



Select Board Minutes
Tuesday, June 7, 2022
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:

Rich Maiore, Erin McBee, Kara Minar, Don Ludwig, Charles Oliver

Town Department attendees:

Town Administrator Tim Bragan, Assistant Town Administrator Marie Sobalvarro, Executive Assistant Julie Doucet, Land Use Administrator/Personnel Board Employee Rep. Liz Allard

Additional participants:

Personnel Board & Harvard Devens Jurisdiction Chair Victor Normand, HCIC/HEAC members Ellen Leicher, Jefferson Burson, David Fay, Brian Smith

Board reorganization

Don Ludwig was willing to serve as clerk. Erin McBee nominated Don Ludwig for clerk which was seconded by Rich Maiore, unanimously voted. Rich Maiore nominated Erin McBee for Vice Chair. Don Ludwig seconded the nomination, unanimously voted. Don Ludwig nominated Rich Maiore for Chair. Erin McBee seconded the nomination, unanimously voted.

Meet with Personnel Board

Juneteenth Holiday

Chair Victor Normand and Employee Rep. Liz Allard were present. Allard explained Governor Charlie Baker declared Juneteenth as a state holiday in 2020 to be observed on June 19th. If the 19th falls on a Sunday it must be observed on Monday and Saturday holidays are observed on Saturday. In addition, Allard noted municipal offices are required to be closed. She reported the Personnel Board voted unanimously to ask the Select Board to add this as a non-union holiday. Don Ludwig served as the Finance Committee representative on the Personnel Board when this was discussed. He said the evidence provided supports adding this holiday as the appropriate direction to take. They discussed how the holiday would be observed (floating) and if it would be a paid holiday or not. Allard said this was not discussed in detail by the Personnel Board. Erin McBee serves as the Select Board Rep. on the Personnel Board. She agreed with Ludwig's statement that this is the right direction to take. By a roll call vote, Ludwig – aye, McBee – aye, Maiore – aye, Minar – aye, Oliver – aye, the board voted unanimously to approve Juneteenth as a paid holiday for benefit eligible town employees effective this year.

Columbus Day to Indigenous Peoples Day

Assistant Town Administrator added this item for discussion due to the non-binding vote taken at the Annual Town Meeting in May. The change was initiated by a citizen's petition. The board members decided to take no action at this time and may revisit in the future.

Select Board Rep. to the Personnel Board

By a roll call vote, McBee – aye, Maiore – aye, Ludwig – aye, Minar – aye, Oliver – aye, the board voted unanimously to appoint Don Ludwig as their rep to the Personnel Board.

Harvard Devens Jurisdiction Committee (HDJC) Plan Summary

Committee Chair Victor Normand described the plan as an anchor document used to secure a place in time in anticipation of what is to come. He gave an overview of the plan which represents the future vision for a combined Devens-Harvard community many details still need to be addressed. He admitted the current

efforts of the larger Devens Jurisdiction Framework Committee (DJFC) are progressing slowly and it will likely take years for the DJFC to reach a consensus. He highlighted taxation and municipal finance as major elements for attention. Normand also pointed out Harvard has a large portion of historic lands making us a major stakeholder in the future of Devens. The committee will hold a public hearing to present the plan and as a way to engage other stakeholders in the process. Don Ludwig appreciated the efforts thus far. Charles Oliver asked about long/short term debts. Normand will share the financials the committee has gathered. Kara Minar serves a Select Board rep. on the HDJC. She expressed the committee's frustration with the lack of response from MassDevelopment and the state with the final straw being MassDevelopment's decision to not participate in the process. Normand shared a draft letter for the Select Board to consider sending to the Executive Office of Housing and Economic Development Secretary Mike Kennealy. Rich Maiore thanked Normand and the committee for their efforts. A draft letter will be available for consideration at the next meeting.

Minutes

By a roll call vote, Ludwig – aye, McBee – aye, Oliver – aye, Minar – aye, Maiore – aye, the board voted unanimously to approve minutes of 5/17, as presented.

Staff Report/Updates (Attachment A)

Harvard Climate Initiative Committee (HCIC)/Energy Advisory Committee (HEAC) update

Committee members Ellen Leicher, Brian Smith and Jefferson Burson gave a presentation on the development status of the HCIC Climate Action Plan and the HEAC municipal decarbonization plan. They included their plans for education and outreach on their initiatives. Leicher explained the biggest challenge they have encountered is the need for staff support to organize and attain grant funding opportunities. She noted the importance of the Select Board and relevant committees/boards/departments support to the design and implementation of an environmental assessment process. They decided to have the HCIC/HEAC develop a template for the Select Board to consider on how best to approach initial discussions and gain support in the plan. In addition, they will begin organizing all grant opportunities that are available. Rich Maiore thanked those involved for all their work thus far.

Recognize resignation of Didi Chadran

The Select Board recognized the resignation of Didi Chadran from the CPC and MAHT admitting this is a huge loss especially to the CPC. A letter of thanks will be sent.

Strategic Planning Session date

A doodle poll will be shared to determine the best date to hold this annual meeting.

Summer schedule

Marie Sobalvarro shared a potential summer schedule. Any issues will be directed to the Town Administration office.

The meeting was adjourned at 8:50pm.

Documents referenced:

Juneteenth – 2022 MA Holiday Calendar & community survey

HDJC Plan Summary – dated 4.7.2022 & draft letter to Secretary Kennealy – dated 4.7.2022

HCIC/HEAC presentation – dated 5.17.2022

Decarbonization Plan – dated 4.11.2022

Chadran resignation letter – dated 5.16.2022

Staff Report June 7, 2022

1. First, Marie, Julie and I welcome the new Board members (Don Ludwig and Charles Oliver) to the board and we all look forward to working with the both of you in your new roles.
2. General contractor bids for the COA project came in and were over budget by more than \$300,000+ due to the HVAC sub-contractor bids. All other sub-contractor bids were aligned with the 50% cost estimate, give or take 5%. The architects' assessment is that the limited supply and increased price of heat pumps is the primary driver. (50% cost estimate from DAI, sub-contractor bids from projectdog.com, and summarized GC bids attached).

General contractor bids hold for 30 days. In collaboration with the Permanent Building Committee chair, we generated a list of options (attached), which were narrowed down to four viable options (#s 1, 5, 7, and 8); the others were discarded due to legal and/or timeline issues.

We'd like to pursue using the Green Community's funds to offset the overall cost. The only option which does not lead to a special town meeting this month is #5, using ARPA monies. The downside is that this reduces what is available from ARPA for the water project (for which you will be receiving a recommendation at your next meeting).

3. Old Library Roof expected completion (pending decorative molded copper) is mid-July. Copper gutter install (starting at the rear of the building) will be completed first, prior to re-slating the roof. (photo attached).
4. Legal Counsel along with Select Board Member Ms. McBee have been trying to get the courts to move on the Bromfield House amendment to allow a temporary lease of the building for Afghani refugees. Unfortunately, this has been stalled as the issue has to go to a hearing due to the fact that the Bromfield Trustees would not sign/file a consent decree. We were hoping to have this resolved before June and now it lingers on because of the Trust. All efforts are being made to shorten the waiting time on this issue but without the consent decree we are forced to wait.
5. The Town Hall lift is out of order and until the parts come in there are no public meetings by boards or committees in Town Hall. The Cable group recently fixed the speaker system in the meeting room which had failed a while back. Also, the Senate has included a remote meeting extension in their version of the State budget (see attached), which the Senate passed. If this does not pass then we are looking at July 15, 2022 as the last day to have a remote/zoom meeting.

6. Police updates:

- a. The Chief and his staff have completed all of their requirements for POST certification. This includes the implementation of all mandatory policies regarding use of force, bias, reporting, juvenile, mental health and other required action items. Policies were mandatory in order for the department to be certified. Part 2 of the certification process was to re-certify officers for their police powers and certification. Every officer last name A-H completed their attestation forms and the final spreadsheet is being submitted to POST for all officers A-H to be re-certified. This certification process is new and will have to be done every three years.
- b. The PD completed its annual in-service requirements which included the last portion of firearms qualifications. Every officer passed their annual in-service which is 40 hours of various classes including law updates, CPR and First responder, AED, defensive tactics and Taser Re-Certification as well as firearms qualifications with pistol, long gun and shotgun. They also completed numerous training classes in various areas the last month.
- c. The PD completed their application for Massachusetts Controlled Substances Registration for Municipalities for Use of Naloxone (Narcan). If approved we will be receiving our Narcan doses which will be issued to every officer to administer to victims of opioid overdoses. The Narcan will be fully funded through a state grant under Department of Public Health.
- d. The new radar trailers and hardware for conversions were ordered from Central Equipment after passage of the article at town meeting. They are estimating a delivery time between 6-8 weeks. Hopefully they will be in and deployed by the end of July.
- e. Traffic citations continue to be given out (warnings and fines). The last period had 42 offenses with 6 citations. Those 6 citations totaled \$1,120. in fines
- f. The Chief is applying for a state grant that will fully fund electronic citation readers and printers in all of our police cruisers. The e-Citation method has several benefits over the traditional paper method:
 - Officers spend less time at the side of the road.
 - Violators are on their way faster.
 - Fewer citations are dismissed for transcription errors, illegible handwriting, incorrect location (e.g. a stop sign violation written to have occurred at Mass Ave and Prospect Hill Rd., when they don't actually cross), and mismatched ordinance/statute names and numbers are eliminated.
 - No need for clerks to manually enter information from paper tickets into a database.
 - Nearly instantaneous access to traffic violation and accident data.
 - Improved convenience for the violator, as there is no delay in processing the citation at the courthouse.
 - Less push-back from officers who are able to spend more time on both patrolling and enforcing traffic laws elsewhere.

7. State Updates: (See SHN articles attached)

Senate Updates:

- a. The Senate included Sports Betting in its proposed budget for the first time as they have normally opposed such a move. This could bring in over \$111 million to the state revenue coffers (see attached).
- b. The Senate had to contend with 1,178 filed budget amendments totaling \$3.5 billion dollars (see attached). They dealt with them and passed a budget that is different than the House budget and spends approximately \$38.4 million more. Both budgets push the state budget well past the \$55 billion mark (see attached).
- c. Budget negotiators were named by the House and Senate and they will be working out the final details of a budget to submit to the Governor by the end of the month (see attached).

General State Updates:

- a. The May revenue collections while below last year's numbers was \$186 million or 8% higher than the revised estimates for this year (see previously attached SHNS article).
 - b. The Governor submitted a new spending plan to the House and Senate for an additional \$1.7 billion in spending in the current year. As noticed earlier, the House and Senate have been reluctant but the current level of the State surplus is making things harder on them to hold the line (see attached).
8. The Massachusetts Taxpayer Foundation (MTF) will be seeing yet another change in the position of their President as Eileen McAnnenny has announced her retirement from the post at the end of this year (see attached).
9. AG Maura Healy filed suit against the Firefighting Foam Makers claiming they hid the chemical dangers of the foam and PFAS (see attached). If the suit is successful then it is possible that communities could see funds in the future. This would be similar to the opioid settlement that we recently benefitted from.
10. State surtax opponents have started their campaign to derail the Constitutional amendment move of having a surtax on household income over \$1 million dollars. This issue is on the statewide ballot next November (see attached).
11. The House and Senate are actively working to further regulate Host Community Agreements (HCA) which could negatively impact the revenue the Town will see from its one and only marijuana establishment. The legislature is also going to allow

cities and towns to approve on-site cannabis consumption establishments within their borders (see attached).

12. Notice and Reminders:

- a. SB Appointments will happen on June 21, 2022 and we ask that you review the list you received and let us know if there are any issues you have with any of the pending appointments. The HR Director will be conducting voluntary exit interviews, for those individuals that are getting off boards and committees, to collect data and comments of what they enjoyed and what they disliked.
- b. As of July 1, Notary services will again be offered at the Town Hall and the Police Station. This was halted due to change in insurance regulations and Ms. Sobalvarro was able to work this into our insurance portfolio at minimal cost.
- c. The Board needs to finalize its decision on the Ayer Road roadway project at the next meeting so that the project can continue to move along in some fashion.