

Erving Board of Selectmen

Monday, December 04, 2017

Town Hall, Erving, MA

Selectmen Present: Jacob Smith, William Bembury, Scott Bastarache,

Capital Planning Committee: Peter Mallet, Linda Downs-Bembury

Finance Committee: Daniel Hammock, Arthur Johnson

Also Present: Bryan Smith, Jacquelyn Boyden, Glenn McCrory, Barbara Friedman, Mackensey Bailey, Deb Smith

Press: Katie Nolan, Montague Reporter; Christine Miranda, Athol Daily News

At 6:30 PM **Chairman Smith** called the meeting to order

Review of Meeting Minutes from November 20, 2017

The Board reviewed meeting minutes from Monday, November 20, 2017. **Selectman Bembury** made a motion to approve the meeting minutes of November 20, 2017 as written. **Selectman Bastarache** seconded. Unanimously approved.

Town Hall Database

Chairman Smith asked where the Office was with procuring the database system approved at the previous meeting. Bryan Smith, Administrative Coordinator, explained that after the meeting the Office contacted the vendor to explain the decision to include online hosting and the vendor has then encouraged the Town not to do so. The rationale is centered on avoiding unnecessary costs if an in-house solution can be developed. **Chairman Smith** discussed the possibility of exploring an in-house approach to allowing access to offsite locations. **Selectman Bembury** stated that he did not want the process to wait and encouraged the Office to move forward. The Board agreed to move forward and have the database installed on the Town Hall servers. The Board noted that the choice to host online can always be made in the future.

Snow & Ice Removal Practices

Chairman Smith reminded those in attendance that the Town adopted a new Snow, Ice, Sleet, and Parking bylaw at the May Annual Town Meeting. After review by the Attorney General's office, the bylaw was approved, but that they have deemed that the first offense is not enforceable because it is not specific enough. The Board plans to amend that section of the bylaw at the next Town Meeting. **Chairman Smith** explained that now that the bylaw was adopted in consideration of past practices, it's necessary to clarify future practice for the Highway Department. Glenn McCrory, Highway Foreman, joined the Board.

Sidewalk Clearing: The Board reviewed a memo from Bryan Smith, Administrative Coordinator, which outlined the current sidewalk clearing practices of the Highway Department. **Selectman Bembury** explained that he does not perceive an issue in the Church and North Street area with the current practices. **Selectman Bembury** discussed observing residents often snow blowing more than once, depending on the storm, before the Town comes through. Glenn agreed that the Town's practice is to clear sidewalks after the roads are done. **Selectman Bastarache** raised the concern that some residents in town about sidewalks that are not benefiting from the Highway Departments efforts. **Selectman Bastarache** also noted concern with enforcement if there is unequal implementation. The Board questioned how the current practices began. Glenn explained that there is a belief that the practice may be related to school access. Peter Mallet raised the concern about properties with sidewalks that are not cleared. Peter raised the concern about having to clear sidewalks multiple times if the plows have put snow back on to sidewalks. **Selectman Bastarache** acknowledged the concerns and explained the intention from Chief Blair and the need for an enforceable bylaw to help to address properties in town

that are not keeping their sidewalks clean. The Board discussed the question that if most of the sidewalks are already cleared by residents, is there a need to have the Highway Department clear them again?

Selectman Bastarache suggested that the Highway Department should only be responsible for clearing sidewalks that abut the Town's property. **Chairman Smith** discussed the need to be "fair and equitable" and also suggested only clearing sidewalks that abut Town-owned property. **Chairman Smith** asked whether to clear Arch Street sidewalks. Glenn explained that this is the first year that Arch Street has had a sidewalk to clear. The Board agreed that the Arch Street Sidewalks should be cleared. The Board discussed what it would mean if the Highway Department only cleared sidewalks abutting Town-owned property on Main Street. **Selectman Bembury** discussed the concern with spot clearing the sidewalk and the difficulty for residents to pass along the street. Glenn agreed that spot clearing with the existing equipment would be challenging.

Linda Downs-Bembury suggested that the downtown area was likely cleared to allow for access to the central shopping area. Linda explained that she has observed that other downtowns in other communities are cleared by the Towns. Linda stated that the Town is financially able and suggested that all residents should have the sidewalks cleared. Glenn acknowledged the multiple perspectives on the topic and asked the Board for direction. Glenn noted that with the age of the existing equipment it might not be possible to clear every sidewalk in town. Linda noted that the Capital Planning Committee is working regularly and could examine an investment in sidewalk clearing equipment. Linda advocated for expanding the service to all sidewalks. **Selectman Bastarache** explained that a review of policies from similar communities might be helpful to consider the future practices of the Town. **Selectman Bastarache** explained that he wants more justification as to why certain streets are being done. Arthur Johnson expressed his support for the Town to assist residents with sidewalk clearing. Art noted the concern of residents with limited mobility and residents not always having access to a vehicle.

The Board tabled the conversation to move into scheduled business.

FY2019 Capital Budget Discussion- Joint meeting with Finance Committee and Capital Planning Committee

At 7:16 PM **Chairman Smith** called the joint meeting with the Finance Committee and the Capital Planning Committee to order for the purpose of reviewing the proposed FY2019 Capital Improvement plan. Benjamin Fellows, Capital Planning Committee Chair, discussed an overview of the Capital Planning Committee's process. **Selectman Bastarache** added that the work of the Committee will continue after the FY2019 process, tentatively with quarterly meetings, to work towards defining a 25 year plan. Discussion occurred regarding an approach for how the annual funding of capital requests will be handled. It was suggested that the Town establish one capital improvement stabilization account. The Capital Planning Committee discussed spending the next year working with department heads to further develop the multi-year plan and then making it available publicly.

At 7:28PM Arthur Johnson had to leave the meeting, which left the Finance Committee without a quorum. Daniel Hammock noted that Shirley Holmes had agreed to serve again on the Finance Committee until new members can be recruited.

Road & Sidewalk Repair/Replace: **Selectman Bembury** asked about the recurring appropriation request for Highway road & sidewalk repair and replacement, specifically if the amount requested was in addition to Chapter 90. Bryan Smith, Administrative Coordinator, explained that the amount requested is in addition to Chapter 90 funding that might be received and that for FY2019 the work planned will include

municipal parking lots in Erving Center and sidewalk replacement throughout town. The parking lot work will not qualify for Chapter 90 reimbursement, but the sidewalk projects will.

Wastewater - Erving Center Forced Main: Discussion occurred regarding the Wastewater request for the replacement of the forced main from Arch Street to POTW#2. This line is a critical component of the Erving Center wastewater system and it is nearing the end of its useful life. Glenn McCrory, Highway Foreman, noted that the line has already experienced two (2) breaks in recent years that the Town was able to have repaired. The project is currently estimated to cost \$1.5 Million. Bryan explained that several Western Massachusetts towns are in a similar situation with wastewater infrastructure that was installed in the 1970's nearing the end of its useful life. Bryan explained that an initial conversation with Congressman McGovern has occurred and his office has discussed trying to arrange a meeting between towns and the U.S. EPA to discuss potential support. The Board discussed that the Town has been proactive with the Wastewater system and preventative maintenance. This project is currently proposed for borrowing.

Veterans Park Tennis Courts: Discussion occurred regarding the project to replace the Veterans Park Tennis Courts. It was noted that the Town previously appropriated \$15,000 for this project which was only a crack sealing. That funding has not been spent. The Recreation Commission is requesting an additional \$48,000 to allow for full replacement of the double tennis court. **Selectman Bastarache** explained that the Open Space Committee conducted a town wide survey and received feedback that the repair of the tennis courts is a priority.

IT Recurring Appropriations: **Chairman Smith** suggested that the committees should consider increasing the recurring appropriations next year for town server and computer replacement as there have been some recent expenses from those line items.

The Capital Planning Committee members discussed the creation of the capital improvement stabilization fund and the need to "seed" such an account with initial funding. It was discussed that a goal should be to maintain a specific minimum balance in the general stabilization fund. **Selectman Bembury** expressed his belief that the work of the Capital Planning Committee "is moving in the right direction." **Selectman Bembury** stated that he would like to see further clarification of potential funding sources for transparency purposes.

At 7:48 PM **Chairman Smith** made a motion to adjourn the joint meeting and continue with the Board of Selectmen meeting. **Selectman Bembury** seconded. Unanimously approved.

Snow & Ice Removal Practices (continued)

Selectman Bastarache expressed appreciation for the dialogue. **Selectman Bastarache** discussed looking at other community bylaws and policies regarding snow removal from sidewalks to evaluate alternative approaches. The Board discussed the need to understand the costs of personnel time and equipment. Glenn McCrory, Highway Foreman, explained that under current practices the sidewalk clearing in Erving Center takes approximately four (4) hours to complete. In Erving Center the current sidewalk clearing practices take approximately two (2) hours. In response to the suggestion to clear all sidewalks in town, Glenn suggested that the Town would need to invest in two (2) pieces of equipment to address the additional sidewalks. Glenn noted that the equipment that is currently used is approximately 17 years old and is also used throughout the year for park maintenance, ball field dragging, and snow removal.

The Board agreed to hold off on any changes to snow removal for the time being. **Chairman Smith** noted that the conversation will continue at the next meeting. **Chairman Smith** noted that the Town is reviewing roads in town and the identification of private ways. **Chairman Smith** emphasized the need to explain why the Town is conducting the work that it conducts.

Highway- John Deere Backhoe

Glenn McCrory, Highway Foreman, informed the Board that the newly purchased backhoe was received this week. Initial operation has gone well and there are no concerns. Glenn suggested that the Board consider deeming the 20 year old John Deere backhoe that has been replaced as surplus so that it may be sold. He noted a concern that the value of the equipment may depreciate the longer the Town holds on to it. Bryan Smith, Administrative Coordinator, will prepare the surplus equipment request with an outline of the process for selling the equipment via bid or auction.

Surplus Equipment Request for the Library

Barbara Friedman, Library Director, joined the Board to review a surplus equipment list. The Library has deemed surplus 307 books, CDs, and DVDs. Barbara explained that the surplus materials are given to the Friends of the Library for the annual book sale. Additionally, the Library has deemed the following equipment surplus:

- HP All-in-One Deskjet Printer 3520 (CN28T15DK5) – not functional
- 1- Honeywell International scanner (model MS9590) – functions , but skips
- 1- Dell Desktop Computer (OKXDVD) with windows 7 Pro- still functional, but is no longer reliable for C/W MARS and administrative functions
- 1- Dell Desktop Computer (00186-039-097-156) with Windows 7 Pro- Still functions, has been used by the public for approximately 5 years. Is functioning slowly
- 1- Dell flat Screen monitor

Millers Falls Paper (IP) Mill Elevator Decommissioning

Chairman Smith explained that the Department of Public Safety has issued fines to the Town of Erving for four (4) elevators at the former mill that have expired elevator certificates. The elevator certificates expired between 2001 and 2003. Massachusetts regulations have been cited requiring that the elevators are decommissioned. Bryan Smith explained that the Town has appealed the fines and has received a response to the appeal that reduced the original fines totaling \$80,000 to \$16,000. Bryan explained that the Town has already requested a hearing to further appeal the fines. In the meantime the decommissioning process needs to commence. This work falls under MGL Chapter 149 and is expected to cost at least \$10,000 so a minimum of three (3) companies who are licensed to do this work must be asked to provide a written response as well as an advertisement on the Central Register and on COMMBUYS. Bryan Explained that he expects the advertisement to begin on December 6, 2017 with a required walk through on Thursday, December 14, 2017 with written responses due on Wednesday, January 3, 2018. **Selectman Bembury** asked to ensure that Town Counsel is involved in the process. Bryan also explained that Town Counsel has been involved throughout the entire process. **Selectman Bastarache** expressed his opinion that the regulation is meant for active buildings in use with elevators and doesn't seem to address vacant buildings that are boarded and secured like the Mill. He suggested adding that position to the appeal.

Upcoming Meeting Topics

Joint Meeting Re: Library Building Project

Jacquelyn Boyden asked for a joint meeting with the Board of Selectmen, the Finance Committee, the Library Trustees, and the Building Committee to discuss options for continuing with the building design.

Jacquie explained that it will cost approximately \$310,000 for architectural design and OPM services through bidding. Jacquie noted that the Town has already appropriated \$85,000. **Selectman Bembury** asked if there were concerns about progressing while waiting for the final announcement from MLBC. Jacquie explained that there is little risk to proceed with design while awaiting the announcement and in fact it could help the Town save money on the back end of the project as construction costs are escalating. Bryan Smith noted that the State Building Code has been revised and the new edition will be released in January 2018. As a result there is no concern with code changes if design was to resume in 2018 as the code should not change again for several years. **Chairman Smith** discussed wanting to include the Capital Planning Committee in this discussion. The Board agreed to propose a joint meeting of the Library Trustees, Board of Selectmen, Capital Planning Committee, Finance Committee, and the Library Building Committee on Wednesday, January 17, 2018 at 6:30 PM.

Adjournment

At 8:48 PM **Chairman Smith** made a motion to adjourn. **Selectman Bembury** seconded. Unanimously approved.

Respectfully Submitted,

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

Bryan Smith
Administrative Coordinator