

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF FRANKLIN
ANNUAL TOWN MEETING
WEDNESDAY MAY 12, 2021

Pursuant to a warrant signed by the Erving Selectmen and duly posted, as directed by the vote of the Town, the legal voters met at the Erving Elementary School, 28 Northfield Road, Erving, Massachusetts, on Wednesday May 12, 2021, at 7:00 p.m. Due to the continuing pandemic, once again this year, we met outside under a tent, with people social distancing by 6 feet and wearing face masks. The Town conducted the following business. The meeting was called to order by Moderator Richard K. Peabody at 7:04 p.m. and noted that a quorum was present. He then thanked everyone that worked so hard to make this meeting possible and as safe as possible. The Moderator read the call and the Officer's return and lead the body in the Pledge of Allegiance to the Flag.

GENERAL ARTICLES

ARTICLE 1: ACCEPTANCE OF THE 2020 TOWN REPORT

The Town voted unanimously to accept the reports of the Town Officers for calendar year 2020.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

Article Information: Approval of this article will accept the calendar year 2020 Town Report as presented. Approval of this article requires a majority vote.

ARTICLE 2: AUTHORIZATION TO APPLY FOR FEDERAL OR STATE GRANTS

The Town voted unanimously to authorize the Select Board to apply for Federal or State grants and to expend any monies received, as set forth by the grant, and to follow the appropriate procedures.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

Article Information: Approval of this article will allow the Select Board to apply for, receive, and take actions to comply with the requirements of grants throughout the year. Approval of this article requires a majority vote.

ARTICLE 3: AUTHORIZATION TO DISPOSE OF SURPLUS PROPERTY

The Town voted unanimously to authorize the Town to dispose of any Town property that is declared surplus by the Select Board.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

Article Information: Approval of this article will allow the Select Board to dispose of Town owned property that is determined to be surplus in accordance with the Town's surplus property policy. Approval of this article requires a majority vote.

ARTICLE 4: AUTHORIZATION TO ENTER INTO COMPENSATING BALANCE AGREEMENTS

The Town voted unanimously to authorize the Treasurer and Collector to enter into compensating balance agreements for Fiscal Year 2022 as permitted by Massachusetts General Law Chapter 44 Section 53F.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

***Article Information:** Approval of this article will allow the Treasurer and Collector to enter into compensating balance agreements with Massachusetts banking institutions. Approval of this article requires a majority vote.*

FISCAL YEAR 2022 OPERATING BUDGET

ARTICLE 5: FY2022 GENERAL OPERATING BUDGET

The Town voted unanimously to raise and appropriate the sum of Five Million Sixty-nine Thousand, Nine Hundred Seventy-six Dollars and No Cents (\$5,069,976.00) in the following itemized amounts, all for municipal purposes:

Line	Divisions	Amount
1	General Government	\$ 1,136,728.00
2	Public Safety	\$ 951,891.00
3	Public Works	\$ 659,732.00
4	Health & Human Services	\$ 243,195.00
5	Culture & Recreation	\$ 317,830.00
6	Benefits	\$ 1,760,600.00
	Grand Total	\$ 5,069,976.00

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

***Article Information:** detailed budget information for each department, that comprises each line-item above, is available in the Fiscal Year 2022 Town of Erving Proposed Operating and Capital Improvement Budget. A copy of the document is available on the municipal website (www.erving-ma.gov), can be picked up at Town Hall, and was mailed via direct mail through the United States Post Office to mail recipients in Erving. Approval of this article will establish the FY2022 operating budget in the categories identified above. Approval of this article requires a majority vote.*

ARTICLE 6: FY2022 ELECTED OFFICIAL COMPENSATION – ORIGINAL ARTICLE

To see if the Town will vote to fix the sum of One Hundred Forty-eight Thousand, Four Hundred Thirty-six Dollars and Ten Cents (\$148,436.10) for Elected Officials' salaries for fiscal year 2022, and vote that the following salary and compensation be paid from this sum to the following Elected

Officials of the Town, as provided by Section 108, Chapter 41 of the General Laws, as amended by Chapter 540 of the Acts of 1947, or take any other action relative thereto:

	Detail	Wage Total	Wage per Member	Chair Stipend
Assessor (3)		\$ 11,718.00*	\$ 3,881.00ea	\$75.00
Board of Health (3)		\$ 3,075.00*	\$ 1,000.00ea	\$75.00
Library Trustees (3)		\$ 3,075.00*	\$ 1,000.00ea	\$75.00
Moderator (1)		\$ 250.00*		
Planning Board (5)		\$ 5,075.00*	\$ 1,000.00ea	\$75.00
Recreation Commission (5)		\$ 5,075.00*	\$ 1,000.00ea	\$75.00
School Committee (5)		\$ 7,090.00***	\$ 1,403.00ea	\$75.00
Select Board/Water Commissioners (3)	\$ 12,451.00*			\$250.00
	from Water Department	\$ 879.00**		
	Total Salary	\$ 13,330.00	\$ 4,360.00ea	
Tax Collector (1)	\$ 16,307.28*			
	Certification Award	\$ 1,000.00*		
	From Water Department	\$ 1,947.00**		
	Total Salary	\$ 19,254.28		
Town Clerk (1)	\$24,460.92*			
	From Census Work	\$ 1,000.00*		
	Total Salary	\$ 25,460.92		
Treasurer (1)	\$ 49,694.40*			
	Certification Award	\$ 1,000.00*		
	From Water Department	\$ 1,802.00**		
	Total Salary	\$ 52,496.40		
Tree Warden (1)		\$ 2,536.50		
Total Elected Official Salary		\$148,436.10		

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

Article Information: This article outlines the compensation amounts for elected officials. Approval of this article requires a majority vote.

**funding for this compensation is raised & appropriated in the omnibus budget in article 5. **funding for this compensation is raised & appropriated in the Water Enterprise Fund article.*

**** funding for this compensation is raised & appropriated in Article 7.*

FIRST AMENDMENT: Moved and Seconded to increase Moderator salary to \$350.00 from \$250.00.

The Amendment passed unanimously.

SECOND AMENDMENT: Moved and Seconded to increase Article 6 total to \$148,536.10 from \$148,436.10.

The Amendment passed unanimously.

Article 6 PASSED unanimously as double amended.

ARTICLE 5 RECONSIDERATION.

It was moved and seconded to reconsider Article 5.

The reconsideration passed unanimously.

ARTICLE 5 AMENDMENT: Moved and Seconded to increase Line 1 to \$1,136,828.00 and the total to \$5,070,076.00.

The Amendment passed unanimously.

Article 5 PASSED unanimously as amended.

ARTICLE 7: FY 2022 ERVING ELEMENTARY SCHOOL FUNDING

The Town voted unanimously to raise and appropriate the sum of Three Million, Three Hundred Sixty-nine Thousand, Five Hundred Thirty-three Dollars and No Cents (\$3,369,533.00) for the expense and operation of the Erving Elementary School for fiscal year 2022, beginning July 1, 2021.

Line	Account #	Description	Amount
1	01-300-100-51000	School Committee Salary	\$7,090.00
2	01-301-200-57800	Erving Elementary School Expense	\$3,362,443.00
Grand Total			\$3,369,533.00

SUBMITTED BY: School Committee

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

Article Information: This article provides funding for the Erving Elementary School. Approval of this article requires a majority vote.

ARTICLE 8: FY 2022 SECONDARY EDUCATION FUNDING

The Town voted unanimously to raise and appropriate the sum of One Million, Four Hundred Seventy-seven Thousand, Four Hundred Five Dollars and No Cents (\$1,477,405.00) for secondary education and expenses for fiscal year 2022, beginning July 1, 2021.

SUBMITTED BY: School Committee

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

Article Information: This article provides funding for Erving's secondary education costs of sending students in grades 7 through 12 to other districts, excluding the Technical School. The development of this budget is a best estimation of the number of Erving students who may attend the Gill-Montague District for the coming school year. Actual decisions about a student's education aren't known until the start of the school year and as a result this budget may require a supplemental funding request in the future. Approval of this article requires a majority vote.

ARTICLE 9: FY 2022 FRANKLIN COUNTY TECHNICAL SCHOOL FUNDING

The Town voted unanimously to raise and appropriate the sum of Five Hundred Thousand, Three Hundred Fourteen Dollars and No Cents (\$500,314.00) for secondary education and expenses at the Franklin County Technical School for fiscal year 2022 as itemized below, beginning July 1, 2021.

Line	Account #	Description	Amount
1	01-320-100-51000	Tech School Committee Salary	\$1,403.00
2	01-321-200-57800	F.C. Tech School Assessment	\$484,534.00
3	01-322-200-57800	F.C. Tech School Capital Assessment	\$14,377.00
Grand Total			\$500,314.00

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: [Vote: Aye (), Nay (), Absent ()]

***Article Information:** This article provides funding for Erving's assessment to the Technical School and establishes the salary for Erving's representative to the Technical School Committee. Approval of this article requires a majority vote.*

ARTICLE 10: FY 2022 WATER DEPARTMENT ENTERPRISE FUND

The Town voted unanimously to appropriate the sum of One Hundred Three Thousand, Four Hundred Fifty-three Dollars and No Cents (\$103,453.00) to the Water Enterprise Fund for fiscal year 2022 Water operations. Said money to be raised from receipts, revenues, and funds from any source derived from the activities of the Erving Water Department.

SUBMITTED BY: Water Commissioners

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

***Article Information:** This article approves the operating budget for the water department and will allow the department to raise the necessary funds through water receipts and other activities. As an enterprise fund, unspent revenue at the close of the fiscal year will remain with the fund. Approval of this article requires a majority vote.*

ARTICLE 11: FY 2022 WASTEWATER DEPARTMENT ENTERPRISE FUND

The Town voted unanimously to raise and appropriate the sum of Eight Hundred Thirty-five Thousand, Six Hundred Ninety-six Dollars and No Cents (\$835,696.00) to the Wastewater Enterprise Fund for fiscal year 2022 Wastewater operations.

The \$835,696.00 is to be raised as follows:

Town of Montague and other receipts	\$ 224,849.00
Town of Erving (raise & appropriate)	\$ 610,847.00
Total Wastewater Fund	\$ 835,696.00

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

***Article Information:** This article approves the operating budget for the wastewater department and will allow the Town to raise the necessary funds through means stated. As an enterprise fund, unspent*

revenue at the close of the fiscal year will remain with the fund. Approval of this article requires a majority vote.

FISCAL YEAR 2022 CONTINUING ANNUAL APPROPRIATIONS & SPECIAL ARTICLES

ARTICLE 12: RAISE & APPROPRIATE FOR CONTINUING ANNUAL APPROPRIATIONS

The Town voted unanimously to raise and appropriate the sum of Three Hundred Eighty-two Thousand, Five Hundred Dollars and No Cents (\$382,500.00) for the continuing annual appropriations and special articles itemized below for the purposes stated.

Line	Dept.	Account #	Description	Amount
1	Assessors	01-142-901-53000	Assessors Revaluation	\$25,000
2	IT & Support	01-155-906-57800	Restore Permanent Records	\$20,000
3	Town Buildings	01-192-903-57800	Town Building Maintenance	\$30,000
4	Miscellaneous	01-199-901-57800	Purchase Space in Around Town	\$7,500
5	Benefits	01-996-901-59661	Transfer to Post Employment Benefit Trust Fund	\$300,000
Grand Total				\$382,500

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

***Article Information:** The FY2022 continuing appropriation & special article plan outlined above is a continuation of the sound financial planning that the Town has engaged in over the past few years. The amounts requested are consistent with previous appropriations and allows the Town to meet the service obligations for the stated purposes. Approval of this article requires a majority vote.*

FISCAL YEAR 2022 CAPITAL IMPROVEMENT BUDGET

ARTICLE 13: RAISE & APPROPRIATE FOR CAPITAL IMPROVEMENTS

The Town voted unanimously to raise and appropriate the sum of Four Hundred Fifteen Thousand Dollars and No Cents (\$415,000.00) for the capital improvement projects itemized below, and related expenses, subject to Select Board approval.

Line	Account #	Description	Amount
1	<i>New account</i>	Solid Waste Roll-off	\$5,000
2	<i>New account</i>	Town-wide Sign Replacement	\$25,000
3	<i>New account</i>	New Cemetery Feasibility & Preparation	\$50,000
4	01-291-901-57800	Emergency Communications Expansion & Upgrade	\$75,000
5	01-299-902-57800	Automatic Defibrillator Replacement	\$12,000
6	New account	Leaf Blower Equipment	\$13,000
7	<i>New account</i>	Mountain Road Drainage/Center Cemetery Upgrade	\$75,000

8	New account	Riverfront Park Water Tower Assessment	\$20,000
9	New account	Park Grant Writer	\$20,000
10	New Account	Walk-in Freezer/Refrigerator Upgrade/Replace	\$45,000
11	01-301-912-57800	Carpet Replacement	\$70,000
12	New Account	Phone System Upgrade/Replacement	\$5,000
Grand Total			\$415,000.00

SUBMITTED BY: Select Board

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

***Article Information:** The FY2022 capital improvement plan presented above is the result of the work of the Capital Planning Committee after reviewing requests made by departments. Some requests are "recurring requests" that appear annually to maintain a consistent investment while other capital requests are one-time requests. Approval of this article requires a majority vote.*

ARTICLE 14: TO APPROPRIATE FOR WASTEWATER SMOKE & DYE TESTING PROJECT

The Town voted unanimously to appropriate from the Wastewater Enterprise Fund Retained Earnings the sum of Sixty Thousand Dollars and No Cents (\$60,000.00) for the professional engineering services to conduct smoke & dye testing in the wastewater collection system.

SUBMITTED BY: Select Board

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

***Article Information:** Approval of this article would appropriate \$60,000 for the Wastewater Department to conduct smoke & dye testing on the wastewater collection system. This testing is required by the Massachusetts Department of Environmental Protection (MassDEP) to identify unauthorized connections to the system. If approved, the project would begin in summer of 2021. Approval of this article requires a majority vote.*

DEPARTMENTAL REVOLVING FUND ANNUAL SPENDING LIMITS

ARTICLE 15: REVOLVING ACCOUNT SPENDING LIMITS

The Town voted unanimously to fix the maximum amount that may be spent during fiscal year 2022 beginning on July 1, 2021 for the revolving funds established in Town bylaws for certain departments, boards, committees, agencies, or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E1/2, as follows:

Revolving Fund	Department/Board/Committee/ Agency or Officer	FY2022 Spending Limit
Food Service	Council on Aging	\$10,000
Facility Use	Council on Aging	\$10,000
Library Use and Fees	Board of Library Trustees	\$3,000
Electric Vehicle	Select Board	\$15,000
Charging Stations		

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

Article Information: *Approval of this article would establish the FY2022 spending limits in the above referenced revolving funds in accordance with Town bylaw and with MGL Chapter 44, Section 53E ½. Approval of this article requires majority vote.*

STABILIZATION FUND ARTICLES

ARTICLE 16: APPROPRIATION FOR THE CAPITAL STABILIZATION ACCOUNT

The Town voted unanimously to appropriate the sum of One Hundred Fifty Thousand Dollars and No Cents (\$150,000.00) from Free Cash into the Capital Stabilization Account.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

Article Information: *Approval of this article would transfer the stated funds from certified free cash into the capital stabilization account for use on future capital projects that will require Town Meeting approval. Approval of this article requires a majority vote.*

ARTICLE 17: APPROPRIATION FOR THE GENERAL STABILIZATION ACCOUNT

The Town voted unanimously to appropriate the sum of Two Hundred Seventy-three Thousand Dollars and No Cents (\$273,000.00) into the General Stabilization Account, by transferring Sixty Thousand Dollars and No Cents (\$60,000.00) from Free Cash and by raising Two Hundred Thirteen Thousand Dollars and No Cents (\$213,000.00).

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

Article Information: *Approval of this article would transfer the stated funds from certified free cash and raise the stated funds and deposit the aggregated amount into the general stabilization account. This article is meant to replenish funds used from the general stabilization account for the construction of the Erving Public Library. This is the second of five (5) planned deposits into general stabilization related to the project. Approval of this article requires a majority vote.*

COMMUNITY ACCESS TELEVISION

ARTICLE 18: TO APPROPRIATE FOR COMMUNITY ACCESS TELEVISION

The Town voted unanimously to appropriate the Fifteen Thousand Dollars and No Cents (\$15,000.00) from the PEG Access Cable Revenue account for the purpose of operating the Town' local cable access channel.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

Article Information: Approval of this article would appropriate \$15,000 from the PEG Access Cable Revenue account for the Select Board to use to operate the Town's community access television channel. Revenue in this account is received quarterly from Comcast from user fees in accordance with the Cable franchise agreement. Approval of this article requires a majority vote.

REAL PROPERTY TRANSACTIONS

ARTICLE 19: TO AUTHORIZE DISPOSOTION OF 18 PLEASANT STREET

The Town voted unanimously to transfer from the board or officer currently having control for current purpose for which the property is held to the Select Board, for the purpose of disposition by lease, sale, or otherwise, the care, custody, management and control of the property and structures thereon known as the Erving Graded School, located on 18 Pleasant Street and shown on the Assessors' Maps as Map 4 Block 5 Lot 16; and to authorize the Select Board to rent, convey, or otherwise dispose of all or a portion of said property pursuant to the provisions of Massachusetts General Law Chapter 30B, Section 16 upon such terms and conditions as the Select Board deems to be in the best interest of the Town; and further to authorize the Select Board to take such actions and execute such documents and agreements as are necessary to effectuate the purpose of this article.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

Article Information: Approval of this article would authorize the Select Board to rent, convey, or otherwise dispose of all or a portion of said property pursuant to the provisions of Massachusetts General Law Chapter upon such terms and conditions as the Select Board deems to be in the best interest of the Town. Approval of this article requires a majority vote.

ARTICLE 20: TO AUTHORIZE ACQUISITION OF FORCE SEWER MAIN EASEMENT

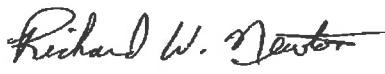
The Town voted unanimously to authorize the Select Board to acquire by purchase, gift, deed, eminent domain, or otherwise, on such terms and conditions as the Select Board shall determine, permanent and/or temporary easements on the parcel of land, Assessors Map 6 Block 4 Lot 70, shown on the plans entitled "Plan of Land In Erving, Ma" dated February 24, 2021, said plans on file with the Town Clerk, for purposes including, but not limited to, construction, alteration, maintenance, improvement, repair and replacement of a force main sewer; and further to authorize the Select Board to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisitions and other acts authorized herein.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (5), Nay (0)]

Article Information: Approval of this article would authorize the Select Board to acquire a permanent easement, for the installation and ongoing maintenance of a force sewer main, on said property pursuant to the provisions of Massachusetts General Law Chapter upon such terms and conditions as the Select Board deems to be in the best interest of the Town. Approval of this article requires a 2/3 vote.

34 registered voters attended this meeting. The meeting was dissolved at 7:45 p.m.

A true copy, ATTEST: 
Richard W. Newton
Erving Town Clerk