

Board: Select Board / Water Commissioner's Meeting
Date: Monday, April 10, 2023
Location: Senior & Community Center, 1 Care Drive, Erving, MA 01344

Select Board Present: Jacob Smith, William Bembury, Scott Bastarache
Finance Committee Present: Debra Smith, Daniel Hammock, Benjamin Fellows, Charles Zilinski

At 6:34 PM **Chairman Smith** called the meeting to order.

Surplus Equipment Request- Recreation Department- 2nd Reading

The Select Board members conducted a second reading of the surplus equipment request from the Recreation Commission, that included one (1) DVD Blue Ray home theater system, one (1) Epson LCD projector model H561A Powerlite 2030, one (1) projection screen and associated surround sound equipment for movies, one (1) foosball table, one (1) ping pong table, one (1) HP Envy printer 4500, one (1) HP Printer C8963A, and one (1) Panasonic KXTG6671 phone and answering machine. The Select Board members discussed having no concerns with the recommendation. **Selectman Bastarache** discussed his preference for making the equipment available to residents with a deadline to submit a bid. The Select Board members expressed agreement. The Select Board will conduct a third reading at the next meeting.

Review Watermain Break on River Road Procurement

Chairman Smith provided an overview of the watermain break on River Road, noting that the topic is a continuation from the previous meeting. Peter Sanders, Water & Wastewater Superintendent, joined the meeting to discuss cost estimates that he had obtained. Peter explained that an estimate for a potential upgrade of approximately ¼ mile of the watermain on River Road with plastic piping, including the restoration of the road and sidewalk, would cost approximately \$300,000.00 to \$400,000.00. Peter explained that he used a distance of ¼ mile because it should be sufficient to address the area that has experienced maintenance issues. Peter theorized that the Town is experiencing issues with cracks in the watermain because of poor back fill material that was used near the main that is creating weak areas as the ground shifts and the pipe flexes. **Selectman Bastarache** discussed using the estimate as a ballpark figure for the Capital Planning Committee to use for consideration in a future potential project. Peter explained that the paving to restore the road surface after the repair work was completed, is scheduled for this week. **Chairman Smith** explained that DCAMM approved the Town's emergency procurement authorization to waive the advertising requirements and that the Select Board can waive the competitive procurement requirements to address the emergency nature of the work. **Chairman Smith** explained that two (2) vendors had been contacted about the work but that only one (1) vendor was available to respond the day of the watermain break. **Chairman Smith** explained that the total project costs are expected not to exceed \$12,500.00 for outside services, not including inhouse work. **Selectman Bastarache** made a motion to waive the competitive procurement requirement for the emergency repair work for the River Road watermain emergency repair work and to engage Johnson Asphalt Paving, LLC to not exceed \$12,500.00, and authorize Bryan Smith to execute all necessary agreements. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Chairman Smith asked the Select Board members if they wanted to monitor the Water Department operating budget prior to considering a request for a Reserve Fund transfer. **Chairman Smith** noted that there have not been any other unanticipated maintenance needs in the Water Department. **Selectman Bastarache** expressed support for monitoring the Water Department budget as the Fiscal Year comes to an end and requesting a Reserve Fund transfer if it is necessary before the close of the Fiscal Year. The Select Board members expressed agreement.

Discussion of Recommendation to Change Dental Insurance Providers to Delta Dental

The Select Board members reviewed a memorandum from Bryan Smith, Town Administrator, discussing the planned change in dental insurance providers from Guardian to Delta Dental through the Hampshire County Group Insurance Trust and the recommendation for the Select Board to approve the change. **Selectman Bastarache** explained that the recommendation aligns with employee feedback and a positive recommendation from the Insurance Advisory Committee. The Select Board members expressed support for making the change in providers. **Selectman Bastarache** made a motion to engage Delta Dental as the Town's dental insurance plan, beginning with insurance year 2024 which starts on July 1, 2023, and to authorize Jennifer Eichorn, Treasurer, to execute all necessary agreements. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Recess

At 6:47 PM **Chairman Smith** made a motion to recess the meeting until 7:00 PM. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

At 7:03 PM **Chairman Smith** resumed the meeting.

Joint Meeting with Finance Committee- Review and Finalize FY2024 Budget & Annual Town Meeting Warrant

At 7:03 PM **Chairman Smith** called the joint meeting of the Select Board with the Finance Committee to order. Debra Smith, Benjamin Fellows, Charles Zilinski and Daniel Hammock of the Finance Committee joined the meeting.

Review and Finalize FY2024 Budget Requests & Projected Revenue

Chairman Smith reviewed revisions that have been made since the last meeting to the FY2024 proposed budget summary review. **Chairman Smith** explained that the education line had been revised based on the decisions made at the last School Committee meeting. **Chairman Smith** explained that the Public Library construction project repayment into stabilization is being proposed to source \$150,000.00 from raise and appropriation capacity and \$128,000.00 from Free Cash to help balance the budget. **Chairman Smith** explained that money has been held to help address changes in staff wages. Further, **Chairman Smith** noted that the plan still holds \$150,000.00 in case the Elementary School needs support for out of district costs. **Chairman Smith** summarized that the current budget plan leaves a raise and appropriation capacity balance of \$1,615.00 and a Free Cash balance of \$222,551.00. The Select Board and Finance Committee members expressed no concerns with the proposed adjustments to balance the budget plan.

Chairman Smith noted that an article has been drafted for the Annual Town Meeting warrant to provide \$60,000.00 in funding for wage adjustments once the process has been completed, adding that he is not sure that it is the correct number. **Selectman Bastarache** provided the context that it would provide capacity for approximately a little more than a 2% adjustment for town staff. Daniel asked if the adjustment amounts had been finalized. **Selectman Bastarache** explained that the final collection of data from other towns and fire districts is being completed so that decisions can be made. Daniel discussed appreciation that the Town is working through a reasonable process to work toward balancing taxpayer concerns and the needs of employees. **Selectman Bastarache** would like to see the potential impacts of different options that consider changes to steps and to understand what a flat rate adjustment would look like. **Chairman Smith** discussed approximate impacts from potentially changing steps from 2% to 2.25% and theorized that a 2.5% step change may exceed ability to fund. **Selectman Bastarache** discussed wanting to understand the impacts of dropping lower steps and adding additional steps in the compensation tables as another option to addressing the retention and attraction of employees.

At 7:23 PM **Chairman Smith** invited questions from members of the public.

Mark Burnett joined the meeting to discuss the proposed FY2024 budget, expressing concerns from the community and stating that some are not feeling heard. Mark discussed cost drivers that correlate to the requested budget increases for the Elementary School. Mark expressed disappointment that the Select Board has requested the School Committee to cut the budget request. Mark discussed the staffing reductions that have occurred at the Elementary School, as well as the impacts of COVID-19 Pandemic and the resulting trauma on the school community. Mark discussed concerns about educational loss and the social emotional needs of students and the addition of the Adjustment Counselor position to provide support. Mark expressed that he believed that the voters will support the School and urged the Select Board to fully fund the original Elementary School budget request.

Selectman Bastarache asked Mark if he had any proposals on how to provide the funding for the originally requested Elementary School budget in the context of the overall budget and levy limit. Mark suggested proposing a Proposition 2 ½ override and initiating it with a floor amendment during the vote on the budget at the Town Meeting. **Selectman Bembury** explained that an approved Proposition 2 ½ override would permanently increase the tax levy. Mark acknowledged the permanent change in the levy. **Chairman Smith** noted that most of the Education budget request increases were for costs in the Elementary School. Mark explained that he is also a Board of Assessor member and that a proposed increase of \$322,000.00 would result in approximately an increase of \$0.22/ \$1,000.00 on the residential tax rate, with a minimum residential factor (MRF) shift of 65%. **Selectman Bastarache** discussed his concerns about budgeting in a manner that would outspend the Town's levy limit. **Selectman Bastarache** expressed concern about continuously spending and increasing the budget without long-term considerations. Mark acknowledged the concern and suggested that an approved Proposition 2 ½ override that permanently increases the levy limit is part of a long-term strategy of improving programs to keep students in district. **Selectman Bastarache** discussed the process for proposing a Proposition 2 ½ override and explained that he would be uncomfortable with moving an unbalanced budget on the floor at the Town Meeting. **Selectman Bastarache** explained that he would want a proposed Proposition 2 ½ override question formally on the agenda.

Chairman Smith discussed historical increases in the Elementary School budget in past fiscal years. Regarding per pupil spending and performance, **Chairman Smith** asked if Mark had thoughts on benchmark school districts and student performance outcomes. **Chairman Smith** noted that he doesn't believe that standardized testing is a great measure, but according to State benchmark data, Erving Elementary School's costs per student are significantly higher than the schools in the comparisons, and that is looking at data prior to the requested increases for FY2024. Mark suggested the administration should be asked to explain that data.

Mark asked about budget considerations regarding the former IP Mill site. **Chairman Smith** explained that there is a meeting scheduled for April 24, 2023, to have a conversation with members of the public on the topic. **Chairman Smith** briefly discussed the history of the work done to redevelop the site to date and the Select Board's need to have a conversation with interested community members to gauge how to proceed. **Chairman Smith** added that the topic may be addressed at a future Special Town Meeting. Mark discussed his thoughts on setting priorities. **Chairman Smith** restated that community members are invited to participate in the meeting.

C. Mark Blatchley expressed his concerns about families choosing to use school choice to take their students to another school and the impact on increasing costs. Mark further discussed his concerns about

the impact on the Elementary School for both teachers and students interested in attending the Elementary School. Lisa Candito, School Principal, joined the meeting and discussed her understanding of the impact of school choice on the District. Jacquelyn Boyden, Principal Assessor, explained that the annual cost for each student that chooses out of Erving is approximately \$5,500.00 in State charges. Christina Thurston asked for clarification difference between the per pupil cost for a student that uses school choice to attend a different school and the cost to educate in Erving. **Chairman Smith** discussed the average per pupil costs in the Erving School District versus the cost in state charges for a student that chooses to another school.

Another community member that identified themselves as a parent expressed concern about the status of the Pre-School program and for students with individualized education plans (IEP). **Chairman Smith** clarified that all IEP services will be honored. Devon Gaudet identified himself as a parent with a student in the Elementary School and expressed frustration and discussed his concerns with his child's experience and the classroom behavior that is occurring within the classroom. Devon also expressed concern about the status of the Pre-School program and requested for a plan to be communicated. Regarding student performance concerns, Devon asked **Chairman Smith** to describe what success for students looks like. **Chairman Smtih** noted that he is not an education expert and discussed the publicly available information that he has access to and that the State data suggests that student performance in Erving Elementary School doesn't match the per pupil expense when compared to benchmark school districts. **Chairman Smith** explained that he is raising the question because he is assuming that the answer is complex and that he hoped that by Erving spending more per pupil that it means that we offer a better education. **Chairman Smith** explained that he is growing concerned knowing that the Town spends more each year for education but is hearing more concerns from teachers and parents about what is occurring in the school. Regarding changes in staffing over previous fiscal years, **Chairman Smith** noted the concern about staffing but clarified that the Town has not refused to fund the Elementary School. Devon discussed the difficulties he experienced trying to review the historical information related to the school budget. Devon discussed the importance of the happiness of his child when he comes home from school and stated that he is not as happy.

Selectman Bastarache discussed his experience working with the School District with over seven (7) years as a member on the Schol Committee. **Selectman Bastarache** explained that he believes that student performance needs to be measured in a student-centered manner and stated that he is discontent with standardized testing. **Selectman Bastarache** discussed needing to better understand what is not working, noting that the Town hasn't had to push back on budget requests in nearly 30 years. **Selectman Bastarache** expressed agreement that the School District must meet student needs and that students should want to go back to school the next day. **Selectman Bastarache** noted that he has heard from several residents with different perspectives on the proposed FY2024 budget, some stating that they are against new spending and some who are willing to spend more. **Selectman Bastarache** expressed his support for comprehensive education for the whole child. With that said, **Selectman Bastarache** explained that the Select Board cannot direct the staffing levels at the Elementary School because those decisions are made by the School Administration based on requests from the School Committee.

Lisa explained that Massachusetts State laws govern how staffing is adjusted in consideration of educator professional status and the requisite licensure. Regarding the Pre-School program, Lisa explained that the School Administration is monitoring the enrollment numbers and that at this time the Pre-School numbers are smaller than they have been in past years. Devon asked if the School was considering cutting the Pre-School program. Lisa said "no," and explained that there is no intention to cut the Pre-School program. Devon expressed concerns that community members are not feeling heard. **Selectman Bembury**

discussed the challenges of the topic, noting his experience as a parent and a taxpayer in the Town. **Selectman Bembury** expressed concern about the cleanliness of the bathrooms at the Elementary School. **Selectman Bembury** also discussed his concern about the disconnect between the School Administration and the School Committee. **Selectman Bembury** explained that he wants to see the right thing done for the students in Erving and discussed the need to understand what is sustainable. **Selectman Bembury** cautioned against pitting the School District against other Town departments and resources. **Selectman Bembury** expressed the importance of working together as community members.

Selectman Bastarache generally expressed agreement with **Selectman Bembury** and explained that he does not recall having to pushback on budget requests because the capacity has usually existed, and the Town has been able to balance the budget. **Selectman Bastarache** explained that this is the first year that the public participation in the budget planning process has increased. **Selectman Bastarache** discussed the need to present a balanced budget with the understanding that there is no way to satisfy all requests. **Selectman Bastarache** explained that he believes that the voices are being heard.

Lisa generally discussed some of the challenges experienced with the student population and discussed the hard work of trying to coordinate resources for students and partnering with service providers to address the challenges. Lisa clarified that the Elementary School bathrooms are not shut down and explained that the procedures have been adjusted to meet students' needs. Lisa explained that the School is not proposing to take services away and is trying to provide structure. Lisa discussed some of the impacts of the COVID-19 pandemic on the School Community.

Daniel Hammock discussed his experience as a parent and as a community member. Daniel explained that he wants the School District to provide the best possible service, noting the need to balance costs with other Town services and trying to address all Town needs. Daniel expressed his own frustration and trying to balance needs with wants. Daniel expressed appreciation for the public participation and for community members being involved in the process. **Chairman Smith** noted that the Town is up against the limit of the levy capacity with the FY2024 request. **Chairman Smith** discussed the reductions in requests that were made by all Town departments and further clarified that other Town departments reduced the budget request, in aggregate, by approximately \$500,000.00 prior to the School Committee making reductions in the request. **Chairman Smith** explained that the work to get to a balanced FY2024 budget was a team effort to try to minimize impacts.

Stephanie Johnson explained that she has a student at Erving Elementary School and discussed the positive progress her student has made with the support that has been provided. Stephanie discussed the benefits of math intervention services and expressed support for the preservation of the Pre-School program.

Mackensy Bailey, School Committee member, joined the meeting and expressed her frustration between the School Committee and the School Administration. Mackensy discussed wanting the School Committee to work on improving the relationship. Mackensy explained that the School Committee has been receiving the draft budget without information ahead of Committee meetings. Mackensy expressed concern that the School Administration and the School Committee hadn't talked through the FY2024 budget request. Regarding the Pre-School program, Mackensy discussed her personal experience and noted that the School Committee has not removed the Pre-School program and that it will be staffed with a certified teacher. Mackensy clarified that at this time she has not been briefed by the School Administration on actual cuts planned at the Elementary School. Mackensy stated that she has read every email that has been sent to her regarding the Elementary School and that she is listening to people

and is working to make sure that people feel heard. Mackensey encouraged parents to keep attending School Committee meetings. **Chairman Smith** discussed his shared frustration with the status of the relationship between the School Committee and the School Administration and that he wants to see the relationship improved.

Christina asked for clarification on the budget request cuts from the Town to the School, stating that she believes that it is not fair to say that the School Administration made cuts when the amount is dictated by the Town. Christina urged the Select Board to sit with community members to discuss what is happening in the Elementary School. **Chairman Smith** clarified that the Select Board did not dictate cuts to programs at the Elementary School, but that all Town departments were directed to revisit their budget requests. **Chairman Smith** explained that the budget increase that the Elementary School requested was significant and that a cut of that size to other Town budgets to provide it to the Elementary School would have substantial impacts on other services such as public safety. Weston Platak expressed concerns about making cuts to public safety. **Chairman Smith** clarified that he was not suggesting further cuts to public safety departments but that he was trying to illustrate the scale of the Elementary School request and impact on other departments. Weston explained that he has students at Erving Elementary School and discussed the positive impact that Erving Elementary has had on his children. Weston discussed support for his student's teacher. Weston discussed concern about changes that have been implemented to the bathroom protocol for students. Weston expressed appreciation for being heard.

Daniel Hammock discussed the efforts that have been taken to date to balance the proposed FY2024 budget. **Chairman Smith** added the work to ensure that the sources of funding will allow the FY2024 budget and subsequent budgets will be sustainable. **Selectman Bastarache** stated that he does not believe that the Select Board is prepared to discuss a proposal for a Proposition 2 ½ override this evening. **Selectman Bastarache** discussed openness to discuss a possible Proposition 2 ½ override proposal at a future meeting and discussed wanting the Assessors' Office to provide estimated tax rate impacts in increments of \$100,000.00 in capacity, up to \$800,000.00. **Selectman Bastarache** discussed the work of all departments to reduce their FY2024 budget requests and that he would want to explore restoration of some of those reductions if a Proposition 2 ½ override was to be considered. Mark Burnett expressed agreement and then expressed concern, clarifying that he and the others present were suggesting a Proposition 2 ½ override for the Elementary School budget request and not necessarily a larger request for other services that may not pass. **Chairman Smith** explained that he would want to understand the potential impact of a Proposition 2 ½ override and noted the hard work that has been done across all departments. Weston expressed appreciation and his support for the public safety and the public works departments of the Town. Weston explained that he has had a positive experience living in town.

Review and Finalize Annual Town Meeting Warrant

The Select Board and Finance Committee members reviewed revisions that have been made to the Annual Town Meeting warrant draft.

Article 5: FY2024 General Operating Budget: **Chairman Smith** explained that the article has been modified to reflect the revised budget summary that was reviewed earlier in the joint meeting. No concerns were expressed.

Article 6: FY2024 Elected Official Compensation: **Chairman Smith** explained that stipends for elected officials are being held level for FY2024 and the elect officials with regularly scheduled positions in Town Hall have been adjusted to reflect the step change on the compensation schedule. **Chairman Smith** noted that an adjustment may be necessary at a future Town Meeting once the compensation plan is finalized

as there is not enough time to make the changes before Annual Town Meeting. No concerns were expressed.

Article 7: FY2024 Erving Elementary School Funding: Chairman Smith explained that the article has been revised to reflect the decisions made by the School Committee at their last meeting. Debra asked if there was an update on the School's purchase of a van that may help with transportation costs. Jennifer Eichorn, Treasurer, joined the meeting to explain that she is working with Bryan and Corrina Wcislo, Director of Student Support, to develop a request for proposals (RFP) for transportation services to better understand those costs and to compare them to the costs of purchasing a van and operating it by the School District. No concerns were expressed.

Article 11: FY2024 Wastewater Department Enterprise Fund: Chairman Smith explained that the amounts in the article have been revised to correct a typographical error. No concerns were expressed.

Article 12: Raise & Appropriate for Continuing Annual Appropriations: Chairman Smith explained that the article was revised to address a change in the advertising costs for the Around Town Newsletter. No concerns were expressed.

Article 13: Appropriation for Wage & Compensation Adjustments: Chairman Smith explained that the article is a new addition to provide the funding for wage adjustments to be implemented as previously discussed in the joint meeting. No concerns were expressed.

Article 14: Raise & Appropriate for Capital Improvements: Chairman Smith explained that the article was updated to include an account number. No concerns were expressed.

Article 16: Revolving Account Spending Limits: Chairman Smith explained that the article was revised to reflect a change that was requested by the Board of Library Trustees to adjust the spending limit for the library use and fees account to read \$10,000.00. Chairman Smith added that the change will require a corresponding bylaw change that will appear in a separate article. No concerns were expressed.

Article 18: Establishment of the Opioid Settlement Stabilization Fund & Dedication of Revenue: Chairman Smith explained that the article was updated to reflect the current balance of funds received to read \$22,716.85, to be transferred into the new fund. No concerns were expressed.

Article 20: Appropriation for the General Stabilization Account: Chairman Smith explained that the article was revised to reflect the proposed split in Free Cash and raise and appropriation funding sources, as shown on the budget summary sheet. No concerns were expressed.

Article 22: Town Clerk Bylaw Editorial Changes: Chairman Smith reviewed the article and explained that it proposes a new bylaw that would become part of the Town code. No concerns were expressed.

Daniel asked if the Finance Committee members wanted to make a recommendation on any of the proposed articles for bylaw changes. The Finance Committee members agreed that they would not make a recommendation on articles 22 through 27. Bryan will remove those references from the warrant.

Article 24: Personnel Bylaw: Chairman Smith reviewed the proposed edits to the proposed bylaw language in the article. Richard Newton, Town Clerk, joined the meeting to explain concerns and suggested edits to the proposed language regarding employees serving on the Personnel Committee and

regarding the setting of the compensation tables. **Selectman Bastarache** expressed agreement with revising sections 1 and 14 so that the tables can be adjusted from time to time, as well as the proposed amendment to section 4. The Select Board members expressed agreement with the proposed amendments.

Article 25: Meeting Minutes Bylaw: The Select Board members reviewed the proposed edits to the proposed bylaw language in the article. **Selectman Bastarache** discussed support for title change and the removal of the other requirements in sections 6 and 7 because they are not directly related to meeting minutes. The Select Board members expressed agreement. Richard expressed agreement. **Chairman Smith** discussed drafting a future bylaw proposal to address expectation for operating board meetings.

Article 27: Amended Revolving Accounts Bylaw: The Select Board members reviewed the proposed changes to the bylaw language that addresses the adjusted spending limit request from the Board of Library Trustees. No concerns were expressed.

Finance Committee recommendation: Daniel made a motion to recommend Articles 1 through 21, as amended. Benjamin seconded. **Vote:** Unanimously approved.

Select Board approval: **Selectman Bastarache** made a motion to adopt the Annual Town Meeting warrant dated Wednesday, May 10, 2023, to be held at the Erving Elementary School at 7:00 PM, as amended. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Review Watermain Break on River Road Procurement (revisited)

Revisiting the topic of the watermain break on River Road, **Chairman Smith** provided the Finance Committee members and update on the status of the repair work and explained that the Select Board is going to monitor the Water Department budget and will consider if a Reserve Fund transfer request is necessary before the end of the year.

Next Meeting

Chairman Smith provided a reminder regarding the proposed demolition of the former IP Mill conversation that is scheduled for April 24, 2023, and asked if the Select Board and Finance Committee members want to meet ahead of the public information session. Benjamin expressed support for having a joint meeting prior to the discussion with the public at 7:00 PM. **Chairman Smith** expressed agreement and suggested beginning the joint meeting at 6:00 PM.

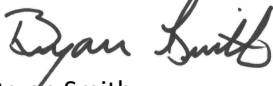
Daniel Watson asked the Select Board if there was a goal for the total FY2024 budget amount. **Chairman Smith** explained that the proposed budget uses the available capacity to raise and appropriate of \$13,113,372.00 as well as \$639,000.00 of Free Cash. Daniel asked for an estimation regarding the percent increase over FY2023. **Chairman Smith** explained that the capacity to raise and appropriate is approximately 2 ½ percent over last year and that the use of Free Cash is similar to FY2023, excluding the previous Special Town Meeting that appropriated some Free Cash. Regarding the Elementary School budget, Daniel asked how much the Department had been asked to reduce the request by. **Chairman Smith** explained that the School Department had been asked to try to reduce the request by approximately \$350,000.00 from the initial request of approximately \$3.8 Million, noting that there have been several versions of the budget. Charles Zilinski and Daniel Hammock both clarified that the proposed Elementary School budget still reflects an increase over FY2023. **Selectman Bastarache** and **Chairman Smith** expressed agreement and clarified that the proposed budget for the Elementary School provides

for an increase of \$209,000.00 for FY2024, approximately 6.3%, acknowledging that the increase is not significant enough to address the out of district cost increases in the original budget request.

Adjournment

At 9:42 PM **Selectman Bastarache** made a motion to adjourn. Debra seconded. Vote: Unanimously approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bryan Smith", written in a cursive style.

Bryan Smith
Town Administrator