

**Board:** Select Board / Water Commissioner's Meeting  
**Date:** Monday, January 30, 2023  
**Location:** Senior & Community Center, 1 Care Drive, Erving, MA 01344

**Select Board Present:** Jacob Smith, William Bembury, Scott Bastarache  
**Finance Committee:** Debra Smith, Charles Zilinski, Daniel Hammock, Benjamin Fellows  
**Capital Planning Committee:** Benjamin Fellows, Linda Downs-Bembury, Jacob Smith, Debra Smith, Peter Mallet  
**Also, Present:** Bryan Smith, Mariah Kurtz, Peter Sanders, Robert Holst, Daniel Watson, Laura Gordon, William Gordon  
**Press:** Otis Wheeler, BNCTV

At 6:38 PM **Chairman Smith** called the meeting to order.

**Chairman Smith** opened the meeting and expressed appreciation to the public works and public safety staff for their response to the damage that was experienced with the two storms over the last week. Especially the Highway Department for working to keep roads clear and safe and the Fire Department for coordinating responses with officials and assisting residents. **Chairman Smith** discussed the challenges with the emergency radio system that was experienced in the center of Town. **Chairman Smith** explained that he will be working with the Chiefs and the Sergeant to discuss next steps to resolve the issue. **Chairman Smith** clarified that no individuals were hurt, and that no property was damaged.

**Discussion Regarding Recycling Center Proposal & Capital Request**  
The Select Board passed over this agenda item.

#### **Review of Police Dept Policy- 4.32- Criminal Justice Information System Policy -1st Reading**

The Select Board members conducted a first reading of the draft Police Department Policy- 4.32- Criminal Justice Information System Policy. **Selectman Bembury** asked for an explanation of the proposed changes in the draft policy. Robert Holst, Chief of Police, explained that the existing policy is outdated, and the recommended changes are the result of the audit from the Criminal Justice Department. The Select Board will conduct a second reading at the next meeting.

#### **Review of Proposed Personnel Bylaw Draft- 4th Reading**

The Select Board members conducted a fourth reading of the proposed Personnel Bylaw draft. Regarding the definition Section, **Chairman Smith** asked about the distinction between regular and non-regular part-time employees. Bryan Smith, Town Administrator, explained that the distinction is related to benefits eligibility for regularly scheduled employment of twenty (20) hours or more per week. **Chairman Smith** recommended making that clarification in the definition. **Selectman Bastarache** expressed agreement. Regarding the Personnel Board in Section 4 of the draft, **Selectman Bastarache** discussed the potential situation of appointing Select Board members so that the Personnel Board can function and explained that he would like the Bylaw to clarify how that is handled. **Chairman Smith** explained that Select Board involvement beyond one member may require a Select Board meeting to be posted. **Chairman Smith** clarified that he would only want the Select Board members to fill the vacant seats on the Personnel Board, to ensure that the Personnel Board can maintain a quorum and not replace the Personnel Board. The Select Board members expressed agreement. In Section 5 regarding the Personnel Director, **Chairman Smith** noted that the use of the term "Director" and "Administrator" have been used interchangeably throughout the proposed Bylaw and that he would like it to be consistent with the use of the term "Personnel Administrator" to match the definition Section. **Selectman Bastarache** expressed agreement.

**Selectman Bembury** asked to clarify that the term “Board” in Section 5E means the “Personnel Board.” **Chairman Smith** suggested making a statement in Section 5E that all references to the term “Board” is a reference to the Personnel Board. The Select Board members expressed agreement. **Chairman Smith** also requested clarification in Section 6 to match the definition of the Personnel Administrator to be consistent because the duties will be assigned to the Town Administrator or a designee of the Select Board. Bryan will make the revisions and the Select Board will conduct a future final review of the proposed Bylaw.

At 7:00 PM **Chairman Smith** called the joint meeting of the Select Board, Finance Committee and Capital Planning Committee to order. Debra Smith, Charles Zilinski, Daniel Hammock, and Benjamin Fellows of the Finance Committee and Linda Downs-Bembury and Peter Mallet of the Capital Planning Committee joined the meeting.

### **Recognition of Officer Gordon**

Chief Holst joined the Select Board meeting to recognize Officer Laura Gordon. Chief Holst read the following letter of recognition into the record:

*Dear Board members,*

*As you all are aware community policing and community outreach has been a focus of mine since joining the Erving Police Department in 2011. In our recent hiring advertisements and hiring processes we have stressed the importance of our officers having a community focused mindset. Not that long ago, in July of 2022, we hired Officer Laura Gordon. I believe we all knew at the time that Officer Laura Gordon brought a tremendous amount of experience that included a desire to serve the community in many positive ways.*

*Since joining our team Officer Gordon has gone above and beyond in every way and she has exceeded all my expectations. From the moment she began with our department she has made a huge impact in our community. I am constantly being told by community members, surrounding departments, and her fellow Erving Officers of the great work that Officer Gordon has and continues to do. I am reminded often of how wonderful an addition she has been and how much she is appreciated by our community.*

*Policing in 2022 is much different from when Officer Gordon began in the early 1990's and it is obvious she has been a leader in adopting and adapting with the progressive changes over those 3 decades. Our community bond and partnership with the Town is strong because of officers like Laura Gordon. Members of this department are very fortunate to work for and receive the unwavering support of this community. This type of support is only created and maintained through constant community involvement and outreach.*

*I would like to recognize and say thank you to Officer Gordon for the work she has done, is doing, and will continue to do for our community. The following examples are just some of the things that Officer Gordon is doing or is working on doing for us all:*

- Assisted with the re-establishment of the K9 program and adding the comfort dog aspect to the program*
- Established the “Coffee with Cops” program with the Senior and Community Center and Public Library*
- Working on establishing the “Sand for Senior” program and coordinating with local departments on the effort*

- Coordinated a "Scam Alert Presentation" for the residents with the Northwestern District Attorney's Office. She is working with the District Attorney's Office to have this again in the future
- Provides information on a regular basis regarding the Police Department for the Around Town Newsletter to keep the community informed
- Represented the Department at the presentation of the 9/11 World Trade Center American Flag during its visit to Franklin County
- Makes regular appearances at the Public Library including during the "Summer Reading Party" event
- Represented the Department at the Town's Annual Fall Festival
- Established a relationship and continued rapport with the Quabbin House in Orange through routine visits including attending their annual spaghetti dinner
- Serves on the Advisory Board of the SCO Clubhouse program, which is an extension of the Quabbin House
- Represented the Department at the Halloween Rag Shag Parade
- Maintains a renewed presence at the Erving Elementary School with K9 Officer Ziva
- Organized community outreach through social media with the introduction of "Officer Farley Ledger" which has been followed by well over 300 community members
- Reestablished the bicycle patrol unit
- Looking to provide training for officers in the area through her connections with local K9 trainers

*In closing, I would like to say thank you to Officer Laura Gordon. She has been an example for us all, her efforts do not go unrecognized. Officer Gordon, you are appreciated and valued for what you have brought and continue bringing to the Erving Police Department.*

*Respectfully submitted,  
Robert L. Holst  
Chief of Police*

The Select Board members recognized Officer Gordon with a standing ovation. Officer Gordon expressed appreciation to Chief Holst for the recognition and for the opportunity to work in the community and continue to do the work that she loves to do. Officer Gordon expressed appreciation for the support she has been provided and for allowing her to work on the Police Department programs. **Chairman Smith** expressed appreciation, on behalf of the Select Board, to Officer Gordon for her work in the community and her presence as a member of the Police Department.

#### **Discussion Regarding Water Dept. Project for Distribution System Lead Assessment & Potential SRF Forgivable Loan Opportunity**

Peter Sanders, Water & Wastewater Superintendent, joined the Select Board, Finance Committee and Capital Planning Committee members to discuss the lead service line assessment project that the Massachusetts Department of Environmental Protection (MassDEP) is requiring and the potential to seek a forgivable loan to fund the project. **Chairman Smith** provided a general overview of the project and explained some of the regulatory changes. **Chairman Smith** discussed the opportunity to apply for forgivable loan through the State's Revolving Loan Fund that is overseen by MassDEP. **Chairman Smith** expressed concern that all Massachusetts water suppliers have been tasked with this requirement and that limited existing resources may make this infeasible to complete by the requested deadline. **Selectman Bastarache** asked what would happen if a property owner declined to participate in the study

and wondered if lack of participation could jeopardize the assessment. Peter Sanders explained that that participation with the basement testing includes a simple scratch test of the service line.

**Selectman Bembury** asked Peter Sanders if he is aware of any program that would support the replacement of lead service line pipes and further asked Peter Sanders to notify the Select Board if new funding opportunities become available so that the Town can keep residents informed. Peter Sanders agreed to make the Select Board aware of any funding opportunities that he becomes aware of and explained that it is his understanding that there is currently no funding being offered to help fund the replacement of any service lines that are determined to contain lead. Further, Peter Sanders explained that the Town's water system is relatively new and that he believes it is unlikely that the system has lead piping within the distribution system. Debra expressed concern about the possibility of new sampling sites and testing requirement periods for lead and copper. Peter Sanders acknowledged the concern and explained that the Town may have to change the testing frequency from every three (3) years to every six (6) months. Peter Sanders provided an overview of the testing requirements and the potential waiver process that could be used to change the periodicity of testing back to every three (3) years if there are no positive lead or copper results.

#### **Review of Special Town Meeting Warrant Draft**

The Select Board, Finance Committee and Capital Planning Committee members reviewed the draft Special Town Meeting warrant.

**Article 6: Appropriation for Water Capital Improvement:** this Article proposes the appropriation of funding to install mixing equipment at the water storage tank. **Chairman Smith** asked for an explanation of the change in the proposed cost of the project from the initial request. Peter Sanders explained that the engineering proposal was written in an unclear manner regarding the potential construction cost and the request is to change the total project cost by \$50,000.00 to \$76,000.00. Bryan explained that without formally engaging Tighe & Bond for engineering services to provide the Town with design options, the opinion of probable cost cannot be refined. Peter Mallet asked if the additional \$50,000.00 is available in Water Retained Earnings and Bryan confirmed that that the amount request is available for appropriation. **Chairman Smith** suggested approaching the funding for the project in phases, splitting the costs for design engineering now and construction later once the design is finalized. Debra expressed support for that approach and asked if there would be a battery option to back up the equipment. Charles expressed support for exploring the use of a battery or electrical back up for mixing equipment in the event of a power loss during a storm. The Select Board, Finance Committee, and Capital Planning Committee members agreed to amend the Article 6 total from \$76,000.00 back to \$26,000.00 for the design phase and will use a placeholder for construction funding in an article on the Annual Town Meeting warrant.

**Article 5: Appropriation for Wastewater Capital Improvement:** **Chairman Smith** explained that the Article would appropriate \$10,000.00 from the Wastewater Enterprise Fund to replace and upgrade the pump station monitoring equipment. The Select Board, Finance Committee, and Capital Planning Committee members expressed no concerns with this Article.

**Article 7: Borrowing Authorization for Lead Service Line Inventory & Replacement Plan Project:** **Chairman Smith** explained that the Article would authorize the borrowing of \$125,000.00 to conduct the lead service line inventory project. **Chairman Smith** asked to confirm that the total amount is inclusive of all related project costs, including any interest related to the borrowing. Bryan will follow up with MassDEP regarding the interest rate and any other short-term expenses related to the borrowing. **Chairman Smith** discussed wanting to understand the need, if any, for additional staff time on the project

outside of the regular day. **Chairman Smith** clarified that he wants that consideration to be included with all future capital project requests to better avoid hidden costs. The Select Board, Finance Committee, and Capital Planning Committee members expressed no concerns with this Article.

**Article 1: Appropriation for FY2022 Expenses:** **Chairman Smith** explained that the Article would appropriate \$1,583.87 from Wastewater retained earnings to pay bills of a prior year to Environmental Resource Associates. The Select Board and Finance Committee members expressed no concerns with this Article.

**Article 2: Amended FY2023 General Operating Budget:** **Chairman Smith** explained that the Article would specifically amend the Health & Human Services line of the omnibus budget by \$26,715.00 for FY2023 because the Board of Health has taken on the Health Agent position for the Eastern Franklin County Health Service. **Chairman Smith** noted that the amount is tentative and is being finalized by the Boards of Health and noted that the funding for this year is sourced from Free Cash and in future years will be sourced, in part by the funds received by the other participating towns. Bryan explained that once the tax rate has been set for the fiscal year, the levy has been set to include the estimated local receipts. In future years, the local receipts estimate will be adjusted by the anticipated receipt of the service assessments paid by the member towns. Bryan clarified that the other towns will be paying their assessments for the balance of FY2023 and that the receipts will be deposited in the General Fund and will become part of future Free Cash. Bryan added that he expects the Boards of Health to meet this Wednesday and will determine if the amount needs to be amended. The Select Board and Finance Committee members expressed no concerns with this Article.

**Article 3: Amended FY2023 Erving Elementary School Funding:** **Chairman Smith** reviewed the Article that proposes to amend the FY2023 appropriation for Erving Elementary School expenses by \$308,500.00 for increased costs related to out of district placements and associated costs. **Selectman Bembury** asked if the increased costs were related to multiple out of district placements. Bryan confirmed the understanding. **Selectman Bastarache** explained that he had attended a recent School Committee meeting and during the meeting the FY2023 budget was discussed noted that the School Administration has begun to encumber known expenses and that the current budget shows an approximate \$200,000.00 balance of funding that has not been encumbered. **Selectman Bastarache** suggested waiting to act on this request until further clarification about the status of the FY2023 budget and the justification for a budget amendment is received from the School Administration. Debra suggested asking for clarification at the joint meeting with the School Committee at the next meeting regarding the FY2024 budget request. **Chairman Smith** expressed agreement and suggested waiting to address at the Annual Town Meeting or a Special Town Meeting in June 2023, when there is more clarification. Debra asked for clarification about the request for \$308,500.00 and wants to ensure that it includes all related costs. **Selectman Bastarache** confirmed that the request is to cover the costs of tuition and contracting for transportation. **Selectman Bastarache** expressed concern about the potential annual costs related to outsourcing transportation and the need to consider alternative options to provide the transportation. Daniel asked **Selectman Bastarache** and/or Bryan to convey to the School Committee that the Finance Committee and Select Board are working to honor the commitment to hear their unforeseen budget requests while needing to understand if the current budget appropriation can cover some of the costs. **Selectman Bastarache** expressed agreement. **Selectman Bastarache** suggested the option to amend the proposed Article amount to \$150,000.00 to provide initial funding now and then to continue to monitor the budget for the rest of the fiscal year. The Select Board and Finance Committee members expressed agreement for amending the Article on the Special Town Meeting warrant to \$150,000.00. Bryan will make the revision

to the Article. The Select Board and Finance Committee members expressed no further concerns with this Article.

**Article 4: Appropriation for Capital Improvements:** Chairman Smith explained that Article 4 would provide appropriations for capital improvement projects in FY2023, in the aggregate of \$135,000.00 from Free Cash, as recommended by the Capital Planning Committee. Chairman Smith explained that the Article encompasses the following three (3) projects:

- Poplar Mountain Conservation Area surveying project in the amount of \$10,000.00
- Financial software upgrade or replacement in the amount of \$75,0000.00
- Lillians Way streetlight replacement in the amount of \$50,000.00

Selectman Bastarache asked to confirm if the streetlights on Lillians Way are a decorative style and if the proposal is to maintain that style. Bryan confirmed the understanding and explained that Lillians Way only has underground utilities, so the streetlights must be a self-supporting option. The Select Board, Finance Committee, and Capital Planning Committee members expressed no concerns with this Article.

**Article 8: To Rescind Article 25 of Special Town Meeting on February 09, 1949:** Chairman Smith explained that the Article would rescind Article 25 of the Special Town Meeting that was held on February 9, 1949, that authorized the Town Moderator to appoint a three (3) member Cemetery Commission to handle the affairs of the Cemeteries with the Town Treasurer. Chairman Smith explained that if approved the following Article would propose a new Bylaw regarding the structure of the Cemetery Commission. The Select Board and Finance Committee members expressed no concerns with this Article.

**Article 9: Cemetery Commission Membership and Duties:** Chairman Smith explained that the proposed Bylaw for the Cemetery Commission, that is presented in the Article, would re-establish the three (3) member Cemetery Commission with staggered terms that would be appointed by the Select Board. Chairman Smith noted that the Bylaw would allow the Select Board to appoint themselves as the Cemetery Commission members which is effectively what has been done by the Town Moderator for decades. The Select Board and Finance Committee members expressed no concerns with this Article.

**Article 10: To Establish an Opioid Settlement Stabilization Account:** Chairman Smtih explained that this Article would establish a new Stabilization Fund to hold the funding received through the national opioid settlements that the Town is a party to. Chairman Smith explained that the amount of \$22,716.85 has been received by the Town to date. Bryan confirmed the understanding and added that he is exploring the legal mechanisms to allow the Town to deposit all payments received into the newly established fund without the requirement to call a Town Meeting because the payments are being received at different intervals and will be received over a sixteen (16) year period. Bryan explained that the Stabilization Fund will allow the Town to hold the funds for the voters to appropriate. The Select Board and Finance Committee members discussed preference for holding the Article until the Annual Town Meeting when more legal clarity about the handling of the revenue is received.

The Select Board, Finance Committee and Capital Planning Committee members discussed and agreed to schedule the Special Town Meeting for March 6, 2023, to begin at 7:00 PM and to be held at the Senior & Community Center.

**Capital Planning Committee Recommendation:** Debra made a motion to recommend the Capital Planning articles submitted for the Special Town Meeting warrant for March 26, 2023. Peter Mallet seconded.  
**Capital Planning Committee Vote:** Unanimously approved.

### **Review of FY2024 Budget Requests- Capital Improvements**

The Select Board, Finance Committee, and Capital Planning Committee members reviewed the recommended FY2024 Capital Improvement Plan budget requests document from the Capital Planning Committee. **Chairman Smith** provided an overview of the approach that was used by the Capital Planning Committee with a focus on primarily recommending the use of Free Cash and noted that the Select Board must holistically consider increases on the operating budget which may require further refinement of the Capital Improvement Plan.

**Selectman Bastarache** asked for further discussion on the recommendation to fund \$1.2 Million from the General Stabilization Fund for the demolition of the former IP Mill site. Mariah Kurtz, Town Planner, joined the meeting and explained that the request was based on an existing proposal and that she has asked Tighe & Bond to revise the estimates and that it could lead to a larger request. Mariah explained that she needs further direction on the redevelopment efforts at the site and wants to schedule a community conversation with community members about the request to demolish the site and next steps. **Selectman Bastarache** explained that the options to save some buildings may increase the project costs because the remaining buildings will require shoring to maintain structural integrity. Debra asked for clarification regarding the \$1.2 Million request in Town appropriations with the understanding that the Town has a Site Readiness grant in the amount of \$600,000.00. It was clarified that the \$1.2 Million request was in addition to the \$600,000.00 in grant funding. Linda expressed support for the recommendation to demolish the complex and to proceed with holding community conversations about what happens next at the site. Mariah discussed a proposal to save building #8 for potential re-use as it is a stand-alone building. Debra discussed interest in exploring a use for building #8. Mariah explained that she has asked Tighe & Bond to prepare proposals for five (5) options that the Town can consider for the partial or full demolition of the site. Both **Selectman Bembury** and **Chairman Smith** expressed support for full demolition of the primary structures at the site and for saving building #8. **Selectman Bastarache** expressed support for pursuing demolition and discussed wanting to ensure that the Town is going to progress with plans for redevelopment of the site. Peter Mallet discussed the investment that was made for the installation of a pump station to support redevelopment of the site. Mariah expressed agreement and discussed the goal of revisiting the redevelopment request for proposals (RFP) process after the site has been demolished. **Selectman Bastarache** expressed agreement and discussed wanting to consider a minimum sale price for the site in the RFP process. Debra expressed support for pursuing demolition of the site and support for exploring the re-use of building #8. Charles, Peter Mallet, Linda, and Benjamin all expressed support for pursuing demolition. The members discussed wanting the public to understand that Police and Public Works staff are constantly monitoring the property and responding to calls. Daniel discussed past efforts to try to repurpose the property, noting disappointment with the need to demolish the site as well as acknowledging the burden the site is for the Town. Mariah expressed agreement, noting the complexities of the topic, and explaining that she did not make the recommendation lightly. Peter Mallet expressed concern about the mill fire in the Town of Orange and wanting to avoid the potential for a similar event to occur with the former IP Mill site.

Using the Swamp Road Bridge replacement project as an example, Debra explained that some capital requests were not fully developed enough for the submission deadline but that members of the public should know that the Capital Planning Committee is aware of the need for the projects and that they will be reconsidered in the future. **Chairman Smith** added that existing appropriations for the Swamp Road Bridge project are allowing engineering to progress on the site design. Daniel discussed appreciation for the Capital Planning Committee's process and the explanations to help understand the recommendations for projects prioritized by the Plan and for the rationale for what requests were declined. Daniel explained that the orderly process makes it easier to communicate with residents.

Regarding the Elementary School HVAC system project, **Selectman Bastarache** noted that at the recent School Committee meeting concerns about the School's HVAC system were discussed and asked if there are interim steps that can be taken towards this project. Bryan explained that the School Department applied for the \$100,000.00 in grant funding in fall 2022 to the Department of Early and Secondary Education (DESE) and that once the contracts have been received and signed the project can begin. Bryan added that the grant funded work will begin with an assessment of the existing system and recommendations of priority repairs that can be made to the existing system. Lastly, Bryan added that he anticipates that the needed work will exceed the \$100,000.00 grant and that once the assessment is complete and recommendations are issued a capital improvement request can be submitted to fund the work. **Selectman Bastarache** discussed the need for the work and his preference to see the project begin as soon as possible. Bryan will follow up with School Administrative staff about the status of the grant to begin the project.

Regarding the Bridge Street wall and reconstruction project, **Selectman Bastarache** asked about the increased request for the project. Bryan explained that the increase is related to the changes necessary to address the alignment with Route 2 as well as the inclusion of the milling and paving of Maple Avenue. Bryan clarified that the proposed scope of work does not include the replacement of a culvert on Bridge Street nor the replacement of the fire pond on Maple Avenue and that those projects will be addressed in a future phase as they are the same stream crossing and will require significant environmental permitting. Bryan added that the proposal includes repaving POTW #3 as a component of this project while the contractor has already mobilized to the site. **Chairman Smith** asked if the Complete Streets policy had been considered when preparing this scope of work. Bryan explained that sidewalks were not proposed for Maple Avenue. Bryan explained that pedestrian and bicycle accommodations were considered for Bridge Street to address the existing pedestrian concerns but that the existing constraints with the slopes and the retaining wall made the options unrealistic without the addition for more retaining walls.

Regarding the diesel exhaust capture system for the Fire Department, **Selectman Bastarache** asked if the proposed work is for a replacement of existing equipment or is the installation of new equipment. Debra explained that it is a new system installation for both stations and provided the context that the request has been submitted in past by Fire Chief Wonkka and that this was the year that the Capital Planning Committee could prioritize the request.

Regarding the door access and security project for the Police Department, **Selectman Bastarache** asked if the proposed project was an entire replacement of the existing system. Bryan confirmed that understanding and explained that the system has aged beyond its useful life and will require the replacement of the controlling program as well as the physical hardware. **Chairman Smith** added that the existing camera system is not where the Town would like the capacity to be with current expectations.

The Select Board and Finance Committee members expressed no further questions or concerns about the proposed FY2024 Capital Improvement Plan. **Chairman Smith** expressed appreciation to the Capital Planning Committee for their work on the Plan. **Chairman Smith** explained that he will request another Committee meeting if there is a need to adjust plan.

#### **Review of Master Project List & Discussion of Priorities**

The Select Board, Finance Committee and Capital Planning Committee members reviewed the town-wide master project list. Mariah joined the meeting to provide an overview of the updated list. Mariah noted



that the list has been updated to include an anticipated intensity of staff commitment for each project. Mariah discussed the need to consider the intensity of each project and the staff's capacity to handle multiple projects at the same time. Mariah provided the example of working on multiple bridge projects and the planning for municipal buildings, like Town Hall and Public Works, simultaneously. **Selectman Bembury** expressed concern about delaying the feasibility study for Town Hall with the understanding that the former IP Mill site work and the two (2) bridges need to be completed first. **Selectman Bembury** suggested that the former IP Mill site could be part of a larger conversation about the future of the Town Hall. **Chairman Smith** discussed wanting to progress with the request for qualifications (RFQ) for the Town Hall feasibility study. **Chairman Smith** suggested that it could take two (2) to three (3) years to identify a design for Town Hall that boards and that members of the public can stand behind. **Chairman Smith** discussed wanting the Town to be ready to benefit from future opportunities. Mariah noted that part of that work could be a continued review of Town-owned properties and consideration of future uses. **Selectman Bastarache** acknowledged the option. Debra expressed concern about the Town's capacity to handle a public involvement process for the feasibility study of Town Hall and the possibility of it coinciding with former IP Mill site process. Debra explained that she does not want it to feel like a rushed process.

Regarding the intensity estimates for projects that involve staff support, **Chairman Smith** acknowledged that some projects would have larger involvement for some departments than others. **Chairman Smith** discussed the evolution of the master project planning process and the recommendation to revisit the model and forecasting project duration. **Chairman Smith** discussed the importance of better understanding the input part of the process and suggested having a meeting at the start of the fiscal year to review. Debra discussed the need for the Capital Planning Committee members to understand a department's prioritization of each project and expressed the frustration that develops without having a full understanding of all the issues that are on the horizon. **Chairman Smith** suggested modifying the intensity estimations by quarters as a project progresses. **Chairman Smith** asked the Select Board, Finance Committee, and Capital Planning Committee members to send any feedback to Mariah for a further revision of the project listing.

At 9:41 PM **Chairman Smith** made a motion to adjourn the joint meeting of the Select Board, Finance Committee and Capital Planning Committee and to continue with the Select Board meeting. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

#### **Review of Letters of Interest & Appointments to Historical Commission- BettyLou Mallet & Theresa Dodge**

The Select Board members reviewed a memorandum from Bryan recommending the appointment of BettyLou Mallet and Theresa Dodge as members of the Historical Commission, along with letters of interest that had been received from both individuals. The Select Board members expressed support for appointing both BettyLou and Theresa as members of the Historical Commission. **Selectman Bembury** made a motion to appoint BettyLou Mallet as a member of the Historical Commission, with a term ending June 30, 2025. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

**Selectman Bembury** made a motion to appoint Theresa Dodge as a member of the Historical Commission, with a term ending June 30, 2025. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

#### **Review of Request for Qualifications for Town Hall Feasibility Study**

The Select Board passed over this agenda item.

### **Review of Remote Work Policy- 3rd Reading**

The Select Board passed over this agenda item.

### **Review of MassTrails Grant Application**

The Select Board members reviewed the 2023 draft MassTrails Grant Program application for the feasibility study of a proposed shared use path that would connect Bridge Street in Farley and Arch Street in Erving Center through the Town of Wendell along the south side of the Millers River. Mariah explained that the proposed grant application is for a request of \$36,000.00 and that the Capital Planning Committee has received a request for \$8,000.00 in matching funds. Mariah explained that she has already received eight (8) letters of support and that she is formally requesting Select Board support to submit the grant application. **Selectman Bastarache** expressed support and noted the alignment of the proposed project with the Route 2 improvements that are planned by the Massachusetts Department of Transportation (MassDOT). Mariah clarified that the feasibility study is necessary to determine the level of interest there is in the project and whether the project is in fact possible to construct. Mariah further clarified that the grant funds, if awarded, are not for construction and the project has not been committed to at this time. Mariah discussed the collaboration that has occurred with our colleagues in the Town of Wendell, especially the Open Space Committee. The Select Board members expressed support for submitting the MassTrails grant application as drafted. **Chairman Smith** made a motion to sign the letter of support for the MassTrails grant application for the feasibility study of the shared use path. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

**Chairman Smith** made a motion to approve the submission of the 2023 MassTrails Grants Program application for the feasibility study for the shared use path feasibility. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

### **Review of Mass Historical Commission Grant Application**

The Select Board members reviewed the draft grant application for the Historic Structures Survey project to be submitted to the Massachusetts Historical Commission for a total project cost of \$40,000.00, funded by a \$20,000.00 grant and with a \$20,000.00 appropriation from the Town. Bryan explained the 50% grant match requirement amount and the need to review the request with the Capital Planning Committee. The Select Board members, Bryan and Mariah discussed the timing of the grant availability and the alignment with the budget planning cycle as well as the goal of supporting the Erving Historical Commission with this project. **Chairman Smith** asked the other Select Board members if there is support for approving the submission of the grant application. **Selectman Bembury** expressed support for the project and for the grant application, noting that the Historical Commission is reconstituting itself. **Chairman Smith** and **Selectman Bastarache** expressed agreement. **Selectman Bastarache** made a motion to authorize Mariah Kurtz to apply for the Town of Erving Historic Structures grant. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

**Selectman Bastarache** made a motion to authorize **Chairman Smith** as the signatory for the grant. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

### **Reorganization of the Insurance Advisory Committee**

The Select Board members reviewed a memorandum from Bryan that requests the reconstitution of the Town's Insurance Advisory Committee, and the recommendation that the Committee be comprised of eight (8) members, with seven (7) persons to be duly elected or appointed to membership on such committee by organizations of the employees affected, and one (1) person who shall be a retiree of a governmental unit, as follows:

- Three (3) of the members to be appointed or elected by the Erving Teachers' Association – Unit A;
- Two (2) of the members to be appointed or elected by the Erving Education Association -Unit B;
- Two (2) of the members to be appointed or elected by the NEPBA Erving Local 121; and
- one (1) retiree position to be appointed by the Select Board as the appropriate public authority.

**Selectman Bembury** asked for an explanation of how frequently the Committee would need to meet. Bryan explained that the Committee only meets when plan changes need to be considered, which is not often, and ideally the Committee would remain engaged on insurance related matters. **Chairman Smith** asked for clarification about the request to reconstitute the Committee. Bryan explained that the Select Board created the Committee in 2019 and since then the Police Officers bargaining unit has been formed and needs to be included in the structure. **Chairman Smith** made a motion to reconstitute the Insurance Advisory Committee as per the recommendation, which is eight members with three members from the Erving Teachers Association- Unit A, two members from Erving Education Association – Unit B, two members from NEPBA Erving Local 121, and one retiree position appointed by the Select Board. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

#### **Special Municipal Employee Designation for Franklin County Solid Waste District Representative and Alternate Positions**

The Select Board reviewed the request to vote to classify the Town's representative and alternate representative positions to the Franklin County Solid Waste Management District as special municipal employees as it relates to the Massachusetts Ethics Commission requirements. **Chairman Smith** made a motion that the Select Board designate the position of Franklin County Solid Waste Management District representative as a special municipal employee position for the Town pursuant to M.G.L. c. 268A, section 1(n). **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

**Chairman Smith** made a motion that the Select Board designate the position of Franklin County Solid Waste Management District alternate representative as a special municipal employee position for the Town pursuant to M.G.L. c. 268A, section 1(n). **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

#### **Review & Approve FFY21 CDBG Budget Amendment**

The Select Board members reviewed a budget amendment request to increase the Federal FY21 Community Development Block Grant Housing Rehabilitation Loan Program by \$14,747.00 in program income for a total of \$1,030,810.20. **Chairman Smith** made a motion to approve the budget amendment to increase the grant award to \$1,030,810.20 by adding an additional \$14,747.00 in program income to the 4C Housing Rehabilitation. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

#### **Adjournment**

At 10:07 PM **Chairman Smith** made a motion to adjourn. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Respectfully submitted,



Bryan Smith  
Town Administrator