Board of Selectmen
Minutes
Tuesday, May 1, 2018 at 7:00pm
Town Hall Meeting Room, 13 Ayer Road, Harvard, MA

The meeting was called to order at 7:00pm by Chair Lucy Wallace in the Town Hall Meeting Room. Selectmen Ken Swanton, Kara Minar, Stu Sklar and Alice von Loesecke were in attendance as well as Town Administrator Tim Bragan.

Public Communication
Linda Dwight, Eldridge Road and Chair of the School Building Committee, came forward in response to the presentation prepared by resident Bill Marinelli at the last BoS meeting. She refuted the idea that the Education Plan increased the cost in design of the school project. She explained the document was written by professionals and a visioning committee and was approved by the School Committee, MSBA and Department of Education. Dwight clarified the plan was not written with costs in mind but was developed based on current education standards and with thoughtfulness for the future. She explained an important aspect in the Ed Plan talks about the School Committees commitment to small class sizes. Each grade will have four classrooms which allows for future growth. Dwight noted the School Building Committee was not tasked with finding the least expensive solution for the Kindergarten wing but the best long term educational value for the town and the school district. Dwight stated after a year of in depth review by professionals and following a detailed MSBA process they are recommending this project as the greatest long term value. They are excited to move forward with the best fiscal and educational value for the town.

Harvard General Store – license conditions for off-premise all alcohol license
Wallace distributed draft conditions which she worked on collectively with store owner Scott Hayward. The board members asked some questions of clarification.
On a Sklar/Swanton motion, the board voted unanimously to approve the General Store package conditions as written on red lined copy.

Review of Annual Town Meeting Warrant
The board supports articles 1-4 which will be handled by Chair Lucy Wallace. The board supports articles 5, 6 and 7 for free cash, the omnibus budget and reserve fund. The board supports all articles through 10. Sklar will speak to article 8 for the fire hose and Swanton will handle articles 9 and 10 for seasonal mowing and roadside tree maintenance. The board unanimously voted to support article 11 for a Town Planner. Minar will speak to this article and article 12 for the conservation fund. Bragan clarified the original amount was for $35,000 however the board decided on $10,000. The board agrees with the Finance Committee these funds are dedicated for maintenance of non-CPC land.

The board expressed their support for all capital articles. Von Loesecke will be ready to speak to articles 13-18, Swanton to 20 and Wallace to 23.

Article 25 – Hildreth Elementary School Building Project
Wallace asked each board member to provide their opinion on the article before taking a vote.

Minar expressed her support for the project. She believes building a new school is the best choice educationally and fiscally. She has heard about the mold in the Kindergarten wing for years now and does not wish to delay any longer. Minar recognizes this project will force the town to be fiscally prudent moving forward.

Swanton served on the School Building Committee in the beginning. He understands a new school would be nice however he believes strongly there is a better alternative to replace the Kindergarten wing and not the entire building. He is afraid this project will put future town finances in jeopardy. What if there is a recession? How with this affect the schools, public safety and the seniors in town? He does not support the project.

Von Loesecke described herself as a fiscal conservative who is always very thorough when reviewing budgets. When she began on the School Building Committee a renovation made sense but as the process evolved she realized the current conditions in the 1988 portion of the building do not work well for students now and certainly will not in the future. Von Loesecke made her decision in favor of a new school after the architects were unable to guarantee longevity of the current building. She was encourage further after contributions from the capital fund and school department reduced the tax increase to 11%. She enthusiastically votes in favor of the new school which will provide a proper educational experience in a building that will last 30 years.

Sklar echoes what von Loesecke said. He reported the School Building Committee voted 9 -1 in favor of the project of which former and current Finance Committee chairs served on. He believes a yes vote is the best fiscal answer for the town.

Wallace researched past warrant booklets. She remembers the construction of the 1988 portion of the building. Wallace has also been considering the vote to adopt a town charter forcing her to think of the long term health of the town finances. She is concerned future building projects will not get the support they need if Harvard's tax burden is not manageable. Wallace wonders how the tsunami of expenses will affect those considering moving to town and those leaving town. She appreciates the hard work of the School Building Committee members and understands how frustrating it can be when you have done so much work on a subject and then concerns arise. She is not convinced the project is in the best interest of the town therefore she is not in favor of supporting it.

On a Sklar/von Loesecke motion, the board voted to support article 25. Motion carries 3-2

As liaison to the CPC, Minar will speak to articles 27, 28, 29, 30 &31 if necessary. The board members support all requests.

Minar will speak to Planning Board articles if necessary.

On article 32 (local option recreational marijuana excise tax) the board expressed their support of the 3% excise tax. Minar noted that a medical marijuana establishment would not be subject to this tax. .

On article 33 (marijuana establishments) amend bylaw to allow for recreational and medical. On a Swanton/von Loesecke motion, the board voted to support article 33 as written. Motion carries 4-1 (Minar – nay)

Article 35 (Agritourist Overlay District) Bragan indicated this article will be passed over.

The board discussed article 36 which is a citizen's petition related to affordable housing component to the Hildreth House Overlay District

General Store – on premise license hearing
Wallace opened the hearing by noting the legal notice.

Bragan explained the hearing needed to be held again because the articles of organization were not approved by the Secretary of State. The name had to be changed to HGS Dining Inc. Store owner Scott Hayward was present.

The only other change was to better define the outside dining area with a new map and correction of the square footage to 2,500. Bragan confirmed two underground easements are on the property. Minar invited Park & Recreation Chair Wyona Lynch-McWhite to participate in the discussion who confirmed that Hayward had presented the commission with his request to utilize the land on a seasonal basis. The commission is agreeable.

They discussed ways to define the area if other uses are needed. Minar asked about safety and liability. Wallace recommended the license be detailed with expectations. Commission member Doug Thornton was also present. Bragan asked if Hayward was requesting an increase to the seating capacity. Hayward explained the license request includes space he may not use but this will allow him the ability to, if necessary. Minar would prefer a different surface instead of only grass. Selectmen Swanton is fully supportive of the outdoor seating. Von Loesecke asked Park & Rec to work with Hayward to improve the landscape. Lynch-McWhite explained the commission is not allowing use of the entire area indefinitely. They welcome Hayward's concept but also want the ability to offer the space to other entities if desirable uses arise. Sklar fully supports assisting the General Store in any way we can.

Public in favor
Doug Gandle, Poor Farm Road, said the General Store is a compliment to town. He said in Carlisle center they have a General Store and allow dining outside which is very pleasurable.

Hellie Swartwood-Carley, Fairbank Street, has lived in town for 20 years and was quite sad when the store was closed. She is thankful to Hayward for his efforts and supports anything that can be done to make his business viable.

Malcolm Carley, Fairbank Street, supports General Store receiving license to allow outside dining.

On a Sklar/Swanton motion, the board voted unanimously to close the hearing.

On a von Loesecke/Minar motion, the board voted unanimously to put forward application as amended.

Wallace outlined next steps to be draft of license conditions which will include a requirement for a license agreement between the Board of Selectmen, Park & Recreation Commission and the licensee on how outdoor space will be used.

Continue review of Annual Town Meeting Warrant
The board continued discussion on article 36 the citizens petition to amend chapter 125 the Hildreth House Overlay District.. . It agreed to postpone taking a position until it has heard the Planning Board's advice. Wallace noted that the H @ HH Committee would be meeting on the 3rd to take a position.

The board supports articles 37 and 38.

Article 39 home rule for senior property tax amounts. Sklar prepared a handout for the annual town meeting and asked for feedback from the board. Swanton reiterated his earlier comment to include an asset test. Sklar explained applicants will need to first qualify for the state circuit breaker program before they can apply for the local exemption. Minar agreed with Swanton. They debated how best to verify assets ensuring only those who are deserving receive the exemption. On a Sklar/von Loesecke motion, the board voted to support article 39 Home Rule – Means Tested Senior Citizens Property Tax Exemption. Motion carries 3-2 (Swanton & Minar – Nay).

The board supports articles 40, 41, 42, 43 & 44.

Municipal Vulnerability Preparedness Grant
Energy Advisory Committee member Eric Broadbent explained after recent storms Governor Baker toured the state and decided more preparedness is necessary. The Municipal Vulnerability Preparedness grant program (MVP) provides support for cities and towns in Massachusetts to begin the process of planning for climate change resiliency and implementing priority projects. The state awards communities with funding to complete vulnerability assessments and develop action-oriented resiliency plans. Communities who complete the MVP program become certified as an MVP community and are eligible for MVP Action grant funding and other opportunities. Broadbent is seeking support from the BoS. On a Minar/Swanton motion, the board voted unanimously to purse the Municipal Vulnerability Preparedness Grant and authorize the chair to sign letter on behalf of the board.

Amend Police Contract
On a Swanton/von Loesecke motion, the board voted unanimously to authorize chair to sign.

Environmental Justice Legislation
On a von Loesecke/Minar motion, the board voted unanimously to endorse house bill on environmental justice.

Selectmen Reports
Swanton reported the DPW Director mentioned at the Transfer Station Committee an issue with St. Benedict's use of the transfer station considering commercial use is not permitted. This will be an item for the next meeting.

Wallace reported the Council on Aging has received the equivalent of $47,727 in volunteer hours

**** On a Swanton motion, the Board voted unanimously by a roll call vote:
(Sklar – Aye, Wallace – Aye, Swanton – Aye, von Loesecke – Aye) to enter into executive session at 9:10pm, as authorized by Chapter 30A, Section 21. 2, to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel. Following the executive session, the Board will reconvene only to adjourn. ****

Documents referenced:
Harvard General Store – application dated 4.17.2018