

Board: Board of Selectmen/ Water Commissioner's Meeting
Date: Monday, May 11, 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
Also, Present: Bryan Smith, Barbara Friedman
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

Chairman Smith discussed the update issued by the Town regarding COVID-19 last week. **Chairman Smith** explained that the update extended the closure of non-essential offices and the closure of Town facilities to the public through May 18, 2020 in accordance with Governor Baker's order. **Chairman Smith** explained that Governor Baker also issued an order requiring the use of face masks in public spaces where social distancing cannot be guaranteed. **Chairman Smith** explained that the Town is anticipating an update from Governor Baker's office this week about the State's plan to reopen services. **Chairman Smith** expressed his position that the Town would review the guidance from the State and may reopen services with additional caution. Bryan Smith, Town Administrator, explained that the Governor is expected to provide new guidance on Tuesday, May 12, 2020 and that a department meeting has been tentatively scheduled for the end of the week to discuss next steps.

Library Construction Update

Bryan provided the Board with an update regarding the Library construction project. Bryan explained that there had been a question regarding the amount of work that could be completed at the site as it related to Governor Baker's order allowing construction projects to continue during the state of emergency. Barbara Friedman, Library Director, received clarification from the Massachusetts Board of Library Commissioners that the sub trades would be allowed to complete their work, but that the commissioning work would not meet the essential work requirement. Bryan explained that with this guidance the general contractor was allowed to schedule the subtrades to complete their work with the understanding that the commissioning work would occur after the state of emergency is lifted.

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

Chairman Smith asked for an update on the review of the furniture, fixtures, and equipment budget. Bryan explained that Barbara, Jacquelyn Boyden, and Nicholas Jablonski are working to review the budget to ensure accuracy and identifying outstanding orders. Bryan explained that he expects the information to be ready for the Boards review at the next meeting. **Chairman Smith** asked if a response had been received on the outstanding proposed change order regarding alterations to the window openings. Bryan explained that an answer was received but it raises further questions. Bryan will work with Barbara, Jacquelyn, and Nicholas to complete the review and will provide the information to the Board for consideration.

IP Mill- Hazardous Materials Clean-up Project Update

The Board reviewed the update from Tighe & Bond on the asbestos and hazardous materials abatement project at the IP Mill that is being conducted by Air Quality Experts, Inc. Bryan explained that the work is proceeding as scheduled. Bryan noted that it appears that the contractor has elected to disassemble the boilers and not scrap the metal after the hazardous materials are remediated. Bryan explained that if this remains true the Town will ask to have the metal stored in a location that is easy for disposal in the future. **Selectman Bembury** asked if the metal would be clean of hazardous materials after the project. Bryan answered yes. **Chairman Smith** asked for an overview of the timeline for the project. Bryan explained that the work is anticipated to be complete within a 6 to 8-week window. Bryan explained that an extension on the Brownfields project has been secured from MassDevelopment allowing the work to be completed by July 2020 and the final paperwork by August 2020. The Board discussed the importance of this work and the complimentary work being done on Route 63 and in Montague in the village of Millers Falls.

Review of the FY2021 Budget Draft

The Board reviewed the revised draft of the FY2021 Budget document. The Board reviewed a message to voters about the impact of COVID-19 on the budget schedule and process. The Board reviewed edits to the budget message from the Board; the revised version removed the information related to the Town's equalized valuation (EQV). Bryan explained that he is proposing to move it to the newly drafted Financial Overview section of the budget if the Board supports the change. **Selectman Bembury** spoke to the importance of keeping the information about the EQV in the budget document and wanting the definition included in the glossary. The Board expressed agreement.

The Board reviewed the newly drafted Financial Overview section of the budget. Bryan explained that the annual budget book has always provided a detailed explanation of the expense side of the Town's finances and that the newly proposed section is meant to help the voters understand the Town's overall financial position. Bryan also explained that the FY2021 budget and the Annual Town Meeting documents are more comprehensive for financial matters than past years where the financial business of the Town was often split between the Annual Town Meeting and the June Special Town Meeting.

The Board discussed wanting to have the FY2021 budget overview to be inclusive of the water and wastewater budgets in a graphical representation. Bryan will revise both the budget expenditure chart and the revenue sources table to match. **Chairman Smith** explained the preference for including the enterprise funds in the budget overview to give the voters a complete understanding of the total budget. **Selectman Bembury** also communicated his support for the revisions to include the enterprise funds and added his belief that the graphical representation of the budget will provide voters with relevant information, answer questions, and may generate new questions. **Selectman Sanders** expressed agreement. Bryan will revise for review by the Board at the next meeting.

Bryan explained that the overview also provides a breakdown of the two (2) largest spending categories which is education and the benefits. The Board expressed support for providing this level of detail in the budget overview. **Chairman Smith** discussed wanting to try an additional chart type that would help to further clarify the education budgets relationship to the overall budget. The Board will review a revised version at the next meeting.

The Board reviewed the section regarding undesignated fund balances. Bryan explained the importance of communicating how free cash and retained earnings are determined and when they are available for appropriation. **Selectman Bembury** asked to provide a ten (10) year comparison of this information.

Bryan will revise. **Chairman Smith** noted that the retained earnings for wastewater and water have declined in recent years and discussed his desire for the Board to formally discuss what the goals for retained earnings balances should be. The Board discussed agreement.

The Board reviewed the savings and investments overview which includes stabilization and trust funds. The Board discussed support for the section and asked about providing more years for comparison. The Board also asked for more information on the sources of funds in the Cemetery and Conservation Trust Funds. Bryan will revise the section for the Board's review.

The Board reviewed the EQV section that has been proposed for the financial overview section. The information over a ten (10) year period has been presented in a table format. **Chairman Smith** discussed his preference to format the data in a bar chart format. **Selectman Bembury** asked that the narrative related to the chart include information about the Town's EQV providing the Town with a weighted vote for the Franklin Regional Council of Governments. The Board expressed agreement. Bryan will revise for review by the Board at the next meeting.

Discussion of River, Warner & Strachan Street Roadway & ADA Improvement Project Bid Documents

The Board reviewed draft procurement documents for the roadway and ADA improvement project for River, Warner, and Strachan Streets. **Chairman Smith** asked if the Board was ready to advertise the project. **Selectman Bembury** and **Selectman Sanders** expressed support for preparing the procurement advertisements.

Selectman Bembury asked about the estimated construction cost, noting that the cost presented in the draft procurement materials is higher than the amounts discussed in previous meetings. **Chairman Smith** expressed the same concern. Bryan will review the documents again with the project engineer at Weston & Sampson to identify the reasons for the differences and communicate them back to the Board for review at the next Board meeting.

Bryan asked the Board if they would like the procurement to be handled in house using the Town's bid website or if they would like Weston & Sampson to facilitate this through a bid site. **Selectman Bembury** communicated his support to allow Weston & Sampson to handle the bidding process. The Board expressed agreement.

Review of Meeting Minutes for March 02, 2020

The Board reviewed meeting minutes for Monday, March 02, 2020. **Selectman Bembury** made a motion to approve the meeting minutes of March 02, 2020 as written. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

Review of Meeting Minutes for February 24, 2020

The Board passed over this agenda item.

Review of Meeting Minutes for March 23, 2020

The Board passed over this agenda item.

Review of Meeting Minutes for March 30, 2020

The Board passed over this agenda item.

Discussion Regarding Reopening Annual Town Meeting Warrant to Consider Special Legislation Authorization to Change Board of Selectmen to Select Board

The Board reviewed a memorandum from Bryan requesting the reopening of the 2020 Annual Town Meeting Warrant. Bryan explained that the request centers on the request to add a new article that would ask the voters for authorization to seek special legislation to change the Board of Selectmen to the Select Board and two (2) minor edits to increase clarity for the voters. Bryan explained that a vote to reopen the Annual Town Meeting warrant would be required to consider the changes. **Selectman Bembury** explained that he is in support of the special legislation request but asked if it could be done at a future Town Meeting to avoid reopening the warrant. **Chairman Smith** explained that the article could be presented at a future meeting but that out of concern for timing with the legislative session and with the Town's work on the codification project, it would be advisable to work on the change sooner than later. **Selectman Bembury** made a motion to reopen the Annual Town Meeting warrant to consider special legislation authorization to change Board of Selectmen to Select Board. **Selectman Sanders** seconded. **Vote:** Unanimously approved. Bryan reviewed the following proposed changes with the Board:

Page 1 Note Regarding the Postponement of Annual Town Meeting

Bryan explained that in consultation with Richard Newton, Town Clerk, it was recommended that the warrant document include a note that on March 30, 2020 the Board voted to postpone the meeting date for the Annual Town Meeting to June 17, 2020 in accordance with MGL Chapter 39 § 9. The Board expressed no concerns with the proposed edit.

Recategorization of License Fees and Service Charges Article

Bryan explained that he proposes moving the article to a new category entitled Local Adoption of Massachusetts General Law Provisions. Bryan explained that the article had originally been included with the bylaw category and that the adoption of this article would not change the Town's bylaws, so it is more accurate to provide a separate category. Bryan added that as a result of this change, the article numbers had to be updated. The Board expressed no concerns with the proposed edits.

Article 29: Special Legislation Authorization to Change Board of Selectmen to Select Board

The Board reviewed the proposed new article that seeks authorization to file special legislation that would change the name of the Board of Selectmen to the Select Board. **Chairman Smith** expressed his support for the article and asked to edit the article information section to explain that the Board is requesting this change to be more inclusive of everyone who has and will serve on the Select Board. The Board expressed agreement with the change and the proposed article 29.

Selectman Sanders made a motion to accept the Annual Town Meeting warrant as amended. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Discussion Regarding Nomination for the Mohawk Trail Scenic Byway (Route 2) for America's Byways Program

Chairman Smith explained that the Franklin Regional Council of Governments is working on a nomination of the Mohawk Trail section of Route 2 to be designated by the Federal Government as one of America's scenic byways and that Erving has been asked to provide a letter of support for the nomination. The Board discussed the potential alignment of the designation, if made, with the Town's work to brand the Town as a rural destination. The Board expressed agreement with issuing a letter of support, signed by all members of the Board of Selectmen. **Selectman Bembury** made a motion to send a letter of support for the nomination of the Mohawk Trail (Route 2) for the America's Byways program, signed by all members of the Board of Selectmen. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

Issuance of Cemetery Deeds #496, #497, #498, and #499 to Bruce Scott

Selectman Bembury made a motion to issue cemetery deeds #496, #497, #498, and #499 to Bruce Scott. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

Issuance of Cemetery Deeds #477, #478, #479, #480, #481, #482, and #483 to Daniel Hammock

Selectman Bembury made a motion to issue cemetery deeds #477, #478, #479, #480, #481, #482, and #483 to Daniel Hammock. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

Issuance of Cemetery Deeds #484, #485, #486, #487, #488, #489, #490, #491, #492, #493, #494, and #495 to Andrew Sullivan

Selectman Bembury made a motion to issue cemetery deeds #484, #485, #486, #487, #488, #489, #490, #491, #492, #493, #494, and #495 to Andrew Sullivan. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

Review of Position Descriptions

The Board passed over this agenda item.

Review of Wheelock Street Culvert Engineering Proposal for MVP Project

Bryan provided the Board with an overview of the engineering professional services proposal from Weston & Sampson for the culvert improvement project for Wheelock Street that is being funded by the Municipal Vulnerability Preparedness (MVP) action grant that the Town was awarded. The Board expressed no concerns with proceeding. **Selectman Bembury** made a motion to sign the agreement with Weston & Sampson for the Wheelock Street culvert engineering project in the amount of \$40,000. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

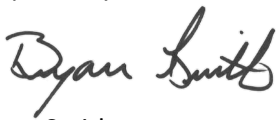
Discussion of Taking Parcel 4-0-79 from Mount Grace Land Conservation Trust

The Board reviewed taking documents for parcel 4-0-79 on Poplar Mountain, owned by the Mount Grace Land Conservation Trust. Bryan explained that the Mount Grace Land Conservation Trust had previously signed a donation agreement with the Town for the land but later a question had arisen about the title of the property when it was purchased. Mount Grace Land Conservation Trust agreed to work with the Town on a friendly taking of the property for conservation and recreation purposes. Bryan explained that at the 2019 Annual Town Meeting, the Board of Selectmen received authorization from the voters to utilize eminent domain to take the property for the intended purposes and that the taking documents presented for consideration would allow the Town to move forward. The Board discussed having no concerns about proceeding. **Selectman Bembury** made a motion that the Town take parcel 4-0-79 as described in the Order of Taking to Mount Grace Land Conservation Trust, Inc. via eminent domain. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

Adjournment

At 8:36 PM **Selectman Bembury** made a motion to adjourn. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

Respectfully submitted,



Bryan Smith
Town Administrator