

Board: Select Board / Water Commissioner's Meeting
Date: Tuesday, June 21, 2022
Location: Senior & Community Center, 1 Care Drive, Erving, MA 01344

Select Board Present: Jacob Smith, William Bembury, Scott Bastarache
Also, Present: Bryan Smith, Robert Holst, Mariah Kurtz, Glenn McCrory, Edward Hines
Press: Otis Wheeler, BNCTV; Julian Mendoza, Greenfield Recorder

At 6:32 PM **Chairman Smith** called the meeting to order.

Discussion Regarding Town Response to COVID-19

Chairman Smith reviewed the recent case counts for COVID-19, noting that in Erving, for the period of May 30th – June 5th, there were zero (0) new cases, for the period of June 6th – June 12th there were two (2) new cases, and for the period of June 13th – June 19th there were two (2) new cases. Bryan Smith, Town Administrator, explained the COVID-19 testing information from that is being distributed throughout the county by the Cooperative Public Health Service at the Franklin Regional Council of Governments.

Discussion Regarding Trash Disposal Agreement

The Select Board members reviewed the proposed agreement with Republic Services for disposal of residential trash at the McNamara Transfer Station in Springfield, MA. Bryan explained that he has followed up with the Town's solid waste hauling company and there are no concerns with hauling to the proposed transfer station. Bryan also explained that they have discussed striking the insurance requirements in section 8 of the proposed agreement with the vendor and Republic Services is agreeable. The Select Board members expressed no concerns about proceeding with the agreement. **Selectman Bastarache** made a motion to enter into one year contract between the Town of Erving and Republic Services for the disposal agreement, with a contract effective date of July 1, 2022, through June 30, 2023, for disposal of regular waste. **Chairman Smith** made a motion to amend the original motion to strike section 8 from the agreement as presented. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Review of Renewal Agreement for Co-Responder Clinician Services with Clinical Support Options & Intermunicipal Agreement

Robert Holst, Chief of Police, joined the meeting to discuss the proposed renewal of the professional clinician services agreement with Clinical & Support Options for the Co-Responder Program. **Chairman Smith** asked if there had been a language concern with the initial agreement. Bryan explained that the Massachusetts Department of Mental Health had originally only provided the Town with a 30-day contract and that the Town has now received the contract for the Fiscal Year 2023. Bryan explained that the language concern is likely related to the intermunicipal agreement between the towns and Clinical & Support Options which will be renewed next. The Select Board members expressed agreement and no concerns with proceeding with accepting the grant. **Selectman Bastarache** made a motion to enter into an agreement between the Department of Mental Health, related to the jail/arrest diversion program, effective July 1, 2022, through June 30, 2023, in the total not to exceed \$198,000.00. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Discussion Regarding Hiring of Patrol Officers

The Select Board members considered the hiring of full-time and part-time Patrol Officers. Regarding the full-time Patrol Officer position, the Select Board members reviewed a memorandum from Bryan regarding the recommendation to appoint Laura Gordon. **Chairman Smith** provided an overview of the past conversation regarding the intention to appoint Officer Gordon, pending the successful completion

of the required background checks. Additionally, **Chairman Smith** explained that there has been follow up with the Police Union and that there is an understanding that based on experience a higher starting rate may be appropriate. **Chairman Smith** explained that the Police Union expressed support for hiring on Grade P2 with the Step that is determined by the Select Board members. **Chairman Smith** noted that all preemployment screening for Officer Gordon has been completed and is satisfactory. **Chairman Smith** asked the other Select Board members if they wanted to proceed with an offer of employment. Chief Holst reviewed Officer Gordon's educational background and law enforcement experience, highlighting the strong background with community policing. The Select Board members reviewed the Police Personnel compensation schedule and discussed thoughts on a starting rate offer. **Chairman Smith** noted that it may be necessary to revisit the FY2023 Police Department budget as hiring at a higher rate was not anticipated. **Selectman Bembury** recommended that the Select Board make an appointment with a starting rate of Grade P2, Step 14. Chief Holst expressed appreciation for the recommendation. **Selectman Bastarache** and **Chairman Smith** both discussed their support and recognized the experience that Officer Gordon provides. **Chairman Smith** acknowledged the need to balance an appointment with the budget and in consideration of the taxpayers. **Selectman Bastarache** made a motion to appoint Laura Gordon as a full-time, benefited Patrol Officer in accordance with MGL Chapter 41, Section 133 for a term of one (1) year, pending successful completion of a pre-employment CORI, driving history check, health exam and drug screen, and psychological examination, with a rate of Grade P2, Step 14, and a start date of July 1, 2022. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Regarding a part-time Patrol Officer position, Chief Holst discussed his review of an application that was received from William Kimball. Chief Holst explained that part-time Patrol Officers are used to help provide shift coverage for the Department. Chief Holst discussed his experience with Officer Kimball responding to calls as well as the experience with Officer Kimball providing the Department with assistance with the technical aspects of equipment. Chief Holst explained that Officer Kimball has completed the part-time Massachusetts Police Training Academy and that he intends on completing the Bridge Academy. Chief Holst explained that he could begin the background check process on July 1, 2022, and that could allow for a start date at the beginning of August 2022, or sooner. **Selectman Bembury** made a motion to appoint William Kimball as a part-time Patrol Officer, working up to 19.5 hours per week, in accordance with MGL Chapter 41, Section 133 for a term of one (1) year, pending successful completion of a pre-employment CORI, driving history check, health exam and drug screen, and psychological examination at a rate of Grade P2, Step 1, and to start August 1st or sooner. **Selectman Bastarache** seconded. **Selectman Bembury** made a motion to amend the original motion to require the completion of the Bridge Academy for continued employment. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Review of Police Cruiser Procurement

The Select Board members reviewed a memorandum from Bryan regarding the procurement of a Ford Utility Police Interceptor cruiser using the Plymouth County Commissioners contract. **Chairman Smith** discussed the recommendation to continue with the hybrid Ford Utility Interceptor model cruisers for the Police Department. The Select Board members reviewed a quote from MHQ, Inc. in the amount of \$57,401.07. **Chairman Smith** asked Chief Holst if he had an anticipated delivery date if the Town was to place an order soon. Chief Holst noted that due to supply chain delays, the proposed vehicle may not arrive until the beginning of 2023. **Selectman Bembury** asked if the Department would be transferring existing equipment into the proposed vehicle. Chief Holst answered "no," and explained that the proposed vehicle would be outfitted with new equipment. **Chairman Smith** asked Chief Holst if additional Watchguard equipment would be necessary. Chief Holst discussed the proposal to move existing Watchguard equipment from the unmarked cruiser, noting that the cost of Watchguard equipment will

be worked into the future Watchguard upgrade project. The Select Board members expressed support for proceeding. **Selectman Bembury** made a motion to award the procurement for the Ford Utility Police Interceptor to MHQ, Inc. of Marlborough, MA 01752 in the amount of \$57,401.07 and to authorize Bryan Smith, Town Administrator, to execute all necessary agreements. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Amend Order of Public Layout Description of Poplar Mountain Road dated March 28, 2022

The Select Board members reviewed a memorandum from Bryan regarding the proposed layout of Poplar Mountain Road for the Town Meeting as well as a copy of the written description. **Chairman Smith** provided an overview regarding the proposed layout, noting that the original surveyor has confirmed that a length was missing from the previous written description, and that the correction has been made to reflect the plan of the public layout. **Chairman Smith** discussed the guidance that was provide by Town Counsel. The Select Board members expressed support for proceeding with the revised description.

Review of Meeting Minutes for June 14, 2021

The Select Board passed over this agenda item.

Review of Meeting Minutes for June 06, 2022

The Select Board members reviewed meeting minutes for Monday, June 06, 2022. **Selectman Bembury** made a motion to approve the meeting minutes for June 06, 2022, as written. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Unanticipated Topics

Former IP Mill Site Property

Edward Hines, resident of Wendell, joined the Select Board to discuss his research of the former International Papermill (IP Mill) site parcels. Edward acknowledged the concern about needing to redevelop former mill sites, noting the recent events that have occurred in the Town of Orange. With that context, Edward discussed his efforts to research the property across from the former IP Mill site, that is referred to as lot 35, noting that it contains about an acre of land. Edward discussed some of his research and explained that some records suggest that the Cook family had built a house on lot 35 in the 1850's and that he believes that Dr. Cook was buried on the site. Edward explained that in 1867 there were provisions in a sale, including that the Benjamins had rights to a spring off Prospect Street and that there is to be a 20' x 20' plot for the site of the burial for Mr. Cook. Edward noted that he has looked for additional records to confirm if there is indeed a burial on the site.

Edward discussed his concerns about the status of the former IP Mill structure and his support for demolishing the property. Edward suggested that the Select Board procure a vendor for harvesting materials from the property for resale. Edward further discussed suggestions for revitalizing the property for rural renewal, highlighting the outdoor opportunities for recreation. The Select Board members expressed appreciation to Edward for his time and thoughts on the matter.

Review of Ford F550 Truck Procurement

Glenn McCrory, Highway Superintendent, joined the Select Board members to review the procurement for a Ford F550 truck. Glenn discussed the appropriation of \$125,000.00 from the Annual Town Meeting for the procurement and the use of State contract VE110 to seek quotes. Glenn explained that there is one (1) vendor that provides the Ford F550 model on the contract. Glenn explained that due to supply chain and production issues, new vehicle orders may not be accepted until 2023 with delivery not anticipated until fall 2023. Glenn explained that the vendor has presented an option for the Town to

purchase a new Ford F550 with a 2020 model year that is left over on the lot. Glenn explained that he has viewed the truck and has no concerns with the proposal. Glenn further explained that he recommends action before the vehicle is sold to another town, for a total price of \$94,661.10. Glenn added that the vendor would provide the dump truck upfit and explained that the factory warranty will begin on the date of sale. **Selectman Bembury** asked if there is a clean title to the truck. Glenn answered “yes,” clarifying that the truck has not been previously sold, it is just a left-over model that is still on the sales lot. Glenn added that the total purchase price is well under the appropriate budget. Glenn also explained that the truck is fueled by gasoline as the Department is no longer purchasing diesel trucks and does not use a central hydraulic because of the Department’s experience with maintenance related issues and costs. The Select Board members expressed support for proceeding with the procurement. **Selectman Bembury** made a motion to award the procurement for the Ford F550 plow truck to Colonial Ford of Marlboro, MA 01752 in the amount of \$94,661.10 and to authorize Bryan Smith, Town Administrator, to execute all necessary agreements. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Review of Tractor Procurement

The Select Board members reviewed a memorandum from Bryan regarding the procurement of a John Deere Tractor D25R. Glenn explained that the Town used Sate contract FAC116 for the procurement and sent the quote request to seven (7) vendors on the contract. Glenn explained that the market is changing, and smaller dealers have been acquired by United Ag & Turf. The Select Board reviewed the two (2) responses that were received:

Name	Location	Price
James R. Rosencrantz & Sons, Inc.	Kensington, NH 03833	\$33,887.31
United Ag & Turf	Lancaster, MA 01523	\$28,045.67

Glenn explained that he has reviewed the quotes and that the only notable difference is that one is for a 21/22 model year versus a 22/23 model year, as the rest of the features are the same. Based on the quotes, Glenn recommended proceeding with the lowest cost bid from United Ag & Turf in the amount of \$28,045.67. **Chairman Smith** asked if the existing attachments that the Town owns will work with the new tractor. Glenn confirmed that the existing attachments will work with the new equipment. **Selectman Bembury** asked about the plans for the existing tractor. Glenn discussed the option to keep for a backup or it can be deemed as surplus equipment and sold. **Selectman Bembury** asked Glenn if he had an estimated value. Glenn offered to research the value. **Chairman Smith** asked about the potential for a trade-in value. Glenn explained that he does not believe there is trade-in value with the current market. **Selectman Bembury** asked if the equipment could be kept indoors if retained. Glenn answered “yes.” The Select Board members expressed support for proceeding. **Selectman Bembury** made a motion to procure the John Deere D25R from United Ag & Turf of Lancaster, MA 01523 in the amount of \$28,045.67 and to authorize Bryan Smith, Town Administrator, to execute all necessary agreements. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Review of Poplar Mountain Conservation Area Parking Lot Procurement

The Select Board members reviewed the draft solicitation for quotes document. **Selectman Bembury** noted an error in Section 13 “Attachments” that Bryan will correct. Bryan provided an overview of the project and the draft procurement document. **Selectman Bastarache** asked for an explanation of the use of a solicitation for quotes (SFQ) versus an invitation for bids (IFB). Bryan explained the approach based on the project budget and cost estimates and will make sure that the document is revised to reflect an SFQ. **Selectman Bastarache** asked about the need for a curb cut to access the proposed parking area. Glenn explained that Mariah has already applied to the Massachusetts Department of Transportation (MassDOT) for a highway permit on Old State Road and that the Town will follow the requirements that

MassDOT places on the project. The Select Board members expressed support for issuing the procurement with the discussed amendments. **Selectman Bastarache** made a motion to authorize the release of the solicitation for quotes for the Poplar Mountain Conservation Area parking lot construction project, as amended this evening. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Review of Community Access Television Procurement

The Select Board members reviewed the draft invitation for bids (IFB) for the Community PEG Access professional services procurement. Bryan explained the approach that was used to draft the IFB, assuming the Select Board would like to seek a three (3) year agreement with a vendor. The Select Board members expressed support for proceeding with an IFB for a three (3) year agreement. **Chairman Smith** asked if it would be possible to incorporate direct payment of the quarterly franchise agreement funding to the selected vendor. Bryan explained that it is not possible with the current franchise agreement, but that it could be incorporated into the next franchise agreement and noted that the Select Board should seek authorization from the voters for the next service agreement to have a term of 10-years. The Select Board members reviewed and expressed no concerns with proceeding. **Selectman Bastarache** discussed his interest in expanding the opportunities to broadcast other Erving board and commission meetings in the future. The Select Board members expressed agreement. **Selectman Bastarache** made a motion to release the invitation for bids for Erving Community PEG Access professional services to be issued June 29, 2022. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

FY2023 Re-appointment of Board & Commission Members

The Select Board members reviewed a memorandum from Bryan recommending the reappointment of board and commission members for 2022. **Selectman Bastarache** made a motion to reappoint all committees and boards, effective July 1, 2022, as presented in the document dated June 17, 2022, and having the document committed to the record. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

The document for proposed reappointments to boards and commission is as follows:

Name	Term Start	Term Expiration
Ambulance Advisory Committee		
Philip Wonkka	7/1/2022	6/30/2023
Animal Control		
Arthur Johnson	7/1/2022	6/30/2023
Archaeological Preservation Officer		
David Brule	7/1/2022	6/30/2023
Capital Planning Committee		
Jacob Smith	7/1/2022	6/30/2025
Linda Downs-Bembury	7/1/2022	6/30/2025
Comprehensive Economic Development Strategy Committee Representative		
Bryan Smith	7/1/2022	6/30/2023
Conservation Commission		
Morning Star Chenven	7/1/2022	6/30/2025
Cultural Council		
Sarah Vega-Liros	7/1/2022	6/30/2025
E-911 Planning Committee		

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Richard Newton	7/1/2022	6/30/2023
Philip Wonkka	7/1/2022	6/30/2023

Election Inspection & Tellers

Pamela Bouthillier	7/1/2022	6/30/2023
Rebecca Miller	7/1/2022	6/30/2023

Election Workers

Leslie Brown	7/1/2022	6/30/2023
Nancy Kruzlic	7/1/2022	6/30/2023

Franklin Regional Planning Board Representative

Mariah Kurtz	7/1/2022	6/30/2023
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Franklin County Cooperative Inspection Program Representative

Jacquelyn Boyden	7/1/2022	6/30/2023
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Franklin County Solid Waste Management District Representative

Bryan Smith	7/1/2022	6/30/2023
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Franklin Regional Council of Governments Representative

William Bembury	7/1/2022	6/30/2023
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Franklin Regional Council of Governments Alternate Representative

Bryan Smith	7/1/2022	6/30/2023
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Golden Cane Committee

David Brule	7/1/2022	6/30/2023
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Historical Commission

Sara Campbell	7/1/2022	6/30/2025
Philip Johnson	7/1/2022	6/30/2024
John Rice	7/1/2022	6/30/2025

Open Space Committee

Jacquelyn Boyden	7/1/2022	6/30/2023
Joseph Bucci	7/1/2022	6/30/2023

Public Works Feasibility Committee

Mariah Kurtz	7/1/2022	6/30/2023
Peter Mallet	7/1/2022	6/30/2023
Glenn McCrory	7/1/2022	6/30/2023
Peter Sanders	7/1/2022	6/30/2023

Senior Housing Committee

William Bembury	7/1/2022	6/30/2023
Gary Betters	7/1/2022	6/30/2023
Paula Betters	7/1/2022	6/30/2023
Jacquelyn Boyden	7/1/2022	6/30/2023

Veterans Committee

Gary Betters	7/1/2022	6/30/2023
Armand Bouthillier	7/1/2022	6/30/2023
Daniel Hammock	7/1/2022	6/30/2023

Veteran's Services Representative

Gary Betters	7/1/2022	6/30/2023
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Water Department

Michael Brown	7/1/2022	6/30/2023
Zoning Board of Appeals		
Arthur Johnson	7/1/2022	6/30/2023
Mutual Aid Police Officers		
Sergeant Jason Bassett	7/1/2022	6/30/2023
Sergeant Alexander Pirozhkov	7/1/2022	6/30/2023

Bryan provided a reminder about the swearing in ceremony that is scheduled for June 30, 2022.

Review of Former Graded School & Library RFP Submissions

The Select Board members reviewed a memorandum from Bryan, summarizing the procurement process for the acquisition of the former Graded School and former Library properties. **Chairman Smith** provided an overview of the procurement, noting that the request for proposals (RFP) was re-issued after realizing an advertising issue, and that one (1) response was received by the deadline. The Select Board members noted that the proposal that was received is similar to a proposal that was previously submitted and reviewed publicly. **Chairman Smith** discussed interest in moving forward with the procurement. **Selectman Bastarache** expressed agreement and noted that the proposal was rated to be highly advantageous during the last review. **Selectman Bembury** expressed agreement. **Selectman Bastarache** offered to represent the Select Board and to work with Town Staff and Counsel to complete the sale. The Select Board members expressed agreement. **Chairman Smith** made a motion to move forward with the proposal from Obear Construction Company for acquisition and redevelopment of the former Erving Graded School and Library, rated as highly advantageous, and proceed with the necessary disclosures and negotiations around finalizing the agreement to proceed. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Review of Project Master List- Project Statuses & Closeouts

The Select Board members reviewed the master project schedule, last updated June 15, 2022, to discuss the statuses of projects. Mariah Kurtz, Assistant Planner, joined the Select Board to discuss the project schedule. Bryan discussed some of the upcoming construction projects as well as the focus on regulatory or bylaw related initiatives. **Chairman Smith** requested that the Church Street Bridge project is updated to reflect its funding status. Mariah discussed aiming for a balance of large and medium projects. **Chairman Smith** discussed assigning the Watchguard body camera system replacement project to FY2023 as funded. The Select Board members discussed the need to follow up with the Recreation Commission to address playground repairs to Zilinski Field in the coming summer. Mariah asked the Select Board members how they would like to address the next steps of the former IP Mill site, discussing the difference in staff time to focus on a demolition initiative versus issuing a new request for proposals (RFP). Mariah also discussed the goal of working with the Senior Housing Committee to reissue an RFP for Senior Housing on Care Drive. **Chairman Smith** explained that he would want to better understand what would be changed about the previous RFP before re-releasing it, noting that the Town has gained experience with the RFP process. Mariah added that the Town has several current planning documents with action items that are outstanding that could be worked into the master project schedule. **Chairman Smith** and **Selectman Bastarache** both discussed support for the idea. Bryan recommended the use of an RFP for the financial software and licensing software projects. The Select Board members reviewed several upcoming construction project topics, including the Swamp Road Bridge. Mariah discussed trying to balance the projects that occur in each quarter to ensure that there is sufficient capacity to support the projects until completion and to allow for unanticipated changes or delays. **Chairman Smith** suggested approaching the schedule with a maximum of two (2) large projects and some smaller projects in a year. **Selectman**

Bastarache expressed agreement and discussed the importance of understanding the nuances of the various projects. **Chairman Smith** suggested asking each department head for feedback on prioritizing a fair assessment of department specific projects. Mariah offered to follow up with the department heads. **Selectman Bastarache** discussed support for simplifying the rating of town-wide projects to prioritize. The Select Board members will revisit at a future meeting.

Reserve Fund Transfer Requests

The Select Board members reviewed a memorandum from Bryan suggesting that two (2) previously approved Reserve Fund transfers are rescinded and returned to the Fund. Bryan explained that the request for \$23,400.00 related to an upgrade of the accounting system cannot proceed with the current vendor and needs to be revisited as a capital project, and the \$42,000.00 for the Police Department control access system project will not be able to proceed in FY2022 and a new specification is being prepared. **Chairman Smith** provided an overview of the complexities of the projects and the changes since the requests were approved. **Chairman Smith** explained that the Police Department's current control access system is functioning. **Chairman Smith** explained that the Town has been monitoring the progress of a similar project in a neighboring community to review equipment and ensure that the specification is correct for the Police Department's needs. **Chairman Smith** made a motion that we rescind our Reserve Fund transfer requests dated March 14, 2022, in the amount of \$23,400.00, and dated June 11, 2021, in the amount of \$42,000.00. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Review of Sexual Harassment Prevention Policy- 1st Reading

The Select Board members conducted a first reading of the draft Sexual Harassment Prevention Policy. The Select Board members discussed having no concerns with the draft policy as presented. The Select Board will conduct a second reading at the next meeting.

Review of Protected Class Harassment Prevention Policy- 1st Reading

The Select Board members conducted a first reading of the draft Protected Class Harassment Prevention Policy. The Select Board members discussed having no concerns with the draft policy as presented. The Select Board will conduct a second reading at the next meeting.

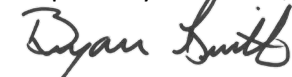
Next Meeting

Chairman Smith explained that the Select Board will next meet tomorrow, June 22, 2022, at 6:30 PM for discussions regarding Police Department staffing.

Adjournment

At 8:49 PM **Chairman Smith** made a motion to adjourn. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Respectfully submitted,



Bryan Smith
Town Administrator