



TOWN OF ERVING
SELECT BOARD / WATER COMMISSIONERS
 To be held at the Senior & Community Center
 1 CARE DRIVE, ERVING, MASSACHUSETTS 01344

Jacob A. Smith, Chair
 Scott Bastarache
 James Loynd
Select Board

Bryan Smith
Town Administrator

Meeting Agenda
Monday, January 08, 2024

This meeting is open to the public.

Scheduled Business

<i>Time</i>	<i>Agenda Item</i>
6:00 PM	Call to Order
6:00 PM	Executive Session pursuant to Massachusetts General Law Chapter 30A, Section 21 (a) (3) and pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (2)
6:30 PM	Oath of Office for Officer Garvey
7:00 PM	Joint Meeting with Finance Committee: Review of Special Town Meeting Warrant Draft

Old Business

<i>Agenda Item</i>	<i>Section</i>
Review of Flags, Banners, & Signs on Governmental Flagpoles, Buildings & Properties Policy Draft- 2nd Reading	1
Review of Proposed Personnel Policies & Procedures Manual Draft- 5 th Reading	2
Review of Special Town Meeting Warrant Draft	3

New Business

<i>Agenda Item</i>	<i>Section</i>
Meeting Minutes: January 09, 2023, March 27, 2023, December 11, 2023	4
Review of Public Layout for Bridge Street and Maple Avenue	5
Oath of Office for Officer Garvey	6
Ratification of Town Administrator Agreement	7
Review of Town Administrator Position Description	8
Review and Potential Appointment of Zoning Board of Appeals Vacancy Letter of Interest- Holly Fitzpatrick	9
Review of Federal FY21 Community Development Block Grant Report- QE 12-31-2023	10

Other Business

Signing of the Treasury Warrant

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. (AFSCME 1725, Wastewater & Water Unit)

Executive Session: pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel ...and contract negotiations with non-union personnel regarding Town Administrator.

Anticipated Next Meeting Dates

Thursday, January 11, 2024

Monday, January 22, 2024

Note: These agenda items and estimated times are those reasonably anticipated by the Chair. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion. Estimated agenda times may need to be changed on the night of the meeting for the sake of expediency. Section numbers correspond to agenda packets and are not an indication of the order of the agenda

Town of Erving

Select Board Public Meeting Participation Guidance

The Select Board welcomes residents to communicate questions, comments or concerns. Participants at Select Board meetings are notified that the meetings are both video and audio recorded, and comments provided will become part of the record. While offering public input, it is important that the Select Board is also allowed enough time to conduct their other business. The following guidelines have been established to make the best use of time at Select Board meetings.

1. To request time on the Select Board agenda, persons must contact the Town Administrator at (413) 422-2800, Ext.1102 or at SBRequests@erving-ma.gov by noon on the Tuesday before the meeting.
 - a. Requests will be submitted to the Chairperson for consideration and scheduling.
 - b. Supporting documentation related to the request must be provided to the Administrator's office by noon on the Thursday prior to the meeting. The Chairperson may remove requested agenda topics that are made without supporting documentation.
2. The Select Board encourages public participation as follows:
 - a. Town residents can bring comments before the Select Board that require discussion and are on the agenda, only after being recognized by the Chair. If your issue is not on the agenda, you may bring it up under "Future agenda items".
 - b. "Topics not anticipated" should be brought to the Chair for possible consideration prior to the meeting.
 - c. Please try to keep your comments short and to the point.
 - d. If it appears that the topic(s) being discussed will consume longer than the time allocated then, at the discretion of the Chair, the matter will be placed on an upcoming Select Board meeting agenda.
 - e. If you believe that your topic will require more time or desire to make a more formal presentation than is allowed under these guidelines, please contact the Town Administrator to ask to be put on a future agenda so that we can properly allocate enough time.
 - f. You are free to ask questions or to make your point for all to consider. However, engaging in active debate with Select Board or audience members will not be allowed.
 - g. All comments and questions must be directed to the Chair of the Select Board per MGL Chapter 30A, Section 20(g).
 - h. Participants are expected to speak from the presenter/guest table.
3. Employees and Board members who have business with the Select Board should be placed on the agenda beforehand (see Item # 1.).
4. Anyone wishing to contact the Select Board in writing may do so at:

Town of Erving, Attn: Select Board, 12 East Main Street, Erving, Massachusetts 01344

Alternatively, members of the public can complete a Select Board submission form at the meeting sign in table and office staff member will follow up.

The Select Board appreciates your cooperation in honoring these guidelines.

From Massachusetts Attorney General Official Website

What public participation in meetings must be allowed?

Under the Open Meeting Law, the public is permitted to attend meetings of public bodies but is excluded from an executive session that is called for a valid purpose listed in the law. Any member of the public also has a right to make an audio or video recording of an open session of a public meeting. A member of the public who wishes to record a meeting must first notify the Chair and must comply with reasonable requirements regarding audio or video equipment established by the chair so as not to interfere with the meeting. The Chair is required to inform other attendees of such recording at the beginning of the meeting.

While the public is permitted to attend an open meeting, an individual may not address the public body without permission of the Chair. An individual is not permitted to disrupt a meeting of a public body, and at the request of the Chair, all members of the public shall be silent. If after clear warning, a person continues to be disruptive, the Chair may order the person to leave the meeting, and if the person does not leave, the Chair may authorize a constable or other officer to remove the person.



TOWN OF ERVING

12 Main Street
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Telephone: (413) 422-2800
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FAC-____
Policy

Flags, Banners & Signs for Governmental Flagpoles, Buildings & Properties Policy

Approved: _____ Date: _____

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.01 Issue Date / Effective Date

This policy is issued and effective on _____.

.02 Purpose

The purpose of this policy is to establish guidelines for the display of flags, banners, and signs on Town flagpoles, Town buildings, and Town property.

.03 Applicability

This policy is applicable to all Town owned flagpoles, buildings, and property.

.04 Policy

It is the policy of the Town of Erving that all flags, banners, or signs will be displayed in conformance with Federal and State laws and this policy. This includes, but is not limited to, the Federal "Our Flag" publication and Massachusetts General Law Chapter 2, Section 6 and Section 6A.

.05 Eligible Flags and Order of Precedence

Only the United States, Commonwealth of Massachusetts, Town of Erving and official flags of the U.S. Military and POW/MIA flags may be flown on any Town owned flagpole. Outdoor flags will be flown on Town flagpoles in the following order of precedence:

1. First, the United States flag;
2. Second, the Commonwealth of Massachusetts flag;
3. Third, the Town of Erving flag; and

4. Fourth, official flags of the U.S. Military and POW/MIA.

.06 Federal, State, and Local Proclamation of Special Occasion

Flags flown on Town flagpoles shall be displayed in accordance with the standards referenced above in Sections .04 and .05. The Select Board, or if time is of the essence, the Town Administrator may order flags to be lowered to half-staff including, but not limited to, flags of the United States and the Commonwealth of Massachusetts in honor of the death of a Town employee killed in the line of duty, or in the observance of a specific event or circumstance, or if ordered by the President of the United States or the Governor of the Commonwealth.

.07 Eligible Banners and Signs

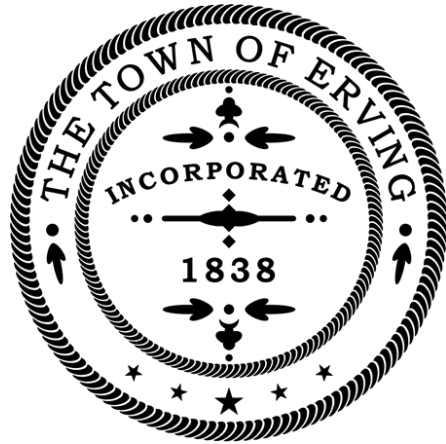
Only banners and signs ~~regarding Town business or are~~ Town sponsored ~~events~~ may be erected on or attached to Town buildings or Town property.

.08 Other Flags

The Town's flagpoles are not intended to serve as a forum for free expression by the public. The only flags permitted on Town owned flagpoles are those set forth in Section .05., and all other flags are prohibited from being flown on any and all Town of Erving flagpoles.

.09 Other Banners and Signs

Town buildings and other Town property are not intended to serve as a forum for free expression by erection on or attachment to banners or signs. The only banners or signs permitted on Town buildings or Town property are those set forth in Section .07, and all other banners and signs are prohibited from erection on or attachment to any Town building or Town property.



TOWN OF ERVING, MASSACHUSETTS

Personnel Policies & Procedures Manual

www.erving-ma.gov/personnel

Town of Erving | 12 East Main Street, Erving, Massachusetts 01344



TOWN OF ERVING

12 Main Street
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Email: administrator@erving-ma.gov

ADM-
Policy

Personnel Policies and Procedures Manual

Approved: _____ Date: _____
Select Board Chair, Jacob A. Smith

Issue Date / Effective Date

This manual of personnel policies and procedures is issued and effective on _____.

This policy supersedes the Town of Erving Personnel Policies manual last revised in November 2015.

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PERSONNEL POLICIES AND PROCEDURES
Town of Erving, Massachusetts

WELCOME

Congratulations and welcome as an employee of the Town of Erving! The Select Board of the Town of Erving is pleased to welcome you as a member of our team of dedicated employees that work for the betterment of our community. We hope that you will enjoy working with us in a spirit of cooperation that results in top service to our community.

These Manual details the Town's personnel policies. It is a compilation of guidelines, procedures, expectations, and benefits. We hope it will help you adjust to the routines that make the Town of Erving run smoothly.

If, after reviewing this Manual, you have any questions, please consult your Department Head or the Town Administrator's Office.

Purpose, Authority, and General Provisions

In accordance with the Town's Personnel Policies By-Law, Chapter 53, § 53-1, the Town has created this Employee Personnel Manual. This Employee Personnel Manual applies to all Town employees, except those appointed by the Erving School District, and for those Town employees who are either members of a bargaining unit subject to the terms of a collective bargaining agreement or non-bargaining unit employees who are parties to an individual employment agreement. It sets forth the terms and conditions of employment for those Town employees to which it applies.

These personnel policies establish an efficient system of personnel administration. They provide a broad view of employee guidelines, practices, and job expectations in conformance with federal and state statutes.

This ~~document-Manual~~ is not an expressed or implied contract between the Town of Erving, any employee, or any group of employees, and is for informational purposes only. It is not all inclusive and is intended to offer only general guidelines. The policies, benefits, and operating procedures contained in this Manual are not intended to create and are not to be construed to create any contract, agreement or legally binding obligation between the Town of Erving and its employees. Any highlights of benefits contained in this Manual are not intended to take the place of more detailed benefit plan documents. Descriptions in the plan documents will override the information in this ~~document-Manual~~ in the event the information presented in this Manual conflicts with the information in the plan documents. This Manual does not guarantee any specific level of benefits or continuation of any specific benefits. The Select Board reserves the right to change, suspend, or discontinue the provisions of these policies, procedures, benefits and guidelines at its sole discretion, with or without notice. The Select Board has the exclusive authority to make final determinations on issues resulting from a lack of clarity of these policies.

The Select Board has the authority to make all appointments and effect discharge from any position not under the jurisdiction of another Town Board or Commission (Appointing Authority). Certain other Town Officers have the right to make appointments, supervise, discipline and terminate personnel within their department. The Select Board may delegate authority detailed in this policy to Town staff, subject to the Select Board's final approval.

Unless otherwise provided for in a collective bargaining agreement or individual employment agreement, all individuals employed by the Town of Erving are employed "at will", and the relationship may be terminated by either party at any time, with or without cause, and with or without notice.

Only the Select Board or the authorized Board, or Commission can create an employment agreement. In such a case, a signed and written agreement is required.

Benefits Waiting Period

The first 30 days of employment with the Town of Erving will be the benefits waiting period for all benefits-eligible employees.

Applicability & ADMINISTRATION

These policies shall be applicable to all employees, whether exempt or non-exempt. In any instance where these policies conflict with federal or state laws, such laws shall be deemed to prevail.

The Town of Erving Select Board is charged with administering and maintaining the Bylaw and Personnel Policies as hereinafter provided and may establish, rescind, or amend such administrative procedures it considers necessary for the implementation of these rules. Such procedures and any amendments thereto shall become effective upon majority approval by the Select Board. All lawful and statutory rights of the Town Administrator, the Select Board and Department Heads not specifically covered herein shall be and are hereby reserved to them.

ARTICLE 1: HOURS OF WORK, BREAKS & OVERTIME

Work Schedule

The regular workday for Town of Erving employees will be set forth in the schedule posted by each employees' respective department. Each respective department's work schedule will be sent to the Select Board. Supervisors are required to record all absences, tardiness, and early departures and the specific reason(s). Absences, tardiness, and early departures for unsatisfactory or unapproved reasons may be grounds for disciplinary action up to and including termination.

Meal & Break Periods

All employees who work at least six (6) hours on a calendar day shall be granted regular thirty-(30-) minute meal periods each workday, which shall, whenever possible, be scheduled in the middle of the normal workday. Time allowed for meal periods shall be unpaid and shall not constitute a part of the paid workday. The Town encourages and requires employees to take their lunch break. During their meal break, employees shall be free of all duties and are free to leave the workplace.

While not encouraged, if an employee voluntarily chooses to work through their scheduled lunch break and maintain duties, the employee will remain paid. The employee can choose to take their scheduled lunch break, unpaid as described above.

The only exception to this policy, are meal periods for public safety & public works employees responding to emergencies and engaged in the performance of their duties. Similarly, Patrol Officers shall be paid and such Patrol Officers shall remain on call during their meal break.

All employees' work schedules shall also provide for up to two (2) fifteen-minute paid breaks – one during each one-half shift of the normal workday.

Overtime

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of the need for overtime will be provided to the Town Administrator by the Department Head or their designee. All overtime work must be pre-approved by the Department Head or their designee. Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour restrictions, and is based on 40 hours per week, actual hours worked. Time off for vacation time, sick or personal leave or any other leave of absence will not be considered hours worked for purposes of calculating overtime.

Commented [BS1]: Edits have been made to address the voluntary option for employees to work through lunch and make it clear that it can be retracted at anytime, and to clarify the exception for public safety and public works personnel engaged in response to an emergency and performing official duties.

Commented [BS2]: Open question about whether to include or exclude these leaves

Payroll and Timekeeping

The Town's workweek runs from 12:00 a.m. on Saturday through 11:59 p.m. on Friday. All timekeeping submissions for the preceding two weeks of the Town's bi-weekly payroll period must be submitted to the Treasurer's Office by 9:00 a.m. on Monday following the close of the second workweek of the bi-weekly payroll period.

Timekeeping Federal and state laws require the Town to keep an accurate record of time worked to calculate employee pay and benefits. Accurately recording time worked is the responsibility of every employee and supervisor. All employees must record and verify all time worked on a daily basis and submit bi-weekly time sheets or other methods of recording time worked, as may be determined by the Town in its sole discretion (through the Treasurer) from time to time, to their supervisor for approval. Employees may not work overtime hours or record another employee's time without prior approval from a department head.

Massachusetts and/or federal law require certain deductions from employee compensation, including any applicable federal or state income taxes and Medicare. All employee deductions for participation in benefits programs are made through payroll. Employees who have any questions about the amount or manner in which deductions are made from their paychecks should speak with the Payroll and Benefits Coordinator in the Treasurer's Office. The Town takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. If there is an error in the amount of pay, the employee must promptly bring the discrepancy to the attention of their supervisor and to the payroll coordinator so that corrections can be made as quickly as possible. This includes overpayment as well as underpayment.

Department Heads

When requested by the Select Board or any other applicable appointing authority to attend Board or Commission, and Town Meetings, Department Heads will schedule the meeting time into their regular weekly hours, whenever practicable.

Hazardous Weather Conditions

The Town of Erving may close work sites due to hazardous weather conditions as recommended by the Select Board. The Chair of the Select Board will make the determinations of closings. The Select Board chair will call the Town Administrator with the determination of whether or not Town Offices or work sites will close or remain open. In the event that Erving Town Offices and or work sites are closed by the order of the Chair of the Select Board due to inclement weather or emergency conditions, those non-exempt hourly employees scheduled to work that day who are unable to perform their job duties by working remotely will receive paid leave equal to the number of hours that they were actually and regularly scheduled to work that day, while exempt employees will be paid their regular salary. Essential personnel, such as but not limited to police, highway, and wastewater employees, must report to work during winter weather conditions unless and until otherwise specifically directed. Employees will be notified using the Town's Smart

911 notification system and the Town will use the Town website and local media stations to notify the general public.

Employees who can perform the essential functions of their respective positions remotely will be required to do so in the event a work site or Town Office is closed. Details relating to remote work are contained in the Town's Remote Work Policy.

The Chair of the Erving Select Board shall determine closing/hazardous weather conditions if non-essential employees are required to report on a day-by-day basis.

Any staff person who is concerned with weather conditions when the office remains open may choose to use their own vacation or personal leave time, but first must advise their supervisor of their intention to use such leave as soon as possible and prior to the start of their scheduled shift. If a decision is made to close the office, the staff person is required to use vacation or personal leave time only up to the time of the closing at which time administrative leave may be used, but only up to employees' daily hours.

The Town of Erving takes an aggressive stand toward potential risks and losses inherent in the operation of the Town. If employees see a dangerous condition or safety hazard, they must immediately report it to their supervisor. Maintaining safe working conditions requires the cooperation of all employees. All employees using a vehicle for Town of Erving purposes shall wear a seat belt in accordance with state law. Attention to personal safety cannot be overemphasized. If an employee has suggestions regarding additional safety measures, the employee is encouraged to share them with their Department Head.

ARTICLE 2: EMPLOYEE BENEFITS

The Town of Erving offers certain benefits to eligible employees including health and life insurance. All benefits-eligible Town employees shall be eligible to enroll and participate in the Town's group health, dental, and life insurance plans as determined by the Town and as outlined in accordance with M.G.L. c. 32B. The Town may, in its sole discretion, change, suspend, or discontinue any or all benefits with or without notice.

Benefits currently offered by the Town of Erving to eligible employees in accordance with the terms of the respective benefits include the following:

- Health insurance;
- Dental insurance;
- Life insurance;
- Short Term Disability insurance;
- Long Term Disability insurance;
- Flexible Savings Accounts (FSA);
- Employee Assistance Program (EAP)

The contact information for all of the Town's benefit providers is maintained by the Treasurer's Office, which ~~contact information~~ may be amended from time to time and is listed in Appendix C of this Policy. For more information about any of these benefits, see the Treasurer or Town Administrator.

Health & Dental Insurance

All benefits eligible employees are entitled to participate in the health insurance programs offered by the Town. Eligibility is in accordance with M.G.L. c. 32B and the Town's policies. Employees must comply with all applicable notice requirements regarding dependents and selection of benefits. ~~The Town of Erving is a member of the Hampshire Group Insurance Trust for health insurance through Blue Cross & Blue Shield.~~ Benefits eligible employees are eligible for coverage effective the date of hire and must enroll within thirty (30) days of the date of hire, otherwise employees must wait until the open enrollment period. Open enrollment is held from April to May annually with benefits years beginning with the fiscal year on July 1st. Benefits eligible employees who are interested should speak to the Treasurer's Office for information on the plans and information regarding enrollment.

When an employee voluntarily terminates their employment, they will continue their health & dental insurances until the end of the month in which they resigned, given that their premiums have been paid in full.

Basic Life Insurance

The Town of Erving will offer a basic life insurance policy for all eligible employees at the time of their initial employment. Employees may be able to adjust and add additional life insurance coverage throughout their employment with the Town after their initial hire. Employees interested in making these adjustments should speak with the Treasurer's Office to complete the necessary paperwork and payroll deductions.

When an employee voluntarily terminates their employment, they will continue their life insurances until the end of the month in which they resigned, given that their premiums have been paid in full.

Short- & Long-Term Disability Insurance

The Town of Erving offers short-term and long-term disability insurance options for benefits eligible employees. Interested benefits eligible employees can choose to enroll in these plans at any time after their hire date. Interested employees should speak to the Treasurer's Office for information on the plans and regarding enrollment.

Flexible Savings Accounts

The Town of Erving offers a Flexible Savings Account (FSA) option for benefits eligible employees. Interested eligible employees can choose to enroll in a pre-tax deducted account to be spent on eligible health related expenses. Interested benefits eligible employees should speak to the Treasurer's Office for information on the plan and regarding enrollment.

Employee Assistance Program

An employee who is experiencing difficulties in their personal life to the extent that job performance, workplace atmosphere or general well-being is affected, is encouraged to seek help through the Employee Assistance Program (EAP). The EAP is designed to help employees and their family members by providing crisis intervention, assessment, referral and short-term counseling services in order to help identify and resolve personal issues and stress, illness, alcohol or other drug abuse, legal issues, financial or marital difficulties, as well as any other distresses. The EAP program is confidential, and information cannot be released without the employee's permission except as required by law.

~~This service is currently provided through AllOne Health Employee Assistance Program (EAP) 24 hours/7 days per week. AllOne Health can be contacted by:~~

- ~~• Calling 1- (800) 451-1834~~
- ~~• Visiting the website: <https://myassistanceprogram.com/miia-eap/>~~

As noted in the introductory section of this Manual, the Select Board reserves the right to change, suspend, or discontinue the provisions of this program, at its sole discretion, with or without notice.

ARTICLE 3: COMPENSATION PLAN

Administration

Each classified position shall be placed in a pay grade with those other positions that are sufficiently similar with respect to difficulty, responsibility, and character of work as to require the same amount of experience and training for satisfactory performance and pay within the established pay range. The Town's Classification and Compensation Plan does not apply to employees in positions that are part of a collective bargaining unit. A list of the positions in the Town's Classification and Compensation Plan is attached to this Manual in Appendix B.

Position Description

A position description, also known as a job description, is a written outline of responsibilities for each job in the classification plan. The position description will be the standard for classifying individual positions and for determining when reclassification may be warranted, as well as for assisting in any dispute over whether an employee is performing assigned duties of a higher pay grade. The statements contained in such position descriptions, which are to be provided to the Town's Personnel Board and/or the Select Board, in the event the Select Board is performing the functions of the Personnel Board, and/or by any Town Department Heads or any applicable Appointing Authority other than the Select Board, are descriptive and not restrictive, and are reviewed to note any significant changes that may have taken place during the preceding year.

Reclassification

Reclassification of positions will occur when the actual duties of a position merit transfer to another pay grade reflecting its duties, authority, and responsibility. All decisions regarding reclassification shall be made at the sole discretion of the Select Board, after reviewing recommendation(s) from the Department Head and Town Administrator.

Pay Plan

The pay plan consists of pay grades directly related to each classification level. Each pay grade shall have established minimum and maximum pay rates set forth in a step scale. No non-exempt employee shall receive pay at any rate other than that rate which is within the step scale established for the classification level of their position, unless approved by the Select Board. The Select Board shall have the authority to make and approve changes in employee compensation resulting from such personnel actions as reclassifications, promotions, demotions, and transfers or because of abolishment, modification, or establishment of classes within the approved budget. Employees currently receiving a wage rate over the maximum of the recommended wage range will not have their wage rate reduced as a result of any classification study. The employee will have their salary "red circled"; that is, they will not receive a wage or salary step increase until their current salary rate no longer exceeds the maximum salary rate of the pay grade for their classification level, unless otherwise approved by the Select Board upon the recommendation of the Department Head and the Town Administrator.

The Select Board may also increase employees' base wages on an annual basis, if the Select Board, in its sole discretion, votes to do so.

~~Not less than~~ At least every five (5) years, the Town shall perform a market comparison that reviews position descriptions, benefits and compensation.

Starting Rates

Employees appointed to positions will ordinarily be compensated within the first three (3) steps of the applicable pay range for that position's respective grade. Subject to the approval of the Select Board, however, appointment at a wage rate above the first three (3) steps of the applicable pay range may be made based upon exceptional qualifications of the applicant or by a lack of qualified applicants available at the minimum rate.

Rate of Pay for Promotion

When a regular employee is promoted to a position classification in a higher pay grade, the employee shall be placed in the new salary schedule such that their salary in the promoted position is at a step on the scale that is the next highest monetary pay rate above the employee's rate of pay in their prior position. The Town, in its sole discretion, however, may place the promoted employee at a step up to ten percent (10%) higher than the employee's pay rate in the position from which the employee is promoted based on the employee's prior experience.

Rate of Pay for Transfer or Demotion

When a regular employee is transferred from a position in one class to a position in another class at the same pay rate, or is transferred with no change in class, the employee shall continue to be paid at the same rate. When a regular employee is demoted to a lower classification level, their salary shall be set at the same step in the lower grade.

Pay for Temporary Assignments Outside Classification

When an employee is temporarily assigned to perform the duties of a position in a class with a higher pay range for thirty (30) or more consecutive workdays, the employee shall be compensated at a rate at least equal to the minimum rate for the higher position for the duration of the temporary assignment.

An employee who is temporarily assigned to perform the duties of a position in a class with a higher pay range on an intermittent basis may, in the Town's sole discretion, prospectively be compensated at a rate at least equal to the minimum rate for the higher position while actually working in that higher position but only after being temporarily assigned and actually performing such duties for more than thirty (30) work days in the aggregate.

Longevity

Policy

1. Upon the completion of an employee's fifth (5th) year of continuous employment with the Town of Erving, an employee shall receive an annual stipend of five hundred dollars (\$500.00), less taxes and withholdings. The stipend shall be paid no later than the second payroll following the employee's anniversary date.
2. Any employee departing the Town's employment before completing their first five years' anniversary date or any subsequent anniversary date will not be entitled to a prorated longevity payment for the partial fifth (5th) year of employment with the Town.
3. For the purposes of calculating their overtime and call back rates of pay, employees will have their base pay rate increased because of their longevity benefit.
4. Continuous employment shall include periods while on Workers Compensation for injury related to employment with the Town, and periods performing military service under orders, provided that no employment other than military service under orders is entered into during the period of interruption, and that the employee returns to Town service within thirty (30) days after honorable discharge from active military service, or immediately upon release from reserve duty. An employee who elected an unpaid leave of absence of more than twelve (12) weeks per fiscal year shall have their longevity payment adjusted by the number of calendar days spent on such unpaid leave.
5. At the anniversary date of each subsequent five (5) years of continuous employment a full-time employee shall receive an increase of an additional two hundred and fifty dollars (\$250.00), less taxes and withholdings, until the maximum stipend of One Thousand Two Hundred and Fifty dollars (\$1250.00), less taxes and withholdings, is reached. Stipends shall be paid no later than the second payroll following the employee's anniversary date and shall be considered as "regular compensation" for the purpose of retirement pursuant to MGL, Chapter 32.

Scope

This policy applies to all Town of Erving full-time and benefits-eligible part-time employees. Elected Officials are excluded from this policy.

Longevity Chart¹

<u>Anniversary Years</u>	<u>Amount</u>
Upon completion of year 5 through year 9	\$500.00, less applicable taxes and withholdings

¹ In order to be eligible for any of the Longevity stipend payments noted below, an employee must complete each requisite five- (5-) year interval.

Upon completion of year 10 through year 14	\$750.00, less applicable taxes and withholdings
Upon completion of year 15 through year 19	\$1,000.00, less applicable taxes and withholdings
Upon completion of year 20 and subsequent years	\$1,250.00, less applicable taxes and withholdings

Call Back Pay

Any regular full-time hourly, non-exempt employee who is called back to a work more than two (2) hours after the employee leaves their normal quitting time will receive a minimum of four (4) hours call back pay at straight time or time and one-half for the actual hours worked, whichever is greater.

Callback pay is not intended to apply when such a full-time, hourly, non-exempt employee works extra hours that merge into their regular shift (i.e., either at the beginning or end of such regular shift) or to attend a posted meeting.

Moreover, a full-time, hourly, non-exempt employee is not entitled to call back pay if they are retained on duty at the completion of their regularly scheduled shift. In such cases, the respective employee shall be paid for the hours actually worked in accordance with the law.

In the event a full-time, hourly, non-exempt employee is either called-in pursuant to this Section or if such employee's regular work hours merge with extra hours or the employee is retained on duty at the completion of their regularly scheduled shift, if the extra work said employee performs results in the employee actually working more than 40 hours in the given workweek, the Town shall pay said employee at time and one-half the employee's regular rate of pay for all hours actually worked over 40 in the workweek.

Compensatory Time

Non-salaried, non-exempt, hourly employees may accrue compensatory time for hours actually worked in excess of their regular 40-hour workweek only upon mutual agreement of both the employee and the Appointing Authority or the employee's Department Head prior to any hours actually being worked. The calculation of compensatory time shall only include hours actually worked – not sick, vacation, Family Medical Leave time, Small Necessities Leave time, any other leave time or holiday leave hours – and such compensatory time shall be accrued at time and one-half (1.5) the employee's regular rate of pay and, when taken, used on an hourly basis.

All work that would result in compensatory time being earned must have prior written approval and, where applicable, shall be charged to the project requiring the extra time.

Compensatory time must be used with thirty (30) days of it being earned, or it will be paid to the employee, unless a longer period of time is approved in writing by the supervisor and/or Appointing Authority. The use of accrued compensatory time by an employee must be approved

Commented [BS3]: Chairman Smith wanted revisit this topic

Commented [BS4R3]: Suggested edits regarding the payout of accrued time and the concern about creating further overtime liabilities are provided in track changes

by the employee's supervisor and cannot create an overtime liability for the Department regarding the employee's leave. Unused accrued compensatory time will be paid out to the employee with the final payroll of the fiscal year if not used within the fiscal year.

Salaried, exempt employees are not eligible for overtime pay or compensatory time off. There are infrequent occasions when a professional, administrative, or managerial employee may be asked to take on added responsibility that for some period of time will clearly and substantially increase the number of hours such an employee works per week. When it is not possible for the individual to delegate other responsibilities or otherwise accommodate these new responsibilities to their normal work week, the principle of fairness will allow that the individuals be given paid administrative time off to compensate for the additional hours worked as a result of the added responsibility within a reasonable period. Such paid administrative time does not accrue.

Deferred Compensation

As permitted by the Federal Revenue Act of 1978, a benefits-eligible employee may, as allowed by law, choose to have part of their pay withheld and invested in a savings plan, annuity, life insurance or any combination thereof. The entire amount invested is deducted prior to the withholding of both federal and state income taxes. The plan will be administered at no cost to the employee. For more information, please contact the Treasurer's Office.

Travel Reimbursement

It is the Town's policy that employees use Town-owned vehicles for official Town business whenever practical, before requesting permission to use their own personal vehicle for official use.

Mileage for work-related travel using personal vehicles will be reimbursed at a rate based on the United States Internal Revenue Service's (IRS) then-applicable published standard mileage rate. The Town will issue an updated travel request form reflecting the new IRS rate for January of each calendar year. Receipts for parking, tolls and itemization travel must be submitted before reimbursement will be authorized.

All travel reimbursement expenses must be submitted within 60 days or expenses will not be reimbursed; provided, however, that travel reimbursement requests from the preceding fiscal year must be submitted and processed before July 15th.

Meals, while on Town of Erving business, will be reimbursed on the basis of receipt with a limit of \$45 per day. Meal reimbursements may include non-alcoholic beverages. Tips may be reimbursed up to 20%, if the total is within the limits, and with proper receipts.

An employee may be reimbursed for their meal and the meal of others if the meal was for business purposes and was pre-approved by the Select Board or the employee's respective appointing authority.

Advance payments by the Town for hotel reservation deposits will only be made directly to the hotel by the Town. If an employee pays for or charges a deposit or the entire hotel charge, reimbursement will not be made until after the employee has completed the hotel stay and then only upon the employee's submission to the Town of a receipt from the hotel or credit card showing payment of the deposit or total charge.

Any other business travel-related expenses not expressly addressed in this policy must be pre-approved by the Select Board or the employee's respective appointing authority.

Payroll Deductions

All earnings and deductions are reflected on the payroll stub. The Select Board is required to withhold the following deductions from wages (M.G.L. Chapter 149, Section 150A):

- Federal Income Tax
- Massachusetts Income Tax
- Social Security
- Pension/Retirement
- Dues Check Off
- Medicare
- Wage Garnishments (upon IRS Notice or Court Order)
- Deferred Compensation
- Other optional employee deductions (group health, life, dental, disability, etc.)

ARTICLE 4: EMPLOYEE LEAVE POLICIES

Holidays

Holiday pay is based on the number of hours a non-exempt, hourly employee would have worked on the day on which the holiday is observed, up to a maximum of eight (8) hours. For salaried, exempt employees, holiday pay for the holidays that regular employees are entitled to, with pay, are:

New Year's Day	Fourth of July
Martin Luther King's Birthday	Labor Day
Presidents' Day	Indigenous Peoples' Day
Patriots' Day	Veterans' Day
Memorial Day	Thanksgiving Day
Juneteenth	Christmas Day

To be eligible for holiday pay, employees must work the day before and the day after the date on which the holiday is observed, unless they are authorized by the Town to be absent on either the day before and/or the day following the holiday.

An employee who is on leave without pay or absent for any part of their scheduled workday immediately preceding or immediately following a holiday shall not receive holiday pay for that holiday unless such absence is authorized by the employee's Department Head. If a holiday falls on a Saturday, the observed holiday and day off shall be the Friday immediately preceding the Saturday; if it falls on a Sunday, the observed holiday and day off shall be the Monday immediately following the Sunday. If the observed holiday falls on a day the benefits eligible employee is not scheduled to work, the holiday may be observed on the regularly scheduled shift that occurs immediately before or after the holiday. In such a case, the shift on which the holiday may be observed shall be subject to the approval of the employee's Department Head.

Essential employees required to work an unscheduled holiday will be paid at a time and one-half their base hourly rate of pay.

Vacation Leave

Vacation hours can be used only upon successful completion of a thirty- (30-) day benefits waiting period, which includes the probationary period. Vacation hours shall accrue from the employee's date of hire. Provided there has been no break in service greater than two (2) years, vacation accrues as follows:

Continuous Service	Vacation Time Accrued²
Date of Hire through completion of four (4) years	6.67 hours each month (eighty [80] work hours/year)
Beginning of year five (5) through completion of eight (8) years	10 hours each month (one hundred twenty [120] work hours/year)
Beginning of year nine (9) through completion of twenty (20) years	13.33 hours each month (one hundred sixty [160] work hours/year)
Beginning of twenty-one (21) + years	16.67 hours each month (two hundred [200] work hours/year)

A benefits-eligible, part-time employee who has successfully completed their benefits eligibility period shall accrue vacation leave on a pro rata basis in the same proportion that their part-time service bears to full-time service.

Vacation shall be credited for use as it is earned. The vacation year shall be on a fiscal year basis from July 1 to June 30.

Vacations shall be subject to the employee's Department Head in their sole discretion. Town employees will be allowed to carry eighty (80) hours of vacation time, plus their yearly vacation accrual, to the subsequent fiscal year.

Department Heads are responsible for making their employees aware of potential forfeiture of accrued vacation leave, on or about April 30th each year. A vacation day shall be based on the employee's regular workday. Thus, if an employee's regular workday is six (6) hours, when an employee takes a vacation day, the employee shall be paid for six (6) hours of vacation leave for that day. Employees shall provide at least two (2) weeks' notice of desired vacation time to the Department Head. Conflicts in scheduling will be resolved on the basis of seniority in continuous service and the operational needs of the Town. All employees will be required to take vacation time in hourly increments unless otherwise approved by Department Heads. Increments cannot be reduced to less than one (1) hour. Three (3) consecutive weeks of vacation may only be allowed if the Department Head/Select Board grants an exception in advance of the requested leave period.

Whenever the employment of any person subject to the provisions of this Policy is terminated during the year, the employee, or their estate (if the employee is deceased), shall be paid for the employee's accrued, unused vacation time.

² The vacation accrual rates set forth in this table are based on a full-time employee who actually works forty (40) hours per workweek. Benefits eligible part-time employees who have successfully completed their probationary period shall accrue vacation leave on a pro rata basis.

Sick Leave

Accrual

Sick leave hours can only be used after an eligible employee has actually worked for a period of the thirty (30) day waiting period from the commencement of their employment. Sick leave hours shall accrue on a pro rata basis from the employee's employment date. Benefits-eligible employees shall accrue sick leave at the rate of eight (8) hours each month for full-time employees (pro-rated for eligible part-time employees), not to exceed a total of ninety-six (96) hours per year. A benefits-eligible employee shall not accrue sick leave for any month in which the employee was on leave without pay or absent without pay for a total of more than one (1) day.

All sick days shall be equal to the number of hours an employee works during the employee's regular workday. For example, if an employee's regular workday is six (6) hours, when an employee takes a full sick day, the employee shall be paid for six (6) hours of sick leave for that day. Unused accrued sick leave may be accumulated only up to a total of one hundred fifty (150) days. Sick leave pay must be taken in one (1) or more full-hour increments.

Sick leave will not be advanced before it is accrued. When an employee's required time away from work continues beyond their accrued, unused sick time, the employee must use compensatory or other leave time if it is available. Otherwise, the employee's time off shall be unpaid.

Sick Leave Buy Back

Benefits-eligible employees with five (5) or more years of service who have accumulated more than four hundred (400) unused sick leave hours on June 30th of each year, may "sell back" a maximum of eighty (80) sick leave hours each year at fifty percent (50%) of their regular hourly wage. The employee must advise the designee of the Select Board of their decision to "sell back" up to eighty (80) sick leave hours on or before each July 10th and the request to "sell back" such accumulated, unused sick leave hours must be submitted to the Treasurer by July 31st of that year. To be eligible to "sell back" sick leave hours, however, an employee must retain a minimum of four hundred (400) accrued, unused sick leave hours after selling any sick leave hours back to the Town.

Retirement Buy Out

Benefits-eligible employees who have accrued four hundred (400) sick leave hours or more will be compensated upon retirement up to a maximum of four hundred (400) sick leave hours at twenty-five percent (25%) of their regular hourly wage as of the date of their retirement.

Sick Leave Usage

Sick leave shall be granted, at the discretion of the Department Head, to an employee only under the following conditions:

- (1) when an employee cannot perform their duties because the employee is incapacitated by personal illness or injury;

- (2) when the spouse, child or parent of either the employee or their spouse, or a relative living in the household of an employee, is seriously ill, the employee may utilize sick leave credits up to a maximum of one hundred twenty (120) sick leave hours per calendar year;
- (3) when, through exposure to contagious disease, the presence of the employee would jeopardize the health of others; and/or
- (4) when there is a need to keep a medical or dental appointment which cannot reasonably be scheduled outside of normal working hours.

With the exception of absences from work due to a positive COVID-19 result from a home testing kit, where an employee has been absent from work due to the employee's own illness or injury in excess of four (4) consecutive days, the employee will be required to produce a physician's certificate of their fitness to work, to be submitted to the Department Head and the Town Administrator.

Notification

Notification of absence due to illness must be made to the employee's Department Head at least one (1) hour prior to the beginning of the employee's regular scheduled start time on the day of absence.

Suspected Sick Leave Abuse

Where an employee's Department Head has reason to believe that sick leave is being abused, the Department Head may require satisfactory medical evidence from the employee. This request shall be in writing and shall cite specific reasons for the request. When medical evidence is requested, such a request shall be made as promptly as possible and in no case later than five (5) days from the date of the request. To the extent possible, the employee shall receive prior notice that the Department Head believes the employee is abusing sick leave and that the employee may be required to produce medical evidence for future use of sick leave.

"Satisfactory medical evidence" shall consist of a signed statement by a licensed Physician, Physician's Assistant, Nurse Practitioner, Chiropractor, or Dentist that the employee has personally examined the employee; a statement that the employee was unable to perform their duties due to the specific illness or injury on the days in question; and a prognosis for the employee's return to work.

In cases where the employee is absent due to a family or household illness or injury, "satisfactory medical evidence" shall consist of a signed statement by medical personnel (listed above) indicating that the person in question has been determined to be seriously ill and needing care on the days in question.

A medical statement provided pursuant to this section shall be on the letterhead of the attending medical professional and shall list an address and telephone number. Failure to provide "satisfactory medical evidence" within seven (7) days of its request may result, at the discretion of the Department Head, in denial of sick leave for the period of absence and discipline, up to

and including termination from employment if it is determined that the employee abused sick leave.

Termination of Employment

Upon termination of employment with the Town, all sick leave benefits accumulated or otherwise, shall cease.

Personal Days

All benefits-eligible employees, who have continuously worked for the Town and completed the thirty- (30-) day benefits waiting period, shall be credited, each July 1st, with twenty-four (24) paid personal leave hours to be taken in one- (1-) or more hour increments. During an employee's first year of employment, eight (8) hours of personal leave shall be credited to the employee after every four (4) months of continuous employment; provided, however, on July 1st of the year following the calendar year in which the employee was hired and all subsequent years, the employee shall be credited with twenty-four (24) paid personal leave hours.

Personal leave hours shall be credited on a pro rata basis based on a 40-hour work week and are paid based on the employee's regular work hours. Thus, if an employee's regular workday is six (6) hours, when an employee takes a personal day, the employee shall be paid for six (6) hours of personal leave for that day. Use of personal leave hours must be scheduled with the approval of the Department Head at least two (2) weeks prior to their expected use. Any paid Personal leave not taken by June 30th shall automatically be forfeited by the employee. Likewise, all unused Personal days shall be forfeited when employment terminates for any reason.

Bereavement Leave

In the event of death in the immediate family of a benefits-eligible employee, the employee shall be granted up to forty (40) consecutive hours of leave, or five (5) normally scheduled consecutive shifts not exceeding forty hours, at time of death without loss of pay. For the purposes of bereavement leave, "immediate family" shall include an employee's parent, sibling, spouse, child, sibling-in-law, parent-in-law, grandparents, grandchildren, step-parent, step-child, step-sibling, step-grandparents.

Benefits-eligible employees shall also be granted one (1) day of bereavement leave for the death of extended family members such as an aunt, uncle, cousin, niece, or nephew.

A bereavement leave day shall be based on the employee's regular work hours and shall be granted and used on a pro rata basis. For a single day of bereavement leave, the benefit will reflect the employee's regular work hours for the day.

A department head may at their discretion approve an additional day as bereavement leave in extenuating circumstances (e.g., weather related travel delay).

Commented [BS5]: Edits have been made to this section to reflect my understanding of the Board's recent discussion.

Bereavement leave shall in no way be related to regular vacation time or sick leave. The employee in question shall be responsible for notifying the Department Head of funeral arrangements. Benefits-eligible part-time employees will receive a bereavement benefit in the same proportion that their part-time service bears to full-time service.

Military Leave

General: An employee shall be entitled to leave of absence during the time of actual service in the Armed Forces of the Commonwealth or the United States, or during their annual tour of duty not exceeding ten (10) workdays (i.e., no more than eighty (80) work hours) as a member of a reserve component of the Armed Forces of the United States or the Commonwealth, and shall receive their regular compensation as an employee for the 10-workday (i.e., 80-work hour) period of the leave for training purposes.

Notification: Each employee is responsible for notifying their Department Head of the date they are leaving for military service and provide written proof from military or selective service officials to the Town Administrator indicating date of departure and length of service required.

Effect On and Use of Benefits:

- A. Sick and vacation leave will continue to accrue during the 10-workday (i.e., 80-work hour) period of military leave for training purposes.
- B. The period of any military leave shall be included in employee's time of continuous service.
- C. If military duty exceeds ten (10) workdays (i.e., 80 work hours), an employee may credit all or part of their vacation entitlement to the period of military leave.

Difference in Pay, if Any, During Active-Duty Deployment (Other Than for Training)

In the event an employee is on active duty (other than for training) for any of the following reasons (listed below) and the employee's military pay is less than the employee's regular compensation as a Town employee, the Town shall pay the difference between what the employee receives in military pay and the employee's regular compensation as an employee of the Town:

1. service performed in a uniformed service if the employee was ordered to, or retained on, active duty due to:
 - (i) involuntary active duty by a military retiree;
 - (ii) involuntary active duty in wartime;
 - (iii) retention on active duty while in captive status;
 - (iv) involuntary active duty during a national emergency for up to 24 months;
 - (v) involuntary active duty for an operational mission for up to 270 days;
 - (vi) involuntary retention on active duty of a critical person during time of crisis or other specific conditions;
 - (vii) voluntary or involuntary active duty by retired Coast Guard officer;

- (viii) voluntary or involuntary active duty by retired Coast Guard enlisted member;
 - (ix) involuntary retention of Coast Guard enlisted member on active duty; and
 - (x) involuntary active duty by Coast Guard Reserve member for natural or man-made disasters;
2. service under an order to, or to remain on, active duty (other than for training) because of a war or national emergency declared by the President or Congress, as determined by the Secretary of Labor;
 3. service performed under an order to active duty (other than for training) in support, as determined by the Secretary of Labor (or any person designated by the Secretary of Labor), of an operational mission for which personnel have been ordered to active duty as determined by a proper military authority;
 4. active duty in support, as determined by the Secretary concerned, of a "critical mission or requirement of the uniformed services" in times other than war or national emergency and when no involuntary call up is in effect; and
 5. federal service by members of the National Guard called into action to respond to an invasion or danger of invasion, rebellion or danger of rebellion, insurrection, or the inability of the President with regular forces to execute the laws of the United States.

Court Service (Jury Duty)

An employee who shall be required to serve on a jury on days the employee is scheduled to work, in accordance with Chapter 234A of the Massachusetts General Laws, shall be paid their base wages for the first three days from work, or a part thereof, of such juror service, at their base hourly rate of pay. For the fourth and subsequent days of such juror service, the employee shall be paid the difference between the amount received as juror compensation, less any juror travel allowance, and the employee's base wages.

Any employee required to serve on any federal jury on days the employee is scheduled to work shall be paid the difference between the amount paid for juror service, less any juror travel allowance, and the employee's base rate.

An employee seeking compensation in accordance with this section shall notify their Department Head after receipt of the notice of selection for jury duty and shall furnish a written statement to the Town showing dates of juror service, time served, and amount of juror compensation received.

Parental Leave

Introduction

In accordance with Massachusetts General Laws Chapter 149 Section 105D, full-time employees³ of the Town of Erving (the “Town”) who meet the eligibility requirements as provided below, will be entitled to Parental Leave for the birth, adoption of, or placement for foster care of a child with the intention of adoption.

Commented [BS6]: Does this clarify the intention?

Employee Eligibility

To be eligible for Parental Leave, employees must have been employed full-time by the Town for at least three (3) consecutive months.

Leave Entitlement

An eligible employee will be granted an unpaid leave of absence of up to eight (8) weeks for the birth of a child or placement of a child under the age of 18, (or under the age of 23 if the child is mentally or physically disabled) where the employee adopts or intends to adopt the child.

If two employees who work for the Town apply for such leave for the birth or adoption of the same child, each employee shall be entitled to eight (8) weeks of parental leave.

Family and Medical Leave (FMLA)

An eligible employee may take Parental Leave under this policy, even if the employee is not eligible for FMLA leave or has exhausted their entitlement to FMLA leave. If, however, an employee is also eligible for FMLA leave, leave taken under this policy will run concurrently with an employee’s Family and Medical Leave.

Use of Paid Leave

Although Parental Leave is unpaid, an employee may voluntarily elect to use paid leave (vacation, and personal leave, and paid sick leave in instances where the provisions of sick leave apply). Any such use of paid leave will be in accordance with the Town’s leave policies.⁴

Maintenance of Health Benefits

The Town will maintain group health insurance coverage for an employee while on Parental Leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work, as long as the employee is able to pay their required share of the cost on a monthly basis. The employee will be responsible for making arrangements with the Town to pay their share of health insurance premiums while on leave. Continued coverage is subject to timely premium payments.

Benefit Continuation

³ For purposes of this policy, an employee who is scheduled to work at least 40 hours per week is deemed to be a “full-time” employee.

⁴ In accordance with the Massachusetts Parental Leave Act, employees cannot be required to use accrued paid vacation leave, personal leave, or accrued sick leave with all or part of the employee’s parental leave, even if the employer requires employees who take leave for other types of reasons to use such paid leave benefits.

The use of Parental Leave will not affect the employee's rights to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs and other benefits for which the employee was eligible as of the date of the leave or any other advantages or rights of employment incidental to the employment position; provided, however that the period of time of any unpaid Parental Leave, is not included in the computation of further benefit accruals, rights and advantages.

Notice Requirements

Employees are required to provide at least two (2) weeks' notice to the employer of the employee's anticipated date of departure and the employee's intended day of return, provided, however, an employee may provide notice "as soon as practicable" if the delay in providing notice is "for reasons beyond the individual's control."

Job Restoration

Upon return from Parental Leave, every effort will be made to restore an employee to their original job. If that is not possible, to an equivalent job with equivalent pay and other employment terms and conditions, unless other employees of equal length of service, status and in similar positions have been laid off due to a legitimate reduction in work force. The employee on paternity leave shall, however, retain any preferential consideration for another position to which they may be entitled as of the date of their leave, to the extent that the Town has such a policy. An employee's use of Parental Leave will not result in the loss of an employment benefit that the employee earned or was entitled to before using Parental Leave.

Leave of absence beyond eight (8) weeks

If an employee on Parental Leave is not subject to FMLA the employee may request additional unpaid leave for parenting by petitioning the Appointing Authority. The employee shall be eligible for the rights under Section I above, unless the Appointing Authority notifies the employee in writing prior to the parental leave and again prior to the extension of that leave, that taking longer than eight (8) weeks of parental leave may result in a denial of reinstatement or loss of other rights and benefits.

Departmental Procedures

The Town Administrator may establish procedures to implement and carry out this policy, consistent with the policy.

Small Necessities Leave Act (SNLA) Policy

The Town of Erving will comply with the provisions of the Massachusetts Small Necessities Leave Act (SNLA), which permits eligible employees to take up to a total of 24 hours of unpaid leave within a rolling 12-month period.

The SNLA covers only employees who have been employed by the Town for one (1) year and have worked at least 1,250 hours during the previous 12 months. Leave under the SNLA is in addition to leave which may be available to an employee under the federal Family and Medical Leave Act of 1993.

The SNLA permits an employee leave for the following purposes:

- (1) To participate in school activities directly related to the educational advancement of a child, step-child or grandchild of the employee, such as a parent-teacher conference or interviewing for a new school;
- (2) To accompany a child, step-child or grandchild of the employee to routine medical or dental appointments, such as check-ups or vaccinations; and
- (3) To accompany a spouse, legal dependent or an elderly relative of the employee to routine medical or dental appointments or appointments for other professional services relating to the spouse's, legal dependent's or elder's care, such as interviewing at nursing or group homes.

The 24 hours may be taken within the 12-month calendar year period and the time may be taken on an intermittent (i.e. 2 hours to attend a parent-teacher conference) or reduced-time schedule.

An employee is required to provide their department with seven (7) days' notice of the need for the leave if the leave is foreseeable. If the necessity for the leave is not foreseeable, the employee is required to provide notice of the leave as soon as practicable.

The law provides for unpaid leave. An employee may elect to use any available accrued vacation, personal or sick leave benefits provided the use of such time is in accordance with the Town's leave policies.

Erving may require the employee to substitute any of the employee's paid vacation leave, personal leave or sick leave for the leave provided by the SNLA. A department head may require that written certification or documentation support a request for leave under the SNLA.

Training, Education and Conferences (Professional Development)

The Town of Erving endeavors to promote both individual and institutional training programs. Upon successful completion of the introductory period, employees may request to participate in work-related educational training. These requests must be approved by the employee's immediate supervisor prior to attendance at any such training sessions. The Town of Erving may reimburse reasonable costs of such training if fiscally feasible and prior written approval is received.

APPENDIX A- ADMINISTRATIVE POLICIES

The following administrative policies are also part of the Town’s administration of personnel benefits, leaves, and expectations. They are available upon request, by visiting www.erving-ma.gov/personnel. This Appendix may be amended from time to time by the Town Administrator to reflect changes that have been adopted.

Administrative Policies

Policy Number	Policy Name	Last Revision Date
ADM-001	Americans with Disabilities Act Non-Discrimination Notice & Grievance Policy	August 29, 2022
ADM-020	Criminal & Sexual Offender Records Information Policy	August 29, 2022
ADM-021	Health Insurance Portability & Accountability Act Policy	August 29, 2022
ADM-100	Workplace Violence Prevention Policy	November 28, 2022
ADM-101	Sexual Harassment Prevention Policy	July 18, 2022
ADM-102	Protected Class Harassment Prevention Policy	July 18, 2022
ADM-110	Drug & Alcohol-Free Workplace Policy	August 29, 2022
ADM-111	No-Smoking Policy	October 31, 2022
ADM-120	Fraud Prevention Policy	November 28, 2022
ADM-130	Whistleblower Protection Policy	November 28, 2022
ADM-150	Pregnant Workers Fairness Act Policy	November 28, 2022
ADM-160	Clothing Allowance Policy	December 05, 2022
ADM-180	Domestic Violence Leave Policy	November 28, 2022
ADM-181	Family and Medical Leave Policy	January 09, 2023
ADM-195	Remote Work Policy	February 27, 2023
ADM-201	Consolidated Omnibus Budget Reconciliation Act (COBRA) Policy	October 3, 2022
ADM-202	Retirement Plan Participation & Insurance Policy	August 29, 2022

APPENDIX B- PAY PLANS

To be inserted

APPENDIX C- BENEFIT PROVIDERS & CONTACTS

This Appendix may be amended from time to time by the Treasurer to reflect the current information related to benefit providers.

Health Insurance:

Blue Cross Blue Shield – 1(800)-486-1136
<https://www.bluecrossma.org/>

Hampshire County Group Trust – 1(413)-584-1300
<https://hcgut.org/>

Dental Insurance:

Delta Dental- 1(800) 872-0500
<https://www.deltadentalma.com>

Life Insurance, Optional Life Insurance, Long Term Disability Insurance:

Boston Mutual – 1(877)-624-2249 Customer Service
1(877)-212-2950 Claims Service
<https://www.bostonmutual.com/>

Other Optional Insurances:

Colonial Life – 1(800)-325-4368 Customer Service
1(800)-880-9325 Claims Service Fax
<https://www.coloniallife.com/>

Employee Assistance Program (EAP):

AllOne Health Employee Assistance Program - 1- (800) 451-1834
Services available 24 hours/ 7 days per week.
<https://myassistanceprogram.com/miia-eap/>

Flexible Spending Account:

Ameriflex – 1(888)-868-3539
<https://myameriflex.com/>

Short Term Disability & Cancer Insurance:

American Heritage Life Insurance/Allstate –
1(800)-521-3535 Customer/Claims Service
<https://www.allstate.com/allstate-benefits/main.aspx>

Franklin Regional Retirement System

1(413)-774-4837
<https://frsma.com/>

Massachusetts Teachers Retirement System:

1(617)-679-6877

<https://mtrs.state.ma.us/>

Nationwide Retirement (OBRA & Deferred Compensation):

1(877)-496-1630

<https://www.nrsforu.com/iApp/rsc/login.x>

403(b) (School Employees)

AIG Retirement Service (VALIC) 1(800)-448-2542

Equitable 1(800)-628-6673

<https://www.tsacg.com/individual/plan-sponsor/massachusetts/town-of-erving/>

ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING

I am in receipt of Erving's Personnel Policies and Procedures Manual. I received the Manual on _____(date). The enclosed policies were explained to me and I had an opportunity to review and read the policies.

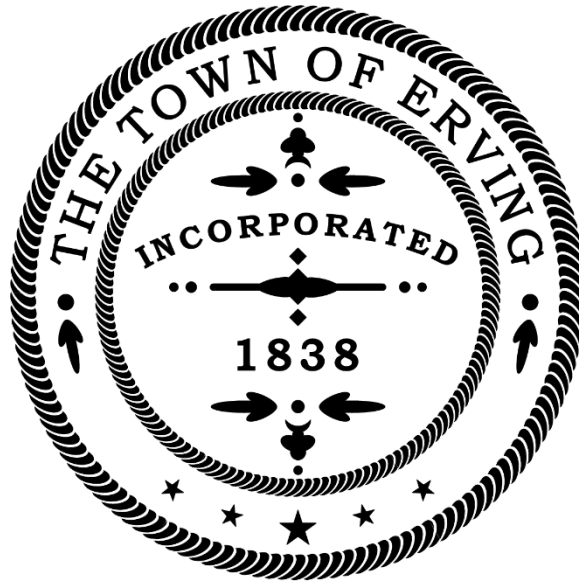
I understand it is my responsibility to be familiar with and adhere to the provisions of these policies.

EMPLOYEE PRINTED NAME

EMPLOYEE SIGNATURE

DATE

Note: A copy of this acknowledgement form will be placed in the employee's personnel file.



SPECIAL TOWN MEETING

Wednesday, January __, 2024

Time: 7:00 PM

Location: 1 Care Drive, Erving, MA 01344

*Please bring this copy with you to the
Special Town Meeting.*

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Erving, should contact the office of the Select Board as soon as possible but no later than 48 hours before the scheduled event.

The office of the Select Board is located at 12 East Main Street, Erving, MA 01344.

Email: administrator@erving-ma.gov | Phone: (413) 422-2800



TOWN OF ERVING

12 East Main Street, Erving, MA 01344
Tel. (413) 422-2800 | Email: administrator@erving-ma.gov

SPECIAL TOWN MEETING WARRANT

Special Town Meeting | Table of Contents

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COMMONWEALTH OF MASSACHUSETTS

Franklin, ss.

Town of Erving Constables, Town Clerk, and Administrative Assistant: In the name of the Commonwealth, you are directed to notify and warn the said inhabitants qualified to vote in Town affairs to meet on the grounds of the **Erving Senior & Community Center** located at **1 Care Drive, Erving, Massachusetts 01344** on

Wednesday, January __, 2024, at 7:00 PM

Qualified inhabitants will meet then and there to vote on the following articles in the Warrant:

PUBLIC WAYS

ARTICLE 1: ACCEPTANCE OF THE RELOCATION OF BRIDGE STREET

To see if the Town will vote to accept the relocation of Bridge Street as a public way by the following description:

Bridge Street, Erving, MA

West Side

Beginning at a set concrete bound on the south line of Route 2, a 1929 Massachusetts State Highway Alteration, said concrete bound being 16.42 feet easterly of a point opposite Station 130+50.57.

Thence S02°44'00"E, a distance of 65.91 feet to a set concrete bound.

Thence S12°40'00"E, a distance of 106.05 feet to a set concrete bound.

Thence S22°04'49"E, a distance of 55.66 feet to a set concrete bound.

Thence S52°14'49"E, a distance of 138.59 feet to a set concrete bound.

Thence S57°37'31"E, a distance of 150 feet, more or less, to the west side of Millers River.

East Side

Beginning at a point on the south line of Route 2, a 1929 Massachusetts State Highway Alteration, said point being 112.37 feet easterly of a point opposite Station 130+50.57.

Thence S09°40'00"W, a distance of 71.95 feet to a point.

Thence S02°40'00"E, a distance of 61.99 feet to a point.

Thence S12°40'00"E, a distance of 97.64 feet to a point.

Thence S22°04'49"E, a distance of 38.24 feet to a point.

Thence S52°14'49"E, a distance of 122.93 feet to a point.

Thence S57°37'31"E, a distance of 163 feet, more or less, to the west side of Millers River.

Said layout being 49.5 feet wide from Route 2 to Millers River.

Being more particularly shown on a plan entitled "Layout Plan of Bridge Street in Erving, MA" dated June 2, 2023 by Edward C. Muszynski, PLS as filed in the office of the Town Clerk.

Or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS:

Article Information: This article provides for the official acceptance of the relocation of Bridge Street as a public way in the Town of Erving. Approval of this article will allow the Town to formally record this action with the Franklin County Registry of Deeds. Approval of this article requires a majority vote.

ARTICLE 2: ACCEPTANCE OF THE RELOCATION OF MAPLE AVENUE

To see if the Town will vote to accept the relocation of Maple Avenue as a public way by the following description:

Maple Avenue, Erving, MA

West Side

Beginning at a railroad spike set in the pavement on the south line of Route 2, a 1930 Massachusetts State Highway Alteration, said spike being 172.98 feet easterly of a Massachusetts Highway Bound opposite Station 191+08.48.

Thence S15°22'39"E, a distance of 452.47 feet to a stone bound.

Thence S15°12'28"E, a distance of 688.85 feet to a railroad spike set in the pavement at the end of location.

East Side

Beginning at a railroad spike set in the pavement on the south line of Route 2, a 1930 Massachusetts State Highway Alteration, said spike being 210.33 feet east of a Massachusetts Highway Bound opposite Station 191+08.48.

Thence S15°22'39"E, a distance of 469.96 feet to a set concrete bound.

Thence S15°12'28"E, a distance of 688.96 feet to a set iron pin at the end of location.

Said layout being 33 feet wide from Route 2 to end of location.

Being more particularly shown on a plan entitled "Layout Plan of Maple Avenue in Erving, MA" dated June 2, 2023 by Edward C. Muszynski, PLS as filed in the office of the Town Clerk.

Or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS:

Article Information: This article provides for the official acceptance of the relocation of Maple Avenue as a public way in the Town of Erving. This action also involves a friendly taking of land that will provide the parcel with the necessary roadway frontage to access two privately owned parcels as well as use a portion of a Town owned parcel. Approval of this article will allow the Town to formally record this action with the Franklin County Registry of Deeds. Approval of this article requires a 2/3 vote.

FISCAL YEAR 2024 OPERATING BUDGET

ARTICLE 3: AMEND FY2024 ELECTED OFFICIAL COMPENSATION

To see if the Town will vote to amend the fiscal year 2024 Elected Official Compensation, as is detailed in the table below, approved in Article 6 of the May 10, 2023 Annual Town meeting, by an additional Fourteen Thousand Five Hundred Fifteen Dollars and Eighty Cents (\$14,515.80) for a fixed sum of One Hundred Seventy-six Thousand Eight Hundred Twenty-eight Dollars and Thirty Cents (\$176,828.30) and vote that the following salary and compensation be paid from this sum to the following Elected Officials of the Town, as provided by Section 108, Chapter 41 of the General Laws, as amended, or take any other action relative thereto:

	Original Detail	Proposed Amendment	Amended Wage Total	Wage per Member	Chair Stipend
Assessor (3)		\$0.00	\$ 11,718.00*	\$ 3,881.00ea	\$75.00
Board of Health (3)		\$0.00	\$ 3,075.00*	\$ 1,000.00ea	\$75.00
Library Trustees (3)		\$0.00	\$ 3,075.00*	\$ 1,000.00ea	\$75.00
Moderator (1)		\$0.00	\$ 350.00*		
Planning Board (5)		\$0.00	\$ 5,075.00*	\$ 1,000.00ea	\$75.00
Recreation Commission (5)		\$0.00	\$ 5,075.00*	\$ 1,000.00ea	\$75.00
School Committee (5)		\$0.00	\$ 7,090.00***	\$ 1,403.00ea	\$75.00
Select Board/Water Commissioners (3)	\$ 12,451.00	\$0.00			\$250.00
from Water Department	\$ 879.00				
Total Salary			\$ 13,330.00	\$ 4,360.00ea	
Tax Collector (1)	\$ 17,304.00	\$1,778.40			
Certification Award	\$ 1,000.00				
From Water Department	\$ 2,026.00				
Total Salary			\$22,108.40		

Town Clerk (1)	\$25,956.00	\$3,174.60	
From Census Work	\$ 1,000.00		
Total Salary			\$30,130.60
Treasurer (1)	\$60,827.00	\$9,562.80	
Certification Award	\$ 1,000.00		
From Water Department	\$ 1,875.00		
Total Salary			\$ 73,264.80
Tree Warden (1)		\$0.00	\$ 2,536.50
Total Elected Official Salary			\$176,828.30

SUBMITTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS:

Article Information: This article outlines the compensation amounts for elected officials. This proposed change for the Town Clerk, Tax Collector and Treasurer salaries is related to the revised compensation scheduled for FY2024 and the funding will be sourced from the existing special article that was approved at the Annual Town Meeting and does not require a change to the current tax levy limit. In the spring of 2023, the compensation plan for all regularly scheduled Town employees was conducted with the intention of making changes for FY2024. As such, the voters approved a special article to fund wage adjustments in FY2024. Approval of this article requires a 2/3 vote.

STABILIZATION FUND ARTICLES

ARTICLE 4: APPROPRIATION TO THE OPIOID SETTLEMENT STABILIZATION FUND

To see if the Town will vote to transfer the sum of Twenty-two Thousand Seven Hundred Sixteen Dollars and Eighty-five Cents (\$22,716.85) from Free Cash into the Opioid Settlement Stabilization Fund, or take any other action relative thereto.

SUBMITTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS:

Article Information: Approval of this article would transfer the sum of \$22,716.85 in settlement funds that the Town received in FY2023 into the newly established Fund that was approved at the May 10, ,2023 Town Meeting. The previous vote had authorized this transfer, but the Department of Revenue has asked that this vote is taken again. This approval does not address the expenditure of funds which requires Town Meeting approval. Approval of this article requires a majority vote.

ARTICLE 5: APPROPRIATION FOR THE CAPITAL STABILIZATION FUND

To see if the Town will vote to close the special article appropriations, listed below, and appropriate the unspent balances, in the aggregate sum of Two Hundred Thirty Thousand Seven Hundred Fifty-eight Dollars and Fifty-seven Cents (\$230,758.57), into the Capital Stabilization Fund, or take any other action relative thereto.

Line	Account	Description	Balance in Account
------	---------	-------------	--------------------

1	001-171-900-17110-530250	Poplar Mountain Conservation Area Surveying	\$195.00
2	001-174-900-17410-530000	Erving Center Village Planning	\$5,282.88
3	001-192-900-19216-578000	Town Hall Phone	\$2,224.00
4	001-192-900-19219-578000	Town Hall Lighting System	\$3,502.69
5	001-210-900-21013-578000	Police- Safety Speed Monitoring Equipment	\$748.48
6	001-220-900-22014-578000	Fire Dept Cab for Gator	\$5,000.00
7	001-220-900-22015-578000	Fire Dept GPS Units	\$13.98
8	001-220-900-22017-578000	Fire Dept Class A Uniforms	\$672.90
9	001-301-900-30110-585250	EES Classroom Furniture	\$38,419.00
10	001-301-900-30117-578000	EES Window Shade Replacement	\$30,000.00
11	001-301-900-30116-578000	EES Carpet Replacement	\$21,788.00
12	001-301-900-30119-578000	Phone System Upgrade/Replace	\$5,000.00
13	001-429-900-42914-578000	Trench Box & Trench Shield	\$5,200.00
14	001-433-900-43310-578000	Solid Waste Roll off	\$5,000.00
15	001-541-900-54111-578000	Senior Center Exit Roofs	\$3,200.00
16	001-541-900-54112-578000	Senior Center HVAC System	\$25,275.00
17	001-650-900-65010-578000	Resurface Tennis Courts Vets Park	63,000.00
18	001-650-900-65011-578000	Roofs- Bath House & Shed Zilinski Field	\$1,736.64
19	001-650-900-65017-578000	Riverfront Park Water Tower Assessment	\$4,700.00
20	001-650-900-65018-530000	Park Grant Writer	\$20,000.00
Total			\$230,758.57

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS:

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval [Aye(5), Nay(0), Abstain(0)]

***Article Information:** Approval of this article would transfer the unspent funds from special articles that were previously appropriated for capital projects. The Capital Planning Committee has met with representatives of the departments, boards and commissions to discuss recommendations on what accounts can be closed out as the projects are complete and there are unspent funds, or the requests are several years old and the projects have not progressed and would need to be planned with current cost estimates. The Capital Planning Committee recommends that they are closed, with the unspent balances appropriated into the Capital Stabilization fund, so that the funds can be used for future capital investments. Approval of this article requires a majority vote.*

FISCAL YEAR 2024 CAPITAL IMPROVEMENTS

ARTICLE 6: APPROPRIATION FOR MODULAR OFFICE SPACE FOR PUBLIC WORKS

To see if the Town will vote appropriate the sum of Seventy-five Thousand Dollars and No Cents (\$75,000.00) from account number 001-429-900-42912-578000 for the Public Works Dry Storage Project for the purchase, installation, and related costs of modular office unit on Public Works Boulevard, or take any other relative action there to.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS:

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval [Aye(5), Nay(0), Abstain(0)]

Article Information: This article would appropriate \$75,000 for the purchase of modular office space for the Public Works staff. With the knowledge that the request for a new Public Works Office and dry storage garage facility is several years out from being funded, finding appropriate interim office space for the departments needs to be prioritized. This proposal would allow the Town to purchase the necessary space for the foreseeable future and the proposed funding source is related to this purpose. Approval of this article requires a majority vote.

ARTICLE 7: APPROPRIATION FOR TOWN PROPERTIES BOARD, SECURE & SECURITY

To see if the Town will vote to close the special article appropriations, listed below, and appropriate the unspent balances, in the aggregate sum of Twelve Thousand Seven Hundred Twelve Dollars and Eighty-Three Cents (\$12,712.83), for Board, Secure & Security of Town owned properties, or take any other action relative thereto.

Line	Account	Description	Balance in Account
1	001-192-900-19215-578000	Mothball & Planning Usher Boiler RM	10,107.04
2	001-192-900-19217-578000	IP Mill Security/Safety/Maint	\$2,398.37
3	001-192-900-19218-578000	IP Mill MKT Feas / Infrastructure Study	\$207.42
		Total	\$12,712.83

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS:

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval [Aye(5), Nay(0), Abstain(0)]

Article Information: Approval of this article would transfer the unspent funds from special articles that were previously appropriated for capital projects. The Capital Planning Committee has met with representatives of the departments, boards and commissions to discuss recommendations on what accounts can be closed out. This Article proposes to aggregate the remaining balances of special articles for the former IP Mill and the former Usher Mill sites into a single special article to be used to continue to maintain and secure these sites. The newly appropriated balance is meant to continue support. Approval of this article requires a majority vote.

MULTI-YEAR CONTRACT AUTHORIZATION

ARTICLE 8: AUTHORIZATION TO SIGN FIVE YEAR CONTRACT FOR SCHOOL TRANSPORTATION SERVICES

To see if the Town will vote to authorize the School Committee to enter into a five (5) year contract, commencing on July 1, 2024 with F. M. Kuzmeskus to provide school transportation services for the Town, subject to the School Committee’s determination that the contract is in the best interests of the Town and subject annually to Town Meeting approval for funding for these services and/or take any vote or votes in relation thereto.

SUBMITTED BY: School Committee

SELECT BOARD RECOMMENDS:

FINANCE COMMITTEE RECOMMENDS:

Article Information: Approval of this article would authorize the School Committee to sign a five (5) year contract with F.M. Kuzmeskus for the provision of school transportation services for students in Erving. Approval of this article requires a majority vote.

In addition, you are hereby directed to serve the above warrant and to post attested copies as directed by vote of the Town at least fourteen (14) days before said meeting. Fail not and make do return of this warrant with your doings thereon to the Town Clerk for the day of said meeting.

Given under our hands this ____ day of **January 2024**.

Jacob A. Smith, Chairman Scott Bastarache James Loynd

Erving Select Board

POSTING REQUIREMENT CERTIFICATION

FRANKLIN SS TOWN OF ERVING

I have served the above warrant by posting attested copies, as directed by vote of the Town, at least fourteen (14) days before the time of holding said meeting.

Date

Erving Constable

Meeting Minutes

Board: Select Board / Water Commissioner's Meeting
Date: Monday, December 11, 2023
Location: Senior & Community Center, 1 Care Drive, Erving, MA 01344

Select Board Present: Jacob Smith, Scott Bastarache, James Loynd
Board of Assessors Present: Jacquelyn Boyden, Daniel Hammock, Erik Eichorn

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

At 6:02 PM **Chairman Smith** called the meeting to order.

Executive Session

At 6:02 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); **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 6:51 PM **Chairman Smith** resumed Regular Session.

Community Development Block Grant Public Hearing: Discussion Regarding Status of FY21 CDBG Housing Rehabilitation Program

Brian McHugh, Director of Community Development, from Franklin County Regional Housing Authority joined the Board for the Public Hearing. Brian explained the income eligibility income per household, from low to moderate income and explained the inquiry and application process. With the Town of Erving as the lead Town, Brian explained that out of fifteen (15) applications that were sent to Erving applicants, six (6) came back. Brian explained to the Select Board members how the budget works. He broke down how many of the projects were for the elderly population and what type of projects were funded. Brian said that the program has been very successful. The Select Board members thanked Brian for coming and sharing the information. **Chairman Smith** closed the hearing at 6:59 PM.

Review and Approval of FY21 Community Development Block Grant Program Revision

Chairman Smith made a recommendation to extend the program to June 30, 2024. The Board has no concerns. **Selectman Bastarache** made a motion to approve the request by the Franklin County Regional Housing and Redevelopment Authority to extend the Community Development Block Grant Program to increase the period of availability of funds/period of performance to June 30, 2024, and authorize **Chairman Smith** to execute all documents, seconded by **Selectman Loynd**. Vote: Unanimously approved.

Joint Meeting with Board of Assessors – 2024 Tax Classification Hearing

At 7:01 PM **Chairman Smith** opened the joint meeting with the Board of Assessors for the Tax Classification Hearing. Assessors Erik Eichorn and Daniel Hammock joined the Select Board. Dan made the recommendation for the 65% shift in the minimum residential factor (MRF), which would result in a tentative tax rate of \$9.22 for Residential and Open Space and \$15.34 for Commercial, Industrial and Personal Property. **Chairman Smith** asked for clarification on the drastic change. Dan explained the scenario of the recent ATB court case and mentioned the necessity to hire professional appraisers and they came back with a lower appraisal figure. Dan explained the sales approach on personal properties and income approach on commercial properties. He explained that when the assessment goes down and the values change, it affects the tax rate. Principal Assessor Jacquelyn Boyden joined the hearing to explain further that the income approach is for non-owners occupied, such as First Light. She explained that all other income businesses are owner occupied and that Erving uses the income approach. She indicated that the value of the Northfield Mountain Project dropped by \$115,000,000.00 and therefore the burden then gets shifted to the taxpayers. Jacquie reviewed the chart that was provided to the Select Board members.

○ **Consideration & Potential Vote on 2024 Tax Classification**

Selectman Loynd made a motion to shift the minimum residential factor known as the MRF to 65% per recommendation of the Assessors. This will result in the tentative rate of \$9.22 for Residential and Open Space and \$15.34 for Commercial, Industrial and Personal Property, seconded by **Chairman Smith**. Vote: Unanimously approved.

○ **Consideration and Potential Vote on 2024 Small Business Exemption**

Selectman Bastarache made a motion to authorize the Small Commercial Exemption statute for Fiscal Year 2024. This will shift the tax burden of \$112,638.00 to the remaining Commercial, Industrial and Personal Property classes, seconded by **Selectman Loynd**. Vote: Unanimously approved.

Chairman Smith closed the tax classification hearing. At 7:26 PM **Chairman Smith** made a motion to adjourn the joint meeting with the Board of Assessors and move into regular session, seconded by **Selectman Bastarache**. Vote: Unanimously approved.

Review of Police Department Policy 4.28 Police Vehicles – 2nd Reading

The Select Board members had no concerns and will carry to the next meeting for a 3rd reading.

Review of Bridge Street Reconstruction & Maple Avenue Paving Project Bid Documents

Bill Storti from Weston & Sampson, and Glenn Mcrory, Highway Superintendent, joined the Select Board to discuss the draft bid documents for the Bridge Street Reconstruction and Maple Avenue paving project. Bill went on to explain that the wall replacement is complicated due to the location. Using an illustration on the white screen, Bill illustrated what needs to be done and explained the challenges of the project. The Select Board members reviewed the documents from Weston & Sampson. Bill described the intent of the project but added work into the project that is necessary for sustainability, replacing the wall, temporary excavation support, etc. He stated that the wall manufacturer needs to provide the design. There was discussion around the timing of road closures, staging areas and stockpile areas. Bryan explained that January would be the start for the bidding process, mandatory site walk and 45 days to the opening of bids. He indicated that a February due date is reasonable and a plan for a 5-month project timeline. Bryan Smith, Town Administrator, stated that the appropriations are ready. Bill suggested that the bid opening take place in February and then the burden is on the contractor that is awarded the bid. **Selectman Bastarache** said that he has no concerns but needs more time to review and suggested carrying it to the December 18, 2023 meeting.

Meeting Minutes

Review of Meeting Minutes for August 7, 2023, October 30, 2023 and November 27, 2023

The Select Board members reviewed the meeting minutes for August 7, 2023, October 30, 2023 and November 27, 2023. **Selectman Bastarache** made a motion to approve the meeting minutes as written, seconded by **Selectman Loynd**. Vote: Unanimously approved.

Review of Proposed Personnel Policies & Procedures Manual Draft – 5th Reading

Chairman Smith suggested bringing back for two more reads. **Selectman Loynd**, being his first read, is not opposed to having the opportunity to have more time to review and to bring back one more time. The Select Board members discussed how to configure benefit time vs time regularly worked, reflecting “a day” rather than hours, based on the employee’s regular workday, whether part or full time, and based on whether they work an 8- or 10-hour day regularly. The Select Board members also discussed the lunchtime schedule and possibly adding language that people can opt-out of an 8.5-hour day to break for lunch. The law states that after so many hours an employee is entitled to breaks and lunch and nobody can be denied that right; but adding language for an employee to opt-out may be something to consider. There was more discussion regarding overtime language and whether there should be allowance for overtime if benefit time is being used within that pay-period; should that benefit time be considered as work time when considering overtime. For example: Holiday time is calculated as work time. Regarding Longevity – the Board agreed to strike a subsection of the longevity section of the manual. Compensation Time – the Board agreed that compensation time needs to be used within 30 days. Parental Leave – the Board discussed language regarding placement of a foster child for foster care in an employee’s home, and respite, (which is an emergency placement). The Board also discussed the Appendix A Clause which states that the Personnel Policies and Procedures Manual can be updated without having to bring the policy back for readings.

Next Meeting

The Select Board agreed to meet again on December 18, 2023, which will include the issuance of licensing.

Executive Session

At 9:03 PM **Chairman Smith** made a motion 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); **Chairman Smith** stated that the Select Board will not return to Regular Session. **Selectman Bastarache** seconded. **Roll call vote:**

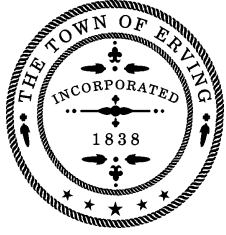
Selectman Loynd	Aye
Selectman Bastarache	Aye
Chairman Smith	Aye

Adjournment

At 9:03 PM **Chairman Smith** made a motion to adjourn. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Respectfully submitted,

Elizabeth Sicard, Administrative Assistant



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

Tel. 413-422-2800

Fax 413-422-2808

Email: administrator@erving-ma.gov

Jacob A. Smith, Chair
Scott Bastarache
James Loynd
Select Board

Bryan Smith
Town Administrator

January 05, 2024

To: Select Board
From: Bryan Smith, Town Administrator
CC: Glenn McCrory, Highway Superintendent

RE: Bridge Street & Maple Avenue Layouts

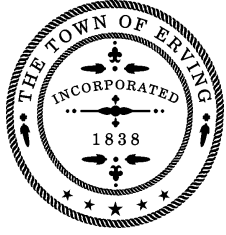
I am proposing that the Select Board consider proceeding with the proposed layouts of Bridge Street and Maple Avenue and ask the voters at an upcoming Town Meeting to formally authorize the layouts.

As the Select Board previously reviewed in August 2023, Bridge Street has been surveyed and described. There are no proposed takings. The authorization vote at Town Meeting would be to authorize the Select Board to formally “layout” the public way and record the action at the registry. This will rectify the ancient way references and ensure that there is a current plan and written description with clear metes and bounds for all future purposes.

As the Select Board previously reviewed in August 2023, Maple Street has been surveyed and described. Concerns have been raised about 2 private parcels of land at the end of Maple Avenue that are not actually provided frontage along Maple Avenue. I have included the memorandum from August for further reference. It is possible to record Maple Avenue as it exists today without any takings or changes, though this would not resolve the frontage concern.

Town staff have been in communication with the owners of both properties to make them aware of the concern and discuss options. A potential solution to provide both parcels with frontage would be to extend Maple Avenue. The extended portion would incorporate a strip of land that the Town owns that is approximately 16.5’ wide and would have to include the taking of a strip of land that is also approximately 16.5’ wide. The property owners have been spoken with and are in support of a friendly taking. Because general support from the parties involved has been expressed, I have asked our surveyor to draft a version of the Maple Avenue layout description that includes the proposed taking.

If the Select Board would like to proceed, to the next step of the process, I would request a vote of the Board to issue a notice of layout to the property owners along Maple Avenue and Bridge Street with a date and time of a hearing to discuss the matter further with the potential to layout the roads at the end of the hearing. A draft notice of layout is also included for consideration.



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

Tel. 413-422-2800
Fax 413-422-2808
Email: administrator@erving-ma.gov

Jacob A. Smith, Chair
Scott Bastarache
James Loynd
Select Board

Bryan Smith
Town Administrator

August 04, 2023

To: Select Board

From: Bryan Smith, Town Administrator
CC: Glenn McCrory, Highway Superintendent
Mariah Kurtz, Town Planner

RE: Review of Bridge Street and Maple Avenue Layouts

In May 2023 the Select Board approved the engagement of Edward Muszynski, PLS, for professional services to create a public road layout for both Bridge Street and Maple Avenue. I wanted to review the status of both layouts with the Select Board to discuss how you would like to proceed.

Bridge Street:

Bridge Street had previously been categorized as an “ancient way” and would benefit from a current layout and a verification of the metes and bounds. Bridge Street does not currently have monuments and the proposal would be to set concrete monuments at the points that have been verified. The boundaries have been verified with the abutting landowner deeds and wooden stakes of the proposed concrete bounds have been placed in the field. The proposed layout is a fairly consistent 49.5’ wide, using Town property and does not propose any private land taking. The written description and draft plan are enclosed for your review.

We believe that the Bridge Street layout would be ready for the official public layout procedure and then presentation at an upcoming Town Meeting.

Maple Avenue:

The adoption of Maple Avenue includes a vague written description and would also benefit from a current layout and verification of the metes and bounds. Maple Avenue has a consistent width of 33’, monuments have been located, and the currently proposed layout and description does not propose any takings. With that said, we have identified a potential problem for two (2) private property lots.

As the image on the following page shows, the true layout of Maple Avenue ends, providing 21 Maple Avenue and 24 Maple Avenue with frontage. 29 Maple Avenue is a parcel owned by the Town that provides access to the capped landfill and to the salt shed. This parcel has 16.5’ of

frontage that the Town uses as a driveway to access the parcel. Similarly, 28 Maple Avenue, which currently does not have a structure, has 16.5' of frontage, which is not sufficient with Zoning requirements to allow for a building lot. 27 Maple Avenue currently has an occupied home on it and currently has no frontage and no legal right of way that we can find record of, which suggests it is a non-conforming lot. Our review of plans submitted over the decades suggests that past surveyors working for private property owners assumed that the Town's driveway to the salt shed property was a formal road and therefore provided frontage. I am not sure if the current property owners are aware of this, and we are sending written correspondence to them.



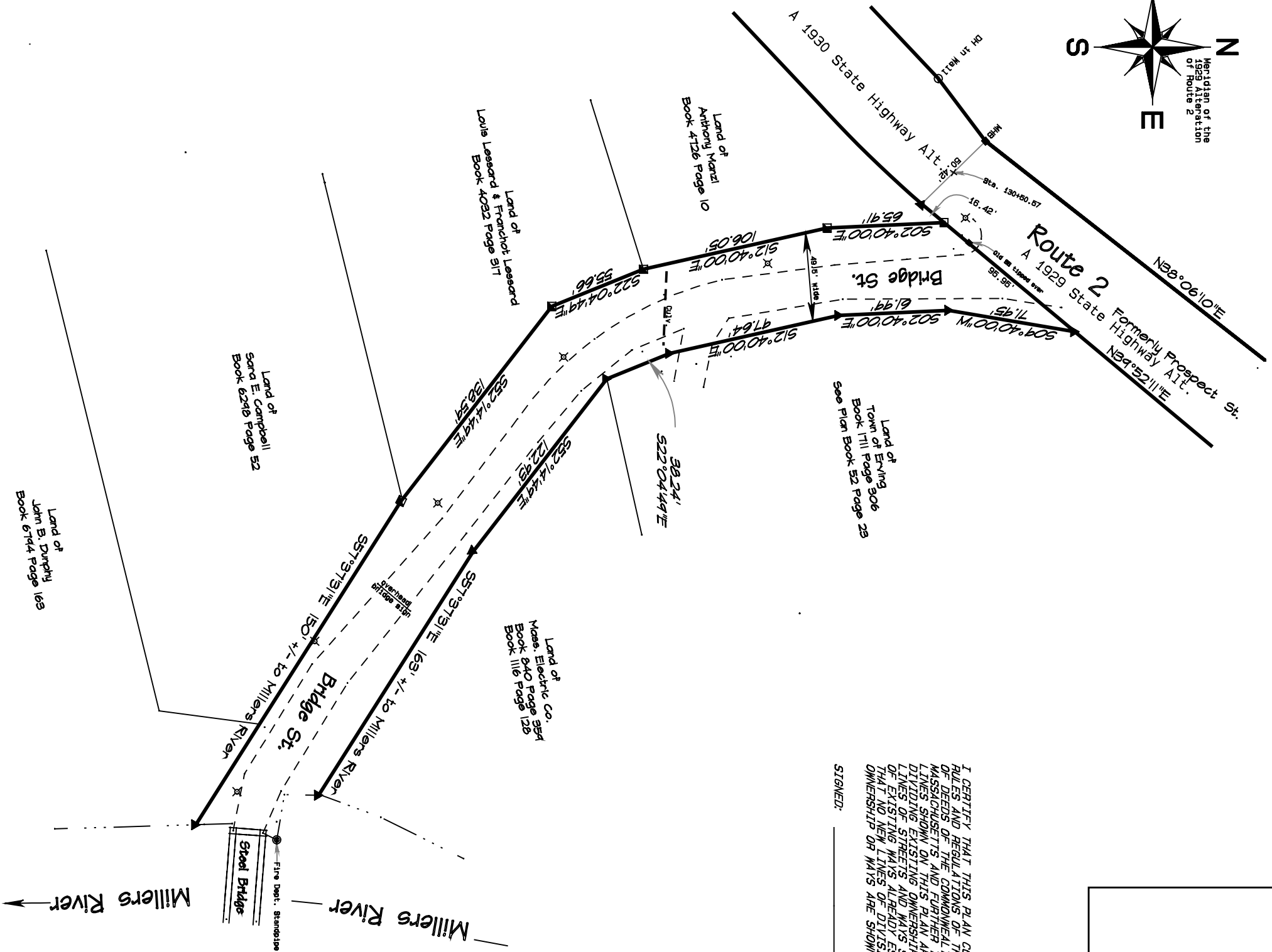
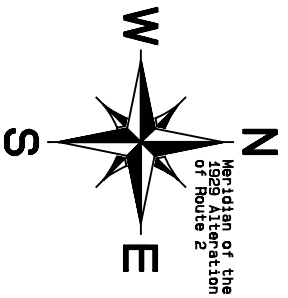
Image 1 Parcel Map of Maple Avenue

The Town is not under any obligation to correct this matter as it is a private land issue, but assuming the Select Board was interested in working with the property owners to find a solution,

the option would be to consider a taking to extend the public road layout to provide sufficient frontage for one or both privately owned properties. Because the Town owns 29 Maple Avenue, the 16.5' width strip of land could be used towards that goal. Because the Town's Subdivision Regulations require a minor street to have a minimum width of 32', the Town would have to take the other remaining 16.5' wide strip of land from 28 Maple Avenue to create the layout.

In preparation for the conversation, I have asked our surveyor how much land would have to be taken from 29 and 28 Maple Avenue to provide sufficient frontage to both parcels, but have not asked the surveyor to change the proposed layout for Maple Avenue as it accurately reflects what has been adopted to date.

How would the Select Board like to proceed with Maple Avenue?



I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTRARS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS AND FURTHER THAT THE LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES OF STREETS AND MAYS SHOWN ARE THOSE OF EXISTING MAYS AND MAYS ESTABLISHED AND THAT NO NEW LINES OF DIVISION OF EXISTING OWNERSHIP OR MAYS ARE SHOWN.

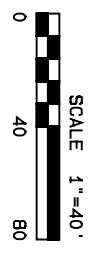
SIGNED: _____

For Review

Symbol	Description
▲	UNMONUMENTED POINT
●	STANDPIPE
×	UTILITY POLE
■	STONE BOUND
⊙	DRILL HOLE IN WALL
---	EDGE OF RIVER
----	EDGE OF PAVEMENT

NOTE

THE PURPOSE OF THIS PLAN IS TO LOCATE AND DOCUMENT THE EXISTING LAYOUT OF BRIDGE ST.

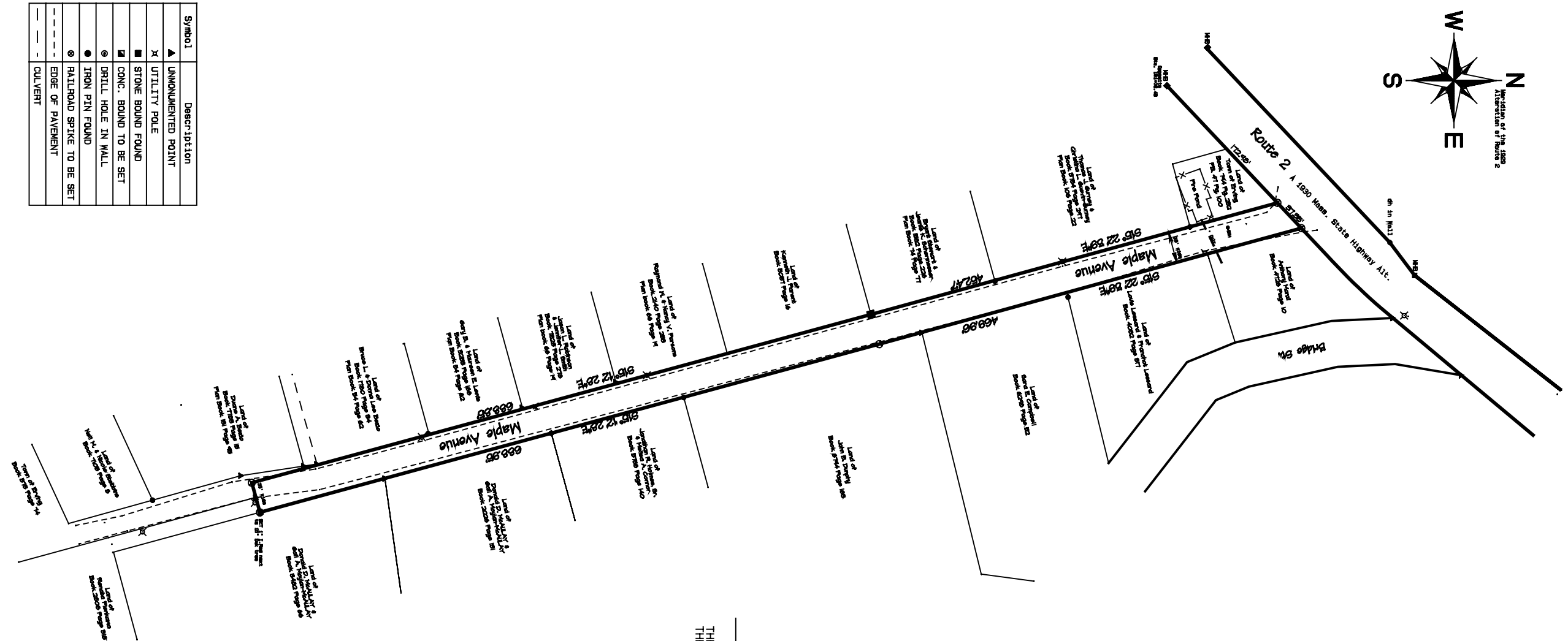
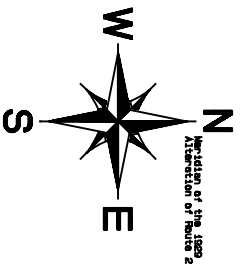


SURVEY: June 2, 2023
ELEC. FILE: Bridge St. Erving Layout.prc

LAYOUT PLAN OF BRIDGE ST. IN ERVING MA.
 Surveyed For
The Town of Erving MA

From The Office of
Edward C. Muezyński
 PROFESSIONAL LAND SURVEYOR Reg. No. 32099
 185 Old Albany Rd. Greenfield MA. 01301

DATE
 FILE NO.
 23-020



I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS AND FURTHER THAT THE LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF EXISTING WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES OF DIVISION OF EXISTING OWNERSHIP OR WAYS ARE SHOWN.

SIGNED: _____

NOTE
 THE PURPOSE OF THIS PLAN IS TO LOCATE AND DOCUMENT THE EXISTING LAYOUT OF MAPLE AVE. AS FOUND

Symbol	Description
▲	UNMONUMENTED POINT
X	UTILITY POLE
■	STONE BOUND FOUND
⊠	CONG. BOUND TO BE SET
○	DRILL HOLE IN WALL
●	IRON PIN FOUND
⊙	RAILROAD SPIKE TO BE SET
---	EDGE OF PAVEMENT
- - -	CULVERT

For Review

SCALE: 1"=50' 	SURVEY: June 2, 2003 BLDG. FILE: Maple Avenue Drivng Layout.pwg
LAYOUT PLAN OF MAPLE AVE. IN IRVING MA Surveyed For The Town of Irving MA	
From The Office of Edward C. Fitzgerald, PROFESSIONAL LAND SURVEYOR, No. 45000 180 Old Albany Rd., Southfield, MI, 48034	DATE: _____ FILE NO.: 23-080

Bruce L. & Duane
Book 1780 Page 34
Plan Book 54 Page 62

25 SF to be Given to B. Bezio

Land of
Donald D. McAULAY &
Gail A. Moylan-McAULAY
Book 3482 Page 66

Land of
Duane A. Bezio
Book 7783 Page 15
Plan Book 131 Page 95

1431 SF to be Given to D. Bezio

33' wide
SET 1" I.Rod next
to 15" Oak tree

Proposed Extension

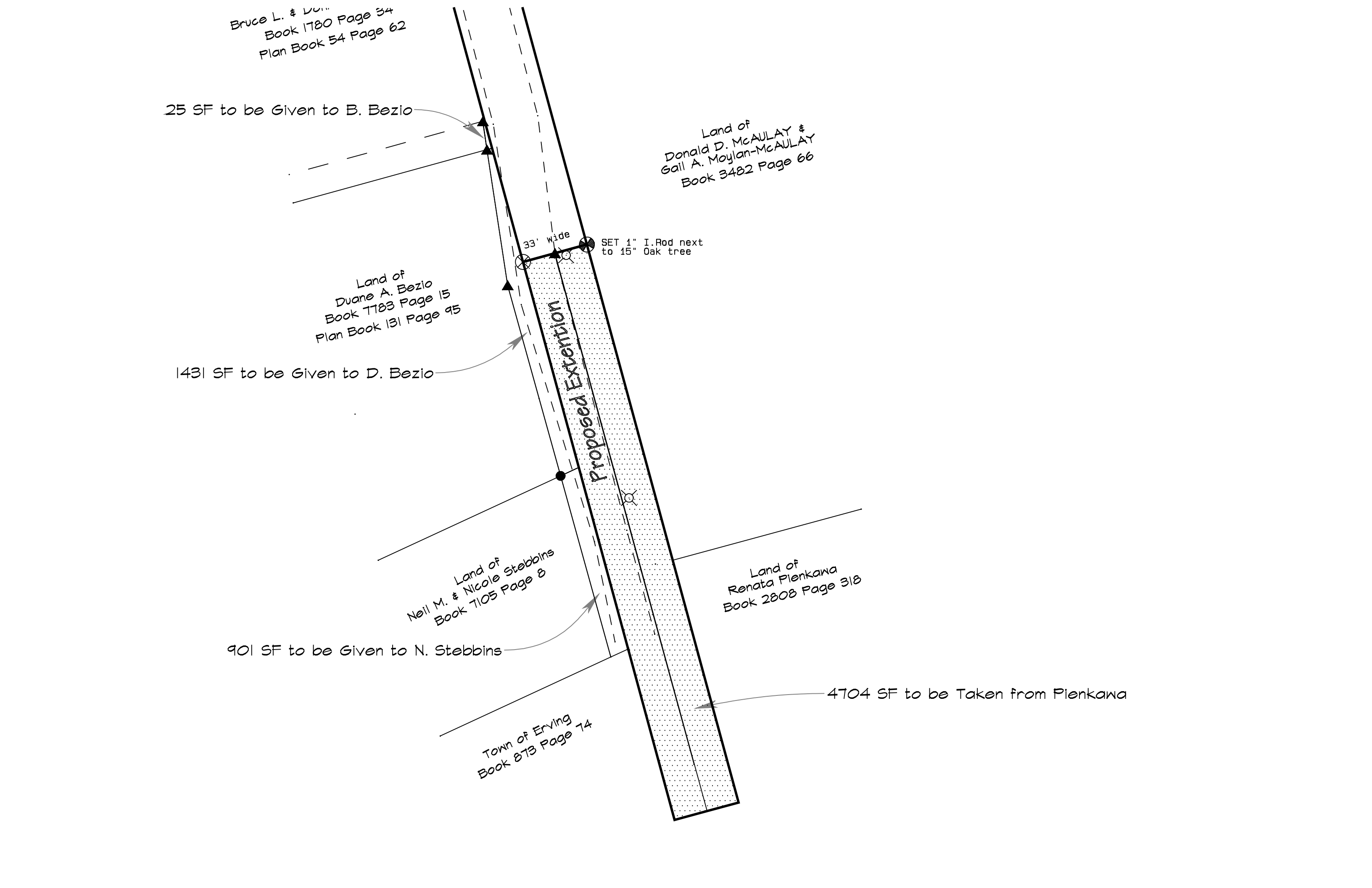
Land of
Neil M. & Nicole Stebbins
Book 7105 Page 8

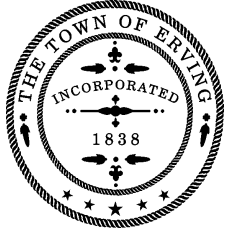
901 SF to be Given to N. Stebbins

Land of
Renata Pienkawa
Book 2808 Page 318

4704 SF to be Taken from Pienkawa

Town of Erving
Book 873 Page 74





TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

Tel. 413-422-2800
Fax 413-422-2808
Email: administrator@erving-ma.gov

Jacob A. Smith, Chair
Scott Bastarache
James Loynd
Select Board

Bryan Smith
Town Administrator

January 8, 2024

Dear Resident

On January 8, 2024, in accordance with Massachusetts General Laws Chapter 82, Section 22, the Erving Select Board voted to send notice of their intention to layout the following public ways:

- Bridge Street
- Maple Avenue

The Select Board will hold a public hearing on these proposed layouts on Monday, January 22, 2024 at ____ PM. This meeting will take place at the Senior & Community Center, 1 Care Drive, Erving, MA 01344. At the conclusion of the public hearing the Select Board may vote to sign the order of layout for the above referenced public ways.

For more information, you can review drafts of this information by visiting our website at www.erving-ma.gov/proposed-road-layouts, or by visiting Town Hall during normal business hours.

Respectfully,

Erving Select Board

Jacob A. Smith, Chair

Scott Bastarache

James Loynd

Town of Erving, Massachusetts Job Description

Position Title:	Town Administrator	Grade Level:	VI Grade 6
Department	Administration/ BOS	FLSA	<u>Exempt</u>
Reports to:	<u>Select Board</u> of Selectmen	Range:	

Statement of Duties: The employee is responsible for the provision of administrative and supervisory work overseeing the services provided by of all of the Town’s departments, commissions, boards and offices under the jurisdiction and policies of the ~~Board of Selectmen~~Select Board. The employee is required to perform all similar or related duties as required.

Supervision Required: The employee directly reports on a day to day basis to the ~~Board of Selectmen~~Select Board, the governing body, or as directed, referring specific issues or problems to the ~~Board of Selectmen~~Select Board as necessary when clarification or interpretation of town policy or procedure is required. The employee exercises authority over operations of the ~~m~~Municipality in conformance with the general directives and objectives set forth by the governing body. The employee participates in the development, implementation and administration of town policies, goals, objectives and statutory requirements related to the administration and operation of the Town.

Supervisory Responsibility: The ~~Administrative Coordinator~~Town Administrator -will supervise, direct and be responsible for the efficient administration of all departments and employees under the jurisdiction of the ~~Board of Selectmen~~Select Board and will coordinate with all committees, commissions and officials not under the jurisdiction of the ~~Board of Selectmen~~Select Board. The employee is required to direct the overall activity of the ~~m~~Municipality while exercising authority for planning, operating and oversight responsibilities on behalf of the ~~Board of Selectmen~~Select Board.

Judgment: Guidelines only provide limited guidance for performing the work. They may be in the form of administrative or organizational policies, general principals, legislation or directives that pertain to a specific department or functional area. Extensive judgment and ingenuity are required to develop new or adapt existing methods and approaches for accomplishing objectives or to deal with new or unusual requirements within the limits of the guidelines or policies.

Employee is required to direct the overall activity of the municipality in accordance with guidelines and operating policies while exercising authority for planning, operating and oversight responsibilities on behalf of the ~~Board of Selectmen~~Select Board.

Complexity: The work consists of managerial functions and processes such as planning, organizing, controlling, coordinating, evaluating, integrating activities and programs for more than one (1) department within the municipality.

Town of Erving, Massachusetts Job Description

Work Environment: The work environment involves everyday discomforts typical of offices, with occasional exposure to outside elements. Noise or physical surroundings may be distracting, but conditions are generally not unpleasant.

Nature and Purpose of Relationship: Duties involve constant contact with local, state and federal government officials, community leaders and any other individuals to protect and promote the municipality's overall interest. Employees must possess a high degree of diplomacy and judgment and must be able to work effectively with and influence all types of persons. Duties require a well-developed sense of strategy and timing in representing the municipality effectively in critical and important situations that may influence the wellbeing of the municipality.

Essential Functions:

The essential functions or duties listed below are intended only as illustrations of the various type of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

Responsible for the coordination of the daily operation of the Town on behalf of ~~the Board of Selectmen~~Board Select Board and the compliance with existing policies, procedures, bylaws, state statutes, regulations and federal laws.

Provides leadership and direction in the development of short and long-range plans; gathers, interprets and prepares data for studies, reports and recommendations. Provides professional advice to ~~Board of Selectmen~~Select Board, Finance Committee, town boards/committees, local officials, and department heads; makes presentations to the ~~Board of Selectmen~~, town boards/committees, state agencies, town meeting and the general public as necessary.

Oversees and is responsible for personnel administration, working with the Treasurer/Collector, including serving as CORI officer. Serves as grievance officer as outlined in the grievance procedures. Serves as investigating officer for allegations of sexual harassment and/or protected class harassment. Serves as the Americans with Disabilities Act Coordinator.

Serves as the Town's Chief Procurement Officer responsible for the procurement of goods and services.

Oversees the application for and renewal of insurance coverage for all Town functional areas. Oversees the processing of changes to policies, handling of all claims, and oversees the Town's response to matters of litigation. Coordinates with Select Board and other Town officials on related matters.

Attends all meetings of the ~~Board of Selectmen~~Select Board. Receives and makes appropriate disposition or referral of all ~~Selectmen~~Select Board –correspondence and communications. Anticipates needs of the ~~Board of Selectmen~~Select Board –for information and background material. Ensures that all decisions of the ~~Board of Selectmen~~Select Board are carried out. Keeps

Town of Erving, Massachusetts Job Description

the ~~Board of Selectmen~~Select Board -fully advised regarding departmental operations and the financial status of the Town.

Oversees the permit and licensing procedures for the ~~Board of Selectmen~~-Select Board.

Is responsible for the coordination of regular staff meetings and safety committee meetings.

Provides supervision, direction and guidance including regular communication and development of goals/objectives for all town staff and reporting department heads under the jurisdiction of the ~~Board of Selectmen~~Select Board; assists all departments of the Town in any administrative or operational areas to insure regulatory, statutory or procedural compliance.

Establishes and oversees the development of the Town's annual operating and capital budget including but not limited to developing budgetary instructions and setting deadlines, to providing materials and recommendations for ~~a~~Appropriations and Capital Planning reviews. Coordinates the development of strategic financial goals for the Town. Makes recommendations concerning financial policies and practices. Reviews all revenues collected and makes recommendations concerning fees, charges as well as new sources of revenue.

Participates on behalf of the Town in all collective bargaining, hiring of town employees, implementation of the classification and compensation plans, and negotiation of employment contracts with Labor Counsel. Develops and recommends bargaining concepts and strategies for ~~Board~~Select Board -~~of Selectmen~~ approval. Attends all bargaining sessions and/or grievance hearings. Advises officials on the impact of contract terms. Works with Town Counsel to shape and implement responses to all legal issues impacting the Town.

Serves as the ~~Board of Selectmen's~~Select Board -liaison and public information officer to town boards or committees, local, state-wide, inter-municipal, regional, and federal agencies. Communicates with citizens and other outside public and private agencies; assists citizens in their interaction with all town departments, elected officials and committees in the delivery of town services and FEMA emergency management requirements. Responds to oral and written inquires, requests for assistance, and complaints; refers citizens to appropriate departments and staff members. Investigates complaints from a variety of sources; develops responses and, when directed oversees corrective action.

Prepares and writes town meeting warrants and motions. Develops, writes and compiles background materials for town meeting.

Oversees all Town automated management information systems, makes recommendations for improvements and implements appropriate policies relative to systems.

Oversees the coordination and compilation of annual town reports, annual licenses and appointments to boards/committees and employment with the Town.

Town of Erving, Massachusetts Job Description

~~Prepares~~ Oversees the preparation of applications for grants, administers grants received, works with appropriate state, federal, and private officials on various ~~T~~town projects as required.

Maintains professional competence through participation in workshops, seminars and training programs provide by professional organizations such as Mass. Municipal Association, Small Town Administrators of Mass., Franklin Regional Council of Governments and others.

Conducts independent research; prepares reports for the Select Board ~~_of Selectmen~~ as required.

Recommended Minimum Qualifications:

Education and Experience: Bachelor's Degree in Political Science, Public Administration, Business Administration or a related field with Master's degree preferred; minimum of five to seven (5-7) years' experience; or any equivalent combination of education, training and experience which provides the required knowledge, skills and abilities to perform the essential functions of the job.

Special Requirements:

- Class D Motor Vehicle Operator's License.
- Massachusetts Certified Public Purchasing Official designation

Knowledge, Abilities and Skill

Knowledge: Working knowledge of Massachusetts General Laws and regulations pertaining to local government; knowledge of municipal financial laws and regulations, labor laws, personnel practices and procedures. Working knowledge of emerging technologies and to recognize its value to the Town. Comprehensive knowledge of the various financial requirements of municipal government as well as the State's ~~p~~Procurement ~~I~~Lawaws.

Abilities: Ability to direct and evaluate the work of department heads as well as professionals and other subordinates including office staff. Ability to plan, organize, and direct the development of projects, the preparation of reports, analyzes problems and formulates recommendations. Ability to bring people together around complex goals and develop consensus among community groups and individuals that may not share common priorities. Ability to establish and maintain harmonious and effective working relationships and deal appropriately with employees, ~~Board of~~ SelectmenSelect Board and committee members, state and local agencies and officials, media and the public. Ability to prioritize and manage multiple tasks, and delegate authority in a prompt and effective manner. Ability to negotiate contracts, agreements and appropriate working arrangements. Ability to deal tactfully with disgruntled members of the public and town staff.

Town of Erving, Massachusetts Job Description

Skill: Proficient oral communication skills and the ability to represent the Town before an array of organizations including providing statements to the media. Excellent writing skills required to prepare various reports and position papers. Strong organizational skills. Skill in the utilization of technology as a means of improving the effectiveness the organization and its services. Professional customer service skills. Skill in remaining non-political, yet understanding local and state government politics.

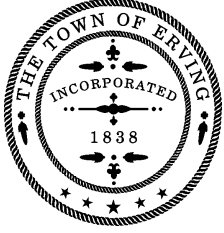
Physical and Mental Requirements

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.

Physical Skills: Minimal physical effort is required to perform the essential functions of the position.

Motor Skills: Duties are largely mental rather than physical, but the job may occasionally require the application of basic motor skills to perform activities such as operating a motor vehicle, moving objects, operating a telephone system, computer and/or most other office equipment, keyboarding and/or word processing. The employee is frequently required to reach with hands and arms and sit and talk and hear for extended periods of time.

Visual Skills: Visual demands require the employee to regularly read documents for general understanding and analytical purposes. The employee may be required to determine color differences.



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

Tel. 413-422-2800
Fax 413-422-2808
Email: administrator@erving-ma.gov

Jacob A. Smith, Chair
Scott Bastarache
James Loynd
Select Board

Bryan Smith
Town Administrator

January 04, 2024

To: Select Board

From: Bryan Smith, Town Administrator

CC: Glenn McCrory, Highway Superintendent
Elizabeth Sicard, Administrative Assistant

RE: Zoning Board of Appeals Appointment and Letter of Interest

The Zoning Board of Appeals is a three (3) member board with staggered three (3) year terms. The Zoning Board of Appeals currently only has one (1) member. The notice that the Town was seeking volunteers to serve on the Zoning Board of Appeals was shared in the Around Town Newsletter editions for June, September, October, and November 2023. As of January 04, 2024, I have received one (1) letter of interest from resident Holly Fitzpatrick. The letter is enclosed for your review.

The recommended vote language below provides for staggered three-year terms that align with our annual appointment schedule.

Recommended vote language:

A motion to appoint Holly Fitzpatrick as a member of the Zoning Board of Appeals, effective January 08, 2024, with a term ending June 30, 2025.

From: [Holly Fitzpatrick](#)
To: [Volunteer in Erving!](#)
Cc: [Bryan Smith](#)
Subject: [EXTERNAL]Zoning Board of Appeals
Date: Sunday, December 17, 2023 7:57:44 PM

CAUTION: This email originated from outside of the Town of Erving. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, please contact the Erving IT Department

Dear Members of the Selectboard,
I am interested in being appointed to the ZBA for the Town of Erving. I would welcome the opportunity to serve the town on this board. My experience in the policy arena, in both my work experience and educational background, will be valuable in this position.

Please contact me if you need more information.

Regards,
Holly Fitzpatrick

Get [Outlook for iOS](#)



**FRANKLIN COUNTY REGIONAL HOUSING &
REDEVELOPMENT AUTHORITY**

241 Millers Falls Road • Turners Falls, MA 01376
Telephone: (413) 863-9781 • Facsimile: (413) 863-9289

December 21, 2023

Jacob A. Smith, Chair
Board of Selectmen
Erving Town Hall
12 East Main Street
Erving, MA 01344

Dear Jacob A. Smith, Chair-

Enclosed you will find a report narrative regarding **CDF-G-2021-ERVING (Lead), Northfield and Warwick** Program Activities for the quarter ending 12.31.23.

HRA has closed contracts with 17 Housing Rehabilitation Units; 12 of them have been completed and five are under construction. There are also four additional projects in the bidding/contracting stage. The grant has provided funding for 17 units of Housing Rehabilitation and has funding for a couple more units. 90% of available funds have been committed to projects and 58% of the funds committed have been expensed (paid to contractors). With the addition of more than \$74,000 in Program Income funds during this last quarter, additional units of rehab will be served.

If you have questions or need clarification on any item, I may be contacted at 413-223-5215 or spleasant@fcrhra.org

Sincerely,

Sharon L. Pleasant
CD Program Manager

QUARTERLY PROGRESS REPORT 2021
QPR #8 – 2021 – Erving (lead), Northfield, Warwick – 00923
12.31.23

1. Management/Administrative Issues: Management/Administrative Issues: The town submitted, and EOHL approved, a program extension to 06/30/24 to allow sufficient time to complete construction projects currently underway.

2. Project Status/Accomplishments:

4C HOUSING REHABILITATION ACTIVITY: The unit goal for this activity is to complete a minimum of 17 units of housing rehabilitation. Grant funds in the amount of \$595,091.56 (70%) have been committed to 17 housing rehabilitation units. Twelve of the 17 units are complete. The remaining 5 units under construction include: a roof replacement and lead paint abatement project for an elderly homeowner; a 2-unit property with interior and exterior lead-abatement work, roofing, masonry, electrical re-wiring, and bathroom repair and barrier removal; a site work project to correct basement water infiltration, replace deteriorating clapboard siding, repair interior stair treads and new handrails, repair and replace interior bathroom and basement sump pump, and replace/repair roof, chimney and gutters; a project to repair exterior front and rear rotting entry boards, moldy basement drywall and basement windows and vent heating unit and replace/repair breaker panel to code.

TOWNS OF ERVING (lead), NORTHFIELD, WARWICK	ERVING	NORTHFIELD	WARWICK
Units Complete	12	5	4
Units under Construction	5	0	3
Units in scoping and bidding	2		1
TOTALS	19	5	8

LEAD PAINT REPORTING:

* Applicable Lead Paint Requirement:

a.	Housing Constructed before 1978	6
b.	Exempt: Housing Constructed 1978 or later	4
c.	Otherwise exempt	7
d.	Exempt: Hard costs <= \$5,000	
	TOTAL	6

* Lead Hazard Remediation Actions:

Lead Safe Work Practices (24 CFR 35.930(b)) (Hard Costs <= \$5,000)	
Interim Controls or Standard Practices (24CFR 35.930 ©) (Hard costs \$5,000 - \$25,000)	
Abatement (24CFR 35.930 (d)) (Hard Costs > \$25,000)	6
(must equal sum in "a." above)	TOTAL
	6

PERFORMANCE MEASURES – ACTIVITY 4C:

* Housing Rehabilitation Units

Units occupied by elderly	10
Units moved from substandard to standard	17
Units made accessible	8
Units qualified as EnergyStar	11
# brought into compliance with lead safety rules	6

CDF - G-2021-Erving-00923
 Town of Erving
 Financial Activity

Current Quarter: 8
 Quarter End Date: 12/31/2023

Activity	Budget	Expenses	%Expended	Committed	Drawdowns
4A Program Delivery	\$0.00	\$0.00	0%	\$0.00	\$0.00
4C Rehab Loans/Grants	\$111,219.00	\$60,796.49	55%	\$111,219.00	\$66,398.99
9 General Admin.	\$856,750.20	\$520,163.50	61%	\$716,488.50	\$501,013.50
	\$137,048.00	\$75,959.79	55%	\$137,048.00	\$82,747.37
Totals	\$1,105,017.20	\$656,919.78	59%	\$964,755.50	\$650,159.86