



**Select Board  
Minutes  
Tuesday, June 1, 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 member present:**

Alice von Loesecke, Kara Minar, Stu Sklar, Rich Maiore, Erin McBee

**Town Department attendees:**

Town Administrator Tim Bragan, Assistant Town Administrator/HR Director Marie Sobalvarro, Executive Assistant Julie Doucet

**Additional participants:**

Conservation Commission volunteers: Dan Tracey, Bob Douglas, Eve Wittenberg & Joanne Ward  
PBC Chair Cindy Russo, Community & Economic Director Chris Ryan, Planning Board Chair Justin Brown, Resident Jared Wollaston

**Conservation Commission volunteer interviews**

Alice von Loesecke explained with committee/board annual appointments in June the Conservation Commission has three positions up for reappointment. The Select Board has received three new candidates for these positions. They have been informed the members up for reappointment wish to continue. Interviews are being conducted at this meeting prior to the Select Board making appointments at their June 15<sup>th</sup> meeting. Von Loesecke invited each volunteer to speak about their qualifications and interest in serving on the commission.

*New volunteers*

Dan Tracey, Shaker Road, has lived in town for many years. He is very interested in the protection of land and wildlife. The Deer Management subcommittee piqued his interest to become more involved.

Bob Douglas, Stow Road, currently serves on the Conservation Commissions Deer Management subcommittee. He is employed in the conservation field, is very educated in this area and enjoys working on conservation efforts.

The third applicant Brian Sage was unable to attend.

*Current members*

Eve Wittenberg, Prospect Hill Road, currently serves as an associate member on the commission which is appointed on an annual basis. She has completed various courses over the past year and has learned quite a bit. She would love the opportunity to continue on the commission

Joanne Ward, Eldridge Road, has served on the commission for 8 years. She is privileged to work with an amazing group of volunteers. She views serving on the commission as impactful for the greater good of land and people. She believes much of their work will support future generations.

Commission member Paul Willard whose term is up this year was not present.  
Select Board members asked a few questions of each applicant.

### **Public Buildings Committee (PBC) questions on Council on Aging expansion**

PBC Chair Cindy Russo asked for clarification on a couple of key questions to help with the Request for Proposals (RFP). First, does the Select Board agree with the PBC recommendation that an RFP be issued for potential sites, and a site identified, prior to seeking an architect to consider space configurations as authorized by Town Meeting, second are we planning for a Fall Town Meeting and third does the town have a preference in whether to purchase, lease, lease with an option to buy, lease to purchase and payment of fit-up costs? The board expects the RFP to determine what is available and then they will identify a building for any schematic designs. They suggested the PBC seek recommendations from the Council on Aging and Kara Minar thought the prior RFP would be helpful. All agreed with targeting the Fall Town Meeting. The Select Board was not prepared to answer question three. Von Loesecke offered to attend the PBC meeting in the morning to discuss options further.

### **MINUTES**

By a roll call vote, Minar – aye, Sklar – aye, Maiore – aye, McBee – aye, von Loesecke – aye, the board voted unanimously to approve 5/18 minutes, as presented.

### **Public Communication**

Jason Cole, Warren Avenue, former member on the Deer Management subcommittee said he honestly has never intended to attack the character of those on the other side of deer management. He spoke to support the appointment of Bob Douglas to the Conservation Commission. He believes Dan Tracey and Eve Wittenberg have a deep belief the deer management program should not exist and feels it is a conflict for them to serve on the commission. In addition, Cole made accusations against Eve Wittenberg claiming she falsified information in a report given to the commission.

Paul Green, Old Littleton Road, announced the annual flea market held on Columbus Day weekend will be held this year.

Ellen Leicher, Warren Ave, noticed discussion about plantings in the town center. She suggested plantings chosen be native and drought resistance.

Jaye Waldron, Conservation Commission member, spoke to rebut comments made by Jason Cole against Eve Wittenberg. She noted as an associate member Wittenberg has no voting power and she did not recall the details of said report Cole was referring to.

Libby Levison, Old Shirley Road, thanked the Select Board for their support of the town wide cleanup. She said the cleanup was very successful.

Joanne Ward, Conservation Commission member, was saddened when Jason Cole resigned from the Deer Management subcommittee as he did great work however she does not agree with his comments about Eve Wittenberg. She also agreed with fellow member Jaye Waldron about not recalling the information he was referring to in his comments.

### **Staff Report/Updates**

- The hardware is in and is being installed at the Transfer Station today so we can bring electronic “Dump Dollars” to life. We still expect that it could be up and running sometime in July. Signage for the re-opening of the Take It or Leave it will be printed, along with a handout of alternative donation sites for residents to consider.

- The CPIC approved Tim Kilhart using the \$40,000 in his budget towards a new chipper which will cost approximately \$57,000. The insurance proceeds will cover the rest of the cost.
- Marie Sobalvarro and Tim Bragan met with Dr. Dwight and Park & Rec Chair Bob O'Shea last week and determined that combining Bridges, Community Education, and Park and Recreation under the School domain was the best and easiest way to accomplish this task.
- The Beach Director position is being filled by a member of Park and Recreation. This is not normally allowed under State Ethics Regulations however there was a vote by a previous Select Board in 1963 naming a number of board positions as "Special Municipal Employees" thus making this recent action legal. This list should be reviewed by the Board at a future meeting to see if you wish to continue and/or amend this list.
- Budget Update:
  - The Senate Budget was passed last Thursday.
  - The differences between the House and Senate will be worked out in Conference Committee. The main items the Conference Committee will need to reconcile can be found in the attached article.
- The Devens Covid Vaccination Clinic is opened and distributing vaccines on Wednesdays, with walk-ins welcomed. To schedule an appointment people can go to [vaxfinder.mass.gov](https://vaxfinder.mass.gov), search by Local Board of Health clinic and look for the Clear Path for Veterans New England/Devens site. They have Pfizer vaccines and can vaccinate a wider group of folks especially the 12- to 15-year-old population.
- Starting today, only those not vaccinated are required to wear a face covering/mask in public buildings and outdoors when they cannot socially distance. Also, starting today, employees that have not been vaccinated are required to continue to wear their mask and those that have been vaccinated will have the option of wearing a face covering or not. This is the best and easiest way to continue to keep staff safe without mandating all employees to continue to wear masks.
- 4<sup>th</sup> of July Committee has decided to have the parade, bike decorating, and field events this year. There will be no fireworks but the day activities will proceed this year after not having anything last year due to Covid.
- Sobalvarro and Bragan attended ARPA seminars. The State will get the funds, transfer them to communities and the outline of what they can and cannot be spent on is the same. More hopefully soon.
- The Select Board Strategic Planning Session is scheduled for Wednesday, June 16, 2021 from 9AM to 12noon on the back porch of the Hildreth House. I was hoping to have a draft of the agenda for you this week but have not received Board members' top 3 items as of yet. Hopefully we will get them and be able to send out a draft for review soon.
- Town Clerk Marlene Kenney and Marie Sobalvarro are working with the Federal Government regarding reprecincting of Harvard. As of now they have us as two precincts with one voting place and we will be petitioning to remain one precinct with one voting place as we did after the last census.
- Bob Hirsch, owner of the Grapevine, has finalized what he had to and now at one of your next meetings you will hold a hearing for the transfer of this license (Beer and Wine) and to change it to all alcohol.
- Just a reminder that all Annual Appointments will be on the next meeting agenda.

#### **Discuss funding for phase one of the commercial district study**

Alice von Loesecke began the discussion on how the market study could be completed within existing funds. Community & Economic Director Chris Ryan and Planning Board Chair Justin Brown were in attendance to offer their input. Everyone agreed the market analysis is an important key step in this initiative and must be taken to ensure support for the next phases. Von Loesecke asked if staff resources could help to reduce costs. Chris Ryan assured her staff will assist the consultant in any areas possible. He estimates the entire cost to be between \$35,000 and \$45,000. Kara Minar asked if American Rescue Plan Act (ARPA) funds could be utilized.

Bragan and Sobalvarro do not have enough details yet on how ARPA funds can be used. Ryan will continue to pursue any grant opportunities available.

#### **Cell Tower; discuss next steps with Isotrope**

Marie Sobalvarro reviewed the 2 page Isotrope (provide municipal wireless consulting) scope of work to confirm direction from the Select Board. They agreed to contract for a comprehensive (3-carrier) map of existing coverage via the test drive and requested that a revised proposal covering items 2 through 8 be generated. The proposed \$10k cost for the originally-configured scope of work would be covered either via Select Board purchase of services account, a transfer from the Rantoul trust, or possibly be an eligible use of ARPA funds.

#### **Town land plantings**

Resident Jared Wollaston offered to help with the design and plantings to finish off the area in front of the General Store. He has spoken with Stu Sklar, Erin McBee and a local landscape design professional. He would utilize plants that are easy to maintain and are drought resistant. By a roll call vote, McBee – aye, Minar – aye, Sklar – aye, Maiore – aye, von Loesecke – aye, the board voted unanimously to authorize up to \$1200 from the Rantoul Trust account for landscaping in town center to finish off complete streets project.

#### **Power Purchase Agreement (PPA) contract for HES solar**

By a roll call vote, McBee – aye, Minar – aye, Maiore – aye, Sklar – aye, McBee – aye, von Loesecke – aye, the board voted unanimously to approve the PPA contract roof lease, payment in lieu of taxes and membership agreement with Solect Energy subject to town counsel final review and authorize the Town Administrator to sign on behalf of the town.

#### **Public Meetings (in-person/remote)**

Tim Bragan reported the state is allowing remote/virtual meetings continue through September 1<sup>st</sup> under the current emergency executive order. Many expect this will become a permanent change. He explained other items such as outdoor dining and telehealth appointments are also being considered as permanent changes. Bragan imagines any allowance to continue with remote/virtual meetings will require a vote of the Select Board and then each individual committee/board would vote as well. Bragan explained hybrid meetings could only happen in the main meeting room at Town Hall. This would allow participants to be in-person or remote. He also believes there could be a bit of lag time between those participating remotely and those who are in-person. No action from the board is necessary at this time.

#### **Strategic Planning Session preparations**

Tim Bragan reminded the members to provide their three items for discussion. The meeting will be held from 9am to 12pm on the back porch at the Hildreth House.

#### **Town Administrator review**

Chair Alice von Loesecke and Vice Chair Kara Minar requested feedback from various board/committee members for the review. They met with Bragan earlier in the day to go over the background and content. Overall the review was positive especially in his management of the town. The areas in need of improvement include his interactions with committee/board chairs and communication with the Select Board. Because they have not seen measurable progress on the communication and management style issues pointed out in a previous review, it was suggested to have a mid-cycle review with in early December, 2021 to gauge improvement. Minar admitted finding the right balance to address concerns while acknowledging financial strengths is difficult thus the proposed mid-year review. Stu Sklar was in agreement with the review nonetheless if he were to assign a numeric grade it would be an 85.

Bragan was accepting of the review but was hurt to learn others may have thought he was insulting or belittling them. He claimed that was never his intent. He believes communication is a two way street and would hope the Select Board members would come directly to him if there were any issues.

By a roll call vote, Maiore – aye, Minar – aye, Sklar – aye, McBee – aye, von Loesecke – aye, the board voted unanimously to continue after 10pm to do the summer schedule, Town Administrator contract and the exec session.

The Select Board members agreed with having a mid-year review in December.

By a roll call vote, Maiore – aye, Sklar – aye, McBee – abstain, von Loesecke – aye, Minar – aye, the board voted to approve the three year contract. Kara Minar tried to suggest a one year contract in light of the mid-year review but Bragan reminded the board they had already agreed to the terms of the contract. This would require reopening of the contract if the term was to change.

### **Summer meeting schedule**

The Select Board members will meet on July 13<sup>th</sup>, August 10<sup>th</sup>, August 31<sup>st</sup>, Sept 14<sup>th</sup> and Sept. 21<sup>st</sup>.

By a roll call vote, Maiore – aye, Sklar – aye, Minar – aye, McBee – aye, von Loesecke – aye, the board voted unanimously to enter into executive session at 10:40pm as per MGL 30A Sec. 21.2, to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel. The Board will reconvene into open session only to adjourn

The meeting was adjourned at 11:00pm

### **Documents referenced:**

Volunteer forms: Dan Tracey & Bob Douglas – both dated 4.30.2021

Isotrope proposal – no date

PPA documents – will be dated 6/1/2021

Tim Bragan review – dated 6/1/2021