Select Board
Minutes
Tuesday, December 18, 2018 at 7:00pm
Town Hall Meeting Room, Harvard, MA

The meeting was called to order at 7:00pm by Chair Lucy Wallace in the Town Hall Meeting Room. Select Board members Alice von Loesecke, Stu Sklar and Lucy Wallace were in attendance as well as Town Administrator Tim Bragan and Executive Assistant Julie Doucet. Rich Maiore was absent.

One-Day Liquor License Hearing – Harvard Lions Club
Lions member Nate Beale described the Winterfest event they are planning to be held at the Community Harvest Property located at 115 Prospect Hill Road. This will be a family friendly event where they will offer food, beer/wine and outdoor activities.

On a Sklar/Maiore motion, the board voted unanimously to approve the one day liquor license for the Winterfest event to be held at the Community Harvest Project on March 2nd from 1 to 7pm.

Transfer Station Committee proposal & recommendation
Members Tom Philippou and Libby Levison began naming those who served on the committee and giving a quick overview of their charge to develop an implementation plan for the SMART (Save Money & Reduce Trash) recycling program. The committee believes the SMART program will decrease the amount of waste needing disposal and offer more equitable disposal costs for the town and its residents. The proposal includes a comparison of expenses and revenues under the current model and the SMART program.

Some of the key points for the adoption of SMART:

- the sticker price will go from $250 per household to $80,
- discounts and 'recycling only' stickers will be discontinued,
- proprietary bags will be required for the disposal of waste,
- bags will be available in two sizes (15 gallon and 33 gallon),
- the cost for 15 gallon bags will be $1.00 each and $2,00 for each for the 33 gallon,
- senior citizens be issued 30 x 15 gal. bags (or 15 x 33 gal. bags) at no cost
- the transfer station be adequately posted with signs to eliminate confusion,
- a list of locations for the bag vendors be provided,
- education be provided with regards to the many additional items that may be recycled that are not currently being recycled,
- at least one in-person informational meeting be provided to respond to questions and concerns raised by residents.

The committee envisions purchase of new stickers to begin in June of 2019 and at that time residents would be able to purchase the bags through a coupon mechanism where the actual bags will be provided at a location other than inside Town Hall. They realize input from Town Hall staff is essential for the best possible implementation.

They also highlighted grant funds that are available:

- $14,550 SMART startup funds {$10 per Transfer Station using household}. Money to be used for initial bag purchase and for education/outreach. (receipt assured upon adoption of SMART)
- $7,500 toward another paper compactor, as discussed below. (received)
- $4,550 Recycling Performance Grant for DPW expense-public outreach/education (received)

On a Sklar/von Loesecke motion, the board voted unanimously to adopt SMART program for the Transfer Station starting July 2019 for two years.

Capital Planning and Investment Committee (CPIC)
Committee members John Seeley and SusanMary Reddinger presented the department requests that were received and provided explanation on how they were ranked. They also included the funding source they are recommending. Reddinger was able to explain the school department requests in more detail. Wallace wondered if the Fire Department request for additional parking is premature considering a possible building project in the future. Most agreed additional parking is needed regardless. The CPIC is awaiting answers to questions from the Conservation Commission before making a decision on their request. They will report back to the Select Board once a decision is made.

Public Communication
Lucas Thayer, 92 South Shaker Road, said a bus is needed in town that would go to and from the Ayer train station. He wants a source of public transportation.

Theresa Hoggins, 99 Ann Lees Road, believes the true measure of a great society is how well we take care of those most vulnerability such as our children. She does not like the message being sent by perming the Coil Brothers manufacturing. She feels strongly this is sending the wrong message.

Will Engler, 3 Babbit Lane, thought the discussion on recycling was interesting noting comments made about learning from other communities. He is hopeful the town has its eyes wide open with respect to the Coil Brothers marijuana manufacturing facility in town. He has concerns about the community host agreement. He asks how the presence of marijuana makes Harvard a better community.

Resident from Littleton County Road, works at a hospital and said the amount of drug related visits has increased and there is no question marijuana is an entry drug for the majority of addicts. They noted the negative affects marijuana can have on the adolescent brain.

New resident from Trail Ridge Way, urged the board and towns people to become acquainted with report card on this industry. He referenced documentary “Chronic State” which is about the affects legalization has had on the state of Colorado. As a town we need to do our due diligence in deciding if this industry is adding to the greater good for our neighborhood and the Commonwealth of MA.

Ted Stefanik, Old Littleton Road, thanked those folks who voted to allow the marijuana bylaw. He said until the town were to vote against it we must support what has been voted on. He is unhappy with the fear mongering and hypocrisy when alcohol has a worse effect on kids. He believes alcohol is far more dangerous yet we allow that substance in our town. Should the town vote to ban all gun sales, adult entertainment, fire arms, sale and manufacture of cigarettes. Stefanik is upset with the inconsistency and fear mongering that is going on. He feels strongly we must adhere to the bylaw as voted on.

Lisa Engler, 3 Babbitt Lane, understands the town voted in favor of the bylaw however she believes there was misinformation. Her concern is with the margin of THC being manufactured making this a hard core drug and the marketing of edibles. She is hopeful the board will do their due diligence with background checks on Coil Brothers.

New resident, noted Harvard has a brand specific for their public schools. He moved here with the knowledge the education was excellent, great community and of course all the apple picking. He said in cities/towns such as Revere, Chelsea or Lynn entities are tripping over each other to open doors in those communities however it is more expected there than here. He wants Harvard to cherish the brand it has built. As a lawyer, he also cautions on issues with respect to marijuana not being legal federally and what repercussion this could have on Harvard or Coil Brothers. He opposes entering into a Community Host Agreement.

Lucas Thayer, 92 South Shaker Road, supports a community host agreement with Coil Brothers even suggesting they pay for the bus service he spoke about earlier. As a consumer he is hopeful Harvard will welcome other marijuana establishments in an attempt to offer healthy competition.

Jennifer Finch, Codman Hill Road, thanked the board for their work on the Community Host Agreement and expressed her support of the current bylaws.

Grace Miller, East Bare Hill Road, is opposed to the Community Host Agreement with Coil Brothers. Her question for consideration is do we want Harvard to be known for things like "Little Women" and apple orchards or one of the first places in Massachusetts to approve a marijuana extraction plant.

Minutes
On a Sklar/von Loesecke motion, the board voted unanimously to approve minutes of 11/20 &12/4. Maiore abstained from the 12/4 set as he was not present.

Annual License renewals
On a Sklar/Maiore motion, approve annual license renewal checklist as submitted with General Store approval with receipt of required paperwork.

Town administrator report
Bragan reported on the following items:

- Dept. of Public Works addressed the E Coli water issue earlier this month and in less than 24 hours the state approved well #2 to be operational. Contamination was from a single sample how or what caused it we do not know.
- Town Clerk is requesting the town caucus be held on Monday, March 18, 2019. On a Sklar/Maiore motion, the board voted unanimously to change the town caucus date to Monday March 18, 2019.
- Ethics testing needs to be completed if test done prior to Dec 2016.
- He distributed an update budget submission and status document. Questions from the school are expected later this week. Tim along with Marie Sobalvarro will prepare a schedule for meeting with departments. Wallace reminded her fellow board members to get questions to Tim and Marie in a timely fashion.
- Small warrant articles will be due in January and the warrant initiation form is required.
- Bragan announced a citizen's petition was received from resident Theresa Hoggins with respect to prohibit commercial aspects of the marijuana industry except for medical purposes.
- Town Report submissions are due Friday, January 25th.
- Town Hall will be closed Wednesday, December 19th from 1-4:30 for an employee Christmas gathering. Town Hall will also be closed on Monday, December 24th and employees will use PTO time.
- Notification from DCR that we need to prepare an emergency action plan for significant hazard potential dams of which Bare Hill Pond Dam has been classified. He suggested a group be constituted for this task. The plan is due by December of 2019.
- St. Andrews in Ayer is requesting placement of a sign in the right of way on Ayer Road. This will be addressed at an upcoming meeting.
- A decision is required with respect to whether or not we will be applying to the Regional Housing Monitoring Group and if so when.

- Unitarian Church activities for the month of December which includes concert and Christmas Eve Service and the First Night event at the Fellowship Hall.
- Bragan will be on vacation January 2 – January 8. Assistant Town Administrator Marie Sobalvarro will be in charge and the new Finance Director Lori Bolasevich.

Appointment
On a Sklar/von Loesecke motion, the board voted unanimously to appoint Michele Girard as Harvard's Alternate Representative to the Nashua River Wild & Scenic River Study Committee.

Select Board Policies and Procedures
On a von Loesecke/Maiore motion, the board voted to adopt current version as previously discussed. Wallace noted that this version does not include revisions to the Appendices, which need to be reviewed and updated.

Resignation
On a Sklar/Maiore motion, the board voted unanimously to accept resignation from Pat White from the Warner Free Lecture and send a note of appreciation.

Eagle Scout Proclamations
On a Sklar/Maiore motion, the board voted unanimously in favor of the proclamations.

Finance Director Contract
On a Sklar/von Loesecke motion, the board voted unanimously to approve contract for the Finance Director.

Community Host Agreement with Coil Brothers
Bragan, von Loesecke and Sobalvarro negotiated the agreement with Coil Brothers in conjunction with town counsel. They incorporated language to include regulations set by the Planning Board. Bragan confirmed the Police Department will be responsible for enforcement on behalf of the Select Board. This is a five year agreement which is the maximum allowed but termination provisions are included. This agreement allows manufacturing only not any retail.

Bragan described the process that guided the town to this point. He reminded everyone that the town voted in favor of legalizing marijuana (a statewide ballot question) in 2016. A moratorium proposed by the Planning Board was defeated at the 2017 Annual Town meeting, which forced the Planning Board to hold hearings and work with town counsel to draft the existing bylaws. The bylaws were approved at the 2018 Annual Town Meeting. This process began in 2016.

The board members each gave their thoughts on the process and proposed agreement. Sklar agreed with what Bragan described as a very public process. He recognizes his responsibility on the Select Board is to support what the town wants. Maiore served on the Planning Board when the bylaw hearings were conducted and bylaws drafted. He has been involved in much of the discussions about this subject and does not want to reexamine what has already occurred. He favors moving forward in the least disruptive way and believes the business model proposed by the Coil Brothers will do just that. He is comfortable with the due diligence done on the agreement which is quite comparable to what other communities have done. Maiore wishes more robust discussions occurred back in 2016 however this is the best opportunity for the town given where we are now. Von Loesecke echoed much of what Maiore said. Personally, she wishes the vote was different but must respect what the town has voted for especially in terms of limiting the impact to the community. Von Loesecke thanked residents for their comments admitting it can be difficult to speak publically. She has received positive and negative feedback on the topic. She also noted this product will be state regulated and the agreement maximizes the value to the town. Wallace agreed with statements made by her colleagues. She too applauded residents who spoke publically. She commented on this being a trial period. If Coil Brothers proves to not be a viable or appropriate business the town has recourse to address any issues that may arise. Bragan confirmed background checks have been done on individuals involved with Coil Brothers and the Cannabis Control Commission will also conduct their own background checks. He also noted the license is not transferable.

On a Sklar/Maiore motion, the board voted unanimously to endorse the Community Host Agreement between Harvard and Coil Brothers.

Select Board Reports

von Loesecke reported the Municipal Affordable Housing Trust is willing to fund participation with Minuteman Advisory Group on Interlocal Coordination (MAJIC).

Maiore has begun to reach out to the committees/boards he is liaison to. He attended a recent hearing the Planning Board had with a Cumberland Farms presentation. He reported discussions are ongoing with the Hazel family about the property they own near Ayer Road.

Wallace reported the Housing @ Hildreth House Committee will give an update to the Select Board in January.

Wallace asked if the town has officially been notified about the 40B project on Still River Road on the town line. She was advised that the town had not received notification

Wallace reported the Harvard Devens Jurisdiction Committee is in the process of reaching out to committee/board/departments.

The meeting was adjourned at 9:15pm.

Documents referenced:
Lions Club liquor license application – dated 11.28.2018
Transfer Station proposal – dated 12.18.2018
Annual license renewals – 2019 checklist
White resignation letter – dated 11.19.2018
Eagle Scout proclamation request – dated 11.25.2018
Finance Director contract – dated 12.12.2018
Community Host Agreement – dated 12.12.2018