

**Board:** Board of Selectmen/ Water Commissioner's Meeting  
**Date:** Monday, March 25, 2019  
**Location:** Town Hall, 12 East Main Street, Erving, MA 01344

**Selectmen Present:** Scott Bastarache, William Bembury  
**Also, Present:** Bryan Smith, Kimberly MacPhee, Philip Wonkka, Douglas Bennett  
**Press:** Katie Nolan, Montague Reporter;

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

#### **Review of Meeting Minutes of March 18, 2019**

The Board reviewed meeting minutes of Monday, March 18, 2019. **Chairman Bastarache** made a motion to approve the meeting minutes of March 18, 2019 as written. **Selectman Bembury** seconded. Unanimously approved.

#### **Review of Financial Management Policies- 1<sup>st</sup> Read**

The Board conducted the first reading of financial management policies regarding debt management and financial reserves. **Chairman Bastarache** thanked Deborah Mero, Town Accountant, for taking the lead on drafting these policies. The Board discussed the need to work with the Finance Committee, the Treasurer, and the Accountant to establish financial goals for the Town. The draft policies will be forwarded to the Finance Committee for review. The Board will conduct a second reading on April 01, 2019.

#### **Review of Structured Tax Agreement for Erving Poplar Mountain 1 LLC**

Bryan Smith, Administrative Coordinator, provided the Board with an update on the status of the draft structured tax agreement. The project developer's counsel and the Town's consultant have reviewed the document and have made agreed upon amendments. Town Counsel is reviewing the agreement and it is anticipated that a revised draft will be ready for Board review on April 01, 2019.

#### **Review of Municipal Vulnerability Preparedness Plan Draft**

At 6:35 PM **Chairman Bastarache** opened the meeting to a presentation on the draft Municipal Vulnerability Preparedness planning project. Kimberly MacPhee, Land Use /Natural Resources Program Manager from FRCOG, and Philip Wonkka, Fire Chief & Emergency Management Director, joined the Board to present key findings that have resulted from the MVP process and to review draft recommendations. The Town is accepting public feedback on the draft plan through April 1, 2019. Kimberly provided an overview of the State MVP program. The Town conducted a community workshop with Town officials and community stakeholders in Fall 2018. Kimberly noted a high rate of Town and stakeholder participation in the planning process. Kimberly explained that the purpose of the program is to consider the impacts of changing climate variables, noting the stress created on municipal infrastructure and the necessary responses to these impacts. The planning process has identified the following:

#### **Top hazards:**

- 1) Railroad/roadway hazardous spills
- 2) Ice jams on Millers River
- 3) Flooding (small storm and larger events)

#### **Areas of focus for vulnerabilities:**

- Railroad/ Route 2
- Wastewater treatment facility
- Millers & Connecticut Rivers
- Town Hall
- Public Water Supply
- Erving Paper Mill
- FirstLight Northfield Mountain Pumped Storage
- Beaver Dams

**Identified areas of strengths:**

- Most important facilities are on high ground
- Roads & culverts are maintained
- Town buildings have generators
- Mills Falls can provide potable water
- Good relationship with FirstLight
- Council on Aging has access to a transportation van

**Reviewed Highest Priority Recommendations:**

- Work regionally to improve Railroad communications
- Obtain emergency generator for the public water supply in Erving side
- Explore alternatives for DPW fuel storage locations
- Map culverts to address road infrastructure concerns
- Explore regional shelter agreements

Chief Wonka explained that the Town has already begun working on several of the priority issues that were identified. Kimberly noted that the progress will be noted in the plan to the State and should serve the Town well when it comes to applying for implementation grants. Chief highlighted the need for the Town to explore fuel storage location options. Bryan suggested that there may be alignment between the Town's MVP planning and the efforts of Route 2 safety improvements being addressed by the Route 2 Taskforce and MassDOT. **Selectman Bembury** asked to have the draft plan updated to list the location of Keyup Brook to be in Erving Center.

**Discussion:** **Selectman Bembury** asked for information of the dry hydrants in Erving Center. Chief explained the dry hydrant system and the challenges presented during periods of drought or when the lines fill with sediment. Regarding the Northfield Mountain Pumped Storage facility and the earthen dam in the village of Farley, **Selectman Bembury** asked how emergency drill training is provided for residents. Doug Bennett, FirstLight, explained the company's annual process of meeting with residents and the testing of the One Call notification system. Doug explained that representatives from the company will visit residents by going door-to-door to obtain feedback. Doug added that every five (5) years a table top exercise is conducted with emergency responders. Doug explained that FirstLight designs and plans for the worst-case scenario that would be an event that was worse than the flood experienced in Town in 1938. **Chairman Bastarache** reminded those in attendance that public comments will be accepted through April 01, 2019.

**Review of Hazard Mitigation Plan Proposal Amendment- FRCOG**

The Board reviewed a proposed amendment from FRCOG regarding the planning efforts related to the local hazard mitigation plan. Bryan Smith, Administrative Coordinator, explained that the project has

aligned with several aspects of the MVP project. The local hazard mitigation plan will be submitted to MEMA and FEMA and is using a new template and includes a new climate change section. Past FEMA reviews have required multiple revisions and it is anticipated that at least two (2) revisions will be necessary. Kimberly explained the timelines for submitting the draft of the local hazard mitigation plan and anticipated feedback with deadlines to respond. Bryan added that the Town successfully applied for and received FEMA grant funding for this project and the proposed amendment would be covered by that grant. **Chairman Bastarache** made a motion to approve the Erving Hazard Mitigation Plan update scope of work in the amount of \$5,025. **Selectman Bembury** seconded. Unanimously approved.

#### **Review of Bridge & Culvert Inventory and Assessment Proposal- FRCOG**

The Board reviewed the scope of work and agreement for the Franklin Regional Council of Governments (FRCOG) to conduct an inventory and assessment project of the municipally owned bridges and culverts throughout Town. Bryan Smith, Administrative Coordinator, explained that the project is a best practice that was selected by the Town in its Community Compact program application and the State has provided \$20,000 to fund the project. **Chairman Bastarache** made a motion to approve the scope of work and the contract for professional services by and between the Franklin Regional Council of Governments and the Town of Erving for the Bridge and Culvert Asset Evaluation project, in the amount of \$20,000. **Selectman Bembury** seconded. Unanimously approved.

#### **Review of Draft Annual Town Meeting Warrant**

The Board reviewed a revised draft of the Annual Town Meeting warrant. The Board reviewed Article 20: Heavy Commercial Vehicle Restriction that includes the wording "...originating from..." in the list of exclusions, and a proposed violations and penalties section. The Board found the changes acceptable. Bryan Smith, Administrative Coordinator, explained that Town Counsel is reviewing the penalties section. The Board will revisit on April 01, 2019.

#### **Review of Wheelock Street Layout**

Bryan Smith, Administrative Coordinator, explained the public layout process required by law and discussed the issues that exist with the current layouts of Wheelock Street and Lee Street. Both streets were established by the former mill in Farley prior to the incorporation of the Town. Bryan explained that over the years Wheelock Street was recognized as a public way while Lee Street was not and therefore is not eligible for Chapter 90 funding. Additionally, the homes along Lee Street have received Wheelock Street addresses. The Town proposes to relocate the layout of Wheelock Street to incorporate the bounds of Lee Street. The proposed 40' wide layout will exist within the current layouts of both streets and would abandon the remaining land. The abandoned property would be gifted to the current abutting land owners. **Chairman Bastarache** explained that the Town conducted an informational site visit with the residents of Wheelock Street on Wednesday, March 20, 2019 to address questions and concerns. In accordance with MGL Chapter 82, **Chairman Bastarache** made a motion to give notice via certified mail to the residents of Wheelock street of the planned relocation of layout for Wheelock Street with a public hearing on Monday, April 08, 2019 at 6:45 PM. **Selectman Bembury** seconded. Unanimously approved.

#### **2019 Business License Renewal- Rene Lafleur DBA Fairlane Mobile Homes**

The Board reviewed a 2019 business license renewal from Rene Lafleur doing business as Fairlane Mobile Homes at 224 Old State Road. **Chairman Bastarache** made a motion to approve the 2019 business license for Rene Lafleur DBA Fairlane Mobile Homes, to expire December 31, 2019. **Selectman Bembury** seconded. Unanimously approved.

### **Review of Police Department Policies- 3<sup>rd</sup> reading**

The Board conducted a third reading of the draft Police Department policies. **Chairman Bastarache** made a motion to approve policy 1.11 Arrest as amended. **Selectman Bembury** seconded. Unanimously approved. **Chairman Bastarache** made a motion to approve the following Police Department policies as presented:

- 1.12 Eyewitness Identification
- 1.13 Interrogating Suspects & Arrestees
- 1.18 Searches & Seizures
- 5.03 Motor Vehicle Inventory
- 2.05 Domestic Violence
- 2.07 Sexual Assault Investigations
- 3.06 Protective Custody
- 4.35 Public Records Requests

**Selectman Bembury** seconded. Unanimously approved

Regarding Police Department policy 1.14 Testifying in Court, **Chairman Bastarache** stated that he was okay with most of the content, but that he would like Chief Blair's feedback on the section regarding defense attorney tactics. **Chairman Bastarache** suggested that the section reads like a training manual and would like to know if there are other training materials that are issued to officers that this section could be added to. **Chairman Bastarache** noted that if Chief Blair feels strongly that the section remains unaltered that he would be fine with the decision. The Board will revisit on April 01, 2019.

Regarding Police Department policy 1.20 Interactions with Transgender Individuals, **Selectman Bembury** expressed a concern with section 4 regarding detainees. **Selectman Bembury's** concern has to do with the potential use of the interview room for holding a detainee rather than holding cell. Noting that only the holding cells were designed for this use, **Selectman Bembury** would like to better understand how this a temporary holding situation would impact staffing and safety. **Chairman Bastarache** suggested an alternate room rather than interview room maybe suitable for temporary holding. The Board will revisit this policy on April 01, 2019.

### **Miscellaneous**

#### ***Letter of Recognition to Laura Thorne for Veterans Services***

**Chairman Bastarache** read the following letter of appreciation from Leo Parent, Erving Veterans Agent, to Laura Thorne of the Upper Pioneer Valley Veterans Services District.

*Dear Laura,*

*The Town would like to thank you for all your hard work and help to the veterans who continue to seek assistance during your seven years with veteran's services. You always go that extra mile and for that we are truly grateful.*

*Sincerely,*

*Leo Parent, Jr.  
Veteran's Agent*

The Board expressed appreciation to Laura for her service to the veterans of Erving.

***Citizens Petition***

**Chairman Bastarache** informed those in attendance that the Town Clerk's office received a citizen's petition with a resolution regarding State flag and seal for the Annual Town Meeting warrant. The Town Clerk's office has certified that the petition has 12 signatures of certified Erving voters. When a petition is received with at least 10 signatures of certified Erving voters, the petition must be added to the warrant.

**Adjournment**

At 8:10 PM **Chairman Bastarache** made a motion to adjourn. **Selectman Bembury** seconded. Unanimously approved.

Respectfully Submitted,

A handwritten signature in black ink that reads "Bryan Smith". The signature is written in a cursive style with a large initial 'B'.

Bryan Smith  
Administrative Coordinator