

SPECIAL TOWN MEETING

Saturday, March 27, 2021

**Time: 10:00 AM | Location: Erving Elementary School,
28 Northfield Road, Erving, MA**

With a rain date of April 03, 2021 at 10:00 AM

At 9:00 AM on March 27, 2021, the Town Moderator will determine if the rain date will be utilized. If the Special Town Meeting will be recessed and continued to the rain date, the Town will notify voters by posting on the official Town website (www.erving-ma.gov), by posting a notice at the Erving Town Hall and the Erving Public Library, and by utilizing the Town's emergency notification system.

*Please bring this copy with you to the
Special Town Meeting.*

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Erving, should contact the office of the Select Board as soon as possible but no later than 48 hours before the scheduled event.

The office of the Select Board is located at 12 East Main Street, Erving, MA 01344.

Email: administrator@erving-ma.gov | Phone: (413) 422-2800



TOWN OF ERVING

12 East Main Street, Erving, MA 01344
Tel. (413) 422-2800 | Email: administrator@erving-ma.gov

SPECIAL TOWN MEETING WARRANT

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COMMONWEALTH OF MASSACHUSETTS

Franklin, ss.

Town of Erving Constables: In the name of the Commonwealth, you are directed to notify and warn the said inhabitants qualified to vote in Town affairs to meet on the grounds of the **Erving Elementary School** located at **28 Northfield Road, Erving, Massachusetts 01344** on

Saturday, March 27, 2021 at 10:00 AM

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then and there to vote on the following articles in the Warrant:

FY2021 FINANCIAL ARTICLES

ARTICLE 1: AMENDED FY2021 GENERAL OPERATING BUDGET

To see if the Town will appropriate the sum of One Hundred Twenty-two Thousand Dollars and No Cents (\$122,000.00) from Free Cash for to amend the FY2021 General Operating Budget, approved at the Annual Town Meeting on July 11, 2020 in Article 6, by the following itemized amounts, for the purpose of public safety operating expenses, or take any other relative action thereto.

Line	Divisions	Amount	Proposed Amendment	New Total
1	General Government	\$ 1,053,813.00	\$0.00	\$1,053,813.00
2	Public Safety	\$ 931,150.00	\$122,000.00	\$1,053,150.00
3	Public Works	\$ 620,518.00	\$0.00	\$620,518.00
4	Health & Human Services	\$ 235,835.00	\$0.00	\$235,835.00
5	Culture & Recreation	\$ 268,322.00	\$0.00	\$268,322.00
6	Benefits	\$ 1,704,067.00	\$0.00	\$1,704,067.00
	Grand Total	\$ 4,813,705.00	\$122,000.00	\$4,935,705.00

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (4), Nay (0), Absent (1)]

Article Information: Approval of this article would appropriate the sum of \$122,000 from Free Cash to support current fiscal year operating expenses in the Police Department. The Town has undergone unanticipated changes in Department Staffing that included the retirements of 2 employees and the hiring and training of new officers. All of these expenses exceed the established appropriation and could not have been anticipated in the FY2021 budget planning process. Approval of this article requires a majority vote.

FY2021 CAPITAL ARTICLES

ARTICLE 2: DECORATIVE STREETLIGHT REPAIR PROJECT

To see if the Town will vote to appropriate the sum of Forty Thousand Dollars and No Cents (\$40,000.00) from Free Cash into line-item 01-424-901-57800 Streetlight Repair / Replace for the purpose of engineering, assessing, designing and purchasing equipment, supplies, and services to repair decorative streetlights; or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (4), Nay (0), Absent (1)]

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

Article Information: Approval of this article would appropriate \$40,000 from certified Free Cash for the engineering assessment and re-design. Any excess appropriation will be used towards the repair of the decorative streetlights on West Main Street, East Main Street, and Lillian's Way but will not be sufficient to complete the project. Approval of this article requires a majority vote.

ARTICLE 3: CHURCH STREET BRIDGE REPLACEMENT ENGINEERING PROJECT

To see if the Town will vote to appropriate the sum of One Hundred Ninety-five Thousand Dollars and No Cents (\$195,000.00) from Free Cash for the purpose of engineering, permitting, and consulting services on the repair or replacement of the Church Street bridge; or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (4), Nay (0), Absent (1)]

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval [Vote: Aye (4), Nay (0), Absent (1)]

Article Information: Approval of this article would appropriate \$195,000 from certified Free Cash for the engineering, permitting, and related services for the repair or replacement of the Church Street bridge. This appropriation is for engineering tasks through conceptual design, public participation, an opinion of probable cost, finalizing the construction plans, provide for bid support and construction administration services. This appropriation does not fund the actual

construction of the bridge. The cost of such work cannot be known until this phase is complete. Approval of this article requires a majority vote.

ARTICLE 4: PURCHASE OF SOLAR POWERED MESSAGE BOARD

To see if the Town will vote to appropriate the sum of Twenty Thousand Dollars and No Cents (\$20,000.00) from Free Cash for the purpose of purchasing a new mobile solar powered messaging board and trailer to be used for public works and public safety messaging; or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (4), Nay (0), Absent (1)]

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval [Vote: Aye (4), Nay (0), Absent (1)]

***Article Information:** Approval of this article would appropriate \$20,000 from certified Free Cash for the purpose of purchasing a second solar powered mobile messaging board. The Town previously acquired 1 board in FY2020 that has proven to be useful for notifying the public of traffic pattern changes and to monitor speed. The proposed unit would be similar to the unit previously purchased. Approval of this article requires a majority vote.*

ARTICLE 5: WASTEWATER EMERGENCY GENERATOR REPLACEMENT PROJECT FOR POTW#1

To see if the Town will vote to appropriate the sum of One Hundred Twenty Thousand Dollars and No Cents (\$120,000.00) from Retained Earnings in the Wastewater Enterprise Fund for the purpose of engineering, permitting, purchasing and installation of a new emergency power generator for POTW#1; or take any other action relative thereto.

SUBMITTED BY: Select Board

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

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

***Article Information:** Approval of this article would appropriate \$120,000 from certified retained earnings in the Wastewater Enterprise Fund for the engineering, permitting, purchasing, installation and related services of a new emergency power generation for the Erving Wastewater Treatment Plant (POTW#1). The existing emergency generator was original to the construction of the plant and failed unexpectedly in the fall of 2020. Approval of this article requires a majority vote.*

CAPITAL IMPROVEMENT- RESCIND BORROWING AUTHORIZATION

ARTICLE 6: RESCIND BORROWING AUTHORIZATION FOR ERVING CENTER WASTEWATER TREATMENT PLANT

To see if the Town will rescind the borrowing authorized, in Article 3 of the Special Town Meeting Warrant from October 03, 2020, in the sum of Seventeen Million, Nine Hundred Forty Thousand Dollars and No Cents (\$17,940,000.00) for the purpose of constructing and equipping belt drying technology for processing and drying of solids at the Erving Center Wastewater Treatment Plant (POTW#2), at 47 East Main Street, or to take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (4), Nay (0), Absent (1)]

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

***Article Information:** Approval of this article would rescind the borrowing authority granted in Article 3 of the October 03, 2020 Special Town Meeting. The application to the State Revolving Loan Fund was unsuccessful and Erving Industries has confirmed that it is not currently feasible to use the Town's borrowing authority for the project. Approval of this article requires a majority vote.*

ACQUISITION OF LAND

ARTICLE 7: TO ACQUIRE PARCEL (17 MOORE STREET)

To see if the Town will vote to authorize the Select Board to acquire by eminent domain, purchase, gift, deed or otherwise in accordance with Massachusetts General Law Chapter 79 from the former Erving School District 3 or its successor in title, the following described parcel and buildings thereon recorded in the Franklin County Registry of Deeds in Book 320, Page 64, for general municipal purposes, or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (4), Nay (0), Absent (1)]


***Article Information:** Approval of this article would authorize the Select Board to acquire parcel ID 4-5-16 which is the parcel of land that the former public library at 17 Moore Street exists on. A review of the deeds of the property demonstrates that the property was owned by Erving School District 3. Authorizing the Select Board to use eminent domain should allow the Town to use the property for any public use without a concern about the title history. Approval of this article requires a 2/3 vote.*

Constables... In addition, you are hereby directed to serve the above warrant and to post attested copies as directed by vote of the Town at least fourteen (14) days before said meeting. Fail not and make do return of this warrant with your doings thereon to the Town Clerk for the day of said meeting.

Given under our hands this 08th day of **March 2021**.



Jacob A. Smith, Chairman



William A. Bembury

Erving Select Board

POSTING REQUIREMENT CERTIFICATION

FRANKLIN SS TOWN OF ERVING

I have served the above warrant by posting up attested copies, as directed by vote of the Town, at least fourteen (14) days before time of holding said meeting.

3/12/2021
Date


Erving Constable