

Board: Select Board / Water Commissioner's Meeting
Date: Monday, November 27, 2023
Location: Senior & Community Center, 1 Care Drive, Erving, MA 01344

Select Board Present: Jacob Smith, Scott Bastarache, James Loynd
Planning Board Present: Jacquelyn Boyden, Melanie Burnett, Deborah Smith
Senior Housing Committee: Jacquelyn Boyden, William Bembury, Paula Betters, Gary Betters, Leslie Brown

Chairman Smith stated that the meeting is being recorded and broadcast.

At 5:32 PM **Chairman Smith** called the meeting to order.

Executive Session

At 5:32 PM **Chairman Smith** made a motion enter into Executive Session pursuant to Massachusetts General Law Chapter 30A, Section 21 (a) (2) to conduct strategy sessions in preparation for negotiations with non-union personnel...and contract negotiations with non-union personnel regarding Town Administrator;

And immediately following to enter Executive Session pursuant to Massachusetts General Law Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining ...if an open meeting may have a detrimental effect on the bargaining ... position of the public body and the chair so declares. **Chairman Smith** stated that he does so declare. (AFSCME, Wastewater & Water Unit);

And immediately following to enter Executive Session pursuant to Massachusetts General Law Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining ...if an open meeting may have a detrimental effect on the bargaining ...position of the public body and the chair so declares. **Chairman Smith** stated that he does so declare. (NEPBA Local 121, Police Unit). **Chairman Smith** stated that the Select Board will return to Regular Session. **Selectman Bastarache** seconded. **Roll call vote:**

Selectman Loynd	Aye
Selectman Bastarache	Aye
Chairman Smith	Aye

At 7:02 PM **Chairman Smith** resumed Regular Session.

Review & Potential Appointment – Planning Board Vacancy – Joe Newton

At 7:02 PM **Chairman Smith** called the joint meeting with the Planning Board to order. Planning Board members Jacquelyn Boyden, Melanie Burnett and Deb Smith recommended the appointment of Joseph Newton of River Road in Erving to the Planning Board, upon receipt of his letter of interest. The Select Board members have no concerns and **Selectman Bastarache** made a motion to appoint Joseph Newton to the Planning Board effective November 27, 2024, through June 30, 2024, seconded by **Selectman Loynd**. **Roll call vote:**

Selectman Loynd	Aye
Selectman Bastarache	Aye
Chairman Smith	Aye
Jacquelyn Boyden, Planning Board Chair	Aye
Debra Smith, Planning Board	Aye
Melanie Burnett, Planning Board	Aye

At 7:04 PM **Chairman Smith** made a motion to adjourn the joint meeting of the Select Board and Planning Board and continue the Select Board meeting, seconded by **Selectman Bastarache**. Vote: Unanimously approved.

Review of the Senior Housing RFP Response & Proposal

At 7:04 PM **Chairman Smith** called the joint meeting with the Senior Housing Committee to order. **Selectman Loynd** announced that he was recusing himself from the discussion due to the potential of a conflict of interest. The Select Board members stated that they have the RFP (Request for Proposals) in its entirety. Present from the Senior Housing Committee are members Jacquelyn Boyden, Paula Betters, William Bembury, Gary Betters and Leslie Brown. William Bembury presented the history of the Committee and explained that they've been working on this process for eight (8) years, and he expressed his appreciation to the Committee for all the work they've done to finally get to this point. He explained that the RFP went out in July and were due October 25, 2023. They received one proposal from RDI (Rural Development, Inc.). William Bembury explained that they were the only agency interested in the project and throughout the process they continued to stay involved. The Committee met with RDI to review the proposal, and at their second meeting the Committee unanimously accepted the RFP with conditions and agreed to send it for legal review. The Committee described the concerns that they had with the layout and placement of the buildings, number of units, the consideration of the aging population and the multi-generational population. They explained that after much discussion, and with RDI and the Committee's willingness to work together, they've come up with a design that will work for everyone. Paula Betters stated that during discussions of their concerns, RDI explained that their design was the most cost-sustainable plan that made sense for everyone. Senior Housing Committee members Paula Betters and Leslie Brown verbally expressed their enthusiasm regarding the potential for this project to come to fruition in five (5) years. William Bembury explained that the Zoning Board of Appeals needs members, and said that to move forward, a comprehensive permit needs to be done by the ZBA. Jacquelyn Boyden announced that she and Town Planner, Mariah Kurtz, met with Susannah Whipps this morning and Susannah assured them that they could find additional funding for the project. **Chairman Smith** asked when the funding needed to be committed and Jacquelyn said that it's open-ended. **Selectman Bastarache** said that they are waiting for legal review of the changes in layout and other changes. Town Administrator, Bryan Smith, stated that there is a 60-day timeline to agree on the proposal.

At 7:44 PM **Chairman Smith** made a motion to adjourn the joint meeting of the Select Board and Senior Housing Committee and continue the Select Board meeting, seconded by **Selectman Bastarache**. Vote: Unanimously approved.

Review of FY2024 Maple Avenue Landfill – Professional Engineering Services

At 7:45 PM Wastewater Superintendent, Peter Sanders, joined the Select Board members. **Selectman Bastarache** expressed to Peter that after reviewing the second document from Tighe & Bond Engineers, he still is not satisfied with the explanation of the breakdown and stated that the information was the same, just in a different format. **Selectman Loynd** asked **Selectman Bastarache** if he wants Peter to go back again and get more clarification of the costs? **Selectman Bastarache** explained that in the future he wants to see more details, like hours and rates. **Selectman Bastarache** stated that he doesn't want to delay this any longer and to just move forward. **Selectman Bastarache** made a motion that the Town of Erving engage with Tighe & Bond Engineers/Environmental Specialists for the FY2024 Post-Closure Landfill Monitoring Engineering Services for \$25,300.00, and authorize Town Administrator, Bryan Smith to execute all required documents, seconded by **Chairman Smith**. Vote: Unanimously approved.

Potential Ratification of Memorandum of Understanding with NEPBA Local 121, Police

Chairman Smith stated that they have ratified the contract with NEPBA Local 121, and it will expire on June 30, 2026.

Review of Police Department Policy 4.28 Police Vehicles – 1st Reading

Chief of Police, Robert Holst, joined the Select Board members to review the Police Department Policy 4.28 Police Vehicles. Chief Holst stated that backup cameras must be provided in each vehicle and that guidance of the equipment must be provided and each staff must be trained. Town Administrator, Bryan Smith, stated that all vehicles will be equipped and MIIA requires policies to go with it. Bryan stated that all departments will have policies. The Select Board will conduct a second reading at the next meeting.

Review of Patrol Officer Position Recommendation

Chief Holst shared with the Select Board members that he recommends Brandon Garvey to fill the vacant Patrol Officer position. Chief Holst stated that Brandon has passed a background check and has completed the necessary requirements for POST certification. Chief Holst informed the Select Board members that Brandon has an extensive background in firearms and perhaps in the future he could attend training to be an in-house firearms instructor. **Selectman Loynd** stated that the candidate struck him as an officer who focuses on the policing model that this Police Department shares. He stated that Brandon presented very well in the interview process. **Selectman Bastarache** expressed no concerns. **Selectman Bastarache** made a motion to appoint Brandon Garvey 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, psychological examination, and certification by the Massachusetts Peace Officer Standards & Training Commission, at a rate of grade P2, Step 1 in accordance with the NEPBA Local 121 collective bargaining agreement, and with a start date on or before January 2, 2024, seconded by **Chairman Smith**. Vote: Unanimously approved.

Discussion Regarding Proposed First Responder Coaching Services

The Select Board members previously reviewed the information that was provided by Chief Holst. **Chairman Smith** stated that this is a gap needing to be fulfilled and the Town has the budget for it. **Selectman Loynd** expressed that it's an important opportunity and he supports Chief Holst's recommendation for this service. Chief Holst said that this is an opportunity for officers to use the service to meet their needs and that it's readily available within 24 hours. Eventually this service will be able to provide help for the families of officers as well. Chief Holst clarified that this service is not therapists but is a service that provides tools. The service provides 50, 30-minute sessions for each officer. Chief Holst stated that this is a tool that serves to be proactive as well as preventative.

Review of Streetlight Procurement for Lillians Way

Highway Superintendent, Glenn McCrory, and Town Planner, Mariah Kurtz joined the Select Board members to discuss lighting for Lillians Way. Mariah and Glenn are recommending three (3) solar powered lights and are presenting a proposal from Graybar out of Westwood, Massachusetts. Mariah stated that she reached out to two (2) references, and both gave rave reviews. She explained that the sensor light turns on when it gets dark and will project down and not out. Glenn stated that there is money in the budget. **Selectman Bastarache** expressed no concerns. Glenn told the Select Board members that the Highway Department will assemble and install. **Selectman Bastarache** authorizes the purchase of three (3) Solar Smartlight Systems for \$20,442.09 from Graybar, seconded by **Selectman Loynd**. Vote: Unanimously approved.

Review Proposed Amendment for Traffic Rules & Regulations – 3rd Reading

Town Administrator, Bryan Smith, changed the issuance to today's date. **Selectman Bastarache** made a motion to adopt the amended Regulation Chapter 360, titled "Traffic Rules and Orders" as presented, with an effective date of November 27, 2023, seconded by **Selectman Loynd**. Vote: Unanimously approved.

Surplus Equipment Request – Assessor's Filing Cabinet – 3rd Reading

Selectman Bastarache made a motion to deem the Assessor's filing cabinet as surplus and dispose of it through donation to locals and other municipalities, seconded by **Selectman Loynd**. Vote: Unanimously approved.

Review of Meeting Minutes for June 12, 2023 and November 13, 2023

The Select Board members reviewed the meeting minutes for June 12, 2023, and November 13, 2023. **Selectman Bastarache** made a motion to approve the meeting minutes as written, seconded by **Chairman Smith**. Vote: Unanimously approved.

Review of Meeting Minutes for October 30, 2023

The Select Board members passed over this item until the next meeting.

2023 Golden Cane Recipient

The Select Board members reviewed a memo announcing that the Golden Cane Committee will be presenting the Golden Cane on Thursday, November 30, 2023 to Erving's oldest resident, Mr. Robert Bitzer of Lillians Way who turns 97 on Wednesday, November 29, 2023. The Select Board members wish to congratulate Mr. Bitzer on being the next Golden Cane recipient.

Review and Potential Appointment – Council on Aging – Joyce Newton

After reviewing the letter of interest from Joyce Newton of River Road to the Council on Aging and the Select Board members expressing no concern, **Selectman Loynd** made a motion to appoint Joyce Newton to the Council on Aging effective November 27, 2023, with a term ending June 30, 2026, seconded by **Selectman Bastarache**. Vote: Unanimously approved.

Review and issuance of the 9th Water Commitment for FY2024

Water Commissioner Smith made a motion to approve the 9th Water Commitment for FY2024 for the amount of \$220.44, seconded by **Water Commissioner Loynd**. Vote: Unanimously approved.

Next Meeting

The Select Board agreed to meet again on December 11, 2023, which will include the CDBG Hearing at 6:45 PM and the tax classification hearing at 7:00 PM. Bryan pointed out that issuance of licensing will need to take place at the December 18, 2023 meeting.

Adjournment

At 8:39 PM **Chairman Smith** made a motion to adjourn. **Selectman Bastarache** seconded. Vote: Unanimously approved.

Respectfully submitted,

A handwritten signature in black ink that reads "Elizabeth Sicard". The script is cursive and elegant, with the first letter of each word being capitalized and prominent.

Elizabeth Sicard
Administrative Assistant