

Board: Board of Selectmen/ Water Commissioner's Meeting
Date: Monday, July 27, 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, Jacob Smith, Peter Sanders
Library Building Committee: Jacquelyn Boyden, Sara Campbell, Charles Zilinski, Rebecca Hubbard
Board of Library Trustees: Mackensey Bailey, Daniel Hammock
Finance Committee: Benjamin Fellows, Daniel Hammock
Also, Present: Bryan Smith, Nicholas Jablonski, Natane Halasz, Mariah Kurtz
Press: Katherine Nolan, Montague Reporter; Max Marcus, Greenfield Recorder

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

The Board reviewed communications from Town departments related to services impacted by COVID-19. **Chairman Smith** explained that the Union 28 Superintendent of Schools and the Erving Elementary School Principal have shared a communication regarding opening plans for the Elementary School. **Chairman Smith** explained that Paula Betters, Senior Center Director, had sent a communication about plans with the Town Health Nurse for a drive-up flu clinic tentatively scheduled for October 2020. **Chairman Smith** explained that Paula is looking for policy direction from the Board about proceeding with the plan. The Board expressed agreement with proceeding with the flu clinic as planned.

Joint Meeting with Library Building Committee & Board of Library Trustees- Library Construction Project Update & Review of Change Order Requests

At 6:36 PM **Chairman Smith** called the joint meeting of the Board of Selectmen, the Library Building Committee, and the Board of Library Trustees to order. Nicholas Jablonski, Owners Project Manager, joined the meeting to review outstanding work for the Library construction project. Nicholas provided an overview of work to be completed by Marois Construction, work to be completed by Johnson & Roberts Associates, and outstanding training from vendors on facility systems. Nicholas also reviewed the work to be completed in the next week by ACE Solar that includes labeling and documentation for Eversource. Nicholas explained that ACE Solar has submitted all necessary forms to the State's SMART program and that it is going through the process. Nicholas confirmed that as-built drawings and specifications are being developed by Marois Construction and Johnson & Roberts Associates and that they will be delivered to the Town before final payment is requested. Mackensey Bailey, Library Trustee, asked for an update on the progress regarding punch list items like the door closers. Nicholas explained that the work was to be corrected by Marois Construction and that he will verify with the site Foreman. Nicholas noted that Natane Halasz, Library Director, has submitted a few additional work orders to be address regarding the locker units.

Review of Proposed Change Orders

PCO #20- Fabrication of Window Extension Jambs

Nicholas explained the work proposed in PCO #20 for the window jamb extensions, noting that the was an issue with the drawings that caused the discrepancy. Nicholas explained that the cost for PCO #20 is \$1,669.83.

PCO #15- Revisions to Power Requirement for ERV1

Nicholas explained that through the request for information process the project engineers and Adams Plumbing & Heating, had a communication that resulted in a larger and more expensive system being installed. Nicholas noted that there was no extra charge to the Town for the upgraded system, but that the Griffin Electric incurred an additional charge that was related to the required power system for the upgraded unit. Nicholas explained that PCO #15 was rejected more than once but has been resubmitted again. The cost for PCO #15 to Griffin Electric is \$993.79.

Selectman Bembury made a motion to approve PCO #20 in the amount of \$1, 669.00. Jacquelyn Boyden seconded. **Discussion:** **Chairman Smith** expressed concern about the Town being responsible for the costs related to oversights during the design and construction process. Nicholas acknowledged that the design oversight is the ultimately the responsibility of the project Architect. Nicholas explained that typically, if the cost of the change is not an egregious amount, the Town usually pays. Nicholas explained that the standard project contingency is 5% of the total project cost, and that to-date the approved changes have cost approximately 1%. **Vote:** Unanimously approved.

Regarding PCO #15, **Chairman Smith** asked how the Board of Selectmen, Library Building Committee, and Board of Library Trustees wanted to proceed. Jacquelyn Boyden, Library Building Committee Co-Chair, expressed support for approving the PCO as it has been debated for months and is a relatively minor cost. Jacquelyn noted that the Town received an upgraded piece of equipment because of the change. Jacquelyn made a motion to approve PCO #15 in the amount of \$993.79. **Selectmen Bembury** seconded. **Vote:** Unanimously approved.

Discussion Regarding Other Pending PCO'S

Nicholas explained that he expects Marois Construction to submit PCO #30, because the automatic door openers for the main entrance were included in the specifications but not on the electrical plans which has required changes. Nicholas explained that verbally, Marois is claiming a cost for the change order. Nicholas explained that the current estimate is \$1,500 and an additional electrical box is required to be installed. Additionally, Nicholas explained that PCO #22 and PCO #29 have been voided.

Chairman Smith asked about overall funding project funding. Bryan explained that everything has come in under the approved budget and within the special articles. Bryan recommended that the Board hold special articles related to the project open until the end of FY2021.

Jacquelyn explained that the Library Building Committee has been working on a landscaping planning plan and site furniture that will be done for the approved budget for \$17,000.

Chairman Smith asked how the project will apply for LEED certification and the anticipated grant funding that comes with the designation. Nicholas explained that the process is handled by the Architect and the Commissioning Agent. Nicholas explained that the application process involves a review of the materials used in the construction of the facility and the agency has a thirty (30) day response period. Overall, Nicholas explained that the process can take approximately three (3) months.

Regarding the Library Building Committee's plan for landscaping and site furniture, both **Chairman Smith** and **Selectman Bembury** expressed agreement that the Committee should proceed with the plan without the need for further votes from the Board. Jacquelyn explained that the planting plan focuses on native plants.

At 7:15 PM **Chairman Smith** made a motion to adjourn joint meeting of the Board of Selectmen, the Library Building Committee, and the Board of Library Trustees and to continue with the Board of Selectmen meeting. Jacquelyn seconded. **Vote:** Unanimously approved.

Joint Meeting with Finance Committee- Discussion Regarding Compensation Policies

At 7:15 PM **Chairman Smith** called the joint meeting of the Board of Selectmen and the Finance Committee to order. The Board and the Finance Committee reviewed a memorandum from Bryan regarding several policy topics related to compensation.

Elected Officials Compensation

Chairman Smith began the discussion reminding the Board and the Finance Committee that there had been an agreement to revisit the topic of elected official compensation during the FY2021 budget planning process. **Chairman Smith** spoke to earlier deliberation on elected officials that serve as regular employees with regular office hours and elected board and commission members that meet periodically. **Chairman Smith** asked how the Board and the Finance Committee would like to address the topic. **Selectman Bembury** discussed the current practice of using the annual cost of living adjustment (COLA) to adjust elected official compensation. **Selectman Bembury** expressed hesitation to a commitment of an annual COLA and would like the Board and the Finance Committee to review elected official compensation annually. **Chairman Smith** suggested establishing a flat rate for board and committee stipends that is not adjusted with an annual COLA. Debra discussed the difference between elected officials that function as regular employees and other elected officials that serve on boards and commissions. Debra discussed the need to develop a policy for how to handle compensation for newly elected officials that serve as regular employees. Debra discussed support for each board and commission receiving the same set stipend. **Selectman Bembury** explained that the Town has not had a standard for how stipends have been set, noting that as some boards asked for a stipend adjustment, others would also ask and that there was no formality to it. **Selectman Bembury** expressed support for Debra's suggestion of setting a flat stipend for all boards and commissions. **Chairman Smith** discussed a tiered approach that is consistent so that if a COLA is granted it is consistent. **Chairman Smith** added that if the Board and the Finance Committee did not want to annually consider a COLA for elected officials, that a schedule to review compensation should be identified. Benjamin expressed support for set stipend and a period to review; and acknowledged why COLAs would be requested. **Selectman Bembury** expressed his belief that the Town has been generous with stipends, noting that the board and commission positions are meant to be volunteer positions. **Selectman Bembury** acknowledged the benefit of compensating these positions with a stipend and spoke to his preference for allowing each board or commission to advocate for an adjustment annually if they want to. **Chairman Smith** discussed concern about all of the work that has been done to address compensation issues and the problem of not developing a set policy to address elected officials. Mackensy joined and expressed support for establishing a set stipend for all committees and noting concern for not considering committees that meet monthly and others that are not as active. Mackensy expressed support for a tiered committee approach. Benjamin expressed concern if a committee is meant to meet at certain schedule but changes mid-year and the challenges with trying to enforce an expectation of a meeting schedule. Debra discussed an approach of setting a stipend for all elected boards and commissions and to communicate an expectation of a minimum number of meetings. Finance Committee discussed the challenges of implementation. Bryan acknowledged the challenges and noted that the compensation for an elected official is set at Town Meeting. Bryan expressed encouragement for the Board and the Finance Committee to communicate an expectation for minimum number of meetings, recognizing that peers would have to self-police. Bryan reminded all that the recall of an elected official is always an option if there is a feeling that officials are not conducting the work of their office.

As it relates to compensation, **Chairman Smith** discussed the higher expectation that is placed on the Board of Selectmen and the current practice of meeting almost weekly with liaison assignments. **Chairman Smith** reminded the Board and the Finance Committee that the Treasurer, Tax Collector, and Town Clerk positions are now handled through grade & step schedule. **Chairman Smith** asked how the Board and the Finance Committee would want to approach drafting a compensation schedule for elected officials. Again, Benjamin expressed concern about policing attendance for boards and commissions. Debra acknowledged the challenge as well as the importance of being up front with individuals seeking a position about the Town's expectations. The Board and the Finance Committee expressed agreement on the need for clarity on expectations. **Selectman Bembury** discussed support for drafting general expectations and suggested setting a maximum of \$1,000 for board and commission member stipends and no COLA. It was agreed that Bryan will draft an example policy addressing elected official compensation for the Board and the Finance Committee to review. The Board and the Finance Committee discussed how to approach the stipends for the members of the Select Board and the Board of Assessors. For FY2022 planning purposes, Debra suggested \$4,500 for Select Board with no COLA. Benjamin suggested \$4,000 for Assessors with no COLA. **Chairman Smith** suggested \$2,500 for Tree Warden and \$250 for the Town Moderator. The Board and the Finance Committee expressed general agreement and would like to review the draft policy. Regarding establishing a periodicity to review the proposed policy, Debra suggested three (3) year review. The Board and the Finance Committee expressed agreement. The Board and the Finance Committee agreed that the draft policy should include language that compensation for the Town Clerk, Tax Collector, and Treasurer positions follow the grade and step system. **Chairman Smith** asked for suggestions on how to communicate the approach to compensation. Debra suggested that the policy should be to align with how hiring is down for all Town departments. **Chairman Smith** expressed agreement. **Selectman Bembury** discussed wanting to know how the State handles elected official compensation. Debra agreed asked Bryan to research examples. The Board and the Finance Committee discussed the challenge with the election process and the approach to compensation, noting that the Town would not hire for a position in the same manner. Discussed trying to work towards parity with the compensation project. Daniel suggested reaching out to the Massachusetts Municipal Association for guidance.

Compensation Schedule Adjustments Policy

Chairman Smith asked the Board and the Finance Committee if they wanted to establish a policy for the frequency with which market studies are conducted and the wage & compensation schedules are reviewed, noting that the minimum wage increases have been scheduled for Massachusetts through 2023. **Selectman Bembury** asked if there was specific guidance for the public sector. Bryan explained that there is no set standard and often public sector employers have an inconsistent timetable for this work which can lead to outdated compensation schedules. Debra asked if there was an average periodicity. Bryan suggested three (3) to five (5) years would be his recommendation to the Town. **Chairman Smith** raised concern with not considering the annual minimum wage adjustments and the impact on a future market study. **Chairman Smith** discussed concerns related to the social impact on staff members that are affected by low pay rates. **Chairman Smith** discussed the concern about the significance of the minimum wage rate change planned from the State. Debra asked for an estimated cost for a market study. Bryan suggested that the Town should plan to spend between \$8,000 and \$10,000. The Board and the Finance Committee agreed that they need time to consider the proposed policy request. Daniel spoke to support for a periodicity of three (3) years for a market study.

Positions not Reviewed During the Compensation Project

Benjamin asked for an explanation as to why the previous project had not reviewed the positions of Information Technology Coordinator, Information Technology Support Technician, Emergency Management Director, Assistant Emergency Management Director, and the Backup Water Operator. Bryan noted that these positions are either stipends or per diem. Bryan explained that when the project began over a year ago, several potential changes had been discussed. Regarding information technology services, Bryan explained that both the IT Coordinator and IT Support Technician had communicated that the needs of the Town had grown and were exceeding time available. Both positions expressed a desire to step down from their roles within the coming year. Bryan noted that at the same time the Town began working with the Franklin Regional Council of Governments on a regional IT project. Bryan noted that the regional IT project is still in its study phase and has taken longer than expected, while both positions have continued to work. Regarding the Backup Water Operator position, Bryan explained that approximately two (2) years ago the Town began the process of cross training the wastewater staff to be certified water system operators. The essential functions of the jobs have been amended accordingly and the revised position descriptions were used in the newly adopted compensation schedule. Bryan explained that the Backup Operator position was needed while the staff transitions through the required licensing process which can take a few years.

Regarding the Town's IT needs, **Selectman Bembury** asked if the Town could fund a full-time benefited position to oversee the Town's IT services. **Chairman Smith** suggested that the cost that the Town would incur for the expertise necessary would be high and would likely not be the best use for helpdesk ticket related services. **Chairman Smith** discussed the potential benefits of a regional team support noting that a model could provide the Town with services at an hourly rate. Bryan discussed regional project outline and anticipated model for service that will develop. Daniel expressed support for a regional IT solution.

Chairman Smith asked about how to approach the Emergency Management Director and Assistant Emergency Management Director positions. Benjamin asked how the declaration of an emergency works. It was explained that the Board declares if an emergency exists. Discussion included the incident command structure and the Town's role in regional emergency planning as well as Town specific planning. Debra asked to review the position description. **Selectman Bembury** asked for listing of the current stipends to be reviewed for the next joint meeting on this topic. **Chairman Smith** agreed and asked for a comparison to other communities. **Chairman Smith** explained that the Emergency Management Director and Assistant Emergency Management Director positions likely make sense as additional duties for existing public safety staff. Benjamin discussed support. Debra asked if Chief Wonkka could provide feedback on the sense of whether Emergency Management Director position is best assigned to a public safety employee. **Chairman Smith** asked for comparison of how other towns have structure their Emergency Management positions. The Board and the Finance Committee expressed agreement.

Educational Attainment Incentive Policy

Bryan introduced the topic of an educational attainment incentive policy, noting that Town position descriptions describe minimum educational requirements and preferences. Bryan explained that employees have asked the Town to consider implementing a policy to allow for educational incentives. Bryan noted that there are not many examples of town-wide policies in the Commonwealth, noting that these provisions are often embedded in collective bargaining agreements. Bryan advised that if the Town wanted to consider a policy like this, he believes it should be instituted town-wide and not in individual employment agreements which can often lead to disparities. Bryan explained that an example policy from Halifax, Ma was included in the packet for the Board and the Finance Committee to review. **Chairman Smith** stated that the Board and the Finance Committee needed time to consider such a policy. Debra

expressed agreement. Debra explained that it would be helpful to understand what the Town has done in the past to provide employees with educational assistance. Benjamin expressed agreement. Bryan will compile the requested information and will forward to the Finance Committee and the Board for review.

The Board and the Finance Committee agreed to a tentative joint meeting on August 24, 2020 at 7:00PM with materials related to draft policies sent a week in advance.

At 9:06 PM Debra made a motion to adjourn the joint meeting of the Board of Selectmen and the Finance Committee and to allow the Board of Selectmen meeting to continue. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

IP Mill Hazardous Materials Clean-up Project Update

The Board discussed the anticipation of final paperwork coming from Tighe & Bond and Air Quality Experts to closeout the hazardous materials abatement project in the coming weeks.

Discussion of POTW#2 Sludge Dryer Capital Project

Mariah explained that she has been in communication with representatives at Erving Industries to schedule a meeting to review the application for State Revolving Loan Fund with the Clean Water Trust. Mariah explained that the goal is to establish weekly meetings until the application is complete and filed.

Discussion Regarding River, Warner & Strachan Street Project Procurement

Bryan provided the Board with an update on the roadway improvement project for River Street, Warner Street, and Strachan Street. Bryan explained that the contractor, Jack Goncalves & Sons of Ludlow, MA, is very eager to begin work on the project. Bryan explained that Mariah and Glenn McCrory, Highway Superintendent, conducted a site visit with the Town's engineer to walk the layout and identify any remaining concerns including the transition from the work done by Mass DOT on Lester Street. Bryan explained that the Town is meeting with the contractor on site tomorrow, Tuesday, July 28, 2020, to review the specifications and finalize contractual paperwork. Bryan explained that Mariah sent all property owners along the project layout a notification explaining the that the project is slated to begin on August 03, 2020 and to provide contact information if there are any concerns.

Review of Town Logo/ Brand Design – Review #3

Mariah joined the Board to review the third revisions of the Town logo/ branding project. The Board discussed general excitement about the revisions.

The Board reviewed logo design 3-1: **Selectman Bembury** discussed general support for the design including the sun element. **Selectman Bembury** express concern about the dark coloring in background and would like to see a revision with brighter colors. **Chairman Smith** asked for side colors to be lightened and for the foreground green hill elements to be removed. **Chairman Smith** discussed wanting to see a revision with the background grey in the hill elements to be green. **Chairman Smith** and **Selectman Bembury** agreed to remove the star elements. Mariah suggested that the banner could shift upwards towards the bridge element. The Board expressed agreement. **Chairman Smith** asked about seeing a revision that is inclusive of the Town's incorporation year in the banner. Mariah cautioned about including the year of incorporation with the recent societal discussions around colonialism and claiming place previously inhabited. **Chairman Smith** discussed seeing a revision with the maroon border that includes the grey color from the bridge or hill elements. The Board discussed seeing a revision with a navy-blue outline or maroon color as well as a revision with an orange color in the border.

The Board reviewed logo design 3-2: **Selectman Bembury** discussed liking the green colors used and asked to see the same colors incorporated in logo design 3-1. **Selectman Bembury** discussed preference for the banner element used. **Chairman Smith** explained that he likes the contrast used for the green but not the specific color green. **Chairman Smith** expressed dislike of the placement of the bridge element.

The Board reviewed logo design 3-3: The Board expressed support for the placement of the banner element but not the style of the banner used.

The Board reviewed logo design 3-4: The Board discussed not having a preference for the use of “Erving” or the “Town of Erving” in the banner. The Board agreed to see a revision that uses the “Town of Erving” for comparison.

The Board reviewed logo design 3-5: **Selectman Bembury** explained that he would like to remove the star elements but liked the example of including department names like the “Highway Department” in the logo design.

The Board agreed that they would like to view another round of logo revision. Mariah reminded the Board that the end product will be the selection of a high-quality logo and a branding package that will include stationary. Mariah explained that several departments have been waiting to order new business cards until the project is complete.

COVID-19 Microenterprise Relief Loan Program Application Review- Artscape

The Board agreed to pass over this agenda item. The Board agreed to meet on Friday July 31, 2020 at 5:00 PM to review this item.

Discussion of EV Charging Station Grant Program

Mariah explained that work is ongoing to obtain quotes from vendors on the State contract that also work with National Grid. Mariah also explained that she has reviewed the project with the Town’s Green Communities Coordinator and that the grant will support up to two (2) of the electric vehicle (EV) charger purchases. The Board agreed to support the purchase and installation of three (3) chargers even if the Town has to fund the third unit. Mariah will continue to work with the grantors and vendors to prepare a final proposal to the Board.

Review of Network & Virtual Server Resiliency Project Procurement

Bryan explained that the draft scope of work for the project is not ready for the Board to review. Bryan explained that he has reached out the Mass Cyber Center to discuss regulatory requirements and is reviewing public procurement contracts to better understand procurement options. Bryan asked if the Board would be willing to meet on Friday, July 31, 2020 to review the draft scope. Mariah expressed concern about the delay in contracting an IT professional for the project and discussed the contract with the State regarding the Municipal Vulnerability Preparedness (MVP) grant. Bryan will follow up with the MVP Coordinator to discuss the delay. Mariah explained that the second part of the MVP project is the culvert assessment project on Wheelock Street and that the Town recently received a probable cost estimate from Weston & Sampson for the upgrade to the Street’s culverts. The Board agreed to review a draft scope of work on Friday, July 31, 2020.

Review of FY2021 Board & Commission Reappointment Requests

The Board reviewed re-appointment requests for the Open Space Committee and the Board of Registrars.

Selectman Bembury made a motion to appoint Elizabeth Bazler to the Open Space Committee for a term of one (1) year, ending on June 30, 2021. **Chairman Smith** seconded. Vote: Unanimously approved.

Selectman Bembury made a motion to appoint Theresa Dodge to the Board of Registrars for a term of three (3) years, ending on June 30, 2023. **Chairman Smith** seconded. Vote: Unanimously approved.

Review of Police Cruiser Procurement

The Board reviewed a memorandum from Bryan regarding the procurement of a 2021 hybrid Ford Police Interceptor. Bryan explained that the Town is using State contract VEH98 and has received a quote from Marcotte Ford of Holyoke, MA in the amount of \$37,740.75. Bryan explained that the plan is to outfit the new cruiser with internal staff resources and to surplus the 2014 Dodge Charger that it is replacing. Bryan explained that the Town has applied to the Green Communities program to utilize approximately \$3,500 in grant funds toward the purchase of the cruiser. The Board discussed having no concerns. **Selectman Bembury** made a motion to motioned to authorize Bryan Smith to procure a 2021 hybrid Ford Police Interceptor Utility, as quoted, from Marcotte Ford of Holyoke, MA in the amount of \$37,740.75. **Chairman Smith** seconded. **Vote:** Unanimously approved.

Review of Special Legislation Draft

The Board reviewed the draft special legislation request prepared by Town Counsel. Bryan explained that communication has been had with Senator Comerford and Representatives Whipps' offices to ask for their sponsorship on the special legislation. Bryan asked the Board if they would like revisions to the draft language, noting that it is similar to legislation that was approved for the Town of Sunderland. The Board agreed that they approve of the draft language as presented. **Chairman Smith** made a motion to authorize Bryan Smith to file special legislation, as presented, with Senator Comerford and Representative Whipps, to change the name of the Board of Selectmen to the Select Board. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Review of Meeting Minutes for April 27, 2020

The Board passed over this agenda item.

Review of Meeting Minutes for April 29, 2020

The Board passed over this agenda item.

Review of Meeting Minutes for June 01, 2020

The Board passed over this agenda item.

Review of Meeting Minutes for June 08, 2020

The Board passed over this agenda item.

Review of Meeting Minutes for June 30, 2020

The Board passed over this agenda item.

Review of Meeting Minutes for July 11, 2020

The Board passed over this agenda item.

Miscellaneous

Church Street Park Renovation Update

Selectman Bembury asked for an update on the renovation project of Church Street Park. Bryan explained that a park renovation had been planned for June 2020. Bryan explained that during the resetting of the swing set structures it was realized that the metal frame was damaged and needed replacement. Bryan explained that the Recreation Commission has purchased new swing sets for Church Street Park as well as Zilinski Field that are expected to arrive in August 2020. Additionally, Bryan explained that the Recreation Commission has purchased a replacement fence that will be black aluminum and that it will also be installed in August 2020.

Adjournment

At 10:10 PM **Selectman Bembury** made a motion to adjourn. **Chairman Smith** seconded. Vote: Unanimously approved.

Respectfully submitted,



Bryan Smith
Town Administrator