

# TOWN OF ERVING

## A Meeting of the SELECT BOARD / WATER COMISSIONERS Followed by a Joint Meeting of the SELECT BOARD / WATER COMISSIONERS, FINANCE COMMITTEE & CAPITAL PLANNING COMMITTEE

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

Bryan Smith  
*Town Administrator*

To be held at the Erving Elementary School,  
28 Northfield Road, ERVING, MASSACHUSETTS 01344

### Meeting Agenda Wednesday, May 08, 2024

This meeting is open to the public.

#### Scheduled Business

<i>Time</i>	<i>Agenda Item</i>
6:30 PM	Call to Order
6:30 PM	Joint Meeting with Finance Committee & Capital Planning Committee- Review of Annual Town Meeting Warrant and the proposed FY2025 Operating & Capital Improvement Budget

#### Old Business

<i>Agenda Item</i>	<i>Section</i>
Discussion & Review of Annual Town Meeting Warrant and the proposed FY2025 Operating & Capital Improvement Budget	1

#### New Business

<i>Agenda Item</i>	<i>Section</i>
Discussion with Chief Holst Regarding Concerns about Elementary School Incident	2
Review & Approval for Co-Responder Grant Application	3
Review of Police Department Policy Draft- Traffic Control Personnel- 1 <sup>st</sup> Read	4
Review of Surplus Equipment Request- Animal Control Vehicle	5
Review of Surplus Equipment Request- Highway Department	6
Review & Issuance of 12 <sup>th</sup> Water Commitment for FY2024	7

#### Other Business

**Signing of the Treasury Warrant**

#### Anticipated Next Meeting Dates

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](mailto: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.

**Annual Town Meeting  
May 08, 2024  
Proposed Amendments**

There are 3 proposed amendments in Article 7, Article 25, and Article 26.

**In Article 7**, the stipend from the Water Department for the Treasurer’s compensation was accidentally accounted for twice. The total proposed compensation for the Treasurer should be \$73,265.00.

**In Article 25**, the proposed amendment completes the presented article with the title and date of the survey plan.

**In Article 26**, the proposed amendment would clarify the purposes for which the taking can be used for.

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**ARTICLE 7: FY2025 ELECTED OFFICIAL COMPENSATION**

To see if the Town will vote to fix the sum of One Hundred ~~Eighty-one~~Seventy-nine Thousand ~~Four-Five~~ Hundred ~~Thirty-six~~Sixty-one Dollars and Fifty Cents (~~\$181,436.50~~179,561.50) for Elected Officials’ salaries for Fiscal Year 2025, 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 by Chapter 540 of the Acts of 1947, or take any other action relative thereto:

	<b>Detail</b>	<b>Wage Total</b>	<b>Wage per Member</b>	<b>Chair Stipend</b>
<b>Assessor (3)</b>		\$ 11,718.00*	\$ 3,881.00ea	\$75.00
<b>Board of Health (3)</b>		\$ 3,075.00*	\$ 1,000.00ea	\$75.00
<b>Library Trustees (3)</b>		\$ 3,075.00*	\$ 1,000.00ea	\$75.00
<b>Moderator (1)</b>		\$ 350.00*		
<b>Planning Board (5)</b>		\$ 5,075.00*	\$ 1,000.00ea	\$75.00
<b>Recreation Commission (5)</b>		\$ 5,075.00*	\$ 1,000.00ea	\$75.00
<b>School Committee (5)</b>		\$ 7,090.00***	\$ 1,403.00ea	\$75.00
<b>Select Commissioners (3)</b>	<b>Board/Water</b>	\$ 12,451.00*		\$250.00
	from Water Department	\$ 879.00**		
	<b>Total Salary</b>	\$ 13,330.00	\$ 4,360.00ea	
<b>Tax Collector (1)</b>		\$ 21,486.00*		
	Certification Award	\$ 1,000.00*		
	From Water Department	\$ 2,026.00**		

	<b>Total Salary</b>	\$24,512.00
<b>Town Clerk (1)</b>	\$29,460.00*	
From Census Work	\$ 1,000.00*	
	<b>Total Salary</b>	\$30,460.00
<b>Treasurer (1)</b>	\$ <del>72,265.00</del>	
	<u>70,390.00*</u>	
Certification Award	\$ 1,000.00*	
From Water Department	\$ 1,875.00**	
	<b>Total Salary</b>	\$ <del>75,140.00</del> <u>\$73,265.00</u>
<b>Tree Warden (1)</b>	\$ 2,536.50	
	<b>Total Elected Official Salary</b>	<del>\$181,436.50</del> <u>\$179,561.50</u>

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

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**ARTICLE 25: TO AUTHORIZE DISPOSITION OF LAND ON CARE DRIVE**

To see if the Town will vote to transfer from the board or officer currently having control for current purpose for which the property is held to the Select Board, for the purpose of disposition by lease, sale, or otherwise, the care, custody, management and control of the property located on Care Drive and shown as parcels A and B on the plan titled “Plan of Land in Erving, MA Surveyed for the Inhabitants of the Town of Erving, MA, by Edward C. Muszynski dated May 7, 2024; and to authorize the Select Board to rent, convey, or otherwise dispose of all or a portion of said property pursuant to the provisions of Massachusetts General Law Chapter 30B, Section 16 for the purposes of affordable housing, with parcel A restricted for housing for individuals aged 62 or older, and to authorize the Select Board to take such actions and execute such documents and agreements as are necessary to effectuate the purpose of this article; or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

CAPTITAL PLANNING COMMITTEE RECOMMENDS: Approval

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**ARTICLE 26: TO AUTHORIZE ACQUISITION OF PARCELA**

To see if the Town will vote to authorize the Select Board to acquire by eminent domain, or otherwise, for general municipal purposes or development, on such terms and conditions as the Select Board shall determine, the following described parcel:

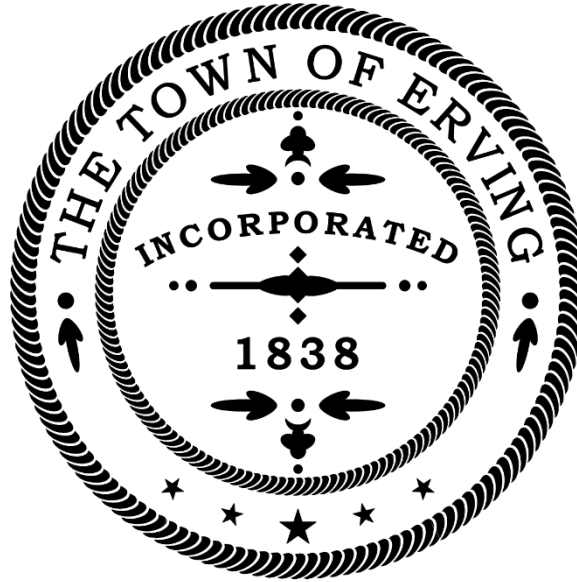
Beginning at an unmarked point in the easterly sideline of The French King Highway at Station 21+70.34, 40’ Right, said point marking the northwesterly corner of land now or formerly of the Town of Erving; thence, along said French King Highway N 07°40’58” E to a MA Highway Bound; thence, S 80°42’08” E 40.01’ +/- to a point at the center of a headwall; thence 174’ +/- along the centerline of a dry brook and land now or formerly of The Commonwealth of Massachusetts to a 1.5” iron pipe at the centerline of said dry brook (Tie Course N 87°56’45” E 202.92’); thence, 410’ +/- along centerline of said dry brook and land now or formerly of The

Commonwealth of Massachusetts to a point in the centerline of said dry brook and land now or formerly of Frank Prondecki ( Tie Course S 70°45'22" E 357.05' ) ; thence, 310' +/- along the centerline of said dry brook and land now or formerly of Frank Prondecki to a point in the westerly sideline of land now or formerly of The Vermont Central Railroad ( Tie Course S 50°08'54" E 180.92' ); thence, S 81°41'33" W 69.70' along the westerly sideline of said land now or formerly of The Vermont Central Railroad to a 5/8" rebar at the top of a ravine, said point being the northeast corner of land now or formerly of the Town of Erving; thence, 755' +/- ( Tie Course N 79°35'05" W 636.87' ) along the top of said ravine and said land now or formerly of the Town of Erving to the point of beginning. Containing 1.217 acres of land +/- and being Parcel "A" as shown on plan titled "PLAN OF LAND TO BE TAKEN BY THE TOWN OF ERVING" by Daniel Salls Land Surveying dated March 05, 2024;

and further to authorize the Select Board to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisitions and other acts authorized herein; or take any action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval



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# **Annual Town Meeting Warrant**

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**Wednesday, May 08, 2024**

**Time: 7:00 PM | Location: Erving Elementary School**

*Please bring this copy with you to the  
Annual 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](mailto:administrator@erving-ma.gov) | Phone: (413) 422-2800

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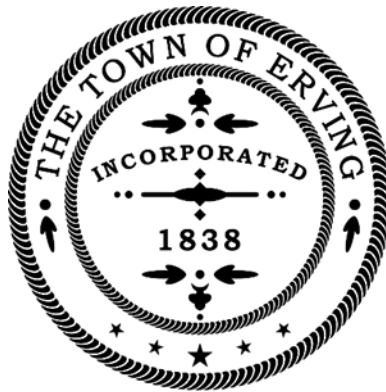
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## Erving’s FY 2025 Proposed Operating & Capital Budget

Is available for review at

[www.erving-ma.gov/budgets](http://www.erving-ma.gov/budgets)



# 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 in the **Erving Elementary School** located at **28 Northfield Road, Erving, MA** on

**Wednesday, May 08, 2024, at 7:00 PM,**

then and there to vote on the following articles in the Warrant:

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## ANNUAL TOWN ELECTIONS

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**Monday, May 06, 2024**

To either of the Constables of the Town of Erving:

Greetings: In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Erving, qualified to vote in town affairs to meet in the meeting room at the **Town Hall**, 12 East Main Street in Erving Center on **Monday, May 06, 2024, at 10:00 AM** then and there to bring their votes for the following town offices and ballot questions:

- One (1) Select Board Member for three (3) years
- One (1) Assessor for three (3) years
- One (1) Town Clerk for three (3) years
- One (1) Library Trustee for three (3) years
- One (1) Moderator for one (1) year
- Two (2) School Committee members for three (3) years
- One (1) School Committee member for one (1) year
- One (1) Tree Warden for one (1) year
- One (1) Constable for three (3) years
- One (1) Planning Board member for three (3) years
- One (1) Recreation Commission member for three (3) years
- One (1) Board of Health member for three (3) years

### **Question 1: Debt Exclusion**

Shall the Town of Erving be allowed to exempt from the provisions of proposition two and one half, so-called, the amounts required to pay for the bond issued in order to demolish the structures and conduct necessary site clean up, to make a safe and clean site at the former IP Mill?

**The polls will close at 8:00 PM.**

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## GENERAL ARTICLES

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### **ARTICLE 1: ACCEPTANCE OF THE CALENDAR YEAR 2023 TOWN REPORT**

To see if the Town will vote to accept the reports of the Town Officers for the calendar year 2023 or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* Approval of this article will accept the calendar year 2023 Town Report as presented. Approval of this article requires a majority vote.

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### **ARTICLE 2: AUTHORIZATION TO APPLY FOR FEDERAL OR STATE GRANTS**

To see if the Town will vote to authorize the Select Board to apply for Federal or State grants and to expend any monies received and in anticipation of being received, as set forth by the appropriate grant application, and to follow the appropriate procedures, or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* Approval of this article will allow the Select Board to apply for, receive, and take actions to comply with the requirements of grants throughout the year. Approval of this article requires a majority vote.

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### **ARTICLE 3: AUTHORIZATION TO DISPOSE OF SURPLUS PROPERTY**

To see if the Town will vote to authorize the Town to dispose of any Town property that is declared surplus by the Select Board or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* Approval of this article will allow the Select Board to dispose of Town owned property that is determined to be surplus in accordance with the Town's surplus property policy. Approval of this article requires a majority vote.

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## FISCAL YEAR 2024 OPERATING BUDGET

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### **ARTICLE 4: 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 Eight Hundred Sixty-three Dollars and Forty Cents (\$14,863.40)

for a fixed sum of One Hundred Seventy-seven Thousand One Hundred Seventy-five Dollars and Ninety Cents (\$177,175.90) 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
<b>Assessor (3)</b>		\$0.00	\$ 11,718.00	\$ 3,881.00ea	\$75.00
<b>Board of Health (3)</b>		\$0.00	\$ 3,075.00	\$ 1,000.00ea	\$75.00
<b>Library Trustees (3)</b>		\$0.00	\$ 3,075.00	\$ 1,000.00ea	\$75.00
<b>Moderator (1)</b>		\$0.00	\$ 350.00		
<b>Planning Board (5)</b>		\$0.00	\$ 5,075.00	\$ 1,000.00ea	\$75.00
<b>Recreation Commission (5)</b>		\$0.00	\$ 5,075.00	\$ 1,000.00ea	\$75.00
<b>School Committee (5)</b>		\$0.00	\$ 7,090.00	\$ 1,403.00ea	\$75.00
<b>Select Board/Water Commissioners (3) from Water Department</b>	\$ 12,451.00 \$ 879.00	\$0.00			\$250.00
<b>Total Salary</b>			\$ 13,330.00	\$ 4,360.00ea	
<b>Tax Collector (1)</b>	\$ 17,304.00	\$2,126.00			
<b>Certification Award From Water Department</b>	\$ 1,000.00 \$ 2,026.00				
<b>Total Salary</b>			\$22,456.00		
<b>Town Clerk (1) From Census Work</b>	\$25,956.00 \$ 1,000.00	\$3,174.60			
<b>Total Salary</b>			\$30,130.60		
<b>Treasurer (1)</b>	\$60,827.00	\$9,562.80			
<b>Certification Award From Water Department</b>	\$ 1,000.00 \$ 1,875.00				
<b>Total Salary</b>			\$ 73,264.80		
<b>Tree Warden (1)</b>		\$0.00	\$ 2,536.50		
<b>Total Elected Official Salary</b>			<b>\$177,175.90</b>		

SUBMITTED BY: Select Board  
 FINANCE COMMITTEE RECOMMENDS: Approval

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. Approval of this article requires a 2/3 vote.

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**FISCAL YEAR 2025 OPERATING BUDGET**

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**ARTICLE 5: AUTHORIZATION TO ENTER INTO COMPENSATING BALANCE AGREEMENTS**

To see if the Town will vote to authorize the Treasurer and Collector to enter into compensating balance agreements for Fiscal Year 2025 as permitted by Massachusetts General Law Chapter 44 Section 53F, or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* Approval of this article will allow the Treasurer and Collector to enter into compensating balance agreements with Massachusetts banking institutions. Approval of this article requires a majority vote.

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**ARTICLE 6: FY2025 GENERAL OPERATING BUDGET**

To see if the Town will vote to raise and appropriate the sum of Six Million Five Hundred Ninety-eight Thousand, Six Hundred Eighty-three Dollars and No Cents (\$6,598,683.00) in the following itemized amounts, all for municipal purposes, or take any other action relative thereto:

<b>Line</b>	<b>Divisions</b>	<b>Amount</b>
1	General Government	\$ 1,486,731.00
2	Public Safety	\$ 1,269,849.00
3	Public Works	\$ 834,472.00
4	Health & Human Services	\$ 314,292.00
5	Culture & Recreation	\$ 434,423.00
6	Assessments	\$ 62,100.00
7	Benefits	\$ 2,196,816.00
	<b>Grand Total</b>	<b>\$ 6,598,683.00</b>

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* Detailed budget information for each department, that comprises each line-item above, is available in the Fiscal Year 2025 Town of Erving Proposed Operating and Capital Improvement Budget. A copy of the document is available on the municipal website ([www.erving-ma.gov](http://www.erving-ma.gov)) and can be picked up at Town Hall. Approval of this article will establish the FY2025 operating budget in the categories identified above. Approval of this article requires a majority vote.

**ARTICLE 7: FY2025 ELECTED OFFICIAL COMPENSATION**

To see if the Town will vote to fix the sum of One Hundred Eighty-one Thousand Four Hundred Thirty-six Dollars and Fifty Cents (\$181,436.50) for Elected Officials’ salaries for Fiscal Year 2025, 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 by Chapter 540 of the Acts of 1947, or take any other action relative thereto:

	<b>Detail</b>	<b>Wage Total</b>	<b>Wage per Member</b>	<b>Chair Stipend</b>
<b>Assessor (3)</b>		\$ 11,718.00*	\$ 3,881.00ea	\$75.00
<b>Board of Health (3)</b>		\$ 3,075.00*	\$ 1,000.00ea	\$75.00
<b>Library Trustees (3)</b>		\$ 3,075.00*	\$ 1,000.00ea	\$75.00
<b>Moderator (1)</b>		\$ 350.00*		
<b>Planning Board (5)</b>		\$ 5,075.00*	\$ 1,000.00ea	\$75.00
<b>Recreation Commission (5)</b>		\$ 5,075.00*	\$ 1,000.00ea	\$75.00
<b>School Committee (5)</b>		\$ 7,090.00***	\$ 1,403.00ea	\$75.00
<b>Select Board/Water Commissioners (3)</b>	\$ 12,451.00*			\$250.00
	from Water Department	\$ 879.00**		
	<b>Total Salary</b>	\$ 13,330.00	\$ 4,360.00ea	
<b>Tax Collector (1)</b>	\$ 21,486.00*			
	Certification Award	\$ 1,000.00*		
	From Water Department	\$ 2,026.00**		
	<b>Total Salary</b>	\$24,512.00		
<b>Town Clerk (1)</b>	\$29,460.00*			
	From Census Work	\$ 1,000.00*		
	<b>Total Salary</b>	\$30,460.00		
<b>Treasurer (1)</b>	\$ 72,265.00*			
	Certification Award	\$ 1,000.00*		
	From Water Department	\$ 1,875.00**		
	<b>Total Salary</b>	\$ 75,140.00		
<b>Tree Warden (1)</b>		\$ 2,536.50		
<b>Total Elected Official Salary</b>		<b>\$181,436.50</b>		

SUBMITTED BY: Select Board  
 FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information: This article outlines the compensation amounts for elected officials. Approval of this article requires a majority vote.  
 \*funding for this compensation is raised & appropriated in the omnibus budget in article 6.  
 \*\*funding for this compensation is raised & appropriated in the Water Enterprise Fund, article 11.  
 \*\*\* funding for this compensation is raised & appropriated in Article 8.*

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**ARTICLE 8: FY2025 ERVING ELEMENTARY ELEMENTARY SCHOOL FUNDING**

To see if the Town will vote to raise and appropriate the sum of Three Million Seven Hundred Ninety-six Thousand Five Hundred Twenty-two Dollars and No Cents (\$3,796,522.00) for the expense and operation of the Erving Elementary School for Fiscal Year 2025 or take any other action relative thereto.

<b>Line</b>	<b>Description</b>	<b>Amount</b>
1	School Committee Stipend	\$7,090.00
2	Elementary Education Expenses	3,789,432.00
<b>Grand Total</b>		<b>\$3,796,522.00</b>

SUBMITTED BY: School Committee  
FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information: This article provides funding for the Erving Elementary School. Approval of this article requires a majority vote.*

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**ARTICLE 9: FY2025 SECONDARY EDUCATION FUNDING**

To see if the Town will vote to raise and appropriate the sum of One Million, Four Hundred Nine Thousand Forty-seven Dollars and No Cents (\$1,409,047.00) for secondary education and expenses for Fiscal Year 2025 or take any other action relative thereto.

SUBMITTED BY: School Committee  
FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information: This article provides funding for Erving's secondary education costs of sending students in grades 7 through 12 to other districts, excluding the Technical School. The development of this budget is a best estimation of the number of Erving students who may attend the Gill-Montague District for the coming school year. Actual decisions about a student's education aren't known until the start of the school year and as a result this budget may require a supplemental funding request in the future. Approval of this article requires a majority vote.*

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**ARTICLE 10: FY2025 FRANKLIN COUNTY TECHNICAL SCHOOL FUNDING**

To see if the Town will vote to raise and appropriate the sum of Five Hundred Thirteen Thousand Seventy-two Dollars and No Cents (\$513,072.00) for secondary education and expenses at the Franklin County Technical School for Fiscal Year 2025 as itemized below or take any other action relative thereto.

<b>Line</b>	<b>Account #</b>	<b>Description</b>	<b>Amount</b>
1	001-320-100-32000-519200	School Committee Stipend	\$1,403.00
2	001-320-200-32000-532000	Tuition Services	\$497,816.00
3	001-320-200-32000-578000	Capital Expenses	\$13,853.00
<b>Grand Total</b>			<b>\$513,072.00</b>

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* This article provides funding for Erving’s assessment to the Technical School and establishes the salary for Erving’s representative to the Technical School Committee. Approval of this article requires a majority vote.

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**ARTICLE 11: FY2025 WATER DEPARTMENT ENTERPRISE FUND**

To see if the Town will vote to appropriate the sum of One Hundred Ten Thousand, Nine Hundred Sixty-five Dollars and No Cents (\$110,965.00) to the Water Enterprise Fund for Fiscal Year 2025 Water Department operations. Said money to be raised from receipts, revenues, and funds from any source derived from the activities of the Erving Water Department or take any other action relative thereto.

Estimated Revenue	
User Charges	\$76,500.00
Administrative Fees	\$21,680.00
Fees for Testing, Hydrants, Final Reads, and Backflow Testing	\$10,785.00
Investment Income	\$2,000.00
<b>Total Estimated Revenues</b>	<b>110,965.00</b>

Proposed Expenditures	
Salary & Wages	\$43,710.00
Ordinary Expenses	\$64,400.00
Estimated Retained Earnings	\$2,855.00
<b>Total Expenditures</b>	<b>\$110,965.00</b>

SUBMITTED BY: Water Commissioners  
FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* This article approves the operating budget for the water department and will allow the department to raise the necessary funds through water receipts and other activities. As an enterprise fund, unspent revenue at the close of the fiscal year will remain with the fund. Approval of this article requires a majority vote.

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**ARTICLE 12: FY2025 WASTEWATER DEPARTMENT ENTERPRISE FUND**

To see if the Town will vote to raise and appropriate the sum of One Million, Ninety-nine Thousand, Three Hundred Seventy-three Dollars and No Cents (\$1,099,373.00) to the Wastewater Enterprise Fund for Fiscal Year 2025 Wastewater operations or take any other action relative thereto.

Estimated Revenue	
Town of Montague and other receipts	\$242,138.00
Town of Erving (raise & appropriate)	\$857,235.00
<b>Total Estimated Revenue</b>	<b>\$ 1,099,373.00</b>

Proposed Expenditures	
Salary & Wages	\$297,226.00
Ordinary Expenses	\$411,902.00
Debt Service	\$390,245.00
<b>Total Expenditures</b>	<b>\$1,099,373.00</b>

SUBMITTED BY: Select Board  
 FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* This article approves the operating budget for the wastewater department and will allow the Town to raise the necessary funds through the means stated. As an enterprise fund, unspent revenue at the close of the fiscal year will remain with the fund. Approval of this article requires a majority vote.

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**FISCAL YEAR 2025 CONTINUING ANNUAL APPROPRIATIONS & SPECIAL ARTICLES**

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**ARTICLE 13: RAISE & APPROPRIATE FOR CONTINUING ANNUAL APPROPRIATIONS**

To see if the Town will vote to raise and appropriate the sum of Three Hundred Eighteen Thousand Dollars and No Cents (\$318,000.00) for the continuing annual appropriations and special articles itemized below for the purposes stated or take any other action relative thereto.

Line	Dept.	Account #	Description	Amount
1	Assessors	001-141-900-14110-530500	Legal Services	\$35,000.00
2	Assessors	001-142-900-14210-530610	Appraisal Services	\$35,000.00
3	Town Buildings	001-192-900-19210-524100	Building Maintenance	\$30,000.00
4	Miscellaneous	001-199-900-19910-531100	Advertising in Around Town	\$8,000.00
5	Highway	001-422-900-42210-524060	Bridge Maintenance Services	\$5,000.00
6	Highway	001-422-900-42211-524050	Highway Maintenance Services	\$50,000.00
7	Highway	001-429-900-42915-585050	DPW Wheel Loader Lease	\$55,000.00
8	Benefits	001-919-900-91910-517990	Transfer to OPEB Trust Fund	\$100,000.00
<b>Grand Total</b>				<b>\$318,000.00</b>

SUBMITTED BY: Select Board  
 FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* The FY2025 continuing appropriation & special article plan outlined above is a continuation of the sound financial planning that the Town has engaged in over the past few years. The amounts requested are consistent with previous appropriations and allow the Town to meet the service obligations for the stated purposes. Approval of this article requires a majority vote.



**CAPITAL IMPROVEMENTS**

**ARTICLE 14: APPROPRIATE FOR FY2024 CAPITAL IMPROVEMENTS**

To see if the Town will vote to appropriate the sum of Two Hundred Fifteen Thousand Dollars and No Cents (\$215,000.00) for the FY2024 capital improvement project(s) itemized below and related expenses, by transferring Two Hundred Fifteen Thousand Dollars and No Cents (\$215,000.00) from the Capital Stabilization Fund, with the condition that all unspent funds are returned to the Capital Stabilization Fund upon completion of the project, subject to Select Board approval, or take any other action relative thereto.

<b>Line</b>	<b>Dept.</b>	<b>Account #</b>	<b>Description</b>	<b>Amount</b>
1	Town Buildings	001-192-900-19213-582010	Door Access & Security System	\$165,000.00
2	Fire	New Account	Extrication Equipment	\$50,000.00
<b>Grand Total</b>				<b>\$215,000.00</b>

SUBMITTED BY: Select Board  
 CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval  
 FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information: The proposed request is an amendment to the approved FY2024 capital improvement plan. The additional requested funding will allow the project for the proposed security upgrades at the Police Station to be completed as well as Elementary School. Additionally, the appropriation will allow the Fire Department to upgrade their extrication equipment for responding to car accidents. Approval of this article requires a 2/3 vote.*

**ARTICLE 15: APPROPRIATE FOR FY2025 CAPITAL IMPROVEMENTS**

To see if the Town will vote to appropriate the sum of Two Hundred Thirty Thousand Dollars and No Cents (\$230,000.00) for the FY2025 capital improvement projects itemized below and related expenses, by transferring Two Hundred Thirty Thousand Dollars and No Cents (\$230,000.00) from the Capital Stabilization Fund, with the condition that all unspent funds are returned to the Capital Stabilization Fund upon completion of the project, subject to Select Board approval, or take any other action relative thereto.

<b>Line</b>	<b>Dept.</b>	<b>Account #</b>	<b>Description</b>	<b>Amount</b>
1	Planning	<i>New account</i>	Open Space & Recreation Plan	\$25,000.00
2	Planning	<i>New account</i>	Hazard Mitigation Plan	\$25,000.00
3	Highway	001-429-900-42910-585000	Plow Truck	\$100,000.00
4	Info. Systems	001-155-900-15510-585100	Computer Replacement	\$35,000.00
5	Recreation	<i>New account</i>	Veterans Field Feasibility Study	\$45,000.00
<b>Grand Total</b>				<b>\$230,000.00</b>

SUBMITTED BY: Select Board  
 CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval  
 FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information: The FY2025 capital improvement plan presented above is the result of the work of the Capital Planning Committee after reviewing requests made by departments. Some requests are “recurring requests” that appear annually to maintain a consistent investment while other capital requests are one-time requests. Details about all proposed capital improvement projects, funding sources, and explanations are available for review in the FY2025 proposed Operating & Capital Improvement Budget book. Approval of this article requires a 2/3 vote.*

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**ARTICLE 16: APPROPRIATE FOR FY2025 WASTEWATER CAPITAL PROJECTS**

To see if the Town will vote to appropriate from the Wastewater Enterprise Fund Retained Earnings the sum of Sixty-three Thousand Six Hundred Dollars and No Cents (\$63,600.00) for the capital improvement project(s) itemized below, and related expenses, subject to Select Board approval, or take any other action relative thereto.

<b>Line</b>	<b>Account #</b>	<b>Description</b>	<b>Amount</b>
1	<i>New account</i>	Security Fencing	\$63,600.00
<b>Grand Total</b>			<b>\$63,600.00</b>

SUBMITTED BY: Select Board

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information: Approval of this article would appropriate \$63,600 for the Wastewater Department to fund the installation of security fencing at the Erving-side Wastewater Treatment Plant (POTWI). Approval of this article requires a majority vote.*

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**DEPARTMENTAL REVOLVING FUND ANNUAL SPENDING LIMITS**

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**ARTICLE 17: REVOLVING ACCOUNT SPENDING LIMITS**

To see if the Town will vote to fix the maximum amount that may be spent during Fiscal Year 2025, beginning on July 1, 2024, for the revolving funds established in Town bylaws for certain departments, boards, committees, agencies, or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E ½, as follows:

<b>Revolving Fund</b>	<b>Department/Board/Committee/ Agency or Officer</b>	<b>FY2025 Spending Limit</b>
Food Service	Council on Aging	\$10,000.00
Facility Use	Council on Aging	\$10,000.00
Library Use and Fees	Board of Library Trustees	\$10,000.00
Electric Vehicle Charging Stations	Select Board	\$15,000.00

or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* Approval of this article would establish the FY2025 spending limits in the above referenced revolving funds in accordance with Town bylaw and with MGL Chapter 44, Section 53E ½. Approval of this article requires a majority vote.

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## STABILIZATION FUND ARTICLES

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### **ARTICLE 18: APPROPRIATION FOR THE CAPITAL STABILIZATION ACCOUNT**

To see if the Town will vote to appropriate the sum of Eight Hundred Twenty-seven Thousand Nine Hundred Sixty-seven Dollars and No Cents (\$827,967.00) into the Capital Stabilization Fund, sourced by transferring Seven Hundred Forty-seven Thousand One Hundred Ten Dollars and No Cents (\$747,110.00) from Free Cash, and by transferring the remaining balance of Eighty Thousand Eight Hundred Fifty-seven Dollars and No Cents (\$80,857.00) in the exhaust capture system project account (001-192-900-19212-582010), or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* Approval of this article would transfer the sum of \$827,967 from the sources listed and deposit the sum into the Capital Stabilization Fund for use on future capital projects that will require Town Meeting approval. The exhaust capture system at Fire Stations 1 and 2 has been installed, the remaining funds are the result of a competitive bid process. Approval of this article requires a majority vote.

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### **ARTICLE 19: APPROPRIATION FOR THE GENERAL STABILIZATION ACCOUNT**

To see if the Town will vote to raise & appropriate the sum of One Hundred Thirty Thousand, Sixty-seven Dollars and No Cents (\$130,067.00) into the General Stabilization Fund or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* Approval of this article would appropriate the sum of \$130,067 into the General Stabilization Fund. This article is meant to replenish funds used from the General Stabilization Fund for the construction of the Erving Public Library. This is the final of five (5) planned deposits into General Stabilization related to the project. Approval of this article requires a majority vote.

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### **ARTICLE 20: TO APPROPRIATE FOR OPIOID SETTLEMENT FUND USE**

To see if the Town will vote to appropriate the sum Thirty Thousand Dollars and No Cents (\$30,000.00) from the Opioid Settlement Stabilization Fund for the purpose of municipal action that assists with opioid use disorder treatment, supporting people in treatment and recovery, connecting people to care, reducing the harm caused by opioid use, addressing the needs of criminal-justice-involved-persons, supporting pregnant or parent women and their families, including babies with neonatal abstinence syndrome, and preventing the misuse of

opioids/implementing prevention education, or some combination of these aims, beginning July 1, 2024, or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information: Approval of this article would appropriate \$30,000 from the Stabilization Fund that receives the National Opioid Settlement funds to be used towards preventative and mitigating efforts of the effects of opioids. The Select Board will work with the Board of Health and other municipal stakeholders regarding the implementation of the program. Approval of this article requires a 2/3 vote.*

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### COMMUNITY ACCESS TELEVISION

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#### ARTICLE 21: TO APPROPRIATE FOR COMMUNITY ACCESS TELEVISION

To see if the Town will vote to appropriate the sum of Twenty-five Thousand Dollars and No Cents (\$25,000.00) from the PEG Access Cable Revenue account for the purpose of operating the Town's local cable access channel as itemized below, beginning July 1, 2024, or take any other action relative thereto.

Line	Account #	Description	Amount
1	240-159-200-15905-530000	Professional Contracting Services	\$20,000.00
2	240-159-200-15905-574000	Insurance Premiums	\$2,000.00
3	240-159-900-15910-578000	Equipment to Televisе Meetings	\$3,000.00
<b>Grand Total</b>			<b>\$25,000.00</b>

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information: Approval of this article would appropriate \$25,000 from the PEG Access Cable Revenue account for the Select Board to use to operate the Town's community access television channel. Revenue in this account is received quarterly from Comcast from user fees in accordance with the Cable franchise agreement. Approval of this article requires a majority vote.*

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### MULTI-YEAR CONTRACT AUTHORIZATIONS

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#### ARTICLE 22: AUTHORIZATION TO SIGN A 10 YEAR AGREEMENT WITH THE TOWN OF MONTAGUE

To see if the Town will vote to authorize the Select Board to enter into a ten (10) year contract, commencing in Fiscal Year 2025 with the Town of Montague for the treatment of wastewater, subject to the Select Board's determination that the contract is in the best interests of the Town, or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS:

*Article Information:* Approval of this article would authorize the Select Board to sign a ten (10) year agreement with the Town of Montague for the treatment of wastewater. The towns have long shared an arrangement that allows the wastewater from the village of Millers Falls in Montague to be conveyed to the Erving Wastewater Treatment Plant #1 for treatment, in exchange for a contractually agreed upon fee. Approval of this article requires a majority vote.

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**ARTICLE 23: AUTHORIZATION TO SIGN A 10 YEAR AGREEMENT WITH THE FCRHRA**

To see if the Town will vote to authorize the Select Board to enter into a ten (10) year contract, commencing on July 1, 2024, with the Franklin County Regional Housing & Redevelopment Authority, for the provision of administrative services for the Town's Community Development Block Grant activities and the Housing Rehabilitation Revolving Loan Program, subject to the Select Board's determination that the contract is in the best interests of the Town, or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* Approval of this article would authorize the Select Board to sign a ten (10) agreement with the Franklin County Regional Housing & Redevelopment Authority for the administration of the Town's Community Development Block Grant activities and the Housing Rehabilitation Revolving Loan Fund program. The Town and the Authority have long had a professional services arrangement for these activities and the current agreement expires this year. Approval of this article requires a majority vote.

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**ARTICLE 24: AUTHORIZATION TO SIGN A 99 YEAR LAND LEASE WITH RURAL DEVELOPMENT INC.**

To see if the Town will vote to authorize the Select Board to enter into a ninety-nine (99) year contract, commencing in Fiscal Year 2025, with Rural Development Incorporated, for the lease of real property on Care Drive to allow the construction of affordable housing, subject to the Select Board's determination that the contract is in the best interests of the Town, or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information:* Approval of this article would authorize the Select Board to sign a ninety-nine (99) year land lease for the purpose of developing affordable housing, with parcel A providing age-restricted housing for individuals aged 62 or older, and upon such terms and conditions as the Select Board deems to be in the best interest of the Town. The Town identified the need and the goal of developing Senior Housing in the Town's 2002 Master Plan and the Town has continued to work towards that goal on Care Drive. The Town has conducted multiple procurements and

*has secured an advantageous proposal that has been reviewed publicly by the Select Board and Senior Housing Committee. Approval of this article requires a majority vote.*

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**REAL PROPERTY TRANSACTIONS**

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**ARTICLE 25: TO AUTHORIZE DISPOSITION OF LAND ON CARE DRIVE**

To see if the Town will vote to transfer from the board or officer currently having control for current purpose for which the property is held to the Select Board, for the purpose of disposition by lease, sale, or otherwise, the care, custody, management and control of the property located on Care Drive and shown as parcels A and B on \_\_\_\_\_; and to authorize the Select Board to rent, convey, or otherwise dispose of all or a portion of said property pursuant to the provisions of Massachusetts General Law Chapter 30B, Section 16 for the purposes of affordable housing, with parcel A restricted for housing for individuals aged 62 or older, and to authorize the Select Board to take such actions and execute such documents and agreements as are necessary to effectuate the purpose of this article; or take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

CAPTITAL PLANNING COMMITTEE RECOMMENDS: Approval

*Article Information: Approval of this article would authorize the Select Board to lease, convey, or otherwise dispose of all or a portion of said property pursuant to the provisions of Massachusetts General Laws for the purpose of affordable housing, with parcel A restricted for individuals aged 62 or older, and upon such terms and conditions as the Select Board deems to be in the best interest of the Town. The Town identified the need and the goal of developing Senior Housing in the Town's 2002 Master Plan and the Town has continued to work towards that goal on Care Drive. The Town has conducted multiple procurements and has secured an advantageous proposal that has been reviewed publicly by the Select Board and Senior Housing Committee. Approval of this article requires a majority vote.*

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**ARTICLE 26: TO AUTHORIZE ACQUISITION OF PARCEL A**

To see if the Town will vote to authorize the Select Board to acquire by eminent domain, or otherwise, on such terms and conditions as the Select Board shall determine, the following described parcel:

Beginning at an unmarked point in the easterly sideline of The French King Highway at Station 21+70.34, 40' Right, said point marking the northwesterly corner of land now or formerly of the Town of Erving; thence, along said French King Highway N 07°40'58" E to a MA Highway Bound; thence, S 80°42'08" E 40.01' +/- to a point at the center of a headwall; thence 174' +/- along the centerline of a dry brook and land now or formerly of The Commonwealth of Massachusetts to a 1.5" iron pipe at the centerline of said dry brook (Tie Course N 87°56'45" E 202.92'); thence, 410' +/- along centerline of said dry brook and land now or formerly of The Commonwealth of Massachusetts to a point in the centerline of said dry brook and land now or formerly of Frank Prondecki ( Tie Course S 70°45'22" E 357.05' ) ; thence, 310' +/- along the



centerline of said dry brook and land now or formerly of Frank Prondecki to a point in the westerly sideline of land now or formerly of The Vermont Central Railroad ( Tie Course S 50°08'54" E 180.92' ); thence, S 81°41'33" W 69.70' along the westerly sideline of said land now or formerly of The Vermont Central Railroad to a 5/8" rebar at the top of a ravine, said point being the northeast corner of land now or formerly of the Town of Erving; thence, 755' +/- ( Tie Course N 79°35'05" W 636.87' ) along the top of said ravine and said land now or formerly of the Town of Erving to the point of beginning. Containing 1.217 acres of land +/- and being Parcel "A" as shown on plan titled "PLAN OF LAND TO BE TAKEN BY THE TOWN OF ERVING" by Daniel Salls Land Surveying dated March 05, 2024;

and further to authorize the Select Board to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisitions and other acts authorized herein; or take any action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information: Approval of this article would authorize the Select Board to acquire a parcel of land related to the parcel taken by the Town, in 1996, that is now used as the Police Station. During a recent survey of the Police Station parcel, a discrepancy in the deed language was discovered that dates to all deed transactions related to the property, after 1926. The area in question that is being referred to as "Parcel A" on the proposed plan for taking is largely the ravine on the property, between the Police Station and the MassDOT Highway Facility. The plan for the proposed taking is on file in the Town Clerk's office. Approval of this article requires a 2/3 vote.*

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## DEBT EXCLUSION EXPENDITURE

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### ARTICLE 27: BORROWING AUTHORIZATION FOR THE DEMOLITION OF THE FORMER IP MILL SITE

To see if the Town will vote to appropriate the sum of Three Million Seven Hundred Thousand Dollars and No Cents (\$3,700,000.00), for the purpose of demolishing the structures and related site preparation services at the former IP Mill site, and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7 (3) of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore. conditioned on the approval of a debt exclusion ballot question, or take any other action relative thereto.

SUBMITTED BY: Select Board

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval

FINANCE COMMITTEE RECOMMENDS: Approval

*Article Information: Approval of this article would appropriate the sum of \$3,700,000 to allow the Town to demolish the structures and complete site preparation activities at the former IP Mill site. Approval of this article would authorize the Treasurer to borrow the funding necessary for*

*the project, conditioned on the approval of the debt exclusion question on the election ballot. If the debt exclusion question is passed, it will authorize the Town to raise & appropriate, beyond the limits of Proposition 2 ½ for the life of the debt service. The Select Board, Finance Committee and Capital Planning Committee have met for over a year and have held discussions with citizens to arrive at the recommendation to demolish the structures. The total cost to demolish the site is estimated to be \$4.3 Million and the Town has successfully received a \$600,000 grant for the project. The Town has attempted to sell the property through a request for proposals process three times. If approval of this article at the Town Meeting or the ballot question at the Town Election fails, then the Select Board, Finance Committee, and Capital Planning Committee will request the Treasurer to auction the property to the highest bidder. 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 seven (7) 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 **1st day of April 2024.**



Jacob A. Smith, Chairman



Scott Bastarache



James Loynd

*Erving Select Board*

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### POSTING REQUIREMENT CERTIFICATION

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FRANKLIN SS      TOWN OF ERVING

I have served the above warrant by posting attested copies, as directed by vote of the Town, at least seven (7) days before the time of holding said meeting.

4/22/2024

Date



Authorized Signature



Town of Erving  
12 East Main Street  
Erving, Massachusetts 01344

PRSR STD  
U.S. Postage Paid  
ECRWSS  
EDDM Flat

# Town of Erving

\*\*\*\*\*ECRWSS\*\*\*

LOCAL  
POSTAL CUSTOMER  
ERVING MA 01344

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## Annual Town Meeting Warrant

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**Wednesday, May 08, 2024**

**Time: 7:00 PM | Location: Erving Elementary School**

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

In past years, prior to the COVID-19 pandemic, we were able to partner with other groups at the school to allow for childcare assistance. At this time, we are unable to provide a childcare option at the Annual 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 Board of Selectmen as soon as possible but no later than 48 hours before the scheduled event.

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

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



# TOWN OF ERVING

## Department of Police

71 French King Highway

Erving, Massachusetts 01344

Phone (413) 423-3310 · Fax (413) 423-3340

May 8, 2024

Honorable Select Board Members  
Parents and students at the Erving Elementary School  
Community Members

Thank you all for this opportunity to make this public statement. My goal is to be transparent and provide valuable, accurate information to a community that is seeking answers.

First, I would like to acknowledge my gratitude to the officers involved in the investigation that was brought to the Police Department's attention on April 22, 2024. Officers of this Department have spent many long hours on this investigation, and I am very appreciative of their dedication and hard work.

Next, I would like to make a correction to the public statement that was released on behalf of Union 28 and the Erving Police Department on April 23, 2024. The publicly released statement stated, "Yesterday April 22, 2024, we became aware of a threat involving an Erving Elementary School student...". This statement was later found to be inaccurate. The Police Department became aware that certain employees of the Erving Elementary School and Union 28 were aware of this threat during the week prior to April 22, 2024, and had knowledge that a student had been threatened with harm by another student. The threat involved the use of a firearm. The Police Department investigated the matter and determined that there was no access to a firearm and in addition, there was no evidence of a firearm at the Elementary School.

It is important that when school personnel, community members, parents, or students have knowledge of consequential threats of harm, they bring this information to the Police Department's attention immediately. In this instance, had that happened, steps to ensure the safety of all could have been taken prior to the arrival of students and staff that were returning to school from vacation. Instead, the Police Department was forced to be reactive rather than proactive, after the students and staff had already arrived at school.

A breakdown in communication between the Police Department and the Erving Elementary School cannot happen. The safety of the students, staff and bus drivers must be the priority. Moving forward, the Police Department and School Administration must work together to ensure the safety of the students and staff. I will make it a priority to have a representative from the Erving Police Department at School Committee meetings when possible. This is to give parents, staff, and School Committee Members an opportunity to speak with us. Furthermore, I would like to work collaboratively with the School Committee and School Administration on school policies, procedures, and protocols that are related to school safety and security. It is critical that we assist in developing and improving policies, procedures, and protocols to ensure appropriate timely response. We must partner together to continue to make the school a safe place for our children, and all that work, attend or visit there.

I am requesting that the Select Board file a request with the Erving School Committee and the Union 28 Joint Supervisory Committee to investigate this matter, urging the committees to evaluate how this situation was handled by the School Administration and Union 28 staff; upon finalizing the investigation of fact, compare the findings in relation to School's policies and procedures for handling reports of threats; to take all action that is deemed appropriate in this situation; and to ensure that proper and timely communications happen with law enforcement regarding consequential threats. A quick response by all is vital to ensuring a proactive response to any future potential threats.

I would like to thank you for the time this evening to make this statement. It is my expectation that communication and a good working relationship with the School is everyone's goal, and that by working together the students, parents, and community will feel safer.

Respectfully,

Robert L. Holst  
Chief of Police

Massachusetts Jail Arrest Diversion Grant Program

ATTACHMENT D

DMH BUDGET WORKSHEET

Organization/Individual Name: Erving Police Department Regional Response  
 Fiscal Year: FY25

Project Type: Co-Responder Program

Budget Period: from July 1, 2024 to June 30, 2025

I. Personnel:	Base Salary	FTEs	Total	Amt. to be covered by DMH Grant	Other Grant Support
Program Director/Manager	\$91,767	.1	\$9,176	\$9,176	
Program Staff	\$60,100	1.0	\$60,100	\$60,100	
Administrative Staff					
Other Staff	\$100,000	1.0	\$100,000	\$100,000	
Fringe Benefits @ 23%			\$15,933	\$15,933	
Subtotal:		1.0	\$185,209	\$185,209	
II. Other Direct Costs					
Project Operations			\$820	\$820	
Equipment (PD)			\$2,500	\$2,500	
Equipment (CSO)			\$410	\$410	
Marketing/Communications/Outreach					
Travel			\$1,800	\$1,800	
Surveys					
Program Space					
Other					
Subtotal:			\$5,530	\$5,530	
III. Indirect Costs @ 12.7%			\$5,915	\$5,915	
TOTAL GRANT REQUEST:			<b>\$191,124</b>		

# ERVING EMPLOYEE TRAFFIC CONTROL PERSONNEL

Erving Police Department POLICY & PROCEDURE NO. <b>7.06</b>	ISSUE DATE:
	EFFECTIVE DATE:
MASSACHUSETTS POLICE ACCREDITATION STANDARDS	REVISION DATE:

## I. GENERAL CONSIDERATIONS AND GUIDELINES

The Erving Traffic Control Personnel (TCP) is a group of current and previous Town of Erving Employees, non-sworn civilian personnel, who are trained and are prepared to assist the Erving Police Department with the traffic and pedestrian control functions. The specific limits, utilization, and level of training of the Traffic Control Personnel are left to the discretion of the Chief of Police. To be sufficiently prepared for traffic control, the training for TCP must be consistent with their responsibilities and assigned duties. They shall be assigned primarily to law enforcement related community service functions (i.e., parades, large-scale special events, disaster relief, etc.) and unfilled outside or private details.

## II. AUTHORITY

Traffic Control Personnel are not sworn law enforcement officers. They do not carry firearms while on duty. There is no power vested in a Traffic Control Personnel unless specifically directed by the Chief of Police. They may assist police, under the direction of the Officer in Charge, in situations which cannot be met by the regular police force. They have no arrest powers and must seek the assistance of a regular officer when such situations arise.

### **III. DUTIES**

The duty of the TCP is to provide traffic control while working outside details. TCP may also be utilized in positions classified as civilian provided, they possess the required skills.

TCPs will not be authorized to work any Town of Erving projects.

### **IV. TRAINING**

TCPs are required to maintain CPR and First Aid certification.

To have experience with traffic control and work site safety, all TCP's must receive and maintain a certification from American Traffic Safety Services Association (ATSSA), National and Massachusetts Flagger Certification Training, or the National TIM Responder Training Program through the Department of Fire Services (D.F.S).

TCPs are responsible for re-certification prior to the expiration date on all required training.

TCPs are required to be familiar with using an approved police or fire issued radio.

TCPs shall be familiar and abide by the Erving Police Department's policies and procedures.

### **V. UNIFORM AND EQUIPMENT**

TCPs shall wear ANSI polo type shirts with 'Erving Traffic Control' screened on the back, approved dark navy colored utility type shorts or pants, and a traffic control baseball cap. During inclement weather the TCP shall wear appropriate ANSI outerwear or vest with "Erving Traffic Control" prominently displayed on the rear of the outermost garment.

The TCPs will be responsible to supply and properly maintain such uniforms, equipment, and tools necessary, as authorized and determined necessary by the Chief of Police, for the use of TCPs to perform their duties efficiently and effectively.

TCPs will be provided a police issued cruiser when available or detail requires such equipment. In the event a cruiser is used the firearm and ammunition will be removed from the vehicle.

TCPs will be provided a department issued radio for communications with Emergency Personnel or Dispatch.

TCPs will also be required to carry a cell phone and provide that number to Police and Fire Personnel.

## **VI. Detail Assignment**

TCPs are per diem at-will employees of the Town of Erving with no set hours and no benefits.

TCPs will be offered traffic control positions only after all regularly and part-time employed police officers for the Erving Police Department have declined. Traffic control positions will then go to the Town of Erving approved Traffic Control Personnel. These available positions will be filled on a rotating list kept by the Chief of Police or designee. A worked hour system will be kept ensuring everyone has an opportunity to work details with the lowest hour personnel being offered the position first.

TCPs duties will not interfere with any other full-time or part-time position the TCP holds with the Town of Erving. See outside or conflicting employment guidelines in the Town of Erving Personnel Policies and Procedures

If the TCP request approved time off to work any Traffic Control duty, it is at the discretion of the individual's department head or supervisor and falls within the guidelines according to the Town of Erving Personnel Policies and Procedures (Vacation / Personal)

If traffic control positions are still unfilled, they will then be offered to surrounding department and Sheriff's Department.

### Surplus Property Disposition Request

Department/Board/Committee <u>Police Dept</u>	Request Date: <u>4/11/24</u>
Item(s) to be disposed of: <u>2011 FORD EXPEDI UTIL color BLK</u> <u>VIN# 1FMTJUG58EF52329</u>	
Estimated Value of Item: <u>UNKNOWN</u>	
Description of Item: See attached fixed asset sheet with item descriptions; including make, model, and serial #	
Reason for Request: <u>Unsafe to operate</u>	
Recommended Disposition: <u>SCRAP, SALE OR DONATION</u>	

Department Head Signature Phil S. Pitt Date 4/11/24

#### Select Board Review

Board Decision:	Approved <input type="checkbox"/> Denied <input type="checkbox"/>
Board Comments:	
Select Board Signatory	Date

#### Chief Procurement Officer

<b>Method of Disposition:</b>	<b>Under \$10,000</b>	<b>\$10,000 or More</b>
	<input type="checkbox"/> Advertise Newspaper	<input type="checkbox"/> Sealed Bids
	<input type="checkbox"/> Advertise on Website	<input type="checkbox"/> Public Auction
	<input type="checkbox"/> Seek Bids	<input type="checkbox"/> Advertise on Website
	<input type="checkbox"/> Scrap Value	<input type="checkbox"/> Governmental/ Charitable Entity
Date(s) advertised: _____	Other info: _____	
Sold to: _____	\$ Sold for: _____	
Date disposed of: _____	Receipt attached: _____	
Chief Procurement Officer Signature	Date	



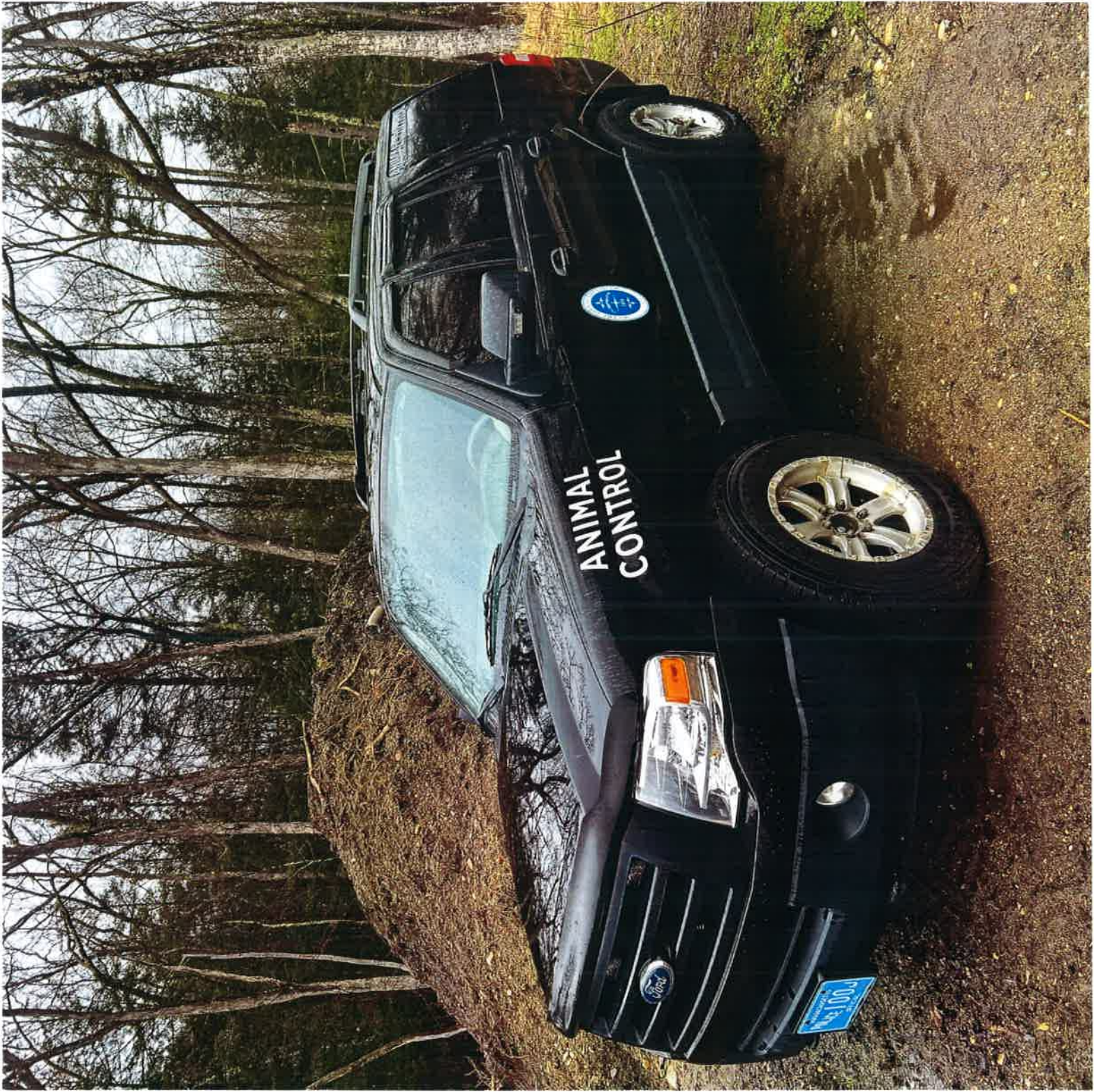




PLATE TYPE MVN	REGISTRATION NUMBER MP100J	REGISTRATION TYPE MUNICIPAL	EFFECTIVE DATE 09/07/16	EXPIRES LAST DAY OF → NEXPD	MONTH YEAR	TRANSACTION NUMBER 01625158090108										
MFYS MODEL YEAR 2011	MAKE FORD	MODEL EXPEDI	BODY STYLE/TYPE UTIL	COLOR BLACK	Not valid without official signature of Registrar											
VEHICLE IDENTIFICATION NUMBER 1FMJU1G58BEF52329			INSURANCE COMPANY SELF INSURED	TITLE NUMBER	REGISTRAR <i>Cher C. Devery</i>											
RESIDENTIAL ADDRESS (IF DIFFERENT)					IF VEHICLE CARRYING PASSENGERS FOR HIRE: MAXIMUM NUMBER OF PASSENGERS THAT CAN BE SEATED											
NAME(S) OF OWNER(S) AND MAILING ADDRESS ERVING TOWN OF PD 71 FRENCH KING HWY ERVING, MA 01344-4448					TOTAL REGISTERED WEIGHT FOR A COMMERCIAL VEHICLE OR TRAILER											
					<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">REGISTRATION</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>TITLE</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>SPECIAL PLATES</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>SALES TAX</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td style="text-align: right;"><b>TOTAL</b></td> <td style="text-align: right; border-top: 1px solid black;"><b>0.00</b></td> </tr> </table>		REGISTRATION	0.00	TITLE	0.00	SPECIAL PLATES	0.00	SALES TAX	0.00	<b>TOTAL</b>	<b>0.00</b>
REGISTRATION	0.00															
TITLE	0.00															
SPECIAL PLATES	0.00															
SALES TAX	0.00															
<b>TOTAL</b>	<b>0.00</b>															
<b>MASSACHUSETTS DEPARTMENT OF TRANSPORTATION REGISTRY OF MOTOR VEHICLES DIVISION</b> The records of the RMV database constitute the official status of the vehicle registration.																

SPECIAL MESSAGE IF THIS VEHICLE IS NEWLY ACQUIRED, IT MUST BE INSPECTED WITHIN SEVEN (7) DAYS OF REGISTRATION.	CHANGE OF ADDRESS STREET ADDRESS CITY, STATE, ZIP CODE
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### Important Information for Vehicle Owners

- Every person operating a motor vehicle shall have the Certificate of Registration for the motor vehicle and for the trailer, if any, and his/her license to operate, upon his/her person or in the vehicle, in some easily accessible place.
- By law, you must report any change of address to the RMV within 30 days in writing. Address changes can be made on the RMV website: [www.massrmv.com](http://www.massrmv.com) or by mail to: RMV, P.O. Box 55889, Boston, MA 02205-5889. Once you have reported the address change to the RMV, please write corrected address in box provided above.

- Return the registration plates to the RMV immediately if:
  - The vehicle has been sold or junked and the registration is not going to be transferred to another vehicle. Keep a copy of the *Bill of Sale, Title, and completed Reassignment of Title* for your records to document the transfer.
  - You move to another state and you register the vehicle in that state.
  - The insurance policy is not renewed or is cancelled and there is no plan to obtain a new policy.

**-Transferring Your Plates:** Massachusetts law (M.G.L. Chapter 90, Section 2) allows you to transfer **valid registration plates from this vehicle to a newly acquired new or used motor vehicle or trailer** while you obtain insurance and a new registration. **All** of the following must be met: **1.** You are at least 18 years of age and you own the motor vehicle or trailer identified on this *Registration Certificate*; **2.** You transfer ownership of this vehicle to another person or permanently lose possession of it (such as through repossession, etc.); **3.** The newly acquired vehicle is of the **same vehicle type** (passenger vehicle to passenger vehicle, trailer to trailer, etc.); the **same registration type** (passenger to passenger, commercial to commercial); and has the **same number of wheels**; and, **4.** The **seller and buyer** properly complete the Assignment of the Certificate of Title (for the newly acquired "used" vehicle) or Certificate of Origin (if a "new" vehicle). If **all** of the above are met, you may operate the newly acquired vehicle with the transferred plates **up to 5:00 pm of the 7th calendar day** following the date of transfer (or loss of possession). The day of transfer or loss is day #1. During those 7 days, you **must** carry the *Bill of Sale* (or the dealer's *Purchase Contract*) for the newly acquired vehicle **and** this *Registration Certificate* when operating the vehicle. See *FAQs About the Seven-Day Registration Transfer Law* on the RMV's website at [www.massrmv.com](http://www.massrmv.com).

**No Insurance Card Required:** Massachusetts's law does **not** require an insurance card. The law, M.G.L. Chapter 90, Section 34A and Chapter 175, Section 113A requires the vehicle's owner to maintain a compulsory motor vehicle liability insurance policy or bond for bodily injury coverage and property damage insurance. If an insurer is identified on the face of this *Registration Certificate*, it is required by law to electronically notify the RMV (Registry of Motor Vehicles) if coverage lapses. The vehicle owner is then notified by the RMV to obtain new insurance within 10 days or the registration will be revoked. Bonds are filed with the State Treasurer's office.


### Be first in line by going online at [www.massrmv.com](http://www.massrmv.com)

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>- Schedule a Road Test</li> <li>- Renew Your Driver's License</li> <li>- Renew Your Registration</li> <li>- Pay Citations/Court Hearing Fee</li> <li>- Replace Your Driver's License</li> </ul> | <ul style="list-style-type: none"> <li>Request a Duplicate Title</li> <li>Request a Duplicate Registration</li> <li>Change Your Address</li> <li>Cancel My Plate/Registration</li> <li>Order a Special Plate</li> </ul> |
|--|---|

**NEED TO VISIT AN RMV OFFICE?**  
**SAVE TIME**  
**Complete Your**  
**Application Online!**

**VISIT OUR WEBSITE FOR A FULL LIST OF AVAILABLE TRANSACTIONS**

## Surplus Property Disposition Request

Department/Board/Committee <u>Highway</u> Request Date: <u>5/1/24</u>
Item(s) to be disposed of: <b>2010 drop in stainless sander. 2013 drop in stainless sander</b>
Estimated Value of Item: <b>Maybe \$200.00 for scrap</b>
<b>Description of Item:</b> See attached fixed asset sheet with item descriptions; including make, model, and serial # <b>Torwel Economizer Sander</b>
<b>Reason for Request:</b> <b>Both drop in sanders have failed central hydraulic motors, bed chains, drive gears and bearings. These haven't been used for 5 years.</b>
<b>Recommended Disposition:</b> <b>Recycled</b>
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;">                           Department Head Signature                     </div> <div style="text-align: center;"> <u>5-1-24</u>                          Date                     </div> </div>

### Select Board Review

<b>Board Decision:</b> Approved <input type="checkbox"/> Denied <input type="checkbox"/>
<b>Board Comments:</b>  
<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">                         Select Board Signatory                     </div> <div style="text-align: center;">                         Date                     </div> </div>

### Chief Procurement Officer

<b>Method of Disposition:</b>	<u>Under \$10,000</u>	<u>\$10,000 or More</u>
<input type="checkbox"/> Advertise Newspaper	<input type="checkbox"/> Sealed Bids	<input type="checkbox"/> Public Auction
<input type="checkbox"/> Advertise on Website	<input type="checkbox"/> Seek Bids	<input type="checkbox"/> Advertise on Website
<input type="checkbox"/> Scrap Value	<input type="checkbox"/> Governmental/ Charitable Entity	
Date(s) advertised: _____	Other info: _____	
Sold to: _____	\$ Sold for: _____	
Date disposed of: _____	Receipt attached: _____	
Chief Procurement Officer Signature	Date	





ECCNOMIZER



A large, weathered metal structure, possibly a water filter or industrial component, is the central focus. It is supported by two large, rectangular concrete blocks. The structure is situated in a wooded area with many bare trees in the background. A yellow piece of machinery is visible in the bottom right corner. The word "ECONOMIZER" is printed in black, bold, capital letters on the side of the metal structure. The metal shows signs of rust and wear. The concrete blocks also have some rust on them. The ground is covered with green weeds and dry leaves. The sky is blue with some light clouds.

**ECONOMIZER**





ECONOMIZER

TORW



SALES & SERVICE  
**J. C. MADIGAN INC.**  
HARVARD, MASS.  
TRACTOR EQUIPMENT  
DUMPS - SPREADERS - PLATFORMS





COMMONWEALTH OF MASSACHUSETTS  
TOWN OF ERVING

*OFFICE OF THE BOARD OF WATER COMMISSIONERS*  
Water Commissioners Warrant to the Collector  
Final Water Use Charges **12<sup>th</sup> Commitment**, Fiscal Year 2024

To: Michele Turner, Tax/Water Collector for the Town of Erving in the County of Franklin

Greetings:

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby required to levy on and collect Forty Dollars and Twenty-six Cents (\$40.26) for final charges at 14 West High Street (#110), total charges of Forty Dollars and Twenty-six Cents (\$40.26).

Said charges are to be paid to Michele Turner, Town of Erving Tax Collector, or to his/her successor in office, at the times and in the manner provided by General Laws, Chapter 60, Section 2. As Collector, you must provide the Treasurer an account of all charges and fees collected by you. In addition, you are to make written return of said water charges and interest with your water charge list and of your doings thereon at such times as the Water Commissioners shall require.

You are to complete and make up an account of the collection of the whole sum hereon, committed to you, with interest, on or before December 31 of the current year.

The owner of the premises shall be responsible for the payment of all charges for water and service furnished to the property. Under the General Laws of Massachusetts Chapter 40 Section 42A as accepted in Article 7 of the Erving Special Town Meeting June 29, 1992, unpaid water bills become a lien on the property immediately following the due date for such rate or charge and collections will be made by the sale of property. Water bills will be mailed semi-annually. Water bill payment will be due thirty (30) days from the postmarked date of the original bill. Overdue notices will go to property owners and "current occupant" forty-five (45) days after the postmarked date of the original bill. Shut off notices will go to property owners and "current occupant" sixty (60) days after the postmarked date of the original bill. The shut off notice will specify that shut off will occur on or after Monday. Shut off will not occur sooner than seventy-five (75) days from the postmarked date of the original billing. The shut off notice will clearly state the earliest date that shut off can occur. There will be no further notice. Service will be restored as soon as possible, upon payment in full of all amounts due.

The levy and collection of the amounts are hereby committed to you. All interest, charges, and fees as provided by law, also apply. You are to have and to exercise all the powers conferred by the laws of this Commonwealth upon collectors of taxes.

Given under our hands this 8<sup>th</sup> day of May 2024.

**WATER COMMISSIONERS OF ERVING**

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Jacob A. Smith, Chair

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Scott Bastarache

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James A. Loynd



# Commitment Report

Account Information	Meter Reads And Usage	Usage	Receivable	Amount
110	0036713262 Water Rate	Usage 50	Water	\$40.26
LACLAIRE ELENA			<b>Total:</b>	<b>\$40.26</b>
14 WEST HIGH ST	Read Date	Reading Type		
Route 1	Current Bill 5/2/2024	23,200 FIN		
	Last Billed 3/25/2024	23,150 AC1		

## Report Totals

1 Account(s)	Receivable Name	Total
	Water	\$40.26
	<b>Receivable Totals:</b>	<b>\$40.26</b>