# Select Board Minutes
# Tuesday, February 28, 2023
# 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, Charles Oliver, Don Ludwig
**Town Department attendees:**
Town Administrator Tim Bragan and Assistant Town Administrator Marie Sobalvarro
**Additional participants:**
Barry Jordan, CPIC Chair Nate Finch, Finance Committee Chair Jennifer Finch

**Resignation**
The board accepted the resignation of Adam Meier from the Harvard Climate Initiative Committee.

**Elderly & Disabled Taxation Aid Committee Appointment**
Council on Aging Director Debbie Thompson recommended Barry Jordan for appointment. By a roll call vote, McBee – aye, Minar – aye, Oliver – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to appoint Barry Jordon to the Elderly & Disabled Taxation Aid Committee.

**Public Communication** (Attachment A)
Town Conservation Agent/Employee Personnel Board Representative Liz Allard read a statement on behalf of the non-union staff regarding the cost-of-living increase for FY24.

**Staff Report** (Attachment B)
Under personnel Tim Bragan reported on the hiring of the Park & Recreation Director. Discussion ensued on the location of the Rec Directors office. Town Administration has selected the downstairs space in the old library building as the optimal and only location currently. Park & Rec Chair Bob O'Shea and board members at Fivesparks have expressed concerns with the location.

Barry Jordan entered introduced himself.

**Capital Planning & Investment Committee (CPIC) recommendations**
CPIC Chair Nate Finch shared the list of projects requests received. He included which projects were supported and the funding amounts decided upon. Kara Minar was surprised at the high-cost estimate for the design of the DPW building. Assistant Town Administrator Marie Sobalvarro explained the schematic designs have been completed and this request is to develop construction ready documents. Minar asked the reasoning behind support the DPW design over the Fire Dept. Finch explained the DPW facility is in very bad condition and is staffed on a regular basis whereas the Fire Station is not. He admitted both buildings are in need however the Fire Dept was slated for next year originally. The Fire Chief had been hopeful of a new state program to assist with Fire Station funding but the legislation did not make it to law.

**Finance Committee recommendations**
Finance Committee Chair Jennifer Finch shared the budget detail document. She noted the state cherry sheets were higher than expected which relived some of the pressure on the budget. She was pleased to report there is currently a surplus of $83,000. Town Administrator Tim Bragan worked with Assistant Town Administrator Marie Sobalvarro and Finance Director Jared Mullane worked together on cuts made to the budget on the town side. Finch said the final state budget and outcome of teacher negotiations are the remaining variables. Bragan reviewed the small warrant articles.

**Worcester retirement cost of living increase**
The Select Board did not take any action on this item. They will defer until June when far more communities will have responded.

**Revisit Cost of Living Adjustment (COLA) recommendation and discuss Merit for FY2024**
Tim Bragan reminded the board of their vote back in November to approve an 8.2% COLA and revisit if economy improves by March 1st 2023 to lower the COLA but not increase it. Maire Sobalvarro said the Consumer Price Index (CPI) has gone down to 6.4% in January with the average being 7.52%. Bragan said in 2018 the Select Board moved from a system structure with step and grade increases to a recommendation from the Personnel Board based on the CPI and a merit increase based on performance. He asked if the board was interested in moving back to the old system? He cautioned if they were to go back on their previous vote it would appear that way. Member Don Ludwig and Erin McBee have served on the Personnel Board and agree the current system is better. By a roll call vote, Ludwig – aye, McBee -aye, Minar – aye, Oliver – aye, Maiore – aye, the board voted unanimously to stay with the Personnel Board recommendation.

**Select Board Reports**
Planning Board liaison Erin McBee asked the board to vote in favor of the Planning Board submitting a grant for the connection of Old Mill Trails to Devens under the DLTA grant program. Kara Minar agreed this was a good idea. By a roll call vote, Minar – aye, McBee – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously in favor to allow the Planning Board to go forward with DLTA-A grant funding.

**Executive Session per MGL Ch. 30A, s. 21(a) 1 & 2**
By a roll call vote, Minar–aye, Oliver – aye, McBee– aye, Ludwig – aye, Maiore – aye, the board voted unanimously to enter executive session at 8:48pm as per MGL 30A Sec. 21.1&2 To discuss the physical condition of an employee who has waived their right to be present and to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel.

The meeting was adjourned at Executive session at 9:00pm

Documents referenced:
Meier resignation letter – dated 2.9.2023
Barry Jordan vol form – dated 1.31.2023
CPIC recommendations dated March 2023

Attachment A

Good evening. My name is Liz Allard. I am the Conservation Agent for the Town of Harvard and also the employee representative to the Personnel Board for the past six years. I am here tonight to speak on behalf of the non-union employees I represent from Town Hall, Public Safety, Council on Aging, the Library and Harvard Cable.

In 2018 the Personnel Board accepted the Final Report of the Compensation and Classification Study. Since accepting this report, the Personnel Board has used the Consumer Price Index (CPI) for the month of September as the recommended Cost of Living Adjustment (COLA) as part of the budget process for the following fiscal year.

In January 2022 inflation hit a 40-year high. **All** of the employees of the Town of Harvard have felt the effects of inflation as the CPI rose to 9.1 in June of that year, whether it be at the super market, at the pump, or in their electric bill. However well before the pandemic created the surge of inflation, the numerous non-union employees had seen a reduction in their pay due to the changing from the previous step and grade compensation plan to the merit pay compensation plan in 2018. For Fiscal Year 2022 the recommended 1.4% COLA was deemed fair, therefore the 8.2% COLA for Fiscal Year2024 recommendation by the Personnel Board should be equally justified.

The perception is that the non-union employees' positions and benefits have become a source of leverage in order to reduce budget deficits. In the two plus decades I have worked for the Town of Harvard I have seen many benefits and positions reduced, reconfigured, or removed altogether from these employees without any discussing, let alone any type of negotiating.

Along with union employees, non-union employees provided a high level of service to all the residents, but the pay inequity appears to fall on employees that do not have union representation or collective bargaining, which comparatively, diminishes our value. We are one Town and we all should be on the same level playing field.

I ask the Select Board to ratify their vote of November 15, 2022 and accept the Personnel Board recommendation of an 8.2 % Cost of Living Adjustment for the non-union employees for Fiscal Year 2024.

Thank you

# Staff Report
## February 28, 2023

1. Boards and Committees:

   a. The Board of Health will be holding an information forum on Private wells & PFAS on Thursday March 23, 2023 at 7PM in upper Town Hall and on Zoom. Senator Eldridge will be attending in-person.

2. State Fiscal Notes if Interest: (State House News Service)

   a. Massachusetts' tax revenue for January came in nearly 5% below prior year tax collections ($192 million) and 4.6% below the state's monthly benchmark for January ($185 million). This is the first time in 30 months that that tax revenue did not make the benchmark amount.

   b. Governor Healy released her budget last week (6 days ahead of schedule) and it included ~$635 million increase for local aid.

   c. The millionaires' surtax revenue could be underwhelming due to the ability of married tax filers filing under individual status thus avoiding the $1,000,000 household income surtax. The MassBudget estimates that approximately $200,000,000 could be unrealized if families are able to use this loophole. Also, regional transit organizations and others are lining up to get their share of the surtax once it does come in.

   d. In the span of a month, Beacon Hill (House and Senate) went from little interest in discussing tax relief to it being part of the discussion with Governor Healy's announcement of a tax relief plan that would provide approximately $859 million in relief for fiscal 2024 and ~$986 million on an annualized basis.

3. Items of Interest: (State House News unless otherwise stated)

   a. Municipal officials are looking to have remote meetings extended.

   b. A recent article was publicized by Barbara Moran of WBUR regarding how toxic chemicals (PFAS) are forcing Towns to deal with the true cost of water. Governor Healy has said it is a priority of her administration but that she is also looking to the federal government playing a key role as well.

   c. The State's Health Policy Commission is coming out with a report that will show a wide difference in costs for a ride in a publicly owned ambulance in Massachusetts. They say that the costs in Massachusetts are twice the national average. This report could help insurance carriers in their attempt to have a set cost.

d. The Fusion Center in Devens received a big boost from the Federal Energy Secretary, Jennifer Granholm, at their ribbon cutting ceremony on February 10, 2023. The news is that the Fusion Center will ensure Devens' future as an economic engine for the area and the State (Lowell Sun).

4. Police Update:

a. The department responded and/or initiated service calls for 3646 calls from October 25, 2022 until February 27, 2023. We continue to respond to traffic issue and complaints with a visible presence for deterrence of speeders. Officers completed 691 radar assignments and 304 motor vehicle stops for that time period. We also completed a state funded mobilization for traffic enforcement for the month of December.

b. We closed the year by finalizing all the FBI's National Incident-Based Reporting System crime reports along with the state EOPSS Use of Force Annual Report. I also finished the FBI Use of Force Annual Report for the DOJ. The FBI force report was a voluntary commitment by the department to increase transparency and accountability.

c. The portable radar trailers were operational in November and we had great success with the statistical data received from both units. We also deployed the new portable speed signs purchased with Mass DOT grants and they also provide excellent data for our mobilization of police officers.

d. The new hybrid cruiser will be delivered within the next two weeks and I am enthusiastic about the $10,000 grant the town received for this vehicle. This will be the third hybrid cruiser for the department which will bring a savings of approximately $12,000 a year for three vehicles. We only have two more vehicles to replace before we will have a full fleet of hybrid vehicles. Once the new cruiser is delivered the new electronic citations systems will be installed in all the vehicles. The new systems are paid for through a grant we received from the state.

e. We are on the list for a new Automated Fingerprint Identification System Grant. More forms had to be completed for the grant and we should be receiving a unit by the end of the year.

f. Officers completed their mandatory annual in-service training at the academy. This was the first in-person training since COVID and everyone was happy to have the in-person experience and Q & As in the classroom. We hosted and sent all officers to the Central Mass Mental Health First Aid Training in December. . Due to new changes under MPTC and POST standards, officers are not only required now to attend in-service, firearms, defensive tactics, CPR/First Responder and Firearms Proficiency, but now each officer must attend a minimum 8 hours of

specialized training every year. This class is one sample of meeting that criterion.

g. We are hosting a 40 hours Critical Incident Training for Mental Health in March. After this class every officer would have attended this very important training that teaches officers in understanding behavioral health, developing empathy, navigating community resources, de-escalation skills and practical application. This one of the recommended trainings that POST would like to see officers certified in.

5. Personnel:

a. Vittoria Konstantinidis is the new Administrative Assistant for the Land Use and Building Departments, and started work yesterday (2/27/23).

b. We are pleased to announce that Nicholas Abruzzi has accepted the position as Director of Parks and Recreation. Nick is currently the Director of Parks & Recreation for the City of Leominster; prior to that he was the Director of Parks & Recreation for the City of Waltham for 6+ years. In addition to his extensive experience in this role, he's also experienced at overseeing all capital improvements for the community and writing grants to supplement operational and capital budgets. He will be starting full-time on March 20; for the coming weeks he'll be working on a part-time basis as he transitions from his role in Leominster.

c. Austin Cote was appointed to fill a Reserve Police Officer position in the Harvard Police Department. Mr. Cote comes to fill this position with decades of policing experience in Townsend and recently Ayer and certification from the state's Police Officer Standards and Training (POST) Commission.

6. Buildings and Property:

a. The HVAC equipment for the COA is expected to arrive and be installed this week; at Monday's job site meeting it was confirmed, again, that the project is on-track for completion by the end of March.

b. Tim Kilhart, myself and our engineer (Mike Martin-Tighe and Bond) met with Mary Jude Pigsley, Regional Director MassDEP Central Regional Office, and her team, to discuss the issues regarding the closing of town's old landfill. It was a very productive and informative meeting which produced a path forward. We will encounter unknowns along the way and will have to monitor for decades to come. One of the new items that will be required to monitor for is PFAS. Current general guestimate for the work needed to get to the monitoring stage is between $160,000 and $200,000. Chris Mitchel, from the BOH, has offered to assist us in this

endeavor as we move forward. We will be asking his advice along the road to make sure Harvard is getting what it needs and nothing more

7. Notice, Reminders, and Updates:

   a. Please RSVP to lkelly@harvard-ma.gov for the State Ethics Commission training on 3/14/23, 7:00 p.m. at Volunteers Hall

   b. Devens Regional Hazardous Waste re-opens (March 1 & 4) 9:00 a.m. to 1:00 p.m.; additional info available here: https://devenshhw.com/