as a DER Priority Project. This will make the town eligible for over a million dollars in grant funding allowing the dam removal to be complete. Removal of this dam will allow the fish to pass as nature intended.

In February 2022 the town was issued \$2.1 million from the American Rescue Plan Act (ARPA) Grant. The town has used these monies for the following items: COA Move Project; Newbury Food Pantry; Health Department - COVID Related Expenses; Plum Island Bathroom Project; BNBSL Pearson Field Upgrades; Information Technology Updates; Green Crab Removal;

Newbury Town Day; and Library Self-Checkout Kiosk and the following items that were on the town's Capital Plan: Police Department Admin Cruiser; Shellfish Constable Patrol Vehicle; Fire Department Command Vehicle.

In March of 2022 the Board signed an inter-municipal agreement with the town of Georgetown and a third party to replace a culvert on Larkin Road. This would allow the town to re-open the road which had been closed for many years due to a failed culvert with no financial impact to the taxpayers.

In May, the Board accepted \$100,000 in grant funding for engineering and design work for the Plum Island Emergency Egress Project.

In June 2022, the Board accepted a \$20,000 grant to allow near shore placement of sand on Plum Island beaches to combat erosion.

Also, in June, the Board accepted a \$200,000 grant from Shared Streets and Spaces to complete the Newbury portion of the Parker Street Rail Trail connection.

Both the Annual Town Meeting on April 26, 2022 and the Town Election on May 10, 2022 were held successfully.

Most of the improvements listed above addressed Public Safety, Human Services and Culture and Recreation projects through grant monies greatly minimizing the impact to the taxpayer. These items ordinarily would be funded through taxes and the Select Board is very proud of town staff who seek out these grants to minimize the taxpayer impact.

We continue to look forward to serving the people of the Town of Newbury.

Respectfully submitted,  
Alicia Greco, Chair  
Select Board



**Town of Newbury**  
**Annual Report of the Finance Committee**  
**Fiscal Year 2023**

The Massachusetts Association of Finance Committees' guidelines state that, "the Finance Committee is the Town's official fiscal watchdog." Accordingly, we represent "Town Meeting" (the taxpayers) throughout the year, meeting regularly to review revenue and expenses, act on emergency requests for reserve fund transfers, and receive updates from the Town Administrator. We also have the specific duty to consider all financial matters, specifically those to be included within the articles of the Warrant for every Town Meeting and to report our recommendations for consideration by the voters. Our deliberations focus primarily on how matters that we consider potentially impact the long-term and short-term financial outlook for the town.

Some of major requests reviewed and recommended by the Finance Committee, and approved by Town Meeting on April 26, 2022, included the following:

- Funding of the Town's Other Post-Employment Benefits -- \$200,000
- Funding of the construction of the Police Department Archive/Squad room -- \$20,000
- Funding of solar powered speed/crosswalk signs -- \$22,000
- Funding of repairs to the Newbury Elementary School roof -- \$100,000
- Funding of a new dump truck -- \$241,000
- Transfer from Free Cash to Town Hall Project account - \$2,500,000

For additional financial detail we encourage you to review the other information provided in the Annual Report and the minutes of the Town Meetings located on the Town of Newbury website.

Newbury closed out the FY2022 year on a positive note once again, balanced financially, and going forward in FY 2023 with reserve account balances as follows:

Free Cash	\$3,466,324.00
Land Sale	\$ 58,875.23
Stabilization	\$ 267,659.44
Reserve Fund	\$ 72,709.13

Newbury's financial condition is solid with a Moody's bond rating of AAA. The FY2023 tax rate for Newbury is \$9.73 per thousand.

The Finance Committee wishes to thank the Newbury residents, taxpayers, all town employees, town leaders, department heads, TRSD staff and school committee members, Select board, and all board and committee members for their commitment to the Town of Newbury.

Representing you as Members of the Finance Committee:

Joseph Ali  
Gene Case  
Tom Howard  
Erica Coles Jacobsen (Chair)  
Marshall Jespersen (Vice Chair)  
Susan Noyes  
Frank Visconti



## CAPITAL PLANNING COMMITTEE

### LETTER FROM CAPITAL PLANNING COMMITTEE CHAIRMAN

21 March 2022

Select Board Chairman Alicia Greco  
Members of the Select Board  
Finance Committee Chairman Erica Jacobsen  
Members of the Finance Committee

Dear Members:

On behalf of the Capital Planning Committee (CPC), I am submitting herewith our Annual Report setting forth our recommendations for the Town of Newbury's Capital Expenditures through 21 March 2022.

#### BACKGROUND

Newbury like many communities continues to face financial distress due to dwindling grant programs, reduced state and federal aid and limited local tax levy increases. As a result it is a constant challenge to deliver basic services or to devote funds to adequately maintain all assets. However, under the supportive management of the Town we have achieved a degree of stability that had eluded us in the recent past. Nonetheless, in this upcoming fiscal year FY 2023 we are facing significant infrastructure requirements and needs.

Newbury Town Meeting voted to adopt a comprehensive Capital Planning bylaw to create the proper checks and balances. This seeks to ensure a consistent process for review of capital requests while providing the necessary planning to insure taxpayer dollars are being reinvested wisely into town assets based on merit.

#### MISSION

The CPC's primary objective is to provide the framework of best practices which will enable Newbury to make strategically planned consistent decisions regarding the construction and maintenance of its infrastructure and to undertake careful project planning and design to avoid costly mistakes.

The CPC identifies all town owned assets, deficiencies and the needs for new tangible assets, new and/or updated critical facilities. Once these needs are identified the CPC makes recommendations on the appropriate methods of funding based upon budgetary constraints.

## RESULTS:

In the recent past gains have been made using donated services and funds to restore occupancy to the DPW Garage and repairs to the Town Hall. Capital need's assessments have been secured on the elementary school, library and other town-owned assets including the Byfield Grange Hall and the Morgan Avenue Fire Station. Additionally, for the first time, Newbury has an action plan to address deficiencies and maintain assets to do the following: protect the town's capital investment; identify projects most important to the community; and provide rationale for a project's priority.

CPC annual report recommendations for FY 19 through FY23 presented to Town Meeting for adoption has resulted in capital improvements and purchase of tangible assets totaling \$ 2,396,996 as follows by year:

**FY 19: \$733,116**  
**FY 20: \$228,765**  
**FY 21: \$343,085**  
**FY 22: \$168,445**  
**FY 23: \$923,585**

The annual budget now has line items for ordinary repairs, maintenance and improvements to fund items below the \$10,000 threshold and is administrated through the Town Administrator subject to current procurement laws.

The highest priority is municipal operations, necessary replacements (tangible assets) and capital improvement projects to maintain critical facilities, which house municipal operations and/or have outstanding debt such as:

- ✓ Police Department
- ✓ Fire Department
- ✓ Town Hall
- ✓ DPW Garage
- ✓ Newbury Elementary School;
- ✓ Newbury Public Library
- ✓ Roadways and infrastructure

After careful review, CPC requests for FY23 total **\$923,585** (as of 3-21-22) and the committee recommends **\$923,585** for capital improvements and municipal operationally necessary replacements to the Board of Selectmen and Finance Committee for Town Meeting consideration.

Pursuant to the *CPC Manual and in accordance with CPC criteria*, the committee has reviewed, complied and evaluated all requests based on the following.

1. Does the requested project contribute to the achievement of existing town goals, policies, plans and work programs?
2. What are the general benefits of the project?
3. What is its total cost (both capital and annual operating and maintenance expenses, including replacements); and what is its effect on the tax rate?
4. Is the project acceptable to the public?
5. Are there legal requirements that must be met?
6. Can the project be effectively managed and maintained with existing staff once implemented?

**CPC MAKES THE FOLLOWING RECOMMENDATIONS FOR FY23.**

**1. Funding Repairs to the NES Roof, a multi-year project.**

The refurbishing the roof on the Newbury Elementary School is a project being performed under the direction of the Newbury DPW. This is the second section of roof being worked on and work is anticipated to continue through FY 2025. **CPC recommends the amount of \$100,000 to be funded from the Stabilization Fund.**

**2. Construction of a records archive room and squad room for Newbury Police at the station.**

Chief Lucey explained that there is a need for secure records storage and a squad room where personnel can bunk in when there is a need for them to be at the station for extended periods of time. The renovation cost was an estimate provided by a contractor and not a hard or contracted price.

**CPC recommends the amount of \$45,000 to be funded from the Stabilization Fund.**

**3. Replacement of an Administrative Police Cruiser.**

The new vehicle replaces an old one that is scheduled for replacement.

**CPC recommends the amount of \$ 40,000 from the operating budget.**

**4. Purchase of 4 deployable solar powered RADAR signs.**

Chief Lucey told the committee that these signs have been very effective in other municipalities in “calming” traffic. The signs are self-contained and can be moved to different locations as the need dictates. They also can record time, traffic and speed.

**CPC recommends the amount of \$ 12,000 to be funded from the Stabilization Fund.**

**5. Purchase of 3 solar powered crosswalk signs**

These signs would be deployed on Plum Island.

**CPC recommends the amount of \$ 9,000 to be funded from the Stabilization Fund.**

**6. Tuff Book laptop for Harbormaster.**

The computer would be used to check on boat registrations in real time, to be able to issue citations, etc. There might be an income component to this request, but it is not factored into the request as our thought is amount would be very small.

**CPC recommends the amount of \$ 3,600.**

**7. Replacement truck for Shellfish Constable.**

This is to replace an existing truck that was passed on to the shellfish warden from the DPW.

**CPC recommends the amount of \$ 30,000 to be funded from ARPA funds.**

**8. Cardiac monitor replacement for the Ambulance.**

The present monitor is no longer supported by the manufacturer. If the unit fails we are without one until and if it can be repaired.

**CPC recommends the amount of \$ 40,000.**

**9. Replacement of a 6 wheel dump truck with plow and spreader**

The new truck is a replacement for a truck that is now 15 years old. Some new items have been added to make it more versatile for snow removal and road sanding and salting.

**CPC recommends the amount of \$ 240,885 to be funded from the Stabilization Fund.**

**10. Fiber Optic Cable connecting all departments.**

This project would give us a highspeed hard connection for all of the town facilities.

**CPC recommends the amount of \$ 300,000.**

**11.Refresh of the Town’s computer server.**

The servers we have need to be updated with new licensing and more current software.

**CPC recommends the amount of \$ 20,000 to be funded ARPA funds.**

**12. Replacement of computers.**

This is to replace computers that have reached, and in some cases surpassed, their end of usefulness.

**CPC recommends the amount of \$ 12,000 to be funded from ARPA funds.**

**13. Replacement of the current Fire Department Administrative Vehicle.**

Chief Janvrin was asked about the condition of the present vehicle the requested one would replace, he stated that it had rust issues as well as electric issues and is starting to require more repairs. The vehicle on schedule for replacement and ARPA funds are available for the new vehicle. Existing equipment from the older vehicle will be transferred to the new one.

**CPC recommends the amount of \$ 55,000 to be funded from ARPA funds.**

**14. Repairs to the ball field at Pearson Field adjacent to the Newbury Library.**

Nick Allen presented the situation at the ball field at the Newbury Library. The work is to restore the field and to improve the drainage of the area. Mr. Allen was queried as to why we had only one estimate and he replied that he was unable to get more firms to bid the job. The Town Administrator stated that if the town approved of the expenditure the town would go out for multiple bids.

**CPC recommends the amount of \$ 16,100 to be funded with ARPA funds.**

*Respectfully submitted by the Town of Newbury Capital Planning Committee*

Marshall Jespersen, Chair (Finance Committee)

Tracy Blais, Member (Town Administrator)

Thomas Howard, Member (Finance Committee)

Nick Orem, Vice Chair (Member)

Stuart Meurer, (Member)

February 14, 2023

Honorable Selectboard  
Newbury, Massachusetts

The Annual Financial Report for the Town of Newbury for the Fiscal Year ending June 30, 2022, in accordance with Massachusetts General Law, Chapter 41, Section 61, is submitted herewith.

The financial statements have been prepared from the records of the Finance Department. The town reports are based on information recorded using accounting procedures established by the Commonwealth of Massachusetts, which agree in most respects with Generally Accepted Accounting Principles (GAAP) established by the Government Accounting Standards Board.

Citizens seeking additional information regarding the status of the Town's resources should contact the Finance Department in Town Hall. Statements of Financial Position for all Town funds, the Town's annual Schedule A, departmental expense reports and other financial information on file will be made available upon request.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lillian Craig".

Lillian Craig  
Town Accountant

**Town of Newbury**  
**EXPENDITURE REPORT FOR ALL ACTIVITY**  
**FY2022**

	Total Budget	Expended Year to Date
<b>TOWN MTG MODERATOR</b>		
TOWN MODERATOR STIPEND	500.00	500.00
TOWN MODERATOR EXPENSE	50.00	-
DEPARTMENT TOTAL	550.00	500.00
<b>BOARD OF SELECTMEN</b>		
SELECTMEN'S STIPEND	37,500.00	37,500.00
SELECTMEN'S OFFICE SALARY & WAGES	59,718.00	58,729.63
SELECTMEN'S EXPENSE	19,795.00	15,317.91
DEPARTMENT TOTAL	117,013.00	111,547.54
<b>FINANCE &amp; ADMINISTRATION</b>		
ADMIN & FINANCE SALARY & WAGES	453,338.00	450,369.88
TAX TITLE & FORECLOSURE	13,913.75	7,572.73
ADMIN & FINANCE EXPENSE	57,428.40	54,374.52
DEPARTMENT TOTAL	524,680.15	512,317.13
<b>FINANCE COMMITTEE</b>		
FINANCE COMMITTEE SALARY & WAGES	1,043.00	-
FINANCE COMMITTEE EXPENSE	2,000.00	180.00
DEPARTMENT TOTAL	3,043.00	180.00
RESERVE FUND	72,709.13	-
DEPARTMENT TOTAL	72,709.13	-
<b>BOARD OF ASSESSORS</b>		
ASSESSOR'S STIPEND	8,500.00	8,500.00
ASSESSOR'S SALARY & WAGES	139,342.00	139,341.74
ASSESSORS VEHICLE ALLOWANCE	1,200.00	1,200.00
ASSESSOR'S EXPENSE	48,159.59	42,614.31
DEPARTMENT TOTAL	197,201.59	191,656.05
<b>OUTSIDE AUDIT</b>		
AUDIT TOWN BOOKS	25,000.00	25,000.00
DEPARTMENT TOTAL	25,000.00	25,000.00
<b>LEGAL SERVICES</b>		
LEGAL SERVICES	112,000.00	97,068.67
DEPARTMENT TOTAL	112,000.00	97,068.67
<b>HUMAN RESOURCES BOARD</b>		
HUMAN RESOURCES BOARD EXP.	500.00	-
DEPARTMENT TOTAL	500.00	-
<b>IT/PRGRMING SERVICES</b>		
IT PROGRAM SERVICES SALARY & WAGES	90,000.00	89,760.02
IT/PROGRAM SERVICES EXPENSE	69,945.00	47,244.28
ATM 4/19 ART#12 TH SERVER	3,246.76	-
ATM 6/20 #17 COMPTR H&S UPGRDS	31,564.00	7,319.24
DEPARTMENT TOTAL	194,755.76	144,323.54
<b>OPERATIONS SUPPORTS-OTHER</b>		
POSTAGE EXPENSE	21,250.00	21,210.62
DEPARTMENT TOTAL	21,250.00	21,210.62

**Town of Newbury**  
**EXPENDITURE REPORT FOR ALL ACTIVITY**  
**FY2022**

	Total Budget	Expended Year to Date
<b>TOWN CLERK</b>		
TOWN CLERK SALARY & WAGES	104,597.00	104,558.02
TOWN CODE BOOKS	6,000.00	1,665.23
RECORDS' PRESERVATION	5,100.00	5,100.00
TOWN CLERK'S EXPENSE	15,994.29	15,994.29
<b>DEPARTMENT TOTAL</b>	<b>131,691.29</b>	<b>127,317.54</b>
<b>ELECTIONS</b>		
ELECTIONS	8,800.00	8,772.05
<b>DEPARTMENT TOTAL</b>	<b>8,800.00</b>	<b>8,772.05</b>
<b>REGISTRARS</b>		
REGISTRARS OF VOTERS SALARIES	800.00	800.00
<b>DEPARTMENT TOTAL</b>	<b>800.00</b>	<b>800.00</b>
<b>CONSERVATION COMMISSION</b>		
CONSERVATION SALARY & WAGES	70,092.00	68,242.92
CONSERVATION VEHICLE ALLOWANCE	1,800.00	1,650.00
PLUM ISLAND BEACH MNGMT	14,500.00	4,170.00
CONSERVATION COMM EXPENSE	1,500.00	1,448.28
<b>DEPARTMENT TOTAL</b>	<b>87,892.00</b>	<b>75,511.20</b>
<b>TREE WARDEN</b>		
TREE WARDEN SALARY & WAGES	5,000.00	5,000.00
TREE WARDEN EXPENSE	50,000.00	6,432.88
<b>DEPARTMENT TOTAL</b>	<b>55,000.00</b>	<b>11,432.88</b>
<b>CLAM FLATS</b>		
FISH COMMISSIONERS STIPENDS	3,900.00	3,900.00
SHELLFISH CONST. SALARY & WAGES	61,556.00	60,976.00
SHELLFISH CONSTABLE EXPENSE	5,995.82	2,133.00
<b>DEPARTMENT TOTAL</b>	<b>71,451.82</b>	<b>67,009.00</b>
<b>PLANNING BOARD</b>		
PLANNING BOARD STIPEND	6,500.00	6,500.00
SALARY & WAGES - PLANNING BOARD	116,167.00	108,794.74
PICTOMETRY, MIMAP, ASSESSORS MAP	10,330.00	9,001.00
PLANNING BOARD EXPENSE	6,129.71	4,151.38
MERR VAL PLAN COMM DUES	2,685.00	2,683.26
<b>DEPARTMENT TOTAL</b>	<b>141,811.71</b>	<b>131,130.38</b>
<b>ZONING BOARD</b>		
ZBA SALARIES & WAGES	-	-
ZBA EXPENSE	1,000.00	-
<b>DEPARTMENT TOTAL</b>	<b>1,000.00</b>	<b>-</b>
<b>PUBLIC BLDG</b>		
PUBLIC BLDG UTILITIES	145,406.05	134,775.56
PUBLIC BLDG REPAIRS & MAINT	132,000.00	98,648.98
TOWN HALL LEASE EXP KENT WAY	177,022.00	172,501.09
ATM 4/16 ART11 TOWN HALL LEASE KENT WAY	29,002.01	-
PUBLIC BLDG PROPERTY RELATED SERVI	50,692.73	16,899.88
ATM #15 6/20 LIB MAJR IMPRV	65,900.00	24,999.00
TM VARY ARTS-PD/TH RENO/BLD	151,030.26	18,000.00
TM VARY TH CPTL RENO/BLDG	4,080,796.11	-
ATM VARIOUS NES ROOF RPR	200,000.00	99,989.00
ATM VARIOUS CNTRL ST BB COURT	140,000.00	140,000.00
<b>DEPARTMENT TOTAL</b>	<b>5,171,849.16</b>	<b>705,813.51</b>

**Town of Newbury**  
**EXPENDITURE REPORT FOR ALL ACTIVITY**  
**FY2022**

	<b>Total Budget</b>	<b>Expended Year to Date</b>
<b>TOWN REPORTS</b>		
TOWN REPORTS	250.00	-
DEPARTMENT TOTAL	250.00	-
<b>INSURANCE EXP</b>		
INSURANCE EXPENSE	181,250.00	178,652.04
DEPARTMENT TOTAL	181,250.00	178,652.04
<b>OTHER GENERAL GOVERNMENT</b>		
PROFESSIONAL & TECHNICAL	217,727.79	68,037.88
DEPARTMENT TOTAL	217,727.79	68,037.88
<b>TOTAL - GENERAL GOVERNMENT</b>	<b>7,338,226.40</b>	<b>2,478,280.03</b>
<b>POLICE DEPT</b>		
POLICE SALARY & WAGES	1,097,140.71	1,087,940.70
POLICE OTHER ADMIN S&W	18,431.00	16,550.80
POLICE - EXPENSES	181,877.75	161,948.30
EMERGENCY MANAGEMENT EXPENSE	10,000.00	195.46
ATM 4/22 ART#15 PD ARCV/SQD RM	20,000.00	-
ATM ART#16 SPD/CRSWLK SIGNS	22,000.00	-
POLICE CAPITAL OUTLAY	42,000.00	36,165.09
DEPARTMENT TOTAL	1,391,449.46	1,302,800.35
<b>FIRE PROTECTION</b>		
FIRE DEPT OFFICER STIPENDS	29,000.00	25,000.00
FIRE DEPT SALARY & WAGES	651,382.00	637,088.14
FIRE DEPT CALL WAGES	90,000.00	66,656.97
FIRE DEPT TRAINING WAGES	32,474.00	22,936.12
FIRE DEPT OPERATIONS/MTCE EXPENSE	211,195.39	208,344.34
FIRE DEPT LEASE PAYMENTS	70,000.00	70,000.00
FIRE DEPT CPTL LEASE EXP	236,907.00	236,906.76
STM 10/16 ART#5 FD HEALTH/SFTY MANDATES	18,741.00	1,092.00
FIRE INSURANCE PREMIUMS	20,000.00	17,648.00
ATM 4/19 ART#16 FD REPEATER	60,000.00	-
ART # VARY FIRE ALARM REPAIRS	1,534.52	-
DEPARTMENT TOTAL	1,421,233.91	1,285,672.33
<b>INSPECTIONAL SERVICES</b>		
INSPECTION SERVICES' STIPENDS	34,000.00	32,500.00
INSPECTION SERVICES SALARIES & WAGES	147,445.00	144,588.40
INSPECTION SERVICES VEHICLE ALLOWANCE	5,100.00	5,100.00
INSPECTION SERVICES EXPENSES	19,360.00	15,138.98
DEPARTMENT TOTAL	205,905.00	197,327.38
<b>WEIGHTS AND MEASURES</b>		
SEALER WGTS/MEAS SERV FEES	4,750.00	4,500.00
DEPARTMENT TOTAL	4,750.00	4,500.00
<b>DISPATCH</b>		
DISPATCH SALARY & WAGES	204,354.29	204,354.29
DISPATCH EXPENSE	2,450.00	-
DEPARTMENT TOTAL	206,804.29	204,354.29
<b>ANIMAL CONTROL</b>		
ANIMAL CONTROL SALARIES & WAGES	26,000.00	25,607.82
ANIMAL CONTROL EXPENSE	3,550.00	1,028.28
DEPARTMENT TOTAL	29,550.00	26,636.10
<b>PARKING CLERK</b>		
PARKING CLERK -SALARY & WAGES	5,000.00	5,000.00
PARKING CLERK -EXPENSE	3,000.00	2,963.36
DEPARTMENT TOTAL	8,000.00	7,963.36

**Town of Newbury**  
**EXPENDITURE REPORT FOR ALL ACTIVITY**  
**FY2022**

	Total Budget	Expended Year to Date
<b>GREEN HEAD CONTROL</b>		
GREEN HEAD CONTROL	7,500.00	7,134.00
DEPARTMENT TOTAL	7,500.00	7,134.00
<b>HYDRANT SERVICE</b>		
HYDRANT SERVICE	14,700.00	13,497.50
DEPARTMENT TOTAL	14,700.00	13,497.50
<b>TOTAL- PUBLIC SAFETY</b>	<b>3,289,892.66</b>	<b>3,049,885.31</b>
<b>EDUCATION ASSESSMENTS</b>		
TRITON RSD ASSESSMENT	10,309,959.00	10,309,959.00
TRITON RSD CAPITAL ASSESSMENT	76,998.00	76,998.00
ESSEX TUITION ASSESSMENT	114,010.00	43,372.00
WHITTIER RGNL ASSESSMENT	330,000.00	318,332.00
WHITTIER RGNL CAPITAL ASSESSMENT	25,227.00	-
DEPARTMENT TOTAL	10,856,194.00	10,748,661.00
<b>TOTAL- EDUCATION</b>	<b>10,856,194.00</b>	<b>10,748,661.00</b>
<b>HIGHWAY DEPT</b>		
DPW SALARY & WAGES	625,105.00	559,921.00
DPW MAINTENANCE EXPENSE	195,524.88	190,675.53
ATM ART#4 GATE LARKIN RD	20,000.00	-
ROAD IMPROVEMENT PROGRAM	250,000.00	250,000.00
DPW CAPITAL OUTLAY	49,157.00	46,156.60
ATM 4/21 ART#18 DPW LAWN MOWER	13,820.00	13,820.00
ATM 4/21 ART#19 DPW DUMP TRUCK	54,625.00	54,625.00
ATM 4/22 ART#18 DPW DUMP TRUCK	241,000.00	-
ATM VRY # CTCH BASN/MAN HOLE REPR	37,560.62	36,450.99
DEPARTMENT TOTAL	1,486,792.50	1,151,649.12
<b>SNOW REMOVAL</b>		
SNOW REMOVAL EXPENSE	200,000.00	197,100.19
DEPARTMENT TOTAL	200,000.00	197,100.19
<b>STREET LIGHTING</b>		
STREET LIGHTING	23,000.00	22,574.49
STM 4/18 ART#5-PURCH NGRID ST LIGHT	23,902.37	0.00
DEPARTMENT TOTAL	46,902.37	22,574.49
<b>OTHER PUBLIC WORKS</b>		
STORM WTR MGT EXPENSES	5,000.00	4,378.30
TM ART# VARY STRM WTR MGT PHSE II	120,920.31	3,365.79
BEAVER MANAGEMENT EXPENSE	-	-
DEPARTMENT TOTAL	125,920.31	7,744.09
<b>TOTAL- PUBLIC WORKS</b>	<b>1,859,615.18</b>	<b>1,379,067.89</b>
<b>BOARD OF HEALTH</b>		
BOH STIPENDS	3,500.00	3,500.00
BOH SALARY & WAGES	112,012.00	111,996.86
BOH - EXPENSES	56,758.46	53,910.14
DEPARTMENT TOTAL	172,270.46	169,407.00
<b>COUNCIL ON AGING</b>		
COA SALARY & WAGES	112,665.00	103,954.05
COA - EXPENSE	14,055.00	13,791.67
DEPARTMENT TOTAL	126,720.00	117,745.72
<b>VETERAN'S SERVICES</b>		
VETERAN'S ASSESSMENT	33,306.00	33,305.06
VETERAN'S SERVICES	55,000.00	28,492.58
DEPARTMENT TOTAL	88,306.00	61,797.64
<b>TOTAL- HUMAN SERVICES</b>	<b>387,296.46</b>	<b>348,950.36</b>

**Town of Newbury**  
**EXPENDITURE REPORT FOR ALL ACTIVITY**  
**FY2022**

	Total Budget	Expended Year to Date
<b>LIBRARY</b>		
TOWN LIBRARY - SALARY & WAGES	218,140.00	218,140.00
LIBRARY BLDG/MTCE EXPENSES	55,450.81	54,106.99
TOWN LIBRARY - EXPENSES	93,470.00	93,442.41
<b>DEPARTMENT TOTAL</b>	<b>367,060.81</b>	<b>365,689.40</b>
<b>HISTORICAL COMMISSION</b>		
HISTORIC COMMISSION EXPENSE	2,463.47	2,278.63
ART 4-13; HISTORIC COMM EXP	3,456.67	-
<b>DEPARTMENT TOTAL</b>	<b>5,920.14</b>	<b>2,278.63</b>
<b>CELEBRATIONS</b>		
CELEBRATIONS	5,000.00	168.00
ATM 4/21 #20 NBRY CLBRTN	5,000.00	3,070.48
<b>DEPARTMENT TOTAL</b>	<b>10,000.00</b>	<b>3,238.48</b>
<b>TOTAL- CULTURE &amp; RECREATION</b>	<b>382,980.95</b>	<b>371,206.51</b>
<b>MATURING DEBT SERVICE</b>		
COST OF BONDING	4,800.00	-
LONG TERM DEBT PRINCIPAL	772,833.00	737,832.52
SHORT TERM DEBT INTEREST	-	-
LONG TERM DEBT INTEREST	276,880.00	256,879.13
<b>DEPARTMENT TOTAL</b>	<b>1,054,513.00</b>	<b>994,711.65</b>
<b>TOTAL- DEBT SERVICE</b>	<b>1,054,513.00</b>	<b>994,711.65</b>
<b>STATE &amp; COUNTY ASSESSMENTS</b>		
STATE CS ASSESSMENTS	156,482.00	142,886.00
<b>DEPARTMENT TOTAL</b>	<b>156,482.00</b>	<b>142,886.00</b>
<b>TOTAL- INTERGOVERNMENTAL</b>	<b>156,482.00</b>	<b>142,886.00</b>
<b>EMPLOYEE BENEFITS</b>		
ESSEX REGIONAL RETIRE ASSMT	894,448.00	885,708.00
UNEMPLOYMENT PAYMENTS	14,383.26	13,998.26
HEALTH INSURANCE	857,354.67	843,964.33
DENTAL INSURANCE	32,911.00	31,572.61
EMPLOYEE LIFE INSURANCE	1,800.00	1,767.82
MEDICARE EXPENSE	62,113.04	62,113.04
<b>DEPARTMENT TOTAL</b>	<b>1,863,009.97</b>	<b>1,839,124.06</b>
<b>TOTAL- EMPLOYEE BENEFITS</b>	<b>1,863,009.97</b>	<b>1,839,124.06</b>
<b>OTHER FUNDING USES</b>		
OFU	-	630.73
WATERWAYS	-	8,615.05
STABILIZATION	100,000.00	100,000.00
OPEB	400,000.00	400,000.00
<b>DEPARTMENT TOTAL</b>	<b>500,000.00</b>	<b>509,245.78</b>
<b>TOTAL- OTHER FUNDING USES</b>	<b>500,000.00</b>	<b>509,245.78</b>
<b>TOTAL EXPENDITURES</b>	<b>27,688,210.62</b>	<b>21,862,018.59</b>

**TOWN OF NEWBURY**  
**DEBT SCHEDULE**  
**FY 2022**

Principal	Issue Date	Issue	Balance 6/30/21	2022 PAYMENTS	Balance 6/30/22
MWPAT - CW-02-52	12/14/06	2,800,000.00	1,529,802.00	93,159.00	1,436,643.00
MWPAT - DW-01-28-A	12/18/07	451,487.00	106,232.00	26,558.00	79,674.00
MWPAT - CW-01-43	12/14/08	3,664,009.00	2,275,000.00	130,000.00	2,145,000.00
MWPAT - DW-01-28	12/14/06	3,573,925.14	996,681.88	236,879.55	759,802.33
* TRANSFER STATION	06/24/03	1,140,000.00	80,000.00	80,000.00	0.00
* SCHOOL	08/01/01	6,127,000.00	-	-	-
* SCHOOL(IE)	08/01/01	130,000.00	-	-	-
* LIBRARY & RECREATION(IE)	08/01/01	832,400.00	-	-	-
* RECREATION(IE)	08/01/01	62,500.00	-	-	-
* LAND ACQUISITION(IE)	08/01/01	765,000.00	-	-	-
* LANDFILL CLOSURE(IE)	08/01/01	2,196,000.00	-	-	-
SEWER(new \$(IE)	08/08/00	208,000.00	-	-	-
SEWER(IE)	08/08/00	1,250,000.00	80,000.00	80,000.00	0.00
WATER(O)	08/08/00	715,000.00	40,000.00	40,000.00	0.00
* RECREATION	06/27/00	270,000.00	-	-	-
PD/TH RENO	10/03/19	6,455,000.00	6,325,000.00	135,000.00	6,190,000.00
PD/TH RENO	02/06/20	1,715,000.00	1,680,000.00	35,000.00	1,655,000.00
			<u>13,122,715.88</u>	<u>856,596.55</u>	<u>12,266,119.33</u>
<b>Subsidies- Principal</b>					
MWPAT - CW-01-43	12/14/06	(2,540,290.24)	(582,977.69)	(18,038.96)	(544,938.73)
MWPAT - DW-01-28	12/14/06	(2,046,246.75)	(291,180.21)	(65,725.06)	(225,455.15)
<b>Total Principal net of Subsidies</b>			<u>12,266,557.98</u>	<u>772,832.53</u>	<u>11,495,725.45</u>
<b>Interest</b>					
MWPAT - CW-02-52			42,609.47	5,117.12	37,492.35
MWPAT - DW-01-28-A			-	-	-
MWPAT - CW-01-43			732,206.17	101,551.46	630,654.71
MWPAT - DW-01-28			71,281.60	36,366.47	34,915.13
* TRANSFER STATION			3,200.00	3,200.00	0.00
* SCHOOL			-	-	-
* SCHOOL(IE)			-	-	-
* LIBRARY & RECREATION(IE)			-	-	-
* RECREATION			-	-	-
* LAND ACQUISITION(IE)			-	-	-
* LANDFILL CLOSURE			-	-	-
SEWER(new \$(IE)			-	-	-
SEWER(IE)			3,200.00	3,200.00	0.00
WATER(O)			-1,600.00	1,600.00	0.00
* RECREATION(IE)			-	-	-
* PD/TH RENO (10/3/2019)			2,865,459.85	175,718.78	2,489,740.87
PD/TH RENO (2/6/2020)			717,537.51	49,625.02	667,912.49
			<u>4,237,094.40</u>	<u>378,378.85</u>	<u>3,860,715.55</u>
<b>Subsidies - Interest</b>					
MWPAT - CW-01-43			(512,603.00)	(70,719.47)	(441,883.53)
MWPAT - DW-01-28			(59,859.10)	(28,780.25)	(31,078.85)
<b>Total Interest net of Subsidies</b>			<u>3,664,632.30</u>	<u>276,879.13</u>	<u>3,387,753.17</u>
<b>Grand Total Due net of subsidies</b>			<u>15,933,190.28</u>	<u>1,049,711.66</u>	<u>14,883,478.62</u>

**Town of Newbury**  
**Revenue Report**  
**FY 2022**

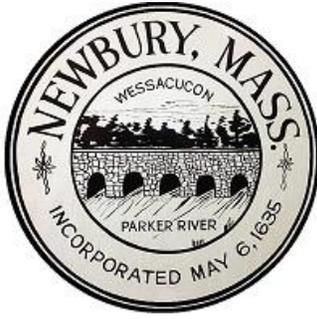
	<b>REVENUE YEAR TO DATE</b>
<b>PERSONAL PROPERTY TAXES</b>	
PERS PROP TAX REVENUE - 2019	3.01
PERS PROP TAX REVENUE - 2020	5.89
PERS PROP TAX REVENUE - 2021	715.99
PERS PROP TAX REVENUE - 2022	<u>350,942.70</u>
<b>TOTAL</b>	<u><b>351,667.59</b></u>
<b>REAL ESTATE TAXES</b>	
RE TAX REVENUE - 2020	-1,296.12
RE TAX REVENUE - 2021	55,690.72
RE TAX REVENUE - 2022	<u>18,098,466.48</u>
<b>TOTAL</b>	<u><b>18,152,861.08</b></u>
<b>ROLLBACK TAXES</b>	
ROLLBACK TAXES	<u>11,146.04</u>
	<u>11,146.04</u>
<b>TAX LIENS REDEEMED</b>	
TAX LIENS REDEEMED	<u>27,112.46</u>
<b>TOTAL</b>	<u><b>27,112.46</b></u>
<b>TAX FORECLOSURE REDEEMED</b>	
TAX FORECLOSURE REVENUES	<u>0</u>
<b>TOTAL</b>	<u><b>0</b></u>
<b>MOTOR VEHICLE EXCISE TAXES</b>	
MV EXCISE TAX REVENUE - 2012	55.00
MV EXCISE TAX REVENUE - 2013	-
MV EXCISE TAX REVENUE - 2014	-
MV EXCISE TAX REVENUE - 2015	-
MV EXCISE TAX REVENUE - 2016	-
MV EXCISE TAX REVENUE - 2017	183.75
MV EXCISE TAX REVENUE - 2018	77.29
MV EXCISE TAX REVENUE - 2019	2,113.89
MV EXCISE TAX REVENUE - 2020	9,370.37
MV EXCISE TAX REVENUE - 2021	237,851.58
MV EXCISE TAX REVENUE - 2022	<u>1,040,791.47</u>
<b>TOTAL</b>	<u><b>1,290,443.35</b></u>
<b>BOAT-EXCISE TAXES</b>	
BOAT EXCISE TAX REVENUE - 2020	73.75
BOAT EXCISE TAX REVENUE - 2021	-243.33
BOAT EXCISE TAX REVENUE - 2022	<u>17,399.67</u>
<b>TOTAL</b>	<u><b>17,230.09</b></u>
<b>INTEREST &amp; PENALTIES</b>	
INTEREST & PENALTIES	<u>33,321.44</u>
<b>TOTAL</b>	<u><b>33,321.44</b></u>

**Town of Newbury**  
**Revenue Report**  
**FY 2022**

	REVENUE YEAR TO DATE
<b>PAYMENT IN LIEU OF TAXES</b>	
PAYMENTS IN LIEU OF TAXES	<u>46,883.00</u>
TOTAL	<u>46,883.00</u>
<b>FEEES</b>	
DEMAND FEES	45,885.00
FEES-SEALER WEIGHTS/MEASURES	2,460.00
FEES-ASSESSOR'S	1,020.00
FEES-CONSERVATION LOCAL FEES	8,945.00
FEES-HP DESIGN JET	-
FEES-LIB PHOTOCOPIERS	14.00
FEES-LIB LOST/DAMAGED MTLs	498.79
FEES-LIEN CERTIFICATES	12,400.00
FEES-TAX TITLE FILINGS	-
FEES-PBD FILING FEES	1,150.00
FEES-POL INSURANCE REQUEST	-
FEES-RMV MARKING	2,780.00
FEES-ZONING BOARD	1,375.00
FEES-SALE OF RESIDENT BOOKS	250.00
FEES-SALE OF PARKING STICKERS	52,110.00
FEES-SALE OF ZONING BOOKS	25.00
FEES-ASSESSORS I & E	-
FEES-BETTERMENT RELEASE	8.00
TOTAL	<u>128,920.79</u>
<b>RENTALS</b>	
RENTAL TOWN OWNED BLDGS	<u>5,000.00</u>
TOTAL	<u>5,000.00</u>
<b>TRANSFER STATION</b>	
OTHER DEPT REV- TRANSFER STATION	-
TOTAL	-
<b>LICENSES</b>	
LICENSES-ALCOHOLIC BEVERAGES	14,900.00
LICENSES-VARIOUS TOWN CLERK	9,120.00
LICENSES-FISH & GAME	-
LICENSES-VARIOUS	200.00
LICENSES-MARRIAGE	455.00
COPIES-VITALS (MARR,BIRTH, DEATH)	3,360.00
LICENSES-PETROLEUM STORAGE	450.00
LICENSES-BUSINESS CERTIFICATES	1,910.00
LICENSES-CABLE COMPANIES	1,138.50
LICENSES-DOG	<u>17,206.00</u>
TOTAL	<u>48,739.50</u>

**Town of Newbury**  
**Revenue Report**  
**FY 2022**

	REVENUE YEAR TO DATE
<b>PERMITS</b>	
PERMIT - GAS	11,817.00
PERMIT - SHEET METAL	7,823.00
PERMIT- PLUMBING	10,665.00
PERMIT - DEMOLITION	-
PERMIT - ELECTRICAL	33,324.23
PERMIT - BUILDING	404,958.00
PERMIT - INSPECTIONAL SERVICES	9,833.00
PERMIT - SMOKE/FIRE INSPECTIONS	14,030.00
PERMIT - FIREARMS	2,850.00
PERMIT - CLAM	15,714.00
PERMIT - STREET OPENING	3,928.00
PERMIT - WELL	1,000.00
PERMIT - SEPTIC	8,550.00
PERMIT - PERC TESTS	10,050.00
PERMIT - BOH (VARIOUS)	7,085.00
PERMIT - STORMWATER	-
PERMIT - HAULERS	1,400.00
PERMIT - INSTALLERS	3,600.00
<b>TOTAL</b>	<b><u>546,627.23</u></b>
<b>INTERGOVERNMENTAL RECEIPTS</b>	
CO MA-UNRESTRICTED GEN GOV'T AID	521,752.00
CO MA-CHAPTER 70	15,521.00
CO MA-VETERAN'S BENEFITS	30,122.00
CO MA-VETS, BLIND & SURV SPOUCES	73,481.00
R CO MA-MVE FISCAL	-
CO MA-ELDERLY PERSONS	2,008.00
CO MA-STATE OWNED LAND REIMB	362,222.00
<b>TOTAL</b>	<b><u>1,005,106.00</u></b>
<b>FINES</b>	
FINES-CMVI /RMV DISTRIBUTION	49,575.93
FINES-DOG LIC/LATE CHRG	755.00
FINES-DOG PICK UP CITATION	295.00
FINES-PARKING TICKETS	26,752.00
FINES-BAD CHECKS	205.00
FINES-CH94C/S32L MARIJUANA FINES	-
FINES-MISCELLANEOUS	1,950.00
FINES-COURT	5,310.30
<b>TOTAL</b>	<b><u>84,843.23</u></b>
<b>EARNINGS ON INVESTMENT</b>	
EARNINGS ON INVESTMENTS	37,541.29
<b>TOTAL</b>	<b><u>37,541.29</u></b>
<b>MISCELLANEOUS REVENUE</b>	
MISCELLANEOUS REVENUES	18,860.00
MISC REV-POLICE DETAIL ADMIN	6,714.16
RECYCLING REVENUE	397.50
MISC REV-NON RECURRING	41,699.20
<b>TOTAL</b>	<b><u>67,670.86</u></b>
<b>OTHER FUNDING SOURCES</b>	
OTHER FUNDING SOURCES	1,100,283.43
<b>TOTAL</b>	<b><u>1,100,283.43</u></b>
<b>TOTAL REVENUES AND OTHER SOURCES</b>	<b><u>22,955,397.38</u></b>



**Town Of Newbury**  
Office of  
The Board of Assessors  
12 Kent Way, Suite 101  
Byfield, MA 01922  
(978) 465-0862 x308

## **FY2022 REPORT OF THE BOARD OF ASSESSORS**

### VALUATION:

RESIDENTIAL REAL ESTATE	\$1,822,760,398
COMMERCIAL, INDUSTRIAL & PERSONAL PROPERTY	\$90,399,929
<u>TOTAL VALUATION</u>	<u>\$1,913,160,327</u>

### APPROPRIATIONS & ASSESSMENTS

TOWN APPROPRIATIONS	\$22,984,232.11
OTHER AMOUNTS TO BE RAISED	\$12,094.00
STATE AND COUNTY CHERRY SHEET CHARGES	\$156,482.00
OVERLAY	\$111,861.98
<u>TOTAL AMOUNT TO BE RAISED</u>	<u>\$23,264,670.09</u>

### ESTIMATED RECEIPTS

STATE	\$1,020,650.00
LOCAL	\$2,153,616.00
FREE CASH	\$59,895.00
OTHER AVAILABLE FUNDS	\$1,415,459.11
<u>TOTAL ESTIMATED RECEIPTS</u>	<u>\$4,649,620.11</u>

### TAXES FOR COUNTY, STATE AND TOWN

RESIDENTIAL REAL PROPERTY	\$17,735,458.67
COMMERCIAL, INDUSTRIAL & PERSONAL PROPERTY	\$879,591.31
<u>TOTAL TAX LEVY</u>	<u>\$18,615,049.98</u>

<u>TOTAL RECEIPTS</u>	<u>\$22,214,594.32</u>
-----------------------	------------------------

### NUMBER OF PARCELS

REAL ESTATE	3277
PERSONAL PROPERTY	431
EXEMPT	258
<u>TOTAL NUMBER OF TAXABLE PARCELS</u>	<u>3966</u>

The Assessors' Office is open Monday, Wednesday, and Thursday 8:00am to 4:00pm, Tuesday 8:00am to 7:00pm and closed Friday. We will assist the taxpayers regarding real and personal property, boat and motor vehicle assessments and any other tax questions. WEBSITE: [www.townofnewbury.org](http://www.townofnewbury.org).

Respectfully submitted,

Jason DiScipio, MAA, Principal Assessor



# Town Of Newbury

Office of  
Board of Health  
12 Kent Way  
Byfield MA 01922

978-465-0862 x 316

## 2022 Annual Report

The Board of Health Members consists of Chairman Steve Fram, Alba Gouldthorpe, and Elaine Byrne. Our office also includes the Health Director Deborah Rogers and the Health Inspector Virginia Bacon.

This year we welcomed a new Board of Health Member, Ginny King. The Board of Health along with the Select Board, thanked long time Board of Health Member Alba Gouldthorpe for her services.

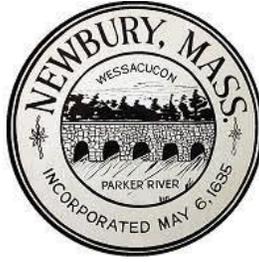
Our mission is to continue to protect the health and safety of our residents and those who visit our town. The Board of Health is required by state statutes and regulations to perform many important and crucial duties relative to the protection of public health and safety. The duties also consist of the control of disease, the promotion of safe and sanitary living conditions, and the protection of the environment.

The Newbury Board of Health hosted a Household Hazardous Waste Day where residential households took part in disposing of their materials in an effort to protect our environment. In addition, the Board of Health Nurses, Health Agents and Counsel on Aging Staff held a Seasonal Flu Shot Clinic at the Newbury Counsel on Aging.

The Board of Health continues to maintain its focus on public health and safety issues during the past year. This included, septic system plan reviews and septic installation inspections, along with, Issuing well permits, food service inspections, nuisance/ housing investigations, tobacco compliance checks, the public beach water testing, public swimming pool and camp inspections, along with nursing services and communicable diseases.

This year the Board of Health continued working with the Massachusetts Department of Public Health in monitoring Public Health risks in our community.

Respectfully Submitted,  
Deborah Rogers, Health Director



**Town of Newbury  
Council on Aging  
Annual Report  
Fiscal Year 2022**

During Fiscal Year 2022, the Council on Aging continued to increase participation with in-person programs (with approximately 2,419 participants across 50 programs). We still offer take-home activity kits (120 kits were distributed in FY2022) as another way to connect with seniors who cannot or do not want to participate in person, and every two months we post various virtual programs to local cable access Channel 9 to offer fun and educational programs for seniors to access in the comfort of their homes.

While we offer several programs on a regularly scheduled basis (Bingo, Yoga, Stretch & Strength, Game Night, Traveling Chef meals, Watercolor Classes), we also host large scale special programs (holiday luncheons, theatre programs), have introduced new programs (Fraud & Scams presentation, Trust & Estate Planning Workshop, Audubon Society Joppa Flats presentations), and brought back our Flu Shot Clinic. The addition of our evening programs have proven successful and have been well attended, especially Game Night. This also holds true whenever we offer educational/informational events in the evenings, often drawing seniors who do not ordinarily attend our programs during the daytime. We continue to utilize the Field House at the Central Street Playing Fields for our exercise classes and PITA Hall for our holiday luncheons, but the remainder of our programs are held at our new location at 12 Kent Way, Suite 100 in Byfield. We encourage people to stop by (many have already done so when they are at the Town Offices for other business), even without participating in a scheduled program. The Council on Aging is meant to serve as a gathering place and we are happy to give people a tour of our new space and answer any questions.

In addition to our programs, we have a couple of transportation options for our seniors. Our van goes to Market Basket in Newburyport every Tuesday, often stopping at other locations as seniors' needs dictate (Shaw's, CVS, Walgreen's, Tendercrop Farm, the bank). Our van is generally an option to transport seniors to our larger programs at PITA Hall on Plum Island and we offer van trips to local restaurants. In FY2022, we provided 69 van rides. Another transportation option is a collaboration with the NEET (Northern Essex Elder Transport) Program, a non-profit volunteer driver program providing transportation to medical appointments for Merrimack Valley seniors. The need for the NEET Program is evidenced by the numbers. NEET's reporting statistics run from October to September, so from October 1, 2021 through September 30, 2022, 24 volunteers provided 407 rides to 31 seniors. Many of these seniors have appointments or surgeries in Boston. The NEET program is an essential part of the transportation options offered through the Newbury Council on Aging. When we cannot secure a volunteer driver through NEET and the Council on Aging van is not available, we are able to provide transportation via a taxi service through generous donations received from the annual Newburyport Chocolate Tour, an event hosted by volunteers from the Central Congregational Church in Newburyport. Through their generous donations, we have been able to transport seniors to necessary medical appointments without the seniors having to worry about how they will get there.

Our newsletter continues to be the best way to communicate with our seniors about programs, information from our Outreach Coordinator (where she highlights important topics, provides resources, and gives her contact info for anyone to call with questions or receive support), and updates on transportation. We mail approximately 1,500 paper copies (the funding for our postage is provided through a grant from the Executive

Office of Elder Affairs) and send over 100 electronically via email. We also post the newsletter online on our website and leave copies at the Town Clerk's Office and the Library.

Our Outreach Program is a critical component of the Newbury Council on Aging. Our Outreach Coordinator is available to provide resources to seniors and their loved ones, including referrals to healthcare-related agencies, housing options, food insecurity, fuel assistance, etc. in collaboration with a variety of local agencies. The Outreach arm of the Council on Aging embraces our mission to empower, enhance, and enrich the lives of our seniors, encompassing not only referrals to local support agencies, but also by providing a group of volunteers who offer in-person visits or wellness calls to seniors who need such supports. There is also a group of volunteers who provide grocery shopping services to seniors who are homebound, as well as volunteers who deliver library books to those who cannot get out to the library. Other volunteers assist staff with preparing our newsletters for mailing, serving seniors at our luncheons, and assisting with other program needs. Our volunteers are an invaluable resource to us and we cannot do the work we do without their support.

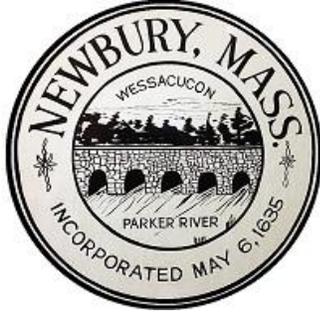
Meals on Wheels continues to be an important resource offered through AgeSpan for many homebound seniors in Newbury. Our Meals on Wheels Delivery Driver is an essential position within our Council on Aging team. She delivers meals to an average of 12 residents per day, five days per week. She is not only delivering meals; she is providing a daily check-in to our homebound seniors and reporting any changes or concerns to our Outreach Coordinator for follow up.

Our SHINE (Serving Health Insurance Needs of Everyone) counselor (a service provided through AgeSpan), Max Aloviseti met via telephone with over 30 Newbury seniors during the Medicare Open Enrollment period (mid-October through early December) to answer questions about their specific needs. Max has also been available on an as-needed basis for those seniors who are turning 65 throughout the year and would like to discuss their options as they begin their transition to Medicare as their primary insurance.

The Council on Aging is fortunate to have support from the Friends of the Newbury Council on Aging. The Friends is a non-profit organization that was organized in 1996 for the support of the Newbury Council on Aging. Their membership and fundraising efforts help to supplement our annual budget. During FY2022, the Friends of the Newbury Council on Aging have provided support for programs (luncheons, exercise classes, Mass Audubon programs, and our calendar inserts for our newsletter), donated additional funds to allow us to purchase new tables and chairs for our space at Kent Way, and at the end of FY2022 provided \$15,000 toward the purchase of a new van (to be delivered in FY2024). The Friends are an important partner in ensuring the success of the Council on Aging. The Board Members for FY2022 are Kate Benashski, Debra Kennedy, and Stacey Fix.

Finally, the Council on Aging Members offer support to the Director regarding the goals of our program, have a mutual commitment to the mission, and share in the leadership of the Newbury Council on Aging. Our Council has continued to offer their guidance and advice and they each serve as ambassadors for the Council on Aging. They are vital partners and their commitment to volunteering their time to enhance the efforts of our staff is immeasurable. The Council Members for FY2022 are: Joyce Machiros, Bill DiMaio, Damon Jespersen, Chuck Bear, Susan Grillo, and Christina Howe.

Respectfully submitted,  
Cindy Currier, Director  
Council on Aging



**Town of Newbury**  
**Department of Public Works**  
197 High Road  
Newbury, MA 01951-4799  
Phone: 978-465-0112

## Fiscal Year 2022 Newbury DPW Annual Report

In fiscal year 2022, we only had six storms that required plowing, though there were several long duration storms that resulted in freezing rain and rain that ended with roads icing over. Additionally, over the winter, the department did a lot of road side brush cutting and tree work.

The town paved a total of 3.8 miles of road this fiscal year and crack sealed 2.3 miles of road.

The town received a grant from MA DOT for the design of a new bridge on Central Street over the Parker River.

As it was an exceptionally wet summer, all of the town buildings, greens and recreational fields needed mowing every week. Typically, the mowing would slow down to every ten to fourteen days during the months of July and August.

Once again, I would like to thank the DPW crew for all of their hard work. They take pride in everything they do and are always willing to tackle any new project. I would also like to thank all of the hired contractors in town as well, for all of their hard work and dependability.

Respectfully,

James Sarette  
DPW Director



**Douglas C. Janvrin, Jr.**  
Fire Chief

# TOWN OF NEWBURY FIRE DEPARTMENT



**Wallace J. Ziebler, Sr.**  
Deputy Fire Chief

## **ANNUAL REPORT OF THE FIRE DEPARTMENT FOR FISCAL YEAR 2022**

The Newbury Fire Department responded to fire calls, medical emergencies, service calls and inspections, as well as many other types of calls for assistance during fiscal year 2022. Please feel free to contact us at any time should you need assistance or have questions.

The Ambulance Service operated by the Fire Department continues to be self-supporting through receipts. The Fire Department takes great pride in being able to provide this vital service to our community.

The Fire Department applied for and received several grants, including the Senior Safe grant, the State of Massachusetts Firefighter Equipment Safety grant which provided the Department with ice rescue and RIT equipment, and a State of Massachusetts earmark grant which provided the Department with structural firefighting gear which helped to move the Department toward and increased cancer prevention environment. The Fire Department is very grateful to the State of Massachusetts, Department of Fire Services, FEMA, State Senator Bruce Tarr and State Representative Lenny Mirra for all of their support and for providing these grant opportunities. The Fire Department also applied for a Staffing for Adequate Fire & Emergency Response (SAFER) grant from FEMA.

The Fire Department continued to maintain a full training program for FY 2022. This year all of our non-EMT personnel were recertified as First Responders, enabling them to provide medical care at scenes in conjunction with our EMT's and Paramedics. The Department also continues to participate in the regional training initiative with our local Fire Department partners.

I would like to take this opportunity to thank the Fire Department members and their families for their continued service to the Fire Department and to the Town of Newbury. I would also like to thank the members of the Select Board and the Town Administrator, as well as all Town Departments for their continued support. I would especially like to thank the citizens of the Town of Newbury for their support. The Fire Department stands ready to serve our citizens in the best way possible. It is an honor and a privilege to provide this service, and we are grateful for the opportunity to serve in this way.

Very Respectfully,

**Douglas C. Janvrin, Jr.**  
Chief of Department  
Newbury Fire Department

# ***NEWBURY HISTORICAL COMMISSION***

## **2022 Report**

The Newbury Historical Commission is working with Mass. Historical Commission on our Inventory of historic houses. We have an Excel spreadsheet MACRIS updates, as we identify owner/house name to match Street names given. We continue to work with dedication and passion to help preserve the historical essence of our Town. We are also compiling a list of all houses/land with a Preservation Restriction and/or Conservation Restriction.

**The Lower Green Schoolhouse**, built in 1877, was opened weekends between Memorial Day and Labor Day, and continued with Sundays only through Columbus Day. We welcomed over 206 visitors, many of whom are active or retired teachers. They are always happy to see that our one room schoolhouse is open to explore. We thank the Historical Commission members who give of their time, energy, and knowledge to keep this wonderful treasure open for the season. The Schoolhouse is currently in need of roof repair/replacement; window repair, and exterior painting. We are hoping to get these items taken care as soon as possible.

**The Historical Commission Website**, [www.Newbury1635.org](http://www.Newbury1635.org) features hundreds of old photographs, postcards, historical information, and resources. We are pleased that this site is available to offer an interesting array of materials for anyone researching or exploring our town's history. Rebecca Fuller, one of our members, is revising and updating the site and will continue to add information as it becomes available.

**Newbury Gift Items** are for sale at the Lower Green Schoolhouse. Special thanks to local artist, Sue Nagle, who has provided lovely hand-painted pins. We also have postcards, notecards, and local books available for our many visitors.

**Historical Gifts/Donations** are often made in memory of a lost loved one. We are always grateful to be given these glimpses into our town's long history, and thank each family for entrusting us to preserve these artifacts. We received several items again this year.

**Demolition Delay By-law (DDB)** - This By-law will enable us to preserve and protect our significant historic structures for the current and future residents of our historic town. We are working with both the Planning Board and Building Commissioner to review all requests received that trigger the By-law. The Historical Commission is involved in ongoing research and continuing education about the DDB to streamline the process. We work through Permit Link with Inspectional Services and with the Planning Director/MVPC Commissioner, Martha Taylor.

**Archiving & Preservation** is extremely important and is one focal point of our attention. We are exploring all venues available for the best ways to preserve our historic landscape, houses, and our delicate and irreplaceable historic documents. Town record document preservations are handled by Town Clerk's Office.

We are currently working on preserving the Father (Witch) stone at 15 Coleman Rd with Planning Director/MVPC Commissioner, Martha Taylor, the Planning Board, and Tom Zahouriko, the developer of the subdivision, to ensure this 1723 object is secured and protected. We are also waiting for the MHC and the *Support the Pink House* group to finalize plans for the future of the Pink House on the Newburyport Turnpike.

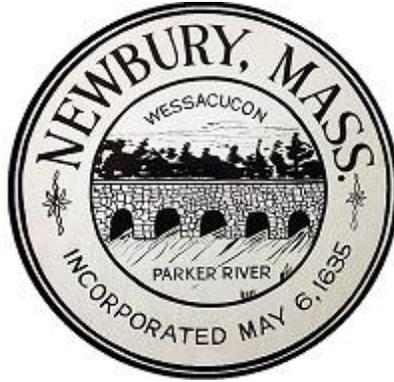
**Sails and Trails:** We enjoyed being a part of this event. The schoolhouse had at least 15 visitors, as some folks do not sign the book.

We are seeking new members to complete our Commission. We are especially searching for an architectural historian to join and/or assist us. We usually meet on the 2<sup>nd</sup> Thursday of the month at 7:00 pm. We have one vacancy. We suggest people, who are interested in joining, attend a few meetings, to see if they are interested in our work for the Town.

Respectfully submitted,  
*Janice Forrest*

Janice Forrest, Secretary/Clerk

**Members:** Channing Howard, Chair; Lon Hachmeister, Treasurer; Janice Forrest, Secretary/Clerk, Eva Jackman, Rebecca Fuller, and Rich Morin; **Associate member:** Nancy Thurlow



**Town of Newbury**  
**Human Resources Board**  
**FY 2022 Annual Report**

Newbury's HR Board met a total of twelve(12) times during the Fiscal Year, including ten(10) regularly scheduled meetings and two(2) Sub-Committee meetings.

Agenda items for all regular meetings consisted of:

- \* Reviewing and voting on acceptance of prior meeting minutes.
- \* Discussion of any Employee issues that may have arisen.
- \* Recent Personnel Actions and/or Job Vacancies.
- \* Workplace/Discrimination/Ethics issues within Town Government (NONE IN FY 22).
- \* Safety issues in all Town offices/facilities, including any Covid updates.
- \* New business before the Board (e.g. scheduling of Sub-Committee Classification/Reclassification of new or existing positions).

The Classification Sub-Committee met two(2) times during FY 22, for the following:

1. A review and update of Newbury's Personnel Policy, which had most recently been done in March 2019. The review found that multiple changes were required in order to comply with the Town Administrator Act of 2008, as well as updating of Policies relating to certain Employee Benefits and Municipal

Office closing protocols.

These changes were vetted by Town Counsel, voted on by the full HR Board and forwarded to the Select Board for its final approval, as required by Newbury's Personnel By-Law.

2. To meet with Hiring Managers for the purpose of reviewing/rating two(2) positions into the Town's existing Classification Schedule. We met with the:

- \* COA Director, to Classify the new Assistant to the Director role.

- \* Library Director, to reclassify the Information Assistant role.

Additionally, the HR Board reports the following for FY 22:

- \* We welcomed Lynne (Chadey) Peabody as our newest member in the fall of 2021.

- \* The Board created a new dedicated email [hrboard@townofnewbury.org](mailto:hrboard@townofnewbury.org)

- \* All Board members successfully completed the State mandated Ethics, COI and Open Meeting Law online training modules.

- \* Through our two(2) Employee Representatives, the HR Board continued to serve as a resource on any Covid related protocols, and for any Town Employee who required assistance on work related matters.

- \* A number of the HR Board members volunteered as ambassadors during the inaugural Newbury Town Day celebration.

We look forward to continuing our efforts on behalf of the Town and its employees.

Respectfully,  
Mark Gleckman, HR Board Chairman



Town of Newbury  
Office of IT& Communications  
12 Kent Way  
Byfield, MA 01922  
technology@townofnewbury.org  
978.465.0862 X311

## **Annual Report of the Information Technology, Communications & PEG Operations Fiscal Year 2022**

The Information Technology Department is responsible for the operational functionality, maintenance, technical support and improvements for the Municipal Offices, Fire Department, DPW and Council on Aging servers/network, phone system, PC workstations, printers, photocopiers, software applications, internet connectivity, tablets, cell phones, town website. IT also oversees the social media of Facebook, Twitter and Instagram.

PEG Operations handles the Newbury Comcast Channels, where it provides government, educational and community content both live and recorded, which are a combination of self-produced and shared videos. These are broadcasted and made available on the Newbury Comcast Channels 8 & 9, Video On-Demand and YouTube.

In addition to the day-to-day operations, the following summarizes the major project undertakings for the period July 1, 2021 to June 30, 2022:

- Assisted the Fire Department with improving local IT infrastructure.
- Worked to bring Town's Active Directory environment up to current best practices.
- Worked with the Council on Aging to promote their programs to our residents and the public.
- Continued tech improvements at Council on Aging location at 63 Hanover St. location
- Continued working on improvements to existing phone system.
- Continued improvements to Public Access operations.

Respectfully Submitted,

Matthew Cooper  
IT/Communications Manager



## **2022 – Office of Inspectional Services**

### **Expenses**

Salaries and Wages	\$151,264.00
Department Expenses	\$ 57,600.00
Total Department Expenses	\$208,864.00
Incoming Fees	\$495,954.00
Department Income/Loss	\$287,090.00

From July 1, 2021 to June 30, 2022, 989 new permits were issued by the department, for a combined construction value of \$38,427,914.00. These breakdown as follows:

- Building Permits/Commercial: 22
- Building Permits/Residential: 382
- Electrical Permits: 237
- Gas Permits: 147
- Plumbing Permits: 129
- Sheet Metal Permits: 20
- Trench Permits: 35
- Street Opening Applications: 17

The Office of Inspectional Services issues permits and performs inspections for: Building, Gas, Plumbing, Electric, Sheet Metal, Trenches, AAB Compliance, Weights & Measures, Street Openings, and Zoning.

Our Inspectors are:

- Peter Binette, Director of Inspectional Services 978/465-0862 ext. 309
- Gerry Downs, Plumbing & Gas Inspector 978/465-0862 ext. 320
- Bill Robitaille, Electrical Inspector 978/465-0862 ext. 319
- Chrissy Beaupre, Inspectional Services Admin 978/465-0862 ext. 304

### **Current Building Codes (partial list)**

1. 2015 International Building Code with MA front end amendments.
2. 2015 International Residential Code with MA front end amendments
3. 2021 International Energy Conservation Code with MA amendments
4. 2015 International Existing Building Code.
5. MA Fuel Gas Code.
6. MA Plumbing Code.
7. MA Electrical Code / 2017 National Electrical Code.
8. 2015 International Mechanical Code.
9. 2015 International Pool & Spa Code.

**The 9<sup>th</sup> edition of 780 CMR, the Massachusetts State Building Code, is in full effect as of 1/1/2018.**  
**Please visit: <https://www.mass.gov/orgs/office-of-public-safety-and-inspections> for information.**



Town Of Newbury  
Office of the Conservation  
Commission 12 Kent Way  
Newbury, MA 01922  
Tel: 978-465-0862 X310  
Fax: 978-572-1228

## **FY22 Annual Report Conservation Commission**

The Conservation Commission plays a vital role in resource protection and wetland permitting in the Town of Newbury. The Town of Newbury contains many different types of wetlands, including rivers and streams, salt marshes, and vernal pools among others. The town is also under the influence of tides, winds, an extensive flood plain, and a water table close to the ground surface over much of its land area. We also have a barrier beach system at Plum Island. This system requires careful monitoring to protect, strengthen, and manage it, as it provides critical storm damage protection for homes and infrastructure.

**Staff Changes:** At the beginning of Fiscal Year 2022, the Conservation Department welcomed Samantha Holt as the Conservation Agent, and Chrissy Beaupre as the Inspectional Services Administrative Assistant.

### **Conservation Commission Members & Staff**

Brian Colleran – Chair  
Benjamin Gahagan – Vice Chair  
Peter Paicos – Member, Planning Board liaison  
Mary Rimmer – Member  
Daniel Streeter – Member  
Brad Duffin – Member (July 2021-April 2022)  
Frank Wetenkamp – Member (July 2021-May 2022)  
Samantha Holt – Conservation Agent

The Commission and staff provide guidance to applicants for projects that fall under the jurisdiction of the Wetlands Protection Act Ch. 131 § 40, and the Town Wetlands Bylaw (Chapter 95). During FY22 the Commission received:

Request for Determination of Applicability: 25 received  
Determination of Applicability: 17 issued

Notice of Intent: 23 applications received  
Order of Conditions: 30 issued

Abbreviated Notice of Resource Area Delineation: 1 received  
Order of Resource Area Delineation: 2 issued

Notice of Resource Area Delineation (NRAD) 1 application which resulted in an Order of Resource area Delineation.

Request for a Certificate of Compliance: 19 requested  
Certificates of Compliance: 20 issued

Respectfully,

A handwritten signature in black ink, appearing to read 'S. Holt', with a long horizontal flourish extending to the right.

Samantha Holt,  
Newbury Conservation Agent  
Floodplain Administrator



JULY 1, 2021 - JUNE 30, 2022

## NEWBURY TOWN LIBRARY

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0 Lunt Street, Byfield, MA 01922

[www.newburylibrary.org](http://www.newburylibrary.org)

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THE NEWBURY TOWN  
**LIBRARY**

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# OUR MISSION

The mission of the Newbury Town Library is to provide free and open access to materials, services, and new technologies supporting lifelong learning, as well as to encourage and enable the pursuit of knowledge and the satisfaction of curiosity in our community.

LIBRARY HOURS: Tuesdays/Thursdays/Fridays 9am - 5pm, Wednesdays 11am - 7pm  
Saturdays from 10am - 2pm (*Between Labor Day & Memorial Day*)

# THE LIBRARY

Founded in 1926, the Newbury Town Library maintains a schedule of 36 open hours/week, 32 hours/week in July and August. The NTL provides services to more than 7,000 residents and town employees in Newbury, Byfield, and Plum Island, as well as many neighboring communities. A member of the Merrimack Valley Library Consortium (MVLC) since 1987, the NTL has access to cutting edge technology as well as important staff trainings. The Library is the cultural, educational, and social hub of Newbury; a place to learn, share, create, converse, play, study, read, relax and explore.

# OUR PEOPLE

## LIBRARY STAFF

### Director:

Jean Ackerly/Erin Thompson (Ouimet)

### Assistant Director:

Erin Thompson (Ouimet)/Dorothy Moynihan

**Circulation Librarian:** Katherine Szuplat

### Youth Services Librarian:

Kati Bourque/Nicole Korodi

**Library Associate:** Kady McGann

**Library Associate:** Emma Cashman

**Library Technician:** Ellen Alden

We continue to host volunteers from the community, including seniors that work at the library through the town's Senior Tax Work-off Program.

## TRUSTEES

Chair : Dick Passeri/Alex Burke

Margaret Grimes

Richard Ravin, Secretary

Terry Litterst

Alex Burke

Beth Cennami

## FRIENDS OF THE NEWBURY TOWN LIBRARY

President: Tammy Cotter

Vice President: Patty Olson

Treasurer: Pam Myers-Kinney

Secretary: Linda Rivera

Member: Maureen Haley

Member: Joan Friedman

# AFFILIATIONS

## Massachusetts Board of Library

**Commissioners (MBLC)** - The state agency that certifies libraries and ensures state standards for library services are met. Public libraries are required to meet certain spending levels each year in order to receive state aid and maintain certification.

## Merrimack Valley Library Consortium (MVLC) -

The MVLC is our library network. Our dues to the network funds the shared library patron and item

database, a staff and public computer network, part of our WiFi network and access to electronic resources including eBooks.

**Massachusetts Library System (MLS)** - The library is a member of MLS, which provides the following services: delivery of library items between Massachusetts libraries, access to online magazines, newspapers and journals; access to eBooks through the Commonwealth Collections; and continuing education for library staff.

# CHANGES CHALLENGES ACHIEVEMENTS

The fiscal year 2022 brought with it a bounty of changes, challenges, and achievements. While Covid-19 had caused a significant disruption for nearly 2 years, in FY22 the library finally began making its comeback.

We returned to in-person programs for adults and children; our volunteers returned (more than ever before!); the Friends Plant Sale and Harvest Fest returned; art exhibits returned with the library presenting two wonderful exhibits last year.

And most important of all, our patrons returned and began attending more programs, checking out more materials, and participating in our community hub.

Sadly, we said farewell and best of luck to those who left the library this year:

- Director, Jean Ackerly
- Youth Services Librarian, Kati Bourque
- Trustee Chair, Dick Passeri
- Friends President, Tammy Cotter
- Friends Vice President, Patty Olson
- Friends Secretary, Linda Rivera

On a happier note, we said an enthusiastic hello to some new faces!

- Erin Thompson (Ouimet), Director (former Assistant Director)
- Dorothy Moynihan, Assistant Director
- Nicole Korodi, Youth Services Librarian
- Alex Burke, Trustee Chair
- Beth Cenammi, Trustee
- Joan Friedman, Interim Friends President

New initiatives included Tales and Tails Adult Summer Reading Challenges in summer 2021, put together by Head of Circulation, Katherine Szuplat. Katherine



Harvest Fest Literary Pumpkin Judges:  
Trustee, Alex Burke; Town Administrator, Tracy Blais; Select Board Member, Geraldine Heavey

# BY THE NUMBERS

Visitors to the library dramatically slowed during the pandemic, as shown at right. But once we were able to open our doors to the public and hold in-person programs again, our numbers began climbing back up.

## SERVICES:

- 42% Percentage of Newbury residents with a library card
- 21,501 NTL visitors last year (plus two storywalk sheep and two Harvest Fest donkeys :-)
- 1,055 Volunteer hours worked by 17 volunteers
- 18,654 Public WIFI Sessions
- 74 Museum passes circulated

**COLLECTIONS:** In FY22, the library collection included 104,167 items, including 60,207 print materials and 43,960 digital holdings.

- 51,578 Items circulated
- 9,323 Digital items circulated (Includes eBooks and eAudiobooks; does not include streaming video content, online courses, etc.)

## ONLINE OUTREACH:

- 573 Newsletter subscribers
- 801 Facebook followers
- 453 Twitter followers
- 279 Instagram followers
- 19 LinkedIn followers



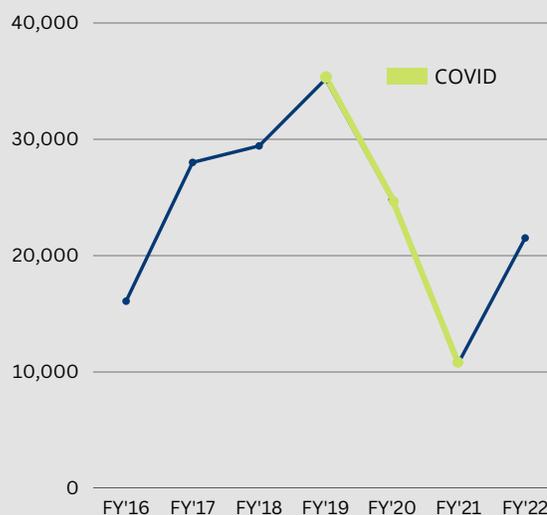
*Sheep walking the NTL StoryWalk*

## PROGRAMS:

- 194 Youth Programs with 1,497 in attendance
- 78 Adult Programs with 462 in attendance

**COMMUNITY USAGE:** 116

## VISITOR TRENDS:





also put together our first Mitten Drive and delivered 115 mittens, hats, and even a parka to Pettengill House in January 2022.

FY22 happily saw the return of much that was lost during the Covid-19 pandemic. We were really hitting our stride in December, 2021 when the library was gifted \$75,000 from the Newburyport Area Industrial Development. We are so thankful to them for this donation which came at a time when the library's expenses were up, and funds were down.

There are a large number of needs for which this money could help the library, including our local history room, which is a priority not only to the library, but to the community and Town. The Board of Trustees allocated \$30k of this donation to hiring a temporary archival librarian to get our local history room and materials into shape.

While the building still seems "new," it is actually over 22 years old and facing multiple physical problems that require remediation, as well as the need to replace worn out furniture, carpeting, etc.

But in February 2022, we hit quite a large speedbump in our return from Covid — a large glycol leak due to our aging HVAC system disrupted the library for the next 8 months.

This leak wreaked havoc in the Friends bookshop area, quiet study room, and staff work areas/offices, all of which



*Tech Services work area, staff offices, study room, and book store during demolition after glycol leak*

required replacement of ceiling, walls and flooring. Many staff were displaced within the building and the bookshop had to close during this process. Construction finally wrapped up in September, reopening the bookshop and returning staff to their work spaces!

**Other improvements to the library building included:**

**Community Room** - Thanks to funding from the library Gift & Donations fund, former Trustee, Catherine Dullea, took on repainting the Community Room and replacing the art exhibit hanging system, which now looks fantastic. Dullea presented two exhibitions in FY22, and is organizing art exhibits for the library on an ongoing basis.

The Community Room also received new carpet, a much needed replacement. The combination of the fresh paint, art on exhibit, and new carpet has brought this room back to looking refreshed and polished as it once was.

**Technical Services Area, Friends Book Shop, Staff Work Spaces, and the Small Meeting Room** all received makeovers courtesy of the glycol leak in February. They now have replaced carpeting, a fresh coat of paint, possibly even new walls and ceiling tiles going into FY23.

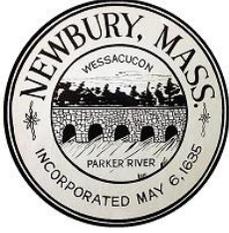
**Exterior Building** - In June 2022, the entire exterior of the building was repainted and looks much refreshed!

My continued thanks to the entire Newbury Town Library staff, the Board of Trustees, Town Administrator, Tracy Blais, DPW Director/Facilities Manager, James Sarette and all town officials, our generous donors and volunteers, and to the wonderful community of Newbury for their continued support of their library.

Respectfully submitted,  
Erin Thompson (Ouimet)



*New carpeting in Lois M. Anderson Community Room*



Town of Newbury  
Parking Clerk  
7 Morgan Avenue  
Newbury, MA 01951  
email: [parkingclerk@newburypolice.com](mailto:parkingclerk@newburypolice.com)  
phone: 978.462.4440 X260

## **Annual Report of the Parking Clerk - Fiscal Year 2022**

The Parking Clerk is responsible for the management of issued Parking Violations and the collection of all fees. Any and all Appeals for Parking Violations are submitted to the Parking Clerk for review, consideration and response to the petitioning individual. The Parking Clerk has engaged Kelley & Ryan to serve in the Deputy Collector role for the collection of outstanding Parking Violations that are greater than 21 days in age, in addition to enabling the town to collect parking violation payments online.

Residents who purchase a Parking Permit for the calendar year and adhere it to the lower left rear window of their rear window may park at the lot located at the landing at the Parker River bridge, on Plum Island in the Center Parking Lot and along east side Northern Boulevard. Residents who do not acquire a Parking Permit are subject to a Parking Violation.

This fiscal year, the parking limitations were lifted as on Plum Island due to the COVID-19 pandemic subsiding. As such, the number of parking violations issued and the resulting fees collected were reduced, and were more in line with the years prior to pandemic.

### **Parking Violations**

474 Parking Violations Issued by Police/Code Enforcement.

The Town collected approximately \$26,800 in revenue, which was a combination of current and prior year Parking Violations collected and other related fees.

### **Parking Violation Appeals**

27 Appeals were received  
19 Appeals were denied  
8 Violations were dismissed

Respectfully Submitted,  
Susan Noyes  
Parking Clerk

**Planning Board**  
Annual Report for  
Fiscal Year 2022  
(July 1, 2021 to June 30, 2022)

In FY22 the Planning Board received significantly fewer applications for new lots and new development than in the previous two fiscal years, but continued to conduct public hearings that were in process for applications submitted in FY20 and FY21. The Board also conducted public hearings for new Special Permit and Site Plan Review Modification applications. The Board met in person for the first three months of FY22, but in accordance with legislation extending the suspension of certain provisions of the Open Meeting Law due to the COVID-19 State of Emergency, resumed meeting remotely via Zoom in October 2021 and met remotely throughout the rest of the fiscal year.

At the 2022 Annual Town Meeting (ATM), the Planning Board proposed a complete revision of the Town's by-law regarding Wireless Communications Services to bring the by-law into compliance with current Federal law and FCC Regulations, to address coverage gaps in certain parts of town, and to provide better control of placement and modification of wireless communications facilities throughout town. Town Meeting voted to adopt this proposed zoning amendment. During FY22 the Board also began consideration of other potential zoning amendments, including development of a new Inclusionary Zoning By-Law.

In addition, the Board reviewed and discussed draft guidelines promulgated on December 15, 2021 by the Department of Housing and Community Development (DHCD) on what municipalities will need to do to comply with the newly enacted Section 3A of the Zoning Act, which requires every MBTA community to have at least one zoning district in which multi-family housing is allowed as of right, and which is located near a transit station, if applicable. The Planning Director drafted and submitted a comment letter regarding the draft guidelines on behalf of the Town during the comment period, which ran through March 31, 2022.

The Board reviewed and endorsed the following ANR (Approval Not Required) Plans in FY 2022:

- Lot line change between 136 Main Street and 140R Main Street
- Division of the existing lot at 60 Plum Island Turnpike into three – one buildable lot containing the existing house and two unbuildable parcels

During FY 2022 the Board continued and closed public hearings for two Applications which had been submitted to the Board in prior fiscal years:

- OSRD Special Permit Application for a 10-Unit Open Space Residential Development at 105 High Road: On April 15, 2020, DePiero, LLC, filed an OSRD Special Permit Application with the Board for property at 105 High Road. In accordance with special legislation enacted due to the COVID-19 State of Emergency, which stayed certain deadlines, the Board commenced the public hearing on the Application on July 15, 2020. The hearing was subsequently continued multiple times and was closed on September 15, 2021. The Board voted to grant the Special Permit on October 20, 2021.
- OSRD Definitive Subdivision Plan Application for a 7-Lot Open Space Residential Development at 15 Coleman Road: On February 3, 2021, Zendko, LLC, filed an OSRD

Definitive Subdivision Plan with the Board, concurrently with an OSRD Special Permit Application, for property at 15 Coleman Road. The Board commenced the public hearing on the Application on March 3, 2021. The hearing was continued multiple times and was closed on July 7, 2021, on which date the Board voted to approve the OSRD Definitive Subdivision Plan.

The Board received and considered the following new Special Permit and Site Plan Review Applications during FY 2022:

- Special Permit Application for a Ground-Mounted Solar Photovoltaic Installation at 75 Boston Road: On November 17, 2021, Alliance Newbury I, LLC, filed a Special Permit Application for construction of a 582.4 kW (DC) Solar Energy Generating Facility to be located at 75 Boston Road on property owned by the Town of Newbury. The Board commenced the public hearing on the Application on December 15, 2021. The public hearing was continued multiple times and was closed on June 15, 2022, on which date the Board voted to grant the Special Permit.
- Level II Site Plan Review Application – Request for Modification of a Previously Approved Site Plan, Parker River Environmental Studies Building (PRESB) at The Governor’s Academy, 313 Newburyport Turnpike: On December 15, 2021, The Governor’s Academy filed an Application for Approval of a Modification to a Previously Approved Site Plan for the PRESB at 313 Newburyport Turnpike. The Board commenced the public hearing on January 19, 2022. The hearing was continued two times and was closed on February 16, 2022, on which date the Board voted to approve the requested Site Plan Modification.

In addition, the Board reviewed and approved several minor modification/field change requests for projects under construction at 105 High Road and 217/221 High Road.

The following summarizes the application activity and fees collected in FY 2022:

ANR Applications Submitted and Endorsed:	2
Site Plan Review Modification Applications Submitted:	1
Site Plan Review Modifications Applications Approved:	1
Special Permit Applications Submitted:	1
Special Permit Applications Approved:	1
OSRD Special Permit Applications Submitted:	0
OSRD Special Permit Applications Approved:	1
OSRD Definitive Subdivision Plans Submitted:	0
OSRD Definitive Subdivision Plans Approved:	1
Total New Building Lots Created (net):	6
Total New Condominium Units Created (net):	9

**Total Fees Collected:**

**\$ 1,150.00**

During the year the Board and the Planning Director also reviewed various informal inquiries from residents, developers, and businesses regarding potential subdivisions, new lots, and potential site plan review/special permit applications. In addition, the Board continued to monitor construction of subdivisions approved in previous years, as well as projects previously approved by Special Permit and through the Site Plan Review process.

There were no changes in the Board's membership in FY 2022. At the May 2022 Town Election Lawrence Murphy was re-elected to the Board for a five-year term and in June 2022 Mary Stohn was re-appointed as the Board's Associate Member for the next fiscal year.

Respectfully submitted,

Lawrence Murphy, Chair  
Planning Board

Planning Board Members (as of June 30, 2022):

Peter Paicos, Chair  
Lawrence Murphy, Vice Chair  
Leslie Matthews, Clerk  
George Morse  
Woody Knight  
Mary Stohn, Associate Member

Planning Director:  
Martha Taylor

PATRICIA A. FISHER  
Chief of Police  
7 Morgan Avenue  
Newbury, MA 01951



ORI-MA 0052200



EMERGENCY · 911  
TEL (978) 462-4440  
BUS FAX (978) 463-3056  
[www.newburypolice.org](http://www.newburypolice.org)

## **ANNUAL REPORT OF THE NEWBURY POLICE DEPARTMENT** *FISCAL YEAR 2022*

I am pleased to offer the following information relative to the Newbury Police Department and the departments under our umbrella.

### **NEWBURY POLICE DEPARTMENT**

While the Newbury Police Department continues to provide residents and visitors with excellent service, internally we are navigating the staffing constraints imposed by legislative changes.

Since the establishment of the Newbury Police Department, the sworn officers have consisted of an equal balance between full-time police officers and part-time “reserve” police officers. This practice allowed the Department to function at a lower cost because reserve officers were paid at a lower rate than full-time officers and did not require benefits.

Pursuant to the passing of the Justice, Equity and Accountability Act of December 31, 2020, the Massachusetts Peace Officer Standards and Training (POST) Commission was established. The POST Commission is charged with creating a mandatory certification process for officers, as well as establishing a process for decertification, suspension of certification and retraining in the event of certain misconduct.

Pursuant to POST, all reserve officers must be certified or decertified by June 30, 2024 using the following matrix: Reserve Officers with the last name beginning with A-H were required to be certified as full-time or decertified by June 30, 2022, the letters I – P by June 30, 2023, and Q – Z by June 30, 2024. Reserve Officers who wish to be certified as a full-time police officer through the POST Bridge Academy must successfully complete eighty (80) hours of remote learning, one hundred twenty (120) hours of in-person learning, and must prove that they have a minimum of two thousand four hundred (2,400) hours of patrol related experience.

It is our goal to address these matters head on while continuing to provide the Town with the quality of care they have become accustomed to.

### **POLICE DEPARTMENT COMMUNITY INITIATIVES**

The Newbury Police Department continues to explore ways to have positive interactions with the community, we do this through structured initiatives.

*House Check Program* – The House Check Program is a free, crime prevention service, offered to residents who will be away from their home. Participants are required to register through our

website and notify us upon their return. In their absence, officers check the exterior of the home to ensure foul play has not taken place. In Fiscal Year 2022, the Newbury Police Department received fifty-seven (57) requests through the house check program. Residents can register for the program through the Department website.

*Cognitive Impairment Resident Registry Program* – Residents who have cognitive disabilities, such as Dementia or Alzheimer’s, are able to register their emergency contact information, signs and symptoms and an image with the Department. This information is entered into our CAD System to empower officers by providing them with critical information necessary to provide a rapid response to residents in our community. Registration can take place via the Department website or with assistance at the Newbury Council on Aging.

*Mental Health/ASD Resident Information Program* – The Newbury Police Department strongly recommends caretakers of residents living with mental health or autism spectrum disorders complete a registration with the Department to ensure a safe and rapid response. The specific information is entered into the CAD System so officers are empowered with the necessary information to offer a safe response.

*Car Seat Checks & Installation* – FY 2023 saw the implementation of a specially trained officer to oversee car seat inspections and assist with installations. Please contact Sergeant Jason daCunha to book an appointment.

*Department Chaplain* – The Department is fortunate to have Martha Leahy, Department Chaplain on staff. In addition to the direct service work she does with residents in need, Chaplain Leahy has offered her public speaking services to Town events.

### POLICE DEPARTMENT PARTNERSHIPS & MEMBERSHIPS

In an effort to support and improve the service to the community, the Newbury Police Department has the following partnerships:

*School Resource Officer (SRO) Program* - To address the needs of the approximate one thousand three hundred (1,300) students in the three (3) Triton Regional School District schools within our jurisdiction, the Department partners with the District to staff a School Resource Officer to offer service to the Newbury District schools. School Resource Officer Lucey III oversees the public safety within the school during the day and acts as a liaison to the other Triton School District Jurisdictions.

*Domestic Violence High Risk Team (DVHRT)* – The DVHRT is a nationally recognized domestic violence homicide prevention framework, identified by the Department of Justice, Office on Violence Against Women (OVW) as a leading promising practice in the field. This program consists of four (4) components: 1) early identification of the most dangerous cases; 2) increase access to supportive services for high-risk victims; 3) increase offender monitoring and accountability and 4) a multidisciplinary, coordinated community response to high-risk cases.

*The Essex County Outreach (ECO)* - is a collaborative effort among the thirty-four (34) police departments within Essex County and the Essex County Sheriff’s Department, as well as

multiple community partners, with the common goal of trying to combat substance use disorders and mental health matters. <https://essexcountyoutreach.com/>

*Internet Crimes Against Children (ICAC) Task Force* - The Department is a proud member of the ICAC Task Force, which is a national network of sixty-one (61) coordinated task forces, representing over 5,400 federal, state, and local law enforcement, dedicated to investigating, prosecuting and developing effective responses to internet crimes against children.

*The Northeastern Massachusetts Law Enforcement Council (NEMLEC)* – is a consortium of police departments in Middlesex and Essex Counties, and two County Sheriff's Departments. Member agencies operate by sharing resources and personnel, collectively providing services to each other that might not be available to one. <http://www.nemlec.com/>

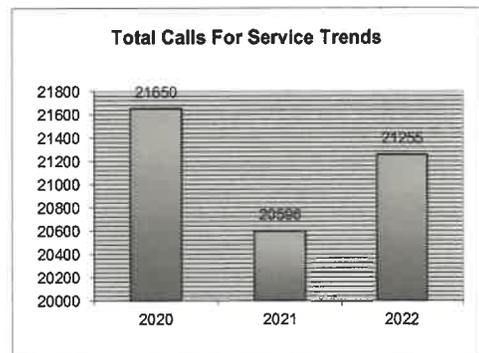
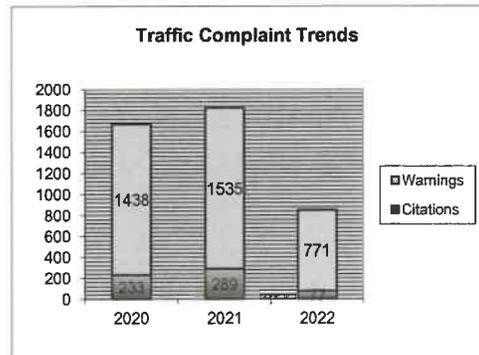
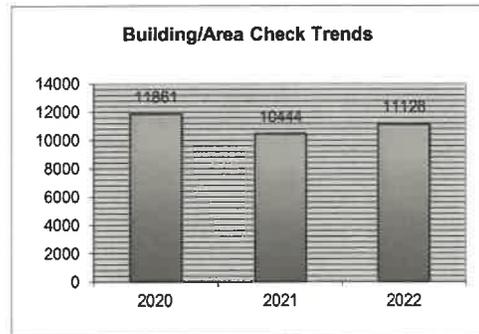
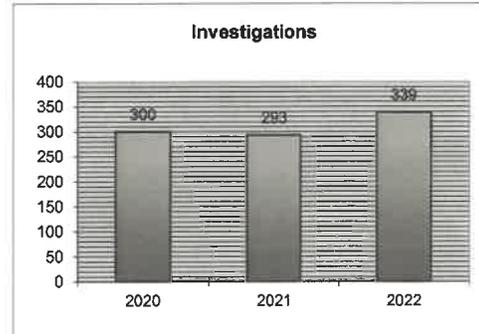
*New England High Intensity Drug Trafficking Area (HIDTA)* –The mission of the New England HIDTA is to disrupt the market for illegal drugs in New England in support of the National Drug Control Strategy by assisting federal, state, and local law enforcement entities participating in the HIDTA program to identify, disrupt, and dismantle drug trafficking organizations; and to further reduce the harmful consequences of drug trafficking by promoting public safety and public health partnerships.

Below you will find police department statistical data:



## Town Of Newbury Police Response Trends

Event	YEAR		
	2020	2021	2022
911 Investigation	97	467	367
Abandon M/V	3	5	1
Alarm Activation (burglar, fire)	336	341	315
Animal Complaint	201	220	159
Annoying Phone Call	24	17	10
Assault	8	4	2
Assist Citizen	337	295	454
Assist Other Agency	425	507	577
Assist Other PD	146	271	328
B&E of M/V	2	4	3
Booking Prisoner	0	0	0
Building/Area Check	11861	10444	11128
Burglary/B&E	2	4	3
Bylaw violation	7	6	1
Civil Complaint	33	17	53
Court Duties	6	9	21
Disabled Motor Vehicle	123	96	81
Disorderly Conduct	1	1	0
Dispute (family, neighbor, etc)	66	61	66
Disturbance	58	67	57
Domestic Abuse	7	5	10
Drug Law Violation	0	1	2
Emergency Med/Mental	470	447	527
Escort	1	0	2
Fraud	35	61	41
Gen. Services (Lic., Permits, etc)	470	376	344
Intelligence	53	86	86
Intimidation	1	0	1
Intoxicated Person	22	9	10
Intra. Departmental Duties	107	17	38
Juvenile Offenses	0	0	0
Larceny	22	15	15
Leaving Scene (M.V.A.)	9	7	7
Liquor Law Violation	11	1	0
Lost/Found Property	216	115	166
M/V Crash (fatal)	0	0	2
M/V Crash (w/ personal injury)	15	10	27
M/V Crash (w/ property damage)	78	57	80
Message Delivery	62	36	74
Missing Person	5	5	7
Missing Person (returned)	2	0	0
Motor Vehicle Theft	0	2	0
Officer Invest	188	127	212
Op. Under Influence	54	19	25
Parking Enforcement Action	104	177	213
Parking Complaint	60	51	49
Patrol Advisory	20	3	6
Prisoner Transport	137	63	45
Radar Assignment	753	962	800
Rape	0	0	0
Restraining Order (received)	42	27	60
Restraining Order (served)	21	22	30
Restraining Order Violation	4	0	5
Runaway	0	1	3
Servicing Cruiser	1051	1066	983
Sex Offenses	6	0	3
Suspicious Activity	310	278	302
Traffic Arrest (non OUI)	7	3	4
Traffic Control	21	115	124
Traffic M/V Stop	2458	1127	1063
Trespassing	6	8	8
Untimely Death	5	4	7
Vandalism	5	11	5
Warrant Arrest	23	16	12
Well Being Check	57	65	84
<b>Total (incl. misc. uncatigorized)</b>	<b>21650</b>	<b>20596</b>	<b>21255</b>



## **NEWBURY COMMUNICATION CENTER**

The Newbury Communication Center functions as the central communication hub for police, fire and medical services to the Town of Newbury. Emergency Communication Dispatchers are responsible for monitoring the Emergency Management Agency radios and are available to address walk-in concerns from the public. Additionally, they are trained to conduct prisoner watch for the Department. The Center functions on a 24/7 basis with professional employees who address all agency, Town and residential emergent, civil and administrative needs. During Fiscal Year 2022, the Newbury Communication Center recorded 21,255 calls.

## **NEWBURY ANIMAL CONTROL SERVICES**

Animals are very special to the Town of Newbury and our Animal Control Services reflect the value that we have for those animals. In Fiscal Year 2022, the Newbury Communication Center handled approximately two hundred five (205) animal complaint and animal control related calls.

In addition to responding to community requests, the Animal Control Officer assists the Town by educating the public about the dogs on beach laws and assists in the protection of plovers during nesting season. Newbury Animal Control also conducts all kennel and barn inspections and manages rabies control throughout the Town. The public accesses animal control services by calling the Newbury Communications Center.

## **NEWBURY HARBORMASTER**

During Fiscal Year 2022, the Newbury Harbormaster Department, supervised by Assistant Harbormaster James Velonis, had its ninth successful full boating season under the umbrella of the Newbury Police Department. The Assistant Harbormasters and Harbormaster Helpers strive to maintain the friendly atmosphere that has always been present at our Town Landing and on the water. In addition to Harbormaster duties, the Assistant Harbormasters support the Town's Shellfish Constable by monitoring the clam flats when they are closed.

Newbury Harbormaster continue to have a positive working relationship with the U.S. Coast Guard and neighboring Harbormasters. The Harbormaster Program is paid for out of a revolving fund, in which revenues raised from permitting fees are used to fund the seasonal operation.

During the 2022 boating season, Newbury Harbormaster issued seven-hundred-ninety-five (795) waterways stickers, which is approximately a 4% increase over the 2021 boating season.

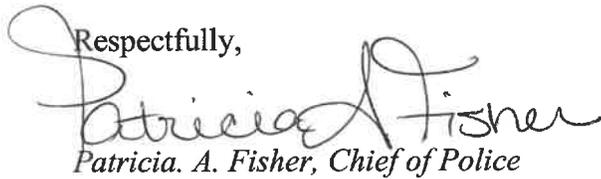
## **NEWBURY EMERGENCY MANAGEMENT**

The Newbury Emergency Management Director (EMD) is tasked with mitigating, preparing for, responding to and recovering from any natural disasters or other emergencies that impact, or have the potential to impact, the Town of Newbury. The EMD is a liaison between the Town and the Massachusetts Emergency Management Agency (MEMA). The Chief of Police is currently appointed as the Emergency Management Director.

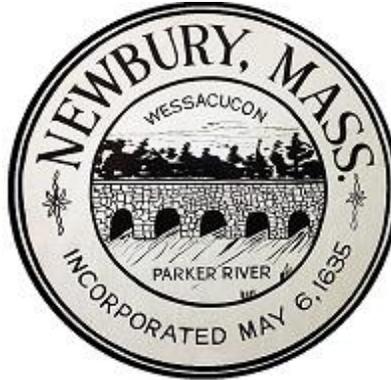
On February 9, 2022 and April 6, 2022, the Town of Newbury participated in two Seabrook Nuclear Preparedness Drills. During the drills, local Emergency Planning Zones (EPZ) communities, state agencies, and Seabrook Nuclear Powerplant staff participate in train for various emergency scenarios. For the first time, the Emergency Management Team used the new Emergency Operations Center (EOC) in the new police station, which proved to be functional and efficient. Controllers from the Federal Government (FEMA) were present for the drills to grade our performance. Federal Controllers found no areas of concern or issues. Federal Controllers commented on our participants experience, and knowledge of the Town.

On behalf of the Newbury Police Department and all umbrella departments, we look forward to maintaining our commitment to enhancing the safety and security of citizens and visitors by providing efficient, effective law enforcement initiatives and promoting community partnerships, while maintaining respect for individual rights and human dignity.

Respectfully,

A handwritten signature in cursive script that reads "Patricia A. Fisher". The signature is written in black ink and is positioned above the printed name and title.

*Patricia A. Fisher, Chief of Police*



### **Report of the Town Clerk – 2022**

To the Honorable Select Board and the Citizens of Newbury:

The following information and results are the culmination of annual business and events conducted through the Clerk's office.

#### **Statistics**

Census: Forms were mailed in January to 3,172 Newbury households.

Total number of residents as of December 31, 2022 was 6,734 including 5440 registered voters.

Vital Statistics: (Calendar year 2022)

Births: A total of 58 births were recorded, 35 male and 23 female.

Marriages: There were 20 marriages recorded.

Deaths: There were 59 deaths recorded.

#### **Permits and Licenses**

Parking Permits: 2473 Parking Permits were issued in 2022.

Dog Licenses:

A total of 1410 Dog Licenses were issued in 2022 along with 9 Kennel Licenses.

Clam Permits:

Resident: 3 One-day permits, 29 Season permits, 16 Senior, 9 Veteran

Non-Resident: 25 One-day Permits

Commercial: 52 Permits (Includes 8 Jr./Sr. permits)

#### **Meetings and Elections**

Annual Town Election: May 10, 2022 – 1,159 ballots cast. Pct. 1 555 Pct. 2 604

Annual Town Meeting: April 26, 2022 - 180 registered voters attended.

## Official Election Results for Newbury MA May 10, 2022

* = INCUMBENT		Pct. 1	Pct. 2	TOTAL
<b>SELECTMEN (3 YR.) (Vote for 1)</b>				
<i>WILLIAM F. "BILL" DIMAIO</i>		257	291	548
<i>DANA J. PACKER</i>		290	305	595
	BLANKS	8	6	14
	WRITE-INS	0	2	2
<b>ASSESSOR (3 YR.) (Vote for 1)</b>				
<i>LINDA A. MCCAMIC *</i>		358	384	742
	BLANKS	193	219	412
	WRITE-INS	4	1	5
<b>BOARD OF HEALTH (3 YR.) (Vote for 1)</b>				
<i>ALBA L. GOULDTHORPE *</i>		226	213	439
<i>GINNY R. KING</i>		285	320	605
	BLANKS	44	70	114
	WRITE-INS	0	1	1
<b>CONSTABLE (4 YR.) (Vote for 1)</b>				
<i>CHARLES "CHUCK" COLBY, JR.</i>		395	416	811
	BLANKS	155	184	339
	WRITE-INS	5	4	9
<b>FISH COMMISSIONER (3 YR.) (Vote for 1)</b>				
<i>CHARLES A. "CHARLIE" COLBY *</i>		388	413	801
	BLANKS	161	189	350
	WRITE-INS	6	2	8
<b>LIBRARY TRUSTEE (3 YR.) (Vote for 1)</b>				
<i>MARYBETH "BETH" CENNAMI</i>		356	421	777
	BLANKS	198	182	380
	WRITE-INS	1	1	2
<b>PLANNING BOARD (5 YR.) (Vote for 1)</b>				
<i>LAWRENCE J. "LARRY" MURPHY *</i>		348	385	733
	BLANKS	202	218	420
	WRITE-INS	5	1	6
<b>TRUSTEE 1st SETTLERS BURIAL GROUND (3 YR.) (Vote for 1)</b>				
<i>BRUCE H. ILSLEY *</i>		405	398	803
	BLANKS	149	203	352
	WRITE-INS:	1	3	4
<b>TRITON REGIONAL SCHOOL COMMITTEE</b>				
<b>NEWBURY (3 YR.) (Vote for 1)</b>				
<i>MATTHEW LANDERS</i>		357	361	718
[Annie Bourne:30 write-in votes-Pct.1]	BLANKS	159	167	326
[Annie Bourne:70 write-in votes-Pct.2]	WRITE-INS	39	76	115
<b>ROWLEY (3 YR.) (Vote for 1)</b>				
<i>PAUL L. LEES *</i>		204	270	474
<i>STEPHANIE R. VACCARO</i>		136	172	308
	BLANKS	215	161	376
	WRITE-INS	0	1	1
<b>SALISBURY (3 YR.) (Vote for 1)</b>				
<i>ERIN D. BERGER *</i>		209	267	476
<i>VICTORIA A. VATCHER</i>		128	177	305
	BLANKS	218	159	377
	WRITE-INS	0	1	1
		<b>Pct. 1</b>	<b>Pct. 2</b>	<b>TOTAL</b>
<b>Ballots Cast:</b>		<b>555</b>	<b>604</b>	<b>1159</b>
<b>Number of registered voters:</b>		<b>2752</b>	<b>2770</b>	<b>5522</b>
<b>Voter Turn-Out %:</b>		<b>20%</b>	<b>22%</b>	<b>21%</b>
Attest: Leslie A. Haley, Town Clerk		<i>Lucie A. Haley</i>		

**TOWN OF NEWBURY  
ANNUAL TOWN MEETING**

**APRIL 26, 2022**

RECEIVED  
22 MAR 24 AM 10:49

ESSEX SS.

TO: ONE OF THE CONSTABLES FOR THE TOWN OF NEWBURY, MASSACHUSETTS

GREETINGS:

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, YOU ARE HEREBY DIRECTED TO NOTIFY AND WARN THE INHABITANTS OF THE TOWN OF NEWBURY, QUALIFIED TO VOTE IN TOWN AFFAIRS, TO MEET AT THE **NEWBURY ELEMENTARY SCHOOL GYMNASIUM AT 63 HANOVER STREET** IN SAID TOWN OF NEWBURY ON TUESDAY, THE **26<sup>TH</sup> DAY OF APRIL 2022**, AT 7:00 P.M., TO ACT ON THE FOLLOWING ARTICLES, VIZ:

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**GENERAL GOVERNMENT MATTERS**

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**ARTICLE 1.** To meet in our respective voting districts on Tuesday, May 10, 2022, the polls will open at 7:00 AM and close at 8:00 PM, to vote on the following offices:

Pct. 1 – Firefighter’s Memorial Hall, 3 Morgan Ave.  
Pct. 2 – Newbury Town Library – 0 Lunt St.

<u>Position</u>	<u>Term</u>
Select Board	Three Years
Assessor	Three Years
Board of Health	Three Years
Constable	Four Years
Fish Commissioner	Three Years
Library Trustee	Three Years
Planning Board	Five Years
Triton Regional School Committee- Newbury	Three Years
Triton Regional School Committee - Rowley	Three Years
Triton Regional School Committee - Salisbury	Three Years
Trustee First Settlers Burial Ground	Three Years

**ARTICLE 2.** To receive the reports of the Select Board, School Committee, Regular and Special Committees, and all other Town Officers, or take any other action in relation thereto.

**ARTICLE 3.** To see if the Town will fix the salaries and compensation of certain elective officers of the Town as follows:

Town Moderator		\$ 500.00
Select Board	Each Member	\$ 7,500.00
Board of Assessors	Chair	\$ 3,500.00
Board of Assessors	Each Member	\$ 2,500.00
Town Clerk		\$65,394.00
Tree Warden		\$ 5,000.00
Fish Commissioner	Each Member	\$ 1,300.00
Planning Board	Chair	\$ 1,500.00
Planning Board	Each Member	\$ 1,000.00
Board of Health	Chair	\$ 1,500.00
Board of Health	Each Member	\$ 1,000.00

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## CITIZEN'S PETITIONS

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**ARTICLE 4.** To see if the Town will vote to transfer or appropriate the sum of \$20,000, or any other sum, from the Free Cash Fund, to fund the purchase and installation of a Public Safety Gate at the Georgetown/Larkin Road Bridge; or take any other action in relation thereto.

Submitted by: Justin Londergan, 38 Larkin Road

**ARTICLE 5.** To see if the Town will vote to limit the FY 2023 Total Operating Budget to a maximum increase of 2.0% from the FY 2022 Total Operating Budget.

Submitted by: Jim Moran, 104 Elm Street

**ARTICLE 6.** To see if the Town will vote to transfer the sum of \$1,000,000 from Free Cash to the FY 2023 Total Operating Budget.

Submitted By: Jim Moran, 104 Elm Street

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## APPROPRIATIONS

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**ARTICLE 7.** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide to meet the salaries and wages of Town Officers and employees, expense and outlays of the Town Departments, and other sundry and miscellaneous, but regular expenditures necessary for the operation of the Town for Fiscal Year 2023;

General Government	\$ 2,659,558.00
Public Safety	3,193,563.00
Education	11,165,192.00
DPW	1,433,578.00
Human Services	499,470.00
Culture & Recreation	439,905.00
Debt Service	1,074,713.00
Benefits	1,982,409.00
<b>Total Budget</b>	<b>\$22,448,388.00</b>

or take any other action in relation thereto.

**ARTICLE 8.** To see if the Town will vote to raise and appropriate the sum of \$125,000.00, or any other sum, to be added to the Stabilization Fund; or take any other action in relation thereto.

**ARTICLE 9.** To see if the Town will vote to transfer from available funds the sum of \$200,000.00, or any other sum, to fund Other Post-Employment Benefits; or take any other action in relation thereto.

**ARTICLE 10.** To see if the Town will vote to transfer or appropriate the sum of \$95,050.00, or any other sum, from the Receipts Reserved Cable Television PEG Access Special Revenue Fund, for the support of PEG access service and programming; or take any other action in relation thereto.

**ARTICLE 11.** To see if the Town will vote to authorize the total expenditures for the following revolving funds pursuant to G.L. c. 44 Section 53E ½ for the fiscal year beginning July 1, 2022 to be expended in accordance with the bylaws heretofore approved;

Fund	Spending Limit
Recreation Revolving Fund	\$50,000.00
Municipal Waterways Improvement and Maintenance Fund	\$55,000.00

or take any other action in relation thereto.

**ARTICLE 12.** To see if the Town will vote to raise and appropriate or transfer from available funds the following sums, or any other sums, to operate the Ambulance Enterprise;

Salaries & Wages	\$ 104,381.00
Expenses	92,360.00
Capital Outlay	12,000.00
Debt Service	0.00
Insurance	5,000.00
Medicare	2,195.00
Indirect Costs	60,382.00
Extraordinary/Unforeseen	12,000.00
Prior Year Deficit	0.00
Total:	\$ 288,318.00

And further that \$288,318.00 be raised as follows:

Departmental Receipts	\$288,318.00
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or take any other action in relation thereto.

**ARTICLE 13.** To see if the Town will vote to transfer from available funds the sum of \$40,000.00 or any other sum, to purchase a cardiac monitor, or take any other action in relation thereto.

**ARTICLE 14.** To see if the town will vote to transfer from available funds the sum of \$552.00 to pay the following outstanding bill from Fiscal Year 2021:

Security Team	\$552.00
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Or take any other action in relation thereto.

**ARTICLE 15.** To see if the Town will vote to transfer from available funds the sum of \$45,000.00 or any other sum, to construct a Police Department Archive/Squad Room, or take any other action in relation thereto.

**ARTICLE 16.** To see if the Town will vote to transfer from available funds the sum of \$22,000.00 or any other sum, to purchase solar powered speed/crosswalk signs, or take any other action in relation thereto.

**ARTICLE 17.** To see if the Town will vote to transfer from available funds the sum of \$100,000.00, or any other sum, to make repairs to the Newbury Elementary School Roof; or act in relation thereto.

**ARTICLE 18.** To see if the Town will vote to transfer from available funds the sum of \$241,000.00, or any other sum, to purchase a dump truck; or act in relation thereto.

**ARTICLE 19.** To see if the Town will vote to transfer from available funds the sum of \$2,500,000.00, or any other sum, to the Town Hall Project Account; or act in relation thereto.

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## Bylaws

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**ARTICLE 20.** To see if the Town of Newbury will vote to approve the Triton Regional School District Committee's vote on March 9, 2022 to establish a Stabilization Fund, pursuant to Section 16G ½ of Chapter 71 of the Massachusetts General Laws, said Stabilization Fund to be invested and to retain its own interest earnings as provided by law and further set up an operational line item to be created to transfer available monies into said Stabilization Fund; or take any other action relative thereto.

**ARTICLE 21.** To see if the Town will vote to amend the Code of the Town of Newbury, Chapter 97, Zoning, Article IV, REGULATIONS OF OVERLAY DISTRICTS, by deleting § 97-4.C. Wireless Communications Services Overlay District and replacing it with a new § 97-4.C. Wireless Communications Facilities, as follows:

A. Wireless Communications Facilities.

1. Purpose:

- a) The purpose of this Zoning Bylaw is to establish regulations for the placement, construction and modification of Wireless Communications Facilities (WCF) through which Wireless Communications Services (WCS) may be provided while preserving and protecting the public health, safety and general welfare. Specifically, these WCF regulations have been created to:
- (1) Protect the general public from hazards associated with WCFs;
  - (2) Minimize visual impacts from WCFs;
  - (3) Protect the scenic, historic, natural and human-made resources of the Town;
  - (4) Protect property values;

- (5) Enable the provision of Personal Wireless Services (PWS) in a manner consistent with federal law;
- (6) Enable the town to enjoy the benefits of an effective wireless communications infrastructure.

2. Tower Use Restrictions.

- a) A Wireless Communications Tower District (WCTD) has been created to enable wireless communications services to operate on tower-mounted facilities. A Wireless Communications Tower (WCT) may be erected by special permit in the following locations:
  - (1) Business/Light Industrial District.
- b) New WCTs are allowed by Special Permit and site plan review and approval from the Planning Board in the WCTD, initially for the deployment of Personal Wireless Service Facilities (PWSF), pursuant to the Town of Newbury Zoning By-Laws and subject to the criteria and to site plan approval as set forth in this Zoning By-Law. Additional WCFs, including without limitation, PWSFs, may be added to lawfully existing WCTs through the Special Permit process and/or the Eligible Facilities Request process, as applicable. Approval of a new WCF is subject to the following determinations by the Planning Board:
  - (1) The benefits to the Town outweigh any adverse effects of the proposed tower and facility in view of the particular characteristics of the site and its surroundings.
  - (2) The communications needs served by the proposed WCT are of substantial benefit to the Town;
  - (3) Traffic flow and safety, including parking and loading are not significantly impacted;
  - (4) The proposed WCT does not significantly impact the adequacy of utilities and other public services;
  - (5) The proposed WCT does not significantly impact neighborhood character and natural environment, including, without limitation, aesthetics, visual blight and noise;
  - (6) The proposed facility is consistent with the requirements of Site Plan Review set forth in §97-9;
  - (7) Potential fiscal impacts, including impacts on Town services, tax base and employment are not detrimental;
  - (8) Potential hazards due to radio frequency energy, operations (such as falling object risks), traffic and other relevant factors, are appropriately addressed.
- c) A WCT may be erected only in the WCTD, subject to the following conditions:
  - (1) To the extent feasible, all PWS providers shall collocate their antennas on a single tower, unless limiting a tower's collocation capacity produces a demonstrably better result, singly and collectively, balancing the visual and other impacts of a single tall tower with the potential impacts of multiple shorter towers or other solutions to address the needs of providing service to an area of Town. Towers shall be designed to structurally accommodate the

maximum technically practicable number of foreseeable users for their approved height;

- (2) New towers shall be considered only upon a finding by the Planning Board that existing or approved towers, or alternatives involving other i) existing structures or ii) placements of WCF antennas in the public way, cannot address the coverage needs with less overall impact;
- (3) Any new WCT shall be of the monopole type only and no lattice or guy-wire towers shall be permitted, unless the Planning Board finds an alternative design, including without limitation, disguised or camouflage design is an appropriate solution for the context of the site and surroundings.
- (4) The highest point of any tower or of any antenna or any component thereof or attachment thereto, with the exception of lightning rods and public safety antennas, shall not exceed whichever is greater: 65 feet above ground or such greater height necessary to provide adequate service based on a finding that the applicant has made a substantial showing of the need for the height and the lack of less impactful alternatives.
- (5) Finished grades shall not be distorted above the preexisting natural grades to achieve additional height.
- (6) A WCT shall not be erected nearer to any property line than a distance equal to the vertical height of the WCT with appurtenances, measured at the mean finished grade of the tower base. Upon finding that a better result is obtained by reducing the setback by up to 50% of the height of the tower facility, the Planning Board may reduce this requirement.
- (7) The area around a tower, including its communication equipment and shelters, shall be completely fenced for security to a height of six feet, and gated; and a sign shall be posted on or adjacent to all entry gates indicating the facility owner and a twenty-four-hour emergency telephone number. The Planning Board may waive this requirement if it finds the site design provides for the necessary security in another way.

3. General Use Restrictions.

- a) WCFs are permitted in all districts subject to the following requirements, provided that new tower-based WCFs are further limited to the WCTD.
- b) To the extent feasible, all utility interconnections to a WCF shall be via underground lines, except where existing overhead lines may be utilized. The Planning Board may waive this requirement upon a finding that the installation of new overhead lines is substantially not visible to adjacent properties.
- c) Existing on-site vegetation shall be preserved to the maximum extent practicable.

- d) The WCF shall minimize, to the extent feasible, adverse visual effects on the environment. The Planning Board may impose reasonable conditions to ensure this result, including concealments and mitigations such as: camouflage, screening, architectural design, height or other visibility limitations, and painting and lighting requirements or limitations.
- e) Traffic associated with the WCF shall not adversely affect abutting ways.
- f) The applicant shall obtain written, legally valid and binding authorization for the use of each facility site/structure from the owner(s) thereof.
- g) Applicants shall demonstrate the proposed use, expanded to its projected maximum capacity, will be compliant with federal requirements regarding the limitation of human exposure to radio frequency energy.
- h) Noise generated by any WCF, including auxiliary generators, shall not exceed 50 dBA at ground level at any non-residential property line and 35 dBA at any residential property line. The Planning Board may waive this restriction on a finding that the applicant demonstrated by professional technical analysis the noise generated by the facility is essentially inaudible to the public, based on the submittal requirements in Section 4. Generators may be excepted from this criterion, provided the Planning Board may require generator noise mitigation to minimize generator noise nuisance.
- i) A WCF may be installed on an existing structure, provided the installation is compatible with the context of its surroundings. Such facilities will employ best practices to design a facility that does not appear visually objectionable, denigrate the historic or scenic fabric of the community, produce visual blight, obscure scenic or safety viewlines, or conflict with the character of its surroundings. The Planning Board may require such facilities to be concealed by architectural features consistent with the location, camouflaged by coloring and/or shape, and/or screened by vegetation or other construction. Camouflage/concealment solutions are preferred not only because they improve visual impacts, but also because they establish performance requirements for future collocators and for modifications under "Eligible Facilities Requests" criteria imposed under federal law. Under the federal Eligible Facilities Request criteria, a new WCF operator might be allowed by right to join a structure or building with an existing approved WCF, unless the existing WCF has been permitted with conditions that give the permit granting authority more control over future WCF collocators.
- j) Heights of existing structures, other than WCTs, may be increased by up to 12 feet for attachment of antennas and related hardware, subject to the visual impact and other criteria in this bylaw. Such heights may exceed the height limit for the zoning district.

4. Submittal requirements.

- a) As part of any application for a special permit for a WCF, applicants shall determine whether the application is also subject to the Town of Newbury Site Plan Review regulations (Ch. 97 Art. IX, §97-9.A) Clause (4) Review Thresholds and include all material required for site plan review applications with the special permit application. When the special permit submission requirements overlap any site plan review submission requirements, a single submission addressing the overlapping requirements is acceptable. Notwithstanding the foregoing, all applications for a new WCT shall be considered Level II – Major Projects for the purposes of site plan review. Applicants that are required to comply with federal National Environmental Policy Act (NEPA) requirements shall submit their NEPA report with their application in support of their site plan review submission requirements. The Planning Board may waive any Site Plan Review submission requirements it deems not relevant to the application.
- b) Applicants for a new or modified WCT shall describe the capacity of any tower, including the number and types of antennas and associated equipment to be mounted on the tower, and the number of projected collocators that it can accommodate, and the basis for the calculation of tower capacity.
- c) The applicant for any WCF or WCT shall describe and show any accessory structures, equipment, utilities and other related development required to build and operate the facility.
- d) Applicants shall submit:
  - (1) The name and address of the applicant and all agents of the applicant and of all legal and beneficial owners of the site or sites proposed for a wireless communication facility, copies of all instruments, options, contracts or encumbrances affecting ownership of the site or sites;
  - (2) A copy of the applicant's FCC license (and/or the licenses of any other WCF operators committed to using the facility, accompanied by evidence of such commitment);
  - (3) Applications for a new WCT shall include a PWS provider as co-applicant or evidence of a binding commitment by a PWS provider to occupy the WCT upon installation;
  - (4) An instrument executed by all persons or entities owning the property (site and structure, if the owners are different) proving that the applicant is authorized by them to make the application and agreeing to comply with provisions of this Zoning Bylaw;
  - (5) A statement signed by the applicant, on oath and under penalties of perjury, that all information included in the submittal is materially accurate, true, complete and verifiable. Inaccurate, misleading or false information shall be grounds for disapproval of the application or revocation of approval;
  - (6) Plans and other information identifying the site proposed, including:

- (a) A map at an appropriate scale (to be determined by the Planning Board), showing lot lines of the subject property and of all properties within 500 feet of the perimeter of the facility and showing the footprint of all buildings on all such properties;
  - (b) Location on a copy of the Town Maps of the zoning district, including any overlay district, applicable to such properties;
  - (c) The heights of all existing buildings and structures on such properties and the height of any proposed new structure on the subject property;
  - (d) If a WCT is proposed: height of existing tree cover on such properties, specifying heights and principal species;
  - (e) Plans and elevation drawings showing the design of the proposed facility, site development requirements, contours, grade changes, utilities, structures and fences, and environmental characteristics (such as wetlands and flood zones).
- (7) Photographs depicting views of the proposed WCF from locations off the parcel. For WCT applications, the applicant shall be required to conduct a balloon/crane test at the location of a proposed tower or antenna to show its height and visibility.

- (a) Such test shall be conducted two weeks prior to the public hearing and shall be advertised at the applicant's expense in a newspaper of general circulation in Newbury at least one week prior to the test.
- (b) Written notice of the test shall also be given to the owners of property within 300 feet of the proposed property.
- (c) A photosimulation report from a balloon/crane test, including report methodology, existing and simulated view photos, and map of photo locations. Photosimulation photographs shall be made with a focal length equivalent to a reference 35 mm film "full-frame" camera equipped with 50-55 mm focal length lens.
- (d) To improve efficiency, the Planning Board may delegate the oversight of a balloon test to staff, including determining whether a balloon test should occur prior to application or be left to the Planning Board's discretion in the hearing.
- (e) A complete description, including, but not limited to, data, drawings, catalogs, brochures, manufacturers' specifications, photographs and all other pertinent information relevant to the proposal describing antennas, equipment mounts and all other equipment and structures proposed for the site or related to the proposal; plus all of the information required by By-law.
- (f) Data as to noise, certified by an acoustical engineer, demonstrating compliance with the noise requirement in Section (3) above. Alternatively, the applicant may request a waiver of strict compliance with the noise requirement by providing a report from an acoustical engineer using quietest-hour 90<sup>th</sup> percentile background noise measurements of existing ambient noise and projections of the noise contribution of the proposed WCF to demonstrate the WCF noise will not be a nuisance to the community. The Planning Board may waive these submission requirements upon a finding that the general noise information submitted with the application is sufficient, which, for example, might apply to a proposed WCF with no noise-generating components or with indoor installation of equipment.
- (g) If the applicant intends to assert that non-approval of the requested special permit would constitute an effective prohibition of Personal Wireless Services under the Telecommunications Act of 1996, the applicant shall include substantial evidence demonstrating:
  - i) that there is a significant gap in service (coverage, for example),
  - ii) there are no better alternatives available, and

iii) if applicable, how a non-approval would materially inhibit the applicant's ability to provide Personal Wireless Services.

5. Review and action by the Planning Board. The Planning Board shall review and act upon an application for a special permit (and, when applicable, site plan review and approval) for a WCF in accordance with applicable provisions of MGL c. 40A, §§ 9 and 11; and in accordance with this Zoning By-Law; and:
  - a) Shall make such investigation as it deems appropriate to determine whether the application meets the requirements of § 97-4.C.(2) through § 97-4.C.(4);
  - b) May engage a radio frequency engineer, an acoustic engineer and such other professional consultants as it deems necessary to assist and advise it in its investigation and determination, whose services will be paid for by the applicant;
  - c) Shall require of each applicant and each holder of a special permit and site plan approval hereunder reasonable deposit for and reimbursement of all fees for the employment of appropriate consultants, which deposit shall be requested and held only for a specific inquiry by the Town in accordance with G.L. c. 44 sec. 53G;
  - d) Notice to parties in interest shall be given in accordance with the requirements under MGL Ch. 40A;
  - e) Shall render a written decision based on substantial evidence in the record within any statutory time limits established under state and federal law, including applicable tolling or extensions thereof.
6. Small Wireless Facilities Outside Rights-of-Way.

- a) The purpose and intent of this bylaw section is to permit regulation of the installation of Small Wireless Facilities outside of rights-of-way so as to respect the neighborhood characteristics in which they are proposed, consistent with the purposes set forth in § 97-4.C.(1) and with federal and state law.
  - b) All installations of Small Wireless Facilities outside of rights-of-way require a Special Permit. The Special Permit Granting Authority for Small Wireless Facilities outside rights-of-way is the Planning Board.
  - c) The Planning Board shall adopt and from time to time amend policies, rules, and regulations relative to the issuance of special permits under this Section §97-4.C.6. A copy of the policies, rules, and regulations shall be on file with the Town Clerk. Such rules shall prescribe the form, contents, style, and number for application forms, the fees collectible with the applications, the process by which the application will be reviewed, the design and location criteria for approval, the time within which the Planning Board will issue a decision, and requirements for recertification.
7. Monitoring and inspections.
- a) If a wireless communications facility is determined to be in violation of any of the provisions of the special permit and/or site plan approval or any other applicable law or regulation, the Planning Board shall cause to be served on the operator of the facility and the owner of the land on or from which the violation is caused notice of such violation.
  - b) The Building Commissioner and/or the Planning Board may, upon reasonable concern regarding compliance with specific performance requirements, require the permittee(s) to respond with proof of compliance and may engage the services of independent expert consultants to assess compliance or review the permittee's response. Permittees must respond in a timely way (within 24 hours for an indicated life-threatening emergency, otherwise 14 days for routine requests for response). Failure to respond in good faith or to pay reasonable fees for independent consultants may result in revocation of the special permit by the Planning Board or the occupancy/use permit by the Building Commissioner, as applicable.
8. Compliance and violations.
- a) Every WCF for which a special permit is granted hereunder shall continue at all times to comply with the provisions thereof and of this Zoning By-Law; and the holder of such special permit shall comply with requirements of the Planning Board in fulfillment of the provisions for monitoring herein.
  - b) Every WCF and every application for a special permit for such facility shall comply with all other applicable provisions of this Zoning By-Law, including, without limitation, requirements with respect to:
    - (1) The permit application;
    - (2) Special permits;
    - (3) Signs and exterior lighting;
    - (4) Site plan approval for WCFs and for any other WCF that satisfies the criteria for site plan review and approval.

9. Modifications and Eligible Facilities Requests.
- a) Any modifications to an already approved WCF not defined as an Eligible Facilities Request defined herein, shall be made through the special permit/site plan review and approval process described above. Such modifications involving new permittees at existing permitted sites shall require an application for a new special permit. Such modifications of existing permitted facilities may be reviewed as an application for a special permit modification, if applicable. The foregoing apply also to Eligible Facilities Requests, to the extent as outlined in (b) below and to the extent allowed by law.
  - b) Request for Modification of Eligible Facilities.
    - (1) Submission Requirements. Applications for an Eligible Facilities Request shall be filed with the Building Commissioner. Applications shall contain information in sufficient detail, including without limitation site plans and drawings of existing and proposed conditions, to demonstrate the proposed modifications satisfy the following requirements:
      - (a) The currently operating WCF is constructed and maintained in compliance with its existing permit(s), including but not limited to its dimensions and appearance as permitted;
      - (b) Such information as is necessary to demonstrate that the modifications are within the limits established for Eligible Facilities Requests under federal law and such information as is necessary to demonstrate compliance with the existing permit to the extent it is not superseded by federal law, and applicable safety regulations including without limitation, building codes, noise and radio frequency energy exposure;
      - (c) To render a determination on whether an application is an Eligible Facilities request, the Building Commissioner may require the applicant to provide documentation or information only to the extent reasonably related to determining whether the request meets the requirements of an Eligible Facilities Request. The Building Commissioner may not require an applicant that is asserting in writing that the application is an Eligible Facilities Request to submit any other documentation, including but not limited to documentation intended to illustrate the need for such wireless facilities or to justify the business decision to modify such wireless facilities.
  - c) Review process.
    - (1) The Building Commissioner shall conduct an initial review of the application to determine: 1) whether the application is a bona fide Eligible Facilities Request, and 2) whether the application is complete. The Building Commissioner shall notify the applicant within thirty (30) days of receipt of the application if the application is deemed incomplete and/or whether the application is not an Eligible Facilities Request or requires the determination of the

Planning Board as to its eligibility. Such notice shall delineate all missing documents or information.

- (2) If the Building Commissioner determines that the facts of the application require the judgment of the Planning Board to determine whether an application is an Eligible Facilities Request (such as for interpreting whether a proposal qualitatively defeats the intent of a previously approved camouflage design), the Building Commissioner shall timely refer the application to the Planning Board for an opinion on whether the application qualifies as an Eligible Facilities Request. The Planning Board, or staff, if so delegated by the Planning Board, shall respond in a timely manner, being cognizant of the federal shot clock for Eligible Facilities Requests.
- (3) If the application is determined to be an Eligible Facilities Request, and otherwise complies with applicable safety regulations, the Building Commissioner may not deny and shall approve the application, with such conditions as may be necessary to maintain safety code compliance.
- (4) If the application is determined not to be an Eligible Facilities Request, the Building Commissioner shall provide the applicant with an explanation in writing.
- (5) If an applicant that is aggrieved by the Building Commissioner failing to make a determination in favor of a claimed Eligible Facilities Request timely files an appeal with the Zoning Board of Appeals, the Zoning Board of Appeals shall conduct its appeal review. The Zoning Board of Appeals may consult with the Planning Board or staff, if so delegated by the Planning Board, who shall respond in a timely manner, being cognizant of the federal shot clock for Eligible Facilities Requests but shall not be required to do so.
- (6) Approval. Within sixty (60) days of the filing of a bona fide Eligible Facilities Request, plus any time that may be excluded pursuant to a tolling for incompleteness or by agreement between the applicant and the Building Commissioner, the Building Commissioner shall complete the statutory review under building, electrical and other relevant safety codes. If the bona fide Eligible Facilities Request application is deemed compliant under statutory review, the Building Commissioner must approve the application.
- (7) As of the date of adoption of this bylaw, federal regulations specified requirements for state/local government review of Eligible Facilities Requests. Those requirements in 47 CFR 1.6100(c) Review of applications, are included for reference, below. Section 1.16100(b) Definitions, is omitted here, as the Definitions herein are based on Section 1.16100(b). Section 1.6100(c) is reproduced below as guidance only, because the regulations can change and case-law can affect their interpretation:

*47 CFR 1.6100(c) Review of applications. A State or local government may not deny and shall approve any eligible facilities request for modification of an eligible support structure that does not substantially change the physical dimensions of such structure.*

- (1) Documentation requirement for review. When an applicant asserts in writing that a request for modification is covered by this section, a State or local government may require the applicant to provide documentation or information only to the extent reasonably related to determining whether the request meets the requirements of this section. A State or local government may not require an applicant to submit any other documentation, including but not limited to documentation intended to illustrate the need for such wireless facilities or to justify the business decision to modify such wireless facilities.*
- (2) Timeframe for review. Within 60 days of the date on which an applicant submits a request seeking approval under this section, the State or local government shall approve the application unless it determines that the application is not covered by this section.*
- (3) Tolling of the timeframe for review. The 60-day period begins to run when the application is filed, and may be tolled only by mutual agreement or in cases where the reviewing State or local government determines that the application is incomplete. The timeframe for review is not tolled by a moratorium on the review of applications.
  - (i) To toll the timeframe for incompleteness, the reviewing State or local government must provide written notice to the applicant within 30 days of receipt of the application, clearly and specifically delineating all missing documents or information. Such delineated information is limited to documents or information meeting the standard under paragraph (c)(1) of this section.*
  - (ii) The timeframe for review begins running again when the applicant makes a supplemental submission in response to the State or local government's notice of incompleteness.*
  - (iii) Following a supplemental submission, the State or local government will have 10 days to notify the applicant that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this paragraph (c)(3). Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.**

- (4) *Failure to act. In the event the reviewing State or local government fails to approve or deny a request seeking approval under this section within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the applicable reviewing authority in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.*
- (5) *Remedies. Applicants and reviewing authorities may bring claims related to Section 6409(a) to any court of competent jurisdiction.*

47 CFR 1.6100(c).

10. Removal.

- a) If a WCT is not substantially in commercial operation for a period of one year, it shall be removed, and the site shall be returned to its preexisting condition by the owner of the facility and/or by the owner of the property within 180 days of notice by the Town. As part of an application for any wireless communications tower, a plan shall be submitted detailing how the site will be returned to its preexisting condition, including planting of replacement trees, grading and removal of all structures and waste and any other work that may be required by the Planning Board.

11. Exemption.

- a) The following type of wireless communications facilities and towers are exempt from this Zoning Bylaw:
  - (1) Amateur radio towers and antennas used in accordance with the terms of any amateur radio service license issued by the FCC, provided that the tower is not used or licensed for any commercial purpose.
  - (2) Wireless communications facilities constructed by the Town of Newbury for municipal public safety and operational communications purposes.

12. Definitions:

- a) Base station. A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined herein or any equipment associated with a tower.
  - (1) The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
  - (2) The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).

- (3) The term includes any structure other than a tower that, at the time the relevant application is filed, supports or houses equipment described in paragraphs (1) through (2) above that has been reviewed and approved under the applicable zoning or other regulatory process, even if the structure was not built for the sole or primary purpose of providing such support.
    - (4) The term does not include any structure that, at the time the application is filed, does not support or house equipment described in paragraphs (i) through (ii) above.  
(Based on 47 CFR 1.6100)
- b) Eligible Facilities Request. Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:
  - (1) Collocation of new transmission equipment on an eligible support structure;
  - (2) Removal of transmission equipment; or
  - (3) Replacement of transmission equipment.  
(Based on 47 CFR 1.6100)
- c) Eligible support structure. Any tower or base station, provided that it is lawfully existing at the time the application is filed with the Town.  
(Based on 47 CFR 1.6100)
- d) Substantial change. A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:
  - (1) For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;
    - (a) Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.
  - (2) For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

- (3) For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
- (4) It entails any excavation or deployment outside the current site;
- (5) It would defeat the concealment elements of the eligible support structure; or
- (6) It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in 01) through 04) above.  
(Based on 47 CFR 1.6100)

- e) Tower or Wireless Communications Tower (WCT). Any structure built for the sole or primary purpose of supporting any FCC-licensed or -authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.  
(Based on 47 CFR 1.6100)
- f) Wireless Communications Facility (WCF). An installation of equipment belonging to one party that includes antennas, transmitters and/or receivers, other ancillary equipment, structural supports, enclosures, and utilities, that uses the radio frequency spectrum to communicate on one or more frequency bands.
- g) Personal Wireless Service (PWS). Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services (47 USC 332(C)).
- h) Personal Wireless Service Facility (PWSF). A WCF for the provision of Personal Wireless Services;
- i) Small wireless facilities are facilities that meet each of the following conditions:
  - (1) The facilities:

- (a) Are mounted on structures 50 feet or less in height including their antennas (as defined by the FCC: an apparatus designed for the purpose of emitting radiofrequency (RF) radiation, to be operated or operating from a fixed location); or
  - (b) Are mounted on structures no more than 10 percent taller than other adjacent structures; or
  - (c) Do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater;
- (2) Each antenna associated with the deployment, excluding associated antenna equipment (equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with an antenna, located at the same fixed location as the antenna), is no more than three cubic feet in volume;
  - (3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;
  - (4) The facilities do not require antenna structure registration under FCC regulations; and
  - (5) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards.
- (Definition derived from 47 CFR §1.6002)

or take any other action in relation thereto.

**ARTICLE 22.** To see if the Town will vote to amend the Code of the Town of Newbury, Chapter 88, Streets, Sidewalks and Commons, by adopting a new Section 88-15, Small Wireless Facilities in rights-of-way, as follows:

§ 88-15 Small Wireless Facilities in rights-of-way.

- A. Small Wireless Facilities in Rights-of-Way: No person shall install or maintain a Small Wireless Facility in any public or private right-of-way unless first approved by the Select Board.
- B. Policies and Procedures: The Select Board shall adopt and from time to time amend policies, rules, and regulations relative to the issuance of special permits under this § 88-15. A copy of the policies, rules, and regulations shall be on file with the Town Clerk. Such rules shall prescribe the form, contents, style, and number for application forms, the fees collectible with the applications, the process by which the application will be reviewed, the design and location criteria for approval, the time within which the Board of Selectmen will issue a decision, and requirements for recertification.

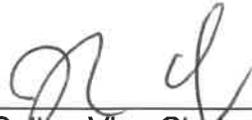
or take any other action in relation thereto.

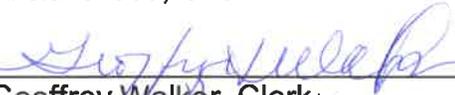
AND YOU ARE HEREBY DIRECTED TO SERVE THIS WARRANT BY POSTING AN ATTESTED COPY THEREOF IN EACH VOTING DISTRICT, FOURTEEN DAYS AT LEAST BEFORE THE TIME OF HOLDING SAID MEETING.

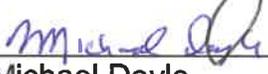
HEREOF, FAIL NOT, AND MAKE DUE RETURN OF THE WARRANT WITH YOUR DOINGS THEREON TO THE TOWN CLERK AT THE TIME AND PLACE AFORESAID.

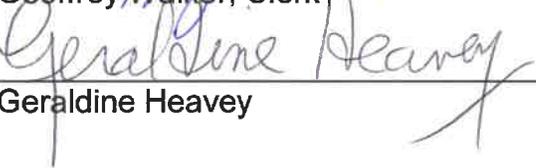
GIVEN UNDER OUR HANDS THIS 22<sup>nd</sup> DAY OF MARCH, 2022.

  
\_\_\_\_\_  
Alicia Greco, Chair

  
\_\_\_\_\_  
JR Colby, Vice Chair

  
\_\_\_\_\_  
Geoffrey Walker, Clerk

  
\_\_\_\_\_  
Michael Doyle

  
\_\_\_\_\_  
Geraldine Heavey

SELECT BOARD, TOWN OF NEWBURY

A TRUE COPY ATTEST

PURSUANT TO THE ABOVE WARRANT TO ME DIRECTED, I HEREBY NOTIFY AND WARN THE INHABITANTS OF THE TOWN OF NEWBURY, QUALIFIED TO VOTE IN TOWN AFFAIRS, TO MEET AT THE TIME AND PLACE MENTIONED FOR THE PURPOSE HEREIN NAMED.

DATE:  
3-24-22

CONSTABLE: 

PURSUANT TO THE ABOVE WARRANT TO ME DIRECTED, I HAVE NOTIFIED AND WARNED THE INHABITANTS OF THE TOWN OF NEWBURY, QUALIFIED TO VOTE IN TOWN AFFAIRS, TO MEET AT THE TIME AND PLACE MENTIONED FOR THE PURPOSE HEREIN NAMED.

DATE:  
3-24-27

CONSTABLE: 

**TOWN OF NEWBURY  
ANNUAL TOWN MEETING  
APRIL 26, 2022  
NEWBURY ELEMENTARY SCHOOL  
63 HANOVER STREET, NEWBURY, MA 01951**

Moderator Richard Bazirgan called the meeting to order at 7:00 PM. He thanked those present for attending and being a part of town government. The Moderator reminded everyone to be respectful and courteous to others while speaking regardless of matters of opinion.

The Moderator declared that the quorum of 40 voters was met.

Jessica Mancini from Turning Technologies presented information and instruction on use of the response clickers. Everyone had the opportunity to vote on test questions to ensure that the clickers were working.

The Pledge of Allegiance was led by Select Board Chair, Alicia Greco.

The Moderator recognized and thanked Select Board member Michael Doyle for his many years of service to the Town of Newbury.

Members of the Select Board were introduced: Chair, Alicia Greco; Vice Chair, JR Colby; Clerk, Geoffrey Walker; Michael Doyle; and Geraldine Heavey (not in attendance)

The Finance Committee was introduced: Chair, Erica Jacobsen; Vice Chair, Marshall Jespersen; Linda Allen, Joseph Ali; Gene Case (not in attendance); Thomas Howard and Frank Visconti.

The Moderator also introduced non-resident town employees: Lisa Mead, Town Counsel; Tracy Blais, Town Administrator; Eileen Deveau, Town Accountant; John Lucey, Police Chief; Ethan Cohen, PEG Productions Specialist; Matthew Cooper, IT Director; Cindy Currier, Council on Aging Director; Brian Forget, Superintendent Triton; Maureen Lynch, Whittier Superintendent; and David Maxson, Isotrope LLC.

A motion was made and seconded to allow the non-resident employees to speak during the meeting.

Vote Total: 105 in favor, 22 opposed. Motion passed.

Other guests included: Deputy Police Chief Patty Fisher; Jessica Mancini, Turning Technologies Event Specialist; Representative Lenny Mirra; Lillian Craig, Assistant Town Accountant; Chris Czernik, Annie Jacobsen, Kathleen Moore, Julia Blanchet, Lynne Peabody, and Virginia Leigh.

**GENERAL GOVERNMENT MATTERS**

**ARTICLE 1.** To meet in our respective voting districts on Tuesday, May 10, 2022, the polls will open at 7:00 AM and close at 8:00 PM, to vote on the following offices:

Pct. 1 – Firefighter’s Memorial Hall, 3 Morgan Ave.

Pct. 2 – Newbury Town Library – 0 Lunt St.

<u>Position</u>	<u>Term</u>
Select Board	Three Years
Assessor	Three Years
Board of Health	Three Years
Constable	Four Years
Fish Commissioner	Three Years
Library Trustee	Three Years
Planning Board	Five Years
Triton Regional School Committee- Newbury	Three Years
Triton Regional School Committee - Rowley	Three Years
Triton Regional School Committee - Salisbury	Three Years
Trustee First Settlers Burial Ground	Three Years

**ARTICLE 2.** To receive the reports of the Select Board, School Committee, Regular and Special Committees, and all other Town Officers, or take any other action in relation thereto.

Alicia Greco, Select Board Chair, welcomed all and spoke about the 2.1 million ARPA funds the Town of Newbury received and how a portion had been used to purchase capital expenditures such as a Police vehicle, Fire Department vehicle and a vehicle for the Fish Commissioner. She talked about what the Select Board goals and responsibilities are; developing budgets and long term capital projects.

Erica Jacobson, Finance Chair, spoke on the Finance Committee responsibilities.

Robin Lawson of 9 Lenway Road and Heidi Fram of 21 Forest Street, co-chairs of Newbury Town Day, outlined the purpose of the June 18<sup>th</sup> event as well as what will be offered. Both spoke on the treasures of our town and the variety of activities and the locations where each will be taking place. They encouraged all to attend.

MOTION: Chairman Greco – I move that the Town vote to accept the reports of the Town Officer, Boards, and Committees as printed in the 2021 Town Report without ratification or authorization of any action.

Motion moved and seconded. Vote total: 114 in favor, 12 opposed. Motion passed.

**ARTICLE 3.** To see if the Town will fix the salaries and compensation of certain elective officers of the Town as follows:

Town Moderator		\$ 500.00
Select Board	Each Member	\$ 7,500.00
Board of Assessors	Chair	\$ 3,500.00
Board of Assessors	Each Member	\$ 2,500.00
Town Clerk		\$65,394.00
Tree Warden		\$ 5,000.00
Fish Commissioner	Each Member	\$ 1,300.00
Planning Board	Chair	\$ 1,500.00
Planning Board	Each Member	\$ 1,000.00
Board of Health	Chair	\$ 1,500.00
Board of Health	Each Member	\$ 1,000.00

MOTION: Vice Chair JR Colby – I move that the Town vote to fix the salaries and compensation of the elective officers as listed in Article 3.

Motion moved and seconded. Vote total: 152 in favor, 28 opposed. Motion passed.

### CITIZEN'S PETITIONS

**ARTICLE 4.** To see if the Town will vote to transfer or appropriate the sum of \$20,000, or any other sum, from the Free Cash Fund, to fund the purchase and installation of a Public Safety Gate at the Georgetown/Larkin Road Bridge; or take any other action in relation thereto.

Submitted by: Justin Londergan, 38 Larkin Road

Justin Londergan, 38 Larkin Road, spoke to the crowd on the history of the Larking Road Bridge closing and his public safety concerns. Robert Ross, 48 Central Street, also expressed his concerns and support of the installation of a public safety gate.

Lisa Mead, Town Counsel: Both Georgetown and Newbury will have to agree on the installation of the gate as well as the discontinuance of Larkin Road.

Motion: Justin Londergan, petition sponsor.

Motion moved and seconded. Vote total: 118 in favor, 58 opposed. Motion passed.

**ARTICLE 5.** To see if the Town will vote to limit the FY 2023 Total Operating Budget to a maximum increase of 2.0% from the FY 2022 Total Operating Budget.

Submitted by: Jim Moran, 104 Elm Street

Motion: Jim Moran, petition sponsor.

Motion moved and seconded. Vote total: 42 in favor, 112 opposed. Motion failed.

**ARTICLE 6.** To see if the Town will vote to transfer the sum of \$1,000,000 from Free Cash to the FY 2023 Total Operating Budget.

Submitted By: Jim Moran, 104 Elm Street

Motion: Jim Moran, petition sponsor.

Motion moved and seconded. Vote total: 36 in favor, 115 opposed. Motion failed.

### APPROPRIATIONS

**ARTICLE 7.** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide to meet the salaries and wages of Town Officers and employees, expense and outlays of the Town Departments, and other sundry and miscellaneous, but regular expenditures necessary for the operation of the Town for Fiscal Year 2023;

General Government	\$ 2,659,558.00
Public Safety	3,193,563.00
Education	11,165,192.00
DPW	1,433,578.00
Human Services	499,470.00
Culture & Recreation	439,905.00
Debt Service	1,074,713.00
Benefits	1,982,409.00
<b>Total Budget</b>	<b>\$22,448,388.00</b>

Or take any other action in relation thereto.

Motion: Selectman Geoffrey Walker – I move that the Town vote to raise and appropriate the sum of \$22,005,683.00 and to transfer \$442,705.00 from the Special Assessment Fund to fund the operation of the Town in Fiscal Year 2023 as set forth in Article 7.

Motion moved and seconded. Vote total: 117 in favor, 33 opposed. Motion passed.

**ARTICLE 8.** To see if the Town will vote to raise and appropriate the sum of \$125,000.00, or any other sum, to be added to the Stabilization Fund; or take any other action in relation thereto.

MOTION: Selectman Mike Doyle – I move that the Town vote to raise and appropriate the sum of \$125,000.00 to be added to the Stabilization Fund.

Motion moved and seconded. Vote total: 117 in favor, 32 opposed. Motion passed.

**ARTICLE 9.** To see if the Town will vote to transfer from available funds the sum of \$200,000.00, or any other sum, to fund Other Post-Employment Benefits; or take any other action in relation thereto.

MOTION: Chair Alicia Greco -I move that the Town vote to transfer the sum of \$200,000.00 from Free Cash to be added to the Other Post-Employment Benefits Trust Account.

Motion moved and seconded. Vote total: 108 in favor, 38 opposed. Motion passed.

**ARTICLE 10.** To see if the Town will vote to transfer or appropriate the sum of \$95,050.00, or any other sum, from the Receipts Reserved Cable Television PEG Access Special Revenue Fund, for the support of PEG access service and programming; or take any other action in relation thereto.

MOTION: Chair Alicia Greco - I move that the Town vote appropriate the sum of \$95,050.00 from the Receipts Reserved Cable Television PEG Access Special Revenue Fund to support PEG access service and programming.

Motion moved and seconded. Vote total: 125 in favor, 23 opposed. Motion passed.

**ARTICLE 11.** To see if the Town will vote to authorize the total expenditures for the following revolving funds pursuant to G.L. c. 44 Section 53E ½ for the fiscal year beginning July 1, 2022 to be expended in accordance with the bylaws heretofore approved;

Fund	Spending Limit
Recreation Revolving Fund	\$50,000.00
Municipal Waterways Improvement and Maintenance Fund	\$55,000.00

Or take any other action in relation thereto.

MOTION: Vice Chair JR Colby - I move that the Town vote to authorize the total expenditures for the following revolving funds for the Fiscal Year beginning July 1, 2022 to be expended in accordance with Chapter 35 of the Code of the Town of Newbury:

Recreation Revolving Fund	\$50,000.00
Municipal Waterway Improvement and Maintenance Fund	\$55,000.00

Motion moved and seconded. Vote total: 132 in favor, 13 opposed. Motion passed.

**ARTICLE 12.** To see if the Town will vote to raise and appropriate or transfer from available funds the following sums, or any other sums, to operate the Ambulance Enterprise;

Salaries & Wages	\$ 104,381.00
Expenses	92,360.00
Capital Outlay	12,000.00
Debt Service	0.00
Insurance	5,000.00
Medicare	2,195.00
Indirect Costs	60,382.00
Extraordinary/Unforeseen	12,000.00
Prior Year Deficit	0.00
Total:	\$ 288,318.00

And further that \$288,318.00 be raised as follows:

Departmental Receipts	\$288,318.00
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Or take any other action in relation thereto.

MOTION: Selectman Geoffrey Walker - I move that the Town vote to appropriate the following sums of money to operate the Ambulance Enterprise Fund:

Salaries & Wages	104,381.00
Expenses	92,360.00
Capital Outlay	12,000.00
Debt Service	0.00
Insurance	5,000.00
Medicare	2,195.00

Indirect Costs	60,382.00
Extraordinary/Unforeseen	12,000.00
Prior Year Deficit	0.00
Total:	\$ 288,318.00

And further that \$288,318.00 be raised as follows:  
 Departmental Receipts \$288,318.00

Motion moved and seconded. Vote total: 132 in favor, 12 opposed. Motion passed.

**ARTICLE 13.** To see if the Town will vote to transfer from available funds the sum of \$40,000.00 or any other sum, to purchase a cardiac monitor, or take any other action in relation thereto.

MOTION: Selectman Mike Doyle - I move that the Town vote to appropriate the sum of \$40,000.00 from the Ambulance Enterprise Free Cash to purchase a cardiac monitor.

Motion moved and seconded. Total vote: 132 in favor, 13 opposed. Motion passed.

**ARTICLE 14.** To see if the town will vote to transfer from available funds the sum of \$552.00 to pay the following outstanding bill from Fiscal Year 2021:

Security Team	\$552.00
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Or take any other action in relation thereto.

MOTION: Vice Chair JR Colby - I move that the Town transfer from Free Cash the sum of \$552.00 to pay the following outstanding bill from Fiscal Year 2021: 4/5 Vote required.

Security Team \$552.00

Motion moved and seconded. Total vote: 127 in favor, 16 opposed. Motion passed by greater than 4/5.

**ARTICLE 15.** To see if the Town will vote to transfer from available funds the sum of \$45,000.00 or any other sum, to construct a Police Department Archive/Squad Room, or take any other action in relation thereto.

MOTION: Chair Alicia Greco - I move that the Town transfer the sum of \$20,000.00 from the Stabilization Fund to construct a Police Department Archive/Squad Room. 2/3 Vote Required.

Chief Lucey described the use for the proposed area as secure archival storage and a quiet, functional space to follow up on cases, write reports and for layovers during long shifts.

Motion was moved and seconded. Total vote: 107 in favor, 40 opposed. Motion passed by greater than 2/3.

**ARTICLE 16.** To see if the Town will vote to transfer from available funds the sum of \$22,000.00 or any other sum, to purchase solar powered speed/crosswalk signs, or take any other action in relation thereto.

MOTION: Vice Chair JR Colby - I move that the Town transfer the sum of \$22,000.00 from the Stabilization Fund to purchase solar powered speed/crosswalk signs. 2/3 Vote Required.

Chief John Lucey explained that the solar powered radar boards can collect data to help steer enforcement efforts and are portable.

Motion was moved and seconded. Vote total: 125 in favor, 22 opposed. Motion passed by greater than 2/3.

**ARTICLE 17.** To see if the Town will vote to transfer from available funds the sum of \$100,000.00, or any other sum, to make repairs to the Newbury Elementary School Roof; or act in relation thereto.

MOTION: Selectman Geoffrey Walker - I move that the Town transfer the sum of \$100,000.00 from the Stabilization Fund to make repairs to the Newbury Elementary School Roof. 2/3 Vote Required.

Motion was moved and seconded. Vote total: 136 in favor, 9 opposed. Motion passed by greater than 2/3.

**ARTICLE 18.** To see if the Town will vote to transfer from available funds the sum of \$241,000.00, or any other sum, to purchase a dump truck; or act in relation thereto.

MOTION: Selectman Geoffrey Walker - I move that the Town transfer the sum of \$241,000.00 from the Stabilization Fund to purchase a dump truck. 2/3 Vote Required.

Motion moved and seconded. Vote total: 110 in favor, 30 opposed. Motion passed by greater than 2/3.

**ARTICLE 19.** To see if the Town will vote to transfer from available funds the sum of \$2,500,000.00, or any other sum, to the Town Hall Project Account; or act in relation thereto.

MOTION: Chair Alicia Greco - I move that the Town transfer the sum of \$2,500,000.00 from Free Cash to the Town Hall Project Account.

A brief discussion ensued. Jack Rybicki of Larkin Road commented on how a similar transfer was voted down last year due to lack of a plan and there is still no plan presented to date. He would like to see the money stay in free cash to give taxpayers more options.

Ginny Noyes of Noyes Lane commented that we need to get town offices back where they belong.

Motion was moved and seconded. Vote total: 72 in favor, 69 opposed. Motion passed

### **Bylaws**

**ARTICLE 20.** To see if the Town of Newbury will vote to approve the Triton Regional School District Committee's vote on March 9, 2022 to establish a Stabilization Fund, pursuant to Section 16G ½ of Chapter 71 of the Massachusetts General Laws, said Stabilization Fund to be invested and to retain its own interest earnings as provided by law and further set up an operational line item to be created to transfer available monies into said Stabilization Fund; or take any other action relative thereto.

MOTION: Vice Chair JR Colby - I move that the Town vote to approve the Triton Regional School District Committee's vote on March 9, 2022 to establish a Stabilization Fund, pursuant to Section 16G ½ of Chapter 71 of the Massachusetts General Laws, said Stabilization Fund to be invested and to retain its own interest earnings as provided by law and further set up an operational line item to be created to transfer available monies into said Stabilization Fund.

Motion was moved and seconded. Vote total: 89 in favor, 21 opposed. Motion passed.

**ARTICLE 21.** To see if the Town will vote to amend the Code of the Town of Newbury, Chapter 97, Zoning, Article IV, REGULATIONS OF OVERLAY DISTRICTS, by deleting § 97-4.C. Wireless Communications Services Overlay District and replacing it with a new § 97-4.C. Wireless Communications Facilities, as follows:

A. Wireless Communications Facilities.

1. Purpose:

- a) The purpose of this Zoning Bylaw is to establish regulations for the placement, construction and modification of Wireless Communications Facilities (WCF) through which Wireless Communications Services (WCS) may be provided while preserving and protecting the public health, safety and general welfare. Specifically, these WCF regulations have been created to:
- (1) Protect the general public from hazards associated with WCFs;
  - (2) Minimize visual impacts from WCFs;
  - (3) Protect the scenic, historic, natural and human-made resources of the Town;
  - (4) Protect property values;
  - (5) Enable the provision of Personal Wireless Services (PWS) in a manner consistent with federal law;
  - (6) Enable the town to enjoy the benefits of an effective wireless communications infrastructure.

2. Tower Use Restrictions.

- a) A Wireless Communications Tower District (WCTD) has been created to enable wireless communications services to operate on tower-mounted facilities. A Wireless Communications Tower (WCT) may be erected by special permit in the following locations:
- (1) Business/Light Industrial District.
- b) New WCTs are allowed by Special Permit and site plan review and approval from the Planning Board in the WCTD, initially for the deployment of Personal Wireless Service Facilities (PWSF), pursuant to the Town of Newbury Zoning By-Laws and subject to the criteria and to site plan approval as set forth in this Zoning By-Law. Additional WCFs, including without limitation, PWSFs, may be added to lawfully existing WCTs through the Special Permit process and/or the Eligible Facilities Request process, as applicable. Approval of a new WCF is subject to the following determinations by the Planning Board:
- (1) The benefits to the Town outweigh any adverse effects of the proposed tower and facility in view of the particular characteristics of the site and its surroundings.
  - (2) The communications needs served by the proposed WCT are of substantial benefit to the Town;
  - (3) Traffic flow and safety, including parking and loading are not significantly impacted;
  - (4) The proposed WCT does not significantly impact the adequacy of utilities and other public services;
  - (5) The proposed WCT does not significantly impact neighborhood character and natural environment, including, without limitation, aesthetics, visual blight and noise;
  - (6) The proposed facility is consistent with the requirements of Site Plan Review set forth in §97-9;
  - (7) Potential fiscal impacts, including impacts on Town services, tax base and employment are not detrimental;
  - (8) Potential hazards due to radio frequency energy, operations (such as falling object risks), traffic and other relevant factors, are appropriately addressed.

- c) A WCT may be erected only in the WCTD, subject to the following conditions:
- (1) To the extent feasible, all PWS providers shall collocate their antennas on a single tower, unless limiting a tower's collocation capacity produces a demonstrably better result, singly and collectively, balancing the visual and other impacts of a single tall tower with the potential impacts of multiple shorter towers or other solutions to address the needs of providing service to an area of Town. Towers shall be designed to structurally accommodate the maximum technically practicable number of foreseeable users for their approved height;
  - (2) New towers shall be considered only upon a finding by the Planning Board that existing or approved towers, or alternatives involving other i) existing structures or ii) placements of WCF antennas in the public way, cannot address the coverage needs with less overall impact;
  - (3) Any new WCT shall be of the monopole type only and no lattice or guy-wire towers shall be permitted, unless the Planning Board finds an alternative design, including without limitation, disguised or camouflage design is an appropriate solution for the context of the site and surroundings.
  - (4) The highest point of any tower or of any antenna or any component thereof or attachment thereto, with the exception of lightning rods and public safety antennas, shall not exceed whichever is greater: 65 feet above ground or such greater height necessary to provide adequate service based on a finding that the applicant has made a substantial showing of the need for the height and the lack of less impactful alternatives.
  - (5) Finished grades shall not be distorted above the preexisting natural grades to achieve additional height.
  - (6) A WCT shall not be erected nearer to any property line than a distance equal to the vertical height of the WCT with appurtenances, measured at the mean finished grade of the tower base. Upon finding that a better result is obtained by reducing the setback by up to 50% of the height of the tower facility, the Planning Board may reduce this requirement.
  - (7) The area around a tower, including its communication equipment and shelters, shall be completely fenced for security to a height of six feet, and gated; and a sign shall be posted on or adjacent to all entry gates indicating the facility owner and a twenty-four-hour emergency telephone number. The Planning Board may waive this requirement if it finds the site design provides for the necessary security in another way.

3. General Use Restrictions.

- a) WCFs are permitted in all districts subject to the following requirements, provided that new tower-based WCFs are further limited to the WCTD.
- b) To the extent feasible, all utility interconnections to a WCF shall be via underground lines, except where existing overhead lines may be utilized. The Planning Board may waive this requirement upon a finding that the installation of new overhead lines is substantially not visible to adjacent properties.
- c) Existing on-site vegetation shall be preserved to the maximum extent practicable.
- d) The WCF shall minimize, to the extent feasible, adverse visual effects on the environment. The Planning Board may impose reasonable conditions to ensure this result, including concealments and mitigations such as: camouflage, screening, architectural design, height or other visibility limitations, and painting and lighting requirements or limitations.
- e) Traffic associated with the WCF shall not adversely affect abutting ways.
- f) The applicant shall obtain written, legally valid and binding authorization for the use of each facility site/structure from the owner(s) thereof.
- g) Applicants shall demonstrate the proposed use, expanded to its projected maximum capacity, will be compliant with federal requirements regarding the limitation of human exposure to radio frequency energy.
- h) Noise generated by any WCF, including auxiliary generators, shall not exceed 50 dBA at ground level at any non-residential property line and 35 dBA at any residential property line. The Planning Board may waive this restriction on a finding that the applicant demonstrated by professional technical analysis the noise generated by the facility is essentially inaudible to the public, based on the submittal requirements in Section 4. Generators may be excepted from this criterion, provided the Planning Board may require generator noise mitigation to minimize generator noise nuisance.

- i) A WCF may be installed on an existing structure, provided the installation is compatible with the context of its surroundings. Such facilities will employ best practices to design a facility that does not appear visually objectionable, denigrate the historic or scenic fabric of the community, produce visual blight, obscure scenic or safety viewlines, or conflict with the character of its surroundings. The Planning Board may require such facilities to be concealed by architectural features consistent with the location, camouflaged by coloring and/or shape, and/or screened by vegetation or other construction. Camouflage/concealment solutions are preferred not only because they improve visual impacts, but also because they establish performance requirements for future collocators and for modifications under “Eligible Facilities Requests” criteria imposed under federal law. Under the federal Eligible Facilities Request criteria, a new WCF operator might be allowed by right to join a structure or building with an existing approved WCF, unless the existing WCF has been permitted with conditions that give the permit granting authority more control over future WCF collocators.
  - j) Heights of existing structures, other than WCTs, may be increased by up to 12 feet for attachment of antennas and related hardware, subject to the visual impact and other criteria in this bylaw. Such heights may exceed the height limit for the zoning district.
4. Submittal requirements.
- a) As part of any application for a special permit for a WCF, applicants shall determine whether the application is also subject to the Town of Newbury Site Plan Review regulations (Ch. 97 Art. IX, §97-9.A) Clause (4) Review Thresholds and include all material required for site plan review applications with the special permit application. When the special permit submission requirements overlap any site plan review submission requirements, a single submission addressing the overlapping requirements is acceptable. Notwithstanding the foregoing, all applications for a new WCT shall be considered Level II – Major Projects for the purposes of site plan review. Applicants that are required to comply with federal National Environmental Policy Act (NEPA) requirements shall submit their NEPA report with their application in support of their site plan review submission requirements. The Planning Board may waive any Site Plan Review submission requirements it deems not relevant to the application.
  - b) Applicants for a new or modified WCT shall describe the capacity of any tower, including the number and types of antennas and associated equipment to be mounted on the tower, and the number of projected collocators that it can accommodate, and the basis for the calculation of tower capacity.
  - c) The applicant for any WCF or WCT shall describe and show any accessory structures, equipment, utilities and other related development required to build and operate the facility.
  - d) Applicants shall submit:
    - (1) The name and address of the applicant and all agents of the applicant and of all legal and beneficial owners of the site or sites proposed for a wireless communication facility, copies of all instruments, options, contracts or encumbrances affecting ownership of the site or sites;
    - (2) A copy of the applicant's FCC license (and/or the licenses of any other WCF operators committed to using the facility, accompanied by evidence of such commitment);
    - (3) Applications for a new WCT shall include a PWS provider as co-applicant or evidence of a binding commitment by a PWS provider to occupy the WCT upon installation;
    - (4) An instrument executed by all persons or entities owning the property (site and structure, if the owners are different) proving that the applicant is authorized by them to make the application and agreeing to comply with provisions of this Zoning Bylaw;
    - (5) A statement signed by the applicant, on oath and under penalties of perjury, that all information included in the submittal is materially accurate, true, complete and verifiable. Inaccurate, misleading or false information shall be grounds for disapproval of the application or revocation of approval;
    - (6) Plans and other information identifying the site proposed, including:
      - (a) A map at an appropriate scale (to be determined by the Planning Board), showing lot lines of the subject property and of all properties within 500 feet of the perimeter of the facility and showing the footprint of all buildings on all such properties;
      - (b) Location on a copy of the Town Maps of the zoning district, including any overlay district, applicable to such properties;
      - (c) The heights of all existing buildings and structures on such properties and the height of any proposed new structure on the subject property;
      - (d) If a WCT is proposed: height of existing tree cover on such properties, specifying heights and principal species;
      - (e) Plans and elevation drawings showing the design of the proposed facility, site development requirements, contours, grade changes, utilities, structures and fences, and environmental characteristics (such as wetlands and flood zones).
    - (7) Photographs depicting views of the proposed WCF from locations off the parcel. For WCT applications, the applicant shall be required to conduct a balloon/crane test at the location of a proposed tower or antenna to show its height and visibility.

- (a) Such test shall be conducted two weeks prior to the public hearing and shall be advertised at the applicant's expense in a newspaper of general circulation in Newbury at least one week prior to the test.
  - (b) Written notice of the test shall also be given to the owners of property within 300 feet of the proposed property.
  - (c) A photosimulation report from a balloon/crane test, including report methodology, existing and simulated view photos, and map of photo locations. Photosimulations photographs shall be made with a focal length equivalent to a reference 35 mm film "full-frame" camera equipped with 50-55 mm focal length lens.
  - (d) To improve efficiency, the Planning Board may delegate the oversight of a balloon test to staff, including determining whether a balloon test should occur prior to application or be left to the Planning Board's discretion in the hearing.
  - (e) A complete description, including, but not limited to, data, drawings, catalogs, brochures, manufacturers' specifications, photographs and all other pertinent information relevant to the proposal describing antennas, equipment mounts and all other equipment and structures proposed for the site or related to the proposal; plus all of the information required by By-law.
  - (f) Data as to noise, certified by an acoustical engineer, demonstrating compliance with the noise requirement in Section (3) above. Alternatively, the applicant may request a waiver of strict compliance with the noise requirement by providing a report from an acoustical engineer using quietest-hour 90<sup>th</sup> percentile background noise measurements of existing ambient noise and projections of the noise contribution of the proposed WCF to demonstrate the WCF noise will not be a nuisance to the community. The Planning Board may waive these submission requirements upon a finding that the general noise information submitted with the application is sufficient, which, for example, might apply to a proposed WCF with no noise-generating components or with indoor installation of equipment.
  - (g) If the applicant intends to assert that non-approval of the requested special permit would constitute an effective prohibition of Personal Wireless Services under the Telecommunications Act of 1996, the applicant shall include substantial evidence demonstrating:
    - i) that there is a significant gap in service (coverage, for example),
    - ii) there are no better alternatives available, and
    - iii) if applicable, how a non-approval would materially inhibit the applicant's ability to provide Personal Wireless Services.
5. Review and action by the Planning Board. The Planning Board shall review and act upon an application for a special permit (and, when applicable, site plan review and approval) for a WCF in accordance with applicable provisions of MGL c. 40A, §§ 9 and 11; and in accordance with this Zoning By-Law; and:
- a) Shall make such investigation as it deems appropriate to determine whether the application meets the requirements of § 97-4.C.(2) through § 97-4.C.(4);
  - b) May engage a radio frequency engineer, an acoustic engineer and such other professional consultants as it deems necessary to assist and advise it in its investigation and determination, whose services will be paid for by the applicant;
  - c) Shall require of each applicant and each holder of a special permit and site plan approval hereunder reasonable deposit for and reimbursement of all fees for the employment of appropriate consultants, which deposit shall be requested and held only for a specific inquiry by the Town in accordance with G.L. c. 44 sec. 53G;
  - d) Notice to parties in interest shall be given in accordance with the requirements under MGL Ch. 40A;
  - e) Shall render a written decision based on substantial evidence in the record within any statutory time limits established under state and federal law, including applicable tolling or extensions thereof.
6. Small Wireless Facilities Outside Rights-of-Way.

- a) The purpose and intent of this bylaw section is to permit regulation of the installation of Small Wireless Facilities outside of rights-of-way so as to respect the neighborhood characteristics in which they are proposed, consistent with the purposes set forth in § 97-4.C.(1) and with federal and state law.
  - b) All installations of Small Wireless Facilities outside of rights-of-way require a Special Permit. The Special Permit Granting Authority for Small Wireless Facilities outside rights-of-way is the Planning Board.
  - c) The Planning Board shall adopt and from time to time amend policies, rules, and regulations relative to the issuance of special permits under this Section §97-4.C.6. A copy of the policies, rules, and regulations shall be on file with the Town Clerk. Such rules shall prescribe the form, contents, style, and number for application forms, the fees collectible with the applications, the process by which the application will be reviewed, the design and location criteria for approval, the time within which the Planning Board will issue a decision, and requirements for recertification.
7. Monitoring and inspections.
- a) If a wireless communications facility is determined to be in violation of any of the provisions of the special permit and/or site plan approval or any other applicable law or regulation, the Planning Board shall cause to be served on the operator of the facility and the owner of the land on or from which the violation is caused notice of such violation.
  - b) The Building Commissioner and/or the Planning Board may, upon reasonable concern regarding compliance with specific performance requirements, require the permittee(s) to respond with proof of compliance and may engage the services of independent expert consultants to assess compliance or review the permittee's response. Permittees must respond in a timely way (within 24 hours for an indicated life-threatening emergency, otherwise 14 days for routine requests for response). Failure to respond in good faith or to pay reasonable fees for independent consultants may result in revocation of the special permit by the Planning Board or the occupancy/use permit by the Building Commissioner, as applicable.
8. Compliance and violations.
- a) Every WCF for which a special permit is granted hereunder shall continue at all times to comply with the provisions thereof and of this Zoning By-Law; and the holder of such special permit shall comply with requirements of the Planning Board in fulfillment of the provisions for monitoring herein.
  - b) Every WCF and every application for a special permit for such facility shall comply with all other applicable provisions of this Zoning By-Law, including, without limitation, requirements with respect to:
    - (1) The permit application;
    - (2) Special permits;
    - (3) Signs and exterior lighting;
    - (4) Site plan approval for WCFs and for any other WCF that satisfies the criteria for site plan review and approval.
9. Modifications and Eligible Facilities Requests.
- a) Any modifications to an already approved WCF not defined as an Eligible Facilities Request defined herein, shall be made through the special permit/site plan review and approval process described above. Such modifications involving new permittees at existing permitted sites shall require an application for a new special permit. Such modifications of existing permitted facilities may be reviewed as an application for a special permit modification, if applicable. The foregoing apply also to Eligible Facilities Requests, to the extent as outlined in (b) below and to the extent allowed by law.
  - b) Request for Modification of Eligible Facilities.
    - (1) Submission Requirements. Applications for an Eligible Facilities Request shall be filed with the Building Commissioner. Applications shall contain information in sufficient detail, including without limitation site plans and drawings of existing and proposed conditions, to demonstrate the proposed modifications satisfy the following requirements:

- (a) The currently operating WCF is constructed and maintained in compliance with its existing permit(s), including but not limited to its dimensions and appearance as permitted;
  - (b) Such information as is necessary to demonstrate that the modifications are within the limits established for Eligible Facilities Requests under federal law and such information as is necessary to demonstrate compliance with the existing permit to the extent it is not superseded by federal law, and applicable safety regulations including without limitation, building codes, noise and radio frequency energy exposure;
  - (c) To render a determination on whether an application is an Eligible Facilities request, the Building Commissioner may require the applicant to provide documentation or information only to the extent reasonably related to determining whether the request meets the requirements of an Eligible Facilities Request. The Building Commissioner may not require an applicant that is asserting in writing that the application is an Eligible Facilities Request to submit any other documentation, including but not limited to documentation intended to illustrate the need for such wireless facilities or to justify the business decision to modify such wireless facilities.
- c) Review process.
- (1) The Building Commissioner shall conduct an initial review of the application to determine: 1) whether the application is a bona fide Eligible Facilities Request, and 2) whether the application is complete. The Building Commissioner shall notify the applicant within thirty (30) days of receipt of the application if the application is deemed incomplete and/or whether the application is not an Eligible Facilities Request or requires the determination of the Planning Board as to its eligibility. Such notice shall delineate all missing documents or information.
  - (2) If the Building Commissioner determines that the facts of the application require the judgment of the Planning Board to determine whether an application is an Eligible Facilities Request (such as for interpreting whether a proposal qualitatively defeats the intent of a previously approved camouflage design), the Building Commissioner shall timely refer the application to the Planning Board for an opinion on whether the application qualifies as an Eligible Facilities Request. The Planning Board, or staff, if so delegated by the Planning Board, shall respond in a timely manner, being cognizant of the federal shot clock for Eligible Facilities Requests.
  - (3) If the application is determined to be an Eligible Facilities Request, and otherwise complies with applicable safety regulations, the Building Commissioner may not deny and shall approve the application, with such conditions as may be necessary to maintain safety code compliance.
  - (4) If the application is determined not to be an Eligible Facilities Request, the Building Commissioner shall provide the applicant with an explanation in writing.
  - (5) If an applicant that is aggrieved by the Building Commissioner failing to make a determination in favor of a claimed Eligible Facilities Request timely files an appeal with the Zoning Board of Appeals, the Zoning Board of Appeals shall conduct its appeal review. The Zoning Board of Appeals may consult with the Planning Board or staff, if so delegated by the Planning Board, who shall respond in a timely manner, being cognizant of the federal shot clock for Eligible Facilities Requests but shall not be required to do so.
  - (6) Approval. Within sixty (60) days of the filing of a bona fide Eligible Facilities Request, plus any time that may be excluded pursuant to a tolling for incompleteness or by agreement between the applicant and the Building Commissioner, the Building Commissioner shall complete the statutory review under building, electrical and other relevant safety codes. If the bona fide Eligible Facilities Request application is deemed compliant under statutory review, the Building Commissioner must approve the application.
  - (7) As of the date of adoption of this bylaw, federal regulations specified requirements for state/local government review of Eligible Facilities Requests. Those requirements in 47 CFR 1.6100(c) Review of applications, are included for reference, below. Section 1.6100(b) Definitions, is omitted here, as the Definitions herein are based on Section 1.6100(b). Section 1.6100(c) is reproduced below as guidance only, because the regulations can change and case-law can affect their interpretation:  
*47 CFR 1.6100(c) Review of applications. A State or local government may not deny and shall approve any eligible facilities request for modification of an eligible support structure that does not substantially change the physical dimensions of such structure.*
    - (1) *Documentation requirement for review. When an applicant asserts in writing that a request for modification is covered by this section, a State or local government may require the applicant to provide documentation or information only to the extent reasonably related to determining whether the request meets the requirements of this section. A State or local government may not require an applicant to submit any other documentation, including but not limited to documentation intended to*

*illustrate the need for such wireless facilities or to justify the business decision to modify such wireless facilities.*

- (2) *Timeframe for review. Within 60 days of the date on which an applicant submits a request seeking approval under this section, the State or local government shall approve the application unless it determines that the application is not covered by this section.*
- (3) *Tolling of the timeframe for review. The 60-day period begins to run when the application is filed, and may be tolled only by mutual agreement or in cases where the reviewing State or local government determines that the application is incomplete. The timeframe for review is not tolled by a moratorium on the review of applications.*
  - (i) *To toll the timeframe for incompleteness, the reviewing State or local government must provide written notice to the applicant within 30 days of receipt of the application, clearly and specifically delineating all missing documents or information. Such delineated information is limited to documents or information meeting the standard under paragraph (c)(1) of this section.*
  - (ii) *The timeframe for review begins running again when the applicant makes a supplemental submission in response to the State or local government's notice of incompleteness.*
  - (iii) *Following a supplemental submission, the State or local government will have 10 days to notify the applicant that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this paragraph (c)(3). Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.*
- (4) *Failure to act. In the event the reviewing State or local government fails to approve or deny a request seeking approval under this section within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the applicable reviewing authority in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.*
- (5) *Remedies. Applicants and reviewing authorities may bring claims related to Section 6409(a) to any court of competent jurisdiction.*

*47 CFR 1.6100(c).*

10. Removal.
  - a) If a WCT is not substantially in commercial operation for a period of one year, it shall be removed, and the site shall be returned to its preexisting condition by the owner of the facility and/or by the owner of the property within 180 days of notice by the Town. As part of an application for any wireless communications tower, a plan shall be submitted detailing how the site will be returned to its preexisting condition, including planting of replacement trees, grading and removal of all structures and waste and any other work that may be required by the Planning Board.
11. Exemption.
  - a) The following type of wireless communications facilities and towers are exempt from this Zoning Bylaw:
    - (1) Amateur radio towers and antennas used in accordance with the terms of any amateur radio service license issued by the FCC, provided that the tower is not used or licensed for any commercial purpose.
    - (2) Wireless communications facilities constructed by the Town of Newbury for municipal public safety and operational communications purposes.
12. Definitions:
  - a) Base station. A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined herein or any equipment associated with a tower.
    - (1) The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
    - (2) The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).
    - (3) The term includes any structure other than a tower that, at the time the relevant application is filed, supports or houses equipment described in paragraphs (1) through (2) above that has been reviewed and approved under the applicable

zoning or other regulatory process, even if the structure was not built for the sole or primary purpose of providing such support.

- (4) The term does not include any structure that, at the time the application is filed, does not support or house equipment described in paragraphs (i) through (ii) above.

(Based on 47 CFR 1.6100)

- b) Eligible Facilities Request. Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:
  - (1) Collocation of new transmission equipment on an eligible support structure;
  - (2) Removal of transmission equipment; or
  - (3) Replacement of transmission equipment.(Based on 47 CFR 1.6100)
- c) Eligible support structure. Any tower or base station, provided that it is lawfully existing at the time the application is filed with the Town.  
(Based on 47 CFR 1.6100)
- d) Substantial change. A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:
  - (1) For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;
    - (a) Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.
  - (2) For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
  - (3) For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
  - (4) It entails any excavation or deployment outside the current site;
  - (5) It would defeat the concealment elements of the eligible support structure; or
  - (6) It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in 01) through 04) above.  
(Based on 47 CFR 1.6100)
- e) Tower or Wireless Communications Tower (WCT). Any structure built for the sole or primary purpose of supporting any FCC-licensed or -authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.  
(Based on 47 CFR 1.6100)
- f) Wireless Communications Facility (WCF). An installation of equipment belonging to one party that includes antennas, transmitters and/or receivers, other ancillary equipment, structural supports, enclosures, and utilities, that uses the radio frequency spectrum to communicate on one or more frequency bands.
- g) Personal Wireless Service (PWS). Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services (47 USC 332(C)).
- h) Personal Wireless Service Facility (PWSF). A WCF for the provision of Personal Wireless Services;
- i) Small wireless facilities are facilities that meet each of the following conditions:
  - (1) The facilities:

- (a) Are mounted on structures 50 feet or less in height including their antennas (as defined by the FCC: an apparatus designed for the purpose of emitting radiofrequency (RF) radiation, to be operated or operating from a fixed location); or
  - (b) Are mounted on structures no more than 10 percent taller than other adjacent structures; or
  - (c) Do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater;
- (2) Each antenna associated with the deployment, excluding associated antenna equipment (equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with an antenna, located at the same fixed location as the antenna), is no more than three cubic feet in volume;
  - (3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;
  - (4) The facilities do not require antenna structure registration under FCC regulations; and
  - (5) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards.
- (Definition derived from 47 CFR §1.6002)

or take any other action in relation thereto.

MOTION: Selectman Geoffrey Walker - I move that the Town vote to amend the Code of the Town of Newbury, Chapter 97, Zoning, Article IV, REGULATIONS OF OVERLAY DISTRICTS, by deleting § 97-4.C., Wireless Communications Services Overlay District and replacing it with a new § 97-4.C. Wireless Communications Facilities, as printed in the Finance Committee Appropriations Booklet. 2/3 Vote required.

Planning Board vice-chair, Larry Murphy, presented an overview of the Wireless communications Bylaw and opened it up to any questions. Steve Mangion, 14<sup>th</sup> Street, voiced concern with potential Plum Island Business District impact.

Motion was moved and seconded. Vote total: 86 in favor, 16 opposed. Motion passed.

**ARTICLE 22.** To see if the Town will vote to amend the Code of the Town of Newbury, Chapter 88, Streets, Sidewalks and Commons, by adopting a new Section 88-15, Small Wireless Facilities in rights-of-way, as follows: § 88-15 Small Wireless Facilities in rights-of-way.

- A. Small Wireless Facilities in Rights-of-Way: No person shall install or maintain a Small Wireless Facility in any public or private right-of-way unless first approved by the Select Board.
- B. Policies and Procedures: The Select Board shall adopt and from time to time amend policies, rules, and regulations relative to the issuance of special permits under this § 88-15. A copy of the policies, rules, and regulations shall be on file with the Town Clerk. Such rules shall prescribe the form, contents, style, and number for application forms, the fees collectible with the applications, the process by which the application will be reviewed, the design and location criteria for approval, the time within which the Board of Selectmen will issue a decision, and requirements for recertification.

Or take any other action in relation thereto.

MOTION: Selectman Michael Doyle - I move that the Town vote to amend the Code of the Town of Newbury, Chapter 88, Streets, Sidewalks and Commons, by adopting a new Section 88-15, Small Wireless Facilities in rights-of-way, as written in the Finance Committee Appropriations Booklet.

Motion was moved and seconded. Vote total: 86 in favor, 18 opposed. Motion passed.

Motion to adjourn was made by Moderator. The motion was seconded and the meeting was adjourned at 8:47 PM.

A total of 180 voters attended the meeting.

Respectfully submitted,

Leslie Haley, Town Clerk

**Town of Newbury  
Special Town Meeting  
July 14, 2022  
Newbury Elementary School  
63 Hanover Street, Newbury, MA 01951**

Moderator Richard Bazirgan called the meeting to order at 7:10 PM. He thanked those present for attending and being a part of town government.

William Dimaio read the call and return of service. Select board Chair Alicia Greco led the Pledge of Allegiance.

The Moderator introduced the Select Board and Finance Committee and asked permission from the Voters to allow non-residents Lisa Mead, Town Counsel; Tracy Blais, Town Administrator; Chief Lucey, PD; James Sarette, DPW Director; and Matthew Cooper, IT Director to speak during the meeting. The request was so voted.

Matthew Cooper, IT Director initiated a test vote using the response clickers and explained how they work.

After outlining the rules of the meeting and stating that courtesy was expected, the Moderator introduced the sponsor of the Citizen's Petition, Justin Londergen.

CITIZENS PETITION

**ARTICLE 1.** To see if the Town will vote to alter the existing way known as Larkin Road at its point of connection, or within five hundred yards of its point of connection, with the adjoining municipality of Georgetown which excludes motor vehicle traffic from the way by the installation and operation of a safety gate and, if so voted, compel the Town of Newbury, in accordance with the provision of M.G.L.

c. 82, Section 1 to (a) give written notice of such alteration of such public way to the chief executive officer of the municipality of Georgetown, and (b) hold a public hearing and provide public notice of said public hearing by publication for each of the two weeks preceding such hearing in a newspaper of general circulation in the municipality of Georgetown, and (c) to seek the written consent of the chief executive officer of the municipality of Georgetown to such alteration of such public way. If within ninety days of the date of such hearing there is no consent by the chief executive officer of the Municipality of Georgetown, to further compel the Town of Newbury to make a written request to the administrator for highways in the Massachusetts Department of Transportation to approve of the said alteration.

Submitted by: Justin Londergan, 38 Larkin Road and others

**MOTION:** Justin Londergan – I move that the Town vote to alter the existing way known as Larkin Road at its point of connection, or within five hundred yards of its point of connection, with the adjoining municipality of Georgetown which excludes motor vehicle traffic from the way by the installation and operation of a safety gate and, if so voted, compel the Town of Newbury, in accordance with the provision of M.G.L. c. 82, Section 1 to (a) give written notice of such alteration of such public way to the chief executive officer of the municipality of Georgetown, and (b) hold a public hearing and provide public notice of said public hearing by publication for each of the two weeks preceding such hearing in a newspaper of general circulation in the municipality of Georgetown, and (c) to seek the written consent of the chief executive officer of the municipality of Georgetown to such alteration of such public way. If within ninety days of the date of such hearing there is no consent by the chief executive officer of the Municipality of Georgetown, to further compel the Town of Newbury to make a written request to the administrator for highways in the Massachusetts Department of Transportation to approve of the said alteration.

**Motion seconded.**

Mr. Londergen's ensuing presentation gave a brief history of Larkin Road and the detrimental impact opening the road to through traffic could potentially cause to the resident's on Larkin Road.

Erica Jacobsen, Finance Committee Chair outlined the procedure that the Town would have to follow before the Larkin Road project could move forward. She commented that she is not in favor of or against the project, she is there to speak on the facts and explain that the project must be done within the confines of Federal and State laws.

Ms. Jacobsen then introduced Lisa Mead, Town Counsel who clarified the differences of alteration vs. discontinuance and what that would mean to Larkin Road and the Town.

The Moderator invited Chief Lucey, PD and Chief Janvrin, FD to speak on behalf of public safety. They both opposed hindered access on Larkin Rd. with concerns regarding response times in the event of an emergency.

**Robert Ross of 48 Central Street proposed an amendment to the motion to add "except emergency vehicles". Motion seconded.**

**Vote: 143 in favor of the amendment - 49 opposed**

The Moderator opened the floor up to public comment. Several voters on both sides of the amended motion made comments in a respectful and courteous manor and asked questions which were answered by Town Counsel, Lisa Mead.

**The Moderator called for a vote on the Motion as amended.**

**Vote: 102 in favor - 109 opposed. The Motion failed.**

**A Motion was made, seconded and to adjourn at 8:25 PM**

There were 213 voters present at the meeting.

Respectfully submitted,



## Office of the Treasurer Collector

The Office of the Treasurer/Collector is responsible for the receipt, disbursement, reporting and investment of all funds of the Town of Newbury. Such receipts include real estate, personal property, motor vehicle and boat excise taxes. In addition, receipts include all other revenues received as aid or reimbursement from other governmental agencies and individuals paying fees for licenses, permits and services rendered by the Town.

The Office of the Treasurer/Collector is committed to providing polite, courteous and prompt service to the public while conducting its duties in strict accordance with all federal, state and local laws, rules and regulations. All employees are expected to perform their responsibilities with the highest level of integrity, the utmost professionalism and in a spirit of cooperation and transparency.

### FY 22 Collection Results

The Office of the Treasurer/Collector has issued bills and collected payments as follows for FY 2022:

<b>Tax Type</b>	<b>Issued</b>	<b>Collected/Abated in FY 22</b>	<b>Balance 06/30/2022</b>	<b>Collection Rate *</b>
<b>Real Estate</b>	<b>\$18,263,925</b>	<b>\$18,188,409</b>	<b>\$75,516</b>	<b>99.59%</b>
<b>Personal Property</b>	<b>\$351,126</b>	<b>\$350,364</b>	<b>\$762</b>	<b>99.78%</b>
<b>Motor Vehicle Excise*</b>	<b>\$1,107,366</b>	<b>\$1,055,361</b>	<b>\$52,005</b>	<b>95.30%</b>
<b>Boat Excise</b>	<b>\$20,481</b>	<b>\$19,424</b>	<b>\$1,057</b>	<b>94.84%</b>

\* Factors such as date of issuance and further collection efforts have resulted in additional receipts since June 30, 2022.

Thank you for allowing us to serve the public with courtesy and integrity.

***Diane M. Doyle, CMMC, CMMT***  
***Treasurer/Collector***



**TOWN OF NEWBURY  
ZONING BOARD OF APPEALS  
12 KENT WAY  
BYFIELD, MA 01922  
PHONE: 978/465-0862 x304  
FAX: 978/572-1228**

**Annual Report of the Zoning Board of Appeals - Fiscal Year 2022**

The Zoning Board of Appeals governs the review and action of special permits, findings, variances, and comprehensive permits pursuant to the provisions of MGL Chapter 40A, Section 12, the Town of Newbury Bylaws, Chapter 97 (Zoning) and MGL Chapter 40B (Comprehensive Permits).

Below is a summary of the activity and fees collected for 13 applications received for the period July 1, 2021, to June 30, 2022.

Special Permit/Finding Applications:	Plum Island: 10 Mainland: 1
Special Permits/Findings Granted:	Plum Island: 9 Mainland: 0
Special Permits/Findings Denied:	Plum Island: 0 Mainland: 1
Special Permits/Findings Appealed:	Plum Island: 1 Mainland: 0
Variance Applications:	Plum Island: 1 Mainland: 1
Variances Granted:	Plum Island: 0 Mainland: 1
Variances Denied:	Plum Island: 1 Mainland: 0
Number of Withdrawals/Denials:	0
Comprehensive Permit Applications:	Plum Island: 0 Mainland: 0
Total Fees Collected:	\$1,625.00 in application fees

Respectfully Submitted:  
Eric Svahn, Chairman  
Mario Carnovale, Member  
Jack Kelly, Member  
Chrissy Beaupre, Administrator

**Triton Regional School District**

**Town of Newbury**

**Newbury, Massachusetts**

**Annual Town Report**



# Triton Regional School District

*Respect, Integrity, and Excellence for All*

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## ***Report to the Town of Newbury***

February 2023

This report outlines progress and development during the 2021 - 2022 school year and the start of the 2022-2023 year. The Triton Regional School District remains committed to our students' success and achievement, focusing on providing learning opportunities for **all** students regardless of ability level, cultural history, identity, background, life experiences, or circumstances. As we emerge from the throes of the COVID pandemic, we have prioritized services for students that address the lingering impact, with an eye toward returning to pre-pandemic levels of expectation and academic rigor to ensure student success both within and outside the classroom.

With the town's support of our annual operating budget, we are still able to have favorable class sizes in the majority of classrooms across the district, including elementary, middle, and high school. This has been identified as this as a top priority by all stakeholders across the district as the greatest post-pandemic challenge we face is the re-engagement of all students in the community and the instructional relationships. I want to thank the Town of Newbury and other member towns for their continued support in the face of the State's failure to maintain its promise of financial support. The budget process has been challenging in past years and is even more problematic as we begin the process for the next school year (FY24 - 2023/2024). Even through difficult times, Triton educators work hard on behalf of our students to provide a relevant and engaging educational experience, celebrating successes along the way, and are appreciative of the support of all our member towns.

Outlined below you will find a few key successes achieved during the course of 2022.

### **Opening of Schools:**

With the 2020/2021 school year having been a mix of Hybrid and Remote learning, the opening of our schools for the 2021/2022 school year was our first return to a fully in-person learning experience since we closed in the spring of 2020. While the 2021/2022 year saw all students and staff in the buildings full-time, it was a year of continued protocols and masking for students and staff, and it was a challenging and disruptive year for everyone.

The start of the 2022/2023 school year in September was the first opening that was fully normal, without any restrictions, masking requirements, or testing programs in place. This transition has gone well, with COVID cases in the schools staying in check during the 22/23 school year, with the lack of restrictions allowing educators to get back to more routine learning schedules and processes. We will continue to deal with the impacts of the pandemic for some time to come, but it is great to be back to a normal educational schedule and structure.

### **Middle & High School Campus Needs Update - Next Steps:**

The Triton Regional Middle and High School campus building was first built and came online in the fall of 1971. A renovation and addition project was completed in the late '90s and opened in 2000, adding the current middle school and making some updates to the remainder of the original building. Many systems and structures from the original building were updated at that time, however, there were some that remained unchanged from the 1971 building construction. While routine maintenance and upgrades have been completed over this period, many systems are nearing the end of their useful life and need significant updates and improvements.

After discussion with town officials from Newbury, Rowley, and Salisbury, the district contracted with Habeeb & Associates Architects to complete a Comprehensive Facilities Assessment to get a firm sense of the scope of the need. The report detailed over \$61 million in needed repairs, ranging from urgent to longer term. You can review the report at <https://bit.ly/TritonMSHSFacilityAssessment>.

The School Committee and Administration met with Town Officials on multiple occasions in 2021 to determine how best to address the needed repairs and upgrades. The decision was collectively made that a partnership with the Massachusetts School Building Authority (MSBA) where they would pay upwards of 50% of the costs of a larger scale project would be the best path forward due to the extensive needs outlined in the report. All three town Select Boards voted to support this approach, and the District submitted the project to the MSBA during the 2022 calendar year. The district also created a funding plan to address the next steps in the study process with the MSBA using existing resources. Unfortunately, we received news that we were not accepted into the program this year, but we were encouraged to reapply for the 2023 process, which is being completed at this time. It is common that a project is not accepted in the first application, so we remain optimistic that we will be welcomed in 2023 and take the next steps in improving the Middle/High School campus.

### **POW/MIA Chair of Honor Install/Dedication:**

The School Committee approved the installation of a POW/MIA Chair of Honor in the Triton Memorial Stadium at their meeting held on June 8, 2022. This concept was originally envisioned and championed by Donald Jarvis, the Veteran's Officer for the Town of Newbury, and a Veteran himself. This installation was done at no cost to the district, with all funding required coming through outright donations and the sale of challenge coins to commemorate the installation.

The chair was installed on Monday, November 6th, and was dedicated in a ceremony on Thursday, November 10<sup>th</sup> that was attended by all students and staff from the Middle and High Schools, as well as several Veterans from the area. Triton Junior Doug Aylward coordinated the event and did an outstanding job honoring those Veterans who were in attendance, as well as those no longer with us or still missing in action. We were honored to have State Senator Bruce Tarr in attendance who shared moving and challenging words with our student body and staff. I am thankful that I was able to be part of the installation of such a fitting memorial and deeply appreciative of Donald Jarvis' vision for this addition to our stadium.

### **New Website and Logo:**

We launched new district and school websites in September of 2023. From the initial feedback, folks have told us that the new sites are more user friendly and easier to navigate in finding the information they are looking for in 'logical' places. There are common pages linked right up front on the main page or under District Information at the top, and more detailed information is organized by an extensive department listing.

We will continue to expand the use of the features of the site to keep information and content relevant for visitors. If there are comments about the site layout or information that is missing and you would like to see, please email [webmaster@tritonschools.org](mailto:webmaster@tritonschools.org).

We also completed a review of the district logo to bring a unified and standard approach across all schools. There was no change in the Viking mascot, but through an extensive process, we created a new and updated look for the long-standing and iconic Triton figure. The images below have begun making their way into publications, materials, and apparel, but the shift overall will take some time.



### **District Safety Protocols:**

The safety of our students and staff has always been paramount, but it has been discussed widely of late due to recent events. We as a district have extensive emergency plans in place, and they have been updated routinely over the years. From binders with overhead aerial photos of buildings with numbered entries that are accessible to first responders to more extensive binders with protocols for all possible safety scenarios for staff, our protocols, planning, and training have historically been a strength. Before the pandemic, the District committed to further refining our procedures by implementing the ALICE protocol for active shooter situations. After a couple of years of planning and training, we were starting to hold small scale drills in the fall/winter of 2019 and were due to hold a larger district wide drill in the spring of 2020. The closure in March of 2020 put a halt to that, and efforts were suspended over the last two years.

Following that pause, we have been meeting with Police Chiefs from Newbury, Rowley, and Salisbury to refresh our plan and approach, and re-engage in these important safety planning and training efforts. Through those discussions, a new 'approach' was brought to the table for review. The Standard Response

Protocol (SRP) was established by the "i Love You Guys" Foundation, an organization founded by parents who lost a child to a school shooting and chose a name based on the last text they received from their daughter. Further to the SRP, the approach we are rolling out employs the Texas State University's approach to active shooter response titled [ADD: Alert, Deny, Defend](#). Similar to the full SRP outlined above in relation to our overall protocols, the ADD approach for responding to active shooters is very similar to ALICE. However, our full planning team agreed that this approach provides a simplified, more universal, and accessible response to an active shooter situation.

This shift is still in the early stages as we roll it out during the 2022/2023 school year, and the training has extended now to students and families. However, I am pleased to report the continued efforts with our local police and fire departments, and I am so appreciative of their partnership to keep our students and staff safe here in our schools.

### **List of College Acceptances:**

As we know, there are extensive reasons why a student chooses to attend a particular college or university. To that end, I have routinely shared and celebrated the full listing of colleges and universities where our students were accepted, which is a more accurate measure of their accomplishments. The list below includes 158 institutions where members of our graduating class of 2022 were accepted.

1. American International College
2. Arizona State University
3. Assumption University
4. Bennington College
5. Bentley University
6. Bethel University
7. Boston College
8. Boston University
9. Bowling Green State University
10. Bridgewater State University
11. Bryant University
12. Carleton College
13. Castleton University
14. Central Connecticut State University
15. Champlain College
16. College of Charleston
17. Clark University
18. Clarkson University
19. Clemson University
20. Coastal Carolina University
21. Colby-Sawyer College
22. University of Colorado
23. Colorado School of Mines
24. Concordia University Texas
25. Connecticut College
26. University of Connecticut
27. Curry College
28. University of Delaware
29. University of Denver
30. Dickinson College
31. Duquesne University
32. East Carolina University
33. Edinboro University of Pennsylvania
34. Elon University
35. Embry-Riddle Aeronautical University
36. Emmanuel College
37. Endicott College
38. Fairfield University
39. Fayetteville State University
40. Fitchburg State University
41. Florida Atlantic University
42. Florida Gulf Coast University
43. Florida Southwestern State College
44. Florida State University
45. University of Florida
46. Fordham University

47. Fort Lewis College
48. Framingham State University
49. Franklin Pierce University
50. George Washington University
51. Gettysburg College
52. Gordon College
53. Great Bay Community College
54. University of Hartford
55. University of Hartford (Hartt School)
56. High Point University
57. Hiram College
58. Hofstra University
59. Husson University
60. Indiana University-Bloomington
61. Iowa State University
62. Ithaca College
63. Jacksonville University
64. James Madison University
65. Johnson & Wales University
66. Kansas State University
67. Keene State College
68. University of Kentucky
69. Kutztown University of Pennsylvania
70. Lasell University
71. Le Moyne College
72. Long Island University
73. Loyola University Chicago
74. Loyola University Maryland
75. Lynn University
76. University of Maine at Farmington
77. University of Maine
78. Marist College
79. Massachusetts College of Liberal Arts
80. Massachusetts College of Pharmacy and Health Sciences
81. University of Massachusetts - Dartmouth
82. University of Massachusetts - Amherst
83. University of Massachusetts - Amherst (Isenberg School of Management)
84. University of Massachusetts - Boston
85. University of Massachusetts - Lowell
86. Massachusetts Maritime Academy
87. McDaniel College
88. Mercyhurst University
89. Merrimack College
90. University of Miami
91. University of Minnesota
92. The University of Montana
93. New England College
94. University of New England
95. University of New Hampshire
96. University of New Haven
97. University of North Dakota
98. North Shore Community College
99. Northeastern University
100. Northern Essex CC
101. Old Dominion University
102. Otterbein University
103. Pace University - New York City
104. University of the Pacific
105. Palm Beach Atlantic University
106. Pennsylvania State University
107. University of Pittsburgh
108. Plymouth State University
109. University of Portland
110. Providence College
111. Quinnipiac University
112. University of Redlands
113. Rensselaer Polytechnic Institute
114. Rhode Island College
115. University of Rhode Island
116. Rivier University
117. Roanoke College
118. Rochester Institute of Technology
119. Roger Williams University
120. Russell Sage College
121. Sacred Heart University
122. Saint Anselm College
123. Saint Joseph's College of Maine
124. Saint Louis University - Madrid
125. Saint Michael's College
126. Salem State University
127. Salve Regina University
128. University of San Francisco
129. University of Scranton
130. Seton Hall University

131. Siena College
132. Skidmore College
133. University of South Carolina
134. University of South Florida
135. The University of Southern Maine
136. Southern New Hampshire University
137. Springfield College
138. St. John's University
139. State University of New York
140. Stonehill College
141. Suffolk University
142. Syracuse University
143. The University of Tampa
144. The University of Tennessee
145. Ohio State University
146. Thomas College
147. Towson University
148. Union College
149. University of Utah
150. University of Vermont
151. Wentworth Institute of Technology
152. West Virginia University
153. Western New England University
154. Westfield State University
155. Wheaton College
156. Wingate University
157. University of Wisconsin-Madison
158. Worcester Polytechnic Institute

Respectfully Submitted,



Brian L. Forget

**Superintendent of Schools**

[Brian.Forget@tritonschools.org](mailto:Brian.Forget@tritonschools.org) or (978) 465-2397

## **TRITON HIGH SCHOOL PRINCIPAL'S REPORT**

We are incredibly proud of the ways in which the Triton Regional High School students and staff have grown throughout the 2022-2023 school year. We have been excited to return to a more typical schooling environment. Triton High School has been able to once again focus on moving towards a more student-centered teaching approach. We have also focused heavily on increasing students' access to post-secondary opportunities. While doing this, there has also remained a significant emphasis on providing every student with the supports that they need while partnering with families to do so.

Triton High School faculty have worked to increase their proficiency implementing a student-centered instructional approach. We are moving in a direction that requires students to own their learning experience. Our English department has truly embraced this instructional approach with students' work products also being recognized in local and national publications. The World Language department has transitioned to proficiency-based learning for students that will see students actively using the target language in a variety of ways. We also had 5 students graduate receiving the Seal of Biliteracy and will have at least 8 students in the class of 2023 graduate with this distinction. Additionally, our science department has diligently worked on developing an Environmental Science Pathway that will allow students to gain additional expertise in this field and eventually be able to graduate with a specific distinction.

This year we have done substantial work to increase the awareness and understanding of students surrounding post-secondary plans. The Triton High School guidance staff has worked diligently to update the guidance seminar curriculum. Additionally, through our guidance department, we have begun working on developing a MyCap scope and sequence which will identify a personalized post-secondary plan for each child. Triton High School is also excited for our second group of senior interns to begin this spring. 33 seniors will be working in various industries gaining practical work experience.

Triton High School has also begun new dual enrollment partnerships. Dual enrollment is a program that allows current high school students to earn both high school and college credit through the same course offering. We are currently offering a Human Anatomy and Physiology course in conjunction with Southern New Hampshire University during the school day. We are also offering a Criminal Justice course through Northern Essex Community College in the evening. During the coming school year, we will continue to seek out opportunities to increase our dual enrollment programming.

This year we have continued to increase the programming offered at Triton Regional High School. During the 2022-2023 school year, we have added Organizational Management, Metalsmithing II, Contemporary Issues in Literature, and Sports Broadcasting and Journalism. For the 2023-2024 school year, we will be looking to increase our offerings with Sustainability, Environmental Chemistry, AP Psychology, Partners in Theater, World Religions, Excursions in Modern Math, and Media Studies. Our educators continue to collaborate with students to identify unique course offerings that will engage students in the learning process.

Last year Triton High School had 105 students take 189 AP exams. This was spread across 16 courses. 67% of our students scored 3 or higher on their exams. Additionally, we had 31 perfect scores and 7 students who qualified as AP scholars. Triton had one student whose PSAT scores qualified them as National Merit Scholars Commended Students, meaning they scored in the top 3% of students nationally. There were also 10 students who received recognition for their scores winning the National Rural and Small Town Award.

One of our guiding principles at Triton High School is that we need to consistently find ways to increase student agency, specifically student voice and student choice. During the 2022-2023 school year we have established student working groups to help identify and address issues important to Triton High School. One of our student groups has focused their work this year on issues of equity and ability. We are also extremely proud of the student-run dedication ceremony we held for Veteran's Day with the installation of a POW MIA chair in our athletics stadium.

There are many wonderful things happening at Triton High School. This is a school community that truly cares about the students, faculty, and families. We hope that you will join us at one of our school-wide events to see our Viking Pride!

Respectfully Submitted,

*Patrick Kelley*

Patrick Kelley  
Triton High School Principal

## TRITON MIDDLE SCHOOL PRINCIPAL'S REPORT

Whatever back to normal is, I think the 22-23 school year has been it so far! With the pandemic now feeling firmly in the past our teachers and students are back in classrooms and hard at work teaching and learning. Having said that, we still face challenges left over from so much time away from in person education.

Many of our students are struggling with social interactions and their emotional regulation. We have been able to implement new programs to help work with these students. One new program we have is our therapeutic program we call Reach. With the addition of the middle school program we now have his program K through 12. It has allowed us an additional Social Worker to support these students exclusively. We have already seen many of these students make great strides being successful in school, socially and academically.

We have also implemented a new, more middle school friendly schedule this year. This has allowed us to see all our classes everyday, increasing continuity in learning. It also has "flex" time built in daily that allows students to get extra help, work on group projects, and even take elective classes.

Our newly reintroduced World Language classes in 7th grade have been well received and the students are now moving into a half year of French after finishing Spanish.. This will give students the ability to make an informed decision as to what language to pursue in 8th grade and beyond. We have also piloted two additional semester long classes for those not interested in World Language. Current Events in Science and 20th Century are classes taught by our 7th grade Science and Social Studies teachers. Feedback so far has been positive and we are looking to see if we can add similar options to our 8th grade offerings.

As always, any new programs and positive changes would not be possible without the support and hard work of all our parents, guardians, teachers, and students. We also want to give a big thank you to the School committee and member towns for stepping forward with the financial resources that have allowed these improvements to happen. With this continued support, we are committed to offering great opportunities for teaching and learning into next year and beyond!

Regards,



Alan MacRae  
Principal TRMS

**NEWBURY ELEMENTARY  
SCHOOLPRINCIPAL'S REPORT**

To the Citizens of the Town of Newbury:

I am pleased to share this report with you for the 2022-2023 school year.

**Enrollment**

As of January 23, 2023, Newbury Elementary School's total student enrollment was 412 with a total of 23 students attending through school choice.

<b>Grade Level</b>	<b># Of Students</b>
Pre-K	58
K	61
1	57
2	57
3	52
4	50
5	43
6	34

## School Improvement Planning

The NES School Improvement Plan for 2021-2024 focuses on a social-emotional goal and an academic goal.

### NES School Improvement Plan: 2021-2024

<b>Goal I: Social- Emotion al</b>	<b>To provide a learning environment that fosters resilient students who utilize strategies and skills for social and academic success.</b>
<b>Goal II: Academi c</b>	<b>Students will demonstrate 80% typical growth in the areas of mathematics and literacy determined by iReady assessments in grades 2-6.</b>

### Newbury Elementary School Council

The following constitutes the membership of the 2022-2023 School Council:

Principal/Co-Chair: Beth Yando	Parent/Co-Chair: Ginny King
Classroom Teacher: Leah Peicott	Parent: Mike Weliczka
Speech and Language Pathologist: Daryl Kwiatkowski	

The 2022-2023 school year started with each grade level having an assembly to introduce new students and staff. We reviewed C.A.R.E.S. and the school rules. C.A.R.E.S. is an acronym for Cooperation, Assertion, Responsibility, Empathy, and Self-Control. C.A.R.E.S is used to articulate the core skills and traits we attempt to develop in all students. These fundamental skills and traits are reinforced throughout the year. One way we reinforce these skills is through the continuation of Positive Behavior Interventions and Supports (PBIS). PBIS is a proactive, positive behavior support system for schools. It is an evidenced-based intervention system that works to enhance academic and social behavior outcomes for all students.

One new addition to NES this year is a .3 Social Emotional Learning teacher. The teacher teaches two social emotional learning curriculums incorporating grade level and individual classroom lessons. The classroom teachers participate in these lessons to support students and reinforce skills taught. The curriculum PATHS is taught to students in grades K – 5 and EMOZI to grade 6.

To support our social emotional goal on the School Improvement Plan, Zones of Regulation and the Social Thinking Curriculum are incorporated into classrooms to promote social emotional wellbeing. We begin our day at NES with Morning Meetings to build a classroom community. Mindfulness strategies, such as morning breathing, have been taught to the students. We continue to see more students experiencing anxiety who need additional support to help them through the school day. To help support students and families a .5 Social Worker joined NES this year.

This year a new English Language Arts Curriculum called Amplify Core Knowledge Language Arts (CKLA) has been implemented in grades K – 5. This program was developed on the Science of Reading and teaches sequenced fundamental skills with a focus on teaching background knowledge, vocabulary,

and writing. We continue to teach Heggerty (phonemic awareness), Foundations (phonics), and Empowering Writers for writing in Social Studies. The curriculum Math in Focus is used to teach mathematics. This is a K-8 comprehensive program that develops strong algebraic concepts and problem-solving skills. Students take three benchmark assessments in both literacy and mathematics throughout the year: one in fall, one in winter, and one in spring. The data from these assessments is analyzed by teachers and informs our instruction to best meet the needs of our students.

Inspire (K-2) and Stemsopes (3-6) are curriculums used to teach Science. To enhance our instruction in these areas a .3 STEM (Science, Technology, Engineering, and Math) teacher was hired. This position has presented an excitement in students and teachers. It has allowed for the teachers to co-teach and for students to increase their knowledge of math and science. It provides students with opportunities to problem solve and with increased exposure to STEM activities.

We are thankful at NES to have a supportive and wonderful PTA. They support cultural enrichment activities and help purchase additional resources needed in classrooms. They plan fun filled activities throughout the school year that all enjoy.

NES continues to be a community of outstanding teachers and instructional assistants. We value our partnership with parents and strive to provide our students with a high-quality education where they feel they belong and are safe.

Respectfully submitted,

A handwritten signature in cursive script that reads "Beth Yando".

Beth Yando Principal  
Newbury Elementary School

**TOWN OF NEWBURY RESIDENT ENROLLMENTS WITHIN TRITON DISTRICT**

**Elementary Enrollments**

Early Childhood	48
Kindergarten	57
Grade 1	49
Grade 2	49
Grade 3	40
Grade 4	44
Grade 5	36
Grade 6	29
<b>Total</b>	<b>352</b>

**Triton Middle School**

Grade 7	46
Grade 8	34
<b>Total</b>	<b>80</b>

**Triton Regional High School**

Grade 9	42
Grade 10	39
Grade 11	45
Grade 12	55
<b>Total</b>	<b>181</b>

Elementary School Enrollment	352
Triton Regional Middle School Enrollment	80
Triton Regional High School Enrollment	181
<b>Total</b>	<b>613</b>

**Enrollments outside of Triton District**

Out of District SPED	8
Private/ Parochial	104
Virtual	5
Public	33
Vocational	18
Charter	19
Home-Schooled	21
<b>Total</b>	<b>208</b>

*As of 1/03/2023*

**NEWBURY SCHOOL OFFICIALS**

*Superintendent of Schools*

Brian L. Forget  
112 Elm Street  
Byfield, MA 01922  
978.465.2397

[brian.forget@tritonschools.org](mailto:brian.forget@tritonschools.org)

*Director of Curriculum & Instruction*

Anna Bates  
112 Elm Street  
Byfield, MA 01922  
978.465.2397

[anna.bates@tritonschools.org](mailto:anna.bates@tritonschools.org)

*Director of Finance and Operations*

Kyle Warne  
112 Elm Street  
Byfield, MA 01922  
978.465.2397

[kyle.warne@tritonschools.org](mailto:kyle.warne@tritonschools.org)

*Director of Student Services*

Shannon Nolan  
112 Elm Street  
Byfield, MA 01922  
978.465.2397

[shannon.nolan@tritonschools.org](mailto:shannon.nolan@tritonschools.org)

*Newbury Elementary School Principal*

Beth Yando  
63 Hanover Street  
Newbury, MA 01951  
978.465.5353

[beth.yando@tritonschools.org](mailto:beth.yando@tritonschools.org)

*Newbury Elementary School Assistant Principal*

Michael Astuccio  
63 Hanover Street  
Newbury, MA 01951  
978.465.5353

[michael.astuccio@tritonschools.org](mailto:michael.astuccio@tritonschools.org)

*Triton Regional Middle School Principal*

Alan MacRae  
112 Elm Street  
Byfield, MA 01922  
978.463.5845

[alan.macrae@tritonschools.org](mailto:alan.macrae@tritonschools.org)

*Triton Regional High School Principal*

Patrick Kelley  
112 Elm Street  
Byfield, MA 01922  
978.462.8171

[patrick.kelley@tritonschools.org](mailto:patrick.kelley@tritonschools.org)

**General Fund**  
**Statement of Revenues and Expenditures – Budget and Actual Required Supplementary Information**  
**For the Year Ended June 30, 2022**

	<u>Final Budget</u>	<u>Actual</u>
Revenues		
Assessments to Member Towns	\$ 36,063,152	\$ 36,063,152
Intergovernmental	9,736,441	9,915,138
Medicaid	150,000	179,476
Investment Income	50,000	26,229
Excess & Deficiency (E&D)	0	0
Miscellaneous	0	27,362
Total Revenues	45,999,593	46,211,357
Expenditures		
Administration	2,074,304	2,075,087
Instruction	25,600,519	25,652,115
Special Education Tuition to Other Districts	1,376,229	1,137,244
School Choice and Charter School Tuition	1,380,000	1,469,246
Transportation	2,742,820	2,876,213
Other School Services	428,142	480,966
Student Activities	595,989	578,890
Operation and Maintenance	3,328,608	3,775,569
Acquisitions and Improvements	0	0
Fringe Benefits	8,205,688	7,476,813
Food Services		
Debt Service:		
Principal	190,000	190,000
Interest	77,294	77,294
Total Expenditures	45,999,593	45,789,437
Excess (Deficiency) Of Revenues Over Expenditures		\$421,920

**FY 2022 ASSESSMENTS**

	Operating Budget	Capital Assessment
<b>NEWBURY</b> .....	<b>\$10,309,959</b>	<b>\$ 76,998</b>
<b>ROWLEY</b> .....	<b>11,137,830</b>	<b>83,153</b>
<b>SALISBURY</b> .....	<b>14,348,069</b>	<b>107,143</b>
<b>Total</b> .....	<b>35,795,858</b>	<b>267,294</b>

## **TRITON REGIONAL SCHOOL DISTRICT SALARIES**

School Committee:

<b>NAME</b>	<b>FTE</b>	<b>STIPEND</b>
Newbury: Paul Goldner	1.0	\$1,250
Newbury: Matt Landers	1.0	\$1,250
Newbury: Paul Myette	1.0	\$1,250
Rowley: Susannah Copland	1.0	\$1,250
Rowley: Nerissa Wallen	1.0	\$1,250
Rowley: Paul Lees	1.0	\$1,250
Salisbury: Linda Litcofsky	1.0	\$1,250
Salisbury: Caitlin Hunter	1.0	\$1,250
Salisbury: Erin Berger	1.0	\$1,250

Administration:

<b>NAME</b>	<b>FTE</b>	<b>SALARY</b>
Superintendent: Brian Forget	1.0	\$194,957
Director of Curriculum & Instruction: Anna Bates	1.0	\$139,000
Director of Finance and Operations: Kyle Warne	1.0	\$139,000
Director of Student Services: Shannon Nolan	1.0	\$141,500

**EASTERN ESSEX DISTRICT  
DEPARTMENT OF VETERANS' SERVICES  
TOWN OF NEWBURY  
Phone: 978-356-6699  
Fax Number: 978-356-6488**

**Karen Tyler**  
District Director  
Assistant to Director

**Karen Bell**

**Fiscal Year 2022 Annual Report- Department of Veteran Services**

It is the mission of Eastern Essex District Department of Veteran Services to be an advocate for Veterans and their families. We are here to seek out, assist, and obtain benefits to which they are entitled, whether it is Local, State or Federal Benefits. The Veteran Services Department is charged with the responsibility of assisting qualified low-income Veteran/Surviving Spouse obtains Ch115 Benefits. It is the goal of the department to ensure that no Veteran/Surviving Spouse lives under 200% of the poverty income guideline or be homeless.

Newbury is a member of Eastern Essex District Department of Veteran Services. The district consists of six towns: Essex, Georgetown, Ipswich, Newbury, Rowley, and West Newbury.

Veteran Services Department has been very successful in obtaining benefits and answering questions to Veterans, Surviving Spouse, and families. I am a Certified Veteran Service Officer and Newbury has received their full 75% allowed reimbursement from the State Department of Veteran Services for the local Ch115 Benefit. This benefit is for low-income Veterans/Surviving spouses who live in the town. Our office ensures that the beneficiaries of the benefit meet the eligibility requirements by auditing every month and certifying twice a year. We also work with the Veteran/Surviving Spouse to get alternative ways of receiving other benefits or obtain gainful employment to reduce the burden on the town. One example of this is that we worked with a Veteran find employment and they were able to get off Ch115; therefore, saving the town \$1,813/month and getting the Veteran stability and independence.

We are also here to help Veterans navigate and assist with Veteran Administration claims. These claims are very cumbersome and can be very overwhelming for Veterans and their families. I go to training all year round to be able to successfully assist them throughout the process. In some cases, it takes years if it requires an appeal. In just 2 appeals, I helped get \$75,000 in retro payments to Disabled Veterans. At the very least, it takes months and multiple meetings to prepare a claim. The national average of Veterans receiving disability compensation is 19.5%; we have 25% of Veterans in the Town of Newbury receiving tax-free Disability Compensation. This is a result of going above and beyond to get as much evidence to support the claim, such as medical notes, research studies, and previous legal claims.

In addition to benefits assistance and distribution, we are a source of social services. We assist Veterans and their families get resources to help them with personal needs and difficult situations. For some Veterans, we are all that they got. We prevented 2 Veterans from becoming homeless. We did this by reaching out to different sources; both government and non-profit organizations. We were relentless in making sure they were able to find a permanent place to live and in addition we got them connected to wrap-around services. We had a Veteran

who was suffering from an opioid addiction. I was able to find her a residential program at the VA and ensured that she got admitted. There was also a Veteran who was suffering from suicidal ideation. I sought out and screened different programs then I followed up to feel confident that the Veteran's need would be appropriately addressed.

The Veteran Services Department plays an important role in the community and without it Veterans, Surviving Spouses, and their families would be at a severe disadvantage in obtaining the benefits that they earned. Also, Veterans in distress would not be able to access the resources they are in desperate need of. The consistent support that the town gives these Veterans is recognized and appreciated by both them and this department.

**Eastern Essex District Department of Veteran Services Board of Directors:**

**Dana Packer, Newbury**

Michael Flynn, Essex

Douglas Dawes, Georgetown

Linda Alexson, Ipswich

Robert Snow, Chairman, Rowely

Ronald Ross, West Newbury

Respectfully submitted,

Karen Tyler

District Director/VSO



# Whittier Regional Vocational Technical High School

115 Amesbury Line Road  
Haverhill, MA 01830-1898  
978-373-4101  
Fax: 978-521-0260  
[www.whittiertech.org](http://www.whittiertech.org)

Brett Murphy  
Chairperson  
School Committee

Maureen Lynch  
Superintendent

August 31, 2022

## ANNUAL OPERATIONAL REPORT

TO: The Honorable Board of Selectmen

FROM: Johanna True, Whittier Representative  
Maureen Lynch, Superintendent

Whittier offers 23 vocational technical career areas designed to provide the necessary training and skills for further education or work force success.

Whittier's academic program is designed to offer students the fundamental skills through its core curriculum in English, Math, Science and Technology, Social Studies, World Languages, Physical Education/Health, and Elective subjects. Courses are aligned with the Massachusetts Curriculum Frameworks in order to achieve success on the MCAS.

Courses are offered in a sequential format and are integrated with the vocational-technical areas, wherever practicable and mutually beneficial. All academic courses offer advanced sections for students who desire to further their education. We offer honors courses in English, science, and math to lead toward advanced placement courses. Moreover, a Tech Prep program is offered to eleventh and twelfth grade students which parallels the College Prep program and provides students with the opportunity to earn college credit and/or advanced college placement.

Since all programs are open to all genders, we encourage our students to explore and to specialize in non-stereotyped, non-traditional vocational-technical areas and to strive for the maximum realization of their goals and potential.

Whittier Regional Vocational Technical High School is entering its forty ninth year. To date we have graduated 12,751 students from the day school.

The enrollment for the Evening School from Newbury: 2

Honorable Board of Selectmen  
August 31, 2022  
Page 2

The October 1, 2021 Day School Enrollment:

	Boys	Girls	Non-Binary
Grade 9	1	2	0
Grade 10	2	1	0
Grade 11	4	0	0
Grade 12	4	2	0
Total –	16		

2022 Graduates – 6

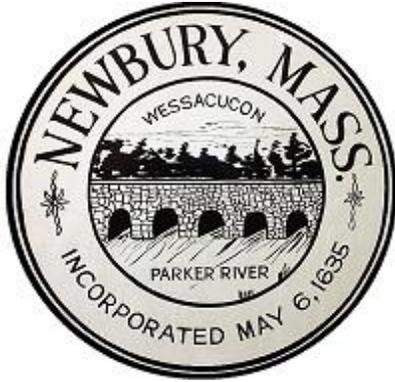
The cost to Newbury for the school year 2021-2022 was \$318,332.00.

Respectfully yours,

DocuSigned by:  
  
Johanna True  
Johanna True  
Newbury Representative

DocuSigned by:  
  
Maureen Lynch  
63CF4289C7AE401...  
Maureen Lynch  
Superintendent

ML/ir



# Newbury Improvement Trust

Annual Report for Fiscal Year 2022

The Newbury Improvement Trust was established by vote at Town Meeting on October 25, 2005. The Trust was created to accept donations that will be used for the betterment and beautification of the Town of Newbury, as well as for town celebrations and the making of capital improvements. Three Trustees are appointed by the Select Board to oversee the business of the Trust. Donations to the Trust are kept in a savings account maintained by the Town Treasurer. Expenditures from the Trust must be approved by the Trustees and the Select Board.

As of June 30, 2022, the Trust account had a balance of \$4,883.20. There were no requests for expenditures in 2022, and no donations were received over the course of the fiscal year.

The Trust exists to create a way for people to donate or bequeath money that will be used to improve the Town. As an example, many of the donations made to the Trust have been given for the eventual Council on Aging Senior Center building project. Donations to the Trust are tax deductible and the Town will provide a receipt for the donation.

Mary Leary	Member	June 30, 2023	maryleary31@gmail.com
Ben Armstrong	Member	June 30, 2024	benj.armstrong@comcast.net
Lynn Kettleon	Member	June 30, 2023	lkettleon@kettlesongroup.com