

Board: Board of Selectmen/ Water Commissioner's Meeting
Date: Monday, March 11, 2019
Location: Town Hall, 12 East Main Street, Erving, MA 01344

Selectmen Present: Scott Bastarache, William Bembury, Jacob Smith
Board of Assessors Present: Mark Burnett, Jeffrey Rollins, Daniel Hammock (joined 6:37PM)
Finance Committee Present: Benjamin Fellows, Debra Smith, Arthur Johnson
Also, Present: Bryan Smith, Glenn McCrory, Jacquelyn Boyden
Press: Kathleen Nolan, Montague Reporter; Melina Bourdeau, Greenfield Recorder

At 6:30 PM **Chairman Bastarache** called the meeting to order.

Review of Meeting Minutes of February 25, 2019

The Board reviewed the meeting minutes of Monday, February 25, 2019. **Chairman Bastarache** made a motion to approve the meeting minutes of February 25, 2019 as written. **Selectman Bembury** seconded. Unanimously approved.

Review of Meeting Minutes of March 04, 2019

The Board passed over this agenda item and will review at the next Board meeting.

Review of Police Department Policies- 2nd Reading

The Board conducted a second reading of the Police Department's policies on Domestic Violence, Sexual Assault, Protective Custody, Public Records, Arrest, Eyewitness Identification, Interrogating Suspects & Arrestees, Testifying in Court, Search & Seizures, Motor Vehicle Inventory, and Interactions of Transgender Individuals. The Board will conduct a third reading on Monday, March 25, 2019.

Discussion of Online Record Cards - Joint Meeting with the Board of Assessors

At 6:35 PM **Chairman Bastarache** called the joint meeting with the Board of Assessors to order.

Selectman Smith began the conversation regarding the proposal of providing online property record cards by explaining that the Board has been working with different offices to increase the availability of publicly available records through the Town's website. **Selectman Smith** noted that some residents have asked about the availability of online records cards like other towns in the County have offered. Mark Burnett explained that he had originally explored the idea approximately a year ago and explained that the software vendor would charge an annual licensing fee to offer the online viewer. Mark explained that the Board of Assessors had discussed the idea previously and realize that much of the information is publicly available through the Franklin County Registry of Deeds. Mark added that the Board of Assessor's office receives a relatively low number of property card requests annually. Jacquelyn Boyden, Assistant Assessor, explained that the annual cost would be approximately \$1,500 to have the software vendor host the project and that the office only receives approximately ten (10) property card requests each year. Daniel Hammock raised the concern about the Town sharing personal information even if it is publicly available information. **Chairman Bastarache** explained that a goal for the Town is to make as many public records available electronically to improve access and to reduce the number of public records requests Town officials must respond to. Chairman Bastarache acknowledged that the annual software cost compared to the number of property cards requested annually may outweigh the benefit to the public. **Selectman Bembury** suggested that the availability of the online property record cards would increase the activity as has been seen when the Town has added other online services. Jacquelyn noted that the MassGIS munimapper program makes ownership data available free of charge to the public and that the

Assessors webpage provides a direct link to Erving's information. **Selectman Smith** noted that commercial services like Zillow also aggregate this data and make it available to the public. Mark Burnett and Daniel Hammock offered that the Board of Assessors have not been formally asked by members of the public to provide online records.

Review of Structured Tax Agreement for Erving Poplar Mountain 1 LLC

Bryan Smith, Administrative Coordinator, explained to both Boards that the legal counsel for Erving Poplar Mountain 1 LLC had requested several changes to the proposed structured tax agreement and that much of the changes were grammatical in nature or to clarify intent. Bryan noted that some requested changes were substantive changes and that he has had Town Counsel and the Town's solar valuation consultant review and provide edits on behalf of the Town. Bryan explained that all changes have been agreed to accept for a final clause and that a conference call has been scheduled for the end of the week to rectify the remaining issue. The Board of Assessors noted that they are not concerned if the Town's consultant has been involved in the revisions and negotiations.

At 6:49 PM **Selectman Smith** made a motion to adjourn the joint meeting with the Board of Assessors and to continue with the Board of Selectmen meeting. **Chairman Bastarache** seconded. Unanimously approved.

Review of Engineering Proposals for River, Strachan, and Warner Streets

Glenn McCrory, Highway Foreman, joined the Board to review engineering proposals that have been received for roadway and sidewalk improvements of River, Strachan, and Warner Streets. Bryan Smith, Administrative Coordinator, explained that the Town has invited 3 different engineering firms to submit proposals for the project and that 1 engineer declined to submit a proposal and 2 firms have responded. Bryan explained that proposals have been received from Tighe & Bond and Weston & Sampson. Glenn explained that he has spoken to references and has received positive responses. The Board noted that they are familiar with Tighe & Bond's work as they conduct most of the Town's water and wastewater engineering. Bryan explained that both proposals address a similar scope of work with the greatest difference in the proposed time on the job site. Tighe & Bond proposes a limit of 4 days on the job site with 2 of the days being used to develop a punch list and then to close out the project. Alternatively, Weston & Sampson proposes up to 200 hours on the job site to work with the contractor, oversee submittals, and to work with residents. Glenn added that Weston & Sampson proposal has the Town conducting the coring and that the Town does not have the necessary equipment to conduct the work. The Board discussed amending that work if the Town is to negotiate an agreement with Weston & Sampson. Glenn added that the life of this project should be approximately 25 years and that the complexity of the project should justify the added expense of an engineer to oversee the project. Glenn stated his support for negotiating an agreement with Weston & Sampson. **Selectman Smith** made a motion to engage Weston & Sampson for the engineering services of roadway and sidewalk improvements for River Street, Strachan Street, and Warner Street and to include coring samples without reducing hours on the project site below 175 for an amount not to exceed \$72,500. **Selectman Bembury** seconded. Unanimously approved

Review of the FY2020 Budget Capital Requests and Annual Town Meeting Warrant- Joint Meeting with the Finance Committee

At 7:09 PM **Chairman Bastarache** called the Joint meeting with the Finance Committee to order.

Chairman Bastarache began the discussion with a review of the capital improvement plan as presented. Regarding the server maintenance/upgrade line-item, **Selectman Smith** requested that the amount

budgeted be increased from \$6,000 to \$8,000. The Board and the Finance Committee agreed, noting that the total capital improvement budget for FY2020 will be \$511,400.

Review of Draft Annual Town Meeting Warrant

Article 5: Elected Official Compensation

Selectman Smith requested to amend the article information to state that approval of the article requires a majority vote. The Board and the Finance Committee agreed.

Article 6: FY2020 Erving Elementary School Funding

Chairman Bastarache explained to the Board and the Finance Committee that he has spoken with Superintendent Haggerty's office and that he is confident that the School can work within the 3% budget increase that the Board and the Finance Committee requested. **Chairman Bastarache** explained that the School Committee is scheduled to have their budget hearing on Tuesday, March 12, 2019 and that he plans on attending.

Article 7: FY2020 Secondary Education Funding

Chairman Bastarache requested to amend article information to clarify that the District uses existing data to produce a best estimate of how many students will attend the Gill-Montague School District in order to budget for secondary education. **Chairman Bastarache** added that actual enrollment numbers will change with the start of the school year and may require a supplemental funding request in the future. The Board and the Finance Committee agreed.

Article 10: FY2020 Wastewater Department Enterprise Fund

The Board amended the article to add the word "thousand" after the word "sixty-nine." The Board and the Finance Committee agreed.

Article 12: Raise & Appropriate for Capital Improvements

The Board and Finance Committee reviewed the article that was previously approved and noted that server maintenance/upgrade line-item needs to be amended from \$6,000 to \$8,000 as discussed during the capital improvement plan review, and that the total to be raised and appropriated for capital improvements needs to be amended to read \$431,400. The Board and the Finance Committee agreed.

Article 15: Revolving Account Spending Limits

Finance Committee Recommendation: Benjamin Fellows made a motion to recommend approval of the article. Arthur Johnson seconded. Unanimously approved.

Article 16: Transfer for Riverfront Park Electric Service

The Board and the Finance Committee reviewed this new article for the previously recommended capital improvement project to install electrical service and lighting at the Riverfront Park during the FY2019 year. **Selectman Bembury** requested to amend the article information to clarify that the electrical service had been requested during the construction of the park, but that the cost exceeded the available funds in the project budget after the bids were received. **Selectman Smith** requested to further amend the article information by clarifying that the service would be scheduled to be installed prior to the start of FY2020. The Board and the Finance Committee agreed.

Article 17: to Acquire Parcel 4-0-79 as Conservation Land

The Board and Finance Committee noted that Finance Committee had previously recommended the article for approval. Bryan added that the Conservation Commission has also recommended the approval of the article. **Selectman Smith** requested to have the article information amended to not that the approval of the article will allow the Town to accept the gift of land as intended by all parties. The Board and the Finance Committee agreed.

Article 18: Authorization to Sign Ten Year Contract for Recycling Processing Services

The Board and the Finance Committee reviewed the new article to authorize the Board of Selectmen to sign a multiyear contract for recycling processing services beyond a three (3) year term. The Board noted that Mass DEP will be overseeing the procurement for the region, so a vendor has not been identified. **Selectman Smith** asked that the article wording is clarified that the contract is subject annually to funding approved at Town Meeting. The Board and Finance Committee agreed. **Finance Committee Recommendation:** Arthur Johnson made a motion to recommend approval of the article. Benjamin Fellows seconded. Unanimously approved.

Article 19: Authorization to Sign Five Year Contract for School Transportation Services

The Board and Finance Committee reviewed the new article to authorize a multi-year contract to F.M. Kuzmeskus for transportation services beyond a three (3) year term. **Chairman Bastarache** asked that the authorization for the Board of Selectmen be changed to an authorization for the School Committee. The Board agreed. **Selectman Smith** stated that if the School Committee is submitting the article then the Board of Selectmen would vote whether to support the article. **Selectman Smith** motioned for the Board of Selectmen to recommend that passage of the article. **Selectman Bembury** seconded. Unanimously approved. **Finance Committee Recommendation:** Arthur Johnson made a motion to recommend the approval of the article. Debra Smith seconded. Unanimously approved.

Article 20: Heavy Commercial Vehicle Restriction

The Board and the Finance Committee reviewed the new article that would establish a bylaw for heavy commercial vehicle exclusions (HCVE) on the listed public ways. Bryan Smith, Administrative Coordinator, explained that MassDOT has approved the Town's request to create a HCVE on Church and North Streets and requires that the Town pass a bylaw as the final step in the process. **Chairman Bastarache** reviewed the process the Town has taken with the Town of Northfield to get to this point. Arthur Johnson asked if the exclusion could include Mountain Road, noting that he witnesses the use of the road by large commercial trucks. The Board discussed the need to ensure the safety and maintenance of roads and agreed that the Town will evaluate any impact on Mountain Road to determine if a HCVE is necessary. **Finance Committee Recommendation:** Debra Smith made a motion to approve the article. Arthur Johnson seconded. Unanimously approved. **Selectman Bembury** asked to have Christopher Blair, Police Chief, research the penalty for violating a HCVE and if it is not a state issued fine then to advise the Board to amend the proposed bylaw to include a penalty.

At 7:49 PM **Chairman Bastarache** made a motion to adjourn the joint meeting with the Finance Committee and to continue with the Board of Selectmen meeting. Debra Smith seconded. Unanimously approved.

Final FY2020 Budget Review

The Board conducted a final review of the FY2020 budget book that will be presented to the voters. Bryan Smith, Administrative Coordinator, explained that the education budgets will be added later this week after their individual committees hold their budget hearings and send their final budgets back to the Town. The Board made the following change:

- Add a reference to the Planning Board and the Water Commissioners on page 6 of the introduction.

The Board reviewed the draft budget message for the FY2020 budget. The Board made the following edits:

- Change the section heading “capital planning” to now read “capital improvements”
- Change “This budget the approach...” to now read “This budget followed the approach...”
- Change “...needs of the Town.” to now read “...needs of the Town for Fiscal Year 2020.”

No other changes were made to the budget message.

Noting that the Board has decided to level fund salary and wage line-items, pending the completion of the compensation study that is currently being conducted, Bryan asked the Board how they would like to address the narratives from elected officials that reference merit and/or cost of living adjustment requests. **Selectman Smith** suggested that the Board could include a footnote at the bottom of the narratives that include this request to explain why the budgets do not currently reflect the narrative requests. **Chairman Bastarache** suggested that the Board request a friendly amendment for the narratives of the elected officials. If the officials decline the amendment, then footnotes could be made. The Board agreed. Bryan asked if the Board would want additional supporting documentation to accompany the FY2020 capital improvement plan in section 8 of the budget. **Selectman Smith** stated that the new format was supported by the voters last year. **Chairman Bastarache** and Debra Smith explained that the Capital Planning Committee is meeting later this week and offered that the topic could be reviewed at the next meeting.

Review of Police Department Generator Quotes

The Board reviewed the request for quotes (RFQ) that the Franklin Regional Council of Governments (FRCOG) issued on behalf of the Town to purchase a 50-kW liquid propane fueled emergency generator for the Police Department. Bryan Smith, Administrative Coordinator, described the procurement process and explained that because the purchase is only for the equipment it was purchased under Chapter 30B and was approached as a “fleet” purchase with the Generac brand specified so that the Town could maintain similar maintenance schedules and spare parts. Bryan noted that quotes were requested from at least three (3) approved vendors and two (2) responses were received. The responses are:

- Authorized Service of New England of Marlborough, MA for a Generac SG050 \$19,985.00
- Andrus Power Solutions of Lee, MA for a Generac SG050 \$23,955.00

A review of the product specifications from both vendors was conducted and both responses appear to be equal. The procurement procedures require that the award is given to the vendor quoting the lowest price for the specified product. **Chairman Bastarache** made a motion to award the purchase of a 50-kW Generac emergency generator for the Police Department to Authorized Services of New England in the amount of \$19,985.00. **Selectman Bembury** seconded. Unanimously approved.

Adjournment

At 8:13 PM **Selectman Smith** made a motion to adjourn. **Selectman Bembury** seconded. Unanimously approved.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Bryan Smith", written in a cursive style.

Bryan Smith
Administrative Coordinator