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Select Board Minutes
Tuesday, August 9, 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, Director of Planning Frank O'Connor
Additional participants:
Seth Trotz, Chris Green (owner Daigneault's Liquor)

Director of Planning
Town Administrator Tim Bragan introduced the Director of Planning Frank O'Connor. O'Connor gave his background and is excited for the opportunity to work in Harvard.

Historical Commission Appointment
The commission requested the appointment of Seth Trotz. Trotz was present to introduce himself and express his interest in serving on the commission. By a roll call vote, Oliver – aye, McBee – aye, Minar – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to appoint Seth Trotz to the Historical Commission.

Minutes
By a roll call vote, Minar – aye, Oliver – aye, McBee – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to approve minutes of 7/13, as presented.

DPW facility visit
Town Administrator Tim Bragan will prepare a doodle poll to determine a suitable date/time for the board members to visit the facility. Charles Oliver asked if this would include meeting with staff and/or director.

Daigneault's Liquor – issuance of license and finalize conditions
Owner Chris Green was present to introduce himself. He acknowledged the process to transfer the license from the previous owner has been very lengthy. He is extremely pleased the ABCC has approved the license transfer and category change from wine/malt to all alcohol. Green has three other store locations in the area and his family has been in this business for many generations. He plans to officially open on Monday, August 15. By a roll call vote, McBee – aye, Minar – aye, Oliver – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to issue license and approve conditions. Green confirmed the license conditions were satisfactory to him.

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FY24 Budget Calendar

Assistant Town Administrator Marie Sobalvarro prepared the calendar to include important meeting dates for the Select Board, Finance Committee and Capital. She included Wednesday, September 28 as a proposed date for the fall All Boards meeting. The board members reviewed the calendar and did not have issue with the dates specified.

State Primary Warrant

By a roll call vote, Ludwig – aye, McBee – aye, Minar –aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve the state primary warrant.

Police Department Recognition

Rich Maiore took a moment to publicly recognize the Harvard Police Department for their efforts during the missing person case that evolved into the murder investigation of resident Mary Anderson. He said the department played a critical role in this case and their timely communication with the State Police certainly had a very big impact on solving this case. Maiore suggested a letter of commendation be prepared to let the department know how much what they did is appreciated and how grateful we are to them.

Harvard General Store

Executive Assistant Julie Doucet confirmed the alteration of license premise for the outdoor dining area has been approved by the ABCC. She noted the ABCC does require the outdoor patio area have boundaries enclosing it with a clear entrance and exit. This language has been added to the license conditions. The Select Board members were agreeable to the amended conditions as they reflect the new license premise and boundary requirement from the ABCC.

Right of first refusal for sale of affordable unit - 31C Elm Rd, Devens

By a roll call vote, Ludwig – aye, McBee – aye, Minar – aye, Oliver – aye, Maiore – aye, the board voted unanimously to not exercise their right of first refusal.

Staff Report (Attachment A)

Discuss next steps for meeting with MassDevelopment

Rich Maiore began the discussion by mentioning the several promises MassDevelopment President/CEO Dan Rivera made at the last meeting. He asked his fellow board members their opinions about setting up a small meeting with a couple SB members first and then a meeting with the entire board or if they preferred just a meeting with the entire Select Board. Maiore is interested in improving the relationship with MassDevelopment and offered the idea of two members of the SB meeting with Mr. Rivera first. He is unsure why MassDevelopment withdrew from the Devens Framework Committee and would like to better understand the reasoning behind that decision. He thinks it may be more effective to meet outside of a larger meeting to start. Everyone agrees the process moving forward must be better however their ideas on the track to get there was not entirely the same. Maiore reiterated his approach to start with two members of the Select Board rather than the full board. He suggested himself and Don Ludwig. Kara Minar has past experience with Devens and MassDevelopment. She felt strongly someone with historical knowledge and familiarity in dealing with MassDevelopment should be included in any meetings held with them. She suggested Victor Normand. Don Ludwig agrees with Maiore that a smaller meeting may be more productive and provide a better opportunity to change the negative mindset. Minar was under the impression Rivera would be meeting with the whole SB and was surprised at this suggestion. Maiore is hopeful a different approach will help to create a better relationship.

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He is concerned in a larger setting if things go poorly then the relationship will continue as is. Ludwig views the initial meeting as more of relationship building not the time to get into too many of the details which would be difficult to do with the entire board. The majority of the SB members were agreeable to the approach outlined by Maiore and Ludwig. It was decided Maiore and Ludwig will schedule an initial meeting with Dan Rivera and a meeting with the entire board in September.

Select Board Reports
Erin McBee reported Park & Rec member Marisa Steele met with the Conservation Commission to discuss the playing fields. The commission voted in favor of a memorandum of understanding (MOU) regarding field improvements.

Charles Oliver asked when capital request forms will be due and who is responsible to submit the request for solar at the public safety building.

Charles Oliver asked about options to improve site view at one of the crosswalks at the Bromfield School and the possibly for protruding rocks being removed from the filed in front of the library.

The meeting was adjourned at 9:00pm.

Documents referenced:
Trotz vol form – dated 7.27.2022
Daigneault's draft license conditions – dated 8.9.2022
General Store draft license conditions – date 8.9.2022
Budget calendar FY24 – dated 8.4.2022
State Primary Warrant – dated for 9.6.2022
Intent to sell 31C Elm St Devens – dated 7.4.2022

Attachment A

Staff Report
August 9, 2022

1. Updates on legislation:
   a. H4739 -An Act authorizing the town of Harvard to establish and enforce speed limits on certain public ways in the town. We have attached a copy and this was sent to a third reading, in the State Legislature, but has not yet been voted and approved.

   b. H5019 (formerly H3734) - An Act authorizing the town of Harvard to establish a cap on property taxes for means tested senior citizens. We have attached a copy and this was sent to a third reading, in the State Legislature, but has not yet been voted and approved.

2. Tim Kilhart was successful in getting the State to agree to grind and pave Ayer Road from Route 2 to the town line at their expense. This is a temporary fix and only deals with the roadway itself. This does not negate the TIP project that is planned in 2026/2027.

   The DPW Director was also successful in getting a recycling grant in the amount of $10,000 so that we can comply with the new regulations that do not allow mattresses and box spring foundations into the trash stream.

3. Under Section 2 of the conditions for The General Store is a requirement for a License agreement with the Town. We have been operating under Covid rules but those will end and it does not preclude having an agreement in place.

4. This is a reminder that the attached document regarding Entertainment Licenses in an A/R district are an issue and when it came up earlier this year the Board said that something needs to be done for The General Store and Fivesparks since they both are in A/R district and get annual entertainment licenses. Barring a zoning change the Board will not be able to issue annual licenses. Carlson's issue also needs to be addressed.

   Carlson's is looking to move a one-day entertainment license from one date to another (August 5th to either 10/27 or 10/28). This is why we have to address this issue as we cannot monitor these types of changes on a regular basis. The Board had issued the license and alluded to the fact that it would not allow changes in date but never memorialized that issue. You did say no to rain dates but this issue was left for another day.

5. Friendly Crossways has been sold and the new owner is seeking an Inn Holders License. Julie is working on getting an application document to be approved by the Board so that an application can be made. In the meantime, we are working with the BOH on what they would require for the new owners to meet the requirement under the Inn Holder License to have food available to their guests.

6. State Updates:
    a. The State legislature finished their work on the state budget on August 1, 2022 in a marathon session. The cherry sheet showing the progression of the budget and the final cherry sheet are attached.
    b. We received $100k for Bromfield House (see attached earmark request); the money comes to the Town and our Facility Manager, Jeff Hayes, is coordinating with Ascentria.

7. Progress on the MOU between the Town, School Department, and Parks and Recreation Park and Recreation is stalled as the priority over the use of fields is an issue between the School Department and Parks and Recreation. This will be an issue for converting the Ryan 2 field to a softball field as well. I would suggest that this issue be resolved sooner rather than later as time is of the essence if that field is to be converted and ready for next spring.

8. Health insurance transition: an additional rider is now available for out of area dependents on the HMO Blue NE family plan; this is an additive benefit (primarily focused on subscribers with kids away at college). We're grateful to Blue Cross for extending and expanding coverage to this population of our employees.

9. Police Updates
    a. Chief babu has been working with Carlson's Orchard in addressing traffic complaints and has come up with a new flow of traffic for leaving an event. (see attached)

    b. Chief Babu continues to work with his department personnel in developing policies for the department to operate by and the latest is a Vehicle Inventory Policy and Missing Persons Policy.

10. Building Related Updates:
    a. The renovation of 16 Lancaster County Road is underway and Classic Construction of Littleton. Demolition is currently underway.

    b. The roof, gutter, and re-pointing project at the Old Library (a.k.a. Five Sparks) is going well and is 95% completed with work continuing on punch list items and awaiting specially manufactured copper finials that go on the ridge lines.

11. We are actively recruiting for two full-time positions: Accounting Assistant, and Administrative Assistant (Land Use and Building Inspector Departments). More detail regarding the positions is available here: https://www.harvard-ma.gov/human-resources/pages/employment-opportunities

12. Notice and Reminders:

    a. Town Meeting is coming up in 53 days. If there is anything the Board would like to see on the warrant you need to let us know as soon as possible.