

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
 William A. Bembury
 Scott Bastarache
Select Board

Bryan Smith
Town Administrator

Meeting Agenda
Monday, June 12, 2023

This meeting is open to the public.

Scheduled Business

<i>Time</i>	<i>Agenda Item</i>
6:30 PM	Call to Order
7:00 PM	Joint meeting with Finance Committee & Capital Planning Committee- Review STM Warrant Draft, Discuss FY2023 Budget Adjustment(s), Discuss FY2024 Comprehensive Budget Review, Discuss FY2024 Wage Adjustments

Old Business

<i>Agenda Item</i>	<i>Section</i>
Surplus Equipment Request- Recreation Commission- Zilinski Dugouts- 3 rd Read	1
Surplus Equipment Request- School Dept- Tilt Skillet- 2 nd Read	2
Review of Hazard Communication Policy Draft – 3 rd Read	3
Review and Issuance of Special Town Meeting Warrant Draft	4
Discussion Regarding Wage Adjustments for FY2024	5
Discussion Regarding FY2023 Budget Adjustments & Comprehensive Review for FY2024	6

New Business

<i>Agenda Item</i>	<i>Section</i>
Review of Meeting Minutes: May 22, 2023, June 05, 2023 & June 08, 2023	7
2023 Reappointments for Boards, Commission, & Representatives	8
Review Proposed Revisions to Assistant Treasurer Position Description	9
Review and Issuance of the 15 th Water Commitment for FY23	10
Review of Conflict of Interest Policy Draft	11

Other Business

Signing of the Treasury Warrant

Unanticipated Business

Anticipated Next Meeting Dates

Monday, June 26, 2023

Monday, July 10, 2023

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.

Surplus Property Disposition Request

Department/Board/Committee <u>Recreation Commission</u>	Request Date: <u>May 25, 2023</u>
Item(s) to be disposed of: <u>Wooden Dugouts at Zilinski Park</u>	
Estimated Value of Item: <u>0</u>	
Description of Item: <u>See attached fixed asset sheet with item descriptions; including make, model, and serial #</u>	
Reason for Request: <u>Dugouts are in poor shape and a safety hazard</u>	
Recommended Disposition: <u>Destroy</u>	


5/25/23
Department Head Signature **Date**

Select Board Review

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

Chief Procurement Officer

Method of Disposition:	Under \$10,000	\$10,000 or More
	<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

Jacquelyn Boyden

From: Glenn McCrory
Sent: Monday, May 8, 2023 7:23 AM
To: Jacquelyn Boyden; Breta Petraccia; Erik Eichorn; Renee Tela; Kathleen Sadler
Cc: Bryan Smith
Subject: Re: Playground Inspection
Attachments: Image.jpeg; Image.jpeg; Image.jpeg; Image.jpeg

Good morning,

Pictures are pieces that need to be replaced at Zillinski memorial park.
The 13-14' slide, depending on how they measure is split open at the base of the slide where it anchors to the concrete. Most likely from water getting in over the years freezing then expanding.
The walking bridge side rail is split open on the bottom rail. Most likely from water getting in over the years , freezing then expanding.
The 3 pieces of chain link climbing net has the vinyl coating detreating from the weather causing sharp edges.
The climbing wall metal hoops are split open with sharp edges from water getting in and freezing over the winter.
Engineered wood chips are needed for approximately 100' X 48' X 12" thickness to be fall safe compliant.
The batting cage net is covered with moss and mold and has been downsized a few times because of snow damage.
Recommendation would be to have a structure built like greenfield has.
Please let me know if you have any questions or concerns.

Glenn McCrory

Town of Erving Highway Superintendent

1-413-423-3500

From: Jacquelyn Boyden <jacquelyn.boyden@erving-ma.gov>
Sent: Wednesday, May 3, 2023 11:54:40 AM
To: Breta Petraccia <breta.petraccia@erving-ma.gov>; Erik Eichorn <erik.eichorn@erving-ma.gov>; Renee Tela <renee.tela@erving-ma.gov>; Kathleen Sadler <kathleen.sadler@erving-ma.gov>
Cc: Glenn McCrory <glenn.mccrory@erving-ma.gov>; Bryan Smith <bryan.smith@erving-ma.gov>
Subject: Playground Inspection

Hello:

I am waiting on John LaRue's report, but the quick overview is that the swings need to go as well as the balance beam and seesaw. Also, we discussed getting rid of the sound tubes (Bee magnet). The playground structure has about five years left but needs to have some playground equipment replaced and the groundcover put down. I am working with Glenn and Bryan to cost out the replacement parts and the potential cost for the mulch to see if it worth saving the play structure or not. The DPW knows we want to replace one of the swings but according to John, we need to purchase an extension, so we have three sets of swings (child, infant and ADA). We are costing that out as well. The question for the Committee is one size ADA swing - 2-5 or 5-12 age?

Glenn is willing to have Highway rip out the unsafe equipment to save us some money. I will be looking for a formal vote on the 20th of May unless you already voted to remove them at a previous meeting. If you did, then I will prepare the surplus forms for the Selectboard to review.

We discussed placement of the volleyball court, and I would like to vote on that on the May 20th meeting. The placement is where Breta, Erik and Glenn had agreed previously before the project got sidetracked with the possibility of being put at Riverfront.

We can discuss it at the 5/18 or 5/20 meeting.

Additionally, the dugouts are unsafe, and Glenn is preparing a memo for us to review. They are willing to take down the dugouts if we are going to declare them surplus and the Selectboard agree. We have funds to replace them, and Bryan is working on preparing quotes and options for us to review at potential our 5/20 meeting. The Highway is keeping the baseball field useable. We also need to replace the bleachers at some point soon and the fence.

Lastly, we need to discuss the batting cage. Currently it is not being used and since it is up all year, it now has algae growing on it. The heavy snow damages it every year. We should have a discussion to replace it with something designed to be up all year or not to replace it at all.

Have a good day.


Jacquie

Notice:

When writing or responding, please remember that the Massachusetts Secretary of State has determined that email is a public record and subject to the Public Records Law, M.G.L. c. 66, and further covered by Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521.

This communication may contain privileged or other confidential information. If you are not the intended recipient or believe that you have received the communication in error, you are strictly prohibited from printing, copying, distributing, disseminating, or otherwise using this communication. Please discard this e-mail and any attachments, and notify the sender immediately.

Surplus Property Disposition Request

Department/Board/Committee <u>School Committee</u>	Request Date: <u>June 6, 2023</u>
Item(s) to be disposed of: <u>One (1) tilt skillet</u>	
Estimated Value of Item: <u>Unknown</u>	
Description of Item: <u>See attached fixed asset sheet with item descriptions; including make, model, and serial #</u>	
Reason for Request: <u>The voters funded the replacement of the tilt skillet equipment. The new equipment has been installed and the request is for the old equipment to be surplus as the Town has no use for it. School Committee voted in favor or surplus on Feb. 13, 2023 (see attached)</u>	
Recommended Disposition: <u>The equipment can be offered for auction, or scrapped if no interest.</u>	
	<u>June 06, 2023</u>

Department Head Signature

Date

Select Board Review

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

Chief Procurement Officer

Method of Disposition:	Under \$10,000	\$10,000 or More
	<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

ERVING SCHOOL COMMITTEE

MONDAY, February 13, 2023

ERVING ELEMENTARY

SCHOOL 6:00 p.m.

Present: Jennifer Eichorn, Chair, Erik Semb, Mackensity Bailey, Dave Chagnon, Katelyn Mailloux-Little, Caitlin Sheridan, Director of Finance and Operations; Brittanie Mimitz, Minute Taker; Becky Alan, Rinky Black, Mark Burnett, Elizabeth Desorgher.

Minutes

A. The meeting was called to order at 6:01 p.m. by Jenn. AIF.

B. The Pledge of Allegiance was recited by all.

C. Public Hearings- None

D. Approval of Minutes from January 17, 2023* and February 2, 2023*-

A motion was made by Katelyn to approve the minutes from January 17, 2023* and February 2, 2023* .

The motion was seconded by Erik. AIF.

E. Warrants –

Accounts Payable EES

1025	1/26/2023	\$762.68
1026	1/26/2023	\$60,145.09
1027	2/9/2023	\$1,902.06
1028	2/9/2023	\$32,544.52

Accounts Payable Erving Secondary

1111	1/26/2023	\$24,285.44
1112	2/9/2023	\$18,289.44

Payroll

115	1/19/2023	\$100,964.73
116	2/2/2023	\$102,595.10

· **Gifts: Acceptance Vote- None**

· **Grants: Acceptance Vote- None**

F. Report of the Gill-Montague Representative- No report available. There is another person interested in the position. They need to be appointed by the moderator to proceed. There are Three spots total.

G. Collaborative for Educational Services Report- Mackensity will begin attending the CES meetings and reporting back to the committee.

H. Regionalization Update- None

I. Capital Planning Committee Update- The walk-in freezer has arrived and is being stored in a pod outside the school waiting to be installed this summer.

J. Superintendent’s Report - The union 28 budget was approved on January 30th. We continue working on budgets for all four schools; Planning and having meetings with select boards from all towns. Erin Saunders reached out to discuss the PFAST issue at Swift River and members of the DEP and Aaron Saunders are eager to assist the school with the issue. Central office continues to share newsletters with families and School Committee Members.. The Rural school Aid reports were submitted at the beginning of February as required by DESE. The student opportunity act was submitted originally to DESE in 2022. In the Spring of 2023 we will report progress to DESE. IEP improvement project. Updated IEP forms, A process guide with detailed instructions. The REMS center in partnership with DESE is providing

virtual training on school behavioral threat assessments.

K. Director of Finance and Operations Report*- With the passing of the Union 28 budget all 4 towns were able to move forward with their budgets. Keeping a close eye on the FY23 budget because there are still some unknowns with Erving.

L. Principal's Report- Not available

M. Budget and Personnel Committee Report – none at this time

N. Union #28 Committee Report

· Next Meeting Date – March 20, 2023 @ 6:30 p.m.

O. Old Business

· **FY24 Draft of Budget* - Thoughts and Preparation for ESC/BOS/FinCom meeting – Preliminary Adoption of Budget** - There has been an increase of \$79,000. It is a projection. They look at past trends. There is a tuition agreement with Gill-Montague for a set rate.

- A motion was made by Katelyn to level fund the Secondary budget of \$1,477,406.00. The motion was seconded by Erik. AIF.

P. New Business

· **School Play** - Moved to March meeting due to time constraints. Katelyn will put together a survey for staff before the meeting and share some history of M and M and the school play in Erving.

· **Preschool Tuition Payment** – Unipay was set up for Preschool and Afterschool. Add to Old Business for the next meeting. The committee is looking to get an update on how the increased tuition rate is working. A month ahead payment schedule was also implemented.

· **Erving Police Department Collaboration Update**- Moved to March meeting.

· **Surplus Equipment-Kitchen Tilt Skillet** – A motion was made by Mackensy to deem the kitchen tilt skillet as surplus equipment. The motion was seconded by Dave. AIF.

· **P.I.E.E. Report**- The Erving Apparel store will be opening again in the Spring. P.I.E.E. will also be selling Hillside pizza in March.

Q. Policy Review and Update

Policy Review and Update

First Reading on:

- o DGA – Authorized Signatures*
- o DH – Bonded Employees and Officers*
- o DI – Fiscal Accounting and Reporting*
- o DJ – Purchasing*
- o DK – Payment Procedures*
- o KCD – Public Gifts to the School*

Jenn would like to possibly add on a representative from the town to policy DJ-purchasing.

Mackensy asked if we checked in with local city and town bylaws as stated in the policies. They are based on Mass General Law.

Second Reading, First Vote on:

- o DD – Grants, Proposals and Special Projects*
- o DBC – Budget Deadlines and Schedules*
- o DBD – Budget Planning*
- o DBG – Budget Adoption Procedures*
- o DBJ – Budget Transfer Authority*
- o DJE – Procurement Requirements*

The Budget planning policy DBD is updated from 2022. How will the Superintendent plan and implement advanced planning on the budget? Add edits and send them to the Policy Committee.

- A motion was made to **approve policies DD, DBC, DBD, DBG, DBJ, and DJE** by Erik. The motion was seconded by Dave. **2 Yes 3 No**

R. Future Business

· **ESC/Select Board/FinCom meeting: Monday, February 13, 2023 – 7:00 p.m.** · **Next School Committee Meeting Date: Tuesday, March 21, 2023 – 7:00 p.m.** · Erving Policy

Committee – **Tuesday, March 21, 2023 – 6:30 p.m.**

S. A motion was made **to adjourn** the meeting at **6:37pm**. By Katelyn. The motion was seconded by Erik.
AIF.

* Enclosures

**Respectfully Submitted,
Brittanie Mimitz
Minute Taker**

DRAFT



TOWN OF ERVING

12 Main Street
Erving, Massachusetts 01344
Telephone: (413) 422-2800
Facsimile: (413) 422-2808
Email: administrator@erving-ma.gov

HSP-
Plan

Hazard Communication Plan Policy

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

Table of Contents

.01	Issue Date / Effective Date.....	1
.02	Purpose.....	1
.03	Responsible Person	1
.04	Container Labeling.....	2
.05	Solid Material Labeling.....	2
.06	Safety Data Sheets (SDS).....	2
.07	Employee Training and Information	2
.08	List of Hazardous Chemicals	3
.09	Hazardous Non-Routine Tasks.....	3
.10	Hazardous Substances in Unlabeled Pipes (if applicable).....	3
.11	Informing Contractors.....	3
.12	Information and Compliance.....	4

.01 Issue Date / Effective Date

This policy is issued and effective on _____.

.02 Purpose

In order to comply with OSHA 1910.1200, Hazard Communication Standard, the following written Hazard Communication Program has been established for the Town of Erving. The written program will be available at the Erving Town Hall, Town website, and on the All-Staff drive for review by any interested employee.

.03 Responsible Person

The term “Responsible Person” is used throughout this policy. The designation of Responsible Person is assigned to appropriate positions throughout the Town per department. The table below identifies those positions.

Department	Position
Elementary School	Maintenance Director
Fire Department	Fire Chief
Highway Department	Highway Superintendent
Wastewater & Water Department	Wastewater & Water Superintendent

Buildings & Grounds (all other buildings not listed above)	Senior Custodian
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.04 Container Labeling

The Responsible Person for each department shall verify that all in-coming containers received for use are clearly labeled with:

1. Product identifier
2. Signal word
3. Hazard statement(s)
4. Pictogram(s)
5. Precautionary statement(s) and:
6. Name, address and telephone number of the chemical manufacturer, importer or other responsible party

.05 Solid Material Labeling

The Responsible Person for each department will verify that all solid materials not exempted due to their downstream use; were delivered with a label or received the label prior to the initial shipment and need not be included in subsequent shipments unless information on the label changes.

The Responsible Person for each department at each work site will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with our company's own labels which have: Product identifier, words, pictures, symbols or combination thereof, which provide at least general information regarding the hazards of the chemicals. For help with labeling contact the Health Safety Officer.

.06 Safety Data Sheets (SDS)

The Responsible Person for each department will be responsible for obtaining and maintaining safety data sheets (SDS) for the Town.

It is the policy of the Town that when toxic or hazardous substances are received without an SDS or the appropriate SDS is not on file at the Town of Erving that the chemical will not be accepted until such information is available.

The Responsible Person for each department will review incoming safety data sheets for new and significant health/safety information. They will see that any new information is passed on to the affected employees. If a SDS is incomplete, a new SDS will be requested from the manufacturer/supplier by the Responsible Person for each department. Safety data sheets are available to each employee during their work shift. To obtain a copy of the SDS, a physical manual is on premise at the Town Hall, the Police Station, Fire Station 1, Fire Station 2, the Public Library, the Senior & Community Center, the Wastewater Treatment Plant #1 (POTW1), the Wastewater Treatment Plant #3 (POTW3), the Well House, and the Elementary School. PDF copies are also saved to the All-Staff drive.

.07 Employee Training and Information

The Health Safety Officer is responsible for the employee training program. Each Department Head, or designee, will ensure that all elements specified below are carried out for employees of their department.

Prior to starting work each new employee of the Town of Erving will attend a health and safety orientation and will receive information and training on the following:

- an overview of the requirements contained in the OSHA Hazard Communication Standard;

- any operations in their work area where hazardous chemicals are present;
- location and availability of our written hazard program;
- physical and health hazards of the chemicals in their work area;
- methods and observation techniques used to determine the presence or release of toxic and hazardous substances in the work area;
- measures employees can take to protect themselves from hazards in their workplace, including specific procedures the employer has implemented to prevent exposure to hazardous chemicals such as appropriate work practices, emergency procedures, and personal protective equipment;
- explanation of the labeling system and what the label information means; and
- explanation of Safety Data Sheets and how employees can use this information to protect themselves.

Prior to a new chemical hazard being introduced into any section of this company, each employee of that section will be given information as outlined above.

.08 List of Hazardous Chemicals

The list of all known toxic and hazardous substances used in the Town of Erving is listed in Appendix A and in the SDS Manual located in each facility, as listed in Section .06 of this policy. Appendix A is maintained and may be updated from time to time by the Health Safety Officer. Further information on each noted substance can be obtained by reviewing the appropriate Safety Data Sheets.

.09 Hazardous Non-Routine Tasks

Periodically, employees are required to perform hazardous non-routine tasks. Prior to starting work on such projects, each affected employee will be given information by their supervisor about hazardous chemicals to which they may be exposed during such activity.

This information will include:

- specific hazards;
- protective/safety measures the employee can take; and
- measures the company has taken to lessen the hazards including ventilation, respirators, presence of another employee, and emergency procedures.

If employees do not understand any aspect of the above information, they should not perform the task. The supervisor should be contacted for additional training.

.10 Hazardous Substances in Unlabeled Pipes (if applicable)

To ensure that our employees who work on unlabeled pipes have been informed as to the hazardous substances contained within, the following policy has been established. Prior to starting work on unlabeled pipes our employees are to contact their supervisor for the following information:

- The hazardous substance in the pipe.
- Potential hazards.
- Safety precautions which shall be taken.

.11 Informing Contractors

It is the responsibility of Chief Procurement Officer to provide contractors the following information:

- Notify contractors of the toxic and hazardous substances to which they may be exposed while on the job site and how the appropriate MSDS can be obtained,

- Precautionary measures that need to be taken to protect contracted employees during the workplace's normal operating conditions and in foreseeable emergencies,
- Explanation of labeling systems used by the Town of Erving

The Chief Procurement Officer will be responsible for contacting each contractor before work is started in the company to gather and disseminate any information concerning chemical hazards that the contractor is bringing to our workplace.

.12 Information and Compliance

If anyone has questions or does not understand this plan, contact Health Safety Officer. The Town of Erving hazard communication program will be monitored by Health Safety Officer to ensure that the policies are carried out and the plan is effective.

.13 Program & Plan/Policy Review

The Town's Safety Committee will be responsible for annually reviewing this policy and the Hazard Communication program review and recommend revisions to the Health Safety Officer and the Select Board as necessary.

Appendix A Known List of Hazardous Chemicals

Town Hall		
Toxic/ Hazardous		
Identity of Chemical (the identity on the SDS)	Substances	Work Areas and Process
Bona Power Plus Hard-Surface Floor Cleaner	Hydrogen Peroxide	Floor cleaning
Brighton Professional Glass Cleaner	Butoxyethanol, Ethyl Alcohol, Butane, Propane	Window cleaning
Clorox Commercial Solutions	Hydrogen Peroxide, Isopropyl Alcohol, Sodium Lauryl Sulfate	Cleaning of solid surfaces

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Elementary School		
Toxic/ Hazardous		
Identity of Chemical (the identity on the SDS)	Substances	Work Areas and Process

DRAFT

Fire Station 1		
Toxic/ Hazardous		
Identity of Chemical (the identity on the SDS)	Substances	Work Areas and Process

DRAFT

Fire Station 2		
Toxic/ Hazardous		
Identity of Chemical (the identity on the SDS)	Substances	Work Areas and Process

DRAFT

Highway Department		
Toxic/ Hazardous		
Identity of Chemical (the identity on the SDS)	Substances	Work Areas and Process

DRAFT

Police Station		
Toxic/ Hazardous		
Identity of Chemical (the identity on the SDS)	Substances	Work Areas and Process

DRAFT

DRAFT

Public Library		
Toxic/ Hazardous		
Identity of Chemical (the identity on the SDS)	Substances	Work Areas and Process

DRAFT

Senior & Community Center		
Toxic/ Hazardous		
Identity of Chemical (the identity on the SDS)	Substances	Work Areas and Process

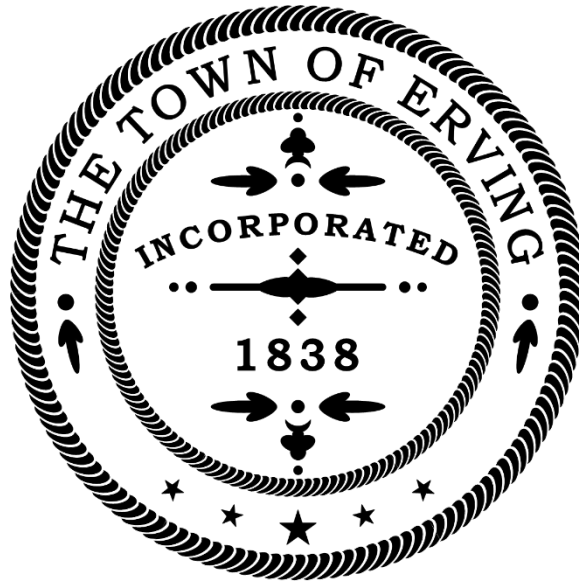
DRAFT

Wastewater Department		
Toxic/ Hazardous		
Identity of Chemical (the identity on the SDS)	Substances	Work Areas and Process

DRAFT

Water Department		
Toxic/ Hazardous		
Identity of Chemical (the identity on the SDS)	Substances	Work Areas and Process

DRAFT



SPECIAL TOWN MEETING

Wednesday, June 28, 2023

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

FISCAL YEAR 2023 FINANCIAL ARTICLES	1
ARTICLE 1: REVOLVING FUND TRANSFER TO CONTINUING APPROPRIATION FOR VETERANS FIELD.....	1
FISCAL YEAR 2024 CAPITAL IMPROVEMENT BUDGET	1
ARTICLE 2: APPROPRIATION FOR WATER CAPITAL IMPROVEMENT	1
CAPITAL IMPROVEMENT- RESCIND BORROWING AUTHORIZATION	2
ARTICLE 3: RESCIND THE BORROWING AUTHORIZATION FOR LEAD SERVICE LINE INVENTORY & REPLACEMENT PLAN PROJECT	2
ARTICLE 4: RESCIND THE BORROWING AUTHORIZATION FOR CHURCH STREET BRIDGE.....	2
REAL PROPERTY TRANSACTIONS	3
ARTICLE 5: A VOTE TO AUTHORIZE ACQUISITION OF RIGHTS IN LAND PARCELS	3
ZONING BYLAW	3
ARTICLE 6: AMEND AND RECODIFY THE ZONING BYLAW	3
POSTING REQUIREMENT CERTIFICATION.....	5

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, June 28, 2023, at 7:00 PM

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

FISCAL YEAR 2023 FINANCIAL ARTICLES

ARTICLE 1: REVOLVING FUND TRANSFER TO CONTINUING APPROPRIATION FOR VETERANS FIELD

To see if the Town will vote to transfer the sum of Ten Thousand Dollars and No Cents (\$10,000) from the Recreation Revolving Account 29-300-63001 to the continuing appropriation to be established for the renovation and redesign of Veterans Field or take any other action relative thereto.

SUBMITTED BY: Recreation Commission
FINANCE COMMITTEE RECOMMENDS:

Article Information: We have the redesign and renovation of Veteran’s Field as an upcoming Capital Project. We will be seeking a PARC grant, which requires matching funds from the community. As of 5/17/2023 we have a balance of \$22,919.36 in our Revolving Account. As per M.G.L. we are only able to carry over a balance of \$10,000 from our Revolving Account.

FISCAL YEAR 2024 CAPITAL IMPROVEMENT BUDGET

ARTICLE 2: APPROPRIATION FOR WATER CAPITAL IMPROVEMENT

To see if the Town will vote to appropriate the sum of Fifty-one Thousand Dollars and No Cents (\$51,000.00) for the capital improvement project(s) itemized below and related expenses, by transferring Fifty-one Thousand Dollars and No Cents (\$51,000.00) from Water Enterprise Fund retained earnings, subject to award by the Select Board, or take any other action relative thereto.

Line	Account #	Description	Amount
1	61-450-908-57800	Water Tank Mixing Project	\$51,000
Grand Total			\$51,000

SUBMITTED BY: Select Board/ Water Commissioners

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval [(5) Aye, (0) No, (0) Absent]

FINANCE COMMITTEE RECOMMENDS: Approval [(5) Aye, (0) No, (0) Absent]

Article Information: This article will fund the construction phase for the water tank mixing project. The engineering phase was approved at the March 06, 2023, Special Town Meeting and has resulted in this phase 2 request. Approval of this article requires a majority vote.

CAPITAL IMPROVEMENT- RESCIND BORROWING AUTHORIZATION

ARTICLE 3: RESCIND THE BORROWING AUTHORIZATION FOR LEAD SERVICE LINE INVENTORY & REPLACEMENT PLAN PROJECT

To see if the Town will rescind the borrowing authorized, in Article 7 of the Special Town Meeting Warrant from March 06, 2023, in the sum of One Hundred Twenty-five Thousand Dollars and No Cents (\$125,000.00) for the purpose of conducting an engineering assessment for the development of a Lead Service Line (LSL) Inventory and Replacement Plan Project for the Water Department, or to take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [(5) Aye, (0) No, (0) Absent]

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval [(5) Aye, (0) No, (0) Absent]

Article Information: This article would rescind the borrowing authorization that was approved on March 06, 2023. The Town applied to the Massachusetts Department of Environmental Protection (MassDEP) for a forgivable loan to the State Revolving Fund and MassDEP transitioned the program into a 100% funded grant program. The Town was successfully approved for the grant and no longer needs to borrow this amount to complete the project. The project is still expected to be completed by October 2024. Approval of this article requires a 2/3 vote at Town Meeting.

ARTICLE 4: RESCIND THE BORROWING AUTHORIZATION FOR CHURCH STREET BRIDGE

To see if the Town will rescind the borrowing authorized, in Article 15 of the Annual Town Meeting Warrant from May 11, 2022, in the sum of One Million, Six Hundred Thousand Dollars and No Cents (\$1,600,000.00) for the purpose of planning, permitting and constructing a replacement structure for the Church Street Bridge (E-10-011), located at the intersection of Church Street and North Streets, or to take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS:

CAPITAL PLANNING COMMITTEE RECOMMENDS:

Article Information: This article would rescind the borrowing authorization that was approved on May 11, 2022. The Town has submitted the project to the Franklin County Transportation Organization for inclusion on the Federal FY2024 Transportation Improvement Program. The project has been accepted as a project (#612982) and is scheduled to be funded at a cost of \$1,611,200 from State and Federal Funds. The project is expected to be advertised during the summer of 2024 and if the procurement is successful, a contractor would be awarded. Approval of this article requires a 2/3 vote at Town Meeting.

REAL PROPERTY TRANSACTIONS

ARTICLE 5: A VOTE TO AUTHORIZE ACQUISITION OF RIGHTS IN LAND PARCELS

To see if the Town will vote to authorize the Select Board to acquire **by right, purchase, eminent domain or otherwise**, the following land parcels and or rights in land parcels for the purpose of obtaining a secure and public right of way. This will allow for the construction of the Church Street Bridge Project (File #612982).

	Total # Parcels	Area (Square Feet)
In Fee		
Permanent Easements	0	0
Temporary Easements	4	1,053 +/-

~~Further that the Select Board may acquire these parcels, or modification of these parcels or other required parcels through all legal means. This includes donations, purchase or eminent domain.~~
 The subject parcels are currently identified on plans drafted by Weston & Sampson, dated _____, and titled **Right of Way Plans**. Or take any action relative thereto.

SUBMITTED BY: Select Board
 FINANCE COMMITTEE RECOMMENDS:

Article Information: Approval of this article authorizes the Select Board to use all legal means to acquire the necessary temporary and permanent easements for this project. The Church Street Bridge Project is funded through Federal and State allocations and is included in the Federal FY2024 Transportation Improvement Program. Approval of this article requires **a 2/3 super majority vote**.

ZONING BYLAW

ARTICLE 6: AMEND AND RECODIFY THE ZONING BYLAW

To see if the Town will vote to amend and recodify the Zoning Bylaw entitled “Zoning” as Chapter 230 of the Town Code, and by taking the following steps:

1. Delete, in their entirety, the following provisions of the existing Zoning Bylaw, including the Zoning Map (dated November 2, 2021), adopted June 27, 2005, and last amended May 11, 2022, but not the Groundwater Map dated September 1999:

- Section 1: Purpose and Administration
- Section 2: General Regulations
- Section 3: Districts
- Section 4: Use Regulations
- Section 5: Intensity Regulations
- Section 6: Special Permit and Site Plan Review
- Section 7: Phasing of Growth
- Section 8: Optimal Development Methods
- Section 9: Definitions
- Zoning Map Dated November 2, 2021

2. Create the following provisions in the document entitled “Zoning Bylaw, dated May 18, 2023”, including the Zoning Map dated March 8, 2023, on file in the office of the Town Clerk and the Planning Board:

- Article 1.0 Purpose and Authority
- Article 2.0 Districts
- Article 3.0 Use Regulations
- Article 4.0 Dimensional Regulations
- Article 5.0 Nonconforming Uses and Structures
- Article 6.0 General Regulations
- Article 7.0 Special Regulations
- Article 8.0 Special Residential Regulations
- Article 9.0 Special Districts
- Article 10.0 Administration and Procedures
- Article 11.0 Definitions
- Zoning Map, Dated March 8, 2023

Or take any action relative thereto.

SUBMITTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS:

Article Information: *Approval of this article would adopt all the proposed amendments to the Zoning Bylaw, as well as assign Chapter 230 as its designation in the Town Code. Approval of this article requires a 2/3 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 **June 2023**.

Jacob A. Smith, Chairman

William A. Bembury

Scott Bastarache

Erving Select Board

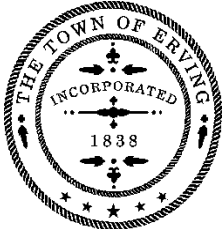
POSTING REQUIREMENT CERTIFICATION

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



TOWN OF ERVING

Finance Committee

12 East Main Street
ERVING, MASSACHUSETTS 01344
413-422-2800 ext. 1102

Finance Committee Members:
Debra Smith, Chair
Thomas Duffy
Ben Fellows
Dan Hammock
Charles Zilinski

June 11, 2023

To: Select Board

From: Finance Committee

Dear Select Board Members,

On June 8, 2023, the Finance Committee met to discuss the ongoing wage review process. After thoughtful discussion the finance committee voted by majority (please note, one member recused themselves from the discussion) in favor of supporting the following changes to the wage scales:

- ❖ Dropping current steps 1-5 and moving forward with a 10-step scale.
- ❖ Increasing from 2% to 3% in between steps.
- ❖ Shifting placements on the scale as follows:
 - Current steps 1-4 moving to New Step 1 (Old Step 6)
 - Current step 5 moving to New Step 2 (Old Step 7)
 - Current step 6 moving to New Step 3 (Old Step 8)
 - Current step 7 moving to New Step 4 (Old Step 9)
 - Current step 8 moving to New Step 5 (Old Step 10)
 - Current step 9 moving to New Step 6 (Old Step 11)
 - Current step 10 moving to New Step 7 (Old Step 12)
 - Current step 11 moving to New Step 8 (Old Step 13)
 - Current step 12 moving to New Step 9 (Old Step 14)
 - Current steps 13 & 14 moving to New Step 10 (Old Step 15)
 - Current step 15 moving to New Step 10 (Old Step 15)
- ❖ A 4% Base wage adjustment for FY24

We look forward to discussing our recommendation with you at our upcoming joint meeting.

Thank you,

Debra Smith
Chair, Erving Finance Committee

FY23 General Government Compensation Schedule

GRADE	A	B	C	D	E	F	G	H
Step 1	\$15.30	\$17.60	\$20.24	\$23.28	\$26.76	\$29.44	\$32.39	\$35.63
Step 2	\$15.61	\$17.95	\$20.64	\$23.74	\$27.30	\$30.03	\$33.03	\$36.34
Step 3	\$15.92	\$18.31	\$21.05	\$24.22	\$27.85	\$30.63	\$33.69	\$37.07
Step 4	\$16.24	\$18.67	\$21.48	\$24.70	\$28.40	\$31.24	\$34.37	\$37.81
Step 5	\$16.56	\$19.05	\$21.90	\$25.20	\$28.97	\$31.86	\$35.05	\$38.57
Step 6	\$16.89	\$19.43	\$22.34	\$25.70	\$29.55	\$32.50	\$35.76	\$39.34
Step 7	\$17.23	\$19.81	\$22.79	\$26.21	\$30.14	\$33.15	\$36.47	\$40.12
Step 8	\$17.57	\$20.21	\$23.25	\$26.74	\$30.74	\$33.81	\$37.20	\$40.93
Step 9	\$17.93	\$20.62	\$23.71	\$27.27	\$31.36	\$34.49	\$37.94	\$41.74
Step 10	\$18.28	\$21.03	\$24.18	\$27.82	\$31.99	\$35.18	\$38.70	\$42.58
Step 11	\$18.65	\$21.45	\$24.67	\$28.37	\$32.63	\$35.88	\$39.48	\$43.43
Step 12	\$19.02	\$21.88	\$25.16	\$28.94	\$33.28	\$36.60	\$40.27	\$44.30
Step 13	\$19.40	\$22.31	\$25.67	\$29.52	\$33.94	\$37.33	\$41.07	\$45.19
Step 14	\$19.79	\$22.76	\$26.18	\$30.11	\$34.62	\$38.08	\$41.89	\$46.09
Step 15	\$20.19	\$23.22	\$26.70	\$30.71	\$35.32	\$38.84	\$42.73	\$47.01

FY 24 PROPOSAL - 3% Increase Between Steps (w/4% Adjustment)								
GRADE	A	B	C	D	E	F	G	H
Step 1 (6)	\$17.57	\$20.21	\$23.25	\$26.74	\$30.74	\$33.81	\$37.20	\$40.93
Step 2 (7)	\$18.10	\$20.82	\$23.94	\$27.54	\$31.67	\$34.83	\$38.32	\$42.15
Step 3 (8)	\$18.65	\$21.44	\$24.66	\$28.37	\$32.62	\$35.87	\$39.47	\$43.42
Step 4 (9)	\$19.20	\$22.09	\$25.40	\$29.22	\$33.60	\$36.95	\$40.65	\$44.72
Step 5 (10)	\$19.78	\$22.75	\$26.16	\$30.09	\$34.60	\$38.06	\$41.87	\$46.06
Step 6 (11)	\$20.37	\$23.43	\$26.95	\$31.00	\$35.64	\$39.20	\$43.13	\$47.44
Step 7 (12)	\$20.99	\$24.13	\$27.76	\$31.93	\$36.71	\$40.38	\$44.42	\$48.87
Step 8 (13)	\$21.61	\$24.86	\$28.59	\$32.88	\$37.81	\$41.59	\$45.75	\$50.33
Step 9 (14)	\$22.26	\$25.60	\$29.45	\$33.87	\$38.95	\$42.83	\$47.12	\$51.84
Step 10 (15)	\$22.93	\$26.37	\$30.33	\$34.89	\$40.11	\$44.12	\$48.54	\$53.40
*** Fin Com Recommends this proposal as voted on at the 060823 meeting.								

Fire Department FY23 Wage Scale

GRADE	F1	F2	F3	F4	F5	F6	F7
Step 1	\$15.30	\$18.36	\$20.40	\$22.95	\$25.50	\$28.05	\$30.60
Step 2	\$15.61	\$18.73	\$20.81	\$23.41	\$26.01	\$28.61	\$31.21
Step 3	\$15.92	\$19.10	\$21.22	\$23.88	\$26.53	\$29.18	\$31.84
Step 4	\$16.24	\$19.48	\$21.65	\$24.35	\$27.06	\$29.77	\$32.47
Step 5	\$16.56	\$19.87	\$22.08	\$24.84	\$27.60	\$30.36	\$33.12
Step 6	\$16.89	\$20.27	\$22.52	\$25.34	\$28.15	\$30.97	\$33.78
Step 7	\$17.23	\$20.68	\$22.97	\$25.85	\$28.72	\$31.59	\$34.46
Step 8	\$17.57	\$21.09	\$23.43	\$26.36	\$29.29	\$32.22	\$35.15
Step 9	\$17.93	\$21.51	\$23.90	\$26.89	\$29.88	\$32.87	\$35.85
Step 10	\$18.28	\$21.94	\$24.38	\$27.43	\$30.47	\$33.52	\$36.57
Step 11	\$18.65	\$22.38	\$24.87	\$27.98	\$31.08	\$34.19	\$37.30
Step 12	\$19.02	\$22.83	\$25.36	\$28.54	\$31.71	\$34.88	\$38.05
Step 13	\$19.40	\$23.28	\$25.87	\$29.11	\$32.34	\$35.57	\$38.81
Step 14	\$19.79	\$23.75	\$26.39	\$29.69	\$32.99	\$36.29	\$39.58
Step 15	\$20.19	\$24.23	\$26.92	\$30.28	\$33.65	\$37.01	\$40.38

FY24 PROPOSAL - 3% Increase Between Steps (w/4% Adjustment)

GRADE New/(Previ.)	F1	F2	F3	F4	F5	F6	F7
Step 1 (6)	\$17.57	\$21.09	\$23.43	\$26.36	\$29.29	\$32.22	\$35.15
Step 2 (7)	\$18.10	\$21.72	\$24.14	\$27.15	\$30.17	\$33.19	\$36.20
Step 3 (8)	\$18.65	\$22.37	\$24.86	\$27.97	\$31.08	\$34.18	\$37.29
Step 4 (9)	\$19.20	\$23.05	\$25.61	\$28.81	\$32.01	\$35.21	\$38.41
Step 5 (10)	\$19.78	\$23.74	\$26.37	\$29.67	\$32.97	\$36.26	\$39.56
Step 6 (11)	\$20.37	\$24.45	\$27.17	\$30.56	\$33.96	\$37.35	\$40.75
Step 7 (12)	\$20.99	\$25.18	\$27.98	\$31.48	\$34.98	\$38.47	\$41.97
Step 8 (13)	\$21.61	\$25.94	\$28.82	\$32.42	\$36.02	\$39.63	\$43.23
Step 9 (14)	\$22.26	\$26.72	\$29.68	\$33.40	\$37.11	\$40.82	\$44.53
Step 10 (15)	\$22.93	\$27.52	\$30.57	\$34.40	\$38.22	\$42.04	\$45.86

*** Fin Com Recommends this proposal as voted on at the 060823 meeting.

Meeting Minutes

Board: Select Board / Water Commissioner's Meeting
Date: Monday, May 22, 2023
Location: Senior & Community Center, 1 Care Drive, Erving, MA 01344

Select Board Present: Jacob Smith, William Bembury, Scott Bastarache

At 6:33 PM **Chairman Smith** called the meeting to order.

Surplus Property Request- Town Clerk Printer- 3rd Reading

The Select Board members conducted a third reading of the surplus equipment request from the Town Clerk's Office, regarding one (1) HP Laser Jet 600 M601 printer (NN: CNCCF5MOLY). The Board members discussed having no concerns with the request. **Selectman Bastarache** made a motion to deem the Town Clerk HP Laser Jet 600 M601 printer as surplus property and to dispose of it by recycling as appropriate. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Surplus Equipment Request- Town Clerk Computer- 2nd Reading

The Select Board members conducted a second reading of the surplus equipment request from the Town Clerk to deem one (1) Dell OptiPlex 9010 computer (95LMHX1) as surplus. The Board members discussed having no concerns with the recommendation. The Board will conduct a third reading at the next meeting.

Surplus Equipment Request- Information Technology Dept. Computers- 2nd Reading

The Select Board members conducted a second reading of the surplus equipment request from the Information Technology Department to deem four (4) Latitude E6430ATG laptops (KJFKF12, GFFKF12, HDFK12, & BDKF12) as surplus. The Board members discussed having no concerns with the recommendation. The Board will conduct a third reading at the next meeting.

Review of Recreation Settlement Agreement with FirstLight Power Resources for the Renewal of the Federal Energy Regulatory Commission (FERC) Licenses of Northfield Mountain Pumped Storage Project (No. 2485) and Turners Falls Hydroelectric Project (No 1889)

The Select Board members reviewed the Recreation Settlement Agreement with FirstLight Power Resources. **Selectman Bastarache** discussed his review of the final Recreation Management Plan and noted that there are only a few items that address the use of property in the Town of Erving and that the Recreation Management Plan includes mechanisms to address items that are not completed by the anticipated dates. **Selectman Bastarache** explained that he has no concerns about how the final Settlement impacts Erving directly. **Selectman Bembury** discussed his review of the final Recreation Settlement and expressed agreement with the reflections of **Selectman Bastarache**. **Selectman Bembury** noted that the Recreation Management Plan addresses protection for bald eagles and discussed wanting Erving to consider a program to protect bald eagles as well. Bryan explained that a term of the Recreation Settlement Agreement states that the Town will not oppose the Fish & Flows Settlement Agreement, noting that the Town was not a party to that agreement. The Select Board members discussed support for proceeding. **Selectman Bastarache** made a motion to authorize Bryan Smith, on behalf of the Town of Erving, to sign the Recreation Settlement Agreement for the relicensing of the Turners Falls Hydroelectric Project (FERC project no. 1889) and the Northfield Mountain Pumped Storage Project (FERC project no. 2485). **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Review of Highway Foreman and Equipment Operator Position Description Drafts

The Select Board members reviewed the draft descriptions for the Highway Foreman and Equipment Operator positions. **Selectman Bastarache** discussed his review of the drafts and asked for a track changes

Meeting Minutes

version of Highway Foreman position description. **Selectman Bembury** explained that he wants the references regarding participation in the drug and alcohol testing program to read the same in both position descriptions. The Select Board members expressed agreement.

Selectman Bastarache discussed support for approving the revised Equipment Operator position description. The Select Board members expressed agreement. James Loynd suggested that the Select Board should consider revising the occupational risk section and make CPR and first aid certification a requirement of the job, rather than a preference. **Chairman Smith** acknowledged the suggestion and discussed wanting to meet with the Highway Superintendent to understand the impact. **Selectman Bastarache** made a motion to approve the job description for the Equipment Operator Labor position for the Highway Department. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Review of Meeting Minutes for April 03, 2023

The Select Board members reviewed the meeting minutes for Monday, April 03, 2023. **Selectman Bembury** made a motion to accept the meeting minutes of Monday, April 03, 2023, as written. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Review of Meeting Minutes for April 24, 2023

The Select Board members reviewed the meeting minutes for Monday, April 24, 2023. **Selectman Bembury** made a motion to accept the meeting minutes of Select Board/ Water Commissioners of Monday, April 24, 2023, as written. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Review of Meeting Minutes for May 03, 2023 Joint Meeting

The Select Board members reviewed the meeting minutes for Wednesday, May 03, 2023, for the joint meeting held with the Finance Committee and School Committee. **Selectman Bembury** made a motion to accept the meeting minutes of the Select Board/ Water Commissioners dated Wednesday, May 03, 2023, as written. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Review of Meeting Minutes for May 03, 2023

The Select Board members reviewed the meeting minutes for the Select Board meeting on Wednesday, May 03, 2023. **Selectman Bastarache** made a motion to accept the Select Board minutes from Wednesday, May 03, 2023, as written. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Review of Meeting Minutes for May 10, 2023

The Select Board members reviewed the meeting minutes for the Wednesday, May 10, 2023. **Selectman Bembury** made a motion to accept the meeting minutes of May 10, 2023, Select Board/ Water Commissioners, as written. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Review of Security Camera Policy Draft- 1st Reading

The Select Board members conducted a first reading of a draft Security Camera Policy. **Chairman Smith** discussed the importance of differentiating between providing access to live stream and playback of recorded data. Bryan acknowledged the concern and explained that live stream access is used to monitor facilities during operating hours. **Chairman Smith** discussed wanting the Chief of Police to have access export recordings for all locations. Bryan explained that the first draft has been informed by the Safety Committee and is meant to reflect current conditions. **Selectman Bastarache** discussed wanting to maintain the current access with the restricted access to export and capture. **Chairman Smith** discussed the need for the policy to address training. **Selectman Bastarache** discussed his support for further defining access to live streaming from access to recordings.

Meeting Minutes

James asked to ensure that the policy is not in conflict with the Police Department's policy related to body worn cameras. James also expressed concern about the duration of retention policy. **Chairman Smith** acknowledged the concerns for further review. **Selectman Bastarache** discussed revisions to be made in section .05. **Chairman Smith** discussed wanting to review the law enforcement process and to develop a request form. **Selectman Bastarache** agreed to the requirement for a written request for law enforcement outside of Erving to access records. Bryan will revise and review with the Safety Committee and Town Counsel.

Review of Hazard Communication Policy Draft- 1st Reading

The Select Board members conducted a first reading of a draft Hazard Communication Plan policy. Bryan provided a general overview of the draft policy that largely outlines the Town's safety data sheet (SDS) program that exists in manuals located in each Town facility. Bryan discussed needing to work on a better description of the Health Safety Officer role as outlined in the policy. **Selectman Bembury** suggested having the Fire Department staff play a larger role in the policy as it addresses potential hazards that may need a medical response. Bryan explained that the Fire Chief is involved in this process because of the potential hazards but clarified that the Health Safety Officer is more of a human resource related function, including the initial training and ongoing training of staff. **Selectman Bastarache** acknowledged the concern and suggested that the Senior Custodian position may provide support. Bryan noted that the Senior Custodian has been involved in the development of the SDS program and discussed the need of better defining the different responsibilities within the draft policy. **Selectman Bastarache** and **Chairman Smith** discussed general reorganization of the policy. **Selectman Bembury** discussed the importance of ensuring that staff have training. **Selectman Bastarache** discussed identifying the department head for department specific training of staff in section .07. James suggested the addition of an auditing period for ensuring that manuals are maintained and accurate. Bryan will make the revisions as discussed and review the draft with the Safety Committee.

Review of Ten Town Loan Discharge Request- Franklin Land Trust, Inc.

The Select Board members reviewed the request from Bryan to discharge a loan from the Ten Town Loan Fund that Erving administers, for a loan to the Franklin Land Trust, Inc. that was satisfied in 2007. The Select Board members discussed having no concerns with the request. **Selectman Bastarache** made a motion to discharge the mortgage dated December 15, 1997, to the Franklin Land Trust, Inc. as mortgagor, for property located at 396 Main Street, Ashfield, Ma, effective May 22, 2023, as the mortgage has been satisfied, and to authorize Jacob A. Smith, Select Board Chair, as signatory. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Review of the Proposed Zoning Bylaw Amendments from Planning Board

The Select Board members reviewed the proposed Zoning bylaw amendments that have been prepared by the Planning Board. **Chairman Smith** summarized that the redline edits are recent and that the presented draft is inclusive of the edits previously presented to the Select Board. Jacquelyn Boyden, Planning Board Chair, confirmed the understanding and explained that the latest revisions are minor and included adding campgrounds to the use table by special permit to align with the definition in the bylaw and correct editorial issues that were discovered after the previous draft was submitted. Jacquelyn explained that other corrections were made, such as changing references to the "Board of Selectmen" to now read "Select Board" and to update references to the position of "Chairman" to now read "Chair." The Select Board members discussed having no concerns with the proposed revisions and expressed support for the Planning Board to proceed to the public hearing in June 2023. **Selectman Bembury** made a motion to recommend the proposed Zoning Bylaw amendments, dated May 18, 2023, to the Planning Board for consideration at a public hearing. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Selectman Bastarache asked Jacquelyn for an explanation of how the proposed Zoning Bylaw amendments would address the keeping of fowl, noting that he has fielded recent requests from a resident. Jacquelyn explained that livestock are allowed by right and that the Bylaw is silent on smaller lots and suggested that the Board of Health would address the livestock issue by regulations as they have that purview. Jacquelyn added that the Select Board would hear noise concerns. Jacquelyn explained that the public hearing has been scheduled for June 15, 2023, at 7:00 PM and will be held at the Public Library. **Chairman Smith** asked about a preference for a Special Town Meeting date for the Planning Board to present the proposed Zoning Bylaw to the voters. Jacquelyn said that the Planning Board has no preference and that the members are prepared to answer any questions that arise.

Review Surveying Services for Bridge Street & Maple Avenue

The Select Board members reviewed the memorandum from Bryan recommending that the Town engage professional surveying services to prepare a survey and written description for Bridge Street and Maple Avenue, related to the planned reconstruction and repaving project. **Selectman Bastarache** asked if the surveying costs can be attributed to the project budget. Bryan confirmed that understanding. **Selectman Bastarache** made a motion to engage Edward Muszynski for professional surveying services for the road layouts of Bridge Street and Maple Avenue for a fee of \$6,000, and to authorize Bryan Smith, Town Administrator to execute all necessary agreements. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Review Engineering Services Professional Services Proposal for Lead Service Line Inventory Project

The Select Board members reviewed the professional engineering services proposal from Tighe & Bond for the lead service line project for the Water Department. The Select Board members discussed the transition of the State's forgivable loan program into a grant. The Select Board members discussed support for proceeding with the professional services agreement as it aligns with the grant application that was submitted to the State. **Selectman Bastarache** made a motion to engage Tighe & Bond for professional engineering services for the lead and copper rule revisions water service inventory and lead service line replacement plan project, in an amount not to exceed \$121,500, and to authorize Bryan Smith, Town Administrator, to execute all necessary agreements. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Discussion Regarding Water Tank Mixer Project- Recommendation for Equipment & Construction Costs

The Select Board members reviewed the communication from Tighe & Bond, outlining the proposed approach for the water tank mixer project and the current cost estimate of the solution. Bryan reminded the Select Board that the Town approached this project in two (2) phases, with the Town appropriating \$26,000 for engineering in the first phase at the March 2023 Special Town Meeting. Bryan explained that the construction phase is currently estimated to cost \$46,500 with a contingency. **Chairman Smith** discussed wanting to request sufficient funding to install a monitoring device. The Select Board members discussed sourcing the funding request from Water Enterprise Fund retained earnings.

Both **Chairman Smith** and **Selectman Bastarache** asked Bryan to ensure that Peter Sanders, Water Superintendent, can administer treatments at the tank as necessary with the proposed solution. Bryan will follow up with Peter and Tighe & Bond. Daniel Watson asked about the age of the water tank and if the bacterial hits have been an ongoing issue. Bryan estimated that the tank was constructed in the late 70's to early 80's. **Selectman Bastarache** and **Chairman Smith** discussed the bacterial hit experience over the recent years and explained that the mixing equipment has been recommended to help avoid bacterial hits.

Review & Issuance of the 14th Water Commitment for FY2023

The Water Commissioners reviewed the 14th Water Commitment for FY2023 for backflow water charges in the aggregate amount of \$640.00. **Commissioner Bastarache** made a motion to approve the 14th Water Commitment in the total amount of \$640.00. **Commissioner Bembury** seconded. **Vote:** Unanimously approved.

Review FY2024 Water User Rate Recommendation

The Water Commissioners reviewed the memorandum from Bryan regarding the water use rate for Fiscal Year 2024. **Commissioner Bembury** asked for an explanation of the recommendation. Bryan explained that with the anticipated consumption of water at the current rate of \$5.25/1,000 gallons the Water Department should be able to maintain the approved budget. Bryan added that if the Commissioners increased the rate to \$5.30/ 1,000 gallons, the additional revenue would allow the Department to build capacity for future capital improvements. **Commissioner Bembury** expressed support for a rate of \$5.30/ 1,000 gallons. The Commissioners expressed agreement. **Commissioner Bembury** made a motion to set the fiscal year 2024 water use rate at \$5.30/ 1,000 gallons, effective July 1, 2023. **Commissioner Bastarache** seconded. **Vote:** Unanimously approved.

Discussion of Wheelock Street Culvert Improvement Project

The Select Board members reviewed a memorandum from Bryan providing a status update of the Wheelock Street culvert improvement project. Bryan explained that the contractor is ready to begin and is ordering the custom headwall structures with an anticipated delivery in early July. Bryan explained that an abutter has expressed concern about the planned turnaround that is being constructed as part of this project to keep turning vehicles on the road surface and off private property. Bryan explained that the resident is concerned that people may use this space for parking and has requested that the area is posted that parking is not permitted. Bryan also explained that the resident has asked that the Town place large rocks or jersey barriers along their property line and the road layout to prevent any parking along the side of the road. **Selectman Bastarache** expressed concern about the Town working on private property and the potential to set a precedent. The Select Board members expressed agreement and discussed support for amending the Traffic Regulations to list the area of concern on Wheelock Street to prohibit on-street parking. James raised concern about limiting on-street parking for neighbors. Bryan will draft Traffic regulations changes for the Select Board to review.

Special Municipal Employee- Tree Warden Position

The Select Board members reviewed the memorandum from Bryan requesting that the position of Tree Warden is designated as a Special Municipal Employee. **Selectman Bastarache** explained that the concern had been expressed by the Town Clerk and that he has no concerns with the request. **Selectman Bastarache** made a motion to designate the position of Tree Warden as a special municipal employee position for the Town pursuant to M.G.L. c. 268A, section 1(n). **Selectman Bembury** seconded. **Vote:** Unanimously approved.

FY2024 Landscaping Services Agreement Extension

The Select Board members reviewed the memorandum from Bryan requesting the one (1) year extension of the current landscaping services agreement with The Beulah Land Maintainers of Orange, MA for Fiscal Year 2024. The Select Board members discussed having no concerns with the request. **Selectman Bembury** made a motion to extend the current landscaping maintenance services agreement with The Beulah Land Maintainers of Orange, Ma 01364 for Fiscal Year 2024, beginning July 1, 2023, and ending June 30, 2024. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Surplus Property Request- Administration- Asphalt Millings- 1st Reading

The Select Board members conducted a first reading of a surplus property request for asphalt millings that were gifted to the Town in the fall of 2022 from the repaving project on Route 2. Bryan explained that the Town had intended to use the millings on a different project, but the vendor sourced a different material and if the millings are not used soon, they may harden in place and cost the Town to dispose of. Bryan clarified that the recommendation is to give the millings away on a first-come-first-serve bases and that the Town cannot make deliveries and cannot fill vehicles. The Select Board members discussed having no concerns at this time. The Select Board will conduct a second reading at the next meeting.

Discussion Regarding Future Special Town Meeting

The Select Board members reviewed the memorandum from Bryan, outlining the suggested topics for a June 2023 Special Town Meeting warrant as well as additional topics that will need to be addressed at a Town Meeting. **Chairman Smith** summarized the topics for consideration and discussed scheduling a joint meeting with the Finance Committee and Capital Planning Committee for June 5, 2023, to review further.

Topics for consideration include:

- Proposed Zoning Amendments from the Planning Board
- Water Tank Mixer Construction project
- Rescind borrowing authority for the Water Department Lead Service Line project
- Rescind borrowing authority for the Church Street Bridge project
- Request from the Recreation Commission to transfer unused funds in the Revolving Fund into a Special Article for the future renovation of Veterans Memorial Field
- Elementary School Deficit

Chairman Smith discussed wanting all departments to prepare an explanation for all open special article projects and to justify why a special article should not be closed with a goal of closing out unspent funds at the end of the fiscal year. The Select Board members expressed agreement. Regarding the potential of an FY2023 deficit for the Elementary School, **Selectman Bastarache** discussed having a meeting with Business Director and that expenditure reports are being prepared for the next School Committee meeting.

Other topics for future consideration:

- FY2024 Override- Operating budget and/or capital for IP Mill
- Revised snow emergency parking ban bylaw
- Revised personnel bylaw
- Recommendation to transition Tree Warden position from elected to appointed
- Borrowing authorization or Stabilization transfer for Swamp Road Bridge
- Re-appropriation of excess Arch Street force sewer main bond proceeds for a capital project
- Temporary construction easements for the Church Street Bridge project

Chairman Smith discussed wanting to conduct a comprehensive review of all department budgets and how the Town's levy can sustain the operating budgets of the Town.

Next Meeting

Chairman Smith explained that he is planning the next Select Board meeting for Monday, June 5, 2023, to include a joint meeting with the Finance Committee and Capital Planning Committee for 7:00 PM. **Chairman Smith** explained that agenda items will likely include the review of the Special Town Meeting

Meeting Minutes

warrant draft, discussion of the Proposition 2 ½ override and to address compensation adjustments for FY2024. The Select Board members agreed to tentatively plan meeting dates for June 12, 2023, and June 26, 2023, with the Special Town Meeting planned for June 28, 2023.

Adjournment

At 8:44 PM **Chairman Smith** made a motion to adjourn. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Respectfully submitted,

Bryan Smith
Town Administrator

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Meeting Minutes

Board: Select Board / Water Commissioner's Meeting
Date: Monday, June 05, 2023
Location: Senior & Community Center, 1 Care Drive, Erving, MA 01344

Select Board Present: Jacob Smith, William Bembury, Scott Bastarache
Finance Committee Present: Debra Smith, Thomas Duffy, Charles Zilinski, Daniel Hammock, Benjamin Fellows
Capital Planning Committee Present: Benjamin Fellows, Linda Downs-Bembury, Peter Mallet, Jacob Smith, Debra Smith

At 6:39 PM **Chairman Smith** called the meeting to order.

Surplus Equipment Request- Town Clerk Computer- 3rd Reading

The Select Board members conducted a third reading of the surplus equipment request from the Town Clerk to deem one (1) Dell OptiPlex 9010 computer (95LMHX1) as surplus. The Board members discussed having no concerns with the recommendation. **Selectman Bastarache** made a motion to deem the Dell OptiPlex 9010 computer surplus and to ensure that the hard drive is removed and destroyed. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Surplus Equipment Request- Information Technology Dept. Computers- 3rd Reading

The Select Board members conducted a third reading of the surplus equipment request from the Information Technology Department to deem four (4) Latitude E6430ATG laptops (KJFKF12, GFFKF12, HDFK12, & BDKF12) as surplus. The Board members discussed having no concerns with the recommendation. **Selectman Bastarache** made a motion to deem the four latitude laptops from the IT Department as surplus, that are obsolete, and recycle appropriately. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Surplus Property Request- Administration- Asphalt Millings- 2nd Reading

The Select Board members conducted a seconded reading of the surplus property request for asphalt millings. The Select Board members discussed having no concerns with the request at this time. Glenn McCrory, Highway Superintendent, suggested that the material should be made available on the condition that an interested party would have to be able to take the full amount. Glenn raised the concern that the materials will be wasted if not used soon. **Selectman Bastarache** discussed preference for allowing local access for residents first and then provide access for outside interested parties to take the material. The Board will conduct a third reading at the next meeting.

Review of Highway Foreman Description Draft

Glenn joined the Board to discuss the proposed revisions to the Highway Foreman position description. **Selectman Bastarache** asked Glenn about the suggestion for requiring CPR and first aid certification for the position. Glenn explained that under a previous Highway Superintendent, the requirement for CPR and first aid was added to allow for certification to serve as flaggers on road construction projects. Glenn explained that the Department no longer uses flaggers and instead uses Police details. Glenn expressed concern about adding more requirements to the position and the challenges of currently recruiting. **Selectman Bastarache** explained that he proposes that the Town should provide the training and cover the expense. **Selectman Bembury** expressed support. Glenn clarified commercial driving license requirements for participation in the drug testing program. **Chairman Smith** discussed striking a redundant reference in essential function #8 and the Select Board members agreed. Glenn discussed the physical and drug testing practices that the Town follows for preemployment and annual testing. The

Meeting Minutes

Select Board members discussed having no other concerns about the amended position description. **Selectman Bastarache** made a motion to approve the Highway Foreman position description, as amended. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Recommendation for Appointment to Highway Foreman Position

Glenn explained that he has prepared a recommendation to fill the Foreman position with the promotion of Thomas Duffy. Glenn explained that his recommendation is based on Thomas' successful performance in his current role, with accepting new duties and for succeeding with new training. Glenn expressed his confidence in Thomas' ability to perform the job duties of the Foreman position. **Selectman Bastarache** discussed his review of the recommendation and support for the recommendation to promote from within. **Selectman Bastarache** discussed the importance of filling the position and discussed the benefits of having someone who understands the inner workings of the department. **Selectman Bembury** and **Chairman Smith** both expressed agreement for recommendation. **Selectman Bastarache** discussed his recommendation to begin at Grade E, Step 3, for a rate of \$27.85 per hour. **Selectman Bembury** expressed agreement. **Selectman Bastarache** made a motion to promote Thomas Duffy to the position of Highway Foreman, effective June 5, 2023, at Grade E, Step 3, for a rate of \$27.85, with a six-month probationary period. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

At 7:10 PM **Chairman Smith** called the joint meeting of the Select Board, Finance Committee and Capital Planning Committee to order.

Review of Special Town Meeting Warrant Draft

Chairman Smith reviewed the draft Special Town Meeting warrant for June 28, 2023.

Article 1: Revolving Fund Transfer to Continuing Appropriation for Veterans Field

Chairman Smith reviewed the article, requested by the Recreation Commission, to transfer \$10,000 from the Recreation Revolving Fund and to appropriate the same amount into a special article for the future capital improvements and potential PARC grant match at Veterans Memorial Field. Bryan Smith, Town Administrator, explained that by statute the Recreation Commission can only have \$10,000 in the fund on June 30th and the funds excess funds will be turned over to the General Fund unless they are appropriated by the voters. **Chairman Smith** explained that he would like a status update on the capital plan for the Recreation Department. Debra Smith, Finance Committee Chair, explained that the Capital Planning Committee had previously requested that information. Bryan explained that the Commission has several new members and that they are actively working on those updates. **Chairman Smith** suggested waiting until the Recreation Commission can provide the update. **Selectman Bastarache** discussed general support for the request to prepare for a grant match. **Chairman Smith** expressed agreement but stated that he wants the Recreation Commission to follow the capital planning process. Debra confirmed that the Capital Planning Committee has not received a project request for Veterans Memorial Field. The Recreation Commission will be asked to send a representative to the next meeting.

Article 2: Appropriation for Water Tank Capital Improvement

Chairman Smith reviewed the article, that will provide \$51,000 from Water Enterprise Fund retained earnings for the construction phase of the tank mixing project. The Select Board, Finance Committee and Capital Planning Committee members expressed support.

Finance Committee Recommendation: Daniel Hammock made a motion for the Finance Committee to recommend approval of the article. Benjamin Fellows seconded. **Vote:** Unanimously approved.

Meeting Minutes

Capital Planning Committee Recommendation: Linda Downs-Bembury made a motion for the Capital Planning Committee to recommend approval of the article. Peter Mallet seconded. **Vote:** Unanimously approved.

Article 3: Rescind Borrowing Authorization for Lead Service Line Inventory & Replacement Plan Project
Chairman Smith explained that the anticipated loan application was transitioned from a forgivable borrowing program to a grant program and therefore the borrowing authorization is no longer necessary.

Finance Committee Recommendation: Daniel Hammock made a motion for the Finance Committee to recommend approval of the article. Charles Zilinski seconded. **Vote:** Unanimously approved.

Capital Planning Committee Recommendation: Linda Downs-Bembury made a motion for the Capital Planning Committee to recommend approval of the article. Peter Mallet seconded. **Vote:** Unanimously approved.

Article 4: Rescind the Borrowing Authorization for Church Street Bridge

Mariah Kurtz, Town Planner, joined the meeting. Bryan explained that the construction project of the Church Street Bridge has been officially added to the Federal FY2024 Franklin County Transportation Improvement Program plan, securing federal and state funding of over \$1.6 million. **Chairman Smith** congratulated everyone involved in getting the project on to the transportation plan for funding. Mariah discussed the anticipated construction schedule. **Selectman Bembury** expressed concern about rescinding the full borrowing authority if construction bids exceed the estimated project cost, and the additional capacity is needed to award the bid. Bryan acknowledged the concern. Debra expressed agreement with the concern and suggested maintaining some capacity. **Selectman Bembury** suggested reducing the authority by \$1 million and maintaining \$600,000 in capacity. Thomas Duffy asked for the anticipated timeline for bidding. Mariah explained that it is planned for June 2024. **Selectman Bastarache** and **Chairman Smith** both discussed support for maintaining the capacity until June 2024. Debra discussed support. **Chairman Smith** asked Bryan to follow-up with the Massachusetts Department of Transportation (MassDOT) to see if bids can be valid for sixty (60) days if additional funding is needed.

Article 5: A Vote to Authorize Acquisition of Rights in Land Parcels

Bryan explained that this article would allow the Select Board to secure the four (4) temporary easements needed for the construction of the Church Street Bridge. Bryan explained that he has a few edits from Town Counsel to incorporate but that he has been waiting for confirmation of the Right of Way plans from MassDOT. The Select Board members discussed support for proceeding. Bryan will revise the article.

Article 6: Amend and Recodify the Zoning Bylaw

Chairman Smith reviewed the article and explained that it will allow for the Town to adopt the revised Zoning Bylaw that the Planning Board has been working on. **Chairman Smith** asked if Finance Committee wants to make a recommendation on the article. The Finance Committee members agreed not to provide a recommendation on this article.

The Select Board, Finance Committee and Capital Planning Committee will conduct a review of the revised Special Town Meeting warrant draft on June 12, 2023.

Discussion Regarding FY2023 Budget Adjustments

Chairman Smith asked if there is a need to consider adjustments to budgets for FY2023. Bryan explained that he is reviewing the Town-side accounts with the Town Accountant and can provide an update for the

next meeting. **Chairman Smith** discussed the ongoing concern with the School Department and that he attended the recent School Committee meeting. **Chairman Smith** explained that it was his understanding from the information that was shared at the meeting, that the School Department is no longer predicting a deficit for FY2023.

Discussion Regarding Comprehensive Review for FY2024

Chairman Smith explained that he would like the Select Board, Finance Committee and Capital Planning Committee to conduct a comprehensive review of the Town budget. **Chairman Smith** suggested following the example from the Town of Norwood if a Proposition 2 ½ override is desired. **Chairman Smith** explained that he would like the Board to proceed over the next ninety (90) days to deal with the potential of scheduling a Special Town Meeting in September 2023. **Selectman Bastarache** discussed wanting to meet with Finance Committee, Select Board and School Committee to jointly work on the comprehensive review and a goal of establishing a long-term plan rather than a short-term fix. **Chairman Smith** expressed agreement and noted that the Town's capacity to fund capital requests from raise & appropriate was reallocated to the School Department's operating budget with the amendment at the Annual Town Meeting. Debra asked for a list of what budget requests had been reduced during the FY2024 budgeting process, including the funding capacity for the capital improvement program. **Chairman Smith** suggested having department heads conduct a five (5) year lookout exercise, using criteria prepared by the boards. **Selectman Bastarache** expressed support for a long-range operating and capital planning exercise that includes staffing considerations and to engage all department heads in the conversation. Debra suggested a report template that includes details like the examples provided by Chief Holst and Glenn. **Chairman Smith** expressed agreement and discussed wanting to focus on the operating goals of each department. **Selectman Bastarache** agreed and explained that he wants to ensure that the proposed plan has sufficient capacity to raise & appropriate to meet the operating goals.

Selectman Bastarache expressed his concern about the proposed timeline. **Chairman Smith** acknowledged the concern and added that he wants the review to occur before the FY2025 budget planning process begins. Mariah suggested that the Town may explore the use of a participatory budgeting process. **Selectman Bastarache** expressed support for the proposal but noted the concern about the FY2024 timeline. **Selectman Bastarache** discussed support for wanting to gather more constituent feedback as quickly as possible. **Chairman Smith** discussed support for learning more about the participatory budget process. **Chairman Smith** discussed working to outline the framework for the review process and drafting a meeting schedule for next joint meeting. **Selectman Bembury** discussed wanting to have the Select Board dedicate regular meeting time on the agenda to the topic. The Select Board members expressed agreement.

Daniel reflected on the budget request reductions and the need to consider the ability to sustain the additional operating funds that the Town provided the School Department that were sourced from Free Cash. **Chairman Smith** acknowledged the concern. **Selectman Bastarache** also expressed agreement and explained that is important to involve the School Committee. Daniel discussed the Town of Norwood example and explained that he would like to foster more involvement for interested voters. **Chairman Smith** discussed agreement and wanting to have citizens involved. James Loynd discussed his reflection of the Town of Norwood example and explained that he would want the Town to provide an explanation of the impact on services if reductions are not restored. **Selectman Bastarache** expressed agreement and explained that he would want the Town to make a pledge to voters on how the Town will work to manage the budget if a Proposition 2 ½ override is supported. Mariah suggested asking both departments and citizens what they want for services that they do not currently have. Charles asked if the School

Meeting Minutes

Department would be held to the same expectation. **Chairman Smith** expressed agreement and explained that he would want the work to be done jointly with the School Committee.

At 8:22 PM Thomas Duffy recused himself from the meeting.

Discussion Regarding Wage Adjustments for FY2024

Selectman Bastarache provided an update regarding the review of the FY2024 wage adjustment proposal that he has worked on with Debra. **Selectman Bastarache** explained that the options explored the impact of different base wage adjustments, adjustments to the percentages between steps, and changes to the number of steps in each grade. **Selectman Bastarache** explained that the Treasurer has worked to provide a cost estimate of the scenarios to understand the impact on the budget. **Selectman Bastarache** discussed intentions to meet on Thursday to prepare a recommendation for joint meeting on Monday, June 12, 2023. **Selectman Bastarache** discussed exploring recommendations that have come from the Finance Committee, with the goals of having a compensation schedule that allows the Town to attract and retain employees, with the understanding that the voters have provided \$120,000 in the special article to fund adjustments. Debra discussed appreciation for the Treasurer's Office for their timely review and discussed exploring the Finance Committee recommendations.

Chairman Smith asked what the Select Board and the Finance Committee members should anticipate for a format at the next meeting. **Selectman Bastarache** discussed a goal of trying to narrow to one (1) stand out option or a few similar options with nuance differences. Debra expressed agreement and asked **Chairman Smith** if he has a preference. **Chairman Smith** discussed support for what **Selectman Bastarache** discussed. **Selectman Bembury** asked for a limit of two (2) options and asked to confirm that the proposal would be for a July 1, 2023, implementation. **Selectman Bastarache** confirmed that understanding.

The Finance Committee agreed to meet on Thursday, June 08, 2023, to review the different scenarios and to work on a recommendation. Daniel discussed wanting to find a recommendation that considers impacts to taxpayers and employees.

Discussion Regarding Swamp Road Bridge Project

The Select Board, Finance Committee and Capital Planning Committee members reviewed a memorandum from Bryan summarizing the status of the Swamp Road Bridge replacement project. Bryan provided a general overview of the project and the work done to date. Glenn discussed recently meeting with the engineering team from Weston & Sampson to scheduled soil borings in the coming weeks. Mariah noted that the Town would like to assess two (2) possible locations for the bridge placement to be considered and asked the Select Board for support for the funding of additional soil borings at a cost of approximately \$5,000. The Select Board members expressed support for conducting the additional soil borings as described. **Chairman Smith** asked about measures to address traffic impacts while the soil boring work is conducted. Glenn acknowledged the concern and explained that the work on North Street will be done with a Police detail to address traffic concerns.

Bryan explained that the Town could submit a grant application to the Massachusetts Small Bridge Grant program that may provide construction funds. Mariah explained that she had drafted the application and that she worked with residents and the Fire Chief to ensure that concerns were reflected accurately in the application. Bryan noted the concern that the Small Bridge grant program is a competitive program, and the application will likely be considered with many other applications that also have a compelling need. Mariah discussed the importance of communicating in the application that the Town is engaged in the

Meeting Minutes

Church Street Bridge project at the same time as the Swamp Road Bridge project. **Selectman Bastarache** discussed wanting to schedule public meetings with residents to explore concepts and receive feedback. Bryan suggested that the preliminary information may be ready to hold meetings in late summer or early fall. The Select Board, Finance Committee and Capital Planning Committee members discussed support for Mariah to apply for the Small Bridge grant program for the Swamp Road Bridge replacement project.

Bryan asked the Select Board, Finance Committee and Capital Planning Committee members if they would like to pursue a temporary bridge installation prior to working on the permanent replacement, noting that the process and reviews are the same for both projects. Bryan noted that a resident had asked the Town to explore this possibility as it is not a formal program or service that the Town was aware of. Bryan explained that he has made contact with the MassDOT and they can loan the Town panels of temporary bridge decking, but the Town would be responsible for all engineering, permitting, new bridge abutments, connectors, and related costs. Bryan expressed concern that pursuing the temporary option would interrupt the engineers' work on the permanent replacement. **Selectman Bastarache** discussed his concern that the existing foundations and abutments are structurally undermined and therefore there is nothing for the Town to safely support a temporary bridge with. Because of this, **Selectman Bastarache** explained that he does not support focusing on a temporary installation and would like the focus to remain on a permanent replacement. **Selectman Bembury** expressed agreement. Finance Committee members expressed agreement, noting that they didn't support spending the money twice or delaying the permanent project. Glenn expressed appreciation for knowing the option to borrow temporary bridge deck panels may exist for future projects, even if it doesn't help with the current project.

Bryan asked the Select Board if they wanted to review proposals for surveying and deed research of the public road layouts of North Street and Swamp Road. The Select Board members asked to see proposals for the survey of Swamp Road from North Street to the entrance of the State Forest, for all of Swamp Road, including the unmaintained section, for all North Street from Route 2 to the Townline, and for just the project area. Bryan will obtain those proposals for future review.

Discussion Regarding North Street & Church Street Traffic Calming

The Select Board, Finance Committee and Capital Planning Committee members reviewed a memorandum from Bryan summarizing the request from residents of North Street and Church Street regarding traffic safety concerns and possible traffic calming measures the Town could take. Bryan suggested that temporary installations, such as speed cushions, may allow the Town to test the effectiveness of the measures and to get resident feedback before permanent changes to the roadways are made. Bryan also explained that some residents at the meeting discussed interest in having the Town explore a new traffic pattern for lower North Street and Church Street using one-way traffic. Mariah discussed concerns with the impact of one-way traffic routes on Route 2 and the importance of coordinating with MassDOT District 2, especially as they work on redesigns for Erving Center. Bryan expressed agreement with the concern. Daniel Watson also discussed the impact of traffic in the area and expressed concern specifically at the intersection of North Street and Route 2.

Regarding the suggestion of piloting temporary speed cushions in the layout, **Chairman Smith** asked if the use would be seasonal. Glenn confirmed the understanding and explained that they would have to be removed in the winter for snow plowing. Glenn also discussed the request for yield signs for the center of crosswalks, noting that North Street has a tight layout, and expressing the concern that the signs may serve as an obstruction to navigate around for larger vehicles. Bryan added that the uniform traffic code requires them to be installed on the center line of the road at the crosswalk if they are to be used. Debra expressed support for the expense related to the Town piloting the temporary speed cushions and

Meeting Minutes

expressed concern for the pedestrian signs at this location. The Select Board members expressed agreement. Glenn explained that because the equipment can be temporary it may allow the Town to pilot an installation on a roadway one season and then move the equipment to a different area of concern to pilot an installation in another season. **Chairman Smith** discussed support for the proposal and suggested that the Town invest in four (4) speed cushion sets, noting that it would allow the Town to monitor effectiveness and then consider a future capital project request or a Complete Streets project. The Select Board members expressed support for ordering four (4) sets. Daniel Watson discussed concern about children in the neighborhood for the coming summer months and wanting the Town to work to install the equipment as soon as possible. Bryan will work to explore delivery times.

At 9:34 PM **Chairman Smith** made a motion to adjourn the joint meeting of the Select Board, Finance Committee and Capital Planning Committee and to continue with the Select Board meeting. Debra Smith seconded. **Vote:** Unanimously approved.

Review of Meeting Minutes for April 10, 2023

The Select Board members passed over this agenda topic.

Review of Meeting Minutes for May 22, 2023

The Select Board members passed over this agenda topic.

Surplus Equipment Request- Recreation Commission- Zilinski Dugouts- 1st Reading

The Select Board members conducted a first reading of the surplus property request for the dugout structures at Zilinski Memorial Field with the recommendation to demolish the structures. The Select Board members discussed having the work conducted by the Highway Department. Glenn confirmed the understanding and discussed the possibility of completing the work in the final week of June. The Board will carry the topic for a second reading at the next meeting.

Review of Security Camera Policy Draft- 2nd Reading

The Select Board members conducted a second reading of the revised Security Camera Policy draft. **Selectman Bembury** asked about the plan for posting signage. Bryan explained that several facilities are posted, such as the Town Hall, but that the intention is to have consistent signage at all facilities. **Chairman Smith** explained that he would like a clearer understanding of what is necessary for compliance within the policy and for posting requirements. The Select Board members expressed agreement. Bryan discussed meeting with the Safety Committee later in the week and collecting more feedback on the revised draft for the Select Board's consideration.

Review of Hazard Communication Policy Draft- 2nd Reading

The Select Board members conducted a second reading of the revised Hazard Communication Plan Policy. Bryan reviewed the edits that were made after receiving feedback from the Select Board. Bryan discussed the idea of needing to further develop and identify a Health Safety Officer role. Bryan discussed meeting with the Safety Committee later in the week and collecting more feedback on the revised draft for the Select Board's consideration. The Board will conduct a third reading at the next meeting.

Review of Highway Foreman Description Draft (revisited)

Glenn rejoined the Select Board and asked the members to consider allowing the Foreman position to have access to a take home vehicle. The Select Board members asked Glenn to prepare a proposal that outlines his recommendation.

Meeting Minutes

Adjournment

At 9:51 PM **Chairman Smith** made a motion to adjourn. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Respectfully submitted,

Bryan Smith
Town Administrator

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Meeting Minutes

Board: Select Board / Water Commissioner's Meeting
Date: Thursday, June 08, 2023
Location: Town Hall, 12 East Main Street, Erving, MA 01344

Select Board Present: Jacob Smith, William Bembury, Scott Bastarache

At 6:47 PM **Chairman Smith** called the meeting to order.

Surplus Property Request- Administration- Asphalt Millings- 3rd Reading

The Select Board members conducted a third reading of the surplus property request for asphalt millings. Bryan Smith, Town Administrator, explained that the amount available has decreased as approximately 3 triaxle loads were used at Fire Station 2. The Select Board members discussed providing a finite period for residents to acquire material before it is made generally available. The Select Board members affirmed that the Town shall not deliver or load millings for any interested parties, it is the party's responsibility to obtain and transport. **Selectman Bastarache** made a motion to deem the load of asphalt millings, that were gifted to the Town from the Route 2 paving project in fall of 2022, as surplus, to be advertised to residents for a period of one week and the remaining material made available to the general public, for free. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Surplus Equipment Request- Recreation Commission- Zilinski Dugouts- 2nd Reading

The Select Board members conducted a second reading of the surplus property request for the dugout structures at Zilinski Memorial Field. The Select Board members discussed having no concerns with the request. The Board will carry the topic for a third reading at the next meeting.

Review of Mass In Motion Grant Agreement with FRCOG

The Select Board members reviewed the Mass In Motion grant agreement with the Franklin Regional Council of Governments (FRCOG) for FY2024. Bryan explained that the agreement is for the continuation of the existing relationship between the Town and the FRCOG for the project. The Select Board members discussed support for approving the agreement. **Selectman Bastarache** made a motion to sign the memorandum of understanding by and between the Town of Erving and Franklin Regional Council of Governments for age-friendly planning, for the period of July 1, 2023 through June 30, 2024. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Surplus Equipment Request- School Dept- Tilt Skillet- 1st Reading

The Select Board members conducted a first reading of the surplus property request for a tilt skillet at the School Department. The Select Board members discussed a preference for making the equipment available for public auction, in as is condition. The Board will carry the topic for a second reading at the next meeting.

Executive Session

At 6:54 PM **Chairman Smith** made a motion for the Select Board to enter Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (1) [t]o discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual; and

to enter Executive Session pursuant to Massachusetts General Law Chapter 30A, Section 21 (a) (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel ... regarding Fire Chief

Meeting Minutes

Philip Wonkka and Chief of Police Robert Holst. The Select Board will not return to Regular Session.
Selectman Bastarache seconded. **Roll Call Vote:**

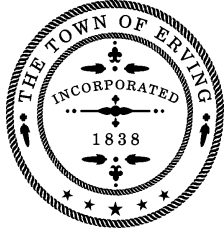
Selectman Bembury Aye
Selectman Bastarache Aye
Chairman Smith Aye

The Select Board did not return to Regular Session.

Respectfully submitted,

Bryan Smith
Town Administrator

DRAFT



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
William A. Bembury
Select Board

Bryan Smith
Town Administrator

June 09, 2023

To: Select Board
From: Bryan Smith, Town Administrator

RE: Reappointment Recommendation for Boards, Commissions, Committees & Representatives

The following individuals are recommended to the Select Board for reappointment to the positions sought for the term indicated:

FY24 SELECT BOARD APPOINTMENTS	TERM	RECOMMENDED EFFECTIVE DATE	RECOMMENDED TERM END DATE
AMBULANCE ADVISORY REPRESENTATIVE			
Philip Wonkka	1 Year	7/1/2023	6/30/2024
ARCHAEOLOGICAL PRESERVATION OFFICER			
David Brule	1 Year	7/1/2023	6/30/2024
BOARD OF REGISTRARS			
Warren Boyden	1 Year	7/1/2023	6/30/2024
Theresa Dodge	1 Year	7/1/2023	6/30/2024
CAPITAL PLANNING COMMITTEE			
Peter Mallet	3 Years	7/1/2023	6/30/2026
COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY COMMITTEE REP			
Mariah Kurtz	1 Year	7/1/2023	6/30/2024
CONSERVATION COMMISSION			
Carolyn Berg	3 Years	7/1/2023	6/30/2026
David Brule	3 Years	7/1/2023	6/30/2026
COUNCIL ON AGING			
Gary Betters	3 Years	7/1/2023	6/30/2026
Joseph Bucci	3 Years	7/1/2023	6/30/2026
CULTURAL COUNCIL			
Leslie Brown	3 Years	7/1/2023	6/30/2026
E-911 PLANNING COMMITTEE			
Richard Newton	1 Year	7/1/2023	6/30/2024
Philip Wonkka	1 Year	7/1/2023	6/30/2024

ELECTION TELLERS			
Pamela Bouthillier	1 Year	7/1/2023	6/30/2024
Rebecca Miller	1 Year	7/1/2023	6/30/2024
Joyce Newton	1 Year	7/1/2023	6/30/2024
ELECTION WARDEN			
Leslie Brown	1 Year	7/1/2023	6/30/2024
ELECTION CLERK			
Nancy Kruzlic	1 Year	7/1/2023	6/30/2024
FRANKLIN REGIONAL PLANNING BOARD REPRESENTATIVE			
Mariah Kurtz	1 Year	7/1/2023	6/30/2024
FRANKLIN COUNTY COOPERATIVE INSPECTION REPRESENTATIVE			
Jacquelyn Boyden	1 Year	7/1/2023	6/30/2024
FRANKLIN COUNTY SOLID WASTE MANAGEMENT DISTRICT REP			
Bryan Smith	1 Year	7/1/2023	6/30/2024
FRANKLIN REGIONAL COUNCIL OF GOVERNMENT ALTERNATE REP			
Bryan Smith	1 Year	7/1/2023	6/30/2024
GOLDEN CANE COMMITTEE			
David Brule	1 Year	7/1/2023	6/30/2024
Kelly Loynd	1 Year	7/1/2023	6/30/2024
John Rice	1 Year	7/1/2023	6/30/2024
HISTORICAL COMMISSION			
David Brule	3 Years	7/1/2023	6/30/2026
MUTUAL AID POLICE OFFICER			
Jason Bassett	1 Year	7/1/2023	6/30/2024
OPEN SPACE COMMITTEE			
Jacquelyn Boyden	1 Year	7/1/2023	6/30/2024
Joseph Bucci	1 Year	7/1/2023	6/30/2024
PUBLIC WORKS FEASIBILITY COMMITTEE			
Mariah Kurtz	1 Year	7/1/2023	6/30/2024
Peter Mallet	1 Year	7/1/2023	6/30/2024
Glenn McCrory	1 Year	7/1/2023	6/30/2024
Peter Sanders	1 Year	7/1/2023	6/30/2024
SENIOR HOUSING COMMITTEE			
William Bembury	1 Year	7/1/2023	6/30/2024
Gary Betters	1 Year	7/1/2023	6/30/2024
Paula Betters	1 Year	7/1/2023	6/30/2024
Jacquelyn Boyden	1 Year	7/1/2023	6/30/2024
Leslie Brown	1 Year	7/1/2023	6/30/2024
George Moonlight Davis	1 Year	7/1/2023	6/30/2024
Jean Galbraith	1 Year	7/1/2023	6/30/2024

VETERANS COMMITTEE			
Gary Betters	1 Year	7/1/2023	6/30/2024
Armand Bouthillier	1 Year	7/1/2023	6/30/2024
Daniel Hammock	1 Year	7/1/2023	6/30/2024
VETERANS SERVICES REPRESENTATIVE			
Gary Betters	1 Year	7/1/2023	6/30/2024
ZONING BOARD OF APPEALS			
Daniel Hammock	3 Years	7/1/2023	6/30/2026

If the above recommended reappointments are made, the Select Board will still have the following vacancies to fill:

- Cable Advisory Committee 3 Members
- Council on Aging 4 Members
- Cultural Council 2 Members
- Franklin Regional Council of Governments Representative 1 Select Board Member
- Franklin Regional Transportation Authority 1 Select Board Member
- Historical Commission 2 Members
- Public Works Feasibility Committee 1 Member
- Zoning Board of Appeals 1 Member

Memo

Town of Erving

To: Select Board
From: Jennifer Eichorn – Treasurer
CC:
Date: June 7, 2023
Re: Proposed Reclassification of Assistant Treasurer Position

Since acquiring more duties as Treasurer in the past year, some of my responsibilities have been inherited by the Assistant Treasurer. Not only has Jean, our Assistant Treasurer, taken on more responsibility in her current role, but she is always willing to help in any way.

Here are some of the essential functions/duties that have been added to the Assistant Treasurer position:

- Responsible for U28 reconciliation and payment of fringe benefits
- Reconciles Veteran Service Payments
- Processes cash receipts for monthly bank interest

Please see the attached job description for the essential functions edits.

I believe that the current classification doesn't accurately reflect the level of responsibility that this position holds. Many of the categories (Confidentiality, Accountability, Judgement & Complexity) are understated. For example, the level of judgement & complexity of processing the payroll alone are quite high.

It is my recommendation that the Assistant Treasurer position be upgraded to a grade D.

Town of Erving, Massachusetts
Assistant Treasurer

Position Title:	Assistant Treasurer	Grade Level:	
Department	Treasurer	BOS Approved:	5/22/2017
Reports to:	Treasurer	Range:	

Statement of Duties: The Assistant Treasurer is responsible for the provision of a range of administrative and human resource services such as payroll in support of the Treasurer's office. Employee is required to perform all similar or related duties.

Supervision Required: Works under the general direction of the Treasurer and in accordance with applicable Massachusetts General Laws, Town policies, Town Bylaws and relevant state, federal and local regulations. Establishes own work plan and independently completes work in accordance with established departmental policies and standards. The employee is expected to recognize instances which are out of the ordinary and which do not fall within existing instructions; the employee is then expected to seek advice and further instructions. Reviews and checks of the employee's work are applied to an extent sufficient to keep the supervisor aware of progress, and to ensure that completed work and methods used are technically accurate and that instructions are being followed.

Supervisory Responsibility: The employee will be required to supervise other departmental employees.

Confidentiality: The employee has regular access to confidential information including official employee personnel files as well as department records in accordance with the State Public Records Law.

Accountability: Consequences of errors, missed deadlines or poor judgment may result in missed deadlines, adverse customer relations, legal repercussions, monetary loss, and jeopardize programs.

Judgment: Performs a variety of complex and highly responsible duties of a responsible nature requiring independent interpretation and the exercise of considerable initiative and judgment. Work at this level requires a working knowledge of department operations, local regulations and state laws.

Complexity: The work consists of a variety of duties which generally follow standardized practices, procedures, regulations or guidelines. The sequence of work and/or the procedures followed vary according to the nature of the transaction and/or the information involved, or sought, in a particular situation.

Work Environment: Work is performed under typical office conditions; work environment is moderately noisy; works with numerous interruptions during the day.

Nature and Purpose of Public Contact: Relationships with co-workers, town employees, and the public involving frequent explanation, discussion or interpretation of practices, procedures, regulations or guidelines in order to render service, plan or coordinate work efforts, or resolve operating problems. Other regular contacts are with service recipients and employees of outside organizations. More than ordinary courtesy, tact, and diplomacy may be required to resolve complaints or deal with uncooperative or uninformed persons.

Town of Erving, Massachusetts
Assistant Treasurer

Occupational Risk: Duties of the job present little potential for personal injury to the employee. Risk exposure is similar to that found in a municipal office setting.

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.

1. Responsible for reviewing time sheets, processing the Town's employee payroll, administration of employee benefits and the generation of related reports.
2. Creates deposits consisting of monies from town departments and taxpayers.
3. Prepares and pays all payroll taxes including reporting of quarterly unemployment.
4. Reconciles bank statements and the departmental cash book.
5. Processes cash receipts for monthly bank interest.
6. Distributes new employee hiring packets; enters employee personnel data including benefits into the Town's payroll system.
7. Maintains and updates files for benefits including reconciling of bills and processing for payment.
8. Provides guidance and information to employees, retirees and the other government agencies regarding the benefits and payroll offered to employees of the Town.
9. Provides direction and guidance to the public and refers requests for information of service to the appropriate department personnel as necessary.
10. Conducts retirement related research via computer or vault.
11. When necessary, makes transfers of money for payroll and/or vendor warrants.
12. Prepares the ACA (Affordable Care Act) annual report.
13. Responsible for U28 reconciliation and payment of fringe benefits.
14. Reconciles Veteran Service Payments.
15. In the absence of the Treasurer, performs the duties of the Treasurer.

Minimum Qualifications:

Education and Experience: Associate's degree; one to three (1-3) years of related work experience, preferably in municipal finance; an equivalent combination of education, training and experience which provides the required knowledge, skills and abilities to perform the essential functions of the job may be considered.

Special Requirements: Must be able to be bonded.

Knowledge, Abilities and Skill

Knowledge: Knowledge of Massachusetts General Laws and Federal laws pertaining to the operation of a municipal treasurer's office as well as municipal employee human resource services and benefits. Knowledge of Town government services and department organizational structure. Proficient skill in the operation of a personal computer and applicable office and payroll software. Knowledge of the rules and regulations, practices and procedures pertaining to a municipal treasurer's office.

Abilities: Ability to handle information in a sensitive, confidential and professional manner is essential; ability to understand and apply procedures, regulations and policies related to areas of

Town of Erving, Massachusetts
Assistant Treasurer

municipal employee benefits; ability to work independently, meet deadlines and be able to prepare financial reports; ability to work under pressure with patience and empathy to employee issues and concerns, and to manage multiple tasks in a detailed and timely manner. Ability to read, interpret, and apply personnel policies and regulations in a consistent and impartial manner.

Skill: Proficient analytical skills, decision-making skills, critical thinking skills and written communication skills; excellent organizational skills; excellent data processing skill in the use of personal computers and office software including word processing, data base management, and spreadsheet applications.

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 Demands: Little or no physical demands are required to perform the work. Work effort principally involves sitting to perform work tasks, with intermittent periods of stooping, walking, and standing. There may also be some occasional lifting of objects such as books, office equipment, and computer paper.

Motor Skills: Duties involve assignments requiring the application of hand and eye coordination with finger dexterity and motor coordination such as keyboarding and filing or sorting of papers.

Visual Demands: Visual demands require the employee to constantly read documents for general understanding and for analytical purposes. The employee is routinely required to determine color differences.

COMMONWEALTH OF MASSACHUSETTS
TOWN OF ERVING

OFFICE OF THE BOARD OF WATER COMMISSIONERS
Water Commissioners Warrant to the Collector
Backflow Water Charges **15th Commitment**, Fiscal Year 2023

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 from the several persons named in the water charges list herewith committed to you, the amount of the water charges for testing of backflow prevention devices, including Erving Elementary School – Zero tests at Forty Dollars each, totaling Zero Dollars (\$00.00); French King Bowling Center – Two tests at Forty Dollars each, totaling Eighty Dollars (\$80.00); Erving Fire Station - Zero tests at Forty Dollars each, totaling Zero Dollars (\$00.00); Erving Police Department - Zero tests at Forty Dollars each, totaling Zero Dollars (\$00.00); Erving Senior/Community Center - Zero tests at Forty Dollars each, totaling Zero Dollars (00.00); Renovators Supply Inc., - Zero tests at Forty Dollars each, totaling Zero Dollars (\$00.00); Town of Erving POTW 1 – Zero tests at Forty Dollars each, totaling Zero Dollars (\$00.00); Erving Public Library – Zero tests at Forty Dollars each, totaling Zero Dollars (\$00.00) and The Commonwealth of Massachusetts – One test at Forty Dollars each, totaling Forty Dollars (\$40.00). The sum total of such list being One Hundred Twenty Dollars and No Cents (\$120.00).

Said charges are to be paid to Michele Turner, Town of Erving Tax/Water 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 bills will be due thirty (30) days after the postmarked date of the original bill. Overdue notices will go to property owners and "current occupant" forty-five (45) days after 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 Monday at 10:00 a.m., except when Monday is a legal holiday observed by the Commonwealth of Massachusetts. In this case, shut off will occur on Tuesday, following seventy-five (75) days from the postmarked date of the original billing. The shut off notice will clearly state both the date and time shut off will 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 12th day of June 2023.

WATER COMMISSIONERS OF ERVING

Jacob A. Smith, Chair

William A. Bembury

Scott Bastarache

Commitment Report

Account Information	Meter Reads And Usage	Usage	Receivable	Amount
245			BackFlow Test	\$80.00
SEMB RALPH W			Total:	\$80.00
55 FRENCH KING HWY				
Route 1				

279			BackFlow Test	\$40.00
COMMONWEALTH OF MASS			Total:	\$40.00
89 FRENCH KING HIGHWAY				
Route 1				

Report Totals

2 Account(s)	Receivable Name	Total
	BackFlow Test	\$120.00
	Receivable Totals:	\$120.00