

Board: Select Board / Water Commissioner's Meeting
Date: Monday, July 26, 2021
Location: Online Video/Audio Conference Pursuant to Massachusetts General Law, in Response to the COVID-19 Pandemic

Select Board Present: Jacob Smith, William Bembury, Scott Bastarache
Also, Present: Bryan Smith, Brian McHugh, Brandon Breault, Michael Gordon, Darby Chagnon, Glenn McCrory, Mariah Kurtz, Peter Sanders, Philip Wonkka, Linda Downs-Bembury, Kelly Loynd
Press: Kathleen Nolan, Montague Reporter

At 6:35 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.

Community Development Block Grant (CDBG) Informational Meeting

Brian McHugh, Director of Community Development with the Franklin County Regional Housing & Redevelopment Authority (FCRHRA), joined the Select Board to discuss the possibility of the Town applying for an FY2021 Community Development Block Grant (CDBG). Brian provided an overview of the CDBG program and discussed eligible activities. Brian explained that the Town of Erving has traditionally run a housing rehabilitation program with fourteen (14) previous grant cycles. Brian explained that FCRHRA is conducting a Town-wide mailing to residents to determine interest in another housing rehabilitation program and noted that the FCRHRA has three (3) to four (4) Erving residents on a waiting list. Brian proposed that Erving form a regional effort with the towns of Northfield and Warwick. Additionally, Brian proposed that the Town of Erving could serve as the lead fiscal entity for the grant application as it has in past cycles.

Brian reviewed the proposed housing rehabilitation program design, explaining that it is designed to meet one of the Department of Housing & Urban Development's (HUD) national objectives by providing safe, decent, sanitary housing to persons of low or moderate income through the elimination of building, plumbing, electrical and sanitary code violations. Brian explained that the program is also designed to increase the energy efficiency of homes by making general weatherization improvements, insulating homes, and replacing outdated heating systems and hot water tanks with Energy Star rated boilers, furnaces, and domestic hot water systems. Brian explained that income eligibility for the program would be capped at 80% of average monthly income for Franklin County and that homes need to be owner occupied, current on taxes and current with insurance. Brian explained that FCRHRA staff conducts inspections of the applicant's home, and the approved work must be code compliant. Lastly, the program requires that homes that were built before 1978 must include lead testing and potential remediation per regulations. Brian reviewed the procurement process and discussed the coordination with the inspectors.

Brian discussed loan terms for projects, explaining that that repayment is only necessary when the house is sold, and that repayment is prorated 1/15th each year and can be forgiven after 15 years. Brian explained that the previous housing rehabilitation programs currently include outstanding loans to Erving residents totaling an approximate value of \$1.6 million, with approximately \$42,000 available in the Housing Revolving Loan Fund to provide additional assistance. Brian reviewed the process for FCRHRA to consider hardship and loan forgiveness requests.

Chairman Smith asked Brian when the FCRHRA expects to have feedback from Erving residents regarding interest in a housing rehabilitation program. Brian explained that he expects to have more feedback over the next three (3) weeks and that a public hearing will need to be advertised and held by the Town prior to finalizing and submitting the application. **Selectman Bastarache** explained that he has no questions or concerns regarding the proposed CDBG application at this time. **Selectman Bembury** made a motion to support the application for the upcoming round of the Community Development Block Grant. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Discussion Regarding Town Response to COVID-19

Bryan Smith, Town Administrator, explained that nationally COVID-19 case counts have increased with the onset of new variants and that Massachusetts and the Town of Erving are not excluded from that. Bryan explained that the Town's nursing staff continues to monitor cases and has recently reported new positive cases. **Chairman Smith** clarified that the Town doesn't know if the cases are related to new variants. **Chairman Smith** asked about the status of UV filtration installation in Town buildings. Bryan explained that all facility filtration has been upgraded except for Town Hall. Bryan and Glenn will follow up on the HVAC filters for Town Hall.

Library Construction Project Update & Review of Change Order Requests

Bryan explained that the Town is working to coordinate with the General Contractor to finish outstanding punch list items and with the security vendor to complete the door opener installation. **Chairman Smith** explained that he has had a conversation with the Chair of the Library Board of Trustees about the State Aid for Libraries that was designated to be spent on the construction project. **Chairman Smith** explained that the Chair is looking into the matter.

Review of Former Graded School Request for Proposals Procurement Draft

The Board passed over this agenda item.

Review of Former IP Mill Request for Information Procurement Draft

The Board passed over this agenda item.

Review of FY2022 Surplus Equipment Request- Roll-Off Container- 2nd Read

The Select Board conducted a second reading of the surplus equipment request for disposal of the steel 40-yard roll-off container for scrap. The Board members discussed having no concerns with the request as presented. The Board will conduct a third and final reading at the next meeting.

Discussion Regarding Procurement of a 40 YD Roll-off Container

The Select Board reviewed the quote for the purchase of a new 40-yard steel roll-off container off the State contract FAC113 in the amount of \$8,600. This price is \$3,600 more than quoted during the capital planning process. The Select Board considered the option to rent a container at a cost of approximately \$34.00 per month. **Selectman Bembury** asked if the container could be rented for the year. Glenn confirmed and explained that most towns rent containers for an entire year. The Select Board discussed the rental option and confirmed that they would like to proceed with this option. Bryan and Glenn will work with the Franklin County Solid Waste Management District to arrange for a rental and the Board will revisit the option to purchase a container for FY2023.

Review of Meeting Minutes for January 11, 2021

The Board passed over this agenda item.

Review of Meeting Minutes for January 25, 2021

The Board passed over this agenda item.

Review of Meeting Minutes for February 08, 2021

The Board passed over this agenda item.

Review of Meeting Minutes for March 01, 2021

The Board passed over this agenda item.

Review of Meeting Minutes for March 08, 2021

The Board passed over this agenda item.

Review of Meeting Minutes for April 26, 2021

The Board passed over this agenda item.

Review of Meeting Minutes for May 03, 2021

The Board passed over this agenda item.

Review of Meeting Minutes for June 14, 2021

The Board passed over this agenda item.

Review of Meeting Minutes for July 12, 2021

The Board passed over this agenda item.

Review of Meeting Minutes for July 19, 2021

The Board passed over this agenda item.

Discussion Regarding July 18, 2021 State of Emergency

Glenn McCrory, Highway Superintendent, joined the Select Board to provide an overview of the emergency repair work that had been completed to date from the flood event that occurred on July 18, 2021. Glenn explained that all major roadway repair work had been completed as of Thursday afternoon and streets are open to traffic. Glenn reviewed the repair work conducted on Wheelock Street. Glenn explained that Poplar Mountain Road has had some temporary repairs made until long term repairs can be completed and that traffic is restricted to a single lane. Glenn explained that Kavanaugh Lane has been reopened and noted that the Massachusetts Department of Transportation (MassDOT) completed the repair work for the Town while they were conducting repair work on Route 2 and on Forest Street. Glenn explained that the Highway Department staff is currently working to repair damage to the storm water swales on Mountain Road. Glenn discussed the repair work that needs to be done on North Street along Keyup Brook near Swamp Road, explaining that North Street traffic is limited to a single lane as the retaining wall needs to be replaced and the Swamp Road bridge has continued to sink over the weekend. **Chairman Smith** expressed appreciation to MassDOT for repairing the damage to Kavanaugh Lane. **Chairman Smith** noted that MassDOT is repairing the embankment from Route 2 over POTW3. Glenn described the repair work, noting that the stormwater swale work has been repaired and that the contractor, C&A Construction, is working for MassDOT to repair damage along Route 2 and Route 63.

Chairman Smith discussed the site walk that the Town had with the Massachusetts Department of Environmental Protection (MassDEP) to look at the damage along Keyup Brook and to understand what impacts should be considered to mitigate future flooding. Bryan explained that Mariah Kurtz, Assistant

Town Planner, is working with the Conservation Commission and MassDEP on the process for approving emergency repairs and is preparing a correspondence for residents along Keyup Brook. Bryan explained that the Town applied for emergency spending authorization from the Department of Revenue as well as emergency procurement authorization from the Division of Capital Asset Management & Maintenance to allow the Town to conduct emergency repair work. **Chairman Smith** discussed the uncertainty of the availability of State and Federal funding to assist with the emergency repairs. Philip Wonkka, Fire Chief & Emergency Management Director, explained that damage throughout western Massachusetts is being assessed by each town and reported to the Massachusetts Emergency Management Agency (MEMA). Chief Wonkka explained that there is a cost threshold that must be reached for the declared disaster to qualify for financial assistance from the Federal Emergency Management Agency (FEMA). Chief Wonkka discussed need for all four (4) of the western Massachusetts counties to report their damage. Chief Wonkka explained that the Town of Erving has documented the extent of the known damage to public infrastructure and is working to prepare estimated costs for the submission deadline of July 30, 2021.

North Street Emergency Repair work

The Select Board discussed the emergency repair work needed to stabilize North Street along Keyup Brook. Glenn explained the planned scope of work to stabilize the approximately 60' of embankment. The work would include removing the failing cement block wall and to replace with large diameter rip rap. Glenn explained that one (1) quote was received for the proposed work from Sam Browning Jr. Trucking of Northfield, MA in the amount of \$22,500. The Select Board members discussed having no concerns with the proposed emergency repair work.

Review of Procurement to Remove Swamp Road Bridge

Selectman Bembury expressed concern about the cost in the proposals for the emergency removal of the Swamp Road bridge and asked if the Town could conduct the work in-house. Glenn clarified that the proposed work is for the concrete bridge at the intersection of North Street and Swamp Road and not the wooden bridge on Swamp Road. Glenn explained that the Town does not have the equipment and capacity necessary to remove the concrete bridge. **Chairman Smith** and **Selectman Bastarache** discussed expecting the emergency removal cost to be closer to \$100,000. Glenn noted that powerlines are overhead so the structure cannot be lifted with a crane and therefore it must be deconstructed in place while protecting the Brook. **Selectman Bembury** asked about Conservation Commission permitting. Glenn explained that he has already walked the project area with David Brule, Conservation Commission Chair, and that Mark Stinson from MassDEP has conducted a site visit, and that an emergency repair permit was being issued. Bryan explained that the Erving Conservation Commission has jurisdiction and can issue a 30-day permit for emergency repair work. **Chairman Smith** discussed the emergent nature of the work, noting that the bridge is not even safe for pedestrian access. The Select Board members expressed agreement.

North Street Emergency Repair work (revisited)

Selectman Bastarache discussed his support for moving forward with the proposed emergency repair work for North Street with the quote provided by Sam Browning Jr. Trucking. The Select Board members expressed agreement. **Selectman Bastarache** made a motion to award the repair of the North Street embankment along Keyup Brook to Sam Browning Jr. Trucking of Northfield, MA in the amount of \$22,500. **Chairman Smith** seconded. **Vote:** Unanimously approved.

Review of Procurement to Remove Swamp Road Bridge (revisited)

Bryan explained that the Town received two (2) cost proposals for the proposed bridge removal work:

Contractor & Location	Cost
Clayton D. Davenport Trucking, Inc. 130 Colrain Street, Greenfield, MA 01301	\$75,000
Sam Browning Jr. Trucking 20 Orange Road, Northfield, MA 01360	\$67,050

Chairman Smith made a motion to award the emergency removal of the Swamp Road Bridge to Sam Browning Jr. Trucking in the amount of \$67,050. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Discussion Regarding Flagg Hill Sewer Project

Bryan provided the Select Board members with an overview of the situation with the Flagg Hill Road sewer backing up and the proposal to replace the structures and sewer pipe. Bryan explained that the staff needs guidance from the Select Board and cautioned that with all the current construction projects and the emergency repair work, that the Town may not be able complete this sewer replacement project with in-house resources. **Chairman Smith** reviewed his understanding of the issue. Glenn reviewed the list of Highway projects that need to be completed before winter and explained that he is not sure that he can guarantee the completion of all the previously scheduled projects and this new sewer project. Peter Sanders, Wastewater & Water Superintendent, and Darby Chagnon, Assistant Chief Operator, joined the Select Board and both expressed support for the project to be bid out to a contractor. **Chairman Smith** asked about the risk with a pipe that has exhibited cracking. Peter and Darby discussed the increased likelihood of a blockage. Bryan discussed the procurement process, concerns about bidding a project without engineered specifications, and asked if the Town would be buying the materials as originally planned and just bidding the labor. Glenn suggested that the Town should not buy materials and bid the entire scope of work as a single project. The Select Board members discussed the possibility of using American Recovery Plan Act (ARPA) funds to pay for the project. **Selectman Bembury** asked if there is a triage option for short-term and long-term repairs. Darby explained the break is about 50' down a wooded embankment making it hard to reach and temporarily repair. **Selectman Bembury** discussed the importance of completing the work as soon as possible and asked if there is any way to reorganize road work to accommodate this sewer project. **Selectman Bastarache** asked about the cost to clear and camera the line. Peter estimated that each service call has cost approximately \$700 to \$800. **Selectman Bastarache** asked if the Wastewater Department could structure an operating approach to maintaining this section of sewer to prevent a blockage and to buy time until the end of the fiscal year. Peter discussed concerns about another blockage with increasing rain fall and items being flushed. Glenn explained that the Highway staff strives to be "team players" and will follow the Select Board's decision on project prioritization. **Selectman Bastarache** asked if it was an option to outsource a road project. **Chairman Smith** discussed the concern about overextending the Town's ability to manage projects and discussed his preference for outsourcing the Flagg Hill sewer project. Bryan will request an engineering proposal from Tighe & Bond. The Select Board agreed to revisit the topic on Saturday, July 31, 2021.

Review of IP Mill Force Sewer Main Procurement Bid Results

The Select Board reviewed a memorandum from Bryan outlining the procurement process for the IP Mill pump station and force sewer main project as well as the written recommendation from Tighe & Bond. Bryan explained that as of the deadline of July 21, 2021, the Town received three (3) bid submissions from the following contractors:

Contractor & Location	Base Bid	Alternate 1	Alternate 2
Baltazar Contractors, Inc. 83 Carmelina's Circle, Ludlow, MA 01056	\$529,980	\$96,000	\$58,000
Ludlow Construction Co., Inc. 19 Carmelina's Circle, Ludlow, MA 01056	\$548,300	\$84,000	\$62,000
A.J. Virgilio Construction Co., Inc. 86 Medeiros Way, Westfield, MA 01085	\$586,360	\$76,000	\$102,000

The recommendation for award is to Baltazar Contractors, Inc. for base bid and alternate 1 for a price of \$625,980.00. The Board discussed the understanding that the proceeding with alternate 1 would complete the installation of the valve vault which would be more costly to install in the future. **Selectman Bastarache** discussed the scope of work included in alternate 2 and asked whether it was cost effective to pursue the installation of a generator now. Peter explained that the generator would be necessary once the former IP Mill site is occupied, but that the equipment and the fuel tank could be added later. The Board discussed whether to consider a change order to provide conduit and pads for a future generator. Glenn offered caution on pursuing a change order for the generator pad and conduit, noting that it is likely more cost-effective and beneficial for the Town to treat all that work as a separate project along with the installation of the generator when the Town is ready. **Chairman Smith** discussed his preference for proceeding with a project award for the scope of work included in the base bid and alternate 1. **Selectman Bastarache** and **Selectman Bembury** both expressed agreements. **Selectman Bastarache** made a motion to award the procurement for the construction of the IP Mills pump station and force sewer main project to Baltazar Contractors, Inc of 83 Carmelina's Circle, Ludlow, MA 01056 in the amount of \$625,980, and to authorize Bryan Smith, Town Administrator, to execute all necessary agreements. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Review of Erving PEG Community Access Procurement Bid Results

The Select Board reviewed a procurement memorandum from Bryan regarding the request for quotes (RFQ) process that was conducted for the PEG community access professional services procurement. Bryan explained that notice of the procurement opportunity was sent out to three (3) vendors in Franklin County that customarily provide these services. Bryan explained that as of the deadline on July 22, 2021, the Town received one (1) quote submission from Bernardston-Northfield Community TV, Inc in the amount of \$14,000. The Select Board members discussed having no concerns with proceeding with the award. **Selectman Bembury** made a motion to award the procurement for the Erving PEG Community Access professional services to Bernardston – Northfield Community TV, Inc of Northfield, MA, for a term of September 01, 2021, to August 31, 2022, in the amount of \$14,000, and to authorize Bryan Smith, Town Administrator, to execute all necessary agreements. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Review of Building, Plumbing, Gas & Wiring Inspection Professional Services MOU w/ FRCOG

The Select Board reviewed a memorandum from the Franklin Regional Council of Governments (FRCOG) regarding the proposed three (3) year renewal of the memorandum of understanding to continue to offer the Town building, plumbing & gas, wiring, and zoning inspectional and enforcement services. The Select Board members discussed having no concerns with renewing the agreement with FRCOG as presented. **Chairman Smith** made a motion to enter into a Memorandum of Understanding for Building, Plumbing & Gas, and Wiring Inspection and Zoning Enforcement Professional Services by and between the Franklin Regional Council of Governments and the Town of Erving, on July 26, 2021, for a three (3) year term ending on June 30, 2024. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Review of FY2022 Sludge Hauling & Disposal MOU w/ FCSWMD

The Select Board reviewed a memorandum from the Franklin County Solid Waste Management District (FCSWMD) regarding the proposed Fiscal Year 2022, one (1) year, renewal of the memorandum of understanding for sludge hauling and disposal services. The Select Board members discussed having no concerns with renewing the agreement as presented. **Chairman Smith** made a motion to approve the Memorandum of Understanding by and between the Franklin County Solid Waste Management District and the Town of Erving Regarding Hauling & Disposal of Sludge, through June 30, 2022. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Issuance of Cemetery Deeds #523 to 531

The Select Board reviewed the following deeds for the purchase of burial rights in the Erving Center Cemetery. The Select Board took the following action:

Selectman Bastarache made a motion to issue Cemetery Deed # 523 for Lot # 1359 to Brandon Canedy of 7B Pratt Street, Erving, MA. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Selectman Bastarache made a motion to issue Cemetery Deed # 524 for Lot # 1360 to Kristen Canedy of 7B Pratt Street, Erving, MA. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Selectman Bastarache made a motion to issue Cemetery Deed # 525 for Lot # 1361 to Karen Canedy of 7B Pratt Street, Erving, MA. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Selectman Bastarache made a motion to issue Cemetery Deed # 526 for Lot # 1362 to Gladys Rachel Silva of 7B Pratt Street, Erving, MA. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Selectman Bastarache made a motion to issue Cemetery Deed # 527 for Lot # 1363 to Raymond Anthony Silva of 7B Pratt Street, Erving, MA. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Selectman Bastarache made a motion to issue Cemetery Deed # 528 for Lot # 1364 to Sharon Marie King of 7B Pratt Street, Erving, MA. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Selectman Bastarache made a motion to issue Cemetery Deed # 529 for Lot # 1365 to Meagan Ann King of 7B Pratt Street, Erving, MA. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Selectman Bastarache made a motion to issue Cemetery Deed # 530 for Lot # 1366 to Brenda Silva of 4 Central Street, Erving, MA. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Selectman Bastarache made a motion to issue Cemetery Deed # 531 for Lot # 1367 to Tim Cronin of 4 Central Street, Erving, MA. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Discussion Regarding the Need for a New Cemetery

Glenn and the Select Board members discussed the need to work on the creation of a new cemetery. Glenn discussed the option review the suitability of land already owned by the Town or to seek proposals from private property owners. Bryan discussed the process of working with an engineer to draft the requirements for a new cemetery and to conduct the feasibility assessment. **Chairman Smith** discussed the option for the Town to offer to purchase unused deeds from current deed holders. Bryan will review how other towns have conducted a similar process. Glenn also discussed the need to review the cemetery

regulations. Bryan will work with Glenn and Mariah to draft a scope of work for the feasibility assessment phase of the project.


Upcoming Meetings

Chairman Smith explained that the Select Board would next meet on Saturday, July 31, 2021, to review the proposed sidewalk improvements for Central Street, Gunn Street, Park Street and Pratt Street. Bryan explained that residents in the neighborhood have been notified of a site visit beginning at 10:00AM on Central Street, then a site visit in the area of Pratt Street approximately at 11:00AM, followed by a Select Board meeting at the Senior & Community Center.

Adjournment

At 8:59 PM **Chairman Smith** made a motion to adjourn. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Respectfully submitted,



Bryan Smith
Town Administrator