

Copy of Approved Meeting Minutes  
Meeting Minutes

**Board:** Board of Selectmen/ Water Commissioner's Meeting  
**Date:** Monday, March 30, 2020  
**Location:** Online Video/Audio Conference Pursuant to Governor Baker's Executive Order in Response to the COVID-19 State of Emergency

**Selectmen Present:** William Bembury, Peter Sanders, Jacob Smith  
**Finance Committee:** Charles Zilinski, Benjamin Fellows, Debra Smith  
**Also, Present:** Bryan Smith, Glenn McCrory, Richard Newton, Mariah Kurtz, Jacquelyn Boyden  
**Press:** Kathleen Nolan, Montague Reporter

At 6:33 PM **Chairman Smith** called the meeting to order.

**Chairman Smith** explained that the meeting is being recorded and provided an overview of the functions of the video/audio conferencing platform.

**Discussion Regarding Town Response to COVID-19**

***Annual Town Meeting / Annual Town Election***

**Chairman Smith** discussed the suggestion of delaying the Annual Town Meeting until June 2020 because of the COVID-19 State of Emergency. **Selectman Bembury** expressed support for delaying the Annual Town Meeting. **Chairman Smith** explained the provisions of Massachusetts General Law Chapter 39 Section 9 that allows the Board of Selectmen to amend the date of Annual Town Meeting with a limit of June 30<sup>th</sup>. Richard Newton, Town Clerk, joined the Board of Selectmen to discuss the scheduling of the Annual Town Meeting and the Annual Town Election. Richard explained that the ballots for the Annual Town Election have been issued and the early voting and absentee voting processes can be scheduled. The Board discussed the time of the Annual Town Election and the Annual Town Meeting. Bryan Smith, Administrative Coordinator, explained that even though the Board can move the traditional dates of these events during the State of Emergency, Town Counsel has advised that the spirit of the Town's vote for the order of occurrence for both events should be honored. **Chairman Smith** suggested scheduling the Annual Town Meeting for June 17, 2020 and the Annual Town Election for June 22, 2020. The Board members expressed agreement.

**Chairman Smith** made a motion to move the Annual Town Meeting to Wednesday, June 17, 2020 at Erving Elementary School. **Selectman Sanders** seconded. **Vote:** Unanimously Approved

The Board discussed the need to promote absentee and early voting office. The Board asked Richard about moving the polling location from Town Hall. Richard explained the procedure for moving a polling location and cautioned against it. Richard explained his suggestion for limiting polling hours to four (4) hours. **Selectman Bembury** asked for an explanation of the absentee and early voting process. Richard explained the application process. **Chairman Smith** asked about the late start option for the polling hours. Bryan explained that State law requires polling hours to begin no later than 12:00 PM. Mariah suggested keeping polling hours longer rather than shorter to allow for more spacing between voters. Richard explained that absentee voting is anticipated to be high and lower turnout at the polling place is anticipated Statewide. **Chairman Smith** suggested setting polling hours as 12:00 PM to 7:00 PM. The Board members expressed agreement. Richard discussed notifying the public using the reverse 911 notification system and the Around Town. **Chairman Smith** expressed support.

**Chairman Smith** made a motion to move the Annual Town Election to Monday, June 22, 2020 with polling hours from 12:00 PM to 7:00 PM. **Selectman Sanders** seconded. **Vote:** Unanimously Approved.

### ***Almost Anything Goes***

**Chairman Smith** discussed the challenges of conducting the annual Almost Anything Goes program during the State of Emergency for COVID-19 in a manner that is safe for the Town's staff. **Chairman Smith** suggested that the Board needed to consider postponing the program, modifying to a drop-off model, or outsourcing to a 3<sup>rd</sup> party vendor. **Selectman Bembury** expressed his preference for postponing the program until May 2021. **Selectman Sanders** expressed concern about trying a drop-off model and the ability for residents to access the collection sites if they do not have transportation for bulky materials. **Chairman Smith** discussed not wanting to cancel the program for the year and suggested revisiting the topic in May 2020 to determine if a summer 2020 date was reasonable. **Selectman Bembury** reiterated his suggestion to postpone until May 2021. **Selectman Bembury** made a motion to postpone the Almost Anything Goes program to May 2021. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

### **Review of FY2021 Budget Draft, Review of the Annual Town Meeting Warrant, and Review of the Reconciliations Policy- Joint Meeting with the Finance Committee**

At 7:05 PM **Chairman Smith** called the joint meeting of the Board of Selectmen and the Finance Committee to order.

#### ***Review of FY2021 Budget Draft***

The Board of Selectmen and the Finance Committee reviewed the revised FY2021 budget summary. Bryan explained the revised increases for the education line item and the public safety line item. **Selectman Bembury** asked for an explanation of the library construction repayment of \$273,000. **Chairman Smith** explained that this is the first of five (5) annual repayments of \$273,000 into the Stabilization Fund as the voters were promised. The Board discussed the remaining funds in the Photovoltaic Solar Array special article, explaining that if they are not needed for the project that at a future Town Meeting the funds can be returned to the Stabilization Fund. Bryan added that the Town still expects to receive two (2) payments from the Massachusetts Board of Library Commissioners (MBLC) of approximately \$544,000 that the Town will be able to deposit into the Stabilization Fund. **Selectman Bembury** discussed the importance of repaying the borrowed funds into the Stabilization Fund as soon as possible. **Chairman Smith** noted that if the project receives LEED certification that an additional grant should be received by the Town as well. The Board and the Finance Committee discussed having no additional concerns about the FY2021 draft budget overview.

#### ***Review of Annual Town Meeting Warrant Draft***

The Board of Selectmen and the Finance Committee reviewed the revised draft of the Annual Town Meeting Warrant. Bryan reviewed the revisions made since the past review.

#### ***Article 14: Appropriate for Capital Improvements***

Bryan reviewed the proposed break out of two (2) capital improvement articles, previously a single article #14, to allow for the server maintenance project and the Elementary School carpet replacement project to occur in the current fiscal year. The Board of Selectmen and the Finance Committee agreed that the separation of the capital improvement plan into two (2) article was no longer practical now that the Annual Town Meeting had been postponed to June 17, 2020. Bryan will consolidate the articles back into a single article.

#### ***Article 17: Revolving Account Spending Limits***

The Board noted that the spending limit column needs to be amended to read "FY2021 Spending Limit." Bryan will revise the article.

**Article 18: Appropriation for the Capital Stabilization Account**

The Board of Selectmen and the Finance Committee reviewed the new article that would appropriate \$250,000 into the Capital Stabilization Fund as proposed. The Board of Selectmen and the Finance Committee expressed no concerns with the article as presented.

**Article 19: Appropriation for the General Stabilization Account**

The Board of Selectmen and the Finance Committee reviewed the new article that would appropriate \$273,000 into the General Stabilization Fund as proposed. The Board of Selectmen and the Finance Committee expressed no concerns with the article as presented.

**Article 25: Driveways and Curbscuts**

The Board of Selectmen and the Finance Committee reviewed the revisions to article 25 under the violations and penalties section. Bryan explained that the first offense has been changed to \$100 on the 61<sup>st</sup> day and \$10 each day after as discussed at the last meeting. The Board of Selectmen and the Finance Committee expressed no concerns with the article as presented.

**Chairman Smith** discussed the suggestion of adding an article to the Annual Town Meeting warrant that would propose a bylaw change to the timing of the Annual Town Meeting and the Annual Town Election. **Chairman Smith** noted that with the compensation and classification project the Board and the Finance Committee discussed the preference to have Annual Town Meeting follow the Annual Town Election with a preference for elected officials to take office on July 1<sup>st</sup> of each year. **Chairman Smith** explained that this scheduling would allow for transition planning. **Selectman Bembury** and **Selectman Sanders** expressed support for the proposed articles on the Annual Town Meeting warrant. Richard discussed the need to review applicable Massachusetts General Laws.

**Finance Committee Recommendation:** Debra made a motion for the Finance Committee to recommend approval of the Annual Town Meeting warrant. Charles seconded. **Vote:** passed.

**Review of Reconciliations Policy Draft- 2<sup>nd</sup> Reading**

The Board of Selectmen and the Finance Committee reviewed the draft Reconciliations Policy for a second reading. Both the Board of Selectmen and the Finance Committee members expressed no concerns with the draft policy as written. The Board will conduct a third reading at the next meeting.

At 7:35 PM **Chairman Smith** made a motion to adjourn the joint meeting of the Board of Selectmen and the Finance Committee and to continue with the Board of Selectmen meeting. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

**Discussion of Adopting Property Assessed Clean Energy (PACE) Program**

Mariah Kurtz, Assistant Town Planner, and Jacquelyn Boyden, Assistant Assessor, joined the Board of Selectmen to discuss the recommendation for the Town to adopt the Property Assessed Clean Energy (PACE) program. Mariah provided an overview of how the program works and explained that it operates through the Mass Development agency. Jacquelyn explained that the program allows commercial properties to make energy efficiency upgrades by securing preferred financing with the assistance of Mass Development and that the Town's role is to collect the repayments through a betterment process. Jacquelyn explained that the betterment process through the Town increases the reliability of on-time payments which is attractive to financiers and in exchange the financing terms for the borrower can be more favorable. Mariah discussed the importance of adding more tools to the economic development toolbox for Erving businesses. **Chairman Smith** summarized his understanding of the PACE program

process. **Selectman Bembury** asked if there was any impact on Erving residents for the joining the program. Jacquelyn explained that the program is only designed for commercial properties as residents can access programs through Mass Saves. Mariah and Jacquelyn explained that commercial applicants can apply for funding with a term up to 20 years. **Selectman Bembury** asked if there are any limits on the funding. Jacquelyn explained that the projects must be a minimum of \$250,000 in cost.

The Board agreed to review the PACE program materials and revisit the topic at the next meeting. The Board discussed the need to formal vote to join the program and to relay the vote to Mass Development. **Selectman Bembury** asked if the impact on the Tax Collector and the Treasurer had been considered. Jacquelyn explained the majority of the work will be in the Assessor's Office and the Tax Collector's office and that Michele Turner, Tax Collector, had been consulted and no concerns were expressed.

#### **Library Construction Project Update**

The Board passed over this agenda item.

#### **Review of Erving Public Library Furniture, Fixtures & Equipment Procurement and Proposed Change Orders**

The Board passed over this agenda item.

#### **IP Mill- Hazardous Materials Clean-up Project Update**

Bryan explained that some construction activities are allowed to continue during the State of Emergency related to COVID-19. Bryan explained that the Town is reviewing this guidance with Tighe & Bond to determine when and how the asbestos and hazardous materials abatement project can proceed. Bryan also explained that he will be working with Mass Development to request an extension past June 30, 2020 on the project.

#### **Discussion of Re-use of Former Library Building**

**Chairman Smith** began the discussion of the Town's need to determine the future use of the former Library building. **Chairman Smith** explained that interest in the building site has been expressed by the Union 28 School Superintendent's Office, the Recreation Commission, and the Public Works Departments. **Chairman Smith** asked the Board members how they would like to proceed. **Selectman Bembury** discussed the need for a long-term feasibility study for Public Works. **Chairman Smith** explained that the site could be considered in the feasibility study the Town plans to do for the creation of Public Works office space. **Chairman Smith** suggested that because the Union 28 School Superintendent's Office and the Recreation Commission have expressed concerns about the 18 Pleasant Street Building, that the Board should include the future use of that building in the conversation as well. The Board expressed agreement. **Selectman Bembury** suggested calling a meeting with the stakeholders after the Special Town Meeting. The Board expressed agreement. **Chairman Smith** asked Bryan to have a survey developed for the Recreation Commission and the Union 28 School Superintendent to complete so that the Board can better understand needs for an office space.

#### **Review of Highway Superintendent Position Description**

The Board reviewed a revised draft of the Highway Superintendent position description. Bryan explained that statement of duties has been revised to clarify that the position is an essential position in accordance with the Personnel Policy. The Board expressed agreement with the change. Bryan reviewed the education and experience section and discussed the suggested language, explaining that it is consistent with the Wastewater & Water Superintendent position description. **Selectman Bembury** questioned the use of "journeyman's level of trade knowledge" and requested its removal. **Chairman Smith** expressed

agreement and discussed the need to allow trade experience. The Board members expressed agreement. The Board discussed removing references to the use of graders and municipal water treatment. The Board discussed adding building maintenance, grounds maintenance and custodial services to reflect the scope of the work. The Board will review a revised draft at the next meeting

#### **Review of Complete Streets Prioritization Plan**

Mariah Kurtz, Assistant Town Planner, joined the Board to review the revised Complete Streets Prioritization Plan. Mariah explained that after the feedback received from the last Board meeting the draft plan was revised to emphasize the importance of projects along Route 2 with the understanding that these projects are not within the Town's jurisdiction. Mariah explained that the Route 2 projects were moved to be higher priorities in the plan and other than the reorganization of proposed projects there are no new additions in the revised plan. **Selectman Bembury** expressed agreement with the revisions. **Selectman Bembury** discussed the imperative nature of communicating the Town's concerns for Route 2 safety. The Board expressed agreement. Mariah discussed the importance of communicating these concerns to Mass DOT on behalf of citizens and business owners.

**Chairman Smith** made a motion to approve the Complete Streets program prioritization plan and submit to Mass DOT. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

#### **Surplus Equipment Request- Police Department**

The Board reviewed a surplus equipment request memorandum from Christopher Blair, Police Chief, to deem the following items as surplus equipment and to be made available on Municibid:

- Setina Single Cell Prisoner Partition which includes 6S single, TPO seat, pan & door, rear screen, poly window barriers.

The Board discussed having no concerns with the request. **Chairman Smith** made a motion to deem surplus the Setina Single Cell Prisoner Partition and associated items. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

#### **Inspector of Animals Annual Appointment**

The Board reviewed the annual nomination paperwork for the position of Inspector of Animals. **Chairman Smith** made a motion to nominate Arthur Johnson as Inspector of Animals. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

#### **Review of Full-Time Officer Training Waiver Application**

The Board reviewed a memorandum from Bryan Smith, requesting approval of a petition to the Massachusetts Municipal Police Training Committee for a 270-day waiver for Officer Morin. The Board discussed having no concerns with the request. **Chairman Smith** made a motion to approve the submission of the Full-time Office Training Petition Request of the 270-day waiver for Officer Morin. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

#### **Review of Meeting Minutes of February 24, 2020**

The Board passed over this agenda item.

#### **Review of Meeting Minutes of March 02, 2020**

The Board passed over this agenda item.

#### **Review of Meeting Minutes of March 23, 2020**

The Board passed over this agenda item.

### **10<sup>th</sup> Water Commitment for FY2020**

The Water Commissioners reviewed the 10<sup>th</sup> Water Commitment for FY2020 for final charges at 29 Forest Street in the amount of \$93.76. **Chairman Smith** made a motion to approve the 10<sup>th</sup> Water Commitment for FY2020 for final charges at 29 Forest Street in the amount of \$93.76. **Commissioner Bembury** seconded. **Vote:** Unanimously approved.

### **Miscellaneous**

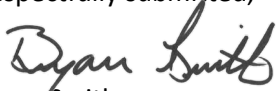
#### ***Cemetery Burial Request***

Glenn McCrory, Cemetery Sexton, joined the Board. Bryan explained that the Town has received a request for burial at the Erving Center Cemetery. The request is for burial prior to the official opening of the Cemetery for the year. Bryan explained that the burial request is time sensitive for religious reasons. Glenn explained that he has worked with the funeral director and the family to research options for burial that will align with the Town's Cemetery Regulations and align with the deceased's religious beliefs. The Board discussed the guidance from Town Counsel that the COVID-19 social gathering restrictions would remain in place, limiting participation to ten (10) persons. **Selectman Bembury** expressed support for the accommodation as long as the family can comply with Governor Baker's executive order regarding COVID-19. The Board expressed agreement. **Chairman Smith** made a motion to allow the burial for the requesting party as long as they comply with the guidelines issued by Town Counsel. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

### **Adjournment**

At 8:45 PM **Chairman Smith** made a motion to adjourn. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

Respectfully submitted,



Bryan Smith  
Administrative Coordinator