Select Board Minutes
Tuesday, June 20, 2023
7:00pm

The Select Board Regular Meeting was held virtually in accordance with Chapter 2 of the Acts of 2023, An Act Making Appropriations for the Fiscal Year 2023 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects, and signed into law on March 29, 2023, this meeting was conducted via remote participation.

Select Board participants:
Rich Maiore, Erin McBee, Charles Oliver, Don Ludwig, Kara Minar
Town Department participants:
Town Administrator Tim Bragan, Assistant Town Administrator Marie Sobalvarro, Executive Assistant Julie Doucet, Finance Director Jared Mullane,
Additional participants:
National Grid Rep. Connor Reynolds, Jessie Panek, CoD Chair Davida Bagatelle, Laura Sullivan, James O'Shea, Rebecca Sewall, Marijke Vallaeys, Angela Chang, TAC Chair Gabriel Medjanis and member Stacia Donahue

National Grid - Pole Petition Hearing – Fairbank Street
National Grid Rep. Connor Reynolds was present. Executive Assistant Julie Doucet confirmed the hearing was properly noticed in the Harvard Press with notice to abutters mailed. She reported the request has been vetted by the DPW and Public Safety departments as well as the Tree Warden. National Grid is aware any tree work will require consult with the Tree Warden.

Kara Minar asked National Grid to consult with neighbor Carl Sciple before any work is done. She noted there had been issues with the brightness of the light located on that pole. She estimated this property is 30 to 40 ft from the pole. By a roll call vote, McBee – aye, Minar – aye, Ludwig -aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve location of pole with satisfactory consult with neighbors about the light.

In addition, the board asked for help to expedite a previous request to National Grid to remove two poles in the Bromfield parking lot. Reynolds offered to investigate further.

Annual Appointments
Rich Maiore announced new volunteers for appointment.
Conservation Commission
Jessie Panek will serve on the commission filling the term of commission member Paul Willard who will move into the associate position. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint Jessie Panek to the Conservation Commission. Panek will fill the seat Paul Willard currently holds and Willard will move to the associate position.
Council on Aging
Executive Assistant Julie Doucet confirmed Ira Okene was recommended by the Council on Aging board for appointment. He was not present. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint Ira Okene to the Council on Aging.

Commission on Disabilities
CoD Chair Davida Bagatelle introduced Laura Sullivan for appointment to the commission. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint Laura Andrews to the Commission on Disabilities.
Elm Commission
James O'Shea or Chair Bill Calderwood were not present but were aware of the appointment. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint James O'Shea to the Elm Commission.
Historic Commission
Chair George Triantaris recommended Wendy Cote Magan, Rebecca Sewall and Marijke Vallaeys for appointment to the commission. He indicated Magan fills the architect requirement. The commission will have a full membership after these appointments. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint Wendy Cote Magan, Rebecca Sewall and Marijke Vallaeys to the Historic Commission.
Municipal Affordable Housing Trust
Executive Assistant Julie Doucet confirmed Angela was recommended by the MAHT for appointment and resides in Devens. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint Angela Chang to the MAHT.
Community Preservation Committee
Charles made a motion to appoint Stu Sklar to a three-year term on the CPC seconded by Kara Minar. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint Stu Sklar to a three-year term on the CPC.
Don Ludwig made a motion to appoint Jane Biering to a three-year term on the CPC seconded by Charles Oliver. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint Janie Biering to a three-year term on the CPC.
Erin McBee made a motion to appoint Beth Williams to a two-year term on the CPC seconded by Don Ludwig. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board unanimously to appoint Beth Williams to a two-year term on the CPC.

Rich Maiore publicly thanked John Lee for the years he served on the CPS. A letter of thanks will be sent.

Appointments to various committees/boards/commissions
By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve list of annual appointments as presented. (Attachment A)

Increase Revolving Funds
Finance Director Jared Mullane explained under MGL Chapter 44, Section 53E ½ the Select Board and Finance Committee can vote to allow the spending limit for revolving funds to be increased during the year. He asked they do this for the Fire SAFE and 4th of July funds. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve the increase in the SAFE and 4th of July funds.

Workplace Safety and Health Program Report
Police Chief James Babu reported an initial limited-service safety visit was conducted at the Hildreth Elementary School under the workplace safety and health program. The report findings recommend maintaining crosswalk paint markings to ensure they are visible, prohibit parking adjacent to the

crosswalk where a crossing guard would be located and extend parking restriction to 20ft before and after the crosswalk. Chief Babu said large boulders will be used to help with site view acknowledging four parking spaces may be lost. He has consulted with the School Superintendent about the necessary adjustments. The Select Board members agreed with the safety improvements.

Public Communication
Mike Dempsey came on behalf of the ambulance service to answer any questions the board may have about the proposed department merger of the Fire and Ambulance departments. Rich Maiore said the board would be discussing this in more detail at their strategic planning session the following day.

Davida Bagatelle was walking along the path near the library with someone who unexpectedly stepped in dog poop. She has also noticed people leave bags of waste around town. She wondered if installing dog waste disposal stations near town center may help.

Minutes
By a roll call vote, McBee- aye, Minar – abstain, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted to approve them minutes of 5/23, as presented.

Staff Report/Updates (Attachment B)

Change of manager for Carlson Orchards
Executive Assistant Julie Doucet confirmed the necessary paperwork has been submitted. Katie Carlson was present to confirm she will indeed take on this roll at the orchard. By a roll call vote, McBee- aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve Kate Carlson as manager for the Carlson Orchards farmer series pouring permit.

Revisit Open Space Committee charge
Rich Maiore confirmed a meeting was held on June 8th to go over the committee composition. The school department will continue to have a representative on the committee. By a roll call vote, McBee- aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously on the committee composition change.

Request for quotes from MART for possible shuttle service
Transportation Advisory Committee (TAC) Chair Gabriel Medjanis was present to answer additional questions. It was confirmed this is a request for a drop and ride for now depending on the cost and interest. TAC member Stacia Donahue explained the locations (Town Hall & Council on Aging) were chosen based on proximity. Charles Oliver was curious about data to support the need. Donahue admitted there is no specific data to reference. She explained they are working to address action items assigned to them in the Master Plan and in the Climate Action Plan. By a roll call vote, McBee- aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve TAC letter to MRPC for investigate of commuter rail transportation to be signed by the chair.

Discuss co-sponsoring Devens Day
Tim Bragan was contacted by Meg Delorier Acting EVP, Devens Operations & Director of Military Initiatives MassDevelopment about the event. The daytime event includes fireworks later that evening. The Select Board members were receptive to the idea. Bragan offered to follow up with Delorier.

Select Board officers
Charles Oliver nominated Don Ludwig for clerk seconded by Kara Minar. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously Don Ludwig as clerk.
Don Ludwig nominated Erin McBee for vice chair seconded by Maiore. By a roll call vote, Oliver – aye, Ludwig – aye, Minar – aye, McBee – aye, Maiore – aye, the board voted unanimously Erin McBee as vice chair.
Erin McBee nominated Rich Maiore for Chair seconded by Don Ludwig. By a roll call vote, Oliver – aye, Ludwig – aye, Minar – aye, McBee – aye, Maiore – aye, the board voted unanimously Rich Maiore as chair.

Select Board Reports
Erin McBee reported on the following items:

- Planning Board is working on a cluster housing bylaw possible for a fall town meeting
- Ayer Road overlay hearing has been continued
- Community forum on the Housing Production Plan scheduled for June 28th

Executive Session per MGL Ch. 30A, s. 21(a)3
By a roll call vote, McBee– aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to enter executive session at 8:45pm 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 9:20pm

Documents referenced:
National Grid pole petition – dated 5.9.2023
Volunteer forms:
Jessie Panek – dated 5.9.2023
Ira Okene – dated 5.1.2023
Laura Sullivan – dated 5.10.2023
James O'Shea – dated 2.25.2023
Rebecca Sewall – dated 2.22.2023
Marijke Vallaeys – dated 5.1.2023
Wendy Cote Magan – dated 6.8.2023
Angela Chang – dated 5.15.2023
FY 24 – Annual appointment spreadsheet
Safety Report – dated 5.31.2023
Carlson Orchards – change of manager – dated 6.10.2023
Open Space charge revised – dated June 2023
MART draft letter – dated 6.21.2023

Attachment A

Annual Appointments update

New volunteer forms received

Committee/Board	Name	Term
Community Preservation Committee	Stu Sklar	3 Year
Community Preservation Committee	Dolores Lee	3 Year
Community Preservation Committee	Jane Biering	3 Year
Conservation Commission	Jessie Panek	3 Year
Council on Aging	Ira Okene	3 Year
Commission on Disabilities	Laura Sullivan	2 Year
Elm Commission	James O'Shea	2 Year
Historic Commission	Rebecca Sewall	3 Year
Historic Commission	Marijke Vallaeys	3 Year
Historic Commission	Wendy Cote Magan	1 Year
Municipal Affordable Housing Trust	Angela Chang	2 Year

Committee/board recommendations received thus far:

The Conservation Commission voted to recommend re-appointment of Janet Waldron, Jim Burns and Mark Shaw each to a three-year term. They also recommend the appointment of Paul Willard as the associate member and Jessie Panek to fill remainder of Paul's existing term (1 year) as a voting member.

The Historical Commission endorses the 3 candidates' new candidates - 2 are for commissioners and 1 is for an alternate.

Relevant notes:

CPC has three open seats and five applicants; two incumbents Beth Williams and John Lee are interested in continuing.

ANNUAL APPOINTMENTS FOR FY24

Current members seeking reappointment

Board / Committee	Current Member	Term	Current appointment expires	New appointment expires
AGRICULTURAL ADVISORY COMMISSION	Christiane Turnheim	3 Year	Jun 30, 2023	June 30, 2026
AGRICULTURAL ADVISORY COMMISSION	Matthew Varrell	3 Year	Jun 30, 2023	June 30, 2026
BARE HILL POND WATERSHED MGMT. COMMITTEE	Rainer Park	3 Year	Jun 30, 2023	June 30, 2026
BOARD OF ASSESSORS	David Manzello	3 Year	Jun 30, 2023	June 30, 2026
BOARD OF HEALTH	Christopher Mitchell	3 Year	Jun 30, 2023	June 30, 2026
CEMETERY COMMISSION	John W Lee	3 Year	Jun 30, 2023	June 30, 2026
COMMUNITY CABLE ACCESS COMMITTEE	David Henderson	3 Year	Jun 30, 2023	June 30, 2026
CONSERVATION COMMISSION	Janet Waldron	3 Year	Jun 30, 2023	June 30, 2026
CONSERVATION COMMISSION	Jim Burns	3 Year	Jun 30, 2023	June 30, 2026
CONSERVATION COMMISSION	Mark Shaw	3 Year	Jun 30, 2023	June 30, 2026
COUNCIL ON AGING	Kim Schwarz	3 Year	Jun 30, 2023	June 30, 2026
COUNCIL ON AGING	Kelene Blumstein	3 Year	Jan 02, 2023	June 30, 2026
ELDERLY & DISABLED TAXATION AID COMMITTEE	Barbara Kemp	1 Year	Jun 30, 2023	June 30, 2024
ELM COMMISSION	Matthew Sheilds	2 Year	Jun 30, 2023	June 30, 2025
FOURTH OF JULY COMMITTEE	Christopher Chalifoux	1 Year	Jun 30, 2023	June 30, 2024
HARBORMASTER	Bob O'Shea	1 Year	Jun 30, 2023	June 30, 2024
HARVARD CLIMATE INITIATIVE COMMITTEE	Janet Waldron	3 Year	Jun 30, 2023	June 30, 2026
HARVARD ENERGY ADVISORY COMMITTEE	Brian Smith	1 Year	Jun 30, 2023	June 30, 2024
HARVARD ENERGY ADVISORY COMMITTEE	David Fay	1 Year	Jun 30, 2023	June 30, 2024
HARVARD ENERGY ADVISORY COMMITTEE	Forrest Hodgkins	1 Year	Jun 30, 2023	June 30, 2024
HARVARD ENERGY ADVISORY COMMITTEE	Ellen Sachs Leicher	1 Year	Jun 30, 2023	June 30, 2024
HARVARD ENERGY ADVISORY COMMITTEE	Peter Kelly-Joseph	1 Year	Jun 30, 2023	June 30, 2024
HISTORICAL COMMISSION	Pamela Marston	3 Year	Jun 30, 2023	June 30, 2026
MBTA ADVISORY BOARD	Bruce Leicher	1 Year	Jun 30, 2023	June 30, 2024
MONTACHUSETT REGIONAL PLANNING COMMITTEE	**Kara Minar**	**1 Year**	**Jun 30, 2023**	**June 30, 2024**
MONTACHUSETT VOCATIONAL TECHNICAL SCHOOL REP.	**Jeanne Bartlet**	**1 Year**	**Jun 30, 2023**	**June 30, 2024**
MUNICIPAL AFFORDABLE HOUSING TRUST	Arielle Athey Jennings	2 Year	Jun 30, 2023	June 30, 2025
OPEN SPACE COMMITTEE	Rich D Maiore	3 Year	Jun 30, 2023	June 30, 2026
OPEN SPACE COMMITTEE	Jim Lee	3 Year	Jun 30, 2023	June 30, 2026
PERMANENT BUILDING COMMITTEE	Steve Moeser	3 Year	Jun 30, 2023	June 30, 2026
PERSONNEL BOARD	Victor Normand	3 Year	Jun 30, 2023	June 30, 2026
PERSONNEL BOARD	Liz Allard	1 Year	Jun 30, 2023	June 30, 2024
PERSONNEL BOARD	**Don Ludwig**	**1 Year**	**Jun 30, 2023**	**June 30, 2024**
PLANNING BOARD	Doug Thornton	3 Year	Jun 30, 2023	June 30, 2026

ANNUAL APPOINTMENTS FOR FY24

Current members seeking reappointment

Board / Committee	Current Member	Term	Current appointment expires	New appointment expires
PLANNING BOARD	John McCormack	1 Year	Jun 30, 2023	June 30, 2024
SEWER & WATER COMMISSION	Richard Maiore	3 Year	Jun 30, 2023	June 30, 2026
TREE WARDEN	JC Ferguson	1 Year	Jun 30, 2023	June 30, 2024
ZONING BOARD OF APPEALS, Associate	Orville Dodson	1 Year	Jun 30, 2023	June 30, 2024
ZONING BOARD OF APPEALS	Michael Lawton	3 Year	Jun 30, 2023	June 30, 2026
ZONING BOARD OF APPEALS, Associate	Ted Maxant	1 Year	Jun 30, 2023	June 30, 2024
ZONING BOARD OF APPEALS, Associate	Barbara L Romero	1 Year	Jun 30, 2023	June 30, 2024

Attachment B

Staff Report
June 20, 2023

1. Miscellaneous:

    a. Tim Kilhart notified me that one of the State reviewers for the Ayer Road project has pointed out that the bump outs at the cross walks, requested by the Select Board, violate requirements that they are supposed to be used on roads with on-street parking. Tim Kilhart and TEC are pushing back as this was a request from the Select Board. However, the board should be aware that the bump outs may get sidelined by the State and the requirements.

    b. The Feds have told all of the major car companies to not comply with Massachusetts right to repair law as a malicious actor could exploit vehicles by taking control of steering, acceleration, braking, and airbags. (SHNS)

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

    a. The House and Senate are working on their fifth budget negotiation under the current House and Senate Ways and Means Chairs. Hammering out the differences will produce the final budget.

    b. Local road funding and tax relief are just two items the joint committee will iron out.

    c. As expected, Housing has taken center stage in Governor Healey's administration. Realtors and builders have taken a "Build-More" approach to the housing crisis. These same people oppose rent control and transfer taxes at the same time. The real estate industry wants to see the CPA retrofitted to put a greater emphasis on housing production. Together the Greater Boston Real Estate Board and the Center for State Policy Analysis at tufts University have found more than a third of CPA communities are not meeting the requirement of spending on housing initiatives. www.masshousingsolutions.com is where you can find the results of the joint study. Senate President Spilka has also said that the Senate's intensity is focused on housing and workforce issues. A Lowell Sun Editorial does not support the change to the CPA as larger communities are leveraging their affordable housing CPA dollars but that there are many more communities (they mention Harvard by name) that wish to maintain the status quo w/r/t affordable housing)

    d. The MBTA budget will pose a struggle for the State as their 2024 budget (2.72B) is $175 million over the current budget and uses one-time funds that will be exhausted by the time the 2025 budget is produced. Most of the increase is for safety and new hires.

e. According to the Health Policy Commission Massachusetts is seeing billions in excessive health care spending as health care costs spiral out of control. This will pose problems for both the state health care system and the insured public as well.

f. The State's Fire Fighter's Association are pushing for an opt-in sprinkler mandate for new single-family homes. The firefighters point to the fact that sprinklers save both lives and properties. On the other hand, the Home Builders and Remodelers Association of Massachusetts claims that it would add as much as $13,000 to the cost of construction. They cite other issues such as well capacity or municipal water being additional factors that would add or subtract from the cost and the ability to have adequate pressure

g. The State Legislature is looking at the weekend of August 12 and 13 for a sales tax holiday this year.

h. Tax revenue in May rebounded from the April decline.

3. Energy Items:

a. The Governor announced a "Green Bank" this week for the private sector to help move decarbonization of older buildings along. The seed funds are from DEP and total $50million.
b. Charging issues still divide the House and Senate regarding the electric vehicle shift.
c. The drag on the conversion to alternative energy is the status of the power grid. Two attached articles (NY Times and Lowell Sun) are telling of the issues and what it will take to get it where it needs to be. Current green initiatives will be the cause of rolling blackouts and the grid being critically unreliable. National Grid's data portal highlights distribution assets, interconnection capacity, and actual loads (https://systemdataportal.nationalgrid.com/MA/)

4. Buildings and Fields:

a. Field Needs Assessment is under contract to Gale Associates and they will be starting their work this week.
b. The DPW Phase 1 (Schematic Design) RFQ had four responses. The Permanent Building Committee determined last Wednesday that they will interview three of the respondents.
c. The Council on Aging's new facility received its temporary certificate of occupancy on the 12th. The contractor is working on small compliance issues that are not safety related. The move to the new building is underway.

5. Notice, Reminders, and Updates:

   a. People can sign up for Beach and Boating lessons now by going to the Town website for more information.
   b. Strategic Planning Session is tomorrow from 1 to 4 PM at the Hildreth House porch.
   c. Wednesdays in June from 6 to 7 PM there will be Yoga on the Common as a fundraiser for Loaves and Fishes or Nevins Farm (participants choice).
   d. Transfer Station users will need to have a new sticker on Saturday, July 1; avoid the rush, purchase your stickers on-line at https://www.harvard-ma.gov/home/news/transfer-station-stickers