Select Board Minutes
Tuesday, September 20, 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, Finance Director Jared Mullane
Additional participants:
MassDevelopment President Dan Rivera,

Revenue Projections/Forecast
Finance Director Jared Mullane reviewed projections and assumptions for property taxes, state aid, and local receipts. He recommends a conservative approach however adjustment of assumptions should be made when there is good rationale to do so. In addition, he provided a rough draft budget revenue/expense summary which he plans to revise to include a break out of town and school expenses.

Meet with MassDevelopment President Dan Rivera
Rich Maiore and Don Ludwig met with Rivera previously to discuss improving the communication and overall relationship between MassDevelopment and Harvard. Maiore suggested Rivera attend the next Devens Jurisdiction Framework Committee meeting to set expectations moving forward. Rivera said his staff is small but expected to make statewide impacts. He explained priorities must be set carefully. He views the ongoing efforts of the towns as appropriate envisioning his role as more of technical support. Rivera was asked by Kara Minar the status of funds requested by Senator Jamie Eldridge for a consultant. He did not have an update on the request. Rivera promised to improve communication and provide support to assist with the continuing efforts.

Harvard Climate Initiative Committee (HCIC) presentation on the Climate Initiative Action Plan
Chair Ellen Leicher began with an introduction and highlighted HCIC actions to date. Committee member Jefferson Burson gave an overview of the focus areas and goals within each area:

- Buildings (municipal & residential)
- Energy
- Transportation
- Natural Resources
- Agriculture
- Preparedness

As far as next steps/implementation, the HCIC will rely heavily on strong leadership of the Select Board to promote their support of the plan and HCIC's role to help implement it. Leicher mentioned the need for staff support maybe an energy manager/grant writer such as other towns have. Rich Maiore thanked the HCIC for creating the vision with the understanding implementation will require an even greater effort to accomplish these goals. Committee member Lucy Wallace asked when funding requests will be due if they decide to pursue creating a part-time position to assist with their efforts.

Public Communication
Brad Besse, Westcott Road, came to voices his frustration about the process he encountered to file a citizens petition for inclusion on the town meeting warrant. He was unhappy with guidance from the Select Board and Town Clerk's offices.

Bev Rodrigues, 131 Old Littleton Road, strongly encouraged the Select Board to remember the previous town meeting votes when residents expressed their wishes for what to do with the Bromfield House. Whether previous votes were binding or not residents did make known their desire for the house to remain in the current location to honor our history. She hopes the Select Board will remember their responsibility to the voters they represent. Rodrigues believes article 7 will put necessary protections in place and she commended the Historic Commission for their efforts to make this happen.

Pam Marston, Madigan Lane and Historical Commission member, agreed with Rodrigues and offered answers to questions that came up at the last Select Board meeting. **Why was Bromfield not included in the district as the result of the two prior votes?** There is a process that has to be followed before the historic district maps can be altered. This cannot be done by a simple vote at town meeting. **If Bromfield is historically important, why is it not listed on the National Register of Historic Places?** Bromfield would be eligible to be designated as a national historic landmark under the guidelines put forth by the Department of the Interior, however this status is honorary only and does not protect a building from alteration or demolition. **What will it mean if Bromfield House is included in the district?** As with all other structures in the historic district, features of the exterior of the structure that are visible from a public way cannot be altered unless a certificate of appropriateness is issued by the HHC. The structure itself will be protected and cannot be demolished by a subsequent owner/developer without approval. Buildings in the district can be altered and updated (and often are), the owners will need to work with the commission to ensure that the changes are appropriate. The HHC has no purview over the use of structures in the district or any changes made to interiors. **Why aren't the houses across the street included in the district?** The district boundaries were set many years ago following conversations with homeowners at the time and a town vote. Adding properties involves a lengthy process and at this time the HHC decided to focus on the property in question rather than attempt to make dramatic changes to the district that may or may not have been supported by current property owners and voters at town meeting. **Why were the district lines around the schools not changed?** Again, the HHC felt that making multiple changes to the district would jeopardize the current purpose of adding Bromfield to the district. This is also the reason that the new elementary school was not drawn on this map. These issues can be addressed as a separate project. **Why is the HHC acting to protect Bromfield now?** Now that the town has ceased using the property for educational purposes, if the property is not protected, whether or not the SB sells the property, it will be a significant risk of demolition. Harvard citizens have urged the HHC to act and put the issue to vote at a town meeting. **Public Reaction:** Bromfield house and its disposition has been discussed at least 10 HHC meetings and 2 public hearings – to date we have had no negative responses from the public and have had support from numerous residents.

Andrew Bunce, 81 Slough Road, echoed sentiments expressed by the previous speakers.

Peter Jackson, Jacob Gates Road and Bromfield Trustee, gave a history of actions taken by the trustees regarding the Bromfield House and the town's request to temporarily lease of the building to the Afghan refugees. He understands the towns intent will be to eventually sell the property and if the property is in the historic district it will help to maintain the character in the town center. He agrees with comments made by both Marston and Rodrigues.

Carlo Sciple, Fairbank Street, also agrees with placing the Bromfield House in the historic district.
Stu Sklar, Scott Road and former Select Board Chair, disagrees with placing this property in the historic district. He believes only considering the short term as opposed to the longer term is not always the best way to approach decisions such as this. He would like the town to maintain ownership of this property in the town center. Sklar said it is short sighted to get rid of land in the town center and if the property is placed in the district, it could hinder future decisions.

Maria Day, Pinnacle Road, disagrees with Sklar and feels strongly it would be a crime to do away with this building.

Seth Trotz, Fairbank Street, disagrees with Sklar as well. He grew up in Savannah, Georgia and commented on how the historic nature of buildings there has had a huge impact on preserving history as well as enticing visitors. He fully supports the efforts of the Historical Commission and encouraged the Select Board to as well.

Minutes
By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve minutes of 8/30 & 9/6, as presented.

Staff Report/Updates (Attachment A)

Cell tower approach; improve service and/or maximize revenue
Assistant Town Administrator Marie Sobalvarro outlined the options to either enter into a conventional lease and/or lease with revenue, build and own tower or capitalize tower/turn over to the town (Dover model). She included pros/cons for each option presented. By a roll call vote, Ludwig – aye, Minar – aye, McBee – aye, Oliver – aye, Maiore – aye, the board voted unanimously to move forward with an RFP to focus on first option conventional ground lease with revenue share as presented.

Discuss RFP parameters for a field consultant
Assistant Town Administrator Marie Sobalvarro asked for clarity on language for the RFP. They discussed the idea for the study is to project sports trends based on utilization and population currently and in the future. These needs will support both town and school activities. This study should also include physical resources such as equipment and operational support such as ongoing maintenance/upkeep.

Recognize resignation of Paul Green from the HCIC
The board thanked Paul Green for his work on the HCIC. He will continue as a volunteer in other capacities

Discuss the upcoming All Boards meeting
Rich Maiore asked his fellow members to reach out to heir liaison assignments as a reminder of the meeting next Wednesday.

Vote on Town Meeting articles
Tim Bragan explained the citizen petition resident Brad Besse spoke about earlier unfortunately was not submitted in time to make the warrant but can be included for a future meeting.

By a roll call vote, Minar – aye, McBee – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously in favor of article 1.
By a roll call vote, Minar – aye, McBee – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously in favor of article 2.

By a roll call vote, Minar – aye, Oliver – aye, Ludwig – aye, McBee– aye, Maiore – aye, the board voted unanimously in favor of article 3.
Article 4 for the Recreation/Beach Director position initiated more discussion with questions on the process, personnel cost as well as the timing, if this town meeting was the appropriate time to include this article. After a bit more discussion the following motion was made:
By a roll call vote, Ludwig – aye, Maiore – aye, Oliver – nay, McBee – nay, Minar – aye, the board voted to support article 4. (3/2 vote in favor; motion passed)

Town Administrator Tim Bragan reported this article converts fine enforcement from civil to criminal. Most towns have already done this. By a roll call vote, McBee – aye, Oliver – aye, Ludwig – aye, McBee – aye, Maiore – aye, the board voted unanimously in favor of article 5.

Article 6 to adopt a bylaw regulating outdoor water usage, initiated conversation as well. Some members were uncertain this type of bylaw could be enforced in an equitable way. Bragan explained the Board of Health submitted this article in response to the severe drought and current water ban.
By a roll call vote, McBee – aye, Maiore -nay, Ludwig – nay, Oliver – nay, Minar – nay, to support article 6. (4-1 vote against; motion did not pass)

Article 7 to expand the Harvard Common Historic District to include the Bromfield House property was also discussed in depth due to differing opinions on the future use of the building/land. By a roll call vote, Oliver – aye, McBee – aye, Minar – aye, Ludwig – nay, Maiore – nay, the board voted to support article 7. (3-2 in favor; motion passed)

By a roll call vote, Minar -aye, McBee – aye, Oliver – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to go past 10:00pm.

By a roll call vote, Minar – aye, McBee – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to enter into executive session at 10:00pm per MGL Ch. 30A, s. 21(a)3: To discuss strategy with respect to collective bargaining with union personnel. The Select Board will reconvene into open session only to adjourn.

The meeting was adjourned at 10:30pm.

Documents referenced:
Revenue projections – dated 9.6.2022
HCIC draft plan/presentation – dated 9.20.2022
Cell tower approaches – dated 9.20.2022
Green resignation – dated 9.7.2022
ATM Warrant – dated 10.1.20222

Staff Report
September 20, 2022

1. This is a follow-up to the work we are doing with the Harvard Climate Initiative Committee (HCIC) and Harvard Energy Advisory Commission (HEAC) of putting a questionnaire in the tax bills to collect data about types of vehicles we have in Town. Attached is the draft of the questionnaire that we are looking to put in the tax bills come December. The Board will have to approve this happening.

2. The Personnel Board will be meeting on October 20th to determine their FY24 COLA recommendation to the Select Board.

3. Local Board/Budget Happenings:

    a. The Capital Planning and Investment Committee requests for funding are due the 30th of this month. If there is anything the Board wishes we include we need to know tonight and the Board has to vote to have us submit it.
    b. As Jared mentioned at the beginning of this meeting FinCom is reviewing the Revenue document you received this evening. This is the earliest we have produced local revenue projections and it should help in the budget planning process moving forward.

4. I am sure the Board's visit to the DPW buildings was informative and eye opening. The request for design and procurement will be before Capital this year and the Board will have to weigh in on this after CPIC makes their report to the Board this December.

5. State Updates: (State House News Service)

    a. State took in $25 million in gaming revenue in August and continues to do well with this source of income. Overall, the State took in $2.6 billion which is 4.3% over actual collections in August of last year. To date, the State is running $250 million ahead of Fiscal Year 2022.
    b. State Auditor, Suzanne Bump, confirmed recently that the State must return $2.94 billion to taxpayers
    c. The State's Secretary of Finance, Mike Heffernan, explained the law (Chapter 62F) for refunding money to taxpayers states that it is done in proportion to people' personal income tax liability for the immediate preceding year. Another article states that people will receive the funds this Fall and that they will be automatically transferred to bank accounts or mailed to individuals.
    d. There is a push at the State level by climate activists, Environment Massachusetts, to get policy makers to accelerate expansion of solar installations by developing new incentives and eliminating roadblocks. We will be watching this and the Federal Government closely and will work to add solar to as many buildings as is feasible.

e. The State's Community Compact program is out again and we are looking at what best practices we can do and apply for. This could be the last time as there will be a change in the State's corner office.

6. The COA Project:

   a. This project continues on and the contractor is currently installing the under-ground plumbing, and
   b. Is mindful that the energy recovery ventilators (ERVs) currently have a 22-week lead time as well.

7. Flu Clinics: (Nashoba Associated Boards of Health)

   a. One flu clinic will be held here in Harvard on 10/18/2022 from 9 to 11 AM at the Hildreth House for Adults and Seniors only.
   b. A second flu clinic will be held on 10/25/2022 from 3 to 6 PM at the Bromfield School Cafeteria for ages 6 months and up.

8. Notice and Reminders:

   a. Update on Ayer Road from Route 2 to the town line – paving will happen in October and it will take two days. Once they give us their schedule, we will make sure we get the word out just like we did with the prep work they did.
   b. North Central Massachusetts Chamber of Commerce is having their Annual Legislative and Candidates Reception on Thursday, September 22, 2022 from 5 to 7 PM at the Chocksett Inn, 59 Laurelwood Road in Sterling.
   c. Town Meeting is coming up in 11 days.
   d. Bella Butterflies Run will be held on the 22nd of October instead of the 10th as more time was needed to organize things.