Select Board Minutes
Tuesday, December 6, 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 and Executive Assistant Julie Doucet, Assistant Town Clerk Andrew Sammarco, Land Use/Building Admin Brie Jones
Additional participants:
Regional Assessor Mike Saltzman, OSC Chair Peter Dorward, HCIC Chair Ellen Leicher, HCIC member Jefferson Burson,

Tax Classification Hearing
Regional Assessor Mike Saltzman recommends the town maintain a single tax rate. He explained the tax levy limit has increased which represents at 5.53% increase over last year's levy. His presentation included the fiscal year 2023 calculation of the levy limit, amount to be raised and valuations by class. Saltzman reported Harvard will be once again implementing its Means Tested Senior Tax Exemption applicable to certain long-term residents who qualify for the Massachusetts Circuit Breaker Income Tax Credit, unless the program is extended by a vote at Town Meeting. After reviewing the applications received, he has determined that 5 applicants will qualify for the exemption, resulting in an estimated award of $24,903.38 in total exemptions. Per the requirements of the exemption program as passed at Town Meeting, this amount will be raised through a burden shift to the rest of the Residential class. Based on this year's tax rate, this will result in a $.01 increase in the Residential tax rate. He explained the increases are due to the rising housing market and the levy increase for the new school. They discussed ways to increase participation in the Senior Tax Exemption program. By a roll call vote, Minar – aye, Ludwig – aye, Oliver – aye, McBee – aye, Maiore – aye, the board voted unanimously in accordance with M.G.L., Ch. 40, Sec. 56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2023 tax rates and set the Residential Factor at 1.0, with a corresponding CIP shift of 1.0, pending approval of the town's annual tax recap by the Massachusetts Department of Revenue.

New Staff Introductions
HR Director Marie Sobalvarro introduced Building Dept/Land Use Admin Brie Jones and Assistant Town Clerk Andrew Sammarco. They each spoke briefly and the Select Board members welcomed them.

Open Space Committee (OSC) update
Chair Peter Dorward came to give their quarterly update. The committee is working with MRPC through a DLTA grant to update the Open Space & Recreation Plan as required. The recently conducted a survey to get a better sense from the community their priorities. The survey was done online with 472 household responses with a mix of longtime residents versus new and empty nesters versus families with children. They learned there is a dichotomy of support for protecting open space and using it for active recreation. Dorward admitted a big issue with protecting open space is how to fund it. The Select Board members offered ideas on how this can be accomplished with one of them being an increase in the Community Preservation surcharge.

Climate Action Plan/review of implementation
Harvard Climate Action Committee (HCIC) Chair Ellen Leicher and member Jefferson Burson came to provide details on implementation of the plan and to seek formal approval of the plan by the Select Board. By a roll call vote, Minar – aye, McBee – aye, Oliver – aye, Ludwig – aye, Maiore – aye, voted unanimously to approve the Climate Action Plan. HCIC will prepare communication for review by the Select Board to be sent to all boards/committees/departments sharing the plan and implementation. Ellen Leicher stressed their need for assistance to attain grant funding for many of the initiatives within the plan. Rich Maiore is sensitive to this fact however making it know many boards/committees struggle with the same issue. The Select Board members decided to discuss the possibility in more detail of hiring a grant writer on a part time trial basis.

Public Communication
Stephanie O'Keefe, Oak Hill Road/associated with Westward Orchards, attending the Planning Board hearings and found the agricultural overlay discussions confusing. She asked the Select Board to carefully deliberate considering the concerns of neighbors. She is fearful there could be negative impacts without careful examination of the proposed language.

Stu Sklar, Scott Road, spoke on the Senior Means Tested Exemption. He said Harvard's guidelines follow the states circuit breaker guidelines and has no asset requirement. He said the program is supposed to help more residents. He will do what he can to help as the idea of a fixed asset amount regardless of age is nonsensical. He also spoke on the town center/agricultural overlay districts showing support for businesses they will impact.

Ginger Kendall, applauded the Select Board for voting to accept the Climate Action Plan. She too believes a grant writer will be important to help with these efforts.

Chris Green, 102 Oak Hill Road, recalls three years ago when Carlson Orchards came before the board initially. His frustration lies with farm operating hours and the ability that has been given to Carlson Orchards to be open past 6pm. His concern is with the neighborhood and does not understand how entertainment uses align with farming. Green said the Planning Board members did not appear to support the proposed agricultural overlay.

Minutes
By a roll call vote, McBee – aye, Ludwig – aye, Oliver – aye, Minar – aye, Maiore – aye, the board voted unanimously to approve the 11/15 minutes, as presented.

Staff Report/Updates (Attachment A)

Act on out of state travel request for the Police Chief
By a roll call vote, Ludwig – aye, Minar – aye, Oliver – aye, McBee – aye, Maiore – aye, the board voted unanimously to accept request for the Police Chief to attend federal law enforcement training with all expenses paid by the federal government.

Update on Devens Transition Center
Rich Maiore reported Executive Assistant Julie Doucet will coordinate any requests they may have.

Review and discuss overlay district language
Planning Board liaison Erin McBee reported the Planning Board held their initial hearing to discuss the overlay districts. A new map of the town center district was created to expand the district to cover events that may be held on the common, near the library, at town hall or at the churches. It was reiterated that the Select Board will be tasked with issuing entertainment licenses and establishing conditions associated with those licenses. McBee and Minar said discussions regarding the agricultural overlay district were more involved and created more questions than answers. The hearing was continued until December 19th with the plan to hold a special town meeting in January/February.

Select Board reports
Kara Minar referenced a draft letter sent by Harvard Devens Jurisdiction Committee Chair Victor Normand regarding the contract extension for MassDevelopment CEO Dan Rivera.

Erin McBee will follow up with the Planning Board on the agricultural overlay district language prior to the next hearing.

Rich Maiore said playing fields items are in progress such as the wetland delineation of the land at Harvard Park. The Conservation Commission will be consulted on possibilities for the property. The Open Space Committee continues to identify privately owned parcels that have potential for this type of project.

Don Ludwig reported the School Committee has a hearing before the Historical Commission for their stonewall project.

Executive Session, per MGL Ch. 30A, s. 21(a)3
By a roll call vote, McBee–aye, Ludwig – aye, Oliver– aye, Minar – aye, Maiore – 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 may have a detrimental effect on the government's bargaining or litigating position. The Board will reconvene into open session only to adjourn.

The meeting was adjourned at 10:15pm.

Documents referenced:
Tax Classification presentation – dated 12.6.2022
OSC updated – dated 12.6.2022
Climate Plan response from Town Administration – dated 12.6.2022
HCIC memo on Climate Action Plan implementation – dated 12.1.2022

Staff Report
December 6, 2022

1. Local Legislation Updates:

   a. House Bill 4739, "An Act authorizing the town of Harvard to establish and enforce speed limits on certain public ways in the town", Representative Sena's office is trying to move it along so that it does not die at the end of this legislative session. I would suggest making calls to folks you know as it does not seem to be moving.

2. Police Department Updates:

   a. Radar sign in Still River, just before you enter the village from the east, was badly damaged during the wind and rain storm last week. The Chief and Marie are evaluating options and costs of repairing it and looking into our insurance coverage as well.

   b. Other radar news has to do with the newly deployed devices. The data collected will prove helpful in providing information and with the deployment of personnel to do speed enforcement. For example, the data collected from one of the devices over a 9-day period showed 11,343 vehicles had passed by and 112 of those were 10 miles an hour or more over the posted speed limit with the fastest speed being 84 miles per hour. The Chief is committed to using the data and enforcing the speed limits.

3. State Updates: (State House News Service)

   a. Due to the current economy the State Pension System is down some $22.4 billion since October of 2021. The fund started out at $101 billion and dropped down to $88.6 billion. The investors for the Trust see promising notes ahead and are taking advantage of the depressed cost and are buying low so the returns are greater and recovery is quicker.

   b. The gap in revenue at the lottery year over year has dropped from a delta of $60 million to just $22.5 million. The unusually large Powerball jackpot was the reason for the turnaround in late October and November. The lottery is worried about sales as the recent outlier (Powerball sales) have settled down and the other products' sales continue to skid. This is definitely worth watching.

   c. The State house staffers are set to receive pay increases of at least 8% which follows an earlier 6% increase back in the spring. Prior to these increases the staff had received 3% increases. The economy and inflation are driving these increases. Overall, it is a small impact on the State budget and was needed to retain employees and encourage individuals to at least look at working within legislative hall and offices.

4. Building Related:

   a. The Old Library roof and masonry replacement/renovation is officially complete.

   b. The COA at 16 Lancaster County Road remains on track; projected lead times for materials (e.g., doors, HVAC) is longer-than-expected. As of December 1, Classic Construction is feeling optimistic that alternate suppliers will enable them to reach the February 2023 completion date.

5. Personnel

   a. The Recreation Director position approved at the Fall Annual Town Meeting has been posted on the Mass Municipal Association website and the Massachusetts Recreation and Park Administration. Posting is open until filled, but preference is given to responses received by December 21. The HR Director is already receiving responses and is hopeful to have this filled by February 1.

   b. The Harvard Fire Department welcomes Jason Cotting, current co-Director of the Harvard Ambulance Service as it's Fire Fighter/EMT. Jason is slated to begin his new role in mid-December.

6. Notice, Reminders, and Updates:

   a. UU Updates:
      i. December 10 there is rehearsal for the Christmas Pageant in the sanctuary.

   b. Annual License Renewals will happen at the December 20, 2022 SB meeting.

   c. Time to start thinking about the Annual Town Report as Julie has notified all of the Departments they are due to her by January 23, 2023. The Board needs to think of Citizen of Note as well.

   d. The annual report on Devens is out and can be viewed at the following web location: (I have also attached a copy to this report or you can just copy and paste the url into your browser to see the color version.)

(https://www.devenscommunity.com/assets/Devens_AR2022.pdf?utm_medium=email&utm_campaign=Devens%20FY%202022%20Annual%20Report&utm_content=Devens%20FY%202022%20Annual%20Report+CID_1bf53ad1b776599e2088540a0728cca7&utm_source=Email%20via%20Campaign%20Monitor&utm_term=Read%20Now)