

Board: Erving Board of Selectmen
Date: Monday, February 05, 2018
Location: Town Hall, 12 East Main Street, Erving, MA

Selectmen Present: Jacob Smith, William Bembury, Scott Bastarache
Also Present: Bryan Smith, Philip Wonkka, Deb Smith, Barbara Friedman, Richard Newton, Jacquelyn Boyden
Press: Christine Miranda, Athol Daily News; Katie Nolan, Montague Reporter

At 6:31 PM **Chairman Smith** called the meeting to order.

Review of Meeting Minutes from January 17, 2018

The Board reviewed meeting minutes of Wednesday, January 17, 2018. **Selectman Bembury** made a motion to approve the meeting minutes of January 17, 2018 as written. **Selectman Bastarache** seconded. Unanimously approved

Review of Meeting Minutes from January 22, 2018

The Board reviewed meeting minutes of Monday, January 22, 2018. **Selectman Bastarache** made a motion to approve the meeting minutes of January 22, 2018 as written. **Chairman Smith** seconded. **Selectman Bembury** made a motion to amend page 6 by changing the word "tuck" to read "truck." The Board Agreed. Unanimously approved as amended.

FY2019 Operating Budget Request Review

Bryan Smith, Administrative Coordinator, provided the Board with a breakdown of anticipated revenue for FY2019. The revenue projection includes the Governor's budget numbers along with the Town's local levy assessment and 2.5% increase. Local estimated receipts were level funded to FY2018 numbers and new growth has been left at \$0.0 until forms of list are received by the Assessors in March 2018. Current FY2019 projected revenue equals \$10,283,413.00. The Board reviewed all draft budget expense categories including recent submissions for the Erving Elementary School and Secondary Education budget requests. The expense projection does not yet include the Franklin County Technical School budget request. Current FY2019 projected expenses equal \$9,691,784.00. This leaves an available balance of \$591,629.00. The Board reviewed the FY2018 Technical School budget and the available balance is similar to the FY2018 budget.

The Board reviewed Free Cash certified for July 1, 2017 in the amount of \$739,021.00. **Selectman Bastarache** suggested that the Board consider the creation of a capital improvement stabilization account that would be given a starting balance to fund future capital projects. The Board agreed. **Chairman Smith** shared that the Division of Local Services had recently released FY2018 statistics related to municipal tax rates. In a ranking of the average FY2018 residential tax assessment by municipality, Weston was the highest in the state at \$19,653 and Erving was the lowest at \$1,325. Rowe was the second lowest at \$1,454.

The Board discussed the idea of establishing a goal for a balance to maintain in the general stabilization account. **Chairman Smith** suggested that a reasonable goal may be to maintain the equivalent of the year's operating budget in the stabilization account. **Selectman Bastarache** suggested that maybe rather than establishing a set dollar amount it may make sense to establish a formula.

Discussion of Snow & Ice Removal Practices

The Board passed over this topic and will revisit on March 5, 2018.

Discussion of Information Technology Support

The Board passed over this topic and will revisit on February 12, 2018.

Discussion of Library Project Progress

Barbara Friedman, Library Director, joined the Board to announce that on February 1, 2018 the Massachusetts Board of Library Commissioners (MBLC) has voted to execute the \$2.7 million grant for Erving to construct a new Library. Barbara explained that she hopes to have the State contract and project documents ready for Board approval at the February 12, 2018 meeting. Barbara provided a brief overview of the project timeline and noted that the Library is expected to open in 2020. Barbara spoke to a strong working relationship with the Owner's Project Manager (OPM) and Architect. Barbara expressed hope to break ground on the site in fall 2018 so that construction can continue throughout the winter. Barbara discussed the need for additional staffing and the support for necessary funding at the upcoming Special Town Meeting in light of the project announcement. **Chairman Smith** expressed congratulations to Barbara and the committee members who have worked on the project and who have made it a reality. The Board agreed to review project documents on February 12, 2018.

Discussion of Draft IFB for Trash & Recycling Contract

The Board reviewed the State contract for solid waste management (FAC86) to review service options that the contract could provide to Erving. The Board reviewed available service charts for the vendors listed in Zone 6, which includes Erving. The contract requires the municipality to draft a scope of services and request written quotes from at least three (3) approved vendors on the contract. The Board asked Bryan Smith, Administrative Coordinator, to draft a scope for one (1) year of service. Scope to include trash, bulky option, and standard recycling.

FY2019 Fuel Contracts- Oil, Diesel, and Gasoline

The Board reviewed state procured contracts for diesel (ENE40), heating oil (ENE45), and gasoline (ENE41). The Board decided to hold the discussion on the contracts until February 12, 2018 with Glenn McCrory, Highway Foreman.

Discussion of Filing for Intervenor Status with FERC Regarding Northfield Mountain Project License

The Board reviewed the revised draft of the intervenor status filing. Bryan Smith, Administrative Coordinator, explained that First Light has not filed their application for relicensing with FERC to date. Once the application has been filed, the Town will indicate the application number on the filing and will have 30 days to file for intervenor status. The Board had no concerns. **Selectman Bembury** made a motion to approve the filing for intervenor status regarding the relicensing application for the Northfield Mountain Project and authorize **Chairman Smith** to sign the filing. **Selectman Bastarache** seconded. Unanimously approved.

Approval of S.A.F.E. Grant for Fire Department

Philip Wonkka, Fire Chief, joined the Board to discuss the S.A.F.E. grant. Chief Wonkka explained that the Department applied a received grant funding for student and senior safety education programs through the State's S.A.F.E. program. **Selectman Bembury** asked if the Department has leeway with the program design. Chief explained that some of the curriculum is proprietary, but that there are opportunities for the Department to introduce additional information. The senior education program begins this week and will help introduce safety procedures with the hope of leading to home inspections for smoke and CO2 detectors. **Selectman Bastarache** made a motion to approve and sign the agreement for the FY2018 Student Awareness of Fire Education (S.A.F.E.) and Senior S.A.F.E. grants in the amount of \$1,708.00 and \$2,115.00 respectively. **Selectman Bembury** seconded. Unanimously approved.

Chief Wonkka informed the Board that he has been working with his staff to clean and organize both fire stations in order to develop an accurate inventory of equipment. The need for this inventory was prompted by an insurance review.

Discussion of Draft Zoning Bylaw Amendment Regarding Marijuana

Jacquelyn Boyden, Planning Board Chair, joined the Board. The Board reviewed a draft of a proposed marijuana Zoning Bylaw that would address medical and recreational use. **Chairman Smith** stated his concern about not bringing this to Town Meeting by April 1, 2018 when the Cannabis Commission will begin accepting applications. Jacquie discussed case law regarding the legal advertising the public hearings and that proposed bylaw can be deemed to be in effect as of the advertising date. Jacquie explained that the Planning Board is meeting on February 15, 2018 to discuss draft revisions. Jacquie noted concern with the 500 foot setback from residential uses as it is too restricting for Erving's Zoning, waiting on driveway setback. Jacquie stated that the Planning Board intends to hold a public hearing in March 2018. Selectman Bembury asked Jacquie how this relates to the Town's earlier vote on marijuana. Jacquie explained that the Town had previously voted in support of allowing marijuana in Town. The process to exclude marijuana from Town requires a vote at Town Meeting and at the annual election. The Planning Board felt it was more realistic to control the use through the Zoning Bylaw. **Chairman Smith** asked the rest of the Board if they had any additional concerns. **Selectman Bastarache** expressed his concern for allowing retail marijuana options in town. Jacquie explained that in the proposed bylaw, the Central Village Zone is the only zone that would allow retail sales. With the proximity to schools, church, and parks it would further restrict the number of viable options to locate such a business. **Chairman Smith** expressed his support for a March Special Town Meeting to consider the Bylaw so that a vote is in place before April 1, 2018. Jacquie explained that the timeline is tight to accomplish that and that the Planning Board is still awaiting feedback from Town Counsel. Bryan Smith, Administrative Coordinator, will follow up with Town Counsel to obtain feedback this week.

Discussion of Proposed Zoning Bylaw Amendments from Planning Board

Jacquelyn Boyden, Planning Board Chair, joined the Board to review proposed Zoning Bylaw amendments that the Planning Board is preparing to hold a hearing on.

- **Amend Section 4.7:** The Planning Board proposes the amendment of section 4.7 by removing subsection I. Subsection I addresses the requirement for home based business to procure their products on site. The Board has no concerns.
- **Amend Section 4.12:** The Planning Board proposes the removal of section 4.12 because it is the medical marijuana moratorium bylaw that has expired and would be replaced by the newly proposed marijuana bylaw that included retail sales.
- **Amend Section 6.2.6:** The Planning Board proposes amending this section to clarify time frames for public hearings. The Board has no concerns.
- **Amend Section 7.1:** The Planning Board proposes amending this section because it is the phased growth bylaw that expires every five (5) years. It expired in 2017. The amendment would reissue the bylaw through December 31, 2022. The Board has no concerns.

Discussion of Planning Board Associate Members

Jacquelyn Boyden, Planning Board Chair, joined the Board to discuss the request to establish associate members positions. The five (5) member elected Planning Board was created at Town Meeting in 1970. The original Town Meeting vote does not provide an option for associate members to serve when an elected member cannot participate in a meeting. Jacquie informed the Board that she will have to recuse herself from an upcoming special permit hearing that will require a super majority vote. Jacquie stated that she anticipates that the special permit hearings will be in March or April of 2018. The Board discussed supporting an article to establish an associate member for the Special Town Meeting warrant.

Review of Draft Special Town Meeting Warrant and other Article Consideration

The Board reviewed the revised draft warrant after changes were made at the January 22, 2018 meeting. Board has no concerns with revised version. The Board reviewed a list of additional article topics to consider:

Establishment of a Stop on Church and North Streets: The Board had previously considered traffic pattern proposals for the intersection of Church and North Streets that were drafted by Mass DOT. The Board tabled discussion on the establishment of a stop until the possibility of a truck exclusion had been explored. The Board agreed to revisit the topic at the February 12, 2018 meeting. The Board would Like Glenn McCrory, Highway Foreman, to attend to discuss options and the impact on traffic patterns.

Route 63 Pedestrian Improvements Eminent Domain: The Board reviewed a draft warrant article related to the Route 63 pedestrian and streetscape improvement project. The article asks the voters for permission to use legal means to secure the temporary and permanent easements necessary for the project. Bryan Smith, Administrative Coordinator, explained that the exact number of easements and square footage to include in the article is being worked out with Mass DOT. The Board agreed to add the article to the STM warrant.

Planning Board Associate Members: The Board agreed to add an article to the warrant to ask the voters to allow the Planning Board to have two (2) associate members.

Reorganization of Stabilization Accounts: The Board reviewed a proposal to consolidate the Town's two (2) general stabilization accounts into a single account and to close out the special specialization accounts for fire trucks and Elementary School computers and transfer the remaining balance to a new capital improvement stabilization account. The Board discussed general support for the proposal and decided that they would consider it for inclusion at the Annual Town Meeting.

Tree Warden Position

Chairman Smith asked the Board if they wanted to present an article to the Town that would transition the Tree Warden position from an annually elected position to an appointed position. The Board discussed the process outline by MGL Chapter 41 Section 1B. The Board acknowledged that the timing of the Special Town Meeting may not allow for 60 days prior to the annual election. **Chairman Smith** noted that the Board has discussed this topic in past meetings as it is a position that is sometimes vacant and has at times underserved the community requiring the Highway Department to conduct the work. The Board agreed to continue to discuss the topic.

FY2018 Water Commitment #9

The Board reviewed the 9th Water Commitment for FY2018. **Chairman Smith** made a motion to approve the 9th Water Commitment for FY2018 in the amount of \$79.94 for final charges at 6 Moore Street. **Selectman Bembury** seconded. Unanimously approved.

Discussion of a New Town Website

Bryan Smith, Administrative Coordinator, presented the Board with the conversation of developing a new Town website. The existing site is approximately six (6) years old and was developed by a local website developer using the Joomla content management system. The site development did not include an annual maintenance agreement. As a result the template and the content management system is outdated. It is not meeting the needs of the citizens or the departments that maintain in. Bryan explained that departments were surveyed regarding their current and desired use of the website. The results of that survey were used to generate a desired features list that was presented to two (2) Massachusetts vendors who customarily do this work. The Town received presentations from Montague Web Works and from Virtual Town and Schools. Bryan provided an explanation of cost proposals from both vendors along with

the responses to the desired features list. The Board reviewed example websites from each vendor. Jacquelyn Boyden, Assistant Assessor, expressed her support for Virtual Town Hall as the example sites felt "polished." **Selectman Bembury** and **Selectman Bastarache** spoke to the long track record of Virtual Town Hall providing this service to municipalities in Massachusetts. Barbara Friedman, Library Director, stated that she appreciated the local support that Montague Web Works could offer. Deb Smith stated that she reviewed example websites from both vendors on a mobile device and that she appreciated that both sites are mobile friendly. Deb stated that her preference for mobile layout was for the examples that she reviewed for Virtual Town Hall. **Chairman Smith** stated that he believed that the Town would be well served by either vendor and explained that his preference would be to use a product that has all of the features that the Town readily needs rather than wait for services to be developed, such as the RFP module. The Board agreed. Bryan asked if the Board had questions that they would like sent to each vendor or if the Board would like to review additional vendors. The Board agreed they do not need additional information. The Board agreed that they would like to begin discussing the next steps to work with Virtual Town and Schools.

Miscellaneous Agenda Items

Recreation Assistant Job Description & Advertisement

The Board reviewed a draft advertisement and job description for the position of Recreation Assistant. Bryan Smith, Administrative Coordinator, explained that he had met with Renee Tela, Recreation Commission Chair, to review the description and advertisement and made the edits that were presented. The Board agreed with the proposed edits to the essential functions and education & experience sections. The Board asked that the statement of duties be updated to state that the position is part-time and non-benefited, to revise the confidentiality section to reflect recent statements, and to remove the last sentence in the nature & purpose of relationships section. The Board will review again with the intent of approving on February 12, 2018. The Board approved of the draft advertisement.

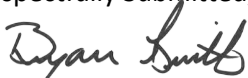
Library Staffing

Selectman Bembury asked the rest of the Board if they had received the email from Barbara Friedman, Library Director, regarding support for additional staffing and the need to close for a week in March. The Board acknowledged that they received the email and discussed the ability of the Board to help. **Chairman Smith** explained that the Board can demonstrate support by expediting the scheduling of the Special Town Meeting so that the Town can vote on the request for additional funding to support staffing. The Board raised concern with the need to close the Library in March with the understanding that if there is a budget shortfall, the Library will not have run out of money by March. The Board asked Bryan Smith, Administrative Coordinator, to work with Barbara on the staffing schedule. **Chairman Smith** stated that the Board and the Library Trustees need to discuss the management of the building project and the oversight and how that impacts staffing requirements for the project and the daily operation of the current library. The Board asked Bryan to coordinate a joint meeting with the Board of Library Trustees to discuss.

Adjournment

At 9:40 PM **Selectman Bastarache** made a motion to adjourn. **Chairman Smith** seconded. Unanimously approved.

Respectfully Submitted,



Bryan Smith
Administrative Coordinator