



**Board of Selectmen
Minutes
Tuesday, March 18, 2014 at 7:00PM
Town Hall Meeting Room**

The meeting was called to order at 7:00 PM by Chair, Marie Sobalvarro in the Town Hall Meeting Room. Selectmen Ron Ricci, Lucy Wallace, Stu Sklar and Leo Blair were all in attendance as well as the Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

MINUTES

On a Wallace/Blair motion, the board voted unanimously to accept the minutes of 3/4, as presented.

TOWN HALL PROJECT UPDATE

Drayton Fair from LLB Architects was in attendance to review two iterations of the revised plan. He explained the version prepared last month investigated a number of different items including structural requirements, building system upgrades as well as a list of alternates that can be worked into a specific budget. He said the design changes very little to the existing offices and does not include any finish upgrades. Fair described the biggest change to be relocation of offices upstairs to downstairs with meetings held on the second level floor.

Fair then reviewed a second version prepared after feedback from the town hall staff. He pointed out the following changes:

- new layout for the offices flipping the configuration
- lift moved
- stage eliminated
- add public toilets on second floor
- add conference/meeting room on second floor
- relocate canopy
- one entrance allowing access to all offices

Fair did not have an estimate for the second version so they could not compare the costs. He expects the plumbing to be the largest cost increase.

They discussed the issues with having a separate entrance for Selectmen, Building and the Land Use offices in the first design. Lucy Wallace said the second version certainly improves functionality, accommodates service to the public better and secures the building. The Selectmen recognized the cost of the designs will determine how best to proceed. Fair said he can modify the list of options for each plan and work with his cost estimator to prepare new figures for the April 15th meeting.

FEASIBILITY STUDY – HILDRETH HOUSE

On a Wallace/Sklar motion, the board voted unanimously to authorize the chair to sign the March 6th proposal for additional design on the Hildreth House.

BROMFIELD HOUSE DISCUSSION

School Committee members SusanMary Reddinger, Keith Cheveralls and Superintendent Joe Connelly attended the meeting to revisit a previous discussion they had with the Selectmen about the future of the Bromfield House.

SusanMary began by addressing questions which came up at the last meeting.

Cost comparison – old library versus Bromfield House

Reddinger said \$1.9 million is the estimated cost to fully build out the library and make the building code/accessibility compliant. The School Committee has projected \$686,000 to bring the Bromfield House up to code.

Use of funds from sale of Bromfield House

She confirmed after further review from town counsel proceeds from the sale of the Bromfield House can only be used for educational purposes.

K-Wing

She indicated they will make a modification to the K-wing article on town meeting floor to expand the scope of the feasibility study. She confirmed 2,200 sq ft is necessary to accommodate existing school administration offices.

Estimate to build new space on existing lot

Keith Cheveralls said he was able to gather some cost data from a couple of projects going on now. His rough estimate to demolish the Bromfield House and build new is similar in cost to renovating the existing building.

Leo Blair urged the School Committee to seriously consider constructing a new building. He offered the suggestion of utilizing funds from the Devens contract which are specific for capital items.

Reddinger said if we are weighing all of our options we should explore adding office space in the newly renovated town hall. Marie Sobalvarro asked if the School Committee has taken a formal vote on what direction they wish to take. Reddinger said a formal vote has not been taken.

Superintendent Joe Connelly explained even with declining enrollment use of classrooms as office space is not ideal. They discussed the Town Hall, Hildreth Elementary or the existing property as the only possibilities. Reddinger said the School Committee will need the support of the Selectmen once a decision is made. Sobalvarro asked the School Committee to provide a list of offices they would need to be located in the town hall and to also provide a list of options to work with. The Selectmen will follow up with the

School Committee once the new cost estimates are received and invite them to attend a meeting in May.

FRUITLANDS MUSEUM – CHANGE OF BOARD OF DIRECTORS

On a Blair/Wallace motion, the board voted unanimously to approve the endorsement of the Form 43 for the ABCC to memorialize the change in Fruitland Museum's Board of Directors.

ALZHEIMER'S ASSOCIATION RIDE

On a Wallace/Blair motion, the board voted unanimously to approve the ride for July 12th

TOWN ADMINISTRATOR REPORT

Jessie Day 5K

On a Wallace/Ricci motion, the board voted unanimously to approve the Jessie Day 5K for May 10th.

Bragan informed the Selectmen one of Mark Saganich's dogs has been relocated out of state. A letter will be sent notifying of the new community of the board's findings during the recent dog hearing.

Tim Bragan reported he is working with Cable Committee Chair Bill Johnson on preparing for the license renewal with Charter Communications. He asked the Selectmen to approve a working group comprised of Johnson, Selectmen liaison Sklar, Jonathan Williams and Chris Boyle. He will consult with Town Counsel to determine if he can advise on this or if special counsel will be necessary. Sklar asked if a member of the community could also participate. The Selectmen instructed the Town Administrator to move forward.

AMEND DOG BYLAWS ARTICLE 38

Leo Blair recommended the town replace Chapter 24 1-7 of the town bylaws and adopt Ma General Law Chapter 140 Section 157. Bragan told the Selectmen they could not make a change to Article 38 now as it is outside the scope of the existing article. They all agreed with the state's fine structure. Wallace volunteered to prepare a handout for town meeting. On a Wallace/Sobalvarro motion, the board voted in favor of existing article as printed in warrant booklet. (Sklar – Blair, Nay)

HAVARD SOLAR GARDEN – PAYMENT IN LIEU OF TAXES (PILOT)

Stu Sklar recused himself.

Karl Schwiegershausen opened the discussion by explaining how the solar garden approach came about and why it is a good deal for the town. He said they are seeking an arrangement that is fair and will provide a predictable tax liability for the project.

Harvard's Principal Assessor Harald Scheid said at a meeting last week the Department of Revenue (DOR) has ruled on the interpretation of PILOT agreements. He explained they require Assessors to tax equivalent to the prospective payment due on the assessed

value of the facility. He said this means they would be subject to prevailing tax rate and the valuation will be added in as new growth for the town. Assessors will have to translate an annual payment before a tax rate is even set. He suggested determining the assessed value via a discounted cash flow (DCF) analysis as another way of determining the value of the facility. He would determine the DCF valuation for the Harvard Solar Garden. Scheid is concerned with this proposal because payment would be based on the value of generated electricity and translate into a valuation equivalent to a highly variable revenue stream. Scheid explained the valuation would also need to be written into the PILOT agreement. He said in essence the DOR is asking for the valuation within a PILOT to reflect fair market value which is quite challenging. He is awaiting a ruling from the Appellate Tax Board on a similar project located in Westborough. He said this ruling will provide guidance on how best to proceed. The Harvard Solar Garden is still seeking exemption which if passed will not require a PILOT. The Selectmen agreed they are unable to take action at this time. Lucy Wallace said it seems prudent for us to wait and see if the Town Meeting passes the home rule petition. On a Wallace/Blair motion, the board voted unanimously to take not action at this time.

MAJOR CAPITAL PROJECT REVIEW

Tim Bragan distributed spreadsheets outlining the major capital projects. He explained Capital is struggling with managing current projects and how to add in new ones. He suggested the Selectmen work with other boards/committees to determine a better strategy which may require a different approach.

**** On a Wallace motion, the Board voted unanimously by a roll call vote: (Sobalvarro – Aye, Ricci – Aye, Wallace –AYE, Sklar – Aye, Blair - Aye) to enter into executive session at 10:15pm, as authorized by Chapter 30A, Section 21.3 of the Massachusetts General Laws, at a meeting for which 48-hours’ notice has been given, to discuss strategy with respect to collective bargaining and litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. . Following the executive session, the Board will reconvene into open session. ****

The meeting was adjourned at 10:30pm.

Documents referenced:

TOWN HALL PROJECT UPDATE – LLB designs dated 2.18.2014 & 3.18.2014
FEASIBILITY STUDY – HILDRETH HOUSE - LLB proposal dated 3.6.2014
BROMFIELD HOUSE DISCUSSION
FRUITLANDS MUSEUM – FORM 43 – dated 3.18.2014
ALZEHIMER’S ASSOCAITION RIDE – request dated 2.13.2014
HAVARD SOLAR GARDEN – proposal dated 3.17.2014