

**Board:** Select Board / Water Commissioner's Meeting  
**Date:** Monday, July 24, 2023  
**Location:** Senior & Community Center, 1 Care Drive, Erving, MA 01344

**Select Board Present:** Jacob Smith, Scott Bastarache, James Loynd  
**Finance Committee Present:** Debra Smith, Benjamin Fellows, Thomas Duffy (Charles Zilinski and Daniel Hammock absent)  
**Capital Planning Committee Present:** Benjamin Fellows, Linda Downs-Bembury, Peter Mallet, Debra Smith, Jacob Smith

At 6:35 PM **Chairman Smith** called the meeting to order.

#### **Surplus Equipment Request- Police- Refrigerator- 2nd Reading**

The Select Board members conducted a second reading of the surplus equipment property request from the Police Department for one (1) refrigerator. The Select Board members expressed no concerns with the request. The Select Board will conduct a third reading at the next meeting.

#### **Review of Meeting Minutes for July 10, 2023**

The Select Board members reviewed the meeting minutes for Monday, July 10, 2023. **Selectman Bastarache** made a motion to approve the meeting minutes of Monday, July 10, 2023, as written. **Selectman Loynd** seconded. **Vote:** Unanimously approved.

#### **Review & Issuance of 1<sup>st</sup> Water Commitment for FY2024**

The Water Commissioners reviewed the 1<sup>st</sup> Water Commitment for FY2024 for final water use charges in the aggregate amount of \$91.55. **Commissioner Bastarache** made a motion to approve the 1<sup>st</sup> Water Commitment for FY2024 in the amount of \$91.55. **Commissioner Loynd** seconded. **Vote:** Unanimously approved.

#### **Review of Memorandum of Understanding with Franklin County Solid Waste Management District for Hazardous Waste Collection**

The Select Board members reviewed the proposed memorandum of understanding between the Town and the Franklin County Solid Waste Management District for participation in the regional household hazardous waste collection day, scheduled for September 23, 2023. **Chairman Smith** noted that the collection sites will be the Orange Transfer Station and Greenfield Community College. The Select Board members expressed no concerns about proceeding with the agreement. **Chairman Smith** made a motion to enter into a memorandum of understanding between the Franklin County Solid Waste Management District and the Town of Erving on July 24, 2023, for the hazardous waste collection. **Selectman Bastarache** seconded. **Vote:** Unanimously approved

#### **Appointment of Vacant Positions: Cemetery Commissioners, FRCOG Representative, FRTA Representative**

The Select Board members reviewed a memorandum from Bryan Smith, Town Administrator, regarding vacancies to the Cemetery Commission, the representative to the Franklin Regional Council of Governments (FRCOG), and to the Franklin Regional Transit Authority (FRTA) that have been traditionally filled by Select Board members.

### ***Cemetery Commission***

**Selectman Bastarache** explained that he would like the Select Board to recruit members of the public to serve on the Cemetery Commission, adding that he is okay with the Select Board members serving as Commissioners but expressed preference for exploring a public option. **Chairman Smith** reviewed the duties of the Cemetery Commission as approved in the bylaw. **Selectman Loynd** expressed support for providing opportunities for citizens to get involved. **Chairman Smith** suggested appointing the Select Board members as Commissioners through October 2, 2023, and to begin advertising the opportunity. The Select Board members expressed agreement. **Chairman Smith** made a motion to appoint Jacob Smith, Scott Bastarache, and James Loynd as Cemetery Commissioners, effective with a term of July 24, 2023, through October 2, 2023. **Selectman Loynd** seconded. **Vote:** Unanimously approved.

### ***Franklin Regional Council of Governments (FRCOG) Representative***

The Select Board members discussed the vacancy to appoint a Select Board representative to the FRCOG Council. Bryan provided a general overview of the role of the representative and the Council for the FRCOG. **Selectman Bastarache** explained that he would be willing to serve in the capacity as representative from Erving to the Council. **Selectman Loynd** also expressed a willingness to serve in the capacity of representative. The Select Board members discussed nominating **Selectman Bastarache** as the primary representative with **Selectman Loynd** appointed as an alternate representative. **Chairman Smith** made a motion to appoint Scott Bastarache as the Franklin Regional Council of Governments Representative and James Loynd as a Franklin Regional Council of Governments Representative Alternate, through June 30, 2024. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

### ***Franklin Regional Transit Authority (FRTA) Representative***

The Select Board members consider the vacancy to appoint a Select Board representative to the FRTA Council. Bryan provided a general overview of the work that the Town does in conjunction with the FRTA. **Selectman Loynd** offered to serve as the Erving representative of the FRTA. **Selectman Bastarache** offered to serve as an alternate representative. **Chairman Smith** made a motion to appoint James Loynd as the Franklin Regional Transit Authority Representative and Scott Bastarache as the Franklin Regional Transit Authority Representative Alternate, with a term through June 30, 2024. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

### ***Discussion of Select Board Authorization for Warrant Signatory***

**Chairman Smith** provided an overview of how the Select Board handled the authorized signatories for the payroll warrant and the accounts payable warrant, clarifying that previously **former Selectman Bembury** had been authorized to be the signatory for the payroll warrant and a majority of the Select Board members were required to approve the accounts payable warrant. **Selectman Bastarache** expressed support to continue the practice. The Select Board members expressed agreement. **Selectman Loynd** noted the significance of the approval of the accounts payable warrant in maintaining the budget. **Selectman Bastarache** made a motion to appoint Jacob Smith as the payroll warrant authority, with Scott Bastarache or James Loynd as alternates. **Selectman Loynd** seconded. **Vote:** Unanimously approved.

### ***Resignation of Tree Warden***

**Chairman Smith** explained that the Select Board has received a letter of resignation from Michael Gordon from the elected position of Tree Warden, as he had been reelected to the position at the Annual Town Election to take office on July 1, 2023. **Chairman Smith** explained that the Town will advertise the vacancy to the community seeking letters of interest.

### **Review of Police Dept. Policy- 1.15 Handling Juveniles- 1st Reading**

The Select Board members conducted a first reading of the revised Police Department policy 1.15 entitled Handling Juveniles. **Selectman Bastarache** requested an explanation from Robert Holst, Chief of Police, outlining the revisions that were made to the current policy. **Selectman Loynd** suggested that the word “child” throughout the policy, where appropriate, is replaced with the word “juvenile” and replace “he/she” pronouns with juvenile. **Selectman Loynd** suggested that the word “recently” is struck in section 3, because over the time that the policy is enacted, the caselaw will likely evolve and no longer be recent. **Chairman Smith** expressed agreement and suggested that the line above may require more description. The Select Board will conduct a second reading at the next meeting.

### **Joint meeting with Finance Committee & Capital Planning Committee- FY2024 Financial Review, Reserve Fund Transfer Request**

At 7:04 PM **Chairman Smith** called the joint meeting of the Select Board, Finance Committee and Capital Planning Committee to order. Debra Smith, Benjamin Fellows, and Thomas Duffy of the Finance Committee, and Linda Downs-Bembury and Peter Mallet of the Capital Planning Committee joined the meeting.

#### **Reserve Fund Transfer Request**

The Select Board Members reviewed the draft Reserve Fund transfer request in the amount of \$14,575.00. **Chairman Smith** explained that the Select Board and the Finance Committee had previously discussed the transfer request when awarding the procurement for the new financial management software as it will allow the Town to run the existing system while transitioning to the new software during FY2024. **Chairman Smith** added that when the FY2024 budget was developed, it was assumed that the transition would have been completed prior to the new fiscal year. The Select Board members expressed no concerns with the request. **Selectman Bastarache** made a motion to request a Reserve Fund transfer in the amount of \$14,575.00 for the accounting software licensing for Softright. **Selectman Loynd** seconded. **Vote:** Unanimously approved.

**Finance Committee Vote:** Benjamin made a motion to authorize the Reserve Fund transfer in the amount of \$14,575.00. Thomas seconded. **Vote:** Unanimously approved.

#### **FY2024 Financial Review**

The Select Board, Finance Committee, and Capital Planning Committee members reviewed a memorandum from Bryan outlining responses that he has received from departments regarding the FY2024 financial review that had been requested. **Chairman Smith** discussed the guidance that was issued to the departments.

**Town Clerk & Elections:** **Chairman Smith** explained that the Town Clerk’s Office has responded that the current appropriation is sufficient for the anticipated needs of the office. **Chairman Smith** discussed wanting to ensure that the budget is sufficient to conduct a Special Election. Bryan will follow up with Richard Newton, Town Clerk.

**Community Planning Office:** Bryan reviewed the FY2024 budget request reductions that had been made to the Community Planning Office for surveying, printing, and travel. Debra discussed support for wanting to restore \$5,000.00 to the surveying request. Bryan clarified that \$15,000.00 had been requested and \$10,000.00 was approved. Debra explained that she would appreciate an explanation of the anticipated projects and the cost estimates.

**Highway Department:** **Selectman Bastarache** expressed general support for the restoration of the Highway Department budget items that were reduced, including the capital requests. **Selectman Bastarache** explained that he wants to discuss the staffing needs with Glenn McCrory, Highway Superintendent. Bryan reviewed the budgetary items that Glenn had requested to be restored. Debra asked about the source of funding for road repairs. Bryan explained that the road work and improvements special article is the funding source that is used for roadway repair projects. Debra discussed wanting to have a further conversation with Glenn about restoring the full FY2024 request of \$100,000.00. **Selectman Bastarache** discussed support for having the conversation and encouraging department heads to ask for what is needed. Regarding staffing, **Chairman Smith** discussed recent changes since the FY2024 budgeting process was underway, noting that the vacant Foreman position has been filled which left an Equipment Operator position vacant. **Chairman Smith** summarized the staffing compliment. **Selectman Bastarache** suggested calculating the FY2024 amended budget to allow for an Equipment Operator and the Clerk position. Both **Selectman Loynd** and **Chairman Smith** discussed wanting to better understand the changes in the administrative work and if technology created efficiencies or additional work. Debra expressed agreement and suggested asking the department heads to provide a staffing plan with their request if it includes additional staffing. **Chairman Smith** expressed agreement, especially with the request to consider a five (5) year plan. **Chairman Smith** clarified that the requests for staffing should be based on demands, safety, etc.

**Police Department:** The Select Board, Finance Committee, and Capital Planning Committee members reviewed the memorandum from Chief Holst. **Chairman Smith** summarized what was reduced from the FY2024 departmental budget request, highlighting the reductions to the proposed Cadet program, part-time wages, electricity, phone, uniforms, and training. **Chairman Smith** expressed concern about the need to hire and train new staff members and that the reductions in wages and training may make that more challenging. **Chairman Smith** added that the Town is working to secure a new phone service contract for all departments. **Chairman Smith** explained that he would like to restore the funding for the Cadet program. Both Thomas and Debra expressed agreement. Debra also expressed concern about the reduced funding for part-time wages. Linda expressed concern about the discussion of forced overtime in the Chief's memorandum. The Select Board members explained that the discussion point was meant to communicate that an increase in part-time wages may provide relief of overtime. **Chairman Smith** acknowledged the concern.

Debra asked about hiring experience for law enforcement. **Chairman Smith** and **Selectman Loynd** discussed the recent changes that have been experienced in the market and the transition to full-time academy training requirements. Peter asked about reasons for the loss of staff, noting concern about wages. **Chairman Smith** acknowledged the concern and explained that the Select Board has offered to negotiate a new contract with the Police Officers union. **Selectman Loynd** discussed the competitive nature of the market for officers, including signing bonuses in some communities. Debra asked about the exit interview process. Bryan explained the current practice of offering exit interviews to staff members that would like to engage in one. **Selectman Bastarache** discussed estimating that the Police Department would need at least \$75,000.00 for FY2024 based on Chief's narrative. Thomas discussed the need to add funding to the training line item for the Cadet program. The Select Board and Finance Committee members estimated that \$30,000.00 for training should be appropriated. Debra would like Chief Holst to provide a breakdown of the tuition and equipment costs when recruiting new officers. **Selectman Loynd** asked how travel for the academy is handled. Bryan explained that the Town provides officers with access to a Town vehicle whenever possible, but when an officer needs to use a personal

vehicle, mileage reimbursement is provided. **Chairman Smith** estimated needing \$100,000 for the Police Department when the additional training costs are considered.

**School Department:** **Selectman Bastarache** noted that Caitlin Sheridan, Director of Finance & Operations, had sent a correspondence that the approved FY2024 education budgets are sufficient to provide services, based on the service levels that they are aware of at this time.

**Recreation Department:** **Selectman Bastarache** explained that Breta Petraccia, Recreation Assistant, had responded noting that the Recreation Commission hasn't met yet to discuss, but based on her review, the appropriation seems sufficient.

**Community Planning:** Returning to the discussion of the Community Planning Office budget, **Chairman Smith** asked about including the matching fund reserve for potential grants that may be considered throughout the year. The Select Board, Finance Committee and Capital Planning Committee members discussed support for a \$25,000.00 reserve.

**Treasurer's Office:** **Selectman Bastarache** explained that Jennifer Eichorn, Treasurer, had submitted a request to restore the \$2,000.00 that had been reduced for costs related to processing tax title matters.

**Capital Requests:** Peter discussed wanting the Capital Planning Committee to review the FY2024 requests that were considered but not recommended out of concern for the budget. Bryan will work with the Committee to schedule a meeting to develop a vehicle replacement policy and to review FY2024 capital request forms.

The Select Board, Finance Committee and Capital Planning Committee members agreed to meet with departments on August 7, 2023. The Board and Committee members agreed that departments that are not requesting budget adjustments are not required to attend, except for the large departments. Debra added that responses regarding the FY2024 budget need to be submitted by August 2, 2023, at noon. **Selectman Bastarache** discussed wanting to understand what was unspent with the closing of FY2023 to better understand the potential need for a Proposition 2 ½ override for FY2024. **Chairman Smith** explained that he would like to request an initial meeting with School Committee on August 7, 2023. Debra raised the concern that August 7, 2023, may not provide enough time for the School Committee to meet and prepare. **Chairman Smith** suggested offering August 21, 2023, as a fallback date.

**Assessors' Office:** **Chairman Smith** noted that the Assessors' Office reduced the FY2024 budget request, including the funding for revaluations and the funding for the Assistant Assessor position.

**Capital Requests:** Returning to the topic of capital requests, Debra discussed wanting an update from the School Department about the HVAC grant that was applied for in the fall of 2022. Debra explained that the project likely ties into the requests to repair the roof and the skylights.

**Benefits:** **Chairman Smith** added that the Select Board and Finance Committee agreed to reduce the other post-employment benefits (OPEB) contribution for FY2024 from \$300,000.00 to \$100,000.00.

**Solid Waste:** Bryan asked whether the Board and Committees would be interested in revisiting the improvements that are needed to reopen the recycling center at Public Works. **Chairman Smith** clarified there is both a capital cost to understand as well as an ongoing operational cost. Bryan will draft an overview of the known costs for consideration.

**Selectman Loynd** discussed the goal of developing a multi-year budget outlook. Bryan discussed his thoughts on the goal and asked if there was a deadline that submissions from departments should be due. **Chairman Smith** explained that he would like to assess that topic after the August 21, 2023, meetings with departments. **Chairman Smith** added that departments should begin flagging anticipated significant increases within the next five (5) years in preparation for the August 7, 2023, meeting.

**Capital Requests:** returning to the topic of capital requests, **Selectman Bastarache** discussed the survey that the Town is conducting on the proposal to demolish the former IP Mill site. Debra expressed agreement and noted that Mariah Kurtz, Town Planner, has updated the Town website with related information. **Selectman Bastarache** encouraged community members to participate.

At 8:32 PM **Chairman Smith** made a motion to adjourn the joint meeting and to continue with the Select Board meeting. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

### **Unanticipated Business**

#### ***Request for Road Closure on North Street***

**Chairman Smith** explained that the Select Board has received a request to restrict southbound traffic on North Street on July 29, 2023, for an annual summer party that will occur between 11:00 AM and 7:00 PM, to alleviate traffic concerns. To allow for the request, all southbound traffic would have to be directed down Church Street. **Selectman Bastarache** raised concern about overweight vehicles being directed over the Church Street bridge with the current restrictions. **Selectman Bastarache** explained that to approve the request the requestor would need to schedule a police detail at both ends of the closure. **Chairman Smith** acknowledged the requestor's concern regarding parking but discussed the availability of parking in the municipal parking lots and at Riverfront Park. **Selectman Bastarache** expressed agreement with the preference for encouraging the use of the public parking options instead of approving the traffic restriction with the existing Bridge restrictions. The Select Board members expressed agreement and asked Bryan to notify the requestor of the other parking options.

#### ***Letter of Commendation***

**Chairman Smith** explained that Ryan Betters, Fire Department Captain, has submitted a letter to recognize the performance of Patrol Officer Brandon Bryant. **Chairman Smith** explained that Captain Betters acknowledged Officer Bryant's calm demeanor, admirable actions, and the ability to aid those in need during some recent calls for service. **Chairman Smith** noted the recognition and expressed appreciation for the efforts of Officer Bryant.

### **Adjournment**

At 8:37 PM **Chairman Smith** made a motion to adjourn. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Respectfully submitted,



Bryan Smith  
Town Administrator