Select Board Minutes
Tuesday, January 18, 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:
Stu Sklar, Kara Minar, Erin McBee
Alice von Loesecke and Rich Maiore were not in attendance

Town Department attendees:
Town Administrator Tim Bragan and Executive Assistant Julie Doucet

Additional participants:
Harvard-Devens Jurisdiction Committee (HDJC) Chair Victor Normand, Agricultural Advisory Commission Chair Kerri Green

Vicksburg Square Rezoning update
HDJC Chair Victor Normand reported the HDJC recommends a decision on final disposition and local governance of Devens before taking a position on rezoning of Vicksburg Square. He noted the rezoning effort should provide clarity on the type of housing. He explained until final disposition/governance is resolved efforts to rezone and redevelop will likely not pass as the surrounding communities have no idea on housing to be developed and who will be responsible for permanently providing those services. Normand expressed frustration with the lack of response from MassDevelopment on inquiries made to them. The Select Board members agreed the lack of response is inexcusable and does not bode well for their need for support from the towns.

Town Charter & Select Board (SB) policy review
Erin McBee reported she along with fellow board member Alice von Loesecke have begun review of the SB policies and the town charter. She distributed a draft with areas highlighted for possible revisions. They will discuss in more detail at the next meeting along with policies for use of the town common areas now that they are under the SB jurisdiction and not the Park & Recreation Commission.

Minutes
By a roll call vote, McBee – aye, Minar – aye, Sklar – aye, the board voted unanimously to approve minutes of 12/21 &1/4, as presented.

Staff Report/Updates (Attachment A)
Tax Season update: Kara Minar had additional questions on properties that have been delinquent since the 90's. She requested a report from the Tax Collector with this data back to 1991 to the present.

ARPA update: By a roll call vote, Minar – aye, McBee – aye, Sklar – aye, the board voted unanimously to engage CLA LLP to assist with ARPA accounting funds and allow the Town Administer or Select board Chair to sign the contract on behalf of the town.

Appointments to the Climate Initiative Committee
Stu Sklar reported two applicants withdrew their applications. The SB members decided to move ahead with making the appointments. By a roll call vote, Minar – aye, McBee – aye, Sklar – aye, the board voted unanimously to appoint Jefferson Burson to a 3-year term, Paul Green as an associate member, Sharon McCarthy to a 1-year term, Adam Meier to a 2-year term, Deborah O'Rourke to a 3-year term, Ellen Sachs Leicher to a 2-year term, Brian Smith to a 1-year term, Christiane Turnheim to a 2-year term, Janet Waldron to a 1-year term and Lucy Wallace to a 3-year term.

SB Code of Conduct
Item moved to the next meeting

Spring Annual Town Meeting
Stu Sklar advocated for the SB members to consider holding the spring ATM outdoors again. He mentioned how useful the tent was for celebration and holding the meeting outdoors is comfortable for those attending especially if the weather is good. Town Administrator Tim Bragan believes ARPA could be used for this purpose. They will revisit when the whole board is present.

Agricultural Bills that are before the Joint Committee on Revenue
Agricultural Advisory Commission Chair Kerri Green came to provide more details on the bills. She explained bill 1833 will offer exemptions for structures and buildings essential to the operation of commercial agriculture which are constructed or reconstructed subsequent to July 1, 2015. She noted this may not affect existing farms however could inspire other farmers. She mentioned bill 3059 which would expand agricultural land and bill 3061 which would change the Chapter 61 application deadline from October to December. Green reported the commission unanimously voted in favor of all three bills. She said the commission is pleased Sklar has offered to testify on their behalf. By a roll call vote, Minar – aye, McBee – aye, Sklar – aye, the board voted unanimously to authorize Sklar to speak on behalf of the Select Board and to submit written testimony.

Select Board FY23 budget proposal
Item moved to the next meeting

Select Board Reports
Kara Minar reported the Revenue Ideation Committee is investigation several ideas such as infrastructure on Ayer Road and a land bank commission.

Stu Sklar reported the War Monument Restoration Committee realized there is no revolutionary war monument in town. They may consider this for the town center cemetery.

The meeting was adjourned at 8:40pm.

Documents referenced:
Vicksburg Square rezoning position paper – dated 1.6.2022
HCIC vol forms – dated Dec 2021

Attachment A

Staff Report
January 18, 2022

1. Crane Test/Balloon Test for a cell tower on Hildreth House property is this Friday, January 21, 2021 from 9AM to 1PM.

2. ARPA Update:
   a. Jared has updated me on the Final Rule from the Federal Government on ARPA. (See attached)
   b. Also, here is a connection to a synopsis of the Final Rule which is 44 pages long, which is just under 10% of the total number of pages for the full version final rule. (https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf)
   c. These changes will need to be discussed, at the next meeting, especially as to how they may impact the Board's decision regarding the further use of ARPA funding for the Water Treatment Plant (which is still eligible for ARPA funding).
   d. Also, Counsel's ruling on the contract with CLA is attached and the SB can sign the agreement.

3. Tax Season Update:
   a. Taxes are due February 1st. We will be watching to see how FY2022 tax season stacks up to prior years (see attached). As you can see, our collection rates for Personal Property and real Estate run approximately 98% and Excise is anywhere from 85-95% which depends on when commitments are made around the end of one fiscal year and the start of the other.
   b. Delinquent taxes are actually a benefit to the Town as we are able to charge 14% interest and then when they go to Tax Title we are able to charge 16% interest. Also, when the property is sold the taxes are the first thing that are paid. And on Excise Taxes, once they are marked at the registry they cannot renew their vehicle or license until the bill is paid or abated.

4. Budget
   a. Tomorrow night's Budget Meeting with FinCom will not happen as the agenda was not posted. This means that the schedule for meeting with FinCom will need to be adjusted and I am waiting to hear from the Chair as to what that change may be.
   b. The Finance Director has provided us with the attached for FY22 Local Receipts. As you can see some are running strong and others that seem low (Excise) are cyclical in nature and the largest commitment goes out in January/February timeframe.

c. The House, Senate and Administration & Finance have agreed on a 2.7% revenue growth number last week which represents a slowdown in growth (see attached). The Governor's budget will be out on approximately the 26th of this month.

5. Our FY2021 Audit was recently done and attached is the Management Letter from the Auditors.

6. The Department of Telecommunications and Cable have notified us that our Charter Communications license expires in five years and that we have to conduct a formal renewal process between 30 to 36 months prior to the end of the agreement and have provided us with a guide (see attached).

7. Mutifamily Zoning Districts under section 3A of the Zoning Act will be an agenda item in the future, once Planning Board has had a chance to review it. Attached are some materials from the State (see attached).

8. The Board has to begin looking at the General Store Patio issue as the current operations are under COVID guidelines that will go away, unless otherwise amended/extended, on April 22, 2022.

9. Police Chief Babu has commenced the Police Sergeant Promotional process for the Harvard Police Department, which will fill the position recently vacated by the Chief.