

Board: Board of Selectmen/ Water Commissioner's Meeting
Date: Monday, November 19, 2018
Location: Town Hall, 12 East Main Street, Erving, MA 01344

Selectmen Present: Scott Bastarache, William Bembury, Jacob Smith
Also, Present: Bryan Smith, Philip Wonkka, Peter Sanders, Rob Bukowski
Press: Kathleen Nolan, Montague Reporter

At 6:32 PM **Chairman Bastarache** called the meeting to order.

French King Solar Project Special Permit Update

Rob Bukowski, representing AMERESCO, joined the Board to discuss the revised documentation for the French King Solar Project Special Permit application. The Board received and reviewed a revised Spill Prevention Plan, a Vegetation Management Plan, a Stormwater Management Plan, and a Training Plan. **Chairman Bastarache** noted that the results of the soil tests and the revised Stormwater Management Plan has been sent to Tighe & Bond for final third-party review.

The Board reviewed the responses provided by the developer in regard to section 6.1.6 of the Zoning Bylaw. The Board agreed with all responses and will incorporate into the special permit. Rob explained that AMERESCO has consulted with the Massachusetts Historical Commission on the project. Additionally, Rob explained that the Planning Board required that a Phase 1A & B archeological review is conducted as part of the approval of the site plan. This work is underway. **Commissioner Bembury** asked for an explanation of the procedures that would be followed if an artifact of historical significance is found during the test pit process. Rob explained that the response will depend on what is found and that the Archeologist on the project will guide that process.

The Board reviewed the following special permit granting consideration in section 6.1.9 of the Zoning Bylaw:

1. There is sufficient Town capacity to service the premises, considering existing roads, town equipment, and other municipal services.
The Commissioners agree that there is sufficient Town capacity to service the proposed project.
2. The impact on adjoining premises from sound, light, odor, noise, and other disturbances is avoided or minimized.
The Commissioners agree that the impact on adjoining premises is avoided or minimized.
3. The proposal will avoid or minimize topographic change, removal of mature trees or other botanical assets, removal of cover vegetation, risk of erosion or siltation, increased storm water runoff from the site, or displacement of natural habitats.
The Commissioners note the impact with the removal of existing mature trees and alteration to existing cover vegetation. The project applicant has provided a vegetation management plan to restore and maintain cover vegetation as well as a tree replanting requirement if the project is decommissioned. The revised storm water management plan addresses impact concerns and will be responsive to recommendations from Tighe & Bond as the third-party reviewer.
4. The proposal will not cause surface or groundwater pollution, surface or subsurface drainage detrimental to abutting properties, or adverse effects upon the natural environment in the area where the use is located.
The project applicant has provided a spill management plan for the construction phase of the project and the project will use vegetable oil to cool all transformers to avoid and groundwater pollution.

5. There is adequate sight distance and traffic safety at the entrance to public ways.
The Commissioners agree that there is adequate sight distance and traffic safety at the entrance to public ways.
6. The proposal is compatible with the neighborhood character.
The project permitted is a change in use for the property but will have a minimal impact on the neighborhood.
7. The proposal minimizes adverse effects upon historic and other cultural resources.
The project applicant is conducting project notification with the Massachusetts Historical Commission and will complete a Phase 1 A & B archaeological study.
8. There are positive employment and fiscal consequences.
The Commissioners acknowledge an increase on tax revenue
9. The activity, traffic, site plan, and building design will influence positively the Town's community character.
The Commissioners anticipate no impact to the Town's community character
10. The activity, site plan, and building design are consistent with development of tourist activity in Erving.
Not applicable
11. Curb cuts on Route 2 (Mohawk Trail) are minimized to prevent traffic congestion and accidents.
The Commissioners note that the project will use existing ways and there will be no new curb cuts
12. Lighting is designed to minimize glare and light pollution and cut off fixtures will be employed to the maximum extent feasible.
The Commissioners note that the project site will not use site lighting

The Board reviewed the draft conditions for the special permit, based on the conditions set at the August 21, 2018 special permit hearing.

Chairman Bastarache made a motion to approve the special permit to French King Solar LLC for the development of a 6.45 megawatt (MW) solar photovoltaic array with the following conditions:

1. That the applicant will provide the Town with a surety bond for 125% of the cost of decommissioning the project PRIOR to the issuance of a building permit and construction commencement;
2. Vegetable oil would be used as the cooling agent for the transformers on this project;
3. Mutual aid departments as well as multiple training dates will be added to the training plan as provided;
4. The security fencing will be raised six (6) inches from the ground level;
5. A plan for tree replacement is to be maintained with the vegetation management plan if the project is decommissioned;
6. Subject to the recommendations of Tighe & Bond, based on the third-party review of the soil testing results and the Stormwater Management Plan;
7. The Town will be allowed site access, at any time, to ensure adherence to these conditions and to monitor for environmental incidents during the construction phase.

Commissioner Smith seconded. Unanimously approved.

Review of Meeting Minutes for November 05, 2018

The Board reviewed the meeting minutes of Monday, November 05, 2018. **Chairman Bastarache** made a motion to approve the meeting minutes of November 05, 2018 as written. **Selectman Bembury** seconded. Unanimously approved.

Review of the Comprehensive Emergency Management Plan Update

Philip Wonkka, Fire Chief & Emergency Management Director, joined the Board to review pages 1 through 28 of the draft Comprehensive Emergency Management (CEM) plan. The Board discussed making the following changes with Chief Wonkka:

- Page 1: footnote needs to be updated
- Page 10: needs to be revised for current census and demographic data
- Page 10: the French King Bridge should be included with roadway infrastructure
- Page 12: man-made hazards should include the earthen dam in Farely for the Northfield Mountain Project
- Page 20: Incident Commander should be explained before using the abbreviation of "IC"

The Board will begin to review and make suggested edits on the next section of the draft CEM Plan. Board members will submit their individual thoughts to Chief Wonkka so that he can compile a single revised draft for the Board to review. Chief Wonkka discussed his experience participating in a recent National Guard training event in Charlement and how that experience is extremely helpful for updating the organizational chart area section of the CEM plan. The Board will revisit the draft plan by January 28, 2019.

Fire Station 1 Garage Bay Heater Request

Philip Wonkka, Fire Chief, joined the Board to discuss his request to replace the garage bay heaters in Fire Station #1. The heaters are original to the construction of the Fire Station. Chief Wonkka explained that he has attempted to have the equipment fixed, but they are leaking and in need of replacement. The Board was provided a quote for removing and replacing the 4 units in the amount of \$8,850. The Board agreed with the necessity of the request and determined that the equipment needs to be replaced sooner than the annual capital budget processing would allow. The Board authorized Chief Wonkka to proceed with the repair work. **Selectman Smith** made a motion to request a reserve fund transfer in the amount of \$10,000 for the replacement of the ceiling heaters in the garage bays at Fire Station #1. **Selectman Bembury** seconded. Unanimously approved.

Miscellaneous

Support for EMS Study for Northfield

Philip Wonkka, Fire Chief, joined the Board and explained that emergency medical services (EMS) continue to change and evolve in the county, noting that the company MedCare has informed the Town that they have sold their assets and contracts to a new company AMR. Chief Wonkka will be attending a meeting with AMR and the other county Towns to discuss impacts and expectations. Chief Wonkka explained that in the meantime, Northfield EMS is requesting that the Franklin Regional Council of Governments (FRCOG) conduct a study that evaluates the need for regionalized advanced life support EMS in north County. Chief Wonkka explained that Northfield EMS is currently an on-call department that supports the Town if MedCare is unavailable. **Chairman Bastarache** clarified that if the Board sends the Town of Northfield a letter of support for a study regarding regionalization that it would not change the Town's existing ALS services. Chief Wonkka agreed. **Selectman Bembury** asked if there was a request for the Town of Erving to contribute funding for the study. Chief Wonkka explained that the Town is only being asked for its support for the study and that funding should be sought elsewhere. **Chairman Bastarache** stated his support for the study to be conducted and expressed interest in wanting to review the results. **Selectman**

Smith made a motion to authorize the Fire Chief to send a letter of support, on behalf of the Town, for a regional advance life support study. **Chairman Bastarache** seconded. Unanimously approved.

Review of Northfield Road/ Care Drive Sewer Upgrade

Peter Sanders, Chief Wastewater Operator, joined the Board to review a proposal from Tighe & Bond to upgrade the wastewater line on Northfield Road from the Elementary School to Care Drive with a 4" main to replace the existing 1 ½" line. Peter explained that the existing line would be sufficient to service the Senior & Community Center and the new Public Library but would not be able to handle the volume from the proposed senior housing development. The proposal \$41,000 for engineering fees with a total probable project cost of \$226,500. The scope included \$3,500 in work to evaluate the electrical service options for Care Drive. **Selectman Smith** noted that the project engineers for the Library had already worked with Eversource and that the issues of electrical service for Care Drive has been addressed. The Board agreed to remove the electrical service evaluation from the project. **Selectman Bembury** asked if Peter had a recommendation on a funding source for the project. Bryan Smith, Administrative Coordinator, suggested using retained earnings from the Sewer Enterprise fund. The Board discussed agreement and noted that they would likely add the project to the Special Town Meeting. The Board discussed agreement for engaging Tighe & Bond in the amount of \$41,000 for the engineering services on the project if it is supported at Town Meeting.

Care Drive Water Main Evaluation

Peter also explained that he coordinated with the engineers for the Library project to conduct a pressure test of the hydrant to assess flow for the Library. This work began a discussion of the water service line on Care Drive. All construction plans list the water main as an 8" diameter line. There are no available as-built plans to confirm the diameter. Peter asked the Board for permission to coordinate with the Highway Department to dig a hole at the end of Care Drive to confirm the diameter of the existing water main. The Board agreed to allow the opening of Care Drive to evaluate the diameter of the existing water main.

Review of Special Town Meeting Topics

The Board reviewed a memorandum from Bryan Smith, Administrative Coordinator, regarding Special Town Meeting Requests. The memorandum explained that FY2018 free cash was certified in the amount of \$1,175,375. The Board considered the following requests:

- **Bills of a Prior Year:** The Board approved requesting the appropriation of \$676.57 for bills from FY2018.
- **Funding for Erving Center Planning:** The Board approved requesting the re-appropriation of \$7,200 left over from the Open Space & Recreation Plan to contract the Conway School to conduct a planning project for Erving Center.
- **Replace Police Department Generator:** The Board agreed to support an article to replace the diesel fueled generator at the Police Station with a propane fueled unit for \$25,000. The existing generator has been repaired several times and continues to experience operational problems that leave it inoperable for periods of time. **Chairman Bastarache** noted that the equipment was requested to be replaced for FY2020 but that the Capital Committee would be open to an earlier replacement if necessary.
- **Wage & Classification Study and Review of Personnel Policies:** The Board agreed to support an article to request an appropriation of \$15,000 for the Town to contract with UMass Boston to conduct a wage & classification study of Town positions as well as a review of the personnel policies. The Board discussed the importance of this work and its correlation the employee

performance process. **Chairman Bastarache** expressed his expectation that this work would also help address the issues with the merit process.

- **Structured Tax Agreement for Soltage:** The Board discussed supporting an article for the draft structured tax agreement between the Town and Soltage for the solar voltaic development on Northfield Road. Bryan explained that Town Counsel had reviewed the agreement and asked that the Town consider whether the land value should remain a part of the structured agreement. Bryan has left a message for the Town's consultant on the agreement. **Selectman Smith** explained that the Town's term for the agreement should align with the term of the agreement with the land owner.
- **Funding of the new Public Library Construction:** The Board discussed support for an article to make a cash appropriation towards the Library construction project that would reduce the borrowing authority. Bryan explained that the Treasurer continues to recommend using free cash and stabilization to fund the Town's portion of the project because of the administrative costs for interest and loan originations that will result from borrowing. Bryan explained that if the Board and the Treasurer instead decide to borrow, he would need to know soon as to include debt service in the FY2020 operating budget. **Chairman Bastarache** recommended an article for \$500,000 from free cash towards the project. The Board agreed. **Selectman Smith** suggested reevaluating the situation in the spring and considering an article to transfer cash from Stabilization for the project at the Annual Town Meeting. The Board agreed.
- **Design/Feasibility Study of Town Hall:** The Board discussed an article to make an appropriation to allow for feasibility study to be conducted of Town Hall and to recommend the necessary renovations for the structure. The Board acknowledged that a capital request was received to consider a new Town Hall and the Board discussed numerous conversations with department heads about the inefficiency of the space, water damage concerns, accessibility concerns, the exterior aesthetics and the lack of appropriate meeting space for the community. The Board agreed to consider an article. Bryan will review the amounts budgeted for previous feasibility studies.

The Board will review a draft of the Special Town Meeting warrant on Monday, November 26, 2018.

Review of Senior Housing RFP

The Board began reviewing the draft request for proposals (RFP) for the development of senior housing off Care Drive. The RFP was drafted by the Senior Housing Committee and Mass Housing Partnership. Bryan Smith, Administrative Coordinator, informed the Board that the draft has been sent to Town Counsel for review and that the goal would be to complete revisions on the RFP in December so that the bid can be issued in January. The Board discussed revisiting the draft on Monday, November 26, 2018 and to schedule a joint meeting with the Senior Housing Committee in December.

Review of North Street Truck Exclusion Study

The Board is in receipt of the North Street and Gulf Road heavy commercial vehicle study from the Franklin Regional Council of Governments Planning Department. The study was done for the Towns of Erving and Northfield to support a truck exclusion request from the Massachusetts Department of Transportation. The Board will review and revisit the topic on Monday, November 26, 2018. Bryan Smith, Administrative Coordinator, reminded the Board the Erving had agreed to take the lead on filing with Mass DOT and that the Town of Northfield is also in receipt of the study report. The Board discussed needing to ensure that there are no negative impacts to Mountain Road.

Review of Agreement with Conway School of Landscape Design

The Board reviewed the preliminary agreement with the Conway School to conduct planning services for Erving Center in the winter 2019 term for a fee of \$7,200. **Chairman Bastarache** made a motion to sign the agreement with the Conway School of Landscape Design for preliminary and design work for Erving Center in the amount of \$7,200. **Selectman Smith** seconded. Unanimously approved.

Adjournment

At 9:21 PM **Chairman Bastarache** made a motion to adjourn. **Selectman Smith** seconded. Unanimously approved.

Respectfully Submitted

A handwritten signature in black ink that reads "Bryan Smith". The signature is written in a cursive, flowing style.

Bryan Smith
Administrative Coordinator