



**Select Board Minutes**  
**Tuesday, January 23, 2024**  
**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, Charles Oliver, Erin McBee  
Don Ludwig and Kara Minar were absent.

**Town Department participants:**

Town Administrator Tim Bragan, Assistant Town Administrator Marie Sobalvarro, Executive Assistant Julie Doucet, Town Clerk Rose Miranda, Finance Director Jared Mullane

**Additional participants:**

Planning Board Chair Richard Cabelus

**Meet with Town Clerk to discuss the polling location change**

Town Clerk Rose Miranda reported she met with Superintendent Linda Dwight to discuss use of the Hildreth Elementary School gymnasium for the town election. She explained this location can accommodate a polling location while the school remains open. They considered parking with this recommendation and agreed to make the request. By a roll call vote, McBee – aye, Oliver – aye, Maiore – aye, the board voted unanimously to move the town polling location to HES.

**Election Officials**

Town Clerk Rose Miranda presented the list of election workers for approval. By a roll call vote, McBee – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve election workers as presented.

**Appointments**

*Park & Recreation Commission*

Park & Rec Chair Sam Levine introduced Peter Civilick for appointment. Civilick spoke about his background and interest in serving on the commission. By a roll call vote, McBee – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint Peter Civilick to the Park & Recreation Commission.

*Commission on Disabilities*

CoD Co-Chair Toni Spacciapoli introduced Catherine Madigan for appointment to the commission. Madigan spoke about her background and interest in serving on the commission. By a roll call vote, McBee – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint Catherine Madigan to the Commission on Disabilities.

**Budget update and discussion of override options**

Finance Director Jared Mullane reported the Finance Committee will meet on January 30<sup>th</sup> to vote on their recommendation to the Select Board. He confirmed an override will be necessary. They discussed options as far as tiered override amounts and the level service cuts received from town departments. Mullane said he still awaits the Governor's budget.

### **Proposed warrant article re jurisdiction of Vicksburg Sq**

Harvard Devens Jurisdiction Committee Chair Victor Normand shared the draft language with the Select Board. He explained each community is sharing the proposed language with their respective towns for feedback. Normand spoke about the recent effort to change Chapter 498 without the Super Town Meeting requirement. This was an unexpected and troublesome occurrence. If the legislation decides to disregard super town meeting as the mechanism to make changes, what else could they do? The Devens Framework Committee decided now was the time to draft a warrant article to insert some local control into any development of Vicksburg Sq. The draft warrant includes language that Vicksburg Square shall be entirely and permanently within the jurisdiction of Town of Ayer, current zoning for Vicksburg Square shall be amended to include housing, and that the number of housing units shall not exceed 400 to be configured as follows: 25% of units as rental housing - 25% of units as elderly and/or special needs rental housing - 50% of units to be housing for sale to families and individuals and within each configuration there shall be exactly 25% of the units defined as affordable except that the elderly and/or special needs housing may exceed 25% affordable. The Select Board will revisit once all communities have offered their input.

### **Public Communication**

School Committee Chair Abbe Besse read a statement encouraging the Select Board to support an override if necessary to fund the schools.

### **Discuss Master Plan next steps**

Planning Board Chair Richard Cabelus said the Planning Board is seeking guidance from the Select Board on what is expected, if anything. All agreed an overhaul of the entire plan is not necessary. They discussed possibly an overview and updates in sections if required. Cabelus will revisit with the Planning Board.

### **Minutes**

By a roll call vote, McBee – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve minutes from 12/19, as presented.

### **Staff Report/updates (Attachment A)**

### **Harvard Climate Initiative Committee membership**

By a roll call vote, McBee – aye, Oliver – aye, Maiore – aye, the board voted unanimously to revise members composition as presented.

### **Recognize resignation**

The Select Board recognized the resignation of Orville Dodson from the ZBA. A letter of thanks will be sent.

### **Select Board Report**

Erin McBee gave an update on the Ayer Road study and announced a public presentation will happen on February 13<sup>th</sup>. She reported they are seeking grant funds from MRPC to assist with the MBTA multi-family housing requirements.

Erin McBee reported the Permant Building Committee continues to struggle with focus on Fire Station's future instead of on the current DPW project.

Erin McBee reported the Transfer Station Committee has met with DPW Director Tim Kilhart. They learned the station is currently funding itself.

Charles Oliver reported MAHT Chair Arielle Jennings is investigating funding options for the future use of Bromfield House.

Charles Oliver reported the Bare Hill Pond Committee is concerned about reduction of their budget. They were under the impression the funds allocated last year for emergency testing required by DEP related to algae bloom would remain. He advocated for the funds to be restored. Town Administrator Tim Bragan advised against taking any action due to various cuts happening across many areas.

The meeting was adjourned at 9:00pm

Documents referenced:

Election officials list – dated January 2024

Peter Civilick vol form – dated 10.3.2023

Catherine Madigan vol form – dated 10.30.2023

FY 25 budget roll up

Level service cuts on town side – dated Jan 2024

HCIC memo – dated 12.19.2023

Orville Dodson resignation letter – dated 1.12.2024

Draft Warrant Article – dated Jan 2024

**Staff Report, January 23, 2024**

**Building/Facility/Project Related:**

- DPW Renovation: Attached is the latest high-level schematic for the DPW project. The Connector Building and Mechanics Bay, currently uninsulated concrete block walls with single-paned windows and heated by propane and waste oil, would be new. The six-bay garage is existing to remain.
- Tighe and Bond has started the geophysical phase of the Landfill project. Hager-Richter is on site doing the work ahead of the borings. The ConCom approved our application for this work at their last meeting.
- The Facilities Manager and DPW Director are making good progress on getting items checked off the ADA self-assessment list and had a productive meeting with the Commission on Disabilities this past week. The Commission on Disabilities is happy with the progress.
- The real property disposition for Bromfield House is being drafted; this will be on the upcoming SB agenda.

**FY24 Operations:**

- The Town Clerk's website lists important State and Federal election dates, and deadlines here: <https://www.harvard-ma.gov/town-clerk/pages/2024-municipal-and-state-election-schedule> Additionally, there's info on the Annual Town Election to be held on April 9: <https://www.harvard-ma.gov/town-clerk/pages/annual-town-election-april-9-2024>

**Police Update:**

Activity: Between December 19th, 2023(last report) and January 22, 2023, the department addressed and initiated a total of 1,165 service calls. These included both self-started tasks such as radar assignments and business checks, as well as dispatched calls, summonses, arrests, and various other incidents and investigations. By the year's end, the Chief anticipates surpassing 10,000 calls, marking it as one of their busiest years on record.

Grants: All laptops, funded through a grant, have been successfully delivered and are scheduled for installation in the police vehicles on January 30th. Additionally, the department is in the final stages of completing the setup of the AFIS machine interface, which was also funded through state grants. This progress signifies a significant enhancement in our technological capabilities, further enabling our police force to serve the community effectively and efficiently.

Community Policing: Franny the Comfort Dog was officially sworn in on 1/22, an event that drew an impressive turnout at the new COA building. The ceremony not only highlighted the unique role Franny will play in continuing Dusty's tradition by providing comfort and support but also brought the community together in celebration of this new addition. The Chief extended his heartfelt gratitude to Debbie for graciously allowing us to use the COA's new building for the event. Her support played a pivotal role in making this memorable event a success, fostering a

sense of community and highlighting the positive impact of comfort animals like Franny in Harvard.

Training Update: Our police department demonstrates a firm commitment to continuous training and maintaining current certifications. All our officers are actively engaged in their annual in-service training at various police academies, ensuring they are up-to-date with the latest standards and techniques in law enforcement. Officer Schaeffer has successfully completed the NASRO Certificate for School Resource Officers, enhancing our capabilities in educational environments. Additionally, five officers have participated in the Open Sky Mental Health CIT certification process, a critical initiative in addressing mental health issues, which was hosted at our police department for the benefit of our members and neighboring communities. Furthermore, Det. Genetti has advanced the department's expertise by attending a specialized training program for Advanced Sexual Assault Investigations, underlining the department's commitment to handling such sensitive cases with professionalism and care.

### **FY25 Budget:**

- The Finance Committee asked for a second round of cuts to bring budgets to level funding, which is below level service. Attached is a memo that they received. As you can see there are multiple cuts that would have to be made. These cuts are not just numbers on a piece of paper as they represent reduction in services and to hours of operation in some departments.

### **Legislature/Beacon Hill: (information from State House News unless otherwise noted)**

- We all know 9C cuts were announced a couple weeks ago as the Governor cut \$375 million from the current fiscal year budget. It looks like the State's bond rating and rating agencies along with a combined \$2 billion in general obligation bonding coming out in January and February helped make the decision to cut budgets as opposed to bailing out the budget with the rainy-day fund. The governor also used revenue from the Lottery and Gaming revenues to help close the \$1 billion budget gap.
- Top lawmakers ruled out tax hikes to fund the Governor's lofty proposals and the House Ways and means Chair, Aaron Michlewitz, stated on the television program "On The Record" that he is "buckled in for budget belt-tightening" and that the legislature just cut taxes and he agrees with Speaker Mariano that the legislature is not going to be increasing taxes.
- The Governor is proposing legislation that will allow cities and towns the ability to raise the local option hotel and meals taxes and proposed a 5% local option tax on the value of motor vehicles as well. This seems counter-intuitive where the state is cutting taxes to make the state more affordable but then allows cities and town the ability to increase taxes on those same taxpayers.
- The MBT budget gap for fiscal 2025 is now over \$560 million and there is expectation that it could grow to as high as \$902 million by fiscal 2029. The Millionaire's tax is helping with the safety issues as \$200 million is being spent from that account on safety upgrades but the annual operating budget is another issue all together.

- As mentioned in this report two weeks ago, the family shelter spending issue and the waitlist are growing and a report was given to the legislature that showed the state spent \$30 million in just two weeks and that the waitlist had grown by 109 families to 542 families in just two weeks. There has been recent cautionary comments that have come out of the legislature that has indicated that support for the Governor's plans and commitments in this area are waning.
- There was a recent report out that shows how the state's aging workforce may constrain economic growth. With the outmigration and slowing of international immigrant through the pandemic has caused labor growth over the next 30 years to be just 7%, which is ½ of what it was in the past 30 years.
- There was a recent article in the Lowell Sun about how two communities are dealing with 40B requirements and the need for affordable workforce housing. The two municipalities are Lowell and Dracut. Lowell has embraced the redevelopment of an old catholic church, rectory, and school into 69 units of housing and Dracut is fighting a 300-unit development and is losing because it is a 40B and they are not at their required 10%. These developments and developers are still out there and as housing becomes a bigger issue to solve for the State, we need to take control of our 40B destiny and work to get ourselves over the 10% threshold.

#### **Notices, Reminders, Dates of Note:**

- Town reports were due on the 18<sup>th</sup> and if you have not submitted yours you need to get it to Julie immediately.
- 204 Lanes, the bowling business, has been sold and the new owner wishes to continue with on premise wine and beer. This requires action by the Select Board on a transfer of license which will happen at the Board's next meeting.
- The Board's next two meetings will be the 6<sup>th</sup> and 20<sup>th</sup> of February. The 20<sup>th</sup> is school vacation week and is also the latest date for the board to make a decision regarding an override, if there is going to be an override.