



TOWN OF ERVING

SELECT BOARD / WATER COMMISSIONERS

To be held at the Senior & Community Center,
1 CARE DRIVE, ERVING, MASSACHUSETTS 01344

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

Bryan Smith
Town Administrator

Meeting Agenda

Monday, August 21, 2023

This meeting is open to the public.

Scheduled Business

<i>Time</i>	<i>Agenda Item</i>
6:30 PM	Call to Order
6:35 PM	Joint Meeting with School Committee
7:00 PM	Joint meeting with Finance Committee & Capital Planning Committee- FY2024 Financial Review

Old Business

<i>Agenda Item</i>	<i>Section</i>
Surplus Equipment Request- Battery Backup- 2 nd Reading	1
Surplus Equipment Request- Town Hall Draperies- 2 nd Reading	2
Review of Police Dept. Policy- 1.15 Handling Juveniles- 3 rd Reading	3
FY2024 Financial Review with Departments	4

New Business

<i>Agenda Item</i>	<i>Section</i>
Meeting Minutes: September 27, 2021, and August 07, 2023	5
Review & Issuance of 3 rd , 4 th , & 5 th Water Commitment for FY2024	6
Review of FFY2021 CDBG Housing Rehabilitation Quarterly Report- June 30, 2023	7
Review of Ethernet Service Agreement	8
Review of School Committee Vacancy- Letters of Interest	9
Review of Tree Warden Vacancy- Letters of Interest	10
Review of Senior Housing RFP Addendum	11
Discussion of Buildings & Grounds Department Structure & Review of Descriptions	12
Discussion Regarding Exploring a Shared Animal Control Service	13
Surplus Equipment Request- Recreation Department- 1 st Reading	14
One Day Special Event Liquor Request- Recreation Department	15
Town of Northfield Request to Restrict North Street for Local Traffic on 350 th Anniversary	16
Housing Rehabilitation Loan Forgiveness Request	17

Other Business

Signing of the Treasury Warrant

Anticipated Next Meeting Dates

Wednesday, September 06, 2023- 6:30PM Monday, September 18, 2023- 6:30PM

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>Administration</u>	Request Date: <u>08/04/2023</u>
Item(s) to be disposed of: <u>One (1) APC battery backup unit (model: SMX3000LV, SN: AS1324140822)</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>Unit is at the end of its useful life and began to malfunction last year. It was used to support the Town Hall server which is no longer in use.</u>	
Recommended Disposition: <u>Scrap</u>	
	<u>08/04/2023</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

Surplus Property Disposition Request

Department/Board/Committee <u>Administration</u>	Request Date: <u>08/04/2023</u>
Item(s) to be disposed of: <u>Town Hall draperies (6 sets, 12 panels total) that fit windows that are approx 8' x 8'</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 draperies were procured in 2005 for approximately \$3,500. The tracks and pullies have broken over the years and the fabric has faded. The curtains have been replaced.</u>	
Recommended Disposition: <u>Free on a first-come-first-serve basis or recycled with textiles</u>	
	<u>08/04/2023</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

HANDLING JUVENILES

<p>POLICY & PROCEDURE NO. 1.15</p>	<p>ISSUE DATE: 03/01/2023</p>
<p>MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 44.1.1; 44.2.1; 44.2.2; 44.2.3; 44.2.4; 44.2.5; 82.1.1(a); 82.1.1(b)</p>	<p>EFFECTIVE DATE:</p>
	<p>REVISION DATE:</p>

<h2 style="margin: 0;">I. GENERAL CONSIDERATIONS AND GUIDELINES</h2>
--

It is generally recognized that juveniles (≥ 12 and < 18 years of age) who engage in anti-social conduct present different problems to society than do adults who engage in similar types of activities. There is, therefore, a modification of police procedures in handling juvenile offenders who come in contact with the police. This special procedure is based on the concept that the juvenile offender is often not yet hardened and may be more easily influenced to conduct himself/herself within the confines of the law. There is no question that the attitude and actions of the police can have considerable impact upon the first offender who is often times a frightened youngster at the time of their initial arrest which may their first contact with law enforcement. How [s]he is treated at that specific time by the police can absolutely have a lasting impression as it pertains to the police and the criminal justice system in general. At the same time, it must always be remembered that the so-called “hardened” juvenile arrestee can be just as dangerous as any adult.

Although the police are not expected to be social workers, they must have an understanding of the social and psychological factors which contribute to juvenile misbehavior and crime. By the nature of their duties and responsibilities, the police should be familiar with any undesirable conditions in the community which tend to have the capacity to breed juvenile delinquency. The prevention of juvenile crime has a high priority and any success in this regard can pay large dividends to the community as a whole and to its young people. **44.1.1**

As a preventive measure, officers should frequently check those areas, places and buildings that have been particularly prone to juvenile delinquent behavior and conduct

field encounters of all juveniles found in suspicious situations. Energetic and proactive patrol, impressing the fact of a consistent police presence, can be a most effective deterrent to juvenile delinquency. The members of the Erving Police Department, should also cooperate and collaborate actively with all other agencies, public or private, that can be of assistance in deterring and controlling juvenile delinquency.

Police officers play a very important part in the Juvenile Justice System. Patience, understanding, compassion and when necessary, firmness, together with close cooperation with court officials in the processing of juvenile cases, are necessary for the system to operate most effectively and efficiently.

Police officers should be aware that one's constitutional rights are never lost by virtue of one's age. Indeed, juveniles merit greater protection, especially in the areas of custodial questioning and the initiation of a waiver of their rights.

The State Legislature has rescinded the law formerly referred to as CHINS (Children in Need of Services) and replaced with numerous provisions concerning Children Requiring Assistance. Rather than arresting certain young persons, the Police may place them in "custodial protection", but not handcuff, shackle or even bring them to the Police Station. Until the legislature or a court clarifies certain provisions of the new law, the Department will do its best to interpret and comply with the spirit of the legislation, which is clearly aimed at further separating certain so-called "status offenders" from the stigmatizing effects of certain aspects of the criminal justice system.

II. POLICY

- A. It shall be the policy of the Erving Police Department that:
1. Juveniles shall be afforded their constitutional and statutory rights when being questioned, searched, detained or arrested; [44.2.2 c](#)
 2. Juvenile offenders shall not be detained at the Erving Police Department for any longer than reasonably necessary;
 3. Children Requiring Assistance shall be provided custodial protection and other required services where this can be done safely.
 4. Officers shall, whenever reasonable and justified under this policy, take those measures necessary to effect positive change in juvenile offenders that are consistent with Massachusetts law and the safety and security interests of the community;
 5. The Department shall be committed to the development and perpetuation of programs to prevent and control juvenile delinquency. [44.1.1](#)

III. DEFINITIONS

A. **Child Requiring Assistance (CRA)** Any child between the ages of 6 and 18 who:

1. Repeatedly **runs away** from the home of the child's parent, legal guardian or custodian;
2. Repeatedly **fails to obey** the **lawful and reasonable commands of the child's parent**, legal guardian or custodian, thereby interfering with their ability to adequately care for and protect the child;
3. Repeatedly fails to obey the lawful and reasonable regulations of the child's school; or
4. Is habitually truant. [44.2.2](#)

B. **"Delinquent child"**, a child between 12 and 18 years of age who commits any offense against a law of the commonwealth; provided, however, that such offense shall not include:

- **a civil infraction,**
- **a violation of any municipal ordinance or town by-law**
- **or a first offense of a misdemeanor**
 - **for which the punishment is a fine, imprisonment in a jail or house of correction for not more than 6 months or both such fine and imprisonment.**¹
- **Important Note:**
 - The previous definition of a "*Delinquent child*" was much broader. Previously it was defined as a child between the ages of seven (7) and eighteen (18) who violates any city ordinance or town by-law or who commits any offense against a law of the commonwealth.
 - The *New **Age of Criminal Responsibility*** has been increased from 7 to **12 years of age.**
 - In addition the new statute states in pertinent part that juveniles shall not be found delinquent in juvenile court for any misdemeanor for which the first offense is punishable by less than 6 months in the House of Correction.
 - With that in mind, there is nothing in this newly modified definition of a "*Delinquent Child*" under Chapter 119 Section 52 that specifically precludes police officers from making an arrest under certain circumstances such as:

1. when specifically authorized by statute based on “probable cause”;
 2. when specifically authorized by statute when the violation occurs in the presence of a police officer; or
 3. when the violation takes place in the presence of a police officer in which said violation amounts to an ongoing or prospective breach of the peace.
- Therefore, arrests of juveniles for certain types of misdemeanors which carry a penalty for less than six months such as the following:
- Indecent Exposure,
 - Disorderly Conduct,
 - Disturbing the Peace,
 - Minor Transporting Alcohol,
 - Operating with a Suspended License,
 - Shoplifting,
 - Threats,
 - Driving without a license
 - Breaking and Entry to Commit a Misdemeanor, or
 - Making Annoying/Harassing Phone Calls
- Until such time as the state legislature provides additional clarity and guidance on this complicated issue, beyond that outlined in the 2019 Wallace W Decision, the **preferred response** whenever possible for a violation of these listed enumerated offenses is to **avoid making an arrest whenever possible.** However, when circumstances warrant, such as to quell an ongoing breach of the peace and an arrest becomes the only viable option, officers of this department shall continue to be authorized to make such an arrest if any of the 3 conditions above exist.
- Recently, in the case of Commonwealth v Wallace (2019), the SJC concluded that the amendment to § 52 of Chapter 119 was plainly designed to give juveniles a so-called “***second chance***” with regard to a “first offense of a misdemeanor” that carries a maximum punishment of six months' imprisonment or a fine. In other words, the Legislature intended to excuse a juvenile's first isolated instance of such misconduct. **This means that the Juvenile Court may not exercise jurisdiction where the juvenile's first-offense is one such misdemeanor.** However, once a juvenile has committed his/her “first offense,” the Juvenile Court may exercise jurisdiction over all other offenses not otherwise excluded under § 52, including subsequent six months or less misdemeanors. The SJC further concluded that, consistent with the purpose of the statute and the rule of lenity, the term “first offense” under § 52 means a **first adjudication of**

delinquency and not just one where a complaint was issued and the case was resolved short of adjudication (e.g., dismissed, diverted, continued without a finding, etc.).

- Further, by way of logistical implication in procedure outlined by the SJC for determining the “first-offense” misdemeanor in the Wallace W. decision, Police Officers **shall retain the Right of Arrest** for any “*first offense misdemeanor*” specifically allowable by existing statutes – whether in presence or on probable cause - in furtherance with this procedure as outlined by the SJC.
- If an arrest is made a Clerk Magistrate and/or District Court Judge shall continue to make such a determination in the juvenile session of the district court prior to arraignment as to whether or not a complaint shall issue.
- Note: Individual police departments are advised to consult with their local city/town counsel for additional guidance on this particular issue in consultation with the local District Attorney and the local Juvenile Court Justice.

C. **Youthful Offender**: A person who is subject to an adult or juvenile sentence for having committed, while between the ages of fourteen (14) and eighteen (18), an offense against a law of the commonwealth which, if he were an adult, would be punishable by imprisonment in the state prison, and (a) has previously been committed to the department of youth services, or (b) has committed an offense which involves the infliction or threat of serious bodily harm in violation of law, or (c) has committed a violation of paragraph (a), (c) or (d) of section ten or section ten E of chapter two hundred and sixty-nine; provided that, nothing in this clause shall allow for less than the imposition of the mandatory commitment periods provided in section fifty-eight of chapter one hundred and nineteen.²

D. **Non-Offenses**: Children held in protective custody because they were found present where controlled substances are kept pursuant to G.L. c. 94C, s. 36, or are incapacitated due to intoxication pursuant to G.L. c. 111B, s. 8.

E. **Non-Secure Custody**: A condition under which a juvenile’s freedom of movement is controlled by members of the Erving Police Department and, during such time, the juvenile: **44.2.2 a**

1. Status offenders are held in an unlocked, multi-purpose room that is in no way designed for residential use; Monitored and under the supervision of the arresting officer or the officer-in-charge
2. Is not handcuffed to any stationary object;

3. Is held only long enough to complete identification, investigation and processing and then released to a parent or guardian or transferred to a juvenile facility or the court; and
 4. Is under continuous supervision until released.
- F.* **Secure Custody:** A condition under which a juvenile's freedom of movement is controlled by being placed in a cell or locked room (or set of rooms) or being handcuffed to a stationary object.³
- G.* **Custodial Protection:** A term used but not defined in several parts of MGL c. 119, referring to actions resembling Non-Secure Custody, above, but without handcuffing, restraining or even transporting the young person to a police facility.
- H.* **Age of Criminal Responsibility:** The age of Criminal Responsibility shall now be **12 years of age**.⁴
- I* **"Restraints":** a device that limits voluntary physical movement of an individual, **including leg irons and shackles, which have been approved by the trial court department.**⁵

IV. PROCEDURE

A. Administration

1. The responsibility for participating in and supporting the department's juvenile operations is shared by all department components and personnel. **44.1.1**

B. Enforcement Alternatives **1.2.6 44.2.1, 1.2.6**

1. Officers dealing with juveniles in enforcement capacities may exercise reasonable discretion in deciding appropriate action. Officers shall use the least coercive and most reasonable alternative, consistent with preserving public safety, order and individual liberty. **44.2.1 a**
2. Whenever reasonable and possible, an officer will request a summons for a juvenile rather than taking him/her into custody. **44.2.1 b**
3. Alternatives available include the following:

- a. Release with no further action or following informal counseling when no arrest has been made. Officers may also turn the juvenile over to his/her parent or guardian when appropriate; **44.2.1 a**
 - b. Informal referral to an appropriate community social service agency;
 - c. Limited custody and station house warning. The juvenile shall be held in non-secure custody until released to his/her parent(s) or guardian;
 - d. Issue a citation or applying for a summons or complaint; and
 - e. Arrest when appropriate and authorized.
4. Criteria When Choosing an Alternative
- a. In considering a course of action, the officer shall consider the nature of the offense, the age of the juvenile, the juvenile's prior contacts with the police, the availability of community-based rehabilitation programs, and, in some cases, the recommendation of the complainant or victim.
 - b. **Note:** No arrests are authorized in cases involving *Children Requiring Assistance*.

C. Referral to Juvenile Court (or Juvenile Session of the District Court) 44.2.1 c

1. While an officer should recognize the unique and often sensitive nature of juvenile contact, [s]he should not be deterred from properly enforcing the law when required and authorized to do so. A decision to arrest should be based on the same legal considerations as the arrest of an adult.
2. Officers may arrest juveniles for acts of delinquency but not for traditional "status offenses". **44.2.2 a**
3. Arrested juveniles are subject to the same security and other transportation requirements as adults and may be handcuffed or otherwise restrained as necessary during transport and processing. See departmental policy on **Transporting Prisoners**.
Note: Children Requiring Assistance may not be handcuffed, shackled or transported to the police station. **44.2.2 a**
4. When an arrest is made, the juvenile shall be brought to the booking room without significant delay. **44.2.2 d**

5. Pursuant to Chapter 119 Section 67(a), **Whenever a child between 12 and 18 years of age is arrested with or without a warrant, as provided by law, and the court or courts having jurisdiction over the offense are not in session, the officer in charge shall immediately notify at least 1 of the child's parents, or, if there is no parent, the guardian or custodian with whom the child resides or if the child is in the custody and care of the department, the department of children and families.** Pending such notice, such child shall be detained pursuant to subsection (c) of Chapter 119 Section 67 [section 7 below].⁶ **44.2.2(e)**
6. Pursuant to Chapter 119 Section 67(b), Upon the acceptance by the officer in charge of the police station or town lockup of the written promise of the parent, guardian, custodian or representative of the Juvenile department of children and families to be responsible for the presence of the child in court at the time and place when the child is ordered to appear, the child shall be released to the person giving such promise; provided, however, that if the **supervisor of the arresting officer** requests in writing that a child between 14 and 18 years of age be detained, and if the court issuing a warrant for the arrest of a child between 14 and 18 years of age directs in the warrant that the child shall be held in safekeeping pending the child's appearance in court, the child shall be detained in a police station, town lockup, a place of temporary custody commonly referred to as a detention home of the department of youth services or any other home approved by the department of youth services pending the child's appearance in court; provided further, that in the event any child is so detained, the officer in charge of the police station or town lockup shall notify the parents, guardian, custodian or representative of the department of children and families of the detention of the child. Nothing contained in this section shall prevent the admitting of such child to bail in accordance with law.⁷ **44.2.2(c)**
7. Pursuant to Chapter 119 Section 67(c), no child between 14 and 18 years of age shall be detained in a police station or town lockup pursuant to subsections (a) or (b) [5 and 6 above] unless the detention facilities for children at the police station or town lockup have received the approval in writing of the commissioner of youth services. The department of youth services shall make inspection at least annually of police stations and town lockups where children are detained. If no approved detention facility exists in a city or town, the city or town may contract with an adjacent city or town for the use of approved detention facilities to prevent children who are detained from coming in contact with adult prisoners. A separate and distinct place shall be provided in police stations, town lockups or places of detention for such children. Nothing in this section shall permit a child between 14 and 18 years of age to be detained in a jail or house of correction.⁸

8. Pursuant to Chapter 119 Section 67(d), **When a child is arrested who is in the care and custody of the department of children and families, the officer in charge of the police station or town lockup where the child has been taken shall immediately contact the department's emergency hotline and notify the on-call worker of the child's arrest.** The on-call worker shall notify the social worker assigned to the child's case who shall make arrangement for the child's release as soon as practicable if it has been determined that the child will not be detained.⁹
9. Juveniles arrested for criminal type offenses are subject to the same booking procedures as adults. **Juveniles taken into custody for status offenses or for non-criminal offenses as well as Children Requiring Assistance that are placed in custodial protection shall not be fingerprinted or photographed.**¹⁰ **44.2.2 c, 82.1.2 b**
10. The arresting officer and the prosecutor should cooperate in the preparation and presentation of the case if court action is necessary.
11. Any police proceeding involving juveniles or Children Requiring Assistance shall be treated in a confidential manner.

D. Holding Juveniles

1. **Delinquent Offenders**
 - a. Juveniles between ages fourteen and eighteen accused of delinquent offenses may be held in secure custody for no longer than six (6) hours for the purpose of identifying and processing the juvenile and, if appropriate, transportation to a juvenile facility or court.¹¹
 - i. Records shall be kept that specify:
 - [a] The time the juvenile entered secure detention and the duration of each period of secure detention;
 - [b] The name of the police officer or custodial officer responsible for visual supervision and the schedule of visual supervision; and
 - [c] A statement of the need for secure detention.

NOTE: **Juveniles accused of first or second degree murder or who will be tried in adult court as a youthful offender are not subject to the six hour detention limit as they are automatically tried in adult court.**¹²

- b. No child between the ages of fourteen and eighteen shall be detained in a police department unless the detention facilities for children have received the written approval of the Commissioner of Youth Services.¹³
- c. Lockup and other detention facilities shall be such as prevent juveniles who are detained from coming in sight and sound contact with adult prisoners.¹⁴
- d. No child under age fourteen shall be placed in a cell or otherwise securely detained for any reason. Such child may be held in a safe environment pending suitable disposition. **44.2.2 d**

2. **Protective Custody** {Where Drugs are found}

- a. Status offenders and juveniles held for protective custody shall not be held in secure custody.
- b. A child under the age of eighteen may be taken into protective custody, for a period not exceeding four (4) hours, if an officer:
 - i. Finds the child at a place where the officer reasonably believes there is a controlled substance of Class A, B or C;
 - ii. Reasonably believes the child to be under age eighteen; and
 - iii. Reasonably believes the child knew of the presence of the controlled substance.¹⁵

Note: The Officer in Charge of the police station shall make every reasonable effort to notify the juvenile's parent or guardian or other person having lawful custody. Under these circumstances, the juvenile shall NOT be placed in a secure cell or restrained in any way.

3. **Children Requiring Assistance**

- a. Children Requiring Assistance shall not be held in secure custody.
- b. A child may be taken into custodial protection for engaging in behavior described in the definition of "Child Requiring Assistance" in Section 21, only if such child has failed to obey a summons issued pursuant to MGL c 119 § 39E or if the law enforcement officer initiating such custodial protection has probable cause to believe that such child has run away from the

home of his parents or guardian and will not respond to a summons.

- c. A parent, legal guardian or custodian of a child having custody of such child, may initiate an application for assistance in one of said courts stating that said child repeatedly runs away from home of said parent or guardian or repeatedly refused to obey the lawful and reasonable commands of said parent or guardian resulting in said parent's or guardian's inability to adequately care for and protect said child.
- d. A school district may initiate an application for assistance in said court stating that said child is not excused from attendance in accordance with the lawful and reasonable regulations of such child's school, has willfully failed to attend school for more than 8 school days in a quarter or repeatedly fails to obey the lawful and reasonable regulations of the child's school. The application for assistance shall also state whether or not the child and the child's family have participated in the truancy prevention program, if one is available, and a statement of the specific steps taken under the truancy prevention program to prevent the child's truancy; and if the application of assistance states that a child has repeatedly failed to obey the lawful and reasonable regulations of the school, a statement of the specific steps taken by the school to improve the child's conduct.
- e. Upon the filing of an application for assistance, the court may issue a summons, to which a copy of the application for assistance shall be attached, requiring the child named in such application to appear before said court at the time set forth in the summons. If such child fails to obey the summons, said Court may issue a warrant reciting the substance of the petition and requiring the officer to whom it is directed forthwith to take and bring such child before said Court. Notice of the hearing shall be given to the Department of Children and Families and the Department of Youth Services.
- f. Where the Court summons such child, the court shall in addition issue a summons to both parents of the child, if both parents are known to reside in the Commonwealth, or to one parent if only one is known to reside within the Commonwealth, or, if there is no parent residing in the Commonwealth, then to the parent having custody or to the lawful guardian of such child. Said summons shall require the person served to appear at a time and place stated therein at a hearing to determine whether or not such child is in need of assistance.

- g. Unless service of the summons required by this section is waived in writing, such summons shall be served by the constable or police officer, either by delivering it personally to the person to whom addressed or by leaving it with a person of proper age to receive the same, at the place of residence or business of such person, and said constable or police officer shall immediately make return to the court of the time and manner of service.
- h. A child who is the subject of an application for assistance may not be confined in shackles or similar restraints or in a court lockup facility in connection with any proceeding under Sections 39E to 39I, inclusive. A child who is the subject of an application for assistance shall not be placed in a locked facility or any facility designated or operated for juveniles who are alleged to be delinquent or who have adjudicated delinquent. Such child may, however, be placed in a facility which operates as a group home to provide therapeutic care for juveniles, regardless of whether juveniles adjudicated delinquent are also provided care in such facility.
- i. A child may not be arrested for engaging in behavior which constitutes being a Child Requiring Assistance.
- j. A child may be taken into custodial protection for engaging in the behavior described in the definition of “Child Requiring Assistance” in Section 21 only if such child has failed to obey a summons issued pursuant to Section 39E or if the law enforcement officer initiating such custodial protection has probable cause to believe that such child has run away from home of his parents or guardian and will not respond to a summons.
- k. After a law enforcement officer has taken a child into custodial protection, the officer shall immediately notify the parent, other person legally responsible for the child’s care or the person with whom the child is domiciled, that such child is under the custodial protection of the officer and a representative of the Department of Children and Families, if the saw enforcement officer has reason to believe that the child is or has been in the care of custody of such department and shall inquire into the case.
- l. The law enforcement officer, in consultation with the probation officer, shall then immediately make all reasonable diversion efforts so that such child is delivered to the following types of placements and in the following order:

- (i) To one of the child's parents or to the child's guardian or other responsible person known to the child or to the child's legal custodian including the Department of Children and Families or the child's foster home upon written promise, without surety, of the person to whose custody the child is released that such parent, guardian, person or custodian will bring the child to the Court on the next court date
- (ii) Forthwith and with all reasonable speed take the child directly and without first being taken to the police station house, to a temporary shelter facility licensed or approved by the Department of Early Education and Care, a shelter home approved by a temporary shelter facility licensed or approved by said Department of Early Education and Care or a family foster care home approved by a placement agency licensed or approved by said Department of Early Education and Care: or
- (iii) Take the child directly to the juvenile court in which the act providing the reason to take the child into custodial protection occurred if the officer affirms on the record that the officer attempted to exercise the options identified in clauses (i) and (ii), was unable to exercise these options and the reasons for such inability.

Notwithstanding the foregoing requirement for placement, any such child who is taken into custodial protection shall, if necessary, be taken to a medical facility for treatment or observation.

4. When juveniles are detained by the Erving Police Department the juvenile, parent or guardian shall be informed by the Officer about the department's juvenile procedures regarding custody and release to a parent or guardian. The officer will also inform the juvenile/parent/guardian about juvenile justice system procedures regarding transportation to another facility, or court procedures as applicable. [44.2.3 a](#)

E. Custodial Interrogation of Minors

1. For a general review of the standards and procedures to be followed when conducting custodial interrogation see the departmental policy and procedure on [Interrogating Suspects and Arrestees](#). It should be remembered that the Miranda Rules apply to juveniles.
2. In addition, the police must also follow the special rules that apply to the interrogation of juveniles. [44.2.2 c](#)

- a. **“INTERESTED ADULT RULE”**: In order to obtain a knowing and intelligent waiver by a juvenile, in most cases a parent or interested adult must be present, understand the warnings and have a meaningful opportunity to consult with the juvenile. Before initiating an interrogation, the juvenile’s parent, legal guardian, or other interested adult should be present.¹⁶ **44.2.3 b**
- i. **UNDER AGE FOURTEEN**: No waiver of rights by a juvenile who is **12 years of age or older and under age fourteen** will be valid if an interested adult is not present, understands the warnings and has a meaningful opportunity to consult with the juvenile.¹⁷
- ii. **FOURTEEN YEARS OR OLDER**: For juveniles who are **at least fourteen but under age eighteen**, there should ordinarily be a meaningful opportunity to consult with a parent or interested adult. If there are valid, substantial reasons why an interested adult is not present, officers should ensure, before interrogating the juvenile, that [s]he understands the Miranda warnings and the consequences of waiving them and that any waiver of his/her rights is made intelligently, knowingly, and voluntarily. A valid waiver will not occur unless the circumstance "demonstrates a high degree of intelligence, experience, knowledge or sophistication on the part of the juvenile".¹⁸
- b. **INTERESTED ADULT EXPLAINED**: An interested adult is, most often, a parent of the juvenile. When the parent is unavailable, another interested adult may be called upon, such as, depending on the circumstances, a legal guardian, an adult brother or sister, grandparent, or other adult relative or an attorney.
- i. A person would not qualify as an interested adult if the adult:
- [a] Lacks the capacity to appreciate the juvenile’s situation (e.g., is intoxicated);
- [b] Appears to be actually antagonistic to the juvenile; or
- [c] Is required to report the juvenile’s offenses to authorities (e.g., an employee of the Department of Youth Services, or a school official in the case of a weapons violation on school grounds).¹⁹

- c. **OPPORTUNITY TO CONSULT:** The interrogating officer should explain to the adult that the two of them will be left alone to provide them an opportunity to discuss the juvenile's rights. Then the adult and juvenile must be provided an actual opportunity to discuss the juvenile's rights and the consequences of the waiver.

3. **Interrogation 44.2.3**

- a. Prior to conducting a **custodial interrogation of a juvenile**, the interrogating officer shall be particularly careful to read each Miranda right distinctly, clearly and in a manner designed to ensure that the juvenile (and any adult present on his/her behalf) follows the words being spoken and comprehends their meaning.
- b. Preferably, a written card containing the Miranda warnings should be used. This card should be handed to the juvenile (and any adult present on his/her behalf) so that the juvenile can read it slowly and re-read it if necessary.
- c. When an adult acting on behalf of the juvenile is present, the officer shall read the Miranda warnings to the adult.
- d. Some inquiries shall be made of the juvenile (and any adult present on his/her behalf) as to the juvenile's age, most recent level of schooling and education, whether [s]he has any reading disabilities or mental or emotional conditions and whether [s]he understands the words contained in each Miranda warning.
- e. **UNDER FOURTEEN:** If the juvenile being interrogated is twelve years of age or older and under the age of fourteen, he/she must be given an opportunity to have an actual consultation with an interested adult to discuss the Miranda warnings.²⁰
- f. **AGE 14 TO 18:** If the juvenile is over the age of fourteen and an interested adult is present, the adult shall be given an opportunity to have a meaningful consultation with the juvenile.²¹

4. Officers shall ensure that the interrogation is not unduly coercive, particularly when an interested adult is not present. **44.2.3 b**
 - a. The duration of each interrogation session should be limited, and frequent breaks taken.
 - b. Absent extraordinary circumstances, only two officers shall be present at the interrogation.

NOTE: Massachusetts courts have not ruled on how long the interrogation session of a juvenile may continue before it becomes unduly coercive. Whether an interrogation is unduly coercive such that a valid waiver of rights cannot be made, is a facts and circumstances inquiry and will be dependent on the age, intelligence, and sophistication of the juvenile, as well as the circumstances of the interrogation.²²

5. REPORTS: Included in the arrest record will be the time in which each period of interrogation was commenced and completed, the officers present and the names of parents or responsible adults on hand.

F. Abused or Neglected Children 44.2.2 b

1. A police officer who, in his/her professional capacity, has reasonable cause to believe a child under age 18 is suffering serious physical or emotional injury or death from abuse or neglect, including sexual abuse or malnutrition, shall **immediately report** such condition to the Department of Children and Family Services (DCF) by **oral communication**, followed by a **written report within 48 hours** of the oral communication.²³ (51A, 111B, 94C). Said report shall contain the following information:
 - a. The names and addresses of the child and parents or other person responsible for the child's care, if known;
 - b. The child's age;
 - c. The child's sex;
 - d. The nature and extent of the child's injuries, abuse, maltreatment or neglect;
 - e. The circumstances under which the officer first became aware of the child's condition;
 - f. The action taken, if any, to treat, shelter or otherwise assist the child;
 - g. The name of the officer making the report;
 - h. Any other information which the officer believes may be helpful in establishing the cause of the injuries; and
 - i. The identity, if known, of the person or persons responsible for such injuries.

2. Juveniles may be taken into custody in situations where the officer believes that the life or health of the child is in immediate danger. In such cases, the Department of Children and Family Services (DCF) shall be immediately contacted and requested to respond to the scene to take custody of the juvenile.²⁴ If DCF does not respond to the scene in a reasonable amount of time, the juvenile may be transported to the station to await DCF.
3. In serious cases of child neglect or abuse, the officer may apply to an appropriate juvenile court to have custody of a child under eighteen taken away from the parents or other neglectful or abusing custodian and have custody transferred, on an emergency basis, to DCF or a licensed child care agency or individual.²⁵

G. School Liaison and Youth Programs

1. The Chief of Police may establish and/or maintain a school liaison program and appoint one or more officers to do the following
 - a. Act as a resource with respect to delinquency prevention; [41.1.1](#)
 - b. Provide guidance on ethical issues in a classroom setting, as requested;
 - c. Provide individual counseling and/or mentoring to students; and
 - d. Explain to students the role of law enforcement in society.
2. The Department encourages all departmental personnel, as good citizens, to participate on their off-duty time, in any community recreational programs for youth . Where a recreational program is needed but does not exist, officers should encourage citizens and community leaders to organize one. [42.2.5](#)

H. Record Keeping

1. Officers who select noncustodial alternatives or engage in informal enforcement contacts with juveniles shall complete appropriate incident reports as required by this agency. These reports shall clearly identify the juveniles involved, the nature of the incident and the rationale for the officer's disposition.
3. Juveniles taken into custody for criminal-type offenses shall be subject to the same reporting requirements as adults. Such records, including photographs and fingerprints, shall be clearly marked "Juvenile" and will be physically separated from adult arrest records. Dissemination of

juvenile records shall be consistent with existing MGL and Public Records Dissemination Guide 14-81. **82.1.2 a, b**

I. New Statutes of Interest pertaining to Juveniles:

Chapter 138 Section 1:

"*Alcohol-related incapacitation*", the condition of an intoxicated person who, by reason of the consumption of intoxicating liquor, is: (a) unconscious; (b) in need of medical attention; or (c) likely to suffer or cause physical harm or damage property.

Chapter 138 Section 34E.

(a) A person under 21 years of age who, in good faith, seeks medical assistance for someone experiencing alcohol-related incapacitation shall not be charged or prosecuted under sections 34, 34A or 34C if the evidence for the charge of purchase or possession of alcohol was gained as a result of seeking medical assistance.

(b) A person under 21 years of age who experiences alcohol-related incapacitation and is in need of medical assistance and, in good faith, seeks such medical assistance or is the subject of such a good faith request for medical assistance shall not be charged or prosecuted under sections 34, 34A or 34C if the evidence for the charge of purchase or possession of alcohol was gained as a result of seeking medical assistance.

Chapter 272 Section 40:

Whoever willfully interrupts or disturbs an assembly of people meeting for a lawful purpose shall be punished by imprisonment for not more than 1 month or by a fine of not more than \$50; provided, however, that an elementary or secondary student shall not be adjudged a delinquent child for an alleged violation of this section for such conduct within school buildings or on school grounds or in the course of school-related events.

Chapter 272 Section 53:

(b) Disorderly persons and disturbers of the peace shall, for a first offense, be punished by a fine of not more than \$150. For a second or subsequent offense, disorderly persons and disturbers of the peace shall be punished by imprisonment in a jail or house of correction for not more than 6 months or by a fine of not more than \$200 or by both such fine and imprisonment; provided, however, that an elementary or secondary school student shall not be adjudged a delinquent child for a violation of this subsection for such conduct within school buildings or on school grounds or in the course of school-related events.

Endnotes:

¹ M.G.L. c. 119, s. 52

² M.G.L. c. 119, s. 52

³ 28 CFR Part 31.303 (i)

⁴ M.G.L. c. 119, s. 54

⁵ M.G.L. c. 119, s. 86

⁶ M.G.L. c. 119, s. 67(a)

⁷ M.G.L. c. 119, s. 67(b)

⁸ M.G.L. c. 119, s. 67(c)

⁹ M.G.L. c. 119, s. 67(d)

¹⁰ M.G.L. c. 263, s. 1A; *Com. v. Shipps*, 399 Mass. 820, 507 N.E.2d 671 (1987)

¹¹ Executive Order Number 339, Commonwealth of Massachusetts, Aug. 14, 1992; 28 CFR Part 31.303(f)(5)(iv)(H)

¹² M.G.L. c. 119, s. 68

¹³ M.G.L. c. 119, s. 67

¹⁴ M.G.L. c. 119, s. 67

¹⁵ M.G.L. c. 94C, s. 36

¹⁶ *Com. v. A Juvenile*, 389 Mass. 128, 449 N.E.2d 654 (1983)

¹⁷ *Com. v. Berry*, 410 Mass. 31, 570 N.E.2d 1004 (1991)

¹⁸ *Com. v. King*, 17 Mass. App. Ct. 602, 460 N.E.2d 1299, *rev. den.* 391 Mass. 1105, 464 N.E.2d 73 (1984)

¹⁹ *Com. v. A Juvenile*, 389 Mass. 128, 449 N.E.2d 654 (1983); *Com. v. Berry*, 410 Mass. 31, 570 N.E.2d 1004 (1991)

²⁰ *Com. v. Berry*, 410 Mass. 31, 570 N.E.2d 1004 (1991)

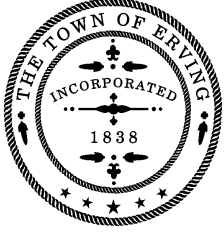
²¹ *Id.*

²² *See Com. v. Harris*, 364 Mass. 236, 303 N.E.2d 115 (1973)

²³ M.G.L. c. 119, s. 51A

²⁴ M.G.L. c. 119, s. 51B

²⁵ M.G.L. c. 119, s. 24



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

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

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

Bryan Smith
Town Administrator

August 04, 2023

To: Select Board
Finance Committee
Capital Planning Committee

From: Bryan Smith, Town Administrator

RE: FY2024 and Beyond Financial Review

As discussed at your last joint meeting on July 24, 2023, all departments have been followed up with requesting a response to the FY2024 financial review memo in time for your review on Monday, August 7, 2023 with the request to attend your meeting.

For Monday's meeting, I have received further responses from the Police Department, Fire Department, Highway Department, Community Planning Office, Assessor's Office, Public Library, Tax Collector and Wastewater. The Recreation Commission has not been able to meet yet to discuss beyond the initial response that was received. The School Committee has met and while they did not have a further response at this time, the School Committee Chair will be in attendance to discuss their review with you. Chief Holst is unable to join you Monday, but will plan to attend the August 21, 2023, meeting to discuss in detail with you.

For reference I have included the guidance memorandum that was sent to each department as well as the initial responses that we had for your July 24, 2023, meeting for the context of the additional responses that were received for this meeting.

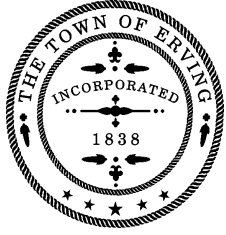
For the FY2024 conversation, Mariah has included further information regarding the proposed demolition capital project for the former IP Mill site, along we feedback that was received from survey respondents.

FY2023 Closeout Summary

We have been actively working to close the FY2023 books. As part of your financial review process, I wanted to give you a sense of where we had capacity. There are several factors that explain why we have funds to return to the General Fund or to retained earnings in the Enterprise Fund. We never want to budget so tightly that we cannot respond to changing factors throughout the year and we certainly don't want to over budget. These are **rough draft** numbers that need final review to make sure that all final adjustments have been recorded. I am grouping the

operating categories as we see them in the warrant:

Group	Original FY23 Budget	Additional FY23 Budget	6/30 Remaining Balance
Group 1: General Government	\$1,273,688.00	N/A	\$55,576.41
Group 2: Public Safety	\$1,052,050.00	N/A	\$80,842.49
Group 3: Education	\$5,339,466.00	\$150,000.00	\$190,649.29
Group 4: Public Works	\$690,938.00	N/A	\$24,256.20
Group 5: Health & Human Services	\$220,872.00	\$26,715.00	\$65,744.16
Group 6: Culture & Recreation	\$337,619.00	N/A	\$14,552.38
Group 9: Benefits	\$1,836,400.00	N/A	\$71,240.11
Wastewater Enterprise	\$974,277.00	N/A	(3,230.66)
Water Enterprise	\$98,417.00	N/A	\$11,080.04



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

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

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

Bryan Smith
Town Administrator

July 21, 2023

To: Select Board
Finance Committee
Capital Planning Committee

From: Bryan Smith, Town Administrator

RE: FY2024 Budget Review

At the previous joint meeting of the Select Board, Finance Committee, and Capital Planning Committee there was a consensus to plan for a fall Town Meeting to address funding of the former IP Mill demolition request that had been considered for the FY2024 budget year. As a related topic, the board and committees agreed that the departments would be asked to review the FY2024 approved budgets to consider if the budget will allow the department to offer the services the department intended on offering, and if a budget adjustment is warranted, to explain what is needed.

I have attached the memorandum that I issued to all departments. We further discussed the short-term and long-term considerations that you have asked to be reviewed. As the week draws to a close, I am starting to hear back from departments, and I will continue to provide the responses as they are received. I have enclosed the written responses that I have received.

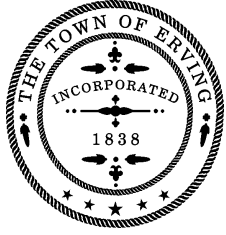
Further I have spoken to the following departments through meetings that occurred this week:

- **Town Clerk & Elections-** Richard Newton has reviewed his department's FY2024 budget and it is sufficient to provide the intended services.
- **Community Planning-** Mariah Kurtz has reviewed her department's FY2024 budget and at this time it is believed it is sufficient to provide the intended services. Mariah is going to be working on the multi-year review and provide guidance on the needs for future budget years.
- **Highway Department-** Glenn McCrory has reviewed his department's FY2024 budget and given the cost of the services he has already contracted for the season and with the current need to conduct repair work on culverts, swales, preventive maintenance for bridges, and vehicle repairs, he respectively would seek the restoration of funding in line-

items that he requested during the budget request process. The restored funding would be for the following categories for the additional amounts:

- Contracted Services \$5,000.00
- Surveying Services \$25,000.00
- Vehicle Repairs \$5,000.00
- Roadwork Improvements (capital) \$50,000.00
- Bridge Repairs (capital) \$5,000.00

There is an open conversation for the Select Board to consider with Glenn about the intended staffing compliment for the Highway Department. In recent years, the Department has operated as three staff members though there were vacant positions. The Department currently has the Superintendent, the Foreman and one equipment operator. That leaves one equipment operator position vacant and the part-time Clerk position vacant. If staffing was to be adjusted, additional funding for wages would need to be considered.



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

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

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

Bryan Smith
Town Administrator

July 15, 2023

To: All Departments
From: Bryan Smith, Town Administrator

RE: FY2024 Financial Review and Considerations for Future Fiscal Years

We are actively closing FY2023 and have launched FY2024. The budget setting process for FY2024 became contentious at times as budgetary requests for the operating budget greatly exceeded the ability of the Town to raise and appropriate based on existing revenues. As a result, all departments were asked to review their FY2024 budget requests and identify areas where increases could be reduced so that the Select Board and the Finance Committee could work towards a balanced budget presentation for the Annual Town Meeting. You all did that work, and it was greatly appreciated.

After the recommended FY2024 budget was presented and voters at Town Meeting made adjustments, the Select Board and the Finance Committee have engaged in conversations about wanting to revisit the FY2024 budget. The Select Board and the Finance Committee want to understand what, if any, adjustments should be made. Small adjustments may be able to be made with existing appropriations, larger adjustments would require action at the Town Meeting. An even larger adjustment might require a Proposition 2 ½ Override which, if approved by Town Meeting vote and a Town Election, would permanently change the levy capacity of the Town.

For the Select Board and the Finance Committee to further this conversation, they need to hear from each department.

Guiding Questions:

1. What is/are the budgetary need(s) (not just getting by) of your department to offer the service(s) that you are currently committed to providing?
 - a. Can the approved FY2024 budget appropriation provide the service?
 - b. If an adjustment is necessary, what specifically is needed to meet that service level?
2. What is/are the budgetary needs of your department to offer your preferred level of service (s) that your department would like to offer the community?
 - a. What would the change in service look like, in staffing, equipment, open hours to the public, etc?
 - b. What cost changes would be estimated for this change?
 - c. Are these immediate changes or changes implemented overtime?

Next Steps:

FY2024 Review: In the short term, I am asking that you all review your FY2024 approved budgets in relation to what you initially requested at the start of the FY2024 budget request process. In consideration of the guiding questions posed above, please consider what your department budget adjustments would be requested. If no adjustment(s) is/are needed, please indicate so. The Select Board and the Finance Committee are scheduled to meet again on Monday, July 24, 2023, to begin to consider feedback. The feedback can be sent directly to me. I will aggregate the information for the Select Board and Finance Committee.

Multi-year Review: In the long term, the Select Board and the Finance Committee would like to understand what the Town's financial needs will be over a multi-year period. If it is determined that a Proposition 2 ½ Override is recommended, they only want to approach the voters once and they want to make a reasonable commitment to the voters of what the departments will do to maintain costs and work within the adjusted levy limit.

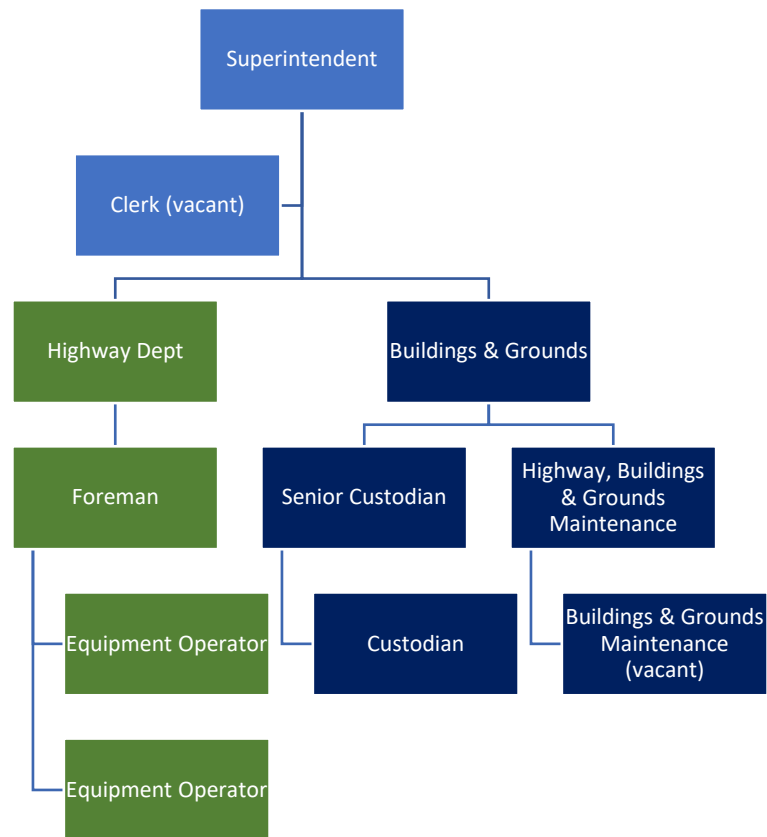
Understandably this is a more involved exercise. This may consider changes in services and resources that may require equipment and staff changes. This may involve regulatory requirements, citizen feedback, staff and elected official meetings, etc. The Board and the Finance Committee are looking for this higher-level feedback, later in August 2023.

If only minor budget adjustments are needed for FY2024 but a change in levy capacity will be needed for FY2025 and beyond, the Select Board and the Finance Committee want to understand that as we prepare for the FY2025 budget setting process.

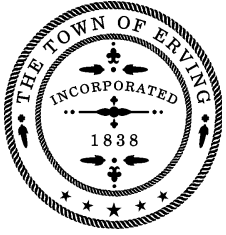
Further Considerations for the Highway Department and the Buildings & Grounds Department

FY 2024: The proposed Highway Dept structure would be a full-time Foreman and 2 full-time Equipment Operator positions. The Buildings & Grounds Dept. Structure would be 2 full-time custodians and 1 full-time Highway, Building & Grounds Maintenance Laborer positions that would have a primary focus on the maintenance of Town facilities and parks and would provide support when needed for the Highway Dept. The existing Buildings & Grounds budget has sufficient funding for the proposed staffing complement. The Highway Dept budget would need additional funding to cover the 2nd equipment operator. Based on step 1 of grade D we would need to budget \$57,000.

Proposed Organization Structure



FY2025: For FY2025 we are not projecting a change for the Highway Dept, but we would propose a change for the Buildings & Grounds Dept. FY2024 is the last year of the current landscaping contract. We have aggregated the different accounts that we pay the contract from, which includes the general Grounds Maintenance line, the Cemetery Landscaping line, and the Park Grounds Maintenance line. In FY2023 the aggregate cost was \$62,450. For FY2025 we would propose changing the scope of the contracted services and instead propose the hiring of 2 seasonal (40 hours per week of 19 weeks) for mowing staff. The estimated cost per position for the 19 weeks would be \$16,500 each or \$33,000 for the program. By transitioning the program, we may gain more capacity and have daily control over the grounds maintenance program



TOWN OF ERVING

Department of Community Planning

12 East Main Street
ERVING, MASSACHUSETTS 01344

413-422-1105
Email: mariah.kurtz@erving-ma.gov

August 3, 2023

To: Select Board, Capital Planning Committee, Finance Committee
From: Mariah Kurtz, Town Planner
Re: Revisiting FY24 Operating Budget

I greatly appreciate the support for the Community Planning budget for the FY24 season. Given that this is my first year in the budget process as a department, the budget for my work is speculative and based on work previously done.

FY24 Budget

Ask: Restore \$5,000 to Town Planner's Consulting & Surveying account and/or fund the Highway's requested Surveying account.

As you all discussed at your July 24, 2023 meeting, there was a \$5,000 funding cut from the Survey & Consulting line. After hearing your discussion of it, I am asking that it be at least restored or increased or for you to fund Highway's similar account. The need for this type of funding will likely fluctuate over the years depending on which projects we are working on.

Account Number	Account Name	FY24 Amount Budgeted
01-175-201-53000	Town Planner – Consulting & Surveying	\$10,000 (\$15,000 requested)
	Highway – Surveying	\$0 (\$25,000) Requested
01-122-200-53000	Select Board - Consulting	\$10,000

Ask: Create a grant matching fund.

I also appreciate that you discussed the creation of a grant matching fund, another item I was going to bring up for the multi-year budget requests. This would be extremely helpful going forward no matter which year it is included in.

FY24 Capital Projects

Shared-Use Path – The MassTrails grant I applied for was not chosen this round. I hope to reapply again in February 2024 and will likely seek funding again during the FY25 budget process. I have received very supportive comments from a handful of residents who are looking forward to this project.

Former IP Mill Demolition – Discussions of this project are underway. See separate memo.

Wheelock Street Culverts – The two culverts for this project are under construction. It was excellent timing as one of the culverts started to fail in late June and compromised the road. Working with the contractor has been excellent so far and we are very happy with their work.

Multi-Year Budget Review

Road Layouts

Ask: \$48,500 for completing road layout surveys, identifying and rectifying any issues, taking ownership of necessary roads from the county, filing paperwork with the registry of deeds.

This project combines tasks we have been completing at the start of each road project. Completing as many road layout projects as possible all at once and prioritizing the roads we know we will have projects coming up on, will save time going forward. This project would be a collaborative effort between the Select Board, Highway Department, Community Planning Department, and the Assessors. Currently, Erving has several roads which are technically owned by the dissolved County government. There are some roads which do not have an accurate road layout on file. These legal technicalities require resolution before any construction work can commence and can result in delays as the road layouts must be accepted at Town Meeting. For reference, for the Maple Ave and Bridge St surveys were \$6,500 total. All numbers below are extremely rough estimates by me to give us a jumping off point for funding.

Below is a list of priority roads for this project:

1. Papermill Road – (\$10,000) will need to be completed before or at the time of redevelopment
2. Prospect Street – (\$5,000) to be done in conjunction with Papermill Road
3. North Street – (\$15,000)
4. Gary Street – (\$2,500)
5. Swamp Road – (\$10,000)
6. Wastewater Road – (\$2,500)
7. Gunn St – (<\$1,000) accepted at Town Meeting in 1977 but never filed
8. Strachan Street – (<\$1,000) accepted at Town Meeting in 1983 but never filed
9. Grant Way – (\$1,500) currently a deeded right of way over two private properties. Would require collaboration with the property owners to determine next steps, if desired.

New Cemetery Construction

Work on this feasibility study will begin in September 2023. Once complete, we will need to begin the multi-year process to construct the new cemetery which may include surveying, design, easements, constructing access roads, land clearing, grading, etc.

Swamp Road Bridge Reconstruction

This project's feasibility study is underway. A grant application for the Small Bridges program was submitted in June and awards should be announced in September.

Public Water in Farley & Erving Center

The hydrological study for well placement was completed in December, but has not yet been reviewed by the Select Board. If we want to keep commercial business in Erving Center we will likely need to address the lack of public water there eventually. In the future, private wells may have issues which this project would address through an opt-in connection. This project would likely be very expensive, but there may be water infrastructure grants or loans we could be eligible for.

Fire Pond Reconstruction & Culvert on Bridge Street

This project was identified while working on the Bridge Street & Maple Ave wall reconstruction and repaving project. Due to the impacts on wetlands and stream areas, this will require extensive permitting.

Usher Mill Boiler Building & Water Tower

While this building has been put on the back-burner due to the much larger IP Mill concerns, at some point this building's decay will need to be addressed. It is unlikely that this lot will be able to be redeveloped without public water. The water tower is less of a concern but eventually will need to be taken down and disposed of.

Town Hall Renovation or Relocation

The Town Hall lacks accessibility and the office layout is not ideal as staffing changes. There will likely need to be at least short-term fixes such as renovating the basement into proper offices but also long term we will need to address whether the building suits the Town's needs going forward.

Complete Streets: Erving Center

We have done a significant amount of work to install beautiful new sidewalks in Erving Center. Erving Center will need their sidewalks and crosswalks addressed in coming years. Work is being done to temporarily address speeding concerns but there will need to be long term adjustments made. North Street in particular has significant sidewalk deficiencies. This project will likely be eligible for Complete Streets funding (grants of up to \$500,000 within 4 fiscal years), though we are not guaranteed to receive any or full funding.

Road reconstruction: Papermill Road

This road is currently less than ideal for all forms of transportation. After consulting with an engineer from Weston & Sampson it appears from general review that there is space to adjust the hairpin turn to make it more easily navigable by car. There is also space for a sidewalk to be added. The adjustment of the turn at the top of the hill may necessitate a change of traffic pattern on Prospect Street. Better definition of where the road ends and the IP Mill parcel begin is sorely needed.

Papermill Road Bridge – Shared with Montague

There will likely need to be repairs on this bridge in coming years.

Bridge Street Bridge – Shared with Wendell

There will likely need to be repairs on this bridge in coming years.

Route 2 Adjustments

As MassDOT completes design work to reconstruct Route 2 in the next 5-10 years, there may be adjacent projects on the Town's side which will need to be completed. This could include work done at the Municipal Parking Lot, Hanson Court, Pearl B Care Historical Building and parking lot, as well as abutting property changes.

Pearl B Care Historical Building

The Historical Commission is evaluating the future uses of this building. Work to fix up or sell this building may need to be done in the future.

Town Branding & Signage

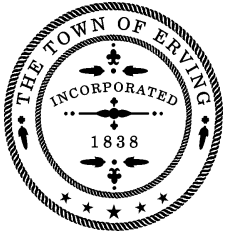
This project was started along with the Town branding, but both were derailed with the busy schedules that came with 2020 & 2021. While it would be nice to have the full branding done prior to the signage, I think it would expedite things to just move forward with the signage at this time. The parks in particular are in need of new, clear, signs and it would be nice to replace the Welcome to Erving sign in Erving Center and add at least one to Ervingside. We currently have \$25,000 set aside for this project so I do not think we need more money for this project at this time.

Keyup Brook Flood Control

It's unclear at this time what, if anything, can be done to reduce future flooding on the brook, but we should continue to study it and try to identify prevention measures. Some of this may be done when we update our Hazard Mitigation Plan.

Open Space & Recreation Plan

This plan expires in September 2025 and we will need to begin updating it. Estimated to cost approximately \$25,000 but a portion may be covered by DLTAs funds through FRCOG.



TOWN OF ERVING

Department of Community Planning

12 East Main Street
ERVING, MASSACHUSETTS 01344

413-422-1105
Email: mariah.kurtz@erving-ma.gov

August 3, 2023

To: Select Board
From: Mariah Kurtz, Town Planner

Former IP Mill Demolition & Redevelopment

Request for Proposals – Summer 2023

Ask: Does the Select Board want to re-release the same RFP simultaneous to considering demolition?

The Former IP Mill has a new interested party- I am waiting on them to determine if the mill is suitable enough for their needs that they are interested in pursuing ownership. If so, I will recommend that we release another Request for Proposals with the following as a draft release timeline:

- August 7 – review at SB meeting
- August 16 – release RFP
- August 30 – optional site visit
- September 25 – responses due

Post Demolition

Ask: If demolition is completed, is the Select Board intending on re-releasing an RFP for 8 Papermill Road and would it request uses including mixed use, industrial, or commercial?

It would be helpful for me to have an answer for residents if they ask what will happen to the parcel if the mill complex is demolished. My understanding is that the intention is to re-release an RFP which prioritizes mixed-use but allows just commercial/industrial uses, as the last RFP did. I would like to confirm that is still the case now that there is a new Select Board member and we're discussing full demolition rather than partial demolition

Public Engagement

On Thursday September 14, 2023 at 1PM I will be hosting "Apple Pie with the Planner" at the Senior and Community Center. All are invited to come hear a short presentation with status updates on multiple projects, including the IP Mill, and have conversations about them. This will give folks an opportunity to hear accurate information and ask questions directly to me.

Online Survey Results

I created an online survey to gather information from residents and taxpayers, including those who may not have been able to attend meetings on the subject. While I wish we had more time to advertise this in the Around Town or newspapers, I felt it was necessary to include the results so far. I have attached the results of the survey and below is a summary of the results:

<p>Total Responses as of August 2:</p>	<p>40 (officially 41 but one submission appears to have been duplicated so I removed it from the calculations) All percentages have been rounded to the nearest whole number.</p>
<p>Have you attended other meetings about the topic of the mill?</p>	<p>60% or 24 responses did not attend any meetings</p>
<p>How would you describe your current understanding of the situation with the IP Mill and funding options?</p>	<p>52% or 21 responses have been following along and feel confident in their understanding of the topic</p> <p>10% or 4 responses were from residents who are on a board/committee which discusses the topic</p>
<p>Which funding option do you prefer?</p>	<p>23% or 9 responses for Option A Capital Exc 23% or 9 responses for Option C Debt Exc 5 responses against demolishing 9 responses against an override/think it should come from our existing budget or stabilization 1 response to stretch the payment as far as possible 1 response to go for federal funding Several blank/non responses/confusion</p>
<p>What uses do you wish to see at the site in the future? (may select more than one)</p>	<p>46% or 18 responses for mixed use 20% or 8 responses for commercial 18% or 7 responses for industrial 15% or 6 responses for residential 3 responses for open space/recreation 4 responses against the town doing anything here without a developer lined up 1 response for anything 1 response for a truck stop/gas station to keep trucks out of residential neighborhoods 1 response for tourist attractions/commercial</p>
<p>Other comments or concerns</p>	<p>Many responses – see attached document</p>

Land Surveying & Subdividing

Ask: \$57,000 for IP Mill property line survey of full 43 acres, wetland delineation for 10 acre developable parcel, topographical/detailed map for the 10 acres parcel, and an ANR (Approval Not Required) plan to split the parcel.

One of the tasks which will need to be completed before we are able to convey the land to anyone is surveying the property and subdividing the current acreage into three pieces:

1. A parcel for the mill complex plus several acres to meet the density requirements approximately 10 acres total to be conveyed to a developer.
2. A parcel for the pump station likely less than .25 acre to be kept by the Town
3. A parcel containing the remaining land approximately 33 acres to be kept by the Town

Override Timeline

The timeline below is a draft based off of holding an STM in late September with the election coming after a successful Town meeting:

Second week of November	Election	Need 35 days between STM and election
Wed September 27	Special Town Meeting	
Wed September 13	Warrant Posted	2 weeks prior to STM
Mon Sept 11	SB Approves Warrant	Dependent on Labor Day schedule adjustments
Mon August 21	SB reviews draft warrant	

Permitting

As the boards, committees, and voters consider moving forward with demolition at the Former IP Mill site, it seems pertinent to outline the legal and permitting tasks we are aware need to be completed prior to the start of work at the site. The below tasks are taken from the 2017 Former IP Mill feasibility study, however Tighe & Bond is assembling an updated list of permits needed; a scope of services for permitting, bidding assistance, demolition oversight, and project close out; and a timeline of that work.

- Massachusetts Environmental Policy Act (MEPA) – Environmental Notification form (ENF)
- Massachusetts Department of Environmental Protection (MassDEP) – Notice of Intent
- Massachusetts Historic Commission (MHC)
- Massachusetts Endangered Species Act (MESA) – Natural Heritage & Endangered Species Program (NHESP)
- Army Corp of Engineers (ACOE)
- National Pollutant Discharge Elimination System (NPDES) – Construction General Permit (CGP)

Do you have any additional thoughts or concerns about the demolition or redevelopment of the Former IP Mill?

Leave it alone, can use the money on better things.

Can we just action the property to the public for zero dollars and let someone else deal with the liability? Maybe we can even offer them a tax incentive like zero property taxes for twenty years or whatever something like that?

Taxpayers should NOT be forced to pay for this.

Try again to market the property as a mix use purpose

Mariah has done nothing but try to develop Erving which the residents don't want. Nearly every grant that is going on in this town is a "match" fund required from Erving and is driving budgets of this town through the roof. Enough is enough leave the building to fall down. When you find a buyer talk about the demo options. The "board" previously claimed you were going to lose your insurance for the building which was why it had to come down, shockingly that hasn't happened yet. Let's focus on finishing bridges. Or the 100 other projects you all start and don't complete.

Stop spending tax payer money on things that do not directly effect our daily lives in Erving. This has been there for years why do we have to do anything with it? Just to use a "grant"? Seems like these grants got the town spending a lot more money than before. How about we worry about the bridges that have been out for years?

Should have never Jenn bought by the town.

Many of our town departments have budgets that far exceed towns of larger capacity. Asking the townspeople to pay for this demolition is not correct. Once this type of situation happens, what is preventing to town from putting this on the agenda to pay for other situations? Plus there are people in town who have much higher property taxes than others. How is it fair to ask those people to pay double? I am not sure who thinks this situation falls on the residents of Erving, but my thought is maybe the town should reallocate monies from some of our budgets and pay the demolition.

I live on Prospect Street and worry about increased traffic on our road. People speed by from route 2 as it is and the corner going down to the mill is dangerous.

I have a concern about the bridge nearby in its state of decay deterring potential buyers of the property this is why I made the suggestion above. I really want a safer transition ro rt 63 for tractor trailers.

I was at the meeting in April 2022 where there was a lot of public against it. I felt it was clean that the local community did not trust the elected officials. I would recommend having community events where select board can get to know residents better and work on that relationship. Because with more trust and understanding it might be easier to attract developers vs scare them off due to local town grumbling.

I just saw all the information on the town website. I will review this. I didn't realize there was so much information! Thank you.

Why do you think we town people should take on that responsibility. I don't know about anyone else but my cost of living wages haven't gone up and am unable to survive due to the hardship this would put on my family.

Why is there a need to move forward with the demolition at this time- the economy is not ideal and many people are having hardships - the town keeps increasing operating budgets of departments but wants the taxpayers to pay this also?

No more tax increases. Everytime this town commits to projects it always affects the taxpayer.

Just that I can't wait to see it torn down so it can begin the next phase of it's life.

Make all available efforts for input with a deadline. Make an executive decision and move forward. I am all for inclusiveness but projects are not moving forward.

Make all available efforts for input with a deadline. Make an executive decision and move forward. I am all for inclusiveness but projects are not moving forward.

We need to demolish it and get back on the tax rolls.



TOWN OF ERVING

P.O.T.W. #1 / Water Dept.

Tel: 413-423-3354

Fax: 413-423-3919

12 East Main Street
ERVING MASSACHUSETTS 01344

Chief Operator / Water Superintendent

peter.sanders@erving-ma.gov

Dear Board Members,

For Account # 60-440-212-57800, We've spent the following by the fiscal years.

1. 2019 - \$15,982.01
2. 2020 - \$11,937.60
3. 2021 - \$12,499.50
4. 2022 - \$34,965.13
5. 2023 - \$0

This account is also used to purchase propane for both River Street and Arch Street Stations. Currently I am waiting for a price on propane. My concerns are we usually spend about \$2000.00 on propane. So, with a budgeted amount of \$22,500.00. Would \$20,000.00 be a safe amount not knowing the current cost of heating oil per gallon. A delivery of about 8,000 gallons would fill the tank for the coming season.

Peter Sanders

Water/Wastewater Superintendent



TOWN OF ERVING

P.O.T.W. #1 / Water Dept.

Tel: 413-423-3354

Fax: 413-423-3919

**12 East Main Street
ERVING MASSACHUSETTS 01344**

Chief Operator / Water Superintendent

peter.sanders@erving-ma.gov

Dear Board Members,

For account number 60-440-215-53805 Testing Services. This is a new account line so we can keep track of testing costs. In the past 7 months we've spent about \$8,943.46 on testing. With the cost of testing and the possibility of more testing parameters, I feel that \$20,000 for an original budget would be a reasonable starting point.

Peter Sanders
Water/wastewater Superintendent



TOWN OF ERVING

P.O.T.W. #1 / Water Dept.

Tel: 413-423-3354

Fax: 413-423-3919

**12 East Main Street
ERVING MASSACHUSETTS 01344**

Chief Operator / Water Superintendent

peter.sanders@erving-ma.gov

Dear Board Members,

For account number 60-440-216-57800 Chemicals. The cost of our Chemicals has risen over the past year. We exceeded this line by roughly \$600.00. I believe raising this line to about \$25,000 would be a safe amount. This is a safe estimate because we don't always need to add one of our chemicals (Soda Ash). Which depends on the pH coming into the plant. Due to I&I issues with Millers Falls.

Peter Sanders
Water/Wastewater Superintendent



TOWN OF ERVING

P.O.T.W. #1 / Water Dept.

Tel: 413-423-3354

Fax: 413-423-3919

**12 East Main Street
ERVING MASSACHUSETTS 01344**

Chief Operator / Water Superintendent

peter.sanders@erving-ma.gov

Dear Board Members,

For account number 60-440-222-57800 Sludge Disposal. The cost of disposal has increased greatly, and we need to prepare for it. Last year we put out 22 loads of sludge for disposal to Lowell. With the I&I issues in Millers Falls, we are on schedule to send out about 29 loads of sludge. At current prices of \$1865.55 per load we are looking at \$54,100.95. We are doing everything we can to keep the loads to a minimum.

Peter Sanders
Water/Wastewater Superintendent



TOWN OF ERVING

P.O.T.W. #1 / Water Dept.

Tel: 413-423-3354

Fax: 413-423-3919

**12 East Main Street
ERVING MASSACHUSETTS 01344**

Chief Operator / Water Superintendent

peter.sanders@erving-ma.gov

Dear Board Members,

For Account number 60-440-209-57800, Electricity. The cost of Electricity has risen this past year, the original budget for FY 23 was \$49,000.00 we spent \$72,007.33 so this will have to be increased.

Peter Sanders
Water/Wastewater Superintendent

ERVING, MASSACHUSETTS

Fire-Rescue

10 East Main Street, Erving, Ma 01344
Office (413) 422-2800 Ext 1221
Fax (413) 423-3859



Chief Philip Wonkka

FY 2025 Budget Request Projections: Follow up Questions.

August 18, 2023

Honorable Board and Finance Committee,

At the meeting on August 7, 2023. The question was asked of the financial need to fill a full-time position for the remainder of the FY24 fiscal year. At the current payrate a full year salary is \$49691.20. This would indicate personnel starting on July 1, starting on October 1 the need would be \$37269.40, starting on January 1 the need would be \$24845.60, and starting on April 1 the need would be \$12422.80. This does not consider overtime needs. After reviewing the monies returned to the town over the past 5 years, I feel that the current budget would support the additional position. Hiring employees from the call force reduces the need to utilize monies allocated to that line item. If this position is filled with a hiring date of October 1, I feel very confident that through careful monitoring of the budget we will finish the fiscal year within budget.

Submitted respectively,

Chief Wonkka

Excellence Through Service

Be Safe!



TOWN OF ERVING

Department of Police

71 French King Highway

Erving, Massachusetts 01344

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

Dear Select Board Members:
Chairman Jacob Smith
Board Member Scott Bastarache
Board Member James Loynd

July 24, 2023

Dear Finance Committee Members:

This letter is in response to your request for a financial review to revisit the FY2024 budget and the adjustments that were made to the Police Department budget. Just to recap and to ensure we are all on the same page the original FY24 police budget was adjusted in the following amounts and line items being reduced by the following amounts.

-Police Wages \$47,598.00. This was to establish a cadet program to be better prepare for staffing shortages.

-Part-time Wages \$4,772.00. These positions are to assist with forced overtime on the full-time staff members and to assist in overtime costs.

-Shift Differential \$864.00. This is a contractual obligation.

-Electricity \$3,950.00.

-Phone \$2,150.00

-Heating Oil \$1,000.00

-Building Maintenance \$700.00

-Uniforms \$1000.00. This was with the anticipation of the cadet program and having the funding needed to get the candidate the necessary equipment and clothing.

-Academy \$10,300.00. This was to have the funds to send a member of the department to the full-time academy and cover the cost of the academy and all equipment. \$5,000.00 was added back to this line and is the current approved amount.

Guiding Question for FY2024 Review

Can the approved FY2024 Budget appropriation provide the service?
If an adjustment is necessary, what specifically is needed to meet the service level?

WAGES

With the adjustment to wages this will not allow me to hire the cadet position. For the department to consider hiring for this position we would need to add a step one / base rate to the wages. Currently wages allow the department to operate with 6 Full-Time Officers. With the addition of the Cadet position this would hopefully have a positive impact on the schedule when we find our department down a member. In addition, should this cadet position move into a full-time position, and we do not lose any staff members, this would allow for additional shifts to be covered with a second officer where we currently only have one officer on shift.

PT WAGES

Part-time wages, the current funding of \$6,000.00 should be adequate. In Fy23 I spent a total of \$5,049.00. However Part-time was not used a lot due to full staffing. If part-time are required to work more shifts this number will be impacted. Part-timers play a vital role in our department, offsetting forces to the Full-time staff and providing a quality of police service at a reduced rate. With our pending short staff, the part-time officer may need to be utilized more until we are back to six (6) full-time members.

ACADEMY

The department's current approved academy line is \$5,000.00 dollars. In the event we need to send possibly two individuals to the academy that current line item will not provide the funding needed.

Currently the cost of the academy is \$3,000.00 and approximately an additional \$4,000.00-\$5,000.00 dollars for equipment. There are additional hiring fees such as physical and psychological examinations that are required per POST, MPTC and the Town. A new officer will need to be fit for a ballistic vest, which cost approximately \$900.00-\$1,000.00 for the ballistic vest and then an additional carrier and attachment cost approximately \$500.00. These numbers could be doubled if we hire and need to send two to the academy.

SHIFT DIFFERENTIAL

The approved budget amount of \$5,400.00 should be enough to maintain. In Fy23 the department spent a total of \$3,918.25.

ELECTRICITY

The approved budget amount of \$10,000.00 may fall short. In Fy23 the department was approved of 9,300.00 and spent a total of \$10,619.12.

PHONE

The approved budget amount of \$11,800.00 will fall short. In Fy23 the Department was approved for \$11,000.00 and overspent by \$1,736.41.

HEATING OIL

The approved \$6,000.00 should be enough to maintain. In Fy23 the department spent \$3,874.53 and ended the year in a positive.

BUILDING MAINTENANCE

The approved \$1,800.00 may not be enough. In Fy23 the department was approved for \$1,800.00 and ended the year in a negative of \$1019.61. This also does not take into consideration the fact that at times the Highway Department will cover building maintenance costs at the Police Station.

UNIFORMS

As stated above this was with the anticipation of adding the cadet program. Until the cadet program is funded there is no reason to add this additional \$1,000.00.

As a result of the budget adjustments, what our staffing level will be like it is difficult to determine what quality of services the Police will be able to provide. I hope the breakdown and explanation I gave above is clear and answers all your questions. I am always available for questions that any of you may have or if clarification is needed. The Police Department will continue to provide the best possible quality of service. I look forward to future discussion with you all. Overall, the Department ended Fy23 in good shape. With the understanding that my budget although broken down in different line items, is one total budget, I usually find I may fall short in one line but find I have extra in other lines.

Respectfully,

Robert L. Holst
Chief of Police



TOWN OF ERVING

Department of Police

71 French King Highway

Erving, Massachusetts 01344

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

Dear Select Board Members:

Chairman Jacob Smith

Board Member Scott Bastarache

Board Member James Loynd

Finance Committee Members

Capital Planning Committee Members

Regarding your recent meeting and discussion questions that came up, I am hopefully providing more clarity regarding the breakdown in cost for a new hire and academy costs.

Physical – \$600.00, please note this is different than a new hire physical.

Psychological – \$350.00

PAT - \$150.00

Academy - \$3,200.00

Travel Reimbursement \$0.65 per mile, Holyoke Academy round trip 82 miles.

-day \$53.30

-week \$266.50

-academy is 21 weeks \$5,596.50

Equipment, see attached standard Equipment List. Some of this equipment can be used once the officer graduates and is on patrol.

Academy Equipment – Approximately / estimate \$3,000.00 – \$5,000.00.

Standard Patrol Uniform (Fy23) (all new hire uniform in addition to academy uniform and equipment)

-4 pair of pants \$70.00 a pair x 4 = \$280.00

-2 long sleeve shirts \$50.00 x 2 = \$100.00

-2 short sleeve shirts \$47.00 x 2 = \$94.00

-collar embroidery \$5.00 x 4 = \$20.00

- badge embroidery \$16.00 x 4 = \$64.00
- name embroidery \$12.00 X4 = \$48.00
- Ballistic Vest and Carrier \$1,300.00 approx. \$950.00 vest, \$300.00 carrier, attachments extra.
- Patrol coat ???
- Boots ???
- Hat ???
- Pin Badges (coat, uniform) ???

Class B Uniform

- Pants 100.00
- Shirt long and short
- Dress Hat
- Dress boots
- parade belt

Standard Detail Uniform

- Detail shift \$130.00 complete embroidery
- Detail pants \$43.95
- Detail hat \$25.00

Bike Patrol Uniform

- Shorts \$35.00
- Pants \$43.95
- Helmet \$135.00
- Shirt \$130.00 complete embroidery

Recruit Officer Course



Commonwealth of Massachusetts

Municipal Police Training Committee

Standard Equipment List

Version: G2023

The Municipal Police Training Committee (MPTC), an agency of the Executive Office of Public Safety and Security (EOPSS), serves the Commonwealth by establishing training standards, oversight and policy guidance for law enforcement professionals.

Standard Equipment List

This document contains all Recruit Officer Course (ROC) equipment requirements.

I. Clothing & Accessories

Amt.	Item	Color	Other Details
2	baseball cap	black	
2	wool/knit cap	black	
2	long sleeve shirt; full button down with collar	khaki	2 breast pockets w/ buttons & flaps
2	short sleeve shirt; full button down with collar	khaki	2 breast pockets w/ buttons & flaps
2	short sleeve t-shirt	white	crew neck (worn under khaki shirts)
4	short sleeve t-shirt	gray	PT
2	long sleeve sweatshirt	gray	PT; crew neck; no hood
2	pants; straight leg; no pleats	khaki	back pocket buttons; no flaps
2	pants; BDU or tactical	black	
2	sweatpants	gray	PT
2	shorts	gray	PT; loose fitting
1	swimming shorts	black	men only; loose fitting
1	one-piece bathing suit	black	women only
2	compression shorts	black	for under gray PT shorts
1	athletic supporter w/ cup	-	men only
1	athletic brassiere	-	women only
3	socks	white	crew length; no stripes
1	leather belt	black	silver buckle
1	leather boots	black	no mesh or patent leather; jump boots or high lace style; able to take a high shine or polish
1	running shoes	-	details provided at orientation
1	shower shoes (flip-flops)	black	no clogs or "Crocs"
1	tie	black	clip on tie with silver tie bar
1	Winter gloves	black	
1	raincoat	black	or as issued by agency
1	Patrol jacket	black	appropriate for season / weather
1	reflective safety belt	yellow	capable of being worn across chest
1	eyeglass band	-	if Rx eyeglasses are worn
2	bath towel	white	
2	coat hangers	-	strong metal, no wire
1	sling carrier for water bottle	-	details provided at orientation
1	32 oz. clear water bottle	-	details provided at orientation
2	name tag (2 1/2" x 1/2")	silver	all capital letters in black; last name only
1	duffel bag	black	see description below
1	small, insulated hand-carry cooler	-	for personal lunches/snacks
1	jump rope (vinyl speed rope)	-	details provided at orientation
1	toiletry kit	-	for showering & personal hygiene
1	any medications	-	prescribed by doctor; must have To/From memo on file with Academy Director

Standard Equipment List

A. Colors

1. Unless indicated, all clothing items must be a solid color and void of logos, insignias, markings, or apparel branding.
2. All Physical Training (PT) clothing must be “ash gray.” PT sweatshirts, t-shirts, sweatpants, and shorts must be of the same shade of gray.
3. Khaki color for shirts and pants must match. Creases can be sewn into shirts if desired.

B. PT Clothing

All PT t-shirts and sweatshirts must be marked permanently and professionally on the front and back with the recruit’s last name. Name letters may be stenciled, ironed on, heat transferred, or silk screened, but must use the following standards.

- letters must be 3” high with 1/2” thick lines
- letters must be block style and uppercase
- Top letter edge must be 6” inches from the lowest point of neck seam

C. Patches

1. Sponsoring police department patch must be sewn on upper right sleeve of short and long sleeve khaki shirts.
2. MPTC patch must be sewn on the upper left sleeve of short and long sleeve khaki shirts. MPTC patches will be provided during Orientation.
3. Department and MPTC patch locations are centered and 1/2” below top shoulder seam.

D. Duffel Bag

Duffel bag must be large enough to fit all clothing, accessories, and other equipment in sections I, II, and III herein and brought to academy on day 1 and every day thereafter unless directed otherwise by staff. Duffel bag must have a shoulder strap. A waterproof bottom is recommended. Duffel bag sold by Galls (# BG186 LG BLK) is an option, but not required.

Standard Equipment List

Recruit's last name must be affixed to duffel bag in 3" white letters (1) across one long side; and (2) the top of bag. Embroidered, heat transferred or silk-screened letters are recommended.

II. Classroom materials

The laptop below **CANNOT** be a Chromebook, iPad, or tablet. It must be a Windows or Apple-based laptop configured to allow additional software to be loaded by MPTC.

Amt.	Item	Color	Other Details
3	pen (black ink)	-	click or twist to use
4	pocket notebook	-	small enough for shirt / pant pockets
1	3" inch; 3-ring binder	black	nylon, black zipper style (e.g., Case It)
1	Book: Emotional Survival for Law Enforcement by Kevin Gilmartin, Ph.D.		
1	<p><u>Mobile laptop.</u> Devices that are no longer supported by their manufacturers will not work as expected. Device should have updated browsers (Chrome, Firefox, Safari, Edge) and the following features:</p> <ul style="list-style-type: none"> • Wi-Fi with a reliable connection and speeds at or above 15 Mbps is required (ideally bandwidth will not be split across multiple devices) • Adobe Reader software • Camera with still image and video capabilities • Word processing software to allow editing of MS Word documents. Academy documents are generally formatted in MS Word or as pdf files. Other programs may cause formatting errors. 		

III. Duty Gear

The following duty gear must meet department specifications, be clearly marked and fit inside the duffel bag brought to the academy on day 1. Strategies for marking duty gear will be provided during Orientation.

Amt.	Item	Color	Other Details
1	duty belt	black	
4	keepers	black	For duty belt
1	handgun holster	black	For duty belt
1	training handgun	red	or blue
1	magazine pouch (holds 2)	black	For duty belt;
1	collapsible baton w/ holder	black	For duty belt
1	OC (INERT) w/ holder	-	For duty belt
1	handcuffs + long key w/ holder	-	For duty belt
1	flashlight w/ holder	black	For duty belt
1	soft body armor	-	Before firearms training
1	reflective traffic vest		
1	combination lock		
1	Laerdal CPR pocket mask		One way valve

Standard Equipment List

IV. Firearms

DO NOT bring any firearm, ammunition or related equipment to the academy on day 1. The Academy Director will provide specific dates for when firearms are needed and may provide adjustments to ammunition requirements, so departments are encouraged to check in with the Academy Director before obtaining required ammunition.

All firearms, ammunition, and knives are prohibited on academy property - including storage inside personal or patrol vehicles. Do not bring any firearm, ammunition, or related training equipment onto academy property until instructed by staff. All firearms are subject to inspection and approval by MPTC.

Note: Recruit is required to have a valid license to carry a firearm when transporting weapons to and from the academy and firing range.

Amt.	Item	Other Details
1	duty gear & soft body armor	See table on page 3
1	2" wide tape	
1	permanent black marker	

Amt.	Pistol	Other Details
1	department issued	
3	magazines	
1	carrying box/case with locking device	Used to transport
1500	training ammunition (duty equivalent)	No reloads
25	inert plastic ammunition (orange / yellow)	metal cartridge preferred
100	9mm "Simunitions" ammunition (marking rounds to be used for Active Shooter training)	MPTC will supply 9mm weapons.

Amt.	Rifle	Other Details
1	AR; H&K, Mini-14 or equivalent	with sling; iron sights (no optics*)
1	carrying case	soft or hard
1	trigger or magazine lock	
1	chamber flag	orange or yellow
3	Magazines	30 round capacity
1500	training ammunition (duty equivalent)	equivalent to duty ammunition
250	pistol training ammunition	for transition drills
20	inert plastic ammunition (orange / yellow)	brass casing required

*** If pool/cruiser rifles, iron sights will be set to mechanical zero, adjusted for student officer, then reset back to mechanical zero. Does not apply to H&K G36 systems**

Standard Equipment List

Amt.	Cleaning Equipment	Other Details
1	bore brushes (correct caliber)	for pistol & rifle
1	loop patch holder or jag	for pistol & rifle
1	cleaning rod or pull cable	for pistol & rifle
1	universal nylon cleaning brush	toothbrush
2	bottles of cleaning solvent	
200	cleaning patches	
4	cleaning rags	
1	bottle of lubricant	
1	box of latex gloves	
2	packs of hand cleaning wet wipes	50-100 count
2	plastic trash bags	13+ gallon

Amt.	Protective Equipment	Other Details
1	eye protection (impact resistant)	ANSI rated
1	ear protection (overhead muffs)	minimum NRR 18DB
6	chem sticks	green or yellow
1	Sunscreen	
1	insect repellent	

V. Patrol Vehicles

MPTC does not provide vehicles for ROC training. Marked patrol cars are required for skill development exercises to include EVOC, motor vehicle stops and patrol duties. The Academy Director will provide specific dates for when patrol cars are needed.

One (1) marked vehicle is required for every two (2) recruits. Departments sponsoring more than two (2) officers must still meet this ratio.

Each marked patrol vehicle must meet the following standards for ROC training:

Patrol Car Standards
engine in good running condition
4 tires with ample tread and no defects
working head, tail and turn signal lights
working emergency lights and siren
full spare tire with jack & lug wrench (secured in trunk)
all other items must be removed from trunk

Standard Equipment List

VI. Uniform

Full department uniform will be needed for graduation.

VII. Day 1

The following equipment and clothing requirements are for Day 1 of the Academy. Short-sleeved uniforms are worn April 15-October 14 and long-sleeved uniforms are worn October 15-April 14.

1. Clothing

Each recruit officer must wear the following into the academy on day 1.

- a) black baseball cap
- b) solid white t-shirt (under khaki shirt)
- c) long sleeve with tie (Fall / Winter); or short sleeve without tie (Spring / Summer) khaki shirt with department and MPTC patches properly affixed
- d) silver name tag centered above right shirt pocket
- e) black clip-on tie with silver bar (long sleeve only)
- f) khaki pants
- g) black leather belt with silver buckle
- h) white socks
- i) black leather boots
- j) 1 black ink pen in upper right shirt pocket
- k) 1 pocket notebook in upper left shirt pocket or right rear pant pocket
- l) 32 oz. clear water bottle in sling carrier; Last name must be written on side of water bottle

2. Duffel Bag

Each recruit officer must bring a black duffel bag with his or her name in white letters. The duffel bag must contain all remaining equipment items listed in the following sections:

- I. Clothing & Accessories
- II. Classroom Materials
- III. Duty Gear

Standard Equipment List

All items inside the duffle bag must be clearly marked with the recruit's last name. Strategies for marking duty gear will be provided during Orientation.

3. Firearms

DO NOT bring any firearm, ammunition, or related equipment to the academy on day 1. All firearms, ammunition, and knives are prohibited on academy property (including storage inside personal vehicles).

Memo

Town of Erving

To: Select Board
From: Jennifer Eichorn – Treasurer
CC:
Date: August 14, 2023
Re: Health Insurance Update

Since there is a possibility of a Proposition 2 ½, I wanted to provide you with an update to our Health Insurance line item. We are currently on track to stay within our budget, but we have a few positions that we need to fill in the near future which may put us in a deficit.

As a reminder, the Town pays for 84% of the health insurance premiums, a fixed amount for dental insurance (\$14.38 for a single plan, \$28.37 for employee+1 and \$53.00 for a family plan per month) and \$5.96 per month for basic life insurance per employee.

Here are the details:

FY24 Budget: \$1,290,000

Current Monthly Amounts (rough totals):

- \$103,000 Health Insurance
- \$2,000 Dental Insurance
- \$500 Basic Life Insurance

Total Monthly Amount: \$105,500

Yearly Amount (with current employees): \$1,266,000

The range for the cost of health, life and dental insurances for one employee is \$6,888 – \$21,600 per year.

My recommendation would be to wait until a Special Town Meeting and utilize any free cash that may be available.

Meeting Minutes

Board: Select Board / Water Commissioner's Meeting
Date: Monday, September 27, 2021
Location: Online Video/Audio Conference Pursuant to Massachusetts General Law, in Response to the COVID-19 Pandemic

Select Board Present: Jacob Smith, William Bembury, Scott Bastarache
Finance Committee: Benjamin Fellows, Debra Smith, Charles Zilinski, Arthur Johnson
Capital Planning Committee: Jacob Smith, Benjamin Fellows, Debra Smith, Linda Downs-Bembury, Peter Mallet
Also, Present: Bryan Smith, Mariah Kurtz, Glenn McCrory, Peter Grandy/Weston & Sampson Engineers

At 6:35 PM **Chairman Smith** called the meeting to order.

Chairman Smith explained that the meeting is being recorded and provided an overview of the functions of the video/audio conferencing platform.

Discussion Regarding Town Response to COVID-19

Bryan Smith, Town Administrator, explained that the nursing staff are continuing to conduct monitoring as appropriate. Bryan explained that the Town is still waiting to hear updates regarding the guidance from the President's order, coming from the Department of Labor.

Discussion Regarding July 18th State of Emergency

Bryan stated that quotes are being collected for the Finance Committee and Select Board to consider. He indicated that most of the information regarding Poplar Mountain is together, although there are legal matters. He indicated that it is in the preliminary stages with the Massachusetts Emergency Management Agency (MEMA); they will determine whether it is a state of emergency and if so, they will file with the Federal Emergency Management Agency (FEMA). Bryan stated that information is still being collected. **Chairman Smith** asked about the timeline. Bryan reported that Erving was the last town to be seen by MEMA and is unsure of the timeline currently.

Library Construction Project Update & Review of Change Order Requests

Bryan explained that there are no changes to report and are working on the official closeout. He stated that they are waiting for the official response from the OPM and the architect, and that they should have a draft ready to present next week. Bryan will follow up this week. Bryan spoke about the Open House event that was held at the library and expressed that it was a very nice event.

Discussion Regarding Traffic Control in Erving Center Impacted by Church St. Bridge

Bryan explained that the Massachusetts Department of Transportation (MassDOT) gave the Town the official bridge rating signs, and they were installed. The order has been placed for the new signage based on the plans that were submitted. He also explained that MassDOT has not yet given the final approval of the plans that were presented. Bryan mentioned that he informed MassDOT that the signs needed to be ordered based on the plans and assumes that they will give the necessary approval. He has sent a follow-up email as well. Bryan reported that the jersey barriers and traffic cones are here, and plans are being made to get them installed whilst they wait to get MassDOT's final approval. Although **Selectman Bastarache** expressed concern that signs not be placed before approval is received, Bryan expressed the importance of having to place the detour signage for safety measures. They will wait for a few days to see if they get approval from MassDOT before they place the signs and cones. **Chairman Smith** has offered

Meeting Minutes

to reach out to MassDOT to expedite things. The Board asked Bryan about the pedestrian crossing plans at North Street and Arch Streets. Bryan gave an update with expectations of a summer/fall timeline.

Review of Former IP Mill Request for Information Procurement Draft

Bryan informed the Board that he updated the document with the deadline of November 17, 2021, with an optional site visit on October 13th with the Request for Proposals (RFP) process. They briefly discussed the deed restriction and what language is necessary within the RFP document and in the land disposition agreement. Bryan explained that the investment amounts were included in the document as well. He indicated that the updates should make things clearer and would be happy to make any changes that they deem to be appropriate. **Selectman Bembury** expressed approval of the body of the draft. The Board made a couple of minor edits to the document. Bryan expressed that the advertisement would go live this Wednesday, September 29, 2021. The Board expressed approval.

Review of Building & Ground Maintenance Labor Position Vacancy

The Select Board passed over this agenda item until later in the evening.

Joint Meeting with Finance Committee and Capital Planning Committee

At 7:02 PM **Chairman Smith** called the joint meeting of the Select Board, Finance Committee and Capital Planning Committee to order.

Review of Church Street Bridge Conceptual Design & Opinion of Probable Cost

Bryan informed the Board that Glenn McCrory, Mariah Kurtz, and Peter Grandy from Weston & Sampson were joining the meeting. Peter Grandy explained their review of the project and discussed the 32 ft span and how it limits what can be done. He explained that the cost difference was approximately \$80,000 for that size span with additional excavation. Secondly, he described lowering the heights of existing abutments to keep everything to 5-year storm hydraulics. Peter stated that this gives more waterway and allows room to realign the channeling of the bridge structure if funding were to become available later. If there were additional work in the stream, additional funding would be approximately \$120,000. Permitting will increase the cost. Peter explained the process of permitting, and the amount of time that it would potentially take. He explained the timeline if construction started in April; approximately nine (9) months. Once the bridge opens, they will still have minor work to continue, but is not of safety concern. They discussed lane configuration during the project. He explained that the bridge would most likely have one lane always open, alternating during the project. **Selectman Bembury** asked about the condition of the channel during Weston & Sampson's assessment and Peter expressed that the channel looked good; not great, but not poor. Peter expressed, however, that since the flooding in August several locations of the stone wall became compromised. Peter explained that mitigating actions could be taken. He said that the issues of most concern were in the areas that are not owned by the town, but by the property owners. There was miscellaneous conversation around the effects of the project and moving forward. **Selectman Smith** asked about the direction of the project and if the Town should take more time to collect more feedback from property owners and other professional entities. William Bembury, as a homeowner, expressed that the Town and the property owners should come together to come up with a plan that everyone can live with and expressed that fixing the problem together is imperative and doing it in a timely manner before more storms make things worse. Linda Downs-Bembury expressed that professionals from the State should also play a part in the resolution. Seeing as how there are no immediate decisions being made, Bryan asked if at this time the Boards felt that a budgetary placeholder for the bridge be set for Capital Planning. The Boards agreed that there should be a placeholder for the bridge project for the next budget cycle.

Meeting Minutes

Review of the FY2023 Budget Planning Calendar & Request Guidance

Bryan explained that all meetings on the calendar are still online meetings. Bryan reviewed dates on the calendar with the Boards. Both Boards expressed no concern with the schedule.

FY23 Operating Budget Guidance

Bryan presented and reviewed the updated guidance document. The Boards have no concerns.

FY23 Capital Budget Guidance

Bryan pointed out the change in the guidance document indicating the language to the departments of whether they feel they can meet the five-year request date. There was discussion around the information being requested on the Departmental Capital Expenditure Request Forms. The Boards discussed adding a ranking system and descriptions. Bryan will make the recommended edits and release the guidance at the end of the week.

Review of the Town-Wide Master Project List

Mariah explained that a 'percent-funded' column has been added to the master project list and she explained the color coding on the list. The Boards asked clarifying questions which both Bryan and Mariah explained. Deb from the Finance Committee expressed that the 25-year plan seems a bit overwhelming as some of these projects haven't been proposed yet. Overall, the schedule is well put together and is a great source of information as a living document. Benjamin Fellows wonders if there could be a way to show if a project was completed in the time planned. Mariah indicated that she could make that edit. **Chairman Smith** pointed out that room needs to be made for emergency-type projects. Mariah informed the Boards that she and Bryan have slowed down with grant applications to try not to pack more onto the list; pointing out that the grants will be available again in the future. She explained that she and Bryan are being more discretionary with grant opportunities. Daniel Hammock stated that perhaps at some point, to share the list with the public so that they can see what the Town really has going on and why we have the personnel that we do.

Discussion Regarding Poplar Mountain Road Layout, Survey and Engineering Needs

Bryan gave an overview of the damage to the top of the roadway and the need for engineering for water management. He explained that surveying needs to happen and means and bounds need verification. The surveyor said it is necessary, and if keeping a county road, the Town would need to seek a relocation and keep the updated means and bounds. Bryan recommends petitioning to transfer to the town and have the voters adopt it at town meeting. Surveying work would cost \$7,000 and the setting of new monuments would be \$300 each. Preliminary Engineering estimate is \$35,000. Bryan is waiting for the final engineering proposal. There was discussion around the necessity for plowing, and about how all of this affects applying for emergency funding. Bryan informed the Board that the Town intends to temporarily repair/reconfigure the road and to ask FEMA for assistance. The Board agrees that adopting it makes the process easier, moving forward. Bryan explained the process and asked for the okay to move forward. The Board has no concerns.

At 9:08 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. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Meeting Minutes

Meeting Minutes of January 11, 2021, and January 25, 2021

Chairman Smith passed over these agenda items.

Meeting Minutes of February 8, 2021

Chairman Smith passed over this agenda item.

Meeting Minutes of March 1, 2021, and March 8, 2021

Chairman Smith passed over these agenda items.

Meeting Minutes of April 26, 2021

Chairman Smith passed over this agenda item.

Meeting Minutes of May 3, 2021

Chairman Smith passed over this agenda item.

Meeting Minutes of June 14, 2021

Chairman Smith passed over this agenda item.

Meeting Minutes of August 16, 2021

Chairman Smith passed over this agenda item.

Meeting Minutes of September 13, 2021, and September 20, 2021

Chairman Smith passed over these agenda items.

Full-Time Building & Ground Maintenance Position

Bryan explained that there were no significant changes to the updated job description. Bryan recommends a Screening Committee of Glenn McCrory, Natane Halasz and Paula Betters. The Board agreed. **Chairman Smith** made a motion to approve the job description as presented, **Selectman Bastarache** seconded. **Vote:** Unanimously approved. **Chairman Smith** made a motion to establish a Building & Ground Maintenance Position Screening Committee and appointing Glenn McCrory, Natane Halasz and Paula Betters to the Committee. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

Upcoming Meetings

Chairman Smith briefly mentioned the expected upcoming televised meetings. He presented the question "Should meetings be bi-weekly?" After a brief discussion the Board agreed that they can operate with bi-weekly meetings.

Upcoming meetings: Joint meeting with the Planning Board on October 04, 2021, to discuss potential Zoning amendments.

Adjournment

At 9:16 PM **Chairman Smith** made a motion to adjourn. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Meeting Minutes

Respectfully submitted,

Betsy Sicard
Administrative Assistant

DRAFT

COMMONWEALTH OF MASSACHUSETTS
TOWN OF ERVING

OFFICE OF THE BOARD OF WATER COMMISSIONERS
Water Commissioners Warrant to the Collector
Water Testing Charges **3rd Commitment**, Fiscal Year 2024

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

Greetings:

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby required to levy on and collect Three Thousand Five Hundred Dollars and Zero Cents (\$3,500.00) due to final charges at 12 East Main Street (#273).

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

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

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

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

Given under our hands this 21st day of August 2023.

WATER COMMISSIONERS OF ERVING

Jacob A. Smith

Scott Bastarache

James Loynd

Commitment Report

<u>Account Information</u>	<u>Meter Reads And Usage</u>	<u>Usage</u>	<u>Receivable</u>	<u>Amount</u>
273			Water Testing Town Hall	\$3,500.00
TOWN OF ERVING			Total:	\$3,500.00
TESTING				
Route NA				

Report Totals

<u>1 Account(s)</u>	<u>Receivable Name</u>	<u>Total</u>
	Water Testing Town Hall Zilinski	\$3,500.00
	Receivable Totals:	\$3,500.00

COMMONWEALTH OF MASSACHUSETTS
TOWN OF ERVING

OFFICE OF THE BOARD OF WATER COMMISSIONERS
Water Commissioners Warrant to the Collector
Fire Hydrant Charges **4th Commitment**, Fiscal Year 2024

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

Greetings:

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby required to levy on and collect Five Thousand Eight Hundred Sixty Dollars and Zero Cents (\$5,860.00) due to final charges at 18 Moore Street (#257).

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

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

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

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

Given under our hands this 21st day of August 2023.

WATER COMMISSIONERS OF ERVING

Jacob A. Smith

Scott Bastarache

James Loynd

Commitment Report

<u>Account Information</u>	<u>Meter Reads And Usage</u>	<u>Usage</u>	<u>Receivable</u>	<u>Amount</u>
257			Hydrants	\$5,860.00
TOWN OF ERVING FIRE STATIK			Total:	\$5,860.00
18 MOORE ST				
Route 1				

Report Totals

1 Account(s)	<u>Receivable Name</u>	<u>Total</u>
	Hydrants	\$5,860.00
	Receivable Totals:	\$5,860.00

COMMONWEALTH OF MASSACHUSETTS
TOWN OF ERVING

OFFICE OF THE BOARD OF WATER COMMISSIONERS
Water Commissioners Warrant to the Collector
Water Use Charges **5th 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 persons named in the water charges list herewith committed to you the amount of the water charges charged to each such person for water usage as therein set forth, with interest, the sum of such list being Two Thousand, Seven Hundred Thirty-nine Dollars and Ten Cents (**\$2,739.10**) for water use charges.

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

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

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

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

Given under our hands this 21st day of August 2023.

WATER COMMISSIONERS OF ERVING

Jacob Smith, Chair

Scott Bastarache

James Loynd

Commitment Report

Account Information	Meter Reads And Usage	Usage	Receivable	Amount	
148 ERIN TRAVIS 8 LILLIANS WY Route 1	0012712692 Water Rate	Usage 0	381,908	Water	\$2,064.11
		Read Date	Reading Type	Total:	\$2,064.11
	Current Bill	8/1/2023	0 SET		
	1098930594 Water Rate	Usage 381,908			
		Read Date	Reading Type		
	Current Bill	8/1/2023	530,670 TRN		
	Last Billed	3/28/2023	148,762 EST		
165 DIBARI JEANINE 41 FOREST ST Route 1	0012555199 Water Rate	Usage 0	34,600	Water	\$223.38
		Read Date	Reading Type	Total:	\$223.38
	Current Bill	8/1/2023	0 SET		
	1119930219 Water Rate	Usage 34,600			
		Read Date	Reading Type		
	Current Bill	8/1/2023	1,755,300 TRN		
	Last Billed	9/19/2022	1,720,700 ACT		
212 FRITZ SCOTT A 6 CENTRAL ST Route 1	0036713248 Water Rate	Usage 0	77,663	Water	\$451.61
		Read Date	Reading Type	Total:	\$451.61
	Current Bill	6/5/2023	0 SET		
	5172960179 Water Rate	Usage 77,663			
		Read Date	Reading Type		
	Current Bill	6/5/2023	1,009,960 TRN		
	Last Billed	3/28/2023	932,297 EST		

Report Totals

3 Account(s)	Receivable Name	Total
	Water	\$2,739.10
	Receivable Totals:	\$2,739.10



**FRANKLIN COUNTY REGIONAL HOUSING &
REDEVELOPMENT AUTHORITY**

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

July 18, 2023

Bryan Smith
Administrator Coordinator
Erving Town Hall
12 East Main Street
Erving, MA 01344

Dear Bryan Smith-

Enclosed you will find a report narrative regarding **CDF-G-2021-ERVING (Lead), Northfield and Warwick** Program Activities for the quarter ending 06.30.23.

The grant will provide funding for a minimum of 17 units of Housing Rehabilitation. Program Income funds in the amount of \$102,543.20 were added to the grant and will be used to benefit households in the towns where the funds originated. More than 57% of available housing rehab funds have been committed to projects and 36% of funds committed have been expended on work completed.

To date, \$451,328.50 has been committed in contracted Housing Rehabilitation activities in the towns of Erving, Northfield and Warwick. At this point, it appears that the program has received sufficient applications from residents which would commit the remaining available funds.

If you have questions or need clarification on any item, I may be contacted at 413-863-9781 x 156 or spleasant@fcrhra.org

Sincerely,

Sharon L. Pleasant
CD Program Manager

QUARTERLY PROGRESS REPORT 2021
QPR #6 – 2021 – Erving (lead), Northfield, Warwick – 00923
06.30.23

1. Management/Administrative Issues: Management/Administrative Issues: None.

2. Project Status/Accomplishments:

4C HOUSING REHABILITATION ACTIVITY: Original grant funds for housing rehabilitation in the amount of \$680,000 were increased by the addition of \$102,543.20 in Program Income funds (total of \$782,543.20). Almost 58% (\$451,328.50) of available funds have been committed to construction projects.

The unit goal for this activity is to complete at least 17 units of housing rehabilitation. Ten units are under contract, 5 of those units have been completed and 5 are in process. Of the five units under construction, 4 should be completed by 09.30 and the other one shortly thereafter.

An additional 6 units of housing rehab are in the inspection/bidding stage and expected to be under construction and almost complete by 09.30.

7 units are in the application/inspection/work write up stage and if eligible, will be prioritized based on scoring system and availability of funds so that they may go to bidding and contract.

TOWNS OF ERVING, NORTHFIELD, WARWICK	
Units Complete	5
Units under Construction	5
Units in scoping and bidding	6
Applications in Process	7
TOTALS	23

LEAD PAINT REPORTING:

* Applicable Lead Paint Requirement:

a.	Housing Constructed before 1978	2
b.	Exempt: Housing Constructed 1978 or later	3
c.	Otherwise exempt	5
d.	Exempt: Hard costs <= \$5,000	
	TOTAL	2

* Lead Hazard Remediation Actions:

Lead Safe Work Practices (24 CFR 35.930(b)) (Hard Costs <= \$5,000)	
Interim Controls or Standard Practices (24CFR 35.930 ©) (Hard costs \$5,000 - \$25,000)	
Abatement (24CFR 35.930 (d)) (Hard Costs > \$25,000)	2
(must equal sum in "a." above)	TOTAL 2

PERFORMANCE MEASURES – ACTIVITY 4C:

* Housing Rehabilitation Units

Units occupied by elderly	7
Units moved from substandard to standard	10
Units made accessible	5
Units qualified as EnergyStar	6
# brought into compliance with lead safety rules	2

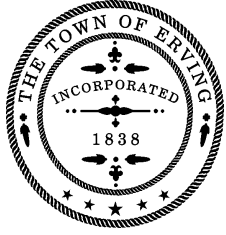
3. PUBLIC BENEFIT: N/A

4. PROGRAM INCOME: None received this quarter ending 06/30/23.

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

Current Quarter: 7
Quarter End Date: 09/30/2023

Activity	Budget	Expenses	%Expended	Committed	Drawdowns
	\$0.00	\$0.00	0%	\$0.00	\$0.00
4A Program Delivery	\$111,219.00	\$39,426.01	35%	\$111,219.00	\$39,426.01
4C Rehab Loans/Grants	\$782,543.20	\$284,738.50	36%	\$451,328.50	\$272,506.50
9 General Admin.	\$137,048.00	\$50,068.88	37%	\$137,048.00	\$50,068.88
Totals	\$1,030,810.20	\$374,233.39	36%	\$699,595.50	\$362,001.39



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

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

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

Bryan Smith
Town Administrator

August 18, 2023

To: Select Board

From: Bryan Smith, Town Administrator

RE: Ethernet Renewal Proposal

The Town's previous ethernet service agreement has expired, and it would be appropriate to renew the services with a new agreement. When the Town initially conducted this procurement in 2019, we worked to acquire dedicated ethernet (fiber) connections for the Town Hall, Senior Center, and Library. This was in part to align with the implementation of the Community Access TV channel and plans to be able to record and broadcast from these buildings. We started with lower dedicated bandwidth and balanced the demand with Comcast business internet. The remaining Town facilities, such as the Police Station, Fire Station 2 and Public Works are all on Comcast business internet.

Jake and I have been working with Comcast to negotiate a renewal of our existing services and to improve and expand. The attached proposal would provide dedicated fiber with 100mb upload and download speeds to all six (6) facilities. The rate would be \$500 per month for each site over the length of the agreement. For some sites like Town Hall and the Senior Center this could reflect a monthly savings because we could reduce the business internet service. It would be an increase for the Police Station, Fire Station 2 and Public Works, but it would be justified for the increase in dedicated bandwidth. This is particularly important for the Police Station and the evolution of data needs. If the Town agreed to the proposed rates, the construction build out to the Police Station, Fire Station 2 and Public Works would be at no additional cost to the Town. We have been told that the estimated construction cost is \$48,000.

ETHERNET DEDICATED INTERNET (EDI)

	Location	Service Description	TERM (Mo)	Monthly Rate	Non-Recurring Cost	Construction Cost
1	71 French King Highway, Erving MA 01344	100/100 Mb Ethernet Dedicated Internet	60	\$500.00	\$200.00	\$0.00
2	18 Moore St Erving MA 01344	100/100Mb Ethernet Dedicated Internet	60	\$500.00	\$200.00	\$0.00
3	2 Care Dr, Erving MA 01344	100/100 Mb Ethernet Dedicated Internet	60	\$500.00	\$0.00	\$0.00
4	12 E Main St, Erving MA 01344	100/100Mb Ethernet Dedicated Internet	60	\$500.00	\$0.00	\$0.00
5	1 Care Dr, Erving MA 01344	100/100Mb Ethernet Dedicated Internet	60	\$500.00	\$0.00	\$0.00
6	16 Public Works Blvd, Erving MA 01344	100/100 Mb Ethernet Dedicated Internet	60	\$500.00	\$200.00	\$0.00
	TOTAL			\$3,000.00	\$600.00	\$0.00

*Pricing is budgetary pending final approval

** EDI scalable for 1Mb to 100 Gb*

** 24/7/365 network monitoring and support through our Business Network Operating Center (BNOC)*

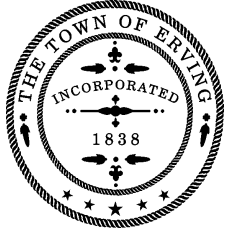
** Web Portal available to view bandwidth usage*

** Industry leading SLA's with 99.99% uptime*

** Redundant core architecture with rapid recovery time from network incidents*

**Diversity- your information travels across our enhanced fiber network*

**Pricing budgetary pending final approval*



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

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

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

Bryan Smith
Town Administrator

August 18, 2023

To: Select Board
School Committee
From: Bryan Smith, Town Administrator
CC: Richard Newton, Town Clerk
Elizabeth Sicard, Administrative Assistant

RE: Elected Official Appointment – School Committee

In accordance with Massachusetts General Law Chapter 41, Section 11, the Select Board and the remaining members of the School Committee can jointly meet to consider the appointment of a member to the vacant seat on the School Committee. The appointment is made if a majority of the Select Board and the remaining members of the School Committee vote in favor through a roll call vote. The individual must be a registered voter and can be appointed to serve for the balance of the year and the seat will appear on the Annual Town Election warrant for May 2024 for the balance of the term.

Beginning on July 24, 2023, the opportunity was posted at Town Hall and on the Town website with a deadline to respond of August 15, 2023. Notice of the opportunity was also sent to the Greenfield Recorder and the Montague reporter. As of the deadline, one (1) letter of interest has been received from C. Mark Blatchley. The communication is attached.

Suggested Vote Language

A motion to appoint _____ as a member of the School Committee, through June 30, 2024.

Vote

A roll call vote is required.

From: [Mark Blatchley](#)
To: [Bryan Smith](#)
Subject: letter of interest in School Committee vacancy
Date: Tuesday, August 1, 2023 8:31:11 AM
Attachments: [school committee.doc](#)

Here is a revised version of what i ran in the around town
Mark

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.

My name is Mark Blatchley and I want to be nominated to the school committee vacancy. I have been involved in education as a teacher for just over 51 years before retiring. I was a Science Teacher and Outdoor Program Leader primarily with Adolescents with various Special Needs in different settings.

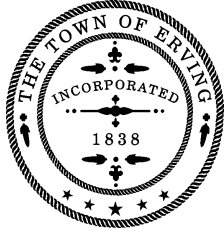
In addition to the numerous IEP meetings I was involved in representing not only program but also the individual student who I saw (and still see) as not just a set of test scores and diagnosis but as a complex human being with strengths as well as areas of difficulties.

I worked for a few years after retiring as a substitute para and a few times as a Special Ed teacher in Union 28 schools; primarily in the 4th, 5th and 6th grades. I was working in Erving, 6th grade, on the day we put notices in student boxes informing parents that school would be closed due to the pandemic.

Besides my penchant for seeing youth in a holistic way I also believe Erving has always had an excellent school staff and see no reason it should not continue to do so within a supportive community.

I value education programs that involve all aspects of a community, that connect students with the natural world, with the arts, the world of work and that meet the pace and strengths of each student.

While personally being opposed to the high stakes testing program mandated by the Department of Education; it is a given that we need to work with until it is changed. Along those lines I already express my opinions to legislators on matters in education I believe in. Currently I am writing and encouraging others to write to state representatives and senators in support of SD938 which would require two educators and a school committee member be appointed to the Board of Education (currently they are prohibited).



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

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

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

Bryan Smith
Town Administrator

August 18, 2023

To: Select Board

From: Bryan Smith, Town Administrator
CC: Richard Newton, Town Clerk
Elizabeth Sicard, Administrative Assistant

RE: Elected Official Appointment – Tree Warden

In accordance with Massachusetts General Law Chapter 41, Section 11, the Select Board and the remaining members of an elected board can jointly meet to consider the appointment of a member to the vacant seat. The appointment is made if a majority of the Select Board and the remaining members of the elected board vote in favor through a roll call vote. The individual must be a registered voter and can be appointed to serve for the balance of the year and the seat will appear on the Annual Town Election warrant and serve for the balance of the term. In the case of the Tree Warden position, it would be a vote of the Select Board as there is no other board or committee to convene.

On July 24, 2023 the opportunity was posted at Town Hall and on the Town website with a deadline to respond of August 15, 2023. The opportunity was also sent to the Greenfield Recorder and the Montague Reporter. As of the deadline, three (3) letters of interest were received. The letters are enclosed for your review.

Suggested Vote Language

A motion to appoint _____ to the position of Tree Warden, through June 30, 2024.

Vote

A roll call vote is required.



TOWN OF ERVING

Highway Department

16 Public Works Boulevard
ERVING MASSACHUSETTS 01344
glenn.mccrory@erving-ma.gov

Tel: 413-423-3500
Fax: 413-423-3919

Glenn McCrory
Highway
Superintendent

August 11, 2023

To: Erving Select Board

From: Glenn McCrory, Highway Superintendent

Re: Letter of interest for vacant Tree Warden position

Regarding the vacancy of the Town Tree Warden, please accept this letter of interest for the position. Since my employment started in March 2008 the Highway Department has played a significant role in helping the Tree Warden or being the Interim Tree Warden. I have accepted these duties in the past and am willing to continue.

The former Tree Warden brought on the replant program that residents have been asking about for a long time and that will continue.

Being proactive with regular tree trimming and removal when needed has kept the Town in a good place during most storms with minimal damage. Working on our roads daily is beneficial for seeing any potential tree issues to be taken care of quickly.

Thank you.

Respectfully,
Glenn McCrory
Highway Superintendent

Letter of Interest

To the Town of Erving Selectboard,

Hello my name is Anthony Cunha. I recently moved to Erving and was notified that the Tree Warden position was vacant. I am very interested in becoming the new Warden and serving the community. I have worked for the Department of Conservation and Recreation seasonally since 2015. During my employment with the State, I worked on the Greening the Gateways Communities projects in Holyoke and Leominster MA as both a Laborer and Forestry Assistant. My duties were to plant shade and evergreen trees to reduce energy usage in homes and to reduce the heat island effect in urban environments. I then later moved to the Forest Health Division as a Forestry Assistant where my duties were to identify and remove hazardous or infested trees on DCR property, identify tree species, inspect trees for insect damage, and prune trees for better growth and general maintenance. I also attended Mount Wachusett Community College and have an associate degree in natural resource management. I believe I would make an excellent Tree Warden for the town and look forward to hearing from you.

Thank you,

8-14-2023

16 Wheelock St.

912 271 5801

Dear Select Board,

Please accept this as my letter of interest in being the next Tree Warden.

Except for the past few years, since I was 5 years old and old enough to stack the chunks of wood older family members had cut, split and sawed to length, our family has heated with wood. As I aged it became my job to help cut down, saw and split. Knowing Maple, Oak Cherry, Birch, Pine, Elm, Hemlock etc. came early to me.

Later, starting in 1966 working for Stewarts Nursery, I was professionally trained in identifying, planting, pruning and removing trees and shrubs. Even though using a chain saw may not now be a requirement of a Tree Warden I have many years experience using one.

Graduating from New Salem Academy with a diploma in Vocational Agriculture I learned to plant, prune and maintain all kinds of plants.

Being retired I have plenty of time to work with tree removal / pruning companies to identify, prune or remove diseased or damaged trees, after tree removal hearings have been held. Maintaining trees, both to keep people safe, and protect trees that are no danger to anyone, is important.

Replanting, or arranging new plantings of appropriate replacement or new ornamental and shade trees, is also important.

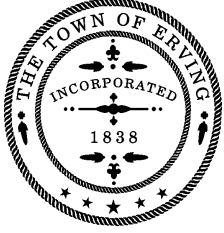
Holding this position could also give us a platform for me to develop a working relationship with MASS DOT in hopes of, more cooperatively, making Erving even more beautiful from one end of town to the other than it already is!

Thank you for considering me for this position.

Please call me if you have questions.

Daniel B. Hammock

Daniel B. Hammock



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

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

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

Bryan Smith
Town Administrator

August 18, 2023

To: Select Board

From: Bryan Smith, Town Administrator
CC: Mariah Kurtz, Town Planner
Senior Housing Committee

RE: Senior Housing Development RFP Draft Addendum Review

As previously discussed with the Select Board, the request for proposals was released on July 26, 2023. To date, the RFP has been downloaded eleven (11) times. The Town held an optional site walk and meeting with interested developers on August 9, 2023, and representatives from two (2) developers participated. Questions regarding the procurement were due on August 16, 2023. The Senior Housing Committee met on August 17, 2023, with Mariah and I to review the questions that were received during the optional site visit and by the question deadline.

The Town has only issued addendum #1 that clarified a typographical error regarding a submission deadline and to provide a link to the location where previous market study data on the project could be found on the Town website.

Attached is a draft of what is proposed as addendum #2 that reflects the responses from the Senior Housing Committee. Mariah and I look forward to reviewing this with the Board to determine how you would like to proceed.

TOWN OF ERVING
Request for Proposals (RFP)
20230726A- Care Drive Senior Housing Development
Addendum #2
Issued August 22, 2023

Attachments

- Berkshire Design Map
- Town Meeting vote- June Special Town Meeting from 1996
- 2016 Berkshire Design Master Plan Project Report (note that all of the properties in consideration for this master plan are not all included for consideration in this RFP)
- 2016 Berkshire Design Wetland Map

- 1. There is an old automobile and two metal barrels remaining on the property, will the Town be responsible for removing them?**
 - a. The Town will have the area around them tested for contaminants and have the automobile frame and metal barrel items removed prior to conveying the property.
- 2. Has an age restriction been placed on this property through a Select Board or Town Meeting vote?**
 - a. The Select Board has not taken a formal vote. The mission of providing housing for seniors must be met through this project.
- 3. Has the Town had any discussion regarding project funding with any state agencies?**
 - a. The Town worked with Mass Housing Partnership (MHP) to re-write the Request for Proposals from the 2018 Request for Proposals. They are aware and involved in the project through the Complete Neighborhoods program.
 - b. Questions were asked to MHP and the Executive Office of Housing and Livable Communities (EOHLC) about Erving having 0% Subsidized Housing Inventory (SHI) and having our first affordable housing project be age restricted and whether it would disqualify the project from their funding opportunities. They advised us that it would not, as it is our first project, but we should not have any subsequent projects be age restricted.
- 4. Does Erving have a Community Preservation Fund?**
 - a. Erving has not adopted a Community Preservation Fund available through the Community Preservation Act.
- 5. Has the Town appropriated any money towards this project?**
 - a. The Select Board is willing to consider partnering with a developer on the installation of a sewer pump station and the installation of the sewer main. The Water main terminates at the end of the paved surface of Care Drive. The Sewer main does not run down Care Drive, currently, but provisions have been made to prepare for this work. The Town has at least \$149,000 to put towards sewer installation. The Senior Housing Committee has their own small appropriation for the administration costs involved in the RFP and conveyance process.

- b. Beyond the above, the Town has not appropriated any money towards this project as a match or otherwise. The Town is willing to consider a contribution if it is needed to make the project viable. If a financial contribution from the town is needed for a viable project, an estimated amount should be included with a justification for the requested amount.
- 6. Can you clarify what is intended by the local design vernacular preferences?**
- a. While Erving and the Care Drive neighborhood do not have a distinct, consistent design vernacular, inspiration from a traditional rural New England design is preferred (for example, gable roof, natural materials) to complement the Senior Center. The property was farmland before we purchased it and most houses in the neighborhood were built between 1850 and 1925. A campus feel with the other buildings on Care Drive should be emphasized.
- 7. Are there “significant trees” identified to keep as referenced on page 6 of the Request for Proposals?**
- a. Keeping some trees or including new trees in a landscaping plan is preferred but no particular trees have been identified to be kept, nor is it suspected that there are any notably old trees on the property.
- 8. Due to the location of the proposed housing on the same campus as the Senior Center with a full kitchen and meeting rooms and library with meeting rooms and kitchenette, would the town consider amending the comparative evaluation criteria to remove the community kitchen and small meeting room from the amenities section?**
- a. At their August 17, 2023 meeting, the Senior Housing Committee agreed to remove the small meeting room from the comparative criteria and clarified that the community kitchen does not need to be a commercial kitchen appropriate for service providers. Instead, this kitchen should be geared towards small resident gatherings and include residential grade appliance such as an oven with range, sink, refrigerator, microwave, and counter space with cabinets.
- 9. In regard to the Franklin Regional Housing Authority waiting list, how many people are on the waitlist?**
- a. Franklin County State Aid Housing Waiting List, seniors – 1,955
 - b. Franklin County Section 8 Waiting List, seniors – 216
 - c. Franklin County Project-Based Vouchers Waiting List, seniors – 30
 - d. Sanderson Place (a senior housing project in Sunderland MA with 33 62+ apartments) waiting list – 48
- 10. Would the Town consider reducing or eliminating the age restriction requirement on this project?**
- a. At their August 17, 2023 meeting, the Senior Housing Committee voted to reduce the age restriction to 55+
- 11. Is there any consideration to increasing the number of units included in the development?**
- a. At their August 17, 2023 meeting the Senior Housing Committee voted to change the range of the number of units request in the RFP from 30-60 units to 30-70 units to offer developers more flexibility.
- 12. Will the town accept market rate units as part of this development?**

- a. At their August 17, 2023 meeting, the Senior Housing Committee voted eliminate the strict percentages of affordability and change the language to “A mixed income development with a broad range of incomes is highly advantageous”. The grading rubric will be adjusted accordingly.

13. There are several acres of land behind the Senior Center and adjacent to the developable parcel. Is this land being considered for use in this project?

- a. The land behind the Senior Center parking lot is currently one parcel with the Senior Center. There are no immediate plans to split it off at this time but it could be considered in the future. If this was desired by the proposer, it should be included in their response.

14. The submission requirements set a high bar for proposals. Will the Town accept partial conformance with submission requirements?

- a. At their August 17, 2023 meeting, the Senior Housing Committee agreed to relax the requirements on page 9 Section C Conceptual Design Drawings: elevations are not required at this time.

##

DRAFT

**Town of Erving, Massachusetts
Job Description**

Position Title:	Custodian	Compensation Schedule	Highway, Buildings & Grounds
Department	Buildings & Grounds	Level	B
Reports to:	Highway Superintendent	FLSA Exempt:	No
SB Approved:		Essential:	Yes

Statement of Duties: Employee is responsible for the cleaning of municipal buildings. Taking out the trash and recyclables. Employee is required to perform all similar or related duties.

Supervision Required: Under the general supervision of the Highway Foreman the employee is familiar with the work routine and uses initiative in carrying out recurring assignments independently in accordance specific instructions or guidelines. The supervisor provides additional, specific instruction for new, difficult or unusual assignments including suggested work methods. 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 insure that completed work and methods used are technically accurate and that instructions are being followed.

Supervisory Responsibility: Employee is not responsible for the regular supervision of other town employees. The employee is responsible for the provision of direction or guidance to contractors working for the Town.

Confidentiality: Employee does not have regular access to confidential information of the town in accordance with the State Public Records law.

Accountability: The nature of work or the operation of large, complex, or potentially dangerous equipment increases the probability that errors could be serious. Consequences of errors, missed deadlines or poor judgment may include significant monetary losses, waste of material, and damage to buildings, equipment or personal injuries. Consequences of errors or poor judgment may include adverse public relations, personal injury, or danger to public safety.

Judgment: Numerous standardized practices, procedures, or general instructions govern the work and in some cases, may require additional interpretation. Independent judgment is needed to locate, select and apply the most pertinent practice, procedure, regulation or guideline.

Complexity: The work consists of routine or repetitive tasks and/or operations with few variations in well-known or established procedures.

Work Environment: Working conditions involve occasional exposure and presence of unpleasant or irritating elements or a combination of unpleasant elements such as noise, odors, chemical fumes, dust, smoke, heat, cold, oil, dirt or grease. Work may involve general cleaning, occasional work at heights or in confined or cramped quarters, or work around machinery and its moving parts. Employee may be required to work beyond normal business hours.

Nature and Purpose of Public Contact: Contacts are primarily with staff and the public. More than ordinary courtesy, tact and diplomacy may be required to resolve complaints.

Town of Erving, Massachusetts
Job Description

Occupational Risk: Essential functions regularly present potential risk of injuries from improper exposure which could result in loss of time from work. Examples of injury include burns from chemicals, steam or fire, severe muscular strains from working with extremely heavy material, falls from heights in excess of three feet and illness from exposure to communicable diseases. Special safety precautions, training, or protective clothing such as gowns, coats, gloves, glasses, hard hats or safety boots may be required. Examples of injury include bruises from falls, cuts or burns, or muscular strains from lifting, pushing or carrying heavy equipment or work materials.

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 the cleaning of the Senior Center & Library, with the potential to clean the Town Hall, Police Station, Fire Station 1 & 2, Historical Building, POTW#1, Recreation/Union 28 building, Library, and other buildings as assigned/needed.
2. Provides for the cleanliness of bathrooms, disinfects toilets, sinks, urinals, mirrors, walls, and floors.
3. Vacuum or sweep and mop all floors, throughout each building including, but not limited to, offices, stairs, landing, meeting rooms and public areas, and kitchen floors.
4. Dusting of handrails, walls and surfaces including, but not limited to, stairwells, meeting rooms and public areas.
5. Maintains carpet and linoleum floors, washes floors throughout the buildings.
6. Disposes of trash and recycling from each office throughout the buildings, including shredders. This includes taking trash and recyclables to curbside on scheduled days and storing containers when collection is completed.
7. Regularly washing of interior and exterior windows and doors.
8. Maintains a list of supplies or replacement parts needed and informs the Senior Custodian when custodial supplies are needed, and the Highway Foreman regarding maintenance related needs. Additional supplies may be kept at the respective facilities and can be coordinated with the facility manager(s).
9. Ensures that buildings and offices are secured at the end of the work shift as appropriate.
10. Assists the Buildings & Grounds Department staff with seasonal and annual cleaning tasks as needed.
11. Maintains and updates safety data sheets and informs the Senior Custodian of any changes.
12. Assists with the setup and takedowns for special events and meetings at the Senior Center and Library, in cooperation with the staff members at the respective facilities.

**Town of Erving, Massachusetts
Job Description**

Minimum Qualifications:

Education and Experience: Must have a High School diploma or equivalent; one to three (1-3) year of experience preferably in the custodial duties of buildings; or an equivalent combination of education and experience.

Special Requirements: ~~Transportation with personal vehicle.~~

- Class D Motor Vehicle Operator's License
- Bloodborne Pathogen Awareness Training
- OSHA 511- Occupational Safety & Hazard Standards for the General Industry
- OSHA 7500- Introduction to Safety & Health Management
- CPR/ First Aid certification, or obtained within one (1) year of hire

A Town provided vehicle is occasionally available for use when to other Town buildings or when errands are required. Occasional personal vehicle use may occur with mileage reimbursement.

Knowledge, Abilities and Skill

Knowledge: Working knowledge of office cleaning, and related equipment used to perform these duties.

Abilities: Ability to follow oral and written directions, adhere to safety precautions, and perform duties in a timely manner. Ability to adhere to safety precautions and perform duties in a timely, safe, and efficient manner. Ability to understand and follow oral and written instructions. Ability to work well with the public. Ability to take initiative to complete work assignments.

Skills: Proficient skill in operating department equipment safely. Proficient oral communication skills.

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: Work requires some agility and physical strength such as, lifting heavy objects, carrying the object(s). In addition, pulling, pushing, standing or walking for the full work day may also be involved. There also may be a need for the employee to twist, kneel, crouch, stretch, and reach to retrieve materials or equipment. Usually, the work will require extended physical effort over a significant portion of the work day that includes continuous walking, standing and climbing.

Motor Skills: Duties may involve assignments requiring application of hand and eye coordination with finger dexterity and motor coordination. Examples may include operating a personal computer, using power or hand tools, cleaning equipment, or climbing a ladder.

Visual Demands: Visual demands require the employee to read documents and cleaning equipment and chemical instructions for general understanding.

**Town of Erving, Massachusetts
Job Description**

Position Title:	Senior Custodian	Compensation Schedule	Highway, Buildings & Grounds
Department	Buildings & Grounds	Level	C
Reports to:	Highway Superintendent	FLSA Exempt:	No
SB Approved:		Essential:	Yes

Statement of Duties: Employee performs a variety of work in connection with the custodial, grounds cleanup, and light maintenance of municipal buildings. Coordinates and advises on the standards, procedures and custodial expectations of Town buildings. Coordinates the Town’s Material Safety Data Sheets (MSDS) program for the Building & Grounds Department. Coordinates custodial supply and inventory functions. Employee is required to perform all similar or related duties.

Supervision Required: Under the general supervision of the Highway Superintendent the employee is familiar with the work routine and uses initiative in carrying out recurring assignments independently in accordance specific instructions or guidelines. The supervisor provides additional, specific instruction for new, difficult or unusual assignments including suggested work methods. 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 insure that completed work and methods used are technically accurate and that instructions are being followed.

Supervisory Responsibility: Employee is not responsible for the regular supervision of other town employees. The employee may be responsible for the provision of providing direction or guidance to contractors working for the Town.

Confidentiality: Employee does not have regular access to confidential information of the town in accordance with the State Public Records law.

Accountability: The nature of work or the operation of large, complex, or potentially dangerous equipment increases the probability that errors could be serious. Consequences of errors, missed deadlines or poor judgment may include significant monetary losses, waste of material, and damage to buildings, equipment or personal injuries. Consequences of errors or poor judgment may include adverse public relations, personal injury, or danger to public safety.

Judgment: Numerous standardized practices, procedures, or general instructions govern the work and in some cases, may require additional interpretation. Independent judgment is needed to locate, select and apply the most pertinent practice, procedure, regulation or guideline.

Complexity: The work consists of routine or repetitive tasks and/or operations with few variations in well-known or established procedures.

Work Environment: Working conditions involve occasional exposure and presence of unpleasant or irritating elements or a combination of unpleasant elements such as noise, odors, chemical fumes, dust, smoke, heat, cold, oil, dirt or grease. Work may involve general cleaning, occasional work at

Senior Custodian
Erving, MA

Town of Erving, Massachusetts
Job Description

heights or in confined or cramped quarters, or work around machinery and its moving parts. Employee may be required to work beyond normal business hours.

Nature and Purpose of Public Contact: Contacts are primarily with staff and the public. More than ordinary courtesy, tact and diplomacy may be required to resolve complaints.

Occupational Risk: Essential functions regularly present potential risk of injuries from improper exposure which could result in loss of time from work. Examples of injury include burns from chemicals, steam or fire, severe muscular strains from working with extremely heavy material, falls from heights in excess of three feet and illness from exposure to communicable diseases. Special safety precautions, training, or protective clothing such as gowns, coats, gloves, glasses, hard hats or safety boots may be required. Examples of injury include bruises from falls, cuts or burns, or muscular strains from lifting, pushing or carrying heavy equipment or work materials.

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 the regular cleaning, of Town Hall, Police Station, Fire Station 1 & 2, Historical Building, POTW#1, and other buildings as assigned/needed.
2. Cleans, dusts, and disinfects restrooms including floors, stalls, toilets, urinals, and fixtures. Removes trash and waste. Cleans trash receptacles and replaces liners. Replenishes soap and towel dispensers.
3. Cleans public entry and use areas including, but not limited to hallways, stairways, and meeting rooms. Cleans and disinfects drinking fountains, door handles, and door push plates.
4. Sweeps and mops hard floors and baseboards, spot cleaning as necessary and wet mopping on a regularly scheduled basis. Vacuums and spot clean carpeted areas.
5. Coordinates, leads, and participates in major cleaning projects **with the Buildings & Grounds staff** that include, but are not limited to, carpet cleaning and floor stripping and refinishing.
6. Maintains a safe working environment in the assigned area(s), notifying the appropriate resources of safety hazards observed and/or takes action to mitigate or eliminate potentially hazardous conditions.
7. Coordinates the Town's Material Safety Data Sheets (MSDS) program in accordance with OSHA requirements and ensures that assigned area(s) remain current. Ensures that secondary containers for cleaning and other products are properly labeled.
8. Inspects equipment used on a regular basis for function and required servicing. Makes minor repairs and arranges for complex repairs.

Town of Erving, Massachusetts
Job Description

9. Participate in scheduled training workshops and applies new knowledge and skills in daily work.
10. Coordinates, documents and advises on custodial standards, procedures and expectations of Town buildings with the oversight of the Superintendent.
11. Coordinates custodial materials supply and inventory, maintaining lists of supplies or replacement parts needed, processing orders as necessary to maintain supply levels.
12. Ensures that buildings and offices are secured at the end of the work shift as appropriate.

Minimum Qualifications:

Education and Experience: Must have a High School diploma or equivalent; three to five (3-5) year of experience preferably in the custodial duties of buildings; or an equivalent combination of education and experience.

Special Requirements:

- Class D Motor Vehicle Operator's License
- Bloodborne Pathogen Awareness Training
- OSHA 511- Occupational Safety & Hazard Standards for the General Industry
- OSHA 7500- Introduction to Safety & Health Management
- CPR/ First Aid certification, or obtained within one (1) year of hire

Knowledge, Abilities and Skill

Knowledge: Requires thorough knowledge of the methods, materials, tools and equipment used in custodial care and routine facilities maintenance. Requires a thorough knowledge of the buildings and grounds of the assigned site. Must have a full knowledge of work hazards and safe work techniques, including lifting procedures. Requires knowledge of chemical reactions and proper safety precautions for use.

Abilities: Ability to follow oral and written directions, adhere to safety precautions, and perform duties in a timely manner. Ability to adhere to safety precautions and perform duties in a timely, safe, and efficient manner. Ability to understand and follow oral and written instructions. Ability to work well with the public. Ability to take initiative to complete work assignments.

Skills: Proficient skill in operating department equipment safely. Proficient oral communication skills.

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: Work requires some agility and physical strength such as, lifting heavy objects, carrying the object(s). In addition, pulling, pushing, standing or walking for the full work day may

Senior Custodian
Erving, MA

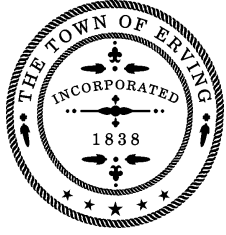
Town of Erving, Massachusetts
Job Description

also be involved. There also may be a need for the employee to twist, kneel, crouch, stretch, and reach to retrieve materials or equipment. Usually, the work will require extended physical effort over a significant portion of the work day that includes continuous walking, standing and climbing.

Motor Skills: Duties may involve assignments requiring application of hand and eye coordination with finger dexterity and motor coordination. Examples may include operating a personal computer, using power or hand tools, cleaning equipment, or climbing a ladder.

Visual Demands: Visual demands require the employee to read documents and cleaning equipment and chemical instructions for general understanding.

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
James Loynd
Select Board

Bryan Smith
Town Administrator

August 18, 2023

To: Select Board

From: Bryan Smith, Town Administrator
CC: Robert Holst, Chief of Police

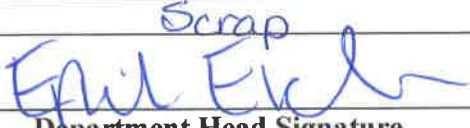
RE: Proposed Expansion of Shared Animal Control Service

The Town has tried to hire for the per diem Animal Control Officer position. The extremely part-time nature of the position makes it challenging to hire for. The position serves the Town of Erving and under the previous agreement we offered per diem services to the Town of Bernardston. The model is challenging to sustain without a more formal relationship from served communities, a commitment to funding and a commitment to the prospective employee about hours of work.

Chief Holst and I have had preliminary conversation that we would like to propose the structuring of this position with guaranteed minimum hours; at least 20 hours per week so that the position could be benefits eligible. Further we would propose that a formal intermunicipal agreement for shared services is developed, very similar to the structure we created for the shared public health agent services and the shared co-responder clinician program. The agreement would create a very clear structure of the role of Erving for offering the service and the financial assessment that is agreed to by the participating communities. We believe that by formalizing this structure, there may even be nearby communities that would also be interested in joining the service. This would help share the cost and further allow us to make a minimum commitment to a prospective employee.

If the Select Board would be in support of exploring this model with us, I would like to request that the Board appoint a member to work with Chief Holst and I to further develop the model and present a draft program with the draft agreement for the Board to consider.

Surplus Property Disposition Request

Department/Board/Committee <u>Recreation Commission</u>	Request Date: <u>5/22/2023</u>
Item(s) to be disposed of: <u>metal playground balance beam (located at Zilinski playground/park)</u>	
Estimated Value of Item: <u>\$0</u>	
Description of Item: See attached fixed asset sheet with item descriptions; including make, model, and serial #	
Reason for Request: <u>The age & condition of the equipment make it unable to be restored to the point of safety; installation is no longer meeting safety standards for playground (standards have changed since it was installed)</u>	
Recommended Disposition: <u>Scrap</u>	
 Department Head Signature	<u>6/10/23</u> Date

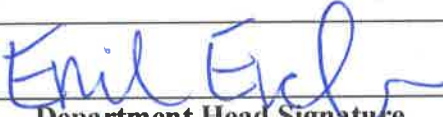
Select Board Review

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	

Surplus Property Disposition Request

Department/Board/Committee <u>Recreation Commission</u>	Request Date: <u>5/22/2023</u>
Item(s) to be disposed of: <u>3 swing set frames, chains, & swing seats (currently located @ Zilinski Field)</u>	
Estimated Value of Item: <u>\$0</u>	
Description of Item: See attached fixed asset sheet with item descriptions; including make, model, and serial #	
Reason for Request: <u>age and condition of equipment has made it unsafe for use; it is unreparable</u>	
Recommended Disposition: <u>Scrap</u>	
 Department Head Signature	<u>6/10/23</u> Date

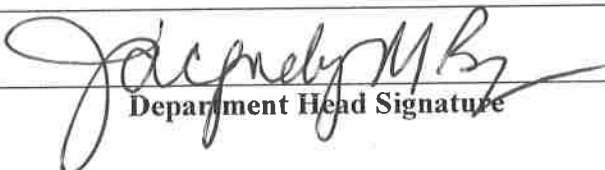
Select Board Review

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	

Surplus Property Disposition Request

Department/Board/Committee <u>Recreation</u>	Request Date: <u>8/15/23</u>
Item(s) to be disposed of: <u>40 MATS + Practice Practice Dummy</u>	
Estimated Value of Item: <u>\$150.00</u>	
Description of Item: See attached fixed asset sheet with item descriptions; including make, model, and serial #	
Reason for Request: <u>Program no longer exists.</u>	
Recommended Disposition: <u>Sell</u>	
 Department Head Signature	<u>8/15/23</u> Date

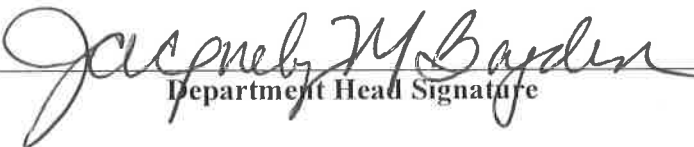
Select Board Review

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

Chief Procurement Officer

Method of Disposition:	<u>Under \$10,000</u>	<u>\$10,000 or More</u>
	<input type="checkbox"/> Advertise Newspaper <input type="checkbox"/> Advertise on Website <input type="checkbox"/> Seek Bids <input type="checkbox"/> Scrap Value	<input type="checkbox"/> Sealed Bids <input type="checkbox"/> Public Auction <input type="checkbox"/> Advertise on Website <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

Surplus Property Disposition Request

Department/Board/Committee <u>Recreation</u>	Request Date: <u>8/15/23</u>
Item(s) to be disposed of: <u>Field BATTING CAGE at Zilinski</u>	
Estimated Value of Item: <u>0</u>	
Description of Item: See attached fixed asset sheet with item descriptions; including make, model, and serial #	
Reason for Request: <u>Cage is no longer safe to use.</u>	
Recommended Disposition: <u>SCRAP</u>	
 Department Head Signature	<u>8/15/23</u> Date

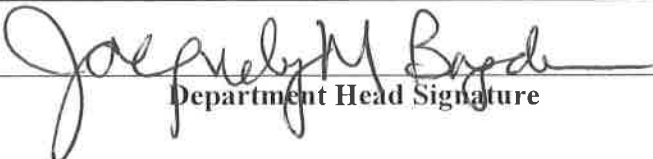
Select Board Review

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	

Surplus Property Disposition Request

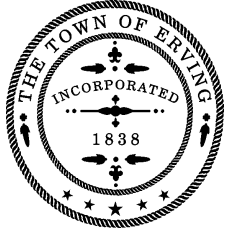
Department/Board/Committee <u>Recreation</u>	Request Date: <u>8/15/23</u>
Item(s) to be disposed of: <u>Seesaw & Sound tubes at Zilinsko Park</u>	
Estimated Value of Item: <u>∅</u>	
Description of Item: See attached fixed asset sheet with item descriptions; including make, model, and serial #	
Reason for Request: <u>Playground consultant recommended removal removal. Unsafe.</u>	
Recommended Disposition: <u>SCRAP</u>	
 Department Head Signature	<u>8/15/23</u> 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"/> Advertise on Website <input type="checkbox"/> Seek Bids <input type="checkbox"/> Scrap Value	<input type="checkbox"/> Sealed Bids <input type="checkbox"/> Public Auction <input type="checkbox"/> Advertise on Website <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	



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

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

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

Bryan Smith
Town Administrator

August 18, 2023

To: Select Board

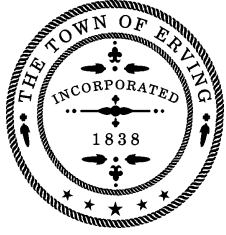
From: Bryan Smith, Town Administrator

CC: Robert Holst, Chief of Police
Recreation Commission

RE: Request for Approval to Allow Consumption of Alcohol on Town Property for Fall Festival on September 23, 2023

The Recreation Commission has scheduled the Fall Festival to occur on Saturday, September 23, 2023, at Veterans Memorial Field. The hours of the event will be 11AM to 8PM. As part of the event, the Recreation Commission is seeking approval from the Select Board to allow the pouring and consumption of alcohol on Town property. The Recreation Commission has identified Hitchcock Brewing of Bernardston as the brewer that they would like to partner with for this event.

The consumption of intoxicating beverages is prohibited on town-owned property unless the activity is duly licensed by the Select Board. The request from the Recreation Commission, the certificate of insurance from the Brewer, and proof of licensure is attached for your review. It is my understanding that initial conversations have already occurred with Chief Holst regarding the need for a detail officer to be present.



TOWN OF ERVING

RECREATION COMMISSION

12 EAST MAIN STREET
ERVING, MASSACHUSETTS 01344

Tel. 413-422-1187
Email: recreation@erving-ma.gov

Erik Eichorn, Chair
Jacquelyn Boyden
Kathleen Sadler
Renee Tela
Commissioners

Breta Petraccia
Recreation Commission Assistant

August 21, 2023

Dear Members of the Selectboard,

The Erving Recreation Commission requests a one-day permit for the consumption of alcohol on Town property on behalf of Hitchcock Brewing Co. as part of our 2023 Fall Festival. The Recreation Commission requests either a waiving of the permit fee or that the fee be paid out of the Recreation Commission's budget. Details about the event and the permit are listed below, and relevant documentation from Hitchcock Brewery is attached.

Permit Recipient: Hitchcock Brewing Co., LLC, 203 South St, Bernardston MA 01337

Contact: Geneva Pederson, Manager

Type of Permit: One-day Permit for Consumption of Alcohol on Town of Erving Property

Where: Veteran's Memorial Field

Date: Saturday, September 23, 2023

Times: 11 AM-8 PM

Documentation secured from the Brewer:

Farm Brewery 2023 License

Certificate of Liability Insurance

Certification of eTIPS on Premise 3.1 for Chad Champoux of Hitchcock Brewing Co. LCC

Control of Access:

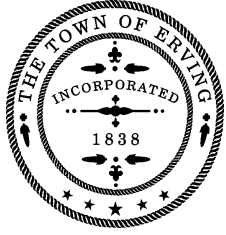
- The consumption of alcohol will be limited to an enclosed area (referred to as the "Beer Garden") at Veterans Memorial Field, open only to individuals aged 21 years and older with valid, government-issued ID. *The entrance and IDs will be monitored by Recreation Commission members and adult (21+) volunteers who are identified and approved by the Recreation Commission prior to the event. Wrist bands will be handed out to Beer Garden patrons upon entrance and are required to remain in the Beer Garden and to be served alcohol. Hitchcock Brewery staff (Chad Champoux) will also check the ID of anyone who looks 30 years of age or under prior to serving them alcohol.*

- The location of the Beer Garden will be the fenced-in tennis courts that offer two gated access points with doors: one will be used as an egress and exit, the other will be closed and maintained as a secondary emergency exit. We are currently exploring the option of cordoning off a three-to-four-foot space around the exterior perimeter of the tennis court with yellow caution tape and yard stakes as well, to allow for ease monitoring the Beer Garden by providing a clear sight-line along each side of the fencing. An ADA portable toilet will be located near the tennis courts as well, and a trash receptacle will be placed in the Beer Garden near the entrance/exit door in plain view.
- The Recreation Commission will be in continuous communication with the Erving Police Department to ensure Chief Holst has the information he requires to determine Police staffing on their part for the Fall Festival and more specifically to the Beer Garden. We are also planning to locate the Erving Police Department's festival space next to the tennis courts as a visual presence for those who attend the Beer Garden.

We look forward to your decision regarding this request and invite you to ask for any additional information you might need.

Respectfully,

Erving Recreation Commission



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

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

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

Bryan Smith
Town Administrator

August 18, 2023

To: Select Board

From: Bryan Smith, Town Administrator

CC: Robert Holst, Chief of Police
Glenn McCrory, Highway Superintendent

RE: Request from Northfield to Restrict Traffic on North Street for September 30, 2023

The Town of Northfield is preparing to celebrate their 350th anniversary of incorporation which will include a parade on September 30, 2023. The celebratory event will include the limitation of traffic on Route 10 in Northfield with traffic detours around the area. The Town of Northfield is wondering if Erving would consider posting North Street and Church Street as local traffic only for September 30, 2023, to help reduce traffic into Northfield.

The request from the Town's Administrator is attached for your review.

I am copying Chief Holst and Highway Superintendent McCrory for this communication as both departments would need to be involved.

From: [Andrea Llamas](#)
To: [Bryan Smith](#)
Subject: [EXTERNAL]Northfield 350th Parade
Date: Tuesday, August 15, 2023 4:10:48 PM

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

Good afternoon,

My chief was apparently talking to your chief about our parade that is coming up on September 30th. We are going to be closing Route 10 at the turn after the bridge into Northfield and diverting traffic up a local road (Lucky Clapp) and around back to the intersection with Gulf road – where they can continue around our detour (toward New Hampshire) using back roads, or they can go up over Gulf Road toward Erving.

Apparently the two chiefs thought it might be prudent on your end to put a Local Traffic only sign at the beginning (is that Church street for you??) so as to lessen the traffic going over the mountain there as they will be running into our detour and sent around several much smaller local roads before they can get on Route 10 in either direction. They think that this would be much safer for all involved as we are using 2 officers at intersections to divert the traffic – which would normally be taking route 10...this will mean lots of cars meeting on small roads.

We plan to close Route 10 to through traffic from 12:30 until 3:30 so it won't be all day.

Please let me know if you have any questions – but you can talk to your chief as well as apparently he has already talked with my Chief about this.

Thanks,

Andrea Llamas
Town Administrator
Town of Northfield
69 Main Street
Northfield MA, 01360

P| 413-498-2901 Ext. 115
C| 413-230-0766
F| 413-498-5103