

**Board:** Board of Selectmen/ Water Commissioner's Meeting  
**Date:** Monday, April 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, Peter Sanders, Jacob Smith  
**Also, Present:** Bryan Smith, Glenn McCrory, Barbara Friedman, Richard Newton, Jacquelyn Boyden, Linda Downs-Bembury  
**Press:** Kathleen Nolan, Montague Reporter

At 6:36 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 the Town Response to COVID-19**

**Chairman Smith** asked the Board if they would like to extend the deadlines for payments, noting that the decision must be made before May 01, 2020. **Chairman Smith** explained that the financial team had provided feedback that they did not believe the extension was needed. **Chairman Smith** noted that the Tax Collector already has some discretion that may be exercised if extenuating circumstances exist. **Chairman Smith** explained that the Tax Collector has provided an update on revenue receipt to date and that there is no concern with current expectations. **Selectman Bembury** and **Selectman Sanders** both agreed that there does not seem to be a need to extend the due dates. The Board expressed agreement. **Chairman Smith** explained that the Governor's stay at home advisory is in place through May 04, 2020 and that the Town has yet to hear about any extensions. Bryan Smith, Town Administrator, explained that he understands that the Massachusetts Governor is trying to coordinate with the governors of the other New England states as well as New York and New Jersey to discuss a plan for re-opening. Bryan explained that he expects an update from the Governor's office later this week. Bryan explained that the staff is meeting to discuss inventory and supply needs to prepare for the return of staff members to offices and buildings.

#### ***Review of the Annual Town Election COVID-19 Contingency Plan***

The Board reviewed the draft contingency plan for operating the Annual Town Election during the COVID-19 State of Emergency. Bryan explained that Richard Newton, Town Clerk, drafted the contingency plan in collaboration with other Town Clerks throughout the State. Bryan explained that the Town Clerk is seeking the Board's approval of the plan. **Chairman Smith** discussed his review of the plan and that he generally supports the protocols outlined within the plan even if the restrictions imposed by the State are lifted by the date of the Annual Town Election. **Selectman Bembury** discussed his concern with how to handle a situation when a voter chooses not to comply with the face covering requirement. **Selectman Sanders** asked if the Town is providing voters with disposable masks. **Selectman Bembury** explained that even though the Town will provide the disposable masks, there is not an enforceable mandate for face coverings even though the State and Federal Governments are recommending the use of a face covering. **Selectman Bembury** noted that some towns, like the Town of Orange, have instituted a mask requirement in public places by order of the Board of Health. Bryan expressed agreement with **Selectman Bembury** and noted that the Erving Board of Health is considering whether or not to issue an order on face coverings in public spaces. Bryan did explain that the Board of Selectman has the discretion to issue a face covering requirement within Town facilities and noted that such a decision may be challenged. **Selectman Bembury** asked if a law enforcement officer would be present for the Annual Town Election in the event

that enforcement issues arise. Richard explained that he was not sure that an officer's presence would be necessary at the Election but that he would like the Board's position on the matter. **Chairman Smith** suggested following up with Chief Blair to see if there are any concerns, and to be prepared to schedule an officer or notify the officer on duty if a concern arises. Bryan explained that Richard has reviewed this contingency plan with Chief Blair, Chief Wonkka, and Glenn McCrory to consider multiple aspects of public safety and facility sanitation. The Board agreed there are no further concerns with the plan as presented. Jacquelyn Boyden asked if the Board would consider relocating the Election to the Elementary School. **Chairman Smith** explained that there are several notification requirements outlined by State law and regulations that would make the change challenging to complete in light of the election date change. Richard expressed agreement and clarified that the process to change the election location is a formal change of polling place that would require notification to each voter for each change. Bryan explained that the Town is preparing a small direct mailing to the residents about the plan and some other changes. **Chairman Smith** added that Richard has already discussed drafting a similar contingency plan for the Annual Town Meeting.

### ***Memorial Day Discussion***

Bryan explained that he will need guidance from the Board about how to handle plans for the Memorial Day Ceremony. **Selectman Bembury** expressed concerns about holding a Memorial Day Ceremony and the risk posed to the public. **Selectman Bembury** suggested not holding a ceremony this year. **Chairman Smith** expressed agreement with the safety concerns but discussed wanting to find a way to still honor the day. **Chairman Smith** discussed maybe having a public safety presence through Town. Bryan explained that the ceremonial wreathes are still being ordered and they could still be laid. Bryan explained that the Highway Department staff has been working with Ground Maintenance staff to refresh the landscaping around the memorials and that the Fire Department staff is working to install all of the American flags throughout Town. Bryan added that the cemetery flags have been received and the grave marker flags will be installed. Bryan explained that all of these pieces can occur without holding a parade or encouraging public gathering. **Selectman Bembury** discussed support for the proposal and for having the public safety departments participate in the flag lowering ceremony.

**Selectman Bembury** made a motion to adopt the Town of Erving Annual Town Election COVID-19 Contingency Plan dated April 22, 2020. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

### **Library Construction Project Update & Review of Erving Public Library Furniture, Fixtures & Equipment Procurement and Proposed Change Orders**

Barbara Friedman, Library Director, and Jacquelyn Boyden, Library Building Committee Co-Chair, joined the Board to discuss the status of the Library construction project. Bryan provided the Board with an overview of the approved and pending change order proposals to date. Jacquelyn clarified that PCO#26 has not yet been approved and should be listed under the "pending" category.

### ***Review of PCO #26***

The Board reviewed the PCO in the amount of \$3,705.69. Jacquelyn explained that the painter had requested \$7,500 and that the Library Building Committee had recommended award ½ the amount. **Selectman Bembury** expressed support for approving PCO #26 as presented. **Selectman Sanders** expressed agreement.

***Review of PCO #15***

The Board reviewed the PCO for revisions to the power requirements. Bryan explained that the Town has rejected the request. Bryan noted that the issue exists between the HVAC contractor and electrical contractor. Bryan explained that he anticipates that the PCO will be requested again by the vendor.

***Review of PCO #20***

The Board reviewed PCO #20 related to the fabrication of the window extension jambs in the amount of \$1,669.83. Bryan and Barbara discussed their understanding that the request was for the mill work of the maple baseboards. Glenn McCrory, Highway Superintendent, suggested that it may instead be related to jambs for the space between the window casings. The Board discussed wanting further detailed explanation from the contractor prior to further consideration.

***Review of PCO #22***

The Board reviewed PCO #22 for the addition of receptacles and the relocation of an exit sign in the amount of \$693.36. Jacquelyn explained that the PCO resulted from the addition of new data receptacles and the relocation of an exit sign while also receiving a credit for the reduction in receptacles actually installed due to a change in the motion sensor plan. **Chairman Smith** expressed having no concerns with approving as presented. **Selectman Bembury** and **Selectman Sanders** expressed agreement.

***Review of PCO #23***

The Board reviewed PCO #23 for the changes to toilet accessories in the amount of \$287.58. **Chairman Smith** explained his understanding of the PCO. **Selectman Bembury** and **Selectman Sanders** expressed support for approving PCO #23 as presented.

***Review of PCO #24***

The Board reviewed PCO #24 for the adjustments to the bond premium in the amount of \$611.68. **Chairman Smith** explained his understanding of the PCO. The Board member expressed support for approving the PCO as presented.

***Review of PCO #27***

The Board reviewed PCO #27 for the addition of 4 posts of the photovoltaic array in the amount of \$273.16. Jacquelyn explained that the photovoltaic array required the installation of four (4) additional posts for the array. The Board discussed support for approving the PCO as presented.

***Unit Heater Credit***

The Board reviewed the credit for the uninstalled unit heater in the amount of \$500.00. Jacquelyn explained that the plans had called for an electrical heating unit to be installed in the electrical room and it was determined that a unit was not needed in that space. The Board had no concerns with the credit.

***Sink at Café Counter***

The Board reviewed the proposed change order for the installation of a café sink in the Library lobby in the amount of \$500.00. **Chairman Smith** explained that he understands that the plans called for the installation of a counter and plumbing to support a sink, but the contractor believes that a sink was not specifically called for therefor a request has been presented to install a sink in the countertop. The Board discussed support for approving the PCO as presented.

### ***Fire Alarm Cellular Dialer***

The Board reviewed the proposed change order for reimbursing P-3 for the purchase of a cellular dialer unit to operate the fire alarm panel in the amount of \$470.00. **Chairman Smith** explained his understanding of the request and expressed his support for approving the request. **Selectman Bembury** and **Selectman Sanders** expressed agreement.

### ***General Contractor Time & Materials for PV Panel Infill***

The Board reviewed the proposed change order for time and materials for work related to the installation of the photovoltaic array in the amount of \$800.00. Barbara and Bryan explained that they thought it was actually work related to the custom enclosure for the fencing around the transformer area. The Board discussed support for approving the request as presented.

**Selectman Bembury** made a motion to approve PCO #25 in the amount of \$1,499.84, PCO #26 in the amount of \$3,705.69, PCO #22 in the amount of \$693.36, PCO #23 in the amount of \$287.58, PCO #24 in the amount of \$611.68, PCO #27 in the amount of \$273.16, also to include the unit heater credit for no installation (\$500.00), sink in café counter for \$500.00, fire alarm cellular dialer in the amount of \$470.00, and GC T&M for PV panel infill for \$800.00 for a total cost of \$8,341.31. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

Barbara, Jacquelyn, and Bryan will review the furniture, fixtures, and equipment budget with the Owner's Project Manager. Barbara explained the work that is being done to make final furniture purchases. Jacquelyn discussed budget placeholders of \$10,000 for landscaping and \$4,000 for site furniture.

### ***IP Mill- Hazardous Materials Clean-up Project Update***

Bryan explained that representatives from the Town have met with Air Quality Experts to discuss the hazardous materials mitigation project. Air Quality Experts have conducted a site visit and are preparing to mobilize to the site this Wednesday. The work is expected to last between six (6) to eight (8) weeks. Bryan explained that the Town has worked with MassDevelopment to secure a two (2) month contract extension that will allow the work to be completed this summer and the project closed out by the end of August 2020. The Board had no further questions or concerns.

### ***Discussion of River, Warner & Strachan Street Roadway & ADA Improvement Project***

Glenn joined the Board to review the Chapter 90 project request forms. Glenn explained that the project is for the River Street, Warner Street, and Strachan Street project. Glenn explained that he is seeking Board approval to submit the project application to the Massachusetts Department of Transportation (MassDOT). Glenn explained that once MassDOT receives the application they will conduct a site visit with the Town to review the project. **Selectman Bembury** made a motion to authorize Bryan Smith, Glenn McCrory, and Deborah Mero to sign the Chapter 90 documents for the River, Warner, and Strachan Streets ADA improvement project. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

Bryan explained that the Town is still awaiting to hear from MassDOT about the Complete Streets grant application that may help support the project.

### ***Review of FY2021 Budget Draft***

The Board reviewed the revised FY2021 budget document draft. Bryan reviewed changes made to the introductory information. **Chairman Smith** asked to have a notation included in the opening to the budget book that acknowledges that the COVID-19 State of Emergency has impacted the typical schedule. **Selectman Bembury** and **Selectman Sanders** expressed agreement.

The Board reviewed the draft Board message. The Board agreed to correct the language to state that the Board had issued guidance to request level funded budgets from departments. Board had no further revisions for the Board's message.

Bryan asked the Board how they would like to show how the budget has changed over fiscal years. Bryan noted the request from voters for trend data and balancing the information with the context. Bryan recommended the use of bar charts and total dollars rather than percent change. **Chairman Smith** suggested the use of footnotes to explain the changes over time. **Selectman Bembury** expressed agreement but suggested that the budget book has a single page with a three (3) fiscal year comparison with a summary of budget drivers. **Chairman Smith** expressed support and suggested creating a budget summary section that includes graphs and narratives to help explain the evolution of the budget. Bryan will draft a version for the Board to consider.

Bryan discussed wanting to also draft out the revenue section of the budget to balance with the spending plan. Bryan also discussed the alignment with the budget document and the Annual Town Meeting warrant. Bryan discussed wanting to find a place to include the overview of the stabilization funds and similar investment accounts. **Chairman Smith** expressed support and discussed the use of a five (5) year trend for the Town's savings position. Bryan will work on revisions for the Board's review.

#### **Review of Meeting Minutes for February 24, 2020**

The Board passed over this agenda item.

#### **Review of Meeting Minutes for March 02, 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 Changing the Board of Selectmen to the Selectboard**

**Chairman Smith** explained that the Board has received a suggestion for the Board to consider changing the name of the Board of Selectmen to officially be the Select Board. **Chairman Smith** discussed his understanding of the historical aspect of the title and balancing the value of the historical aspect with the desire to remain inclusive. **Chairman Smith** explained that Town Counsel has explained that the Town needs to research the Town's founding documents. **Selectman Bembury** discussed appreciation from history but an interest in being inclusive. **Selectman Sanders** expressed general support for exploring a name change to the Select Board. **Chairman Smith** spoke in support of exploring the topic if it makes the Board more inclusive. Bryan will research the Town records and provide further guidance to the Board. Bryan explained that he believes that the Town will need to seek special legislation from the State.

#### **Discussion Regarding Children's Mental Health Awareness Week**

**Chairman Smith** discussed Children's Mental Health Awareness Week, recognized the week of May 3, 2020 to May 9, 2020. **Chairman Smith** asked if the Board wanted to issue a proclamation for Children's Mental Health Awareness week. **Selectman Bembury** expressed support. **Chairman Smith** read the following proclamation into the record:

*Whereas, the citizens of Erving value their health and mental health and that of their families; therefore, they are proud to support observances such as Children's Mental Health Week; and*

*Whereas, 17% of children and youth (ages 6-17) live with a mental health condition and 50% of all lifetime instances of mental illness begin before age 14; and even some children and youth with the most intense needs and some who are insured may not receive services; and*

*Whereas, children and youth with mental health needs in elementary, middle and high school are more likely to be bullied, absent, suspended, expelled or fail to graduate; and*

*Whereas, recognizing the early warning signs of mental health needs and obtaining the necessary support, assistance and treatment gives children and youth better opportunities to lead full and productive lives at home, in schools, and in their communities; and*

*Whereas, the involvement and partnership of family members in the assessment and treatment of children and youth is essential to positive outcomes; and*

*Whereas, our nation's future depends on the health and well-being of its families and their children; and*

*Whereas, Children's Mental Health Week was developed by families of children with emotional, behavioral and mental health needs, to focus on the needs of their children and families; in celebrating this year's theme: "Vision for Health and Happiness" it is fitting to increase public awareness among all Erving citizens of this important issue;*

*Now, Therefore, I, Jacob A. Smith, Selectboard Chairman of Erving, do hereby proclaim May 3-9, 2020 as Children's Mental Health Awareness Week.*

**Selectman Bembury** made a motion to sign the proclamation read by **Chairman Smith**. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

**Selectman Bembury** discussed a desire for the Board to work to actively promote mental health awareness each year. The Board members expressed agreement and discussed the possibility of partnering with the School Department, the Recreation Commission, and the Board of Health.

#### **Adjournment**

At 8:23 PM **Chairman Smith** made a motion to adjourn. **Selectman Sanders** seconded. **Vote:** Unanimously approved.

Respectfully submitted,



Bryan Smith  
Town Administrator