



**Select Board Minutes**  
**Tuesday, April 20, 2021**  
**7:00pm**

**The Select Board Regular Meeting was held virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A. S.20.**

**Select Board participants:**

Alice von Loesecke, Kara Minar, Stu Sklar, Lucy Wallace, Rich Maiore

**Town Department attendees:**

Town Administrator Tim Bragan, Assistant Town Administrator/HR Director Marie Sobalvarro, Executive Assistant Julie Doucet, Community & Economic Development Director Chris Ryan

**Additional participants:**

Planning Board Chair Justin Brown, Bromfield House Committee members Bill Ference, Stephen Ford and Pam Marston.

**Planning Board review of their articles for the Annual Town Meeting**

*Ayer Road Vision Planning*

Planning Board Chair Justin Brown explained this capital funding request is to produce legislation to develop and execute a plan for the Ayer Road corridor. The funds support a community-led process to define a vision for the corridor utilizing a three phased process:

- 1) Market analysis and fiscal impact
- 2) Vision Plan
- 3) Transform Vision to Bylaw

Community & Economic Development Director Chris Ryan recommends Form-Based Code be utilized in phase 3. This provides a more visual plan instead of conventional zoning regulations and will require professional assistance. Brown announced a public meeting with a formal presentation will be held on April 29<sup>th</sup>.

The Select Board members had a few comments/questions but were overall pleased with the concept and approach.

*Senior Housing Bylaw*

Brown reported the Planning Board continues their efforts to advance zoning amendments to facilitate development of appropriate senior housing in Harvard. They will take a three phased approach with this as well:

- 1) Spring ATM 2021 – propose a new senior residential development bylaw that serves as a governing document for senior housing and propose amendments to the accessory apartment bylaw that will make it easier to develop units specifically for seniors. In addition, they will introduce their three-phase strategy.
- 2) Fall ATM 2021 – investigate ways to permit senior housing in small village-like clusters surrounded by open space. They will also consider continuing care solutions.
- 3) Spring ATM 2022 – Investigate ways to provide senior housing in the town center, options for active living adult communities, find a way to address the needs of seniors who need affordable units and explore updating the Hildreth Housing District zoning.

PB Chair Justin Brown and PB liaison Rich Maiore encouraged the Select Board members to vote in support of the Planning Board's phased process. By a roll call vote, Wallace – aye, Maiore – aye, Minar – aye, Sklar – aye, von Loesecke – aye, voted unanimously to support the three articles being proposed by the Planning Board.

### **Bromfield House Committee report and recommendation**

Rich Maiore announced the names of his fellow committee members: Patricia Jennings, Stephen Ford, SusanMary Redinger, Bill Ference and Pam Marston. Maiore included Bromfield Trustee Pete Jackson who acted as an advisor. He reported the committee worked for six months soliciting feedback and gathering data to assist in making their recommendation. He acknowledged some of the ideas they received were simply not feasible. Ultimately, the committee voted 4-2 to recommend the town retain the land and sell the house.

Member Bill Ference said the committee learned residents have differing philosophical views on what is the best approach for this property given its history and location to the town center. Member Stephen Ford did not vote in favor of the motion. His concern lies with New England towns being defined by their historic buildings. He feels it would be difficult to lose that connection and charm of the location. Fellow committee member and Historic Commission member Pam Marston agrees with Ford. She pointed out the role of the commission is to protect significant buildings. Marston voted for the house to be sold as a residence however it was not an easy decision.

Alice von Loesecke reiterated Town Counsel Mark Lanza's opinion after his research confirming proceeds are to be used for five very specific educational purposes set forth in the Trust:

- 1) Keeping the Bromfield School buildings and grounds in suitable repair
- 2) Purchasing accessory books and apparatus for the use of the Bromfield School
- 3) Providing instruction for a limited number of pupils of talent and promise whose parents may not be able to pay for it
- 4) For defraying such other expenses of the conduct of the Bromfield School
- 5) Superintend, manage and conduct the school for the best good of the pupils and the public.

He also noted the court did not specify which body or entity is authorized to manage and expend the proceeds of the property sale. Traditionally, town owned real estate proceeds are considered town funds and their disposition is governed by MA General Laws Chapter 44, Section 63. The proceeds of the sale must be used for the five purposes outlined or alternatively can be voted at town meeting to transfer the funds to the Bromfield Trust. The Select Board members thanked the committee for their efforts and informative final report.

### **Minutes**

By a roll call vote, Minar – aye, Sklar – aye, Wallace – aye, the board voted to approve the 4/6 minutes as presented. Alice von Loesecke and Rich Maiore abstained from voting because they were not present at the meeting.

### **Public Communication**

Resident Bev Rodrigues is devastated to think the town may get rid of the Bromfield House and just keep the land. She believes it is shortsighted to not keep this history in town and utilize the gift the way it was intended. She suggests the Select Board clearly inform voters at the town meeting how much of their tax dollars will be used to forfeit a historic building while keeping the land with an uncertain future as an expense to the town.

Resident Jim Lee attended almost all of the Bromfield House Committee meetings. He agrees with Rodriguez that the recommendation is shortsighted and has no real reason as to why the town should keep only the land. He understands land is important but the property as a whole is a valuable piece of history. He thinks selling the entire property as a residential dwelling makes the most sense however not ideal.

Sharon Cronin, Arm & Arm, thanked the Select Board for taking up the important task to draft a diversity statement. She offered a couple of suggested edits to the draft for consideration.

Bob O'Shea, Park & Recreation Chair, offered the insight this land could accommodate a softball field which the town is in great need of since the new school project began. He imagines this would be considered an educational purpose.

Resident Bonnie Chandler does not believe the town needs a "diversity statement," and the town most certainly should not be giving "diversity training" to employees and volunteers. This diversity statement is just virtue signaling, jumping on the bandwagon of those who are trying to convince us that our country suffers from "systemic racism." The official name for this is "Critical Race Theory." The proponents say that any outcome where non-whites are underrepresented is prima facie evidence of systemic racism and oppression. They demand we judge everyone by the color of their skin and give apologies and reparations. Even if it *were* true, this wouldn't be the way to go about fixing it. This is just aimed at stirring up as much hatred, resentment, division, and conflict as possible. The new "equity" or "diversity" training teaches that whites cause all the problems in our society and demands public apologies and public self-condemnation, and it is therefore guilty of the very thing it warns against -- that is, judging people by the color of their skin instead of the content of their character. Why aren't public officials calling their bluff? If you look around at the rest of the world, at the many countries with inequality and conflict between races, tribes, religions, classes and genders, it is obvious that we are one of the best countries in the world in terms of equality, and certainly the most conscientious at trying to eliminate the remaining vestiges of inequality. Equality is already enshrined in our laws, it's enshrined in our culture, and it's enshrined in our hearts. We are not perfect but we are always working on it and always improving. Yet suddenly everyone is scrambling to write "diversity statements" in a cowardly attempt to appease this new mob of bullies. I thought everyone knew that appeasement just brings more demands.

Resident Erin McBee is pleased with the diversity statement noting there is not a lot of diversity out here and we need to rectify that.

#### **Staff Report/Updates**

- The Harvard Ambulance Service billing and collections contract was up and the Procurement Officer completed the new procurement process the new contract will be awarded to ComStar.
- The Permanent Building Committee has started the DPW Facility Assessment and an RFQ is out for Planner/Architects with a site visit on April 28 for prospective respondents.
- The Harvard Historical Commission has opted to withdraw their grant application for the Herb Drying Shed to Massachusetts Historical (which had a required town-match), and after consultation with CPC, will be resubmitting to both CPC and Mass Historical.
- Open enrollment for health insurance is underway and thus far there is no indication of folks moving from Fallon to the other carriers.

- The vaccination site at Devens has been approved and we are now working with NABOH and others to see what will be needed from the Towns. Once more details are received; we will get them out to the Board and the public.
- This week we received the attached document, in advance of the pending regulations and American Rescue Plan Act (ARPA) guidelines, laying out steps local governments need to take to prepare for ARPA. The companies we do business with have to have a DUN'S number (issued by Dunn and Bradstreet) and we have to be registered with SAM (government-wide database) and we are already registered. Finally, they say more information will be forthcoming in the next few weeks. Stay tuned.
- On May 3, 2021 Mosquito Control Task Force will be hosting a public listening session from 11AM to 1PM. The attached document has details for registering for the listening session and for submitting comments if you cannot attend the session.
- At your next meeting we will be having a hearing on the BOH Mosquito Plan and you will be asked to act on an APR for the Community Harvest Project.

#### Budget Update:

All of the changes related to the budget happened at the State level with the House coming out with their budget which is larger than the Governor's (see attached article with MTF's Summary of HWM FY2022 Budget) With respect to changes to the Cherry Sheet they were made at the State level and changes to our numbers keep everything neutral. That is to say the revenue and expenses increased roughly at the same rate (see attached).

#### **Vote DPW truck as surplus**

By a roll call vote, Wallace –aye, Sklar – aye, Minar – aye, Maiore – aye, von Loesecke -aye declare as described as surplus.

#### **Discuss Diversity Statement**

Alice von Loesecke thanked Arm & Arm and fellow board member Rich Maiore for working on the draft document. The Human Resource Director Marie Sobalvarro said she will work with the school department on any diversity training opportunities. Kara Minar emphasized the importance of civility, dignity, respect and an understanding we all have differing lived experiences. Her fellow board members whole heartedly agreed with the sentiments she expressed. Von Loesecke acknowledged the great thought and compromise that went into the process of drafting this document. A few minor corrections were made to the statement. By a roll call vote, Wallace – aye, Sklar –aye, Minar – aye, Maiore – aye, von Loesecke – aye, the board voted unanimously to approve the diversity statement as amended.

#### **Revenue Ideation Committee charge**

Lucy Wallace expressed her apprehension the committee charge does not combine short revenue generation with a more long term strategic approach to the structural budget. Rich Maiore reminded Wallace this charge is specific to the Strategic Planning Session goal to create a subcommittee to brainstorm non-property tax opportunities. He intended this to be a short term committee. Alice von Loesecke said she along with the Finance and School Committee chairs have begun initial steps on how to address the more long term scope. They decided to add work with state representative to improve state aid and to develop a home rule petition (preferably with other communities) to not assign a commercial tax rate to farms. By a roll call vote, Minar – aye, Sklar – aye, Maiore – aye, Wallace – aye, von Loesecke – aye, the board voted unanimously to approve charge as amended. They will plan to make appointments at the next meeting.

### **Act on conflict of interest submissions**

Open Space Committee members Peter Dorward and Jim Lee completed conflict of interest forms based on financial or particular matter issues.

By a roll call vote, Minar – aye, Wallace – aye, Maiore – aye, Sklar – aye, von Loesecke – aye, the board voted unanimously to determine Peter Dorward no conflict of interest in all matters related to his Harvard Conservation Trust and Open Space Committee roles.

By a roll call vote, Minar – aye, Wallace – aye, Maiore – aye, Sklar – aye, von Loesecke – aye, the board voted unanimously to determine Jim Lee no conflict of interest in his service on the Harvard Conservation Trust and Open Space Committee as described.

### **Finalize Annual Town Meeting warrant**

By a roll call vote, Minar – aye, Wallace – aye, Maiore – aye, Wallace – aye, von Loesecke – aye, the board voted unanimously to approve the warrant for the 2021 Annual Town Meeting.

### **Select Board Reports**

Lucy Wallace asked for an update on the speed signs and status of when they will be reopened at the Transfer Station. Town Administrator Tim Bragan spoke with Chief Denmark about the speed signs last week and expects them to be reopened in May.

Kara Minar asked when the Slough Road project will begin. Bragan said staging has started and notices will be forthcoming. He admitted construction is always terrible but the town will do its very best to minimize any issues.

Alice von Loesecke announced the League of Women voters will be hosting a candidate's night on May 11<sup>th</sup> from 7pm to 8pm.

By a roll call vote, Wallace – aye, Maiore – aye, Sklar – aye, Minar – aye, von Loesecke – aye, the board voted unanimously to enter into executive session at 9:30pm as per MGL 30A Sec. 21.3 to discuss strategy with respect to collective bargaining or litigation if an open meeting will have a detrimental effect on the government's bargaining or litigating position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel. The Board will reconvene into open session only to adjourn.

The meeting was adjourned at 10:15pm.

### **Documents referenced:**

Planning Board information – dated spring 2021

Bromfield House Committee report – dated 4.15.2021

Diversity Statement – dated 4.20.2021

Revenue Ideation Committee charge – dated 4.1.2021

Conflict of Interest disclosures Dorward/Lee – dated 4.2.2021

Draft warrant – May 2021